Submitted By
Ryan nichols
Submitted On
12/28/2017 5:23:57 PM
Affiliation

Proposal 116: I would like to write in support of the proposed annual bag limit on non resident anglers concerning sable fish in outside/federal waters. I concurred w the proposed that there should be an annual bag limit for non residents and feel that the daily bag limit and possession limit should be that of 3 daily 3 in possession w an annual limit of 6. Sablefish stocks are fully utilized and with the nonresident limit having no annual limit allows for unlimited growth in a fishery that is fully utilized. As for a reduction in bag limits and annual limits, I feel that a daily limit of 3 is large enough to warrant people targeting black cod but will also help ease increasing pressure on this species especially in localized areas. Lowering the bag limit on sablefish would also help reduce catch of non-target species such as rougheye and shortraker rockfish.

Submitted By
Sandra Nessett
Submitted On
12/15/2017 12:29:22 PM
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To Board of Fisheries concerning SE and Yakutat Shellfish. Concerning Proposal 84.

5 AAC 31.136. Closed waters in Registration Area A.

Close additional waters in District 2 to commercial pot shrimp fishing as follows: (4) Shrimp may not be taken in the waters of Kasaan Bay North and West of a line from the Northern most tip of Daisy Island located at 55'28.816'N lat. 132'19.379' W long. Northeast to a point on Kasaan Peninsula located at 55'30.533'N lat, 132'18.191'W. Including all waters of Twelve Mile Arm.

REASON: Over the years District 2 commercial shrimp season has caused a downward trend to the shrimp biomass in the waters of Kassan Bay and Twelve Mile Arm to a point where the area can no longer support a commercial fishery. Beginning with 2009 quota from 86,000 lbs to 65,000 lbs. ADF&G stated the reasoning for the reduction was due to EXCESSIVE EXPLOITATION RATES, DECLINING CPUE and a decrease in mean carapace length. In 2010 quota was 65,000 with 68,893 harvested. In 2011 quota 65,000 with 75,425 harvested. Incredibly in 2012 quota stays at 65,000 with 74,631 harvested! Excessively over the quotas here folks. In 2013 still 65,000 (wondering where your interest lies here guys) with 62,250 harvested. In 2014 quota finally reduced to 52,000 and CLOSED by Emergency Order the waters of Kassan Bay, Twelve Mile Arm and Skowl Arm after only 12 days. Commercial shrimp fisherman harvested 50,0826 lbs of shrimp. Subdistrict 102-60 Kassan Bay and Skolw Arm is being closed as a conservation measure to protect this localized shrimp stock from additional fishing pressure. Commercial harvest rates have been in decline over the past several years. The Pre-season survey the department has conducted over the past four seasons has also shown a precipitous decline in the catch rates of spot shrimp as well a decline in biological parameters. ADF&G has not opened the waters of Kassan Bay and Twelve Mile Arm since 2014. This commercial closer is a small percentage of District 2. We have moderate personal use fishing pressure through out the year from residents of Prince of Wales Island as well as Ketchikan. However , personal use fisherman has declined rapidly due to their catch effort is very low. Prince of Wales has a large population of subsistence/personal use who rely on the land and ocean to survive. The island has a high cost of living with financially depressed economy. A regulation closure of the area to commercial shrimping would protect a relatively small percentage of District 2 to allow personal use fisherman to utilize the shrimp resource. The areaselected for closure is in close proximity to the community of Hollis and Kasaan. Both places have harbors and boat launches wich are utilized by all residents of Prince of Wales Island with small vessels. Commercial vessels would still be able to fish District 2 in waters, Not directly adjacent to the communities of Hollis and Kasaan.

I am requesting that the Board of Fisheries enact this regulation change as written, to protect the personal use shrimp fishery for the residents of Alaskans. I feel it is the DUTY of the Board of Fisheries to PROTECT the shrimp biomass of Kasaan and Twelve Mile Arm for the residents of Alaska! Not just the betterment of the commercial enterprises.

Sincerely an Alaskan resident, living a subsistence lifestyle in Hollis Alaska. Thank you.

Submitted By
Sawyer Smith
Submitted On
12/28/2017 5:52:39 PM
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I just want to voice my strong support for proposal 99 and the other proposals put forward by the Sitka tribe of Alaska. Herring are critical to the culture of the Tlingit people and vital to ensuring a balanced aquatic ecosystem. Recent trends make it abundantly clear that drastic changes must be made.

Submitted by Seth Charlton
December 26, 2017
Support for Proposal 184

Members of the Board of Fisheries,

I am a hand troll permit holder in the Southeast salmon troll fishery and I strongly support Proposal #184. This proposal would allow hand trollers to use downriggers on a year round basis. Different versions of this proposal have been presented to the BOF in previous cycles and have not been successful. You once again have the opportunity to pass this common-sense proposal.

Downriggers simply serve to set the line of a rod and reel at a known depth. Passage of this proposal would allow hand trollers to control the depth of presentation when fishing their single lure or baited hook. Depth control is a fundamental requirement of salmon fishing and should be available to those using rod and reel, just as it is for hand and power trollers operating gurdies. Current regulations allow the use of downriggers during the winter king salmon fishery only. Adoption of this proposal would provide hand trollers with an option to help avoid shoulder injuries and a safer fishing option for small skiff operators in rough sea conditions where the operation of heavy duty gurdy gear becomes more dangerous.

The enforcement community has opposed this proposal citing concerns about separation of gear and the reduction in ability to visually distinguish sport vessels from commercial vessels should the use of downriggers be permitted outside of the winter season.

Here are the facts that the Board should consider:

- There currently is no separation of gear; sport fishing for salmon is allowed from commercially registered power and hand troll vessels.
- An enforcement officer cannot determine what a fisherman/vessel is up to unless they contact that vessel.
- A hand troll vessel is required to display the letters “HT” on both sides of the vessel when registered to participate in a commercial salmon fishery.
- A fisherman taking a salmon in the sport fishery from a commercially registered troll vessel must immediately remove the dorsal fin of that salmon to distinguish that fish from a commercially saleable salmon.
- A person may not sportfish and commercial fish for salmon from the same vessel on the same day.
- An enforcement officer has the tools needed to identify registered commercial hand troll vessels on the fishing grounds (“HT” lettering requirement) and to prosecute individuals fishing and intending to sell illegally taken sport caught salmon from waters closed to commercial salmon fishing (dorsal fin removal requirement).

Finally, those that would choose the downrigger/ rod and reel combination over hand gurdies would also be voluntarily accepting a reduction to the amount of gear they could fish. There is no conclusive evidence to support the notion that passage of this proposal will result in an increase in harvest by hand trollers. Alternatively, the catch could potentially decrease for a hand troller that chooses to use rod and reel instead of hand troll gurdies which allow the use of many hooks.

Thank you.

Submitted By
Shaun Haseltine
Submitted On
12/27/2017 1:10:00 PM
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I Oppose #80 and #81

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

December 28, 2017

VIA FAX (907-465-6094)

Board of Fisheries
ADF&G Boards Support
PO Box 115526
Juneau, AK 99811-5526

RE: STA Comments: Support for Proposals 99, 105, and 106 and Opposition to Proposals 94 and 104

Dear Board of Fisheries Member,

I write on behalf of the Sitka Tribe of Alaska (STA), a federally recognized tribal government in Sitka, Alaska for over 4,000 tribal citizens. STA is responsible for the health, welfare, safety, and preserving the culture of its citizens.

Herring are a culturally and ecologically important fish in Southeast Alaska. They have been an integral part of Native culture in Southeast Alaska for thousands of years (Moss et al, 2016; Thornton et al, 2010). Herring eggs are a celebrated traditional food; they are often shared as gifts and eaten at gatherings such as potlatches (Schroeder and Kookesh, 1990). Sitka Sound is the last herring stock that consistently provides a substantial subsistence herring egg harvest; however, the needs of subsistence harvesters have not been met in recent years. Alaska Department of Fish & Game (ADF&G) data show that subsistence needs for Sitka have only been met in three of the last ten years (Sill and Cunningham, *in press*).

Herring are an ecologically important species for the marine ecosystem. Traditional Ecological Knowledge (TEK) suggests that herring stocks are severely depleted and are being managed under a shifted baseline (Thornton et al, 2010; Pauly, 1995). STA believes herring are a critical link in the marine food web and further decline of herring stocks will negatively impact other culturally, ecologically, and economically important fish species, such as king salmon and halibut. STA is concerned with the health of Sitka Sound herring and believes conservation measures are urgently needed to prevent further decline and the potential extirpation of Sitka Sound herring. **STA's position on Board of Fisheries proposals is rooted in preserving Native culture and marine ecosystems.**

Sitka Tribe of Alaska supports Board of Fisheries (BoF) proposals 99, 105, and 106. Sitka Tribe of Alaska opposes Board of Fisheries (BoF) proposals 94 and 104.

Amount Necessary for Subsistence

The Alaska State Constitution directs the Board of Fisheries to provide for subsistence uses of a fish population before any other allocation (Alaska Statute AS 16.05.258 [b]). Herring populations were previously abundant across the North Pacific and provided a plentiful subsistence harvest in coastal communities throughout the Pacific Northwest (McKechnie et al, 2014; Moss et al, 2016). Southeast Alaska herring stocks have declined significantly since the start of reduction fisheries in the late 1800s and Sitka Sound is now the only herring stock that still consistently provides for a significant subsistence harvest (Thornton et al, 2010). Sitka herring eggs are shared across the state and the country (Sill and Lemons, 2012). In the 2017 Tribal Needs Assessment, 145 STA Tribal household responded that they eat herring eggs; this was the second-most widely consumed traditional food, trailing salmon by only four households (McDowell Group, 2017). It is imperative to conserve Sitka Sound herring and ensure that subsistence harvest needs are met. Alaska cannot risk losing an irreplaceable part of its Native culture.

The Board of Fisheries set the amount reasonably necessary for subsistence (ANS) at 105,000 – 158,000 pounds of herring roe from 2002 to 2008 and adjusted the ANS to 136,000-237,000 pounds beginning in 2009, based on harvest estimates from ADF&G surveys for 2002-2008 (Sill and Cunningham, *in press*). The ANS has been met in seven of the past 15 years with data available (2002-2016). However, the ANS has only been met in three of the last ten years and only one of the last six years, in 2014 (Table 1). Proposal 94 suggests reducing the ANS to 60,000 – 120,000 pounds without providing any justification for the reduced ANS harvest levels. The ANS is currently based on the best available data, compiled by ADF&G. If Proposal 94 is adopted, it would mean that the ANS would have been met in every single year subsistence harvest data have been collected. Subsistence harvesters have clearly indicated that subsistence needs have not been met in each of the last 15 years, as evidenced by ADF&G subsistence harvest surveys (Sill and Cunningham, *in press*). In the 2017 Tribal Needs Assessment, 83% of respondents indicated that their household would consume more herring eggs if they were available (McDowell Group, 2017). Proposal 94 is simply "moving the goalposts" in an attempt to mitigate a legitimate concern of subsistence harvesters.

Table 1. Subsistence Harvest of Herring Roe in Sitka Sound, 2002-2016. Data are not yet available for 2017. Data from Sill and Cunningham, *in press*. Note the frequency with which the ANS has not been met in recent years.

Year	Subsistence Harvest (pounds)	ANS Met?
2002	151,717	Yes
2003	278,799	Yes
2004	381,226	Yes
2005	79,064	No
2006	219,356	Yes
2007	87,211	No
2008	71,936	No
2009	213,712	Yes
2010	154,620	Yes
2011	83,443	No
2012	115,799	No
2013	78,090	No
2014	154,412	Yes
2015	106,998	No
2016	84,554	No

Proposal 94 suggests that the ANS is not being met due to lack of effort on the part of subsistence harvesters. However, ADF&G's herring egg harvester surveys indicate that it is opportunity to harvest, not effort, that is limiting the subsistence harvest. Numerous Tribal elders have testified that herring spawn in Sitka Sound has decreased in duration and amount and become more unpredictable in temporal and spatial distribution (Schroeder and Kookesh, 1990). A few harvesters, deemed "superhouseholds", harvest the majority of herring eggs and then distribute those eggs to many other households (Wolfe et al, 2010; Sill and Cunningham, *in press*). This superhousehold is ubiquitous among many different subsistence resources (Wolfe et al, 2010). Given the role of superhouseholds in the subsistence herring egg harvest, STA believes it is best to measure harvest effort by number of hemlock branch sets rather than number of individual participants.

STA's Traditional Foods Program has harvested herring eggs for distribution to Tribal elders and citizens for about fifteen years. Prior to 2015, STA would typically make approximately 15 sets and harvest 4,000-5,000 pounds of herring eggs. STA made 21 sets in 2015 and harvested 9,600 pounds of roe, a stellar year by all accounts. However, STA made 31 sets in 2016 and 33 sets in 2017 and harvested roughly 3,600 pounds and 1,260 pounds, respectively (Table 2). This pattern is not unique to STA; it is corroborated by ADF&G survey data as well as the testimony

of Tribal elders during Sitka Advisory Committee meetings. In summary, harvesters are making more sets and obtaining fewer herring eggs. It should be noted that the commercial sac roe fishery opted for a co-operative fishery in 2015 and the reduced fishing pressure on spawning herring may have produced a longer, better quality spawn for subsistence harvesters. In 2016, approximately 30% of harvesters stated "resource availability" as the reason for decreased harvests, while over 35% listed "poor quality" spawn (Sill and Cunningham, *in press*). Over 40% listed "working/no time" as the reason they did not attempt to harvest herring eggs; this may be because the spawn suitable for subsistence harvest has significantly decreased in duration (Sill and Cunningham, *in press*; Shroeder and Kookesh, 1990). Survey data are not yet available for 2017. The testimony of Tribal elders and the responses to ADF&G surveys clearly indicate that the current ANS is set at an appropriate level. The inability of herring egg harvesters to meet the current ANS is not indicative of lack of effort, but rather lack of spawn. **Therefore, the Sitka Tribe of Alaska opposes Proposal 94.**

Table 2. Subsistence herring egg sets and harvest by Sitka Tribe of Alaska's Traditional Foods program, c. 2002-2017. Unpublished data.

Year	Sets (#)	Harvest (pounds)
c. 2002-2015	approx. 15	approx. 4,000-5,000
2015	21	9,600
2016	31	3,600
2017	33	1,260

<u>Core Conservation Area</u>

ADF&G herring egg harvester surveys began collecting data on harvest locations in 2006 and have consistently indicated the areas around Middle, Crow, Kasiana, and Japonski Islands as the most important and productive for subsistence harvesters (Holen et al, 2011; Figure 1). This area consistently has the greatest concentration of effort in the subsistence herring egg fishery. In 2012, the Board of Fisheries established the "Core Conservation Area" described by 5 AAC 27.150. However, the established protected area was only half of the area indicated by subsistence harvesters. Given that Sitka Sound is the last consistently viable subsistence herring stock in the North Pacific, it is important to protect the Core Conservation Area. The Core Conservation Area should be expanded to match what subsistence harvesters described to ADF&G and is proposed in Proposal 106. Therefore, STA **supports Proposal 106.**

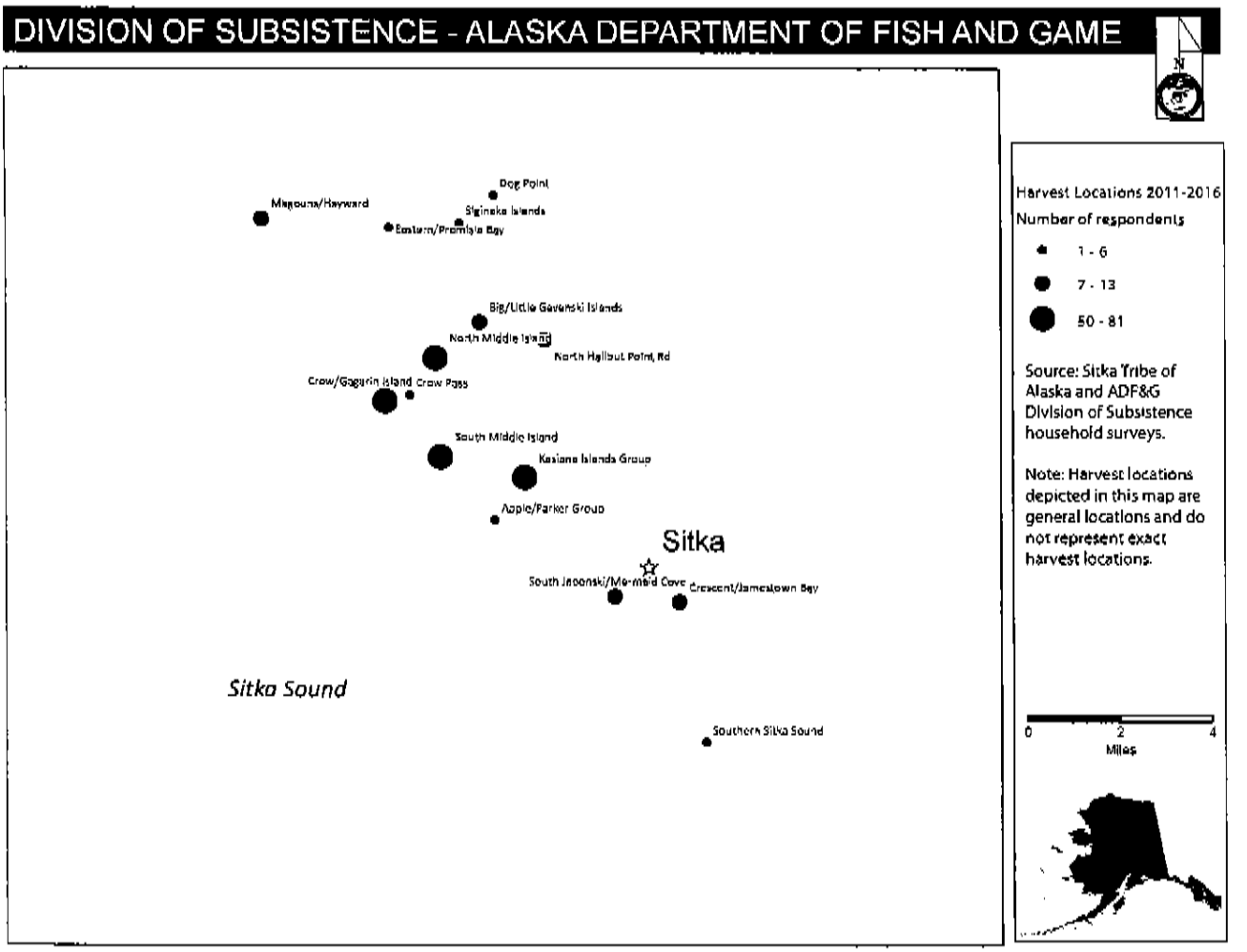


Figure 1. Subsistence herring egg harvest locations, 2011-2016. Reproduced from ADF&G staff comments on Proposal 104 (L. Sill, ADF&G, personal communication, 11 December 2017).

Another Board of Fisheries proposal also deals with the Core Conservation Area. Proposal 104 seeks to rescind the Core Conservation Area, saying it is unnecessary for subsistence harvesters. However, ADF&G herring egg harvest surveys and the experience and testimony of Tribal elders and subsistence harvesters strongly dispute this point (Holen et al, 2011; Sill and Cunningham, *in press*). Therefore, **STA opposes Proposal 104.**

It is also worth considering just how small the Sitka Sound subsistence fishery is relative to the sac roe fishery. Subsistence harvest data are available from 2002-2016 from ADF&G's Division of Subsistence. In that time, the subsistence harvest of herring roe in Sitka Sound has been approximately 5% of the total harvest of herring roe in Sitka Sound (Figure 2). It should be noted that 100% of herring caught in the sac roe fishery are processed, while there is no mortality suffered by herring in the subsistence fishery - those fish may survive to return to

Sitka Sound and spawn again. Additionally, TEK suggests that herring egg survival is poorest for eggs laid more than three feet below the mean low water line and these are the eggs targeted by subsistence harvesters (Thornton et al, 2010). Studies have shown that egg harvest has a lesser impact on herring populations than harvesting the adults (Shelton et al, 2014). Given the small size and benign nature of the subsistence fishery, there is no reason to decrease the ANS or remove protections to the Core Conservation Area.

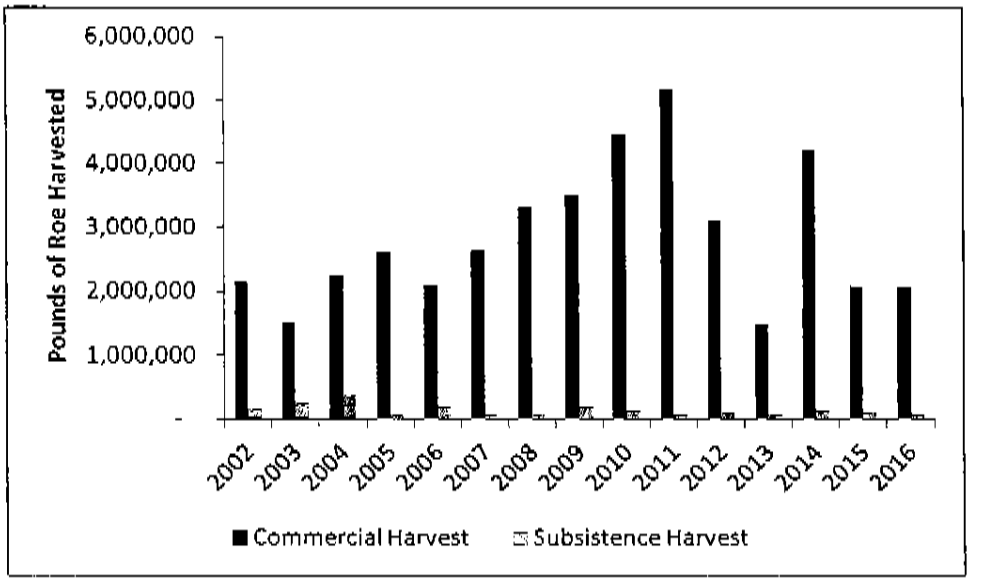
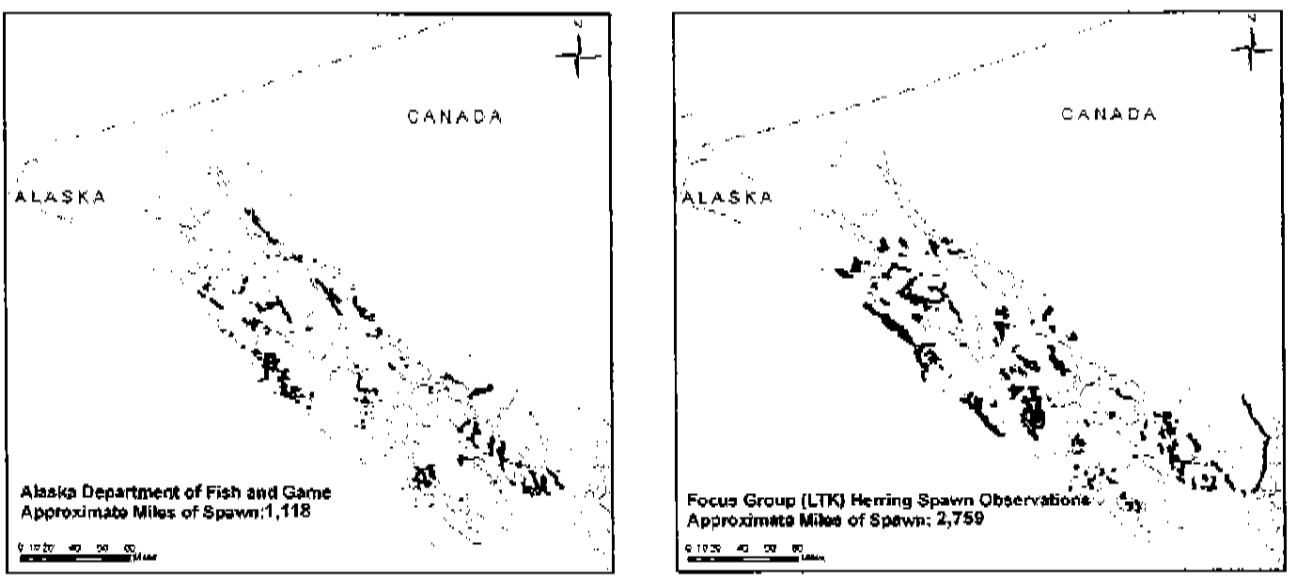


Figure 2. Commercial and Subsistence harvest of herring eggs in Sitka Sound, 2002-2016. Subsistence harvest data are not yet available for 2017. Note the small gray bars indicating subsistence harvest. Also note that the subsistence fishery does not cause any additional mortality.

To further illustrate just how large the sac roe fishery is, it may be worthwhile to think about herring as individuals, rather than "tons of product". The 2017 sac roe fishery harvested 13,923 tons of herring. This amounts to approximately 3,146,598 pounds of herring roe harvested. Based on ADF&G's pre-season forecast estimate of average size-at-age and age structure of the Sitka Sound stock, this equates to approximately 120,443,641 herring harvested in the 2017 Sitka Sound sac roe fishery (ADF&G, 2016). This is an incredible amount of fish that might have been better left to support other fish species or return to Sitka Sound to spawn again and continue building the biomass of Sitka Sound herring to its former abundance.

While ADF&G surveys indicate that the Sitka Sound herring stock is growing, STA maintains the population is being managed under a shifted baseline. Traditional Ecological Knowledge (TEK) indicates that herring stocks were previously much more abundant, both in Sitka and throughout the north Pacific (Thornton et al, 2010). TEK suggests there has been a precipitous decline in herring abundance since the start of herring reduction fisheries in Southeast Alaska in

the 19th century. TEK also indicates that the duration and intensity of spawning events is decreasing and there has been a considerable contraction in spawning area (Schroeder and Kookesh, 1990; Figure 3). Numerous elders have testified to the former extent of spawn, noting that in the past, every rock and every bay was covered in spawn. For example, ADF&G interviews record TEK stating that unattached eggs would wash up on Sitka Sound beaches in piles two feet deep (Schroeder and Kookesh, 1990). Spawning events now are "flashier", beginning and ending much more abruptly, and spawn deposition is not as dense as before commercial fisheries began. Nearly all respondents to the 2017 Tribal Needs Assessment were concerned about the Sitka Sound herring stock; 76% were "very concerned", 16% were "somewhat concerned", and only 4% were "not concerned" (McDowell Group, 2017).



Linear miles of spawn identified by Alaska Department of Fish and Game (c.1970 - 2007). The data was presented as an image of aggregate data without a specific time span. Using this image, spawning locations were georeferenced using GIS software. The linear miles of spawn was calculated using a function of this software that sums the total miles of coastline identified as spawning locations. Note that some spawning areas are more frequented than others from year to year according to local conditions. For example, Middle Island, in Sitka Sound, has supported significant spawn nearly every year documented, while other areas have supported spawn irregularly or become barren.

Linear miles of spawn identified by consultants who participated in the Herring Synthesis Project (c. 1915 - present). At every focus group and individual interview, maps were provided and consultants were encouraged to identify, and mark herring spawning areas. This data was transfered into a GIS database and miles of linear spawn were calculated using a function of this software. According to these observations, herring spawning areas have covered extensive areas historically and greatly exeed those monitored by the Alaska Department of Fish and Game.

*LTK data do not include Yakutat, Haines,Klukwan, Hydaburg or Metlakatla; limited data were collected from Wrangell

Figure 3. Linear miles of spawn identified by ADF&G (c. 1970 – 2007) compared to TEK (c. 1915 – 2009). Note that TEK identified more than twice as many linear miles of spawn as ADF&G surveys. Reproduced from Thornton et al, 2010.

TEK maintains that spatial distribution of herring spawn is changing. TEK suggests Nakwasina Sound, Katlian Bay, and Aleutkina Bay were all consistently plentiful subsistence herring egg

harvest sites. However, since ADF&G began mapping spawn in 1964, southern Nakwasina Sound has only seen spawn in 22% of years while Aleutkina has only had spawn in 35% of the time. In addition, Aleutkina has declined more in recent years - Herring spawn has been recorded in just six of the last 25 years and just two of the past 18 years. Spawn in Katlian Bay has diminished in terms of total mileage and quality. STA would like to protect all traditional herring egg harvest locations. Therefore, **STA supports Proposal 105.**

Herring is intimately intertwined with Tlingit culture. Herring eggs are a treasured subsistence food and herring appear frequently in *at.oow*. Additionally, several places in Sitka have Tlingit toponyms that allude to previous herring abundance. Yaaw X'áat'i is the Tlingit name for Long Island and means "Herring Island". This area of southern Sitka Sound has received herring spawn only 33% of the time since ADF&G began mapping nautical miles of spawn in Sitka in 1964, and only twice in the last ten years. Yaaw Kookk' is the Tlingit name for Herring Cove and means "Little Herring Fish Hole" (Thornton 2012). Herring have not spawned in Herring Cove since ADF&G began collecting data in 1964 and have only once spawned near Herring Cove. Yaww Teiyí means "Herring Rock" and was traditionally heralded as the first place herring spawned in Sitka Sound. Yaww Teiyí was moved for construction of the airport runway. However, this rock now sits in front of the Sheet'ká Kwáan Naa Kahídi, a visceral reminder of spawning habitat forever lost and changes already wrought on the ecosystem and Tlingit culture.

Guideline Harvest Level

STA firmly believes the Sitka Sound herring stock must be conservatively managed to ensure abundant subsistence harvest and a functioning marine ecosystem in the future. While STA appreciates the efforts of ADF&G staff to estimate herring biomass, STA also believes that estimating herring biomass is an inherently difficult task and far from an exact science. The marine ecosystem is very complex and many factors influence herring populations. For example, juvenile herring survival and ocean conditions are exceptionally challenging to model with any degree of certainty. Currently, there is no way to collect adequate data on ocean survival of juvenile herring, so little is known about the abundance and health of age-1, -2, and -3 herring. Climate change and ocean acidification have already been documented to have negative impacts on Atlantic herring (Frommel et al, 2014). Similar impacts on Pacific herring may not be captured by models in a timely manner. Additionally, it is likely there are "unknown unknowns", factors impacting herring population dynamics that aren't well-known or incorporated into the model. The model also does not publicly publish any uncertainty around the forecast estimate, which may lead to a false sense of security; it would be appropriate to publish data on the precision of the forecast estimate. Lastly, the model is vulnerable to large perturbations that occur in the months leading up to a fishery. The multitude of interactions and uncertainties mean that the model, despite the best efforts and intentions of modelers, may not perform well. And this has proven to be true. ADF&G

estimated the 2012 forecast biomass at 144,143 tons, while the total return was only 77,460 tons. This means that only 54% of the biomass forecast by ADF&G arrived on the spawning grounds in Sitka. The model is not accurate enough to safely protect herring from overharvest.

Additionally, there is no way to verify the forecast biomass estimate in-season. If the model significantly overestimates spawning biomass and the guideline harvest level (GHL) is set too high, it may be difficult for ADF&G managers to adjust the harvest in an appropriate manner. To ADF&G's credit, when the predicted spawning biomass did not materialize in 2012, managers did not allow the sac roe fishery to harvest the full GHL. Currently, the spawning biomass is calculated by hindcasting after the season and typically published in December following the fishery. However, it does little good to know that the biomass fell short of forecasts eight months after the season is over. Given the uncertainty surrounding biomass forecasts and difficulty of in-season management, a conservative management approach is imperative.

The current guideline harvest level is set by a sliding scale as outlined in the 2017 Southeast Alaska Sac Roe Herring Fishery Management Plan (Thynes et al, 2017). The Sitka Sound Sac Roe fishery harvest rate is set between 12% and 20% by Equation 1. All other Southeast sac roe fishery harvest rates are set between 10% and 20% by Equation 2. Currently, the threshold level for a Sitka Sound sac roe fishery is set at 25,000 tons (Thynes et al, 2017). Curiously, Sitka's harvest rate equation is not tied to the threshold level, like all other Southeast sac roe fisheries. Additionally, the Sitka Sound formula yields a much more aggressive harvest at lower thresholds (Figure 4). There is no apparent reason for the Sitka Sound formula to be different than all other Southeast stocks.

$$\textbf{Percent Harvest Rate} = 2 + 8\left[\frac{\textit{Forecast Spawning Population Size}}{20{,}000}\right] \text{ (Equation 1)}$$

$$\textbf{Percent Harvest Rate} = 8 + 2\left[\frac{\textit{Forecast Spawning Population Size}}{\textit{Threshold Level}}\right] \text{ (Equation 2)}$$

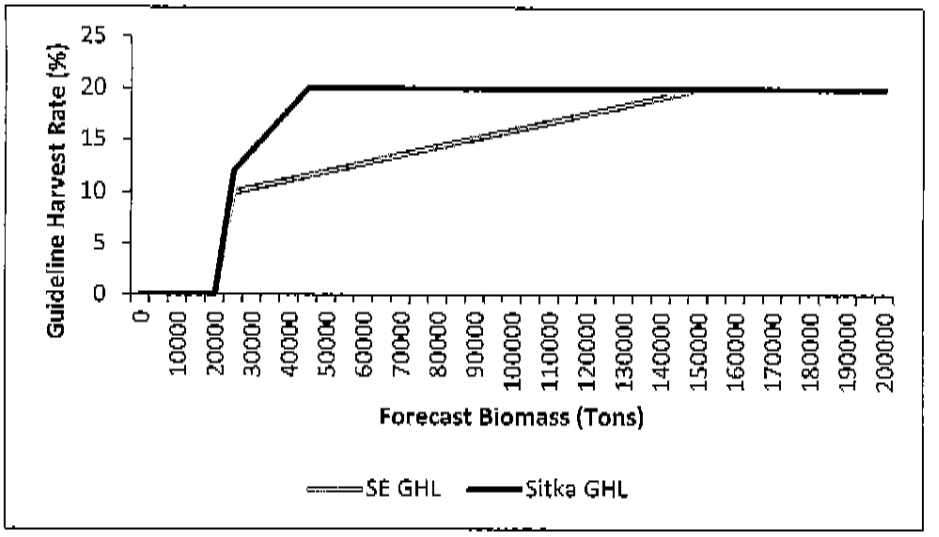


Figure 4. Southeast GHL calculation as compared to Sitka Sound GHL calculation. Note that the Sitka Sound formula offers a much greater harvest rate between 25,000 and 150,000 tons of forecast biomass.

STA believes both GHL formulas are too aggressive and a more conservative approach is needed to rebuild herring stocks and ensure herring populations are sustainable for future generations. STA proposes capping the guideline harvest level (GHL) at 10% of the spawning biomass. This still allows for a commercial fishery to be prosecuted but offers more protection for the stock, in case forecast estimates are off. In addition, a reduced GHL increases subsistence opportunities and increases the likelihood that stock biomass will grow. Therefore, **STA supports Proposals 99.**

As a forage fish and keystone species, herring population dynamics have a profound impact on other culturally, ecologically, and economically important species. In 2017, the closure of the commercial and sport king salmon fisheries due to poor ocean survival and record-low returns to Southeast systems disrupted the livelihoods of a number of commercial, charter, and sport fishers. ADF&G has already predicted king salmon will again be "in short supply in 2018" (Woolsey, 2017). There are likely many factors contributing to poor ocean survival and dismal returns of king salmon. Declining herring populations may be one factor, as herring are a major component of king salmon diets and lack of prey has been implicated in poor returns in other king salmon systems (Thayer et al, 2010). Studies have shown that herring can constitute 60% of the biomass of a king salmon's diet (Fresh et al, 1979; Environment Canada, 1998). Herring are also important prey for coho salmon and halibut, constituting 58% and 53% of their prey, respectively. (Environment Canada, 1998) Herring directly and indirectly support a number of other important subsistence species and STA fears that further depletion of herring stocks will result in negative impacts on those populations.

In summary, the **Sitka Tribe of Alaska supports Board of Fisheries (BoF) proposals 99, 105, and 106. The Sitka Tribe of Alaska opposes Board of Fisheries (BoF) proposals 94 and 104.** Thank you for your thoughtful consideration.

Sincerely,

KathyHope Erickson
Chairman

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Submitted By
Sonia Ibarra
Submitted On
12/15/2017 12:13:31 PM
Affiliation
University of Alaska Fairbanks

Dear Board of Fish,

I am writing in support of proposal 99 to reduce the sac-roe guideline harvest to 10% of biomass. Herring are a critical forage fish that are better left in the water to support our marine ecosystems and subsistence roe harvests. I strongly support proposal 99 because it would increase the amount of mature herring left in the water where they belong. Local and traditional knowledge from Southeast Alaska harvesters including elders, strongly demonstrates that the herring sac roe fishery is an overharvested stock.
See http://herringsynthesis.research.pdx.edu/final_docs/HerringSynthesisFINAL102410.pdf) for a detailed account of historical observations that extend beyond ADFG's current scientific understanding of what historical herring levels use to be. Current ADFG size at age data that are used to do stock assessments are not adequately validated and recently underwent major reanalysis that required trained agers to reage thousands of scales.

Sincerely,

Sonia Ibarra

Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

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December 27, 2017

Alaska Board of Fisheries
John Jensen, Chair
PO Box 115526
Juneau, AK 99801

RE: 2018 Southeast Shellfish, Groundfish, and Finfish Proposals

Dear Board of Fish Members,

Southeast Alaska Fishermen's Alliance (SEAFA) represents our 300 + members involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska. Prior to submitting our comments, we sent out an online survey to our members regarding several of the shellfish proposals and encouraged that they share the survey with non-members to help develop our positions on the proposals. Our comments on individual proposals are presented in numerical order by fishery for convenience.

DUNGENESS CRAB

Proposal #53: No position *at this time, additional information needed*

This is a proposal submitted by ADF&G to clarify regulations related to the sale of buoy tags for the commercial crab fisheries in Southeast Alaska. We have concerns about unintentional enforcement issues arising from these changes. We are in the process of setting up an evening meeting (hopefully the first night) during the Board of Fish meeting to discuss this proposal with the Department and enforcement issues regarding buoy tags. The Dungeness crab buoy tags were originally issued to the vessel because of the tiered permit system and the ability to stack several permits up to 300 pots maximum. *As the intent of this proposal is to try and align the regulation with current practices, we would suggest that 5 AAC 32.126(b) be additionally amended to read:*

(b) Identification tags are issued **on a schedule determined by the Department** [BEFORE EACH FISHING SEASON], are uniquely numbered for each registration **period** [year], and will be issued . . . Tags shall be renewed **on a schedule determined by the Department** [annually] at the time of registration before each fishing season.

Proposal #54: Oppose

This proposal submitted by an individual would reduce all tiers of Dungeness crab permits by 20% for a maximum number of permits per vessel at 240 pots. Most fishermen agree that the productive grounds for fishing have been reduced due to sea otter predation and the remaining grounds are getting more crowded with gear. While it appears that there is more support this cycle that the previous two cycles for reducing the number of pots, *overall the fleet isn't ready for pot reduction to take place.*

Proposal #55: Oppose

This proposal would increase the maximum number of Dungeness pots allowed per vessel to 400. Contrary to the intent of the proposal, this proposal would significantly increase the number of pots in the fishery. It appears the intent of this proposal was to allow more permits to be stacked on a vessel consolidating the fishery by number of boats actively fishing by allowing more pots to be fished on an individual vessel but less than what the current tiered permit levels are. CFEC regulations limiting the SE Dungeness crab fishery developed the tiers as a percentage of the number of maximum pots allowed by the Board of Fish **(20 AAC 05.764).** If the maximum number of permits was increased to 400, a tier A permit would automatically go to 400 pots (100%), a tier B permit would be 300 pots (75%), a tier C permit would be 200 pots (50%) and a tier D would be 100 pots (25%).

Proposal #56 Oppose

This proposal is requesting that Twelve-mile Arm be closed to commercial fishing for Dungeness crab. SEAFA is opposed to closing any additional waters for Dungeness crab fishing without adequate justification of biological conservation concerns or the chronic inability to meet the subsistence and personal use needs of local residents. If the Board decides additional area should be closed to commercial fishing to benefit personal use fishing near a community, SEAFA feels strongly that the area needs to be closed for sport fishing at the same time. If an area around a community needs protection for subsistence and/or personal use needs, then the

area needs to be reserved for those residents and not non-resident sport fishermen and the commercial fishery.

Proposal #59 Oppose

This proposal was submitted by ADF&G and would close the Yakutat Dungeness crab sport fishery. Currently the Dept. has been issuing emergency orders every year to close this fishery. We oppose the permanent closure because we hope that eventually the Dungeness crab fishery will recover and that a fishery will be allowed. By closing the fishery permanently, it prevents the re-opening until the next board of fish cycle occurs (including the commercial fishery) when it appears that recovery has occurred.

Proposal #60 Oppose

This proposal would establish a guided sport ecotourism Dungeness crab fishery in Sitka Sound. SEAFA opposed the George Inlet ecotourism crab fishery and we oppose this fishery. The Sitka Sound fishery is not that strong due to sea otter predation and continually handling the crab that do exist in the area does not help rebuild the resource. We do not believe that fisheries with low abundance should be subject to excess and repeatedly handling of crab.

Proposal #235 AMEND and then Support

SEAFA has been on record for a long time supporting 3S management (size, sex and season) for the Dungeness crab fishery. We believe that the Board generated proposal should be amended to include the extended fall season in District 1, District 2 and Section 13B except the waters of Sitka Sound Special Use area to February 28th. While there are not a lot of participants in these three areas between December 1 and February 28th, it is a well-established time frame that is important to those participants and their customers for the fresh crab. In addition, the Board generated proposal deletes the language that allows commercial Dungeness crab fishing in the fall season in the 13B Sitka Sound Special Use Area described in 5 AAC 32.150(10) and the waters of Whale Passage. The compromises to allow the area to be open in the fall and not the summer season has been long debated at Board of Fisheries meetings between different user groups and a compromise of a fall commercial season finally agreed upon.

The regulation would read:

5 AAC 32.110. Fishing Seasons for Registration Area A. In Registration Area A, male Dungeness crab may be taken or possessed only as follows:

(1) from 8:00 a.m. June 15 through 11:59 p.m. August 15 and from 8:00 a.m. October 1 through 11 :59 p.m. November 30, in all waters of Registration Area A other than those waters specified in (2) and (3) of this section;

(2) From 8:00 A.M. October 1 through 11:59 P.M. November 30, in the waters of
(A) Section 13-B that are in the Sitka Sound Special Use Area described in 5 AAC 32.150(10);
(B) Whale Passage North and West of a line extending from 56° 05.65' N. LAT., 133° 07.30' W. LONG. TO 56° 05.85' N. LAT., 133° 06.40' W. LONG.;

(3) From 8:00 A.M. October 1 through 11:59 P.M. February 28, in

(A) District 1;

(B) District 2; and

(C) Section 13-B, except the waters of Sitka Sound Special Use Area described in 5 AAC 32.150(10)].

KING AND TANNER CRAB

Proposals #61 & 62 Support

We support this proposal to make the Southeast and Yakutat waters match other areas of the state by allowing fishing to occur to 200-mile offshore instead of ending fishing at the 3-mile limit. The state has management authority out to the 200 miles and it makes sense to take advantage of this opportunity. This is a common practice around the state including such areas as Kodiak.

Proposal #63 Support

SEAFA supports this proposal that would allow an opportunity to gather additional information and data on red king crab stocks by implementing an exploratory commercial red king crab fishery in the Southern Districts. We are generally supportive of efforts to improve data on crab in Southeast, which tend to be under-studied species.

Proposal #64 Support

SEAFA supports this proposal that would create a red king crab equal quota share fishery when the 200,000-pound harvest threshold is not reached but the estimated harvestable biomass is at least 50,000 pounds. This opportunity would provide an important economic boost to the state and fishermen invested in this fishery. In addition, allowing a fishery to occur would help collect additional data on this fishery that is important to both the commercial and the personal use sectors. We believe that ADF&G working with industry through the King and Tanner task force would be able to find a way to manage the fishery to alleviate the concern of individual

area GHL's from being exceeded using the tools they currently have. In our informal online survey, 57% of the respondents for this question supported the proposal.

Proposal #65 Support

SEAFA supports this proposal to clarify that all king and Tanner grounds are open unless specifically listed as closed waters for a biological reason. Closing these waters was an oversight when ADF&G and industry worked together to move from using salmon statistical areas to redefining areas based on crab movement and fishing patterns.

Proposal #66 Support

SEAFA supports this proposal to allow a Golden king crab area closure to be delayed for weather. This protection is a safety measure like the delayed opening for weather we currently have in regulation.

Proposal #67 Oppose

SEAFA opposes establishing an automatic closure date for Golden King crab. There is very little effort late in the season but for those that participate in the opportunities it is of an economic benefit to both the fishermen and the State. In the last twelve years, there is only eight area/years which were open past the suggested closure date of November 15th. This minimal amount of effort should not prohibit the Dept. from being able to make an assessment of the upcoming fishery in February.

Proposal #68 Support

This proposal was jointly submitted by SEAFA and PVOA to address the closed area concerns that occurred prior to the last couple of seasons. Meetings were held with the Dept. to argue against a full-on closure in the East Central and Northern Areas. The Dept. does not have the funds to do any surveys in this area, so the only data the Dept. has to work with comes from the fishery itself. When no fishery is held, there is no data to determine what is occurring. In addition, full closures create a gap in the data series. Our intent to include language from the *Policy on King and Tanner Crab Resource Management* into the *Southeast Alaska Golden King Crab Management Plan* is to acknowledge that there is minimum data available to manage this fishery and the fishery provides the only data. This would provide a minimum amount of data from the commercial in every district each year. We do not believe that by adding this language the Dept. would be prevented from using their Emergency Order authority to close

the fishery for conservation concerns, but would make the Dept. justify the closure more fully and would encourage the Dept. and provide an expectation on the fishermen's behalf that at least a minimal fishery would occur. A fisherman does not stay fishing in an area where there is not adequate resource abundance because the economics wouldn't justify it.

Proposal #69 Oppose

We oppose this proposal submitted by ADF&G to reduce the higher end of the Guideline Harvest Ranges (GHR) for golden king crab in the Northern, Icy Strait and East Central Areas. The data the Dept. used to develop the recommended Maximum Sustainable Yield (MSY) data is the current 17-year time frame and excludes using data that captures the full range of highs (1990's) and lows (1980's) in addition to the current data. In 2009, the Board increased the upper end of the GHR when the fishery was exceeding the GHL/GHR. The fishermen understand that the target is the GHL established each year and not the upper end of the range. We don't believe that changing the range is appropriate as Golden King Crab fishing is very cyclical, and we believe that the fishery will in the future bump up to the higher end of the range. We want the opportunity to harvest crab at that time and not wait for the appropriate Board of Fish cycle to come back around.

Proposal #70 Oppose

SEAFA opposes the reduction in the number of pots for the Golden King crab fishery. The Dept.'s description of this issue is that it will help ease the fishing pressure on the Southeast Alaska golden king crab stock but we believe that is not what will happen in this situation. With less pots in their string, fishermen will be able to pick through their whole string of pots in one day and will tend to consolidate the pots on more productive grounds rather than spreading them farther out doing the exact opposite of the what the Dept. is trying to accomplish. Additionally, the shorter soak time will cause more handling of crab and escape rings would be less successful in filtering out undersize crab.

Proposal #71 Support

SEAFA's supports this proposal to allow the operation of commercial subsistence, sport or personal use pots in the 14 days after closure of SE AK Area commercial tanner crab fishery after putting pots in storage and registration is invalidated. This will make the regulations among crab fisheries consistent.

Proposal #72 Support

We support the proposal to re-define 'non-core' and 'exploratory' areas of the SE AK commercial tanner crab fishery. As with an earlier proposal, this would allow an opportunity for the commercial fleet to provide information and data on areas that have had no effort recently due to the shorter seasons.

Proposal #73 Oppose

SEAFA opposes this proposal to create an equal quota share fishery. The Dept. is able to effectively manage this fishery under the current management plan. Most fishermen do not prefer an equal quota share over a competitive fishery unless the fishery cannot be managed any over way and the alternative is a closure.

Proposal #234 Support

While SEAFA generally does not like the use of Board generated proposals, we support this proposal which would require a personal use fishing permit for the taking of king crab in all areas of SE AK and reduces the daily bag and possession limit. We understand that the Dept. did not have the process completely developed by the proposal deadline for issuing personal use permits online and keeping track of the information. We also support the reduced bag limit. Six king crab is a very liberal bag limit for every day the season is open and with that liberal of a bag limit, the inclination is to take the bag limit you are allowed if they are in the pot. Currently, there is a significant data gap in the amount of king crab harvested in the PU fishery and we support efforts to quantify harvest. Anecdotal evidence suggests that harvest numbers are very high. Managing the resource without adequate information about the removals makes it impossible to manage for optimum sustainable yield.

