

Additional On-Time Public Comments (12/22/21-2/23/22)

Alaska Board of Fisheries Southeast and Yakutat Finfish and Shellfish

Anchorage, March 10-22, 2022

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Submitted By
Adam Hackett
Submitted On
1/19/2022 4:53:59 PM
Affiliation



PC378
1 of 1

As an Alaskan, and a commercial and sport user of King Salmon, I strongly urge BOF to oppose proposal #83. Liberalization of the sport charter industry is harmful to thousands of families around Southeast who depend on treaty King Salmon to feed children and make house payments. We should support these families and existing business before encouraging further business growth reliant upon struggling fish populations.

Alaska Board of Fish

Attention Board of Fish Members

I have written many letters (Proposals 171, 172,173) trying to inform you on the effects of changing the start date of the Spot Shrimp Season from October to May. As a board member here are some questions that need to be asked and answered.

Questions

1 - A lot of fishermen have both Dungeness Crab Permits and Shrimp Permits, when October comes around they have to choose one or the other. If the shrimp opener gets changed to May they will be able to fish both permits which will put more pressure on the winter Crab and spring Shrimp. Right now most fishermen go Shrimping in October. **Do the fishermen in support of the change, support it so they can participate in both fisheries?**

2 - **The Biologists that support the change to May, are they willing to drastically change the Spot Shrimp fishery without any records on the effect that it will have on the fisheries?** Alaska biologists manage the Beam Trawl fisheries which harvest shrimp all winter long, those shrimp are ready to hatch as you can see the eyes in the eggs - they drag up Spot Shrimp too.

3 - When I hear that Biologists and Management support a proposal that would drastically change the Spot Shrimp because they don't want to harvest Shrimp carrying eggs, that doesn't make sense. The Biologist managing the Beam Trawl Fishery let that fishery drag all winter long catching shrimp, which most, have eggs. **How does that help the fishery? Are the Biologists working together for the sake of the fisheries?**

I'm just saying what I am seeing and hearing. Remember, little shrimp are males, big shrimp are females caught with or without eggs. Please leave the season alone.

If you have any questions, please call Alan Reeves 907-874-3619.

Thank you.

Alan Reeves
F/V Chopaka
907-874-3619



February 18, 2022

Sent Via Electronic Mail

Alaska Board of Fisheries
Alaska Department of Fish and Game
P.O. Box 115526
1255 W. 8th Street
Juneau, AK 99811
dfg.bof.comments@alaska.gov

Re: AFN opposition to Proposal 161 - Southeast Finfish and Shellfish

Dear Chairperson Marit Carlson Van-Dort and Board of Fisheries Members:

On behalf of the Co-Chairs and Board of Directors of the Alaska Federation of Natives (AFN), I write to share our concerns and strong opposition to proposal 161 that is in front of the Alaska Board of Fisheries for consideration.

Subsistence is the foundation of Alaska Native society. Today, the vast majority of Alaska's Native people still participate in hunting, fishing, and gathering for food. Subsistence resources remain central to the nutrition, economies, and traditions of Alaska's Native peoples. As such, AFN strongly opposes proposal 161.

I have attached a position paper from the AFN Subsistence Committee regarding our concerns with proposal 161.

Thank you for your consideration. If you have questions, please feel free to contact me directly at (907) 274-3611.

Sincerely,

Julie Kitka
President

Cc: Alaska Governor Mike Dunleavy



OPPOSITION TO ALASKA BOARD OF FISHERIES PROPOSAL 161 - SUBSISTENCE HERRING FISHING PERMITS

I. Background

Proposal 161 would require a subsistence fishing permit to harvest herring roe (herring eggs) on branches in the Sitka Sound area. Currently, herring eggs from Sitka Sound are harvested for traditional and customary purposes each spring and distribution to Native communities throughout Alaska. As such, AFN opposes proposal 161.

Subsistence is the foundation of Alaska Native society. Today, the vast majority of Alaska's Native people still participate in hunting, fishing, and gathering for food. Subsistence resources such as the herring eggs from the Sitka Sound area remain central to the nutrition, economies, and traditions of Alaska's Native peoples.

Those advocating this proposal simply do not understand the nature of this subsistence fishery and the damage that this proposal would inflict on Alaska Native culture. As ADF&G's 2021 Sitka harvest subsistence study verifies, only 8% of the herring eggs harvested in this subsistence fishery are consumed by the harvester and his/her household; the other 92% are distributed to Alaska Natives throughout the state and indeed nationwide.¹

Anthropologist Dr. Steven Langdon stressed in his 2021 report that this kind of extensive and institutionalized sharing is sinew that holds Alaska Native culture together:

As a central value and practice characteristic of all Indigenous Alaskan societies, sharing of subsistence resources was and is a foundation of Indigenous life and livelihood. Sharing is both glue in binding extended families together and lubricant promoting expansion of social ties.²

II. Cultural Importance of Sharing Subsistence Resources

The sharing of subsistence-harvested Sitka herring eggs is a foundational and unifying element of Native culture. It binds Native communities together, reenforces core cultural values, and holds a special place in many Native ceremonies and traditions. As ADF&G recently noted, Sitka's herring eggs make such a singular contribution to Alaska Native's system of sharing because of the Sound's abundance:

Sharing is a characteristic of subsistence economies. In specialized harvests, such as herring eggs, where specific knowledge and skills and equipment are required for a successful harvest, sharing is even more

¹ Sill and Cunningham, *The Subsistence Harvest of Pacific Herring Spawn in Sitka Sound, Alaska*, ADF&G Technical Paper No 468 (Dec. 2021) at 8, 40 ("2021 Subsistence Study").

² Dr. Steve Langdon, *The Significance of Sharing Resources in Sustaining Indigenous Alaskan Communities and Cultures* (2021) at 30 (*emphasis added*).



profound...Because Sitka remains one of the best places to harvest herring eggs, harvesters send eggs well beyond Sitka households, reaching far throughout the state of Alaska...Reviewing past project years, it is clear that the majority of the harvest is shared every year, regardless of how good harvest year it is, how many community boats are harvesting, or how many participants there are in the fishery.³

There is a related reason for the outsized importance of Sitka's herring eggs to our Native system of sharing: there were once numerous subsistence herring egg fisheries in Southeast Alaska. Today, and except for a much smaller fishery near Craig, Sitka is the only remaining significant source of eggs to share. The others have been eliminated by commercial overfishing.

It is important to understand that Sitka eggs are shared in Native communities throughout Alaska, and any disruption in that sharing tradition negatively impacts our Native ways of life. Just this year, ADF&G documented egg sharing in more than 40 Alaska communities, including "Anchorage, Angoon, Bethel, Coffman Cove, Cordova, Fairbanks, Hoonah, Hydaburg, Juneau, Kake, Ketchikan, Klawock, Kotzebue, Metlakatla, Nome, Palmer, Sitka, Soldotna, Valdez, Wrangell, Yakutat, and Utqiagvik."

Proposal 161 creates a burden of a permit requirement that will endanger the foundational and unifying element of Native culture, and that is sharing traditional resources. It will turn a communal fishery into an individual fishery, with the harvest being linked to the individual. It may also discourage harvesters from continuing to harvest, therefore endangering our Native ways of life. When 92% of the subsistence herring egg harvest is sent to others, being asked to individually bear the entire administrative (and in many cases logistic) burden of a permit program (from application to post-harvest reporting), and solely face the shadow of possible enforcement action, undermines customary and traditional uses, practices, and needs of Alaska Native peoples.

The Sitka subsistence harvest is not just a gathering exercise; it is, in-and-of-itself, an important cultural event. Demanding a permit to engage in this cultural tradition is no different from requiring a state permit to hold a potlatch.

III. Limited Countervailing Benefit to Requiring Subsistence Permits

Proponents of Proposal 161 argue that the proposal will lead to more accurate information and data related to subsistence use of the Sitka sound herring resources. However, as ADF&G and its Subsistence Division have both pointed out: precisely the converse is true. A permit requirement, one that inevitably crowds out the existing joint Tribal/ADF&G reporting program, would result in less comprehensive data and possible underreporting of actual harvest:

- As ADF&G stated in its comments on Proposal 161: "Reasonably accurate harvest information can be obtained through the current [Tribal/ADF&G joint] harvest monitoring program," and "[a] permit and reporting of harvest requirement would not result in more

³ 2021 Subsistence Study at 23-24.



accurate harvest data...” *ADF&G Staff Comments* at 180. And, although ADF&G did surmise that the limited data received under a permit may be provided to the agency more quickly, this year ADF&G was able to receive, digest, and report upon 2021’s far more comprehensive subsistence data from the Tribal/ADF&G joint monitoring program by December 2021— easily enough time to influence this year’s spring fishery; and

- In its *2021 Subsistence Study* (pp. 1-2, n.1), the Subsistence Division stated:

Subsistence fisheries throughout the state of Alaska have varying requirements for harvest reporting: the majority do not require a permit. Based on salmon permit programs, permits can underestimate the actual harvest [cites omitted]. In addition, permit data decouple harvest from the broader context in which the resource is harvested. For example, permits do not document information about household demographics, sharing practices, or qualitative assessments about the harvests that provide important explanatory context needed for sensitive allocation decisions. A permit is required to subsistence harvest spawn on kelp in Southeast, but no other subsistence herring egg fisheries in the state require a permit.

IV. Recommendation

AFN recommends the Alaska Board of Fisheries reject Proposal 161. Proposal 161 will not facilitate better data gathering while the burdensome impacts of a permit would negatively impact the traditional and customary harvest of herring eggs.

This report was prepared by the AFN Subsistence Committee and the position was approved by the AFN Board of Directors at its February 15, 2022, meeting. Please contact Ben Mallott at bmallott@nativefederation.org for more information.



ALASKA GENERAL SEAFOODS

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February 22, 2022

Alaska Board of Fisheries
Boards Support Section
PO Box 115526
Juneau, AK 99811

Submitted via email: dfg.bof.comments@alaska.gov

RE: Comments on proposal 166

Dear Alaska Board of Fisheries Members:

Alaska General Seafoods (AGS) is a processor of Alaska seafood products with production facilities in Southeast Alaska, Bristol Bay, and other areas of the state. AGS, along with our parent company, Canadian Fishing Company LTD, has been a long time buyer and seller of both herring roe on kelp (ROK) and sac roe herring products in Alaska as well as British Columbia and California.

AGS urges the Board to support Proposal 166 and allow an open pound roe on kelp fishery in Sitka Sound. In addition to killing less herring by using open pounds this proposal promotes a change in the product forms available from the Sitka Sound biomass. AGS feels Proposal 166 represents a positive change to a fishery in Sitka Sound and addresses several of the concerns brought forward over recent years with regard to the fisheries viability, profitability, and, most importantly, sustainability.

One of the constraints to expanding the ROK market has been limited supply. Whereas the herring roe market is supplied with thousands of tons of finished product each season, the ROK market is supplied with several hundred tons each season.

Without the volume necessary to explore and support a possible new and ongoing consumption opportunity, the ROK market is stuck with the status quo.

Thank you for considering these comments.

Regards,

Brad Wilkins

SE General Manager

Alaska General Seafoods

Submitted By
Amy Daugherty
Submitted On
2/23/2022 4:28:41 PM
Affiliation
Alaska Trollers Association



PC382
1 of 1

Phone
9077232244
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alaskatrollers@gmail.com
Address
130 Seward St # 204
Juneau, Alaska 99801

2/23/22

Board of Fisheries Members

c/o Glenn Haight, Director

Juneau, AK 99811

RE: Opposition to Proposal 225

Dear Board of Fisheries Members,

Alaska Trollers Association represents the Power and Hand Troller permit holders dispersed throughout Southeast Alaska and up to Yakutat. We have fished throughout these waters for well over a century despite the general trend of considerably reduced allocation. Our artisan small boat fishermen often adjunct their salmon catches with species that are harvested by longline.

ATA opposes Proposal 225 for the following reasons: It claims to be abundance based but includes only a mechanism for increasing the bag and eliminating the annual limit. Second, proposal 225 asks for an increase when abundance is still below the GHL levels observed when the equal share fishery was established and below levels when the bag limits were initially set. Third, the dramatic increase in nonresident sablefish harvest suggests ample opportunity is afforded for nonresident harvest, hence there is no legitimate rationale for reallocating sablefish from Alaska's hard working commercial fishermen to nonresident charter clients. Finally, this action will change bag limits for sablefish in state and federal waters but use only the abundance of sablefish in state waters as the index. That is a stretch of science and management authority.

Since bag limits were implemented in 2009 the nonresident catch increased 481% (by 2018) and accounted for 96% of the total recreational catch. During this same period, the commercial NSEI GHL declined below 2009 levels, hitting a 39% reduction in 2016. However, in 2021, the commercial fishery is finally back to the 2009 level of 1.1 million pound GHL, but this GHL is still well below historic catch limits.

Clearly a 4 fish daily limit and an 8 fish annual limit is generous and provides both incentive and reasonable opportunity for nonresident anglers to target sablefish. There is no limit on charter vessels fishing for sablefish and there is an increasing unguided nonresident harvest. The non-resident sport fishery should be managed with an equal commitment to conservation. In 2018, 96% of the sport sablefish catch was taken by nonresidents. Non-resident sablefish harvest grew from 1500 sablefish to 5000 sablefish over the preceding 10 years. In contrast, in our established fishery, each of our permit holders hires 2-4 crew, who support their families, the processing sector, and their local communities with their fishing income.

We urge the Board to reject this proposal. Thank you for your consideration.

Sincerely,

Amy Daugherty

Submitted By
Alicia Maryott
Submitted On
2/23/2022 11:47:02 PM
Affiliation



PC383
1 of 1

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I strongly support the three proposals by the Sitka Tribe of Alaska - proposals 156, 157, 158. These proposals are designed to incorporate specific elements of traditional ecological knowledge into the management of the commercial herring fishery in Sitka Sound and will foster herring abundance, which will benefit everybody in the long run.

I strongly oppose proposals 159, 160, 161, 163, 164, 165, by sac roe seine permit holders and the herring seine lobby group the Southeast Herring Conservation Alliance. These proposals will lead to destructive high-grading and the renewed decimation of local stocks in the bays and inlets up and down the coast, and mark the industry's desire to expand the scope of their permits to fully capitalize on the emerging abundance of herring in Sitka and beyond.

I further believe that none of these proposals go far enough to affirm the fact of massive depletion of herring in the last century by commercial overfishing. This pattern has been devastating for indigenous people and coastal communities up and down the coast. The people of Southeast Alaska have been very clear for the last century in asking for an end to wasteful and destructive herring seining practices. This time of market failure for the fishery offers an ideal opportunity to take serious steps to foster abundance of herring populations up and down the coast of Baranof Island. We want wild abundance and shared prosperity for all creatures who depend on herring - not a parasitic commercial fishery.

Submitted By
Andrew Terhaar
Submitted On
2/19/2022 2:18:09 PM
Affiliation



PC384
1 of 1

I have been a commercial troller out of Sitka for 11 seasons. I am writing to voice my opposition to proposition 83. I make my living solely from commercial trolling and fishing is an inherently unpredictable industry. The very short summer King Salmon fishery plays a very important role in my operation and every King Salmon is critical for my operation's success, even moreso in years of low abundance. Thank You, Andrew Terhaar F/V Audacious

Submitted By
Asanti Sanborne
Submitted On
2/23/2022 1:39:31 PM
Affiliation



PC385
1 of 2

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To the Honorable members of the Board

This is an updated version of a previous comment due to new ADF&G information forwarded to me concerning the percentage of Chilkat Kings from the genetic sampling taken in Skagway in 2013.

I am a resident of Haines Alaska and the owner/operator/guide of Haines Family Fishing Charters operating in the waters of Upper Lynn Canal for nearly a decade.

As such I am well aware of the decline in returns of King Salmon from Alaska to California. The species is suffering world wide declines and we are all aware of the many conservation policies enacted by state and federal agencies to protect this vital species.

High ocean mortality is the given reason for these declines and has been attributed to many factors including increased predation, commercial overharvest, unusually warm ocean temperatures i.e. the blob and El Nino, extreme river levels, foreign vessels and trawler waste.

Being a resident and charter business in Haines I am primarily focused on the Chilkat King run.

ADF&G has devised and enacted many regulations to help conserve the run. Since 2017 there has been a ZERO RETENTION policy King Salmon in the Upper Lynn Canal during the entire summer fishing season.

I speak for myself and many others when I say that this policy has been unfairly heavy handed to the small (less than 4000 people) communities of Skagway and Haines. These communities have suffered severe economic impact as a result. In the past sport anglers have infused millions of dollars into these small communities on an annual basis, via charters, vacation rentals, hotels, car rentals, grocery stores, liquor stores, tackle shops, restaurants, bars, RV site rentals etc., just for the opportunity to try their luck at landing this Trophy.

This policy is based on the fact that the majority of Kings caught in this area are Chilkat Kings.

The ADF&G genetic sampling from 2013 showed that 50 to 60% of Kings caught in Skagway were genetically Chilkat Kings, however many of these fish were from the Pullen creek hatchery in Skagway which were taken from Chilkat King eggs, and were caught within a couple of miles of the Pullen creek fish ladder.

Put another way 40 to 50% were NOT from the Chilkat stock.

As a professional angler I am also aware of the delicate nature of the mighty Chinook and have enacted my own policies to reduce stress and increase the survival rates of a landed fish.

I would like to propose an ammendment to the King Salmon Action Plan that would modify this **inequitable** and **damaging** no retention policy for these 2 communities.

However I and my fellow anglers do feel strongly about the need to protect these fish through smart policies and regulations .

To that effect I would propose the following policies which have been extensively researched and shown to have significant positive effects on fish survival rates:

Continue to allow NO King Salmon fishing in the Chilkat Inlet which is a vast and direct staging area for returning spawners.

Require all sport AND commercial fishermen to use **barbless** hooks, the benefits of which are well documented.

Require sport anglers to use **Small** barbless hooks which are gentle on undersize and bycatch fish.

Require all sport anglers to use rubber nets to land King Salmon which greatly reduces descaling.

Increase the size limit to 30 + inches



Open King Salmon to retention for sport fish in July thus ensuring a large percentage of spawners have reached the spawning waters.

Set annual bag limit for all of Southeast Alaska to 1 or 2 fish.

Require all landed fish on guided tours to be handled by guides until a fish is determined to be legal for retention.

Provide education so that all sport and personal use anglers are aware of these practices to increase survival rates of undersized fish.

It is my honest and humble opinion that some or all of these policy changes will help achieve the conservation goals set forth by ADF&G while correcting the unfair and economically damaging policies that have cost millions in lost revenue in these small communities.

I would like to thank the Members for your consideration of this matter.

Submitted By
Brock Walstad
Submitted On
2/16/2022 7:22:36 AM
Affiliation



PC386
1 of 1

To whom it may concern:

Now is not the time for any liberalizations in harvest. Stronger, more sustained numbers of king salmon passage are required before making adjustments to the fishery based on targetting other species. Unfortunately, king salmon fishery pressure has disproportionately impacted king salmon numbers, and due to the indiscriminant nature of nets, we cannot isolate the harvest of other species without adversely affecting potential king salmon passage.

Thank you for your time.

Submitted By
Bruce Marifern
Submitted On
2/22/2022 9:51:44 AM
Affiliation
Harvester



PC387
1 of 1

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To the Board

Thank you for the opportunity to comment My name is Bruce Marifern,, I was born and raised in Petersburg Alaska. I've been participating in Sitka sac roe for the last forty years, as crew ,, and more recently as a harvester over the last 20 years.

I would like to express my opposition to proposals 156,157,158. As well as Equal split proposals 163 and 164.

I would like to offer Support for proposals 159,160.161 as well as 233.

I am of the humble opinion that Alaska dept of fish and game have been good stewards, and should be allowed to continue to manage as they so professionally do

This is an important resource for our small family operation,, and our local crew

Thank you for your consideration

Sincerely Bruce Marifern

Submitted By
Cale LaDuke
Submitted On
2/23/2022 3:16:54 PM
Affiliation
Commercial fishermen



PC388
1 of 1

Hello to the Board,

My name is Cale LaDuke, I am a life long Alaskan, I live in Sitka, I was born here 40 years ago and plan on living here for the remainder. I troll for salmon and work on a boat that long lines for halibut and black cod.

As a fisherman I realize that quotas go up and down according to biomass and I'm fine with that. However I'm not ok with losing quota or fish due to reallocation to the charter fleet.

With that said I would like to state for the record that I strongly oppose proposal 83, or any proposals to reallocate fish away from the commercial sector. I would also like to support proposal 89, or at least have further consideration on the matter.

Thank you for the opportunity to comment.

Cale LaDuke

Submitted By
Caroline Daws
Submitted On
2/19/2022 10:07:15 AM
Affiliation



PC389
1 of 1

Dear Board of Fish,

I am writing to express my support for the proposals 156, 157, and 158 which protect the herring fishery for subsistence use and to express my opposition to proposals 159, 160, 161, 163, 164, and 165 which would have long term negative effects on the herring populations and which disregard and disrespect both the traditional and contemporary Tlingit knowledge of the sustainable use of this fishery. Proposals 156, 157, and 158 center on evidence-based ways to protect the resilience of this critical fishery for the traditional cultural and subsistence use of Tlingit peoples. Proposals 159 - 165 prioritize profit over the health of these ecosystems and leave Sitka herring populations vulnerable to collapse. As a PhD candidate in Ecology, I support proposals 156, 157, and 159 which are supported by both traditional knowledge and also modern scientific studies of fishery management strategies. I support the leadership of the Herring Protectors, whose knowledge should be valued and respected in Southeast as we seek to uplift the traditional and modern wisdom of Tlingit peoples in Southeast.

Best,

Caroline

Submitted By
Carolyn Nichols
Submitted On
1/26/2022 4:41:34 PM
Affiliation
Self



PC390
1 of 2

PROPOSAL 83

I am totally against proposal 83. This is a reallocation of king salmon away from the trollers to the sport charter. Low abundance years, as we have had recently and look to have in the near future, are hard on everyone and we all need to share in conservation. Taking fish from the trollers to give the charters more in low abundance years is just plain wrong and if there are enough low abundance years in a row the charters would owe the trollers way more than they would ever get made to pay back . I say no on 83

Submitted By
Carolyn Nichols
Submitted On
2/22/2022 7:34:39 PM
Affiliation
Self



PC390
2 of 2

tTo The Board of Fish

Proposal 225

I do not see the need for this change. There has been a dramatic increase in charter harvest of sablefish. In asking for more lenient bag and annual limits the charter fleet is asking for reallocation of sablefish to what is a primarily non resident charter client. At what point will the board of fish send this charter fleet the message that "sport " fishing is different than "meat " fishing. At what point will the charter fleet be held accountable for their increases . At what point will the charter fleet share in the burdens of conservation This proposal claims it is abundance based but only shows how to increase the charter harvest

Please reject this proposal

Thank you

Submitted By
Cassidy Lindow
Submitted On
2/12/2022 9:09:57 PM
Affiliation
Angling Unlimited



PC391
1 of 1

Keep the Herring in the water! Passing legislation that further removes them from the ecosystem damages the salmon runs, and therefore the tourism dollars brought into Sitka's economy each season; but it is also harmful to the wildlife who depend on the herring as a food source. Tribes all across AK still utilize Herring eggs for trade as well. Removing the herring could be catastrophic to Sitka's natural, cultural, and economic worlds.

Submitted By
Catherine sopow
Submitted On
1/13/2022 10:30:29 AM
Affiliation



PC392
1 of 1

Please stop commercially harvest herring sacroe



Comments to Alaska Board of Fisheries on Proposals 161, 160, 159 and 156

Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) is writing in opposition to proposals 161, 160 and 159, and in support of Proposal 156, all of which will be considered by the Board of Fisheries at its Southeast Meeting in Anchorage beginning on March 10. These proposals would impact Sitka Sound herring and opportunities for subsistence harvest of herring eggs, which are issues of great importance to our ways of life as Tlingit and Haida people.

Tlingit and Haida people historically harvested herring eggs – a culturally and nutritionally important food – in Sitka as well as other areas in Southeast. But due to historic herring reduction fisheries and more recent poor management of commercial sac roe herring fisheries, Sitka Sound is now the only reliable source for herring egg in Alaska. Our people now rely on the subsistence harvest of herring eggs in Sitka Sound to meet their needs.

We oppose Proposal 161, which would require individual permits for subsistence harvest of herring eggs. Since time immemorial, our traditional harvest of herring eggs has been a collective rather than an individual activity. We strongly object to the individual permit requirement because permits are inconsistent with our culture and values. Second, an individual permit requirement could make it very difficult for our people to obtain herring eggs. Finally, individual permits are completely unnecessary, as fishery managers already obtain good and reliable data on the subsistence harvest through collaboration with the Sitka Tribe of Alaska.

We oppose Proposal 160, which would repeal part of the area in Sitka Sound that is currently closed to the commercial sac roe herring fishery because it would reduce opportunities for subsistence harvesters. The Closed Area is the most important area for subsistence herring egg harvest; this area provides eggs for people throughout Alaska. Our people have already lost opportunities for harvest of our traditional food close to home. There is no justification for reducing the small area of the entire region reserved for subsistence harvest simply to increase access for the commercial sac roe herring fleet.

We oppose Proposal 159, which would repeal 5 AAC 27.195. This regulation resulted from a compromise negotiated by the Board of Fisheries in 2002 among the Sitka Tribe of Alaska, ADF&G, and the commercial sac roe herring industry to ensure adequate opportunities for subsistence harvesters. The industry proposes to repeal it because it requires ADF&G to use in-season management authority over commercial fishers to ensure opportunities for subsistence harvesters. The Alaska Constitution has a priority for subsistence harvest of our natural resources and 5 AAC 27.195 makes that right meaningful for herring. Commercial fishing has already eliminated traditional opportunities for subsistence harvest in areas more accessible. 5 AAC 27.195 now protects the ability of our people to access a share of the remaining herring harvest in Sitka Sound.

Finally, **we support Proposal 156**, which would moderately reduce the commercial sac roe herring harvest rate in Sitka Sound in seasons where the forecasted herring biomass is less than 120,000 tons. Our people have suffered loss of their ability to harvest herring eggs close to home due to insufficiently conservative management of fisheries. Conservative management of the strongest remaining population of herring left in Southeast Alaska is common sense, and consistent with our values.

Submitted By
Chris Hanson
Submitted On
2/21/2022 4:43:13 PM
Affiliation



PC394
1 of 1

I am writing to strongly oppose the proposal to transfer halibut quota to the charter fleet in low abundance years. I recently purchased a small block of halibut quota, and making money on that is a stretch to begin with. How can it be justified that in low abundance years I will be asked give up access to the catch shares I am paying for so that the charter fleet doesn't suffer? It is basically like stealing from me - I have a very expensive loan out on this quota, and did so based on an understanding that on low abundance years I will be tightening my belt to make ends meet. No where along the line did anybody ever come to me and say "Hey Chris, when things get tough abundance-wise, we'll go ahead and share our quota with you to help cover your costs." The bank isn't giving me a break on the payment or the interest rate, either.

It is offensive to me that the charter fleet feels so entitled to access to the pounds that I paid for. The rationalization of the quota system provided for everybody that was entitled to the shares at the beginning, and I wasn't one of them. So I bought in at great expense to myself as an investment in my future. How can it possibly be justified that my investment is to be devalued so that another non-invested user can make money off of my investment?

This is basically stealing, and I challenge the board to find a real, non-politically motivated justification for taking from my family to give to another.



From: [Chris Hashiguchi](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 82
Date: Wednesday, February 23, 2022 11:56:07 AM

Board Of Fish,

I am an owner operator of a Charter Boat out of Sitka. I have been operating in Sitka since 1995 and own a house in town and have a wife and two girls in Kindergarten and First grade. My clients support Sitka businesses from the time they book there trip to the time they hopefully rebook for the next year. Whether its Alaska Airlines, The Westmark, Orion Sporting goods, Delta Western, The Channel Club or Sitka Sound Seafoods they arrive for there vacation ready to spend money, and they are happy to do it for there opportunity to catch a Alaskan King Salmon.

My business and clientele have been able to adapt to all the of the changes that have happened in the last 27 seasons that I have operated in Southeast. The draconian hard line cuts that will occur if you adopt a plan that only allows one king annually after June 16th will be terrible. When the abundance is low which has been half the time in the last 10 years all sectors have taken a haircut. Or a buzz cut I should say. But under proposal 82 the cuts would be so deep that we will have no head to cut the hair from.

I would support a plan that would allow us to function under the low index number with a three fish annual program through the end of June then cuts from there. We in turn would not be allowed more than a three fish annual in years with higher abundance. Our businesses need continuity and stability to be able to market to our clients. I have had more turn over in my clients in the last 5 years due to changes in limits than anytime in the past. The number one gripe I hear, is how can they change the limits within a week of our trip? The guests want to know what they are paying for and receive the treatment and trip we are selling them.

Thanks for your time,

Christopher W. Hashiguchi
Owner, Legasea Fishing Charters
Sitka AK

Sent from [Mail](#) for Windows

Submitted By
David W Kreiss-Tomkins
Submitted On
2/14/2022 1:57:16 PM
Affiliation



PC396
1 of 1

Phone
9077385883
Email
d_kreiss-tomkins@riseup.net
Address
313 Islander Dr.
Sitka, Alaska 99835

Dear Board of Fish committee members,

I'm writing to you in support of the Sitka Tribe of Alaska's herring proposals, especially those that would reduce the catch taken of mature herring. Herring is a forage fish as well as a species on which Tlingit and other Native peoples in Alaska and the Pacific Northwest rely for food and eggs. Both of these conditions require that we manage the fishery in the most conservative manner possible. Given the historical accounts of herring spawn throughout Southeast Alaska, we know that the vast majority of herring stocks here have crashed, and we also know that none of them have returned to anywhere close to their original levels.

I have grown up in Sitka, and remember there being enough herring thirty years ago to pick live herring up off the beaches on a falling tide. It was heartening this year to see the herring return to the harbors and watch kids jigging for them off the docks, as I remember doing when I was younger. It is not out of the question to tie the return of herring to the harbors to the fact that there was no commercial sac roe fishery the last two years. If the sac roe fishery remains closed or is much more severely restricted than it has been, I suspect that the herring may have a chance to return to a trajectory approaching historic levels. Because of that, I support the closure of the sac roe fishery. Barring that, however, please consider restricting the fishery as proposed by the Sitka Tribe of Alaska Resource Protection Department. Thank you for your time and consideration.

Submitted By
Debra Page
Submitted On
2/22/2022 5:40:33 PM
Affiliation



PC397
1 of 1

Writing in opposition to proposals #83 & #88. Please no more cuts to the Troller's King Salmon quota. I've been trolling out of Elfin Cove for 45 years.

Submitted By
Dennis Watson
Submitted On
2/23/2022 11:03:36 AM
Affiliation
commercial salmon troller



PC398
1 of 1

Phone
907-617-2800
Email
dwatson@aptalaska.net
Address
PO Box 134
Craig, Alaska 99921

I oppose proposals, 101, 102 and 103. Southeast Alaskan salmon hatcheries are a tremendous asset to the regions, commercial, sport and food fisheries. They are also a major contributor to Southeast's economy by helping to stabilize commercial salmon fishery income. Hatchery produced salmon help level out the good year bad year scenario that is so often apart of our fishery. ADF and G already monitors hatchery compliance. As well, there is a Department program that is designed to research and collect data on hatchery impacts on wild stocks and the marine environment. There is no reason to entertain proposals by a special interest group to do what is already being done.



From: [Doretha Walker](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 161
Date: Sunday, February 20, 2022 12:42:14 PM

Proposal 161 creates significant barriers for Alaska Native communities to continue traditional ways of life.

The Sitka subsistence harvest is not just a gathering exercise; it is, in and of itself, an important cultural event.

I vehemently oppose passage of Proposal 161.

Sincerely,

Doretha B Walker

[Sent from Yahoo Mail on Android](#)

Submitted By
Paul Cyr
Submitted On
2/22/2022 4:53:18 PM
Affiliation
EC Phillips & Son, Inc



PC400
1 of 1

Board of Fish
Alaska Department of Fish & Game

February 21, 2022

Subject: OPPOSE- Board of Fish Proposals 156, 157, & 158; Support Proposals 159, 160, 161

We oppose proposals 156, 157, & 158 on the grounds that the current harvest rule and ADF&G management does not need to change. Furthermore, the Sitka Sound herring stock is at an all-time high biomass. The areas closed to commercial harvest are more than adequate to provide a reason subsistence opportunity.

Over the years ADF&G and the commercial herring fleet have made significant changes to the fishery in order to address concerns raised by the Sitka Tribe. This includes funding the harvesting and transport of roe on branches from the harvest grounds. ADF&G and the commercial herring fleet have been providing the Sitka Tribe with crucial information regarding herring distribution, location, and spawning activities. In 2018, historical fishing grounds were closed to commercial harvest to also address the Sitka Tribe concerns.

The fishery is heavily supported by a science-based fishery management process to promote a sustainable biomass of herring with a conservatively managed fishery. This is important to the Sitka Tribes subsistence goals as well as sustainability of the fishery. It is our belief that the Sitka Sac Roe Herring Management is the "Gold Standard" for herring management in Alaska and possibly throughout the world.

ADF&G Sac Roe Herring data clearly indicates that herring populations have increased significantly since the start of the commercial fishery in the 1970s and especially following the closure of the pulp mill in 1993. Natural fluctuations in biomass and spawning behavior do not indicate a collapse in stocks, all species are cyclical in nature, good return years with not so good return years for unknown reasons. We oppose proposals 156, 157, & 158 that would modify the commercial sac roe herring fishery for any reason that is not supported by science-based fishery management.

If there are any questions regarding our position on this issue, please do not hesitate to contact us.

Regards,
E.C. Phillips & Son Inc.
907-247-7975

BOF TESTIMONY SE ALASKA FINFISH 2022, Eric Jordan

- 72 year SE Alaska sport, commercial, and subsistence fisherman.
-
- Sitka AC nearly every year since 1976
-
- Served 8 years on AP to NPFMC, and 9 months on BOF
-
- Founder and elected Troll rep on NSRAA Board
-
- Representing myself

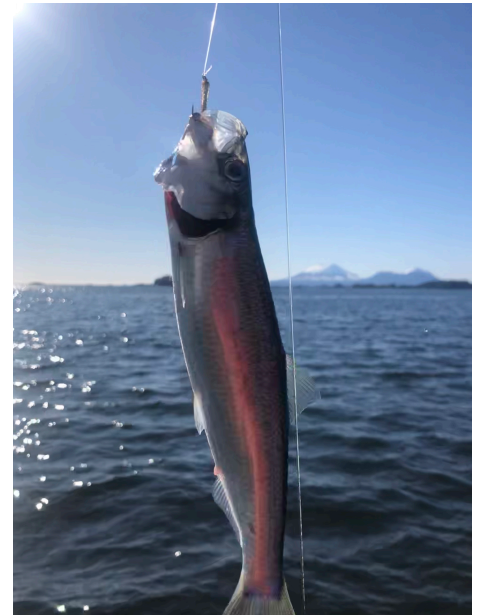


Intro: My perspective is reflected in Sitka F&G AC comments and votes. Also in the comments of groups I am a member of such as ALFA, ATA, and the Territorial Sportsmen. These additional personal comments reflect a lifetime of fisheries conservation and activism making proposals from the most minute details of legal gear, time, and areas, in everything from fly fishing for trout, to lingcod gear, to legal hooks in the troll fishery, to the broadest issues of international treaties and enforcement. It is also colored by a lifetime of work with and appreciation of fish and game staff from the samplers, to regional biologists and managers, to the Commissioners Office and Boards Support Staff. Conserving, sustaining, enhancing, and equitably sharing are a collaborative and team effort. Finally, my longtime friend and fishing partners, Tad Fujioka and John Murray have similar perspectives as I have and I support their comments.



Herring: I support the hours and hours of work the Sitka AC put in on these proposals. My father came to Alaska on a herring seiner in 1940. He became a fierce opponent of the herring reduction fisheries in the 50's. I have been involved in writing proposals, appointing subcommittees, and working on herring conservation in the Sitka area since 1976. While not my ideas, I wrote the AC proposal adopted by the BOF to set a minimum threshold in Sitka before the sac roe could commence in 1976. I also wrote the Sitka AC proposal to establish a herring subsistence sanctuary area near Sitka. My view is we have rebuilt the herring resource from an estimated spawning biomass in 1977 of less than 10,000 tons to over 200,000 tons in the Sitka area. I support going to a fixed share co-op fishery for the seiners and efforts to convert the fishery to an open pound roe on kelp fishery. Herring is an iconic fish in Sitka with a great deal of indigenous cultural and spiritual significance beyond fishery management sharing and economics. I urge the BOF to respect, honor, and consider that in your decision making.

Herring roe 2004. In the Sanctuary now. I jig herring in the sanctuary area for bait and roe:)





Salmon: Again, I worked for hours and hours with trollers, AC members, and resident sport interests on the salmon proposals. Basically, I think Tad Fujioka, Larry Edfelt, and the Sitka AC reflect my views. BOF members, we have a problem with the uncontrolled growth of two salmon harvest sectors, the guided, mostly non-resident sport fishery, and the bare boat rental (BBR). largely non-resident sport fishery. I was a handtroller in 1978 and elected to represent them to fight for continued access as that unlimited entry fishery exploded to the detriment of the limited power troll fishery. I know how tough it is to make the deals to control effort and accept limited entry. It is time to get a handle on the growth of the guided and BBR sport fishery before it does more damage to the resources, the resident sport fisheries, and the largely resident troll fisheries.

I was dismayed that the divisive 6 line proposals for trolling in chum fishing areas, and for coho region wide were ever introduced. They, as I predicted, have been divisive within the troll fleet and even in my own family. Lots of trollers do not have the gurdies or poles set up for 6 lines. It will cost many thousands to convert their operations. Trollers are already catching our share of coho. I have spent a lifetime minimizing my by-catch of king salmon, and changed my operation to target pinks and chums during king salmon non-retention periods to reduce king salmon by-catch. I helped pioneer the chum troll fishery which is most often conducted in tight bays and inlets in crowded conditions. I maneuver in tight quarters at slow speeds, with sometimes 50 fathoms of gear and over a hundred pieces of gear out on 4 lines. It is my experienced perspective that approving either of these proposals will be a big mistake. In the chum troll fishery it is likely to reduce trollers overall catch rate. I often run less gear than most chum trollers. I put the gear at the depth in the school where they are biting. Maneuverability and changing depths and location rapidly are key to top production. 6 lines are inequitable, will reduce fleet maneuverability in the chum troll fishery and are best suited to the offshore Fairweather grounds where they are permitted now. Thank you for reading my perspective.



Submitted By
Evan Jonjak
Submitted On
1/25/2022 8:57:35 AM
Affiliation
commercial troller



PC402
1 of 1

I am not in favor of Proposal 83.

It is not accetpable to take King Salmon away from commercial fishermen who are struggling to make a living, and give these fish to guided recreational fishermen instead. Commerical trollers have yielded too much quota already.

