

**Nushagak Advisory Committee
November 14, 2022
Zoom/Teleconference**

- I. Call to Order: 4:45 PM by Vice Chair Travis Ball
- II. Roll Call: (8 needed for quorum)

Members Present:

Susie Jenkins-Brito DLG, Chair, AR 4:51pm
Travis Ball, Aleknagik, Vice Chair
Dan Dunaway, Undesignated, Secretary
Curt Armstrong, Dillingham, AR 5:09pm
Mariano Floresta, Clarks Point
Todd Fritze, Dillingham
Tom O'Connor, Dillingham
Joe Chythlook, Dillingham
Lindsay Layland, Alternate At Large
Chris Carr, Portage Creek

Members Absent (Excused):

Gayla Hoseth, Undesignated
Barbara Moore, Manokotak
Robert Larson Sr, Koliganek

Members Absent (Unexcused):

Peter Christopher, New Stuyahok
Joe Kazmirowicz, Ekwok
Moses Kritz, Togiak
Walter Kanulie, Togiak Alternate
Kenneth Nukwak, Alternate At Large

Fish and Game Staff Present:

Taryn O'Connor-Brito, Boards
Tim Sands, Commercial Fisheries
Lee Borden, Sport Fish

Guests Present:

Craig Chythlook, drift
Fritz Johnson drift
David Bendinger, processor
John O'Connor, set
Randy Sandvik, drift
Nick Dowie, set
Anders Gustafson, angler
Cody Larson, BBNA
Misa Webber, Comm fisher
Jeff Regnart, consultant
Chris O'Connor, set
Reed Tennyson, drift

- III. New Business - - - Members resumed addressing proposals beginning with 36, 37, 38 which had been in discussion when the November 9 meeting adjourned.
- IV. BOARD OF FISH PROPOSALS: See following template.

Note: phone issues prevented Chris from participating in much of the meeting discussion and voting.

Alaska Board of Fisheries: Bristol Bay Proposals November 29 – December 3, 2022 Anchorage, AK			
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<p><i>Note: Effective September 2019, when abstentions occur, the action or decision of a majority of the remaining members at a meeting at which a quorum is present is an act of the committee. For example, a vote tally of 7-6-2 means the motion carries. Members abstaining from voting must provide an explanation that is included in the committee record.</i></p>			
NOTE:	PROPOSALS 11- 35: SEE NUSHAGAK AC ON TIME MINUTES FOR THE NOVEMBER 9 AC MEETING.		
36	Limit the length of drift gillnet tows to 100 feet.		
Opposed	5	5	<p>Note: Discussion below references comments from both 11/9/22 and 9/14/22 meetings.</p> <p>11/9/22: Trav moves Dan 2nd to adopt 36, 37, 38 as a group.</p> <p>Numerous complaints of drifters dropping their nets really shallow then back off into deeper water to stay afloat with really long tow lines to the net.</p> <p>Extended discussion on what constituted drifting and how drift nets with heavy lead lines amount to anchors. Currently enforced if net corks are wet and floating and the boat is floating - it's drifting.</p> <p>Some boats have tow lines of 1,000+ feet .</p> <p>Some see a safety issue if limited to 100 feet. Drift boats need more than 100 feet to be able to maneuver out of tight spots.</p> <p>Would setting a limit cause drifters to behave differently, maybe be less likely to get into tight spots?</p> <p>It was noted drift nets are 12 ft deep and lead lines can be on the bottom in even 10 ft of water holding a drift net in position in slack tide water.</p> <p>Discussion of 300 ft or 400 ft as possible compromise length. This is more on how the line is used and not the length of the line.</p>

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			<p>Short lines will make these big smooth bottom jet boats even more competitive vs the prop boats with keels.</p> <p>Comments made that Drifters should drift and set netters should set.</p> <p>AWT discussed enforcement and locations, circumstances where this is an issue. What they enforce as drifting, what is grounding and when enforcement acts. Whether this could be considered hazards to navigation is an issue for the Coast Guard?</p> <p>Opinion expressed that this issue is more on how the line is used and not the length of the line.</p> <p>The meeting room had to be vacated for another meeting.</p> <p>No decisions made. Tabled. This and remaining Bristol Bay proposals will be taken up at a subsequent meeting.</p> <p>11/14/28: AC returned to discussion.</p> <p>Lindsay L. Motion to continue discussion of 36-37-38, Tom 2nd</p> <p>Set netter listed several points of feedback received in favor of proposal:</p> <ol style="list-style-type: none"> 1) long tow lines are used intentionally and unintentionally in very shallow water to block other gear; to block other drifters or to keep boats floating legally but have net in shallows; the lines and nets can block fishing space for others - in shallow or even open waters. 2) long tow lines encourage hard towing, dragging of nets and fish which reduces fish quality and is hard on gear 3) can present a safety hazard, especially at night as there are no markers on these very long lines - other boats can't see the lines. <p>Several drifters; 100 ft is just too short to maneuver boats safely; the problem will exist regardless of allowed length; "issue" varies</p>