SHRIMP

Proposal #75 No Position / comment

This proposal requests the personal use shrimp fishery in District 11-A to be re-opened. We do not support re-opening this area if the biological data continues to show conservation concerns regarding the resource. When this fishery reopens it should be tied to a personal use permit and a reasonable bag limit in order to quantify harvest. Additionally, the fishery should be opened to commercial and sport when stocks are able to support a harvest. On page 44 of the 2018 Report to the Board of Fisheries on Region 1 Shrimp Fisheries under management concerns, one of the concerns listed is "Regionwide there is little information available on the magnitude

of non-commercial shrimp harvest. This represents a significant source of uncertainty in shrimp stock assessment", which is why we suggest a bag limit and permit.

Proposal #76 Support

SEAFA supports establishing shrimp pot requirements for the sport, personal use and subsistence fisheries that will protect juvenile shrimp by allowing them to escape the pots.

Proposal #77 Support

SEAFA supports the Dept.'s proposal to amend shellfish methods and means and repeal the sportfish abalone regulations which are no longer necessary as the fishery is closed.

Proposal #78 No comment *at this time*

We do not have a definitive position on the rearrangement of the district boundaries until we have had a chance to review Dept. comments and review a map. Our initial read is that this proposal seems reasonable. We **oppose the portion of the proposal that lowers the GHR** in the rearrangement of areas. Currently Districts 6, 8 & 10 have a combined GHL of 168,000 pounds of spot shrimp, and the new sections have a combined GHR of 155,000 pounds which results in a loss of 13,000 pounds.

Proposal #79 Oppose

SEAFA opposes this proposal to change the commercial fishing season for pot shrimp. Once a shrimp becomes a female they are egg-bearing 10 months of the year. The eggs are just not always as visible as they are in the fall. The fall fishery produces a very good quality frozen product. Other times of the year the shrimp will freezer burn really easily or be mushy. From past experience when the fishery was open 12 months a year, the females tend to release their eggs in the Feb-March time frame and for the time period after this molt, the shrimp are soft shelled until the shell is firmed up in late summer. Fishermen involved in the shrimp fishery are usually diversified in several fisheries. The fall timing of this fishery is such that there are minimal conflicts with other fisheries other than Dungeness crab fall fishery which also opens on October 1st.

Proposal #80 Oppose

SEAFA opposes this proposal making changes to the shrimp management plan. The reduction

of the number of small pots vs. large pots is unequal and is not needed at this time. The request to limit the number of pots per string and the exact distance pots are spaced creates an unnecessary enforcement complication and serves no useful purpose. The idea of requiring only one pot pull per day has been discussed at the previous several board meetings. Similar proposals have not been adopted and are opposed by the industry.

Proposal #81 Oppose
SEAFA opposes this proposal to require one pot pull per day. See above proposal.

Proposal #82, 83 & 84 Oppose
SEAFA opposes closing areas to commercial fishing without adequate justification. Any area closure for commercial fishing to protect the resident subsistence and personal use fishing should also close sport fishing in the same area.

Proposal #85 Support
SEAFA supports the Dept.'s suggested expansion of the shrimp beam trawl log book requirements to cover all fishing areas.

HERRING

We are not commenting on specific herring proposals. We would like to comment on the action taken at the work-session on non-regulatory proposals. The Board decided to write a letter to CFEC to allow open herring pounding by Sitka sac roe herring seine permit holders in Sitka Sound. This issue was agreed to be discussed during the SE finfish meeting. We oppose writing another letter to CFEC as it is unnecessary. At the last SE Board of Fish cycle. the Board wrote a letter requesting CFEC to hold a hearing on this issue. CFEC started the process by determining that there is a limited entry permit that authorizes herring pound fishing in the Sitka Sound area. Following that information, they held a hearing to determine if the Sitka Sound area was appropriately designated in the Northern SE pound permit. After the hearing, CFEC determined that the area designation was correct to have Sitka Sound as part of the Northern SE pound permit. That determination ends the discussion. The only way for an open pound herring fishery to come to fruition is for a portion of the Sitka Sound herring sac roe allocation to be shared with the Northern SE pound fishery. *To be clear, SEAFA is not advocating for that option, we are just stating what the path is.*

GROUNDFISH

Proposal #113 Support

SEAFA supports clarification of using groundfish wastage parts (heads, tails, fins and closely trimmed skeltons) from species prohibited from being used as bait in the commercial fisheries in which a limited entry permit is held. Use of the wastage parts for bait more fully utilizes all parts of the fish rather than trying to find an EPA acceptable method of disposing of the wastage.

Proposal #116 Support

SEAFA supports having a daily bag, possession and annual limit for sablefish in all of SE AK and not just Chatham Strait and Lower Lynn Canal as currently exists. The sablefish fishery is at a low level of abundance, and it is important to understand and have accurate accounting for all removals from the fisheries for appropriate management of the resource.

Proposal #118 Support

SEAFA supports matching the Southern Southeast Inside Sablefish fishery to the dates of the Federal sablefish and halibut quota fishery. This common-sense proposal will help fishermen by not forcing them to switch from longline gear in the spring and back in the fall to harvest their Southern Southeast Inside Sablefish.

Proposal #119 Opposed *as written* – confusing as to intent

There are aspects of proposal #119 similar to proposal #118 which we support – including the longer season. When the sablefish fishery reopens on September 1st, longliners would not be able to fish until the three pot fishermen have finished fishing. However, there is not a mechanism to determine when that would occur, or is the intent of the proposal that longline **or** pot gear could be fished starting Sept 1 through November 15th? Additionally, as of May 2017 CFEC is allowing C61C limited entry sablefish permits to use pot gear in 2018. This allows the 19 longline permit holders to use pot gear in addition to the three sablefish pot permit holders.

Proposal #120 Support

SEAFA supports a longer sablefish season that allows for both pot or longline gear to be used.

Since CFEC addressed allowing C61C permits to use pot gear, having one season for either gear type makes sense. The number of permit holders is low enough in this fishery that they should be able to work together to avoid gear conflicts.

Proposals #121-129 waiting to review staff comments before commenting

SALMON

Before we comment on salmon proposals we would like to point out that SEAFA represents members in all three salmon gear groups (gillnet, troll and seine) and therefore *will limit our written comments so as to not take a position on allocative proposals.* We may provide some historical information on proposals that would disrupt traditional fisheries. *We believe that adjustments for the Southeast Enhanced Salmon Allocation Plan should be taken within THA rather than disrupting traditional fisheries.* We would like to remind everyone that all three gear groups and the sport fishery have significantly benefited from the southeast enhancement projects and that they are important to all fleets.

Proposal #130 - #134 – no action

These proposals should be addressed under the Chilkat and King River Stock of Concern action plans.

Proposal #137 Oppose

SEAFA opposes this proposal to increase the regional resident king salmon possession limit in times of abundance based on the Pacific Salmon Treaty abundance index. It is imperative that ADF&G maintains the flexibility and ability to manage for low abundance in our local stocks as regardless of the treaty salmon abundance index. It is also critical that management actions are not tied solely to the treaty index. For example, sport fishermen after this king salmon closure in late summer wondered why when restrictions were lifted from no king salmon fishing allowed, the Dept. allowed two rods for winter king fishing instead of being more conservative and allowing for a single rod as would be required at a lower treaty king salmon abundance index.

Proposal #138 Regulation Clarification would be appropriate

SEAFA agrees that there is a gray area within the regulations about having to release a rockfish

when a resident is fishing with two rods in late fall/winter for directed king fishing. Additionally, as the end of the coho season overlaps with the start of the winter king fishery, is it appropriate to retain coho salmon incidentally caught when king fishing.

Proposal #149 Support

SEAFA supports allowing the Deep Inlet SHA to be remain open by regulatory language through October 31st. This allows all gear groups to benefit from NSRAA's ability to collect broodstock and/or harvest in Deep Inlet without the need to have an emergency order (EO) issued each year.

Proposal #150 Support

SEAFA supports expanding the Crawfish Inlet SHA as described and submitted by NSRAA for the reasons they listed.

Proposal #151 Support

SEAFA supports this proposal to reestablish a Carroll Inlet THA for the reasons described in the proposal submitted by SSRAA.

Proposal #152 Support

SEAFA supports this proposal to update area description and coordinates of the Anita Bay THA with the placement of the markers.

Proposal #153 General comments

Adoption of proposal #153 to repeal the District 1 Pink Salmon Management Plan would significantly disrupt one of the traditional gillnet fishing districts. In the issue statement, it states that gillnet opportunities were significantly less than they are today. However, that is why the gillnet fleet was able to successfully argue in front of the Board of Fish prior to 1984 to develop a management plan that allocates the resources between the salmon net fleets so the area management biologist is not put in the position of determining allocation by time given to the two net fisheries. Additionally, the gillnet fleet is below their pink and sockeye management guidelines[1] as stated in **5 AAC 33.363. Management guidelines for allocating**

[1] 2017 salmon task force documents page 3 http://seafa.org/wp-content/uploads/2017/11/2017-Task-Force-Handout-value-and-participation.pdf

Southeast Alaska pink, chum, and sockeye salmon between commercial net fisheries. During the weeks of the pink salmon management plan, the gillnet average harvest is 75% pinks for the last ten years and is overall the dominant species harvested in this district by the gillnet fleet[2].

Proposal #154 General Comments

The Lower Clarence Strait Pink Salmon Management Plan was repealed in 1989. The 1989 Board of Fish meeting was very contentious between the two net fisheries. Several plans were implemented and repealed during this meeting, but the seine and gillnet fleets have for the most part lived in agreement with the decisions made at that time. **5 AAC 33.363. Management guidelines for allocating Southeast Alaska pink, chum, and sockeye salmon between commercial net fisheries** was also developed at the 1989 board meeting as well as the Northern Southeast Seine Management Plan (5 AAC 33.366).

Proposal #160 Support

SEAFA submitted this proposal in conjunction with USAG and supports clarifying that some AWC listed streams with the presence of salmon are exempt from the 500-yard closed water regulation. This proposal came about after discussions at the gillnet task force meetings where several possible solutions were discussed but no definitive solution reached. These Terminal Hatchery Areas (THAs) were set up carefully with consideration of wild stock interceptions through the RPT and Board of Fish process. *What is not clear is if the 500 yards around these AWC streams in the THA are automatically exempt, or only exempt if specifically stated in the EO by the Dept.,* or is the 500 yards around the stream mouth enforceable? In some cases, such as Boat Harbor, the area inside is so small that it makes a fisherman choose to not fish in this area that is open seven days a week because they could get a violation against themselves and demerit points issued against their permit by being too close to a stream. All the streams in this proposal are listed as having the presence of salmon and not as a rearing or spawning habitat.

Proposal #161 Support

SEAFA supports this proposal to update the regulatory description of Whitewater Bay.

[2] Information confirmed with Ketchikan area management staff

Proposal #164 & 165 Support

SEAFA supports these two proposals to update the descriptions of closed waters of the Situk, Tsiu and Tsivat Rivers in the Yakutat area.

Proposal #166 Oppose

SEAFA opposes this proposal to substitute an index fishery in place of the test fishery in District 112-16 after listening to ADF&G at the 2017 salmon task force meeting. It was our understanding that it would be possible to end up with years of no data with an index fishery when they did not see enough pinks to open a competitive commercial fishery. The test fishery is what gives the Dept. the comparable data to determine that there is sufficient salmon along this shoreline to open a fishery and what species are present.

Proposal #168 no action

This proposal is best addressed under the Chilkat and King Salmon River stock of concern action plans.

Proposal #171 Support

SEAFA supports providing ADF&G the additional management tool of a 6" maximum gillnet mesh size through the month of July to District 6 as exists for Districts 8, 11, & 15.

Proposal #175 Support

SEAFA supports the Dept.'s request to clarify that king salmon may not be on board vessels participating in the enhanced chum salmon troll fishery when the directed spring king salmon troll fishery is closed.

Proposal #176 Support

SEAFA supports this proposal to allow the ability of trollers to fish in the Crawfish Inlet THA during the troll coho closure. The troll fleet is behind on their allocation under the SE AK Enhanced Salmon Allocation plan and troller access to Crawfish Inlet is a priority for the NSRAA Board.

Proposal #185 Oppose

SEAFA opposes this proposal to allow personal use fishing additional gear types such as drift

gillnet and multiple line troll gear in all districts open to commercial salmon fishing. We believe that these gear types must be carefully chosen for the appropriate areas and not given a blanket allowance. At one time, gillnets were allowed in Gilbert Bay (Port Snettisham) and later rescinded. It was observed that personal use fishermen using drift gillnets were not keeping the first **XX** number of fish harvested, but wasting one species of salmon in pursuit of another species. In many cases, personal use gillnets were abandoned because they were too full of pink salmon.

Proposal #186 Support

SEAFA supports a definition for a "guest" in relationship to 5 AAC 77.027 Prohibitions for use of personal-use taken shellfish. We support closing this loophole of being able to consider an individual who is paying for a service as being considered a guest in the establishment. Personal use should be tightly regulated as to being used in the private residence of the individual's household who harvested the resource. Too much personal use resources are given away and not accounted for.

Proposal #188 Support if AMENDED

This proposal submitted by the Dept. allows for a personal use harvest of hatchery origin fish at Ketchikan Creek. However, what isn't addressed is the length of the net that may be used in this fishery that is being developed. The personal use regulations do not define the length of a personal use net and 5 AAC 77.683 totally prohibits the use of nets, so it doesn't have a length specification. (We would recommend not greater than a 90 feet/15 fm gillnet. Any longer than this and the average personal use fishermen can't handle them.) We would additionally suggest a permit and reporting be required so that data can be accurately gathered.

Proposal # 195 & 196 Support

SEAFA has supported this request by the Southeast Subsistence Regional Advisory Council previous years to develop an annual limit for nonresidents at two times the daily bag limit for sockeye salmon in salt and freshwater. We feel that the request is reasonable and will help establish reasonable expectations regarding harvest.

Thank you for this opportunity to allow us to comment on the proposals for the Southeast shellfish and finfish meeting. We will likely provide additional comments after staff comments are available for review and comments on the stock of concern action plans. SEAFA looks

forward to an opportunity to participate in the committee of the whole for the salmon, crab, shrimp and groundfish species for which we represent our membership.

Sincerely,

Kathy Hansen
Executive Director

Submitted By
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Submitted On
12/28/2017 1:51:29 PM
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The Southeast Alaska Guides Organization (SEAGO) is a non-profit dedicated to the sustainability of the guided sport fishing industry in Southeast Alaska. We work to promote the tradition of sport fishing in Southeast Alaska through reasonable regulations that ensure the long-term sustainability of our members' businesses and fish resources. In times of low abundance, SEAGO places conservation of stocks first and supports conservative harvest opportunities which can be accomplished with minimal damage across all user groups. In the long run, we must all act to support the health of the stock to continue operating.

Proposal 116: Establishing an annual limit for sablefish outside Chatham Strait

SEAGO is opposed to this proposal to place an annual limit on the harvest of sablefish outside Chatham Strait. Neither the proposer nor the Department of Fish & Game has cited any conservation concern for the species. There is no indication than an annual limit would provide more accurate harvest information or measurably reduce overall harvest. In fact, the Department removed annual limits for areas outside Chatham Strait after determining that there was not a conservation concern. Furthermore, the sport harvest outside of Chatham Strait is minimal in light of the Gulf of Alaska commercial sablefish harvest.

Proposals 195/196: Establishing fresh and saltwater annual limits for sockeye salmon to be twice the daily bag limit

SEAGO opposes these proposals to place an annual limit on the harvest of sockeye salmon as twice the daily bag limit. Neither the proposer nor the Department of Fish & Game has cited any conservation concern for the species. Estimated catch throughout Southeast Alaska has remained relatively consistent over the last ten years, as allowed by healthy run sizes. There is no indication that an annual limit would address concerns that possession limits are being abused, provide more accurate harvest information, or measurably reduce overall harvest. If the proposers have concerns regarding abuses of possession limits or the effectiveness of the Statewide Harvest Survey, these concerns are best addressed by means other than an annual limit on sockeye salmon.

December 27, 2017

Board of Fisheries
January 11 – January 23, 2017
Sitka, Alaska

Dear Chairman Jensen and Board of Fisheries Members:

Southeast Alaska Seiners (SEAS) submit these comments on proposals you will be considering at the upcoming meeting concerning fisheries in southeast Alaska. SEAS is a 501 (c) (6) not for profit and represents the interests of seine fishermen, crew, and families associated with salmon seine fisheries throughout southeast Alaska. SEAS members participate in salmon seine fisheries from Ketchikan, Petersburg, Hoonah, Kake, Hydaburg, Craig, Klawock, Wrangell, Sitka and Juneau. 2018 marks our 50th year as being a collective voice in advocating on behalf of the industry. SEAS and its members look forward to working with the board this year on proposals pertaining to our longstanding, sustainable, historical fishery here in Southeast Alaska.

RE: Support for Proposals 140, 142, 143, 145, 149, 150, 153, 155, 159, 166 174 176; Opposition to Proposals 139, 141, 146, 154, 156, 157, 158, 167, 168, 169, 170.

Proposal 139 – SEAS **is opposed** to this proposal.

As much as Northern Southeast Regional Aquaculture Association (NSRAA) would like to manage this Terminal Harvest Area (THA) they recently acquired similar to their others, SEAS' position is that these changes would be more appropriately requested next Board of Fish (BOF) cycle. The Gillnet fleet has been above their upper allocation range for fourteen (14) consecutive 5-year rolling averages (Table 1), while the seine fleet has been below their allocation range for thirteen (13) consecutive 5-year rolling averages (Table 2). The expectation that "new" production would solve this imbalance has been the catalyst behind not making major adjustments to THA "sharing" that could have curtailed at least some of this institutionalized imbalance. In light of the last ten year track record, where the gillnet fleet has demonstrated an indifference to any meaningful adjustments, we feel obligated to restrict the possibility of access to this area until such time that this allocation situation has been fully addressed.

Table 1. *(ADF&G) Data presented, April 2017 JRPT*. 2012-2016 is Preliminary Data; 2013-2017 5-year rolling average is estimated to be 41% by operators.

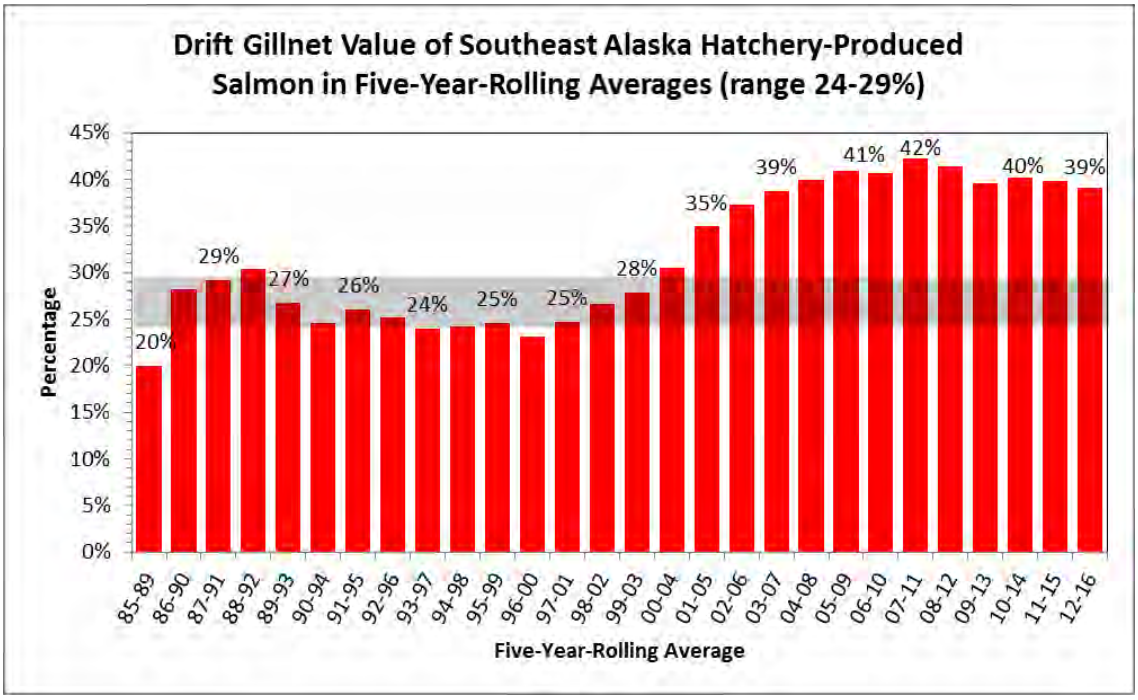
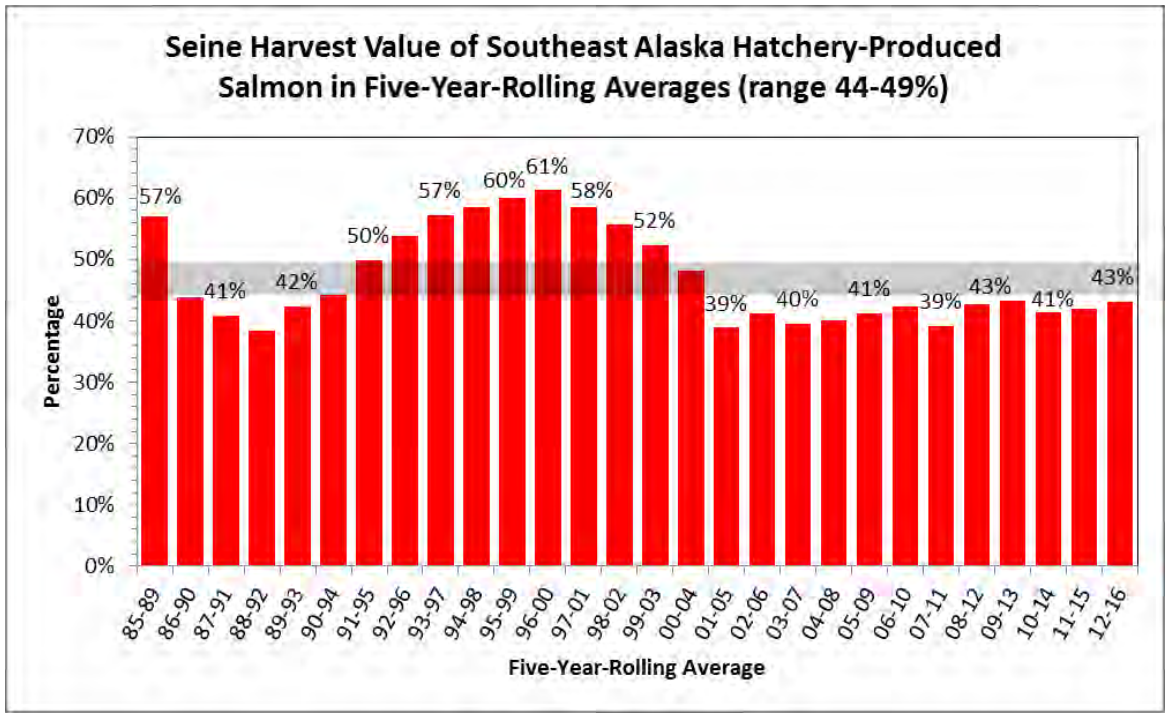


Table 2. . *(ADF&G) Data presented, April 2017 JRPT*. 2012-2016 is Preliminary Data; 2013-2017 5-year rolling average is estimated to be 40% by operators.



Proposal 140 – SEAS **supports** this proposal.

This proposal seeks to limit the net fleet access in the Anita THA for the 2018-2020 cycle to solely the seine fleet. The gillnet fleet has been 150% above there allocation range for more than 10 consecutive 5-year rolling averages (Table 1), while the seine fleet has been below their allocation range for thirteen (13) consecutive 5-year rolling averages (Table 2). The promise of new production has kept the seine fleet from asking for BOF assistance sooner. New production that was promised or realized has not balanced allocation issues between the net gears for a myriad of reasons that will be addressed in the proposal comments presented in this document. Any new production aimed at the seine fleet by NSRAA is a BOF cycle away from being realized. The only way to affect immediate change is to restructure the terminal sharing.

Sixty percent (60%) of the chum production from Anita Bay is caught in the Traditional Common Property Fishery (Table 3), Southern Southeast Regional Aquaculture Association (SSRAA) otolith data. Sixty percent of that harvest is by the gillnet fleet. Of the 40% terminal return, the seine fleet has averaged a 60% harvest share of that smaller proportion (Table 4). The final outcome is approximately a 50/50 sharing of this production. We maintain the position that the gillnet fleet has ample and consistent traditional access to harvest their allocation share of this production without any additional terminal harvest opportunity.

The terminal chum return at Anita has average 400,000 fish. The only years the seine fleet has caught substantially more fish in the terminal area than the gillnet fleet was in 2006 and 2012, where the total return was two times the average and overwhelmed the ability of the gillnet fleet to access them going through their traditional corridors. Examining (Table 3) will show that in those same years the gillnet fleet had the highest and second highest harvest in the time series.

Table 3. Harvest of Anita Chum Using Otolith Recoveries.

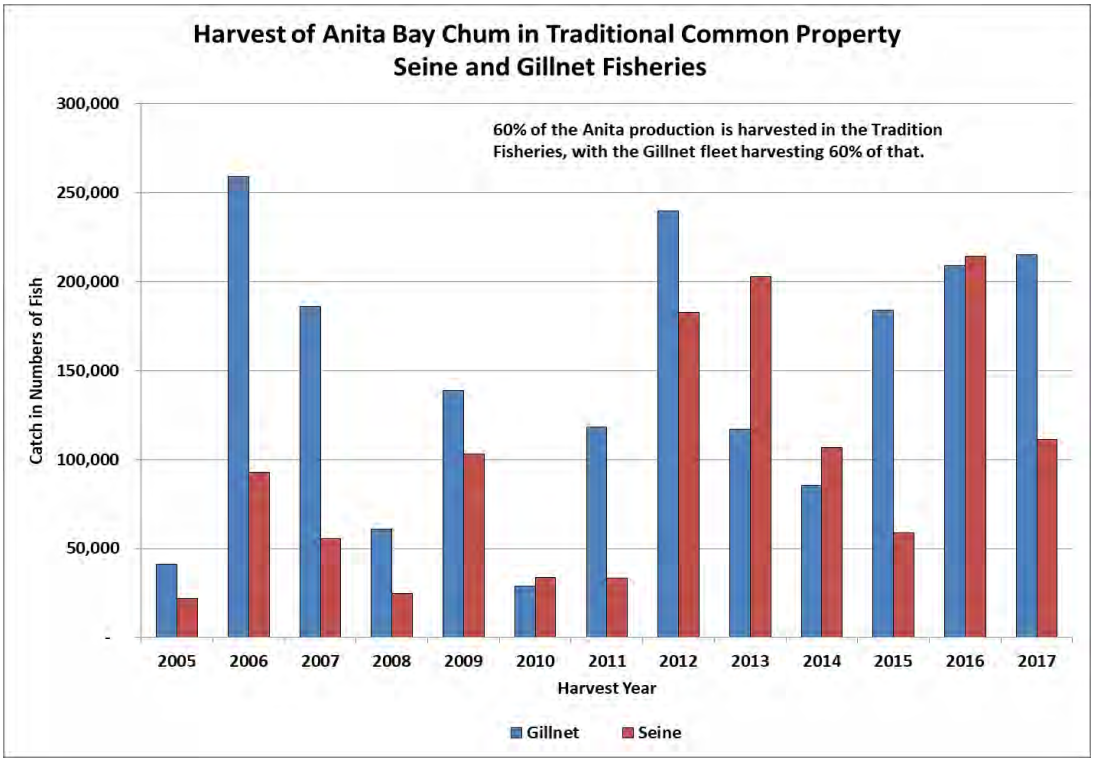
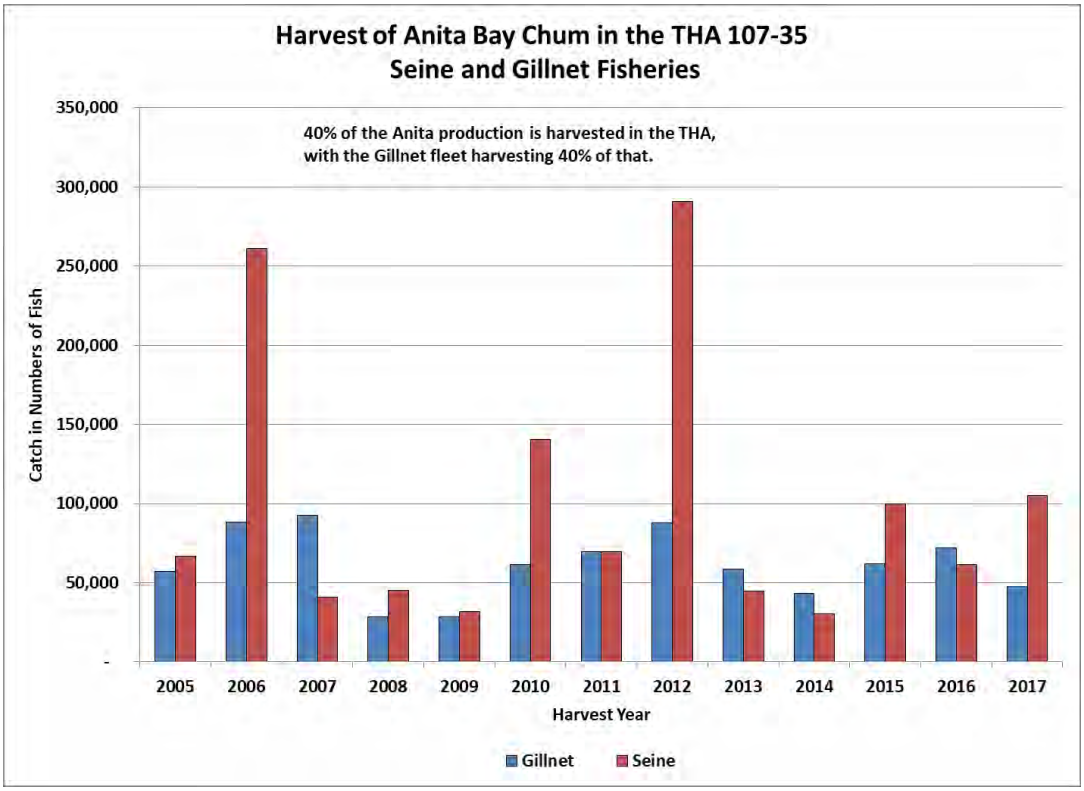


Table 4. Terminal Harvest of Anita Chum. (ADF&G) Tag Lab Data.



SEAS respectfully asks the BOF to exercise the regulation and additional findings (Item 1), listed below in addressing the allocation imbalance.

Item 1. Allocations regulations and Findings.

Under Chapter 33. Article 3. 5AAC 33.364 of the SE Alaska/Yakutat Areas Commercial Salmon Fishing Regulations, section (c); it states – "If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage." The gillnet fleet has been above the upper range of their allocation for fourteen (14) 5-year rolling averages, and the seine fleet has been under their lower range for thirteen (13) 5-year rolling averages, Tables 1 and 2, respectively. The gillnet fleet cannot get within their range without taking away their exclusive harvest potential, and the seine fleet cannot get in their allocation range without gaining access to more terminal opportunities, especially in years of low pink abundance. Additionally under Finding #94-148-FB (previously Finding #94-02-FB), number 13 of the fourteen (14) guiding principles it states, "When adjustments are deemed necessary to the distribution of the harvest to meet allocation percentage goals, the following tools should be used: (1) special harvest area management adjustments; (2) new enhanced salmon production; and (3) modification of enhancement projects production, including remote releases. Hidden Falls shall remain a seine/troll terminal harvest area (Consistent with 5 AAC 33.374).

Proposal 141 – SEAS **is opposed** to this proposal.

This proposal seeks to encompass two different Management Plans **5 AAC 33.376** Deep Inlet, and **5 AAC 33.383**, Anita Bay, in one proposal. SEAS is against tying decisions in one terminal harvest area with another; and believes to best address allocation adjustments in to the future, each THA should be considered on its own specific merits, such as access of that production to each gear in the traditional common property fishery, for an example. SEAS has already addressed the merits of their proposal for the Anita Bay THA during comments under Proposal 140. In the interest of not being redundant, please view those remarks for opposing the portion of this proposal concerning **5AAC 33.383**.

Management Plan **5 AAC 33.376**. Deep Inlet Terminal Harvest Area Salmon Management Plan. This proposal seeks to structure the time frame in the Deep Inlet THA to 1:1 between net groups for all time frames. While this is a better sharing arrangement than the gillnet fleet was willing to make last BOF cycle, it will not address the allocation imbalance that exists between the net groups. Seiner's agreed to a modest increase in opportunity at Deep Inlet last BOF cycle to avoid bringing it before the BOF and "take our chances" if you will. We made those concessions knowing that the only time frame we acquired as additional opportunity returned a historical 25% of the total return. The bulk of the terminal return, 75%, still gave the gillnet fleet a 2:1 ratio over that of the seine fleet. This despite the fact that the gillnet fleet had been above their upper range for 12 years and the seine fleet had been below for 11 years, (Tables 1 and 2 respectively). SEAS has grown weary of expecting the gillnet fleet to make any impactful adjustments to solve the imbalance with the tools we have at the fleets disposal; this proposal before you is yet another example of their unwillingness to adhere to the allocation agreement and its adjustment tools.

NSRAA has done an analysis of what various rotation schedules would likely deliver based on their historical information; SEAS views this information as the "best" data available to project future harvest potential (Table 5).

Table 5. NSRAA's Estimated Outcome of Different Gear Rotation Scenarios.

DEEP INLET THA

	TOTAL	5-YR AVG %	NET GEAR		
YEAR	RETURN	THA-NET*	HARVEST	POUNDS	VALUE
2018	1,500,000	74%	1,110,000	8,325,000	$ 5,827,500
2019	1,500,000	74%	1,110,000	8,325,000	$ 5,827,500
2020	1,500,000	74%	1,110,000	8,325,000	$ 5,827,500
TOTAL	**4,500,000**		**3,330,000**	**24,975,000**	**$17,482,500**

*** % of total return caught by net gear in THA. Includes CR; no Deep Inlet CR anticipate for 2018-2020.**

NSRAA's Estimate of outcome of various rotations using best existing data.

GEAR	YEAR	2:1 GN:SN	1:1 GN:SN	1:2 GN:SN
SEINE	2018 - 2020	$ 3,733,472	$ 4,309,767	$ 5,099,063
GILLNET	2018 - 2020	$ 2,094,028	$ 1,517,733	$ 728,438
TOTAL VALUE	**2018-2020**	$ 5,827,500	$ 5,827,500	$ 5,827,500
% SEINE	2018-2020	64%	74%	88%
% GILLNET	2018-2020	36%	26%	13%

Value estimates are for each of the harvest years.

This would be a very appropriate sharing arrangement, if the allocation percentage for both net groups started within their allocation range, but that is not the situation. It is not lost on anyone that a sharing arrangement that gives the gillnet fleet 26% of the harvest (which is within their allocation range) cannot address the **CURRENT** imbalance. SEAS' hope is that after this BOF cycle, we could support the 1:1 ratio, because both groups should be closer to their agreed allocation percentages.

Proposal 142 – SEAS would be willing to entertain supporting this proposal as a compromise between the gillnet position (141) and SEAS own proposal (143). While it will not have as much of an immediate effect on the allocation issue, SEAS realizes the positive economic effect this opportunity has on the local gillnet fleet and processors; and also acknowledges and appreciates the effort and obvious struggle this proposal was for the NSRAA Board.

Proposal 143 – SEAS **supports** this proposal

This proposal seeks to change the gillnet to seine ratio in the Deep Inlet THA to a 1:2 ratio. (Table 5), presented in the preceding proposal makes it abundantly clear that our proposal will have an affect toward balancing the allocation between the net groups. It achieves that without eliminating the gillnet opportunity entirely.

The gillnet fleet is 150% above their allocation range (Table 1), while the seine fleet is below the **LOWER** range of the allocation range (Table 2). Subtracting and adding value from one fleet to another on a 5-year rolling average is a complicated and multifaceted exercise which cannot be fully explained in this document. SEAS would welcome a work session with the BOF and other stakeholders to present existing production and how shifts in the terminal areas can or cannot fully address the underage of one

net fleet and the overage of another. Suffice to say that shifting the Deep Inlet terminal sharing time frame to anything less than a 1:2 ratio will have little effect on the allocation ranges. Calculations show that even if all the NSRAA harvest opportunity, which they calculate to be 5.8 million dollars annually if Douglas Island Pink and Chum Inc. (DIPAC) "buy" cost recovery, were to go entirely to the seine fleet, it would not bring them into even their lower allocation range; and the gillnet fleet would remain well above their upper range. Our calculations show that if all the terminal requests that SEAS has asked the BOF to address were enacted, it would take three years to come within the bottom of their range and still the gillnet fleet would be 150% above their upper range. Because the gillnet fleet has been so far above their range for so many years, it will take at least five years to get values that go into calculating the rolling average to drop out of play. SEAS respectfully asks the BOF for their support of this proposal.

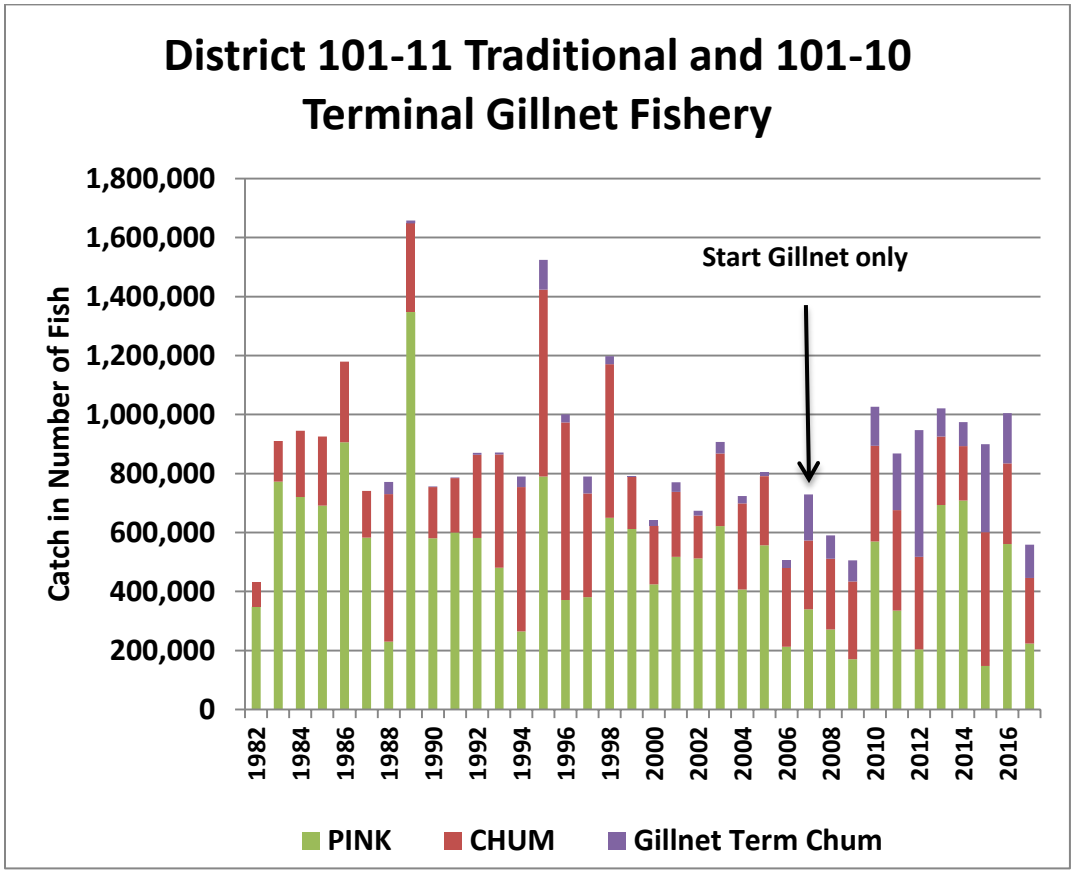
Proposal 145 – SEAS **supports** this proposal.

The seine fleet agreed, when they were above their target allocation range, to remove their opportunity to access fish in the Nakat Inlet THA (**5 AAC 33.372**. District 1: Nakat Inlet Terminal Harvest Area Salmon Management Plan.) This agreement was reached based on future production at Kendrick Bay and a host of assumptions that have not come to fruition. This proposal seeks to add back the seine fleet as a potential harvester, and further states that if the gillnet fleet is above their allocation range for the most recent five-year rolling average, the seine fleet will be allowed one day a week to access enhanced fish.

Citing Article 3. **5AAC 33.364** and subsequent Findings (Item1), SEAS respectfully asks the BOF to make changes to **5AAC 33.372** to make allowances for seine activity in this THA when the gillnet fleet is above their allocation range. There has been an assumption that reference to "*out of its allocation percentage…"* in Item 1 means "under". SEAS would like to offer that percentages that are "above" also meet the qualifications stated in ***Article 3. 5AAC 33.364***. The gillnet fleet is 150% above their allocation percentage, and has been above for the last fourteen (14) consecutive years, (Table 1), while thirteen (13) years in that same time frame the seines have been below the bottom of the allocation range (Table 2).

Over 70% of the Nakat release was caught in the 101-11 traditional common property fishery by the gillnet fleet even when the seine fleet had a 1:2 gillnet to seine ratio in the Nakat THA (101-10). There were opinions at the time, that some of the seine harvest in the terminal area would move back out of the area and be caught in the traditional area if the seine fleet was not fishing. Since 2007 when terminal seine activities were discontinued, the traditional split has changed little at 68%. This minimal difference most likely has to do with the increased Canadian effort and catch of these same fish, and SEAS interpretation of the historical data, is that one day a week access in the Nakat THA will not diminish any of the 70% opportunity the gillnet fleet has liberal access to in their traditional fishery (Table 6).

Table 6. Gillnet Harvest in Traditional and Terminal District 1 Fishery for Pink and Chum. (SSRAA) otolith and (ADF&G) Tag Lab data.

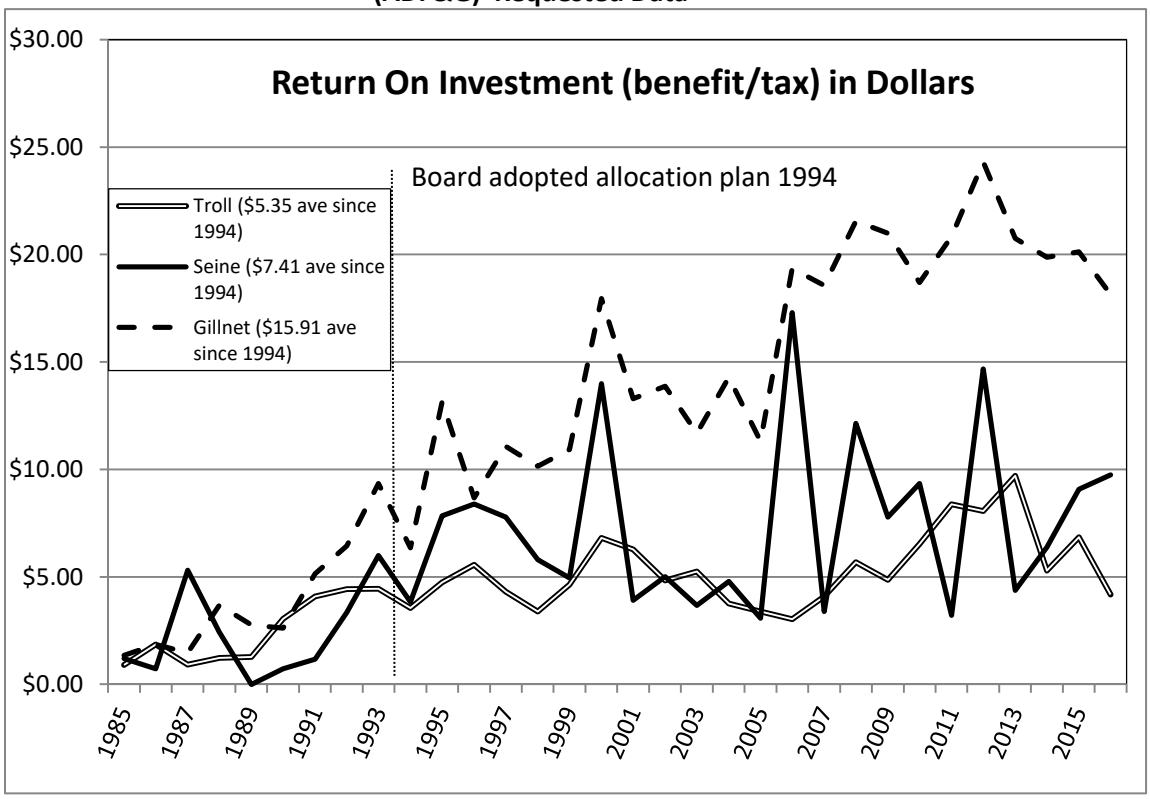


<u>Proposal 146</u> – SEAS **is opposed** to this proposal.

SEAS would like to offer that contrary to the submitter of this proposal comments, during the Joint Regional Planning Team (JRPT) review process, production from Private Non Profits (PNP's) hatcheries are in fact reviewed. Consideration for how production will affect the allocation percentages is a driving force in the permitting of new hatcheries and additional production requests by existing facilities. PNP's were in existence when this allocation plan was originally adopted and were fully anticipated by the drafters to be included as enhanced production in the calculations. The statement that "… contribution from PNP's is difficult to fully ascertain…" is simply incorrect. DIPAC was the first enhancement entity in Southeast to establish their own otolith reading department independent of ADF&G. DIPAC, NSRAA, and SSRAA all have well established programs for sampling, reading, and calculating contribution estimates to the various fleets. In the ADF&G publication *Hatchery Chum Salmon Contribution to Southern Southeast Alaska Commercial Net Fisheries, 2006–2010* it states, "The information collected by SSRAA forms the most complete data set of its kind in Southeast Alaska, and thus provides valuable insights into chum salmon abundance trends in southern Southeast Alaska fisheries." The PNP's lend assistance to each other to help collect, document, and calculate contribution throughout the region, when applicable, because they understand the importance this information has.

We have driven home the fact that the gillnet fleet has been over their allocative ranges for more than a decade, but let's look at it in a different light in case you think there was some bias or unfairness in the original ranges. Each gear pays into the 3% assessment, whether or not the fish caught are enhanced or not. The seine fleet catches primarily pinks which are not enhanced for the most part in SE Alaska. They pay 3% on all the pinks they harvest, that value in some years is considerable; in fact the seine contribution to enhancement outweighs contributions made by the other gears combined by nearly 120%. The seine fleet has contributed $50.6 million, the gillnet fleet 17.7 million, and the troll fleet 25.5 million in years 1985-2016. The Return on Investment (ROI) for each of the gear groups was calculated in 2017 by ADF&G, *personal communication* (Table 7). This graph makes it abundantly clear that the gillnet fleet has enjoyed a continual increase in their ROI, especially in the last ten years. For each dollar assessed, the gillnet fleet received $18.14 in enhanced value, the seine fleet $9.75, and the troll fleet $4.17, respectively in 2016.

Table 7. Return on investment on an annual basis, 2016 data is preliminary from ADF&G. (ADF&G) Requested Data



Seiner's, Gillnetter's, and Troller's throughout Southeast Alaska hatched this idea of enhancement and taxing themselves to pay for it. Those folks put hard earned dollars into a dream they had of stabilizing their collective fisheries when wild runs weren't enough. Most of the founding members never realized a return that exceeded their investment, but had faith in the idea and a hope for a more stable financial future for the next generation. The last ten years average value for enhanced catch has been 43 million dollars, with a high of 71 million. Enhancement in SE has been such a success

story, and should be viewed as a benefit and a blessing, that was intended to be shared with all the gear groups. The bulk of the value is in chum, which primarily goes to the net fleets; these are additional fish that neither gear group had before. While it is understood that these allocations percentage weren't supposed to be exact (they add up to between 95 - 110 %), SEAS would appreciate that no ONE NET GROUP be substantially over their agreed allocation range without making terminal adjustments to compensate where it is possible. This proposal seeks to change the "rules of the game" simply because the gillnet fleet does not like the score. When one team in the NFL has a quarterback that is unstoppable, do teams lobby to have him banned? A preposterous idea; you make adjustments to minimize his effectiveness. Terminal rotation adjustments are our tools for an effective defense against a runaway score. This tool has never been fully utilized, and until such time as it has, we need to keep working with the original "rules".

Proposal 149 & 150 – SEAS **supports** these proposals

Proposal 153 – SEAS **supports** this proposal.

