

Submitted By
Mary Tony
Submitted On
11/10/2021 3:18:28 PM
Affiliation
Private Chitina landowner



PC151
1 of 1

I ask the Board of Fisheries to adopt all of the proposals submitted concerning the Copper River dipnet fishery. The fishing out of boats must be banished at this time until salmon populations are stable and sustainable. The fishing from boats and near tributary creek or stream mouths has a severe impact on the salmon populations, especially the king salmon. I urge the Board to adopt all of these measures and take the opportunity at this time to stop the literal rape of the Copper River salmon by boats and irresponsible dipnetters/fishwheel users. I urge to Board to take advantage of adopting all the proposals and set a course of responsible fisheries management on the Copper River. The people who are adversely affected by the adoption of the proposals care more for money and rape of the salmon, because they come from other fisheries like the Kenai River where the king salmon are decimated. The people who really depend on the Copper River salmon runs will enjoy a stable sustainable salmon resource with the adoption of the proposals. If the Board cannot see the wisdom of approving the proposals, I say that the Federal government should take charge of the Copper River salmon fishery management. I am a landowner who is adversely affected by people who rape the salmon out of the stream mouth that runs into the Copper River on our land. The time to carefully manage the salmon populations is now by adopting these proposals. The time of careless destruction of ripping salmon out of the Copper River without regard for a sustainable population for the future is over.



November 14, 2021

Alaska Board of Fisheries
Marit Carlson-Van Dort, Chair
Via email: dfg.bof.comments@alaska.gov

RE: Oppose proposals 49 – 55, PWS BOF meeting

Chairman Carlson-Van Dort and Board Members,

I live in Homer and own and operate a family fishing operation and I am opposed to proposals 49 through 55.

Although I fish salmon in Kodiak, the health of the hatchery programs across the state is of great importance to me. Proposals 49 through 55 seek to reduce hatchery production for no identified specific benefit but would cause direct harm to thousands of fishing and processing businesses, communities, and recreational, personal use, and subsistence fishermen. I support the current system of oversight by the qualified biologists and managers of the Alaska Department of Fish and Game with public input through the Regional Plan Teams.

Alaska's hatcheries have operated with significant Department of Fish and Game oversight and public participation for over 40 years. Production has been stable for over 30 years without negative impacts to other fisheries and there is no need to interrupt this successful program. I believe the best time for these type of hatchery programmatic discussions is at the Board's hatchery committee meeting and during the Board's statewide meeting based on completed studies and known scientific information. For example, it's relatively easy to document salmon straying. However, it's much more complex to determine the amount of naturally occurring straying of wild stocks and whether or not straying of enhanced stocks adversely impacts wild stocks. In other words, the fact that straying occurs doesn't mean that, biologically speaking, straying is a problem to be solved.

The Alaska Department of Fish and Game is opposed to proposals 49 through 53 stating that "In permitting hatchery operations the department considers many of the concerns raised in this proposal, including the need to minimize negative interactions between hatchery-produced and wild salmon, minimize straying, and the need to ensure harvest practices targeting hatchery-produced salmon do not negatively impact wild fish." They are neutral on proposals 54 and 55 based on the allocative nature of them but point out that the "proposed reduction may result in the elimination of one or both remote release chum salmon fisheries."

In closing I ask that you follow the best available science and do not adopt proposals 49 through 55.

Sincerely,

Matthew Alward



Submitted By
Maxwell Harvey
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11/14/2021 10:39:11 AM
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PROPOSAL 42: OPPOSE

Proposal 42 requests the lowering of the allocation trigger point for the set net commercial group. This proposed change is unrealistic and would consistently put us out of compliance. This proposed regulation change would have severe consequences towards the set net group and would be detrimental to the livelihood of its fishing fleet.

The author of this proposal completely disregards the Alaska Board of Fisheries Allocation Criteria (Alaska Statutes 16.05.251. Regulations of the Board of Fisheries. (e)). The Eshamy District is the only district available for the set gill-net gear group to fish in. The set gill-net gear group has no other alternative fisheries resources available, while the drift and seine gear groups have multiple districts available to harvest salmon.

With no alternative fishing resources available and the history of set-netting in the Eshamy District, it is clear that our allocation and trigger are both justifiable, fair, and efficient.

I strongly oppose Proposal 42 and ask that this proposal is not approved. The set net group must retain our 1% trigger in order to meet the goal of the allocation plan.

Proposal 43: SUPPORT

Proposal 44: OPPOSE

I strongly oppose proposal 44. This proposal is an inaccurate, unnecessary request from the author and is an attempt to correct allocation that is already working. The set net fleet is already limited to 36 hours per week once we exceed our trigger point. It would be detrimental to the set net group if only allowed one opener a week after July 10th. Many permit holders would not be able to afford to wait around for one weekly opener and it would drastically effect livelihood of the fleet. If this district is closed we have no other options for places to fish, unlike the drift and seine fleet.

We ask that you not approve proposal 44, as the current set-net gear group trigger and correlating corrective action criteria are clearly working efficiently to keep us in compliance with the Prince William Sound Management and Salmon Enhancement Allocation Plan.

Proposal 45 SUPPORT

As stated in Proposal 45: “..These regulations were placed with the assumption that drift gear would not be able to be legally set between set nets 50 fathoms apart. This has not been the case, as drift gill-net permit holders continually claim that they can legally set between set-nets and hold their position within a couple fathoms. Illegally, they essentially become set-netters with the added ability to maneuver their 150 fathom net that runs between set-nets back to the beach.”

This illegal “set-netting” by the drift fleet between set-net sites is a constant issue in the Main Bay subdistrict and I ask for the approval for Proposal 45.

Proposal 46 & 47 OPPOSE

Proposal 48 OPPOSE

I oppose this proposal, as management already has the ability to close districts to prevent intercepting wild/hatchery runs destined for other districts. The author of this proposal also falsely claims that there are no wild chum or pink salmon systems in the Eshamy District. In addition, shutting down the Eshamy District to prevent minimal interception of stocks bound for other districts could lead to major degradation in fish quality and severe economic consequences.

Proposals 49 through 55 OPPOSE

I oppose Proposals 49-53, as they are all attempting to reduce hatchery production without reasonable data to justify the regulation change. Hatchery Stray Studies have not been completed and there could be extreme, unnecessary economic effects if these proposals were to be accepted. The passing of these proposals could also have detrimental effects on PWSAC and VFDA. Without these two viable

organizations in the sound, it would be extremely difficult to provide sustainable salmon for all user groups.



PC153
2 of 2

Proposal 58 OPPOSE

Seiners want daily fishing periods in AFK—too much risk of intercepting sockeye bound for Coghill River and Main Bay. Also, the lag time in the harvest data doesn't allow management to act based on day to day harvests. I encourage you to oppose this reckless proposal that disregards the importance of good management practices, wild and hatchery escapement goals in other districts, and the livelihood of fishermen in other districts.



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Homer and commercial fish. I have been seining in the Prince William Sound since I was 7 years old and have owned my own seine operation for the last 22 years. Salmon fishing in PWS is my main livelihood.

I am writing in regard to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.



Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence, and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Megan Corazza
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11/13/2021 9:11:33 AM

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Proposal 5-Oppose

Establish an optimal escapement goal for Copper River king salmon:

We urge the board to reject this proposal as it is not supported by the science or biology of the run and is against ADFG recommendations.



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Proposal 6-Support

Require in season reporting of subsistence, sport fish, and personal use harvest and effort:

We urge the board to support this proposal. We support this effort to collect a more accurate database for in-season and real time harvest information. In river harvests have proven to cause detrimental effects to salmon runs and should be carefully monitored amongst the ever increasing user groups and access.



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Proposal 9-Support

Prohibit dipnetting from a boat in the Glenallen subdistrict:

The board should pass this proposal. The runs are sustaining more and more in river pressure. Dipnetting from a boat makes it hard for the fish to rest in deepwater pools on their journeys to their spawning grounds. It also supports tactics such as dragging the nets along the bottom and is inappropriately used in the guiding and charter industry. This is not the intended purpose of allowing locals a method to harvest fish sustainably for personal use in their home waters.



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Proposal 7-Support

Prohibit guiding in subsistence finfish fisheries:

The board should pass this proposal. We strongly support methods to regulate subsistence and commercial harvests separately. Guiding commercially for Alaskan subsistence rights is a mis-use of the resource.



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Proposal 10-Support

Prohibit dipnetting from a boat in the Upper Copper River District

The Board should pass this proposal. The runs are sustaining more and more in-river pressure and dipnetting from a boat makes it hard for the fish to rest in deepwater pools on their journeys to their spawning grounds. It also supports tactics such as dragging the nets along the bottom and is inappropriately used in the commercial guiding and charter industry. This is not the intended purpose of allowing locals a method to harvest fish sustainably for personal use in their home waters.



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Proposal 11-Support

Prohibit dipnetting from a moving boat in a portion of the Chitina Subdistrict.

The Board should support this proposal. If a boat is used in dipnetting, it should be part of the regulations to make it stationary, i.e. tied off to shore, as dipnetting is intended to be used. Chasing salmon with dipnets appears synonymous with allowing trawling in natal streams which is too much pressure on the fish for a sustainable outcome.



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Proposal 18-Oppose

Extend specific permit and bag limits when dipnetting from a boat in the Glennallen subdistrict:

We urge the board to reject this proposal. This proposal will put greater upriver pressure on the fish by expanding unregulated personal and subsistence use used by the commercial sport fishing sector. This pressure is not needed while downriver fishing is losing territory.



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Proposal 19-Support

Reduce the maximum harvest level in the Chitina Subdistrict Personal Use Fishery when the Copper River commercial fishery harvest is 50% below the 10-year average on June 1:

We urge the board to pass this proposal. This proposal will help equalize a shared burden on the Copper River stocks and help protect the resource for all users. A similar regulation was removed from the books in 2017. As CDFU members and commercial fishermen, we would like to share the conservation of the salmon stock throughout the watershed and many user groups. The sport and guiding sector is growing and should be following reduced usage in times of low stocks.



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Proposal 20-Support

Amend the limit for salmon in the Chitina Subdistrict:

We urge the board to support this proposal. Limits are important to reduce ever increasing pressures from the public.



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Proposal 21-Oppose

Amend the opening date of the Chitina Supdistrict personal use fishery from June 7 to June 1:

We urge the board to reject this proposal. The sonar does not get put in early enough for a June 1 opening. Enough time needs to be allowed for proper data collection.



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Proposal 27-Oppose

Amend subsistence fishing season to remove linkage between subsistence salmon fishing opportunity and commercial fishing periods:

We urge the board to reject this proposal. We do not want to limit a native persons access to fish, however, if this passes Board of Fish every Alaska will have the same opportunity and that is too much pressure on the fishery. It would be best for the native community to use federal avenues that are available for regulation changes.



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Proposal 28-Oppose

Amend household harvest limits for subsistence-caught salmon:

We urge the board to reject this proposal. We do not want to limit a native persons access to fish, however, if this passes Board of Fish every Alaska will have the same opportunity and that is too much pressure on the fishery. Federal avenues that are available would be better for regulation changes to keep access specific to their community.



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Proposal 29-Oppose

Allow use of drift gillnets to harvest salmon for subsistence uses throughout Prince William Sound:

We urge to Board to reject this proposal. We do not want to limit a native persons access to fish, however, if this passes Board of Fish every Alaskan will have the same opportunity and that is too much pressure on the fishery. Federal avenues available to the native community would keep regulation changes specific to their access to the resource.



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Proposal 38-Support

Establish restrictions in the Copper River Delta coho sport fishery based on the number of days the commercial fishery is closed:

We urge the board to pass this proposal. This proposal will help to ensure conservation when salmon counts are low.



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Proposal 39-Support

Extend the area closed to sport fishing in Ibeck Creek.

We urge the board to pass this proposal to help protect salmon habitat.



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Proposal 40-Support

Close 18 Mile or Silver Creek to coho salmon fishing August 1 to November 1:

We urge the board to pass this proposal to help protect salmon habitat.



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Proposal 41-Support

Repeal the mandatory closed waters from Copper River King Salmon Management Plan:

We urge the board to pass this proposal. We support the Copper River King Salmon closure area and continued protections on the Chinook run, however, this proposal opens up the language to give biologists more tools to manage.



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Proposal 47-Oppose

Amend PWS Management and Salmon Enhancement Allocation Plan to provide management guidance for reducing Coghill District harvest of salmon stocks bound for other districts:

We urge the board to reject this proposal. These stocks are already accounted for in the current regulations.



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Proposal 48-Oppose

Amend PWS Management and Allocation Plan to provide management guidance for reducing Coghill District harvest of salmon stocks bound for other districts:

We urge the board to reject this proposal. These stocks have already been accounted for in the current regulations.



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Proposal 49-Oppose

Amend the PWS Management and Salmon Enhancement Allocation Plan:

We urge the board to reject this proposal as it is already in regulation. This proposal is redundant as wild stocks are already accounted for in hatchery management.



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Proposal 50-Oppose

Amend the AFK Salmon hatchery Management Plan to reduce straying of hatchery-produced salmon as follows:

We urge the Board to reject this proposal. The hatchery is already managed according to the needs and health of our wild stocks. The proposal is redundant and unnecessary.



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Proposal 52-Oppose

Amend the Solomon Gulch Salmon Hatchery Management Plan to reduce straying of hatchery-produced salmon, as follow:

We urge the Board to reject this proposal. The hatchery is already managed according to needs and health of our wild stocks. The proposal is redundant and unnecessary.



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Proposal 53-Oppose

Amend the WNH management plan to reduce straying of hatchery-produced salmon, as follows:

The hatchery is already managed according to needs and health of our wild stocks. The proposal is redundant and unnecessary.



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Proposal 17-Support

Establish specific permit and bag limits when dipnetting from a boat in the Glenallen subdistrict:

We urge the Board to support this proposal. This proposal will help maintain sustainability over a shared resource.



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Proposal 31-Oppose

Increase the possession limit for sockeye salmon in the Upper Copper River:

We urge the board to reject this proposal. This proposal shifts the growing burden of conservation to downriver user groups. Conservation of the resource should be equalized among all user groups within the watershed. The Kenai model has proven that in-river fishing can be detrimental to the health of the fishery and therefore a more conservative, science based approach is necessary.



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Proposal 32-Support

Allow harvest of rainbow trout 20 inches or less in a portion of the Gulkana River:

We urge the Board to pass this proposal. This will open up more opportunities to the commercial guide and sport fisher sector without increased pressure on salmon species. It could also potentially help reduce predation on juvenile salmon.



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Proposal 33-Support

Allow harvest of rainbow trout 18 inches or less in a portion of the Gulkana River:

We urge the board to pass this Proposal. This will open up more opportunities to the guide and sport fisheries without increased pressure on salmon species. It could also potentially help reduce predation on juvenile salmon.



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Reporting impacts travel plans because of lack of internet access in the area could impact peoples travels plans and will reduce tourism opportunities for local businesses.

Proposal 7 - Strongly Oppose! Banning guide services will prevent access to thousands of users who do not own a boat or do not wish stand on slippery rocks or wade into the fast current to try and catch fish. Properly licensed and vetted Guide services provide safe access to residents who would otherwise be unable to participate.

Proposal 8 - Oppose! Language is too vague and would restrict access to the Personal Use and Subsistence Fishery at the Bridge, O'Brian Creek, Terral Creek, Eskaleta Creek and Haley Creek. All of these drainages are popular access points for users.

Proposal 9 - Oppose! Language is too vague and would restrict access to the Subsistence Fishery at the Bridge.

Proposal 10 - Strongly Oppose! This proposal lacks common sense and would effectively force everyone to Dipnet from the shore leaving dip netter to stand on slippery rocks or wade into the river. This puts users at undo risk.

Proposal 11 - Strongly Oppose! This proposal would like all boaters who navigate their boats into the canyon could only tie off to the canyon walls or shore. As a professional mariner I feel that forcing lay people to navigate their boats into very very sketchy currents is a receipt for disaster and puts undue risk to the fisherman and their passengers.

Proposal 12- Strongly Oppose! There are a few places in the PU fishery that this interaction occurs. There are only a handful of locations to safely Dipnet from a boat in the PU where as there is nearly 20 miles of river bank for people who wish to Dipnet from shore can. Boats and canyon wall Dipnetters can co-exist with no apparent impact on fishing success from either user. Dipnetter who wade into the water in the same drift as boats are putting themselves at risk and present a hazard to navigation. By pushing out 30-40' poles these folks run their nets under the running gear of the boats presenting a possibility of fouling the motor and setting the vessel dead adrift creating a safety hazard for the captain and crew.

Proposal 13 - Strongly Oppose! Fish wheels are stationary hazards that boats avoid. By limiting navigation near fish wheels the proposal could eliminate access to the entire length of the Kotsina flood plain just above the bridge forcing everyone to fish across the river on the West Bank of the Copper. One person's "too close for comfort" is not another's. Data needs to be provided that demonstrates actual accidental contact or fouling of Dipnet gear from a boat with a Fishwheel. The hazard lies with the boat operator who could expect to capsize on contact with a wheel and thus can navigate around this hazard with this knowledge. Whether its a Fishwheel operator who drives a boat to their wheel or a dipentter the boat is only a momentary sound that quickly passes and does not impact fishing success. If it did the Fishwheel operator would not run a boat near their wheel.

Proposal 14 - Strongly Oppose! King salmon do not get "gilled" in the current allowable gear. With practice, kings can be removed from a Dipnet quickly.

Proposal 15 - Strongly Oppose! King salmon do not get "gilled" in the current allowable gear. With practice, kings can be removed from a Dipnet quickly.

Proposal 16 - Strongly Oppose! The use of sonar on while navigating any body of water is so prolific that nearly every vessel and certainly every commercial fishing boat employ sonar, aerial spotters and other means effectively to navigate and to locate fish. Though unlike our commercial counterparts, using sonar on the Copper River is more and aide to navigation than to find fish.

The biggest risk of injury or accident while gear is deployed is the reality of snagging submerged objects or structure unseen without the use of sonar. "Drifts" as we call them are only done in a handful of locations in the Personal Use and Subsistence Fisheries. This is in large part because the depth is shallow enough and significantly free of snags that allows dipnetters to drag their nets at the bottom without snagging. Debris such as logs and broken fishwheels get pushed down river resulting in a constant risk of fouling and the sonar plays a pivotal role in avoiding these hazards.

In discussing this proposal this with Senior Marine Inspector MSSE4 Overturf from USCG Sector Anchorage he stated "while it rare to find a fishing vessel without depth sounding device, most vessels have them as the added safety for the navigation of the vessel cannot be denied."

Proposal 17 - Strongly Oppose! This proposal restricts the method of take by putting a penalty on a safer more time take and an additional burden on the user to obtain multiple permits and additional reporting.



Proposal 18 - Strongly Support! This proposal offers a reduction in congestion along the lower limit of the fishery. Or can be considered high risk for navigation due in large part to the number of vessels in this short drift. The longer drift would allow for a more orderly drift with allowing greater spacing between boats. Though the PU fishery is nearly 9 miles long there are less than 1000 yards of viable drifts due to depth, snags, current and debris that impact the safety of the boat and crew. This addition though incrementally small adds a drift that is safe to navigate.

This drift is only available once the water level is high enough to flow over the gravel bar allowing navigation along this bank thus reducing its overall use to high water conditions.

Proposal 19 - Strongly Oppose! In years of low abundance, the resource should be allocated to Alaskan Residents and not sold to markets as a luxury food item.

Proposal 20 - Strongly Oppose! In years of low abundance, dipnetting yields low success and low success yields low pressure, but for those who what to slug it out should be able to do so within the current possession limits. Additionally, by lowering the limit it becomes less cost effective to travel to the fishery from anywhere other than the communities in the Basin.

Proposal 21 - Support! In recent years fish have come late so opening up a season earlier would make little difference as the fishing pressure would be low as would the success rates.

Proposal 22 - Support!



November 14, 2021

Chairwomen Märit Carlson-Van Dort
Alaska Board of Fisheries
Board Support Section
PO Box 115526
Juneau, AK 99811

RE: Comments on 2021 Prince William Sound Finfish and Shellfish Meeting - Proposal 43

My name is Michael Bowen. I am a second generation PWS commercial fisherman. I have been involved with most PWS fisheries during my career for the last 50 years. I have served on the PWS/CR advisory committee. BOF working groups, PWSAC Board of Directors for 18 years and participated in the BOF process for the last 40 years. My main source of income is the PWS Drift Fishery.

Thank you for the opportunity to participate in the BOF public process to help formulate regulations that result in healthy fisheries. I will not be able attend the meeting in person due to prior engagements. Please contact me if you have any questions on the proposal. 907-354-3312 copperdogfish@gmail.com

PROPOSAL 43

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Repeal the definition of enhanced salmon stocks

As the author of the proposal I **Support** it.

This proposal asks that the value of all enhanced salmon produced in PWS/CR be included in the allocation plan. The current plan is based on value and by excluding a major pink salmon hatchery that produces half of the enhanced pink salmon in PWS it completely distorts the value and the plan in favor of one commercial user group over the other commercial user groups. Since the adaption of the current plan the seine fishery has harvested on average over 66% of the enhanced salmon value compared to the drift fisheries 33% (see ADF&G table 47-2 below).

When you factor in these numbers the current plan does not meet its intended purpose to provide a fair and reasonable allocation of the harvest of enhanced salmon or its intent to allocate enhanced salmon stocks in the Prince William Sound Area to maintain the long-term historic balance between competing commercial users that has existed since statehood, while acknowledging developments in the fisheries that have occurred since this plan went into effect in 1991.



When PWSAC, State of Alaska and VFDA started building hatcheries in PWS, pink salmon was the quickest and easiest to produce which benefited the seine fishery. The gillnet and setnet gear groups were asked to be patient and when the production of other species came online enhanced salmon production would “float all boats equally based on historic values prior to enhancement”

The current plan has been in effect for 16 years and a lot has changed since the last review and modification. I would ask the Board to adopt the proposal and include all enhanced salmon in the current plan or form a BOF committee to review the plan with stakeholder involvement to see if the plan can be improved in meeting its purpose and intent. I would gladly volunteer to serve on this committee.

Thank you,

Michael Bowen
5413 Sandhill Loop
Anchorage, AK 99502

Attachment included:

ADF&G table 47-1 and 47-2 from page 110 of the ADF&G staff comments for 2017 PWS BOF meeting



Table 47-1.—Values and percentages by gear type for PWSAC enhanced stocks, 2007–2016.