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			<p>depending on the beach area - it's not as much of a problem on Ekuk beach but it's worse on Combine. 100 ft too short, but 1,500 to 2,000 is too long. - 500 feet might be ok.</p> <p>Several comments in favor of 500ft as compromise length.</p> <p>Lindsay moved Dan 2nd to amend to limit length to 500ft</p> <p><i>Roll call vote on amendment Carries 5-3 (Todd Fritze dropped off line at time of vote)</i></p> <p>Additional discussion on proposals 36-38 as amended.</p> <p>Set netter felt length limit wouldn't solve the problem, seems more like set netters just trying to protect their areas, this anchoring a drifter with a heavy net is a lot of confusion and whether the line is 500 or 1,000 the problem is the same. This is also about big versus small boats. 300 feet is a better length.</p> <p>Drifter - having 500 ft would allow enough tow line on the reel in the event of an emergency, restricting too much more could be a safety issue.</p> <p>Set - the intent is to have vessels in reasonably close proximity to their gear, 500 is too long 300 feet is better. Boats need to be on their gear, shouldn't need binoculars to see your net.</p> <p><i>Roll call vote on 36-37-38 as amended Failed 5 to 5 (All members present were able to respond to this vote).</i></p>
37	Limit the length of drift gillnet toelines to 100 feet.		
No Action			No Action due to action on 36
38	Limit the length of drift gillnet toelines to 25 fathoms.		

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Support as amended	6	3	<p>After a brief discussion of proposal 38 the AC realized it had moved to address 38 as a group with 36 and 37.</p> <p>Joe C moved Trav 2nd to reconsider and address 38 on its own. <i>Roll call vote to reconsider carried 9-0.</i></p> <p>Comments in support of 38 as written.</p> <p>Comment in opposition limits, the bigger issue is what constitutes drifting..</p> <p>Comment in support of length somewhere between 150-300 ft.</p> <p>Opposition, too short of lines makes it too hard to maneuver, can be a safety concern.</p> <p>Short lines advantage shallow draft powerful boats and don't address the "anchoring with heavy nets". Still doesn't address the real problem. But recognize the safety issues - whatever the limit, some will still abuse.</p> <p>Disagreement, still see problems. 1) safety, 2) need to reduce fishing interference, 3) drifters drag the ground with their nets and long lines go against the spirit or intent of drift fishing.</p> <p>Trav moves, Lindsay 2nd to amend 38 to establish a limit of 300-foot tow line.</p> <p>Comment in support of amendment.</p> <p><i>Roll call vote to amend carries 7-2</i></p> <p><i>Roll call vote on proposal 38 as amended to limit tow line length to 300 feet Carries 6-3</i></p>

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39	Prohibit placement of set gillnet gear on the shore fishery lease site of another set gillnet permit holder.		
No Action	9	0	<p>Dan moves Lindsay 2nd to adopt.</p> <p>Discussion: A leased site is exclusively for the leaseholder when present and desiring to fish. If it's unoccupied another permit holder may fish there.</p> <p>This issue is already addressed in regulations. Wording is vague and not clear what the author wants. May need to resurvey the lease site.</p> <p>Motion to take no action carries 9-0</p>
41	Adjust seaward boundary for set gillnet gear near the Nushagak District.		
Support	9	0	<p>Trav move Dan 2nd to adopt</p> <p>Author of the proposal asked to present and discuss. Author is a registered land surveyor, and set nets at Ekuk. He provided an extensive printed handout and explanation with color maps.</p> <p>main points:</p> <ol style="list-style-type: none"> 1) address beach erosion, and difficulties complying with older boundaries 2) changing tides beach lines make current outer boundaries a varying target 3) From the 1980's to now, some portions of the beach have eroded 146 feet. 4) The author's intent was to establish a more clear cut boundary, and alleviate issues caused by erosion using GPS waypoints. 5) asking for 100 feet more to address erosion since 1980s 6) offers these waypoints as practical numbers yet not overload AWT Enforcement electronics capabilities . <p>Drift - I see advantages to drift fleet- they can know clear waypoints to avoid set netters gear especially their offshore screw anchors/"guard buoys".</p> <p>Set - my site, my gear hasn't changed in 30 years and the proposed line is within 30 feet of my location.</p> <p>Current rule is hard to enforce due to obstacles of establishing distances with everything changing.</p>