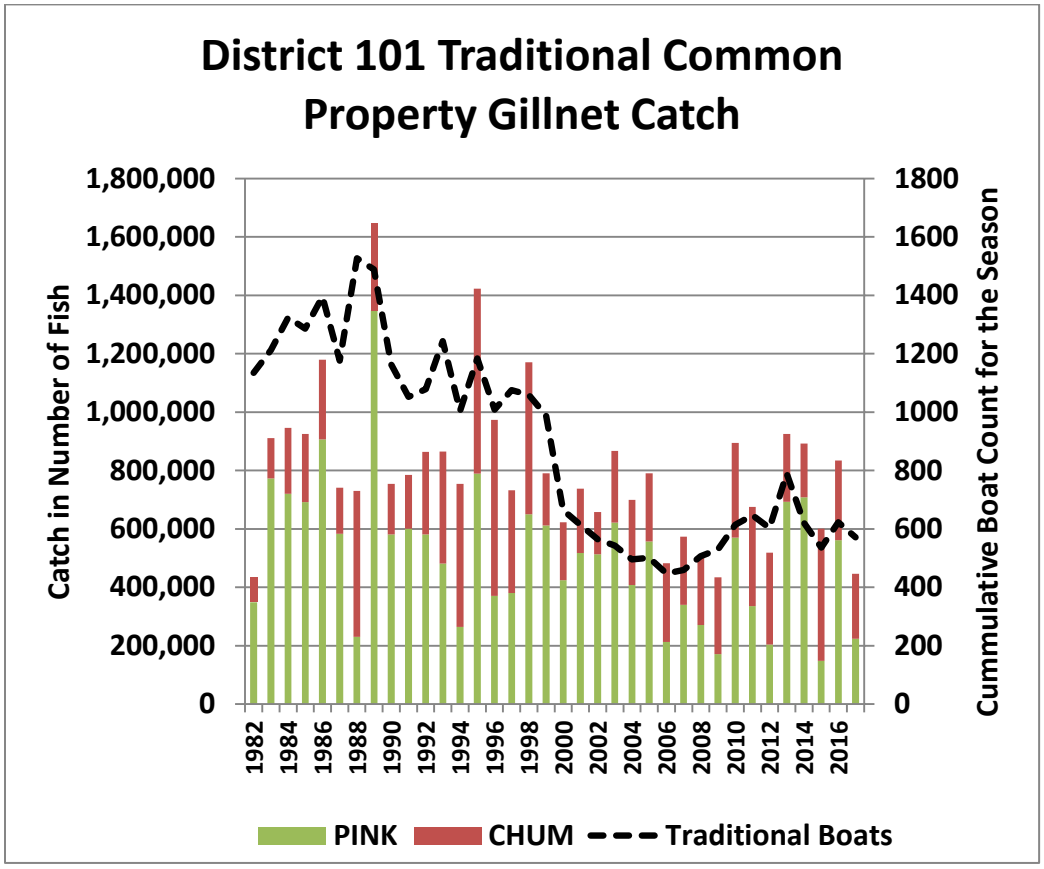
These regulations guarantee a 2:1 gillnet to seine ratio after the 3rd Sunday in July for pink opportunity in District 1. When enacted, it was believed that the regulations went both ways, if seine had one day gillnet was guaranteed two days; and if gillnet had two days seine would get one. That is not how the regulation is being interpreted. The gillnet fleet is not regulated in District 1 in any manner by its pink harvest, but by other factors. Whatever the drivers were initially, they no longer exist and this regulation is viewed as superfluous. Regular seine openings provide information to managers and in turn confidence to allow regular gillnet openings. The reverse, however, is not guaranteed from this regulation.

Proposal 154 – SEAS **is opposed** to this proposal.

This proposal assumes that the lack of pink catch is southern southeast is due to some diminished access opportunity. SEAS would argue that the gillnet fleet uses a net size to harvest whatever species is most abundant in a given year. Referring to (Table 6), it is apparent that when the chum return is low the pink catch is high; and when the chum are abundant there is diminished pink harvest, especially in the last ten years when the price of chum has dramatically increased. Who would target a pink when they could harvest a chum? The value of a pink in 2017 for a gillnetter fishing in D1 was $1.25 while a chum was worth $8.11. Let's just agree they are making a good business decision to target chum; and that any harvest underage that may exist is due to behavior, not access.

If you add effort to (Table 6), there is an argument that diminished effort may also have some influence on pink catch in this area, (Table 8). SEAS would seek this request be denied.

Table 8. Gillnet Harvest in the 101-11 Traditional Fishery.
(ADF&G) Requested Data



Proposal 155 - SEAS **supports** this proposal.

The District 12 Sockeye cap was not put in place for conservation, it is purely allocative. There are not serious escapement issues for any of the sockeye stocks significantly harvested by the Hawk Inlet fishery. Given that the gillnet fleet has not caught its allowable catch in District 11 of the Taku River Sockeye in 24 of the last 30 years, seiners should be allowed to harvest additional sockeye incidental to harvest of pink salmon in years of abundance. We believe this to be responsible management of the States resources.

Although the current regulation that will sunset allows for the annual harvest of 15,000 wild sockeye, in practice the seine fleet does not get opportunity in this area every year, and the allowed average harvest has been 6,100 fish annually, (Table 9), (ADF&G) *personal communication*.

Table 9. Harvest of Sockeye since the Establishment of 5AAC 33.366.
(ADF&G) Requested Data

Harvest of sockeye salmon that apply to the July harvest limit of sockeye salmon described in 5AAC 33.366

	Hawk Inlet Shoreline			Amalga SHA					
Year	Total Sockeye	% Enhanced	Wild Sockeye	Total Sockeye	% Enhanced	Wild Sockeye	Wild that apply to July Harvest Limit	Total towards July Harvest Limit	
1989	15,032							15,032	5AAC 33.366 established
1990									
1991									
1992	12,529							12,529	
1993	6,120							6,120	
1994	10,323							10,323	
1995									
1996									
1997									
1998									
1999	5,876	17.6%	4,842					5,876	
2000									
2001	10,579	28.0%	7,617					10,579	
2002									
2003	10,186	9.5%	9,218					10,186	
2004	17,490	30.7%	12,121					17,490	
2005	15,763	36.1%	10,073					15,763	
2006	12,603	9.9%	11,355					11,355	Only wild sockeye apply to to the July harvest limit
2007									
2008									
2009	17,401	18.2%	14,234					14,234	
2010									
2011	25,315	20.0%	20,252					20,252	
2012				4,015	n/a				
2013	2,155		2,155	4,429	38%	2,746		2,155	
2014				1,440	37%	907			
2015	16,799	37.0%	10,583	912	17%	757	0	10,583	Only when the entire SHA is open does wild harvest apply to the limit
2016				2,684	51%	1,315	0	0	
2017	17,791	26.9%	13,005	2,689	54%	1,248	1,131	14,136	

SEAS believes there are better management tools and/or triggers that could more adequately allow for maximizing the State's pink resources while also addressing sockeye catch numbers. We look forward to working with the Department and the BOF in examining various options.

Proposals 156, 157, 158 – SEAS **is opposed** to these proposals.

SEAS will address their comments to these proposals together as the theme and requests are similar in nature and cover many of the same data and issues. First the issue of run timing; at The Seine and Gillnet Task for meetings in Ketchikan November 28 -29th 2017; ADF&G presented data on run timing, effort, and catch for the sockeye stocks addressed in this proposal. When the question of run timing was asked, Area Management Biologists in the Juneau area stated that any perceived run timing changes were due to yearly variation of individual stock strength and their contribution to the catch rather than any significant stock timing changes. SEAS would defer to the experts in the Department for any further data specifics.

Second, is the issue of wild sockeye catch in the Amalga SHA. (Table 10) shows the estimated wild stock catch of sockeye by the seine fleet during their limited six hour openings in this area for the entire data series of six years. The number of Chilkat/Chilkoot sockeye in the catch are almost nonexistent. For United Southeast Alaska Gillnetters (USAG) to point to a concern about the average 36 sockeye a year caught in this fishery while they ignore the number and percentage of sockeye they catch in in the Boat Harbor SHA is absurd. Over the 23-year time series, the gillnet fleet has an average sockeye harvest of nearly 10,000 (9,985) annually in the Boat Harbor SHA to access chum salmon returning from enhanced releases; and they are concerned with the seine fleet catch of 36 wild sockeye returning to this same area (Table 11)? This data should demonstrate the inconsistency of using any wild sockeye catch in Amalga to limit seine opportunities there. If there is real concern, it would be the fact that in years of lower sockeye abundance to Lynn Canal, i.e. 2008 and 2017, 26% and 20%, respectively (in red Table11), of the entire sockeye catch in District 15 was from the Boat Harbor SHA. Further examination of the catch data shows that in the time series 1976 – 1994, an average of thirteen percent (13%) of the sockeye catch was in Area 15C prior to a chum fishery there, and since then (1995 – 2017), forty (40%) of the sockeye catch on average has come from this area. SEAS position is that any sockeye cap at Amalga and/or District 12 in light of the un-checked additional sockeye opportunity and harvest in the Boat Harbor SHA, demonstrates a double standard.

Table 10. Estimated Sockeye Composition of Sockeye Using Otolith and GSI Data. (ADF&G) Fishery Manuscript Series No 15-03.

Amalga SHA - Seine Catch

Year	Total Sockeye	% Enhanced	Wild Sockeye	Chilkat/ Chilkoot	Snettisham Wild	Taku Lakes	Stikine/ Taku Main	NSEAK	Other
2012	4,015	n/a		52	562	470	1000	169	88
2013	4,429	38%	2,746	63	659	552	1173	195	104
2014	1,440	37%	907	21	218	182	387	64	34
2015	912	17%	757	17	182	152	323	54	29
2016	2,684	51%	1,315	30	316	264	562	93	50
2017	2,689	54%	1,248	29	299	251	533	89	47
Totals	16,169		6,973	213	2,236	1,871	3,977	664	353

Table 11. Sockeye Catch in District 115 by sub-district. (ADF&G) Tag Lab Online Reports

Gillnet Sockeye Catch in District 115, Boat Harbor SHA is 115-11

	15C		15B	15A					% Boat
Year	11510	11511	11520	11531	11532	11533	11534	Total	Harbor SHA
1976	3,894			47,307	19,238		54,983	125,422	
1977	769			31,373	2,929	2,924	122,425	160,420	
1978	2,989			33,924	68,249		3,318	108,480	
1979	282			121,115	46,517		25,060	192,974	
1980	853			41,203	4,132	2,047	5,752	53,987	
1981	10,168		1,289	65,802	866		15,122	93,247	
1982	5,432		160	121,689	15,488	26,433	104,631	273,833	
1983	19,856		90	173,253	20,211	38,566	117,862	369,838	
1984	10,538		3,759	162,164	15,069	28,017	115,035	334,582	
1985	61,533		7,736	82,680	28,711	27,636	65,069	273,365	
1986	40,541		1,100	158,958	30,541	18,611	40,154	289,905	
1987	32,236		1,244	151,510	173	36,427	193,746	415,336	
1988	7,000		17,496	162,219	925	30,601	133,558	351,799	
1989	110,959		9,249	189,381	39,842	34,016	88,467	471,914	
1990	104,928		3,612	136,541	45,584	3,250	63,503	357,418	
1991	33,051			97,506		39,956	138,218	308,731	
1992	55,806			160,043		6,370	63,816	286,035	
1993	53,359			88,003	10,964		20,787	173,113	
1994	60,588		80	80,315	22,973		7,773	171,729	
1995	26,899	7,556	505	41,570	12,146			88,676	8.5%
1996	37,625	3,346		65,031	42,265		1,311	149,578	2.2%
1997	35,332	7,561		52,669	22,703		563	118,828	6.4%
1998	9,308	11,162		66,614	47,853			134,937	8.3%
1999	10,659	6,969		80,998	64,934			163,560	4.3%
2000	19,583	13,313		47,909	28,755			109,560	12.2%
2001	67,893	22,863		33,079	12,603	209	11,164	147,811	15.5%
2002	32,339	7,992	6	28,574	8,672		4,431	82,014	9.7%
2003	33,750	3,944	74	18,075	17,053	2,509	19,725	95,130	4.1%
2004	69,387	7,784	130	39,347	16,941	716	16,940	151,245	5.1%
2005	24,227	2,993		14,461	3,701	3,729	16,358	65,469	4.6%
2006	26,402	4,878	96	11,464	476	19,677	82,586	145,579	3.4%
2007	36,027	12,526		16,827	89	10,523	80,944	156,936	8.0%
2008	21,704	12,120		10,994	475	86	1,276	46,655	26.0%
2009	37,137	12,255		39,478	37,565		159	126,594	9.7%
2010	30,710	11,646		31,997	19,298	285	7,037	100,973	11.5%
2011	43,714	6,335		7,463	645	1,244	4,392	63,793	9.9%
2012	101,501	17,525		27,605	397	20,202	57,413	224,643	7.8%
2013	57,173	8,656	34	21,262	27,304		7,674	122,103	7.1%
2014	81,890	20,777		53,236	15,634	9,685	53,460	234,682	8.9%
2015	42,604	7,147		32,291	5,731	9,484	34,320	131,577	5.4%
2016	50,606	12,253		57,191	1,868	24,789	42,137	188,844	6.5%
2017	20,673	8,053		5,697	2,926	589	1,778	39,716	20.3%

Proposal 159 – SEAS **supports** this proposal.

SEAS polled its membership on this question and an overwhelming 85% of members were in favor of this proposal. Although there may be some challenges to implementing it, there are many passionate voices on both sides. SEAS will let individuals relay their personal observations and opinions, but will make some comments about implementation in Prince William Sound (PWS).

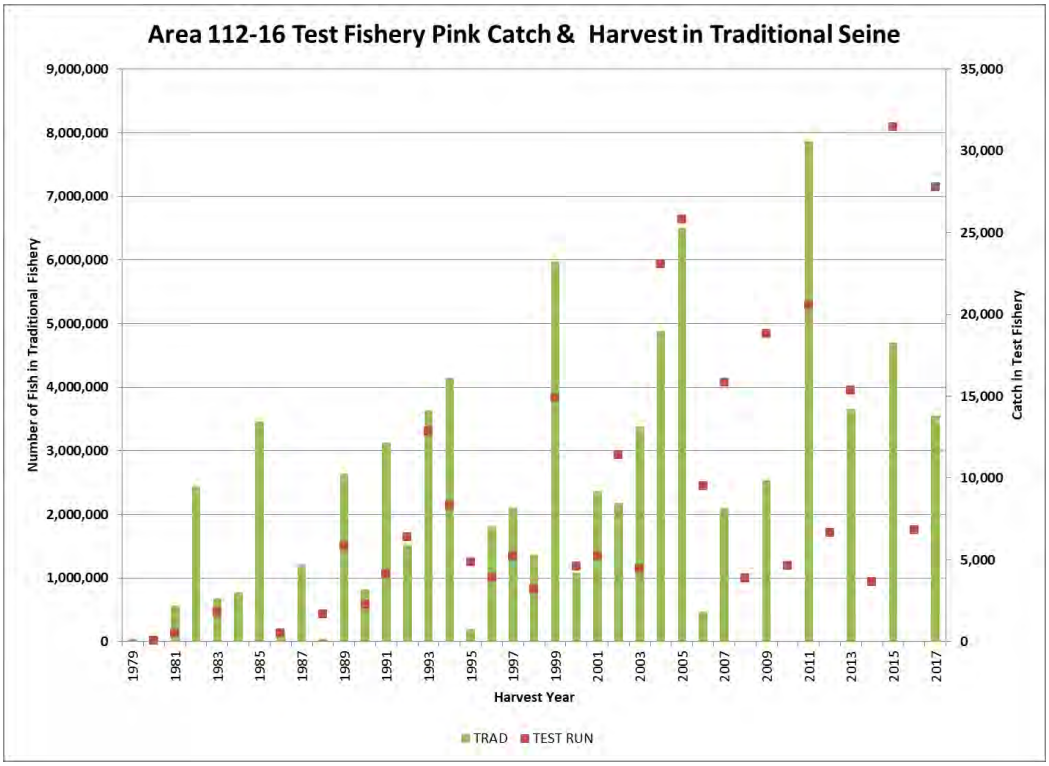
A similar proposal was originally adopted in 1993 and has been upheld many times over the years, most recently in 2011 and 2014; ADF&G staff has been opposed to allowing spotter activities during open periods in PWS in the past. The current regulation, **5 AAC 24.378. Use of aircraft unlawful** reads, ***"During open commercial salmon fishing periods no person may use an aircraft to locate salmon for the commercial taking of those fish or to direct commercial fishing operations."*** There was overwhelming public and BOF opposition to the elimination of the regulation altogether in both 2011 and 2014. During the 2014 BOF deliberations, The Department of Public Safety leadership stated on the record that "… some of the confusion may be on the trooper end in the Department of Public Safety, which can certainly be addressed by upper management to clear that up." SEAS will submit an RC with transcripts of public and Board deliberation concerning this issue for reference prior to the Sitka meeting.

Proposal 160 – SEAS defers to the Department's and Fish and Wildlife Protection's rationale on this proposal.

Proposal 166 – SEAS **supports** this proposal.

The proponent of this proposal has been the contract seiner for the Hawk Inlet test fishery for more than ten years. We believe his knowledge of this area and how fish move, has led him to explore a more responsive management tool than how the Hawk Inlet data has been applied in recent years. This test fishery was established to assess early indications of pink salmon abundance and to allow the Department to have data to open this and surrounding areas to harvest north migrating pink salmon. A look of the data suggests that it was at one time used in this fashion, but there has been a departure in the last ten or so years (Table 12), (ADF&G) Tag Lab On-line Reports. This data shows the combined pink salmon catch in the test fishery over all weeks and the harvest of pinks in that statistical area on the same year. Starting in 2008, and every even year since, even when catches in the test fishery were at levels that merited a pink harvest of one to three million fish in previous years, there now has been no pink opportunity. SEAS understands that in any given year there may be other conservation concerns that are taken in consideration, and in 2008 that may have been a factor looking at the Lynn Canal sockeye catch and the US allowable harvest of Taku sockeye. For the other years however, the US allowable catch of Taku Sockeye was not even close to being achieved, and the Lynn Canal gillnet catch was also robust in those years (Table 11).

Table 12. Hawk Inlet Test Fishery Catch of Pink Salmon & Traditional Seine Harvest in 112-16. Data from (ADF&G) Tag Lab On-line Reports



SEAS position is that if this test fishery data is not going to be used in even years to allow for a potential harvest opportunity, another method for assessing abundance is required. The proponent of this proposal is looking for a tool that is useful to the Department, and SEAS would welcome working with the Department and the BOF to explore this and other options.

Proposal 167 – SEAS **opposes** this proposal.

The intent of this proposal is already being met with current management tools. There is a historically robust pink salmon fishery in Statistical Areas 114-27, 112-14, 112-16 and an occasional terminal pink fishery in 114-25. These fisheries pass all stocks to their respective terminal areas as illustrated by the consistent attainment of escapement in the systems the proposer mentions. The current management tools available to the department already adequately insure the passage of any non-pink species.

Proposal 168 – SEAS **opposes** this proposal.

Chinook run timing is well documented and demonstrates that almost the entire spawning population has passed through before the seine fleet is allowed time to fish in these areas. The Chinook simply aren't there when the seine fleet has access. One exception is the Pt. Augusta (114-12) pink index fishery, operating under Chinook non-retention.

Proposal 169 – SEAS **opposes** this proposal.

All gear groups share the burden of conservation measures when McDonald Lake Sockeye are a conservation concern. The Department has well documented migration and timing information it uses to close only specific time and areas, or employ net restrictions, to maximize escapement with as little effect on the harvest of other species in corridor fisheries as possible. Will the Troll and Seine fleet also be entitled additional access for their losses?

District 6 fishing effort was presented at the Seine and Gillnet Task Force Meeting in Ketchikan under "*District 6 and 8 Drift Gillnet Fisheries 2017 Postseason Report",* given by Troy Thynes, ADF&G Area Management Biologist. It was presented as Figure 5 at the meeting, and is presented here as (Table 13). The total season effort for District 6 was 2263 boat-days, 82% of the 2007 – 2016 average. A similar and more dramatic drop in effort was shown in Figure 9, presented here as (Table 14) for District 8. The season effort in 2017 was 1,384 boat-days, well below the 2007 – 2016 average of 2,068 boat-days and 68% of the recent 10-year average. SEAS contends that the gillnet fleet has ample opportunity in many districts to access a variety of species on any given year or time frame; and they adjust their effort and location depending on which species is most abundant and valuable.

Table 13. Historical Gillnet Effort in the District 6 Gillnet Fishery

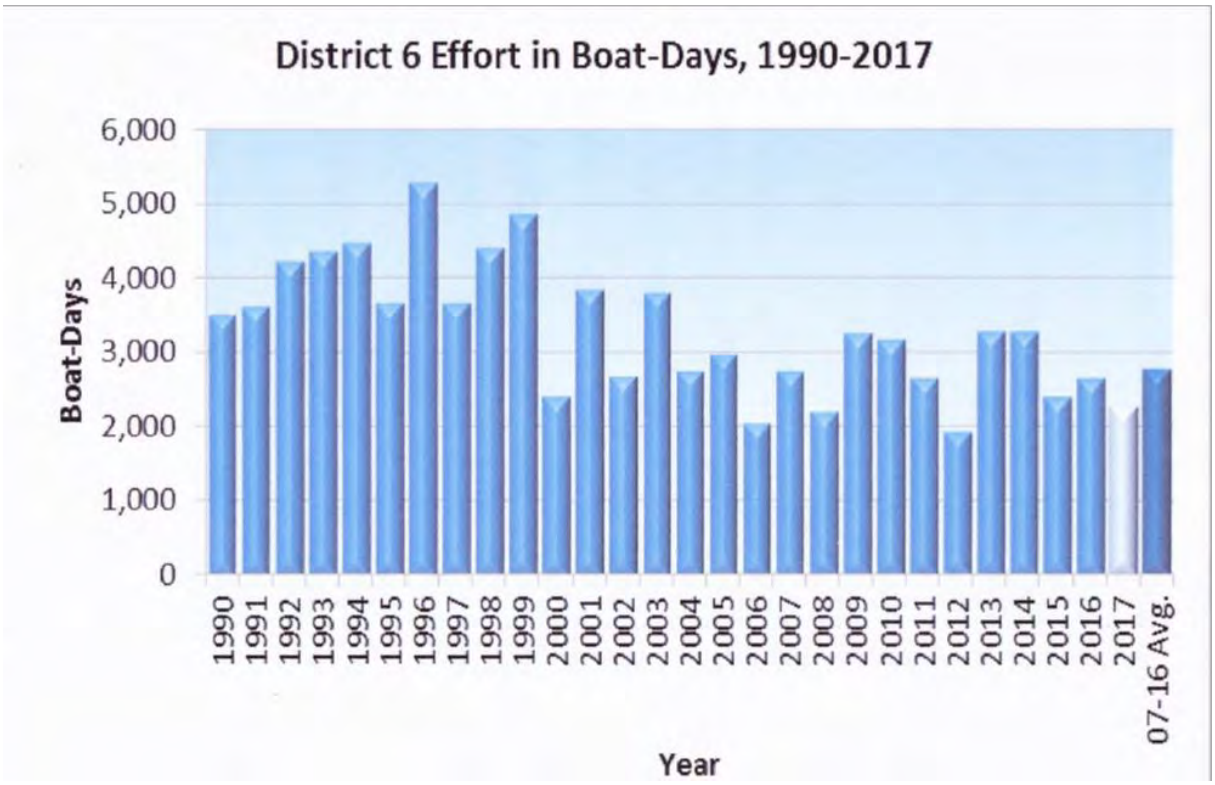
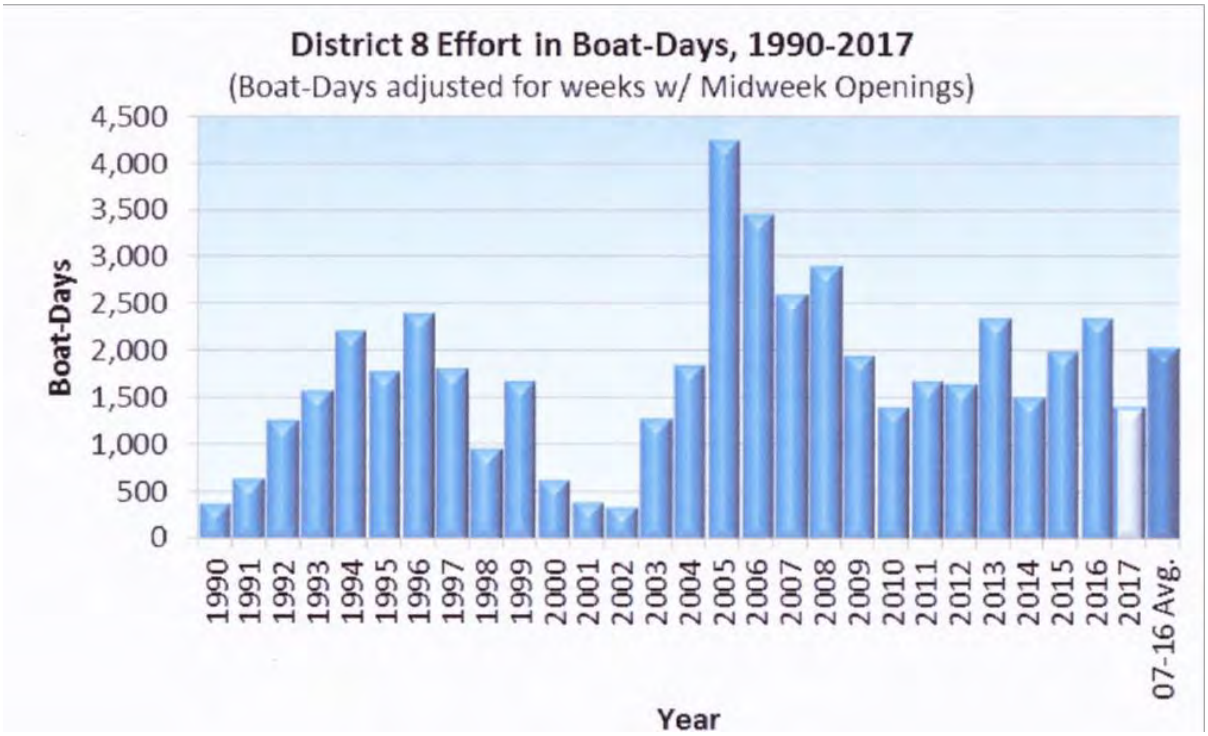


Table 14. Historical Gillnet Effort in the District 8 Gillnet Fishery.

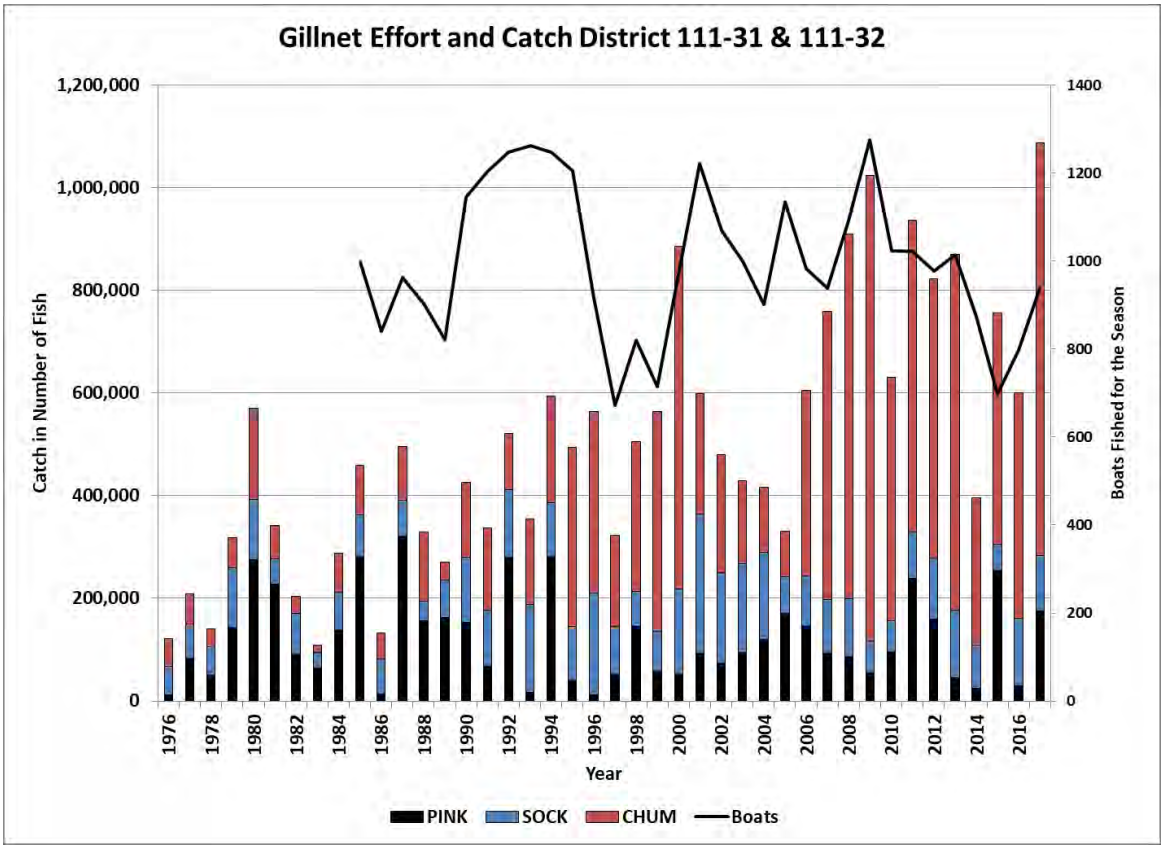


Not only is SEAS vehemently opposed to this proposal, in addition we would like to go on the record as being in favor of the sun-setting of **5AAC 33.359. Section 6-D Pink Salmon Management Plan.**

Proposal 170 – SEAS **opposes** this proposal.

This proposal is much like the District 6 and District 1 access proposals. The gillnet fleet has the same amount of area it has always had; the difference is that their behavior has changed and they choose to fish enhanced chum salmon. Fishing a more valuable specie in an area than historically was fished, does not equate to deserving an additional piece of the pie somewhere else. (Table 15) shows pink, sockeye, and chum catch in two sub-districts of District 111, just north of the area requested for additional opportunity. The number of boats fished for the season is also on the graph. We feel this data demonstrates well a significant increase in numbers of fish harvested, even in years of less effort.

Table 15. Gillnet Harvest by Species and Cumulative Boats fishing for the Season. (ADF&G) Provided Data and Downloads from Tag Data Base



Proposal 174 and 176– SEAS **supports** these proposals.

These new NSRAA release sites were intended to provide opportunity to the troll fleet to address their chronic inability to achieve their allocation of enhanced fish, and to help balance the net group's allocation percentages. Additional open area and management language changes that allow opportunity to explore means to appropriately deliver value are applauded.

SEAS Board, members, and executive director will be at the Sitka meeting. We would like to serve on the board committees formed to address these proposals, and welcome the opportunity to talk with board members about the fishery, these proposals, and answer any questions. Thank you for your time and commitment to the board process, and the personal sacrifice that entails. We appreciate the opportunity to comment that this process provides.

Sincerely,

Susan Doherty

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SOUTHEAST HERRING CONSERVATION ALLIANCE

P.O. BOX 61
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Tel. No. 907-738-3509

December 15, 2017

Board of Fisheries
January 15 – 23, 2018
Sitka, Alaska

Dear Chairman Jensen and Board of Fish Members:

The Southeast Herring Conservation Alliance (SHCA) submits these comments on proposals you will be considering at the upcoming meeting concerning fisheries in southeast Alaska. SHCA is a 501 (c)(6) not for profit and represents the interests of herring fishermen, processors, tender men, crew, and families associated with herring fisheries throughout southeast Alaska. SHCA members participate in the Sitka Sound herring sac roe fishery and other herring fisheries in Southeast. Forty-four sac roe permit holders of the 48 total permits are SHCA members. SHCA looks forward to working with the board this year on proposals pertaining to our fishery.

Support for Proposal 94 & 104 Opposition to Proposals 95, 96, 98, 99, 100, 105, & 106

A general comment first: it has been reported at the board in past meetings that herring are important to the diet of Chinook salmon as a predator. A recent study by Ms Iris Kemp *Evaluating potential for resource competition between juvenile salmon and Pacific herring* demonstrates that adult herring have a major impact on juvenile Chinook as a prey item. A quote from the abstract "Because herring were much more abundant than salmon species, the population-level consumption by herring exceeded consumption by salmon, sometimes by orders of magnitude. If shared prey items are a limiting resource, there is considerable potential for herring to negatively affect salmon growth, particularly for Chinook salmon." Saying herring are needed to support Chinook stocks is far too simplistic.

Support Proposal 94 – Change ANS in Sitka Sound to reflect true harvest weights. Establish an accounting system for herring egg harvest in Sitka Sound through sampling program.

The fundamental reason for this proposal is the ANS range (136,000 to 227,000 lbs) for herring eggs in Sitka Sound is not based on scientifically defensible data or data that is

transparent. More to the point, the ANS guideline is being used by some, to claim the sac roe fishery is the reason ANS cannot be met. Based on SHCA's work in 2008 – 2014 collecting and delivering eggs in Sitka, this is simply not true. Our work outlined in previously submitted reports, show needs can be and were met, and as important, reasonable opportunity is extant. In order to document the harvest of herring eggs, and what quantity (by weight) meets those needs, a new methodology is required with greater scientific and statistical rigor than the current household survey methodology. SHCA understands that subsistence harvest throughout most of the State of Alaska does not require a permit or have "creel type censuses" to document harvest. However, Sitka Sound herring eggs and the sac roe fishery is a unique situation and demands a unique solution.

A study design that provides scientifically defensible data could be relatively simple. The herring egg harvest including tree preparation is done in a short period of two weeks in late March or early April. The eggs are primarily brought across one of six docks in Sitka – Starrigavan, Eliason, Thompson, ANB, Crescent, and Sealing Cove harbors. Based on experience in 2009 - 2014 the majority of herring eggs transit the Eliason dock due to its drivable ramp and work float but also the dock's central location in Sitka, as well as proximity to the core herring spawn areas to the north (i.e., Kasiana, Middle Islands).

In order to estimate harvest quantity, Subsistence Division samplers could observe/sample the docks for harvesters shortly after the first major spawn event. Harvesters could provide information to samplers or, less invasively, samplers could estimate weight of harvest, number of harvesters, and size of containers used to transport the harvest, and frequency. All docks should be surveyed although proportional sampling could be done much as the king salmon creel survey methodology. The majority of eggs cross the docks in a seven-day period, and therefore the duration of the survey can be short.

Estimating effort could consist of two elements: 1) interviewing harvester as they transit the docks as outlined above and 2) observations on the core subsistence areas for number of branch sets, size of branch sets, number of harvesters making sets, and size of harvest vessels. Success rate should be estimated by combining effort with harvest amounts, lost or stolen branch sets, and weight of eggs per set.

If the ANS were not being used as a reason to shut down or reduce harvest rates, or to expand the closed area, the ANS range would not be an issue. However, you will see that the ANS is mentioned as a reason for justifying several of the following proposals that do harm to the herring fishery.

Support Proposal 104 – Eliminate the Sitka Sound closed area.

In late January 2015 the Federal Subsistence Board shutdown additional area adjacent to the Board of Fish closed area near Makhnati. This action was taken against the advice and recommendation of the Office of Subsistence Management staff biologists and against testimony by the State of Alaska.

Now that the feds have closed all federal waters around Makhnati for protection of subsistence and conservation the 2012 'Core Area' can be rescinded.

The reasons for establishing the Core Area closure was arbitrary and capricious and patently not necessary for successful subsistence herring egg collection. SHCA demonstrated success in 2009, 2010, and 2012 (three years without a Core Area closure) with herring egg harvests between 30,000 to 70,000 pounds. These harvests were made available to the community of Sitka. While the demand remained high for most of a week, after the sixth or seventh day the demand stopped. In all years we had more eggs than the number of people showing up to receive them. Excess eggs in each year were returned to the ocean.

There is reasonable opportunity but not sufficient participation

Supporting evidence can be found in conclusions in the Subsistence Division 2002-2010 Report No. 343 (Holen D., et.al. 2011), and the 2016 report, both of which in part state a significant reason being "participation in the subsistence harvest has declined in recent years". In fact, the 2016 report states ANS was met in 2014 and was close in other years. In 1985 Gelmech and Gelmech published a report stating that herring egg subsistence in Sitka Sound is practiced by a small proportion of the community. Twenty-five years later as stated in the Subsistence Division Report No. 343, that small number of harvesters has declined further. Five well-known "high harvesters" in the 80's, 90's & 00's, were fishermen (sac roe & salmon) and harvested herring eggs for Sitka and outlying communities have either retired or died. The reports' graph and table on page 24 and 25, respectively, tell the story of the decline in participation. The report also speaks to the desire to receive herring eggs, which has remained nearly constant.

The real question, then, is whether expansion of the core area or any part of the core area is necessary to provide a "reasonable opportunity" for subsistence, as defined in AS 16.05.258(f). That term is defined as "…allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant a reasonable expectation of success…." Reasonable opportunity is available every year. Based on ADG&G survey transects, heavy spawn densities have been documented at locations along the road side and/or within several miles of the Sitka road system in all years of the past decade (see attached maps). According to the Subsistence Report No. 343 the ANS guideline has been met six of the nine years documented in the report. In 2005, 2007, & 2008 when the lower ANS guideline was not reached it was not due to lack of reasonable opportunity, but rather reduced effort & participation, weather, and/or fuel costs, not to mention the reported numbers are not transparent. Spawn distribution does have a role in success, as the herring do not spawn with the same intensity at all given locations every year. Additionally, Report No. 343 calls into question their reported numbers by acknowledging the methodology was changed in 2010. The report does not discuss what the overhaul in methodology means to previous subsistence harvest estimates. The change certainly begs validation of, or qualification of previous results. Much additional work needs to be done to develop a scientifically defensible and transparent methodology.

The ANS range is set artificially high and does not reflect verified weights and measure

SHCA's work in 2009, 2010, 2012 - 2017 demonstrates there is reasonable opportunity for subsistence harvest of herring in Sitka Sound. Determining the total weight of herring eggs (actual

measured weights) required to meet needs is a different question, but based on our work it appears to be closer to 50,000 lbs for Sitka (see attached Herring Eggs on Branches Program 2009).

In the past decade before the Core Area was closed, the department has made a serious effort to stay out of the core area when possible; it has not always been possible. However, the vast majority of openings have been conducted outside the core area based on ADF&G reporting. From 2002 to 2012, approximately 80% of the sac roe harvest has been taken outside the 'Core Area' and of course since 2013 all harvest has occurred outside the closed Core Area. Regardless, the core area has had abundant spawn in all years. It is the one constant. In some years herring spawn in the Redoubt area or Deep Inlet but other years they do not; however, ADF&G spawn maps show consistent spawn in the core area year after year. Certainly, there is variability in the spawn density but Kasiana, Middle, Crow, and a portion of the roadside consistently have annual spawn.

Closing the Core Area was intended to diminish the fishery and the harvest. The proposers claim that subsistence needs cannot be met with the current sac roe fishery management plan. This is patently untrue and there is good evidence to demonstrate otherwise. In 2008 – 2010 and 2012 - 2017 the herring fishermen, processors, tender men, and community members got behind a program to help meet this need. SHCA's herring egg harvest is supplied to ADF&G Subsistence Division each year and used in their analysis of the egg harvest.

If realizing ANS is used to curtail a fishery then that information needs to be transparent and verifiable

If subsistence harvest information is used to curtail a fishery then that information needs to be transparent and verifiable, similar to commercial harvest data. There is no information to support that subsistence opportunity has been diminished in recent years. To the contrary, given increasing stock abundance and review of ADF&G spawn maps depicting spawn distribution, one can only conclude that subsistence opportunity is now greater than it has been since the department began managing the Sitka Sound herring stock in the 1970s when the biomass was ten percent of today's biomass.

The ability and desire to get out and collect the eggs may have declined for a variety of reasons, but there are groups and individuals ready to help with meeting that need. SHCA has demonstrated there is reasonable opportunity prior to the closing the 'Core Area'. It is reasonable and fair to eliminate the closure area and allow ADF&G to manage the fishery for the benefit of all, including subsistence harvest.

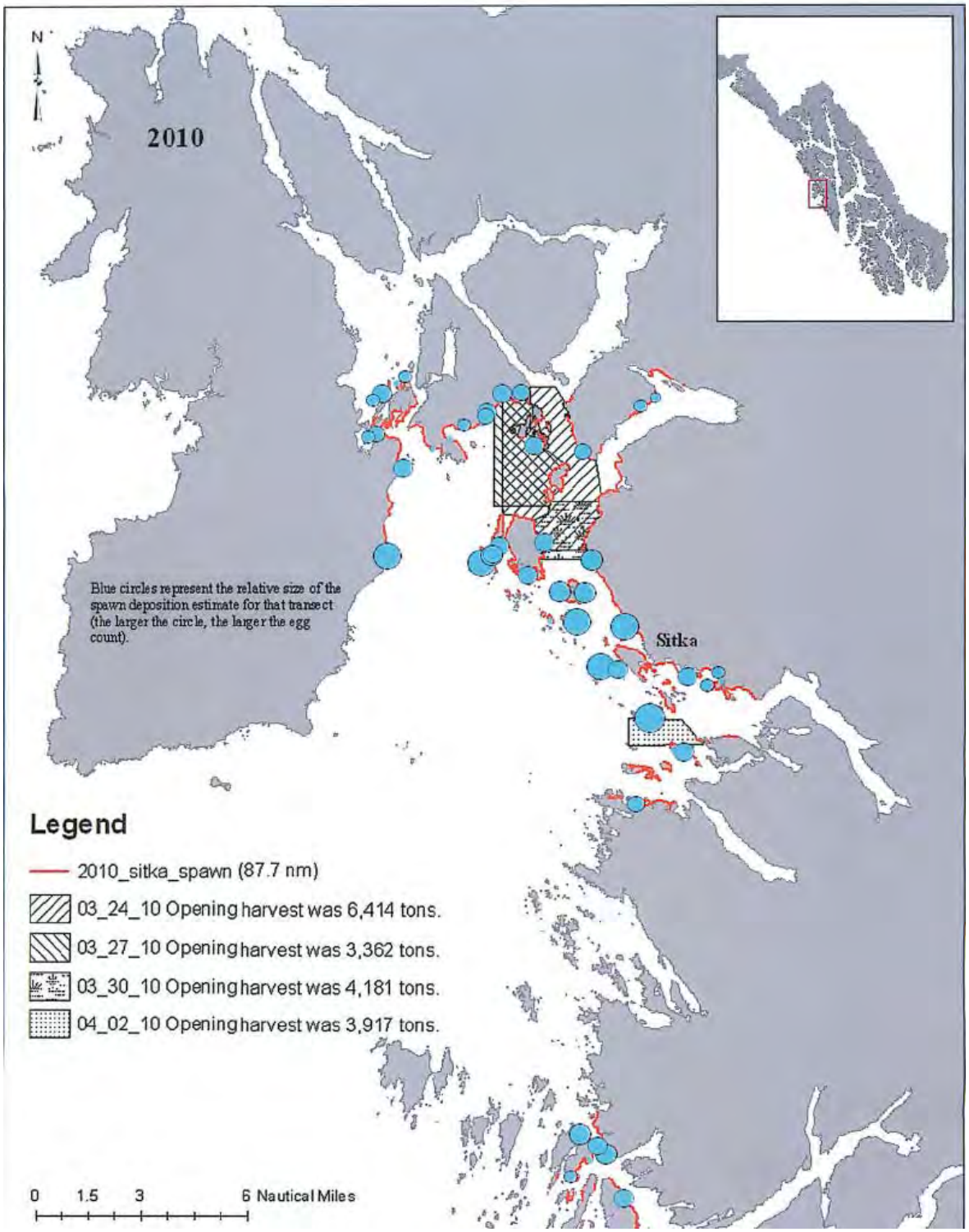


Figure 1. Typical Spawn Areas

Oppose Proposal 95 & 96 – Close herring fishing in 15-B & 15-C & 11-A

ADF&G has been managing these areas since statehood and has the necessary tools. The department will not open these areas unless the biomass surpasses the minimum thresholds established for these herring stocks. There is no need for BOF action on these proposals, as ADF&G closed the fisheries in the past due to decline in stocks and can do so in the future when the stocks rebound and perhaps decline again.

Oppose Proposal 98 – Adjust harvest rate to 10%

There is no justification for changing the harvest formula. The formula is consistent with large biomasses of herring elsewhere in Alaska and coastal Canada from the Strait of Georgia to Prince Rupert, where herring is also increasing in biomass. Populations of herring with lower total biomass are managed with the "8+2" formula in Alaska for good reason; they are small populations, perhaps less resilient, and require a more conservative management regime. One size does not fit all, and should not. The "2+8" formula used by ADF&G in Sitka Sound is actually conservative for the large population size. In ten of the past eleven years the "2+8" formula resulted in a 20% harvest rate and yet during that same period of time the population has grown from an estimated 52,985 ton biomass to 145,042 tons and back down to the 50,000 ton range. In the past three years the biomass has turned down due to two weak three year old age classes (2012 and 2014). However, the 2013 age threes were strong and a review of the historical data shows the 3 year old component has had multiple years of strong, weak, and moderate recruitment.

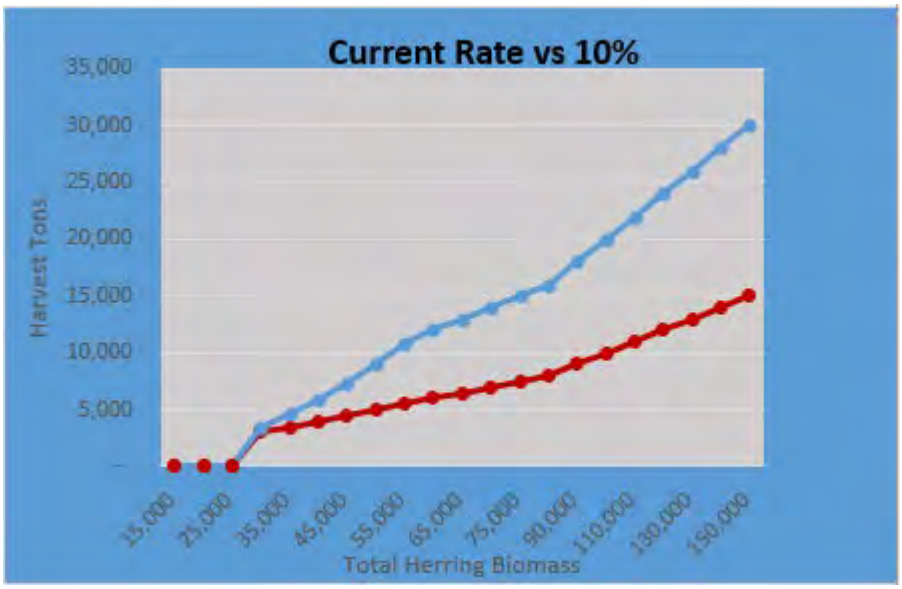


Figure 2. Cutting the harvest rate to 10%, cuts the value and harvest in half for recent biomass

The conservation and protection built into the formula is in the harvest threshold side of the equation. Currently no harvest can occur in the Sitka Sound sac roe fishery until the biomass reaches 25,000 tons (adopted by Board of Fish in 2009); as the biomass rises above 25,000 tons the formula provides for a harvest rate that begins at 10% and rises to a 20% harvest rate maximum. Most herring

stocks in southeast Alaska are considerably smaller than the minimum threshold of the Sitka Sound stock. The minimum threshold enabling a fishery has increased for the Sitka stock from 6,000 tons in 1977 to 7,500 tons in 1983 and then was raised to 20,000 in 1997 as the biomass continued to increase. This was viewed as a conservation action even though there was not a biological need or a recommendation made for either the 20k or 25k ton threshold by ADF&G. By way of compromise to minimize loss of commercial harvest, the board adopted the "2+8" formula at the 1997 meeting. In 2009 the Board of Fish again increased the minimum threshold, this time to 25,000 tons for added conservation at lower stock levels, though there was no conservation need demonstrated or supported by ADF&G. This was done at a time when the herring expanded to nearly 90,000 tons in stock biomass.

There is no biological basis for changing the formula, it is simply allocative. ADF&G has been meticulous in seeking outside consultants and experts to review its ASA model, including UA professor Ted Cooney and a recent P.hD candidate at UW. In fact, in 2011 Canada's Department of Fisheries and Oceans invited ADF&G to participate in a two day workshop with DFO modelers and biologists to meet with modeling experts from the University of Washington (Dr. Andre Punt) and University of British Columbia (Dr. Steve Martell) in Nanaimo, B.C. (per. comm. Dr. Sherri Dressel). The scope of the workshop included model functions, inputs, outputs, mortality factors, precautionary approach, and many esoteric modeling factors. The Canadian herring model was reviewed and frequent questions were asked of the Alaska team to bore into model criteria. Based on the review it is apparent the department is doing its due diligence to keep abreast of the latest modeling recommendations and science. (No publicly available document produced by ADF&G)

This proposal seeks to harm the fishery, which in turn would harm anyone associated with the fishery – the communities of Sitka, Petersburg, Craig, Kake, Craig, Hydaburg, and Ketchikan; crew, tender men, processors and associated service providers. In fact, it would hurt STA members as many are fishermen and crew (6%). In a survey conducted in 2009 it was found 74% of the permit holders were Alaskan, 18% permit holders were Alaska Native, and 29% Alaska Native when including spouse, family & permit holder.