Year	Drift gillnet		Purse seine		Set gillnet	
	Value	Percent	Value	Percent	Value	Percent
2007	\$30,375,938	58.7%	\$21,361,107	41.3%	\$1,287,859	4.9%
2008	\$25,052,932	31.2%	\$55,194,763	68.8%	\$1,300,085	2.3%
2009	\$20,330,294	57.7%	\$14,894,564	42.3%	\$1,578,785	5.9%
2010	\$13,178,750	35.6%	\$23,825,054	64.4%	\$3,408,733	3.2%
2011	\$13,947,405	86.0%	\$2,279,015	14.0%	\$2,867,582	6.9%
2012	\$30,375,938	58.7%	\$21,361,107	41.3%	\$3,125,836	5.7%
2013	\$25,052,932	31.2%	\$55,194,763	68.8%	\$2,405,648	2.9%
2014	\$20,330,294	57.7%	\$14,894,564	42.3%	\$2,725,780	7.2%
2015	\$13,178,750	35.6%	\$23,825,054	64.4%	\$1,930,673	5.0%
2016	\$13,947,405	86.0%	\$2,279,015	14.0%	\$1,821,330	10.1%
Grand total	\$206,646,752		\$258,522,975		\$22,452,310	
5-yr average		46.7%		53.3%		5.2%

Table 47-2.—Values and percentages by gear type for PWSAC and VFDA enhanced stocks, 2007–2016.

Year	Drift gillnet		Purse seine		Set gillnet	
	Value	Percent	Value	Percent	Value	Percent
2007	\$8,369,927	22.6%	\$28,671,689	77.4%	\$1,288,350	5.7%
2008	\$18,061,741	26.5%	\$49,993,820	73.5%	\$1,300,278	2.9%
2009	\$15,560,084	61.5%	\$9,742,664	38.5%	\$1,578,807	7.2%
2010	\$36,635,693	29.7%	\$86,685,100	70.3%	\$3,411,756	5.0%
2011	\$25,240,526	46.4%	\$29,143,723	53.6%	\$2,867,876	10.1%
2012	\$30,438,464	42.9%	\$40,467,239	57.1%	\$3,132,507	5.7%
2013	\$25,153,004	23.8%	\$80,553,028	76.2%	\$2,413,363	2.9%
2014	\$20,365,621	35.4%	\$37,147,046	64.6%	\$2,727,022	7.2%
2015	\$13,193,346	22.0%	\$46,833,330	78.0%	\$1,931,730	5.0%
2016	\$13,962,508	53.3%	\$12,237,321	46.7%	\$1,821,765	10.1%
Grand total	\$206,980,913		\$421,474,960		\$22,473,453	
5-yr average		32.2%		67.8%		3.6%



In opposition to Proposal #43

The issue presented in proposal #43 was thoroughly, investigated, discussed, and rejected by both the Seine and Gillnet groups as part of the 3 year process to formulate and adopt the current Prince William Sound Management and Salmon Enhancement Allocation Plan by the BOF in 2005.

To resurrect this discussion of an issue that received extensive attention would be a monumental waste of time for all parties involved.

Especially, in light of the fact that the Plan adopted in 2005 with participation and agreement from all groups, has performed fairly and reasonably as intended for the past 16 years.

Sincerely,

**Michael Durtschi
Secretary/Treasurer
Northwest and Alaska Seiners Association**



In support of Proposals #47 and 48

To the Board of Fish,

Proposals #47 and #48 are an effort to level the playing field of allocations between the Gillnet and Purse Seine groups.

Prior to the 2017 PWS BOF meeting when the Gillnet group asked for and received additional wording to the *Prince William Sound Management and Enhancement Allocation Plan for the Southwest District, interception in the Southwest, Eshamy, and Coghill Districts* was essentially a, *live and let live proposition*.

The words, “and where , to the extent practical, the department shall manage to reduce the harvest of stocks bound for other districts”, are the words added.

After the 2017 BOF decision to direct the department to restrict the Purse Seine harvest of stocks bound for other areas, time and area to fish at AFK was severely cut back. This would be fine if the Purse Seine group were the sole interceptors of fish bound for other areas. Such is not the case.

As noted in the staff comments regarding these proposals, larger numbers of enhanced fish exclusively for the Seine group are intercepted by the Gillnet group in the Eshamy and Coghill districts than are intercepted by the Seine group in the Southwest.

In addition to enhanced salmon interception in the Eshamy and Coghill districts, substantial numbers of wild salmon are intercepted as well. Many of these intercepted wild salmon are bound for exclusive Seine group areas at a time the department is looking for adequate escapement to allow fishing time and area for the Seine group.



The department has an important job managing the PWS salmon fishery. It can be difficult to satisfy the competing interests. Management works hard to first and foremost protect the salmon stocks, but also be fair and equitable to the gear groups. Adoption of these proposals would provide clarity in perpetuity by enshrining equal wording in regulation governing an allocation plan that is documented as being 50% for the Gillnet group and 50% for the Seine group.

Sincerely,

***Michael Durtschi
Secretary/Treasurer
Northwest and Alaska Seiners Association***



In opposition to proposals #49-#55

In the early 1980's The Alaska Legislature banned fish farming in State waters and subsequently embraced hatcheries as a means of enhancing salmon production and boosting the Statewide salmon economy.

These hatcheries have provided their intended results. In addition to the Commercial fleet, Sport and Subsistence groups receive benefits.

At this time the science is inconclusive that hatchery releases are having a detrimental effect on wild salmon stocks and the ocean environment.

Alaskan hatchery releases of enhanced salmon to the North Pacific are only a portion of the combined total when grouped with Japan, Korea, and Russia.

If and when recognized, reputable science shows a detrimental effect, Alaska should share the burden of reduced hatchery releases with our international partners.

Regarding straying of salmon. Thank goodness salmon stray. After the last ice age the nearest salmon to Alaska was down around California, Oregon and Washington. If nature had not given salmon the inclination to stray, we would not be having this discussion.

On a light note, the same could be said about the human race and all of us here today.

Sincerely,

**Michael Durtschi
Secretary/Treasurer
Northwest and Alaska Seiners Association.**



In Support of Proposal #58

Proposal #58 is essentially a place holder in the event the Board does not adopt Proposals #47 and #48.

Adoption of proposal #58 with out adopting proposals #47 and #48 would return interception of stocks bound for other areas in the Southwest, Eshamy, and Coghil districts to the live and let live situation that existed before the wording was added to the Southwest district portion of the *Prince William Sound Management and Salmon Enhancement Allocation Plan in 2017.*

Sincerely,

**Michael Durtschi
Secretary/Treasurer
Northwest and Alaska Seiners Association**



Submitted By
Michael Hand
Submitted On
11/14/2021 2:17:05 PM
Affiliation

Phone
6034939939
Email
michaelpatrickhand@gmail.com
Address
PO box 2181
Cordova, Alaska 99574

I strongly oppose Proposal 5. Creating an OEG will not benefit the sustainability of Copper River King Salmon. ADFG has the proper tools at its disposal to properly manage the Copper River salmon fishery.

I support Proposal 6 and believe that timely reporting will benefit the sustainability of Copper River salmon runs for years to come. Although ADFG does not currently have the ability to process this information in-season, I believe that as the data adds up over the years, it will become a useful tool.

I strongly support Proposal 7. The board should pass this proposal because subsistence fisheries were never intended to be commercially guided. This proposal would clarify the language to the rules original intent.

I support proposal 8 because it will contribute to the long term health and sustainability of our Sockeye and King salmon runs.

I support proposal 9, 10, 11, 12, and 13. Dip netting from a boat on the Copper River needs more regulation. Currently, subsistence and personal use are able to harvest salmon at the mouths of tributaries, next to subsistence fish wheels, near folks dipnetting from shore. It all adds up to a dangerous situation. Dipnetting should be done from shore as it was traditionally done.

I strongly Oppose proposal 18. The board should not expand the Chitna subdistrict boundary. Expanding the district will have negative consequences on the sustainability of King and Sockeye runs. Putting more dangerous boats in front of the folks dipnetting from shore will push the fishery further from its traditional sustainable beginnings.

I support proposal 19. I believe that this proposal, if passed, would allow more participation by all users on years with mediocre returns. Currently ADFG manages the lower fishery to achieve the in-river goal, but this in-river goal assumes that the run is healthy enough to support the maximum allocation for all upstream users. Passing proposal 19 will share the burden of conservation with upstream users.

I oppose Proposal 21. I believe the regulation as it currently reads is an important tool used for the sustainable management of the Copper River fisheries.

I support proposal 38. The small Copper River Delta coho fishery needs to be managed wholly. The commercial fishery is restricted when there is not an abundance. The sport fishery needs to be similarly restricted to protect the longterm health of the Delta coho runs.

I support either Proposal 56 or 57. These proposals provide a reasonable way to reduce participation in the fishery while not changing the overall users.

I support Proposal 58. ADFG does not need to manage for allocation in season. The allocation plan works itself out at the end of the year.



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Cordova and commercial, sport, and subsistence fish. As a commercial fisherman, the health of Prince William Sound's fisheries is my utmost concern. I want to see generations come enjoy and profit off of the region's incredible resources.

I am writing in regard to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.



Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence, and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Michael Hand
michaelpatrickhand@gmail.com
(603) 493-9939

Submitted By
Michael Lu
Submitted On
11/15/2021 4:28:18 PM
Affiliation



PC160
1 of 1

Proposal #6-Oppose Proposal #7- Strongly oppose Proposal #8- Oppose Proposal #10 - Strongly oppose Proposal #11 - Oppose
Proposal #12 - Strongly oppose Proposal #13- Strongly oppose Proposal #14 - Strongly oppose Proposal #15 - Strongly oppose
Proposal #16 -Oppose Proposal #14 -Oppose



Submitted By
Michael Mickelson
Submitted On
11/15/2021 10:15:54 AM
Affiliation
self

Phone
907-8316553
Email
m_mickelson1@yahoo.com
Address
P.O. Box 1504
Cordova, Alaska 99574

Support

6,7,9,10,11,17,19, 23, 32, 38, 39, 40, 41, 42, 57, 60, 61, 62, 63, 64,65, 66, 67, 68, 69, 70, 71, 72, 79

Oppose

5, 18,21,25, 26, 27, 28, 29, 31, 35, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58

Comments

Support

6 - The department does not currently use in season reporting for subsistence, sport fish, and personal use, if the information became available in a timely manner managers would certainly take note of it. This timely information could be critical on years with small runs where conservation is a concern, as well as large runs when a surplus of fish exist and could be harvested.

9,10, - These proposals have identified a practice that is not customary and traditional in a subsistence fishery and should be supported.

38 - This proposal will be critical on years of low abundance.

39 - This area of the Copper River Delta gets the majority of the sport fishing pressure. There is still plenty of sport fishing opportunity even with this small closure.

40 - This stream is the one of the few places where salmon spawning consistently happens on the south side of the Copper River Highway. The water is very shallow and fish are very vulnerable during their spawning process.

41 - Proposal 41 would give the Department of Fish and Game more flexibility to manage the Copper River Commercial fishery. ADF&G has demonstrated repeatedly that they can keep the commercial fishery closed when conservation concerns exist.

Oppose



5 - The Alaska Department of Fish and Game is currently managing the Copper River for maximum sustained yield. The department has already shown its ability to provide extended closures when conservation is necessary. This is a purely allocative proposal.

7 - Guiding Services in subsistence fishery is contrary to the intention of a subsistence fishery and is not part of the customary and traditional use standards.

18 - The Copper River salmon fisheries are already fully allocated, this proposal creates more fishing area which will result in greater catch by the personal use user group. Additionally it creates an enforcement issue, which ADF&G outlined in their comments.

21 - The personal use fishery is having no trouble getting their allocation of fish from the Copper River with the current start date of the fishery. The subsistence fishery upriver from the personal use area needs to get their early season fish and this proposal makes it harder for them to do so.

50-55 The Board of Fisheries have limited authority in these areas. The hatchery operators already utilize the public RPT process where these concerns can be addressed. That is the correct forum for these proposals.

27 - This proposal is complicated by the findings for the Cordova area. Adding a Saturday subsistence opener has increased harvest on the Copper River already. Creating an opportunity for wide open subsistence harvest is sure to increase harvest on the Copper.

28 - Salmon bag limits are lower for Prince William Sound subsistence users because there are other subsistence fish available such as halibut that are not found in the interior.

31 - This proposal is comparing apples to oranges. The Copper River is not the Kenai River and should not have the same bag limit. The department has already shown its ability to add additional fishing time and bag limit on years of great abundance.



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Cordova, Alaska, and I participate in the commercial, subsistence, and sport salmon fisheries of the Prince William Sound Region. I depend on salmon fishing for a reliable source of protein throughout the year and as a way to make my living. Salmon are life.

I am writing in regards to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.



Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Michael Schumm
michschumm@gmail.com
(616) 581-5121

Submitted By
Michelle Williams
Submitted On
11/15/2021 4:24:49 PM
Affiliation



PC163
1 of 2

I oppose proposals 42 & 44 as the set net fishermen and women have been robbed of their rights to fish since the inception of the Prince William Sound Management & Salmon Enhancement Allocation Plan. The set gill netters in Prince William Sound have been around as long as the seiners and drifters, if not longer, but because Fish and Game lost our records from before the 1964 earthquake, we got cheated out of our fair share when the Enhancement Allocation Plan came into effect.

I have been a set gill netter for 36 years going on 37 in 2022 and I have seen blatant disregard by the drift gill fleet toward us and blatant disregard for the regulations that are in the books on what they are legally allowed to fish.

Please Please do not let proposals 42 & 44 pass.

Submitted By
Michelle Williams
Submitted On
11/15/2021 4:49:23 PM
Affiliation



PC163
2 of 2

Please pass Proposal 45 as there needs to be an increase in distance between a set gill net & a drift gillnet especially in the THA in Main Bay.

Every Year set net gear is getting damaged by drifters as they cannot stay the legal distance away from a set gill net and end up floating into a set net and getting the nets tangled or they go completely around a set gill net, get tangled, then when they pull their nets away they ruin a set netters gear, plus they pull the set net anchors and cut the lines in order to get their nets free.

I quit fishing Main Bay area due to the drift fleet not fishing legally, and the troopers unable to stop the problem. Hopefully this proposal will help.



Submitted By
Mike Adams
Submitted On
10/29/2021 8:56:03 AM
Affiliation
area e drift fisherman

Phone
9074245160
Email
blueberryhill@gci.net
Address
510 Davis
Cordova, Alaska 99574

politics aside please understand that a reallocation of spring timed returning sockeye and chinook is simply destroying our trust in adfg! allowing one user group to exploit the copper river needs to stop or the Copper will resemble what has happened on the Kenai. as a thirty year drift fisherman why hasnt there been gear size/depth restrictions in put in place? or like in bristol bay why cant there be areas that you register for and need to stay in regardless of run strength...my point is Closures are the only tool thats being pushed on the copper river. I fully Support pwsac but question their cost recovery and their estimating of biomass size which has cost the Gillnet fleet hundreds of thousands of dollars not to mention the faw fish tax that Cordova needs to operate. Also in pws the department is slow to recognize the huge influx of users in the western sound causing conflicts with commercial and recreational users...keep the openers concurrent 24hrs in all of mainbay and all of Ester stop micromanaging its proven not to work. lastly when there is time restriction on the delta for the commercial Coho fleet all sport fishing above the highway needs to be curtailed Thank you Fv Redpack



Submitted By
Mike Pommarane
Submitted On
1/19/2021 11:55:21 AM
Affiliation

Phone
15415197148
Email
mpommarane@otec.coop
Address
125 Foothill Dr
Baker City, OR, Oregon 97814

To: Board of Fish Members and any other interested parties:

Re: This comment is in reference to proposals 38, 39, and 40 for the Price Williams Sound, Cordova area sport and commercial fishing proposals.

My name is Mike Pommarane and I have been traveling to Cordova, Alaska, predominately with the same 5-7 guys every year since 1988. Our primary interest in traveling to Cordova, besides seeing several friends we have made along the way, is fly fishing for Silver Salmon. Like most of the coastal rivers and streams in your great State, Cordova has world class salmon runs and the fishing (both commercial and sport) can be sustainable for future generations when managed properly. I believe the many state agencies and boards do a great job of managing the state's fishery resource. I also believe that a wide array of opinions provides a comprehensive view, when coupled with common sense, makes for the best governmental regulations, policies, and practices.

I have huge respect for commercial fishermen. One of my closest friends is a commercial fisherman in the Prince Williams Sound area and I have been out with him and personally witnessed his vocation many times. Our conversations often revolve around fish, salmon in particular, and why certain runs have better returns than others. I am not a scientist, but it appears that ocean conditions and spawning habitat are just two of the many causes of dwindling returns of anadromous species. Very likely they are the primary causes of poor returns.

I am all for enhancing habitat and spawning grounds for fish. From my perspective, limiting and closing sport fishing as outlined in proposals 38, 39, and 40 will do very little enhance salmon runs in the Copper River Delta. We specifically target chrome and fresh out of the ocean fish and stay clear of and spawning beds or redds in the area. A lot has changed in terms of sport fishing in Cordova over the past 30 years. The word has been out for some time that Cordova is a premier Coho fishing destination and the "secret spots" now have manicured trails to them that encourage traffic. In all my years in Cordova, I have not seen sport fishermen exceed daily catch limits or derogate spawning grounds or harass spawning fish.

I am against proposals 38,39, and 40 and believe that more flexible creel limit restrictions on the number of sport fish kept for personal consumption each day which are based off current and accurate escapement statistics is a better alternative. I also believe that fish habitat education and law enforcement support is a better approach to comprehensively shutting down sport fishing in the Cordova area, which is what these proposals will likely end up doing.

Respectfully submitted,

Mike Pommarane



Submitted By
Mikhail Glasionov
Submitted On
11/12/2021 9:29:25 AM
Affiliation

Phone
907-2400775

Email
mikhail@gci.net

Address
907-2588528
Anchorage, Alaska 99502

24 years Alaskan. Family of 5 raised here in Alaska. Deep netting at Cooper River for 20+ years. At the younger age was climbing up and down the Canion with my family trying to catch fish for the year. However with the age and medical issues it became impossible. Subsistence fishing from the boat became the only way some older folks can still keep it possible. Firmly oppose most of upcoming propositions: 6,7,8,9,10,11,12,13,14,15,16,17,19,20,41

Support proposition: 5,18,21,22

I looked at the numbers from the report on adfg website 2020 there was 1.62 million fish taken by commercial, 250,000 by personal use and 85,000 by subsistence. Doesn't seem to be any real management goal that will be met by taking away boats or only boats.

Welcome to contact me for more detailed information

Thank you



Submitted By
Milan
Submitted On
11/14/2021 7:45:40 PM
Affiliation

Phone
907 283 7368
Email
mdg07177@netscape.net
Address
53455 Fishermans Rd
Kenai, Alaska 99611

To The Board of Fish

About the proposals for dip netting on the Copper river. Here is my opinion on these proposals.

The short version is;

Proposal 6 – Oppose!

Proposal 7 – Strongly Oppose!

Proposal 8 – Oppose!

Proposal 9 – Oppose!

Proposal 10 – Strongly Oppose!

Proposal 11 – Strongly Oppose!

Proposal 12 – Strongly Oppose!

Proposal 13 – Strongly Oppose!

Proposal 14 – Strongly Oppose!

Proposal 15 – Strongly Oppose!

Proposal 16 – Strongly Oppose!

Proposal 17 – Strongly Oppose!

Proposal 19 – Strongly Oppose!

Proposal 20 – Strongly Oppose!

Proposal 18 – Strongly Support!

Proposal 21 – Support!

Proposal 22 – Support!

The long version is;

Proposal 6 -Oppose! Reporting as of now is works fine and requiring 3 day reporting impacts travel plans because of lack of internet access in the area could impact peoples travels plans and will reduce tourism opportunities for local businesses.

Proposal 7 - Strongly Oppose! Banning guide services will prevent access to thousands of users who do not own a boat or do not wish stand on slippery rocks or wade into the fast current to try and catch fish. Properly licensed and vetted Guide services provide safe access to residents who would otherwise be unable to participate.

Proposal 8 - Oppose! Language is too vague and would restrict access to the Personal Use and Subsistence Fishery at the Bridge, O'Brian Creek, Terral Creek, Eskaleta Creek and Haley Creek. All of these drainages are popular access points for users.

Proposal 9 - Oppose! Language is too vague and would restrict access to the Subsistence Fishery at the Bridge.

Proposal 10 - Strongly Oppose! This proposal lacks common sense and would effectively force everyone to Dipnet from the shore leaving dip netter to stand on slippery rocks or wade into the river. This puts users at undo risk.

Proposal 11 - Strongly Oppose! This proposal would like all boaters who navigate their boats into the canyon could canyon walls or shore. As a professional mariner I feel that forcing lay people to navigate their boats into very very receipt for disaster and puts undue risk to the fisherman and their passengers.



Proposal 12- Strongly Oppose! There are a few places in the PU fishery that this interaction occurs. There are only a handful of locations to safely Dipnet from a boat in the PU where as there is nearly 20 miles of river bank for people who wish to Dipnet from shore can. Boats and canyon wall Dipnetters can co-exist with no apparent impact on fishing success from either user. Dipnetter who waded into the water in the same drift as boats are putting themselves at risk and present a hazard to navigation. By pushing out 30-40' poles these folks run their nets under the running gear of the boats presenting a possibility of fouling the motor and setting the vessel dead adrift creating a safety hazard for the captain and crew.

Proposal 13 - Strongly Oppose! Fish wheels are stationary hazards that boats avoid. By limiting navigation near fish wheels the proposal could eliminate access to the entire length of the Kotsina flood plain just above the bridge forcing everyone to fish across the river on the West Bank of the Copper. One person's "too close for comfort" is not another's. Data needs to be provided that demonstrates actual accidental contact or fouling of Dipnet gear from a boat with a Fishwheel. The hazard lies with the boat operator who could expect to capsize on contact with a wheel and thus can navigate around this hazard with this knowledge. Whether its a Fishwheel operator who drives a boat to their wheel or a dipnetter the boat is only a momentary sound that quickly passes and does not impact fishing success. If it did the Fishwheel operator would not run a boat near their wheel.