Submitted By
gail sterling
Submitted On
2/17/2022 4:19:17 PM
Affiliation



PC403
1 of 1

i oppose 83+88 and any other reallocation of our remaining 1/3 historical king catch. During PST negotiations all gear groups were represented and agreed. all need to comply. 85% trollers are SE residents. most lodge crews are not.

Sport fishing lodges enjoy continual growth on declining resource. they need a cap just like trolling permits. creel census is limited if done at all. nothing is counted at private lodges. how are the catch numbers gathered and by whom?

Trollers pay 3% of their gross to hatcheries for king production. lodges pay nothing but enjoy the same resource.

No reallocation. hold all gear groups to what they agreed to.

Submitted By
Grace Greenwald
Submitted On
2/18/2022 8:34:54 AM
Affiliation



PC404
1 of 1

I strongly SUPPORT proposals 156,157 and 158 submitted by the Sitka Tribe of Alaska. These proposals would lead to safer managemnet of the fishery by promoting population resilience and respecting subsistence users and traditional and modern Tlingit knowledge.

I strongly OPPOSEProposals 159, 160, 161, 163, 164, and 165 submitted by the Sac Roe fishery. They lack scientific justification and will be devastating to our ecosystem in the long run.



HAINES BOROUGH, ALASKA

P.O. BOX 1209

HAINES, AK 99827

(907) 766-6400 * FAX (907) 766-2716

February 9, 2022

Alaska Department of Fish and Game
Board of Fish

Board Members:

After recommendation from the Haines Commercial Fishing Advisory Board, and consideration by the Haines Borough Assembly, the Haines Borough would like to encourage support for proposal 124.

The 15,000 sockeye cap management regulation must continue past the impending expiration date. This cap ensures passage of Sockeye and other salmon back to the Lynn Canal and the rivers that produced them. Haines is home to over 60 commercial gillnetters and 600 subsistence permit holders. Without the passage of this cap extension, they would have to wait until escapement numbers were met later in the season.

Please support our local fishing industry by extending the 15,000 sockeye management cap and supporting proposal 124 to the 5AAC 33.366 Northern Southeast sein salmon fishery management plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Olerud".

Douglas Olerud
Haines Borough Mayor

Submitted By
Henry Roller
Submitted On
2/13/2022 9:40:59 PM
Affiliation



PC406
1 of 1

I support more conservative Herring fishing regulations. We must protect our Herring populations, and do our best to preserve them for the future. Limiting fishing today means there will be more Herring in the future. As a keystone species, Herring are incredibly important for the ecosystem. Thriving Herring means thriving waters, lands, and communities. Please protect Alaska's Herring, and stop overfishing.

Submitted By
Jack Freysinger
Submitted On
1/24/2022 10:19:36 PM
Affiliation



PC407
1 of 1

I feel at sweet heart creek there is limited fishing grounds and the 25 fish limit on busy days keeps people cycling through and allows many household to fill their permits but when people show up with proxy tags for many households they can be held up in the best spots for the whole day or days in some cases I support getting rid of the proxy harvest at Sweet Heart



James R. Burton
F/V Cricket
PO Box 41
Cordova, Alaska 99574

February 22, 2021

Marit Carlson-Van-Dort, Chair
Alaska Board of Fisheries
PO Box 115826
Juneau, AK 99811-5526

RE: Public Comments for SE Herring Proposals

Dear Madam Chair and Board of Fisheries Members, I am a third generation Fisherman from Cordova, Alaska. I have fished for herring, salmon, crab and ground fish from Southeast Alaska to the Bering Sea for the majority of my life. I have been a sport and subsistence user for fish and game resources in Alaska for all of my life. I have served as a Fish and Wildlife Aide and an Alaska State Trooper in the Division of Fish and Wildlife Protection with duty stations in Kodiak, Fairbanks, Sitka and Anchorage. I served the community of Cordova, seated for two terms on Cordova City Council in addition to other various roles including the Harbor Commission and Health Services Board.

I am married and the father of four children. My oldest daughter has been fishing with me for 3 years as a full time crewman, and participates in the Sitka Sac Roe fishery. She is an up and coming 4th generation fisherman, recently purchasing her first permit. Commercial Fishing is critical to my family, not only as income, but a skill and tradition to be passed down. The idea that the commercial fishing industry would be willing to sacrifice the future of our fisheries for a fish ticket today couldn't be further from the truth. We are not only fishermen, but stewards of the resource with the goal to pass this industry down to the next generation. I have every intention to introduce the rest of my children to this life in hopes that they will some day have an opportunity to feed the world.

I urge you to reject Proposals 156,157,158 and offer the following personal comments - **Oppose.**

The Alaska Department of Fish and Game has managed the Sitka Herring Fishery perhaps better, and under more intense scrutiny than any fishery in the State of Alaska. The authors of these proposals simply seek to change the management of the G01A fishery until it ceases to exist. Many of you have seen these proposals or a similar variation for years. I ask you to reject or oppose all three proposals and to allow ADF&G to continue their current management practices. It has been my observation, both enforcing this fishery in my capacity as a Trooper and participating in subsistence / commercial aspects of the sac roe fishery - that there are more



herring now than there have been at any other time in my life. The Sitka Sound herring biomass is plentiful enough for all user groups.

Proposal 159 - **Support** -

Repeal this ambiguous regulation. This regulation has been on the books for twenty years without being revisited.

Proposal 160 - **Support**

This proposal in essence seeks to reverse a previous board decision to expand the core area closure. This closure has had little to no effect on subsistence participation in Sitka Sound, but it complicates management and makes harvest cumbersome. This proposal does not affect the initial "Core Area" designated and passed in 2012, rather, it repeals the expanded area adopted by the Board in 2018. There has been a failure to demonstrate that this expanded area has yielded any positive effect for subsistence users, however, it has hampered fishery management.

In my personal experience, commercial fishing has at times been a catalyst for spawning events. If anything, pushing the fishery further from town pushes the spawn further away. While stationed in Sitka (TDY 2004-5, stationed 2006-9) as an Alaska Wildlife Trooper, it was more common to have "road system" spawning events than it is today - with the expanded area closure. I think it's important to note that while I was stationed in Sitka, I actively participated in placing branches for roe in addition to cast net harvesting herring. Most of my fishing activity occurred in the core areas and was commensurate to commercial fishing activity.

Proposal 161 - **Support**

This proposal seeks to require a subsistence permit for harvesting herring roe. In today's age of cell phones and the internet, a person can obtain a sport permit in Sitka for shrimp with the clicks of a few buttons in the palm of their hand. A subsistence permit for PWS herring can be obtained by simply walking into Fish and Game. The idea that a subsistence permit requirement is a burden, as I've seen in some previously submitted comments, doesn't align with required practices in other regions and subsistence fisheries. Further, if ADF&G is being asked to manage and track harvest of subsistence herring roe, permit issuance and reporting helps in that objective. We should all agree that verifiable harvest data is not only good, but necessary.

Proposal 163 & 164. **Support in part**

As a soon-to-be G01A permit holder, and a past participant in this fishery it is generally against a fisherman's nature to agree in perpetuity to participate in an equal share fishery. However, in the sac roe fishery, and in light of today's market conditions I support these proposals. Operating expenses, insurance claims, damage to vessels and nets, the carbon footprint of the fishery, etc... can all be reduced.

The only potential disagreement I have is the 10% overage / underage clause in Proposal 164. I think this component would be better served if it were addressed during the meeting and could be



amended if necessary. I believe it was meant to mirror Federal IFQ fisheries, but I have thoughts on why that might not be the best applicable policy in this fishery. That being said, I will reserve further comment until I can speak to the authors and gain a better understanding.

I've noticed a string of other comments submitted prior to mine in opposition to these proposals. I'd like to offer an alternate view. Cooperative or equal share fishery openings can be arguably easier for ADF&G to manage and prosecute. ADF&G biologists can have additional tools in the tool bag so to speak, and rotate fishing areas from northern to southern Sitka Sound and everywhere in between. This tool allows movement of the fleet so that fishing effort is distributed evenly, alleviating concerns and potential conflict with subsistence harvesters once spawning starts.

Again, despite being against the general nature of fishermen, I do see these proposals as win/win between commercial and subsistence harvesters. It struck me as odd to read otherwise, but perhaps this perspective was not considered.

Proposal 165 and 166: **Neutral** - At this time, I'm reserving comments on both of these proposals until I can hear testimony and meet with other stakeholders / users to gain better insight.

Proposal 167: **Oppose**

G01A permit holders have always had access to and fished Salisbury Sound. This proposal is an attempt to move the Hoonah Sound pound fishery (L21A) further south into an already fully allocated fishery area (G01A).

Proposal 233: **Support**

I look at this proposal as regulatory housekeeping that eliminates what appears to be an unintentional overlap in administrative areas between G01A and L21A permit holders. In this case, the G01A area is an already fully allocated fishery to which L21A permit holders should not have been granted access.

Thank you for your time and dedication to this process.

Sincerely,

A handwritten signature in black ink, appearing to read "J. R. Burton", with a long horizontal flourish extending to the right.

James R. Burton



Comments submitted by

James Moore

107 Kiksadi Court, Sitka, Alaska 99835

Representing himself

Madam Chair Marit Carson-Van Dort, and Members of the Alaska State Board of Fisheries,

Thank you for this opportunity to comment. I recognize that you have lots of material to consider so I will try to fill in some background that may be helpful for your decisions. Other trollers have stated our positions and have justified them with good arguments. My positions align with those presented by Alaska Trollers Association. Rather than restate those here, I will share a bit of history. You are considering proposals that will define management and sharing of a valuable renewable resource. Your decisions will affect the lives of thousands of Alaskans for generations to come, just as other's decisions decades ago have affected ours. I hope my reflections prove to be helpful. Thank you for taking on this awesome responsibility.

My name is James Moore. I have fished commercially in Alaska since 1970. Salmon trolling has provided my wife and I and our three children a good living. We are thankful to have been able to work together as a family producing a high value food product that contributes largely towards our state and local economies. Our two sons are also commercial fishermen and our daughter's sons are now my crewmembers (that's three generations!). I have served our industry in various fisheries related organizations including on the Interim board of directors for Chichigof-Baranof Aquaculture Association (later to become NSRAA). I was a founding board member for Sitka Fisherman's Coop which secured the property for Halibut Producers Coop (later to become Seafood Producers Coop), in Sitka. I also served on the Chum Trollers Association board. I am currently board member on the executive committees for both Northern Southeast Regional Aquaculture Association (NSRAA) and Armstrong Keta Inc. (AKI). I am past president of Alaska Trollers Association (ATA) and am presently serving on that board as well.

Time, Area, and Effort

To achieve success fishing depends on two conditions: You must be at the right area, at the right time. Those are determined by the presence of one essential ingredient- fish. The troll fishery in Alaska is a hook and line ocean fishery that is well over 100 years old. For most of those seasons, the most productive areas and times were determined by a broad base of experiential knowledge gained over decades and there were still new grounds to be discovered. When I began my fishing career in 1970 summer trolling season ran from April 15 through October 30. Nearly all waters in the Gulf of Alaska were open during summer, including west of Cape Suckling (closed in 1974). Winter season was limited



to “inside the surf line” (inside waters) and ran from November 1 through April 14. The most effective restriction on fishing effort for both summer and winter seasons was the weather. Most trollers began fishing in May and ended their season by the middle of September (Washington, and Canadian trollers would head south sooner to avoid the fall equinox) and very few trollers fished the winter months. But it was an option. There were *no restrictions on entry or on harvest* back then and if you caught a King Salmon it was yours. Our fishery had room to breathe- room to grow, or so we thought!

The 1970s’ and early 1980s’ was a period of seismic events that would change salmon trolling in Alaska forever. Noticeable coastwide declines in the “essential ingredient” (salmon), controversy over responsibility for conservation, and controversy over allocation between resource users (Alaska, Canada, Washington, Oregon, and First Nations) set in motion a 14-year process of negotiating the first Pacific Salmon Treaty.

- Significant legislation was enacted by congress including ESA, EPA, MMPA. *This provided some tools necessary to help protect depressed salmon stocks from careless destruction. Through these Acts limits could be placed on exploitation, and fisheries closed. These Acts, unfortunately, were eventually weaponized by radicals from the deep ecology movement to obstruct productive industry (Spotted Owl, Snail Darter, Southern Resident Killer Whale)*
- With the 1974 Boldt Decision, hundreds of Washington fishermen were put out of business as Federal courts directed management of fisheries to ensure the tribes took 50% of the harvest. *This was one of the most disruptive court decisions ever to come out of the federal courts. It resulted in controversy between the state and federal management authority, created the necessity to quantify the hundreds of salmon runs and to allocate harvest percentages to brand new users who were unprepared to participate in fisheries. Eventually, through the courts (Baldrige Stipulation 1985) the tribe’s 50% claim was extended to include Alaska. According to the stipulation the tribes agreed to forego that right upon the condition that there existed a “North-South” sharing agreement, a condition fulfilled by Alaska’s participation in Pacific Salmon Treaty.*
- After the Boldt decision there were battles over allocation amongst the 24 tribes and between treaty and non-treaty fishermen. *This upheaval caused more trollers to migrate to Alaska to be able to continue in their profession. But the unlimited increase in fishing effort could seriously impact distressed salmon stocks (we had them back then too), and lead to more conservative management, thus less viable industry.*
- *Because of the potential increase of fishing effort, Alaska went to limited entry to prevent overfishing and to maintain economically viable, professional fleets (1975).* The limited entry program itself *increased* fishing effort because many part time trollers sold their permits to displaced Washington professionals who, having spent tens of thousands of dollars on a permit,



had to fish hard to pay for it. And because there was no limited entry on hand trolling, that fishery began to grow exponentially (unregulated allocative growth). Increased fishing pressure led to more restrictive management. This was especially upsetting to those who paid for their right to fish. We began to see hand trollers fishing the Fairweather Ground with multiple lines. A moratorium was put on hand trolling in 1979, and eventually CFEC had to put a limit on hand trolling (1980).

- The number of lines trollers could fish was reduced for both power and hand troll gear (1980). Alaska is the only state that has a limit on the number of lines a troller can fish.
- Many state, federal, and tribal salmon hatcheries sprung up in Washington and Oregon to attempt to mitigate for the Boldt decision, dams, and precipitously declining salmon runs. Alaska's PNP hatchery program was created with the hope that more salmon, principally Chinook would boost the productivity of the troll industry (1976). Overall, the hatchery programs have been of great benefit, however the program has failed to perform as well as anticipated as far as providing increased Chinook harvests. A frustrating situation exists now in Alaska under stock of concern management which prevents effective commercial harvest of returning Alaska hatchery kings. Because they are of the same genetic makeup as the wild Alaskan stocks, they share the same migration patterns. In the spring fisheries when these salmon return to spawn, trollers are restricted from fishing on them until the wild and enhanced runs have separated out, typically near the hatchery terminal areas where the salmon bite less aggressively.
- The Magnuson-Stevens Act established the 200-mile limit and Regional Councils for management of federal fisheries. *Before the 200-mile limit was established we would often see foreign trawlers and longliners even inside the 12-mile limit. Occasionally one would be caught, escorted to port and impounded till arrangements could be made, penalties paid etc. (I was placed as a guard on an impounded Korean longliner in Sitka one winter in the early 70s'. The pay was poor, but the sushi was good. It never occurred to me that I might be eating evidence!). The full effect of this interception, especially by trawlers was never realized until the 200-mile limit went into effect. There were dramatic increases in catch rates of all species of salmon and groundfish. The improving catch rate in the 80s' when combined with new harvest ceilings based on lower abundance years translated to ever longer closures for Chinook.*
- The first Pacific Salmon Treaty was finally enacted in 1985. So begins a new epoch. A fixed harvest quota for Chinook was established at 25% less than the average combined commercial and recreational catch during base period years. There was no distinction within the recreational sector between resident and guided non-resident anglers. In 1984 there were fewer non-resident



anglers than resident and many of those were not clients of charter operators. This would not be the case for long.

Pacific Salmon Treaty.... or trying to survive inside the incredible shrinking box.

It was inevitable that some framework for international cooperation in salmon management would have to be developed to protect the resource. However, even *after* the ratification of the 1985 Treaty there was discord between the parties over equitable division of harvest leading to bickering, failed negotiations, and conservation-threatening harvest practices. *In 1999, Canada and the United States signed the Pacific Salmon Agreement which amends the 1985 Pacific Salmon Treaty.* In this agreement, the parties consented to temporarily set aside dispute over equitable distribution of harvest and to focus on an abundance-based harvesting regime that would foster conservation and restoration of depressed stocks. Fixed harvest ceilings were replaced by year-to-year adjustments based on abundance as predicted by a Technical Committee.

Since the ratification of the 1985 Pacific Salmon Treaty, Alaska's harvest share has been reduced substantially at every 10-year renegotiation. Some estimates claim that we are fishing at about 1/3 of our original rebuilding quota. This is rationalized as necessary for conservation and restoration (despite the cuts Alaska has taken, abundance has remained at about same level. Why?) To meet these treaty obligations trollers have reduced our harvest by surrendering *time* and *area*.

In 1991 the Alaska Troll Management Plan was developed which established Spring, Summer, and Winter troll fisheries. Spring fisheries were designed to allow fishermen to access returning hatchery kings they had paid to produce, while *minimizing catch of south-bound Chinook*. To achieve the later, trollers were prevented from fishing outside waters in May and June. The best area and the best time for Chinook trolling. Trolling was invented for ocean harvest of these fish. Not only is this prime time and area for "treaty fish" but also for mature wild Alaskan stocks and their genetically identical hatchery stocks (they travel together) which have been produced since the 70s' as mitigation for losses at Treaty. **It is not hard to understand how the commercial fleet completely "standing down" from the season's most productive salmon fishing created the optimal conditions for the exponential growth in recreational exploitation.** When the PST was ratified, there were nearly twice the resident anglers as there were non-resident. One overview of treaty states that, "Except for Alaska, recreational fishing represents a significant portion of the overall harvest." I read that as "the percentage of the Alaska's total harvest taken in recreational fisheries was insignificant."



Lessons we did not learn from history!

The troll industry has only barely survived management which often comes “too little-too late.” The longer a problem or condition is ignored, the more difficult and disruptive the solution. The cure can be worse than the disease. Consider the following examples:

- Example #1- The Boldt Decision. The decision was upheld in the Supreme Court, so it was legally correct, but the ripple effect (in this case tsunami effect) from that case had lasting consequences still felt today. Had the 1851 Treaty been honored and respected, and thus more reasonably interpreted in historical context, then there wouldn’t have been the disruptive consequences to industry after over 100 years of gradual development.
- Example #2- The Boldt decision forced limited entry in Alaska. Perhaps it was inevitable, but as it began to look like access to fisheries might be limited more fishermen began to get vested in fisheries that were still accessible, like hand trolling (or Halibut or Black Cod!) Within about three years I believe there were nearly as many hand troll permits as power troll. And the only difference between the two fisheries was the way the lines were tended. A whole new user group was allowed to harvest a limited and dwindling resource. This was “unregulated allocative growth.” Finally, a moratorium was set in place in 1979, and in 1980 hand trolling went to restricted access. It took some time, but temporary permits were eventually retired, and the troll fishery stabilized.
- Example #3- Halibut and Sablefish. The threat of limited access to the longline fisheries caused a stampede into Halibut and Sablefish. The fisheries went from voluntary lay ups which reduced stress and extended the seasons, to shorter and shorter seasons as more fishermen participated. I remember the nightmarish derby fisheries sometimes 24 hours long in horrible weather. People were killed. 12 one year! Why did it take the Federal Government nearly ten years to address that one?

The application here is obvious. The guided recreational fishery has been allowed an extended period of unregulated allocative growth in the vacuum created by the troll industry’s being required to “stand down,” especially in May and June, for conservation concerns. And because the troll management plan denies the troll fleet access to areas of “high Chinook abundance” after the July opening, we are prevented from fishing efficiently in some of the best areas, even for Cohos, except during a week or 10 days in July. (That period we used to call “*The July Slump*”). Because of SOC plans we have lost the best 45 days of the winter fishery, as well as some corridors where the best spring hatchery fisheries were conducted. Our industry which provides a high value food product has been denied the ability to be efficiently productive while another industry, like an invasive species, has been allowed to flourish in those most productive areas and times, despite SOC concerns. We are told their bag limits that ADFG would allow during conditions of low abundance are not enough to generate bookings. Well, times are tough for all of us, but I understand there are no problem with bookings this year. The 80/20 allocation



was generous. That's the limit. ***The problem is the ever expanding guided, and now also unguided recreational fisheries. Unchecked, they have run up against their limits to growth.***

Thanks for your consideration. See you in Anchorage.

Submitted By
Jeff turner
Submitted On
2/23/2022 4:07:39 PM
Affiliation
F/V Mirage



PC410
1 of 1

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February 22, 2022

Alaska Board of Fisheries
c/o Board Support Section
Alaska Department of Fish and Game
Juneau, AK 98111

Re: Proposal 83 (and 82, 84, 86, 94, 143, 144, 146)

Dear Alaska Board of Fish Members,

I am writing the board today to request that you take action to stop the unlimited growth of the non-resident sport harvest and make this sector more accountable within their current allocation. Trollers are a viable Southeast Alaska Economic contributor and we do not wish to loan non-resident sport fishermen any amount of our chinook allocation.

Sincerely,

Jeff Turner



February 23, 2022

Marit Carlson Van Dort, Chairman
Alaska Board of Fisheries
1255 W. 8th Street
Juneau, AK 99811-5526

Re: Groundfish Proposals 226, 227, 228 & 230

Chair Carlson-Van Dort and Board Members,

My name is Jeff Wedekind, I came to Alaska in 1979 as a deckhand on a salmon tender and I never left. In 2005 I built a sport fishing lodge in Ketchikan, and we currently accommodate 30 anglers and operate nine rental boats and one charter boat with a CHP. Our fishing lodge provides two generations of my family's only source of income. We employ six seasonal employees and three full-time employees. We also hire numerous private contractors and spend a good deal of our revenue buying equipment and supplies from local merchants.

I would like to express my support for proposals 226, 227, 228 and 230 as follows:

226 Create bag and possession limits for slope rockfish – The ADFG comments say they are neutral to this proposal; however, they are concerned about regulatory complexity and anglers having to identify between species. Anglers must currently identify between species because of the Emergency Orders (EO) that have closed the Demersal Shelf Rockfish (DSR) sport fishery. Differing bag limits between rockfish species necessitates identification whether it's because of an EO or a new regulation. Perhaps a better way to deal with this is reopen the DSR sport fishery and combine it with the slope fish (like it was pre 2020 closure) and only allow one nonpelagic rockfish per day with no yelloweye retention and time of the year closures for nonresidents that keeps the sport allocation in check.

227 & 228 Bag and possession limits for Demersal Shelf Rockfish (DSR) - These proposals set the DSR limit to one fish per day, two in possession and prohibits retention of Yelloweye. I support these proposals as long as the finished product allows for DSR sport fishing opportunity at some level, whether it be resident only or a combination of resident and nonresident regulations that keeps harvest within the sport allocation. ADFG is opposed to any DSR sport fishing because of previous overages in the sport allocation and conservation concerns due to downward trending Yelloweye populations in outside waters and lack of data on DSR biomass in inside waters.

According to the December 2020 ADFG report "*Assessment of the Demersal Shelf Rockfish Stock Complex in the Southeast Outside Subdistrict*," DSR biomass is only surveyed in the outside waters of Southeast Alaska and the Fairweather grounds in the Eastern Gulf and they only count Yelloweye (See Figures 14.2 and 14.3). These are the same areas where the majority of the directed DSR and commercial groundfish and halibut bycatch has occurred in perpetuity: It is no wonder why the Yelloweye biomass is at dangerously low levels there.

Scientists are concerned about the 60% drop in Yelloweye biomass over the last decade in the Southeast outside subsector, it is unfortunate there was not the same level of concern when the combined directed DSR fishery and the commercial bycatch exceeded 3 million pounds of DSR in 1987 and averaged over 1 million pounds a year until 2005 (See Table 7). This massive overfishing of a slow



growing, slow to mature, territorial fish is what lead to the Yelloweye biomass reduction over the last 30 years and now the best stewards of the resource who catch the fewest fish per participant with the smallest bycatch can't even keep a Quillback while the commercial DSR bycatch continues to be sold in commerce at the rate of 260,000 pounds per year (Table 7).

There is something catastrophically wrong with this scenario and with rockfish management and allocation. Why is it that commercial groundfish and halibut fisherman can sell DSR rockfish bycatch at that level, but I cannot take my kids fishing to catch one single rockfish for dinner? My first saltwater catch was a rockfish, my kids first catch were rockfish, my sister's kids first catch was a rockfish and it's been going on for generations. Catching a rockfish is a child's right of passage in SE Alaska. It is a wonderful way to introduce kids to fishing because they are shallow, easy to hook, you can feel them bite, they give a little fight, and they taste delicious. Furthermore, I can hit just about any rockpile or rocky shoreline in Southeast and find rockfish everywhere. Taking this opportunity away from our families and children because of commercial fishing pressure executed at unsustainable levels for years on end in areas hundreds of miles away is a travesty of justice.

Pressure needs to be put on the ADF&G to do more research on DSR biomass in all areas because these are territorial fish that don't migrate. Just because commercial longliners depleted the Yelloweye on the west coast and the Fairweather grounds, it should not mean we can't take our kids fishing for Quillback and Coppers on the inside waters of SE Alaska. **At a minimum, the DSR sport and personal use fishery should be reopened to residents until the ADF&G can do more studies on all DSR including the inside waters.**

As a charter fisherman, once the DSR bag limit dropped to one per day, I rarely targeted nonpelagic rockfish except for Yelloweye – they are a popular fish – bright color, large body, good fighters, and excellent table fare. If Yelloweye are off the table but people are still allowed to catch Quillback, Coppers, Tigers, etc., I think you will see a drop in the sport catch. I doubt many guides will target DSR if Yelloweye are closed...unless they are really having a hard day. August closures for non-residents could also be used in both outside and inside subsectors if needed to reduce the sport catch.

230 DSR bag and possession limits for Resident anglers – I support this proposal and I support any regulation or change in Emergency Orders that allows resident anglers to keep at least one DSR per day.

I appreciate you taking the time to serve on this board, read these letters, listen to a lot of public testimony, and make tough decisions.

Sincerely,

Jeff Wedekind
President, Chinook Shores, Inc.
25 Potter Rd. – Ketchikan, AK

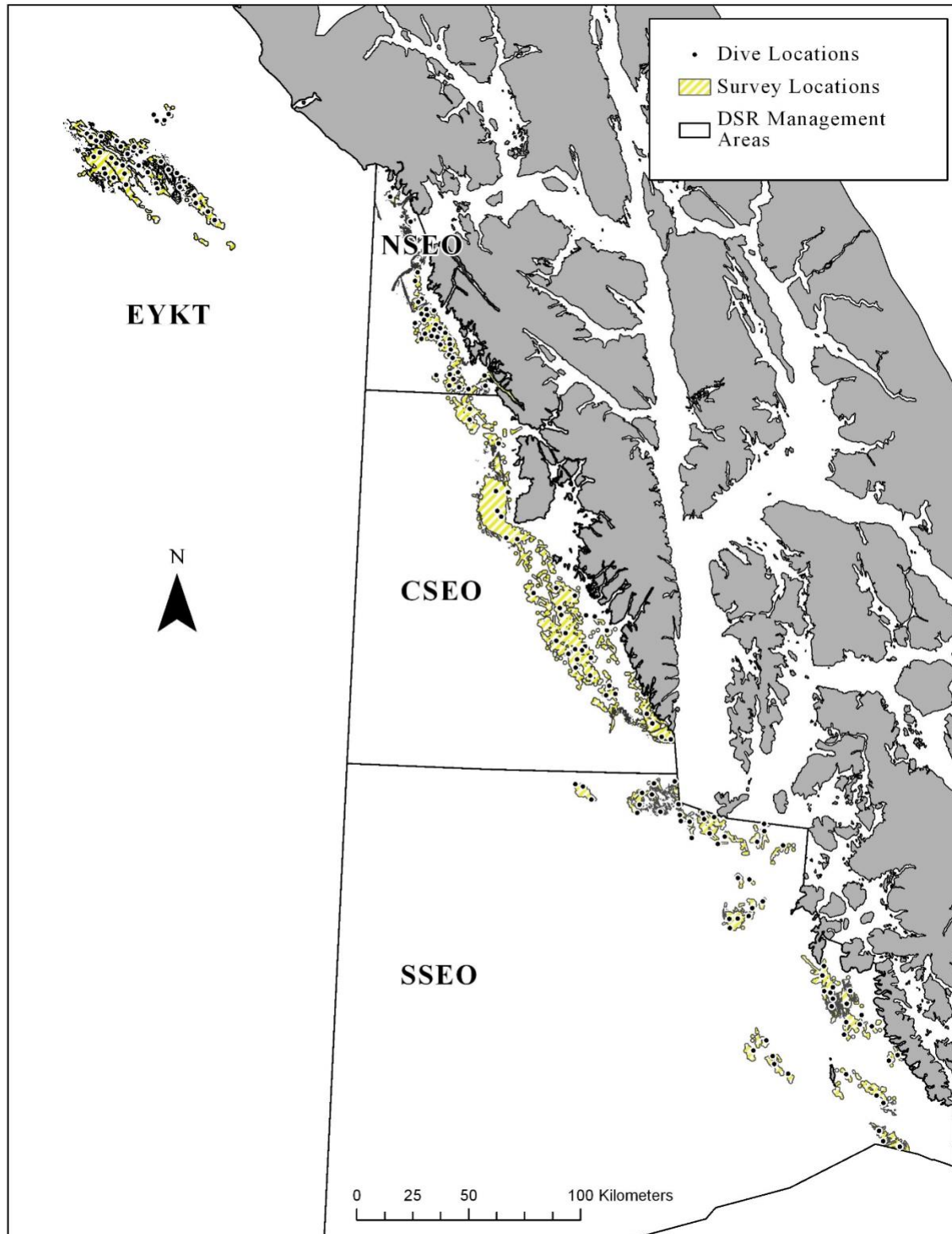


Figure 14.2. Remotely operated vehicle (ROV) transects conducted in Northern Southeast Outside (NSEO) and Central Southeast Outside (CSEO) in 2018, and East Yakutat (EYKT) in 2019. Southern Southeast Outside (SSEO) was surveyed in August 2020.

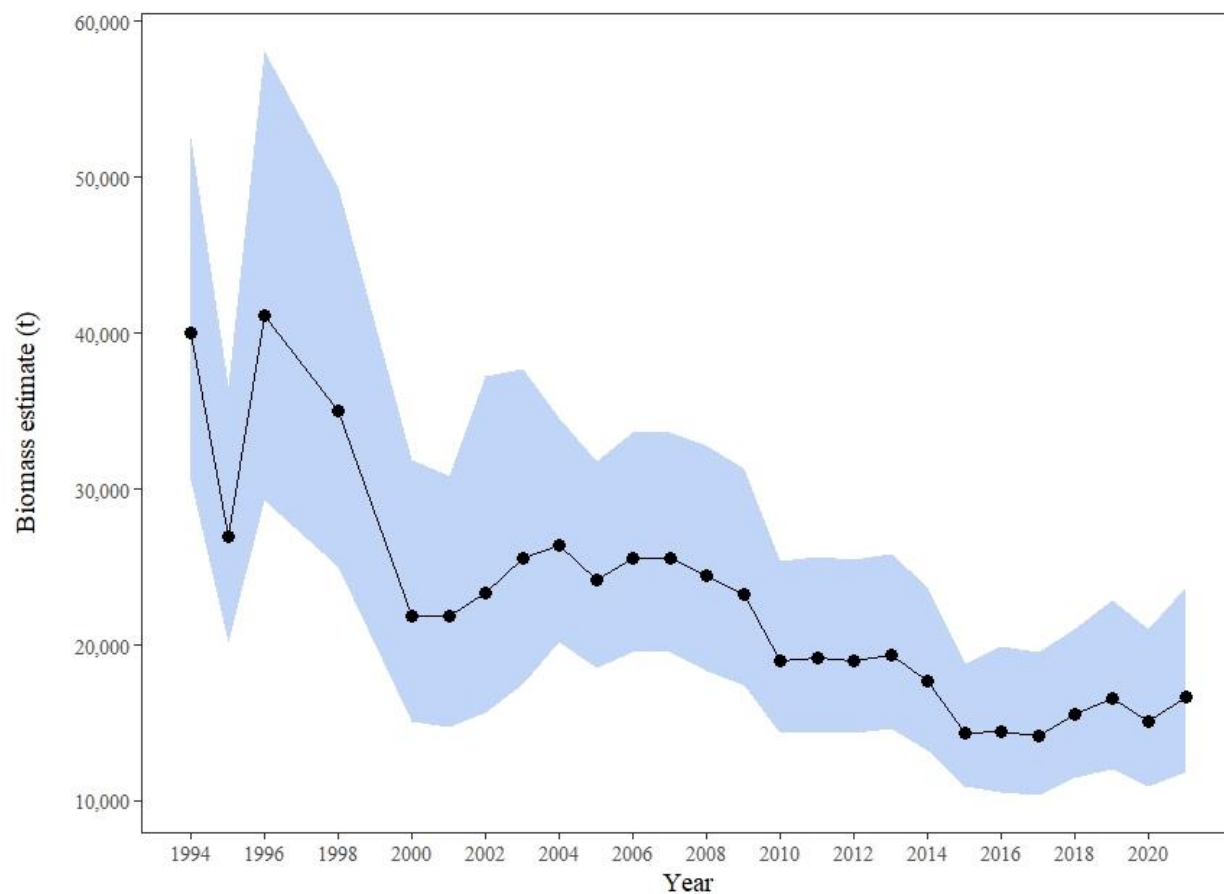


Figure 14.3. Yelloweye rockfish biomass estimate (t) (solid line) and 90% lower and upper confidence intervals (blue) for the Southeast Outside (SEO) Subdistrict, 1994–2021.



Table 7.—Reported harvest (round pounds), effort, and value for demersal shelf rockfish (DSR) taken in the directed commercial fishery and as bycatch in groundfish and halibut fisheries from 1987 to October 2020.

Year	Directed harvest	Directed value ^f	Directed permits	Total harvest	Total exvessel value ^f	Total permits
1987 ^{a,b}	2,745,762	\$1,427,763	—	3,300,563	\$1,650,282	646
1988 ^{a,b}	1,555,607	\$777,804	—	1,935,895	\$1,065,043	819
1989 ^{a,b}	997,388	\$498,694	—	1,400,966	\$768,302	833
1990 ^a	690,253	\$403,752	144	1,122,095	\$600,190	789
1991 ^c	1,147,267	\$734,251	136	1,484,328	\$777,496	862
1992 ^c	1,087,554	\$626,336	149	1,591,020	\$768,960	919
1993 ^c	976,368	\$657,066	122	1,563,811	\$834,344	834
1994 ^c	982,745	\$680,863	133	1,619,214	\$858,680	847
1995 ^c	398,401	\$442,783	66	747,872	\$781,092	811
1996 ^c	782,776	\$787,585	125	1,008,417	\$923,641	736
1997 ^d	651,346	\$828,122	105	913,492	\$973,727	718
1998 ^d	622,289	\$749,599	88	953,538	\$919,950	733
1999 ^d	593,638	\$727,855	83	969,777	\$1,019,155	851
2000 ^d	473,385	\$706,842	59	786,706	\$959,146	774
2001 ^d	457,980	\$673,231	55	860,958	\$971,431	774
2002 ^d	413,792	\$666,206	63	1,076,598	\$1,027,351	768
2003 ^d	336,572	\$494,761	60	800,892	\$935,865	819
2004 ^d	437,079	\$660,047	45	874,526	\$1,076,852	740
2005 ^d	108,088	\$184,611	17	639,522	\$599,880	748
2006 ^d	3,078	\$4,349	4	601,409	\$458,240	770
2007 ^d	5,426	\$6,529	4	574,748	\$409,647	765
2008 ^d	106,169	\$174,957	18	553,066	\$485,140	735
2009 ^d	181,023	\$217,977	22	580,655	\$462,275	672
2010 ^d	110,719	\$141,988	17	517,595	\$368,876	680
2011 ^d	96,088	\$154,042	15	360,113	\$311,649	618
2012 ^d	240,922	\$446,064	25	460,543	\$616,029	570
2013 ^d	318,612	\$514,795	22	565,943	\$682,664	571
2014 ^d	132,088	\$257,157	12	331,576	\$417,727	554
2015 ^d	103,132	\$217,223	10	325,442	\$397,088	560
2016 ^d	99,590	\$186,972	15	331,922	\$373,256	556
2017 ^d	83,387	\$161,364	10	355,041	\$544,532	564
2018 ^d	175,049	\$340,282	15	409,326	\$686,483	589
2019 ^d	145,551	\$275,602	17	412,055	\$662,188	585
2020 ^{d,e}	0	\$0	0	268,694	\$282,129	443

^a DSR assemblage includes bocaccio, canary, China, copper, quillback, redstripe, rosethorn, silvergray, tiger, yelloweye, and unspecified DSR.

^b The directed fishery permit, Y, was implemented in 1990 for all areas except EYKT, which was implemented in 1991. Prior to Y cards, trips with M card were considered DSR target if >40% harvest was DSR. The number of directed fishery permits could not be determined prior to the directed fishery permit card in 1990.

^c DSR assemblage includes canary, China, copper, quillback, redbanded, rosethorn, tiger, yelloweye, and unspecified DSR.

^d DSR assemblage includes canary, China, copper, quillback, rosethorn, tiger, yelloweye, and unspecified DSR.

^e The directed commercial DSR fishery was closed in all management areas in 2020.

^f Directed values and total exvessel values for 1987–2016 were calculated from fish ticket data and 2017–2019 were calculated from CFEC gross earnings data. The values for 2020 are preliminary numbers calculated from fish ticket data.

Submitted By
JIM WILD
Submitted On
2/17/2022 8:51:45 AM
Affiliation
self



PC412
1 of 1

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Elfin Cove, Alaska 99825

2/17/2022

Dear Board Members,

I have lived for the past 43 years in Elfin Cove, AK. During that time the commercial sport charter business has grown from the first one person one boat to six fishing lodges. These lodges are all owned and staffed by non-Alaskan residents. Combined they can host hundreds of clients at any one time. They have unrestricted access to king salmon fishing on the outer coast of Yakobi Island during April through July as do the numerous charter boats based in Pelican and Gustavus. It is not uncommon to find 50 -100 charter boats on any one day fishing that area. This is during the time commercial trolling is closed for king salmon conservation and further reduced for any spring fisheries openings.

The monitoring of their catch is nonexistent, as Covid has curtailed the ADFG creel monitoring programs. As observed by local residents, there are some boats returning daily with more than allowed bag limits and under sized fish. It is well known which outfits cheat. The lodges that play by rules are tainted by the ones that don't.