Oppose Proposal 99 – Reduce current harvest rate from the formula [2 + 8(spawning biomass in tons/25,000)] to a maximum harvest rate of 10% or a maximum harvest of 10,000 tons or change to 8+2(spawning biomass in tons/25,000). See comments above for opposition to Proposal 98.

ADF&G is managing the Sitka Sound herring fishery with the most sophisticated model and annual biological parameters of any fishery in Alaska. This proposal is not about good science or stock health, but rather curtailing the herring fishery itself, plain and simple. This proposal will do harm to herring fishermen, processors, and the economy of the communities of Sitka, Juneau, Petersburg and Ketchikan. It will not increase the herring egg subsistence take because as the ADF&G Subsistence report makes clear, participation decline is the fundamental reason for fewer eggs being harvested. The spawn deposition far exceeds 8 million pounds of eggs. One hundred thousand pounds of eggs on branches is miniscule by comparison, however the effort to harvest a hundred thousand pounds eggs on branches is extremely arduous.

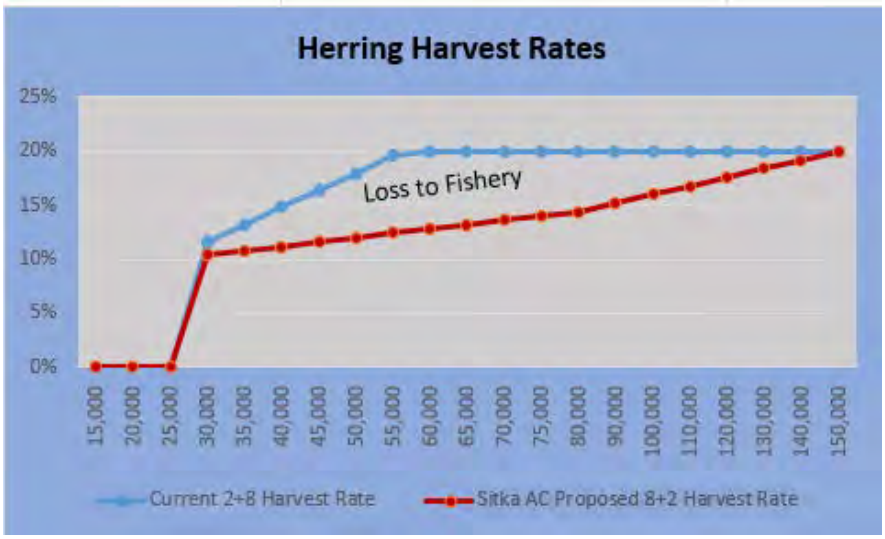


Figure 3. Modifying the harvest rate from the '2+8' to a '8+2' would create a significant impact

Figure 4. Potential first wholesale dollar loss to the herring fishery at different biomasses results in significant harm

There is no justification for changing the harvest formula. The formula is consistent with large biomasses of herring elsewhere in Alaska and coastal Canada from the Strait of Georgia to Prince Rupert, where herring is also increasing in biomass. Populations of herring with lower total biomass are managed with the "8+2" formula in Alaska for good reason; they are small populations, perhaps less resilient, and require a more conservative management regime. One size does not fit all, and should not. The "2+8" formula used by ADF&G in Sitka Sound is actually conservative for the large population size. In ten of the past eleven years the "2+8" formula resulted in a 20% harvest rate and yet during that same period of time the population has grown from an estimated 52,985 ton biomass to 145,042 tons and back down to

the 50,000 ton range. In the past three years, the biomass has turned down due to two weak three year old age classes (2012 and 2014). However, the 2013 age threes were strong and a review of the historical data shows the 3 year old component has had multiple years of strong, weak, and moderate recruitment.

The conservation and protection built into the formula is in the harvest threshold side of the equation. Currently no harvest can occur in the Sitka Sound sac roe fishery until the biomass reaches 25,000 tons (adopted by Board of Fish in 2009); as the biomass rises above 25,000 tons the formula provides for a harvest rate that begins at 10% and rises to a 20% harvest rate maximum. Most herring stocks in southeast Alaska are considerably smaller than the minimum threshold of the Sitka Sound stock. The minimum threshold enabling a fishery has increased for the Sitka stock from 6,000 tons in 1977 to 7,500 tons in 1983 and then was raised to 20,000 in 1997 as the biomass continued to increase. This was viewed as a conservation action even though there was not a biological need or a recommendation made for either the 20k or 25k ton threshold by ADF&G. By way of compromise to minimize loss of commercial harvest, the board adopted the "2+8" formula at the 1997 meeting. In 2009 the Board of Fish again increased the minimum threshold, this time to 25,000 tons for added conservation at lower stock levels, though there was no conservation need demonstrated or supported by ADF&G. This was done at a time when the herring expanded to nearly 90,000 tons in stock biomass.

There is no biological basis for changing the formula. ADF&G has been meticulous in seeking outside consultants and experts to review its ASA model, including UA professor Ted Cooney and a recent P.hD candidate at UW. In fact, in 2011 Canada's Department of Fisheries and Oceans invited ADF&G to participate in a two day workshop with DFO modelers and biologists to meet with modeling experts from the University of Washington (Dr. Andre Punt) and University of British Columbia (Dr. Steve Martell) in Nanaimo, B.C. (per. comm. Dr. Sherri Dressel). The scope of the workshop included model functions, inputs, outputs, mortality factors, precautionary approach, and many esoteric modeling factors. The Canadian herring model was reviewed and frequent questions were asked of the Alaska team to bore into model criteria. Based on this review it is apparent the department is doing its due diligence to keep abreast of the latest modeling recommendations and science. (No publicly available document produced by ADF&G)

This proposal seeks to harm the fishery, which in turn would harm anyone associated with the fishery – the communities of Sitka, Petersburg, Craig, Kake, Craig, Hydaburg, and Ketchikan; crew, tender men, processors and associated service providers. In fact it would hurt STA members as many are fishermen and crew (6%). In a survey conducted in 2009 it was found 74% of the permit holders were Alaskan, 18% permit holders were Alaska Native, and 29% Alaska Native when including spouse, family & permit holder.

Oppose Proposal 105 & 106 – Expand closed waters

In late January 2015 the Federal Subsistence Board shutdown additional area adjacent to the Board of Fish closed area near Makhnati. This action was taken against the advice and recommendation of the Office of Subsistence Management staff biologists and against testimony by the State of Alaska.

An approximately 10 square mile area was closed to fishing at the 2012 board of fish meeting. This was a political decision not a conservation decision. The proposer's contention is twofold: 1) sac roe harvests near or in the core area negatively affect subsistence egg on hemlock branch harvest, and 2) removing the core area from the fishery management unit will assure ANS. Both contentions lack supporting evidence and are contrary to conclusions in the Subsistence Division 2002-2010 Report No. 343 (Holen D., et.al. 2011), and the 2014 report soon to come out, both of which in part states that the more significant reason as being "participation in the subsistence harvest has declined in recent years". In fact, the 2014 report states ANS was met in 2014. In 1985 Gelmech and Gelmech published a report stating that herring egg subsistence in Sitka Sound is practiced by a small proportion of the community. Twenty-five years later as stated in the Subsistence Division Report No. 343, that small number of harvesters has declined further. Five well known "high harvesters", who were fishermen (sac roe & salmon) and harvested herring eggs for Sitka and outlying communities have either retired or died. The reports' graph and table on page 24 and 25, respectively, tell the story of the decline in participation. The report also speaks to the desire to receive herring eggs which has remained nearly constant.

The real question, then, is whether expansion of the core area or any part of the core area is necessary to provide a "reasonable opportunity" for subsistence, as defined in AS 16.05.258(f). That term is defined as "…allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant a reasonable expectation of success…." Reasonable opportunity is available every year. Based on ADG&G survey transects heavy spawn densities have been documented at locations along the road side and/or within several miles of the Sitka road system in all years of the past decade (see attached ADF&G spawn maps or raw survey data). According to the Subsistence Report No. 343 the ANS guideline has been met six of the nine years documented in the report. In 2005, 2007, & 2008 when the lower ANS guideline was not reached it was not due to lack of reasonable opportunity, but rather reduced effort & participation, weather, and/or fuel costs, not to mention the reported numbers are not transparent. Spawn distribution does have a role in success, as the herring do not spawn with the same intensity at all given locations every year. Additionally, Report No. 343 calls into question their reported numbers by acknowledging the methodology was changed in 2010. The report does not discuss what the overhaul in methodology means to previous subsistence harvest estimates. The change certainly begs validation of, or qualification of previous results. Much additional work needs to be done to develop a scientifically defensible and transparent methodology.

SHCA's work in 2009, 2010, 2012, 2013, & 2014 demonstrates there is reasonable opportunity for subsistence harvest of herring in Sitka Sound. Determining the total weight of herring eggs (actual

measured weights) required to meet needs is a different question, but based on our work it appears to be closer to 50,000 lbs for Sitka (see attached Herring Eggs on Branches Program 2009).

In the past decade, the department has made a serious effort to stay out of the core area when possible; it has not always been possible. However, the vast majority of openings have been conducted outside the core area based on ADF&G reporting. From 2002 to 2012, approximately 80% of the sac roe harvest has been taken outside the 'Core Area' and of course since 2013 all harvest has occurred outside the closed Core Area. Regardless, the core area has had abundant spawn in all years. It is the one constant. In some years herring spawn in the Redoubt area or Deep Inlet but other years they do not; however, ADF&G spawn maps show consistent spawn in the core area every year and year after year. Certainly there is variability in the spawn density but Kasiana, Middle, Crow, and a portion of the roadside consistently have annual spawn.

This proposal is intended to diminish the fishery and the harvest. The proposers claim that subsistence needs cannot be met with the current sac roe fishery management plan. This is patently untrue and there is good evidence to demonstrate otherwise. In 2008 – 2010 and 2012 - 2014 the herring fishermen, processors, tender men, and community members got behind a program to help meet this need. SHCA's herring egg harvest is supplied to ADF&G Subsistence Division each year and used in their analysis of the egg harvest.

If subsistence harvest information is used to curtail a fishery then that information needs to be transparent and verifiable, similar to commercial harvest data. There is no information to support that subsistence opportunity has been diminished in recent years. To the contrary, given increasing stock abundance and review of ADF&G spawn maps depicting spawn distribution, one can only conclude that subsistence opportunity is now greater than it has been since the department began managing the Sitka Sound herring stock in the 1970s.

The ability and desire to get out and collect the eggs may have declined for a variety of reasons, but there are groups and individuals ready to help with meeting that desire. SHCA data and reports have demonstrated there is reasonable opportunity.

This proposal was voted down at Sitka ADF&G Advisory Committee meeting.

****

SHCA members and associate members will be at the Sitka meeting; we would welcome the opportunity to talk with board members about the fishery, these proposals and to answer any questions. We would also like to serve on the board committee formed to address these proposals.

Thank you for your time and commitment to the board process and the opportunity to comment.

Sincerely,

Steve Reifenstuhl
Executive Director SHCA

Figure 5. Typical spawn miles (13 nautical miles) in the 1970s

Figure 6. Typical spawn miles(58.1 nm) in 1990s

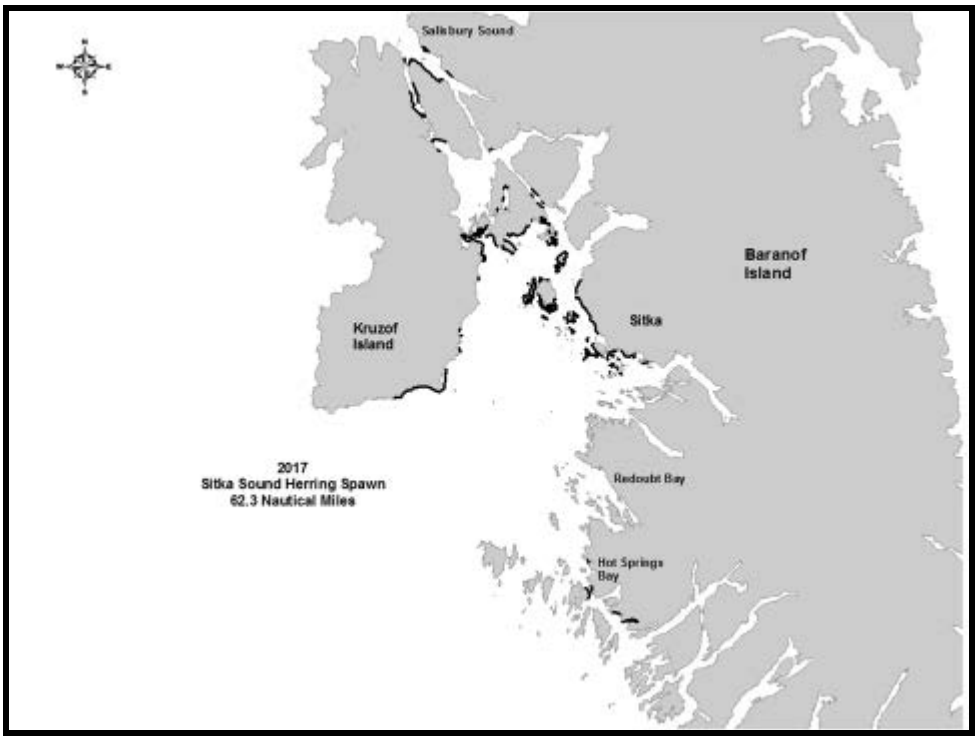


Figure 7. Spawn miles (62.3 nm) in 2017

REFERENCES & LITERATURE CITED

Funk, F. 1991. Harvest policy implications of yield per recruit models for Pacific herring in Alaska. P. 453-462 in: Proceedings of the International Herring Symposium, Alaska Sea Grant Report AK-SG-91-01, Fairbanks, Alaska.

Holen, D., Stariwat, J., Lemons, T., Ciccone, V., and Turek, M. 2011. The Subsistence Harvest of Herring Spawn in Sitka, Alaska 2002-2010. Technical Paper No. 343.

Kemp, Iris. Spatial-temporal patterns in distribution and feeding of juvenile salmon and herring in Puget Sound, WA., Masters Thesis, University of Washington 2014

Woodby, D. D. Carlile, S. Siddeek, F. Funk, J.H. Clark, and L. Hulbert. 2005. Commercial Fisheries of Alaska. Alaska Department of Fish and Game, Special Publication No. 05-09, Anchorage.

Alaska Department of Fish and Game. 2012. Spawn Density Maps Juxtaposition with Sac Roe Openings 2002 – 2017.

Sac Roe Fishery Participation Survey 2009. Theresa Allen Olson and Southeast Herring Conservation Alliance.

Public Comment to the Alaska Board of Fisheries Regarding Southeast and Yakutat Finfish and Shellfish Proposal 148

December 26, 2017

David Landis, General Manager
Southern Southeast Regional Aquaculture Association
14 Borch Street
Ketchikan AK 99901
(907) 225-9605

Chairman Jensen and members of the Board of Fisheries:

I am testifying on behalf of Southern Southeast Regional Aquaculture Association ("SSRAA") and myself in opposition to Proposal 148.

I am a longtime resident of Ketchikan and the General Manager of SSRAA. I have been involved in local, regional and statewide issues for much of my career.

This testimony is written in opposition to Proposal 148, with specific authorization from the 21-member SSRAA Board of Directors.

The specific reasons for opposing Proposal 148 are fourfold: Comparative harvest of hatchery chinook by the sport/charter fleets is increasing; the proposed expanded area targets hatchery fish outside the scope of the Herring Bay THA Management Plan; the proposed expanded area will allow interception of impacted wild stocks; and enforcement of limits in the expanded area will be problematic.

1. Comparative harvest of hatchery chinook by the sport/charter fleets is increasing.

SSRAA is a regional, community-based organization with a mission to enhance and rehabilitate salmon production in the region to the optimum social and economic benefit of the user groups.

Although SSRAA and all its salmon production is fully funded by the commercial salmon fishing industry, there are designated directors on the SSRAA Board from municipal government, chambers of commerce, fish processors, native corporations, subsistence users, sport fishing interests and from the public at-large. The region is well-represented in all the communities.

The concept of common property use of SSRAA-produced salmon is well understood and accepted by the organization. However, where the common

property use of these fish diverges from a highly focused fishery is exemplified by what is being asked of the Board in Proposal 148: The sport/charter fleet, who have no obligation to fund hatchery chinook production, are seeking to more effectively target these fish while the commercial salmon fishers, who pay an enhancement tax and forego fishing opportunity due to recent conservative management, have had extensive and costly closures and remain tied up in the harbors. The proposed area expansion will exacerbate what was observed in spring/summer 2017, when sport fishing for chinook in this area continued uninterrupted while commercial trollers were tied to the dock during the spring chinook hatchery access period. Anecdotal accounts of sport/charter fishermen cheering the lack of competition from commercial trollers during the Ketchikan King Salmon Derby are examples of the backwards nature of this user-pays system. Expanding the area available for the sport/charter fleet as Proposal 148 seeks to do, will only serve to make these bitter pills even more painful for the commercial fleet who solely bear the enhancement burden.

Further, it should be noted by the Board that the chinook which do escape the gauntlet of sport/charter as well as commercial hooks and nets on their way back to Whitman Lake Hatchery are not excess to the needs of SSRAA. The continued production of the Chickamin stock of SSRAA chinook - currently released at Neets Bay, Carroll Inlet, Ketchikan Creek and Port St. Nicholas - is dependent on recruitment of broodstock adults back to the Whitman Lake Hatchery. An increased harvest could jeopardize release goals for those programs. The few chinook excess to brood are used for cost recovery – there are no fish wasted.

2. The proposed expanded area targets hatchery fish outside the scope of the Herring Bay THA Management Plan.

The section of Alaska Administrative Code that Proposal 148 seeks to modify is 5 AAC 33.369 – *The District 1 Herring Bay Terminal Harvest Area Salmon Management Plan.* The Plan starts out by stating *"...The management plan in this section allows for a harvest of* ***Whitman Lake*** *hatchery-produced king salmon by the troll, personal use, and sport fisheries."* (emphasis added).

The sport/charter THA originally identified in this section is indeed effective in targeting Whitman Lake hatchery chinook. The corridors inside Carroll and George Inlets, Tongass Narrows and Nichols Passage near the inside Gravina Island shore are all areas that have proven abundance of Whitman Lake hatchery chinook. However, the outside Gravina Island shoreline in District 101-29, which is essentially the area that Proposal 148 seeks to open, is a corridor for a stock of fish that is not identified in the Herring Bay THA Management Plan – primarily the Neets Bay, and to some extent, Anita Bay stocks.

District 101-29, the outside shore of Gravina Island, is a well-known historical commercial troll drag, with a high abundance of Neets Bay/Anita Bay chinook. SSRAA tag recoveries bear out that fact, with an average of almost 50% Neets or Anita origin, and a high of 75% in 2015. As it happens, a testament to the high abundance of Neets Bay chinook in 101-29 is contained in Proposal 172 that the Board will be considering this very meeting.

Since Proposal 148 expands the sport/charter harvest area so far out into these adjacent migratory corridors, there are some serious consequences for stocks other than the Whitman Lake chinook that are the subject of this Board of Fisheries-approved Management Plan.

3. The proposed expanded area will allow interception of impacted wild stocks.

Much like the previous points with regard to an expanded sport/charter area impacting stocks other than Whitman Lake Hatchery's, Proposal 148 would generate substantial additional effort in the corridors used by migrating wild stocks, particularly those originating in the mainland and TBR streams. To make matters worse, the single greatest impact may very well be to Unuk River stocks, which the Board will be considering for *Stock of Concern* status during this meeting cycle.

The SSRAA Board and staff are well-versed after having worked though Unuk escapement issues in Behm Canal outside of Neets Bay for the past several years. During the early part of the season, time and area restrictions have been imposed upon the commercial fishermen in the Behm, even extending into Neets Bay during June to go the extra measure towards protecting Unuk stocks. To have an expanded sport/charter fishery such as that in Proposal 148 along these very same corridors is huge step in the wrong direction.

4. Enforcement of limits in the expanded area will be problematic.

The expanded area in Proposal 148 is far afield from the original area's well-traveled waterways of Mountain Point, Tongass Narrows and Nichols Passage. There are fewer boats, fewer houses, fewer people to observe who is doing what on the back side of Gravina, and all of Prince of Wales Island is right across Clarence Straight from the expanded area.

The result of this geographic separation from habitation and the "beaten path" could very well lead to difficulties in accurately and legally determining where a sport/charter boat is (or has been) fishing. The relatively compact original footprint of this area is geographically distinct and would be much simpler to accurately enforce as to area fished and chinook limits within those areas.

Finally, with regard bag limits: to effectively liberalize nonresident sport/charter chinook catches while restricting a largely resident commercial fleet is not good policymaking for the State, and in fact is contrary to best practices governance.

Summary

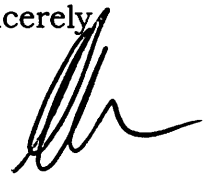
To sum up these comments, please allow me to say that SSRAA harbors no ill will towards any user group, including the sport/charter industry or their proposals. To the contrary, we value the input and constituency of this industry segment in the SSRAA organization. It remains true, however, that unequally distributing highly focused fisheries to those who have no monetary stake in the resource is categorically unfair and imbalanced.

There are also equally good reasons, albeit with different circumstances, for rejecting this proposal based on biology and escapement or broodstock goals.

Finally, we feel strongly that this THA should be properly and easily enforceable to effectively protect the resource.

Thank you for allowing me to make these comments in opposition to Proposal 148. If you should have any questions, I would be pleased to answer them.

Sincerely,



David Landis
General Manager
SSRAA, Inc.

Public Comment to the Alaska Board of Fisheries Regarding Southeast and Yakutat Finfish and Shellfish Proposal 151

December 26, 2017

David Landis, General Manager
Southern Southeast Regional Aquaculture Association
14 Borch Street
Ketchikan AK 99901
(907) 225-9605

Chairman Jensen and members of the Board of Fisheries:

I am testifying on behalf of Southern Southeast Regional Aquaculture Association ("SSRAA") and myself in support of Proposal 151.

I am a longtime resident of Ketchikan and the General Manager of SSRAA. I have been involved in local, regional and statewide issues for much of my career.

This testimony is written in support of Proposal 151, with specific authorization from the 21-member SSRAA Board of Directors.

The reasons for Proposal 151 being put forward by the SSRAA Board have been detailed in our original submission. This Proposal is essentially an updated THA Management Plan from a former SSRAA release site which was discontinued and then resumed in 2016 with a release of brood year 2014 chinook. The previously-repealed Management Plan is very similar to what is being considered in Proposal 151.

The dates for Department management of the Carroll Inlet THA, in consultation with SSRAA, were carefully considered with input from the Ketchikan ADF&G office and gear groups. The ending date for THA opportunity, July 10, was specifically chosen to target hatchery chinook and exclude Carroll River wildstock summer chum. July 10 was also the ending date from the previous Management Plan.

The THA area was also reduced in size from the first proposals made during the SSRAA Board meetings leading up to acceptance of Proposal 151. The first discussions were for the THA to include the entire Inlet from Carroll River to California Head. In response to Department input and collaboration, an area less than 20% of this extent was finally chosen, from Carroll River to Nigelius Point. Nigelius Point was the boundary in the previous Management Plan as well.

Although the "new" Management Plan's essential elements are similar to the previous one, there are changed circumstances due to important present-day management issues. Specifically, the downturn in Unuk River chinook escapement and potential for listing as a *Stock of Concern*. To explain, there have been multiple years of time and area restrictions placed on all gear groups targeting SSRAA-produced salmon as the Unuk escapement has declined, the most restrictive of which have been placed on returns utilizing the Neets Bay corridors.

Historically, SSRAA's largest chinook releases have been at Neets Bay. The most direct course of action to respond to these restrictions is to relocate any possible releases of chinook from Neets Bay, which is precisely what the SSRAA Board decided to do at the December 2017 board meeting. As it happens, one of the release sites that has additional capacity is Carroll Inlet, and in 2018 the 400,000 chinook release was voted to be increased an additional 200,000 to the permitted amount of 600,000.

The SSRAA Board decision to increase in the Carroll River chinook release is a direct response to Unuk-related restrictions, and the united view of the SSRAA Board to actively avoid producing fish that the fleets cannot capitalize on. If there are places like Carroll Inlet that might offer a refuge from Unuk impacts, that's where they will want to put chinook and minimize the Neets Bay release that enters into a management restricted corridor. If it's choice between continuing to produce chinook without alternative release sites outside of Neets Bay or converting chinook production to coho, the decisions might very well come down to drastically reducing SSRAA chinook.

If you should have any questions, I would be pleased to answer them.

Sincerely,

David Landis
General Manager
SSRAA, Inc.

Submitted By
Spike Arnold
Submitted On
12/27/2017 5:38:50 PM
Affiliation
AFA

Re, Fin Fish proposal 104, please don't be fooled by 104. The Local Core Area, 5AAC 27.150(a)(7), is where local people can set branches for collecting Herring eggs without interference with commercial seine boats. This is just a very small part of the Sitka Sound sac roe herring area. 'Southeast Herring Conservation Alliance' is a deceptive name. Proposal 104 is NOT for or about conservation. When commercial interests want to move into this core area, that is their admission there is a problem with the herring population.

Submitted By
Spike Arnold
Submitted On
12/27/2017 4:53:48 PM
Affiliation
AFA

Re, Fin Fish proposals 99 & 98, I support both proposals, especially 99. If you listen to Sitka people you will hear their concerns with collecting Herring eggs on branches. Although theirs are admittedly very valid concerns they overlook the larger picture, the roll of Herring as the major food for our larger fish. Eggs on branches is the proverbial "Canary in the Coal Mine" that should alert you to this bigger problem.

Larger commercial & sport fish are in trouble. They're starving. Most fisher groups have been asked to help: Commercial, Sport, Charter, & Subsistence fishers have accepted greatly reduced harvest levels to protect the resource.

But for one group, of mostly lower 48 boats, it's been "Business As Usual". Sitka sac roe herring permit holders have still been given the same 20 percent allocation of the Herring biomass. That's Salmon & other Game Fishes' Food.

Submitted By
STEPHEN h HOFFMAN
Submitted On
12/28/2017 9:21:47 AM
Affiliation
1950

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I have just finished reading the ADF&G Draft Unuk River King Salmon Stock Status and Action Plan, 2018 and I have the following comments.

1. I support Option C for the Ketchikan area sport fishery as the best option to increase king salmon escapements into this drainage in 2018 and beyond.

2. I also support ADF&G minimizing the number of days that the commercial troll fishery is opened in the Ketchikan area as this fishery has a major impact on escapements of king salmon into the Unuk River. Historical Coded Wire tag recovery data could be used for opening and closing of this fishery as well as areas to be opened.

3. I would also support the same approach for opening and closing of Ketchikan area commercial seine and gillnet fisheries that intercept Unuk River king salmon as detailed in #2 listed above.

In summary, The BOF should mandate that ADF&G manage the Ketchikan area sport and commercial fisheries very conservatively to ensure that Unuk River king salmon escapements rebound into the middle or upper end of escapement goals established for this river. This will provide for future years of harvest opportunity for both sport and commercial fisheries utilizing this resource.

Steve Hoffman

Submitted By
Steve Gass
Submitted On
12/26/2017 1:29:02 PM
Affiliation

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lot 8 island view
hollis, Alaska 99921

I would like to comment in favor proposal 84. My next door neighbor Thomas Harden has written an excellent letter which is before this board detailing precise reasoning which our community has set forth to justify this position. As a retired commercial fisherman it is with some reluctance that I come before this board seeking to remove resources from any commercial fishery however there is strong evidence to support the fact that the fishery is in decline in 12 Mile Arm to the point that subsistence fishermen find it difficult find adequate supplies of shrimp. While not directly related to proposal 84 I would also like to say personally anything which the board could do to restrict the taking of egg-bearing shrimp would have a great impact upon improving the numbers of shrimp in The Twelve Mile Arm and Kassaan Bay Areas.

Submitted By
Steve Lambert
Submitted On
12/26/2017 8:42:39 AM
Affiliation

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Anchorage, Alaska 99504

Comment on Tsiu Commercial Fishery

As a sport fisherman who has fished the Tsiu river since 1992, I would like to comment on the proposed area available to the commercial fishery. The course of the Tsiu river changes annually depending on winter weather conditions. In the last few years we have seen the length of fishable river shrink dramatically. The fishable area on the river is currently much shorter than it has been in the last 25 years I have been fishing it. I feel that both sport and commercial fisheries should have equal access to the river and I would request that board keep at least half of the fishable area on the river open and available for sport fishing as part of any new regulations. I feel that as a minimum there should be 1/2 mile above the commercial nets available to sports fishermen. Thank you for the opportunity to comment and I look forward to your decision to protect what I feel is the best Coho salmon fishing river in the state of Alaska.

Submitted By
Steve Merritt
Submitted On
12/18/2017 12:16:31 PM
Affiliation
Commercial troller

~~Proposal 134
My name is Steve Merritt and I am a commercial troller who resides in Craig, Alaska.
I OPPOSE proposal 134 as written.
This proposal is being followed to some extent by the department without it being regulation right now. Although the troll fishery is the greatest harvester of the Taku Chinook by CWT data, developing new genetic data on this subject may indicate differently concerning the troll spring fisheries.
That said, this proposal is suspiciously one sided. It only works one way. If the Juneau sport fishery is closed for conservation of the Taku Chinook then the spring troll fisheries close for the same period of time.
Yes, the thrust of this proposal indicates that it has the conservation of the Taku Chinook at its heart. So why is it not designed to work both ways?? What about the reverse when the troll spring fisheries are closed for conservation of the Taku Chinook, then the Juneau sport fishery will be closed also?
If this were truly a conservation proposal then it should work both ways, but it does not. To make this proposal more legitimate under the guise of conservation it needs to be amended to go both ways.
There is also a reallocation factor within this proposal the way it reads now. Closing both the commercial spring troll areas and the Juneau sport fishery for the identical time frame allows the Juneau sport fishery to harvest the very Taku kings that the troll fishery passed thru their fishery.

The spring fisheries located in the Southern portions of districts 9 and 12 are very far from the entrance of the Taku river; close to 100 miles. The fish that pass thru those spring troll fisheries won't reach the river mouth for some time. I suspect the Taku fish that arrive in these spring hatchery areas around June 1 won't be in the Juneau area for a week or two.
Under this proposal those fish that were passed thru the troll fishery on June 1 will most likely get to Juneau just in time for the reopening of the sport fishery on June 16.

If the intent of this proposal is truly to pass more spawners to the Taku river than the dates specified should align with getting the fish into the river from the outer districts to the finish. Not to have them clobbered at the front door of the river by the sport fishery .. As written, a major part of the Troller's sacrifice no longer is conservation but basic reallocation of the resource via this proposal. Or it could be the you can't fish when I can't fish syndrome.

It should be amended to read if the Juneau sport fishery is closed from May 1- June 15 then the troll spring fisheries for those districts be closed April 15 to June 1. ; Or possibly have the Juneau sport fishery closed from May 1- to July 1 and commercial troll closed from April 15 to June 15.

If the above amendments were to be made , it would be more likely to be accepted by the commercial troll fishery as a conservation proposal. Currently, it is mostly reallocation under the cloak of being a conservation proposal.
If you adopt this proposal I ask you to amend it accordingly.
Sincerely, Steve Merritt

Submitted By
Steve Merritt
Submitted On
12/19/2017 10:27:33 PM
Affiliation
Commercial troller

~~Proposal 146
I OPPOSE proposal 146
My name is Steve Merritt and I am a commercial troller who resides in Craig, Alaska.

When trolling is considered this proposal would severally affect the current troll allocation percentage in a negative way. Trollers have almost always been below their allocation percentage outlined in the plan since it came to be. During that time and now the troll allocation percentage needs every scrap of enhanced fish to count toward that percentage be it private or not; especially in the light of severally restricted spring chinook fisheries.
DIPAC hatchery in Juneau is the reason for this proposal. DIPAC hatchery is a private non-profit and historically 3/4 of it's enhanced fish value has ended up in the gillnetter's pockets. (McDowell group 2009) This affects the gillnetters allocation percentage in a big way. The gillnet fleet has been about 13% over their designated allocation percentage for a long time; largely due to DIPAC hatchery fish.
The proposer uses several other aspects of private hatchery management to try to convince you to remove all private hatcheries from the allocation picture, sighting board representation, fleet hatchery taxes and the history of Prince William Sound. But, the true and unmentioned goal of this proposal is to remove DIPAC's influence on the gillnet allocation percentage.
Rather than face rotational changes in THA's with the other fleets or give up other arenas of gillnet hatchery fishing to lower their overall allocation percentage, this proposer wants to use the removal of private hatchery impacts. This would result on paper, the gillnet fleet being closer to the enhancement plan's outlined percentages but in reality, they would be catching far more of the enhanced fish produced.
However, when the troll and seine fleets are concerned, removing the private hatchery production from the allocation picture would lower their current allocation percentages also. While the troll and seine fleets only share about 1/4 of the DIPAC's production, their allocation percentages are influenced by other private hatchery production as well. So, in the proposer's attempt to rid the gillnet fleet of DIPAC's influence, he has overlooked the impacts on the other fleets.
Before the Klawock hatchery was adopted by SSRAA, the troll fleet's allocation percentage was often affected by its production. A couple of its private years it contributed 8-10% of the troller's total annual allocation percentage; almost half of their total for the year.
A fact that the other commercial fleets competing for enhanced fish whole heartedly endorsed. If this proposal was in effect in those years, on paper, the troll fleet would have had even more means to revolt and attack the other fleets on allocation. As president of the Alaska Trollers Association, I personally am thankful that every enhanced fish be included in the allocation picture, for this very reason.
One of the main selling points in convincing SSRAA to take Klawock hatchery's operations over, was the fact that this private hatchery contributed significantly to the troll allocation. If this proposal had been in place that would not have been so.
The proposer sites that current system allows manipulation by one gear group or another based on incomplete data, yet removing the private hatchery's enhanced production from the allocation picture, makes... the data incomplete.
The enhancement taxes received by the regional hatchery associations does help I am sure, and since all fish caught wild, private and regional are taxed at 3%, a possible solution would be to distribute the enhancement tax to ALL hatchery operators. But removing the private hatcheries from the allocation picture is not the way to solve that issue and will create more problems than it ever solved if any.
In closing, before you vote on this issue I urge you to look at past BOF votes on this very proposal. The United Southeast Alaska Gillnetters (USAG) has put this same proposal in in one version or another for several cycles. Last cycle (2012) proposals 323 and 324 were of this same line and both failed to pass. Your predecessor's findings may help you understand what is really going on.
Sincerely, Steve Merritt

Submitted By
Steve Merritt
Submitted On
12/24/2017 11:05:07 AM
Affiliation
Commercial salmon troller

My name is Steve Merritt and I am a commercial troller who resides in Craig, Alaska.

This document contains my comments on the UNUK, CHILKAT and KING SALMON RIVER Chinook Action Plans submitted by the department in December 2017.

The options for the commercial troll fisheries in all the plans submitted are virtually the same and my comments below have that at the forefront.

The Chilkat and King Salmon River action plan have varying sport options. I won't comment on those but to only say that the Status Quo Option A probably needs to go by the way side and go to Option B. I recognize the sacrifices made by the Haines and Juneau sport fisheries already, and if the department can show data indicating adequate gains on the escapement due to those sacrifices, then Status Quo is acceptable. I think Option C is totally out of line.

I will comment on the Unuk sport and commercial fisheries plans.

There are some notable differences in data gathering between the sport and commercial fisheries that may seem insignificant to you yet in reality are very momentous.

The commercial troll fishery is port sampled well over 25%. The sport fishery on the other hand is sampled at lessor rate.

From public data on the state web site, Ketchikan had 29,000 salt water anglers fishing for king salmon in 2016. Of those 29,000 I doubt more than 3,000 were port sampled.

There are also several lodges that reside outside the city resulting in not being sampled at all.

When the sport fish harvest data of the Unuk fish is said to drop from 6% to 3% due to status quo conservation actions, it boils down to whether or not the creel sampling in town picked up one Unuk tag instead of two.

The Unuk sport fisheries Statu Quo plan is unacceptable to me. If you look at the areas where they have closed the sport fishery, you will find that they all allow the Unuk kings to be captured after being bottlenecked down into a less than a 2 mile wide stretch of water.

Both ends of the Behm canal narrow to less than 2 mile wide corridors. Drawing closure lines within these areas is similar to drawing a closure line across the middle of the Unuk river.If you were to protect the fish in a river you would not draw a line anywhere within or near, the river itself, yet that is basically what the department has done.

Currently, the sport fisherman are allowed to fish just below these lines, in these narrow corridors and pick off the bottlenecked Unuk kings. That type of protection, if you can call it that, is unacceptable and ineffective in passing thru Unuk spawners to the spawning grounds. Those lines need to be moved out significantly as the examples of Option B and C illustrate.

Options B or C are much more acceptable to me being that the only true measure of conservation within those options, is the relocation of those closure lines out from the bottlenecked areas.

The other measures within those options are superficial and misleading to Board of Fisheries Members.

The majority of the anglers that fish the area for king salmon May-August are non-residents. Tour ships are tied up in Ketchikan sometimes 4 at a time weekly. That is an influx of 15,000 people every week in Ketchikan; generating multiple fishing charters.

For an Abundance index of less than or equal to 1.2, the current sportfish management plan calls for One king a day and a 3 annual limit for non-residents.

If the AI is lower than 1.2 in 2018-2020 the bag and annual limits outlined in these plans will result in zero conservation of Unuk fish. In fact, the exact opposite will happen if the AI generated is 1.1 or lower. The trend from the last 4 years indicates that it is more than likely that the 2018 AI will be lower than 1.2.

Conservation plans are not business as usual plans, they are more restrictive. If an AI of 1.2 or lower, all 3 Unuk Options for the sport fishery, outlining area indicating bag limits of 1 king and annual limit of 3 kings, will actually be equal to or above bag and annual limits specified in the sportfish management plan for all of Southeast Alaska.

When considering these plans I recommend that you have the department give you their best guess as to what AI we are facing in the future. Adopting the Unuk sportfish plans they have presented in years with AI's of less than 1.2 could result in more Unuk fish harvested than if they had just implemented the current sportfish management plan.

What really needs to happen is these plan's restrictions need to be correlated to the AI generated each year. Right now the Unuk sport plans outlined will be conservative if we have an AI of 1.5 or higher but for AI's lower than that, more aggressive restrictions need to be developed.

In comparing Options B and C you can see that there is only a slight difference in the expansion of the Northern Behm canal closed area between the two. The shaded areas illistrating bag/annual limits are again superficial as far as conservation measures bearing any fruit. There are different lines for no fishing period or only after August 14 in Option C, but harvest wise of the Unuk, they mean the same thing. No harvest and no real change from Option B.

In my opinion as far as Option C is concerned, the Unuk sport plan is below the standard you see through out all the other Option C plans. Option C in other plans contain draconian measures for the fishery being evaluated compared to the other Options submitted. In the Unuk Option C sport plan there is only a slight change of closed area compared to Option B.

Expanding the closed area on the Northern end of Behm canal to a point were it closes part of the Gravina shore, would create a Unuk sport fish Option C plan, similar in magnitude to the other C plans.

If you think there is any realistic difference between Option B and C now, you are kidding yourself. Unless you do something to the non-resident annual limit in this area in addition to what is outlined, or expand the closed area in Option C, their conservation results will be identical.

As far as the commercial fishery Options are concerned. I can not see this Board of Fisheries going with status Quo for any of the fisheries after reading the preseason forecasts for the Unuk 2018 season. There has been a lot of inaccuracies in these forecasts as you well know, but given the situation I think you cannot consider inaccuracy in the Unuk's.

There is no doubt the troll fishery is the largest harvester of the Unuk king salmon and it is well documented by CWT. However new genetic data may shed light as to the actual proportional differences between the sport and commercial fisheries. These results most likely will show sport harvest of the Unuk is significantly more than is currently documented.

Option B for the commercial fisheries I believe is the most reasonable option to adopt.

Despite several conversations and meetings with ADF&G concerning the development of these plans, I am having trouble accepting parts of the plan.

In both Options B and C the department has suggested that you delay the summer troll fishery opening date. I have been informed that this aspect of the plan is not based totally on whether or not this will save any Unuk or Chilkat kings from harvest, but on the quest of the department to gather more harvest data from different periods of the year. Normally, I could see some merit to doing something like that when we are fishing as we historically have, but we are not. The data generated by this will not be comparable to the historic data recorded.

If the Option B were selected, the winter and spring fisheries of the troll fishery will be seriously different from past fishing seasons. To try and compare the results of delaying the July opening date under those conditions, to years where we fished the winter and spring normally, makes little sense.

There will be a build up of Alaska hatchery fish available to the summer fishery simply because they weren't harvested in the spring fisheries. This will dilute the typical summer fisheries wild to hatchery ratio compared to past years. This could influence the data and show there is less SEAK stocks harvested in the delayed opening.

Contrarily, there could be more Unuk, as well as other Alaskan stocks caught in the July opening because they also, were not caught in the spring and winter fisheries. The results mostly likely will show the inflation of the harvest of these fish in the summer fishery, not due to it per normal, but due to circumstances not normal.

That will only be useful in condemning the summer fishery based on data that is irregular. So, some consistency is needed here to at least to keep from jumping to conclusions that have been generate by altered fishery practices.

There is also the economic impacts of this delay for the sake of curiosity. Many of these trollers have large payments and the sooner the money starts flowing in, the better.

So I ask you to modify Option B and C to not include a delayed July summer king fishery for the above reasons.

The second issue I have with both Option B and C is the fact that the summer fisheries actions seem to conflict with the current data and past rationale of the Deputy Commissioner to close the second troll chinook opening in August of 2017.

In the rationale for closing that fishery it was highlighted, although not of spawner basis, that August troll chinook fisheries have a higher rate of Alaska stock interception than the July fishery.

I understand that the Department when creating this plan did not want to alter regulations already in place, such as the execution of the second chinook troll fishery in August. But, this is a conservation plan to save Unuk and Chilkat stocks and to leave 30% of the troll summer fishery quota to be harvested at a higher impact to those stocks, doesn't make a whole lot of sense.

Instead of harvesting 70% of the summer troll fisheries treaty quota in July, it would make more conservation sense to harvest 100% of the

summer troll quota in July. Therefore, I ask you to amend Options B and C to that affect.

If you are unwilling to do that I ask that you at least make as part of any plan you adopt, to include the procurement of the second chinook opening in August and its goal of harvesting the remaining 30% of the quota. It has already been closed by the commissioner in 2017 for conservation purposes of the very stocks these plans are addressing. To not include the August opening as part of that plan leaves that fishery out there for closure when you have adopted these other measures to address the problem. If you expect fishermen to get behind any of these plans, then a little security would not be amiss here.

There will be many different opinions voiced at the meeting about these plans. The troll fishery has already undergone serious economic hardship in the name of conservation of these fish. I have been commercial trolling for about 40 years and heavily involved in the Board of Fisheries process. I tried to approach this as conservation minded as possible and still have both sport and commercial fisheries in the end.

Sincerely, Steve Merritt

Submitted By
Steve Merritt
Submitted On
12/18/2017 11:58:37 AM
Affiliation
Commercial troller

~~Proposal 133
Board of Fisheries
My name is Steve Merritt and am a commercial troller residing in Craig, Alaska. I oppose this proposal for several reasons.

1. Proposal 133 bases the management of the commercial fisheries in district 9, 12 and 14 on the preseason forecasts of individual rivers within Southeast Alaska. This proposal does not take into account situations where preseason forecasts for individual rivers are different from one another.

The Taku and Stikine forecasts are similar in nature but their goal ranges differ.
The 2016 preseason forecast for these rivers generated on 12/4/15 predicted that the Stikine river would be over the harvest goal range yet the Taku, be within its escapement range goals.

By this proposal's defined requirements, the management of commercial fisheries in districts 9,12 and 14 would specify different fishing times depending on which preseason forecast was adhered to. Which preseason should the department give credence to?

The Stikine, Taku and Chilkat Chinook all travel through districts 9,12 and 14 with varying densities. How is the department to manage the commercial fisheries openings in these mixed stock areas, based on 3rds of the individual rivers forecast runs, when they are hardly ever identical? You can't manage these large districts so strictly on something that is so internally variable.

2. The Chilkat's escapement goal range is 1750-3500 large Chinook. The spring troll fishery's 10 year average harvest of Chilkat kings is 123 fish and the recent 5 year average is only 51 fish. This comes from Southeast Alaska Chinook Contributions data; provided to me by the department, September 2017.
Comparing this data to Chilkat escapement data in the study below. http://www.adfg.alaska.gov/FedAidpdfs/ROP.SF.1J.2015.13.pdf
The most updated data I could find (2007-2013) the average spring troll exploitation rate of the Chilkat is less than 4%.

To base the commercial fishing time of the spring troll fishery on the preseason forecast of this small system makes no rational sense. The spring troll harvest of these fish is truly insignificant in relation to the escapement of this system and stopping the spring fisheries in their entirety would not add to the escapement significantly.

Whatever the reduction in catch of these fish the proposer anticipates by further restricting the troll spring fisheries in these districts, will not be enough to make even the slightest difference.

3. Preseason forecast's accuracy has been undependable in the past. The 2014 preseason forecast of the Taku generated on 2/18/14 estimated the terminal run size of 26,800 kings , well within the escapement range of 19,000-36,000 Chinook. By 6/12/14 the terminal run estimate was reduced to 17,570 fish and BELOW goal.

4. Not only are preseason forecasts inaccurate but there have been circumstances where the dept. was not able to update them accordingly. Which in proposal 133's case, would result in continuing on with the current commercial fisheries management based on old and irrelevant information. On 6/11/15 the following was contained in a gillnet fishery announcement.

A reliable in-season Stikine River Chinook salmon abundance estimate is not available due to poor river conditions affecting the mark and recapture assessment program. Therefore, the forecast is unchanged from the preseason forecast of 30.200 Chinook salmon.

Given the inaccuracies of the preseason forecasts and the department not always being able to update it, proposal 133 could result in them being obligated by regulation to open commercial fisheries in these districts, when they shouldn't.

Sure, this proposal states that CPUE, sport fishery catch data, tag data and fish wheel data would be allowed to influence the department's management of these districts. Truth is, they have this ability currently and to specifically state that these commercial fisheries will be open this amount of time, based on this 1/3 of a preseason forecast, in regulation; opens the door to disputing any department decisions resulting in less time. In other words, the less said the better when considering non-allocative fisheries management. It will affect the department's decisions for fear of law suits. Set the goals and let the department do their job. Micro management is not the answer.

5. As you Board of Fisheries members well know, the department is responding to this current crisis by submitting a conservation plan at this meeting. Permanently changing the existing management plan for commercial fisheries under these circumstances is not the correct thing to do. This proposer holds the existing management strategy responsible for the current Chinook crises in our Southeastern rivers when it is well known that over fishing is not the issue. This is just a ploy to incur permanent economic hardship on commercial fisheries in the time of a conservation crises.

In closing, this proposal if adopted would result in poorer management practices by using unreliable forecasts as a basis. It will inflict

unwarranted permanent economic hardship on the commercial fisheries. If passed it could subject the department to strict conflicting management criteria and potential legal disputes.

I ask you to please OPPOSE proposal 133. Sincerely, Steve Merritt

Page 1 Fujioka Personal Comments

Alaska Dept of Fish and Game
Boards Support Section
PO Box 115526
Juneau, AK 99811-5526

December 28, 2017

Members of the Board of Fisheries:

I have been a commercial troller for the past eight seasons. I chose to become a professional hook-and-line fisherman after nearly three decades of sportfishing in northern Southeast Alaska – an activity I continue to enjoy. I have token experience in several other commercial fisheries in the region as well and have participated in subsistence and personal-use fisheries too. I have served for over ten years on the Sitka Fish & Game Advisory Committee (including two terms as chairman) and continue to serve on this committee. I am a board member of the Alaska Troller's Association and the Chum Troller's Association. I greatly appreciate the wonderful opportunity for members of the public to provide so much input in the process of changing fishing regulations. Alaska's system of making the knowledge of local fishermen inherent to the process is truly extraordinary and extraordinarily valuable. I hope that the members of the Board of Fish will be able to truly listen to those of us with decades of firsthand experience on these waters and then to apply broader knowledge to craft the solutions best for the long term benefit of the fish and the local residents. I appreciate your taking the time to read my opinions below. Thank you.