Proposal 14 - Strongly Oppose! King salmon do not get "gilled" in the current allowable gear. With practice, kings can be removed from a Dipnet quickly.

Proposal 15 - Strongly Oppose! King salmon do not get "gilled" in the current allowable gear. With practice, kings can be removed from a Dipnet quickly.

Proposal 16 - Strongly Oppose! The use of sonar on while navigating any body of water is so prolific that nearly every vessel and certainly every commercial fishing boat employ sonar, aerial spotters and other means effectively to navigate and to locate fish. Though unlike our commercial counterparts, using sonar on the Copper River is more and aide to navigation than to find fish.

The biggest risk of injury or accident while gear is deployed is the reality of snagging submerged objects or structure unseen without the use of sonar. "Drifts" as we call them are only done in a handful of locations in the Personal Use and Subsistence Fisheries. This is in large part because the depth is shallow enough and significantly free of snags that allows dipnetters to drag their nets at the bottom without snagging. Debris such as logs and broken fishwheels get pushed down river resulting in a constant risk of fouling and the sonar plays a pivotal role in avoiding these hazards.

In discussing this proposal this with Senior Marine Inspector MSSE4 Overturf from USCG Sector Anchorage he stated "while it rare to find a fishing vessel without depth sounding device, most vessels have them as the added safety for the navigation of the vessel cannot be denied."

Proposal 17 - Strongly Oppose! This proposal restricts the method of take by putting a penalty on a safer more time effective method of take and an additional burden on the user to obtain multiple permits and additional reporting.

Proposal 18 - Strongly Support! This proposal offers a reduction in congestion along the lower limit of the fishery. On busy days this area can be considered high risk for navigation due in large part to the number of vessels in this short drift. The longer drift would allow for a more orderly drift with allowing greater spacing between boats. Though the PU fishery is nearly 9 miles long" there are less than 1000 yards of viable drifts due to depth, snags, current and debris that impact the safety of the boat and crew. This addition though incrementally small adds a drift that is safe to navigate.

This drift is only available once the water level is high enough to flow over the gravel bar allowing navigation along this bank thus reducing its overall use to high water conditions.

Proposal 19 - Strongly Oppose! In years of low abundance, the resource should be allocated to Alaskan Residents and not sold to markets as a luxury food item.

Proposal 20 - Strongly Oppose! In years of low abundance, dipnetting yields low success and low success yields low pressure, but for those who what to slug it out should be able to do so within the current possession limits. Additionally, by lowering the limit it becomes less cost effective to travel to the fishery from anywhere other than the communities in the Basin.

Proposal 21 - Support! In recent years fish have come late so opening up a season earlier would make little difference as the fishing pressure would be low as would the success rates.

Proposal 22 - Support!

Thank You.

Milan Galey



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Homer, Alaska and participate in the commercial, subsistence, and sport salmon fisheries of the Prince William Sound region, as well as through processing. I started fishing in Prince William Sound in 2001 on my father's boat. I purchased a seiner in 2009 and started fishing in 2010. Since then I have had operated a vessel in either the PWS seine fishery or the LCI salmon seine fishery. Today, fishing is my only income and with it I support my wife and 3 children. My sister and her family as well as my parents have boats involved in the PWS salmon seine fishery.

I am writing in regards to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.



Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Morgan Jones
capenilchik@gmail.com
(907) 202-1912



Submitted By
NATHAN LONG
Submitted On
3/12/2021 2:44:50 PM
Affiliation

Phone
9073200073

Email
nate.3035@gmail.com

Address
Po Box 308
Glennallen, Alaska 99588

Proposal title: Moose creek, copper river basin. Prince william sound/upper copper and upper susitna rivers finfish and shellfish

Moose creek: sport anglers may use baited or unbaited single hook artificial lures. bag limit is 2 and 2 in possession. season is open year round. only catch and release fishing is allowed from april 1 to may 31.

I Nathan A Long agree and support the proposal of Bonnie Mcleod for the protection of grayling and and other wildlife of Moose creek that runs through Glennallen and drains into the tazlina river



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I am a sport fisherman from Nikiski. I was born and raised in Alaska and salmon is one of my family's most important and frequently eaten foods. While most the salmon we eat comes from Cook Inlet, we do enjoy fishing silvers from Seward occasionally—but most importantly not having salmon available in PWS would likely increase the pressure and competition even more where we normally fish.

I am writing in regard to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

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Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

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Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Nathan Smith
N8smyth.ns@gmail.com
(907) 776-3639

Submitted By
Nathaniel A. Kelsey
Submitted On
11/8/2021 4:54:06 PM
Affiliation



PC171
1 of 1

Prop 6 Oppose, Prop 7 Strongly Oppose, Prop 8 Oppose, Prop 9 Oppse, Prop 10 Strongly Oppose, Prop 11 Strongly Oppose, Prop12 Strongly Oppose, Prop 13 Strongly Oppose, Prop 14 Strongly Oppose, Prop 15 Strongly Oppose, Prop 16 Strongly Oppose, Prop 17 support, Prop 18 Strongly Support, Prop 19 Strongly Oppose, Prop 21 Support, Prop 22 Support



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau Alaska 99802-1668

November 10, 2021

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

Dear Chairman Carlson-Van Dort:

The Alaska Region National Marine Fisheries Service wishes to provide the Alaska Board of Fisheries with the following information on one regulatory proposal for your consideration during the upcoming meeting in Cordova, Alaska that could impact State of Alaska and Federal fisheries participants. Please let us know if you have any questions concerning our letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "JB".

James W. Balsiger, PhD.

Administrator, Alaska Region



**Prince William Sound/Upper Copper and Upper Susitna Rivers Finfish and Shellfish
Interaction between Federal and State of Alaska Fisheries
Alaska Board of Fisheries Meeting – November 30 – December 6, 2021
NMFS Comment (Proposal 1)**

Proposal 1: 5 AAC 28.2XX. Create new regulation to establish a longline skate fishery in Prince William Sound.

Potential Issues:

- *A directed fishery for longnose and big skates could increase bycatch of halibut, sablefish, important rockfish species such as yelloweye and black rockfish, and other skate species.*
- *Skates are slow growing with low fecundity and can spend several years to over a decade, depending on the species, in the juvenile stage. If immature skates are disproportionately exposed to fishing pressure, it could lead to unsustainable populations.*
- *Directed fishing in state waters in PWS could potentially impact the overall GOA longnose and big skate stocks.*

Proposal 1 seeks to create a longline fishery in Prince William Sound (PWS) (part of federal reporting area 649) for longnose and big skates and base the fishery on 25% of the Eastern GOA total allowable catch (TAC). It is unclear if this proposal seeks to create two separate State fisheries (one for longnose and one for big skates) with each fishery based on 25% of their individual federal TACs, or if it seeks to create one combined skate fishery where the two species would share the same guideline harvest level (GHL). Longnose skates and big skates are managed federally as single species and the skate stock complex assessment evaluates each of these species separately. As a result, each species has a separate acceptable biological catch (ABC) and TAC. Managing these two species under a single GHL could result in overfishing of a species if one skate species was predominantly targeted over another.

Currently the federal survey does not include reporting area 649 and this area is not included in the ABC calculations for skates. Therefore, bycatch in area 649 is not currently deducted from the federal TAC for any skate species. Although skates in area 649 are not currently being deducted from the federal TACs, they could in the future if survey data for the area is included in the stock assessment. This proposal seeks to create a fishery based on the federal TACs. However, if area 649 is accounted for in the skate stock complex assessment in the future the Council will need to account for any State GHL fisheries before setting the TACs. It is recommended that State GHL fisheries be based on federal ABCs, and not TACs, so that the Council can accommodate State fisheries in their TAC setting process. However, since the PWS area is not currently being used in the federal stock assessments to inform the ABC it may be more appropriate to base a GHL fishery on surveys conducted by the Department of Fish and Game in PWS. The federal ABC and TAC may not be reflective of the actual biomass of skates available in PWS.

Directed fishing for skates could increase bycatch of other important commercial species. Skates are often encountered while halibut fishing with longline gear. It is possible that they share habitat and halibut may be encountered while directed fishing for skates. If halibut was open to directed fishing then any halibut of legal size encountered could be retained if a vessel had available Individual Fishing Quota (IFQ). However, if the halibut fishery was closed, or the vessel did not have IFQ, then the halibut would be discarded as a prohibited species (PSC). In addition, other skate species, rockfish, sablefish, or other species may be encountered during skate directed fishing. The extent of possible bycatch is unknown since there has not been federal skate directed fishing and there is no federal observer data. However, during the State GHL fishery in PWS for skates in 2009 and 2010, it was reported that halibut bycatch amounts exceeded the catch of either skate species. In addition, the biomass of big skates was greater than longnose skate in 2009 and 2010, and there were reports of high discards of big skates while trying to target longnose skates.

The 2019 stock assessment of the skate stock complex in the GOA states that skates are a slow growing species with low fecundity and population stability likely depends on high survival rates of animals to maturity. Although data is sparse for Alaskan skate species, some studies in other areas have shown that skate species with the largest body sizes (such as longnose skates and big skates) are the least resilient to high fishing mortality rates. This may be due to fishing pressure being applied to skates while they are still in the long juvenile stage and have not yet reached maturity. During the State GHL fishery in PWS for skates in 2009 and 2010 it was reported that big skate catches comprised predominately of immature females and longnose skate catches comprised of mature males and females. If the majority of skates removed from the stock are immature and have not yet reached an age to contribute offspring, the skate population could decline as a whole. As a result, precautionary management of these species has been recommended.

Data regarding skates in the GOA is extremely limited and more research is needed on the effects of fishing on skate populations. According to the stock assessment, adult skates are highly mobile and likely cross between areas. Eggs and juveniles use different habitat than adults and little is known about the nursery areas used by skates in the GOA. Directed fishing for skates may disrupt these nursery areas or other important skate habitat. Due to these factors and the possibility of directed fishing disproportionately harvesting juvenile skates, directed fishing in PWS could impact overall skate populations in the entire GOA.

Background on federal Gulf of Alaska (GOA) skates management:

The skate complex in the GOA has been broken out into three categories for management purposes since 2005: longnose skates, big skates, and other skates. Overfishing levels (OFLs), ABCs, and TACs for longnose skates, big skates, and other skates in the GOA are recommended by the North Pacific Fishery Management Council (Council) and established by the Secretary of Commerce on a yearly basis. The Council recommends the OFLs and ABCs for longnose skates, big skates, and other skates for the entire GOA. The ABCs are apportioned to each of the GOA regulatory areas (Western, Central, and Eastern) for longnose skates and big skates based on the distribution of trawl survey biomass among each of the areas. The Council then recommends the TACs for each of the three skate categories so as not to exceed the ABCs. In

most years the TACs are set equal to the ABCs. PWS is in federal reporting area 649, which is part of the Eastern Gulf of Alaska.

There is currently no directed fishery for any skate species in the GOA federal fisheries. The maximum retainable amount (MRA) of skates prior to 2016 was 20%. However, fishermen were targeting skates while participating in other directed fisheries early in the year which increased the likelihood that skates catch would be reached and exceed the TAC/ABC and would require a skates prohibited species closure. A prohibited species closure requires any skates encountered to be discarded. Beginning in January 2016 the MRA was reduced to 5% to decrease the incentive for fishermen to target skates while participating in other directed fisheries and to more accurately reflect the encounter rate of skates during fishing.



Contact: Buell Russell, Village General Manager
Phone (907) 230-3036
Fax (907) 569-6939
Email brussell@chenegaira.com

November 15, 2021

Via Email: dfg.bof.comments@alaska.gov

Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: Statement in Support of Proposals 26 and 27

Dear Board Members,

The Native Village of Chenega is a federally recognized Alaska Native Tribe located in southwestern Prince William Sound. The Chenega people have occupied the lands in and around Prince William Sound since time before memory. Chenega urges the Board to adopt Proposals 26 and 27 to improve subsistence salmon fishing in Prince William Sound and ensure that Chenega can continue harvesting salmon at its traditional locations for distribution to tribal members—as Chenega has done for countless generations.

Proposal 26 would create a new community fishing permit authorizing Chenega to harvest up to 1,000 sockeye salmon and 50 king salmon by drift or set gillnets. Chenega's intent is for authorized representatives to fish with tribal members—teaching traditional subsistence practices and then distributing the harvest. Chenega would use the same fishing gear that is currently authorized for subsistence salmon in the Southwestern (Chenega), Eshamy, Coghill, and Northwestern Districts of Prince William Sound. Importantly, Proposal 26 would ensure that Chenega may harvest a limited number of salmon at traditionally and culturally significant locations, including Eshamy Lagoon, which is currently a regulatory closed area.

Proposal 27 would allow subsistence salmon fishing within Prince William Sound seven days per week. Currently, subsistence fishing is allowed during days that the commercial fishery is open and Saturdays.

Proposals 26 and 27 are designed to increase subsistence participation and to provide subsistence salmon for distribution to tribal members. The current regulations prohibit Chenega from distributing subsistence salmon harvests as a tribal activity. Although Chenega has participated in ADF&G's educational fishery permit program with success, a community-based



fishing permit under Proposal 26 would not have the same curriculum requirements and participation limits as ADF&G's annual education permits. Thus, Chenega would be better able to meet its tribal members' educational, cultural, and nutritional needs through a flexible—but limited—authorization to harvest sockeye and king salmon as a tribe in traditional fishing areas.

ADF&G's staff comments report that on average only 11 subsistence salmon permits are issued for Prince William Sound. The average reported harvest for salmon is 48 fish. There is clearly a decline in subsistence participation, but there has been no corresponding decline in the need for salmon as an important food source. (The amount necessary for subsistence ("ANS") was set by the Board at 2,100-2,5000 salmon for Chenega.) Chenega tribal members and residents have met their need for salmon in other ways, including through sharing and distribution by individual tribal members and commercial fishery home pack.

The lack of subsistence participation can attributed, partly, to the fact that current regulations do not reflect typical subsistence harvesters' resources and needs. Current individual bag limits and proxy regulations severely restrict the ability for tribal members to harvest on behalf of the entire tribe for wide distribution. And Chenega residents are forced to compete with "all Alaskans" during subsistence openings on Saturdays in over-crowded fishing areas, such as Main Bay.

Harvesting salmon for subsistence is intricately linked with Chenega's traditions and culture. It is vital that Chenega's subsistence way of life be protected and improved. Chenega urges the Board to adopt Proposals 26 and 27.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry Evanoff".

Larry Evanoff, President,
The Native Village of Chenega

10,000 years in our Traditional Homeland, Prince William Sound, the Copper River Delta, and the Gulf of Alaska

**Formal On-Time Public Comment to the
Alaska Board of Fisheries
Prince William Sound Finfish
2021/2022**

PROPOSAL 5: OPPOSE The absence of long-term stock specific productivity data on Copper River Chinook salmon limits the ability to further refine the sustainable escapement goal beyond what ADF&G has recommended in Joy et. al 2021. Proposal 5 is redundant and lacking in peer reviewed statistical evidence. NVE is in support of the Sustainable Escapement Goal recommended by ADF&G and supported by Joy et al. 2021 with the caveat that future escapement goal assessments consider differences associated with a potential shift in enumeration methods.

PROPOSAL 6: SUPPORT We support timely reporting for all users of Copper River Salmon.

PROPOSAL 8: SUPPORT We support the prohibition of dipnet harvest at river confluences in the Upper Copper River.

PROPOSALS 9-11: SUPPORT We support restrictions on dipnet harvest from boats in the Upper Copper River.

PROPOSAL 14-15: SUPPORT We support the restricting the use of monofilament gillnet webbing in dipnets until after August 15.

PROPOSAL 16: SUPPORT We support the prohibition of the use of sonar to target fish holding in the Copper River while dipnetting.

PROPOSAL 17: OPPOSE While we support the intended outcome of this proposal, we do not believe that providing an additional supplemental limit to those fishing from a boat is a valid means of conservation.

PROPOSAL 18: OPPOSE The area of the Copper River immediately below the current boundary is easily the most dangerous section of the river, with a large whirlpool on the western side, and a shallow gravel bar to the east. To navigate the whirlpool a boat must avoid the gravel bar and ride the corner of the whirlpool with little room for error. If gravel is encountered a jet powered boat can be slowed so that it cannot get out of the whirlpool. If the boat goes too far into the whirlpool, it can easily become overpowered and swamped in an unsurvivable accident. As we operate our fisheries camp near this obstacle, we are highly familiar with it, and at some flows, do not travel through that section of river. We urge extreme caution in opening a fishery in such an unsafe area and encourage the board to consider some of the other proposed remedies to relieving boat congestion in the fishery.

Native Village of Eyak

110 Nicholoff Way

P.O. Box 1388

Cordova, Alaska 99574-1388

P (907) 424-7738 * F (907) 424-7739

www.eyak-nsn.gov



10,000 years in our Traditional Homeland, Prince William Sound, the Copper River Delta, and the Gulf of Alaska

The extension of the Chitina Subdistrict Boundary below Haley Creek would place a portion of the Chitina Subdistrict in the Prince William Sound District. Will the fishery have two managers or will the boundary be moved? These issues are important and should be thoroughly thought through before considering this proposal.

PROPOSAL 19: SUPPORT We do not currently see the burden of conservation shared equitably among user groups when sockeye salmon are not abundant. This proposal would correct that.

PROPOSAL 20: SUPPORT We encourage parity in subsistence harvest limits across the Copper River's fisheries.

PROPOSAL 21: OPPOSE The purpose of the delayed start is to allow the stocks that must travel the farthest (i.e. the early run stocks) some passage before commencing harvests. This applies to sockeye and chinook salmon and should be maintained.

PROPOSAL 22: OPPOSE To demonstrate a negative C&T finding one must consider the criteria, not establish a negative finding because other species that are qualitatively perceived to have a stronger case for a positive finding received a negative finding.

PROPOSAL 23: OPPOSE

PROPOSAL 24: OPPOSE Restrictions being recommended are stricter than sport fishing regulations, for this to be approved annual body of water sport fishing limits would also need to be approved.

PROPOSAL 27: SUPPORT We appreciate the liberation of catch-limited subsistence fisheries from commercial fishing periods but can see potential conflict for user groups and issues for law enforcement. We would support subsistence fishing opportunity alternating with commercial to keep the gear groups separated, with opportunity managed in alternating gear zones and terminal harvest areas to allow hatcheries to achieve cost-recovery and broodstock goals and minimize conflict. We support a prohibition of all fisheries in Terminal Harvest Areas during cost recovery and broodstock collection.

PROPOSAL 28: MODIFY We seek to modify this proposal to include an additional supplementary limit of pink/chum salmon equal to the household limit for salmon.

PROPOSAL 29: MODIFY We seek to modify this proposal to allow a supplementary harvest of pinks and chums requested in our modification of Proposal 28 to be harvested during normal subsistence opportunity on Saturdays and during commercial fishing periods, as well as by drift gillnet at any time in the regulatory commercially closed waters within Orca Inlet.

10,000 years in our Traditional Homeland, Prince William Sound, the Copper River Delta, and the Gulf of Alaska

PROPOSAL 38: SUPPORT We support this proposed shared conservation burden.

PROPOSAL 39: OPPOSE We oppose proposal 39 due to the following biological concerns. The majority of Ibeck Creek coho salmon spawn above the current regulatory marker therefore gains in habitat protection are minimal with an expansion of the closed area. Furthermore, because the Scott River intersects with Ibeck Creek immediately above the Copper River Highway downstream waters are unproductive for sport fishing during much of the coho salmon season, therefore this proposal would decrease an open area of 3.0 miles to a 0.25 mile stretch of clear water. This change in area will shift sport fishing pressure away from Ibeck Creek which is biologically detrimental for the following reasons: 1) Ibeck Creek, hosts the largest coho salmon spawning population on the delta and can therefore sustainably host a relatively high proportion of fishing pressure when compared to smaller delta stocks; 2) the majority of Ibeck Creek coho salmon spawning occurs above the current regulatory marker therefore stream crossings and sport fishing presence has little impact on Ibeck Creek spawning grounds; whereas many other delta streams are shorter in length with a large proportion of coho salmon spawning in close proximity to the Copper River Highway, these areas may be negatively impacted by increased fishing related activity. Proposal 39 intentions are to protect coho salmon spawning habitat on Ibeck Creek however gains in habitat protection will be minimal and the negative impact to other delta populations of coho salmon could be substantial.

PROPOSAL 40: SUPPORT We support the prioritization of spawning area over sport fishing area and encourage the Board of Fish to broadly close salmon spawning areas to salmon harvest. Coho salmon have been documented to spawn broadly in the 18-Mile (Silver Creek) area and historically in the vicinity of the Copper River Highway.

PROPOSAL 41: SUPPORT We support allowing managers to provide fishing area adequate to conserve chinook salmon.

PROPOSALS 49-55: OPPOSE We are opposed to this suite of proposals. In the past decade we have seen hatcheries in Prince William Sound as a major driver of subsistence, sport, and commercial fisheries success. The open and inclusive Regional Planning Team (RPT) provides a public process that uses the best available science to set release goals for hatcheries and this process should not be bypassed in favor of a political process. The RPT process has worked very well in establishing releases at each site and should be permitted to continue to operate as they have.

PROPOSALS 61-67: SUPPORT We support the addition of sustainable winter and shoulder season fisheries opportunities such as sea cucumber and crab.

PROPOSAL 69: SUPPORT OPTION B



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Cordova and commercial and subsistence fish. I make my living as a commercial fisherman. Salmon fishing is the foundation of our community in Cordova, providing income and opportunity for hundreds of families.

I am writing in regard to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.



Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence, and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Nelly Hand
nellyhnd@gmail.com
(907) 317-2958



Est. 1955

North Pacific Fisheries Association
P.O. Box 796 · Homer, AK · 99603
npfahomer@gmail.com



PC176
1 of 1

November 15, 2021

RE: Alaska Board of Fisheries Prince William Sound Finfish
Oppose Proposals 49 - 55

Dear Chair Carlson-Van Dort and Members of the Alaska Board of Fisheries,

The North Pacific Fisheries Association (NPFA) is a commercial fishing organization based in Homer, Alaska, representing more than 70 family fishing operations utilizing a variety of gear and vessel types. Our members participate in fisheries throughout Alaska, from Southeast to the Bering Sea, in both state and federal waters, and many participate in Prince William Sound (PWS) salmon fisheries. Benefits of the PWS salmon fishery are felt throughout our community.

