



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF ALASKA WILDLIFE TROOPERS
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Chairwoman Carlson-Van Dort
Alaska Board of Fish
P.O. Box 115526
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Madam Chair and Board of Fish Members:

The following comments give a brief description of the positions that the Department of Public Safety, Division of Alaska Wildlife Troopers have on the proposals that are up for consideration at the November 2021 Board of Fish meeting in Cordova.

AWT recognizes that regulations are developed by the Alaska Boards of Fish and Game through the public process to support management plans. Further, all management plans rely upon public compliance with regulations to achieve success. Enforcement is a crucial element needed to ensure long-term compliance with regulations by the public. The Alaska Wildlife Troopers request the board recognize that the division has limited resources and manpower and any new regulation scheme or area restrictions may place an additional burden on AWT.

Comments on specific proposals are included in this letter.

Thank you for your time,

Aaron Frenzel

Captain Aaron Frenzel
Alaska Wildlife Troopers

Proposal 2: This proposal seeks to require a 6-hour prior notice of landing in the Prince William Sound Area directed lingcod fishery.

AWT supports this proposal. Prior notices of landings are not only used by ADF&G to coordinate sampling efforts, but also allows for the limited number of AWT staff to coordinate vessel inspections when a notice of a landing is provided.

Proposal 3 and 4: These proposals seek to clarify regulations in the parallel Pacific cod and sablefish fisheries.

AWT supports these proposals as both clarify and make it more understandable to those operating in these fisheries what is allowed. These regulations will also make the Prince William Sound Area regulations read similar to the neighboring Cook Inlet Area regulations and further alleviate any confusion between the adjoining areas.

Proposal 6: This proposal seeks to require in season reporting of harvest and effort in the subsistence, personal use, and sport fisheries on the Upper Cooper River drainage.

AWT is neutral on this proposal but believes a change like this could create a substantial amount of work for Troopers. If passed it is likely to see a high number of violations amongst all user and age groups. AWT currently deals with many fail to report/return harvest information for both hunting and fishery permits annually. In most of these there is a one-time reporting for all activity, whereas this proposal would require multiple in season reports to be made for every time effort is put forward to harvest fish by an individual. With the number of participants from each of these user groups operating in the Upper Cooper River drainage this regulation would create a large amount of work for AWT to be enforced, and potentially reduce enforcement efforts in other areas. If the board chooses to pass this regulation consideration should be made to clarify the area of the Copper River drainage this would apply to and what species.

Proposal 7: The proposal seeks to prohibit the guiding and transport activity in the subsistence fishery.

AWT is neutral on this proposal, but if regulations are put in place they should be done statewide, and the terms used should be clearly defined. The commercialization of guiding and transporting activities in subsistence and personal use fisheries has been growing in popularity for many years and is not regulated under 5AAC 01, 02 or 77. Defining the terms of subsistence guide, subsistence transporter, client and compensation, similarly to what is in 5AAC 75 for sport fish would ensure that enforcement can properly regulate these activities.

Proposal 8: This proposal seeks to prohibit dip netting 500 yards below and 100 yards above any river or stream confluence along the upper Copper River.

AWT opposes this proposal as written. This proposal would create a checkerboard of closed waters in the Upper Copper River. Having an unknown number of closed areas, each totaling 600 yards in length, everywhere a river or stream enters the upper Copper River will create a heavy burden on enforcement. Without clearly marking each closed area the public would have the additional burden of having to walk or boat up and down the river from their fishing spot to confirm a stream unknown to them does not exist so they can comply with the closed areas. If closed areas around confluences are created, then those specific rivers and streams should be identified by name. Further using GPS locations for the closure boundaries is preferred by AWT.

Proposal 12: Seeks to prohibit dipnetting from a boat within 50 feet of any shore-based dipnetter in the Chitina Subdistrict.

AWT opposes this proposal as written and believes it could increase conflicts between the two groups of dipnetters. If passed this would prohibit a person from dipnetting from a boat within 50 feet of any shore-based dipnetter, but not prohibit a shore-based fisherman from dipnetting within 50 feet of a person operating from a boat. Passing this would mean if a person is dipnetting from a boat, drifting or affixed to shore, and a shore-based dipnetter comes within 50 feet of them they would have to cease fishing and give way to the shore based dipnetter or be in violation. This will lead to conflict between the two groups by creating a moving closed area around every shore-based dipnetter for vessel-based dipnetting, which would be hard to enforce.

Proposal 16: Seeks to prohibit the possession of depth sounders or fish finders on boats in the subsistence and personal use fisheries of the Upper Copper River District.

AWT opposes this regulation as these units can be used for navigational purposes. Many of these units are built into a multipurpose chart plotter and depth sounder device. Making vessel operators remove these to operate in the fishery could lead to safety concerns relating to vessel operations.

Proposal 18: Seeks to move the lower boundary of the Chitina Subdistrict downstream .5 miles.

AWT is neutral on the proposal. The current lower boundary is easily enforced and accessed by AWT, moving it down river will make this more difficult and at times impossible by shore-based patrols. Additionally, moving the boundary below Hailey Creek will not only spread-out vessel-based dipnetters, but also shore-based. This will increase temptation to cross Hailey Creek by both foot and motor vehicle traffic, which has inherent dangers.

Proposal 27: This proposal seeks to allow subsistence salmon fishing 24 hours per a day and seven days per a week in Prince William Sound.

During deliberations the board should consider that current regulation language discourages the unlawful sale and reporting of subsistence-taken fish as part of a commercial catch; current language connects the subsistence and commercial openings. If this proposal passes it will be more difficult for AWT to enforce commercial fishery closures because any commercial fisherman with a subsistence permit will have a defense for possessing fresh salmon. Subsistence-taken salmon must be marked, but the penalty for unmarked subsistence taken salmon is a maximum fine of \$100.00 unlike commercial fishing penalties that can be much higher and can include sanctions against a CFEC permit.

Proposal 45: The proposal seeks to increase the minimum distance a drift gillnet maybe be operated from a set gillnet in the Main Bay Hatchery Subdistrict.

If the intent of the board is to not have drift gillnet gear set between two lawfully deployed set gillnets that are 50 fathoms apart, then the minimum distance should be increased as proposed. How the regulation currently is written makes enforcement difficult as there could be a very small area of opportunity between two set gillnets. Enforcement in Main Bay is challenging during the fishery due to the congestion of vessels and nets making access to a net almost impossible at times to confirm it is set lawfully. Increasing the minimum distance between drift and set gillnet gear will make it clear the intent was not to have additional gear between set gillnets that are deployed at the minimum distance allowed.

Proposal 46: This proposal seeks to allow the use of drift gillnets deeper than 60 meshes in the Coghill, Unakwik, and Eshamy Districts, and the Port Chalmers Subdistrict prior to the first Monday in July.

AWT typically remains neutral with gear restrictions, but AWT encourages keeping net gear restrictions similar throughout the Prince William Sound area. With the mobility of net gear this will help in preventing a net lawful in one district being seen in another district that is more restricted.

Proposal 60: This proposal seeks to update the closed waters defined in regulation with GPS locations.

AWT supports this proposal. The use of latitude and longitude to define fishery boundaries provides fishermen and enforcement with lines that are reliable and defensible. GPS technology is recognized by the Alaska State Court System as being accurate and is used in fisheries throughout the State.