The most significant and consequential actions that the BoF will take at this meeting will be on the Unuk and Chilkat/King Salmon River Action Plans. The proposed Option Cs would eviscerate the Alaska-based trollers – especially those with smaller boats in rural SE, to the benefit of the handful of down-south boats, so I'llvbegin my comments on that topic:

King Salmon River:

- It is inappropriate to consider the King Salmon River Chinook run to be a stock of concern based on "'a chronic ability, despite use of specific management measures, to maintain escapement for the stock'...(as determined by) a sustainable escapement goal[1]" because:
  - No meaningful[2] management measures *specific to the King Salmon River* have been imposed
  - Management measures specific to the King Salmon River Chinook can't be appropriately implemented until the saltwater behavior of these fish is better understood. This stock has never been Coded Wire Tag (CWT)ed, nor is it uniquely identifiable using current genetic techniques, so nobody knows which direction (or where) these fish go to upon leaving Seymour Canal (or even if they leave Seymour Canal).
    - There is wide disagreement within professional staff on how these fish might behave once in saltwater. The Draft Chilkat Action Plan suggests that it might be appropriate to assume that the King Salmon River wild fish behave like fish from the Chilkat (which is 80 miles as the crow flies to the north) or Unuk (160 miles to the south)[3] whereas the Pacific Salmon Treaty Chinook Technical Committee considers Crystal Lake hatchery (approximately 90 miles to the south) fish[4] to be the most appropriate surrogate. At the December 27, 2017 Sitka AC meeting, department staff said that Taku fish would be a valid proxy.[5] For an unknown reason, none of these experts suggested to use the historic releases (in 1993-1996) of

[1]From 2nd paragraph of draft Chilkat and King Salmon River King Salmon Stock Status and Action Plan, 2018. The first portion of the quoted phrase is from the Sustainable Salmon Policy 5 AAC 39.222.
[2]Seymour Canal has been closed to king salmon fishing for many years, but is not a meaningful restriction as there aren't enough salmon of any species in the area during the spring spawner run to warrant any fishing effort – either sport or commercial in the first place. At any rate the closure predates the recent downturn by many years.
[3]See *Harvest* portion of *King Salmon River* section of draft Chilkat Action Plan page 3.
[4]Ibid
[5]This even though the Taku run is known to be the earliest returning run in SE and is an outside rearing stock while historic weir passage on the King Salmon River indicate that is a much later stock and it is believed (but not proven) to be inside rearing.

King Salmon River brood stock from Macaulay Hatchery less than 20 miles from the King Salmon River[6]. It appears that ADF&G is blindly grasping in all directions in an attempt to cover their lack of solid information on this stock.

- Furthermore, the lack of stock-specific harvest data, and the economically-insignificant size[7] of the King Salmon River run makes it is inappropriate to even have a Biological (as opposed to a Sustainable) Escapement Goal. Per http://www.adfg.alaska.gov/index.cfm?adfg=specialstatus.akfishstocks, a SEG should be "used in situations where BEG can not be established due to the absence of stock specific catch estimate;" The wide disagreement on an appropriate proxy and the need for this information clearly shows that the King Salmon stock lacks the *stock specific* catch estimate necessary for establishment of a BEG. Additionally, the BEG is fundamentally about maximizing yield. While sustainability is always a concern, there is no need to be concerned about maximizing the yield of a stock this small and lacks any directed harvest.

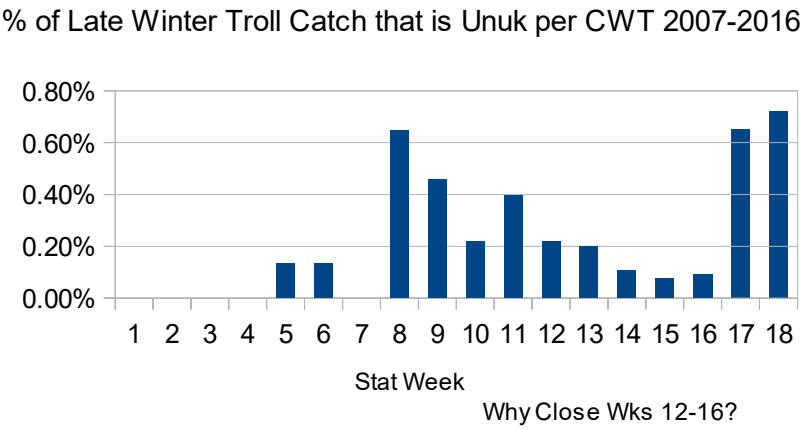
Hence, I suggest that the BoF amend the draft action plan to remove references to the King Salmon River.

Chilkat and Unuk Rivers:

- Many restrictions listed as options within the Unuk and Chilkat/King Salmon River plans, particularly on the troll fishery, are very broad-based rather than being specific to the individual Stocks of Concern. I ask that the BoF keep these Action Plans focused on the specific stocks. **Please don't impose broad restrictions that stop fisheries with insignificant harvests of the problem stocks**. The recommended actions should be ones that do the Stocks of Concern the most good while minimizing the lost harvest opportunities on other stocks.

[6]Relatively few of these fish that were released were found in any fishery – particularly the commercial fisheries. The Juneau and Upper Lynn Canal sport fisheries were the source of the largest number of those that were recovered.
[7]A couple hundred fish in a good year.

- For example, Options B & C of both plans would close the winter troll season about a month and a half early[8]. Since 2004, there has been only 1 Chilkat CWT recovered from a troll Chinook in the entire late winter (Jan-April) period! While there are a few more Unuk CWTs recovered during the late winter troll fishery, the timing of the closure is not matched to the time of the season that the percentage of the catch that are Unuk kings peaks. If a winter closure were to be implemented on behalf of Unuk Chinook, it should cover weeks 8-11 and/or 17-18, but not weeks 12-16, as the Unuks make up a < 2/10th of 1% of the harvest during this time period.



- Neither the region-wide troll closure of May 29-June 14 listed under Option A of both plans, nor the full spring closure listed under Option C is an efficient means to protect either the Unuk or Chilkat stocks. During this time of the spring, while there are some southern districts where Unuk kings make up an elevated percentage of the catch,[9] in the northern part of SE[10], Unuks comprised only about 6/10 of 1% of the harvest. The Chilkat harvest is even more concentrated. Outside of District 114, Chilkats have comprised only 7/100th of 1% of the troll-caught Chinook from that time period. Please refrain

[8]The Unuk Plan options B & C close winter troll on March 15. The Chilkat Plan Options B & C close winter troll on week 12, which in 2018 begins on March 18. Absent a premature closure, the winter season is scheduled to run until April 30 under current regulation.
[9]As high as 5% in District 1, but even this is fairly low in comparison to the catch in the Ketchikan sport fishery.
[10]Districts 9 and higher in aggregate

from supporting wide-ranging management actions that act as sledgehammers when a precision scalpel-like approach is available.

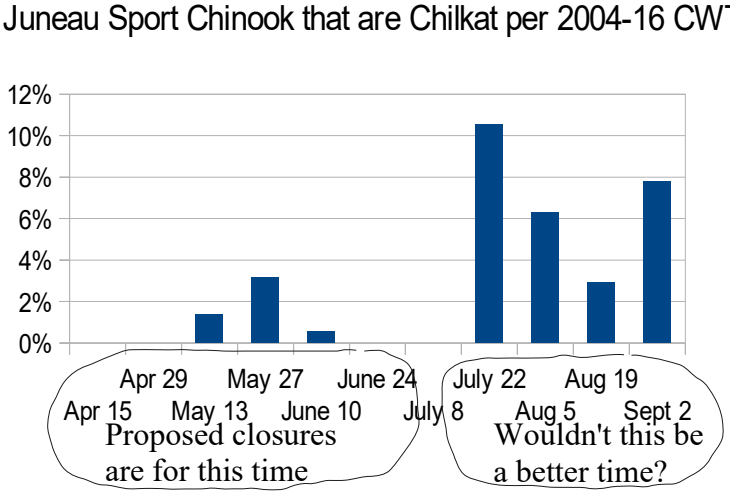
- Restrictions of the Chatham Strait spring troll district (mentioned under Option A in both plans) are also a rather inefficient means protecting Unuk or Chilkat Chinook. Less than half of 1% of Chinook caught there are from the Unuk and <2/10th of 1% are from the Chilkat.
- Similarly, the closure of the Tebenkof spring troll district (also mentioned under Option A of both plans) is not an efficient way to reduce harvest of these stocks either. Unuk fish make up <1% of the total Chinook catch and Chilkat fish number <1 fish in 6,500! The Chatham Strait restriction and Tebenkof closure may well be appropriate management tools for addressing the Taku or Stikine runs, but not for the Unuk or Chilkat.
- The delay of the summer troll opening is not likely to be an effective tool either. Over the last ten years, according to CWT expansions, the week 27-28 summer Chinook harvest has included only about 7/10 of 1% Unuk Chinook and 6/10th of 1% Chilkat Chinook. Practically speaking, how much lower can it go? There is no harvest data available to indicate that any significant savings would be accrued by postponing the July opener[11]. Actually, the historic CWT data indicates that the percentage of the harvest that consists of Unuk and Chilkat Chinook both *increases*[12] between weeks 27 to 28.
- Restrictions on the Taku (District 11) gillnet fishery which are mentioned in all 3 options of the Chilkat Plan, are similarly ineffective in terms of reducing the catch of Chilkat Chinook since 89% of the gillnet-caught Unuk Chinook are from District 15. Only about 5% of the total gillnet harvest of Chilkat kings come from District 11.

[11]And it is clear that a delay will disrupt the traditional coho fishery, make cheating (by stashing kings ahead of the opening) much easier, and eliminate value of the CPUE statistic as a valid comparison to past years.

[12]Very slightly – perhaps not to a statistically significant degree, but nonetheless suggesting that delaying the July king opener is as likely to increase, rather than decrease the number of Unuk and Chilkat Chinook that are caught. While it may be plausible that Unuk spawners would be less abundant in saltwater later in July, the same is true of the majority of stocks that are harvested in the fishery. Thus there is no assurance that the Unuk fish would comprise any lower percentage of the catch.

Page 6 Fujioka Personal Comments

- All three options of the Chilkat plan call for District 15C gillnetters to be potentially limited to the "postage stamp". This approximately 12 square mile area contains the best sets in the area. It includes the prime 2/3s of the southern boundary line and the funneling mainland shore. There is no data to support the notion that requiring the fleet to fish in the honey-hole will do anything to reduce Chilkat Chinook catch.
- Similarly, reducing gillnet time in the Boat Harbor THA will do very little to protect Chilkat Chinook. Only 1 out of 65 Chilkat CWTs from the District 15 gillnet fishery has come from the THA. It would be more far more effective to delay the opening of the traditional District 15 fishery until the Chilkat spawners have passed, and in the meantime allow aggressive fishing for hatchery chum in the THA.
- All three Chilkat options would close parts of the northern inside sport fishery beginning April 15. This is unnecessarily early given that the earliest date that a Chilkat CWT has been recovered in the sport fishery in the past 11 years is May 8.
- All three Chilkat Options close the Juneau sport fishery beginning April 15 for various lengths of time. This is about a month before Chilkat CWTs begin appearing in the Juneau sport fishery. The Juneau closures under the three options last from 2 to 3 months, but even Option C reopens the Juneau area on July 15. For efficient protection of Chilkat Chinook, the closure should be much later in the season as



Chilkat make up a much higher percentage of the Juneau sport harvest later in the summer.

- As a general rule for prioritizing closures within a given gear group, the times/areas with catches that have the highest percentage of Unuk or Chilkat Chinook should be the first to be closed. While Troll Option B is structured in a manner that appears to adhere to this philosophy, it counts *all SE wild* Chinook, rather than just those from the stocks of concern. Please correct this over-simplification[13]. Unlike most of other salmon fisheries in the state, the SE Chinook fisheries are limited by a quota set by international treaty. This quota is much lower than the biologically-allowable surplus of the combination of Chinook stocks that are harvested. Hence, as long as management is done in a reasonably smart manner, the full quota can (and should) be taken without over-harvesting any stock. This is the fundamental basis for what is known as *Aggregate Abundance Based Management* (AABM) which is how the Pacific Salmon Commission defines the SE Alaska Chinook fishery. In the rare cases where Alaska stocks need special protection, **closures should be concentrated in time/areas where the Stocks of Concern comprise the highest percentage of the catch and fishing effort in times/areas where they make up the lowest percentage of the catch should be increased.** When a clean area is accidentally closed, it eliminates the possibility of using that fishery to *lower* the overall impact on the stocks of concern. I suggest that **the BoF direct staff to only apply management actions to those times/areas where the relevant Stock of Concern comprises a relatively high percentage of that fisheries' catch.**
- Most of the sport options listed in the draft Action Plans will impede local resident anglers much more than non-residents. Historically the BoF has directed that when extreme austerity is necessary in the SE sport Chinook fishery, that the reductions be borne 80% by non-residents and 20% by residents. The options that

[13] There may be a need for department staff to impose closures based on concerns for other stocks like the Taku & Stikine (as was done in 2017), but those concerns shouldn't be included in stock-specific plans for the Unuk and Chilkat Rivers.

are presented will not come close to this ratio. Many of the them have components that impose 1/day & 3/yr bag limits for all anglers in certain waters. While the annual limit is highly restrictive to residents (who have never before been subject to annual limits in SE), the 3/yr is likely to be equal to or even more liberal than 2018 region-wide annual non-resident limit[14].

So, what alternatives would better protect the Unuk and Chilkat Chinook with less painful consequences for Alaskan fishermen? Firstly, I suggest that rather than pointing to specific closures or restrictions, the **BoF should set a target Harvest Rate for each gear group** for each stock and let department staff use historical information to tailor management to achieve it. It is difficult to estimate the actual reduction in harvest of many/most of the suite of options provided in the draft plan prior to implementation. Hence there is no way for the BoF to know in 2018 if any particularly combination will be insufficient, adequately balanced, or unnecessarily restrictive until they have been tried, hence I suggest that the BoF endorse Harvest Rate goals rather than specific management actions, but if the board does want to contemplate specific actions, I suggest that:

- To ensure that 80% of the reductions of sport-caught Chinook are borne by non-residents, I suggest 1/yr annual limit for non-residents fishing in the restricted zones and 1/day with variable annual limits for residents.
- Chilkat gillnet restrictions should be confined to the District 15 traditional fisheries, as restrictions elsewhere would be ineffective, seeing as how few Chilkat Chinook are caught in any other gillnet district.
- Troll restrictions for Chilkat Chinook be confined to the spring fishery in District 114 and the adjacent Lisianski Strait (113-95) spring sub-district. Over half of the total region-wide, year-round troll catch of Chilkat Chinook have come from

[14]The non-resident annual limit is set by the SE King Salmon Management Plan. Under that plan, when the Abundance Index is < 1.2 (which it is likely to be in 2018), the region-wide non-resident annual limit is 3 kings from Jan 1 to July 1, then drops to 2, and then 1 king after that. Both Action Plans contain "restrictions" that would set a 1/day, 3/yr limit – even after the region-wide non-resident annual limit would have dropped lower than this.

these waters during the 2 month spring fishery. Chilkat Chinook comprise 2.9% of the overall spring troll harvest in District 114 and 3.5% in sub-district 113-95. While this is low in absolute terms, in the remainder of the region, Chilkats comprise only about 0.06% of the spring catch!

- Unuk restrictions for all gear groups be focused on restoring the policies that existed prior to 2012. In the years since then the combined exploitation rates on Unuk Chinook have been considerably higher than other wild SE Chinook systems. This has directly led to the recent string of under-escapement. As alluded to on Page 2 of the draft Unuk Action Plan, if harvest had remained at the pre-2012 Harvest Rate, the escapement goals would have been met every year from 2012-2016. This requires:
    - encouraging SSRAA to greatly reduce or eliminate the release of King Salmon at Neets Bay, thus making the nearby waters (which are on the corridor to the Unuk River) much less attractive places to fish
    - eliminating (not just stopping for two days per week) the aggressive net rotations in outer Neets Bay
    - cutting back Ketchikan area spring troll harvest of Unuk Chinook to pre-2010 levels
    - restricting sport harvest of of Unuk Chinook in the Ketchikan area to pre-2012 levels

Thank you for giving this topic the thoughtful deliberation that it deserves. Making smart decisions about these Actions Plans should be the highest priority for the BoF at the January meeting.

And as for the published proposals, I have some thoughts there too:

Shellfish:

Proposal 93: I OPPOSE this proposal to open a commercial purse seine squid fishery. Much more needs to be known about the resource prior to allowing such an effective means of harvest as a commercial seine. The current conservative regulations do not

allow squid to be taken with any sort of net even in the personal-use fishery. Given that the resource is small and little studied, dipnets and castnets for personal-use should be allowed well before commercial seines.

Herring:

I have harvested herring roe-on-kelp for many years. The 2017 spawn was the lowest quality that I have seen since moving to Sitka in 2001.

Proposal 94: I OPPOSE this proposal to reduce the herring spawn ANS. The proposer's arguments are faulty. While there are always accuracy concerns with any self-reported harvest information (including the subsistence herring egg harvest data), the ANS was based on data gathered from the same sort of survey that is currently being used. Through many hours of debate at the Sitka AC meetings of November 29 & December 6, 2017, the proposers never presented any reason to believe that the accuracy of the historic surveys that the ANS was based on would be have any different than more recent surveys. Sure, it is possible that some harvesters overestimate the weight of the eggs they have gathered, but the historic surveys that the ANS is based on are likely to be affected to the same degree, hence any errors of this nature would offset.

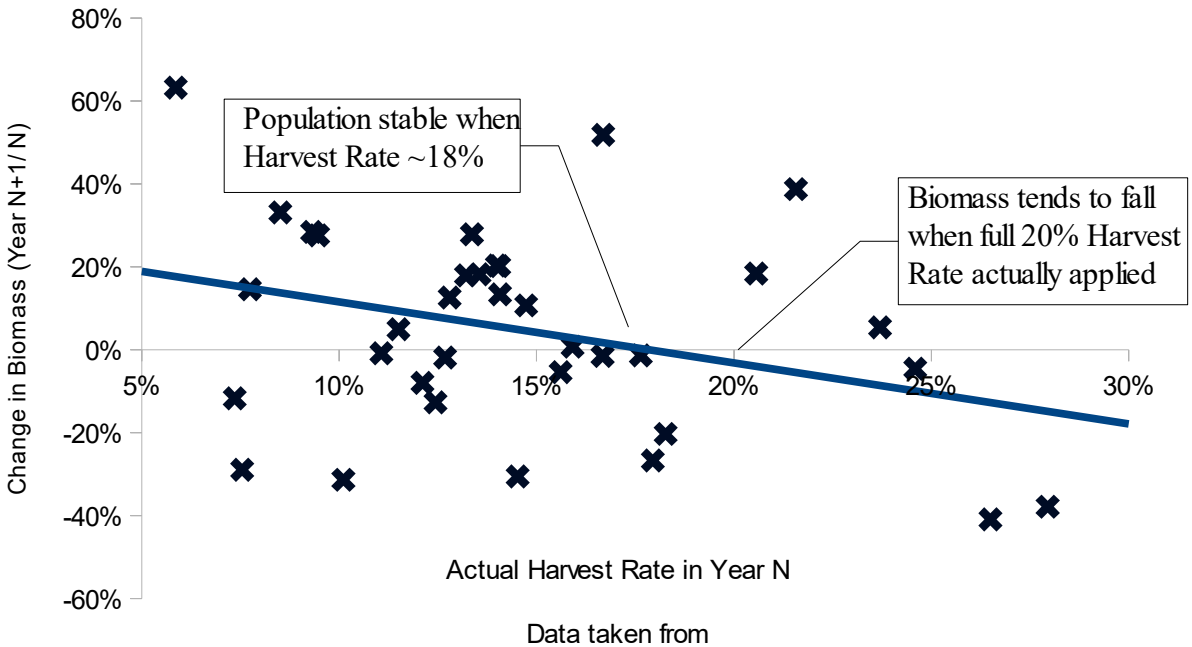
Another justification offered by the proposers is that they are unable to give away more than 30,000- 40,000 lbs of eggs. This give-away program represents only a small fraction of the local demand for herring eggs. Subsistence as an activity fulfills many needs – including spiritual, cultural, social and nutritional. The give-away program that the proposer refers to addresses only the latter need. This program could be viewed as analogous to food stamps. In a time of persistent hunger, people are willing to take a handout, but food stamps are no substitute for employment. They don't provide for dignity, self-fulfillment or personal growth- and neither does the herring egg- handout program. Please, don't confuse it with subsistence.

Page 11 Fujioka Personal Comments

Proposal 99- I support the AMENDED version of this proposal that was unanimously supported by the Sitka AC on November 29. We voted to ask the BoF to apply the more conservative harvest rate formula that is used in the rest of SE to the Sitka area. The initial threshold should remain at 25,000 tons which would allow for a 10% harvest, but the harvest rate should not increase as rapidly as it does under the current formula. The general SE formula is appropriately more conservative.

Under the current formula, the target harvest rate has been 20% nearly every year. Fortunately the actual harvest has generally been short of this amount primarily due to forecasts that have underestimated the biomass. I use the word "fortunately" because a retrospective analysis shows that when the actual harvest rate has been 20% or more, the biomass has tended to fall the following year as shown in the graph below.

Sitka Sound Herring Stock Declines with Increasing Harvest Rate:1981-2016



Data taken from
http://www.adfg.alaska.gov/index.cfm?adfg=commercialbyareasoutheast.herring#harvest

The Sitka herring biomass has been stable when the actual harvest rate has been around 18%, and growing when the harvest rate is less than this. Please reduce the typical target harvest to no more than 18% until the biomass reaches much higher levels. We shouldn't continue to rely on incorrect forecasts to keep this key forage fish population from declining.

Proposal 104: I OPPOSE proposal 104 to eliminate the Sitka herring sanctuary area. During the 2012 board cycle, the Sitka AC submitted a proposal asking the Board of Fish to designate a herring sanctuary in Sitka Sound closed to commercial harvest. The specifics of the area were left to the board and stakeholders to determine. The Board of Fish ended up adopting the boundaries described in an RC submitted by the commercial seine group (SEAS). The area was a very reasonable compromise with the promise of protecting a portion of the stock while allowing plenty of area open for seine harvest opportunity. The seine fishermen are exhibiting bad faith in submitting and supporting Proposal 104 to get rid of the sanctuary that their RC defined and created in 2012.

Proposal 106: I offer this COMMENT: The BoF should adopt a more conservative management policy for the Sitka herring fishery. In SE and other parts of Alaska, we have seen several once-healthy herring populations crash and not recover – some of them (Lynn Canal near Juneau for instance) have been in depressed status for decades. These cautionary historical examples ought to be heeded. If the BoF adopts Proposal 99 as Amended by the Sitka AC to utilize the general SE Harvest rate formula, then I don't see the need to also adopt proposal 106. However if the BoF decides to retain the current aggressive harvest rate formula used only in Sitka, then I ask the BoF to support proposal 106 enlarging the sanctuary area as an alternative conservation measure.

Groundfish:

Proposal 113: I submitted and SUPPORT this housekeeping proposal to specifically allow the “closely trimmed skeleton” of otherwise-restricted groundfish species to be used as bait. This updates the language of commercial regulation 5 AAC 28.190(1) to

once again make it identical to the statewide sport regulation 5 AAC 75.026(b) which was updated by the BoF in 2013. The newer language more closely follows the original intent ("to allow all waste products- anything that would be headed to the grinder") of the current language of 5 AAC 28.190(1) as it was described by the ADF&G Groundfish Manager at a Dec 6, 2011 Sitka AC meeting when the last revision to this regulation was discussed.

Proposal 116: I support this proposal to limit the growth of the charter blackcod catch. According to information provided to the Sitka AC by ADF&G on November 1st, 95% of the sport harvest of blackcod is by non-residents. Seeing as how this resource has been fully utilized for decades – even without any significant non-resident sport harvest, the growth of the charter sector into blackcod is displacing other users. By extending the reasonable non-resident limits that currently apply only to District 12 to the rest of SE, the resident users of all gear types will at least be somewhat protected against the rapid growth of the charter industry into this resource.

Proposal 123: I OPPOSE proposal 123 since many of the fisheries/areas that it would apply to do not currently reach their lingcod allocation and this proposal would further reduce harvest. Specifically, lingcod bycatch in the salmon troll fishery in Central Southeast Outside (CSEO) is the fishery that I participate in that would be affected by the proposal. The allocation for this fishery was established based on historic catches from years when the Sitka LAMP was open to lingcod bycatch. Now that the LAMP is basically closed to troll bycatch of lingcod, the harvest in the fishery is routinely well short of the allocation. There is no need to further reduce this catch.

Even if applied just to the fisheries that routinely reach their allocation (which might pose challenges for enforcement), this proposal would shift a higher percentage of the volume of the harvest from males to females (which are generally larger) which could be biologically sub-optimal.

The current sport size limit is not a conservation restriction, but a management tool. The sport size limits (and closures and bag limits) have historically varied as sportfish management has attempted to keep harvest within the GHLs despite increasing effort. The charter industry has always preferred a fixed size limit rather than starting the season with liberal regulations and closing an area in mid-season once the GHL was taken. The commercial fisheries that are the target of this proposal are managed via in-season closure when the GHL has been harvested. Both methods can work – and are the preferred method of their respective fleets.

Proposal 124: I ask the BoF to take **No Action** on this proposal. I submitted this proposal, believing that the increase in lingcod harvest would be biologically insignificant. While I still maintain that to be the case, subsequently the Sitka AC has offered the opinion that the Sitka Sound lingcod resource is already fully-allocated and that they are satisfied with the current allocation. As the BoF is directed to give deference to local ACs, I can not in good faith ask the BoF to go against this policy and override the position of the only relevant AC.

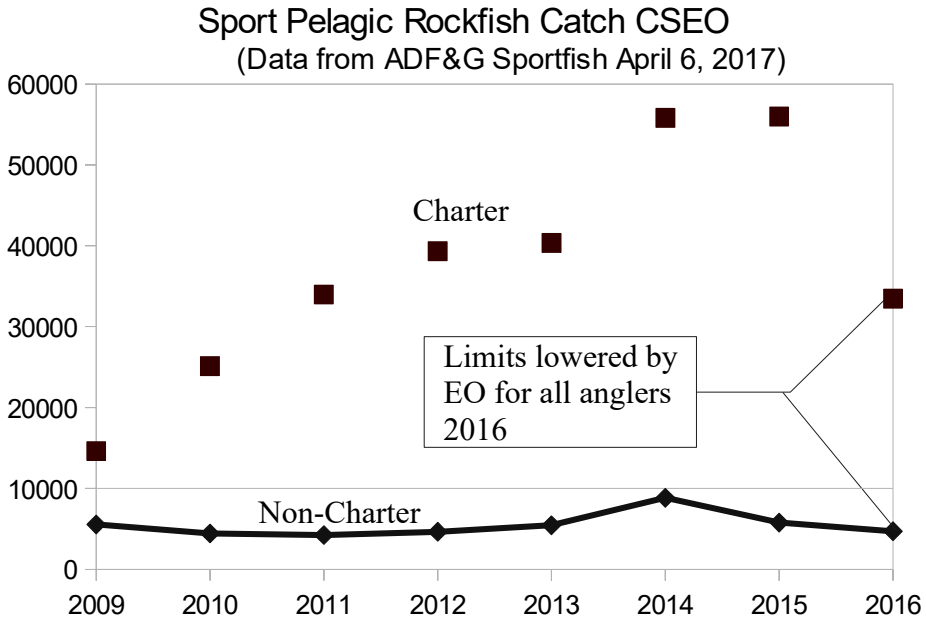
Proposal 126: I OPPOSE this proposal. The requirement to carry a deep water release mechanism is unduly burdensome on casual sportfishermen. Requiring all sportfishing vessels to carry a rockfish release mechanism is unnecessary. Some people sportfish out of very small craft- canoes, kayaks, etc. where any extraneous gear would be in the way. Many people sportfish but a few times a year, or fish only in shallow water where rockfish have no problem re-submerging. Furthermore, a large portion of the sportfish effort occurs in areas that have very few rockfish – places were it is rare to catch even one, let alone enough to be over-limit. For instance per the ADF&G's Sport Fish Survey[15] over the 2013-16 period, the Juneau area has averaged 113,000 angler-days of effort resulting in an average of only 19,500 rockfish/year. That's one rockfish (of any type – so some are non-pelagic and others are pelagics which have a separate and much more generous bag limit) for every 5.8 angler-days. I cite statistics for Juneau as it is the most-

[15] See https://www.adfg.alaska.gov/sf/sportfishingsurvey/index.cfm.

fished sportfishing port in Southeast, but rockfish are even less common in some other parts of SE. For instance in the Kake, Petersburg, Wrangell, Stikine area the average is one rockfish every 7.6 angler-days. While rockfish are abundant in certain parts of the region, much of SE has so few rockfish that accidentally exceeding one's limit is virtually impossible, hence there is no need for release mechanisms to be mandatory for casual anglers.

Proposal 127: (Note: the proposal summary by Board Support implies that this proposal is about reducing the resident sport bag limit for pelagic rockfish, but the proposal is actually intended to *prevent* that from happening unless biologically necessary.) I submitted and SUPPORT this proposal to protect resident sportfishermen from recent restrictions that have been imposed by EO in 2016 & 2017, and now are proposed to be made into standing regulation (see ADF&G's Proposal 128). Non-charter (i.e. resident) sport harvest has been steady for many years during which time the charter harvest has doubled or tripled.

ADF&G is appropriately concerned about this rapid increase in harvest, but the mandate for the department to be non-allocative limits their choices to blunt tools that strike non-residents and residents alike. I ask that



the BoF hold residents of Sitka and other Alaskans harmless, as the problem is not of our making.

I should also point out that this conflict is strictly within the sport sector. The total commercial harvest of pelagic rockfish in CSEO is quite small- having averaged less than the non-charter sport catch over the past decade[16]. In 2014 & 2015 (the years just prior to the bag limit reduction) the charter fleet alone accounted for over 2/3 of the total (sport and commercial combined) pelagic rockfish harvest in CSEO. Please protect local residents (often times kids with their parents) from the growth of charter rockfish catch.

Proposal 127: I OPPOSE reducing the bag limit for resident sport fishermen for pelagic rockfish in order to address a conservation concern caused by the rapidly increasing charter harvest. **PROPOSAL 126 to hold the resident anglers harmless unless their catch equals the non-resident catch, provides a more appropriate alternative**. Please be proactive about protecting local residents from the growth of the charter catch. The BoF has ample precedent for providing more liberal regulations for resident sport anglers, having done so in the past for king salmon, lingcod and non-pelagic rockfish throughout SE.

Salmon: King, Enhancement, Mgmt Plans, Misc.

Proposals 132, 133 & 134: I OPPOSE these three interlinked proposals and ask that the BoF not over-react to the recent downturn in SE Chinook runs by making permanent regulatory changes to address a temporary issue. Overall the proposed changes are far too draconian to impose when 85% of the returning Taku Chinook already escape to spawn[17]. There are many other problems with these proposals including:

- The proposals would restrict trolling (Proposal 133 and potentially 134) even when the Taku return is *above* the optimal spawning escapement- even though the Taku forecasts are for terminal run – i.e. the troll harvest in the districts that these

[16] The decade's average of 14,679 round lbs/yr comes out 3,670 fish/yr assuming an average weight of 4 pounds.

[17] Per the most recent version of the Pacific Salmon Commission's Joint Chinook Technical Committee's work: *2016 Exploitation Rate Analysis and Model Calibration Supplement Data Notebook Report TCChinook (17)-01* Appendix C50, the last four years the escapement rates were 2012: 77.2% 2013: 89.0% 2014: 87.0% & 2015: 82.2%.

proposals seek to close is already built into the forecast. If the run will meet escapement goals, there is no need to consider restricting trolling, as this harvest has already been accounted for.

- Proposal 133 in conjunction with 132 is highly biased against troll fisheries. They require a major loss of fishing time (from 7 days/wk to 4) over 3 entire districts even when the Taku run is forecast to be above the MSY point, while sport restrictions for Taku kings are limited to a small closed area and traditional gillnet fisheries are allowed to proceed without any restriction. When the forecast is for the Taku run to be very near MSY, the proposer seeks to cut fishing time in troll fisheries over 100 miles away from Taku River by up to 70% while most of the popular Juneau sport fishing areas remain open and the Taku gillnet fishery makes only token restrictions. A Taku forecast *within* the escapement range but in the lower third would close all trolling for 2-1/2 months over three entire districts (not including the two districts closest to the Taku that are already closed to trolling during that time). This is ridiculous considering that the escapement goals are set such that the yield from an escapement within the lower third of the goal is still very near the most that can be expected to be sustainable.
- Proposals 132 and 133 are being supported on the erroneous claim that "Years of fishing on escapement is to a large-degree why these stocks are at all-time lows." In actuality, both the Pacific Salmon Commission's Joint Chinook Technical Committee[18] and ADF&G[19] clearly state that poor ocean survival – *not harvest,* is the cause of the low Taku runs.
- Proposals 133 and 134 would close/restrict all spring trolling in districts 9, 12 & 14- including the spring chum fisheries. These BoF specifically developed management plans for these chum troll fisheries to permit them to continue even if Chinook concerns arose.

[18]"The Taku river stock has shown declining productivity in recent years and the primary factor is reduced marine survival." -Page 38 *Annual report of Catch and Escapement for 2016* Report (17)-2

[19]"The (Taku) stock exhibited a decline in productivity in recent years due to reduced marine survivals." Page 32 Appendix A10 *Review of Salmon Escapement Goals in SE AK, 2014* FMS 14-07 by Steven C. Heinl, Edgar L. Jones, Andrew W. Piston, Philip J. Richards and Leon D. Shaul.

- Proposal 132 would restrict sport fishing in District 15 (close to the Chilkat River, but not on the migration path for Taku fish) based on the forecast for the Taku- even if the Chilkat was expected to produce a large surplus that year.
- The restrictions that these proposals seek to impose on gillnet fisheries in the Taku estuary, sport fisheries occuring 10-50 miles from the river and troll fisheries taking place up to 120 miles from Taku River are all scheduled to occur simultaneously. Migrating Chinook will pass out of the distant troll fisheries while they are still abundant in the terminal areas, yet all of the fisheries are scheduled to be closed during the same dates.
- Proposals 133 and 134 would restrict trolling in distant districts based on a Taku forecast that already takes this harvest into account. Per Pacific Salmon Treaty Annex IV Chapter 1.3(b)(3)(vii) footnote 6, the official Taku forecasts already accounts for all harvest outside of District 11.
- These proposals do not address the harvest of Taku kings caught in the Petersburg-Wrangell sport fishery. From 2004-15, an average of 13% of the sport-caught kings from this area were Taku Chinook[20].
- The Taku forecast that would trigger restrictions (directly in the case of Proposals 132 & 133, indirectly in the case of Proposal 134) is regularly inaccurate. The <u>average</u> preseason forecast is off by 35%[21]! This means that in <u>*most years*</u> *the actual return will not be within the same 1/3 of the escapement range as the preseason estimate, so the wrong set of restrictions will have been triggered*. The proposals lack a detailed means to incorporate in-season information when the preseason forecast is wrong which has been more often than not.

Proposal 137: I SUPPORT this proposal to increase the *resident* sportfish possession limit of Chinook in years when the abundance (and hence the sport quota) is very high. The non-resident sport king salmon catch has exceeded the resident catch in most years –

[20]See pages 43-45 of *Mixed Stock Analysis of Chinook Salmon Harvested in the SE AK Sport Fishery 2004-2015* (in prep) by ADF&G's Sara Gilk-Baumer et al. In 2008-2010 Taku fish comprised more than **19%** of the Petersburg/Wrangell sport catch.

[21]The Mean Absolute Percent Error (MAPE) in the Taku River Chinook forecast is 35% according to Table 3 on page 14 of *Forecasting Annual Run Size of Chinook Salmon to the Taku River of Alaska and Canada* FMS 14-08 by David R. Bernard and Edger L. Jones III.

and this is especially the case in years of higher abundance. This biological effects of this proposal are very modest. Additionally, if the additional resident harvest is tempered by keeping the non-resident annual limit at the normal level rather than allowing it to increase to an unsustainable level in high abundance years, this will contribute to stability in non-resident limits – which is something that sportfishing businesses commonly ask of the BoF.

Proposal 138: I SUPPORT this proposal to allow retention of other species when fishing with 2 rods for Chinook is allowed for residents. At this meeting, the BoF may be tempted to overlook the rare occasions when Chinook are abundant and dismiss this proposal. I urge you to pass it instead, thus brightening the light at the end of the tunnel for local residents.

I should point out that the increase in harvest due to a second rod – even for Chinook which are the target species, has been so small that ADF&G has been unable to produce any data on it. Such a small fraction of the total sport effort and catch occurs using 2 rods, that any increase in harvest of non-target species would be negligible.

Proposal 139: I OPPOSE this proposal to overturn the current Southeast Cove THA Management Plan that splits access to the area between the trollers and seiners, the two gear groups which are currently (and have been historically) behind in their allocation of enhanced salmon as defined by 5 AAC 33.364 *SE AK Area Enhanced Salmon Allocation Management Plan*. Under BoF Findings 94-148FB the 13th *Guiding Principle of Enhanced Salmon Allocation in SE* states that harvest opportunity in terminal area fisheries should be the first tool used to correct imbalances in allocation. The BoF has properly limited fishing in this area to the seine and troll fleets. For the BoF to delegate the authority to allocate this opportunity directly to the NSRAA board as the proposal asks, would be irresponsible and risks further exacerbation of the allocation imbalance. As noted in RC 2, (page 131) the BoF has previous decided that in accordance with 94-148FB, the SE Cove Management Plan should only be changed to allow gillnetting if and

when their share of SE Enhanced Salmon drops below their allocation. Seeing as how gillnetters have caught close to double their share for the last decade, this is not the time to allow additional gillnet opportunity.

Proposals 140-143 & 145: I offer this COMMENT: These proposals all reference the imbalance of enhanced salmon harvest between the gillnet and seine fleets and seek to address the imbalance through terminal area harvest opportunity. While this is fully consistent with the 13th Guiding Principle established in BoF Findings 94-148FB, the elephant in the room in all four of these proposals is that the troll fleet is much further behind their allocation than the seine fleet. Any argument along these lines to tilt the harvest towards the seine fleet, is even more applicable to increasing the troll share.

Proposal 144: I SUPPORT this proposal to provide additional opportunity to the troll fleet to harvest hatchery-produced salmon at Deep Inlet. Per the terms of 5 AAC 33.364(c) the BoF is to provide such opportunity to the troll fleet due to the established pattern of being well below our allocated share of the harvest. Unlike the *PWS Enhanced Salmon Management Plan* which automatically provides additional harvest opportunity to the gear group that is behind, the SE plan directs the BoF to initiate this action. This proposal is highly conservative, in that it does not ask for exclusive troll access, but only opportunity concurrent with the net fisheries. This would be of most value when trolling is otherwise closed (August coho closure) or when the net fleets have dwindled to token levels late in the year. It should be noted that concurrent opportunity is neither new or unworkable, as most SSRAA THAs already are managed this way.

146: I OPPOSE this proposal to exclude certain SE hatcheries from the allocation defined by 5 AAC 33.364. The sharing of hatchery fish was a universally-agreed-to compromise described in BoF Findings 94-148BF. These findings are the consensus agreement of a committee that what charged by BoF Chair Mike Martin in 1991 to develop a plan for sharing "all enhanced salmon[22]" in Southeast. To radically change the intent of the entire

[22]See first sentence of *Background* section in 94-148FB.

allocation plan at this late date would be extremely disruptive to industry and contrary to the original direction of BoF chair Martin.

Proposal 150: I suggest that this proposal be AMENDED to change the eastern boundary line of the all-gear SHA from 135° 11.05' to somewhere around 135° 06'. The Crawfish Inlet release site was established as a means to help relieve some of the enhanced salmon shortfall that the troll fleet has chronically suffered. While some non-troll harvest is required under the terms of the Department permit in order to limit straying, this need is limited to the extreme terminal area. The greater the area in which cost-recovery or common property net fishing occurs, the less beneficial this project will be to the troll fleet – which was the original justification for the release site in the first place.

Proposal 155: I OPPOSE this proposal to remove an effective and necessary conservation measure to protect northern inside sockeye stocks. Sockeye systems on the Juneau road system are currently seeing such small returns that sportfishing is closed entirely on the Mendenhall Lake and Auke Lake systems and limited to just a few days per year on the Windfall Lake system. Please do not allow increased exploitation of these stocks. It should be noted that fish returning to these Mendenhall and Auke Lakes are not exposed to any gillnet fishery – the Chatham Strait seine fishery is the only commercial net fishery that they have to pass through and yet the runs are still not large enough to support any sport fishing.

Proposal 157 & 158: I SUPPORT these functionally-identical proposals. Despite lasting just 2-4 days per year, the hatchery seine fishery at Amalga Harbor has significant sockeye bycatch[23]. Fortunately a management plan already exists to address seine bycatch of sockeye in northern Southeast inside waters (5 AAC 33.366). However, the original language in that regulation is ambiguous as to whether or not sockeye caught in the Amalga fishery should have been included. (5 AAC 33.366 predates the opening of the

[23] The annual average catch since the common property fishery began in 2012 has been about 2,700 sockeye per year.

Amalga SHA to common property seining, so this ambiguity shouldn't be surprising.) The 2015 proposal by SEAS to only count these fish against against the cap some of the time, and then to only count some of them was an absurd compromise that has now expired through a sunset clause – Good riddance! The BoF now has the opportunity to replace it with a sensible conservation measure to count all wild sockeye caught in this fishery towards the established 15,000 fish cap. Like the sockeye taken in the Northern Chatham fishery, the sockeye harvested at Amagla are northern-inside stocks and they should be treated the same way.

It should also be noted that the Amalga Harbor THA seine fishery takes place less than two miles from the mouth of Eagle River, through which sockeye destined for Windfall Lake have to pass. This Windfall sockeye fishery is a favorite of the Juneau flyfishing community. This small stream is where I learned to flyfish – that being the most effective way to sport fish for these sockeye. I have spent many hours either fishing, walking the 3 miles to or from the fishing hole, or tying flies that would be left in the various snags and branches of Windfall Creek. This run is the last remaining sockeye sport fishery on the Juneau road system – and unfortunately it is now barely viable as a fishery. This run is particularly vulnerable to over-harvest as it is not only small – with an average escapement count of only 519 fish[24] but over 90% of the returning adults have a single life history (1.3)[25]. With nearly all of the returning fish being the same age, this population lacks the protective redundancy of a typical multi-age return.

The department has a long history of imposing highly restrictive regulations on the Windfall sport fishery – with good reason given its popularity. It has been completely closed several times – beginning with an emergency in-season closure in 1991. Due to continued sockeye conservation concerns, sport fishing in Windfall Creek has recently

[24] See page 243 of RC 2.

[25] See Table 19 of *Abundance, Age, Sex and Size of Sockeye Salmon Catches and Escapements in Southeastern Alaska in 1987* by Scott A. McPherson, Andrew J. McGregor and Mark A. Olsen published as ADF&G's Technical Fishery Report 88-12.

been allowed only on Wednesdays and Saturdays during June and not at all in July[26]. The sport bag limit is one fish per day and five per year. Any additional harvest pressure on these fish would probably require that this unique sport fishing opportunity be fully closed again as it was during the summers of 1993 and 1994.

If the seine fleet is unwilling to accept a simple sensible measure to protect the Windfall Creek sockeye run, an alternative would be for the BoF to greatly reduce the size of the Amalga SHA. After all, the presence of so many sockeye in the harvest is adequate proof that the boundary lines were initially made inappropriately generous in the first place since SHAs are supposed to be restricted to areas without wild stock concentrations.

It should also be noted that the fishery may be having a significant impact on local king salmon including Chilkat and King Salmon River stocks as well as the Windfall sockeye.

Kings (all sizes) reported from Amalga SHA

Year	*Cost-Recovery*	*Common Property Seine*	*Total*
2012	35	32	**67**
2013	2	144	**146**
2014	14	28	**42**
2015	37	18	**55**
2016	78	49	**127**
2017	101	103	**204**

Salmon: Seine:

Proposal 166: I OPPOSE proposal 166 to create a second seine index fishery about 9 miles north of an existing Point Augusta seine index fishery. In addition to the Point Augusta index fishery, there is also a long standing test fishery that occurs even closer to the area that this proposal seeks to open. In the years when there are adequate fish for a common property fishery, these waters are open to seining, but this proposal would jeopardize the health of northern-inside pink salmon stocks by harvesting them even in years of very weak returns. The recent even-year pink salmon escapement of *all of the stock groups in the Juneau area has been below goal*. Below is a slide from the 2017 Juneau Area Purse Seine Season Summary by ADF&G which was presented at the seine taskforce meeting on November 28, 2017.

[26]What this means is that sport fishing is allowed for only 9 days during the two prime summer months. The sockeye don't actually enter the system on most years until around the 3rd day that fishing is allowed, so really only around 7 days of sockeye sport fishing per year occurs.

Juneau Management Area: Pink Salmon Escapement by Stock Group 2013-2017

Stock Group	Target Range	Escapement Index				
		2013	2014	2015	2016	2017
Freshwater Bay	80,000 - 180,000	67,850	20,080	62,850	36,061	63,150
Homeshore	30,000 - 70,000	82,756	4,216	98,188	1,600	22,795
Lower Lynn Canal	20,000 - 60,000	38,800	1,786	154,306	4,493	51,300
Upper Lynn Canal	30,000 - 70,000	86,049	2,436	254,757	4,029	80,935
N Chichagof	120,000 - 280,000	398,900	16,640	325,663	25,852	337,920
Seymour Canal	160,000 - 400,000	221,225	51,470	248,620	63,020	110,030
Stephens	110,000 - 250,000	95,350	28,273	178,551	13,751	179,464
SW Admiralty	100,000 - 250,000	236,460	33,344	262,157	39,755	346,273
Tenakee	210,000 - 510,000	442,003	102,820	398,574	99,865	432,683
West Admiralty	50,000 - 120,000	153,225	5,224	49,804	8,905	31,700

Bold numbers in red font are below management target range; underlined are above management target range

At least they were red in the original – they appear gray here.

Note that for several generations, the even-year returns from the West Admiralty and Lynn Canal stock groups (which are the pink salmon that would most likely be in the waters of this proposed fishery) have been only around 10-20% of the *lower* bound of the target range in recent even years. This sort of escapement makes even the Chilkat and Unuk Chinook runs appear healthy and robust by comparison!

It is further concerning to me that the department appears to exhibit unjustified optimism about next year. The 2018 Pink Salmon Harvest Forecast[27] for the first time since 2007, arbitrarily excludes data from NOAA's *SE Coastal Monitoring Project* because that information pointed to a very low 2018 return. The department's 2018 forecast justifies this omission by saying that "it is at least plausible[28] that the (2018 harvest) will be in line with recent averages for southern SEAK.[29]" Discontinuing use of the NOAA data after 11 straight years of incorporating it contrasts sharply with the high praise that it was given in the 2017 ADF&G SE pink salmon forecast[30] which lauds the NOAA data, saying that

[27]http://www.adfg.alaska.gov/static/fishing/PDFs/commercial/southeast/2018_se_pink_salmon_harvest_forecast.pdf
[28]They don't even try to make the case that it is probable – just that it *might* happen!
[29]http://www.adfg.alaska.gov/static/fishing/PDFs/commercial/southeast/2018_se_pink_salmon_harvest_forecast.pdf, end of first paragraph under "Forecast Discussion" on page 2
[30]http://www.adfg.alaska.gov/static/fishing/PDFs/commercial/southeast/2017_se_pink_salmon_harvest_forecast.pdf

including this information has led to "much improvement over forecasts made prior to 2007 (The last time that this NOAA data was not used)" and that including the NOAA data provides "the ability to predict if the harvest will be greater than average or less than average (which) is an immense improvement over past ADF&G forecasts.[31]" This seems like a mighty low bar.

Salmon:Commercial Troll:

Proposal 173: I SUPPORT this proposal to delete the sunset clause in 5 AAC 29.114 Districts 12 & 14 Enhanced Chum Troll Fisheries Management Plan. These spring fisheries have been conducted for 5 years now with minimal by-catch, gear conflicts or other issues. This has been a sufficient "trial period" for these fisheries to prove that they deserve to be made permanent. The current concerns over SE wild Chinook and the resultant heavy restrictions in the spring Chinook troll fisheries make the chum fisheries extremely important alternatives as there are very few other troll fisheries this time of year. The chum fisheries are fully compatible with Chinook conservation efforts due to the previously-mentioned very low by-catch. In contrast to by-catch in gillnet fisheries, unwanted troll-caught fish can be released just as sport-caught fish can. There has been no suggestion that sportfishing for chum salmon should be closed due to concerns over Chinook, so commercial trolling for chum salmon shouldn't be closed either.

Proposal 174: I SUPPORT this proposal to create additional spring troll opportunity in a manner that is consistent with the concerns for SE wild Chinook (See comments for Proposal 173 above.) and with the provisions of BoF finding 94-148BF which calls for creating additional opportunity to harvest enhanced salmon for gear groups that have been chronically behind their allotted percentage of the hatchery pie as trollers have been. If the department has concerns regarding bycatch of migrating wild stocks, I ask that the BoF direct staff to work with the proposers to reconfigure the boundary lines to alleviate those concerns rather than just dismiss the entire proposal.