NPFA urges the Alaska Board of Fisheries to oppose Proposals 49 - 55 and continue to allow ADF&G biologists and managers to oversee the State of Alaska PNP Hatchery Program.

NPFA supports the current system of oversight by the qualified biologists and managers of the Alaska Department of Fish and Game. At the BOF October 2018 Work Session, ADF&G presented Special Publication No. 18-12 Salmon Hatcheries in Alaska – A Review of the Implementation of Plans, Permits, and Policies Designed to Provide Protection for Wild Stocks <http://www.adfg.alaska.gov/static-f/regulations/regprocess/fisheriesboard/pdfs/2018-2019/ws/SP18-12.pdf>. This document explains the precautionary methods used for management and demonstrates why Proposals 49 – 55 are unnecessary.

A Commercial Fisheries Entry Commission database search shows over 90 Prince William Sound (Area E) commercial salmon permits with Homer addresses. These, combined with permit holders residing in other areas who keep their vessels in Homer, add up to a significant contribution to the Homer area both in terms of Marine Trades and community involvement. The current system of well managed PNP Hatchery Programs with comprehensive oversight from ADF&G is quite valuable to the community of Homer and NPFA urges the Board of Fisheries to continue to support it. Please oppose Proposals 49 – 55 and allow the professional ADF&G biologists to continue to do their jobs.

Respectfully,

G Malcolm Milne
President, North Pacific Fisheries Association



NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION, INC.

1308 Sawmill Creek Road
Sitka, Alaska 99835
Office: (907) 747-6850 fax:(907) 747-1470

November 12, 2021

Alaska Dept. of Fish & Game
Alaska Board of Fisheries
PO Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526
dfg.bof.comments@alaska.gov

RE: **Opposition to Proposals 49-55**

Chairman Carlson-Van Dort, Members of the Alaska Board of Fisheries,

Thank you for the opportunity to comment on proposals submitted to the Alaska Board of Fisheries (BOF) for the Prince William Sound/Upper Copper/Upper Susitna Rivers Finfish & Shellfish meeting. The Northern Southeast Regional Aquaculture Association, Inc. (NSRAA) strongly **opposes** BOF Enhancement **Proposals 49-55**. To preserve the valuable time of the BOF members NSRAA is not offering detailed comments at this time. NSRAA offers our full support and concurrence with the detailed comments submitted by the Valdez Fisheries Development Assoc., Inc. (VFDA) and the Prince William Sound Aquaculture Corporation (PWSAC) in opposition to these proposals. Specific rationale for opposition on each proposal may be found in their comments.

NSRAA encourages the BOF to **oppose** proposals **49-55**. Proposals nearly identical to **49-53** have been submitted to the BOF for the January 2021 Ketchikan BOF meeting by the same proposer. Representatives from NSRAA and the other hatchery operators will be available at the Cordova BOF meeting to provide any information that may assist the board in their deliberation process.

Once again thank you for the opportunity to comment and thank you for the work you do on behalf of the subsistence, sport, personal use, and commercial fisheries of the state.

Sincerely,

Scott Wagner
General Manager
scott_wagner@nsraa.org



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Cordova, Alaska, and I participate in the commercial, subsistence, and sport salmon fisheries of the Prince William Sound region. I've spent 40 years of gillnetting Copper River salmon & fishing Prince William Sound. Salmon fishing in the Prince William Sound region is our livelihood & food resource.

I am writing in regards to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.



Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Osa Schultz
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(907) 253-5269



Submitted By
Otis Rowland
Submitted On
11/10/2021 1:07:02 PM
Affiliation

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I support dip netting from boat and extending lower limit 1/2 down stream. I support Proposal # 5,18,21 and 22. I oppose proposals 6,7,8,9,10 ,11,12 ,13, 14 ,15 ,16 ,17 ,19,20 and 41.



Submitted By
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Submitted On
6/27/2021 3:24:47 PM
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Proposal 7: I support this proposal. PU fishing was never intended to be a commercialized fishery.

Proposal 15: I support this proposal. Allowing the use of gillnets in dip nets will greatly increase mortality of non target species, especially steelhead.

Proposal 17: I support this proposal. Establishing reasonable limits for subsistence users is prudent for a fishery on the road system which any Alaskan resident may participate.

Proposal 19: I support this proposal. All non subsistence fisheries should equally share in the conservation burden during times of poor abundance.

Proposal 20: I support this proposal. P/U users should share in the conservation burden. Furthermore this would allow the commercial fleet the ability to harvest salmon at the peak of market value. Lastly this would allow managers to spread harvest out throughout the season rather than front loading escapement to insure in river goals are met. This will ensure that specific runs are not over escaped or over harvested later in the season.

Proposal 26: I do not support this proposal: Limiting subsistence opportunities to one group of residents is unconstitutional.

Proposal 32: I do not support this proposal. The Gulkana river is the most northern population of steelhead in the world, as such very restrictive management is prudent, especially with no science to back up the anecdotal claims by the author of the proposal.

Proposal 33: I do not support this proposal. A better way to solve the problem of mortality of king gear is to make bait illegal in the Gulkana River. Bait is hardly necessary for targeting king salmon.

Proposal 35: I support this proposal. Moose Creek grayling are at special risk of over exploitation given the proximity of this run to population centers therefore more restrictive management is prudent.

Proposal 38: I support this proposal. All user groups should share conservation burdens

Proposal 39: I support this proposal with different language. Restricting the targeting of spawning salmon is prudent, however closing the area to all fishing should not happen as people should be able to target non salmon in salmon spawning areas where trout and char congregate. Closing trout/char fisheries is not prudent.

Proposal 40: I support this proposal. This system is very small and it would be very easy to over exploit the coho population. This system should remain open to trout and char fishing.

Proposal 41: I support this proposal. Mandatory closures are unnecessary, especially considering the current very conservative management of this fishery. Furthermore, opening inside waters during foul weather is prudent for the safety of the fleet.

Proposal 43: I support this proposal. PWS hatcheries are tilted towards the seine usergroup. There are more gillnet permits than seine permits in area E despite this more fish are allocated to seiners.

Proposal 45: I do not support this proposal. Set netters regularly exceed their allocation by allowing drift gillnets to fish the beaches during short sets we will better achieve allocation objectives.

Proposal 46: I support this proposal. Because of the mesh regulations gillnetters must have multiple multi thousand dollar nets to compete with better capitalized fishermen. By allowing deep nets earlier in the season gillnetters would only need one sound net. Currently fish passage to WNH is managed by closure of the granite bay and esther sub districts rather than limiting gear depth.

Proposal 47: I do not support this proposal. Seiners are allocated a vast majority of the fish in Area E. Furthermore, this would limit opportunities to target main bay hatchery fish in the Coghill District.

Proposal 48: I oppose this proposal. Seiners are allocated a vast majority of the fish in area E. Often the Eshamay district will be closed to "protect wild pink salmon" yet the Northwest District will be open to seining, which makes no sense when a vast majority of the pink salmon in the Eshamay district are heading to the northwest district. Furthermore this would limit the ability of gillnetters to target chum

salmon heading to the coghill district.



Proposal 58: I oppose this proposal. Seiners are allocated a vast majority of the fish in area E. Protecting fish bou
prudent in any enchanced fishery.

Proposal 60: I support this proposal. Having a comprehensive list of closed waters is essential to ensure that I do not inadvertently fish in closed waters.

Proposal 62: I support this proposal

Submitted By
Paul Delys
Submitted On
11/15/2021 4:41:49 PM
Affiliation



PC181
1 of 1

Proposition 5 - Support

Proposition 6 - Oppose. It's my understanding that ADF&G fisheries managers say they get all the information they need for in-river management from the Miles Lake sonar. It would be expensive, burdensome, and, apparently, not helpful, to require in-season harvest reporting . . . so why do it?

Proposition 7 - Oppose. Plenty of Alaskans don't have a boat, fishwheel or access across private property to subsistence fish upstream of the bridge. There shouldn't be a problem with guided outings to allow those people to take their share of Alaska's bounty.

Propositions 9, 10, 11 - Oppose. Prohibiting subsistence dipnetting from a boat is just plain mean. There are very limited opportunities to participate in the Copper River subsistence fishery without one.

Proposition 12 - Oppose. It sounds ridiculous that boaters can't dipnet within 50' of a shore fisher. And how does the submitter propose that be enforced?

Proposition 14, 15 - Oppose. Given gillnet max mesh size limites, dipnets strung with gillnetting are a bigger danger to smaller reds than kings.

Proposition 18 - Support. I've fished the lower end of the PU area from a boat before. It can get a dangerous where there are a few boats down there. There's not much room to maneuver and boat wakes crossing boat wakes plus some current can add up to a fair element of danger. Extending the boundary would spread things out and calm them down.

Proposal 19 - Strongly oppose. If the return is weak, F&G can throttle every user groups' fishing time. If the run recovers, everyone can fish again, if not, everyone feels the pain. There's no point nor any fairness in diminishing the personal use allocation for a season because the commercial users haven't caught enough fish by an arbitrary and early date and the run could very well materialize later than expected.

Proposal 20 - Strongly oppose. Why should the very productive Copper River waters have a smaller PU bag limit than the south-central PU fishery? The current 25/10 limit does not seem unreasonable and has only been in effect for a few years. The 15/30 proposal seems quite inequitable towards families with more mouths to feed.



Submitted By
Paul Owecke
Submitted On
11/9/2021 8:26:42 AM
Affiliation
Self

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Paul Owecke-PWS Finfish Comment

Ms. Chair and Members of the Board,

Thank-you for taking the time to read this and all comments in order to make informed decisions on fishermen's behalf. My name is Paul Owecke and I currently participate in the PWS setnet fishery. I have been an active permit holder for 39 years. I was a founder and past president of Prince William Sound Setnet Assoc. Prior to setnetting, I have participated in various crab fisheries as well as halibut. Prior to setnet I was employed as a Fish Culturist for ADFG FRED (Fisheries Rehabilitation and Enhancement Division) for five years. My last position was Fish Culturist III, Main Bay Hatchery, PWS.

As there are many new BOF members who may not be familiar, I would like to give brief general information regarding the setnet fishery. With only 28 permit holders it is one of the smallest gear groups for any fishery in the state. Setnet harvest is limited to a single fishing district (Eshamy), one of the smallest fishing districts in the state. Published accounts record commercial harvest in the Eshamy district dating to 1895 and specific references to setnet harvest began in 1904, the year in which the government began the systematic collection of fishery statistics of Alaska. (Statistical Review of the Alaska Salmon Fisheries Part III: Prince William Sound, Copper River and Bering River, Willis and Ball 1932) Both drift gillnet and seine fisheries in PWS utilize multiple districts.

Within Main Bay of the Eshamy District is located the Prince William Sound Aquaculture Corporation hatchery of Main Bay. This is the largest, most successful sockeye smolt production facility in the world. It has realized returns to the common property fishery since 1983. Prior to the building of Main Bay Hatchery, ADFG FRED published and released a Scoping Document for Main Bay Hatchery that was distributed throughout the PWS region (libraries and ADFG offices) and outlined the reasons and expectations for building Main Bay Hatchery. In the scoping document there was clear intent to benefit the setnet fishery and this was part of the rationale for building Main Bay Hatchery, in order to benefit the setnet fishery.

Proposal 26 - Oppose I oppose this proposal specifically from the standpoint of protecting returning sockeye salmon to Eshamy Lake. This wild stock of sockeye are currently not reaching escapement goals set by ADFG and there has been a reduction in funding to adequately utilize the weir on Eshamy River that monitors escapement. The group of users this proposal would enable in harvesting Eshamy sockeye also has the largest return of enhanced sockeye salmon in the world to utilize rather than targeting a vulnerable wild stock.

Proposal 27 - Oppose All current participants in the subsistence fishery have ample opportunity to harvest and achieve fulfillment of current fish bag limits. No additional time or area are justified at this time.

Proposal 42 - OPPOSE The author of this proposal seeks to attain "parity" between user groups that is in direct conflict with the original intent of the remediation measures implemented in the 2004-2005 allocation plan to balance harvest percentages between user groups. As an 04-05 attendee I was the sole setnet participant in the committee working with BOF chair Mel Morris on crafting allocation. It was made clear that there was full expectation that all user groups would be in and out of compliance with their respective allocation percentages due to the nature of fluctuating salmon returns. It was also made clear that the setnet user group could be moved in and out of compliance more as a result of fluctuation in the much greater harvests of drift gillnet and seine. With that fact in mind, a trigger of one percentage point was accepted by all participants as appropriate.

The intent of the remediation measures was predicated on the idea that the allocation percentages could be exceeded and the remediation measures would move the exceeding party back into compliance without undue harm over time. That was the rationale for a rolling five year average and a reasonable trigger for the setnet user group that would not have them out of compliance with their allocation on a permanent basis. This was an acknowledgement that there is and will be disparity between user groups within the allocation plan and that remediation was intended to work over a course of years without drastic punitive consequences for any user group.

Adoption of Proposal 42 would implement a remediation trigger of 0.25% for setnet that would guarantee over time that the setnet user group would be permanently out of compliance with their target allocation. This would set in motion further proposals to limit setnet harvest and calls for drastic remediation measures. There is at this time no reason to seek the "parity" that the author of this proposal seeks to attain. The current allocation policy anticipated disparity in harvest between user groups and implemented means to bring balance over time which has been accomplished in large part. All three gear groups in PWS have had the good fortune of maintaining viable harvest levels over time. I believe there is no valid reason at this time for the BOF to adjust allocation percentages or triggers for any user group.



Proposal 43 - Support

Proposal 44 - Oppose. The author of this proposal desires an excessively punitive means to remedy what he sees as a “parity” issue between the user groups. As discussed in proposal 42 above, the original intent of the remediation measures in the allocation plan are to be accomplished over time and without drastic punitive outcomes to the gear group being brought back into compliance. As currently enforced, the remediation measures imposed on the setnet group have had a very consequential reduction in harvest by the setnet group. However, those reductions in harvest have also been overshadowed many years by large swings in seine harvest in particular. When there has been large reductions in seine harvest, due to variable pink salmon returns, this causes a numerical shift that pushes up the harvest percentage totals in drift and setnet. This is an unavoidable consequence of mathematics more than over harvest by the setnet group. The setnet group does not have enough participants or harvest capability to offset large shifts in either drift or seine harvest or fish prices. There is no punitive remedy that can change this dynamic, and to go down the road of implementing punitive measures to bring “parity” will not meet with success, as the math remains unchangeable.

As currently enforced, the maximum 36 hours in weekly fishing time if the setnet group exceeds its 5% allocation has brought a reduction in setnet fishing time per week that typically ranges between 50% and higher. This percentage changes as the total open weekly fishing time varies according to management. Recently, ADFG management has had the district open two 36 hour periods per week. In some years, periods have gone 48 or more hours, while some years periods have been reduced to 24 or 12 hours. With two 36 hour open periods per week the setnet group sees a 50% reduction in fishing time under the allocation plan. This has been consequential for the setnet group, and has imposed significant hardship. To now modify this as proposed in 44 to be more punitive will only serve to harm the most vulnerable in the setnet group. In years when setnet fishing time is reduced, a sizable portion of setnet permit holders that have more productive sites discontinue fishing, and those with less productive sites continue fishing the reduced hours in order to stay economically viable. To now further punish as outlined in this proposal, it will have further negative impacts on those less able to weather the consequence. I request that the Board not impose more punitive measures on the setnet group. The Allocation Plan is functioning as intended with all user groups having viable and fair fishery outcomes.

Proposal 45 - Support The conflict between drift and setnet within the Main Bay Subdistrict must be resolved before there are injuries or property damage. With reduced returns to both Main Bay and the Copper River, there is now intensified efforts by drift participants to disregard setbacks between set and drift gear. Due to current setbacks being vague enough, drift operators feel they can deploy gear between setnets that are placed 50 fathoms apart, but the current regulations state that drift and set gear must be 25 fathoms apart. The practice of illegally fishing too close to set gear by drift participants is becoming normalized as it has been repeated by so many without consequence. The prevalence of illegal fishing has overwhelmed enforcement’s ability to deal with the magnitude of the problem. With fleet radio coordination, most illegal fishing is avoided when protection officers are present. Flyovers have resulted in prosecution of offenders, but enforcement resources are limited. This proposal will solve this issue, and there is precedent within this district as to how to accomplish this.

A similar scenario was occurring in the Crafton Island Subdistrict where drift operators were continually fishing illegally too close to set gear. The Alaska State Troopers, Protection, submitted a proposal (1996) to increase the distance setback between set and drift gear so as to remove any question regarding whether a drift net could be set between setnets placed 100 fathoms apart. Previous regulation stipulated a 50 fathom setback between set and drift gear yet drift operators regularly set between setnets placed 100 fathoms apart. The proposal submitted by Protection (BOF approved) increased the setback between set and drift gear to 60 fathoms and there was no longer a question whether drift nets could be deployed between setnets 100 fathoms apart. This has eliminated the problem and resulted in no reduction in harvest for the drift fleet.

The setnet group has submitted this proposal previously and it has been wrongly portrayed by the drift fleet as allocative. It was not allocative when approved previously in the Crafton Island subdistrict, nor would it be allocative in this instance. The majority of the fish harvested in any given year are harvested legally, it is a minority of rogue drift operators that need to be stopped. Setnet gear being stationary will not realize any increase in harvest due to curtailing illegal operators. And, the curtailing of illegal round hauling between setnets will serve to more equally distribute fish to legal drift operators. Another factor to consider is that for the majority of the season the AGZ (Alternating Gear Zone) terminal harvest area is open one of the two open periods per week to setnet only and virtually all setnet harvest is conducted within the AGZ, leaving the entire remainder of Main Bay open to drift harvest with no setnets present. There is typically only one period per week where there are conflicts between drift and setnet gear and this further negates any claim of allocation being an issue. Approval of this proposal will see the majority of the fleet carry on an orderly fishery, and the rogue operators will be prevented from illegal harvest. Please approve this proposal in order to restore order to a chaotic scenario.

Proposal 46 - Oppose ADFG currently uses emergency order to effectively allow the use of deep gear anytime it is deemed necessary and does not threaten other stocks. The adoption of this proposal would result in the interception of numerous wild stocks besides the targeted hatchery returns.

Proposal 47 - Oppose There is no data to substantiate the claim that “large numbers” of salmon from other districts are harvested in the Coghill District. There has been incidental harvest of salmon from other districts in every harvest area targeting returning hatchery fish, in no current instance, including Coghill District, has there been numbers great enough to warrant ADFG to alter management.

Proposal 48 - Oppose There has been incidental harvest of salmon from other districts in every harvest area targeting returning hatchery fish, in no current instance, including Eshamy District, has there been numbers great enough to warrant ADFG to alter management.



Proposals 49 thru 55 - Oppose All these proposals seek to address extremely complex issues with a one size suits all approach that does not recognize the reality of the overall complexities. They make assumptions that simple hatchery reductions will resolve issues that are caused by causes related to factors unrelated to hatchery production. There is currently much research being conducted that will inform decision making in addressing the concerns of the parties submitting these proposals. One factor that is not addressed by these parties is the high probability that changing climate is a major factor in the issues and that by assigning blame to just hatchery production will preclude addressing other pertinent factors like changing climate.

Proposals 56 & 57 - Oppose One of the best means to facilitate a fair distribution of a resource is to have gear uniformity between harvesting participants. Approving these proposals breaks with all participants having uniform amounts of gear and will lead to giving harvest advantage to a particular subset, and disadvantage the remainder.

Proposal 58 - Oppose The seine fishery in the Southwest District, which includes the Armin F. Koernig harvest area referenced in this proposal, has a long documented history of intercepting stocks bound for areas throughout PWS. The words they are seeking to delete have guided ADFG in making the most biologically sound decisions for stocks outside of this fishing district. ADFG must not lose the ability to manage this fishery in a biologically sound manner. The proposal states that fishing in compressed time frames on buildups of fish is the rationale for this proposal. Those conditions are the reality of all hatchery terminal harvest areas, and if participants find that not to their liking they can choose other areas open concurrently with this fishery.

Proposal 59 - Oppose Until such time that ADFG determines that opening these closed waters will not have detrimental effect on wild stocks or intercept other fully utilized stocks (hatchery or wild), this proposal should not be approved as it may adversely affect wild stocks or harvesters in other areas.

Proposal 60 - Support Updating of GPS coordinates is needed. Any updating that occurs within the Eshamy District must be done so as to maintain the historical (signposted) closure boundaries in relation to setnet sites delineated by Shorefishery Leases issued to setnet fishers in the Eshamy District.



January 10, 2021

To Who It May Concern:

I wanted to write to you to express my concern. My wife and I (and sometimes other family members as well) have been traveling from Utah to Cordova Alaska to sport fish for silver salmon every year for the past 20 years or so. We have normally been spending a week and sometimes longer every September fishing the Eyak and Ibek rivers as well as some of the other streams and tributaries in the Cordova area. We even came in last year when we had to go through medical testing and travel restrictions due to the pandemic. We have come to love the area and when we arrive in Cordova we feel like we have come to a second home.

Unfortunately in recent years we have felt that the quality of sport fishing has declined dramatically. While there is always a variation from one year to another in the volume of the silver run we have noticed that in the last few years the commercial fishing operations in the area have dramatically impacted the sport fishing in the Eyak river. The commercial fisherman are now apparently periodically targeting silver salmon by essentially blocking the entrance to the Eyak river with their nets for intermittent periods of time which almost completely cut off the supply of fish coming up stream for at least a day and sometimes longer. I understand that the commercial fisherman need to make a living but their tactic of setting up nets at the mouth of the Eyak allows for few if any fish to travel up river basically shutting down the sport fishing opportunity completely. Last year when we were in Cordova for a week the first two days of fishing were normal and then the river went completely dead. I assumed that the run had ended early but was later informed that the commercial fishing operations were out in the mouth of the Eyak catching the fish. For most of the rest of the week we could find very few fish. There must be a better approach that can balance the needs of the commercial fisherman with the people traveling long distances and spending large sums of money to sport fish.