The king salmon resource is being allowed to be over fished by the sport commercial industry. There is virtually no return to state or local communities. With no state income tax on the out of state owners and workers, no enhancement tax on their catch, no local hire, in some cases no property tax, and the stress on local communities to provide seasonally more drinking water, electrical power and medical facilities; I am opposed to proposals 83 and 88 or any other to allocation of the king resource to the sport commercial industry.

sincerely,

Jim Wild



From: [Jo Boehme](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Public comment on Proposal 137
Date: Thursday, February 3, 2022 3:34:04 PM

[You don't often get email from joboehme175@gmail.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

This is my public comment on ADFG Board of Fisheries proposal 137 about prohibiting personal use proxy permits at Sweetheart Creek.

I am a senior with a disability which prevents me from getting to Sweetheart Creek. 2021 was the first year I was eligible to have another Alaska angler proxy fish for me. My diet and overall health this winter benefit from having the sockeye salmon I obtained via my personal use proxy permit.

I oppose limiting proxy permits at Sweetheart Creek; here is my reasoning.

- Allowing proxy fishing contributes to full utilization of the planned hatchery fishery resource.
- There is a valid argument on the grounds of discrimination and fairness against this proposal; if licensed anglers with a disability or elders cannot physically access the creek to fish are prohibited from proxy fishing, they are being unfairly discriminated against. Allowing proxy fishing mitigates this discrimination.
- The proposal's author suggested, " they could simply have people who would normally fish proxies for them return to the creek to harvest another limit." Making another trip, usually from Juneau harbors, is wasteful in time, fuel and money. For example, Auke Bay to Sweetheart Creek is approximately 100 miles round trip. It's not "simple" to plan a return trip to the creek another day, especially when factoring in marine weather, personal schedules and high fuel costs.
- If the limit of 25 was set arbitrarily using the justification of "fairness", I suggest the Board of Fisheries revisit the bag limit at Sweetheart Creek and include strong consideration of fairness to, and discrimination against elders and the disabled. Thank you.

Respectfully submitted,

Jo Boehme
joboehme175@gmail.com

Submitted By
Joel Kawahara
Submitted On
2/19/2022 11:37:59 AM
Affiliation
troller



PC414
1 of 2

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To: ADFG BOARD OF FISHERIES

Re: Board of Fisheries meeting for Southeast Alaska, proposal 83 and related proposals

I strongly oppose proposal 83. I believe the only way to keep the recreational and commercial fisheries businesses together is to have allocations that do not change until both groups request changes and can agree to changes. This is not the situation with Proposal 83 or any other reallocation proposal. I strongly urge the Board of Fisheries to decline Proposal 83.

I have been salmon trolling since 1972. My fishing has taken me to all four west coast states. I currently hold limited entry permits for Oregon, Washington and Alaska. I am a former board member of the Alaska Trollers Association, former board member of the Washington Trollers Association and current board vice president of the Coastal Trollers Association.

I have attended most of the Southeast Alaska ADFG Board of Fisheries Meetings between 1993 when chinook were first allocated between the net gears, trollers and sports, up to 2018. I attended the 1994 Board of Fisheries meeting where the current Southeast Alaska Troll Chinook Management Plan was first approved. I was also present when the current 20/80 allocation of chinook was approved by the Board of Fisheries.

The Board of Fisheries approved the 20/80 allocation based on the argument that the recreational sector was increasing, but would not increase forever due to limitations such as harbor space. The sport allocation increase from 18%, the recent historic catch by the sport sector to 20% was to provide for modest growth and stability for the charter vessel operators. The Board of Fisheries at that time had the sense that the allocation would be a long term feature of the chinook management of Southeast Alaska.

It is no secret that Chinook Salmon stocks are in a period of low productivity since 2010. The trollers have repeatedly asked the Board of Fisheries and the Alaska Legislature to establish a limited entry program for charter vessels such as the states of Washington and Oregon have. The Limited Entry system for commercial fishing vessels in Alaska is based on conservation of the resource. The failure to establish a limited number of charter vessels has led to increasing number of charter vessels and greatly increased expectation on the Chinook Salmon resource.

The result is the charter industry has over capitalized and believes it can remain viable by getting more of the Chinook Salmon resource. The only way for the charter industry and troll industry to both remain viable is to limit (and reduce) the growth in the charter industry. This is my foremost reason to oppose reallocation of the Chinook Salmon to the charter sector.

The Board of Fisheries has the responsibility of fostering the economic framework of the fishing industry. This responsibility includes providing as much stability as the resource will allow. Economic stability is desirable in a commercial troll business as much as in a charter business. The proposed swap of Chinook Salmon allocation in low abundance years impairs the ability of trollers to obtain financing, reducing economic viability. Proposal 83 is much more damaging to the troll industry than just loaning a few thousand fish for a few years

to the charter industry. I oppose Proposal 83 and other reallocations for this reason.



PC414
2 of 2

I think it is worth while for everyone to examine how well the limited entry system that includes both charter and commercial salmon vessels works in Washington state. The original allocation of both coho and chinook between recreational and commercial sectors for ocean fisheries has not been challenged since it was established in the 1970s. The result is that the sport, charter and commercial fishing communities work together on fishing related issues. Most notably, the entire non-treaty salmon fishing community representing the outside coast has worked to become allies with the Treaty Indians on hatchery funding and habitat restoration. Hatcheries are publicly funded in the lower 48, as opposed to the Alaska Regional Aquaculture system.

Allowing for continual re-allocation of the Chinook Salmon resource means charter and troll operators are in constant competition. As human beings, the individuals are forced into their respective cliques with substantial animosity between the cliques. From a community standpoint, why would the Board of Fisheries be trying to force people to have to constantly fight their neighbors? I suggest the Board of Fisheries to be a firm parent to their warring constituents and say the allocation is final and irrevocable until both groups agree on another plan.

Joel Kawahara

3652 Lindsay Hill Road

Quilcene, WA, 98376

Submitted By
JohnBruce
Submitted On
2/23/2022 7:34:57 PM
Affiliation



PC415
1 of 1

I am writing in support of Proposition 167. As a L21A permit holder I feel it is time to find another area to persue a spawn on kelp fishery. I have been involved in the Sac Roe fishery as a tenderman on and off for over 25 years and I can not recall a time when there was a fishery north of Saint John the Baptist Bay. It is a northern sotheast SOK permit and I think BOF owes it to the L21A permit holders to attempt to find another area that we can fish. It seems to me that the Sac Roe permit holders can give up a little area to their SOK brothers and sisters and that would not put an undue burden on their profits. Thank you for this consideration.

Submitted By
John Murray
Submitted On
2/23/2022 11:33:15 AM
Affiliation



PC416
1 of 3

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Marit Carlson-Van Dort, Chairman

Alaska Board of Fisheries

1255 W. 8th Street

Juneau, AK 99811-5526

I would like to further round out my written comments now that I've had time to ponder the Proposals and staff comments/reports.

I support Proposal 82 with modifications to protect resident harvest. I believe it is a workable Management Plan (almost.)

With conservative management such as the harvest plan for the 2022 sport season and up to date catch reporting, there should be enough Kings under most Tiers (except h & g) for all users.

The charter industry has made a conscious choice to have liberal bag limits early in the season, May/June. That comes at a cost on lower abundance seasons. When you add that with earlier starting dates and longer durations there in lies "the rub."

Please note Staff Comments on Proposal 82, page 7: WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED. This is the crux of the matter. I believe inseason management has to remain as a tool in the box if needed.

I also strongly believe "or annually manage to harvest 20% of the annual harvest ceiling" go hand in hand with upholding the allocation and inseason management.

Trollers don't expect the Sport Division to "stick it" when dealing with allocation adherence but coming close to the allocation is very important to other users.

Proposal 83 - Oppose

This is an unworkable revision of the management plan. Anyone who gets into this Proposal will see it just doesn't work.



As written the charters (not the resident anglers) would "borrow" Kings from the troll allocation. If you take the seasons since the 2018 Pacific Salmon Treaty renewal the charters would "borrow" in 2018 (g), 2019(g), 2020 (f), 2021 (f), and possibly 2022 (f.) Please see PC332 page 4 (Seago.)

That leaves only one avenue where they can get the Kings, the charters' so called "need:" A reallocation which is a route which I'd call against "forbearance."

You might ask why "forbearance" is important. I'll offer a few reasons:

- 1. Peace in the valley.**
- 2. The economic balance in our communities and villages.**
- 3. Living within ones' means.**
- 4. Not being greedy when you already have it pretty good.**

In conclusion, at the Board of Fish meeting in Sitka, 2018, where Stocks of Concern management took place, trollers took a big hit by losing up to 6 weeks of the winter King salmon fishery which now closes on March 15th. The trollers also lost the majority of their hatchery access Spring Fisheries.

The charter industry, particularly the Outside coast charters (where the majority of the sport King harvest comes from), please note p. 35 Sport Fisheries Overview No. 21-10: The Outside charters had no restrictions placed on them via SOC management. The Inside charters were restricted.

The mostly Resident troll fleet lost income and opportunity with SOC. Now we are being asked to give a little more at the door.

Proposal 144 and 277 Support

Gathering data as Proposal 144 does and aligning halibut for non-residents as Proposal 277 seeks to do will help guide future BOF, ADF&G, and other harvesters about the growing and unregulated rental vessels in SE waters.

Local depletion and pressure on already fully allocated species (King salmon, rockfish, and halibut) could be circumvented by support of these Proposals.

Please consider supporting electronic logbooks/electronic reporting as a progressive management tool.

Respectfully,

John Murray

F/V SeaBear, Sitka, AK



Submitted By
Josh Anderson
Submitted On
1/20/2022 11:08:37 AM
Affiliation
Fireweed Lodge



PC417
1 of 1

Phone
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joshanderson22@gmail.com
Address
Po box 135
KLAWOCK, Alaska 99925

Hello, My name is Josh Anderson. I was born and raised in SE Alaska at the Fireweed lodge, established by my father in 1989 as a sport fishing lodge. My wife and I have been managing the Fireweed since 2013 and are in the process of becoming the next generation of owners. This is the primary source of income for myself, my wife, and two children. June-August We run eleven 24 foot cabin cruisers and employ thirty Seasonal workers, including local guides, fish cutters, cooks, servers, housekeepers and laborers that depend on this income from our business.

Our family run business has brought a lot of much needed sales/bed tax revenue to our small coastal community. The income generated by our business goes directly back into our communities local airlines, ferries, groceries, barging, fuel, maintenance, tackle shop, and much more.

I have worked in this business most of my life and the past years have been extremely difficult to market king salmon sport fishing. We spend our off season working with people and their schedules to make an Alaskan King Salmon fishing adventure possible. With Limits on king salmon set in April or May, it is very difficult to book June and Early July slots. We also come across late cancellations due to the Spring release of King Limits. We have always been a lodge that promotes an experience over a meat hall, however our clients would like to know what kind of trip they are signing up for prior to their arrival.

I do not support proposal #82. I believe there will be a loss of opportunity for non resident fisherman in low abundance years. We would like to see more consistent regulations from year to year. This proposal is also hard on Alaskan residents in low abundance years, who depend on these king salmon for food.

I do support proposal #83. This ensures more workable regulations and less in season management. With high or low abundance years this proposal makes for more consistent regulations on king salmon for residents and non residents. It would be better to give up increased bag limits in high abundance years for more consistent limits throughout. The majority would be pleased with limits such as three annually in June, two annually in July, and one annually in August.

This industry needs stability. I hope the board can come to a decision that helps both the Alaska Residents and Non resident anglers.

Sincerely,

Josh Anderson
Fireweed Lodge



From: [Kevin Burchfield](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: BOF Proposals for March Meeting
Date: Sunday, February 20, 2022 1:55:50 PM

I am Capt. Kevin Burchfield, president of the Juneau Charter Boat Operators Association, we represent 12 local charter fishing operations in the Juneau area. I also own and operate Lost in Alaska Adventures...a small family operated charter service in Juneau.

Sport opportunity is important to feed residents and to keep the sport industry viable and contributing to our local economies and jobs.

Sport fishing brings huge amounts of revenue to Southeast on a relatively small amount of the state's fishery resources (great return on investment).

Poor low-abundance king limits in ADFG's Proposal 82 won't attract customers.

Allowing the sport fishery up to another 5% in low abundance tiers (h)-(f) would protect residents from closures and keep enough opportunity for non-residents to keep the sport industry viable

83- JCBOA supports if this does not include Hatchery Kings caught in the Terminal Harvest Area

84- Oppose...requires daily reporting as opposed to weekly as is currently required which places undue burden on the guided angler fishery...also appears to shift all of the conservation effort to the guided angler fishery...we believe all stakeholders must share the burden of conservation in times of low production.

85-Oppose... appears to shift all of the conservation effort to the guided angler fishery...we believe all stakeholders must share the burden of conservation in times of low production.

86-Oppose... appears to shift all of the conservation effort to the guided angler fishery...we believe all stakeholders must share the burden of conservation in times of low production.

87-Oppose...this would be devastating to the guided industry.

89-No comment

90-No comment

110-No comment

112-No comment



113-No comment

114-No comment

115-No comment

116-No comment

132-No comment

134-No comment

135-No comment

136-No comment

137-No comment

138-No comment

139-No comment

140-No comment

141-No comment

143-No comment

144-No comment

145-Oppose...we do not believe there is any scientific need for Coho, Chum, Pink, or Sockeye to be restricted at this time.

146-Oppose...we do not believe there is any scientific need for Coho, Chum, Pink, or Sockeye to be restricted at this time.

147-Oppose...we do not believe there is any scientific need for Coho, Chum, Pink, or Sockeye to be restricted at this time.

148-Oppose...we do not believe there is any scientific need for Coho, Chum, Pink, or Sockeye to be restricted at this time.

150-No comment

155-Oppose...this would not allow the use of multiple hook systems for ground fish such as halibut...it's simply too far reaching in scope...some situations require removal of the fish from the water to properly remove any gear that could be detrimental to the health of the fish to be released...encouraging proper release techniques we do endorse.

171-No comment



172-No comment

173-No comment

185-Support as we believe squid have become a threat to the salmon fishery and this could help mitigate that threat.

186-Support as we believe squid have become a threat to the salmon fishery and this could help mitigate that threat.

225-Oppose...this would be devastating to the guided industry.

226-Support

227-Support

228-Support

In the Juneau area our clients are a mix of residents and non-residents accessing the resource for personal use and therefore, it is vital that we maintain a sustainable fishery with marketable limits. Without this we simply will not be viable.

Thank you for your time.

Best Fishes!

Capt. Kevin

Lost in Alaska Adventures, LLC

www.lostinalaskaadventures.com

907-321-1405

Follow us on Twitter @lostinalaska
"Like" us on Facebook

Submitted By
Kameron Perensovich
Submitted On
2/22/2022 10:57:11 PM
Affiliation



PC419
1 of 1

Spring and Fall in Sitka Alaska waters hold grand natural spectacles. The pacific herring are spawning in the Spring and the various types of salmon species are making their way up stream in the summer and fall. The abundance of herring throughout Southeast Alaska is the basis for it's biological diversity. To say the fishery managers at ADF&G have exploited the herring stocks would be an understatement. You don't need to look far to hear how abundant these fish were before the commercial fishery began in 1878. Look what has happened to the fisheries throughout Southeast Alaska since then.

There are many factors that can affect herring population numbers, and that aren't being properly accounted for. Habitat loss, water salinity and temperature to name a few. Annual average temperatures in the state of Alaska have consistently increased since the 1970's (1). How is that incorporated into future harvest calculations? And water salinity changes with the ice melt?

[quote] "Pacific herring populations on the North American coast are confined to regions providing protected spawning waters of reduced salinity (8-28 ppt **S**) at temperatures between about 5.0-5.5 °C and 8.8 or 9 °C," and that the size of these populations is related to the physical extent of the regions that provide these spawning requirements" (2) Haegele and Schweigert (1985) states "efforts should be made to maintain stock diversity because if the time of spawning is genetically influenced, then the reestablishment of lost stocks may be impossible" (3).

Japan exploited their herring fishery and now depend on us exploiting ours. Learn from Japan and your own agency's mistakes and start to preserve and conserve this crucial building block of a fish. With less sac roe permit holders and less demand for sac roe in Japan, there is no excuse for setting the quotas at a 20% harvest rate. There were two years in Sitka where there wasn't a herring fishery, and the world didn't end. You still got paid. Not fishing those two years was the best decision the herring fishery has made since it began. The fishery has not harvested the GHL in several years, and with two years not fished, is it any wonder that the forecast biomass was the largest recorded since 1979? And this year ADF&G predicts this year to be the largest forecast ever. This is what happens when an over-harvested species gets a chance to repopulate. There would not be a need for the Forage Fish Conservation Act of 2021 bill to be introduced if agencies did their job to conserve managed species.

Demand should influence sustainable harvest levels. The demand is low, and thus, harvest guidelines should follow. This wasteful fishery has the potential to turn itself around and gain public trust again. All it requires is harvesting less to conserve more.

Works Cited

(1) Thoman, R. & J. E. Walsh. (2019). Alaska's changing environment: documenting Alaska's physical and biological changes through observations. H. R. McFarland, Ed. International Arctic Research Center, University of Alaska Fairbanks

(2) Lassuy, D.R. **1989**. Species profiles: life histories and environmental requirements of coastal fishes and invertebrates (Pacific Northwest)—Pacific herring. **U.S.** Fish Wildl. Serv. Biol. Rep. **82(11.126)**. **U.S.** Army Corps of Engineers, TR-EL-82-4. **18 pp**

(3) Haegele, C.W., and **J.F.** Schweigert. 1985b. Distribution and characteristics of herring spawning grounds and description of spawning behavior. Can. J. Fish. Aquat. Sci. 42 (Suppl. **1**):**39-55**.

Submitted By
Karla Hart
Submitted On
2/22/2022 6:09:31 PM
Affiliation



PC420
1 of 1

I support herring conservation and strongly oppose any sac roe fisheries.

Allow herring live to spawn, again and again, strengthens the food web for most of the life in south coastal Alaska. There are salmon in the trees. There are herring in the salmon in the trees. And herring in the eagles, gulls, sea lion, seals, whales, ... and in the people, whether eating them directly, their roe spawned on kelp, hemlock branches, and shorelines, or within the salmon.

We can easily see the dollars scooped up by the big boats and few crew members in the dramatic sac roe fishery. It takes more work to see the dollars in people who commercial fish the fish that eat the herring, and then those who process and sell those larger fish in the region, and the commercial sport fishery, and the recreational sport fishery, plus those Alaskans who fish noncommercially for the food.

Alaska statehood was driven in part by the mismanagement and overfishing of our salmon. Remnants of those old, super effective, fish traps remain in place. They outlived their time. As Alaska commercial fisheries were rebuilt, there was a lot of emphasis on good management and creating distributed opportunities to harvest fish. I think we're at the point that the sac roe fishery needs to become an historical note and urge you to quickly phase it out.

Regards,

Karla Hart
Juneau resident for 59 years, remembering when the herring spawned thick on shores of Auke Bay

Submitted By
Ken Wilkinson
Submitted On
2/19/2022 2:19:08 PM
Affiliation



PC421
1 of 1

Dear Board of Fisheries Members: After the 2021 fishing season it is understandable to me, why the sport fleet wishes to obtain Chinook quota from the commercial fleet during future, low abundance years. However, they have overlooked the fact that we fished side by side with them through the challenges of 2021, as well as the many Chinook cutbacks of the last decade. It is a grievance to me, as well as the sport fish sector, that there are not more fish to be harvested at this time. My family is facing many of the same hardships as the sport sector, and cannot afford to lose any more of our financial resource. Propositions 83 and 88 will remove necessary income from the commercial fishermen of Southeast Alaska and its economy. Which, in turn, will make it even more of a struggle to endure the low salmon returns we are currently faced with. With this conclusion, I am strongly opposed to Propositions 83 and 88 because they would weaken an industry already battling many destitutions. Respectfully, Ken Wilkinson

Submitted By
Kenneth H. Gross
Submitted On
2/22/2022 12:44:48 PM
Affiliation
Charter Business Owner, Skagway



PC422
1 of 4

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HOW TO HELP SAVE THE KING SALMON IN SOUTHEAST?

USE BARBLESS HOOKS FOR FISHING!

Since it's now more important to help conserve our King Salmon populations for future generations, more and more anglers have made the decision to use barbless fishing hooks instead of barbed hooks. **Hooks without barbs are far better to use for Catch and Release fishing because they greatly reduce the chance of causing injury the fish.** Once a King starts bleeding from gill area, he's most likely a goner, especially if it's on under 28 inches. **A barbed Hook definitely cause much more bleeding.**

Sportfishermen are not the only group to Catch & Release the King Salmon. The Troll Fleet Catch & Release undersize Kings which are the most vulnerable to ripping out a Barb. We also need to consider how many are released when they're fishing for other species of Salmon. **All together this represents the mortality of thousands of King Salmon.**

You are looking for a way to make a real difference in the survival rates of our Kings you need to consider doing what British Columbia and some of the some other States have done by adding a barbless hook requirement to Sport / Charter Fishing and the Commercial Troll fishery.

I have been using barbless hooks in my charter business for 3 years prior to the king salmon closures and I am convinced I catch more fish with barbless hooks then with barbed.

Barbless hooks penetrate much easier and require far less force. A resistance is created by the barb on a barbed hook, which makes it more difficult for the hook point to penetrate.

A Barbed Hook increases the chances of losing fish and a bad hook set. Hooks without a barb don't create that resistance, so hooking the fish can be easier with barbless fishhooks.

Hooks without a barb tend to cause less injury to the fish because they can be removed more easily. In other words, since you don't have to push the barb through the mouth of the fish, there is less of a chance that you will further injure the fish before releasing it. You can return the fish to the water quicker since barbless hooks allow you to remove the hook faster. In most situations, you won't need to use pliers or a de-hooking device.

Submitted By
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2/22/2022 12:06:55 PM
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PC422
2 of 4

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KING SALMON!

SUGGESITIONS FOR RECOVERY IN SOUTHEAST, ALASKA

This year **TRAWL FISHERY** will be allowed to throw 47,700 King Salmon overboard Dead! They are required to have an observer onboard but how can that person or person see and count the bycatch of sometimes over 50 Metric Tons of fish coming out of the Cod End in a short amount of time? You don't see many pictures of the fish being caught in the Cod End because pictures aren't allowed.

SUGGESTION,

1. Mandate onboard cameras everywhere the fish is processed on the ship, 24 hours a day with a backup system in case the other cameras fail. If cameras fail for any reason, they should not be allowed to bring in the net. Have a link so anyone anywhere can watch live.
2. Require the Ship to process all the bycatch that is commercially viable and pass it on to the people or communities that are affected from them intercepting their fish.
3. The third and best idea is to **SHUT THEM DOWN!** I'm sure you know it's not just King Salmon being thrown overboard dead. Some of the other bycatch numbers for some of the species this year include,

5.48 MILLION lbs. of HALIBUT thrown over DEAD! (UNBELIEVABLE)

6 MILLION lbs. of HERRING thrown over DEAD! The species we should be most worried about their Critical Mass.

7.8 MILLION lbs. of SNOW CRAB (Opilio) thrown over DEAD!

6.14 MILLION lbs. TANNER CRAB thrown over DEAD!

520,000 lbs. KING CRAB thrown over DEAD! Apparently, no king crab opening this year for the Commercial Golf Fishery.

Why are we letting this happen?

Submitted By
Kenneth H. Gross
Submitted On
2/23/2022 4:50:33 PM
Affiliation
Charter Business Owner, Skagway



PC422
3 of 4

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HELPING THE KING SALMON

AND THE ECONOMY AT THE SAME TIME

My name is Ken Gross. I currently own a Charter business in Skagway and my home is in Haines. I moved to Haines in 1974. I was a Commercial Fisherman for about 25 years. In 1996 I started Charter Fishing while I was still doing some Commercial at the same time. I have been working on the water in some capacity since I moved here. I have included this information so the folks reading my recommendations will know I'm not prejudice against Commercial or Charter fishing. I'm just hoping this will help everyone.

Haines and Skagway have been Suffering economically for close to 5 years ever since the last Alaska Board of Fish meetings in 2017 when they decided on King Salmon for no retention only. The latest proposal is to continue in the status quo, meaning continue with Catch & Release only, again for another 3 years. This is what I've been told they're planning to recommend in the March meetings.

The economic impacts aren't just to the fishermen it includes all the other small business that benefit from folks wanting just a chance of keeping a King Salmon.

I just turned away a booking for 3 families in RV's who are planning to drive the Alcan and headed for Dawson this summer. They wanted to come down the Klondike highway to Skagway just for an opportunity to catch a King. They were hoping for a chance to have some fresh Salmon for dinner. I lost a 3-day booking and so did the Restaurants, Bars, Campsite rentals, Gift Shops, and other possible business because I had to tell them they no chance to keep one. It's the same scenario in Haines also but not anywhere else in Southeast after June 15th, just Haines and Skagway. Apparently the two small towns of Haines and Skagway have all the burden to save the Chilkat Kings on their shoulders even though the fish are intercepted on their way to Lynn Canal and Tayia Inlet.

THE ANSWER IS SIMPLE!

Turn King Salmon fishing into a Las Vegas change of keeping one. It's already catch and release, why not make the odds one being able to keep one much less. I haven't been able to acquire the information on what would be the best size limit to be able to keep a King. My guess would be 32 inches. I may catch 1 over that size in a whole summer. People would still book just for a chance to keep one just like trying to win in Vegas with no impact on the run.

RECOMMENDATIONS:

Barbless Hooks, for both Charter and Troll Fisheries.

Require **Rubber nets** for anyone fishing for King Salmon.

I believe it would be a great Idea anyone fishing for Kings to be required to watch a video on the safe handling and release of large and small Kings. As an example, when you take a boat into Glacier Bay National Park, you're required to watch a video before you can continue into the Park.

Not allowing the Kings to come onboard **BAD IDEA**. On Some boats the fisherman can't even reach to water and even when they can the fish will continue to thrash around with no drag at that point because someone will be holding the line to try to remove the hook. The hook can rip the lip off or pull enough to rip a gill and then the fish does not survive.

Net the fish with a rubber net, (no scale loss and the hook doesn't get caught in the rubber net) it's best to immediately slack the fishing line as soon as the fish is in the net. Grab the fish's tale and hold it tight. The fish will not move as long as you have ahold of its tail making it much easier to remove the hook especially if the hook is **Barbless** helping our goal of less mortality.

The Chilkat Kings finish their run later than most of the rest of Southeast, Alaska so instead of opening it up for retention of a 32-inch King on June 15th, start the retention on July 1st to make sure the spawners have gone up the river.

Thank you for reviewing my ideas.





From: [Kevin McNamee](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 82
Date: Wednesday, February 23, 2022 3:14:29 PM

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Dear Board of Fish,

My name is Kevin McNamee and I am an owner/operator of a charter business in Sitka. I have been in the industry since 1991.

My clients love fishing Alaska and support numerous local businesses while here. But the main reason people come to fish with us in June is because they have the opportunity to catch and take home some Wild Alaskan King Salmon.

I think it is very important to maintain consistent sport fishing opportunities for both resident and non-resident anglers. To provide food for local families and to ensure not only the continued return of non-resident anglers but also the assurance that their out of state dollars will continue to support our families, local businesses and community.

The charter industry needs continuity and stability to be able to properly market our out of state guests. It will be detrimental to my business, my employees, local businesses and the State of Alaska if the 1/day, 3/year limit is not maintained through the second half of June.

All user groups need to work together to protect and preserve the King Salmon. If it is necessary to shut down the sport King Salmon fishing in July and August in order to ensure this precious resource's numbers remain healthy, it would be an easier pill to swallow. But to do so in mid-June will do irreparable harm to businesses, communities and state revenue.

I ask you to please consider keeping the 1/day, 3/year limit the last 2 weeks of June.

Thank you for your time,

Kevin McNamee
IslandView Resort & Charters LLC

Kiley R. Burton
Po Box 6
Cordova Ak 99574



PC424
1 of 1

February 23, 2022
Marit Carlson-Van-Dort, Chair
Alaska Board of Fisheries
PO Box 115826
Juneau, AK 99811-5526

Dear Madam Chair and Board of Fisheries Members,

I am a fourth generation fisherwoman from Cordova, Alaska. I have fished PWS seine, Copper River gillnet, and Sitka herring. I have grown up fishing and bought into gillnetting at 16. I am a former Sitka Tribe member and am now the President of Native Village of Eyak Tribal Youth Council. I am Alaskan Native and utilize herring, both culturally for food and to fish. I actively participate in my culture and these fisheries are very important to me, and that they are managed sustainably and are open to future generations.

On proposals 156, 157, 158. **Strongly Oppose.**

The Alaska Department of Fish and Game has been on top of the Sitka Sac Roe for decades. These proposals result in the fishery no longer existing. I ask you to reject these three proposals, I have witnessed first hand fishing with the local tribes while they harvest too, with plenty for us all to utilize.

Thank you for taking the time to read my comments,

Kiley Burton



From: [Kurt Ferse](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Prop 82
Date: Wednesday, February 23, 2022 8:11:58 PM

As a guide based out of the Craig area on Prince of Wales Island for the last 17 years, I have built a life and a career fishing these waters in the summers. Myself and fellow guides who live or return to this area contribute *significantly* and *dependably* to the local and state economy.

I strongly support the modifications to Prop 82 by SEAGO. These small but significant modifications would provide operators and guides to the ability to dependably sustain leaner years of abundance. If Proposition 82 is allowed to go through as written, it would essentially shut down guiding opportunities for a month in the summer during years of low abundance, as I don't believe there are enough opportunities (with current rather stringent limits) for other species of fish to entice clients to book chartered trips in our area. I can't see how operators could survive this significant gap in the season, and personally I could not afford this financially, nor commit to employment for what would effectively become two shortened seasons in a summer. I would almost certainly be forced to look elsewhere for employment (very likely out of state), as would nearly all charter captains in the area.

I shudder to think of the impact of the likely closure of most of the charter operations in the area to the local people and economy. The current proposition as written is unnecessarily draconian in its recommended chartered limits in years of low abundance. Simply put, there are better ways to manage the resource during leaner years without threatening the careers of hundreds of guides, and the significant economic contributions they make to Alaska.

I ask that the modifications proposed for Prop 82 by SEAGO be accepted, and our way of life and those in Alaska who depend on it, be allowed to continue for years to come.

Regards,

Kurt Ferse, captain/guide for Shelter Cove Lodge - Craig, AK.

Submitted By
Laird Jones
Submitted On
1/26/2022 9:01:39 PM
Affiliation
Self



PC426
1 of 2

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PROPOSAL 161

The Sitka Subsistence Herring (on branches and kelp) has a well-documented long-term use by many Southeast Alaska residents; and is the first fresh resource welcoming Spring. This fishery is unique in that participants have essentially one shot at getting their subsistence needs met. Any administrative delays can cause participants to miss or hamper their ability to obtain their subsistence needs.

In addition, as a participant, you are not positive where the herring will spawn, so you rely on the use of past experiences and consulting with other participants on the best place to set your branches. Generally, you have an idea how much harvest you and your family will need. You also have an idea of other family and Elders you will want to provide for. You set branches knowingly that some will be lost (taken by other participants or the lead line disconnects) and when you have enough harvest to meet your subsistence needs you stop harvesting.

In closing the proposed requirement of a permit or registration would not provide additional useful in season management information to ADFG.

For the above reasons – I oppose Proposal 161 and urge you to vote “no.”

Submitted By
Laird Jones
Submitted On
1/26/2022 8:11:14 PM
Affiliation
Self



PC426
2 of 2

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Proposal 159

I oppose this proposal. This fishery has been a challenge and the regulations have been formulated to provide a balance between competing users. Any changes to these regulations needs to be carefully considered in the whole by all parties utilizing the Sitka herring.



December 29, 2021

Late Comments to the BOF

Proposal 226 – Support in Entirety

Establish bag and possession limits for slope rockfish

Proposal 227 – Support in Entirety

Similar to Proposal 226

Proposal 228 – Support in Part

- Do not support differential harvest limits for non-residents vs residents for all rockfish
- Support differential harvest limits for non-residents for Yelloweye that would still offer opportunity for non-resident to have access to the retention of Yelloweye at some level when abundance allows any retention at all.
- Support the call for rockfish studies from Inside areas that would provide better management tools. Currently data from Outside areas are being applied to Inside areas.

Comments:

Reference #1: *Special Publication No. 21-12 Overview of the Sport Fisheries for Groundfish and Shellfish in Southeast Alaska through 2020: A Report to the Alaska Board of Fisheries*

1. Currently there are no data or studies on any other species except Yelloweye (See P.4 under the heading **Stock Assessment**)
2. Yelloweye data are being applied to manage all other non-pelagic DSR species. (Also on P.4)
3. There are essentially little or no data on Inside rockfish as evidenced by the references in all of the Tables and Figures in the Report
4. It has been determined – correctly – that there is a problem with rockfish in Outside areas, particularly Yelloweye, and especially around Sitka.
5. The report does not identify a similar problem in Inside areas. The report assumes a problem existed in Inside areas based on interpolated Outside data.
6. A one-size-fits-all approach to rockfish management has been adopted that should not apply to the Inside fisheries. An explanation for this may be identified in **Reference #2**
7. At a minimum there should be a liberalization of catch limits in Inside areas for the most abundant rockfish sub-species: Quillback and Copper rockfish.
8. Yelloweye rockfish should remain in non-retention status until studies for Inside waters can provide data that would support a change.
9. More studies and data for the Inside areas need to be conducted ASAP to allow a more surgical approach to rockfish management based on the science.

Sportsman's Cove Lodge
Alaska's Friendly World-Class Sportfishing

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Box 8500
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Reference #2: Excerpt from the 2020 NOAA Publication

ASSESSMENT OF THE DEMERSAL SHELF ROCKFISH STOCK COMPLEX IN THE SOUTHEAST OUTSIDE SUBDISTRICT OF THE GULF OF ALASKA

Kellii Wood (kellii.wood@alaska.gov), Rhea Ehresmann, and Mike Jaenicke

“The Southeast region has met and will continue to meet to identify more accurate methods for stock assessment and management of these species. ADF&G has a continued interest in exploring an ASA model for this species complex; however, there has been a substantial changeover and loss of biometric support staff at ADF&G in 2020. More time will be needed for new biometric staff to gain an understanding of this fishery and evaluate alternative assessment frameworks. The authors will create and present a risk assessment for the full DSR assessment in 2021.”

In the meantime one of the key components of the Southeast tourism-based economy is left wanting for lack of an opportunity to harvest excellent table fare.

Respectfully submitted,

Larry McQuarrie

Larry “Mac” McQuarrie

Owner, Sportsman’s Cove Lodge

Serving the fishing tourist at the same location for 32 years

East POWI



From: [Lloyd Alakayak](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: I OPPOSE PROP 161
Date: Sunday, February 20, 2022 8:05:32 AM

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Why are you trying to make it harder for Alaska Natives to subsist on their natural foods????
Stop Proposition 161.

Sent from my iPhone

Submitted By
Mark Browning
Submitted On
2/22/2022 1:59:22 PM
Affiliation



PC429
1 of 1

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Hoonah, Alaska 99829

With certainty I say that protecting the herring of SouthEast AK is THE most important task this board is faced with in the next ten years. A simple examination of past spawning events both told through the stories of Native Peoples and what has been scientifically recorded and documented displays for us all the ineptitude of regulating the herring Fisheries by our forefathers. They did not know. Today, you know. You have no excuse but to exercise your vote to work to further protect the herring of our communities and the waters of the SouthEast. One in five spawning grounds have been altogether lost to overfishing and to climate change, and other small factors that effect the Herring. That is abysmal work of our fishing regulators. The change you need to make to this fisheries will once again establish these waters as the greatest fisheries in the world. All sea life predators depend on the herring. They make up the foundational role giving rise through their filter feeding to a biomass that is useable in the ocean.

Who is to blame for this? Undoubtedly it has been the fisherman of the early 20th century and the lack of regulators applying regulations that protect these fisheries. Without the glamour of large filets on dinner tables, these fish have for too long been disregarded. However, as our science catches up to our bellies and our consumption we realize the terrible mistake we have made in over fishing these magnificent creatures.

The absurd arguments are often made that:

- 1- The harvests last year (or the year before) were record numbers. They are Ok- let us fish them.
- 2- The harvest quotas will not cause a decrease in numbers any more- the fish are protected.

Both of these arguments are entirely too myopic to take seriously. Evidence can be directly seen that the baseline from which these harvestable numbers are gleaned are incorrect numbers. To begin to restore Herring and give rise to their All Important Role as the base of the food chain, it needs to be recognized that keeping Herring populations at a small fraction of the traditional 100 or 1000 year numbers is awaiting tragedy. With warming seas, with out of balanced fisheries numbers, with out of balance microorganism numbers, it would not take much to push these little fish out of existence.

Vote NO on 159, 160, 161, and 163-165

Vote YES on 156-158

Your duties require you to take seriously the longevity of Alaskan Fisheries for the next 10 years and the next 100 years and past. Without your quick and sincere action, your name will be recognized as a blight on the protection of our Alaskan Fisheries forward in the future. Take a stand today. Dismiss the concerns of the Sac Roe Industry. Fight for the people of Alaska and the fish that feed them!

Submitted By
Mark Severson
Submitted On
2/23/2022 4:32:00 PM
Affiliation
commercial fishing



PC430
1 of 1

Phone
9075180683
Email
fvodinfamilie@gmail.com
Address
Box 1502
Petersburg, Alaska 99833

Dear Board of Fish Members,

My name is Mark Severson, I am from Petersburg and my family is fourth generation commercial fishermen and we are proud of our hard work. We have sacrificed our bodies and finances to keep our operations sustainable. To have sport charter sector coming after commercial fishermen's pounds that were purchased or in the process of being purchased through huge risky loans is not well received. This plan did not hatch with your average charter fishermen. It was concocted by the richest of the lodge owners who have hired lawyers and lobbied to come up with ways to steal pounds from hard working people. It's the same powerful group that got Governor Dunleavy elected with the payback that he would be their champion for their agenda. Through his controversial appointments since being elected to office they are slowly succeeding. There is no comparison between a commercial fishermen's investment and a charter operator. The charter sector should have to purchase the rights to fish just as the commercial sector has.

It is obvious that the people who have worked hard for a very long time do not steal from other people. The charter "play fishermen" that are being handed something for nothing on the other hand seem more than happy to steal from their neighbors.

If the Board of Fish does not do what is fair and equitable it will further divide our small communities and cause more hatred among us.

Proposal #225 claims to be abundance based but includes only a mechanism for increasing the bag limit and eliminating the annual limit. Second, proposal 225 identifies a faulty baseline by suggesting an increase in limits when abundance is still below the GHLL levels observed when the equal share fishery was established and below levels when existing bag, possession and annual limits were initially set. Third, the dramatic increase in nonresident sablefish harvest suggest ample opportunity is afforded for nonresident harvest, hence there is no legitimate rationale for reallocating sablefish from Alaska's hard working commercial fishermen to nonresident charter clients (who are 97% nonresident). Finally this action will change bag limits for sablefish in state and federal waters but uses only the abundance of sablefish in state waters as the index. That is a stretch of science and management authority. We urge the Board to reject this proposal.