[31]Ibid, second paragraph under "Forecast Discussion" page 2

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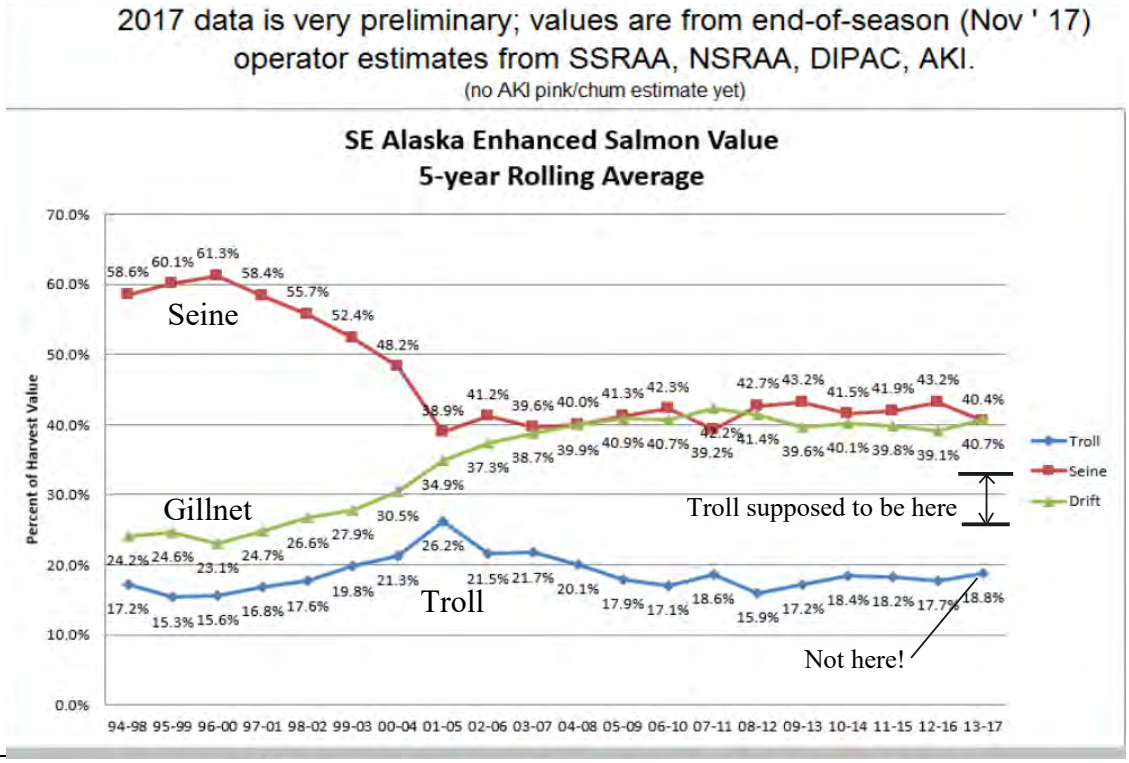
Proposal 175: I agree with the intent of this proposal, but suggest that it be AMENDED so that the regulation would read:

> (d)(3) When a spring king salmon troll fishery is closed, a person may not have king salmon aboard a salmon troll vessel while fishing for chum salmon **in an area closed to trolling for king salmon**.

Proposal 176: I SUPPORT this proposal keep the troll fleet from having to stop fishing for Crawfish hatchery chum during a closure intended to conserve/re-allocate wild coho. The proposed boundary for the chum fishery is highly conservative – very few fish other than hatchery chum are likely to be encountered – and those that are can be released due to the nature of troll gear. NSRAA received permits for this hatchery release site predicated on using it to address the persistent troll shortfall of enhanced salmon. The chart below of the NSRAA's calculated preliminary 2013-2017 5-year aggregate[32] indicates that the troll share of the SE enhanced salmon has remained well below the 27-32% range established by a consensus of the Southeast Alaska Allocation Task Force,



[32]This is slide 10 of https://www.nsraa.org/_pdfs/2017_Fall_Board_Mtg/Adult_Ret_2017_Fcast_2018.pdf

accepted as Guiding Principle 14 of BoF Finding 94-148 FB and codified as 5 AAC 33.364(a)(2). The present troll shortfall represents $3-5M/year to the troll fleet. While proposal 177 will address only a tiny fraction of the deficit, it is a small corrective step.

Proposal 177: I SUPPORT this proposal to allow the department to identify areas where hatchery-produced coho can be targeted with troll gear when fishing on wild stocks is not permitted for allocation or conservation reasons. There are several locations where this could be allowed without significant impact on wild stocks- including:

- Bucareli Bay in front of the Klawock Hatchery which has produced over 100,000 coho for the last several years.
- Deep Inlet and Inner Sitka Sound- NSRAA's Bear Cove and Deep Inlet release sites produced 70,000 coho in 2017 – and production has been rising as this project is being ramped up.
- Mist Cove- downstream of NSRAA's Deer Lake release site, returns here have been inconsistent, but as this is not a broodstock collection site, trollers should be allowed to catch any coho returning here.

The flexibility of this proposal makes it easy for ADF&G to modify boundary lines and open/close areas as needed in response to wild stock concerns or hatchery needs. This is also but a very minor step towards addressing the multi-million dollar shortfall of enhanced salmon that are due to the troll fleet.

Proposal 180: I SUPPORT this proposal to permit the spring troll fisheries to operate as originally envisioned, even in years when an abundance of non-Alaskan fish are present. While I recognize the irony of a proposal addressing a problem caused by too many Chinook, that situation shouldn't be dismissed. In 2014, 2015 & 2016 “Treaty” Chinook were much more abundant than they typically are[33]. This proposal simply recognizes that in years when extremely large numbers of non-Alaskan fish are expected, they will constitute a larger-than-normal percentage of the spring harvest and directly drive down

[33]During those years the returns to the Columbia River were higher than at any time since the Bonneville Dam was installed in the 1930's. These Chinook make the largest contribution of any stock to the SE troll catch.

the percent of the catch that the Alaska hatchery fish make up. As the troll access to spring Chinook is managed based on the percentage of the catch that is AK-hatchery fish, the influx of non-Alaskan fish distorts the average.

I recognize that the current heightened concerns for Alaskan wild Chinook, may require other restrictions on the spring fisheries. ADF&G has recently provided numerous examples of where EO authority was used to stop harvest well short of the upper limits of the spring hatchery GHL ranges. I have every reason to expect this conservative approach to continue, and thus consideration of this proposal need not assume that it will have any detrimental effects on local wild stocks since the spring fisheries won't be prosecuted if doing so would threaten those runs. This also affects the troll imbalance of hatchery salmon. In the years when troll access to hatchery Chinook is prematurely closed, the troll fleet slips even further behind.

Proposal 181: I SUPPORT changing the current 70%/30% division of the summer troll Chinook harvest between July and August to 60%/40%. This proposal is notable because unlike most others that just re-allocate a resource from one fisherman to another, this proposal is about increasing the value of the resource. I support this regardless of whether the change is limited to certain levels of abundance or occurs every year. The price in August is typically higher than in July. Also the fish are frequently larger too. While the difference is not a huge, given the extreme closures that the troll fleet is facing due to wild Chinook concerns, an extra $94,000 as estimated in RC 2 (page 204) would be appreciated.

In addition to these economic arguments, increasing the number of fish available for the August opener means an increased likelihood than the August opening can be managed in-season. The August opening is the last of the season so it is important that this “clean-up” opening be managed accurately to catch the remaining quota without excessive overages or underages that can result when the opening length has to be determined ahead of time.

Any concerns regarding the possibility that the fleet might not be able to catch all remaining fish should the August quota be increased should be allayed by the realization that the overall quota was reduced by 15% as part of the 2009 Pacific Salmon Treaty. The practical effect of the proposal is to restore the August quota to approximately what it would have been had the 15% reduction not been imposed, and allow the entire 2009 cut to be absorbed in the July opener.

While historical trollers in Ketchikan felt that they would not benefit from increasing the August quota, in more recent years, the catch rates in the southern outside have been quite high in August when compared to northern areas.

As for the difference in impact to SE wild Chinook stocks, I find it interesting that the department would claim on one hand that the August opening had a higher proportion of Alaskan fish than the July opener, but in the name of reducing impact on wild stocks would also advocate for delaying the July opener – thus pushing it closer to the traditional time of the August fishery. When staff presents these sorts of contradictory arguments, the most reasonable conclusion is that the data on the actual difference in impact between July and August is probably highly ambiguous.

Proposal 184: While I am a power troller and directly compete with hand trollers for the same quota, I SUPPORT this proposal to give hand trollers more options. Hand-operated downriggers are permitted during the winter troll season, and it is entirely reasonable to allow them to be used during the spring and summer fisheries too.

A similar proposal was submitted last cycle, but not approved due to concerns raised by DPS regarding difficulties of distinguishing between HT-registered vessels that were commercial trolling vs. ones that were sport fishing. After BoF deliberations, I talked with the DPS representative who indicated that their concerns could have been allayed by a simple requirement that HT vessels that are engaged in sport fishing for salmon at a

time/place open to commercial fishing must cover the "HT" letters that designate them as a Hand Troll vessel. Please give this proposal due consideration, and do not dismiss it even in the face of opposition from DPS until alternative identification methods have been explored.

Personal-use and Sport:

Proposal 186: I understand the issue that the proposer is attempting to address, but have the COMMENT that the proposed definition appears to be circular. When the middle phrase is removed, it reads that "A guest is defined as a person(s) who is... considered a guest." I suggest that Department of Law be consulted to develop a better definition.

Proposal 199: I SUPPORT this proposal to liberalize the unnecessarily restrictive Juneau area Dolly Varden bag limits. The local population has long recovered from the lows of the bounty days and no longer needs the protection of the two fish limit.

Proposal 204: I am OPPOSED to the provisions of this proposal that would allow the harvest of more than one sockeye per day from Windfall Creek. The proposer claims to be concerned with excessive crowding. Increasing the daily limit would only increase the popularity of this location, exacerbating the problem. If the health of the run permits, I have no problem with increasing the number of days that fishing is allowed, as under current regulations the waters are only open to fishing 6-8 days per year that there are sockeye available to catch[34].

Thank you for taking the time to read my letter. I know that it is lengthy, but I have many concerns.

Sincerely,
Tad Fujioka

[34]Under current regulations Windfall Creek is closed during June and July except for Wednesdays and Saturdays in June. While this technically allows about 9 days of fishing, the sockeye historically don't enter the stream until the second week of June, thus leaving only 7 or so days when sockeye can be caught.

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Territorial Sportsmen INC.

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Alaska Board of Fisheries

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Juneau, AK 99811-5526

Submitted herein are Territorial Sportsmen Inc. positions on proposed regulations of the Alaska Board of Fisheries, Sitka, AK, Jan. 2018. We appreciate the opportunity to comment in writing and orally at the meeting.

SHELLFISH:

Proposal 75. Author Nick Yurko

Reopen section 11-A to personal use shrimp fishing.

Position: **FAVOR.** This fishery has been closed for five years despite no stock status research. The 11-A Personal Use closure was based on poor CPUE by a small number of commercial fishermen in Barlow Cove. Barlow Cove is a tiny fraction of section 11-A.

Proposal 76. Author Aaron Woodrow.

Establish mesh size restrictions for sport shrimp pots.

Position: **OPPOSE** We assume the author means personal use pots rather than sport. Small spot shrimp are males and don't require special protection. Also requiring a large mesh size would reduce the personal use catch of smaller species of shrimp such as coonstripes or sidestripes, both of which are desirable personal use species.

Proposal 82. Author Nick Yurko

Close section 11-A to commercial shrimp fishing.

Position: **FAVOR** It was the small commercial fishery that resulted in the 5 years and counting closure of the personal use fishery. If the commercial fishery cannot survive in section 11-A due to not enough resource for two or three boats, it should be closed.

FINFISH:

Proposal 96. Author Rollin Young

Repeal the herring sac roe regulations for section 11-A.

Position: **FAVOR**

The herring stocks in section 11-A have not recovered from the abundance level of 35-40 years ago when there was a sac roe fishery in 11-A. If this fishery were ever proposed to reopen, the action should go through a new public hearing rather than implementing enabling regulations from 3-4 decades ago. The politics and support for local herring stocks have changed in 40 years. There are several interested groups who were not present or not active in the 1970's to speak on behalf of herring that now deserve a say in whether a fishery should ever be warranted in the local area. Sport fishermen, local Native groups, charter captains, whale watchers, conservationists all need to be heard before this fishery should ever reopen..

Proposal 117. Author Aaron Woodrow

Allow pots as legal gear for personal use sablefish.

Position: **FAVOR** Longlines are indiscriminate and do not target sablefish like pots can. The bycatch of sharks and skates and halibut will be far less and possibly near zero. Longline gear can be lost or tangled.

Proposal 132 and 133. Author Mike Bethers

Require abundance based king salmon management in the Spring fisheries in Northern Southeast Alaska based on the preseason king salmon forecast for the Taku River for both the sport fishery and the commercial troll fishery.

Position: **FAVOR** These proposals represent one logical way to tailor fishing pressure to abundance of Taku chinook, a stock that needs severe conservation measures to even survive.

Proposal 134. Author: Territorial Sportsmen Inc.

Close the Spring troll fisheries in districts 9, 12 and 14 whenever the Juneau sport fishery is closed to protect Taku chinook.

Position: **FAVOR** The Taku and Chilkat king salmon stocks are at all time lows and predicted escapements for both rivers are way below the minimum escapement goals. Both stocks have exhibited a downward spiral over the last ten years. Although the Territorial Sportsmen concur that poor ocean survival may be the major limiting factor it is imperative that we take every possible conservation measure to assure that every spawning king salmon reaching our coast makes it to the rivers. The Department of Fish and Game has adopted many of the measures this spring that were proposed by our organization three years ago in Sitka. However, those measures are too little and too late. There is a conservation crisis here. The troll fishery is the largest harvester of the spring Taku king salmon run and should participate fully in its conservation. Taku stocks (and Chilkat stocks) are taken in districts 9, 12 and 14.

Proposal 173. Author NSRAA Troll Reps

Remove the sunset clause allowing chum trolling to continue in districts 12 and 14.

Position: **OPPOSE for district 12**

The district 12 experimental June chum fishery has not been a success. When the fishery was created by compromise between Juneau sport fishing groups and the Chum Trollers Association 2

or 3 cycles ago in Ketchikan, the fishery was authorized based on the department's promise to monitor the fishery for juvenile king salmon bycatch. That study was never done. Since it was a lynchpin part of the agreement, the Territorial Sportsmen can no longer support the fishery without interception data. We oppose continuing the experimental fishery.

Proposal 175. Author F&G Staff

Prohibit king salmon possession aboard troll vessels when king salmon fishing is closed and the vessel is chum trolling.

Position: **FAVOR** This is a common sense housekeeping provision inadvertently omitted when the fishery was established in 2012.

Proposal 192. Author Mike Fox

Allow the use of drift gill nets in district 11 to take salmon for personal use during periods closed to commercial fishing.

Position: **OPPOSE** This proposal which includes all of district 11 creates myriad conservation problems with king salmon and potentially other species, as well as severe gear conflicts between gillnetters and sport fishermen. No gillnet dimensions or mesh size are proposed. No target species is specified and the proposal is too problematic and vague to be taken seriously.

Thank you for the opportunity to comment.

Sincerely,

Jerry Burnett

President, Territorial Sportsmen Inc.

Submitted By
Tom Meiners
Submitted On
12/28/2017 10:11:27 PM
Affiliation

Proposal 140

I support proposal 140, as a method for balancing the allocation plan amongst the gear groups. The gillnet fleet is at 150% of its allocation and has been for the last thirteen (13) consecutive five (5) year rolling averages. The gillnet fleet still has access to Anita bay fish through their traditional common property fisheries. Making Anita bay THA seine only will, however, allow the seine fleet access to a larger portion of Anita bay fish, and therefore help balance the allocation plan.

Proposal 141:

I opppose this proposal and the idea of linking Anita Bay and Deep Inlet harvest schedules. This proposal by the gillnet fleet, attempts to maintain the status quo, which has left the seine fleet out of its range for the last 11 consecutive 5 year rolling averages. It is also a poor choice to link the harvest schedules of two separate geographic areas. Both should be managed on their own to best optimize harvest in each area for both gear groups.

Proposal 142:

I this proposal. This proposal by NSRAA to help rectify the enhanced allocation should be adopted. The gillnet fleet has been 150% of its allocation range for over a decade. Giving the seines more time in the Deep Inlet THA will provide a modest step toward seines getting into their range and gillnets returning to their range.

Proposal 143:

I this proposal. Like proposal 142 this proposal provides for more seine time in the Deep Inlet THA and will provide for a modest step toward the seine allocation range and a small reduction to the gillnet allocation share.

Proposal 145

I support this proposal as another method to get more fish to the seine fleet, who have been below their allocation plan for multiple years, while the gillnet fleet has been ahead in its allocation.

Proposal 146

I oppose this proposal. This proposal by a gillnet permit holder is nothing but a poorly veiled attempt to institutionalize the gillnet fleets status of being 150% above the high end of their allocation range. The gillnet fleet simply doesn't want DIPAC, the major contributor to their allocation share, to be counted. The existing PNP hatcheries were initially engaged in the (current) allocation plan development, and their contributions to the fleets and allocation plan are considered during permitting of new production and through the RPT process and by the department.

Proposal 155

I support this proposal. The D12 Hawk Inlet area wild sockeye cap is a hard 15,000 fish cap on seine harvest of sockeye along the Hawk Inlet shore. This shoreline is also an incredibly abundant shoreline for pink salmon harvest, and seiners only opportunity to catch north bound pink salmon heading up toward Lynn Canal and Taku Inlet, major pink salmon producing areas. The sockeye cap limits managers to a limited allowable harvest of incidental sockeye salmon during a pink salmon directed fishery and does not fluctuate at all based on sockeye salmon abundance or escapement. Mangers use this cap purely as an alocative tool, and do not have biological concerns about the seine fishery along this shoreline that must be addressed by this cap. Because of the cap, massive opportunity for wild stock pink salmon harvest is curtailed. The subsequent millions of northbound pink salmon go un-harvested due to a limitation on the seine fishery that is not correlated to sockeye abundance in any way. Removing this cap allow management to provide better in season, abundance based management for pink and sockeye salmon, versus the current, arbitrary sockeye harvest cap, which often curtails our pink salmon fishery. Lifting of this cap for the seine fleet would be ideal, but if this proves too difficult, at least a reimagining of the hard cap number is necessary for the seine fleet to harvest north-bound pink salmon.

Proposal 156

I oppose this proposal. This proposal is an attempt by the gillnetters to unfairly curtail the seine fisheries harvest of pink salmon based on

an unsubstantiated, fantastical view of the effects climate change may have on our fishery and greed. Extending the sockeye cap, much like the sockeye cap itself, forces our managers to base pink salmon fishing time on an arbitrary sockeye number, not abundance, and WILL result in an incredible loss of pink salmon opportunity for the seine fleet, without concern for sockeye abundance or conservation. It seems unbelievable for the gillnetters to be calling for some kind of forced conservation concern on seiners when the gillnet fishery happens upstream of the seine fishery, on the same stocks, with near unrestricted access, and a much larger harvest rate of sockeye. It's telling that the seine fleet has not asked for any reduction of gillnet harvest of sockeye, yet the gillnetters, who operate an incredibly lucrative sockeye salmon and hatchery chum salmon directed fishery upstream of the seine fleet in a mixed stock corridor, and do not target pink salmon, want to curtail our pink salmon opportunity by extending the sockeye cap, based on some sort of unsubstantiated claim about run timing and climate change.

Proposal 157

I oppose this proposal. Given the harvest rate of sockeye in the SHA versus the escapement goals of the neighboring systems, our harvest component is insignificant. Furthermore, this proposal is simply attempting to curtail the seine fisheries harvest opportonities for both wild stock pinks and now hatchery chums. The idea that a tiny incidental harvest of sockeye may affect a future opening for wild stock pink salmon is very difficult for the seine fleet to stomach. Worse still is the possibility that incidental sockeye harvest in a pink salmon fishery will curtail a chum salmon hatchery harvest. This idea is especially hard to take when the sockeye harvest number isn't related at all to sockeye abundance. If we were to have years of large sockeye abundance, this could curtail our pink and chum opportunities due to booming sockeye abundance. This is not how we want our fisheries managed. To ad insult to injury, the gillnet fleets target hatchery chum and sockeye salmon nearer the head waters of all of the major sockeye systems, and harvest a much larger percentage of the total sockeye catch than the seine fleet does, with minimal restriction on their fishery, even in times of sockeye conservation concerns. Even with mesh restrictions, the gillnet fleet catches many more sockeye in its chum/sockeye fishery than the seine fleet could ever hope to catch at its tiny Amalga harbor SHA.

Proposal 158

I oppose this proposal for the reasons stated regarding 156 and 157

Proposal 159

I oppose this proposal only because I feel that the ability for airplanes to survey the CLOSED fishing area is very valuable to the fishermen, managers, processers, and hatchery managers, and I worry that this regulation may target pilots attempting to survey closed areas near other, open THA areas.

Proposal 166

I support this proposal.

Proposal 167

I oppose this proposal. Management has the tools to open and close areas due to biological concerns and could institute these measures easily by EO if they felt it necessary.

Proposal 168

I oppose this proposal. Chinook concerns in our fishery are managed through non-retention and our gear type is shown to have a 90+% survival rate when salmon are released after being caught in seine nets. Furthermore most king salmon have exited this corridor due to run timing. This is another proposal by a member of the gillnet fleet attempting to curtail seine opportunity falsely stating conservation as a concern.

Proposal 169

I oppose this proposal. The gillnet fleet has ample opportunity to access fish in this area, and all fleets share the burden of McDonald Lake sockeye conservation.

Proposal 170

District 10 is historically a seine only fishing area. Gillnet fishermen in the adjacent District 11 already have plentiful and underutilized opportunity to catch pink salmon. The Taku river, which is adjacent to the D11 fishery, is one of the largest pink salmon producers in the region and gillnetters have excellent opportunity to access salmon in its watershed, which they do not utilize. It does not make sense to encroach on historical seine districts to provide an opportunity that already exists and is underutilized due to the gillnet fleet targeting the much higher valued chum and sockeye salmon instead of pinks.

Submitted By
tom prijatel
Submitted On
12/27/2017 10:10:23 AM
Affiliation
alaskan wilderness outfitting company

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Alaskan Wilderness Outfitting Company operates a sport fishing lodge on the Tsiu River and is in oposition to Proposal 165. Moving the markers would limit the sport fishermen even more in finding a place to get away from the commercial fisherman which has historically been a 1/2 mile commercial free. The river has changed direction and is half the length and there is limited amount of areas to fish. The move would not benefit the commercial fishery due to shallow water in the area, but only take away more area from the sport fishermen. Sincerely yours, Tom Prijatel, Owner, Alaskan Wilderness Outfitting

PROPOSAL 165

Dan Ernhart Tsiu River
Po Box 1403 Cordova, AK 99574
907-953-5030

We oppose this proposal for the following reasons:

1. Allocative –

Existing regulation:

5 aac 30.350 Closes waters. (a) Salmon may not be taken in the following waters:

(12)Tsiu River: upstream of ADF&G regulatory markers located approximately one-half mile downstream from Duck Camp Island.

Existing regulation that has been in place for over 30 years leaves approximately one-half mile of river closed to commercial harvesting. The proposed new regulation leaves approximately one-quarter mile of river closed to commercial harvesting.

2. Moving target-

The proposed regulation asks to use the confluence of two rivers as the starting point to measure from for these closed waters. A confluence that didn't exist 5 years ago. By the departments on submission this area is a highly volatile landscape and constantly changing. Using a landmark that may or may not be there, or its location changes from year to year, will only cause confusion and uncertainty.

** See maps in **Appendix A**.

3. Demographics –

In the last 35 years the Tsiu has gone from a predominantly commercially fished river with few other users to a major sport fished river.

The conflict between the user groups has been well documented. Reducing the area available to sport fishers to get away from the boat rodeo during commercial openers will cause conflicts to arise.

** Read Sheinberg Report in **Appendix E** for information on river dynamics, changes in user groups and direct city income from these user groups. Taxes and lease fees have gone up since this report and are now more than a 10 to 1 margin.

4. Change of guard –

5 AAC 30.320. Fishing periods

Salmon may be taken by set gillnets during the open fishing season only as follows:

(1) in the Yakataga District, from 9:00 a.m. Monday through 9:00 a.m. Thursday, except in the Tsiu River salmon may be taken only from 9:00 a.m. Monday to 9:00 a.m. Tuesday and from 9:00 a.m. Wednesday to 9:00 a.m. Thursday;

There is a new area manager that is changing the way the fishing periods are opened. In 2017, in each of the first two weeks the river was opened four days in a row. Had there been an average number of permits fishing, along with the 50% reduction of boat rodeo free area, things could have gotten ugly in a hurry.

See **Appendix B** for details on past openers.

5. Boat Rodeo and complaint letters -

   Here are a couple examples of what a Boat Rodeo is:

   https://www.youtube.com/watch?v=52Ny8sFx-nU&index=7&list=PL2F710B6AE4B80ED4

   https://www.youtube.com/watch?v=mW4oJlkCr7E&index=22&list=PL5DF6B289E0632DB6

   https://www.youtube.com/watch?v=40gVmIpCDKY&list=PL35D70545E196B1DC&index=8

   Please see **Appendix C** for complaint letters. In light of brevity only 10 letters are attached. There are 50 on this subject alone. There are another 50 plus on the decision to reconsider Proposal 301 with amended language found in RC 102 in 2012.

6. Proposal 301 –

   See **Appendix D** for Proposal 301 in its entirety.

   This proposal passed 4-3. All users and the Area Manager agreed to the amended language to place the boundary marker at the midway point of the river. This was a perfect solution since most of the commercial harvesting is on the lower half and the fish start turning blush on the upper half.

   3 days later new information emerged that historically there were lots of sites on the upper river that permit holders used on occasion and worked the nets by hand.

   Now, because of the geophysical change to the river those sites no longer exist, thus the reasoning for this reconsideration is no longer relevant.

7. Harassment law –

   See **Appendix F** for the law in its entirety.

SOLUTIONS –

Our recommendation is to take Proposal 301 with the amended language found in RC 102 and to insert it into Proposal 165 as amended language with one change, replace Duck Camp Island with a GPS coordinate.

From 2012:

RC102

Substitute Language for proposal 301:

5 AAC 30.350. Closed Waters:

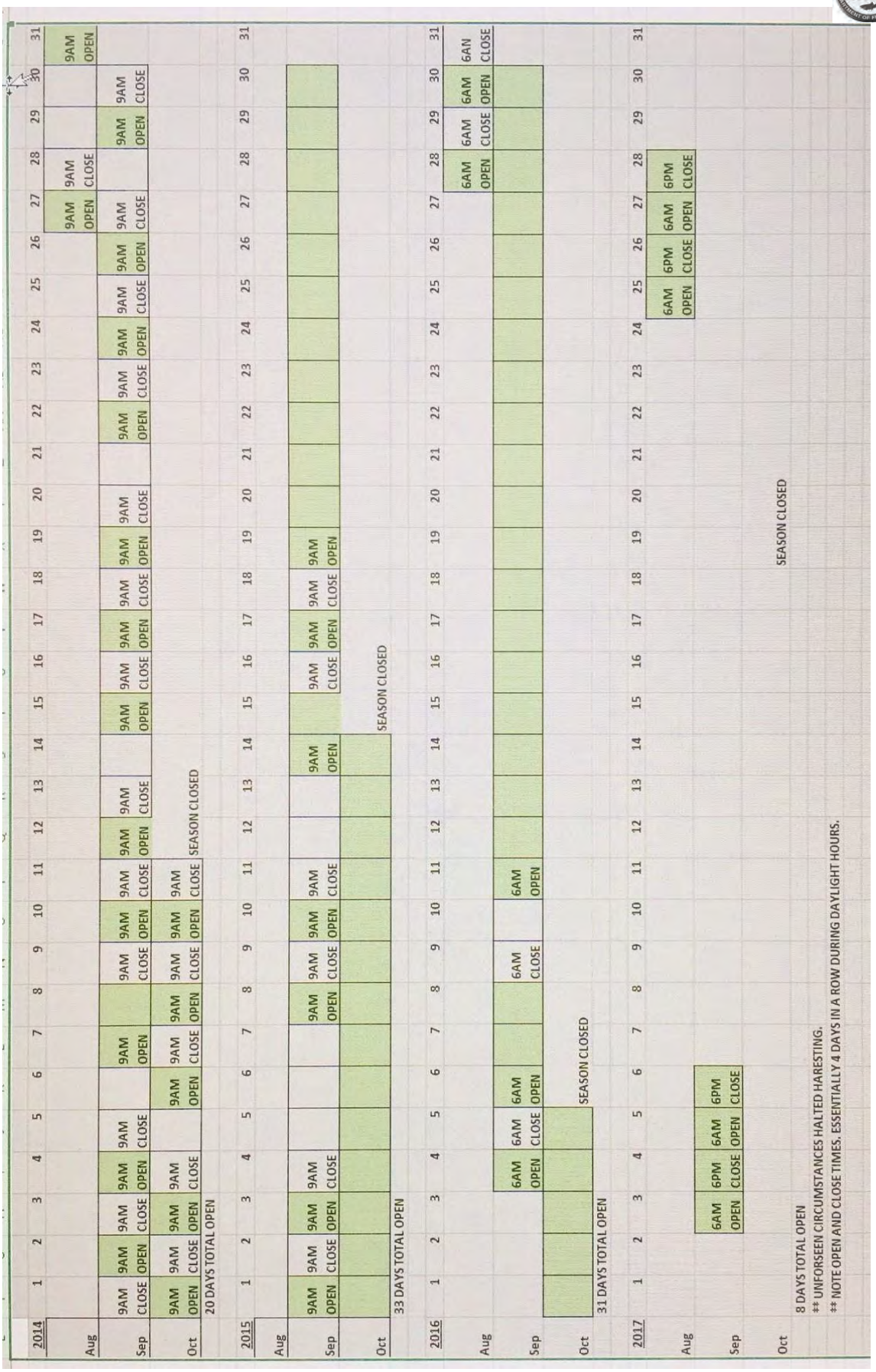
5 AAC 30.350(a)(12) is amended to read:

(12) Upstream from ADF&G regulatory markers located one half the distance between [Duck Camp Island] **GPS coordinate 60 05' 29.60N 143 01' 44.00W** and the river terminus.


2009 Google Earth Map
Blue line is Lake
Suggested GPS Location
60 05' 29.60n 143 01' 44.00w
Length of .25 Miles
Length of .5 miles
Current Confluence
1/2 Mile from Duck Camp Island
Duck Camp Island
Holding Pools
Legend
N
1 mi
Google Earth
Image USGS Fiducials
Image © 2017 DigitalGlobe

Appendix A Page 2 of 2

Appendix B –



2014	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Aug																											9AM OPEN	9AM CLOSE			9AM OPEN
	9AM CLOSE	9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE		9AM OPEN		9AM CLOSE	9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE		9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE		9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE				
Sep																													9AM OPEN	9AM CLOSE	
	9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE		9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE	SEASON CLOSED																			
Oct	20 DAYS TOTAL OPEN																														
2015	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Aug																															
	9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE				9AM OPEN	9AM CLOSE	9AM OPEN	9AM CLOSE		9AM OPEN			9AM CLOSE	9AM OPEN	9AM CLOSE	9AM OPEN												
Sep																															
														SEASON CLOSED																	
Oct	33 DAYS TOTAL OPEN																														
2016	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Aug																											6AM OPEN	6AM CLOSE	6AM OPEN	6AM CLOSE	
			6AM OPEN	6AM CLOSE	6AM OPEN				6AM CLOSE		6AM OPEN																				
Sep																															
					SEASON CLOSED																										
Oct	31 DAYS TOTAL OPEN																														
2017	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Aug																									6AM OPEN	6PM CLOSE	6AM OPEN	6PM CLOSE			
		6AM OPEN	6PM CLOSE	6AM OPEN	6PM CLOSE																										
Sep																															
Oct	SEASON CLOSED																														

8 DAYS TOTAL OPEN

UNFORSEEN CIRCUMSTANCES HALTED HARESTING.

NOTE OPEN AND CLOSE TIMES. ESSENTIALLY 4 DAYS IN A ROW DURING DAYLIGHT HOURS.

Appendix C –

To Whom It May Concern: November 2, 2011

During my trip to the Tsiu River Lodge with you in September of this year, 1 experienced an unpleasant situation on the river with the commercial fishermen. 1 think it is important that I relate this to you since it will affect my decision to return in the future. This was discussed with the guides at the lodge, but I thought it would be appropriate to advise you in writing since it will influence my decision to return in the future. Unless something is done to improve their conduct, I will not be returning to fish with you.

I understand the commercial fishermen had the authority to fish the river during the time I was there from September 18 thru 23. However, their action of traversing the river in front of our fishing area, running within less than 30 feet of us, and forcing us to stop fishing for fear of injuring someone in the boat was arrogant and dangerous. They showed no respect for our presence on the river and allowed us very little peace and quiet to fish only a small part of the river. They also set their nets across the river from us and often ran in circles to drive the fish into their gill nets.

I personally watched one group of commercial fishermen load more than 53 fish into a cart for processing while our party of over 6 fishermen tried to harvest our limit of fish. I personally fail to understand the position that the Alaska Game and Fish Department has taken on commercial fishing versus sport fishing. The sport fishing industry clearly brings in more revenue to the state than the commercial fishing industry. A relatively small number of commercial fishermen are awarded the privilege of reaping the greatest amount of the available resource while the sport fishermen are left with less and less. Regrettably, it has affected my decision to return in the future.

Sincerely, Vernon Broussard

To whom it may concern, Feb 10, 2009

Our group did not return to the Tsiu River this past fall to fish with AWOC. We fished on the Tsiu from 2001 – 2007 for 7 straight years.

On our last trip the river had a commercial fishing operation on it. The commercials were basically fishing where the sportsman had access. They were running boats at high speed up and down the river and caused an unsafe situation. As you know the river is not big. Sportsman need to be able to wade the river in order to have casting and catching opportunities. The commercial boats on a small river not only spook all the fish, but are obviously antagonistic towards sports fisherman, leading to close encounters that will ultimately result in incidents of personal injury or worse.

Frankly, I am dismayed that the State of Alaska allows this kind of situation to go unchecked or unsupervised.

Needless to say, our 2007 trip experience soured the Tsiu for us and we will not come back until this situation is resolved.

Thanks,

Tom Mike Anderson, CPA Geffen Mesher & Co., P.C. 888 SW Fifth Ave., Ste 800 Portland, OR 97204

To Whom It May Concern,

I am a guide on the Tsiu River. I have seen years of commercial fishing and sports fishing going on side by side. The Tsiu is a short, shallow and narrow river. When the peak of fishing is underway the river becomes quite crowded. Every year the crowds seem to grow. With all the people standing in the river commercial and sports fishing the use of high-speed boats has become dangerous.

Because the Tsiu is a shallow river a flat bottom boat requires a lot of speed to keep from dragging the bottom. Boats running up and down the river weaving through people is asking for an accident. The boats must follow the channel, fisherman fish the channel, not much room for error. I have witnessed numerous close calls. Once an angler actually had to dive out of the way to avoid being run over by a boat sliding out of control around a corner!

There is very little respects given to the angler visiting Alaska's Tsiu River by the commercial fishing boats. It is bad enough that angles are run out of fishing holes by nets laid at their feet. It is just not safe or fair to run the angles off the river with a boat run in circle at high speeds in front of them. People come to Alaska for a special fishing experience, not to be run off the river by dangers that could be regulated. Let me know if I can assist in making the Tsiu a safer place to experience.

Captain Matt Williams

Gentlemen: September 28, 2008

For the past 9 years, several of us fish the Tsiu River for Silver salmon during the month of September. The fishing is great and the lodging in Cordova and with the Alaska Wilderness Outfitting Company on the Tsiu are the top of any fishing and hunting areas we frequent.

The commercial fishermen on the Tsiu River have become aggressive over the years to the point that they push the sport fishermen out of the way when placing their nets. This year they were so aggressive that they would run their boats at high speed between two of us that were 20 feet apart while we are standing in 3 feet of water. There was over 100 yards of water that was available for the boats. The wake of the boats made it difficult not to fall into the river. At the same time the men in the boat waved their index fingers at the sport fishermen.

The Tsiu is one of the few clear water rivers for fly fishing that I know of in Alaska. I ask that you consider the banning of commercial fishing on the Tsiu reserving the clear water fishing for the sport fishermen.

We have made reservations to Fish the Tsiu again in September of 2009. At the age of 81 I hope to make the trip for many more years.

Yours truly

Jim Miner 2871 Tam O'Shanter Drive El Dorado Hills, CA 95762

James A. Perry 3385 Country Club Dr. S. Salem. OR 97302 November 1, 2009

To Whom It May Concern:

I am delighted to provide my comments regarding what I see is an almost total disregard by most of the gill net fishermen of the rights of sport fishermen who are sharing the river vim them. First of all, I believe that there is a proper place for commercial fishing, but not in a small confined space such as the Tsiu given the manner in which such commercial fishing seems to be conducted.

I have been fishing the Tsiu for a number of years now and have been planning my trip as late in the year as I can in hopes of avoiding the gill net fishermen. The reason for this is the total disregard most of these guys have for the sports anglers.

Let me give you some examples. I have been fishing a stretch of water and have gill netters who apparently don't have boats wade through my fishing water hitting the water with oars herding the fish downstream into their net. I have had gill net fishermen in motorized dory's speed downstream through water I am fishing doing "donuts" through the hole and around their net to herd fish from the entire river into their net. I have been forced out of the area I am fishing for fear of being swamped by boats speeding in confined areas close to me.

I am responsible for bringing a number of anglers to Cordova and to the Tsiu. The economic impact which we have, not just to Alaskan Wilderness Outfitters but to the community and state is not insignificant.

If I had my preference, gill net fishing in the river should be outlawed, particularly given the shrinkage in the size of the river over the last several years. If it is not banned entirely, it should be more tightly regulated. Including the regulations which are already in effect currently, herding of fish should be banned entirely. A speed limit of 5 MPH maximum should be imposed on all motorized boats. Better yet, motors should be banned entirely.

The Tsiu is a precious resource. The economic benefit to the State of Alaska of this resource is not well served by its exploitation by a few commercial fishermen.

Frankly, if these conditions do not improve soon, I am no longer interested in coming to the area for my annual salmon fishing trip. I have discussed this with several of my companions who are in agreement. As a matter of fact, there are five individuals who have been with me on prior trips who are so turned off because of their confrontations with gill netters that they are unwilling to return.

Sincerely, James A. Perry

Feb 12, 2009

I would like to add my comments hoping you will have a chance to pass them along to the appropriate parties. We did not return to the Tsiu River Lodge last fall due to the problems I experienced with a commercial fisherman running his boat next to shore where I was fishing. He ran down stream within 10 feet of shore even though the river was 100-150 feet wide at that point. In doing so he came within one foot of running me down and then turned as he passed by and started laughing. If I were to return to Alaska and the Tsiu it would only be if I was heavily armed in order to protect myself from another occurrence

December 15, 2010

my wife and family have been fishing the Tsiu for the
past 8 years. Some years have been better than others, but we always have had a good trip.
The past 2 years we have had to put up with the commercial fisherman, they have no respect for the sport fisherman. Two years ago they raced their boat out to the mouth of the river fouling up all the lines in the water.
and last year they took just about all the fishable water with their nets, so on those days the sport fisherman were froze out.
I would like to add that for us to come to Alaska to participate in your wonderful fishing, that we spend almost 5 thousand dollars per guest for air fare, lodging, license,etc.
In closing I can't see Alaska Fish and game making a small stream like the Tsiu a stream for the commercial fisherman.

Arthur and Donna Alger
3937 Chaboya Road
San Jose California 95147

Maxson-Box Stable 522 Last Chance RoadWalla Walla, WA. 99362 509-529-971

To whom it may concern; Nov.3,2008

I would like to address the issue of the commercial fishermen and their total disregard for the rules and regulations of their occupation! Not to mention the downright rude and unethical treatment of the sport anglers!

I am afforded the luxury of taking a fishing trip with my father and husband once a year. The past 4years, we have chosen the Tsiu as our destination. (My dad has been there 7 years).

Scenario:

I am standing in the river, attempting to learn how to fly fish, it is quiet and serene, and then all hell breaks loose. Here comes these deafening boats, roaring up the river, (in an area I did not think boats could get) knocking me over in the water, and then literally dropping their nets at my feet! I was scared and in shock, to think that something like this could happen. My guide came to my rescue. She asked the boat operators what they were doing. They replied with obscenities told us to go @*@+*@# ourselves and threatened bodily harm. By this time my husband, father, and friend recovered from the shock and wanted to get involved. We wanted to get all the info on these bullies, so we could talk to their boss, but there was no way to identify these people. No id numbers on the boats, nets, or vehicles. Our guide told us they were commercial fishermen and suggested we report it to the warden. I did. I never received any reply.

It is my understanding that there are rules and regulations for the commercial fisherman. I do not believe they abide by any of them!

Nets were stretched completely across the river; boats were hazing the fish into the nets and dead fish being thrown back into the water. I was appalled to see this very disgusting behavior. I am sure the department of fish and wildlife will be interested to see exactly what is going on. We have video tape and pictures to verify this tragedy. These men are dangerous. We were harassed by these bullies, were blatantly threatened and do not feel safe to fish while they are on the river. I cannot believe this type of barbaric behavior is allowed.

We had a friend with us that was so traumatized by this, he refuses to ever come back.We will be giving it second thoughts also. We come to enjoy the wilderness and all it has to offer. We did not pay all that money to be in the middle of a war zone!

I know they need to make a living also, but do it honestly. There is no need for this type of utter disrespect to the sport angler. That river is big enough for everyone.

I am asking that you send someone out to watch exactly what happens.

At least make them follow the law!

Sincerely, Mickie Maxson-Box

To whom it may concern: January 16, 2010

I have fished for silvers on the Tsiu four times in the past twenty years. It is an expensive trip flying up to the Tsiu from San Diego, California for a week of fishing but it has always been worth the cost until my latest trip two years ago. On that trip the commercial fishermen placed nets to within a few feet of shore - while we were fly fishing along that exact shore. They then herded the salmon into the nets with their power boats to basically empty the river of silvers.

My friends and I truly enjoy everything about the Tsiu. Five of us fished in Alaska twelve years in a row but with deep regret we are no longer considering the Tsiu. We expect rain, wind, and sandstorms but not a barren river on two of our five fishing days.

Please pass on my comments to the Board of Fisheries along with your proposals for possible better means of managing this fishery.

I will look forward to hearing how this matter is resolved and hopefully being able to return to the Tsiu.

Hopefully, Donald Schoell San Diego Fly Fishers 4141 Stonebridge Lane Rancho Santa Fe, CA 9209

To Whom It May Concern: November 22, 2009

I am writing this letter in hopes that something can be done about the persistent and increasing problem of the commercial harvesters interfering/endangering us sport fisherman in the Tsiu river.

My friends and I have been long time annual customers of the Alaskan Wilderness Outfitting Company on the Tsiu. We date back to the years when we lived in your "tent city" prior to the establishment of your present permanent cabins in your present location. I cannot recall one year when we did not experience unpleasant encounters with the commercial harvesters. Their nets usually (if not always) would stretch across at least 80 to 90% of the width of the river. They would run their noisy high-powered boats across our fishing lines and many times come dangerously close to many of us who were already standing in the river even though we were there first prior to their arrival. During this year's visit to the Tsiu (2008), our guide spoke to the commercial fisherman who seemed to be in charge of his group reminding him we had been fishing in this location prior to their arrival and that they were running their boat dangerously close to us, and the response our guide received was "I don't care"----as a result, we had to leave that spot and went elsewhere. I might add that the above described encounter this year was not an isolated experience but also repeated in prior years.

I find it increasingly difficult to enjoy my fishing in the Tsiu because of these repetitive unpleasant encounters with the commercial harvesters and would appreciate it if you can forward my comments and experiences to the proper authorities. It seems to me that we should be able to share the river with each other without conflict. It is my hope that I can continue to return to the Tsiu annually to fully enjoy what otherwise is a very fulfilling and enjoyable fishing experience. Anything you can do to help ensure this goal would be decisive in our returning to the Tsiu.

Sincerely, Gilbert J. Hum 1771 Longhill Drive Monterey Park, CA 91754

Appendix D -

PROPOSAL 301 – 5 AAC 30.350. Closed Waters.

PROPOSED BY: Tsiu River Coalition.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the commercial fishery to an area of one and one-half miles located between lower markers located 500 yards upstream from the terminus of the river to markers located one and one-half miles upstream from the lower markers.

WHAT ARE THE CURRENT REGULATIONS? Closed waters on the Tsiu River are currently upstream of ADF&G regulatory markers located approximately one-half mile downstream of Duck Camp Island. All waters below these markers are open to commercial harvest; all waters above these markers are closed to commercial harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would eliminate the commercial set gillnet fishery from the lower 500 yards of the river, and allow the commercial fishery from 500 yards upstream from the terminus to a point one and one-half miles above the 500 yard regulatory markers. An area that traditionally has been part of the commercial fishery would no longer be available, creating congestion in the remaining fishing area and potentially, eliminating some boats from participation. In some years, commercial harvests could be reduced because the fishery is highly weather-dependent. Sport anglers could avoid commercial harvesting activities in the waters closed to commercial harvest.

BACKGROUND: From Duck Camp Island to the terminus of the river, the Tsiu River can be anywhere from two and one-half to four and one-half miles long. The river flows through shifting sand in this lower stretch, there is no vegetative cover, and the river shifts course from side to side and, depending on ocean currents, can lengthen or shorten itself in a short period of time. In recent years, the river portion has been getting longer, but at any given time, the mouth of the river can break through the sand spit to the west, which lops off as much as two to two and one-half miles in its length.

Both sport and commercial user groups fish the river below the current ADF&G regulatory markers located one-half mile below Duck Camp Island. Sport fishing is open by regulation; there are no time or area restrictions. Commercial openings are opened by emergency order and usually limited to two 24-hour openings per week; a third 24-hour opening may be given as escapement counts near the upper end of the biological escapement goal (BEG) range. The commercial fishing area opened is limited to downstream of the regulatory markers.

Prior to the mid-1990s, when the nets were in the water, sport fishermen were able to access fishable waters upstream of the regulatory markers, thus avoiding conflicts with net gear. Several large holding pools in the vicinity of Duck Camp Island could, and did, provide sport fishing opportunities when commercial gear was in the lower river. Beginning in the mid-1990s and continuing to the present day, the geography has changed; those holding pools in the vicinity of Duck Camp Island have filled with sand and sport fishing opportunities above the ADF&G regulatory markers are now severely limited. Now, when the commercial gear is in the water, both user groups are essentially limited to the same area of the river below the regulatory markers. This situation has led to a number of heated confrontations between the two user groups.

The current regulatory marker placement has been in effect for over 30 years. Prior to 2010, these markers had never been moved. 2010 proved to be an exceptionally dry year on the Tsiu River. The area of the river immediately above the regulatory markers is locally referred to as "The Flats" due to the shallow nature of the river there. The Flats became so shallow in 2010 that migrating Coho salmon could not make it upriver above the markers and they started to hold in the holes immediately below the markers. As the season progressed, upwards of 15,000 fish were seen holding below the markers, waiting for higher water levels. These fish had turned color and reached the point of not being fit for commercial sale and were of no value to the market. They did, however, have considerable value as potential escapement. Prior to the initial commercial opening, in order to protect those fish, the markers were moved approximately two and one-half miles downstream. This action allowed the commercial fishery to take place in the lower three-quarters of a mile of the river without allowing any harvest on the fish trapped below the markers. Late in September, the weather pattern changed and with the first rains, those fish moved to the spawning grounds. The marker movement was done out of biological necessity to protect those fish, but it had two outcomes. One, those fish were protected and eventually found their way upstream and, two, sport fishermen found room above the net fishery to pursue angling activity without interference from the nets.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. The proposed movement of the Tsiu River regulatory marker is allocative.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Appendix E-

TSIU RIVER: LAND AND FISHERIES MANAGEMENT

EXECUTIVE SUMMARY

Prepared for

City and Borough of Yakutat

Prepared by

Sheinberg Associates

with assistance from

Alaska Map Company

FEBRUARY 2009

EXECUTIVE SUMMARY

Table of Contents

Introduction

In the early 2000s the City and Borough of Yakutat (CBY) acquired approximately 21,500 acres of land west of Icy Bay area from the State of Alaska as part of its municipal entitlement. This included the mouth and first mile or so of several salmon bearing streams and rivers including the (from east to west) Kiklukh, Tashlich, Seal, Tsiu, Tsivat, Chiuki, Kaliakh and Duktoth Rivers. City and Borough of Yakutat land is colored light pink on Figure 1 and accounts for approximately 1.25% of the total land base from Icy Bay west to Cape Suckling. The Tsiu River has the most productive Coho salmon run in the area, but most of these rivers have Coho, chum, sockeye and pink salmon runs as well as cutthroat and rainbow trout, steelhead and dolly varden.