Recently I was made aware of new proposals being made in the Prince William Sound / Cordova fishing proposals. In particular I was deeply troubled by proposals #38, #39, and #40. In effect these proposals would close off sport fishing opportunities by shutting vast areas of river fishing (such as the Ibek river and 18 mile tributaries) as well as closing off sport fishing all together even in the Eyak when commercial fishing is being curtailed. I believe that if these proposals are implemented it will effectively end sport fishing in the Cordova area. Many years when we come in we get heavy rains which make the Eyak very cloudy and difficult to fish. In those years we are able to fish in the Ibek which clears more rapidly or the smaller tributaries in the "18 mile" area. If those areas are closed to fishing then in many years there will be almost no opportunity for sport fishermen to catch silver salmon in Cordova.

We have loved coming into Alaska every year to the beautiful Cordova area. I believe that if these changes are implemented it will unfortunately be the end of our travels there. I hope that you will consider the concerns of this sport fisherman (and probably others) and balance that with the needs of the commercial fishing industry. I would be happy to speak with anyone if there are questions about my experiences. Thanks for your consideration.

Sincerely,

Pete Mazeika
250 N 1400 E
Pleasant Grove, Ut 84062
801-358-2027, Pmaze60@gmail.com

Submitted By
Peter Deane
Submitted On
11/7/2021 4:52:59 AM
Affiliation



PC184
1 of 1

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Proposal 6 -Oppose! Reporting as of now is works fine and requiring 3 day reporting impacts travel plans because of lack of internet access in the area could impact peoples travels plans and will reduce tourism opportunities for local businesses. Proposal 7 - Strongly Oppose! Banning guide services will prevent access to thousands of users who do not own a boat or do not wish stand on slippery rocks or wade into the fast current to try and catch fish. Properly licensed and vetted Guide services provide safe access to residents who would otherwise be unable to participate. Proposal 8 - Oppose! Language is too vague and would restrict access to the Personal Use and Subsistence Fishery at the Bridge, O'Brian Creek, Terral Creek, Eskaleta Creek and Haley Creek. All of these drainages are popular access points for users. Proposal 9 - Oppose! Language is too vague and would restrict access to the Subsistence Fishery at the Bridge. Proposal 10 - Strongly Oppose! This proposal lacks common sense and would effectively force everyone to Dipnet from the shore leaving dip netter to stand on slippery rocks or wade into the river. This puts users at undo risk. Proposal 11 - Strongly Oppose! This proposal would like all boaters who navigate their boats into the canyon could only tie off to the canyon walls or shore. As a professional mariner I feel that forcing lay people to navigate their boats into very very sketchy currents is a receipt for disaster and puts undue risk to the fisherman and their passengers. Proposal 12- Strongly Oppose! There are a few places in the PU fishery that this interaction occurs. There are only a handful of locations to safely Dipnet from a boat in the PU where as there is nearly 20 miles of river bank for people who wish to Dipnet from shore can. Boats and canyon wall Dipnetters can co-exist with no apparent impact on fishing success from either user. Dipnetter who wade into the water in the same drift as boats are putting themselves at risk and present a hazard to navigation. By pushing out 30-40' poles these folks run their nets under the running gear of the boats presenting a possibility of fouling the motor and setting the vessel dead adrift creating a safety hazard for the captain and crew. Proposal 13 - Strongly Oppose! Fish wheels are stationary hazards that boats avoid. By limiting navigation near fish wheels the proposal could eliminate access to the entire length of the Kotsina flood plain just above the bridge forcing everyone to fish across the river on the West Bank of the Copper. One person's "too close for comfort" is not another's. Data needs to be provided that demonstrates actual accidental contact or fouling of Dipnet gear from a boat with a Fishwheel. The hazard lies with the boat operator who could expect to capsize on contact with a wheel and thus can navigate around this hazard with this knowledge. Whether its a Fishwheel operator who drives a boat to their wheel or a dipentter the boat is only a momentary sound that quickly passes and does not impact fishing success. If it did the Fishwheel operator would not run a boat near their wheel. Proposal 14 - Strongly Oppose! King salmon do not get "gilled" in the current allowable gear. With practice, kings can be removed from a Dipnet quickly. Proposal 15 - Strongly Oppose! King salmon do not get "gilled" in the current allowable gear. With practice, kings can be removed from a Dipnet quickly. Proposal 16 - Strongly Oppose! The use of sonar on while navigating any body of water is so prolific that nearly every vessel and certainly every commercial fishing boat employ sonar, aerial spotters and other means effectively to navigate and to locate fish. Though unlike our commercial counterparts, using sonar on the Copper River is more and aide to navigation than to find fish. The biggest risk of injury or accident while gear is deployed is the reality of snagging submerged objects or structure unseen without the use of sonar. "Drifts" as we call them are only done in a handful of locations in the Personal Use and Subsistence Fisheries. This is in large part because the depth is shallow enough and significantly free of snags that allows dipnetters to drag their nets at the bottom without snagging. Debris such as logs and broken fishwheels get pushed down river resulting in a constant risk of fouling and the sonar plays a pivotal role in avoiding these hazards. In discussing this proposal this with Senior Marine Inspector MSSE4 Overturf from USCG Sector Anchorage he stated "while it rare to find a fishing vessel without depth sounding device, most vessels have them as the added safety for the navigation of the vessel cannot be denied. " Proposal 17 - Strongly Oppose! This proposal restricts the method of take by putting a penalty on a safer more time effective method of take and an additional burden on the user to obtain multiple permits and additional reporting. Proposal 18 - Strongly Support! This proposal offers a reduction in congestion along the lower limit of the fishery. On busy days this area can be considered high risk for navigation due in large part to the number of vessels in this short drift. The longer drift would allow for a more orderly drift with allowing greater spacing between boats. Though the PU fishery is nearly 9 miles long" there are less than 1000 yards of viable drifts due to depth, snags, current and debris that impact the safety of the boat and crew. This addition though incrementally small adds a drift that is safe to navigate. This drift is only available once the water level is high enough to flow over the gravel bar allowing navigation along this bank thus reducing its overall use to high water conditions. Proposal 19 - Strongly Oppose! In years of low abundance, the resource should be allocated to Alaskan Residents and not sold to markets as a luxury food item. Proposal 20 - Strongly Oppose! In years of low abundance, dipnetting yields low success and low success yields low pressure, but for those who what to slug it out should be able to do so within the current possession limits. Additionally, by lowering the limit it becomes less cost effective to travel to the fishery from anywhere other than the communities in the Basin. Proposal 21 - Support! In recent years fish have come late so opening up a season earlier would make little difference as the fishing pressure would be low as would the success rates. Proposal 22 - Support!

Submitted By

Phyllis Shirron

Submitted On

11/13/2021 12:34:48 PM

Affiliation

Seine/Dungie crewman; PWS drift permit holder



PC185
1 of 31

Proposal # 5: OPPOSE

An optimal escapement goal of 40,000 Chinook is not supported by ADFG, nor is it based on the Biological Escapement Goal for king salmon in the Copper River drainage. In 2017, ADFG recommended lowering the goal to 18K for the health and sustainability of this Chinook run. The Board should defer to the Department's recommendation of all escapement goals pertaining to this watershed, rather than a proposal by the Kenai River Sportfishing Association.

I urge the board to reject Proposal 5.



Submitted By

Phyllis Shirron

Submitted On

11/13/2021 1:11:13 PM

Affiliation

PWS drift permit owner; seine/dungie crewman AK

Prposal #6: SUPPORT

I strongly support daily reporting of all people utilizing any fishery, including sport, personal use, and subsistence harvests. It is a logical and reasonable way to collect *reliable* data, which can be a tool for fishery managers and related entities. Up river there is little oversight by authorities, which allows for innocent mistakes or corruption. Furthermore, it has been proven that human memory is faulty, and can lead to inaccurate accounts if experiences are not documented immediately. Therefore, daily reporting is more reliable than a single report at the end of a season. Cellular data and internet are more available than ever before. Immediate reporting will not be inconvenient for any of our user groups. In this technology based society, at a juncture where our salmon stocks have natural and man-made pressures, the ADFG biologists deserve every tool they can get.

Commercial fleets are heavily regulated and immediate reporting is mandatory. The data collected is thorough, precise, and available to any interested party. This is a positive example of how daily reporting is beneficial to our hatcheries, regulatory agencies, the public, and ultimately Alaska's economy. Immediate reporting of any salmon harvested in the Copper River drainage could provide similar benefits with no negative impacts.

I strongly urge the Board to support proposal #6

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 1:41:14 PM
Affiliation
PWS drift permit owner; seine/dungie crewman AK



PC185
3 of 31

Proposal # 7 SUPPORT

Until recent years, there have not been many guide-services on the Copper. Because of the complicated river system and the nature of Personal Use and Subsistence fisheries in this area, fishermen have traditionally been more self-sufficient and less invasive in the spawning grounds. With guided subsistence charters, the pressure on salmon as well as increased degradation of spawning habitat, is a serious concern. Guided subsistence trips are turning this resource into a commercial venture. Currently there are no commercial regulations on these captains, as their are in other commercial fisheries. Chartered fishing guides receiving fees for guided trips, in a subsistence fishery, is a misuse of the resource. These entities are blatantly taking advantage of a regulatory loophole, while causing damage to salmon runs and habitat. By prohibiting monetary exchange for these services, you will be upholding the constitution's purpose of subsistence fishing, as well as creating a more sustainable future for said fishery.

I strongly urge the Board to support proposal #7

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 1:48:22 PM

Affiliation
PWS drift permit owner; seine/dungie crewman AK



PC185
4 of 31

Proposal #8 SUPPORT

We haven't met our Gulkana brood stock in recent years. We know dipnets are more successful than other methods of catching. Dip nets also have a higher mortality rate upon release. Regulations are in place to protect anadromous streams from other fisheries, and should extend to subsistence fisheries as well. Especially in sensitive areas.

I hope the board will support proposal # 8

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 1:58:42 PM



PC185
5 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #9 SUPPORT

Limiting the area for dipnets, to that below the Chitina bridge, will be inconsequential to Alaskans filling our freezers but substantial for salmon trying to successfully spawn above the bridge. Because pressure on the species has increased since statehood, through environment and human aspects, it is our duty as Alaskan residents to limit our take in areas of spawning grounds- especially when escapement goals are not being met. Once the runs have rebounded, the areas can be reassessed. Until then, we should keep dipnets below the bridge.

I would like the Board to support Proposal 9

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 2:10:13 PM



PC185
6 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #10 SUPPORT

Dipnetting by boat, with no limitations of allowable methods or depth, allows charter guides and motorized fishing to target and over-harvest vulnerable fish, which severely damages the population. Dipnetting by moving vessel is an expansion of the fishery. Modern sonar increases the ability to harvest. More over, dipnets can be drug along the bottom and used as a trawl, repeatedly covering the same ground and preventing fish from resting and advancing up river. Traditionally, subsistence and personal use dipnets were not wielded so successfully. Technology and equipment have improved, accessibility has increased, yet regulations have not evolved to reflect these changes.

I would like the Board to support Proposal 10

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 2:19:52 PM



PC185
7 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal # 11 Support

Although I would like to see this proposal affect charter operators as well, I am in support of Proposal 11. The area is sensitive habitat for salmon where the fish are near the end of their journey. They are vulnerable once they arrive here. Technology and gear have improved greatly over the years, which increases the success of our fishermen. As number of fishermen and improved gear increases in this area, the regulations must evolve to support a sustainable and healthy salmon stock. It is logical that dipnetters should be stationary in this area of the Copper River Basin to support conservation of the resource.

I would like the Board to support Proposal 11

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 4:15:25 PM



PC185
8 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #14 Support

The health of our Chinook stock should be top priority. Limiting the use of mono and multi filament dip nets to August 15 and later, will promote survival and spawning of chinook salmon. Dipnetters upriver and in spawning grounds do not experience heavy regulations, although the accessibility and technology has increased tremendously. Ammending the allowable materials and gear type would be appropriate.

I'd like to see the Board support proposal 14

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 4:18:50 PM



PC185
9 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal # 15 Support

Improvement to gear types and technology have occurred, as well as accessibility to salmon habitat in Copper River. It is logical to amend allowable materials to match increased pressure on these salmon. This proposal was submitted by Copper Basin Fish and Game Advisory Board.

The Board of Fish should support the committee's proposal.

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 4:26:33 PM



PC185
10 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal # 17 Support

Local subsistence users are having difficulty catching their harvest since the dip netting has increased along the Copper River. It is established that brood stock has not been achieved since 2014 and there is increased pressure on the salmon stock that correspond with these shortages. It is logical to limit dipnetting to stationary points, and limiting the number of salmon to be harvested per permit. This proposal suggests minimal change. It is reasonable to implement this proposal for conservation and reasonable allocation of the resource.

I want the Board to support proposal 17

Submitted By
Phyllis Shirron
Submitted On
11/13/2021 4:31:16 PM



PC185
11 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal # 18 OPPOSE

In a time when we are not achieving escapement, and brood stock has not been fulfilled by Gulkana since 2014, it is unreasonable for any user group to request additional area. #18 attempts to expand area into the mark and capture territory. This proposal is an absolute offense.

The Board should absolutely oppose # 18!



Submitted By
Phyllis Shirron
Submitted On
11/13/2021 5:47:01 PM

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal 19 SUPPORT

This proposal promotes an equal shared burden of conservation amongst user groups of Copper River, toward protecting and supporting spawning salmon stocks, as well as sustaining all future Copper River fisheries. Until 2017 there has been a similar regulation on the books. It was repealed on the premise that the regulation had never been utilized or needed. Since that time, the stocks have declined.

When fish are abundant, we all benefit. When fish returns are low, it is the commercial fleet that loses opportunity and experiences restriction. Up river fisheries have a substantial impact on spawning fish. Yet the commercial fleet bears the burden. Since 2017, the time of repeal, Copper River has experienced multiple instances that this rule would have been a boon to regional biologists. The most recent example is this 2021 season, when the drift fleet experienced a 16 day closure even though all signs showed the run would produce, just later than usual. Ultimately the 2021 in-river goal was exceeded and sockeye escapement met. Shared burden of conservation would have allowed at least one day of commercial fishing, rather than a 16 day closure. The fish tax, fuel usage, food purchases, and all other income generated from a single opener during that time would have greatly benefited the economy. It was lost opportunity for the commercial fleet while up river was unaffected.

Proposal 19 is less restrictive than the original rule, which was removed so recently as the latest Board meeting. *Now* the rule is needed. It is prudent to pass Proposal 19.

I strongly urge the Board to support proposal 19.

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 1:10:36 AM



PC185
13 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #20: SUPPORT

This proposal is pragmatic. It brings the Personal Use fishery to a responsible and reasonable number of 15 salmon for a household of one, 30 for a household greater than one, and provides opportunities for more fish if the run is strong. This proposal is another tool of conservation that allows Copper River biologists to appropriately manage the fishery in these times that the salmon runs are struggling. Also, households can sportfish with rods to increase their salmon harvest as needed.

ADFG and Board of Fish are tasked with preserving our salmon stocks through management and regulation. In 2014 the afore mentioned harvest limits were increased to meet those of the Kenai River. Copper River drainage is very different than Kenai, and requires different management strategies. While Copper River fish populations are showing signs of low abundance, the harvest limits should reflect the trend. PU harvests should return to lower limits in order to preserve wild stocks and improve Gulkana hatchery production.

I strongly urge the Board to pass Proposal 20.

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 1:20:56 AM



PC185
14 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #21: OPPPOSE

The Personal use fishery provides ample opportunity and large bag limits as it stands. Gulkana has not collected required brood stock in many years. The sonar is installed in mid to late May, once river conditions allow. There is not enough data collected between time of installation and June 1, to support this proposal. No user group should be requesting more time in this drainage until the Chinook escapements are met. I strongly oppose proposal 21.

I strongly urge the Board to reject Prop 21.

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 1:50:26 AM



PC185
15 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #28: OPPOSE

Subsistence and Personal Use permits have different bag limits. Lower river harvest numbers are related to achieving the in-river goal, while up-river harvests are managed on a different scale. Until our chinook escapement are being met consistently, and the health of our other stocks are stabilized, no user group should be requesting higher bag limits.

I would like the Board to oppose Proposition #28

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:00:41 AM



PC185
16 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #29: Oppose

I think the Native Village could fish gillnets throughout the Sound. But I would like NVE to go through Federal channels rather than state regulatory boards. If these subsistence rules change through Board of Fish, it opens the Sound to over-use with this gear type, and potentially increases negative effects on all salmon stocks [in unforeseen ways].

I would like the Board to remain neutral or reject Proposal #29.

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:10:06 AM



PC185
17 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #32: OPPOSE

Watersheds across Alaska are unique, and must be managed individually. This proposal puts the need of the user above the health of the resource. Regulatory boards are suppose to manage to the well being of the resource. I want the sport limits to remain as they are, especially as Copper River salmon stocks are in low abundance. No user group should request increased bag limits at this time.

I would like the Board to reject this proposal

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:15:56 AM



PC185
18 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #32: SUPPORT

If passed, this could decrease predation of salmon, which could positively impact that species, as well as increasing sport fish opportunity.

I support passing proposal #32

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:21:45 AM



PC185
19 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #36: SUPPORT

This proposal provides long term benefits to the Gulkana hatchery, sport fishermen, and ultimately the trout population. Catching trout limits their competition and allows growth. It also increases sporting opportunities while potentially decreasing predation of salmon by these Rainbow Trout.

I hope the Board supports Prop 36

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:30:19 AM



PC185
20 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #38: SUPPORT

If implemented, this proposal will ensure conservation when counts are low. Health and sustainability of the resource should be prioritized over user groups. It is logical that the lower river users and commercial fleet, should not be responsible for the entire burden of conservation. It is practical to restrict all user groups at times of low abundance.

I want the Board to pass Proposal #38

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:35:44 AM

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #39: SUPPORT

This proposal supports salmon habitat and protects sensitive spawning grounds. If this proposal is approved, it will not limit sport fishermen in this area because there is plenty of open and accessible area. Protecting salmon habitat is positive for all user groups!

I would like to see the Board pass Proposal 39



Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:39:35 AM

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #40: SUPPORT

This proposal is common sense. It protects a species at one of the most vulnerable and important phases of their life cycle. It was submitted by the Fish and Game Advisory Committee, which should be supported.

The Board should pass Proposal #40



Submitted By
Phyllis Shirron
Submitted On
11/14/2021 2:48:11 AM



PC185
23 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #41: SUPPORT

This proposal emits the word 'madatory' from the management plan, but does NOT remove inside closures. ADFG managers have proven themselves to be conservative and effective. If passed, this proposal will provide area biologists a hint of freedom in weekly management that they currently do not have. It is simply a tool they can utilize if appropriate.

I would like the Board to pass Proposal 41

Submitted By
Phyllis Shirron
Submitted On
11/14/2021 10:48:54 PM



PC185
24 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal # 47: OPPOSE

Interception was a consideration when hatcheries began, and has been consistently monitored over the years. The Valdez fish highlighted in this proposal are always accounted for in PSWAC allocation. The intent of this proposal is already acknowledged and heeded throughout PWS, and managed accordingly, deeming this proposal unnecessary

I would like the Board to reject this proposal.



Submitted By

Phyllis Shirron

Submitted On

11/14/2021 11:11:25 PM

Affiliation

PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal # 48: OPPOSE

Proposal 48, submitted by Northwest and Alaska Seine Asspcoation, attempts to limit opportunity for the Drift and Setnet fleets in Eshamy District. The Drift and Set net fleets fish a small portion of Prince William Sound. The districts are set according to species, gear type, and historical run times. Interception is accounted for by hatcheries and ADFG. It is not prudent to limit the gillnet fleets based on the small percentage of pink salmon harvested, as this proposal is targeting. Furthermore, the fish at the core of this proposal are accounted for in hatchery plans, and PSWAC allocation. Area biologists already manage these districts and runs appropriately. There is no need to amend the Prince William Sound and Salmon Enhancement Allocation Plan as suggested by Proposal #48

I would like to see the Board oppose Proposal 48.



Submitted By

Phyllis Shirron

Submitted On

11/15/2021 10:50:10 AM

Affiliation

PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #49: OPPOSE

This proposal submitted by Pioneer Alaskan Fisheries is redundant, and their concerns are addressed in the bylaws of hatcheries and the guiding principles of ADFG fishery management. PWS hatcheries adhere to protocol that prevents contamination of wild stocks. The balance between enhanced and wild stocks are consistently monitored and maintained. Collaboration between hatcheries, ADFG, and other key players in the region ensures that wild salmon are being prioritized and sustained. Fishing fleets in PWS are strictly managed by area biologists. You can see through harvest records and historical data, that the Department is capable of managing fleets to promote the health of our Alaskan salmon populations, while benefiting the economy and balancing needs of all user groups.

The Board should reject Proposal 49

Submitted By
Phyllis Shirron
Submitted On
11/15/2021 11:37:06 AM



PC185
27 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #50: OPPOSE

The concerns voiced in Proposal 50 are accounted for, deeming it redundant and unnecessary. Wild stocks are prioritized throughout the state, then uniquely managed per specific watershed. When hatcheries began, the protection of wild stocks was written into bylaws. Since the beginning, parameters have been consistently monitored; then amended or maintained as necessary. The production of enhanced salmon is instrumental to the state's economy, as well as our residents' well being. Over time, population and tourism have increased, while gear and technology have improved for all fishing operations. With greater pressure on our salmon, the Department has proven in PWS that they are capable of sustaining healthy stocks while satisfying the needs of the user groups. Maintaining proper balance between enhanced and wild stocks is an in-depth process that involves many players; all of which are succeeding by utilizing science, regulations, and the ADFG guiding principles.

I strongly urge the Board to reject Proposal 50

Submitted By
Phyllis Shirron
Submitted On
11/15/2021 11:51:35 AM



PC185
28 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #51: OPPOSE

Proposals 50-53 are referencing the same concerns per individual hatchery. Wild stocks are prioritized throughout the state. Each region is unique and individually managed. Straying, interception and overlap are accounted for during the process. The requests in Prop 51 are currently addressed, deeming this proposal redundant and unnecessary.

When hatcheries began, the protection of wild stocks was written into bylaws. Since the beginning, those parameters have been consistently monitored; then amended or maintained as necessary. The production of enhanced salmon is instrumental to the state's economy, as well as our residents' well being. Over time, population and tourism have increased, while gear and technology have improved for all fishing operations. Maintaining proper balance between enhanced and wild stocks is an in depth process that involves many players; all of which are succeeding by utilizing science, regulations, and the ADFG guiding principles. With greater pressure on our salmon, the Department has proven that they are capable of sustaining healthy stocks while satisfying the needs of user groups.