We also object to Proposal #83, another resource grab from the charter sector asking for more Chinook salmon from the hard working Alaska Trollers. They struggle to keep their business afloat every year. It is not fair that more could be taken from them when king salmon numbers are low and time and quotas have been limited.

BOF should direct ADF&G to manage all sectors to their allocations and to ensure all sectors share the responsibility of conserving fishery resources at low levels of abundance.

Sincerely,

Mark Severson

Petersburg, AK



From: [Mark Stopha](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 114
Date: Thursday, January 13, 2022 2:58:44 PM

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Dear Board of Fisheries:

These are amended comments in regard to the Southeast and Yakutat Shellfish and Finfish Meeting to be held March 10-22, 2022 in Anchorage. I just submitted these comments a few moments ago, and have added additional comments at the end.

I'm a 58 year old Alaska resident. I am a hand troll permit holder and fish out of Juneau and Craig.

I support proposal 114 to allow hand trolling with downriggers year round. The gear uses fewer hooks and is generally less efficient than hand troll gurdies, so it should not appreciably affect the hand troll harvest.

In addition, the number of hand troll permits fished and the hand troll harvest are at historic lows, and therefore this change to the hand troll gear regulation should not increase the hand troll fleet's portion of the overall troll harvest, and have no effect on the number of days winter, spring and summer fisheries are open to trolling.

With regard to enforcement, hand trollers could always use sport rods as legal gear. Therefore, there has always been an enforcement concern that someone fishing with fishing rods in an area closed to commercial fishing - whether they are using down riggers or not - could try to sell those fish under their hand troll license. Therefore, allowing use of down riggers does not add a new enforcement issue. It has always has been an issue since the same gear- a fishing rod - has always been a legal gear for both hand trollers and sport fishermen.

Thank you.

Mark Stopha, Juneau



From: [Mark Stopha](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 114
Date: Thursday, January 13, 2022 2:47:10 PM

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CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Board of Fisheries:

These comments are in regard to the Southeast and Yakutat Shellfish and Finfish Meeting to be held March 10-22, 2022 in Anchorage

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In addition, the number of hand troll permits fished and the hand troll harvest are at historic lows, and therefore this change to the hand troll gear regulation should not increase the hand troll fleet's portion of the overall troll harvest, and have no effect on the number of days winter, spring and summer fisheries are open to trolling.

Thank you.

Mark Stopha, Juneau

Submitted By
Martin Remund
Submitted On
2/23/2022 3:24:56 PM
Affiliation
SE sablefish, halibut, longline, troller



PC432
1 of 1

Phone
907 568 2226
Email
martyremund@gmail.com
Address
702 Main Street
PO Box 8147
Port Alexander , Alaska 99836

Dear Alaska Board of Fisheries members,

RE: Proposals 225 and 83 and 88

I urge the board to reject proposal 225. This proposal says to be abundance based but is only set up to raise the bag limit and would eliminate the annual limit. Proposal 225 identifies a faulty baseline by suggesting an increase in limits when abundance is still below the GHL levels observed when the equal share fishery was established and below levels when existing bag, possession and annual limits were initially set. Also the dramatic increase in nonresident sablefish harvest suggests ample opportunity is afforded for nonresident harvest. The bag, possession and annual sablefish limits are more than generous, especially for the nonresident charter clients who comprise 97% of the charter clients. I see no reason for reallocating sablefish from Alaska's commercial fishermen to nonresident charter clients! Proposal 225 would change bag limits of sablefish in state and federal waters, using only the abundance of sablefish in state waters as an index. That is a stretch of science and management authority. Again I urge you to reject this proposal.

I also urge you to reject proposals 83 and 88. SEAK commercial trollers and longliners in general are tired of and frustrated with the unbridled growth and greed of the nonresident sport fishery! Every BOF cycle the charter sector asks for more allocation of halibut, sablefish, salmon, rockfish to come from the commercial sector! I'm asking this board to take strong action to stop the unlimited growth of the nonresident sport harvest and make this sub-sector more accountable within their current allocations of fish. Sincerely, Martin Remund, Port Alexander, AK. Commercial fisherman since 1975. Longlining with my family for halibut, outer coast sablefish, Chatham sablefish and salmon trolling.

Submitted By
Mathias Weibel
Submitted On
2/22/2022 1:41:50 PM
Affiliation
Commercial Salmon Troller



PC433
1 of 1

I am writing to state my opposition to the reduction of any commercial catch quotas in order to increase charter quotas. Commercial fishing feeds our nation with the highest quality protein on earth, and provides economic opportunity and the chance to take part in a storied profession for many fishermen. Feeding people is a fundamental pillar of our society, and commercial fishing is a part of Alaskan history. We all love to go fishing and have amazing experiences on the water and on public lands, but charter fishing cannot be allowed to take precedence over commercial harvests. Charter fishermen already have significant allowances, and should not be allocated more resources, some of which are under severe pressure, at the expense of commercial fishermen—especially small boat fishermen and artisanal, hook-and-line fisheries.

Thank you for taking the time to read my comment.



From: [matthew donohoe](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 82 and SEAGO's Proposal 83
Date: Wednesday, February 23, 2022 11:50:03 PM

To: Alaska Board of Fisheries and Staff
From: Matthew Donohoe

Honorable Board Members and Staff

I have waited for the last minute to comment about SEAGO's outrageous claim that SEAK Guided Sports and other out-of-state harvesters of the limited SEAK Chinook resource should be allocated more kings. This allocation would come from Alaska residents. I found it hard to believe that this important SEAK Board of Fisheries (BOF) meeting would occur in South Central. No other action demonstrates the regional colonial approach the BOF has recently taken toward the rest of Alaska.

Governor Dunleavy has stated, on many occasions, that Alaska's fish should be harvested primarily by Alaskans. In SEAK most of the guided sport clients are from out of state. Sport lodges are often owned by non Alaskans. 83% of commercial SEAK Trollers are Alaska residents. This percentage is the highest resident ratio of any Alaskan commercial fishery. Most of SEAK trollers cannot afford to fly the 1,000 miles North to spend a week in Anchorage defending their livelihoods. Meeting in South Central disenfranchises Southeast Alaskans. Testifying from a video link is not the same as personally explaining to BOF members why SEAGO's ludicrous proposals are without merit.

Reasons why SEAGO's demand of more Chinook is without merit.

1) Since 2018 when Stocks of Concern (SOC) were first declared Sports harvesters have not caught their low allocated quota. (All SE salmon fishers have been curtailed due to SOC). Commercial Trollers are the only harvesters that have been able to catch their much reduced allocation.

2) In 2019 the SEAGO President (an out-of-state resident) and a Northern Panel Treaty Sport Representative along with SEAGO's Vice President (also a Northern Panel Treaty representative) agreed to a 7.5% Chinook Allocation reduction. SEAGO's leadership on the Alaska Treaty Team also agreed to Pay Back language in the event Alaska went over their allocation. ATA did not agree to this one sided Treaty allocation and lobbied to replace the Treaty Troll Reps who did. The **Actual Harvest reduction** (different from the Allocation) for all users was 13.2%. In 2018 ATA had been asked for an increase in SEAK Treaty allocation to replace the unfair and ridiculous 15% 2008 Treaty reduction. ATA argued that in years of high



abundance surplus king salmon in Washington were often taken to land fills (t occurred in 2013, 2014, and 2015 and is a common occurrence in other years) instead of allowing more harvest in SEAK.

3) Part of the agreement included a payback penalty the following year for any harvest overages. Due to this penalty it is now impossible for all fisheries to average their allocated quota as they have in the past.

4) In the spring of 2021 (another low quota year) when AK Stocks of Concern (SOC) were returning and commercial Chinook harvest was mostly shutdown Sports division (by EO) set the Annual limit at 4 fish for out of state residents instead of the 3 kings prescribed by the BOF's Management Plan (5AAC 47.055). The harvest increase also was contrary to 5 AAC 39.222 and encouraged an expanding outside nonresident sport fishery during a time of SOC.

5) Because commercial Trollers have limited opportunity in the Spring sampling of spring king salmon harvest is now greatly reduced. Meanwhile the increased Spring outside water effort by the out of state charters are rarely sampled due to cost reductions. ADFG now has minimum data on the returning stocks in the Cross Sound and Icy Straights corridor. Elfin Cove, one of the largest charter harvest ports in the Chilkat and Taku River Corridors, who enjoyed a 4 Chinook out of state annual bag limit, had no creel samplers. There is little or no creel sampling in lower Chatham and Sumner Straights both corridors for the Stikine River.

6) While under SOC it appears that managing to the allocation cap although not liked is doable for all fisheries. No group has unintentionally gone over their Allocated quota. Trollers have been asked to harvest any remaining annual SEAK Chinook.

Matthew Donohoe
President ATA
907-747-6255
PO Box 3114, Sitka AK, 99835
Lot 10, Galankin Island, Sitka AK



From: [matthew.romaine](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Southeast meeting fin fish
Date: Monday, February 21, 2022 7:31:16 PM

To whom it may concern,

This email is intended to show my support of SEAGO's version of Proposition 82. As a Sportfishing Guide in area 2C since 2008 I know that King Salmon limits in July have a direct impact on Sportfishing's economic viability. Without having Nonresident, or even lower Resident limits, I know most clients simply won't travel to Southeast Alaska and take their recreational Sportfishing money elsewhere resulting in an end to most jobs, including mine, in the Lodge / Guiding industry.

Sincerely,

Matthew Romaine

Guide Shelter Cove Lodge, Prince of Wales Island

949-689-4729

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Submitted By
Max Peeler
Submitted On
2/22/2022 9:48:56 AM
Affiliation



PC436
1 of 1

Phone
9075180262
Email
Max_peeler@hotmail.com
Address
94 Pheasant Tail Ct
Kalispell , Montana 59901

Hello my names Max Peeler and I am leaving a comment in regard to proposal 171-174 about changing the Southeast Alaska Spot Prawn Shrimp fishery from fall to spring (mid May).

I thought having some insight and input of a buyer might be useful in this conversation. As far as the timing of the fishery mid May sounds like a perfect time for many reasons. The weather would be much nicer for boats going out to fish. Having no eggs to let the shrimp spawn will certainly help with shrimp stocks in the area. People do not prefer eggs on the shrimp. So as far as marketing, it will only help my regions popularity of these shrimp and price stay high.

I have Ben asked by multiple fishermen if that time of year will affect price and marketing. My response to each of them has ben "Hell no" it will only help the market for selling because the busiest shrimp selling months by far are the summer and December for the holidays.

I want this shrimp fishery to be sustainable for decades to come so we need to stop catching the shrimp with eggs and let them spawn and grow so in the spring we can haven't appropriate amounts for years to come. Everywhere I service in the North West Region would be very happy to have Fresh shrimp rolling into the summer months. This would only strengthen markets and Shrimp stocks going forward if this proposal were to pass.

Max Peeler



MICHAEL A. D. STANLEY

ATTORNEY AT LAW

P.O. BOX 020449, JUNEAU, ALASKA 99802

TELEPHONE: (907) 586-6077

FACSIMILE: (907) 463-2511

Date: February 22, 2022

To: Chip Treinen, President
Southeast Herring Conservation Alliance

From: Mike Stanley

Subj: Proposal 159 – 5 AAC 27.195

You have asked me to provide an analysis of Proposal 159 which was submitted by the Southeast Herring Conservation Alliance (SHCA) requesting the Alaska Board of Fisheries (Board) to repeal 5 AAC 27.195. Your request comes in the context of the lawsuit by the Sitka Tribe of Alaska (STA) against the State of Alaska and its agencies, the Alaska Department of Fish and Game (ADF&G) and the Board, Case No. 1SI-18-00212 CI. SHCA intervened in this lawsuit at the beginning and participated actively in all phases of the case.

The rationale stated in Proposal 159 is that 5 AAC 27.195 is outdated, ambiguous, and subject to misinterpretation, and fails to give clear guidance to ADF&G regarding what the Board expects in management of the herring fisheries in Sitka Sound. Court rulings in the lawsuit confirm that SHCA's reasoning in submitting this proposal is sound.

I. Summary of Litigation

STA filed its complaint against the State in December 2018 asserting three broad claims for relief regarding management of the commercial sac roe and herring subsistence fisheries in Sitka Sound. STA alleged that the Board and ADF&G had violated the subsistence priority statute, AS 16.05.258; had violated the Common Use and Sustained Yield Clauses found in Sections 3 and 4 of Article VIII of the Alaska Constitution; and had violated the Administrative Procedures Act and the hard look doctrine. With one exception, STA did not sustain any of their claims against the Board and ADF&G, and did not obtain any of the relief sought in their complaint. The only issue on which STA obtained any relief was a sub-claim under its first count relating to ADF&G's interpretation and implementation of 5 AAC 27.195. On that claim, the court found that ADF&G had not adequately documented its decision-making in implementing subsections (a)(2) and (b), and accordingly, granted summary judgment in favor of STA. The court did not rule that ADF&G had failed to comply with the substance of either of these provisions.



II. Rulings on 5 AAC 27.195.

The court issued two decisions concerning 5 AAC 27.195, one on March 31, 2020; the other on November 30, 2020 (though dated November 27). I will refer to these decisions as the March 31 Order and the November 30 Order, respectively.

A. March 31 Order

In its March 31 Order, the court began (at p. 1) by describing the issue of ADF&G's interpretation and implementation of 5 AAC 27.195 as "narrow." The court first analyzed STA's argument that ADF&G had failed to properly implement 5 AAC 27.195(b). That provision, as codified, provides:

(b) In addition the provisions of (a) of this section, the department shall consider the quality and quantity of herring spawn on branches, kelp, and seaweed, and herring sac roe when making management decisions regarding the subsistence herring spawn and commercial sac roe fisheries in Section 13-B north of the latitude of Aspid Cape.

SHCA demonstrated, however, that this was not the language actually adopted by the Board in 2002. The Board instead addressed the issue of quality in subsection (3) of the proposed plan, which stated that ADF&G shall –

(3) recognize that quality and quantity of herring roe on branches and herring sac roe is an important consideration in the management of the subsistence and commercial herring sac roe fisheries.¹

Because of this difference between the two provisions, the court held (at p. 3) there was a "genuine issue of material fact as to whether subsection (b) reflects what the BOF originally adopted and is thus enforceable. Summary judgment is accordingly not appropriate as to subsection (b)."

The court then turned to STA's claim concerning subsection (a) of 27.195. That provision reads:

(a) In managing the commercial sac roe herring fishery in Section 13-B north of the latitude Aspid Cape (Sitka Sound), the department shall

(1) manage the fishery consistent with the applicable provisions of 5 AAC 27.160(g) and 5 AAC 27.190;

(2) distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses specified in 5 AAC 01.716(b).

¹ The language actually adopted by the Board for 5 AAC 27.195 was reflected in ADF&G's 2002 Management Plan for the sac roe fishery, which was published in February 2002, approximately a month after the 2002 Board meeting. A copy of the cover page of that management plan, and the section quoting the new regulation, is attached to this memo. You should also note that the language of subsection (2) as adopted by the Board differs from the language that was codified at 5 AAC 27.195(a)(2). This difference is discussed in Part III.C. below.



The court observed (at p. 8) that ADF&G “believes it is lawfully implementing subsection (a), but whether ADF&G’s implementation can be objectively reviewed is another matter.” While the record (*e.g.*, ADF&G’s news releases), “provide some data to support its in-season determinations of whether to open the commercial fishery,” the “record as a whole, fails to clearly reflect – either explicitly or implicitly – the determinations, and reasoning underlying ADF&G’s determinations, that ADFG is required to make before opening the commercial fishery under 5 AAC 27.195(a).” March 31 Order at 11 and 12. The court concluded that because of this failure to explain its decision-making, “ADF&G’s application of its mandates under 5 ACC 27.195(a) is arbitrary, unreasonable, and an abuse of discretion.” The court did not find that ADF&G had failed to comply with the substantive requirement to distribute the commercial harvest, only that ADF&G had “failed to adequately explain its determinations in the record.”

B. November 30 Order

In this decision, the court first reviewed the evidence concerning the question of what language the Board actually adopted in 2002. The court agreed with SHCA, concluding (at p. 5) that the evidence “confirms that the language of (3) is what was originally adopted by the BOF.” The court went on to state that subsection (3) and the language codified in subsection (b) had the same meaning, and there was thus no longer a genuine dispute that precluded summary judgment.

In evaluating the merits of STA’s claim, the court said (at p. 8) there were two questions: whether ADF&G was required to consider the quality of herring roe in making management decisions, and how ADF&G did so. On the “how” question, the court upheld ADF&G’s interpretation “that the regulation *does not* require ADF&G to conduct an in-season assessment of the quantity and quality before making a determination to open and distribute the commercial fishery in a certain way.” November 30 Order at 12 (emphasis in original). The court thus rejected STA’s position that subsection 195(b) requires ADF&G to assess the quality of herring spawn on branches in-season, prior to opening the commercial fishery. The court said (at p. 15-16) it was “undisputed” that ADF&G considered “the distribution and quality of herring roe *before* spawning occurs..,” but that this did not equate to “consideration of quality of ‘herring spawn on branches, kelp, and seaweed, and herring sac roe.’” (emphasis in original). As with its decision regarding 195(a)(2), the court did not find that ADF&G had failed to comply with the substance of the regulation, only that the agency had failed to adequately explain its decision-making: “If ADF&G does consider quality when making their decisions, its consideration is not clearly or adequately reflected in the record,” and therefore, “its implementation of 5 AAC 27.195(b) is unreasonable and an abuse of discretion.” November 30 Order at 18-19. The court held that ADF&G must demonstrate “in some meaningful way” how it considers the quality of herring spawn in managing the fishery. *Id.*

III. Issues Presented by Proposal 159

Proposal 159 seeks to repeal 5 AAC 27.195 on the grounds that this regulation is outdated, ambiguous, and subject to misinterpretation. I will discuss these rationales in turn, but first will address STA’s comment that “[i]f the Board repealed 5 AAC 27.195, the Board would



be in violation of its statutory obligation to provide a subsistence priority.” Public Comment (PC) 329 at p. 19.

A. 5 AAC 27.195 Is Not Required by the Subsistence Priority Statute.

As at prior Board meetings, the Department of Law (DOL) has provided guidance on application of the subsistence priority in considering proposals affecting subsistence fisheries. DOL Comments on Proposals (December 30, 2021). It is a six-step process. The first four steps are not at issue here – the Board has determined that herring are taken for subsistence; has established a formula for determining if a portion of the herring stock in Sitka Sound may be taken consistent with sustained yield (5 AAC 27.160(g)); and has defined the amount of herring reasonably necessary for subsistence (5 AAC 01.716(b)). Nor is step six in play. That element applies only if the harvestable surplus is not sufficient for subsistence and other consumptive uses, which is clearly not the case with the herring stock in Sitka Sound. The only step in the process relevant in this instance is five – the requirement to adopt regulations to provide a reasonable opportunity for subsistence. *See* AS 16.05.258(b)(1)(A).

The subsistence statute defines “reasonable opportunity” as an opportunity “that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of success of taking fish or game.” As DOL has consistently advised the Board, reasonable opportunity is not a guarantee of success. Nor does “reasonable opportunity” imply a requirement for a subsistence harvest of any particular quality. In *State of Alaska v. Morry*, 836 P.2d 358 (Alaska 1992), the state argued that the subsistence statute described a process for determining the quantity of fish and game that would provide a “reasonable opportunity,” and did not require the boards to “preserve a qualitative way of harvesting these resources.” *Id.* at 369. The court agreed with the state’s analysis. *Id.* at 370. The court made it clear, however, that although the boards were not mandated to, they could, in their discretion, take into consideration traditional and customary methods of harvest in prescribing regulations. *Id.*

The Board’s approach to regulating the subsistence herring fishery in Sitka Sound is completely hands off. There are no permit requirements, no reporting requirements, and no bag limits. Subsistence users can set branches and harvest herring roe wherever they want, whenever they want, and can take as much as they want. The subsistence fishery is unrestricted. The opportunity subsistence users have to harvest herring roe on branches in Sitka Sound is not only reasonable, it is unlimited. The question then devolves to whether the Board is required to consider restrictions on the commercial harvest of herring to accommodate a preference for subsistence uses. Under the statute and the stepwise process outlined by DOL, the answer is “no.” Regulations to reduce or eliminate other consumptive uses of herring are required only at step six, when the harvestable surplus is insufficient to provide for all consumptive uses. This does not mean that the Board lacks discretion to prescribe regulations for the commercial herring sac roe fishery that are intended to enhance subsistence opportunity; just that the Board is not required to do so by the subsistence statute.

Under this analysis, 5 AAC 27.195 is clearly not mandated by the subsistence priority prescribed in AS 16.05.258. Repeal of that regulation would not constitute a violation of the



statute. This conclusion is particularly compelling in light of restrictions the Board has placed on the commercial fishery subsequent to enactment of 5 AAC 27.195 in 2002.

B. 5 AAC 27.195 Is Unnecessary In Light of Subsequent Board Action.

STA describes 5 AAC 27.195 as the result of “a compromise among ADF&G, STA, and the commercial fishing industry.” PC 329 at 17. Despite this compromise, STA has continued to press the Board to further restrict the commercial sac roe fishery at every Board meeting since 2002. Their efforts have yielded two significant changes for management of the commercial fishery. In 2009, the Board revised 5 AAC 27.160(g), which prescribes the formula for setting the guideline harvest level (GHL) for the fishery. Among other things, the amendment increased the biomass threshold for allowing a commercial harvest from 20,000 tons to 25,000 tons. This 5,000 ton increase equates to 10,000,000 pounds of herring that is off limits to commercial users, and was specifically intended to provide a buffer for subsistence. The amount of herring spawn that the Board has determined is reasonably necessary for subsistence is 136,000 – 227,000 pounds. 5 AAC 01.716(b). Moreover, the harvest rate percentage specified in the GHL formula adopted in 2009 is only 12 – 20%. This means that 80 – 88 % of the harvestable surplus above the threshold is also available to subsistence users. ADF&G has indicated that the quality of herring roe on branches is in part a function of multiple depositions on spawn over the course of several days. At the current record biomass levels, there is clearly an abundance of herring available to provide for good quality roe.

The second significant restriction imposed on the commercial fishery is closure of the traditional subsistence harvest area around Middle, Crow and Kasiana Islands, also known as the core area. The Board adopted this closed area in 2012 and expanded it in 2018. The question posed is whether the requirement to distribute the commercial harvest specified in 5 AAC 27.195(a)(2) continues to serve any purpose in light of the closure of the core area to commercial fishing. The vehicle for adoption of 195(a)(2) was Proposal 500 (2002) that the Board took up after STA filed an agenda change request following the 2001 season. STA’s stated purpose in submitting this proposal was to protect the “traditional subsistence herring egg harvest areas of Middle, Crow and Kasiana islands,” which STA described as “a relatively pristine ecosystem and a mainstay for subsistence harvesters” and which was in “proximity to the community of Sitka and the relatively calm ‘inside’ Sitka Sound waters where these harvest areas are located.” Now that these waters are closed to commercial fishing, is the distribution requirement of (a)(2) still necessary? In the STA lawsuit, the question arose whether closure of the core area operated as an implicit repeal of the distribution requirement of (a)(2). This issue was not fully briefed by the parties and was not decided by the court, but it is a fair question for the Board to consider.

This is not to suggest that the current closed area is justified. SHCA Proposal 160 seeks to repeal the 2018 expansion of the core area closure, in order to strike a better balance between fishing opportunity for both commercial and subsistence users. Repeal of 5 AAC 27.195 would be appropriate for the reasons discussed in Proposal 159, even if the Board also adopted Proposal 160.

**C. 5 AAC 27.195 Is Ambiguous and Subject to Misinterpretation.**

There are two primary points of ambiguity regarding 5 AAC 27.195 that the Board should address in order to clarify its expectations for management of the commercial sac roe and subsistence herring fisheries in Sitka Sound. The most concerning, in my view, is subsection (b). As discussed above, the language of subsection (b) was not actually adopted by the Board. Rather, the Board in 2002 adopted subsection (3). The court held that the differences between the two were not material; the question is whether the Board agrees. In other words, does 5 AAC 27.195(b) as interpreted by the court accurately reflect what the Board intended? In its February 2002 management plan (see attachment), ADF&G described subsection (3) as a “statement of finding that the quality, not just the quantity, is important for both fisheries, and therefore may be factored into management decisions.” ADF&G staff presumably were involved in advising the work group that prepared the language of Section 195, and one would think that the characterization of subsection (3) as a finding was based on those discussions. The court did not accept ADF&G’s understanding of this provision, reasoning (at p. 10) that the “fact that a mere finding is not a regulation is persuasive in reaching the conclusion that the regulation is mandatory” and should be given effect.

In addition, although the court upheld ADF&G’s position that the language codified in subsection (b) does not require ADF&G to consider quality and quantity of herring spawn on branches prior to opening the commercial fishery, it nevertheless held that ADF&G should consider these factors in “some meaningful way.” The court – appropriately so – thus left it to the discretion of ADF&G to implement this interpretation. But that same deference to the agency’s judgment also opens the door to subsequent challenges to ADF&G’s management on the ground that its actions did not meaningfully consider the quality of herring spawn on branches. Repeal of 5 AAC 27.195(b) would remove this ambiguity.

The second point of ambiguity concerns subsection (a)(2). Although it was not raised in the court proceedings, there are also differences between the language actually adopted by the Board and the language that was codified. The language of (a)(2) as codified requires ADF&G to:

distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses specified in 5 AAC 01.716(b).

The language of subsection (2) as adopted by the Board was different. ADF&G was directed to:

distribute the commercial harvest, if necessary, so that subsistence users have a reasonable opportunity to harvest the amount as specified in 5 AAC 01.716(b);

The codified version thus added the words “by fishing time and area,” “if the department determines,” and “to ensure.” These changes were evidently made by the Department of Law Regulations Attorney, whom the court said was responsible for the revised wording of subsection (b). The question is, did the addition of these terms alter the meaning intended by the Board? In particular, the court focused on the word “determine,” holding that ADF&G was required to make specific determinations regarding the existence of a reasonable opportunity for subsistence before opening the commercial fishery, and to adequately document its decision-making. Repeal of 5 AAC 27.195(a)(2) would eliminate these ambiguities.

IV. Conclusion

5 AAC 27.195 was adopted by the Board in 2002 as a compromise between representatives of the commercial and subsistence fisheries, a point on which STA and SHCA agree. The Board has not considered proposals to revise the regulation since then. Proposal 159 rests on two simple rationales.

The first is that this regulation is no longer necessary in light of subsequent Board action taken expressly to benefit the subsistence fishery. The Board's purpose in adopting the distribution requirement in subsection (a)(2) was to protect traditional subsistence fishing areas, a purpose the Board later decided to address by closing the area. The Board's intent that the quality of herring spawn on branches be considered in managing the fisheries, as reflected in subsection (b), was accommodated by increasing the biomass threshold by 5,000 tons, in effect establishing a set aside for the subsistence fishery that promotes a better harvest of roe on branches. These regulations cost the commercial fishery in terms of loss of access to fishing areas in which it had historically operated and foregone harvest opportunity.

Second, the ambiguities in the regulation, as codified and as interpreted in the STA lawsuit, render management of herring fisheries in Sitka Sound susceptible to ongoing dispute and judicial challenge. STA relied on Section 195 in an effort to force a fundamental change in how the sac roe fishery was managed, and are unlikely to back away from invoking the regulation toward that end, including through future litigation. Repealing Section 195 would remove the potential that courts will play a role in how the herring fisheries in Sitka Sound are managed going forward, leaving regulation of the fishery where it belongs – with the Board and ADF&G.



**SOUTHEAST ALASKA SAC ROE HERRING FISHERY
2002 MANAGEMENT PLAN**



**Prepared by
Southeast Alaska Region Staff**

Regional Information Report¹ 1J02-11

**Alaska Department of Fish and Game
Division of Commercial Fisheries
Juneau, Alaska**

February 2002

¹ The Regional Information Report Series was established in 1987 to provide an information access system for all unpublished divisional reports. These reports frequently serve diverse ad hoc informational purposes or archive basic uninterpreted data. To accommodate timely reporting of recently collected information, reports in this series undergo only limited internal review and may contain preliminary data; this information may be subsequently finalized and published in the formal literature. Consequently, these reports should not be cited without prior approval of the author or the Division of Commercial Fisheries.



INTRODUCTION

Southeast Alaska commercial herring fisheries occur during the winter when herring are harvested for use primarily as bait and also during the spring when herring are harvested for their roe. The roe harvest includes the traditional sac roe fisheries (set gillnet and purse seine) and, in recent years, spawn-on-kelp pound fisheries. This management plan provides an overview of the 2002 sac roe herring fisheries for Southeast Alaska including expected harvest levels and management strategy. A separate management plan for the spawn-on-kelp pound fisheries will be available at local department area offices.

Southeast Alaska roe herring are commercially harvested by purse seine and set gillnet gear types, both of which are included in the limited entry system. There are currently five sac roe herring fishing areas in Southeast Alaska consisting of two exclusive purse seine and three exclusive gillnet areas (Figure 1).

Approximately 12,654 tons of herring were harvested in commercial sac roe herring fisheries conducted in Southeast Alaska during 2001. A harvest of approximately 12,138 tons is anticipated for the 2002 season.

GENERAL MANAGEMENT OVERVIEW

Commercial herring fishing regulations are contained in the Commercial Herring Regulations Booklet. Copies of the 2001–2002 edition may be obtained at any Department of Fish and Game office. In addition, in January of 2002, the Alaska Board of Fisheries adopted new regulations pertaining to management of the Sitka Sound herring fishery. It was the board's intent that these regulations be in effect for the 2002 season. These new regulations are described in the following section of this plan. Department staff listed at the conclusion of this plan are also available to provide further details.

New Regulations for the Sitka Sound Fishery

During its January 7–14, 2002 meeting in Anchorage, the board adopted the following new regulation for management of the Sitka Sound sac roe herring fishery:

5 AAC 27.195. SITKA SOUND COMMERCIAL SAC ROE HERRING FISHERY MANAGEMENT PLAN. In managing the Sitka Sound commercial sac roe herring fishery the department shall:

- (1) manage the commercial herring sac roe fishery in Section 13-B consistent with the applicable provisions of 5 AAC 27.160(g), and 5 AAC 27.190;
- (2) distribute the commercial harvest, if necessary, so that subsistence users have a reasonable opportunity to harvest the amount as specified in 5 AAC 01.716; and



- (3) recognize that quality and quantity of herring roe on branches, kelp, seaweed, and herring sac roe is an important consideration in the management of the subsistence and commercial sac roe fisheries.

This new regulation creates a new regulatory management plan specific to the commercial fishery in Sitka Sound. The first statement (1) references the existing regulations. The second statement (2) requires that the department distribute the commercial harvest both geographically and temporally, if necessary, so that the subsistence fishery has a reasonable opportunity to harvest the amount of spawn, which the board has determined to be necessary for subsistence (108,000 lbs to 158,000 lbs). The third statement (3) is a statement of finding that the quality, not just the quantity is important for both fisheries, and therefore may be factored into management decisions. The "if necessary" clause in statement (2) emphasizes that management decisions must be made inseason by the department based on the department manager's best judgement concerning the inseason situation.

Vessel Check-In, Check-Out, and Reporting Procedure

Buyers or buyer's agents shall register all vessels employed in transporting and processing herring with the department prior to commencing with those activities and make daily reports of herring purchased from fishers as specified by a local representative of the department [5 AAC 27.162(a)]. The department requests that tenders and fishing vessels not previously registered through buyers or buyer's agents check-in and check-out of the fishing areas with department personnel located on the fishing grounds to facilitate timely and complete assessment of herring landings. Fish tickets must be provided to the CFEC permit holder at the time of delivery to the first buyer or buyer's agent [5 AAC 27.162(c)]. This means that there must be a separate fish ticket for each delivery to a tender before the tender leaves the fishing grounds to make a delivery. At the request of the CFEC permit holder, on-the-grounds weight and roe content shall both be recorded on the fish ticket. Operators who will transport fish out of Alaska prior to processing must submit a fish ticket before departing the state [5 AAC 39.130(c)]. Fully completed fish tickets with updated accurate and final weights and roe percentages must be submitted to the department within 10 days after the termination of buying operations, unless otherwise specified by the department [5 AAC 27.162(a)(3)].

Reporting Procedures for Floating Fish Processors

Operators of floating fish processing vessels are required to report in person, by radio, or telephone, to the local department representative in the management area of intended operation before processing begins [5 AAC 39.130 (g)]. The report must include the location and date of intended operation.

Submitted By
mike fox
Submitted On
1/21/2022 9:03:23 AM
Affiliation



PC438
1 of 3

Reference proposals 135,138,139,140,141.

I support these proposals because **SE Alaska Residents are not currently provided fair and reasonable opportunity for the taking of fishery resources by personal use.**

Objective – Honor the legislative intent and provide fair and reasonable opportunity for SE Alaska Residents to efficiently fulfill their personal use fish needs.

Solution – Provide personal use fishing with efficient gear types in between commercial openings and in areas closed to commercial fishing.

-
- Legislative intent clearly requires PU opportunities be provided.
 - BOF intent clearly supports providing opportunities to efficiently harvest fish for personal use.
 - PU fishing opportunity in the Juneau Area is extremely limited and not fair or reasonable.
 - In the Juneau Area there has consistently been un-harvested sockeye allocation and sockeye over escapement.
 - PU and Subsistence fisheries in between commercial fishing periods, and in areas closed to commercial fishing, are common in other areas of the state and would be appropriate in the Juneau Area also.
-

Authority and Legislative Intent:

The board has the authority and requirement to allow personal use fishing under AS 16.05.251.

AS 16.05.251(d) Regulations adopted under (a) of this section must provide a fair and reasonable opportunity for the taking of fishery resources by personal use, sport, and commercial fishermen.

The legislative history indicates that the definition and related provisions were intended to authorize the board to adopt regulations allocating fishery resources for purposes of personal use and to **require the board to provide a "fair and reasonable" opportunity for sport, commercial, and personal use fishing.** See, e.g., 1985 House J. 584-585, 920-921, 1230-1231 (transmittal letter and letters of intent).

B.O.F. Intent:

5 AAC 77.001 The intention of the personal use fishing category is to allow efficient harvesting of fish by residents who are precluded from participating in subsistence fisheries.

A personal use fishery may be allowed even if it negatively impacts an existing use when it is in the broad public interest. Certainly a personal use fishery in the Juneau Area is in the broad public interest.

*5 AAC 77.001 (b). It is the intent of the board that the taking of fish under 5 AAC [77](#) will be allowed when that taking does not jeopardize the sustained yield of a resource and either does not negatively impact an existing resource use, **or**, is in the broad public interest.*

Negatively impacting an existing resource use does not disallow a personal use fishery that is "in the broad public interest."

Submitted By
mike fox
Submitted On
1/25/2022 7:12:03 PM
Affiliation



PC438
2 of 3

This proposal states the issue is **“there are limited spots to successfully harvest fish”**.

A better solution is to **provide more harvest area** by allowing personal use fishing in the marine waters of Gilbert Bay.

Submitted By
michael fox
Submitted On
2/3/2022 8:41:04 PM
Affiliation



PC438
3 of 3

Comment in support of proposals 135,138,139, 140, 141.

- Data provided by ADF+G available for years 2001-2019 clearly shows the Taku River sockeye run **consistently ends with surplus available harvest.**

Increased personal use fishing opportunities could be allowed without exceeding available harvest.

- The catch averages **98.5% commercial and 1.5% personal use.**

It is grossly unfair, and unreasonable, to allocate sockeye catch at 98.5% commercial and 1.5% personal use. It is certainly "in the broad public interest" to provide residents increased opportunity for personal use sockeye fishing in the Juneau Area.

Submitted By
Myasia Step
Submitted On
2/17/2022 6:55:17 AM
Affiliation



PC439
1 of 1

Stop the over fishing of the hearing fish. What is happening is badi not only for the environment but for many native tribes that have utilized their mating season for decades.



North Pacific Fisheries Association, NPFA

P.O. Box 796 Homer, AK 99669 npfahomer@gmail.com



PC440
1 of 1

To: State of Alaska Board of Fisheries
RE: OPPOSITION to PROP 156-158
SUPPORT for PROP 160.

February 22, 2022

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

The North Pacific Fisheries Association (NPFA) was founded in 1955 and represents over sixty Alaskan fishing operations. Many of these operations participate in the Southeast herring fishery and depend on it as part of their fishing season. NPFA members include Southeast Herring permit holders, vessel owners, tender vessel owners, harvesters, and tender deckhands. Some of our members have participated in the herring fishery for decades and we all support a sustainable fishery for the future. NPFA has a long history of supporting conservative, science-based fisheries management and has demonstrated this philosophy by engaging with the regulatory bodies from local to international.

NPFA is opposed to proposals 156, 157 and 158. These proposals bring reductions to the harvest rate without any scientific basis. Harvest rates are set upon review by the Alaska Department of Fish and Game (ADF&G) using the best available fisheries data and has been recently updated, improving their forecast modeling. ADF&G and Board of Fisheries review, in addition to current status of the stock, which is at record levels does not support the decrease in harvest as proposed and we ask that the Board of Fisheries take no action. **NPFA requests that the Board of Fisheries not adopt proposals 156, 157 & 158.**

NPFA supports proposal number 160 which is a conservative approach to reopening traditional commercial harvest areas in Sitka Sound. Subsistence harvesters have reasonable opportunity outside of these areas. We respect and support subsistence use of the resource and think this small expansion will support the commercial fishery, while providing ample opportunity without encroaching on areas where the vast majority of subsistence harvest is taking place anyway. When our members first began fishing in Sitka Sound in 1985, this area was open, and the biomass was much smaller. We are now dealing with a quota that has increased significantly from around 4,000 tons in the 1980's to 41,000 tons this year. This indicates good management, and abundant biomass for all user groups. **NPFA requests that the Board of Fisheries adopt proposal 160 and reduce closed waters in the Sitka Sound sac roe herring fishery.**

Thank you for your consideration and the opportunity to comment,

Malcolm Milne
NPFA President

February 18, 2022

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

RE: Oppose Proposals 156, 157, and 158 – Southeast BOF meeting

Chair Carlson-Van Dort and Board Members:

Thank you for the opportunity to comment on Proposals 156, 157, and 158 for the Alaska Board of Fisheries (Board) Southeast herring meeting. As stated, these proposals would reduce the harvest rate for the Sitka Sound sac roe herring fishery and incorporate an alternative forecasted age structure into the Sitka Sound commercial sac roe herring fishery spawning biomass threshold. PSPA opposes Proposals 156, 157, and 158.