State leases on this new CBY land were transferred from the State to the borough in about 2005, including leases for four sport fishing lodges in the Tsiu area, a commercially used airstrip and fish buying station, and some personal use (setnet) cabin leases. In the last few years there have been several requests to lease CBY land in this area for sport fish lodges. At the same time sport and commercial fisherman and lodge owners are complaining that conditions are already overcrowded and that there is conflict among user groups.

The fishable portion of the popular Tsiu River is quite small. It is, depending on weather and sea conditions, only about 3-3.5 miles long, 20 to 60 feet wide(though it can be as wide as 150 feet depending on conditions sometimes), and 2 to 3 feet deep. Above the fishable part of the river is a “lake system” that is a braided swampy area approximately 5 to 7 miles wide with no clear channel to funnel fish in a concentrated way (so not good for fishing).

Both commercial and sport fishers target the deeper (3-4 feet) holes in the Tsiu River where fish congregate. Tension between these user groups has been escalating during the 6-8 week Coho

fishing season in August to early October with reports of deliberate acts of mischief and antagonistic between users. Lack of regular enforcement in the area has also resulted in allegations of illegal fishing acts.

In December 2007 the CBY Assembly declared a moratorium on issuing any borough land use or business permits in this area until the situation could be reviewed. The CBY hired Sheinberg Associates, a Juneau-based community planning firm, to assist them in defining the land use and fishery situation in the area so that the borough planning commission and Assembly could be better positioned to make decisions on land lease and use issues and requests.

To accomplish this work Sheinberg Associates, with team member Alaska Map Company:

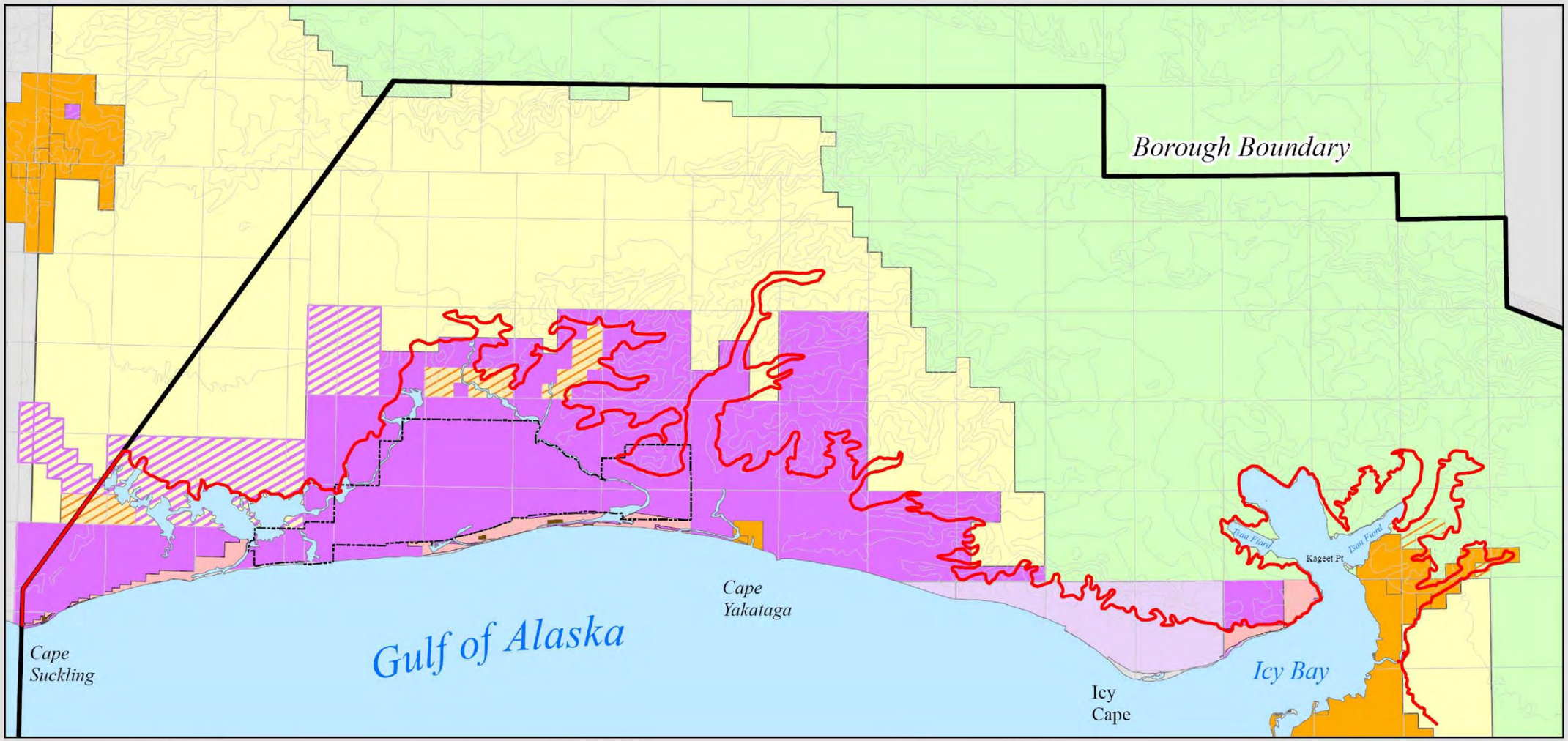
1. Researched and gathered fishery data;
2. Researched and gathered plat, survey and lease ownership data from the State Recorders Office to construct lodge and infrastructure as-builts;
3. Acquired high resolution imagery compatible with the Borough GIS system;
4. Travelled to the Tsiu River in September 2008 to observe the situation, conduct interviews and accurately document and map infrastructure the area for entry into Borough GIS with precision GPS equipment (Figure 2)[1]; and
5. Conducted over 30 interviews with commercial setnetters; sports anglers; Yakutat Seafoods LLC managers; sport fishing guides, employees and lodge owners; Alaska Department of Fish and Game (ADF&G) sport and commercial fishery biologists; Alaska State Troopers; air carriers that provide fly-in fish services, etc.

This investigation shows that conflicts on the Tsiu are not biological or sustainability issues; they are fishery, land and behavior management issues.

ADF&G area biologists believe there are adequate numbers of Coho to support both fisheries. The Tsiu River is home to a productive Coho run that has averaged 56,000 fish annually between 1960 and 2008, with a range from lows of 6,157 and 9,800 fish in 1969 and 2004 respectively, to highs of 119,160 and 118,813 fish in 1994 and 1992 respectively. Counting 10,000 Coho is the lower end for escapement; ADF&G biologists believe this level is virtually always achieved - even years when fewer fish were documented (when there is no commercial fishery ADF&G does not send an airplane the area to count). Coho salmon run during a 6-8 week window in August to early October. Much of the spawning and rearing habitat is protected in the Yakataga State Game Refuge, helping to ensure the run's long term sustainability. Subsistence, commercial and sport fishers all utilize Tsiu River Coho.

[1] Thanks are due to ADF&G for use of its cabin and ATV, Greg Dierick for logistical support to enable this trip, Bill Lucey for logistical support and participating in the field trip along with Alaska Map Company's Gary Greenberg.

Tsiu River Area - Land/Fisheries Uses and Management



Land Status Map

January 2009

Source Data: State of Alaska Land Information System
Drawn By: GAG
Datum: Nad 83
Projection: Alaska State Plane Zone 2

0 2.5 5 10 Miles
0 2.5 5 10 Kilometers

Disclaimer: This map was compiled for the City and Borough of Yakutat by Sheinberg Associates and Alaska Map Company LLC using the best available sources. This map is for illustration purposes only, data may have errors and discrepancies.

Land Status

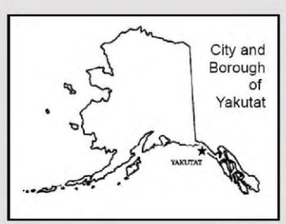
City and Borough of Yakutat

State
- State
- State Selected
- Alaska Mental Health Trust
- University of Alaska

Private
- Native Allotment
- Native Allotment Selections
- Chugach Alaska Corporation
- Chugach Alaska Corp Selections
- Other

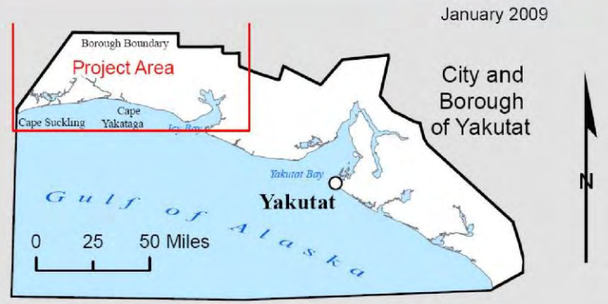
Federal
- National Park Service
- Bureau of Land Management

- Yakataga State Game Refuge Boundary
- Yakutat Coastal Zone Boundary

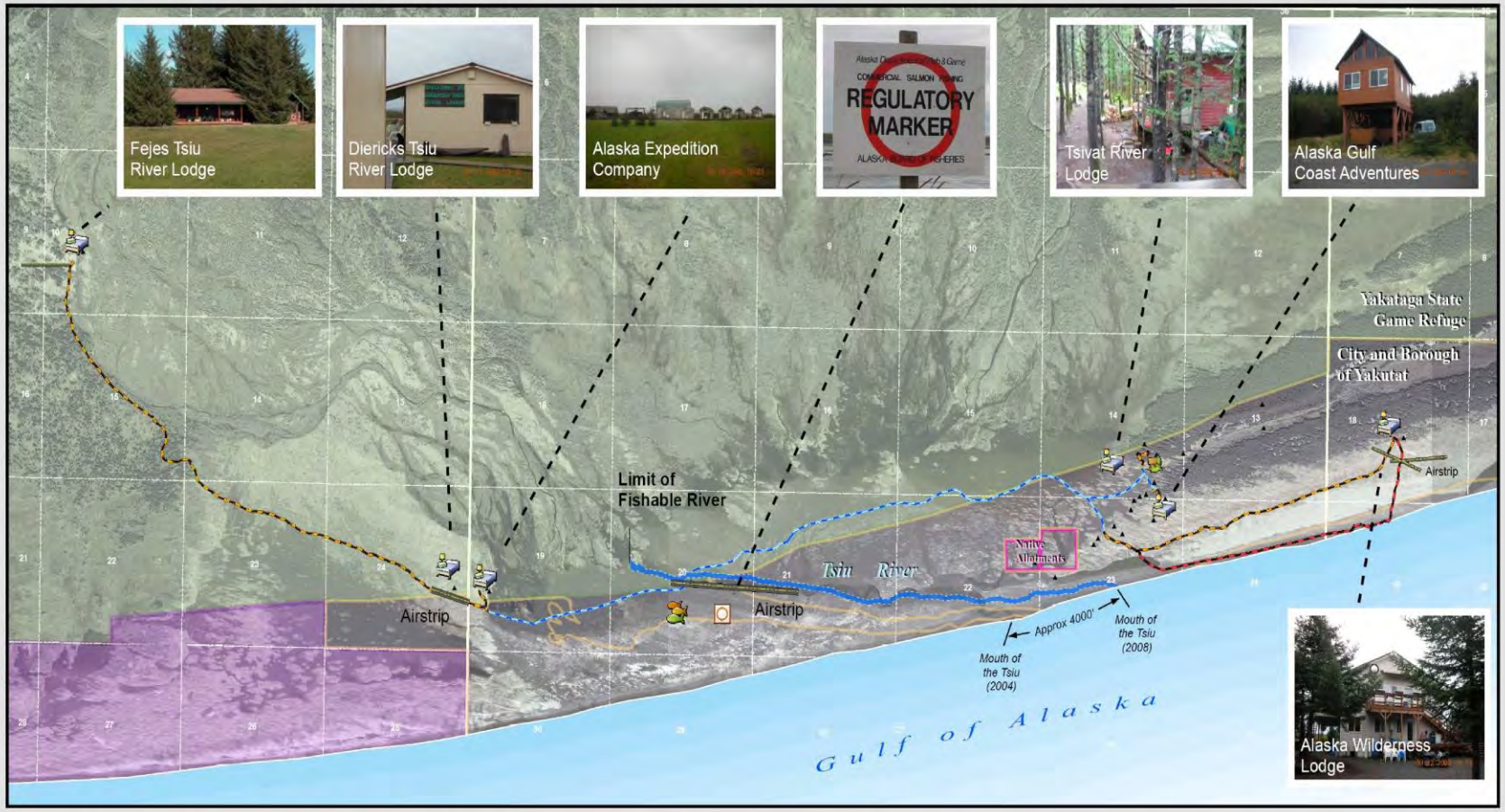


Sheinberg Associates
Community & Strategic Planning, Facilitation Services

ALASKA MAP COMPANY



Tsiu River Area - Land/Fisheries Uses and Management



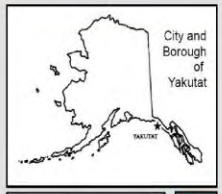
Infrastructure Map

Source Data: Digital Globe Quickbird Imagery August 2004
Locations of trails, structures and river meander were collected using mapping grade trimble GPS equiptment September 2008
Drawn By: GAG
Datum: Nad 83
Projection: Alaska State Plane Zone 2

0 1,750 3,500 7,000 Feet
0 500 1,000 2,000 Meters

Disclaimer: This map was compiled for the City and Borough of Yakutat by Sheinberg Associates and Alaska Map Company LLC using the best available sources. This map is for illustration purposes only, data may have errors and discrepancies.

Legend
- ADF&G Cabin
- ADF&G Regulatory Marker
- Buying Shack
- Fishing Lodge
- Personal Use Cabins
- Beach Trail
- Inundated Trail
- Upland Trail
- State_poly



Sheinberg Associates
Community & Strategic Planning, Facilitation Services

ALASKA MAP COMPANY

January 2009

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Commercial Fishing

Coho salmon from the Tsiu have a reputation for quality including their excellent roe byproduct. Fish are transported by airplane to market; Yakutat Seafoods (YS) out of Yakutat is currently the sole commercial buyer. YS flies DC-3s two-four times/day during the season, weather permitting, to a small buying station near the Tsiu River lagoon to transport these set gillnet caught fish to Yakutat. In a good year there are generally about 10-12, 24-hour openings during the season, each lasting approximately 24 hours. When this schedule is followed relations between sport and commercial fishers are less stressful; when weather interferes and openings become less predictable tension rises.

TABLE 1
Commercial Fishing Effort, Tsiu River

YEARS	Average No. Permits	Average Commercial Catch (No. Fish)
1960-1977	9	14,090
1978-2001	24	47,354
2002-2004	0	0
2005-2008	11	30,671

Source: ADF&G Commercial Fisheries Division

The number of commercial set gillnetters fishing the Tsiu has decreased over time (Table 1). The heyday of the commercial effort was from 1978 through 2001. The fishery was not utilized commercially in 2002-2004 due to low salmon prices. Since 2005 there have been fewer commercial fishers on the river, who collectively are harvesting an average of two-thirds the number of fish caught in the big years prior to 2002. Almost all the commercial setnetters are Yakutat residents or those with family in Yakutat. This activity is considered traditional; commercial and subsistence catch of Tsiu River fish has been occurring for generations. At one time there were about 40 setnet camps and cabins in the area used by local families. About half are now dilapidated and no longer usable; most are on borough land with a few on the Bremner Native Allotment (Figure 2).

Commercially harvested Tsiu cohosh generate both local 1% salmon tax revenue to the borough and also state raw fish tax revenue to the borough. The relative amount of fish tax that can be attributed to Tsiu River cohosh varies year to year based on the relative strength of this run versus other Yakutat area salmon fisheries and the price. YS estimates that recently approximately 5-8% of Yakutat's 1% local fish tax can be attributed to Tsiu cohosh. In FY 2008 the 1% Yakutat salmon sales and use tax generated just under $33,700, thus Tsiu cohosh would account for approximately $2,000-$3,000 in local tax revenue. Half of the State raw fish tax collected from YS is shared by the State with the CBY. In Fiscal Year 2008 this was just over $200,000. If the same ratio of value is true for State fish tax as the Yakutat 1% fish tax this would attribute $10-$16,000 to Tsiu cohosh. In addition, YS employs approximately 60 during the height of the season at its Yakutat processing plant (7 were reported to be local residents in 2008) as well as generating local sales at grocery and other stores. In addition, one Yakutat based air carrier generates significant revenue transporting fish for Yakutat Seafoods.

Sport Fishing

Sport fishing at the Tsiu has been occurring since the early 1980s. Alaska Wilderness Outfitting started as a tent camp on Duck Camp Island at the northwest end of the lake. Data from ADF&G sport fish license surveys shows that since 1996 the number of angler's sport fishing the Tsiu River has ranged from a low of 187 in 1998 to a high of 910 in 2003 (Table 2). The second highest number of sport fishers was in 2007, with 877 anglers who fished an average of 3.5 days on the river, catching 12,000 Coho and harvesting 2,750 fish.

TABLE 2
Sport Fishing Effort, Tsiu River

Year	No. Anglers	No. Days Fished
1996	328	773
1997	506	1366
1998	187	788
1999	494	1418
2000	529	1576
2001	397	1307
2002	519	1883
2003	910	2891
2004	683	2060
2005	610	1771
2006	514	1904
2007	877	3090
12 year average	546	1736

Source: ADF&G Sport Fish Division

Sport fishers either stay at one of six lodges in the Tsiu River area when they fish the area or fly-in and out on the same day with small air carriers out of Cordova, Yakutat or Anchorage. Several estimated that when the weather is good about 15% of those fishing the river are fly-in day-fishers. The six lodges (from east to west) are:

1. Sam Fejes Tsiu River Lodge
2. Greg Dierick's Tsiu River Lodge
3. Charles Allen, Alaska Expedition Company Driftwood Lodge on the Tsiu River
4. Harold Perantie, Tsivat River Lodge
5. Dennis Meyer, Alaska Gulf Coast Adventures (this used to be George Davis's Three Rivers Camp in the Kiklukh and Tsiu areas, but now George Davis is in Icy Bay only)
6. Tom Prijatel, Alaska Wilderness Outfitting Company's Adventure Lodge.

Aerial photos with surveys for all lodges can be found in Appendix A of the full report.

The six lodges have about a 100-bed capacity. In 2007, all lodges reported operating revenue subject to borough tax. In 2008, five lodges were open (Tsivat River apparently operated the first half of the year only, Alaska Gulf Coast Adventures did not operate).

In 2007, tax revenue generated from sport fishing related activity in the Tsiu area was just over

$65,500, just under 4% of all CBY tax revenue. Sport fishing lodge leases also brought in $36,000 in revenue to the Borough in 2007. In addition, two Yakutat-based air carriers generate sales from Tsiu-bound sport fishing customers, and one local resident is a lodge owner.

Conflicts

Conflicts on the Tsiu are not biological or sustainability issues; they are fishery, land and behavior management issues.

Interviews with 29 individuals who either sport or commercial fish or guide along the Tsiu River were conducted in September- December 2008; most interviews occurred at the Tsiu. Of the 24 who offered a rating of their experience, over half (58 percent) call it good, 9 say poor (33 percent) and 2 rate it as excellent. However, 22 (91 percent) say the experience has changed and there is now more conflict. Differences and perceived conflicts are described as follows: "More aggressive commercial fisherman"

"Too many commercial fishermen now"

"There are a lot more sport fisherman now"

"Fishing area has shrunk by 70 percent due to river and mouth changes and rain"

"River is much shorter now"

"River is more crowded with commercial fisherman"

"More nets in the river"

"More sport fisherman now"

"Too many sport fisherman"

"Commercial and sport fishers are antagonizing each other"

"Don't like the fish herding"

"Don't like clearing the whole river of fish at once as is done now"

"Too many motors and noise, spent a lot of money to get here to get away from this" "Some guides have poor attitude"

"Guide is telling us to get out"

Other factors contributing to rising tension are that: ❺ When there was no commercial fishing from 2002-2004 sport fishers got used to having the river to themselves.

- ❺ The high rainfall the last few years has enlarged the lake and shortened the already small river.
- ❺ The lack of an enforcement presence in the area during the season contributes to problems and 'attitudes' brew unchecked and tension rises - deliberate acts of antagonism are now occurring.
- ❺ There were more anglers than average in 2007 and the run was less than average, that for the last 5-6 years the Coho run strength was below average.

Lodge owners say that business has been declining since 2005; that they are now running at 6080% capacity. The high number of anglers fishing the river in 2007 likely reflects increased fly in fisher numbers. Some suggest that 50-60 sport fishers on the river feels acceptable but when there are 100 anglers it feels like combat.

Problems center on competition for the river's relatively few fishing spots; the manner in which commercial fishing is occurring; certain sport fish guides fostering antagonist behavior to commercial fisherman who then retaliate causing ever-escalating tension; and the lack of an enforcement presence in the area during the short but intense harvest.

Sport clients are looking for a remote experience and do not want to be fishing in the middle of a commercial fishery. Commercial fishermen want to protect their access to the fish and it is difficult to accommodate fast paced commercial operations around individual sport fishermen. There is little enforcement of regulations in either fishery since there is no Alaska State Trooper, police, or Village Public Safety Officer presence and only one ADF&G employee on the ground, whose purpose is to monitor the run and escapement not enforce regulations or mediate user group conflicts.

Optional Solutions

Many individuals interviewed for this report noted that sport, commercial and subsistence users did not have a problem sharing harvest of the Tsiu River Coho resource in the past. Tension and conflict heightened in 2007 and 2008 and virtually everyone interviewed expressed an interest in finding ways to de-escalate tension.

Many different solutions to reduce conflict were offered during interviews conducted as part of this project.

One of this report's primary recommendations is to assemble a group of Tsiu River users and a skilled facilitator to help users reach agreement on a package of solutions to reduce tension and conflict. The Alaska Board of Game, Federal Subsistence Board, Yukon River Panel and other regulatory boards have used facilitated group meetings to empower users to solve conflicts and report back to the regulatory body with a package of solutions.

In this case the City and Borough of Yakutat, the Alaska Board of Fisheries, Yakutat Seafoods, lodges owners, sport and commercial fishers and guides, air transporters, and ADF&G fishery managers all have a stake in resolving conflict in the Tsiu River.

Suggested solutions take many different forms; they are presented below organized in four categories: land management, permitting and tax policy (CBY purview), behavior management (all users responsible), fishery management (ADF&G and Alaska Board of Fisheries purview) and other.

Land Management, Permitting and Tax Policy Options

1. When there are over 70 or so anglers the river is too congested and feels like combat. Protect the experience that sport fishers are paying top dollar for and protect the investment that current lodge owners have made by prohibiting issuance of leases or sale of land for new lodges in the Tsiu River area.

2. Encourage sport fishing and related lodges to spread-out and use the area from Cape Suckling to the Seal River, and from the east side of the Kaliakh River to Icy Bay by making land available to lease in these areas and approving development permits. (Others have suggested not leasing land anywhere in the western borough until a land use, mapping and management intent has been updated.)

3. Tax policy, permitting and enforcement should be equitable among types of landowners and users. Sport fish lodges are paying property taxes whereas many commercial fishing cabin owners are not (it appears that four are on the CBY property tax roll).

4. Enforce CBY Code Title 11 provisions regarding nuisances and litter in order to clean up the appearance of the area, reduce erosion and decay of material into fish bearing waters.

5. Levy financial penalties for rule violations.

Behavior Management Options

6. Provide either a CBY police or VPSO officer or a State Trooper on site for periodic inspections and visits, or for the 6-8 week season. An enforcement presence would curtail illegal fishing activity and defuse bad behavior. Levy financial penalties for rule violations.

7. Create a behavior/ etiquette guide that lodge owners, guides, all fishers, and air transporters must read and sign. Managing people's expectations about what they will encounter on the fishing grounds will go a long way to reduce conflict. For example, one fishing lodge owner and his guides tells clients that they will encounter commercial fisherman out on the river and asks them to understand that this is how these 10 individuals make their living, and that it may interfere with sport fishing for a few hours but to be respectful and find ways to share the river. Another example is one commercial fisher interviewed always makes a point of talking to the sport fishers in the area before he begins his operation to let them know what he will be doing and that it will be noisy and he'll be running his boat for the next hour and herding fish, but to please understand that he too is trying to feed his family and make a living. Both the sport fishing lodge owner and guides and the commercial fisherman say that just talking to each other has by and large eliminated their conflicts.

8. Promote a day of bird and wildlife photography, trout fishing in clear water streams feeding the Chiuki, and other activities to diversify and spread out fishing trips to Tsiu.

9. Manage expectations through marketing. Market a premier fishing, but not a complete wilderness, experience. Let clients know commercial fishing may occur during part of their visit.

Fisheries Management Options

Different users favor and oppose various fishery management options. All options listed here were suggested by various parties interviewed; there are surely others as well. Inclusion of any of these options in a solution package would depend upon consensus of all user groups and must be within the management authority given to local ADF&G managers by the Alaska Board of Fisheries.

10. Move the ADF&G Regulatory Marker (above which no commercial fishing is allowed) a ¼ to ½ mile farther downstream to give sport fishers more room and allow access to fishing holes.

11. Prohibit sport fishing below the marker when commercial fishing is going on.

12. When weather changes the 24 on/off openings, allow sport fishing only from 5-10am, both to fish from 10 am to 5:00 pm, then commercial fishing only from 5 pm to 5 am.

13. Divide fishing times to make sport only and commercial only fishing periods.

14. Allow sport fishing only from the mouth to a ¼ mile up river, from 7am to 7 pm.

15. Eliminate use of motors for commercial fishing, make it a net-only fishery. The same amount of fish (and dollar value) would still be caught it would just take a longer.

16. Allow fishing boats to herd fish only 500 feet from net rather than 1/8 to 1/4 mile from net as they sometimes do now.

Other Options

17. Limit the number of fly-in fishers that can fish the Tsiu River per day. (Implementing this would involve work with transporter licensing and regulations.)

Recommendations

1. Assemble a group of Tsiu River users and a skilled facilitator to discuss concerns and help users reach agreement on a package of solutions to reduce tension and conflict. The Alaska Board of Game, Federal Subsistence Board, Yukon River Panel and other regulatory boards have used facilitated groups such as this to address conflict among user groups. When parties impacted help craft solutions the likelihood of a successful outcome is much higher.

2. No new sport fish lodge leases for Tsiu River; practically/ geographically defined as area between Seal River and Kaliakh River. (Leases for other uses may be permissible; better marketing of lodges in other parts of the western borough could help relieve pressure in the area).

Sec. 16.05.790. Obstruction or hindrance of lawful hunting, fishing, trapping, or viewing of fish or game.

(a) Except as provided in (e) of this section, a person may not intentionally obstruct or hinder another person's lawful hunting, fishing, trapping, or viewing of fish or game by

(1) placing one's self in a location in which human presence may alter the

(A) behavior of the fish or game that another person is attempting to take or view; or

(B) feasibility of taking or viewing fish or game by another person; or

(2) creating a visual, aural, olfactory, or physical stimulus in order to alter the behavior of the fish or game that another person is attempting to take or view.

(b) For purposes of (a) of this section, "lawful" means

(1) in compliance with

(A) this title, regulations adopted under this title, or applicable federal statutes and regulations;

(B) the Marine Mammal Protection Act (P.L. 92-522) or the Endangered Species Act (P.L. 93-205); or

(C) federal regulations adopted under 16 U.S.C. 3111 - 3126 relating to subsistence hunting, fishing, or trapping on federal land; and

(2) with the permission of the private landowner if the hunting, fishing, trapping, or viewing of fish or game occurs on private land.

(c) Notwithstanding AS 12.25, only a peace officer may arrest a person for violating this section. A peace officer who has probable cause to believe that a person has violated this section may arrest or cite the person or order the person to desist.

(d) In a prosecution under this section, it is an affirmative defense that the person was lawfully entitled to obstruct or hinder the hunting, fishing, trapping, or viewing of fish or game.

(e) This section does not apply to

(1) lawful competitive practices among persons engaged in lawful hunting, fishing, or trapping;

(2) actions taken on private property with the consent of the owner; or

(3) the obstruction or hindrance of the viewing of fish or game by a person actively engaged in lawful fishing, hunting, or trapping.

(f) A person who violates this section is guilty of a misdemeanor and is punishable by a fine of not more than $500 or imprisonment for not more than 30 days, or both.

Sec. 16.05.791. Civil remedies for violation of AS 16.05.790 .

(a) A person aggrieved by conduct or threatened conduct in violation of AS 16.05.790 may petition a superior court to enjoin the respondent from engaging in the conduct.

(b) A person aggrieved by a violation of AS 16.05.790 is entitled to recover general damages and special damages, including license and permit fees, travel costs, guide-outfitting fees, costs for special equipment and supplies, and other related expenses.

(c) A court may award punitive damages in addition to the damages set out in (b) of this section.

Submitted By
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Submitted On
12/28/2017 2:41:15 PM
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To whom it may concern

As a 42 year resident of Alaska, fisherman and charter captain, the proposed closures of the area surrounding Ketchikan for all salmon fishing will all but decimate my, and many others', fishing related businesses. A FAR better approach would be to better regulate the commercial net fishing in and around Ketchikan. Discontinuing the use of seine and gill nets in the bays of our few hatcheries and spawning rivers would be a great step in the right direction for sustaining our salmon fishery. If the new regulations of sportfishing is necessary I would strongly suggest not to close these areas to ALL salmon fishing, instead institute limit reductions for specific species for certain times of the year.

Ty Vandergriff

UNITED SOUTHEAST ALASKA GILLNETTERS

Box 2196, Petersburg AK 99833 * (253) 237-3099 * usag.alaska@gmail.com * akgillnet.org

December 28, 2017

Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
Sent via email: dfg.bof.comments@alaska.gov and online form

Dear Chairman Jensen and Board of Fisheries Members:

RE: Stock Status and Action Plan for the Chilkat and King Salmon Rivers

Our organization would like to offer the Board of Fisheries these considerations in their decision as how to best address the current stock of concern status, and minimize our impact on these chinook stocks, while minimizing the economic impacts in our most lucrative fishing areas.

On page 2 of the action plan, under STOCK ASSESSMENT BACKGROUND for the Chilkat River, the last sentence of the first paragraph states "Estimates of escapement are germane to large fish (age 1.3 and older)…" In data accompanying the plan on page 30, table 1, titled "Chilkat River large king salmon escapements of greater or equal to 1.2 fish 2007-2017", we see that the definition of age class has changed. Whether this is a typo, or new information has led the department to include 1.2 is unclear at this time. We DO know that the data set being used in the table includes 1.2s. Including 1.2s does broaden the database but for only one user group. The gillnet fishery is the only user group represented in this particular data that is not precluded by regulation to take any size of king salmon. Seine, troll and sport fish are all required to release any king salmon less than 28 inches. Very few, if any, age 1.2 fish will reach the 28" required to be landed in these fisheries. Many 1.3 age fish also do not reach the size that would allow retention. We aren't denying the veracity of the data, only that it could focus the impact on these stocks on our fleet.

It is important to consider that the data doesn't address the fact that there is a hook and release mortality associated with both the troll and sport fisheries. There has been an increase in troll

effort over the last several years during the winter and spring hatchery access fisheries due to king salmon being a highly sought commodity during those months. The sport fishery has seen unmitigated growth in effort by residents, unguided non-residents and charter. We realize that there is no data available of how many undersized fish are released for either user group but hook mortality and the percentage associated with it is something to consider.

In the course of implementing these action plans, the seine fleet will always show a zero in their catch. With no retention of any king outside a THA, and a zero always extrapolating to zero insures this. Zero retention does not necessarily mean zero impact. A southeast seine is 250 fathoms long and some are 20 fathoms deep. They will and do catch kings in the prosecution of their fishery. Whether those non-retained kings are gently pushed over the cork line or grabbed by the tail and flung over the side when they come aboard as part of a 15,000 pound bag of pinks before they slip into the hold is debatable. What isn't is that there is a probable mortality factor there as well.

It isn't our intent to drag other users through the mud, only to point out that outside this data set provided by the department, those other than gillnetters are in all probability touching these fish.

In 2008-2017, the gillnet fleet in district 115 landed 61 individual Chilkat chinook tags. Nine of those fish were larger than the 28" required for other users to land; the rest were under the minimum size. What would the data look like if our gear group had zero retention or even just a minimum size limit? It would likely show we are having virtually no impact on these fish.

Please also note that the data in table one is not exclusive to district 115. Two of these tag recoveries were in district 108; three were in district 111, which shows the wide range of these fish. The Chilkat River is somewhere around 160 miles from the Stikine River, district 108, and in that 160 miles, there occurs extensive sport and commercial fisheries, particularly seine and troll, that again, are in all probability interacting with these chinook on a certain level, regardless of what this data shows, due to harvest preclusions due to size.

In 2017, even with the measures implemented to protect the Chilkat king return, our fleet caught more kings than expected. This is likely due to the sport and troll fisheries' restrictions that were directed to the same objective. In an effort to be proactive in addressing this, we would recommend to the board "Option A-Status Quo", for 2018, but adding night closures for the first 4 weeks in all of districts 11 and 15. We would also entertain the conversation of extending those weeks if the department felt it necessary. The tag recovery data and catch data from 2017 for kings shows that the bulk of the Chilkat fish, as well as kings in general, are taken in these weeks. Members report from personal observations that most small kings are caught in the dark. Diurnal vertical migration is a common behavioral characteristic of small feeder king salmon. We realize that there would be an associated loss of time initially, but our hope would be that if

our catches of kings were minimized by these dark time stand-downs, we could possibly get more time in the form of extensions in season, if warranted.

We have no recommendations for the other user groups included in these proposed action plans. USAG's objective in these comments is to clarify some data for the board and to offer what we feel should make a difference in addressing the current state of both of these rivers while allowing us our livelihood.

Sincerely,

Max Worhatch
President

- - -

The mission of United Southeast Alaska Gillnetters is to protect, serve and enhance the gillnet fleet of Southeast Alaska. We represent the interests of 473 salmon gillnet permit holders and their families.

UNITED SOUTHEAST ALASKA GILLNETTERS

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December 28, 2017

Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
Sent via email: dfg.bof.comments@alaska.gov and online form

Dear Chairman Jensen and Board of Fisheries Members:

RE: McDonald Lake Sockeye Salmon Stock Status and Action Plan, 2018

District 106 is an important area to the gillnet fleet, particularly in the time frame when McDonald Lake sockeye migration occurs. Fishermen based in Petersburg, Wrangell, and in various locations on Prince of Wales Island are generally the principal users of this opportunity. The last time McDonald Lake had a stock of concern status, the immediate result appeared to have taken care of the problem, as we had three years in a row of good returns that allowed McDonald Lake sockeye to be removed from stock of concern status.

Apparently, it wasn't enough. Putting fish into the system through restrictive management did not equate into good returns. It appears the catch rates have remained stable and in the last couple seasons, even if a seine or gillnet had not been set in the corridors in stat weeks 29-32, we would still have not seen adequate returns for escapement. There appears to be no systemic problem with spawning or rearing habitat; there is no out smolt migration for this system. In conversations with the department, we have learned that in their opinion it would be difficult to do because of the particular characteristics of this system. They use a sonar and trawl combination to assess fry abundance in the lake.

The catch data associated with McDonald Lake is pretty scant and it involves two types, coded wire tag (CWT) and genetic stock index (GSI). The CWT was taken in 1985 and 1989-91. The GSI was taken in 2014-2017. The time between the data sets is huge and both are very short. Our assumption is that GSI will continue to brighten this dim picture to help us better understand the migration corridors and where these fish are caught. We did find it curious that the largest

percentage of catch for the seine fleet came from district 104 and it was not listed as having any restrictions associated with the action plans.

Our recommendation would be Option B. As noted, this management plan led to three years of escapement while in place. We would be cautiously optimistic but moving forward we feel it is least impactful to the fleets and has been proven.

Sincerely,

Max Worhatch
President

- - -

The mission of United Southeast Alaska Gillnetters is to protect, serve and enhance the gillnet fleet of Southeast Alaska. We represent the interests of 473 salmon gillnet permit holders and their families.

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~~December 28, 2017

Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
Sent via email: dfg.bof.comments@alaska.gov and online form

Dear Chairman Jensen and Board of Fisheries Members:

RE: BOF Proposal Comments

United Southeast Alaska Gillnetters (USAG) is an association of 175 business owners, most of whom catch salmon by drift gillnetting throughout Southeast Alaska. USAG is a southeast wide organization that seeks to represent the common interests of all 473 drift permit holders.

We appreciate participating in this process. Please consider our comments to the selected salmon proposals below. Our board and staff are available should you have any questions.

Proposal 132. Amend sport king salmon regulations in Districts 11, 12, 14 and 15 based on the Taku River king salmon preseason escapement estimate.
OPPOSE: USAG supports the department's king salmon conservation measures. If enacted, this proposal would inhibit local Fish and Game managers' ability to be flexible and respond to in-season king salmon runs and other associated factors. The Board of Fisheries will be considering action plans aimed at the issues brought forth in this proposal. We feel that this will be the proper venue regarding management decisions.

Proposal 133. Management of the spring salmon troll fisheries. Base duration of commercial troll and gillnet spring openings on preseason king salmon abundance projections.
OPPOSE: This proposal would change current management. USAG believes the department has the tools available (time and area) to manage the gillnet fleet to curtail gillnet harvest of king salmon in Districts 8, 11, and 15. The Board of Fisheries will be considering action plans aimed at the issues brought forth in this proposal. We feel that this will be the proper venue regarding management decisions.

Proposal 137. Increase the regional resident king salmon possession limit when the Southeast Alaska Area preseason king salmon abundance index is greater than 2.0.
OPPOSE: It is not prudent to increase the bag limit on a fully utilized fish that is going through a period of low ocean survivals. The Board of Fisheries will be considering action plans aimed at the issues brought forth in this proposal. We feel that this will be the proper venue regarding management decisions.

Proposal 139. Eliminate provisions for a rotational fishery in Southeast Cove Terminal Harvest Area and allow the department to manage the fishery in consultation with hatchery operator.
SUPPORT: All gear groups should be included in any new enhancement production as a plan is developed. Southeast Cove could be very instrumental to every gear group in spreading effort throughout the region.

Proposal 140. Prohibit use of drift gillnet gear for commercial salmon fishing in the Anita Bay THA during the 2018-2020 fishing seasons.
OPPOSE: USAG believes it is not necessary to remove gillnets from the Anita Bay THA altogether and that the increased seine opportunity of 1 to 1, such as we propose in #141, will be enough to positively shift the seiners' allocation percentages, especially given their effective fishing methods.
Anita Bay is one of two terminal harvest opportunities for gillnetters in the entire SSRAA region and the only one in all of central southeast. Anita Bay is a SSRAA release site and SSRAA's contribution to the seine fleet in 2016 was 50% and 45% in 2017; therefore seiners are within their allocated range (44-49%) in southern southeast. Last season, the THA supported 79 gillnetters according to Fish and Game, which significantly helped divide up the fleet.
In September, Southeast Conference reported that Wrangell, the town closest to Anita Bay, was the only southeast community to show an

increase in private sector jobs, due in large part to their investment in the shipyard, which area fishermen utilize and support. Wrangell's gillnet fleet has also grown; today there are 57 resident southeast gillnet permits in Wrangell up 70% from 1992's 40 permits. Conversely, seiners have a much less impact on Wrangell with nine resident seiners in 1992; currently there are eight. The resident seine permit decrease could be attributed to the seine permit buyback in 2008 and 2012, where 24% of all seine permits were "retired".
Alaska residency, where barely over half (56%) of seine permit holders are residents versus 83% of gillnetters, is also a huge consideration. The overall seine fishery last season yielded over $69.1 million. Presumably, since 44% of those permit holders reside out of Alaska, over $30.4 million is the nonresident seine share. The gillnet fleets' dollars have more staying power, especially in locally-focused areas such as this THA, as only 17% of gillnet permit holders reside out of state. Keeping dollars circulating throughout southeast and Alaska is an important consideration as Alaska continues in financial crisis.
Almost 19% of southeast gillnetters participate in this fishery (F&G reports there were 423 gillnet permits fished this season, 79 of which fished in the Anita Bay THA). Gillnetters' ability to access Anita Bay's THA is very important to our fleet and to the economies of southeast, especially Wrangell and Petersburg. If this draconian proposal were to pass and gillnets were prohibited in this THA, there would likely be more gillnet fishing pressure on areas 11 and 15, possibly resulting in more restrictive measures in those areas.
Importantly, new NRSAA projects at SE Cove, Crawfish Inlet and Thomas Bay will allow increased enhanced opportunity for seines. New production returning in 2019, 2020 and beyond is anticipated to have enough new value to shift enhanced allocation by 10 percent. Crawfish Inlet, aside from its THA opportunity, is anticipated to also have a common property contribution of a large amount of chum available to the seine fleet while they conduct their common property wild pink fishery. With the increased efficiencies of seines' catching abilities since the adoption of the Enhanced Allocation Plan in 1994, having anything beyond a 1-1 rotation between the net fleets would be excessive.
In December 2017, the DIPAC board voted to make $5.8 million available in cost recovery grants to NRSAA and SSRAA. Previous DIPAC grants to SSRAA have contributed primarily to the seine fleet, which will further lift the seiners' allocation in southern southeast. The latest five-year rolling average of enhanced salmon has the seine fleet 1% below their allocative range. Currently, the Joint Regional Planning Team (JRPT) has recommended adopting a new method of calculating value. This unanimous vote by the JRPT was passed on the precept that the current method of evaluating value introduces error. This new value calculation will be evaluated at the spring JRPT meeting. It would be premature to make a decision that would negatively affect so many individuals based on a 1% deficiency using data likely to have a margin of error greater than 1 percent.

Proposal 141: Adjust net rotation schedules for drift gillnet and purse seines in Deep Inlet and Anita Bay on a 1 day gillnet to 1 day seine net rotations, starting the first EO of 2018 to the last EO of 2020. (USAG)
SUPPORTS: USAG supports this proposal as an effort to lift seiners 1% in their 5-year rolling average.

Proposal 142. Modify drift gillnet and purse seine fishing rotations in the Deep Inlet THA.
OPPOSE: We support NSRAA pulling this proposal as decided by the NSRAA Board of Directors on November 16, 2017. A modified rotation of 1 to 2 (gillnet to seine) at Deep Inlet was anticipated to shift seine value of NSRRA's contributions to the fleet, upwards of 10 percent. Currently, the only gillnet opportunity to harvest any NSRAA enhanced salmon is Deep Inlet. In 2017, NSRAA's total common property salmon contribution was $11,890,482; the total gillnet fleet harvest of NSRAA enhanced salmon value was 21% or $2,451,218, and total seine fleet harvest of NSRAA enhanced salmon value was 59% or $7,045,651. The NSRAA board recognized the resulting effects of this proposal and determined they no longer supported it. It is anticipated if this proposal were to pass it is likely 77% of all NSRAA produced value would be received by the seine fleet.
For many years, the prevailing idea of the NSRAA board has been to solve allocation imbalances through new production opportunities. In recent years, some large-scale chum projects have taken shape; those new production fish are in the water and will soon be returning to benefit the seine fleet and troll fleet.
Residency disparities between seine and gillnet as described in proposal 140 are also relevant here as well as all allocation proposals.

Proposal 143. Change the time, ratio for drift gillnet gear to purse seine gear openings in Deep Inlet THA.
OPPOSE: Opposed based on actions and reasoning described above for 141 and 142. Deep Inlet THA is the only NSRAA region area gillnet opportunity. New NRSAA projects at SE Cove and Thomas Bay will allow enhanced opportunity for seines in the very near future. Crawfish Inlet will make a large amount of chum available to the seine fleet in the conduct of their common property pink fishery. Initially, imbalances should be addressed through new production. With the increased efficiencies of the seines' catching abilities since the adoption of the EAP, having anything beyond a 1-1 rotation between the net fleets would be excessive.
Since 2011, the resident gillnet fleet in Sitka has grown from 19 to 25 permit holders, an increase of 24 percent. If this proposal passes, fishing the Deep Inlet THA would no longer be economically viable and would displace local and regional gillnetters. Sitka residents and Sitka's Advisory Committee recognize the importance of this area and voted to keep the rotation as is.
New NRSAA projects at SE Cove, Crawfish Inlet and Thomas Bay will allow increased enhanced opportunity for seines. New production returning in 2019, 2020 and beyond is anticipated to have enough new value to shift enhanced allocation by 10 percent. Crawfish Inlet, aside from its THA opportunity, is anticipated to also have a common property contribution of a large amount of chum available to the seine fleet while they conduct their common property wild pink fishery. With the increased efficiencies of seines' catching abilities since the adoption of the Enhanced Allocation Plan in 1994, having anything beyond a 1-1 rotation between the net fleets would be excessive.
NSRAA fleet contribution percentages are trying to offset DIPAC value that is realized but not a product of the salmon enhancement tax.
In December 2017, the DIPAC board voted to make $5.8 million available in cost recovery grants to NRSAA and SSRAA. Previous DIPAC grants to SSRAA have contributed primarily to the seine fleet, which will further lift the seiners' allocation in southern southeast. The latest 5 year rolling average of enhanced salmon has the seine fleet 1% below their allocative range.
Currently, the Joint Regional Planning Team (JRPT) has recommended adopting a new method of calculating value. This unanimous vote by the JRPT was passed on the precept that the current method of evaluating value introduces error. This new value calculation will be

evaluated at the spring JRPT meeting. It would be premature to make a decision that would negatively affect so many individuals based on a 1% deficiency using data likely to have a margin of error greater than 1 percent.

Proposal 144: Allow increased commercial salmon fishing opportunity with troll gear in the Deep Inlet THA.
OPPOSE: Gear conflicts are sure to arise with this proposal as also noted by NSRAA and the Sika AC. Trollers have access to Deep Inlet production outside the terminal harvest area, seven days a week. Additionally, there is an increase in troll fish opportunity at Crawfish Inlet, which in all likelihood will result in unrestricted access.

Proposal 145: Allow commercial salmon fishing with purse seine gear in Nakat Inlet THA.
OPPOSE: On May 2, 2003, the SSRAA board voted unanimously "to adopt alternative 3 which includes releasing an additional 8 million chum smolts in Neets Bay and 10 million chum smolts in Kendrick Bay for a total of 18 million. SSRAA would commit to a budget increase to cover costs for producing the remaining 10 million fish in the 2004 budget (8 million Anita, 2 million Neets). This would provide gillnetters with exclusive use of Nakat, when the Kendrick Bay fish begin returning stated in the original agreement". USAG stands by the continuing implementation of this motion, which was a sharing agreement for exclusivity of gillnet only in Nakat Inlet and seine only in Kendrick. Nakat Inlet THA is the only regional release site in SE Alaska dedicated to drift gillnet/troll. While it originally was shared with seine, new production was added to Kendrick Bay to allow gear specific terminal harvests. The current Kendrick Bay release is 33 million summer chum, compared to 8 million summer chum released at Nakat. There is currently a seine terminal fishery conducted in Clarence Straights adjacent to Kendrick Bay starting in Stat Week 25 where enhanced chum are harvested, as well as enhanced chums from SSRAA's releases at Nakat, Anita Bay, Neets Bay, and Burnett Inlet.
There is ample opportunity for the seine fleet to harvest not only enhanced fish but to also gain value from incidentals they would not get without the enhanced opportunity. The size of the 8 million Nakat release pales in comparison to the 33 million releases dedicated to seines in Kendrick and would make virtually no difference in the allocation of enhanced fish.

Proposal 146: Do not include enhanced salmon produced by private nonprofit hatcheries in SE AK Area Enhanced Salmon Allocation Management Plan gear-specific value allocations.
OPPOSE: Even though there is precedent by allocations plans in Prince William Sound and nonprofit production is not supported by the 3% salmon enhancement tax paid by all fishermen, we feel this proposal, if passes, would hide value that is not being included in Southeast's entire commercial salmon harvesting picture. In all increased opportunities adopted by regional boards or the JRPT, only enhanced value is assessed while knowing wild value is being shifted without being accounted for. USAG proposes that BOF authorize a task force or work session to thoroughly analyze and consider all commercial catches in SE Alaska (enhanced and wild) to better reflect sharing arrangements between the fleets prior to the Enhanced Salmon Allocation Plan.
Currently, fleets below their allocative range of enhanced fish have been allowed increased opportunity to harvest them in common property fisheries. The consequence of this is that wild fish harvested in this increased opportunity are not counted as a value shift in the Enhanced Allocation Plan. The Plan, adopted in 1994, has been in place well over 20 years yet large imbalances still occur. This and every plan should be reevaluated to see if the assumptions and predictions made were correct and to take into consideration unintended consequences of those actions.
If this proposal were to pass it would shift the seine fleet above their allocation range, basically putting net groups in or above their allocation of enhanced fish. Troll would still be below their allocation and has been in the 5 year rolling average since adoption of the Enhanced Salmon Allocation Plan.

Proposal 149: Extend the closing date for salmon harvest by the hatchery permit holder in Deep Inlet SHA.
SUPPORT: Changing the date to October 31 as suggested makes sense so NSRAA can more easily collect its needed broodstock and/or harvest in Deep Inlet.

Proposal 150: Establish a special harvest area in Crawfish Inlet.
SUPPORT: This proposal will maximize troll opportunity at this release site, which is critical to allowing the troll fleet ample time and area to maximize their share of enhanced fish.