I strongly urge the Board to reject Proposal 51

Submitted By
Phyllis Shirron
Submitted On
11/15/2021 12:15:05 PM
Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher



PC185
29 of 31

Proposal #52: OPPOSE

Proposals 50-53 are referencing the same concerns per individual hatchery. Wild stocks are prioritized throughout the state. Each region is unique and individually managed. Straying, interception and overlap are accounted for during the process. The requests in Prop 52 are currently addressed, deeming this proposal redundant and unnecessary.

When hatcheries began, the protection of wild stocks was written into bylaws. Since the beginning, those parameters have been consistently monitored; then amended or maintained as necessary. The production of enhanced salmon is instrumental to the state's economy, as well as our residents' well being. Over time, population and tourism have increased, while gear and technology have improved for all fishing operations. Maintaining proper balance between enhanced and wild stocks is an in depth process that involves many players; all of which are succeeding by utilizing science, regulations, and the ADFG guiding principles. With greater pressure on our salmon, the Department has proven that they are capable of sustaining healthy stocks while satisfying the needs of user groups.

I strongly urge the Board to reject Proposal 52

Submitted By
Phyllis Shirron
Submitted On
11/15/2021 12:16:54 PM



PC185
30 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal #53: OPPOSE

Proposals 50-53 are referencing the same concerns per individual hatchery. Wild stocks are prioritized throughout the state. Each region is unique and individually managed. Straying, interception and overlap are accounted for during the process. The requests in Prop 53 are currently addressed, deeming this proposal redundant and unnecessary.

When hatcheries began, the protection of wild stocks was written into bylaws. Since the beginning, those parameters have been consistently monitored; then amended or maintained as necessary. The production of enhanced salmon is instrumental to the state's economy, as well as our residents' well being. Over time, population and tourism have increased, while gear and technology have improved for all fishing operations. Maintaining proper balance between enhanced and wild stocks is an in depth process that involves many players; all of which are succeeding by utilizing science, regulations, and the ADFG guiding principles. With greater pressure on our salmon, the Department has proven that they are capable of sustaining healthy stocks while satisfying the needs of user groups.

I strongly urge the Board to reject Proposal 53

Submitted By
Phyllis Shirron
Submitted On
11/15/2021 4:15:12 PM



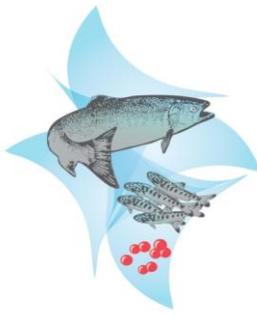
PC185
31 of 31

Affiliation
PWS drift permit owner; seine crewman, sport/subsistence fisher

Proposal 54: OPPOSE

As the previous proposals, this one is already accounted for in the bylaws and management plan of PWS. The proposal is unnecessary because the wild stocks are top priority. Habitat, contamination, and sustainability of wild runs are monitored and protected. To reduce chum production by 24% is an excessive change that create negative impacts for the hatcheries, fishing fleets, and state economy.

Please reject proposal 54.



Prince William Sound
Aquaculture Corporation
DEVELOPING SUSTAINABLE SALMON FISHERIES
FOR ALASKA AND THE WORLD



November 13, 2021

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

Submitted via online comment form and email: dfg.bof.comments@alaska.gov

RE: PWSAC opposes Proposals 49, 50, 51, 52, and 53

Dear Alaska Board of Fisheries Members:

The Prince William Sound Aquaculture Corporation (PWSAC) is a regional nonprofit hatchery organization operating four salmon hatcheries in Prince William Sound (PWS) and one on the Gulkana River, raising all five species of Pacific salmon for harvest in subsistence, sport, personal use, and commercial fisheries. Founded in 1974, PWSAC was initiated by local fishermen to support the region’s serious financial distress following several years of low salmon abundance. Today, PWSAC is Alaska’s largest hatchery organization, employing 53 full-time staff members and 75 seasonal workers and operating an annual budget that exceeds \$14 million, funded by salmon enhancement taxes and cost recovery fish sales. PWSAC is governed by a diverse board of 45 members who represent over 750 commercial salmon fishing permit holders, and thousands more stakeholders who benefit from PWSAC production, including commercial fishermen, sport fishermen, subsistence fishermen, personal use fishermen, PWS municipalities, Alaska Native organizations, scientists, and salmon processors.

Proposals 49-53 are interrelated and similar. These proposals intend to reduce hatchery production through board action by amending Prince William Sound (PWS) hatchery regulations that govern hatchery management plans. **PWSAC opposes proposals 49-53** on the basis that they are requesting unnecessary changes to management plans and attempting to place specific criteria into regulation that is not based on science or proven to be necessary. The current guidelines and process has served Alaska well for over 40 years.

PWSAC works collaboratively with the ADF&G fisheries managers and scientists annually regarding the impacts of salmon enhancement through the Regional Planning Team (RPT), Annual Management Plans, and the permitting process established in regulation. Hatchery location and interactions with other salmon species are carefully considered annually as new information is available. Regular and continued periodic evaluation is conducted for consistency with statewide policies and regulations, focusing on the protection of naturally spawning wild salmon, genetics, fish health, and disease. This has been and remains an enviable model of sustainable fisheries unparalleled anywhere in the world.

PWSAC production has been relatively stable since 1990, 30+ years. While salmon markets and ocean productivity have varied during this period, from 2012 – 2017, PWSAC provided an annual average ex-vessel value of \$49 million, according to a 2018 McDowell Group report. That equates to a \$122 million annual average wholesale value and \$192 million annual average total economic output to commercial, sport, and subsistence users within PWS. Salmon harvests are an important economic engine for Alaska and must be protected for future generations.

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FOR ALASKA AND THE WORLD**

P.O. Box 1110 · Cordova, Alaska
P.O. Box 111 · P.O. Box 111

www.pwsac.com



In the last 10 years, PWS has seen some of the largest wild returns on record. The top five natural pink returns were 23.4 million in 2021, 18.3 million in 2019, 22.4 million in 2017, 31.6 million in 2016, and 22.2 million in 2013. This supports that there has been no demonstrable harm to wild salmon stocks since hatchery inception, contrary to what the author of these proposals indicates, and illustrates the hatcheries supplementing, but not displacing, the sustained yield of PWS wild salmon stocks. Further, recent genetics work as part of the Alaska Salmon Hatchery Program (AHRP) reported in a March 2021 project synopsis, "Population structure in PWS is comparable to structure found in wild pink salmon elsewhere in its geographic range."

Salmon and nature are not static; attempting to establish fixed criteria will not be in the best interest of the public. Salmon straying, or pioneering, is an important natural behavior and is most prevalent in pink salmon. We are now experiencing this with pink salmon colonizing rivers and streams in Norton Sound and the North Slope. The scientific community has yet to establish definitive stray rate thresholds. The department continuously reviews the most current available science and has the tools in place to incorporate any changes necessary so that Alaska's fisheries and hatchery production are managed on a sustained yield basis per existing regulations.

PWSAC continues to support constant scientific review and evaluation of the Alaska Salmon Hatchery Program (AHRP) and supports the current laws and regulations that guide it. Over the last 40 years, the Alaska Salmon Hatchery Program has been a huge success in helping rebuild Alaska's salmon stocks from the historic lows of the 1970's. The program has provided hundreds of millions of dollars in economic activity across the state since its inception and fed billions of people across the globe. Until AHRP study results are finalized, it would be premature and harmful to consider curtailing hatchery production. Doing so will disrupt families, communities, and economies not just in PWS but across the entire state.

PWSAC respectfully **opposes proposals 49-53**. We look forward to working with the Board of Fish members to answer any questions they have and help inform the public process during the meeting.

Sincerely,

Geoff Clark
General Manager/CEO

**DEVELOPING SUSTAINABLE SALMON FISHERIES
FOR ALASKA AND THE WORLD**

P.O. Box 1110 · Cordova Alaska
90502-0110 · 907-556-0000



November 13, 2021

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

Submitted via online comment form and email: dfg.bof.comments@alaska.gov

RE: PWSAC opposes Proposals 54 & 55

Dear Alaska Board of Fisheries Members:

The Prince William Sound Aquaculture Corporation (PWSAC) is a regional nonprofit hatchery organization operating four salmon hatcheries in Prince William Sound (PWS) and one on the Gulkana River, raising all five species of Pacific salmon for harvest in subsistence, sport, personal use, and commercial fisheries. Founded in 1974, PWSAC was initiated by local fishermen to support the region’s economy following several years of low salmon abundance. Today, PWSAC is Alaska’s largest hatchery organization, employing 53 full-time staff members and 75 seasonal workers and operating an annual budget that exceeds \$14 million, funded by salmon enhancement taxes and cost recovery fish sales. PWSAC is governed by a diverse board of 45 members who represent over 750 commercial salmon fishing permit holders, and thousands more stakeholders who benefit from PWSAC production, including commercial fishermen, sport fishermen, subsistence fishermen, personal use fishermen, PWS municipalities, Alaska Native organizations, scientists, and salmon processors.

PWSAC opposes proposals 54 and 55. These proposals have been proposed during previous Board of Fish meetings and have not been passed. The proposals are not based on any scientific information and are meant to inflict financial harm on Alaska’s coastal communities, commercial fishing industry, sport fishing industry, subsistence fishing, and hatchery operators.

The author cites the document known as “Joint Protocol on Salmon Enhancement #2002-FB-215”. This document does not state anywhere that a 24% decrease in the chum salmon program has been agreed upon and is to be implement, as stated in Proposal 54. Further, the document does not reference a 25% decrease, as stated in Proposal 55. In previous meetings regarding the Alaska Hatchery Program, hatchery operators supported the Board of Fisheries implementing the Joint Protocol on Salmon Enhancement: which it has done since 2019. We support the board receiving regular updates on what is happening with salmon enhancement in Alaska, how it supports Alaska’s fisheries, and ways we can continue to improve the program.

The author asserts the over-production of hatchery pink salmon. Ruggerone and Irvine (2018), Knudsen (2015), and Haught et al (2017) provides the best available data on numbers and biomass of hatchery and natural origin adult (mature) and juvenile (immature) salmon. PWS pink production has been relatively stable since 1990, 30+ years. Estimated from these studies for the years 1990-2015, PWS adult and juvenile hatchery pink salmon biomass averages 7.32% of the total pink salmon biomass in the North Pacific Ocean. When the adult and juvenile chum and sockeye salmon biomass are included for the same timeframe, PWS adult and juvenile hatchery pink salmon biomass is estimated to average 1.62% of the annual total biomass for these three salmon species in the North Pacific Ocean.

PWSAC continues to support constant scientific review and evaluation of the Alaska Salmon Hatchery Program and supports the current laws and regulations that guide it. Over the last 40 years the Alaska Salmon Hatchery Program has been a huge success in helping rebuild Alaska’s salmon stocks from the historic lows of the 1970s.

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The program has provided hundreds of millions of dollars in economic activity across the state since its inception and fed billions of people across our globe.

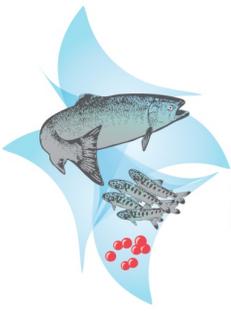
PWSAC respectfully **opposes proposals 54 and 55**. We look forward to working with Board of Fish members to answer any questions they have and help inform the public process during the meeting.

Sincerely,

Geoff Clark
General Manager/CEO

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Prince William Sound
Aquaculture Corporation
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PC186
5 of 30

November 15, 2021

Alaska Board of Fisheries
1255 W. 8th Street
P.O. Box 115526
Juneau, AK 99811-5526

Members of the Board of Fisheries:

I am sharing a legal memorandum produced by the firm of Ashburn & Mason P.C. in Anchorage. The memorandum was produced in July 2018 to answer questions about the Alaska hatchery program and related questions on Board processes and jurisdiction or authority, hatchery production regulation, harvest and permit management, and more. The upcoming Board of Fisheries meeting in Cordova will consider Proposals 49 – 55. This legal memorandum details many contextual issues and precedents that the Board will consider and discuss while deliberating Proposals 49 – 55. The Board has received this memorandum in years past, but with new members recently added to the Board, I wish to submit this document to provide additional background to the Board for consideration in advance to the discussions that will take place in Cordova from November 30 – December 6, 2021.

Please don't hesitate to contact me with questions.

Respectfully,

Geoff Clark
General Manager
Prince William Sound Aquaculture Association

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ASHBURN & MASON P.C.

LAWYERS

Laura C. Dulic • Matthew T. Findley • Eva R. Gardner • Rebecca E. Lipson
Donald W. McClintock III • Jeffrey W. Robinson • Thomas V. Wang
of Counsel Julian L. Mason III • A. William Saupe

July 9, 2018

VIA EMAIL: dfg.bof.comments@alaska.gov

Chairman John Jensen
Alaska Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526

Re: **Public Comments of Ashburn & Mason, P.C., Counsel for Prince William Sound Aquaculture Corporation In Opposition To May 16, 2018 KRSA et al. Emergency Petition Regarding VFDA Hatchery Production (Comment Due Date July 9, 2018).**

Dear Chairman Jensen and Members of the Board of Fisheries,

Ashburn & Mason, P.C., counsel to Prince William Sound Aquaculture Corporation (“PWSAC”), submits the following opposition and public comments to the above-referenced petition:

INTRODUCTION

Petitioners ask the Board to declare an emergency and reduce the current permitted salmon production at Valdez Fisheries Development Association’s (“VFDA”) Salmon Gulch Hatchery. The Department of Fish and Game (the “Department”) granted VFDA’s production permit in 2014, which provided for gradual production increases on a yearly basis. In year three of the permit, Petitioners now ask the Board to declare an



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 2
July 9, 2018

“emergency” and essentially veto this permit without engaging in the notice and comment rulemaking required by statute. The Petition establishes no “emergency,” nor does the Board of Fisheries (“Board”) have the statutory authority to veto the Department’s prior permit decision regarding salmon production.

A permit granted four years ago does not qualify as an “emergency” under any definition of the word, let alone the strict definition governing emergency petitions under Alaska law. By statute, true regulatory emergencies are held to a minimum and rarely found.¹ The reason for this strict standard is that enacting regulations outside of the notice and comment rulemaking procedures mandated by the Administrative Procedure Act is strongly disfavored. Here, establishing an emergency requires “unforeseen” and “unexpected” threats against fish and game resources.² VFDA’s long-standing permit is neither unforeseen nor unexpected. The fact that Petitioners chose not to engage in the public process leading to the permit grant does not make the permit “unforeseen.”

Even if there were an emergency, the Board lacks statutory authority to grant the relief requested by Petitioners. As set forth in detail below, the legislature invested the Department with the legal duty to oversee all aspects of hatchery creation, operation, and

¹ AS 44.62.270.

² 5 AAC 96.625(f).



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 3
July 9, 2018

production,³ including but not limited to how many fish hatchery operators are allowed to incubate and release each year. By statute, the Department, not the Board, regulates hatchery activities that directly impact production levels, such as the harvest of eggs from hatchery broodstock.⁴ The Board, on the other hand, is tasked with regulating and allocating the harvest of both hatchery and wild salmon among all user groups that the hatcheries were established to serve, including commercial, personal use, sport, subsistence, and hatchery cost recovery.⁵ The Department and the Board have respected and abided by this division of labor and authority for over 30 years. To our knowledge, the Board has never before attempted to second guess a decision by the Department to authorize a specific level of egg take in a hatchery permit.

The Petition seeks to disrupt this well-established division of authority by interjecting the Board into the realm of production management. Specifically, the Petition asks the Board to micro-manage egg take levels from hatchery broodstock, which is squarely within the Department's sphere of authority and expertise, and outside the Board's jurisdiction over allocation of harvest levels. The Petition's only ground for this change in the *status quo* is a narrow statutory subsection, AS 16.10.440(b), addressing

³ AS 16.10.400-.470; 5 ACC 40.005-.990.

⁴ AS 16.10.445; 5 AAC 40.300; 5 AAC 40.340; 5ACC 40.840.

⁵ *E.g.*, AS 16.05.251.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 4
July 9, 2018

the Board's authority to amend hatchery permits regarding the "source and number of salmon eggs." This provision cannot bear the weight Petitioners place on it.

When this statute was enacted in 1979, the legislative's reference to "the source and number of salmon eggs" almost certainly referred to the collection of *wild* salmon eggs, before the hatcheries' cost recovery operations had been fully established. Back in 1979, collection of salmon eggs from wild stocks involved the harvest of wild salmon still swimming out in the ocean. In those early days, egg take had a potential to affect the Board's allocative decisions. By contrast, hatchery egg take today is conducted entirely from returning hatchery broodstock, captured in terminal harvest areas, not out in the Sound, with little or no allocative implications.

Even if the statute could be construed to apply to eggs recovered from returning hatchery broodstock, it is an insufficient legal basis for disrupting the Department's comprehensive regulatory regime, which includes hatchery production planning and detailed permitting requirements. Again, the Board has jurisdiction over harvest levels, and the Department has jurisdiction over all aspects of hatchery production, including egg take levels.⁶

⁶ *E.g.*, AS 16.10.445, granting the Department exclusive authority over "the source and number of salmon eggs taken" by hatchery operators.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 5
July 9, 2018

The Petition is also premature. The potential effects of hatchery fish straying into wild salmon streams, which is the stated impetus for the Petition, have been closely watched by the Department's biologists over the years. These effects are now the subject of an ongoing, in-depth scientific study. Until the study results are known, it is premature to consider curtailment of hatchery production that has already been permitted by the Department. Further, the Board has already stated its intent to address hatchery issues during its regular fall meeting cycle. These important issues can be addressed at that time where there is full opportunity for public participation and comment.

ABOUT ASHBURN & MASON AND PWSAC

Ashburn and Mason is submitting these comments, which focus on the relevant statutes, regulations, and established administrative practice, as a supplement to the comments submitted directly by the Prince William Sound Aquaculture Corporation ("PWSAC"). Ashburn & Mason has represented PWSAC since its creation in 1974. Our firm worked closely with PWSAC's visionary founders in the legislative process that resulted in the creation of the private nonprofit hatcheries ("PNPs") regional aquaculture associations, now codified at AS 16.10.375, *et. seq.*

PWSAC's founders were commercial fishers and community leaders who were responding to repeated wild salmon run failures, and the resulting economic distress



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 6
July 9, 2018

throughout the Prince William Sound region in the early 1970s. Working together, the fishermen, local community representatives, the Department, and key legislators developed an innovative legal framework for the creation and operation of the state's PNPs and regional aquaculture associations.

Over the past 40-plus years, the statewide hatchery system has been a resounding success, and is an integral part of Alaska's world class sustainable fisheries. Alaska's hatcheries have generated tens of millions of dollars of economic benefit every year spread across all user groups, supplementing, but not displacing, the sustained yield of Alaska's wild salmon stocks. In fact, all of PWSACs hatcheries were started with salmon eggs collected originally from local wild stocks. The genetics of all Prince William Sound hatchery fish are therefore traceable back to local streams.

DISCUSSION

I. NO EMERGENCY EXISTS TO JUSTIFY THE PETITION TO RESTRICT VFDA'S PERMITTED EGG TAKE

By statute, true regulatory emergencies, which allow the Board to issue regulation without public notice and comment, are held to a minimum and rarely found.⁷ This is because public notice and comment are essential to the fairness and transparency of

⁷ AS 44.62.270.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 7
July 9, 2018

regulatory rulemaking in Alaska. The explicit state policy against the adoption of emergency regulations is so fundamental to the function of regulatory rule-making that it is codified in the Administrative Procedure Act.⁸ The Commissioner's decision to deny the emergency Petition reflects this well-established policy and decades of Alaska law and regulation, and must be respected.

The Petition does not present an emergency. Rather, it challenges a permit granted several years ago. The narrow exception for adoption of emergency regulations is limited to "unforeseen" and "unexpected" threats against fish and game resources.⁹ These threats must be so imminent that regulatory intervention cannot wait for the usual notice and comment process under the Administrative Procedure Act.¹⁰ For example, the Board adopted an emergency regulation to reorganize the Chignik fishery in 2005 when the Supreme Court issued a decision invalidating the previous fishery rules just six weeks before the season was slated to open.¹¹ The Superior Court agreed that the timing of the Supreme Court's decision created a legitimate emergency because no one could

⁸ *Id.*

⁹ 5 AAC 96.625(f).

¹⁰ 5 AAC 96.625(f).

¹¹ As referenced *infra.* at 3-4, the Commissioner currently has standing authority to review petitions for emergency regulation. See, 2015-277-FB. Prior to the adoption of this policy in 2015, the Board retained the authority to review petitions for emergency regulation.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 8
July 9, 2018

reasonably rely on when the Supreme Court would issue its decision, or what that decision would be. In addition to the “unexpected” and “unforeseen” nature of the Supreme Court’s decision, the timing also created a sense of imminence. With less than six weeks before the fishing season opened, the Board “had to act quickly...because it had to have something in place for the June opening.”¹²

Here, the Petition fails to demonstrate how VFDA’s long-standing permit, or the current conditions in the Sound, present an unexpected or unforeseen situation threatening the salmon fisheries. No acute biological or environmental event has impacted the Sound or Cook Inlet in recent months, creating an unpredictable threat. Rather, the purported justification for an emergency petition is an alleged trend, observed over the last several *years*. There is no reason why the proposed Board action could not have been presented a year ago or, more to the point, why it could not wait until the next regularly scheduled Board meeting, which will provide a fuller and fairer opportunity for interested parties and members of the public to comment and participate in the process.

In short, the Commissioner properly exercised his authority under AS 16.05.270 and 2015-277-FB to determine that the Petition failed to present an emergency under the

¹² See, *State of Alaska, Alaska Bd. of Fisheries v. Grunert*, 139 P.3d 1226, 1241 (Alaska 2006).



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 9
July 9, 2018

Administrative Procedure Act. For the reasons explained in the Commissioner's June 14, 2018 letter to Petitioners, emergency action is unwarranted under these circumstances.