PSPA is a nonprofit seafood trade association representing seafood processing businesses and their investment in coastal Alaska, including two shorebased processors in Southeast Alaska that participate in this fishery. In addition to shorebased processors, fishermen, tenders, pilots, support vessels, support businesses, transportation companies, local governments, and the State of Alaska (through fish taxes) benefit from the direct and indirect economic activity that commercial herring fisheries provide.

PSPA has commented on multiple proposals relevant to this fishery at past Board of Fish meetings and work sessions. Most of these proposals worked to modify the existing GHL formula used by ADFG. Other proposals worked to expand the closed water areas for the commercial sac roe herring fishery in Sitka Sound. The Board approved an increase to the closed water areas in consideration of subsistence interests at that time, and this is in addition to significant changes made to the fishery by ADFG, the Board, and the commercial herring fleet to meet similar concerns in the past several years. The closure was not insignificant, as it closed an additional 6.4 miles of fishable waters available to the commercial fishery.

The Sitka Sound sac roe herring fishery has generated almost \$100 million in total ex-vessel revenue over the past two decades and supports a fishery in which the vast majority of permit holders are Alaska residents. Unnecessarily limiting or closing this fishery would substantially impact fishermen (47 current permit holders) and processors reliant on the fishery. These businesses rely on science-based and sustainable fisheries management and are invested in the future of this fishery for generations to come.

ADFG has stated that current harvest rates for the herring population were designed to be conservative and sustainable based on comprehensive historical data while also continuously incorporating new data and information. These proposals would supplant that expertise and approach. Proposals 156 and 157

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SEATTLE

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206 281 1667

WASHINGTON DC

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Floor 7
Washington, DC 20001
202 431 7220



request changes to the harvest rate calculation that would effectively reduce the guideline harvest level by 25% or 15%, respectively. Proposal 158 would change the biomass calculation to result in more conservative management and would have closed the fishery altogether in several years.

The Sitka Sound herring stock is consistently the largest in Southeast Alaska and second largest in the State of Alaska. The stock has been stable overall, with a distinct upward trend through the 1990s and a recent dramatic biomass increase. ADFG has been conservatively managing the fishery, explicitly buffering against uncertainty given the extremely large and partially mature 2016-year class. ADFG has conveyed that with the consistent estimates of this large year-class from both observation and modeling for the past three years, there is much less uncertainty for 2022. The 2022 forecast is the largest ever and about 9 times the minimum threshold to fish. Thus, the resulting 2022 guideline harvest level is the largest ever established for Sitka Sound.

In addition, variable annual biomass trends are not an indicator of poor management, a stock collapse, or need for a fishery closure. Fluctuations in biomass trends are accommodated for in the existing process to set harvest rates using the best available data. Alaska's commitment to sound science is clear through allowing these data and the expertise of fishery scientists and managers to drive decision-making and regulate fisheries appropriately and responsively. ADFG has consistently conveyed that the current harvest strategy is based on the best scientific information available to Alaska and contains conservation provisions to protect herring stocks and their role in the ecosystem. In addition, ADFG has made significant efforts to gather additional data, and the department has updated the model used to estimate and forecast herring biomass as new information becomes available. ADFG continuously re-evaluates the harvest strategy to ensure that herring are responsibly harvested and sustainably managed to remain available for future generations.

Absent a scientific basis for doing so, it is not reasonable to approve proposals that change the guideline harvest level and/or increase the commercial fishery threshold biomass. Importantly, we must recognize that ADFG manages the herring fisheries to be responsive to the concerns and needs of subsistence users both inside and outside of closed waters, and has not only the authority, but is directed to, distribute the commercial harvest by time and area as necessary to ensure a reasonable opportunity to harvest ANS for herring spawn. Please disapprove proposals 156, 157, and 158.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. Barrows".

Chris Barrows
President
Pacific Seafood Processors Association

Submitted By
Patrick McCormick
Submitted On
2/1/2022 4:50:17 PM
Affiliation
Chugach View Outfitters



PC442
1 of 1

Phone
907 240 7285
Email
mccormick.patrick@gmail.com
Address
2700 W 31st
Anchorage, Alaska 99517

I strongly support proposal 238. It is imperative that if there is a harvestable surplus of sockeye salmon that they are harvested. Adding tools to the tool chest available to the excellent fisheries managers of the department is never a bad decision.

The department has a history of prosecuting sockeye set net fisheries in places where king salmon fisheries are imperiled such as the Situk River lagoon system.

To not come up with innovative solutions to allow for the prosecution of a fishery is a dereliction of duty of the board of fish.



From: [Paul Masters](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Cc: [Larry McQuarrie](#)
Subject: suggestion sent with typo corrections
Date: Monday, January 3, 2022 3:28:49 AM

To whom it may concern,

Good morning.

My little Grandson Steven is crying.

I own an Alaskan Southeast property in which you have devalued for him and my other Grandchildren. The point is not only that but also you have set up regulations for quillback rockfish that make no sense in our LOCAL SE ALASKAN water; you've done it without investigating our waters. You've completed a possibly lazy blanket approach to restrict our local SE Alaskan waters. It'd be plausible for you to make a change before a lawsuit is imposed with your department(s). Would you please note that anglers get simply riddled with bites from quillbacks and other now-restricted rock fish before you even come close to hitting the ocean floor all around the Saltery Cove?

Certainly, you'd like to be regarded as top-notch professionals, right? When my youngest Grandson Steven first catches his Alaska fish it will likely be a quillback rockfish that he cannot bring home as a 5-year-old-self-proclaimed true warrior. Instead, Steve will likely see an eagle dive and eat it after releasing. Even though this rock-fish consumption helps nature's circle and feeds the eagle, it does little to instill repeat fishing satisfaction in the heart and mind of my 5-year-old. I know that you'd like to imagine for a moment that the deep releases are working. Sometimes deep release works and often times they don't.

In California we have a ten a day bag limit with fish that you as the Alaska experts have restricted all together. I have fished for these non-pelagic species ever since December 18th 1981. We have a state with 39.5 million people and many anglers as myself. Alaska's nowhere near that number even with the tourists.

Please note that the rock fish are not by any means drying up with quotas in the Central Coast waters that we still fish and the bag limit works well.

Please allow at least a couple a day quill back limit. It will serve to improved fish populations because the overall incidental mortality rate will subside with by-catch by sports fisherman. Ultimately fewer quill back and other non-pelagic fish populations will sustain as they have in California.

Call for further questions please!

Paul Masters (805) 878-0796



Tkl' Un Yeik, yoo xat duwaasaakw, Yeil
naxatsitee L'eneidi aya xat, Kaagwaantaan
Yadi, Yaxte Hit yax AAK'W KWAAN

PAULETTE M.MORENO

CONTACT

PHONE:
907 738-6608

SITKA, Alaska

EMAIL:
paulettemoreno@gmail.com

dfg.bof.comments@alaska.gov /

AK Dept. of Fish and Game Boards Support Section

P.O. Box 115526, Juneau, AK 99811-5526

Dear Board of Fish ,

My name is Paulette, and I am a member of Tlingit and Southern Tutchone Nation. I live in the ancestral homelands of the Clans of Shee Ka Kwaan. I am a women who has harvested our traditional food, herring eggs, for over a decade.

Critical decisions are in your line of view, As a Native Women Harvester, I join others to assert our sovereignty as a nation, and I expect your upmost attention on each proposal. Herring need true sustainability.

It is with the deepest respect for the wisdom of the Native elders and the voices that collectively state that the herring is in immediate danger of harm and harassment.

- EPA/MMPA, should have herring, protected
- Native Models of Conservation is Essential
- Fair Representation/ Fair Vote by BOF critical
- 5 year Sitka Sac Roe Herring Moritorium
- Traditional Alaska Native Clan, jurisdiction over resources, respected

I served as the Alaska Native Sisterhood Grand President (2018-2021). I am currently a ANS Executive Council Women. " Here is my testimony, and other respected public testimonies, regarding the herring proposals and why your vote will be closely watched and recorded by so many.

Here's a link to the Sitka AC comments submitted to Board of Fisheries (AC08) (I testified at all 3 Sitka AC)
[:https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2021-2022/se/AC08.pdf](https://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2021-2022/se/AC08.pdf)

They're also available on the meeting page here:
<https://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.meetinginfo&date=03-10-2022&meeting=anchora>

Gunalcheesh, Sincerely, Paulette M.Moreno

Submitted By
Raymond May
Submitted On
2/23/2022 7:41:16 PM
Affiliation
SE Sac Roe herring Permitt holder



PC445
1 of 2

Raymond M May
F/V Resilient
Po Box 8985
Kodiak, Alaska 99615

February 23, 2022

Board of Fisheries
Southeast Board of Fish meeting
Comments

<https://www.adfg.alaska.gov/index.cfm?adfg=process.comments>

Sitka herring comments: support proposals 159, 160, 161, 165, and 233. Oppose proposals 156, 157, 158, and 167.

Dear Chair Carlson Van-Dort and Board of Fish members:

I was born and raised on Kodiak Island. I'm an Alaska Native fisherman that is enrolled in two tribes (Native Village of Port Lions & Native Village of Afognak), along with being a shareholder of three Native corporations (Afognak Native Corp., Leisnoi Inc., & Koniag Inc.). I've been a subsistence, sport, & commercial fisherman in Alaska for over 40 years. I seine for salmon in Kodiak, seine herring in Sitka, Kodiak and Togiak, and I also participate in other fisheries around the state. I've fished herring in Alaska since 1997 and started operating my own vessel 2009. I support the Alaska economy, I provide jobs for 4 crewmembers, and I always hire local first. As a subsistence harvester I provide food for my family and people who can't harvest on their own. I also sit on the Alaska Bycatch Task Force created by the Governor.

I would like to express my support for proposals 159, 160, 161, 165, and 233.

Proposal 159- Repeal this regulation related to management of the commercial sac roe herring fishery in Sitka Sound.

Removing this regulation would help with clarity in the lawsuit without changing the herring management or hurting subsistence opportunity.

Proposal 160- Reduce closed waters in the Sitka Sound commercial sac roe herring fishery. Please consider re-opening the expanded closed area from 2018. Opening this area would be a compromise for commercial and subsistence fishermen without hurting subsistence opportunities.

Proposal 161- Require a subsistence fishing permit to harvest herring roe on branches in the Sitka Sound area. I'm a sport and subsistence fish and game harvester and I'm used to filling out my harvest data so the ADF&G has the data they need to manage our fish and game resources. Why not in Sitka?

Proposal 165- Allow unharvested Sitka sac roe quota to be harvested for food and bait by herring sac roe purse seine permit holders. I would rather see bait caught in Alaska so fishermen don't have to import it from foreign countries.

Proposal 233- Remove districts 13-A and 13-B from Northern Southeast herring spawn on kelp pound fishery administrative area. This proposal sends this fishery in the wrong direction. I don't support herring pounders coming to Sitka when there is already herring pounding areas designated that sac roe fishermen can't access.

I would also like to express opposition to proposals 156, 157, 158, and 167.

Proposal 156- Modify harvest rate control rule for Sitka Sound sac roe herring fishery.

Proposal 157- Modify harvest rate for Sitka Sound commercial sac roe herring fishery based on forecasted age structure.

Proposal 158- Incorporate forecasted age structure into Sitka Sound commercial sac roe herring fishery spawning biomass threshold. None of these proposals have merit. The ADF&G has managed the Sitka herring fishery into the biggest biomass. They

should be allowed to continue to manage the fishery just as successfully as they already have. Listen to the science presented by the ADF&G.



PC445
2 of 2

Proposals 167- Redefine the boundaries of the Hoonah Sound spawn-on-kelp fishery (13-C) and the Sitka A/B). This proposal looks like it opens up the door for herring pounding in Sitka. I don't support herring pounders coming to Sitka when there is already herring pounding areas designated that sac roe fishermen can't access.

As a commercial fisherman I have a business plan to execute & pay for this permit I purchased 8 years ago. I do not see any biological reason to reduce harvest rate or strategy in the Sitka herring fishery. I repeatedly hear Alaska has the best managed fisheries in the world. I have only seen the ADF&G conservatively manage Sitka herring sac roe fishery as the overall biomass of herring around Sitka Sound has increased over the past 40 years. There is plenty of data already presented through the ADF&G staff presentations and reports.

Please look at science from our great state of Alaska and try not to let emotion muddy the waters on impactful important decisions on the commercial fishing industry.

Thank you for your service, time & consideration of my comments.

Sincerely,

Raymond May, owner F/V Resilient

Submitted By
Rich Ross
Submitted On
2/23/2022 12:39:26 PM
Affiliation



PC446
1 of 1

Members of the Board of Fisheries,

I am submitting this comment in **SUPPORT** of **Proposal 114** which would allow year-round use of downriggers by hand troll permit holders participating in the salmon troll fishery. I would like to thank the proposer for putting this proposal forward and the Board members for their consideration of this issue.

Hand-operated downriggers are an appropriate tool for use in the hand troll fishery and it is time to adopt them as allowable fishing gear. This proposal would allow hand trollers to control the depth that their fishing gear is operating; an important and basic component of successful fishing that is afforded to the other troll fishery participants using hand troll and power troll gurdies. The downrigger/rod and reel combination would provide an alternative for maintaining safe fishing operations under wind/sea conditions that otherwise prohibit smaller vessels from safely running heavy wire and cannonball weights used on gurdies. Also, smaller skiffs that have limited deck space may also benefit from the option of choosing to utilize downriggers.

Alaska Wildlife Troopers continue to have access to tools for enforcing compliance with commercial hand troll regulations: vessel display of letters HT, commercial fishing and crew license requirements, fish ticket reporting requirements and with sport fishing regulations: license requirements and immediate dorsal fin removal for sport caught salmon taken on a registered troller. In fact, **AWT has changed their position for this BOF meeting and are now NEUTRAL on the proposal.**

Participation in the commercial troll fishery is at an all-time low. Please support hand trollers and the troll fishery by adopting this uncontroversial proposal.



From: [Richard Yamada](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Cc: [Haight, Glenn E \(DFG\)](#)
Subject: Revision of Proposal #225 for Board Consideration
Date: Wednesday, February 23, 2022 8:58:00 AM
Attachments: [Proposal 225 Revised 2-23-22.pdf](#)

Dear Board Members,

I have attached a revision to my original proposal to address concerns brought up by staff and stakeholder comments through the AC process.

1. The concept of linking bag limits to abundance only makes sense if the recreational sector were given a GHF (Guideline Harvest Level) or TAC (Total Allowable Catch). Bag limits are normally used to keep a sector within a given allocation. There currently is no target sablefish allocation for the recreational fishery nor do we see a need for any at this time as harvest has been significantly below levels established in other sport species. Sport harvest has been around 7% where other species like King Salmon, Rockfish, and Halibut have been between 15%-20%. Therefore this proposal has stricken any reference to a change in bag limits linked to an abundance trigger.
2. Staff has commented that this proposal may have unknown impacts in other subdistricts due to the lack of equivalent data that is available for the NSEI Subdistrict. Therefore this proposal has been revised to apply only to the NSEI Subdistrict.

Thank you for your consideration of these changes at your upcoming SE Alaska finish meeting.

Regards,

Richard Yamada
Alaska Charter Association



RC # _____

Revised PROPOSAL 225

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Modify sablefish bag, possession, and nonresident annual limits ~~based on sablefish abundance in NSEI and SSEI sections,~~ as follows:

5 AAC 47.020 (17)(A) resident: ~~Set~~ bag limit of ~~four~~ six fish; possession limit of ~~four~~ six fish; no size limit; ~~no~~ annual limit ~~[OF EIGHT FISH]~~ as a baseline. Increase baseline limits by one fish when ABC reaches 1M pounds and thereafter an additional one fish for every 100,000 pounds over 1M with a cap of six fish daily; possession limit of six fish; no size limit; no annual limit.

5 AAC 47.020 (17)(B) nonresident: ~~Set~~ bag limit of ~~four~~ six fish; possession limit of ~~four~~ six fish; no size limit; annual limit of ~~eight~~ twelve fish. ; as a baseline. Increase baseline limits by one fish when ABC reaches 1M pounds and thereafter an additional one fish for every 100,000 pounds over 1M with a cap of six fish daily; possession limit of six fish; no size limit ; annual limit of twelve fish.

What is the issue you would like the board to address and why? Commercial sablefish ABC (Allowable Biological Catch) in the NSEI (Northern Southeast Inside) Subdistrict and SSEI (Southern Southeast Inside) Subdistrict have shown an increase in recent years, while resident and non-resident sport anglers bag limits have not changed since they were originally established in 2009. Recreational angler opportunity should be ~~linked to abundance~~ increased as done with the commercial sablefish AHO (Allowable Harvest Opportunity). ~~A cap in bag limits would ensure sport harvest would not exceed sport/commercial allocation percentages similar to that of other sport fish species. This would apply only to the NSEI Subdistrict.~~

PROPOSED BY: Alaska Charter Association

(HQ-F20-004)

**Proposal 225 was corrected 11/16/2020 to remove the eight fish resident annual limit.*



SUPPORT

Proposal 225 – Alaska Charter Association, Richard Yamada

Comment

ABC (Acceptable Biological Catch) and Commercial AHO (Annual Harvest Objective) for sablefish in the NSEI (Northern Southeast Inside) Subdistrict have been on the increase in recent years (Figure 1), mainly due to strong recruitment of the 2013 and 2014 year classes. The sportfishing industry is regulated by bag limits in **numbers** of fish whereas the commercial fishery is regulated by **weight**. Because strong recruitment events lead to more small fish in the population, as shown by decreases in mean size (Figure 2), there has been a steady decline in the percentage of harvest taken by the sport fishery compared to the commercial fishery (Figure 1).

The increase of sport bag limits from 4 daily to 6 daily for all recreational anglers, resident and non-residents and an annual limit of 12 for non-residents, currently 8, would help return the sport fishery back to levels when bag limits were first implemented and allow recreational anglers the opportunity to share the benefits of a healthy fishery.

This proposal would apply at this time only to bag and possession limits in the **NSEI Subdistrict** from which this data has been drawn.

Fig. 1 Commercial and Sport Sablefish Decrements for Northern Southeast Inside (NSEI) Subdistrict, 2015 – 2020.

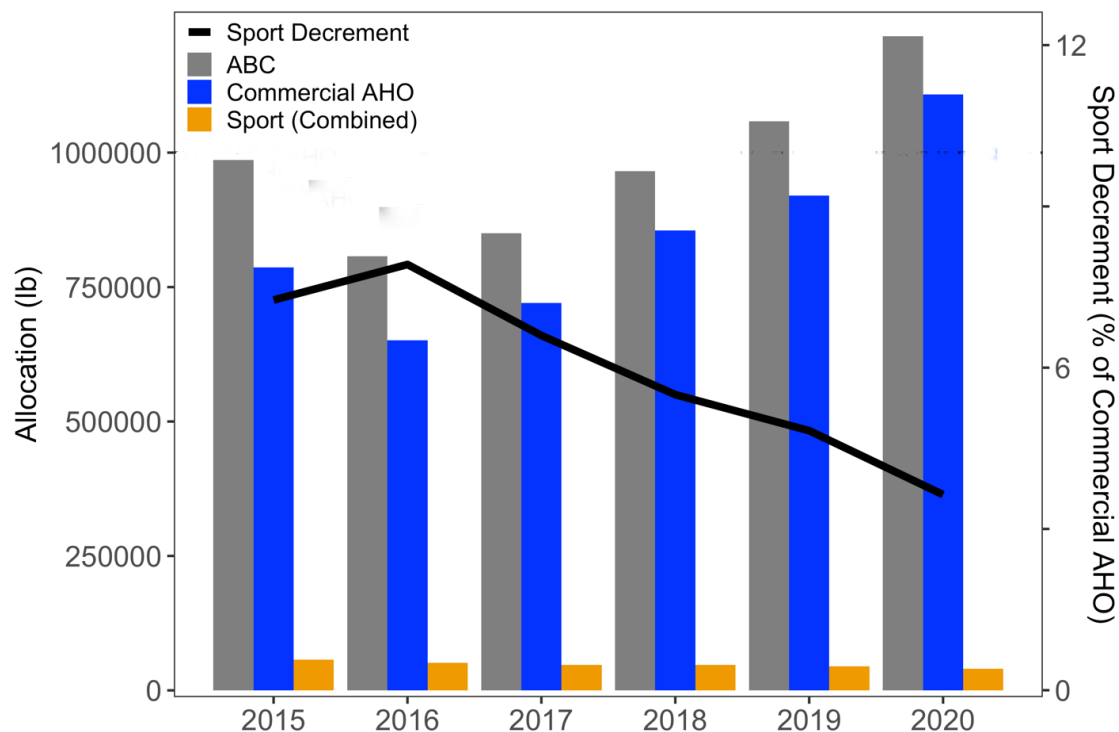
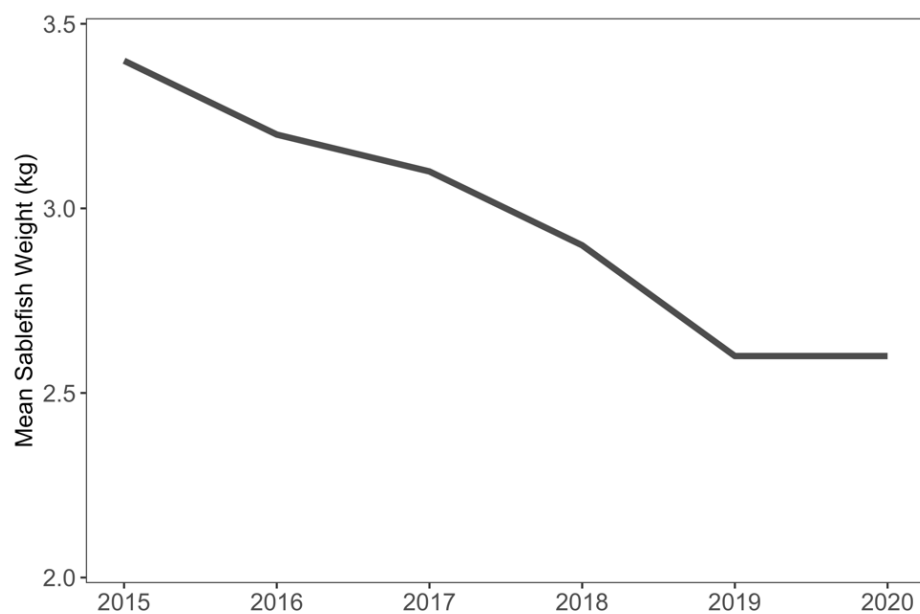


Figure 1. Acceptable biological catch (ABC; gray), commercial annual harvest objective (AHO; blue), and sport fishing decrements (combined guided and unguided; gold) are shown. The solid black line illustrates sportfishing decrements as a percentage of commercial AHO.



Figure 2. Mean Sablefish weight (kg) as estimated from the Northern Southeast Inside (NSEI) subdistrict longline survey (Alaska Department of Fish and Game, 2015 to 2020).



Submitted By
Rob Nelson
Submitted On
2/21/2022 8:17:35 PM
Affiliation



PC448
1 of 1

Madam Chair and members of the Board,

My name is Rob Nelson, I live in Kasilof Alaska. Im a born and raised lifelong Alaskan. Im addressing the Sitka Herring fishery proposals. I started coming to Sitka for the herring fisheries in 1986, crewing for my dad who had started fishing there in 1985. I began fishing herring in Sitka on my own in 1991. In my roughly 35 years of experience in this fishery Ive seen the Sitka herring population grow from a modest stock to the largest herring population in modern history. Really it could have been considered a nearly remnant stock in the 60's and 70's until it began recovering in the 80's. The Sitka herring stock has been at a very healthy level since. An increase in predation, particularly whales, drawn to the burgeoning population lend credence to this fact. Actually I would say this explosion of Humpback whales feeding on herring has impacted the spawning habits of those herring. As soon as the herring start staging in Sitka Sound, primarily between Beili Rocks and the Kruzof shore, they are relentlessly pursued 24-7 by Humpback whales. Herring used to be able to spread out and move to the inner sound as they slowly matured but more recently the trend is to mature in the deep. As a result the bulk of the spawn has been in the outer sound along the Kruzof shoreline instead of along the beaches of the inner sound where the subsistence harvest normally occurs.

What we are seeing here is an effective disinformation campaign, propoganda coming from multiple outlets. Unfortunately the same tactics we are seeing in our National politics. The propoganda message is that the stock is decimated, there are no herring out there, and yet Sitka Sound is full of whales feeding on herring. 50 to over 100 miles of spawn every year, which ADFG conducts dive surveys to actually get a count of the eggs deposited to determine the spawning biomass. REAL data, REAL science. If someone were to ask "So whats the real story here?" I would say to them "Start from ground zero, forget everything you've heard, start from scratch. The data, the actual science is readily available." The department does an excellent job taking care of this resource. The health of this stock is a testament to that. I oppose proposals 156,157 and 158.

Thank you for your consideration

Rob Nelson

Submitted By
Robert Bell
Submitted On
1/20/2022 7:08:46 AM
Affiliation



PC449
1 of 1

Please vote No on Proposals 83 and 88.
Trollers have been getting hammered in the reallocation of chinooks.

Submitted By
Robert Jahnke
Submitted On
1/14/2022 1:26:05 PM
Affiliation



PC450
1 of 2

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9072478207
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bobkrisktn@kpunet.net
Address
PO Box 991
Ward Cove, Alaska 99928

I submitted a comment on proposal 148 and the print out that I got from com. fish were the wrong ones. My comment was on a herring bay issue and not the true one. The print out was of proposals from a couple years back. sorry, Bob

Submitted By
Robert Jahnke
Submitted On
2/16/2022 2:52:06 PM
Affiliation
Trapline Supplies



PC450
2 of 2

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PO Box 991
Ward Cove, Alaska 99928

I've held a troll permit since 1972, and was an AC member back in the late '70s & early '80s and again now am on the KTN AC committee. The troller needs King Salmon given back to us from the commercial sport and non resident sport who flies in and uses rental boats. They have took kings off our table and out of our trollers fish holds. Give the troller more and the non resident sport less. Thank you, Robert Jahnke

Submitted By
Robert Jurries
Submitted On
2/16/2022 12:35:27 PM
Affiliation
ATA



PC451
1 of 1

Phone
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P.O. Box 177
Craig , Alaska 99921

Proposal 83 & 88 are nothing but a money grab to further take away MY income. I have been a commercial fisherman for salmon since 1992 and have seen nothing but unregulated expansion in the charter fleet industry. Just get a CG licence and then you get open access to book clients and take away my income. Giving them more salmon to catch for their clients will not affect the amount of tourists coming here. And if so they can just raise the price to catch one. Taking away from someone to give to another? Socialism. So tiered of listening to them cry about not having enough "so give me what he has." Anyone with open eyes can see what is going on. This is truly a reason use the overly and wrongfully used "stop the STEAL" stop allowing the charter industry to steal my life away!

Submitted By
Robert A Nielsen
Submitted On
12/24/2021 12:14:56 PM
Affiliation
Tribal resident



PC452
1 of 2

Phone
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Address
PO Box 6584
147 Price Street Lot F
Sitka, Alaska 99835

No vote on commercial herring fishing in Sitka, until southeastern Alaska population increase throughout! At least no power seining in Southeast Alaska like to Todiak, Alaska !! ☐ ☐

Submitted By
Robert Nielsen
Submitted On
2/22/2022 1:29:27 PM
Affiliation
Subsistence harvest herring-Sitka



PC452
2 of 2

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With trawl by catch and over harvesting herring, the balance of the fisheries are out of balance. Too many herring are wasted! A fishery can be sustained if the power gear are curbed and hand fishing only! Besides there is no Market for this fishery anyway! A few years we will see population return in the favorable column and maybe market prices return too! Todiak herring is hand only! Help save the species!

Submitted By
Ryan Kelly
Submitted On
2/20/2022 5:59:17 AM
Affiliation

Phone
907-305-0068
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410-1/2 harding st
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I adamantly support prop. 81



PC453
1 of 2

Submitted By
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Submitted On
2/20/2022 5:57:22 AM
Affiliation

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I adamantly oppose prop 82.



PC453
2 of 2

Submitted By
Ryan
Submitted On
2/22/2022 8:27:17 PM
Affiliation



PC454
1 of 2

I am writing in regards to proposal 225. I am a lifelong resident of southeast Alaska and own and operate a boat out of Sitka. I was raised commercial fishing and currently participate in the sablefish fishery in southeast Alaska.

While I have no issue with increased sport harvest during times of high abundance of sablefish, this proposal is problematic and does not accomplish that in a way that I can support. What I do not like about this proposal is that the baseline limit, or floor for future harvest restrictions, is set at 4 daily 8 annual for non-residents fishing in state and federal waters, based off of sablefish abundance in state waters. That makes no sense.

Additionally, if this proposal is to be truly abundance based then it needs to have the ability to drop to a lower level of harvest by sport harvest rather than have the minimum sport limit be 4 daily it should have a clause stating that in times of lower abundance the sport fishery may only be able to take 1 or 2 or 3 daily with a predetermined annual limit for nonresidents. Thats how abundance based management works - it has to be able to go up and down with the health of the resource.

Ryan Nichols

Submitted By
Ryan
Submitted On
2/22/2022 7:56:46 PM
Affiliation



PC454
2 of 2

I am writing in regards to proposal 83. I am 34 years old and have lived in Sitka my entire life. I was raised on a troller and now own and operate one myself. I do not support this proposal. This proposal is allocative given that we are experiencing years of low abundance for chinook currently and with no end in sight. This proposal would give more chinook to non-residents, at the expense of resident fishermen such as myself, during a time when nobody is getting as many fish as they would like. It also gives managers less flexibility to manage stocks of concern throughout the season.

I do not believe that an average over time will result in better chinook management as abundance varies greatly from year to year. The other issue I see with this proposal is that the troll fishery for chinook salmon is managed carefully to stay within the bounds of the Pacific Salmon Treaty, and in many years is only one to two weeks worth of fishing during the summer season. The sport fishing season has no set season dates for chinook salmon. The proposal states that there is a need to have uninterrupted sport fishing for king salmon during the entire length of the season - if that is the case then the sport fishery could consider restrictions on season dates to manage their harvest instead of going after other gear types.

Lastly, at times of low abundance everyone involved in chinook salmon harvest has to take harvest reductions. There are less to go around overall and proposals like this just creates stress and instability for other users. I am willing to accept harvest cuts for conservation, but I find it much harder to accept when its people wanting more without regards for whats best for the resource and the people that live in the State of Alaska.

Ryan Nichols

Submitted By
Scott Brylinsky
Submitted On
2/16/2022 10:09:06 AM
Affiliation
citizen



PC455
1 of 1

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Sitka, Alaska 99835

I support Proposals 156, 157, and/or 158. Each of these proposals calls for more conservative management of Sitka herring than current practice. More conservative management will benefit not only subsistence users, and ultimately, permit holders, but is justified based on the reliance of many species on herring as food.



Supplemental Sealaska Corporation Comments in Opposition to Proposals 159-161

Submitted to the Alaska Board of Fisheries

Southeast and Yakutat Finfish and Shellfish Meeting
March 10-22, 2022

February 23, 2022

Board Meeting: Southeast and Yakutat Finfish and Shellfish

Name: Jon Tillinghast on behalf of Sealaska Corporation

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Address: One Sealaska Plaza, Suite 300, Juneau, Alaska 99801

Consent to include contact information on printed copies of this document is granted



1. Introduction

Sealaska Corporation appreciates the opportunity to submit these supplemental comments in opposition to Proposals 159-161. Each of these proposals is being submitted by the Southeast Herring Conservation Alliance (the “Alliance”). The Alliance is a trade group representing purse seiners who conduct an interception fishery upstream of the traditional Sitka herring roe subsistence fishery. Taken together, these proposals would:

- repeal the primary regulation that ADF&G has repeatedly relied upon in court proceedings to demonstrate that it and the Board of Fisheries have provided the “reasonable opportunity for subsistence uses” required by AS 16.05.258;
- allow the purse seiners to invade, to the effective exclusion of subsistence users, heretofore-closed nearshore waters that; (i) currently provide and have historically provided abundant subsistence-harvested herring roe; and (ii) are critically important to Alaska Natives who do not own a boat or who own only a skiff unsuited for the harsh waters of Sitka Sound; and
- impose an unusual individual permit requirement on a communal fishery in which virtually all of the subsistence harvest is shared statewide and, and in so doing, deface the tradition of sharing that lies at the heart of Alaska Native culture.



The Alliance and the Sitka Tribe of Alaska (the “Tribe”) have a longstanding adversarial relationship, the most recent manifestation being the Alliance’s intervention in the Tribe’s litigation challenging ADF&G’s management of Sitka’s herring populations.

^{1/} Given the harsh effect that Proposals 159-161 would have on future subsistence harvests and their underlying cultural traditions, one could hardly be faulted for suspecting that Proposals 159-161 may be rooted in these enduring hard feelings.

Supplemental comments on each of the three proposals are provided in turn. Substantial use is made of ADF&G’s December, 2021 report, *The Subsistence Harvest of Pacific Herring Spawn in Sitka Sound, Alaska, 2021*, Technical Paper No. 486 (hereinafter “2021 Subsistence Report”). That report contains significant new insights on the inadvisability of Proposals 160 (removing closed areas) and 161 (imposing a subsistence permit requirement) in particular.

2. Proposal 159 (Repeal of 5 AAC 27.195)

In its initial comments, Sealaska documented ADF&G’s repeated invocation of this Sitka-specific subsistence-protection regulation as the principal vehicle by which this Board, and ADF&G, achieve compliance with AS 16.05.258’s mandate to provide a “reasonable opportunity” for subsistence uses of Sitka herring. ^{2/} The Alliance’s

^{1/} *Sitka Tribe of Alaska v. State of Alaska et al.*, 1SI-18-00212 CI (Alaska Super. Ct.) (hereinafter “*Sitka Litigation*”).

^{2/} *On Time Public Comments*, PC 318 at 11-12. The other protection relied upon by the agency was the core subsistence area that is currently closed to commercial fishing. *Id.* at 10-11. But the Alliance is also proposing to materially shrink that same closed area in Proposal 160. **Note:** All page references in these comments to on-time public comments are to the “PC” citation in the Board’s comment compilation; not to the internal page citation within the comment document itself.



comment that §195 is “superfluous” ^{3/} is belied by the record in the *Sitka Litigation*. In truth, it is anything but. It was thus rather surprising that ADF&G, in its “Neutral” position on this proposal, would so passively accept removal of its first line of defense in litigation involving Sitka herring management.

Besides disarming ADF&G, the proposal’s justification is pretextual. The Alliance argues that the Tribe is seeking to interpret §195(b) as requiring that ADF&G delay the opening of the purse seine fishery until enough herring have spawned to enable the agency to assess the “quality and quantity” of the herring roe. Requiring that significant herring spawn occur before opening the pre-spawning purse seine sac roe fishery would obviously leave considerably less roe for the latter fishery to harvest.

Failure to repeal §195, the Alliance argues, will leave open the question of:

...whether the regulation prohibits the department from opening the sac roe fishery prior to the onset of the herring spawn as argued by STA in a lawsuit against the Board and the department. STA contends that in adopting 5 AAC 27.195, the Board intended that the department delay opening the commercial fishery until enough herring have spawned to allow a determination that the subsistence harvest will be sufficient in both quantity and quality to meet subsistence needs.

Proposal 159, *What is the issue you would like the board to address and why?*

The Alliance’s Cassandra prophecy is misplaced for two reasons:

First, the Tribe is not making that argument. In its preliminary injunction pleadings, the Tribe stated:

^{3/} *On-Time Comments*, P.C. 335 at 2.



Sitka Tribe of Alaska (“STA”) is not seeking a preliminary injunction that mandates ADFG take any specific management action in the 2019 herring sac roe fishery, including delaying the commercial opening until after the first spawn. Nor is STA insisting that ADFG must conduct an in-season survey of the quality and quantity of spawn on branches before it can open the sac roe fishery.

Sitka Litigation, op. cit. n. 1, Sitka Tribe of Alaska’s Reply Memorandum in Support of Motion for Preliminary Injunction, Feb. 11, 2019 at 1.

Second, the court in the Sitka Litigation expressly held that §195 imposes no such requirement. The court held:

There is nothing unreasonable about ADF&G’s interpretation that the regulation does not require ADF&G to conduct an inseason assessment of the quantity and quality before making a determination to open or distribute the commercial fishery in a certain way, thus it is entitled to deference if reasonable. The amount of weight ADF&G gives to this important quantity and quality factor, where it derives the data it uses when considering the factor, and precisely how it considers the factor, are entirely committed to the discretion of ADF&G if reasonable. But ADF&G must meaningfully consider the factor in some reasonable way before making such a management decision. The consideration need not be immediately before the decision is made, but the consideration must have some substance.

Id., Order Granting Renewed Motion for Partial Summary Judgment, Nov. 30, 2020 at 12.

Indeed the Alliance concedes as much in its On-Time comments, noting that, in this decision, “the court did not find that the department had failed to comply with the regulation, only that it had not provided adequate explanation of its decision-making.” P.C. 335 at 3. ^{4/}

^{4/} / The Tribe, it should be noted, did not appeal this aspect of the court’s ruling.



One last concern with the Alliance's argument warrants note. The Alliance's superfluity argument rests in substantial part on the Alliance's assertion that "establishment of a 'core' subsistence area... has made 5 AAC 27.195 superfluous." ^{5/} Of course, at the same time, the Alliance is urging the Board to materially diminish that same "core area"—a proposal to which these comments now turn.

3. Proposal 160 (Repeal of 2018 Addition to Closed Areas)

The Alliance's rationale for this proposal is two-fold:

- Spawning in the core area has decreased, and therefore the impact on subsistence harvesters would be minimal; ^{6/} and
- The 2018 addition to the core area provides "no demonstrated benefits to subsistence users." ^{7/}

Neither proposition is true.

a. The 2018 core area addition continues to be a critical source of herring roe

It is true, as the Alliance alleges, that in 2019-2020 herring spawn tended to concentrate more on the offshore coastline of Kruzof Island. However, as the *2021 Subsistence Report* demonstrates, that was an aberration. The report concludes:

According to these data [historical data covering every study year except 2007-8], harvesters clearly use a core area, which is also where the frequency of herring spawn has usually been the highest...From 2018 through 2020, there was a small

^{5/} PC 335 at 2.

^{6/} "Given that the herring spawn of 2019 and 2020 centered around Kruzof Island and at least partially bypassed the core areas," protection of the core areas is no longer necessary to provide a "reasonable opportunity" for subsistence harvest. *On Time Comments*, PC335 at 4.

^{7/} Proposal 160, "What is the issue you would like the board address and why?"



amount of spawning activity within this area [cites omitted].
Spawning activity in 2021 was more similar to the years prior to 2017 with increased spawning activity in the core area.