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			<p>Set- noted mean high tide used to be 18 feet and now it's 19 feet which makes a big difference. I favor this even though it might hinder one of my sites - we need harder points to aid compliance, enforcement, and to stay legal as erosion has really affected my site and others in the area.</p> <p>Set- In favor and I might gain a little from this, it makes it clearer, especially if a set net site is vacant.</p> <p>Set net at Clarks - some Clark's sites will benefit as it will give them a little more fishing time since the erosion has built up some mud flat out front. I favor this.</p> <p>Enforcement asked for relatively straight lines and few way points. Difficulty with plotting many points.</p> <p><i>Roll Call vote Carries 9-0</i></p>
42	Repeal provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard.		
Oppose	4	5	<p>Trav move Dan 2n to adopt 42 42 and 43 are exactly the same; repeals D permits.</p> <p>AC Member noted: I have an extended family that is widely involved in fishing. The major complaint today is we have too many boats. There were 256 D permits active - imagine if every one of those permit holders found a boat. That would create even more congestion and could put 24,700 fathoms more web in the water. We could see more than 900 boats in the Nushagak. It would disenfranchise folks who have been "D-ing Up", who don't have boats and can't afford to get a boat. It takes a lot of money to get a boat in the water and quite a few of these permit holders just don't have the money.</p>

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			<p>Several comments in support of the current D system. This is a way for a beginner to work their way into the fishery. I've known a person to D up then work up to buying a boat. D permits do work as intended ,it's not the problem some portray. It's a good tool and many don't want it to go away. Many support the D though there have been some unintended consequences such as activating near dormant permits.</p> <p>Set- 90%-95% of the D fleet are not locals. The intent was to help locals; it's not happening. It has been creating Super Fishermen and they cut off other boats, take up more waters, catch more fish, and get special treatment from the processors. We had 7 million over escapement this year and you don't want more gear in the water? Besides, all available boats are fishing now, I'm not sure another 256 could be found. These D permits rule the fishery.</p> <p>Originated to take some gear out of the water. Now with the high prices and huge runs it's not needed. I support 42.</p> <p>D permits haven't helped locals as much as expected. Small local boats struggle to compete. Some village fishers are just getting out of the fishery as this system drives up the price of permits.</p> <p>An AC member directed attention to proposal 44. I oppose 42 and 43. Brief side discussion of 44.</p> <p>Processors are not supporting a number of the smaller boats and less aggressive skippers. Lack of a market for them may force them to sell out.</p>

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			<p>Smaller boats can't take advantage of the added gear due to the limited capacity of the boats.</p> <p>One states they dislike all the "cons" that have evolved with the D permit provision, but can see it work as intended and within my family some still use it.</p> <p><i>Roll Call vote fails 4-5</i></p>
43	Repeal provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard.		
No Action			Based on actions taken on 42 Nushagak AC chose no action on this one.
44	Review provisions allowing operation of 200 fathoms of drift gillnet from a vessel with two CFEC permit holders onboard.		
Support	5	4	<p>Travis moves, Tom 2nd to adopt</p> <p>There was a lot of discussion during 42. The only difference is this sunsets the D permits. This would give time for the fleet to adjust. The D permits system has turned out so different from original intent and it's not benefiting locals.</p> <p><i>Roll call vote carries 5-4</i></p>
45	Provide drift gillnet vessels with a single permit holder onboard more fishing opportunity per opening than vessels with two permit holders onboard.		
Oppose	3	6	<p>Dan moves, Trav 2nd to adopt</p> <p>ADFG, Sands believes this would create a new gear class and require separate openings, possibly separate allocations, regulations, would be extremely confusing and complicated to manage.</p>

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			<p>Comment in opposition, too complicated. Would rather see a regulation allowing ADFG to allow all boats to fish more gear under certain criteria.</p> <p>This might cause D boats to want special treatment - these proposals would keep coming.</p> <p>Comment in support of the concept - it might appease the non D boats.</p> <p>Comment in opposition, sees real issues with allocation and more problems. Where would allocation come from, Nushagak is a fully allocated fishery?</p> <p>Might keep AWT really busy.</p> <p>Comment: might be no legal way to stop all boats from fishing 150 fathoms, keep 50 on board then roll it out when it opens to D boats.</p> <p><i>Roll call vote fails 3-6</i></p>
46	Allow permit stacking in the Bristol Bay commercial salmon drift gillnet fishery.		
Oppose	0	9	<p>Trav moves, Todd 2nd to adopt.</p> <p>Multiple comments stating emphatic opposition.</p> <p><i>Fails 9-0</i></p>
47	Allow permit stacking in the Bristol Bay commercial salmon drift gillnet fishery.		
No Action			Take no action BOF please note our action on 46.
48	Delay the date at which fishermen may reregister to or from the Togiak District.		
			<p>Trav moves, Dan 2nd to adopt</p> <p>AC asked Boards what did Togiak AC do?</p>

