

**On-Time Public Comment List
Work Session
October 21–22, 2015**

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Romanzof Fishing Company**F/V Baranof**

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PC 01
1 of 1

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September 30, 2015

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

Dear Chairman Kluberton and members of the Board of Fisheries:

RE: Agenda Change Requests #1 and #2 submitted by the Alaska Bering Sea Crabbers

My name is Doug Wells and I am the owner and manager of the fishing vessels Baranof and Courageous. As a long-time participant in the BSAI king and Tanner crab fisheries, I have a significant stake in the long-term health of Bering Sea crab stocks and their supporting ecosystem and am actively concerned with future access to the important crab resources upon which they depend. As such, I would like to take this opportunity to express my support for the two ACRs referenced above and to strongly encourage the Board to schedule these two proposals for consideration during the upcoming 2015/2016 meeting cycle.

At the heart of both of these ACRs is the issue of unnecessary and wasteful handling and discard mortality. Regulations that result in forced discards of otherwise harvestable crab species is in direct contradiction to ADF&G's management objective for sustained species conservation. **Our mutual goal should be to retain all legal crab captured in normal fishing operations and reduce discards to the maximum extent possible.**

There may be some that express concern with the potential negative impact mixed species loads may have upon processing capabilities, but I can tell you that as an active catcher-processor of BSAI crab, the ability to set up gear for efficiently processing differing crab species is not difficult. While there may be a learning curve for those operators that are not used to functioning in such a manner, this should in no way be a reason for not modifying the current incidental catch regulations in order to address the wasteful practices and serious conservation concern harvesters are now facing.

Thank you for your time and consideration.

Sincerely,

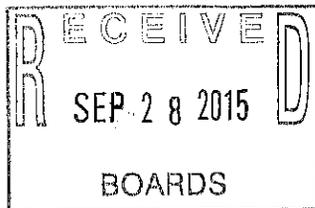
Doug Wells
Romanzof Fishing Company



Personal comments on ACR 13, and ACR 14, due to discussed at the October 2
ing in Anchorage.

I think ACR 13 and ACR 14 should both be denied. Both of these ACR's are directed at proposals passed during the 2014 Upper Cook Inlet BOF meeting. Those proposals have only been in place for two years and should be addressed in the next regular cycle meetings. Three years will be a much more reliable indicator of the effectiveness of the proposals and give us more information to make any changes needed. And there will be a full complement of public comments if the three-year cycle is adhered to. Most private individuals will not expect this topic to be re-addressed before the regular cycle occurs, so the Board will hear mostly from a few affected groups. This would not be nearly the public process it would be if these proposals came up during the regularly scheduled Cook Inlet meetings.

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465-6094



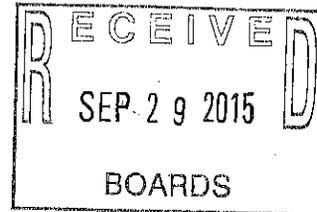
September 28, 2015

Alaska Department of Fish and Game
Board Support Section
PO Box 115526
Juneau, Alaska 99811-5526

And

Alaska Board of Fisheries Chairman and members

RE: **ACR #13 and ACR #14**



Good Day to you all:

My name is Howard Delo. I retired from the Alaska Department of Fish and Game after a 21-year career working in the F.R.E.D., Commercial Fisheries (for a short time), and Sport Fish Divisions. I am a past member and chairman of the Matanuska Valley Fish and Game Advisory Committee, a former member of the Alaska Board of Fisheries, and a current member of the Matanuska-Susitna Borough Fish and Wildlife Commission.

I would like to present some comments on two ACRs scheduled to come before the Board of Fisheries (BOF) at their workshop meeting in Anchorage next month. While I have been and still am involved with various committees, boards, and commissions, I am speaking for myself in this letter.

In accordance with 5 AAC 39.999. Policy for changing board agenda: The Board of Fisheries will accept an agenda change request only:

- 1) For a fishery conservation purpose or reason; or
- 2) To correct an error in regulation; or
- 3) To correct an effect on a fishery that was unforeseen when a regulation was adopted.

The Board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information found by the Board to be compelling.

ACR #13 seeks amendment to the Central District Drift Gillnet Fishery Management Plan that would remove the "1% Rule" placed in the management plan at the 2014 Upper Cook Inlet meeting. That rule is designed to provide for an orderly transition from the period of time the marine waters of the Central District of Upper Cook Inlet are managed primarily for the commercial harvest of sockeye salmon to the time when the commercial harvest of coho salmon is minimized to provide the sport and guided sport fisheries with a reasonable opportunity to harvest coho salmon over the course of the run.



This ACR fails to acknowledge the discussion on the record by board members prior to adoption of the 1% rule for the drift fishery during the 2014 BOF meeting. The BOF discussed the fact that conservation measures adopted into the drift plan in an effort to meet minimum escapement goals for northern bound sockeye and to provide for coho sport fisheries (5 AAC 21.358. Northern District Salmon Management Plan) could be a contributing factor to larger sonar counts of sockeye salmon in both the Kasilof and Kenai rivers.

The setnet fleet has been governed by this 1% rule for years in scaling down and closing their fishery. The drifters didn't have anything similar until the board added the provision to the drift fleet management plan in 2014. Prior to that time, the drift fleet would regularly target silvers later in the season while claiming to be fishing for sockeye.

5 AAC 21.358 has stated for over 35 years that silvers were to be managed primarily for the sport and guided sport fisheries. However, with no mechanism to shut down the drift fishery for sockeyes, this board intent was never followed. Large commercial harvests of silvers continued even after sockeyes were scarce.

This ACR fails to acknowledge that the 1% rule did not take effect in 2015. This ACR does not acknowledge that conservation measures put in place in an effort to meet the minimum escapement target for Kenai River late-run king salmon were the most significant contributing factor in limiting commercial fishing during both 2014 and 2015.