Id. at 32 (*emphasis added*); *see also* p. 25 (“Compared to recent years, [in 2021] herring spawned closer to town and in what would be considered the ‘core’ area for harvest.”). Maps embedded in the report bear this out. For example, much of the subsistence effort was concentrated on the shores of Crow and Gagarin Islands. *Id.* at 22. Indeed, 26% of the reported subsistence harvest occurred along these shorelines, and 8,252 pounds of the subsistence harvest were taken there. *Id.* at 21. Three-quarters of the Crow Island shoreline, and virtually all of the Gagarin Island coast, were added as core areas in 2018. Another 9% of the total subsistence effort occurred at North Middle Island and the Gavanski Islands group, all of which were also added in 2018. *Id.*

Similarly, ADF&G surveys document a significant number of spawning days (3-4 days) at the north end of South Middle Island and throughout Gagarin Island, both locales being part of the 2018 addition. *Id.* at 30.

Historical data (which, as we have seen, the 2021 harvest most closely mirrors) underscore the importance of the 2018 addition to the subsistence fishery. Portions of the Sitka road system added in 2018 have experienced spawning activity in virtually every year since 1964 (*i.e.* 37-47 years), while ADF&G has documented spawning activity in 26-27 years (again since 1964) along other significant portions of the 2018 addition, including more of the Sitka road system coastline, the north and northeast portions of South Middle Island, and the Gavanski Islands group. *Id.*



b. The nearshore core areas are indispensable to many subsistence harvesters who either own no boat or only a skiff

According to the *2021 Subsistence Report*, “some harvesters do not have access to a boat, so they need to harvest in locations accessible by the road system, regardless of where the herring are spawning.” *Id.* at 32.

Moreover, even for those with access to a boat: “Skiffs and other small boats are commonly used by herring harvesters and wind and rough seas can become dangerous; therefore, protected areas are sought.” *Id.* at 32-33. Indeed, 45% of the subsistence harvesters use boats less than 20 feet length, while another 40% use boats in the 20-24 ft. range. *Id.* at 9.

Thus, there is more than a little Marie Antoinette in the Alliance’s suggestion that subsistence harvesters should simply navigate 7-10 open water miles of Sitka Sound to Kruzof Island to get their herring roe. *On Time Comments*, PC 335 at 4.

There is another reason for the subsistence fishery’s dependence on the nearshore core areas. Because of ocean surge, more open and exposed waters produce lower quality roe. As the *2021 Subsistence Report* explains: “Protected areas are also favored for their likelihood of high-quality spawn because ocean surge can stir up and on the sea floor, thus degrading the quality of the harvest.” *Id.* at 33. That is particularly true of Kruzof Island, where beaches are largely comprised of volcanic sand that invariably



becomes entrained in herring roe clusters because of the heavy surge that this coastline regularly experiences, rendering the egg clusters useless.⁸/

In a nutshell, the 2018 addition protects key subsistence areas. And recall, as Sealaska documented in its initial comments (*id.* at 8-9), that ADF&G relied on the 2018 core area addition as one of the key factors (in addition to 5 AAC 27.195 [*see Sec. 2, ante*]) in demonstrating the Board's compliance with the "reasonable opportunity for subsistence" mandate in AS 16.05.258. Indeed, stripping away protection from the productive and heavily relied-upon nearshore waters in the 2018 addition would leave the Board hard pressed to maintain that a reasonable opportunity was being provided.

4. Proposal 161 (Imposing an Individual Permit Requirement on Subsistence Harvesters)

Sealaska's initial comments demonstrated how an individual permit requirement imposed on the Sitka subsistence herring roe fishery would sabotage a foundational element of Alaska Native culture, the tradition of sharing, by converting Alaska's quintessential communal fishery into an individual enterprise. *On Time Comments*, PC 318 at 18-22. The purpose of these supplemental comments is to highlight the conclusion of the *2021 Subsistence Report* that this cultural insult would be inflicted with no countervailing benefits; indeed, an individual permit would materially undermine the one goal that the proposal's sponsors have advanced.

⁸ / Sitka Tribe of Alaska, *Subsistence Management Recommendations and Guidance for Implementing 5 AAC 27.195* (March 18, 2021) at 24 (*Attachment 1*). *Attachment 1* was provided to ADF&G in advance of the 2021 herring roe fisheries. Only the relevant pages of those recommendations are included in *Attachment 1*.



To begin with, “[s]ubsistence fisheries throughout the state of Alaska have varying requirements for harvest reporting: ***the majority do not requirement a permit...***A permit is required to subsistence harvest spawn on kelp in Southeast, ***but no other subsistence herring egg fisheries in the state require a permit.***” 2021 *Subsistence Report* at 1, n. 1; *emphasis added*.

The sole justification for singling out the Sitka fishery for a permit requirement is the asserted need to obtain “accurate and timely information on harvest and participation.” ^{9/} But as ADF&G’s comments and the 2021 *Subsistence Report* both make clear, that information is already being provided in a timely manner, and a permit requirement would likely materially diminish the amount of critical management information that is already being provided through the joint ADF&G/Sitka Tribe monitoring program. Specifically:

a. Basic harvest information

According to ADF&G, a permit requirement “would not result in more timely collection of harvest data.” ^{10/} ADF&G adds that “ [r]easonably accurate harvest information can be obtained through the current [ADF&G/Sitka Tribe] monitoring program ” *Id.* In fact, the 2021 *Subsistence Report* warns that even basic harvest information derived from a permit may be less reliable than the current monitoring

⁹ / Alliance, Proposal 161, *What is the issue you would like the board to address and why?*

¹⁰ / Alaska Dept. of Fish and Game, *Staff Comments on Regulatory Proposals...For the Southeast and Yakutat Finfish and Shellfish Alaska Board of Fisheries Meeting, 2021/2022 Meeting Cycle* (Regional Information Report No. 1J21-15) at 181 (“*Staff Comments*”).



program, since, “[b]ased on salmon permit programs, [a] permit can underestimate the actual harvest...” *Id.* at 1, n. 1.

On the other hand, the *2021 Subsistence Report* provides a detailed picture of the scope and reliability of the existing ADF&G/Sitka Tribe monitoring system. That program:

- relies on in-person harvester interviews that are managed and evaluated according to accepted international and tribal standards. *Id.* at 2-3. The program “provides a way to increase community buy-in and participation in harvest reporting, build capacity with the community and [the Sitka Tribe], and provide[s] consistent data.” *Id.* at 2; and
- In the face of declining participation in the program, in 2021 the Tribe and ADF&G staff “implemented a more formal and robust outreach effort...” *Id.* at 3.

The Tribe:

.. engaged in outreach activities to increase knowledge of the household survey effort in the community and among tribal members and to encourage participation in the survey by all harvesters. These efforts included a raffle drawing for survey participants and advertising on the STA Facebook page and website, the local newspaper, and the local radio station...Overall, more households were contacted in 2021 than in any of the five previous years of the project.

Id. at 23. As a result, there was a 44% increase in harvester participation in 2021 (*id.* at 3), with 55 of the 69 identified harvesters being interviewed. *Id.* at 4. ^{11/}

¹¹ / ADF&G’s multi-part protocol for insuring a reasonably accurate list of all subsistence harvesters is described at pp. 3-4 of the *2021 Subsistence Report*.



The number of responding harvesters was sufficient to allow ADF&G, using standard statistical tools, to estimate total harvest (including both interviewed and not interviewed) at a 95% confidence level with a reasonable margin of error. *Id.* at 6, 11.

b. Other critical fishery management information

Basic harvesting data is one predicate to informed management decisions. It is not the only one—particularly for a communal fishery such as the Sitka subsistence herring roe fishery. As ADF&G staff warned:

In addition to estimated harvest amounts, the current harvest monitoring system captures the best available data important to this fishery that would be difficult to accurately capture from returned permits, such as sharing of herring eggs and specific details about harvest effort.

Staff Comments at 181. The *2021 Subsistence Report* doubles down on this criticism of the limited utility of a permit requirement:

[P]ermit data decouple harvest from the broader context in which the resource is harvested. For example, permits do not document information about household demographics, sharing practices, or qualitative assessments about the harvests that provide important explanatory context needed for sensitive allocation decisions.

Id. at 1, n. 1. Given that widespread sharing according to traditional tribal protocols is the *sine qua non* of this subsistence fishery,¹²/ losing access to any data on “sharing practices”

¹² / The *2021 Subsistence Report* found that 92% of the 2021 harvest was shared outside the harvesters’ households and was sent to, among others, “Anchorage, Angoon, Bethel, Coffman Cove, Cordova, Fairbanks, Hoonah, Hydaburg, Juneau, Kake, Ketchikan, Klawock, Kotzebue, Metlakatla, Nome, Palmer, Sitka, Soldotna, Valdez, Wrangell, Yakutat, Utqiagvik, as well as communities in other states.” *Id.* at 8, 24. The extent and cultural significance of this remarkable



would seem to irremediably preclude the Board and ADF&G from making “sensitive allocation decisions.”

One could hope that, even under the boot of a permit requirement, harvesters might still participate in the voluntary monitoring program. But let’s be real here. If forced to comply with a permit requirement, what possible incentive might an individual harvester then have to continue to shoulder the additional burden of voluntary participation in the existing monitoring program?

c. The timing issue

The only possible remaining rationale for a permit requirement is that the admittedly incomplete data retrieved from permit reporting might be more timely received and analyzed than through the monitoring program. *See Staff Comments, op. cit. n. 10* at 181. In past years, ADF&G has indeed been unable to publish its analysis of a year’s monitoring data until well after the close of the succeeding season. However, the *2021 Subsistence Report* was released in December, 2021—in ample time to inform decisions about the Spring 2022 herring season. Thus, whether past years’ delays were attributable to delayed receipt of data from the Tribe, or untimely analysis of that data by ADF&G staff, is now moot.

sharing system are discussed in depth in Sealaska’s initial comments. *On Time Comments*, PC 318 at 18-22.



5. Conclusion

For these reasons, and those set out in Sealaska's initial comments, Sealaska respectfully urges the Board to reject Proposals 159-161.



Attachment 1

Subsistence Management Recommendations and Guidance for Implementing 5 AAC 27.195



EXECUTIVE SUMMARY

Subsistence Management Recommendations:

1. Exercise existing regulatory authority to delay commercial fishery openings in order to ensure a reasonable opportunity for subsistence
2. Prohibit commercial fishery openings near areas with productive subsistence sets
3. Strictly limit the amount and timing of the commercial test fishery
4. Prohibit the commercial fishery from over-fishing large herring, *i.e.*, “high grading”
5. Verify the forecasted biomass through in-season ground-truthing and adjustments to the guideline harvest level (GHL)
6. Consult with STA and subsistence harvesters during the commercial season, especially prior to commercial openings to assess impacts on subsistence uses
7. Use the best available information in all management and research decisions
8. Apply the precautionary principle to all management decisions
9. Conduct a Management Strategy Evaluation after the 2021 season in collaboration with STA and subsistence harvesters

Factors for Determining Whether There is a Reasonable Opportunity for Subsistence:

- a. The Amount Necessary for Subsistence (ANS)
- b. Quantity of Herring Spawn on Branches, Kelp, and Seaweed
 - i. The forecast biomass
 - ii. The effect of commercial harvests on the quantity of herring spawn available for subsistence harvesters
- c. Quality of Herring Spawn on Branches, Kelp, and Seaweed
 - i. Location of spawn (substrate)
 - ii. Accessibility of herring spawn to subsistence harvesters
 - iii. Duration (mile-days) of spawning events in subsistence areas
- d. Age and Weight of Spawning Population
- e. Effects of the Commercial Fishery on Subsistence Harvests
 - i. Proximity of commercial openings to subsistence areas
 - ii. Duration and timing of commercial openings
 - iii. Test fisheries
 - iv. Intensity of commercial effort



locations for subsistence harvesters. (Thornton et al. 2010; Thornton and Kitka 2015). The commercial fishery typically opens before herring spawn, and before subsistence harvesters collect their sets, which means that an overestimate in the forecasted biomass, along with any effects of the commercial fishery, will negatively affect subsistence harvesters after the commercial fishery has ended. ADF&G must consider the effects of the commercial fishery when determining whether subsistence harvesters have a reasonable opportunity for subsistence.

Importantly, the assumption that a large biomass will provide sufficient herring for may be appropriate when applied to ecosystem or commercial fishery needs, but it is inapt when applied to the subsistence harvest. The assumption ignores the practicalities of harvesting herring spawn on branches, kelp, and seaweed. While the commercial fishery is highly mobile and can locate and fish herring schools throughout Sitka Sound, subsistence harvesters rely on fixed locations to place their subsistence sets (hemlock branches). (Schroeder and Kookesh 1990). Subsistence harvesters rely on carefully selected locations that have the appropriate environmental conditions and are accessible according to the harvesters' transportation options. (Schroeder and Kookesh 1990; Shewmake 2013). Subsistence harvesters, by and large, do not have the option of simply harvesting somewhere else; they rely on a sufficient quantity of herring spawn in certain, traditional areas. (ADF&G Subsistence harvest surveys and reports; Shewmake 2013; Thornton 2019) Thus, the assumption that a large biomass of spawning herring will provide a reasonable opportunity for subsistence is fundamentally incorrect.

ADF&G must adopt a more conservative commercial fishery management approach that considers how the amount, timing, and location of commercial openings affect subsistence opportunity. In 2021, ADF&G should not simply assume that the large biomass forecast and the current harvest rate strategy will provide a reasonable opportunity for subsistence. ADF&G must address the commercial fishery's effects on subsistence harvesters when analyzing whether a reasonable opportunity for subsistence exists.

c. Quality of Herring Spawn on Branches, Kelp, and Seaweed

5 AAC 27.195(b) requires ADF&G to consider the *quality* of herring spawn on branches when determining whether there is a reasonable opportunity for subsistence. According to the court, the regulation "imposes a mandatory duty on ADF&G to consider the important factor of *quality* and quantity of herring roe on branches" when making management decisions regarding the commercial fishery.



To date, ADF&G has never considered the quality of herring spawn on branches when managing the commercial fishery. ADF&G has insisted that it does not have data regarding the quality of herring spawn on branches, and thus, it has no analysis of quality to consider when determining whether a reasonable opportunity exists. Nevertheless, the plain language of the regulation requires ADF&G to “meaningfully consider” the quality of herring spawn on branches before opening the commercial fishery, and not doing so in 2021 would be unlawful.

In light of ADF&G’s failure to identify how it plans to consider the quality of herring spawn on branches before opening the commercial fishery, STA has identified three physical conditions that are necessary for, and generally indicate high quality herring spawn on branches: the location of spawn (substrate), accessibility of spawning locations, and the duration of spawning events in accessible areas. Those physical conditions may be used as proxies to estimate and analyze the quality of the upcoming subsistence harvest. ADF&G should consider each of those physical conditions, including the effects of the commercial fishery on the quality of herring spawn on branches.

Ultimately, determining the quality of a subsistence harvest depends on individual preferences of harvesters and cultural expectations. Subsistence harvesters may consider the quality of eggs based on thickness, color, sand contamination, etc. (ADF&G Subsistence research data; Thornton et al. 2010, Thornton 2019, Thornton and Moss 2021) Therefore, in addition to considering the physical conditions that are necessary and conducive to producing quality herring spawn on branches, ADF&G should consult with subsistence harvesters regularly throughout the herring season regarding the quality of herring spawn on branches.

i. Location of Spawn (Substrate)

The substrate on which herring spawn is one of the most important conditions that contributes to the quality of herring spawn on branches. Spawn on sandy substrate will likely yield sub-par quality roe because the sand becomes mixed with the eggs. For example, subsistence harvesters have noted that subsistence sets placed on the Kruzof Island shoreline (south of Point Brown) yield harvests that are contaminated with sand and unusable. In contrast, high-quality herring spawn on branches is typically found on protected, rocky coastlines—away from sandy areas and rough waves. Traditional and local knowledge has recognized that the quality of herring spawn on branches is highly



dependent on local conditions (topography, currents, density), and subsistence harvesters carefully choose sites to place their branches accordingly. (Schroeder and Kookesh 1990; Thornton et al. 2010).

Before authorizing a test fishery or opening the commercial fishery, ADF&G should analyze whether those management actions have the potential to disrupt spawning events in areas with productive substrate. Those areas are typically used by subsistence harvesters (i.e., the traditional subsistence areas), and are identified in maps produced by the Subsistence Division. In-season aerial surveys demonstrating a lack of spawn in traditional areas that are likely to have productive substrate should factor into ADF&G's determination of reasonable opportunity, indicating that the subsistence harvest will not have a sufficient amount of quality herring spawn on branches.

ii. Accessibility of Herring Spawn to Subsistence Harvesters

In addition to the substrate beneath spawning events, the location of spawning is important for providing quality herring spawn on branches. ADF&G must consider whether herring spawn is occurring or likely to occur within areas that are accessible to subsistence harvesters before opening the commercial fishery.

As discussed above, subsistence harvesters are typically limited in the areas that they can access in Sitka Sound. Ordinarily diligent harvesters may use skiffs that are not capable of crossing open waters. These harvesters rely on traditional subsistence areas between Dorothy Narrows and Neva Strait, for spawning events commencing in the Core Area, and lasting for three weeks, with "waves" of spawners coming to deposit their eggs on laid hemlock boughs and other substrate. (Schroeder and Kookesh 1990, Thornton et al 2010; Thornton and Kitka 2015). Thus, spawning events that occur in inaccessible areas would not yield "quality" herring spawn on branches. ADF&G must consider the geographic distribution of spawning when determining whether there is a reasonable opportunity for subsistence.

iii. Duration (Mile-Days) of Spawning Events in Subsistence Areas

The duration of herring spawning events in accessible areas has been identified as one of the key indicators of quality herring spawn for subsistence harvesters. Local and traditional knowledge holders report that quality spawn on branches requires 2 to 3 days of spawn in an accessible area. (Thornton et al. 2010) ADF&G should consider in-season

Submitted By
Sharon Sullivan
Submitted On
1/19/2022 7:57:49 AM
Affiliation



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Dear Fisheries Managers and Leadership,

I lived in Sitka, Alaska from 2006 to 2019. During that time, I worked as a maternal/child health nurse and lactation consultant for both the Tribal Consortium and also the community hospital. I work with mothers and babies because I see it is one of the most effective ways to advocate for a better future in our communities and on the planet. Working with feeding small humans allows me to see how what we eat, and how we eat, is directly connected to our lifelong health. So, my professional work is related, in the broadest sense, to why I write today to ensure the survival of the herring and to advocate for the proposals set forth by the Sitka Tribe of Alaska: 156, 157 and 158.

I was an active member of the Alaska Native Sisterhood, Camp 4, and through ANS, I had my first exposure to herring and herring eggs as a sacred food. I will always remember preparing herring eggs with Tribal elders and the reverence with which they honored the harvest. The crunch of the eggs and the salty fresh smell was unlike anything I'd ever experienced. Unique, nourishing and delicious. Stories were told of the long-gone times of abundant harvests. We needed to ask for donations from the community at that time, in order to be able to have what was needed for ceremonial dinners and memorials. The amount that we had was stored in the freezer for future events, as precious (and scarce) food to be offered at important occasions.

Many of my patients and friends rely on small family fishing for salmon, for their food and livelihood. If the herring cannot survive, the salmon will also suffer, and our local families will also lose their livelihood. These are people directly connected to the harvest and know the limits of the ecosystem so that resources can be maintained in perpetuity. I know when they tell me they are concerned for the herring, their concern is based in real experience, on the deck of a boat, not in a research lab or library where 'theories' may take hold that do not reflect the actual sober reality of what is happening now.

I now live in Washington State on the Swinomish Reservation. My neighbors also commercial fish for their family's livelihood. The health of the herring in SE Alaska affects the entire ecosystem of salmon in the PNW. So, I also write for my neighbors here.

I myself harvest plants for food and medicine. I know the plants we need to fight drug-resistant bacteria and viruses, so needed in this time of change. I learned this by apprenticing to indigenous healers, and these teachers, most fundamentally, taught about ethical and sustainable harvesting before we learned about the properties, benefits or uses. The principles were always the same: to leave the majority, the vast majority of any plant to grow, before contemplating what you take. My first teacher taught me to walk past the first 7 plants before stopping to consider harvesting one. My other teachers said you had to see at least 30 before you could harvest one. So, by these sustainable ratios, proven by countless generations of medicine people -- as the plants are STILL here -- the most you can take is between 1:7 to 1:30 before the future is affected negatively. I trust in this indigenous wisdom, because it has survived through the ages, and continues to be shared. We see the vulnerability and toxicity of modern industrial agriculture farming just as we see the declining stocks of our sacred herring.

Please support and take action to uphold the Sitka Tribe of Alaska's proposals 156, 157, and 158. Most especially, the taking of no more than 20% of the herring over age 5 is crucial. This 1:5 is still a stretch, taking a yield beyond the 1:7 and 1:30 ratios that have been proven by indigenous science. So, this provision is only a start, but a good first step to getting us back to balance.

I write as a mother, a nurse, an herbalist, lactation consultant and healer, for the future childrens' children: until the sun no longer rises, and the moon no longer sets. Thank you for opening your hearts and minds to the connection we all share. Thank you for your service.

Sharon Sullivan, RNC-OB, IBCLC, Clinical Herbalist

sharon.sullivan.lb@gmail.com

Submitted By
Shawaan Jackson-Gamble
Submitted On
2/23/2022 11:49:33 PM
Affiliation
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PC458
1 of 2

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Gunalcheesh Alaska Board of Fish for accepting my public comment and I hope to give my public comment in person next month. I am writing this comment so that my future kids, grandchildren and next generations can have sustainable access to harvest herring eggs. The picture I am sharing with you is a photo of me at six months old seeing herring eggs for the first time and I already knew what it was because it is in my DNA to our traditional foods. I grew up harvesting herring eggs with my father Tom Gamble and am grateful to continue to learn from him. My father's people the Kiks.adi have been in Sitka for over 10,000 years and have stories and songs that validate our ties to Sheetka Kwaan (Sitka). The true experts of herring like my dad need to be involved more in this management process.

In my 24 years of being on this earth I have seen a tremendous decline in not only the herring abundance in Sitka sound but the quality and amount of herring eggs we are blessed with each year. The past few years when there hasn't been a commercial fishing industry we have seen a significant difference in not only more nautical miles of herring spawn but also some of the best herring egg quality I have seen. Nearly all of Southeast gets a taste of Sitka Herring eggs each year and is something that has been traded among our villages for time immemorial, Southeast Communities historically had herring spawns each year until it was over harvested from commercial herring fishing like in my other home community of Kake was overharvested due to mismanagement from the State of Alaska. Recently the State of Alaska lost the first round of litigation against Sitka Tribe of Alaska making sure that subsistence needs are met and in my eyes the State of Alaska prioritizes making money over subsistence, but you can't eat money. Once the herring are over fished you will see a direct correlation with the entire ecosystem because herring are a forage fish and a keystone species for everything including salmon, seal, sea lions, sea otters, humans, birds, whales and the list goes on.

I am writing today in support of proposals 156, 157, and 158.

I am opposed to proposals 159, 160, 161, 163, 164, 165, 166.

Proposal 156 should be supported because fishing pressure on herring has never been higher than it is right now and the high Guideline Harvest Levels of recent years leave this fishery vulnerable. The Harvest Control Rule in Sitka Sound currently allows for more aggressive herring harvest at low abundance than was administered prior to herring population collapses at Auke Bay, Kah Shakes, and Prince William Sound, among other locales. This harvest control rule would make herring population collapse less likely by lowering the Sitka Sound Guideline Harvest Level at times of low abundance.

Proposal 157 and 158 should be supported because of the growing consensus of the vast importance of older fish for population resilience. The Sitka Sound Sac Roe herring fishery is designed to select for older herring and the population age structure is precarious and vulnerable as a result. These proposals would avoid over-harvesting big fish in years where smaller fish are particularly dominant in the population.

Proposals 156, 157, and 158 would lead to safer management of the commercial herring fishery in Sitka Sound by better protecting population resilience.

Proposal 159, 160, and 161 are offensive, baseless, bad faith proposals brought by an industry gear group (called "Southeast Herring Conservation Alliance") against indigenous people. These proposals should be withdrawn by the SHCA or otherwise swiftly rejected. ADFG data demonstrates that access conditions for roe-on-branch harvesters have deteriorated considerably in the last 20 years. Each of these proposals would further harm subsistence users.



If I am required to get a permit to harvest herring eggs like proposal 161 proposes than I propose that everyone that goes to church gets a permit to go to church. The State of Alaska might as well make me fill out a permit to traditional dance and sing our songs. Proposal 161 is a direct attack on subsistence users brought forward by the commercial fishing industry and Alaska should not create more barriers to a sustainable cultural and subsistence practice. It is also going against the American Indian Religious Freedoms Act of 1978 which protects the rights of Native Americans to exercise their traditional regions by ensuring access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rights. It also goes against ANILCA Title VIII which mandates that rural residents of Alaska be given a priority for subsistence uses of fish and wildlife.

I am opposed to Proposal 163 and 164, which would institute a quota system, liberalizing the sac roe seine fishery and expanding the entitlements of permit holders in addition to the obligations of ADFG to the fishery. Under these proposals, more high grading is sure to occur across a wider region, leaving more dead, injured, and stressed out fish in the water while severely disrupting the herring spawning event throughout the entire Sitka Sound area. These two proposals are out of scale with the safety problem they purport to address.

I am opposed to both Proposal 165 and Proposal 166, which should not even be considered, given that they represent permit creep of a sort that has no precedent and has been discouraged by the CFEC in recent years. I am opposed to both of these measures to expand the scope of the G01A (Herring Roe, Purse Seine, Southeast) permits.

Proposals 159, 160, 161, 163, 164, and 165, and 166 lack good scientific justification, disrespect subsistence users and modern and traditional Tlingit knowledge, and run the risk of further damaging and reducing herring populations.

Still, I believe that none of these proposals goes far enough to advance respectful stewardship and protect wild abundance for generations to come. Please listen to what the original stewards of these lands and waters have to say, we have been advocating for protection of herring for how many decades now. Think about how this will affect the next generations and the entire ecosystem. Gunalcheesh Haawaa for allowing me to give my testimony even though I had to travel to Anchorage for a Southeast Alaska Board of Fish meeting, I hope the Alaska Native Voices are listened to and incorporated more in these important decision making processes that affect our traditional ways of life.



SAI 2022 - 02
Subsistence Herring Egg
Harvest in Sitka Sound

RESOLUTION OF
THE BOARD OF DIRECTORS
OF
SHEE ATIKÁ, INCORPORATED

WHEREAS, Shee Atiká, Incorporated (“SAI”) is an Alaska Native Corporation organized pursuant to the Alaska Native Claims Settlement Act (“ANCSA”), 43 U.S.C sections 1601 et seq. for the Alaska Natives historically residing in and around Sitka, Alaska;

WHEREAS, the Board of Directors of SAI has the authority to oversee the affairs of SAI;

WHEREAS, Shee Atiká Incorporated is an urban Native corporation made up of just under 3,500 Alaska Native shareholders; and

WHEREAS, many of Shee Atiká’s shareholders are also tribal citizens of the Sitka Tribe of Alaska and live in Sitka and throughout southeast Alaska; and

WHEREAS, the Sitka Tribe of Alaska is the federally recognized tribal government for the Sitka area and is responsible for the health, safety, and culture for its more than 4,400 tribal citizens: and

WHEREAS, the effects of changing ocean conditions brought about by climate change and the significant increase in the humpback whale population on herring stocks are not fully understood nor adequately addressed in the management of the Sitka Sound herring stock; and

WHEREAS, the amount necessary for subsistence (5AAC 01.716.(b)) for the Sitka Sound subsistence herring egg harvest has not been met consistently for the last several years; and

WHEREAS, it is important to recognize the cultural and traditional ecological knowledge in the ongoing discussions and management of the Sitka Sound and all Southeast Alaska herring stocks; and

WHEREAS, the Sitka Tribe of Alaska has submitted Board of Fisheries proposals that are aimed at conserving the Sitka Sound herring stock and protecting a viable subsistence harvest of herring eggs in Sitka Sound.

NOW THEREFORE BE IT RESOLVED that the Board Directors of Shee Atiká, Inc. hereby shares the Sitka Tribe of Alaska’s concerns and stands with them in support of their efforts to conserve the Sitka Sound herring stock and protect the subsistence harvest of herring eggs in Sitka Sound.



BE IT FURTHER RESOLVED that this resolution shall be effective immediately upon enactment;

BE IT FURTHER RESOLVED, that the officers and agents of the Corporation be and are hereby authorized to take all necessary action to effect the foregoing resolution.

CERTIFICATION

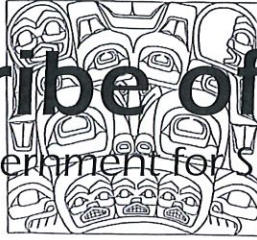
I hereby certify that the foregoing resolution was adopted by the Board of Directors of Shee Atiká, Incorporated in accordance with its Articles and Bylaws at a Meeting of said Board of Directors held on January 28, 2022, and said resolution appears in the record of said Meeting as set forth above.

Dated this 31 day of January, 2022.

By: Norma J. Perkins
Norma J. Perkins, Secretary
Shee Atiká, Incorporated

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska



PC460
1 of 18

February 23, 2022

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

Re: Supplemental Comments to PC 329

Members of the Board of Fisheries:

The Sitka Tribe of Alaska (STA) submits the following comments for the 2022 Southeast / Yakutat Finfish and Shellfish Board of Fisheries meeting, supplementing and clarifying its December 21, 2021 written comments, found at PC 329.

STA supports an open-pound SOK fishery as a **replacement** for the current sac roe fishery but opposes Proposal 166 as written as it would allow for **both** a sac roe fishery and an open-pound SOK fishery simultaneously. Given the declining market for sac roe herring, Proposal 166 is worrisome in years in which the Guideline Harvest Level exceeds the market demand for sac roe herring. In such years, the exact same sac roe fishery would take place with the added impact to subsistence harvesters of competition with SOK pounds.

However, an open-pound spawn-on-kelp fishery is a potentially attractive replacement for the sac roe fishery. An open-pound SOK fishery causes zero mortality on adult herring and does not stress spawning fish. The Alaska Department of Fish & Game (ADF&G) estimates Sitka herring survival rates are near 70% annually, meaning that any herring left in the water may spawn several more times in the future, creating a more resilient and healthy population. Additionally, some of the current tension between management of the sac roe fishery and the subsistence fishery would be eliminated because the SOK fishery and subsistence fisheries would occur simultaneously and would not harvest



adult herring or cause undue stress on fish. According to industry reports, SOK prices have exceeded sac roe prices in recent years and the two products are, to a large extent, substitutable (see PC 308). While the location and number of pounds would have to be carefully considered to minimize conflict with subsistence users, an open-pound SOK fishery is a very attractive alternative to the current tension between the sac roe and subsistence fisheries. An open-pound spawn-on-kelp fishery is far more sustainable and respectful to herring and traditional culture.

If an open-pound spawn-on-kelp fishery as a replacement for the sac roe fishery is not a feasible option, STA strongly encourages the Board to consider Proposal 156. This proposal simply leaves more herring in the water when biomass is near the harvest threshold and causes no change to the Guideline Harvest Level when the biomass is relatively large.

STA would also like to address the potential for shifting baselines when evaluating the health of the Sitka herring population and the threshold of the harvest control rule. In its staff comments on Proposal 156 (RC2, p. 157), ADF&G states that a threshold of 25% of the unfished biomass is appropriate for herring populations and that the Sitka threshold is 37% of the unfished biomass (ADF&G's current estimate for unfished biomass of Sitka herring is 67,036 tons, or approximately 1/4th of the forecast biomass for 2022). ADF&G also acknowledges that the unfished biomass for Sitka herring has not been updated since 1998 and that "it is worth re-evaluating and this work is currently in progress."

ADF&G shared ASA model outputs with STA in December 2021 and STA was then able to use ADF&G data and ADF&G methods to update the estimate of unfished biomass. STA estimated that the unfished biomass of Sitka herring is 135,739 tons, or approximately twice what ADF&G estimated in 1998. This means the threshold for Sitka herring is not 37% of the unfished biomass, but approximately 18% of the unfished biomass and below the minimum threshold ADF&G considers appropriate for herring populations. While there is currently no proposal to update the threshold for the Sitka harvest control rule, STA is open to amending Proposal 156 to do so. STA considers its updated unfished biomass estimate to be the best available information for Sitka herring and requests the Board also considers it as such.



STA's unfished biomass report is attached to these supplemental comments. Before sharing the paper publicly, STA sent the report to ADF&G for comments and feedback on 10 January 2022. STA received ADF&G's comments on 18 February 2022 and STA's responses to these comments are included as an appendix to the unfished biomass report. ADF&G provided no substantive comments on the conclusions of the paper.

STA continues to strongly oppose Proposal 161, as do many other Tribal organizations. The Cultural and Traditional sharing practices that allow for a wide distribution of herring roe on branches from Sitka are not well understood and existing permit examples do not properly address or even allow for the unique harvest and sharing patterns of Sitka herring roe on branches. We are very concerned that a requirement for a permit could further damage the ability of herring roe subsistence harvesters to follow Cultural Traditions and Practices. STA would like to continue to work with ADF&G's Division of Subsistence to better document subsistence harvest and secondary sharing practices through the existing survey program instead of implementing a permit as in Proposal 161.

Lastly, STA would like to add some context to the subsistence harvest surveys carried out by STA and ADF&G's Division of Subsistence. Those surveys target subsistence herring egg harvesters but do not account for "secondary sharing" wherein individuals who are not harvesters but receive eggs from others further share herring eggs with other households. Harvester participation and subsistence harvest surveys do not account for how widely herring eggs are shared and underestimate the true extent of use and need of subsistence herring eggs. Permit data would not be able to capture any of this secondary sharing. In 2021, STA conducted a supplemental survey of people who receive herring eggs and found that Sitka herring eggs are frequently shared several times before reaching their final consumer. This survey also found that the further removed from the harvester, the less likely a household was to meet its needs for herring eggs. Thus, while harvesters may report meeting their needs, herring egg users two and three exchanges downstream may not meet their needs. Further anecdotal evidence revealed a shortage of wetlock boxes and reduced flights due to the COVID-19 pandemic further depressed herring egg sharing. A draft report of this secondary sharing survey is available upon request.



Thank you for your thoughtful consideration of Sitka Tribe of Alaska's comments on proposals for the 2022 Board of Fisheries meeting. Please reach out to STA staff with any questions. We look forward to working with you in Anchorage next month.

Sincerely,

A handwritten signature in blue ink, reading "Lawrence Widmark".

Lawrence Widmark
Chairman



Average Unfished Biomass of Sitka Sound Herring, 1980-2020

January 10, 2022

Summary

The Alaska Department of Fish and Game (ADF&G) estimated the average unfished biomass (AUB) of Sitka Sound herring at 67,036 tons in 1998 (Carlile 1998). The AUB is significant because management of Southeast Alaskan herring fisheries relies on the AUB for setting the harvest threshold at which the commercial fishery may begin. The Sitka Tribe of Alaska (STA) used ADF&G methods (Carlile 1998) and data (received December 20, 2021) to update the estimate of Sitka Sound herring AUB to provide better context for evaluating population health and management strategy. This is the first update to AUB since it was first published 24 years ago. ADF&G believes that a threshold of 25% of the AUB is sufficient to sustain commercial herring fisheries and that the current harvest control rule for Sitka Sound is conservative because the threshold (25,000 tons) is 37% of the AUB published by ADF&G in 1998 (Carlile 1998; ADF&G 2021).

The updated AUB is 122,000 to 136,000 tons, indicating that the current harvest threshold (25,000 tons) falls below ADF&G's 25% of AUB minimum threshold. Note that other managers and scientists have recommended threshold values up to 40% of unfished biomass for herring populations. Therefore, the updated AUB suggests the threshold should be between 31,000 tons and 54,000 tons. Thus, the current fishery is too aggressive, based on ADF&G standards for commercial herring fisheries (see Carlile 1998), and very aggressive when considering the importance of herring to subsistence users and herring's ecological role as a forage fish. It should be noted that the ADF&G paper estimating the AUB (Carlile 1998) does not acknowledge the subsistence fishery or traditional knowledge, which STA believes are major oversights in determining a harvest control rule.

The Board of Fisheries should consider this updated AUB when evaluating the Sitka Sound herring harvest control rule. The Board should consider options to set a more appropriate threshold and restore the Sitka Sound harvest control rule to the harvest control rule used by all other Southeast Alaska herring populations. To support the needs of subsistence users and the ecosystem, the Board could increase the threshold to 40% of the AUB, i.e., close to the percentage of the AUB ADF&G thought was present in Sitka Sound (37%; see ADF&G 2021). Furthermore, the Board could also increase the denominator of the harvest control rule to align Sitka's harvest control rule with that used in all other Southeast Alaska herring populations.

Introduction

The biomass threshold at which commercial herring fishing may begin in Sitka Sound is 25,000 tons, as determined by the preseason forecast. The 25,000-ton harvest threshold began in 2010 when the Board of Fisheries increased the threshold from 20,000 tons. The 20,000-ton threshold stemmed from the ADF&G estimate of Average Unfished Biomass (AUB, 67,036 tons) and the assumption that a biomass that was 25% or more of the AUB would prevent the population from further decline while also sustaining the commercial fishery (Carlile 1998).

The Sitka Sound AUB value has not been updated since 1998 (Carlile 1998) and was based on data from herring spawning years 1971 to 1993. ADF&G has stated that they believe the current harvest threshold (25,000 tons) is conservative because 25,000 tons is 37% of 67,036 tons (ADF&G 2021), i.e., greater than the 25% that ADF&G believes is sufficient to protect the herring population. This belief assumes that the Sitka AUB is still 67,036 tons even though 28 years have passed since the last herring year class used in the AUB calculation (1993). Furthermore, the Sitka Sound AUB and the current harvest control rule have not been re-evaluated by ADF&G despite concerns raised by the Sitka Tribe of Alaska (STA) and other groups concerned about Sitka herring's critical role in supporting subsistence needs and the needs of Chinook salmon, coho salmon, marine fishes, marine birds, and marine mammals.

The objective of this investigation is to estimate the Average Unfished Biomass (AUB) of Sitka Sound herring using the ADF&G methodology (Carlile 1998) and ADF&G data from 1980 to present.

Methods

We used the same methodology as ADF&G (Carlile 1998) because this is what ADF&G has relied on over the past 24 years. The only difference is that we used data from parent spawners from 1980 to 2017 (see Appendix) rather than 1971-1993. STA believes spawning biomass values based on hydroacoustic assessments during the 1970s were minimum biomass estimates and not comparable to the current dive survey methodology. Furthermore, ADF&G typically does not include data from the 1970s in their analyses (see Hebert 2021).

ADF&G (Carlile 1998) estimated the average unfished biomass by simulating an unfished population as follows:

- Age-3 total recruitment (number of fish) in year t was simulated by random sampling of recruits from three strata containing the ASA model-estimated age-3 recruits (mature and immature fish). The strata boundaries were determined by the estimated spawning biomass in year $t-3$:
 - Stratum A: 0-10,000 short tons;
 - Stratum B: 10,000 to 30,000 short tons;
 - Stratum C: 30,000+ short tons.