II. THE BOARD DOES NOT HAVE VETO AUTHORITY OVER HATCHERY PRODUCTION PERMITS

A. The Commissioner Has Primary Authority Over Hatchery Permitting and All Hatchery Operations

1. History and Purpose of the Hatchery Program

The desire of Alaskans to manage their abundant salmon fisheries was a driving force behind Alaska Statehood.¹³ The importance of protecting and developing natural resources such as salmon is embedded in the Alaska Constitution, which directs the legislature to “provide for the utilization, development, and conservation of all natural

¹³ See, e.g., *Pullen v. Ulmer*, 923 P.2d 54, 57 n. 5 (Alaska 1996); Alaska Legislative Affairs Agency, *Alaska's Constitution: A Citizen's Guide* (4th ed. 2002) at http://w3.legis.state.ak.us/docs/pdf/citizens_guide.pdf (Many Alaskans concluded “that the notion of the federal government’s superior vigilance as a trustee of the public interest was really a cloak for the institutional interests of bureaucrats and the economic interests of nonresident corporations exploiting those resources (principally Seattle and San Francisco salmon canning companies.)”); HOUSE COMM. ON INTERIOR AND INSULAR AFFAIRS, *Act Providing for the Admission of the State of Alaska into the Union of 1957*, H.R. REP. No 85-624 (1958) (The Statehood Act “will enable Alaska to achieve full equality with existing States, not only in a technical juridical sense, but in practical economic terms as well. It does this by making the new State master in fact of most of the natural resources within its boundaries”); Univ. of Alaska Anchorage, Institute for Social and Economic Research, *Salmon Fish Traps in Alaska* (1999), at 14, at <http://www.iser.uaa.alaska.edu/publications/fishrep/fishtrap.pdf> (“Alaska political entrepreneurs used the [fish] trap issue to rally the citizens of the territory around the quest for statehood.”).



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 10
July 9, 2018

resources belonging to the State, including land and waters.” It also requires the legislature to make decisions that “provide for the maximum benefit of its people.”¹⁴ The Alaska Constitution proclaims that “fish, wildlife, and waters are reserved to the people for common use,”¹⁵ and dictates that “Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.”¹⁶ Further, the Constitution expressly references the goal of “promot[ing] the efficient development of aquaculture in the State,” and protecting Alaska’s economy from outside interests:¹⁷

No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood *and to promote the efficient development of aquaculture in the State.*

By the early 1970s, salmon runs were in steep decline throughout Alaska. In Prince William Sound, seining did not open at all in 1972 and 1974 due to dangerously

¹⁴ ALASKA CONST. art. VIII, § 2.

¹⁵ ALASKA CONST. art. VIII, § 3.

¹⁶ ALASKA CONST. art. VIII, § 4.

¹⁷ ALASKA CONST. art. VIII, § 15. The Constitution has since been amended to provide for the limited entry permit system now in place, *See infra* n. 7, but the reference to promoting the “efficient development of aquaculture” remains unchanged.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 11
July 9, 2018

low wild stock returns. In response, the State of Alaska resolved to restore the salmon fisheries. A constitutional amendment provided the basis for limited entry legislation for commercial fisheries,¹⁸ and the state hatchery program was initiated through the creation of the Fisheries Rehabilitation & Enhancement Division (FRED).¹⁹

Under AS 16.05.020, the Commissioner must “manage, protect, maintain, *improve*, and *extend* the fish, game ... of the state in the interest of the economy and general well-being of the State.” The Department is further required to: “develop and continually maintain a comprehensive, coordinated state plan for the orderly present and long-range rehabilitation, *enhancement*, and development of all aspects of the state’s fisheries for the perpetual use, benefit, and enjoyment of all citizens” and “through rehabilitation, *enhancement*, and development programs do all things necessary to ensure perpetual *and*

¹⁸ AS 16.43.400 *et seq.* Alaska’s limited entry fishery essentially provides that only permit holders may engage in commercial fishing. The granting of these permits, and the management of the commercial fisheries, are tightly regulated by numerous state agencies including the State Commercial Fisheries Entry Commission (CFEC), the Alaska Department of Fish & Game (ADF&G), and the Board of Fisheries (BOF). *See generally Johns v. CFEC*, 758 P.2d 1256, 1263 (Alaska 1988) (“The Limited Entry Act has two purposes: enabling fishermen to receive adequate remuneration and conserving the fishery.”).

¹⁹ AS 16.05.092. As explained more fully below, FRED no longer exists as a distinct division within the Department. However, the operation of most or all of the original hatcheries owned and operated by FRED has been transferred to the regional aquaculture associations, under long-term professional services agreements. PWSAC, for example, currently operates the Cannery Creek, Main Bay, and Gulkana Hatcheries, all of which were constructed and initially operated as FRED hatcheries in the early 1970s.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 12
July 9, 2018

increasing production and use of the food resources of state waters and continental shelf areas.”²⁰ Similarly, the Department is required generally to “manage, protect, maintain, *improve, and extend* the fish, game and aquatic plant resources of the state in the interest of the economy and the general well-being of the state.”²¹ The Department is also generally charged to do everything possible to assist with hatchery operations.²²

In addition, the legislature created the Fisheries Enhancement Revolving Loan Fund to promote the enhancement of Alaska’s fisheries by, among other things, providing long-term, low-interest loans for hatchery planning, construction, and operation.²³ PWSAC has received significant support from this program over the years, particularly for capital investments.

In 1974, the FRED state-owned and managed hatchery program was expanded to include private ownership of salmon hatcheries with the passage of the Private Non-Profit (PNP) Hatchery Act.²⁴ The Act stated that its purpose was to “authorize the private ownership of salmon hatcheries by qualified non-profit corporations for the purposes of

²⁰ AS 16.05.092(3) (emphasis added).

²¹ AS 16.05.020(2) (emphasis added).

²² AS 16.10.443.

²³ AS 16.10.500-.560; *see generally* Alaska Division of Investments, “Fisheries Enhancement Revolving Loan Fund Program Overview,” April 2007 at <http://www.commerce.state.ak.us/investments/pdf/FEover07.pdf>.

²⁴ These provisions are now codified at AS 16.10.375 *et seq.*



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 13
July 9, 2018

contributing, by artificial means, to the rehabilitation of the State's depleted and depressed salmon fishery." Further, as noted above, a separate fisheries enhancement loan program was created in 1976 to provide state financing for nonprofit hatcheries.²⁵

Over time, the State has transferred operation of some of the FRED hatcheries to other entities, including the nonprofit hatcheries operated by the regional aquaculture associations, concluding that it would be more cost-effective for these hatcheries to be operated by the regional associations. The legislature specifically authorized the subcontracting of state hatcheries in 1988,²⁶ acknowledging that after 17 years of the State planning, building and operating hatcheries, Alaska sought an even more efficient way of ensuring a healthy, robust, and sustainable salmon fishery.²⁷

²⁵ AS 16.10.500 *et seq.*; see also *State Commercial Fisheries Entry Comm'n v. Carlson*, 65 P.3d 851 (Alaska 2003) ("The state operates a revolving loan fund to support investments in developing and operating fish hatcheries and other fish enhancement projects.").

²⁶ AS 16.10.480.

²⁷ Alaska's partnership with the nonprofit hatcheries is unique. Almost all states operate hatcheries of some kind (salmon, trout, walleye, catfish, etc.), but no state operates a hatchery program like Alaska's, and no state works with private nonprofit entities to assist the state government in its hatchery programs. By way of example, California has 21 state hatcheries (<http://www.dfg.ca.gov/fish/Hatcheries/HatList.asp>), Oregon has 33 state hatcheries (<http://www.dfw.state.or.us/fish/hatchery/>), and Washington has 91 state hatcheries (<http://wdfw.wa.gov/hat/facility.htm>), and all of these hatcheries are operated by the government.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 14
July 9, 2018

Alaska law provides that the hatcheries may only be non-profit.²⁸ By design, the hatcheries are allowed to recover operating and capital expenses, as well as costs for research and development and expansion of the production system, including wild stock rehabilitation work.²⁹ The system is designed to provide benefits to the common property resource users. The nonprofit regional aquaculture associations have no stock-holders, owners, or members. Today, five regional aquaculture associations, from Southeast Alaska to Kodiak, including PWSAC, produce hatchery salmon for common property fisheries.

Thus, the Alaska Constitution, combined with numerous statutes, including those creating the Department of Fish and Game,³⁰ the Limited Entry Act,³¹ the Private Non-Profit Hatcheries Act,³² and the Fisheries Enhancement Revolving Loan Fund,³³ together

²⁸ AS 16.10.380.

²⁹ AS 16.10.455.

³⁰ AS 16.05.010, *et seq.*; *see also* 5 AAC 40.100-.990.

³¹ AS 16.43.400 *et seq.* Alaska's limited entry fishery essentially provides that only permit holders may engage in commercial fishing. The granting of these permits, and the management of the commercial fisheries, are tightly regulated by numerous state agencies including the State Commercial Fisheries Entry Commission, the Alaska Department of Fish & Game (ADF&G), and the Board of Fisheries (BOF). *See generally Johns v. CFEC*, 758 P.2d 1256, 1263 (Alaska 1988) ("The Limited Entry Act has two purposes: enabling fishermen to receive adequate remuneration and conserving the fishery.").

³² AS 16.10.375-480.

³³ AS 16.10.500-.560.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 15
July 9, 2018

demonstrate a strong and long-standing state policy in Alaska of promoting hatchery development for the purpose of enhancing and ensuring the long-term vitality of Alaska's fisheries.

2. The Department Strictly Regulates All Aspects of Hatchery Creation, Operation, and Production

The Alaska Department of Fish and Game has been charged by the Alaska legislature with final authority over how many fish hatchery operations are allowed to incubate and release each year,³⁴ and to regulate all other details of hatchery operation.³⁵

Pursuant to AS 16.10.375, the Commissioner must designate regions of the state for salmon production and develop a comprehensive salmon plan for each region through teams consisting of Department personnel and nonprofit regional associations of user groups. The Commissioner also has the task of classifying an anadromous fish stream as suitable for enhancement purposes before issuing a permit for a hatchery on that stream. As 16.10.400(f).

Of particular relevance to the issue presently before the Board, AS 16.10.400(g) requires a determination by the Commissioner that a hatchery would result in substantial public benefits and would not jeopardize natural stocks. The statutes also require the

³⁴ AS 16.10.445; 5 AAC 40.300; 5 AAC 40.340; 5 AAC 40.840.

³⁵ AS 16.10.400-.470; 5 AAC 40.005-.990.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 16
July 9, 2018

Department to conduct public hearings near the proposed hatcheries, and to consider comments offered by the public at the hearings before issuance of a permit.³⁶

All state hatcheries are operated pursuant to a permit issued by the Department.³⁷ Standard permit conditions include: (1) provisions that eggs used for broodstock come from a source approved by the Department;³⁸ (2) no placement of salmon eggs or resulting fry into waters of the state except as designated in the permit; (3) restrictions on the sale of eggs or resulting fry; (4) no release of salmon before department inspection and approval; (5) destruction of diseased salmon; (6) departmental control over where salmon are harvested by hatchery operators; and (7) hatchery location to prevent commingling with wild stocks.³⁹

Further, there is an intricate system of basic and annual hatchery plans that are reviewed annually by the Department and provide for performance reviews, and in

³⁶ AS 16.10.410.

³⁷ AS 16.10.400; 16.40.100-.199; 5 AAC 40.110-.240.

³⁸ AS 16.10.445. This requirement is related to regulations regarding fish transport permitting. *See* 5 AAC 41.001-.100. These regulations provide that no person may transport, possess, export from the state, or release not the waters of the state any live fish unless that person holds a fish transport permit issued by the Commissioner.

³⁹ *See generally* McGee, *Salmon Hatcheries in Alaska – Plans, Permits, and Policies Designed to Provide Protection for Wild Stocks*, Published for 2004 American Fisheries Society Symposium, at 327.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 17
July 9, 2018

appropriate cases, permit alterations.⁴⁰ The basic management plans include a complete description of the facility, including the special harvest area, broodstock development schedules, and description of broodstock and hatchery stock management.⁴¹

Year-to-year hatchery production is regulated through the annual management plans (AMPs) approved and adopted by the Department. For example, each year, PWSAC and the other PNPs across the state work with the Department, which ultimately formulates an AMP for each hatchery. That plan, among other things, determines the number of eggs the hatchery will collect, how the eggs will be collected, the number of fish it will incubate, and how many fish will be released from the hatchery.⁴² The AMP also addresses how PNPs will conduct their cost recovery harvest at each hatchery and addresses other specifics of hatchery operation.⁴³

3. The Board's Proper Role is to Allocate Harvest, Not to Override the Department's Permitting and Production Decisions

⁴⁰ 5 AAC 40.800-990. As noted above, there is also an extensive Regional Comprehensive Planning Program established under AS 16.10.375 and 5 AAC 40.300-.370, with full public participation. This process creates Regional Planning Teams who are charged to “prepare a regional comprehensive salmon plan . . . to rehabilitate natural stocks and supplement natural production . . .” 5 AAC 40.340.

⁴¹ *See generally* McGee, at 329.

⁴² 5 AAC 40.840.

⁴³ McGee, at 329.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 18
July 9, 2018

The Board of Fisheries is established by AS 16.05.221, “for purposes of the conservation and development of the fishery resources of the state.”⁴⁴ In general terms, the Board’s duties complement those performed by the Department. While it has broad statutory authority, the Board has historically focused on allocation of fisheries resources between and among the various user groups and gear types. For example, under AS 16.05.251(a) the Board has the power to set time, area, and methods and means limitations on the taking of fish. Under AS 16.05.251(a)(3), the Board also establishes quotas, bag limits, and harvest levels. To the best of our knowledge, however, the Board has always deferred to the Department’s expertise and experience with respect to the detailed management of hatchery permitting and production levels.

B. The Board Cannot Override Annual Hatchery Production Permits Issued by the Department

Petitioners contend that AS 16.10.440(b) grants the Board the authority to upend the Department’s carefully constructed regulatory framework governing hatchery

⁴⁴ AS 16.05.221.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 19
July 9, 2018

production.⁴⁵ This interpretation of the statute reads it out of context and is inconsistent with its historical origins. Under Alaska law, this statutory provision must be construed in light of the overall statutory scheme governing Alaska's salmon hatcheries,⁴⁶ its legislative history and intent,⁴⁷ and over 40 years of consistent administrative interpretation and practice, during which the Board (to our knowledge) has never

⁴⁵ AS 16.10.440 provides: (a) Fish released into the natural waters of the state by a hatchery operated under AS 16.10.400 - 16.10.470 are available to the people for common use and are subject to regulation under applicable law in the same way as fish occurring in their natural state until they return to the specific location designated by the department for harvest by the hatchery operator. (b) The Board of Fisheries may, after the issuance of a permit by the commissioner, amend by regulation adopted in accordance with AS 44.62 (Administrative Procedure Act), the terms of the permit relating to the source and number of salmon eggs, the harvest of fish by hatchery operators, and the specific locations designated by the department for harvest. The Board of Fisheries may not adopt any regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400 - 16.10.470.

⁴⁶ See, e.g. *Monzulla v. Voorhees Concrete Cutting*, 254 P.3d 341, 345 (Alaska 2011), citing *In re Hutchinson's Estate*, 577 P.2d 1074, 1075 (Alaska 1978), where the Supreme Court articulated the doctrine of *in pari materia*: the "established principle of statutory construction that all sections of an act are to be construed together so that all have meaning and no section conflicts with another."

⁴⁷ See, e.g. *Native Village of Elim v. State* 990 P.2d 1, 5 (Alaska 1999), *Kochutin v. State*, 739 P.2d 170, 171 (Alaska 1987) citing *Hammond v. Hoffbeck*, 627 P.2d 1052, 1056 & n. 7 (Alaska 1981).



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 20
July 9, 2018

attempted to use this statute as the basis for usurping the Department's traditional control over hatchery production.⁴⁸

At the time Section 440(b) was enacted in 1979, the hatchery system was in its infancy. Most hatchery egg take was from wild stocks, not returning hatchery fish, which is how egg take is conducted today. The thinking at the time was that salmon eggs harvested from wild stocks were still a "public resource" while the fish were swimming out in the ocean, and the harvest of wild fish for egg take had allocation implications that could potentially fall within the Board's purview. In contrast, today's egg take procedures are conducted almost exclusively from returning hatchery broodstock that are captured in the special harvest areas directly in front of the hatcheries. At that point, the hatchery salmon cease to be a public resource and their capture and the collection of their eggs have very limited allocative implications. Further, as the Commissioner noted in his January 14, 2018 Memorandum to the Board on the subject of the current Petition, "the

⁴⁸ See e.g. *Marathon Oil Co. v. State, Dep't of Nat. Res.*, 254 P.3d 1078, 1082 (Alaska 2011), *Premera Blue Cross v. State, Dep't of Commerce, Cmty. & Econ. Dev., Div. of Ins.*, 171 P.3d 1110, 1119 (Alaska 2007), and *Bullock v. State, Dep't of Cmty. & Reg'l Affairs*, 19 P.3d 1209, 1219 (Alaska 2001), where the Alaska Supreme Court held that agency decisions based on "longstanding, consistent and widely known" interpretations of agency expertise should be given "great weight."



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 21
July 9, 2018

Board's authority over the possession, transport and release of live fish had not been delegated to the department when AS 16.10.440(b) was amended."⁴⁹

Moreover, the legislative history of Section 440(b) indicates that it was never intended to be used by the Board as back door means of overriding the Department's permitting authority or limiting hatchery production. The Resources Committee's letter of intent on HB 359, which included the language in question, states as follows:

There are three other major changes made by the bill:

- (1) Section 2 of the bill amends AS 16.10.440(a)(b). The amendment clarifies the role of the Board of Fisheries. The role of the Board of Fisheries as envisioned by the original legislation was to regulate the *harvest* of salmon returning to the waters of the state. That role extends to regulating those fish which are returning as a result of releases from natural systems and also from hatchery releases. There are provisions in other specific locations for the harvest of salmon by the hatchery operator for sale, and use of the money from that sale, for the specific purposes as stated in AS 16.10.450. The added language clarifies that the Board of Fisheries may adopt regulations relating to the *harvest* of the fish by hatchery operators at the specifically designated locations. The Board of Fisheries in the past year or two has enacted regulations relating to those harvests for several of the private nonprofit hatcheries in the state.⁵⁰

⁴⁹ Memorandum from Sam Cotton, Commissioner, to John Jensen, Chair, dated January 14, 2018, Re: Emergency Petition to the Alaska Board of Fisheries requesting the Board to reverse a department decision to allow a 20 million increase in the number of pink salmon eggs to be harvested by VFDA in 2018.

⁵⁰ House Journal, March 15, 1979, pp. 601-602 (emphasis added).



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 22
July 9, 2018

The exclusive reference to regulation of harvest, and the absence of any mention of production controls, corroborates the conclusion that the legislature never intended to authorize the Board to limit hatchery production.

The Board's traditional function has always been to allocate harvests among competing user groups, not to regulate production of fish. This legislative history, with its emphasis on "harvest," is also consistent with PWSAC's long-held belief (apparently shared by the Department) that Section 440(b) was intended to cover egg take from wild salmon streams, not to apply to egg take from returning hatchery fish.

Further corroboration of this conclusion is found in AS 16.10.445(a), which unambiguously requires the Department, not the Board, to "approve the source and number of salmon eggs taken under AS 16.10.400-16.10.470." Additional evidence that the Department, not the Board, is responsible for regulating hatchery egg take can be found in 5 AAC 41.001, *et. seq.* For example, 5ACC 41.005 prohibits the release of hatchery fish without a permit issued by the Commissioner. Regulation of egg take and release of the resulting salmon fry are obviously two sides of the same coin. The regulatory scheme clearly and consistently assigns exclusive responsibility for regulating those two closely related hatchery activities to the Commissioner.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 23
July 9, 2018

Given the legislative history, the 30-plus year pattern of administrative interpretation, the anomalous language in Section 440(b) regarding regulations to “amend...the terms of a permit,” and the mandate of Section 445(b), it is quite clear that the Board has little or no role in regulating hatchery production, including but not limited to egg take permit restrictions.

Moreover, regulation of hatchery production by the Board would overlap and almost certainly conflict with the comprehensive and detailed hatchery regulations that are currently in place and operating effectively. As noted above, the Department has a rigorous permitting process for new hatcheries, 5 AAC 40.100-.240. There is an extensive Regional Comprehensive Planning program established under AS 16.10.375 and 5 AAC 40.300-.370, with full public participation. By regulation, the responsibility of the Regional Planning Teams is to “prepare a regional comprehensive salmon plan ... to rehabilitate natural stocks and *supplement* natural production . . .” 5 AAC 40.340 (emphasis added). As mentioned earlier, there is also an intricate system of basic and annual hatchery plans that are reviewed annually by the Department, performance reviews, and, in appropriate cases, permit alterations. 5 AAC 40.800-.900. Production levels are carefully monitored by the Department under these regulations and adjusted if necessary for economic or biological reasons. The Department's statutory authority for



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 24
July 9, 2018

this intense level of hatchery regulation is quite clear, and there seems to be little room for the Board to insert itself into a very public process that has been working well for many years.

CONCLUSION

Back in the early 1970s, Prince William Sound experienced recurring wild salmon run failures, which caused serious financial distress throughout the region. In response, the framers of the Constitution and the Alaska Legislature took active and far-sighted steps to first establish a state run hatchery system and, shortly thereafter, the private non-profit and regional hatchery regime that has consistently stabilized the runs and enhanced salmon harvests throughout the state since 1976. Overall, Alaska's hatcheries have been a remarkable success and have helped the state's salmon resources to thrive and expand over the past 40 years, creating millions of dollars of positive economic impact, without any demonstrable harm to wild salmon stocks.

From the very beginning, every aspect of Alaska's hatcheries' creation, operation, and production have been closely supervised and regulated by the Department, with harvest area and allocation decisions made by the Board. This division of responsibility has served Alaska well for many years and there is no good reason to abandon it now.

For these reasons, the Board should deny the Petition.



ASHBURN & MASON P.C.

Ashburn & Mason, Public Comments in Opposition to KSRA et al. Emergency Petition
Page 25
July 9, 2018

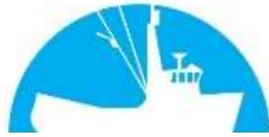
ASHBURN & MASON, P.C.