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Support	9	0	<p>Togiak AC Supported Unanimously. Lots of complaints of illegal fishing when boats transfer from other districts. Fishery is very important to the Togiak economy, one member states 25%- 30% of the community is below poverty levels.</p> <p>Togiak fishermen say the run timing is getting later and they need the extended protection.</p> <p>Question to department: on when illegal fishing occurs. Answer: one group of fishers brings their own processor, locals express lots of suspicion of the operation .</p> <p>Togiak has a different fishing style. Smaller boats, not as aggressive.</p> <p>ADFG: peak of run seems to trend to later dates in recent years. Really big recent runs make it harder to answer run timing trends. Mid-point varies year to year normally but in big runs the small local fleet is less able to control the run. There have been no difficulties achieving escapement goals in recent years.</p> <p>The history of the exclusive status for the Togiak district was discussed. Began in 1997.</p> <p>Some discussion whether with the big fleet in Nushagak recently and fishing the south and west line hard, could be intercepting Togiak fish and causing an apparent delay in the peak of the run? Nothing is certain in this regard.</p> <p><i>Voice vote Carries 9-0</i></p>
49	Reestablish a General District Salmon Management Plan.		

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Oppose	0	9	<p>Trav move Dan 2nd to adopt as a group, 49 - 54; the concept of opening a General District</p> <p>ADFG: Some of these proposals are unclear as to when they would go into effect. There is potential interception.</p> <p>The justifications make no sense.</p> <p>Concerns expressed for the genetic diversity and potential interception of fish bound for each district.</p> <p>We have these districts set up to responsibly capture fish close to their river of origin and should stay with it.</p> <p>Many comments in adamant opposition.</p> <p>Any Bristol Bay fisherman opposed to Area M interception should oppose this. It would be inconsistent to do otherwise.</p> <p><i>Voice vote Fails 0-9</i></p>
50	Reestablish a General District Salmon Management Plan.		
Opposed	0	9	See 49
51	Reestablish a General District Salmon Management Plan.		
Opposed	0	9	See 49
52	Reestablish a General District Salmon Management Plan.		
Opposed	0	9	See 49
53	Reestablish a General District Salmon Management Plan.		
Opposed	0	9	See 49
54	Adopt an Eastside Bristol Bay late-season management plan.		
Opposed	0	9	See 49
56	Allow drift gillnet fishermen to make 'test sets' under certain circumstances.		
Oppose	0	9	Trav moved Lindsay 2nd to adopt.

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			<p>ADFG : this is complicated, under what circumstances would be allowed? Given the plight of kings there's no way this could be allowed in the Nushagak.</p> <p>This is really problematic to administer, enforce, and for buyers. It seems to target the west side of the bay. No need for this, all allowances outlined in the proposal could be argued for nearly all boats in the fishery on varying seasons.</p> <p><i>Voice vote: Fails 0-9</i></p>
61	Require reporting of king salmon harvest by size class on fish tickets.		
NO Action			<p>Discussion - no action as we understand this proposal was withdrawn by authors.</p> <p>We should note our positions on proposals 31 and 32</p>
62	Allow all commercial gear types to fish for herring simultaneously in Bristol Bay.		
Support	8	1	<p>Trav moves, Tom 2nd.</p> <p>ADFG History: in the past there were many seiners and many gill netters and it made sense to separate the fleets. Now the fleet is quite small with only a few seiners and gillnetters. Now the processors control the harvest. This would reduce the administrative demands and would simplify management. This would NOT preclude ADFG from separating gear types if needed.</p> <p>Togiak AC did not address this.</p>

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			<p>This might help both gear types get "on the ready fish" with less delays.</p> <p><i>Voice vote carries 8-1</i></p>

- I. Review and approval of November 14 minutes.
Trav moved, Lindsay 2nd for Dan to write minutes, submit to Taryn and Susie for review and for Susie to approve. Motion carried 9-0.
- II. Set next meeting date: Call of the chair

Adjourn: 7:45 PM

Minutes Recorded By: Dan Dunaway secretary
 Minutes Approved By: Susie Jenkins-Brito
 Date: November 26, 2022