- The number of fish alive in year $t+1$ in age-class $a+1$ ($N_{a+1,t+1}$) is found by multiplying the number of fish alive in year t in age-class a ($N_{a,t}$) by the annual survival probability S . The survival probability is assumed to be the same for all years and all age classes. Age class 8+ represents fish age 8 and older.
- The spawning biomass in year t is found as

$$B_t = \sum_a N_{a,t} \times W_a \times \rho_a$$

where W_a is the weight-at-age, and ρ_a is the maturation proportion for each age.

The population is simulated for a large number of years (e.g., 30,000), and the AUB is determined by the mean total biomass over the last set of iterations (e.g., the last 10,000 years).

We used values of recruitment, survival, and maturation schedules derived from or provided by ADF&G to STA on 20 December 2021. Annual spawner biomass and total number of age-3 recruits are provided in the Appendix. These values were derived from the 2021-forecast ASA model using values listed below.

Key 2021 ASA model values used in the Carlile approach are:

- an annual mean survival probability of 0.6659 (1983-2020).
- maturation schedule of 0.344, 0.958, 0.999, 1, 1, and 1 for ages 3, 4, ... 8+.
- mean weight-at-age of 78.6, 102.3, 124.4, 145.3, 161.9, and 181 g/fish for ages 3-8+.

Sitka Sound herring failed to produce more than 7 million mature age-3 in five years since 1980 indicating recruitment failure relative to the mean recruitment of 135 million herring in all other years. Recruitment failures occurred in 1986, 1987, 1989, 1990, and 2017 (see Appendix), and inclusion of these values would lead to a lower AUB and lower harvest threshold. Clearly, a commercial fishery should not be more aggressive (lower threshold) when recruitment failures are present, therefore we estimated AUB after excluding the five recruitment failures. For completeness, we also calculated AUB using all data. In addition to simulating AUB using the strata approach, we also simulated AUB by ignoring strata boundaries and randomly sampling from the entire set of empirical recruitment values.

In summary, we estimated AUB for Sitka Sound herring using four slightly different variants of the ADF&G (Carlile 1998) approach:

- 1) Three recruitment strata, excluding recruitment failures in 1986, 1987, 1989, 1990, 2017
- 2) Single recruitment stratum, excluding recruitment failures in 1986, 1987, 1989, 1990, 2017
- 3) Three recruitment strata, including all years, 1980-2020.
- 4) Single recruitment stratum, including all years, 1980-2020.

Stratum A contains no values in the post 1980 dataset, as also reported by ADF&G (Carlile 1998). Therefore, we included an arbitrary data point based on the mean value from ADF&G (Carlile 1998, Table 1, Regime A) in case the population falls below 10,000 short tons. The mean total recruitment of age-3 herring for each stratum is:

Strata	No. Years	N total Age 3 (millions)
A	1	200
B	6	157.56
C	32	376.94
All	39	338.65

Results and Discussion

The Average Unfished Biomass (AUB) of spawning Sitka Sound herring, based on ADF&G data since 1980 and ADF&G (Carlile 1998) methodology, is approximately 122,000 tons to 136,000 tons (Table 1). Note that these values may be an underestimate due to 140 years of industrial exploitation of Sitka herring. There were likely a greater proportion of older fish in the pristine population and these larger, older fish likely have greater survival than younger fish and have larger, more fecund, more well-provisioned eggs that are more likely to survive (Hixon et al. 2014; Barneche et al. 2018; MacCall et al. 2018). These AUB values exclude five years of extreme recruitment failures because inclusion of recruitment failures leads to a lower AUB and a lower harvest threshold (Table 1). A more aggressive harvest strategy when recruitment failures are present is counter-productive when attempting to manage a commercial fishery that targets forage fish that are critical to subsistence users and many other commercially and culturally important species such as Chinook and coho salmon.

Table 1. Estimated Average Unfished Biomass (AUB) of Sitka Sound herring based on ADF&G data from 1980 to present and harvest thresholds based on the 25% of AUB approach that is cited by ADF&G (Carlile 1998) and harvest thresholds based on the desire to further protect subsistence users and ecosystem needs. AUB values based on the mean biomass of the last 10,000 iterations. Values are short tons.

AUB Scenario	Total Biomass (tons)	Spawn Biomass (tons)	Harvest Threshold based on Spawn Biomass		
	Mean AUB	Mean AUB	25% of AUB	30% of AUB	40% of AUB
Three recruitment strata, excluding recruitment failures	160,923	135,739	33,935	40,722	54,296
Single recruitment stratum, excluding recruitment failures	144,915	122,232	30,558	36,670	48,893
Three recruitment strata, including recruitment failures	143,889	121,368	30,342	36,410	48,547
Single recruitment stratum, including recruitment failures	129,439	109,183	27,296	32,755	43,673
Carlile 1998		67,036	16,759		

ADF&G estimated an AUB of 67,036 (Carlile 1998). The updated AUB is approximately two times greater than the AUB that ADF&G has relied upon over the past 24 years. ADF&G stated "A

herring harvest strategy with a harvest rate of 20% when a population is above a threshold of 25% of the AUB has been suggested as an approach that would protect herring populations yet approximately maximize sustained yield (Zheng et al. 1993 in Carlile 1998)". ADF&G (Carlile 1998) did not mention and apparently did not consider the importance of maintaining a large herring population to support subsistence users and other ecosystem needs. NOAA Fisheries scientists concluded that commercial sac roe harvests have a significant effect on subsistence roe harvests (Shelton et al. 2014).

As ADF&G was preparing its AUB report, the Board of Fisheries in 1997 established a harvest threshold of 20,000 tons in Sitka Sound, or approximately 30% of ADFG's AUB estimate (Carlile 1998). ADFG's analysis (Carlile 1998) relied upon the less aggressive "8+2" harvest control rule (HCR) that is used throughout Southeast Alaska, whereas the Board of Fisheries changed the HCR to the more aggressive "2+8" HCR that is currently used in only Sitka Sound. In 2010, the harvest threshold was increased by the Board of Fisheries to 25,000 tons but the HCR allowed for a 12% harvest rate when the forecast is 25,000 tons and a maximum harvest rate of 20% at only 45,000 tons. Additionally, the HCR removed the threshold from the denominator of the HCR, making the HCR even more aggressive.

ADF&G has stated that the current harvest threshold (25,000 tons) is conservative because it is 37% of the 1998 AUB value (67,036 tons; ADF&G 2021). Many scientists conclude that a harvest threshold set at 40% of the unfished biomass is needed to protect the requirements of many marine species that depend on forage fishes, such as herring (e.g., Pikitch et al. 2012). However, as shown here, the updated AUB is approximately twice that estimated by ADF&G (Carlile 1998), meaning that the 25,000-ton harvest threshold is only 18-20% of the current AUB. This indicates the current fishery is too aggressive, based on ADF&G standards for commercial herring fisheries (see Carlile 1998), and very aggressive when considering the importance of herring to subsistence users and marine species that require high herring densities to be successful. This analysis suggests that a threshold between 31,000 tons and 54,000 tons is more appropriate.

Conclusion

Our analysis shows that the AUB of Sitka Sound herring is 122,000 to 136,000 tons or two-times greater than previously assumed. STA believes this is the best available information regarding the unfished biomass of Sitka Sound herring. This updated AUB should be considered by the Board of Fisheries when evaluating population health and management strategy. This updated AUB also indicates that the threshold at which the commercial fishery may begin to harvest herring should be substantially increased.

Currently, there are no proposals to the Board of Fisheries that fully address this issue. Proposal 156 merely changes the slope of the harvest control rule but does not change the threshold or denominator of the HCR, which this analysis indicates a need for revision.

The Board could consider restoring Sitka Sound to the HCR used by all other Southeast herring populations (*Guideline Harvest Rate* = $8 + 2 * \frac{\text{ForecastBiomass}}{\text{Threshold}}$, where the threshold equals 0.25*AUB). The Board could also increase the threshold to 40% of the AUB as recommended by some scientists (and close to the percentage of AUB ADF&G thought was present in Sitka Sound). Figure 1 compares the aggressive current HCR in Sitka Sound to Proposal 156 and the SEAK HCR with an updated threshold. Note that the Department of Fisheries and Oceans recently instituted a 10% harvest rate cap for British Columbia herring populations to better provide for ecosystem needs.

Note that by using ADF&G's methods (Carlile 1998), this paper does not consider subsistence or traditional knowledge. An analysis that explicitly considers the interactions of the sac roe fishery and the subsistence fishery and the state's subsistence priority would likely result in an even more conservative management strategy.

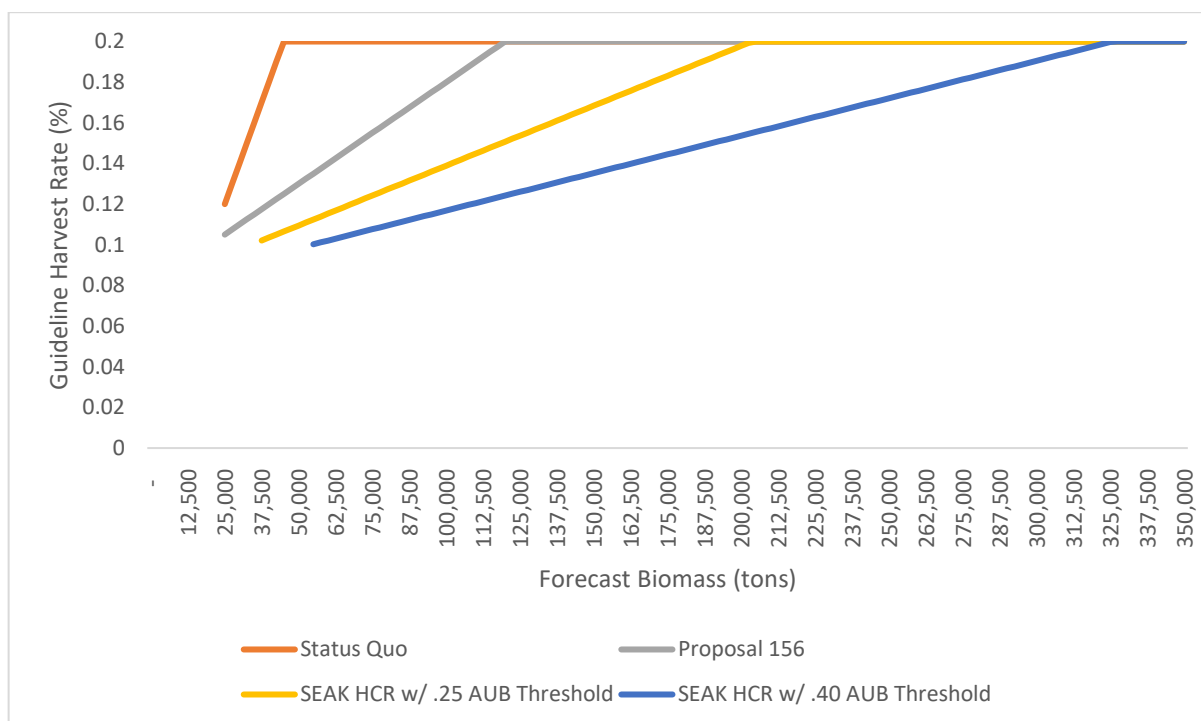


Figure 1. Current Sitka Sound HCR, Proposal 156, and SEAK HCR with an updated threshold of 0.25AUB and 0.40AUB, based on an AUB of 135,739 tons.

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Appendix

Appendix Table 1.

Spawn Year	Return Year	Spawn biomass (tons)	N Mature Age 3 (millions)	N total Age 3 (millions)	Regime
1980	1983	44865	158	459	C
1981	1984	42012	59	171	C
1982	1985	28800	14	40	B
1983	1986	36159	60	173	C
1984	1987	44689	327	950	C
1985	1988	34720	38	109	C
1986	1989	27271	2	6	B
1987	1990	45227	0	0	C
1988	1991	56541	266	772	C
1989	1992	32453	7	21	C
1990	1993	23023	0	0	B
1991	1994	30545	22	63	C
1992	1995	47624	127	369	C
1993	1996	25061	62	179	B
1994	1997	17845	114	332	B
1995	1998	28476	134	389	B
1996	1999	31835	51	148	C
1997	2000	35788	108	314	C
1998	2001	49238	131	381	C
1999	2002	49855	89	259	C
2000	2003	49974	338	981	C
2001	2004	54804	63	183	C
2002	2005	58816	84	243	C
2003	2006	84015	101	294	C
2004	2007	104219	112	326	C
2005	2008	85649	142	413	C
2006	2009	73486	102	296	C
2007	2010	70616	92	268	C
2008	2011	85789	30	87	C
2009	2012	102695	17	48	C
2010	2013	96453	67	195	C
2011	2014	88205	16	46	C
2012	2015	63251	265	770	C
2013	2016	68329	13	39	C
2014	2017	54659	92	267	C
2015	2018	55615	88	255	C
2016	2019	64311	1088	3161	C
2017	2020	48687	0	1	C

Note: The 2020 harvest (personal bait fish) was confidential at the time of our analysis but likely very small. Including this value would have a negligible effect on the AUB.



1) Three recruitment strata, excluding recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
63	204	136	90	58	57	82,974	78,437
314	42	136	90	60	76	90,768	72,754
770	172	164	87	29	372	201,678	157,152
183	513	115	109	58	267	170,343	157,481
950	122	341	76	73	216	211,007	156,494
314	632	81	227	51	192	193,343	172,525
87	209	421	54	151	162	156,736	150,736

The mean total biomass (all ages) from the last 10,000 iterations is 160,923 short tons and the mean total spawning biomass is 135,739 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).

2) Single recruitment stratum, excluding recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
200	204	136	90	58	57	94,864	82,529
314	133	136	90	60	76	101,078	82,628
39	306	28	79	58	165	97,423	93,769
381	26	204	18	53	148	105,704	83,914
413	254	17	136	12	134	117,284	92,626
369	275	169	11	90	97	123,413	101,150
381	246	183	113	8	125	130,060	107,226

The mean total biomass (all ages) from the last 10,000 iterations is 144,915 short tons and the mean total spawning biomass is 122,232 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).



3) Three recruitment strata, including recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
369	204	136	90	58	57	109,477	87,559
981	246	136	90	60	76	171,443	114,622
950	31	21	50	17	138	127,285	73,252
950	632	20	14	34	104	185,132	128,237
255	632	421	14	9	91	173,118	155,562
459	170	421	280	9	67	176,487	149,558
381	306	113	280	187	51	171,278	148,166

The mean total biomass (all ages) from the last 10,000 iterations is 143,889 short tons and the mean total spawning biomass is 121,368 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).

4) Single recruitment stratum, including recruitment failures.

Starting and ending values for iterative model using the ADF&G model. Age-specific values are total number of recruits (millions of fish).

Age.3	Age.4	Age.5	Age.6	Age.7	Age.8+	Total Biomass (t)	Total Spawn Biomass (t)
306	195	85	47	26	34	79,064	60,773
306	204	130	56	31	40	89,838	71,503
306	204	136	87	38	48	98,025	79,689
195	204	136	90	58	57	94,410	82,373
296	130	136	90	60	76	99,113	81,711
770	122	139	11	621	216	255,158	210,874
200	513	81	93	8	558	213,550	199,752
87	133	341	54	62	376	164,025	158,397
255	58	89	227	36	292	141,756	126,979
40	170	39	59	151	218	107,866	104,786

The mean total biomass (all ages) from the last 10,000 iterations is 129,439 short tons and the mean total spawning biomass is 109,183 short tons. This is larger than the ADF&G estimate of the average unfished spawning biomass of 67,036 short tons (Carlile 1998).



Appendix – STA response to ADF&G comments on its updated unfished biomass estimate for Sitka herring

Background

The Alaska Department of Fish & Game (ADF&G) estimated the unfished biomass of Sitka herring at 67,036 tons in 1998. ADF&G has not updated this estimate. In 2022, the Sitka Tribe of Alaska (STA) used ADF&G methods and ADF&G data to produce an updated estimate of unfished biomass of Sitka herring of 135,739 tons. This updated estimate provides important context for evaluating the health of the Sitka herring population and the suitability of the harvest threshold and harvest control rule for the Sitka Sound sac roe herring commercial fishery. Prior to sharing its estimate publicly, STA sent its report to ADF&G for comments and feedback on 10 January 2022. ADF&G responded on 18 February 2022. ADF&G comments and STA's responses are found below.

ADF&G Comments

(no subject) External External Inbox x



Siddon, Chris E (DFG) <chris.siddon@alaska.gov>
to me ▾

Fri, Feb 18, 12:53 PM (4 days ago) ☆ ↶ ⋮

Kyle,

My apologies for taking so long to respond to you. Sherri was planning on responding, but I needed her to focus on a number of other critical issues in our Marine Research Section. However, we did want to provide you with some feedback on your "Averaged Unfished Biomass...." document. To that end, I have briefly reviewed the document and have a few general suggestions that I hope will be helpful as we move forward.

My three general comments that we all will need to address sooner or later are:

1. Appropriate bridging models will need to be completed to demonstrate identical methods have been used.
2. The year and year ranges chosen for inclusion (or exclusion) can have a marked impact on the overall estimate of unfished biomass; more justification/rationale of these decisions is needed.
3. It has been 20+ years since this has been updated and as such an exploration of alternative methods and their corresponding assumptions (in addition to the updated data) will be necessary to best inform future decisions on an estimate of unfished biomass.

Please let me know if you have any questions.

Best,
Chris

Chris Siddon, Ph.D
Chief Scientist of Marine Fisheries
Division of Commercial Fisheries
Alaska Dept. of Fish and Game



STA Responses

ADF&G's general comments are reasonable and we provide the following brief responses. STA is happy to provide additional information if necessary.

1. STA attempted to recreate ADF&G's 1998 estimate using the data provided the original paper. Because of the random sampling of recruitments used in the methodology, the estimate does not "converge" to a single fixed point. Also, STA identified a potential error in the original paper caused by switching back and forth between metric and short tons. The recreated AUB values ranged from 59,826 tons (with a unit correction) to 77,956 tons (without the unit correction). ADF&G's 1998 estimate was 67,036 tons.
2. STA agrees that the rationale for inclusion or exclusion of data are very important. STA believes its rationale for excluding recruitment failures is well-explained (see p. 3) and that estimates including recruitment failures are also available in the STA's report for comparison.

STA believes that hydroacoustic estimates represent minimum biomass estimates and it is not appropriate to consider these estimates as equivalent to current spawn deposition survey methods; therefore STA excluded data prior to the 1980 parent spawning year. STA notes that time series of herring biomass in ADF&G's most recent stock assessment (Hebert 2020, p. 54) and its presentation for the 2022 Board of Fisheries meeting both begin in 1980 (Hebert 2021, p. 37). STA agrees that a comprehensive review of each season's herring sampling is necessary to determine if data from one year is comparable to data from another.

Hydroacoustic estimates were typically obtained from the largest single survey over the course of the season; surveys were typically approximately one square mile in size and back-to-back surveys over the same area often varied by an order of magnitude (see appendices in Blankenbeckler and Larson 1982). Surveys occurred between November and March and in some years the survey used for the final estimate occurred as early as January. A University of Washington review of the hydroacoustic surveys found issues with adherence to study protocols and that many survey results were "valueless as a measure of total population" (Thorne



1975). The same report discussed the relatively small areas surveyed and concluded that "there is considerable potential for significant populations to be missed by the surveys".

ADF&G has produced spawn maps for all years with hydroacoustic surveys but acknowledges that "effort and intensity of aerial surveys has varied considerably over the years" (Blankenbeckler 1978). STA finds it difficult to believe that all the spawning herring in a given year could be found in a single one-square mile hydroacoustic survey months prior to spawning and then produce the spawn observed in Sitka Sound for that year, especially if years of low effort of aerial surveys likely resulted in underestimating the linear miles of spawn.

STA believes the hydroacoustic estimates were the best ADF&G could accomplish with the technology and resources available at the time. However, it is clear that the early hydroacoustic estimates are minimum biomass estimates and not appropriate because the underestimated values would lead to a low unfished biomass estimate and less conservative management of the herring population.

3. STA also agrees that methods for estimating unfished biomass should be reviewed as better methods may now be available. STA decided to use the same methods as ADF&G because these are the methods and values ADF&G is currently using to manage Sitka Sound herring. STA would be happy to explore alternative methods with ADF&G.

Lastly, it appears from ADF&G's comments that ADF&G is open to collaborating with STA on this important topic. STA appreciates ADF&G's gesture and welcomes opportunities for ADF&G and STA to work together to improve management of Sitka herring. STA asks that ADF&G provide a timeline and means for collaborating on this unfished biomass project. Until a better estimate is available, STA requests that ADF&G use the updated value of 135,739 tons for the unfished biomass of Sitka herring.



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Southeast Alaska Fishermen's Alliance

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PC461
1 of 2

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February 22, 2022

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

Re: Southeast Board of Fish Cycle – Clarifications and Additional Comments

Dear Chair Carlson-Van Dort and Board of Fisheries members,

PROPOSAL #213 & 214 – CLARIFICATION/CORRECTION

In my comments submitted in December (PC 331) I have the description and position for proposal #214 listed as #213 and accidentally missed commenting on #213.

Proposal #213: SUPPORT

SEAFSA supports allowing seven days rather than 72 hours in District 3-16 fall season closure as is allowed during the full area closure in August. The fall weather can be difficult to get all pots to town in a timely manner at the end of the season and the extra time is not an enforcement issue otherwise it would not be allowed during the August closure and the Feb Dist. 1-2, 13 closures.

Proposal #214: OPPOSE

SEAFSA opposes defining a Dungeness crab pot as circular only. The definition is that a pot has an outside diameter that is not more than 50 inches and is not more than 18 inches high. You put the tape measure along the topside ring whether it is circular or a square pot for the less than 50 inches and the 18 inches high tends to imply that the sides are straight, otherwise a portion of the outside diameter would be larger. We understand that there are a few square pots in use in the fishery. Adopting this proposal would require those fishermen to replace their pots if a circular pot becomes mandatory.

Proposal #204: OPPOSE



SEAFA opposes closing the commercial Dungeness Crab fishery in Coffman Cove. SEAFA opposes and additional closures of any commercial fishing grounds where there is not a conservation concern. There is no conservation concern for Dungeness crab in Southeast Alaska, any additional closed areas creates more congestion somewhere else at the same time sea otter predation on Dungeness crab is also creating more effort in fewer places. Any closed areas around a community for their use to commercial fishing should also be closed to sport fishing, leaving only subsistence and personal use harvest in the area.

Proposal #206: COMMENT

SEAFA supports a sport fish closure in any area that has a commercial Dungeness crab closure but as there is no conservation concern for Dungeness Crab in Southeast Alaska neither proposal #206 or #207 should be adopted.

Southeast Alaska Fishermen's Alliance (SEAFA) is a multi-gear, multi-species commercial fishing organization representing our approx. 330+ members mainly involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska. We have members involved in salmon gillnetting, trolling and seining, all of the SE crab fisheries, pot shrimp and halibut and sablefish fisheries throughout the State as well as SE region specific longline fisheries as well as many other fisheries such as herring and dive fisheries and some Prince William Sound gillnet. In addition, our member mostly all hold sport fish licenses and are involved in sport, personal use and where eligible subsistence fisheries.

Thank you for your consideration of these additional comments and clarifications. We look forward to working with you as possible in these current pandemic conditions while still trying to take care of business. While getting better, a Board of Fish meeting is still too big of a gathering for me to be comfortable with attending in person. Please feel free to reach out to me at any time during the meeting if I can be of assistance as a multi-gear multi-species representative.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Hansen", followed by a long horizontal line.

Kathy Hansen
Executive Director



Southeast Alaska Guides Organization Additional Comments

Chair Carlson-Van Dort and Board Members,

We'd like to offer the following amendments to Southeast sport and commercial king salmon management that tie together conceptual ideas from Proposals 80-86, and 87. The suggestions address the payback provision required by the Pacific Salmon Treaty, resident sport priority, and sport/troll allocations.

Summary of intended outcomes:

- All gear groups, including sport, are targeted to stay at or below annual allocations
- Any projected underage of the all-gear annual harvest ceiling will be harvested by the commercial troll sector
- A reduction to the all-gear annual harvest ceiling caused by an overage the previous year will not change the allocation distribution outlined in regulation
- Non-resident anglers are subject to inseason management to prevent closures for, and provide priority to, resident anglers and to keep sport within allocation
- The sport harvest ceiling remains 20% of the combined troll/sport allocation in tiers 5-7 (e-c); sport limits are not liberalized to reach allocation and any underage goes to the troll fishery
- The sport harvest ceiling is increased to 25% of the combined troll/sport allocation in tiers 2-4 (h-f) to help accommodate resident priority and provide a base opportunity for non-residents in low abundance; sport limits are not liberalized to reach allocation and any underage goes to the troll fishery
- Prescribed bag and annual sport limits are targeted to provide a net gain to troll based on historical harvest
- Troll will achieve additional gains based on historical hindcasting of receiving underages from other gear groups, and from expected sport underages due to wild stock management and natural sport underages in high abundance

5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area (Conceptually addresses proposals 80-83, and 87)

Amend regulation as follows:

(a) The department shall manage the commercial and sport king salmon fisheries in the Southeastern Alaska-Yakutat Area in accordance with the conservation and harvest goals of the Pacific Salmon Treaty, as implemented by the Pacific Salmon Commission.

(b) The department shall manage the sport and commercial net and troll fisheries in accordance with the annual harvest ceiling established by the Pacific Salmon Commission. During a directed king salmon fishery in District 8 and District 11, an allowable catch above the baseline harvest level will not be counted towards the annual harvest ceiling. The annual harvest allocation of the annual harvest ceiling for each fishery is as follows:



(1) purse seine fishery: 4.3 percent of the annual harvest ceiling;

(2) drift gillnet fishery: 2.9 percent of the annual harvest ceiling;

(3) set gillnet fishery: 1,000 king salmon;

(4) troll fishery: 80 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling **in Southeast Alaska troll winter fishery CPUE's greater than or equal to 6.0; in Southeast Alaska troll winter fishery CPUE's below 6.0, 75 percent after the net fishery allocation in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;**

(5) sport fishery: 20 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling[.] **in Southeast Alaska troll winter fishery CPUE's greater than or equal to 6.0; in Southeast Alaska troll winter fishery CPUE's below 6.0, 25 percent after the net fishery allocation in (1) – (3) of this subsection are subtracted from the annual harvest ceiling.**

(c) When computing the harvest allocations under this section, the department shall take into consideration that the Pacific Salmon Commission's annual harvest ceiling includes a pretreaty base level of 5,000 Alaska hatchery-produced king salmon and the risk factor for computing the Alaska hatchery contribution. Alaska hatchery-produced king salmon above the 5,000 fish base and the risk factor are excluded from the annual harvest ceiling. In determining each fisheries' allocation of the Pacific Salmon Commission's harvest ceiling, the department shall apportion the risk factor for computing the Alaska hatchery contribution and the 5,000 fish base into components for each fishery.

(d) For the purpose of calculating the king salmon harvest, the annual harvest period shall begin with the opening of the winter salmon troll season. For the purpose of calculating harvest performance for the king salmon fisheries under this section, the harvest in the sport and commercial net and troll fisheries will be applied to the cumulative harvest on an annual basis, as opposed to the harvest ceiling.

(e) If the Alaska all-gear harvest is projected to be below the annual harvest ceiling, any remaining allocation from all gear groups will be harvested by the troll fishery beginning at a season date determined by the department and established by emergency order.

(f) If the Alaska all-gear harvest exceeds the annual harvest ceiling established by the Pacific Salmon Commission, the department shall manage the commercial and sport king salmon fisheries in the Southeastern Alaska-Yakutat Area according to subsection (b) based on the revised allocation the revised annual harvest ceiling established by the Pacific Salmon Commission.

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

(Conceptually addresses proposals 82-86, and 87)

Amend regulation as follows (version with changes accepted follows marked up version):

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska winter troll fishery catch per unit effort (CPUE). The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of



the following year. If the new Southeast Alaska winter troll fishery CPUE is not available by February 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska winter troll fishery CPUE, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain [AN AVERAGE] a harvest [OF] **not to exceed 20 or 25** percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes **or to keep the sport fishery within its harvest allocation.**

(5) at Alaska winter troll fishery CPUEs less than 3.8 and equal to or greater than 0.875; a resident bag limit of two king salmon 28 inches or greater in length will be established in areas where conservation management measures for all anglers prohibited king salmon retention or closed fishing for king salmon once they reopen.

(6) at all Alaska winter troll fishery CPUEs, if the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents;

(7) any projected unused balance in sport allocation will transfer to the troll fishery at the appropriate date determined by the department;

(c) When the Southeast Alaska winter troll fishery CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be **20% or** 69,000 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of [TWO KING SALMON IN MAY AND] one king salmon [IN OTHER MONTHS]; a nonresident annual limit of **three** [FIVE] king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(d) When the Southeast Alaska winter troll fishery CPUE is less than 20.5 and equal to or greater than 8.7, which is equivalent to a king salmon abundance index of less than or equal to 2.2 and greater than 1.8, the sport fishery harvest limit will be **20% or** 61,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of **three** [FOUR] king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.



(e) When the Southeast Alaska winter troll fishery CPUE is less than 8.7 and equal to or greater than 6.0, which is equivalent to a king salmon abundance index less than or equal to 1.8 and greater than 1.5, the sport fishery harvest limit will be **20% or** 49,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

- (1) a resident bag limit of two king salmon, 28 inches or greater in length;
- (2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;
- (3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(f) When the Southeast Alaska winter troll fishery CPUE is less than 6.0 and equal to or greater than 3.8, which is equivalent to a king salmon abundance index of less than or equal to 1.5 and greater than 1.2, the sport fishery harvest limit will be **25% or 47,300** [37,900] treaty king salmon, and the commissioner may, by emergency order, implement the following management measures: [IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES:]

- (1) a **resident** bag limit of **two** [ONE] king salmon, 28 inches or greater in length;
- (2) a non-resident bag limit of one king salmon, 28 inches or greater in**

length;

(3 [2]) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(4 [3]) from July 1 through July [7] **15**, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July [7] **15** will apply towards the two fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(5 [4]) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

(6 [4]) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

[(6) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

(7) IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;



(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(8) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B AND 11-C, DISTRICT 12. SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(9) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC 47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200, IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF A LINE FROM POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N. LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., DISTRICT 9 NORTH OF LINE FROM POINT ELLIS TO PATTERSON POINT, AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(10) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N. LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W. LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND FROM POINT ROSEN AT 55° 04.74' N. LAT., 131° 10.87' W. LONG., TO QUADRA POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37.80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT



55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICTS 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31.]

(g) When the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.6, which is equivalent to a king salmon abundance index of less than or equal to 1.2 and greater than 1.0, the sport fishery harvest limit will be **25% or 32,305** [25,800] treaty king salmon and the commissioner may, by emergency order, implement the following management measures: [in conjunction with wild stock management measures:]

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(3) from July 1 through **July 15** [DECEMBER 31], a nonresident total harvest limit of **two** [ONE] king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from January 1 through **July 15** [DECEMBER 31] will apply toward the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

[(4) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

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(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A



RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(6) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B, AND 11-C, DISTRICT 12, SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

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(B) IN THE WATERS OF DISTRICT 5 NORTH OF LINE FROM POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N. LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., DISTRICT 9 NORTH OF A LINE FROM POINT ELLIS TO PATTERSON POINT, AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

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(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37.80' W.

LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT 55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;



(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICT 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31.]

(h) When the Southeast Alaska winter troll fishery CPUE is less than 2.6 and equal to or greater than 2.0, which is equivalent to a king salmon abundance index of less than or equal to 1.0 and greater than or equal to 0.875, the sport fishery harvest limit will be **25% or 25,695** [20,600] treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a [RESIDENT] bag limit of one king salmon, 28 inches or greater in length;

(2) **from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AC 75.006 is required;** [A NONRESIDENT BAG LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH, EXCEPT THAT FROM JULY 1 THROUGH AUGUST 15 NONRESIDENT ANGLERS MAY NOT RETAIN KING SALMON;]

(3) from **July 1 through July 15** [JUNE 16 THROUGH DECEMBER 31], a nonresident total harvest limit of **two** [ONE] king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through **July 15** [JUNE 15] will apply towards the **two** [ONE] fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from **July 16 through December 31** [JANUARY 1 THROUGH JUNE 15], a nonresident total harvest limit of **one** [TWO] king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

[(5) IF THE DEPARTMENT PROJECTS THAT THE KING SALMON SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, ADJUST THE NONRESIDENT SEASONS AND BAG LIMITS SO THAT THERE ARE NO CLOSURES FOR RESIDENTS.]

(i) When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section and nonretention periods or other restrictions for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers.

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.



5 AAC 47.055. Southeast Alaska King Salmon Management Plan (Changes accepted version)

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska winter troll fishery catch per unit effort (CPUE). The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of the following year. If the new Southeast Alaska winter troll fishery CPUE is not available by February 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska winter troll fishery CPUE, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain a harvest not to exceed 20 or 25 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes or to keep the sport fishery within its harvest allocation.

(5) at Alaska winter troll fishery CPUEs less than 3.8 and equal to or greater than 0.875; a resident bag limit of two king salmon 28 inches or greater in length will be established in areas where conservation management measures for all anglers prohibited king salmon retention or closed fishing for king salmon once they reopen.

(6) at all Alaska winter troll fishery CPUEs, if the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents;

(7) any projected unused balance in sport allocation will transfer to the troll fishery at the appropriate date determined by the department;

(c) When the Southeast Alaska winter troll fishery CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be 20% or 69,000 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(d) When the Southeast Alaska winter troll fishery CPUE is less than 20.5 and equal to or greater than 8.7, which is equivalent to a king salmon abundance index of less than or equal to 2.2 and greater than 1.8, the sport fishery harvest limit will be 20% or 61,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;



(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(e) When the Southeast Alaska winter troll fishery CPUE is less than 8.7 and equal to or greater than 6.0, which is equivalent to a king salmon abundance index less than or equal to 1.8 and greater than 1.5, the sport fishery harvest limit will be 20% or 49,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(f) When the Southeast Alaska winter troll fishery CPUE is less than 6.0 and equal to or greater than 3.8, which is equivalent to a king salmon abundance index of less than or equal to 1.5 and greater than 1.2, the sport fishery harvest limit will be 25% or 47,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a non-resident bag limit of one king salmon, 28 inches or greater in length;

(3) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(4) from July 1 through July 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the two fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(5) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

(6) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

(g) When the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.6, which is equivalent to a king salmon abundance index of less than or equal to 1.2 and greater than 1.0, the sport fishery harvest limit will be 25% or 32,305 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(3) from July 1 through July 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from



January 1 through July 15 will apply toward the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the two fish harvest limit; a harvest record under 5 AAC 75.006 is required;

(h) When the Southeast Alaska winter troll fishery CPUE is less than 2.6 and equal to or greater than 2.0, which is equivalent to a king salmon abundance index of less than or equal to 1.0 and greater than or equal to 0.875, the sport fishery harvest limit will be 25% or 25,695 [20,600] treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AC 75.006 is required;

(3) from July 1 through July 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 15 will apply towards the two fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from July 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(i) When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section and nonretention periods or other restrictions for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers.

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

Supporting Information

Res Bag Limit		Sport Alloc.	Avg. Harvest Est.	Jan 1 - June 30	July 1-15	July 16-31	Aug 1 - Dec 31	Sport	Troll
3	Tier 7 (c)	69,000	58,855	1/3	1/3	1/3		17.1%	82.9%
3	Tier 6 (d)	61,900	53,015	1/3	1/3	1/3		17.1%	82.9%
2	Tier 5 (e)	49,300	45,238	1/3	1/3	1/3		18.4%	81.6%
2	Tier 4 (f)	37,900	38,046	1/3	1/2	1/1	1/1	20.0%	80.0%
1	Tier 3 (g)	25,800	29,412	1/3	1/2	1/1	1/1	22.8%	77.2%
1	Tier 2 (h)	20,600	24,495	1/3	1/2	1/1	1/1	23.8%	76.2%
TBD	Tier 1 (i)	TBD	TBD	TBD					

(SEAGO amended limits- average harvest based on ADFG analysis)



Underages from net gear groups that would have been (or were for 2020) harvested by troll:

Year	Preseason abundance index	Net Allowance	Troll + Sport Observed	All-gear observed catch	Net Observed	Net Overage/ Underage	Net Underage % of Troll/Sport
2009	1.33	16,754	207,246	227,954	20,708	3,954	
2010	1.35	16,970	222,297	230,611	8,314	-8,656	4.2%
2011	1.69	22,226	274,751	291,161	16,410	-5,816	2.1%
2012	1.52	20,210	229,275	242,821	13,546	-6,664	2.7%
2013	1.2	13,672	177,884	191,388	13,504	-168	0.1%
2014	2.57	32,637	413,966	435,195	21,229	-11,408	2.8%
2015	1.45	18,064	316,260	335,026	18,766	702	
2016	2.06	26,603	325,490	350,704	25,214	-1,389	0.4%
2017	1.27	16,098	167,816	175,414	7,598	-8,500	4.4%
2018	1.07	11,404	122,712	127,776	5,064	-6,340	4.8%
Average 2009-2018				Avg. "under" years:		-6118	2.5%
				Avg. all years:		-4894	2.1%

Year	Winter Troll CPUE	Net Allowance	Troll + Sport Observed	All-gear observed catch	Net Observed	Net Overage/ Underage	Net Underage % of Troll/Sport
2019	3.38	11,123	127,563	140,307	12,744	1,621	
2020	4.83	15,772	195,967	204,624	8,657	-7,115	3.8%

Submitted By
Philip Doherty
Submitted On
2/21/2022 9:24:17 AM
Affiliation
SE AK Regional Dive Fishery Assoc.



PC463
1 of 1

Phone
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PO Box 5417
Ketchikan, Alaska 99901

The Southeast Alaska Regional Dive Fisheries Association (SARDFA) submitted Proposal 189 which would allow for increasing the number of geoduck divers from 2 to 4 late in the season to make it more economical for divers to participate in either more remote areas or in areas of small trip limits. The new proposed regulation would read:

1. ***The commissioner may by emergency order modify the number of CFEC geoduck permit holders able to be onboard or fish from a registered vessel to four divers.***

SARDFA would like to modify it to read:

1. ***The commissioner may by emergency order modify the number of CFEC geoduck permit holders able to be onboard or fish from a registered vessel to four divers when the total regional trip limit is four hundred pounds or less.***

By adding the 400 pound trip limit or less removes any uncertainties ADF&G would have as to when to implement the EO.