Proposal 151: Establish a terminal harvest area and management plan for Carroll Inlet.
SUPPORT: Support as written.

Proposal 152: Update area description and coordinates of the Anita Bay THA boundaries.
SUPPORT: USAG always supports accurate area boundaries in all fishing areas.

Proposal 153: Repeal the District 1 Pink Salmon Management Plan.
OPPOSE: The current District One Pink Salmon Management Plan has been in place for a long time. It is unique in that gillnet time is adjusted weekly based on seine time in district one. The plan recognizes the seine fleets' superior efficiency at harvesting large volumes of fish in a short period of time, even when the plan was put into effect so many years ago. Recent efficiency upgrades of the seine fleet as a whole, has actually widened the efficiency gap. With the seine fleets' ability to harvest more fish at a faster rate, gillnet time under the current plan has probably been less in recent years than it was in the past, which would only contribute to our inability to realize our allocation guideline for pink salmon.
The reasoning behind this proposal indicates that the gillnet fleet is not managed for pink salmon yet in Districts 6 and 11 we are managed for pinks and accordingly lose time and/or area to secure pink salmon escapement even while the seine fleet sees access in migration corridors that are adjacent to these areas. If gillnetters are part of a pink salmon management plan we probably are being managed for pinks. This proposal also mentions that enhanced production has generated harvest opportunity beyond pink salmon for the gillnet fleet. This is true and since the seine area is adjacent to the gillnet area we assume the seine fleet also has benefitted from this enhanced production.

It is extremely doubtful that the current plan has marginalized the seine fleets' ability to harvest pink salmon. In fact, by all appearances, this proposal seems to be about marginalizing the gillnet fleet with no direct benefit to the seine fleet.

Proposal 154: Establish a management plan for pink salmon in Lower Clarence Strait (USAG)
SUPPORT: This proposal would allow the gillnet fleet opportunity to pink salmon, a species we currently are harvesting below our allocation guideline. Since our time would be tied to seine opportunity in the district, we would be harvesting what is considered an abundant resource. Our presence would in all likelihood have very little impact on the seine fleet's ability to prosecute their harvests, as it is generally recognized that our fleet is much less efficient than theirs. As market conditions improve for pink salmon products thus increasing its value, it is important to our fleet to realize our allocation. This new fishery would be helpful in achieving that. August is traditionally the slowest month for our fleet. This new proposed fishery would help in spreading the fleet during this time.

Proposal 155: Eliminate the wild sockeye salmon harvest limit for the District 12 commercial salmon purse seine fishery.
OPPOSE: Since the sockeye harvest limit for the month of July was implemented in 1989 and altered to preclude enhanced sockeye in 1992, it has proven to be an effective management tool to balance seine opportunity for pinks while protecting sockeye systems important to the gillnet fleet. In 1984, the Board of Fisheries closed seining north of Pt. Marsden for the month of July in recognition of the transitory nature of the stocks in this time frame. Elimination of this limit, or cap, as it is commonly referred to, would with all probability, lead to a more restrictive management regime for the gillnet fleets in both Lynn Canal and Taku in years of high pink abundance. Genetic samples taken from sockeye in this area for the time frame in question showed 25% Taku River, a Pacific Salmon Treaty fish, 9% Chilkoot, and 27% Chilkat, all of which drive the management of the gillnet fisheries in July in districts 11 and 15. These stocks are fully utilized by the gillnet fleet.
Furthermore, the department, in accordance with section c AAC 33.363, has shown a willingness to be flexible and go over the cap in instances of economic opportunity for the seine fleet. This is evidenced in 2011 when on July 18th, they opened the area in question for 39 hours and were within 5000 wild sockeye of the cap. The seines harvested 1.234 million pinks for the period. They also harvested 9286 wild sockeye, putting the final wild sockeye number for July at 20,240. That opener was the last for the seine fleet for July in that area. While there was probably some foregone opportunity by the seine fleet that particular year, 2011 was an extraordinary pink year in the north end. One could even say it was a rare event. So rare, it would be negligent to remove this effective management tool to address such an event. It is also important to note that after the month of July, there is no cap. Management is all about the pink abundance. There are no protections afforded later sockeye run components in Lynn Canal, particularly the Chilkat.
From 1989 through 2017, gillnetters are cumulatively 6% below their sockeye allocation (over 2 million fish) and eliminating the sockeye limit will likely push gillnetters even further below their allocation range. In contrast, seiners are cumulatively 6% above their allocative sockeye percentage for the same time period.
We would also point out that given ADF&G's proposed action plans concerning Chilkat and King Salmon River chinook, liberalization of any existing fishery in northern southeast should probably not be a
consideration.

Proposal 156: Modify the Hawk Inlet commercial wild sockeye cap of 15,000 (USAG)
SUPPORT: The sockeye cap is an important tool for ADF&G management in district 12. It provides opportunity to the seine fleet to harvest pink salmon as well as provide reasonable conservation constraint measures for northern migrating sockeye. In 1989, the Board of Fisheries recognized the efficiencies of the seine fleet; moreover the board recognized the importance of the Hawk Inlet shoreline to northern migrating salmon. Also in 1989, the board stated: "As a general matter, the harvest of fish stocks will be managed primarily for the benefit of the user groups within the district to which those stocks are bound."
The data shows a distinctive shift in run timing of northern bound sockeye in the last 10 years, 2008 through 2017, the Chilkoot and Chilkat weir counts and commercial fishing harvests in district 15 show a later more condensed run timing compared to the 1970's through 1988. Consideration should be given to adjust the stat weeks of the sockeye cap to account for the continuing effects of climate change, both now and into the future.

Proposal 157: Include wild sockeye salmon harvested in the Amalga Harbor Special Harvest Area in the District 12 commercial salmon purse seine fishery wild sockeye harvest limit (USAG)
SUPPORT: While we do support the seine fleet having opportunity in Amalga Harbor to harvest excess chum salmon, we also recognize that there will be, and has been, wild sockeye incidentals as this terminal enhanced fishery is located in a corridor for Pacific Salmon Treaty fish bound for the Taku River. In July, we often see restrictive measures when escapement lags, often in the same time frame the Amalga fishery is prosecuted. In the short history of the Amalga fishery, wild sockeye incidental catches have been small. It is a short history however, and as much as we would love the seines to catch some chums, we are not willing to lose time and/or area in our common property fishery to achieve that. The historical catch has been small enough that in most years it will not marginalize the seines' time in district 12 to any significant extent. Speel River sockeye has also been identified in this fishery. In 2017, the Speel River failed to make escapement.

Proposal 158: Include wild sockeye salmon harvested in the Amalga Harbor SHA in the wild sockeye salmon harvest limit for the commercial salmon purse seine fishery in District 12.
SUPPORT: Please see #157 Comments

Proposal 160: Allow commercial fishing for salmon in waters near selected streams in Boat Harbor, Anita Bay, Deep Inlet, and Nakat Inlet Terminal Harvest Areas up to a straight line between the seaward extremities of the exposed tideland banks (USAG and SEAFA).
SUPPORT

Proposal 169: Open Section 6-D the second Sunday of June to commercial fishing for salmon with drift gillnet gear. (USAG)

SUPPORT: Gillnetters are below their allocation of pink salmon, coho salmon and sockeye salmon. While this proposal would displace seines from what has been a traditional area, it is notable that in years of high pink abundance they are afforded opportunity in districts 1, 2, 3, 4, 5; all areas that are transit corridors for pinks and other salmon bound for district 6. Many past seasons have seen extensive openings in these areas and no seine openings in district 6 due to pink salmon escapement concerns. During those seasons, the gillnet fleet in district 6 has seen restrictive management through reduced time to address those escapement needs particularly in August. Having gillnet access to the sections of district 6 currently precluded would allow our fleet an opportunity to reach our pink, coho, and sockeye allocations.

Proposal 170: Open a portion of District 10 the third Sunday of June to commercial fishing for salmon with drift gillnet gear only. (USAG)
WITHDRAW: New information regarding chinook salmon as per ADF&G's proposed action plans regarding king salmon in northern southeast has led us to believe that any changes made in northern southeast in regard to liberalizing or changing any fisheries in a manner that could have unintended consequences should not occur at this time.

Proposal 171: Add District 6 to the mesh-size restriction area and allow implementation of the mesh-size restriction for an additional month.
SUPPORT: Adding district 6 to the mesh restriction will have no impact on our fleet as virtually nobody currently fishes a net greater than 6 inches during this time frame, and mesh restrictions are an important tool utilized by the department to allow opportunity and minimize impact on certain species. We are concerned that the department could utilize both a minimum and maximum 6 inch net restriction at the same time, particularly in districts 11 and 15. This situation would require a gillnet's mesh size be exactly 6 inches. Given the physical properties of the gear, in that it generally stretches over time, a net that was 6 inches new may actually be slightly larger depending on the age and twine size of the net. If this unique situation were to come about, it is our fear that there could be unintentional violations because someone had purchased a 6 inch gillnet but hadn't checked to make sure it remains so. We have been assured by the department that it isn't their intention to make this situation punitive or to preclude participation; we believe them. When we offered 6 1/8 as a maximum, they were unwilling to compromise, stating that their only recourse would be to close the fishery. Given the department's reaction, and in recognition of the problem that the maximum mesh size is being used to mitigate to allow fishing time, we will concede.

Proposal 192: Allow personal use fishing for salmon in District 11.
OPPOSE: There is already in-river fishing opportunities: A personal use gillnet fishery on the Taku River; dip netting in Sweetheart Creek; and subsistence fisheries on the Chilkat and Chilkoot Rivers. This fishery has no time line. Given the current king salmon issues, adding yet another user group would be irresponsible.

Proposal 193: Establish a personal use salmon set net gillnet fishery in Section 15-A.
OPPOSE: There is already subsistence fisheries on the Chilkoot and Chilkat Rivers as well as Chilkat Inlet. This proposal does not include when this proposed fishery would take place. There are currently conservation measures for a stock of concern for the Chilkat River. The resources of upper Lynn Canal are fully utilized. The proposer, living in a rural area, already has subsistence opportunity.

Proposal 194: Allow personal use fishing for salmon in District 15.
OPPOSE: There is already subsistence fisheries on the Chilkoot and Chilkat Rivers as well as Chilkat Inlet. Juneau residents currently have personal use opportunities elsewhere. Adding personal use to such an accessible area by residents of the largest population center in the region has the potential to create a huge user group that would have an immense impact on how the area is managed.

Thank you for your work and consideration,

Cynthia Wallesz, Executive Director

Submitted By
Victoria Curran
Submitted On
12/27/2017 9:42:55 AM
Affiliation

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Sitka, Alaska 99835

Thank you for considering public comments in your deliberation process. Generally speaking I support the positions taken by the Sitka Fish and Game Advisory Committee on these proposals. Although I don't agree with all of their decisions they had a long and open series of public meetings and were inclusive in their discussions. Their votes reflect the majority positions of a wide variety of stakeholders and they attempted to balance the needs of a variety of diverse stakeholders, as evidenced by their decision on herring (amending proposal 99).

I would also like to specifically address two proposals that deal with sport fish limits for non-residents. I support bag limits and annual limits for non-resident anglers. Our state is a leader in resource management and this should include limits on valuable resources before there is a crisis in conservation or management. This allows a full Alaskan experience while still placing appropriate value on our resources.

Proposal 116: Support with SFGC Amendment. Blackcod are the most valuable groundfish resource managed by the State. Every commercial blackcod fishery has restrictive management to ensure sustained yield and strong stocks. The NSEI fishery, one of the oldest in our region, with 120 years of participation, had an annual permit limit of about 9,500 pounds this year. The SFGAC voted (10 in favor, 1 abstain) to adopt a nonresident bag limit for blackcod with 2 daily, 2 in possession, 6 fish annual limit, and recording catch. I support this but I would also support a 4 fish daily, 4 fish annual limit to allow fishermen to take their full catch in one trip. Waiting to impose non-resident limits is not acceptable. Look to halibut to see the folly there.

Proposals 196: Support establishing non-resident annual limits for sockeye salmon in fresh water. My comments are similar to the rationale above. An annual limit on non-resident take provides for a full Alaskan experience for visitors but still values the use of the resource by Alaskans, in this case, subsistence users. Sockeye are an invaluable subsistence resource. The fact that there is limited take by non-residents at this point in time should not deter the Board for taking appropriate action to limit non-resident harvest. Limits are best imposed before there is a crisis in management or conservation.

Be visionary, not reactive. Impose annual limits for blackcod and sockeye for non-residents for the benefit of all users. Its best for stability in charter business, commercial business, and subsistence users.

PROPOSAL 184
5 AAC 29.120. Gear specifications and operations.
Modify gear specifications for the commercial salmon hand troll fishery, as follows:
(j) Notwithstanding any other provision in this section the following hand troll specifications apply: (1) a downrigger may not be used with a troll gurdy; (2) a hand troll gurdy or downrigger powered by hand or hand crank may be used in conjunction with a fishing rod, and is not considered power troll gear; (3) an electric, hydraulic, or power assisted downrigger is considered a power troll gurdy and may not be used in conjunction with a fishing rod;
What is the issue you would like the board to address and why? allow the use of 2 manually operated down riggers in conjunction with 2 sport rods as a legal means of taking fish in the hantroll fishery year round.
PROPOSED BY: Shawn McConnell

I would like to modify Proposal 184 to state that when using 2 manual operated downriggers in conjunction with **4** fishing rods as a legal means of taking fish in the hand troll fishery year-round. The number of leaders and hooks has already been established in **5 AAC 29.120. (2) (B)** that from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader. The downrigger lines should not be counted as fishing lines. The user should be able to use the 4 rods as they deem necessary. The limiting factor is the 4 rods and leaders. Those people that break the law are going to do so regardless of regulations.
If the intent of the original regulation was to prevent using too many lines, then that is wrong. Regulations should not be used to dictate morality. Crooks are going to break the law no matter what, and law-abiding hand trollers should not be penalized for the actions of a few.

William Davidson
Dan O'Neil

Submitted By
William Vollendorf
Submitted On
12/16/2017 8:59:00 AM
Affiliation
pilot

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Anchorage, Alaska 99518

I oppose Prop. 159.

Submitted By
Zach LaPerriere
Submitted On
12/23/2017 11:16:41 AM
Affiliation

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Sitka, Alaska 99835

Dear Board of Fisheries,

Thank you for the opportunity to address Sitka Sound sac roe harvest.

I would like to go on record as supporting Proposal 99. My feeling is that it may not go far enough, but I think it's a good starting point.

I grew up as a child on a sailboat in Ketchikan in 1980s. I vividly remember the joy and activity of the Kah Shakes subsistence and commercial harvest. The natural abundance was staggering. And I also remember the bust and heartache when the fisheries crashed. By the time I was in highschool many of the boats just sat in the harbor growing seaweed for years until they sunk.

I've listened to my elders for decades when they speak about what herring spawn levels used to be. I've listened to their warnings for years, and I've seen the decline in herring spawn that the predicted come true.

I've lived in Sitka for 17 years in a little cabin on the beach, and I've seen one fairly healthy year of reasonably thick spawn covering Thimblevery Bay in front of my house. The old timers and elders tell me it was like this every year when they were young.

I strongly encourage the board to acknowledge that the elders know what they are talking about. Sitka's Tlingit people have thousands of years of knoweldge and management. Right here! If our elders tell us to be more conservative, we damn well better listen.

I'm also concerned about the huge growth in humpback whale populations. There is just no denying that more whales eat more herring, especially since they spend much of the year here than they used to. As I said, I've only lived on the south side of Sitka Sound for 17 years. Those first 10 years I'd only seen a few humpbacks breach and had never seen them bubblenetting from my house. Recent whale numbers here are crazy! Now I see humpbacks breaching almost daily for a total of about 6 months of the year. Bubblenetting has also become common. Just the other day I counted 20 whales while eating breakfast, and I've seen as many as 60 in a stretch of under a mile while in the skiff right out front.

My point is that whales are a known and growing consumer of herring. We're seeing squid in our waters. We're seeing king salmon with less herring in their bellies. Things are changing with less herring in Sitka Sound, and the only intelligent way forward is to be conservative.

As a state we MUST managed Sitka's herring better. So much depends upon herring, and we have so much to loose.

It's time to act as if Sitka's subsistence harvest of herring roe is our top herring management priority. That's what we'd tell the managers in the 1980s if we had a time machine, and it's time to do the same now before we have a complete herring failure.

Again: I encourage you to vote for Proposal 99 and to keep an open mind that we may need even more conversative measures very soon.

Thank you for your time.

Zach LaPerriere
Thimblerry Bay (near Whale Park)
Sitka

REGULATION PROPOSAL FORM for the ALASKA BOARD OF FISHERIES 2017-2018 MEETING CYCLE P.O. BOX 115526, JUNEAU, ALASKA 99811-5526

Proposals for this cycle are due April 11, 2017

**Indicates a required field*

BOARD OF FISHERIES REGULATIONS

☐ Subsistence ☐ Personal Use

☐ Sport ☒ Commercial

***Which meeting would you like to submit your proposal to?**

☐ **Prince William Sound Finfish** ☒ **Southeast & Yakutat Finfish & Shellfish**

☐ **Statewide Dungeness Crab, Shrimp, and Other Miscellaneous Shellfish (Except Southeast & Yakutat)**

Please answer all questions to the best of your ability. All answers will be printed in the proposal book along with the proposer's name (address and phone numbers will not be published). Use separate forms for each proposal. Address only one issue per proposal. State the issue clearly and concisely. The board will reject multiple or confusing items.

1. Alaska Administrative Code Number 5 AAC 29.090

***2. What is the issue you would like the board to address and why?**

The intent of the spring troll fishery is very specific and clearly stated in the 2015-2018 S.E. Alaska/Yakutat Areas Commercial Salmon Fishing Regulations: *"The department shall manage the spring troll fisheries to target Alaska hatchery-produced king salmon"* (5AAC 20.090 (b)).

There are several tools that the Regulations engage for this purpose. These tools are designed to limit the catch of non-Alaska hatchery-produced fish. An additional tool could be added to complement those which are currently in place. Doing so would allow an increased number of Alaska-hatchery produced fish to be caught, maximizing this resource for the highest value.

***3. What solution do you recommend? In other words, if the board adopted your solution, what would the new regulation say? (Please provide draft regulatory language, if possible.)**

We recommend that district 101-29 be exempted from the Regulations' restrictions contained in 5AAC 20.090 (d)(1)(D) during statistical weeks 23-27. This sub-district would be selected based on high historical abundance of Alaska hatchery-produced king salmon during these statistical weeks.

A graph of district 101-29 is attached, depicting the 10-year average spring troll catch numbers for king salmon originating from Canada, Washington, Idaho, Oregon, California and Southern Southeast Regional Aquaculture Association. For this particular sub-district, it is clear that the relative catch of SSRAA-produced versus all other king salmon caught during week 23 through 27 is overwhelmingly Alaska hatchery-produced.

This recommendation is in accordance with 5AAC 20.090 (d)(2) *"consider additional fishing periods based on the best scientific data and on input from salmon trollers"*

Proposed language: New section 5AAC 20.090 (d)(1)(D)(vii) to read "*There is no limit on the number of non-Alaska hatchery produced salmon that may be taken in district 101-29 during statistical weeks 23 through 27, since the percentage of Alaska hatchery-produced salmon taken in that fishery is in excess of 66 percent or more of the king salmon taken in that fishery, averaged over a 10-year period*"

Who would benefit:

- SSRAA would receive more 3% money
- Power and Hand troll fleets
- Fewer disruption in management

***Submitted By:** SSRAA		
Individual or Organization		
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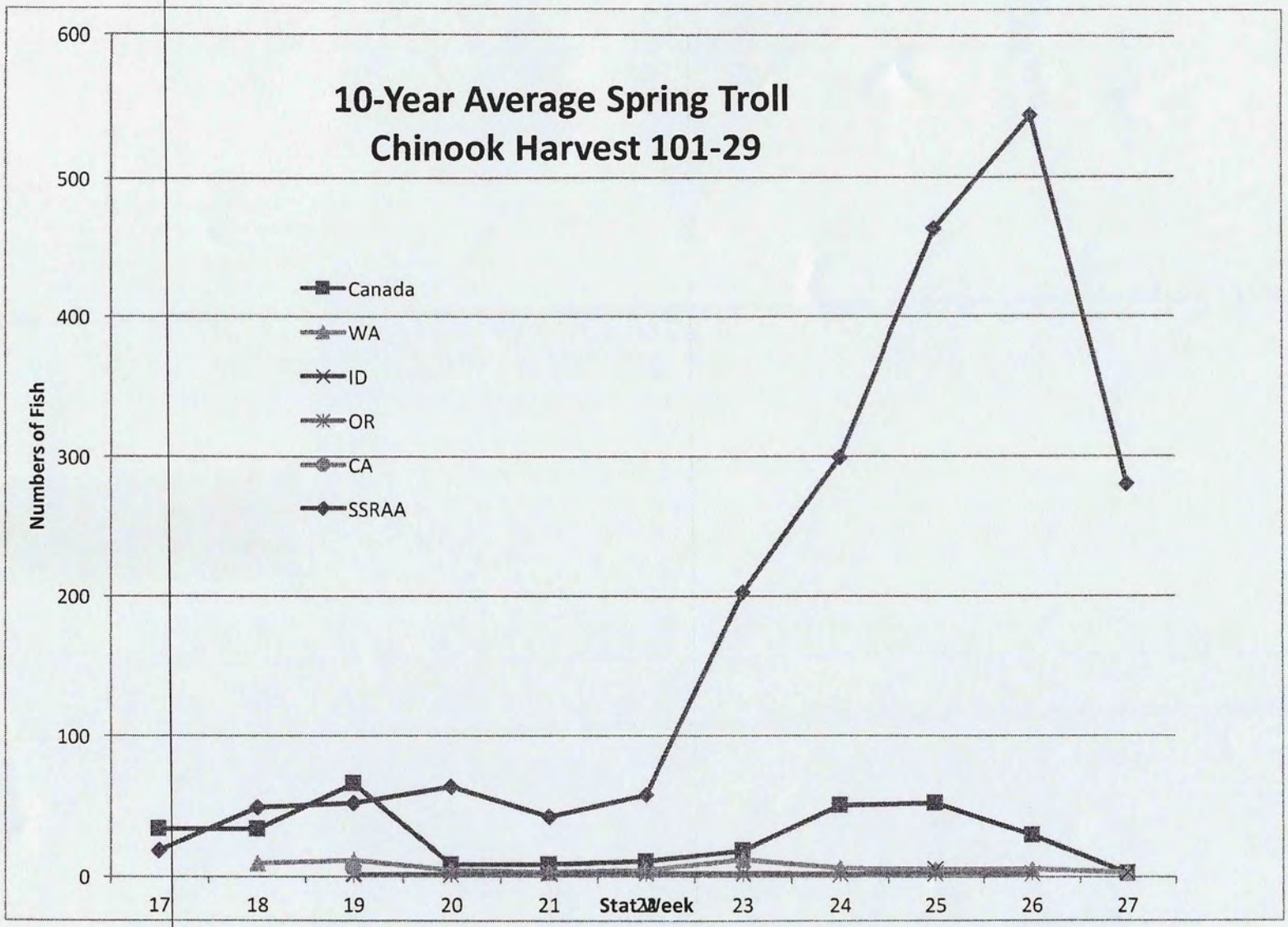
10-Year Average Spring Troll
Chinook Harvest 101-29
Numbers of Fish
600
500
400
300
200
100
0
Canada
WA
ID
OR
CA
SSRAA
17
18
19
20
21
22
23
24
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Week

Seafood industry rebrands

Dogfish nuggets?

By PATRICK WHITTLE
Associated Press

PORTLAND, Maine — Call them fish sticks for millennials. At any rate, Dana Bartholomew is banking on college students warming up to "Sharck Bites."

Ipswich Shellfish, of Massachusetts, for which Bartholomew oversees sales, is offering that product — nuggets of dogfish coated in a gluten-free, allergen-friendly crust. Bartholomew, who believes so-called "trash fish" such as dogfish are part of the new wave in New England seafood, already has a couple of colleges on board.

Bartholomew's fondness for dogfish, a species East Coast fishermen catch millions of pounds of every year that sells for just pennies at the dock, is part of a growing trend in fish markets around the country. The industry is putting more emphasis on fish that have traditionally lacked market appeal or economic value as old staples — such as cod, tuna, haddock and shrimp — decline or become the subject of tougher fishing quotas.

"We know we have to make a great-tasting product that supports local fishermen, supports the local industry and economy," Bartholomew said. "And it's local — it's right here."

New England's traditional food fish has long been the Atlantic cod, but it has faded in the face of overfishing and environmental changes. Restaurant owners, fishermen and food processing companies said a growing shift to other species is helping to fill that void. Catch of species such as spiny dogfish, Acadian redfish and scup have all increased dramatically since 10 years ago as cod has fallen.

The shift toward trash fish reflects a broader trend in U.S. seafood toward species that are more abundant. Florida fishing regulators, for instance, have incentivized the hunt for invasive lionfish, which many view as pests. Elsewhere, the Jonah crab has also found acceptance as an alternative to the West Coast's popular Dungeness crab.

The evolution of food from trash to delicacy goes back centuries. Many species have overcome an ugly name or gruesome appearance to grow in value. Lobster, for instance, was long ago regarded as food fit only for the lower classes.

Creating a market for underutilized fish species is important in New England today because of warming waters and corresponding changes in fish populations, said Melissa Bouchard, chef at the popular DiMillo's On The Water restaurant in Portland.

"We're trying to get the focus off of cod and haddock and Northern shrimp and bring to light all these species in the Gulf of Maine that are delicious and abundant," Bouchard said.

She served dogfish tacos at a festival in food-crazy Portland and they were well received, she said.

The movement toward trash fish is not without skeptics, some of whom point to sustainable harvesting programs for fish that already have broad market appeal. Ray Hilborn, a marine biologist with the University of Washington, said the push is unnecessary from a sustainability point of view.

"If they truly believe that traditional species are not sustainable, then they don't know much and have not looked very hard," Hilborn said. "There is plenty of cod, haddock, salmon, tuna and shrimp in the world that is sustainably harvested."

But Azure Cygler, a fisheries specialist with the Coastal Resources Center at the University of Rhode Island, said the shift toward what toward what she called "underloved" species is critical for sustaining fisheries and providing local protein sources in New England.

She pointed to the growth of scup, an Atlantic species sometimes sold as "porgy," which has grown from less than 3 million pounds in 2000 to more than 15 million pounds in 2014 and is now advertised by Whole Foods. The fish could be just a more attractive name away from a bigger breakthrough, she said.

She suggests "silver bass."

"If you demand it, it will happen," she said. "It's getting that demand, and then getting fishermen to bring it in. And changing our culinary culture."

Redfish are displayed at the Portland Fish Exchange in Portland, Maine on Jan. 7. Fishermen are being forced to start adapting more quickly to changing fish stocks and marketing new species. As a result, more former "trash" fish such as redfish, dogfish and

Don Westlund and Larry McQuarrie (info submitted with proposal 148)

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New tricks for dogs, flats

Yearbook 2009

NORTHEAST

Careful and cooperative efforts by commercial and recreational fishermen in 2008 finally succeeded in pushing up a downward spiral in the summer flounder fishery. Now they are on track to win a reopening of commercial fishing for spiny dogfish in federal waters on May 1, a turnaround that would give netters 3,000-pound trip bycatch limits and reduce the numbers for a species that have become the scourge of party and charter boat captains.

Commercial fishing groups like the New Bedford, Mass.-based Fisheries Survival Fund got deeply involved in research on monkfish, scallops and surf clams that helped bring convergence between scientists' and fishermen's views of the resources. The 2008 successes with fluke and dogfish showed what the commercial and recreational sectors can do together.

"The germ for involvement on the science side came from the scallop experience," says Ray Bogan, a New Jersey lawyer who works on fisheries issues and is closely involved with the summer flounder and dogfish efforts. "I've said for seven or eight years now, science is power in the context of fisheries."

Dogfish harvests are on track to begin in federal waters May 1, once NMFS acts on recommendations from the Mid-Atlantic Fishery Management Council. "We're looking at an increase from 4 million pounds to 12 million pounds in the coming fishing year, and an increased trip limit from 600 to 3,000 pounds," says Jim Armstrong, an analyst with the Mid-Atlantic council. One rationale for reopening federal waters beyond three miles is female dogfish tend to stay close to shore, while "males are at a historic high," Armstrong says.

Gillnetter Mike Karch of Barnegat Light, N.J. is ready to go. It's common to run into dogfish packs in spring, "and now we can keep that 3,000 pounds and make a little money on it," Karch says.

Mounting evidence of spiny dogfish abundance reached a tipping point in late 2008, says Greg DiDomenico, executive director of the Garden State Seafood Association in New Jersey. "Looking objectively at the science and all the parameters," scientists and officials at NMFS began turning away from a long-held position that it would take years more for dogfish to recover from the 1990s directed fishery, he says.

The Garden State group, along with the party and charter boat association United Boatmen of NY/NJ and other advocates, organized a workshop in Philadelphia last September to discuss possibilities for increasing the dogfish catch. "I'd like to think our outreach and publicity efforts talking about the problem changed their minds," DiDomenico says of NMFS officials. But the change was already under way, he adds.

Says Bogan: "I think we have a new paradigm." The dogfish coalition had been gearing up for a long campaign, modeled on the successful Save the Summer Flounder Fishery Fund and its effort to constructively engage with the stock assessment review process.

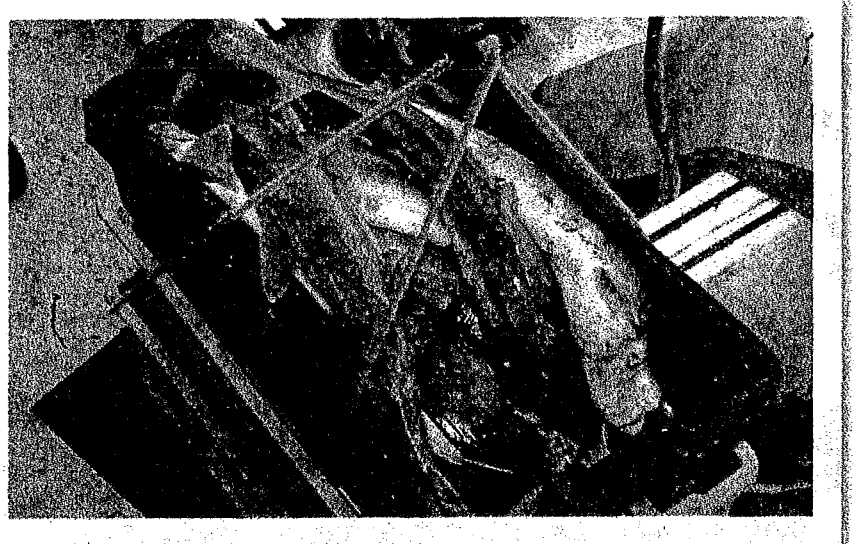
The flounder quota was pounded down for years, from 30 million pounds in 2005 to 15.77 million pounds in 2008, at the insistence of NMFS officials and environmental groups who said the fishery was out of control and violating the mandate of Congress to end overfishing. Despite fishermen's reports of abundance, much blame was aimed at the recreational sector — based on federal angler surveys that in turn were criticized as inaccurate.

For a while, recreational groups had eyed the commercial sector's 60 percent share of the quota. But recreational advocates decided the problem lay in the process. After raising money from the recreational and commercial sectors, the summer flounder fund committed around $100,000 to finance scientific work analyzing flounder data, and hired Mark Maunder, a senior scientist at the Inter-American Tropical Tuna Commission and recognized expert on stock assessment.

Maunder came in with understanding that summer flounder interests were not looking for a pre-determined conclusion, Bogan says. "We told everyone that if the science doesn't come out well for our point of view, at least we can say we did the right thing," he says. That approach "builds confidence in management" that's been seriously eroded by years of data gaps and politics, he says.

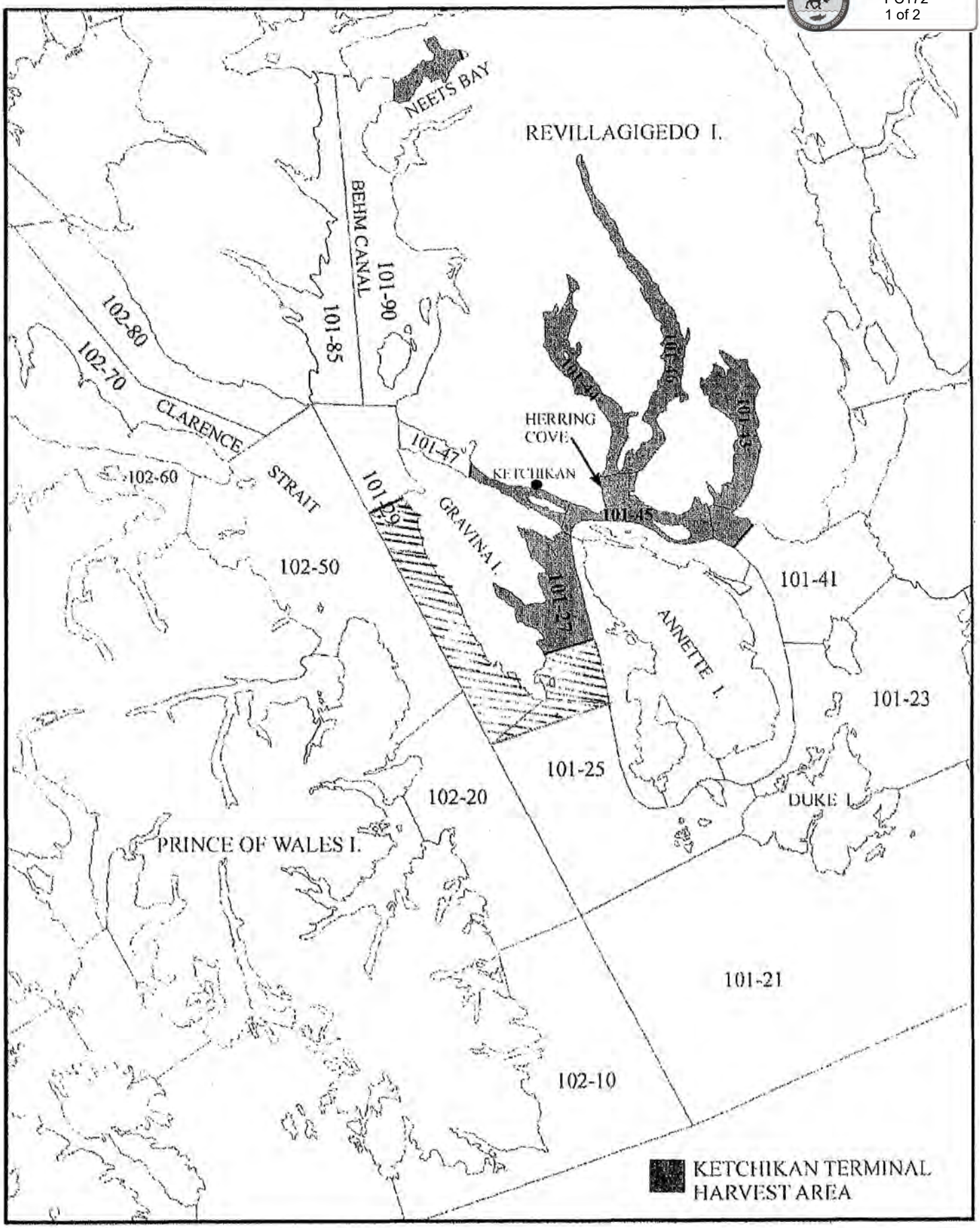
With Maunder's help, stock assessors found previously missed data points and plugged them into their modeling. After a four-day meeting in June 2008, the summer flounder stock assessment committee came up with a sharply downward reckoning of realistic biological targets for the fluke biomass, setting it at 132 million pounds instead of 197 million pounds.

The recalculations concluded that assumptions about aging and natural mortality in the flounder stock had been incorrect. The Mid-Atlantic council bumped the 2009 quota back up to 18.45 million pounds. If the reassessment holds, by 2013 the quota could be back to around 29 million pounds — almost the point when the overfishing numbers game started in 2005. — *Kirk Moore*



STEVE KENNEDY

The Mid-Atlantic council backed a threefold increase in dogfish landings, from 4 million to 12



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(101-29) THE AREA FOR INCREASE

Table 2.–2015 Spring troll fisheries harvest and opening dates.

Spring Fishery Areas		Initial Opening	Total Catch	AK Hatchery Catch	AK Hatchery Percent	Days Open
101-21	West Rock	13-May	2,462	671	27%	18
101-29	Ketchikan	16-Apr	3,612	1,857	51%	64
101-45	Mountain Point	16-Apr	2,332	1,611	69%	66
102-09	Stone Rock Bay	10-May	2,724	310	11%	14
102-10	Kendrick Bay	10-May	2,071	1,022	49%	30
102-50	West Clarence Strait	1-May	1,005	229	23%	51
103-50	Bucareli Bay	3-May	711	208	29%	22
105-41	Sumner Strait	3-May	1,319	353	27%	20
106-30	Steamer Point	3-May	568	91	16%	43
106-41	Snow Pass	7-May	353	0	0%	43
106-43	North Sumner Strait	16-Apr	134	32	24%	46
107-10	Ernest Sound	16-Apr	537	124	23%	76
108-10	Chichagof Pass	3-May	649	340	52%	27
108-40	Craig Point	3-May	25	0	0%	27
109-10	Little Port Walter	7-May	1,362	196	14%	17
109-62	Tebenkof Bay	10-May	2,822	774	27%	9
110-31	Frederick Sound	16-Apr	891	209	23%	76
112-12	Chatham Strait	16-Apr	7,606	3,229	42%	64
112-65	Hawk Inlet	1-May	119	0	0%	61
113-01	Western Channel	10-May	3,970	1,241	31%	13
113-30	Redoubt Bay	30-Apr	1,344	367	27%	18
113-31	Biorka Island	1-Jun	1,763	136	8%	4
113-32	Goddard	10-May	448	30	7%	16
113-41	Sitka Sound	16-Apr	10,041	3,622	36%	65
113-62	Salisbury Sound	30-Apr	1,682	478	28%	30
113-95	Lisianski Inlet	16-Apr	459	118	26%	40
113-97	Stag Bay	1-May	89	0	0%	61
114-21	Cross Sound	1-May	164	0	0%	61
114-23	South Passage	1-May	29	0	0%	61
114-25	Homeshore	1-May	293	0	0%	61
114-27	Point Sophia	16-Apr	217	243	112%	72
114-50	Port Althorp	4-May	1,509	555	37%	29
183-10	Yakutat Bay	4-May	382	0	0%	8
	Total		53,692	18,046	34%	

Note: **Non-Terminal Fisheries Only**

TERMINAL HARVEST AREAS		Open	Close
101-10	Nakat Inlet	1-May	10-Nov
101-95	Neets Bay	16-Apr	10-Nov
107-35	Anita Bay	1-May	10-Nov
109-11	Port Armstrong	1-May	30-Sep
112-22	Hidden Falls	16-Apr	10-Oct
113-35	Silver Bay	24-May	30-Jul
113-38	Deep Inlet	7-Jun	3-Oct

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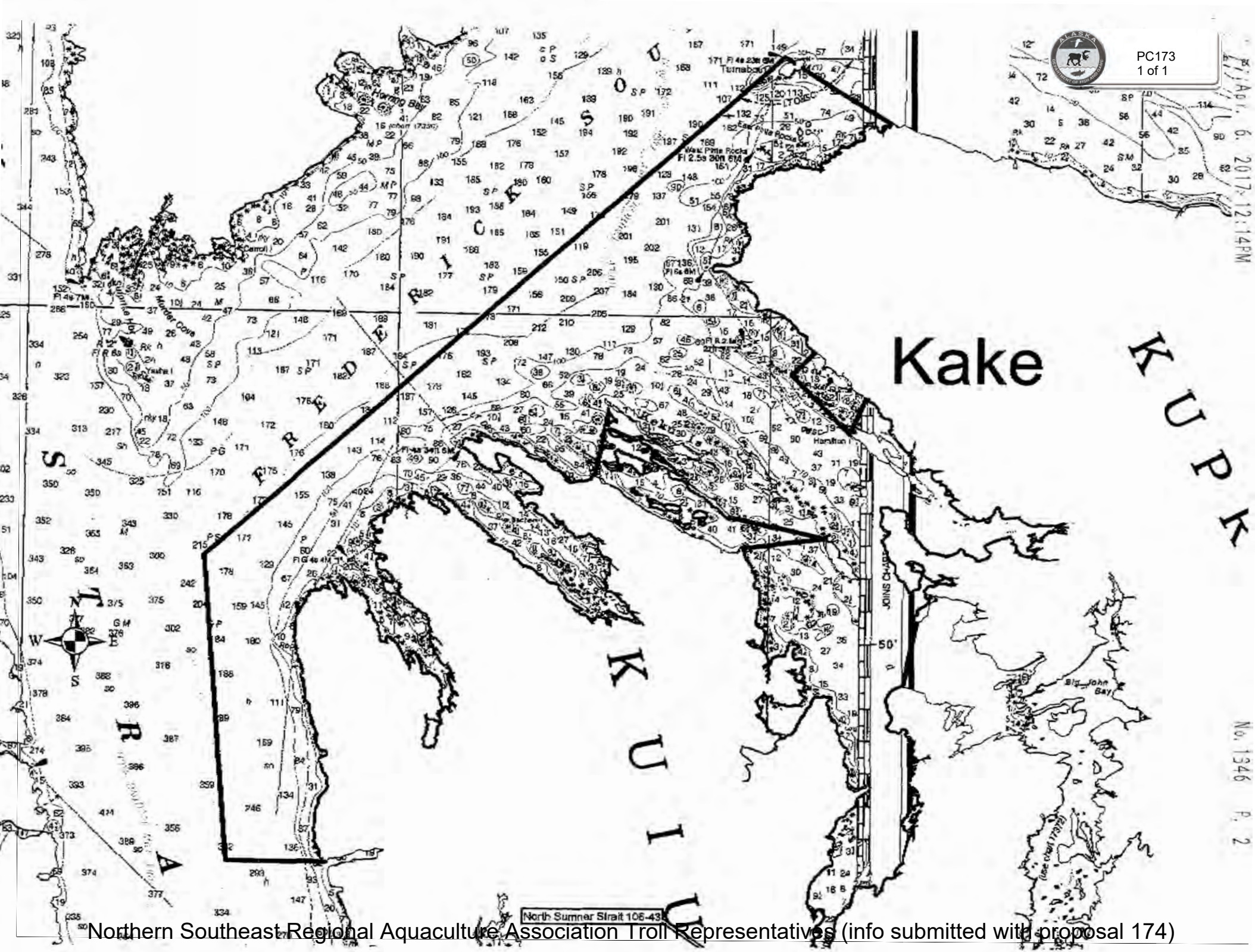
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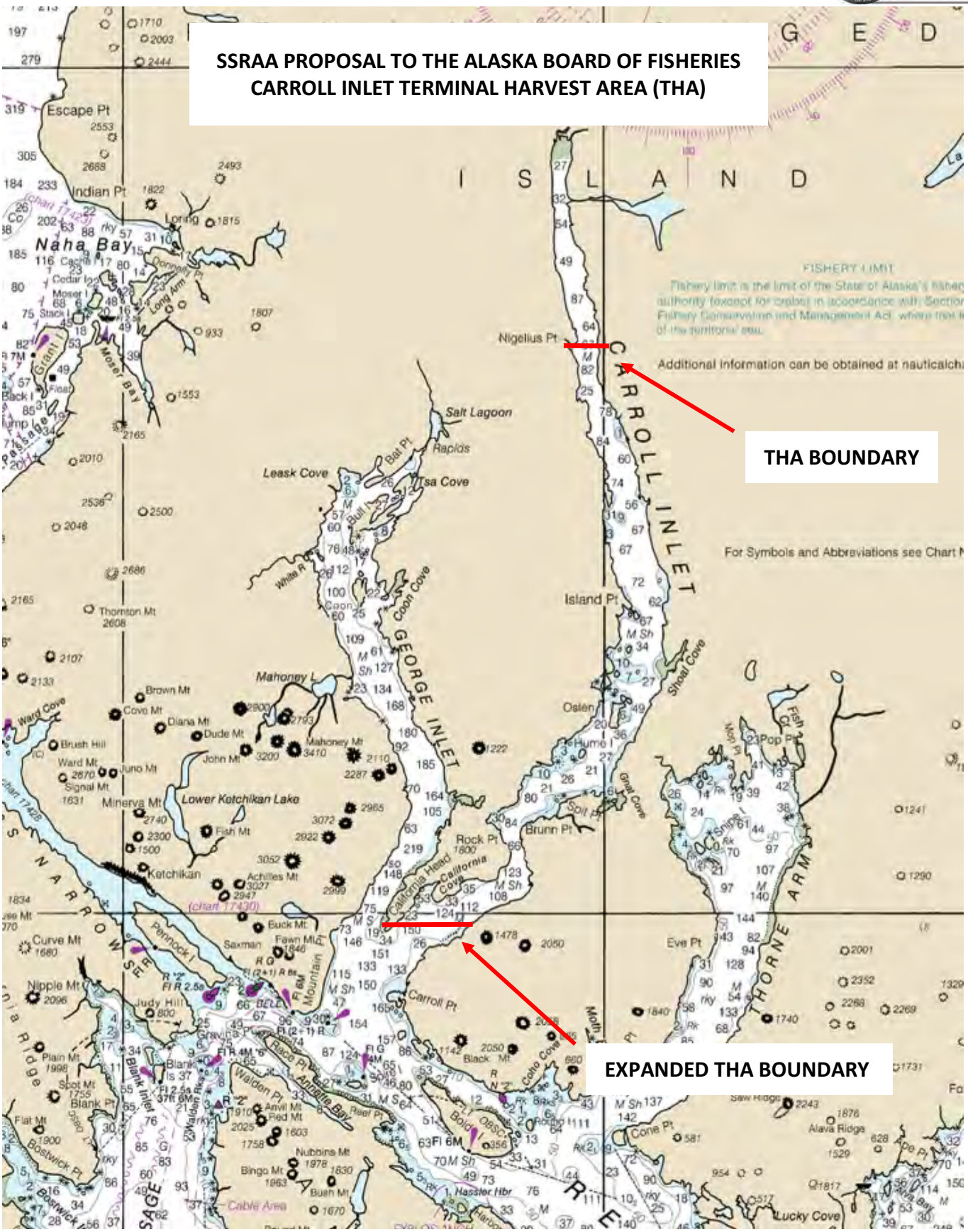
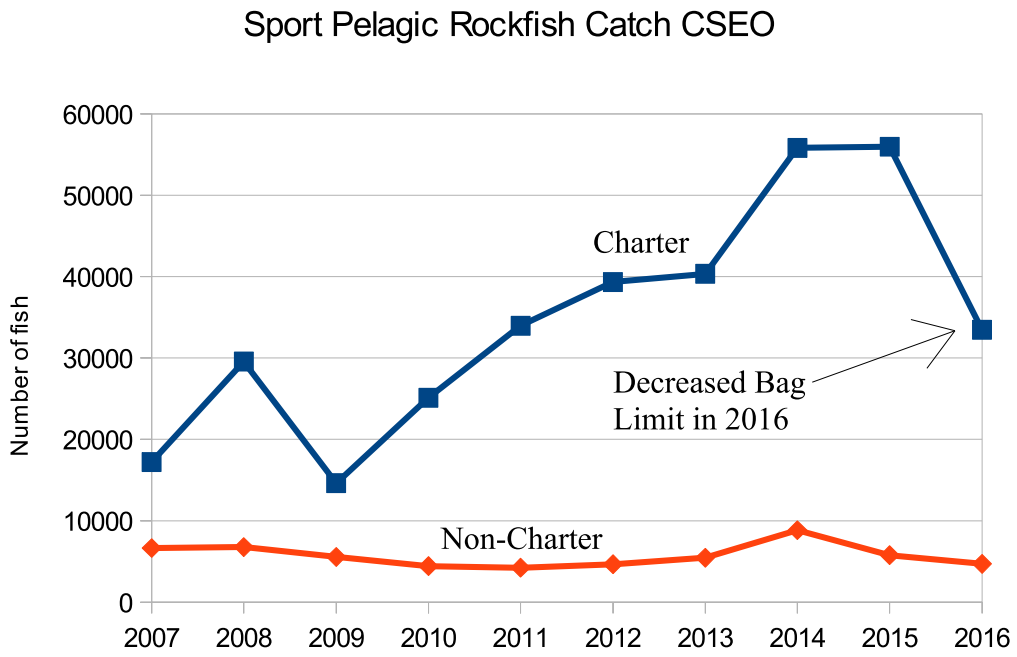
North Sumner Strait 106-43
Northern Southeast Regional Aquaculture Association Troll Representatives (info submitted with proposal 174)

SSRAA PROPOSAL TO THE ALASKA BOARD OF FISHERIES
CARROLL INLET TERMINAL HARVEST AREA (THA)





Tad Fujioka (info submitted with proposal 127)