Matthew T. Findley

A. William Saupe

for:

Laura C. Dulic



PSVOA

PURSE SEINE VESSEL OWNERS' ASSOCIATION

1900 W Nickerson St., Ste. 320 ■ Seattle, WA 98119 ■ Tel: (206) 283-7733 ■ Fax: (206) 283-7795 ■ www.psvoa.org



PC187
1 of 2

November 10, 2021

VIA E-MAIL

Marit Carlson-Van-Dort, Chair
Alaska Board of Fisheries
P.O. Box 115826
Juneau, AK 99811

Re: Oppose Anti-Salmon Hatchery Proposals 49, 50, 51, 52, 53, 54, and 55

Dear Madam Chair Carlson–Van Dort and Board of Fisheries Members:

The Purse Seine Vessel Owners Association (“PSVOA”) respectfully submits the following comments in opposition to the above-referenced proposals before the Board at the upcoming Prince William Sound finfish meeting in Cordova which seek to dramatically reduce pink and chum salmon hatchery production in Prince William Sound. PSVOA is commercial fishing organization having members that participate in salmon purse seine fishery in Prince William Sound (PWS).

Contrary to some of the misinformation that has been circulated by the anti-hatchery movement, the Alaska hatchery program provides economic and ecological stability to Alaska salmon returns, which fluctuate from year to year. According to a October 2018 report by the McDowell Group, over a six-year period, PWS harvests of hatchery salmon generated \$69 million in ex-vessel value annually.

Proposals 49 - 53

These proposals attempt to completely reshape Alaska’s hatchery program based on unsupported claims that the mixing of wild stocks “is not reasonable and is against the law.” Alaska Department of Fish and Game (ADF&G) has organized a science panel comprised of current and retired scientists from ADF&G, University of Alaska, aquaculture associations, and National Marine Fisheries Service to document the extent and annual variability in straying of hatchery pink salmon in PWS, and to determine the impact, if any, on fitness (productivity) of wild pink salmon stocks due to straying of hatchery pink salmon. This ongoing research is commonly referred to as the “Alaska Hatchery Research Project.”

Each of these proposals would require hatchery operators to reduce pink salmon production when the proportion of hatchery origin pink salmon straying within a stream where wild pink salmon are present exceeds 2%. This “2% rule” is not science-based and is completely unworkable. First, this 2% stray rate is purely arbitrary. There is no scientific evidence that suggests a hatchery stray rate of greater than 2% adversely impacts wild pink salmon populations. Second, the 2% rate does not



correlate to presumed straying rates that occur naturally, nor does it consider the annual variability in straying rates due to environmental conditions. Third, the proposal is completely silent as to how ADF&G could possibly measure the stray rate in every PWS stream where wild pink salmon were present in a timely fashion, or where the funding would come from to undertake such a herculean effort. Moreover, the Board's adoption of any of these proposals would likely apply to all of Alaska's hatcheries throughout the state.

As mentioned above, there is ongoing research on the question of whether straying of hatchery origin pink salmon in PWS adversely impacts wild pink salmon stocks, and to what degree. At the conclusion of the study, the results will be published and peer reviewed. The results and conclusions derived from the study will provide ADF&G with an objective assessment of wild/hatchery pink salmon interactions in PWS. Any action taken by the Board to require reductions in hatchery production at the present time would be premature and not be based on best available science. In sum, PSVOA respectfully requests the Board **reject** Proposals 49 – 53.

Proposals 54 and 55

Proposal 54 seeks to reduce hatchery chum salmon production in PWS to 24% of the production in 2000. Similarly, Proposal 55 seeks to reduce hatchery pink salmon to 25% of the production level in 2000. Both proposals are premised on the theory that increased competition for food in the Gulf of Alaska from hatchery chum and pink salmon is negatively impacting Gulf of Alaska wild salmon stocks. Contrary to the assertions contained in these proposals, there is no evidence demonstrating a cause-and-effect relationship between hatchery production and wild salmon populations. Our current knowledge regarding ocean food abundance, seasonal, annual, and cyclical variability of ocean food abundance, the degree of direct migratory interfacing of salmon stocks and species, as well as a whole host of other variables that impact salmon productivity underscore the fact that the relationship between hatchery production and wild salmon stocks in the Gulf of Alaska is purely speculative at best. Any regulation of PWS salmon hatchery production should be based on best available science rather than pure speculation. Accordingly, PSVOA respectfully requests the Board reject Proposals 54 and 55.

Thank you for your consideration of PSVOA's comments regarding these proposals.

Very truly yours,

/s/ Robert Kehoe

Robert Kehoe, Executive Director
Purse Seine Vessel Owner's Ass'n

Submitted By
Randy Bond
Submitted On
11/15/2021 9:06:29 PM
Affiliation



PC188
1 of 1

I wish to voice a strong objection to proposal 9, eliminating the use of boats in the Glennallen sub district.

My family relies on the ability to harvest salmon under a subsistence permit on the Copper River. This proposal would virtually eliminate our fishing. This area feeds our family throughout the year on a single subsistence permit, with responsible harvesting, annually. We take a small count compared to the counts taken by commercial fishing of the same fish population. Fishing that area without a boat would be nearly impossible for anyone who does not have a fish wheel, which our family does not.

A concern was voiced regarding the number of fish reaching the spawning areas. According to a report from Fish and Game, the annual harvest from subsistence is significantly lower than that of commercial or personal use. I believe we are very fortunate to live in a state with subsistence opportunities, which families depend on and I believe they should be protected for all those who depend on a subsistence way of life.

Thank you for your time,

Randy Bond



Submitted By
Raven Cunningham
Submitted On
11/15/2021 5:04:42 PM
Affiliation

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cordova, Alaska 99574

Formal On-Time Public Comment to the Alaska Board of Fisheries

Prince William Sound Finfish 2021/2022

PROPOSAL 5: OPPOSE

PROPOSAL 6: SUPPORT I support timely reporting for all users of Copper River Salmon. PROPOSAL 8: SUPPORT I support the prohibition of dipnet harvest at river confluences in the Upper Copper River.

PROPOSALS 9-11: SUPPORT I support restrictions on dipnet harvest from boats in the Upper Copper River.

PROPOSAL 14-15: SUPPORT I support the restricting the use of monofilament gillnet webbing in dipnets until after August 15.

PROPOSAL 16: SUPPORT I support the prohibition of the use of sonar to target fish holding in the Copper River while dipnetting.

PROPOSAL 18: OPPOSE

PROPOSAL 19: SUPPORT

PROPOSAL 21: OPPOSE

PROPOSAL 38: SUPPORT We support this proposed shared conservation burden.

PROPOSAL 40: SUPPORT

PROPOSAL 41: SUPPORT I support allowing managers to provide fishing area adequate to conserve chinook salmon.

PROPOSALS 61-67: SUPPORT I support the addition of sustainable winter and shoulder season fisheries opportunities such as sea cucumber and crab.



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Valdez and commercial fish. Salmon fishing IS my livelihood. As a 3rd generation Prince William Sound salmon seiner with my own young children who are just beginning to learn the family trade, this is an incredibly important and personal topic. Our town population doubles in the summer months due to commercial fishing and vacationing sport fishermen. The town economy is incredibly dependent on the salmon of Prince William Sound. Personally this is how I support my family, but on a broader scope, this also keeps our local shops, restaurants, camp grounds, and hotels heavily in business as well. Salmon fishing in Prince William Sound is the reason my family and I live here.

I am writing in regard to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,



Ray Sutton
raysutt@gmail.com
(907) 255-4986



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Cordova, Alaska, and I participate in the commercial, subsistence, and sport salmon fisheries of the Prince William Sound region. I have owned & fished an Area E Gillnet permit for 46 years. I occasionally go out for subsistence fishing & sport fishing. It is my livelihood above all else.

I am writing in regards to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

The Alaska hatchery program is designed to increase salmon abundance and enhance fisheries while protecting wild stocks. Fisheries enhancement projects are not permitted by the Department of Fish & Game if they are anticipated to have a significant negative effect on natural production. Our fisheries enhancement program is designed to supplement natural production, not replace or displace it. The Alaska salmon hatchery program, in place for over 40 years, is one of the most successful public-private partnership models in Alaska's history. The PWSAC and VFDA hatcheries are important infrastructure in the region and benefits the communities, economy, and harvesters.

Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association provide measurable economic impacts to the region by providing additional salmon for harvest by all user groups, reducing harvest pressure on returning wild runs in years of low abundance. These significant positive impacts are applied to the economies of coastal communities through the direct benefit of hatchery operations, increased landings, and raw fish taxes of salmon at local ports.

Each year, Prince William Sound (PWS) harvests of hatchery salmon generate approximately \$69 million in ex-vessel value. Additionally, Prince William Sound hatcheries support 2,200 jobs, provide \$100 million in labor income, and result in \$315 million in annual output overall.



Prince William Sound Aquaculture Corporation and Valdez Fisheries Development Association together provide significant boosts to salmon fishing opportunity for all user groups throughout the region, especially during years of lower wild run returns. This opportunity is important to Cordova, Valdez, Whittier, Tatitlek, Chenega, and others. Any reduction in opportunity would impact the stakeholders, communities, and user groups significantly, but would be especially hard hitting during years of low returns.

If approved, Proposals 49 - 53 would reduce or limit hatchery production through direct action by the Alaska Board of Fisheries. These proposals would directly affect all hatchery programs in Alaska and have an immediate impact on sport, personal use, subsistence and commercial harvests of hatchery fish statewide.

The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Richard Schultz
ricschultz907@gmail.com
(907) 253-3146



From: [RICK ALBRECHT](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Attn: Board of Fish Comments for November 30 - December 6, 2021 meetings.
Date: Monday, November 15, 2021 10:53:30 AM

My name is Rick Albrecht and I'm an avid fisherman. I have fished in multiple locations in the lower 48, I have also spent 2 years in New Zealand and fished there, I have fished in multiple areas of Alaska. I have been fishing in the Cordova area since the 1990's. I was finally able to talk my wife in to fish with me in Cordova in the fall of 2015, after that she said "we are coming here every year", she has been up there at least once every year since and we came twice the year. To say we love Cordova would be a huge understatement! We would hate to see any changes to the wonderful Cordova fishing we enjoy.

The one change I would suggest would be only one opener of 24 hours per week for the commercial fishermen, it shuts down the Eyak and Ibeck the day after each opener. So any opener over 24 hours is rough.

I would like to make some comments for the [Board of Fisheries Meeting: Prince William Sound/Upper Copper and Upper Susitna Rivers Finfish and Shellfish \(except shrimp\)](#): Cordova, November 30 – December 6, and specifically respond to the PRINCE WILLIAM SOUND (INCLUDING UPPER COPPER AND SUSITNA RIVERS) FINFISH AND SHELLFISH (EXCEPT SHRIMP) PROPOSALS 38, 39 and 40.

- PROPOSAL 38 5 AAC 55.023. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Establish restrictions in the Copper River Delta coho salmon sport fishery based on the number of days the commercial fishery is closed, as follows: Adopt a trigger to share the burden of conservation between commercial and sport users in the Copper River Delta. New regulatory language to be added under 5 AAC 55.023: (XX) In the Copper River Delta, if the Copper River gillnet fishery is closed for more than seven consecutive days, then catch and release will be prohibited and fishing with bait will be prohibited. If commercial fishing is closed for fourteen consecutive days, then the bag limit will be reduced to one coho, catch and release will be prohibited, and fishing with bait will be prohibited. What is the issue you would like the board to address and why? There are years with weak coho runs, such as fall 2019 when the Copper River coho gillnet fishery was shut down for the entire season due to a weak run. When the commercial fleet sees reduced fishing time and closures in years of low coho abundance and conservation concerns, a trigger for a shared burden of conservation will help to ensure healthy future returns for all user groups. Catch and release is a safe method that if done properly has a very low mortality rate for fish, if fish are dying that is because of improper education amongst the anglers. Perhaps an



online education course in order to get a sport fishing license would be appropriate, **if there was any proof that catch and release was a problem.** I would agree that bait fishing could be a problem on low fish years.

- **PROPOSAL 39 5 AAC 55.023. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area.** Extend the area closed to sport fishing in Ibeck Creek, as follows: Closing the spawning beds closer to the road system will protect additional spawning and rearing habitat, and protect spawners from additional stress during this critical life stage. Draft regulatory language: 5 AAC 55.023 Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Prohibit sport fishing Coho salmon more than ¼ of a mile north of the Copper River Highway as follows: (9) Ibeck Creek is closed to sport fishing in the waters upstream from ADF&G regulatory markers located approximately one-quarter (¼) mile [THREE MILES] upstream from the Copper River Highway Bridge; What is the issue you would like the board to address and why? The existing regulation of 3 miles upstream does not adequately protect spawning Coho in this system. Ibeck Creek is the most popular and heavily fished of all the Delta coho runs. Ibeck Creek receives considerable and increasing pressure from coho anglers. It is important to protect the upstream spawning beds and spawning salmon from the stress of being targeted by fishermen. There is considerable fishing area available both below the highway and just above it, and the majority of fishing pressure occurs in these other areas. It is unnecessary to have the spawning areas beyond ¼ mile above the highway open to sport fishing as well. It is important to sustain this popular run for continued and sustainable harvest by all user groups into the future. If you have long openers (over 24 hours) or more than one per week the sport fishers need a place to fish where fish are. The areas in question on the Ibeck is one of the few place to find fish after an extended opening or more than one opener per month. Perhaps a compromise and allow catch and release and you could reduce the take limit to 1 in these areas.
- **PROPOSAL 40 5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Close 18 Mile or Silver Creek to coho salmon fishing August 1 to November 1, as follows: 18 Mile system or Silver creek will be closed to harvest of coho salmon 1/4 mile above the confluence of Alganic Slough and 18 Mile system from August 1 to November 1. What is the issue you would like the board to address and why? 18 Mile system or Silver Creek lack of spawning coho salmon. This system is very susceptible to harvest of spawning salmon. It is one of the few systems with coho spawning area below the Copper River Highway.** Many times the Eyak and Ibeck are too high to fish and you have little or no choices when it comes to places to fish as a sport fisherman I would hate to see this closed. If something has to be done make this area artificial fly or lure only.



Thanks

Rick Albrecht
801-372-3507



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I participate in the commercial salmon fisheries of the Prince William Sound Region. I am the Plant Manager at OBI Alitak. Hatcheries in the Prince William Sound region provide beneficial enhancement to sustainable fisheries.

I am writing in regards to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

Alaska created the Fisheries Rehabilitation Enhancement Division (FRED) within the Department of Fish and Game in 1971. Later, in an effort to privatize salmon enhancement, the private nonprofit Hatchery Act of 1974 was created allowing for the application of hatchery permits by Alaskans. Prince William Sound Aquaculture Corporation (PWSAC) was founded in 1974 and Valdez Fisheries Development Association (VFDA) was founded in 1980 – both as private nonprofit entities to benefit the Prince William Sound region, its fisheries, and user groups.

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The concerns of proposals 54 and 55 were addressed by the Board of Fisheries through the submittal of an Emergency Petition and ACR's in 2018 to prevent the increase of 20 million pink salmon eggs for production in Prince William Sound. These actions were rejected by the Board of Fisheries because they did not meet the criteria for emergency action.

Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Rick Crooks
rick.crooks@obiseafoods.com
(425) 287-1999



Submitted By
Rita Spann
Submitted On
11/15/2021 9:32:06 AM
Affiliation
Area E Gillnetter

Phone
907-888-9228
Email
rita.spann@outlook.com
Address
P.O. Box 1513
Cordova, Alaska 99574

Proposal 5- Oppose

I urge the Board to reject Proposal 5. ADF&G has already established a Sustainable Escapement Goal for Copper River kings based on the existing data. Increasing this goal above ADF&G's recommendation serves no purpose except to arbitrarily limit the commercial fleet's fishing opportunities.

Proposal 6 - Support

I support Proposal 6. Requiring that Copper River sport fisherman report their catch within three days of harvest is a reasonable requirement that would give the ADF&G biologist valuable in-season data to inform management decisions.

Proposal 7-Support

I urge the Board to support Proposal 7. The right to subsistence fish is dearly held by myself and so many Alaskans. Being able to catch fish close to my home to feed my friends and family makes me proud of our state's commitment to sustainable fisheries. Expensive guide outfits charging Alaskans to harvest their fish is not "subsistence" in any sense of the word. I strongly urge the Board to reject the commercialization of Alaskan subsistence fishing.

Proposal 19- Support

I am confident that the sustainability of the Copper River fishery is equally important to all user groups. Setting a low-return trigger to limit the up-river harvest of Copper River salmon on years of low abundance is a common sense way to manage this fishery as a whole. I ask the Board to support this proposal.

Proposal 38 - Support

I encourage the Board to support proposal 38. This is a reasonable effort to share coho conservation efforts between user groups.

Proposal 41 - Support

I support proposal 41. It is simply an effort to eliminate unnecessary language and empower ADF&G to use the most appropriate management tools available for each season's changing circumstances.



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

Dear Members of the Board of Fisheries,

I am writing in regards to the upcoming Prince William Sound Board of Fisheries meeting taking place in Cordova, Alaska and wish to submit this public comment of support for Alaska's private non profit salmon hatchery program.

I live in Wasilla and am a commercial and sport fisherman. Salmon fishing has become my only source of income. I am depending on this to provide my income for several more years.

I am writing in regard to the Prince William Sound Board of Fisheries meeting with support for Alaska's hatchery program and the hatcheries of the region, Prince William Sound Aquaculture Corporation (PWSAC) and Valdez Fisheries Development Association (VFDA). Thank you for your consideration.

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Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Robert Bottoms

bottomsupair@gmail.com



November 14, 2021

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Alaska Dept. of Fish and Game
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1255 W. 8th Street
Juneau, AK 99811-5526

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I live in Eagle River, Alaska, and I participate in the subsistence and sport salmon fisheries of the Prince William Sound region through dip net in Copper River, Valdez's sport fishing, and in Whittier. Salmon fishing in the Prince William Sound region provides great recreation and food source.

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Sincerely,

Robert Lagasse
robertfishing135@yahoo.com
(907) 782-7400



Submitted By
Robert Linville
Submitted On
11/13/2021 1:34:59 PM
Affiliation

Phone
9073703343

Email
robertglinville@gmail.com

Address
po box 1771
Cordova, Alaska 99574

I would like to write in opposition of proposal 75. This "new" management strategy is not new at all. It relies on the same trawl surveys and inexcusable Th-TI formula to produce biomass estimates and set GHL's. If the Department is confident in the biomass estimates produced by this method and wishes to apply it to their "new" management strategy I would like to know how they could ethically auction off 25% of the 63,000 TH crab produced by this method for their 2020 test fishery. In 2021 they sold 20% of the estimated biomass. Fisheries can only harvest at a 15% level if the estimated biomass of Th is 200,000-300,000 crab.

The methods used by the department to survey and produce biomass estimates are extremely flawed and the department knows it. By implementing this harvest strategy they will ensure that there will never be a commercial fishery and they will be able to auction off this resource for their own profit. The board should understand that when the department executes a test fishery The fishermen that get the bid are the ones who offer the most per pound price to the department of fish and game! Essentially competing for the lowest price to themselves. This is blatantly inappropriate and totally contradicts the departments bylaws and mission statement. Proposal 75 essentially enacts limited entry.....total number of permits 1.



Submitted By
robert k mcdonnell
Submitted On
11/15/2021 8:00:02 PM
Affiliation
fisherman

Phone
3602206339

Email
roddymcdonnell@yahoo.com

Address
71 strawberry pt rd
bellingham, Washington 98229

I have been an Alaska salmon fisherman every year since 1974. I support Alaska salmon hatcheries. I have seen first hand how properly run hatcheries can enhance the wellbeing of the costal communities that are supported by fisheries dollars. Hatcheries take the sometimes huge swings in abundance of wild stocks into a more sustainable program for fishermen, proccessors and their communities. Thank you for supporting Alaska Salmon Hatcheries



BEARS DEN CABINS LLC

907 424 7168

907 831 6719

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bearsdencabins@yahoo.com

PO BOX 365

Cordova, Alaska

99574



Attn: Jessalyn

AK Dept of Fish & Game

PO Box 115526

Juneau, AK 99811

To Board of Fish Members:

Re: Prince William Sound/Cordova Area Sport & Commercial Fish proposals

I am writing today concerning proposals 38, 39 & 40.

My husband and I have lived and worked in Cordova since 1973. We bought property on the Eyak River in 1982. My husband Skip Jensen, has been a commercial fisherman here since 1973. We started out gill netting for coho salmon in the fall of 1973. Skip sold out of gillnetting in 1995 and has seined in PWS ever since. We built a rental cabin on the Eyak River on our property in 1998.

By 2005 we had 5 sports fishing rental cabins. The coho run on the Eyak has always been more than abundant and we were thrilled to be able to share this experience with many sports fishermen since 1998. However, in the past 5 years, the fish are less and less and we mostly notice this when the commercial gill netters fish close to the mouth of the Eyak River. There used to be 2 openers (12-24 hrs) per week but this last year with the long openers our guests would stay down river nearly all day and barely catch anything. They would come to us and say "The run is over!" I assured them it was not over but that the gill netters were fishing hard and furious- possibly too close and not allowing any fish up river. They had to wait about 2 days and then would get their 3 fish limit per person for the day.

Our return guests have been coming for so many years, however many of them this past 2020 coho season left with hardly any fish. It was very disappointing to see. Our town thrives on all the sports fishermen who flock to Cordova in August and September. Also our locals love to bring their families down river and fish at the nearby Ibeck. It's a great time of year for everyone-there is no reason both sets of fishermen can not get along. We need to respect the virtues of each fishery. We ask you to please reject proposals 38, 39, & 40. It is unfair and looks like a bully on the playground trying to rule it all. There needs to be more information and interaction concerning these proposals. It is wrong to destroy the sportsfishing industry which affects many businesses and families here in Cordova. Thank you.

Respectfully, Robin Jensen, Owner-Bears Den Cabins



November 14, 2021

Board of Fisheries
Alaska Dept. of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811-5526

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I live in Seward, Alaska, and I participate in the commercial salmon fisheries of the Prince William Sound Region as well as through processing. As a lifetime advocate for the Alaska wild salmon fishery, I hope to see that these resources continue to be managed with legitimate scientific based research and data. The PWS fishery is the lifeblood of our seafood industry and the main source of salmon for the US & international canned and frozen portion markets.

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Thank you for your consideration. Please oppose Proposals 49 - 55 at the upcoming Board of Fisheries meeting in Cordova.

Sincerely,

Ron Risher
ron.risher@obiseafoods.com
(206) 390-5974