SSRAA

Southern Southeast Regional Aquaculture Association, Inc.
14 Borch Street, Ketchikan, Alaska 99901
P: 907.225.9605 F: 907.225.1348



February 15, 2022

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

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

This correspondence is intended to avoid any confusion with public testimony and on-time comments by SEAS and SSRAA. In December as the SEAS Executive Director I submitted on-time comments for SEAS. That position is now held by Philip Doherty and he will be providing public testimony and acting on the behalf of SEAS on their proposals and others at the upcoming Southeast and Yakutat Finfish and Shellfish meeting. On-time public comments were submitted by Dave Landis on behalf of SSRAA addressing their proposals and proposals 101 and 103. I am now the General Manager at SSRAA and in that capacity will be addressing SSRAA proposals and others during public testimony and committee of the whole.

Thank you,

Susan Doherty
General Manager SSRAA
(907) 228-4389

Submitted By
Thatcher Brouwer
Submitted On
2/23/2022 11:30:16 PM
Affiliation
Fisherman



PC465
1 of 3

From: Thatcher Brouwer

To: Alaska Board of Fisheries
Alaska Department of Fish and Game
PO Box 115526
Juneau, AK 99802

Re: Board of Fisheries Proposals 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 96, 97, 101, 103, 115, 171, 172, 173.

Dear Board of Fisheries Members:

Please accept the comments below on the Southeast Board of Fisheries proposals. I am an active, resident commercial troller dinglebar, and pot shrimp fisherman. I live in Juneau and fish in Southeast Alaska from July through mid-October, and sometimes in the spring as well. I started fishing my own vessel in 2006, on a wooden hand troller built in 1928. I now own a slightly larger, but still wood, freezer power troller that I also use to dinglebar for lingcod and pot fish for spot prawns.

I am proud to live year-round in Southeast, Alaska, deliver my catch to local processors, and employee locals to help with the maintenance of my vessel. I am involved in fisheries policy as a gear group board member and advisory committee member and I have a great deal of respect for both the good work the Department of Fish and Game does to sustainably manage our fisheries and the Board of Fisheries process to address allocations.

Thank you for your hard on the Board of Fisheries and I appreciate your consideration of my comments below.

Sincerely,

Thatcher Brouwer

Proposal 80:

I support proposal 80. With the 2019 Pacific Salmon Treaty agreement the board needs to have an opportunity to discuss whether harvest ceiling overages should be assigned to the fishery or fisheries that exceeded the annual allocation. This needs to be worked out and all gear groups should be part of the process.

Proposal 81:

I support proposal 81. With the new Pacific Salmon Treaty agreement, Alaska took significant cuts. It is incredibly important that we catch every Chinook allocated to us. This proposal helps ensure that no Chinook are left on the table by allowing the Trollers to harvest excess Chinook after September 1st if it is determined other gear groups are not going to be able to harvest the excess quota.

Proposal 82

I support proposal 82 with the amendments suggested by Territorial Sportsmen and the Sitka Advisory Committee to give resident anglers priority. I see this as an important housekeeping measure with the new Pacific Salmon Treaty agreement. It is

important for the Department to use in season management to prevent overages and underages of Chinook allocation by different gear groups.



Proposal 83

I strongly oppose proposal 83. I see this as an allocative proposal that benefits the non-resident guided sportfishing sector. Given the recent Chinook salmon allocations, this proposal would clearly allocate more salmon to the charter sector. Unfortunately, this sector does not have the economic impact to the local economies that the commercial sector does. Many of the charter operators are out of state residents that run lodges in remote locations and bring little to no revenue into the Southeast economy. By passing proposal 83, the troller fishery would take a cut in allocation, impacting the fleet's ability to earn a living and support the local southeast economies.

Proposals 84 -86

I support proposals 84-86. I think it is important to give allocative preference to resident sportfishermen with Chinook quota. The non-resident guided sector has the ability to quickly catch a huge portion of the Chinook quota early in the season, which in turn could limit resident sport fishermen's ability to harvest Chinook for their dinner tables.

Proposal 87

I support proposal 87 conceptionally. More needs to be done to protect Southern Southeast Chinook. I recognize that some parts of this proposal may be difficult to implement, but I still think it is worth discussing the different means that can be used to improve Southern Southeast Chinook returns.

Proposal 88

I oppose proposal 88. I do not believe commercial trollers should be asked to give up fish to the primarily non-resident guided sector. We have taken enough cuts and we support the local economies of Southeast Alaska.

Proposal 89

I support proposal 89. I support this proposal. It could potentially allow trollers to invest in their fishery and earn a little more. At the same time, it could result in some permit consolidation which in my mind is ultimately good for the troll fleet. In my opinion the troll fleet is too large and as a result the fish are split too many ways and it is difficult to make a decent living trolling. When was the last time you saw a new troller built? Nobody is building them because nobody can afford to. As one long time fishermen said, this is a sign that the fishermen are not making a sufficient income to upgrade their boats. This is one small step the board can step to help those trollers who want to pay a little more for additional opportunity.

Proposal 90:

I support proposal 90. This is another housekeeping proposal that needs to be adopted as a result of the 2019 Pacific Salmon Treaty agreement. This proposal changes the conditions that trigger the additions to the spring troll guideline harvest levels from the old AI system to the new CPUE tier method.

Proposal 91:

I support proposal 91. I believe this proposal is a good compromise and will allow the Department to better manage the troll fishery. I agree with the maker of the proposal that a short August opening for trollers does not make sense for the fishermen, processors or Department. I think this proposal will help reduce the chances of a short second opener for the troll fleet and for this reason I am in support.

Proposal 92

I support proposal 92 with an amendment to specify the length is 26.5” to the fork of the tail. These are hatchery fish and the fleet should be able to harvest them. Unfortunately, mature Chinook are returning at smaller sizes and that is the reason this proposal is needed. This will allow trollers to harvest slightly smaller, mature Chinook in terminal harvest areas.



PC465

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Proposal 96

I support proposal 96. It will give trollers additional access to catch enhance Chinook salmon. As the board understands, trollers are chronically behind in their allocation of enhance salmon.

Proposal 97

I support proposal 97. This proposal will also give trollers much need access to hatchery produced salmon which we pay for, but rarely have the opportunity harvest.

Proposal 101 and 103

I oppose proposals 101 and 103. As a commercial fisherman I believe the Department is doing an excellent job managing hatcheries. I do not support either of these proposals.

Proposal 115

I support proposal 115. Trollers have taken huge cuts to their Chinook salmon quota. I support this proposal to allow the winter troll fishery to open the winter troll on the first day of statistical week 41.

Proposal 117

I support proposal 117. This would provide means tor trollers to harvest more of the hatchery production that they pay for with enhancement tax and unfortunately are almost never are able to harvest their fair share.

Proposals 171 – 173

I support proposals 171-173. I think it is prudent to shift the timing of the spot prawn fishery to the spring based on the timing of reproduction and the success of the British Columbia spot prawn fisheries. However, when a shift in timing is made I believe it is important to consult different gear groups. It would be unfortunate and unpopular to schedule the opener during the directed ling cod fishery or during the summer Dungeness crab fishery, among others.

Submitted By
Theresa Allen - Olson
Submitted On
2/22/2022 12:33:13 PM
Affiliation



PC466
1 of 3

Honorable Board of Fish Members

Thank you for serving the hundreds of hours for your fellow Alaskans and natural resources. This is a great sacrifice on your part.

Thank you for taking your time to sort out the complex issues before you, as you weigh the facts, scientific data and the emotional investments from which you will most certainly have set before you in the days, weeks and months this process takes.

You are certainly not expected to know all there is to know on all these fisheries. You are however; expected to be fair and thorough. Ask questions no matter how unimportant they may seem. Someone else most certainly has the same question. Try above all to use your common sense.

Alaska is a resource rich state and it has been our resources that has given us all many luxuries such as no income tax. When well managed, all are sustainable. Please keep in mind that funding for the management of all our resources is paramount to having sustainability.

There are groups opposed to harvesting some of our resources and it is shameful many are government funded entities. Family owned businesses cannot compete with the deep pockets that these parties have for continued court law suits and bias public campaigns. Please find the balance and common sense in your deliberations that supports the small business because that is the economic engine that pays for all other community benefits.

My name is Theresa Allen-Olson, a 67 year old life long Alaskan, who lives in Sitka.

I am a tribal citizen in Doyon and Toghoththele, Alaska's interior tribes.

My children are citizens of Sitka Tribe of Alaska.

My family are subsistence, sport and commercial fishermen. We are a diversified mix of commercial fishermen simply trying to make ends meet to support family, friends, businesses and community. We have absolutely no guarantee of return when we untie from the dock. We are self reliant in every aspect, we are not government funded.

Living a subsistence life style in Alaska is a priority to our family. We have hunted and fished in our home state for generations. I believe the state has always provided ample subsistence opportunities.

In my 45 year career, I have personally worked many levels in the fisheries from the processing plant to the back deck of the boats for several fisheries. I have had owned permits over the years and am currently a L21A permit holder.

I sincerely believe there is a balance between our subsistence needs and the commercial harvest of our great states resources. My current concerns are in the following proposals.



Page 1 of 2

Proposals 156, 157, 158: OPPOSE: These are all crafted to curtail the fishermen from opportunities. Over the years the proposers of these proposals have had many areas carved out of the fishery and will be never enough until this fishery is completely shut down. That is the whole intent inch by inch to shut this fishery down. Every single board cycle these groups will bring forward emotional driven testimony. The fact is ADF&G has established a management plan that is conservative and resilient.

Proposal 159: SUPPORT: As a matter of regulation housekeeping simply support and repeal a regulation that is encumbering to the processes of conducting business which clearly does not effect management nor subsistence opportunities.

Proposal 160: SUPPORT: Given the abundance of the resource the area's closed have had no proven significant advantage to the subsistence harvest. The problem with subsistence harvest is lack of effort that can't be proven without the help of a subsistence permitting system.

Proposal 161: SUPPORT: I unequivocally support requiring a subsistence fishing permit to harvest herring roe on branches in the Sitka area. We have subsistence permits for nearly every resource we harvest and I fully support the common sense in knowing the effort and the amount collected as a management tool. Why not? If it can clear the overall misconception of abundance. Why Not?



Proposal 163 & 164: SUPPORT: These proposals would establish an equal share quota for the Sitka sac roe purse seine fishery. They read a bit differently however; I believe all the stake holders including processors have a good idea on how to put the management of such together. There is a long history of this having been done on occasion over the years and all your questions on management are answered with the appropriate stakeholders at the table honing and crafting this concept to fruition. There are far more Pros to this than Cons.

Proposal 165: SUPPORT: Currently the abundance of the resource would allow for this diversification to allow for the unharvested quota to be used to help economic times and the never ending need for fishermen to diversify.

Proposal 166, 167: OPPOSED:

166=Open pound herring spawn on kelp fishery, effort involved and the considerable conflict it would pose for our community of Sitka would be terrible.

167=Reestablishing boundaries between fisheries I see no reason for.

THANK YOU FOR TAKING THE TIME TO READ MY COMMENTS WHILE YOU CONSIDER THESE PROPOSALS

Submitted By
Thomas Emerson
Submitted On
2/21/2022 10:58:55 PM
Affiliation
Self - Power Troller



PC467
1 of 1

Phone
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11870 Mendenhall Loop Rd.
Juneau, Alaska 99801

Dear Alaska Board of Fish Members,

I write to you as a third-generation participant in the SE AK Power Troll Fishery. I write in opposition to Proposal 83, 88, and any other proposals that might seek to re-allocate chinook harvest from the power-troll fleet to the sport fishing sector in periods of low abundance, or otherwise.

With these proposals it seems as though the sport and charter sector aim to try and insulate themselves from any sort of natural variability in King Salmon abundance on the backs of other historical fishery participants. This is simply unacceptable. It seems perhaps analogous to two neighboring farms. One of them decides in a year of drought that they will attempt to have the plot line redrawn to harvest their neighbor's crop, with a hope and a promise that in some far-off future time of plenty they will cede the land back. Why would one agree to such an arrangement? It is quite clear that if both parties were of sound mind, there would be no deal.

We all know that "rain" (High abundance king salmon years) is not guaranteed. Most likely these proposals would simply represent a reallocation from one sector to another, with no compensation or mitigation for the "loser" party.

If there are lean years for King salmon, so be it. Everyone needs to share in the burden of low abundance equally and be incentivized to do whatever in their power to try and reverse the decline, not just consume a bigger piece of a shrinking pie while others take the brunt of the economic pain.

Sincerely,

Thomas 'Tyler' Emerson

FV Natalee K

Submitted By
Tom B Botts
Submitted On
2/21/2022 10:36:13 AM
Affiliation



PC468
1 of 1

Phone
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P.O. Box877811
Wasilla, Alaska 99654

To the members of the Alaska board of Fisheries,

My name is Tom Botts. I've been a resident of Alaska since 1976 and an active member of the commercial troll fleet since 1978. I started as a hand troller and in 1990 I invested in a larger boat and a power troll permit with the idea that I would be able to support my family with the money I brought in from fishing. For a number of years I've seen the amount of King salmon that I've been permitted to catch decrease dramatically. When I first started fishing, the King season ran from January 1 to September 30 with a ten day closure, then opened again on October 11. Now we have been reduced to a few days in the summer and if you happen to be in an area like Sitka, a few months of winter fishing.

I'm writing to let you know that I'm very much opposed to propositions 83 and 88 which would give the outside sport fishermen more of my allotted King Salmon. Limited entry was initiated to control the number of participants into the fishery in part so that those who remained could make a living at it. With the unprecedented growth in the number of lodges, charter fishing vessels and bare bones charters that have cropped up in recent years, the ability to provide for my own family has been seriously restricted. To add insult to injury, I've been taxed 3% of what I catch of salmon to pay towards enhancement of the fishery. How much is the sport fishing industry being taxed? Why should they catch my fish and profit from it? Make no mistake, the more people you have fishing for a limited resource, the quicker that resource will be depleted. Let the lodges and charter groups put themselves on a limited entry program. You have no right to take from me to give to them just because there are more of them putting pressure on you. Please do the right thing and shoot down proposals 83 and 88.

Sincerely,

Tom Botts

Submitted By
Troy Denkinger
Submitted On
2/23/2022 7:17:54 PM
Affiliation



PC469
1 of 1

Dear Members of the Board of Fisheries,

My name is Troy Denkinger. I Have been a SE Alaska resident for the last 39yrs, I went to high school in Klawock Alaska where I met my wife. My wife and two daughters are Alaska Native, and we have been living in Sitka for the last 34yrs. I learned to fish in Klawock as a teenager on a fishing boat. I am a commercial fisherman, a Sitka herring fisherman, I am also one of the founders of Silver Bay Seafoods.

I am here to speak against herring proposals 156, 157, & 158. These proposals would further restrict the Sitka herring fishery, a fishery where significant area has already been arbitrarily closed. As you have heard from ADFG, the Sitka Sound herring biomass in 2019, 2020, & 2021 were record years.

These 3 herring proposals seek to restrict the herring fishery and are based on emotion, not science, and a belief by a few that the herring should not be commercially harvested. The strategy here is 'death to the commercial fishery by a thousand cuts'. The Sitka Sound herring fishery was established when the biomass was near 30,000 tons in the 1980's and the biomass has only continued to grow. These proposals are not about conservation but rather an attempt to eventually kill the fishery.

These emotionally driven proposals turn up every board cycle and the industry is forced to defend its livelihood. The Board of Fish has acted several times over the last 24 years against ADF&G recommendations to appease concerns of STA.

Herring proposals that seek to further restrict the fishery are cloaked in the name of **Conservation and Subsistence need**.

Conservation- conservation is the life blood of successful commercial fisheries management. Without conservation there are no future commercial fisheries. Fishermen know this in their bones. The State's Sitka herring management team is the best in the business, and they manage with conservation as their #1 priority.

Subsistence Opportunity- Last spring an estimated 50 million pounds of herring egg spawn was deposited on the beaches of Sitka Sound, 200 times the ANS. The biggest hurdle to achieving the ANS is declining participation as noted in ADF&G Subsistence Division report. To achieve subsistence harvest within the ANS guidelines, subsistence harvesters would need to put in significant effort to harvest one half of 1% of the available herring eggs in Sitka Sound. From 2008 to 2017 commercial herring fishermen offered their help to increase harvest of herring eggs on branches. One subsistence harvester boat averaged 40,000 pounds of weighed eggs on branches, which was given to anyone that showed up. Considering that one harvest vessel can harvest close to half the lower ANS threshold, it shows there is adequate opportunity for great subsistence harvest. It should be noted that STA worked to undermine and stop this industry driven community effort.

The Sitka herring fishery has great financial impact to the SE and Sitka economy. The first wholesale value of the Sitka herring fishery last season was \$19mil to SE and \$12m to Sitka. The 2022 season sac roe harvest is expected to bring over \$25M to the SE Alaska economy.

This revenue comes in the form of Jobs, Fishing jobs, tendering Jobs, processing jobs. The fishery increases revenue for local businesses, hotels, restaurants, bars, fuels sales and gear stores. It also supports local government coffers through raw fish tax, utilities, moorage, and sales tax.

The economic impact of the herring fishery to the industry is vital and comes at a time when the community of Sitka needs the boost.

Currently the biomass is at an all-time high which has increased 40-fold since the state has taken over management and STA is still pushing harder than ever to restrict the Sitka herring fishery.

Maybe this isn't about subsistence opportunity?

"Science over Politics" That's a quote from a Governor mandating the BOF process to govern using Science over Politics.

I encourage you to look at the herring issues with the thought of **Science over Politics**.

Thank you for your time,

Troy Denkinger

Submitted By
Troy Mutz
Submitted On
2/16/2022 12:51:29 PM
Affiliation



PC470
1 of 1

Phone
505-570-0391
Email
tm68gto@yahoo.com
Address
P.O. Box 963
Sitka , Alaska 99835

Dear AK board of fish. I'm a SE troller, it would be devastating to our business if charters were to take more of the king salmon quota. Trollers pay 3% on every fish for salmon enhancement. Charters pay nothing. Most charter companies are not full time Alaskans. Charters leave the state effectively reducing infrastructure money.
Please! Enough is enough!
respectfully,
Troy

Submitted By
Tyler Green
Submitted On
2/21/2022 6:11:09 PM
Affiliation



PC471
1 of 1

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Sitka, Alaska 99835

We currently operate as Trollers and Longliners. We partake in some direct marketing of our product. This is our livelihood and future. We have invested hundreds of thousands of dollars to make this dream come true.

The hours, time and dedication are relentless. If you haven't experienced exactly what a commercial fishing family goes through throughout the year, then you have no idea how we feel about the potential of the Charter fleet sliding in and taking another chunk of our Halibut Quota. If the Board of Fish, NOAA and IPHC really want to make a difference then enforce the pathetic bycatch that trawlers dump daily. Their bycatch could more than cover the charter fleets request.

I find it ludacrous that the IFQ longliners are being targeted. Has the charter fleet purchased quota at the market rates? They have free reign of any fishery in AK. Zero regulation in regards to a vessel limit, size of fleet. In fact, the charter fleet IS NOT managed at all, period.

Do they pay a salmon enhancement tax? NO. They catch our fish out of Sitka and pay absolutely nothing for them. It's time the charter fleet is regulated. I have never seen a trooper board or check a charter boat in 20+ years in Sitka.

I find it ridicilous that I have to waste my time to explain the pathetic management of the charter fleet and their attempted quota grab. Unfortunately, the process is 100% money and politics.

Tyler, Ashley & Ellie Green

FV Haven



United States Department of the Interior
Office of Subsistence Management
1011 East Tudor Road MS 121
Anchorage, Alaska 99503-6199



PC472
1 of 9

JAN 25 2022

In Reply Refer To:
OSM.21062.GP

Ms. Märít Carlson-Van Dort, Chair
Alaska Board of Fisheries
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, Alaska 99811-5526

Dear Chair Carlson-Van Dort:

The Office of Subsistence Management (OSM) appreciates the opportunity to comment on the Alaska Board of Fisheries proposals and related issues during the 2022 Southeast and Yakutat Finfish and Shellfish Meeting.

The OSM staff, working with the other participating agencies, has reviewed these proposals. The attached document includes comments from OSM regarding proposals that have the potential to impact Federally qualified subsistence users or associated fisheries. During the meeting, we may wish to comment on other agenda items that might impact Federally qualified subsistence users/fisheries. The attached comments are on the proposals in Session 1 (salmon, herring, and other non-groundfish).

Our comments are limited to issues affecting the Federal Subsistence Management Program (FSMP). Federal agencies may wish to comment separately on issues outside of the FSMP that may impact Federal public lands that fall under their management jurisdiction.

Again, we appreciate the opportunity to comment on these important regulatory matters and look forward to working with your Board and the Alaska Department of Fish and Game on these issues.

Sincerely,

Sue Detwiler
Assistant Regional Director,
Office of Subsistence Management

Chair Carlson-Van Dort



PC472

2 of 9

Enclosure

Cc: Anthony Christianson, Chair, Federal Subsistence Board
Interagency Staff Commission
Office of Subsistence Management
Ben Mulligan, Alaska Department of Fish & Game,
Mark Burch, Alaska Department of Fish & Game, Palmer
Administrative Record



PROPOSAL 125 seeks to clarify the language for authorizing take of Coho and Chinook Salmon under state subsistence fishing regulations. The proponent requests the issuance of subsistence permits for Chinook Salmon in Southeast Alaska. The proposed changes would include removing the incidental harvest limits of two Chinook Salmon taken by gear operated under a terms of a subsistence permit while targeting other fish species.

Current State Regulation:

5 AAC 01.730 Subsistence Fishing Permits.

(b) Permits will not be issued for the taking of coho salmon from the Taku River and Stikine River drainages, or for king salmon. However, king or coho salmon taken incidentally by gear operated under terms of a subsistence permit for other salmon are legally taken and possessed for subsistence purposes as described in (j) of this section.

(j) Salmon, trout, or char taken incidentally by gear operated under the terms of a subsistence permit for salmon are legally taken and possessed for subsistence purposes, except that the possession limit for king salmon is two fish. A holder of a subsistence salmon permit must report any salmon, trout, or char taken in this manner on the permit holder's permit calendar.

Current Federal Regulation:

50 CFR §100.14 Relationship to State procedures and regulations.

(a) State fish and game regulations apply to public lands and such laws are hereby adopted and made a part of the regulations in this part to the extent they are not inconsistent with, or superseded by, the regulations in this part.

50 CFR §100.27 (i)(13) Southeastern Alaska Area. *The Southeastern Alaska Area includes all waters between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance*

(ii) You must possess a subsistence fishing permit to take salmon, trout, grayling, or char. You must possess a subsistence fishing permit to take eulachon from any freshwater stream flowing into fishing District 1.

(xiii) You may take Chinook, sockeye, and coho salmon in the mainstem of the Stikine River only under the authority of a Federal subsistence fishing permit. Each Stikine River permit will be issued to a household. Only dip nets, spears,



gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length may be used. The maximum gillnet stretched mesh size is 8 inches during the Chinook salmon season and 5 1/2 inches during the sockeye salmon season. There is no maximum mesh size during the coho salmon season.

(xix) There is no subsistence fishery for any salmon on the Taku River.

Is a similar issue being addressed by the Federal Subsistence Board? No.

Impact to Federal subsistence users/fisheries: Yes. Adoption of this proposal will introduce the burden to obtain a State permit and meet associated reporting requirements for Federally qualified users who choose to participate in the State managed fisheries. Federal subsistence fishing permits and associated reporting are required in Southeast Alaska region-wide, thus requiring issuance of a State permit to retain Chinook Salmon in subsistence fisheries will not impact the Federal subsistence fisheries.

Additionally, the intent of this proposal is to allow the retention of Chinook and Coho Salmon incidentally caught in other State managed subsistence fisheries. If adopted, it may set a precedent resulting in similar actions in other systems where retention of Chinook and or Coho Salmon is not sustainably possible.

Current State subsistence and personal use Chinook Salmon incidental harvest limits is two Chinook Salmon and if this proposal is adopted as written, incidental harvest of Chinook Salmon would be unlimited thus potentially compounding existing conservation concerns for some stocks potentially resulting in threats to continuance of subsistence uses for Federally qualified users.

Federal position/recommended action: Support requiring a permit to record Chinook and Coho Salmon incidental harvest in the Southeast Alaska region subsistence fisheries. **Oppose** removing the daily possession limit of incidental taken Chinook Salmon.

Rationale: The information collected through the State and Federal subsistence fishing permitting system is beneficial for management of the Chinook Salmon stocks in Southeast Alaska, especially during times of widespread conservation concerns for the natural/wild stocks across Alaska. The permit requirement for all Federal Subsistence Fisheries in Southeast Alaska was established beginning in the early 2000s. During times of low Chinook Salmon abundance, regulations requiring permitting and reporting of all Chinook Salmon harvested in the State managed subsistence fisheries may be warranted until Chinook populations rebound. Information gathered from subsistence permits may assist managers better understand the where



the incidental Chinook Salmon harvests are taking place in the subsistence fisheries and may assist in designing future management actions to reduce incidental takes where conservation concerns warrant.

Removal of the incidental harvest limits for Chinook Salmon as proposed, may lead to unsustainable harvest rates in areas with low returns and growing conservation concerns. The OSM cannot support a region-wide removal of the Chinook Salmon incidental harvest limits, but would consider information submitted to develop more strategic limit modifications by area or stock.

PROPOSAL 129 requests reducing closed waters, removing the Coho Salmon annual subsistence harvest limit, and establishes a daily harvest limit of 20 Coho Salmon per day per resident for the Klawock River upstream of the Klawock River Bridge, including the Klawock estuary in the State's subsistence fishery.

Current State Regulation:

5 AAC 01.725. Waters closed to subsistence fishing and 5 AAC 01.745. Subsistence bag and possession limits; annual limits

(a) Salmon may not be taken for subsistence purposes in

(1) the Klawock River drainage upstream of the Klawock River Bridge;

Current Federal Regulation:

50 CFR §100.27 (e)(13) Southeastern Alaska Area. The Southeastern Alaska Area includes all waters between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance

(xx) The Klawock River drainage is closed to the use of seines and gillnets during July and August.

Is a similar issue being addressed by the Federal Subsistence Board? No.

Impact to Federal subsistence users/fisheries: Yes. Adoption of this proposal may lead to an unsustainable incidental harvest increase of Klawock River Sockeye Salmon within the area of concern, depending upon harvest in the State managed fisheries. Sockeye Salmon are

incidentally harvested with Coho Salmon by Federally qualified subsistence users in the Klawock River and Lake (**Map 1**), which are under Federal subsistence fisheries jurisdiction.

Federal position/recommended action: Oppose. The OSM opposes the portion of this proposal which request expanding open waters to include the Klawock River estuary and River.



S. Burch, 3/30/2011, KlawockFederalSubsistenceJurisdiction.mxd

Map 1. Aerial image of Klawock Estuary, Lake, and River illustrating Federal subsistence fisheries jurisdiction.

Rationale: Federal subsistence fisheries regulations limit each household to 20 Coho Salmon per day and the proposed State regulations would limit each individual to 20 Coho Salmon per day. The proposed changes to State regulations would provide households with multiple participants the opportunity to harvest significantly more Coho Salmon per day under State regulations than under Federal subsistence regulation. Additionally, liberalization of the area open to State subsistence fishing to include the waters above the Klawock River Bridge may lead to substantial incidental harvest of Sockeye Salmon as they are highly susceptible to harvest while milling in the estuary.

The Office of Subsistence Management would change to **support with two modifications**. The first recommended modification is to change the proposed individual daily harvest limit to a household daily limit of 20 Coho Salmon in place of the proposed individual daily harvest limit of 20 Coho Salmon.



Adoption of this proposal with a modification to change the daily harvest limit to 20 Coho Salmon per day per household in the State managed fishery and area would result in identical harvest limits for Federal and State subsistence fisheries, which would result in reduced user confusion and enforcement issues.

The second concern raised by this proposal is the proposed start date of August 15. Adoption of the proposed start date could lead to an increase of incidental harvest of Sockeye Salmon while fishing for much more abundant Coho Salmon. Increased Sockeye Salmon harvest could result in conservation concerns and challenges to continuance of subsistence uses for Federally qualified subsistence users. The Office of Subsistence Management recommends and would **support a second modification** of delaying the start date of the proposed fishery to reduce the potential impacts on Sockeye Salmon. This second modification would be based on managers utilizing current run timing information to determine when Sockeye Salmon are less likely to be present in the system.

The total Federal subsistence harvest of Coho in the fresh waters of the Klawock drainage between 2002 and 2020 was 2,967 Coho Salmon from a total of 327 permits issued. The total annual average was 156 Coho Salmon with eight fish per household permit. The total Federal subsistence harvest of Sockeye Salmon between 2002 and 2020 was 1,083 fish from 46 permits issued. The total annual average harvest was about 23 Coho Salmon harvested per household permit during that period.

PROPOSAL 130 requests to modify the fishing times and locations for the subsistence Sockeye Salmon fishery in the Klawock Estuary, River, and Lake. The proposal requests establishing a July 10 through July 31 season for Sockeye Salmon in the waters of Klawock Harbor enclosed by a line from the northernmost tip of Klawock Island at 55° 33.47' N. lat., 133° 05.96' W. long., the Klawock River, and Klawock Lake only from 12:01 am Monday until 11:59 pm Friday. These comments only address the portion of the proposals that reference the freshwaters of the Klawock River and Lake under Federal subsistence fisheries jurisdiction (**Map 1**).

Current State Regulation:

5 AAC 01.725. Waters closed to subsistence fishing and 5 AAC 01.745. Subsistence bag and possession limits; annual limits

(a) Salmon may not be taken for subsistence purposes in

(1) the Klawock River drainage upstream of the Klawock River Bridge;

Current Federal Regulation:

50 CFR §100.27 (e)(13) Southeastern Alaska Area. *The Southeastern Alaska Area includes all waters between a line projecting southwest from the westernmost tip of Cape Fairweather and Dixon Entrance*

(xx) The Klawock River drainage is closed to the use of seines and gillnets during July and August.

Is a similar issue being addressed by the Federal Subsistence Board? No.

Impact to Federal subsistence users/fisheries: Yes. Adoption of this proposal may lead to an unsustainable increase in harvest of Klawock River bound Sockeye Salmon within the area and time of concern, depending upon the harvest in the State managed fisheries. Sockeye Salmon are harvested by Federally qualified subsistence users in the Klawock River and Lake (Map 1). The total Federal subsistence harvest of Sockeye Salmon between 2002 and 2020 was 1,083 fish from 46 permits issued. The total annual average harvest was about 23 Coho Salmon harvested per household permit during that period.



S. Burch, 3/30/2011, KlawockFederalSubsistenceJurisdiction.mxd

Map 1. Aerial image of Klawock Estuary, Lake, and River generally illustrating Federal subsistence fisheries jurisdiction.



Federal position/recommended action: Oppose. The Office of Subsistence Management opposes the portion of this proposal that includes waters under Federal subsistence fisheries jurisdiction.

Rationale: The Office of Subsistence Management opposes opening the proposed fishing area. The area is critical for the protection of Sockeye Salmon returning to the Klawock watershed as they are highly susceptible to harvest in this area. Sockeye Salmon returning to the Klawock system have been depressed in the last decade and liberalization of the State managed subsistence fishery may result in conservation concerns and threaten the continuance of subsistence uses to Federally qualified subsistence users who reside on Prince of Wales Island.

Liberalization of this Sockeye Salmon subsistence fishery may be warranted if/when the return increases significantly enough to be considered healthy and able to soundly support a harvestable surplus. The Office of Subsistence Management would change to a **neutral** position if information is presented that indicates the proposed State subsistence fisheries can be liberalized without resulting in unsustainable harvest or cause adverse impacts to the Federal subsistence fishery or Sockeye Salmon return.



UNITED FISHERMEN OF ALASKA

Mailing Address: P.O. Box 20229, Juneau AK 99802-0229

Phone: (907) 586-2820

E-mail: ufa@ufa-fish.org **Website:** www.ufa-fish.org

February 21, 2022

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

Re: Opposition to Dungeness Crab Proposals: 200, 201, 204, 205, 206, 207, 208, 210
Support for Dungeness Crab Proposals: 202, 203, 211
Opposition to Pot Shrimp Proposals: 177, 178, 179
Support for Herring Proposal: 160

Dear Chair Carlson-Van Dort and Board of Fisheries members,

United Fishermen of Alaska (UFA) is the statewide commercial fishing trade association, representing 37 commercial fishing organizations participating in fisheries throughout the state and the federal fisheries off Alaska's coast and would like to comment on the following shellfish and herring proposals:

OPPOSE DUNGENESS CRAB PROPOSALS: 200, 201, 204, 205, 206, 207, 208, & 210:

UFA opposes the above enumerated proposals, which if passed, would close additional water to the commercial Dungeness crab fishermen. As per RC 2 ADF&G staff comments, there is not a conservation concern for the Dungeness stocks in Southeast Alaska region. Staff comments state, "closing additional areas to Dungeness crab commercial fishing will result in increased density of gear in the areas that remain open, potentially increased gear loss and increased potential for localized depletion." Personal Use and sport crab fishing is open year-round where commercial fisheries are open for a limited number of days and areas. The Dungeness crab fishery already has 17 area closures around communities. These proposals lack sufficient explanation of a biological concern and without a documented scientific need for conservation, we do not support limiting access to fisheries through area closures. If a closure is deemed necessary for community access, then the fishery should also be closed to sport fishing, leaving only subsistence and personal use options open.

SUPPORT DUNGENESS CRAB PROPOSALS 202, 203 & 211:

UFA supports re-opening closed waters to commercial Dungeness crab fishing that were closed at a previous Board of Fish meeting. There is not a conservation concern for Dungeness crab in Southeast Alaska region.



OPPOSE POT SHRIMP PROPOSALS 177, 178, & 179

UFA opposes closing additional areas to commercial pot shrimp fishing. The Department of Fish and Game already closes areas when surveys and commercial CPUE's show a decline in the area. Proposals 178 & 179 are asking for additional closed areas in Kasaan Bay, currently there is already a small, closed area around the community of Hollis.

SUPPORT SITKA SOUND HERRING PROPOSAL 160

UFA supports this proposal to reestablish the "core" subsistence area boundaries as set in 2012 reducing the expansion that occurred in 2018. Herring have been bypassing the "core areas" in recent years and subsistence harvesters have shown that they had "reasonable opportunity" to harvest herring outside the designated core area. Table 9 of the 2021 Subsistence Harvest Report shows that 87% of the thirty-eight respondent households reported sufficient harvest for themselves and to share with others. Table 7 of 2021 Subsistence Harvest Report indicated that the largest subsistence harvests occurred outside of the "core" area, an indication that the commercial fishery did not restrict subsistence opportunity.

Thank you for your consideration of our position on these Board of Fish proposals and your service on the Board of Fish for the State of Alaska.

Sincerely,

Regards,

Matt Alward
President

Tracy Welch
Executive Director

MEMBER ORGANIZATIONS

Alaska Bering Sea Crabbers • Alaska Longline Fishermen's Association • Alaska Scallop Association • Alaska Trollers Association
Alaska Whitefish Trawlers Association • Area M Seiners Association • At-sea Processors Association • Bristol Bay Fishermen's Association
Bristol Bay Regional Seafood Development Association • Bristol Bay Reserve • Cape Barnabas, Inc. • Concerned Area "M" Fishermen
Cook Inlet Aquaculture Association • Cordova District Fishermen United • Douglas Island Pink and Chum • Freezer Longline Coalition • Fishing Vessel
Owners Assn Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Crab Alliance Cooperative • Kodiak Regional Aquaculture
Association • Kodiak Seiners Association • North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Northwest
Setnetters Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner
Association • Seafood Producers Cooperative • Southeast Alaska Herring Conservation Alliance • Southeast Alaska Fisherman's Alliance • Southeast
Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners
Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Southeast Alaska Gillnetters
Valdez Fisheries Development Association

Submitted By
Wendy Alderson
Submitted On
2/23/2022 2:29:12 PM
Affiliation
Self Employed, Ocean Cape



PC474
1 of 1

Phone
9077520246
Email
wendyalderson@gci.net
Address
714 Etolin St
Sitka, Alaska 99835

Dear Alaska Board of Fisheries members,

As a Sitka resident and a 30 year commercial fisher, I am asking you to reject Proposal 83. We are and have been in a low abundance cycle for king salmon. This doesn't look like it's going to change any time soon. Proposal 83 requests that in times of low abundance the sport sector be allowed to harvest in excess of 20% of the combined sport/troll allocation. Since Proposal 83 includes no language of recompensation -no "payback plan"- it is simply open ended reallocation.

A sentence in Proposal 83 caught my eye. "The result is insufficient harvest opportunity for the sport fishery during low abundance." Unfortunately low abundance means reduced harvest opportunity for all sectors. That's called conservation.

Thank you for your time,

Wendy Alderson

F/V Ocean Cape

Submitted By
Wesley Bowen
Submitted On
2/20/2022 9:41:51 AM
Affiliation
Deck Hand/ sport fishing/ subsistence/ Alaska Native

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704 Lake St.
Sitka, Alaska 99835



PC475
1 of 1

Dear Board of Fish members,

RE: Guided and unguided non resident sport fishing.

Growing up in Sitka and watching the growth and impacts of the Guided sport fish industry has left me with mixed feelings and concern for the fisheries in general. The fleet is continuing to grow catching up most of the sport fish quota that the local rural residents depend on. This industry left unregulated will continue to grow until our sport fisheries are depleted to unsustainable levels. I have witnessed first hand the impacts this Guided sport fishing does to all the fisheries, crab, shrimp, salmon, rock fish, and halibut. I plead with the board to regulate the unguided and self guided nonresident sport fisheries. Don't give them more or reallocate quotas just because an unregulated industry has reached unsustainable levels. Please don't let outside interest take anymore from us local and native rural residents...

Thank you, sincerely Wes Bowen



From: [Zachary Gardner](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Proposal 82
Date: Wednesday, February 23, 2022 8:34:15 PM

Hello,

I am in support of SeaGo's modifications to Proposal 82. We need stability and predictability for our clients in order to be able to continue to guide in Alaska. I would not be able to continue guiding in Alaska if there was a month long break during the middle of the season.

Thank you,

Zack Gardner

Submitted By
Zachary Olson
Submitted On
1/14/2022 12:36:31 PM
Affiliation
Power troll



PC477
1 of 1

Phone
907-957-2432
Email
Fishmechanic69@gmail.com
Address
PO Box 2451
Sitka , Alaska 99835

Proposal 83, as a Southeast Power Troll permit holder I am against SEAGO's proposal allowing them to take king salmon from our already battered quota. I don't see how taking kings during low or medium abundance with the promise of returning those kings during high abundance could work. This proposal will only benefit the charter industry and be another king salmon deficit to the commercial troll fleet. Who will monitor this and have the autonomy to enforce it when we do have high abundance? Recent trends in abundance tells me they will take fish and never pay them back. Our fleet is already under attack from southern courts for Puget Sound killer whales. We have lost most of our spring king opportunities for stocks of concern. We have two very brief opportunities for kings each year. We all want more kings but taking from a fleet that has suffered already and give them to another constituency will cripple our fleet. It is unfair for them to even ask considering the multiple species each one of their clients gets to harvest each day they go out.

Thank You

Zachary Olson

F/V Sassy