With changes made to both the setnet and drift fleet management plans at the 2014 BOF meeting, the setnetters could fish more, the Kenai kings were being better protected and the drifters went from big harvest years when the setnetters were restricted to a more even sharing of the commercial harvest between the two gear groups. Even with these changes, the drifters still caught a lot of fish and made a lot of money.

For the first time since 2009, when ADF&G changed how they were estimating Susitna/Yentna sockeye (declared a Stock of Concern in 2008) returns, the established sockeye escapement goals on all three lake systems monitored in the S/Y drainage were met in 2015. This is only the third time in the past 15 years that sockeye escapement goals were achieved in the S/Y drainage, using whatever enumeration method ADF&G was employing at the time.

ACR #13 is highly allocative in nature because, if the 1% rule is removed from the plan as requested, the drift fleet would be able to continue much later in the season harvesting primarily coho salmon bound for the northern parts of Cook Inlet while claiming to be targeting sockeye.

This ACR fails on all counts to meet the established ACR criteria.



ACR #14 seeks amendments to the Central District Drift Gillnet Fishery Management Plan that would essentially undo all of the changes adopted by the BOF since 2011 with the intent of dramatically increasing the fishing power of the drift fishery at the expense of sockeye and coho salmon necessary to achieve escapement goals in Northern Cook Inlet. This is clearly an allocative proposal.

Again, prior to the 2014 board meeting, the drift fleet was usually allowed to fish throughout Cook Inlet during most of the openings. Our northern runs of sockeye and coho were being intercepted in the middle of Cook Inlet by the drift fleet, who claimed to be targeting Kenai and Kasilof sockeye stocks.

Through a Valley-wide effort made during the 2014 board meeting to explain the reduced and endangered northern runs due largely to commercial interception, the board created a "conservation corridor" up the center of the Central District of Cook Inlet and established "expanded harvest zones" along the east side of Cook Inlet, in the Central District, to allow the commercial harvest of salmon stocks bound primarily for the Kenai and Kasilof Rivers. Northern stocks were allowed to move relatively unmolested through the conservation corridor to their natal streams up north.

These changes have only been in effect for two commercial seasons. That is not enough time to determine for sure that they are working as intended.

My comments specific to ACR #13 are, for the most part, directly applicable to ACR #14.

This ACR fails on all counts to meet the criteria for acceptance.

I do not support either ACR #13 or ACR #14 and I would respectfully ask the Board of Fisheries to refuse these ACRs. If the proposers feel the need strongly enough to resubmit these same proposals, they can do so as regular submissions for the Cook Inlet board cycle coming in 2016-2017.

Thank you for taking the time to read this rather long letter.

Sincerely,

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Submitted By
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Submitted On
9/28/2015 1:57:40 PM
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ACR 14: I am opposed to this ACR for the following reasons:

This ACR proposes to increase both the time and area open to drift gillnet fishing in Cook Inlet. The objective of AAC 21.353 was to manage Upper Cook Inlet commercial fishing to include for adequate escapement of sockeye and Coho salmon in upper Cook Inlet and the Matanuska-Susitna Valley. At the 2014 BOF meeting in Anchorage changes were made in regulations to include a Conservation Corridor in the center of the Inlet to allow for adequate escapement and maintain sports fisheries in the Matanuska Susitna Borough. Furthermore, additional time and area was allowed for the drift fleet by establishing expanded Kenai and Kasilof Sections to facilitate the drift fleet. Prior to the 2014 BOF regulation changes, northern runs of sockeye and Coho were being intercepted in the middle of Cook Inlet by the drift fleet. To approve this ACR would essentially return to regulations that were in place prior to 2014 that precluded adequate escapement of northern bound sockeye and Coho salmon.

Furthermore, UCIDA fails to acknowledge that in the last few years (prior to 2014) set netters had fishing restrictions placed on them, (in an effort to protect Kenai kings), which enabled the drift fleet to harvest salmon in greater numbers. Subsequently, starting in 2014, set net fishing regulations were eased which resulted in less net harvest numbers to the drift fleet.

Additionally, UCIDA, in this ACR fails to mention that a contributing factor in the Cook Inlet harvest numbers are a reflection of conservation measures established to protect late-run Kenai River king salmon.

Lastly, it is a real reach for UCIDA to argue that this ACR is not allocative in nature. This whole proposed modification is based on increased allocation.

This ACR fails to meet the established criteria for an Agenda Change Request.



Submitted By
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Submitted On
9/28/2015 1:55:12 PM
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ACR 13: I am opposed to this ACR for the following reasons:

This Agenda Change Request (ACR) proposes to eliminate the 1% Rule but, in doing so, it clearly ignores the language in AAC 21.353 and the subsequent action that was taken at the January/February 2014 BOF meeting in Anchorage regarding Proposal # 135, (to include modified language in RC 236). The 2014 Board action clearly reiterates what is stated in AAC 21.353: . . . *the department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District and Kenai River Coho salmon in order to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon stocks . . .*: This language was a primary factor in the modification of AAC 21.353. By establishing a Conservation Corridor in the center of Cook Inlet and redirecting the drift fleet to expanded Kenai and Kasilof sections it allows for later run Coho and sockeye salmon to migrate to northern portions of Cook Inlet and the drainages of the Matanuska-Susitna Valley. The set net fleet has been governed by this ruling for several years. The Central District of Upper Cook Inlet is managed primarily for the commercial harvest of sockeye salmon, and to that end it is to include minimum escapement goals for northern bound sockeye.

Furthermore, UCIDA, in this ACR fails to mention that a contributing factor in the Cook Inlet harvest numbers are a reflection of conservation measures established to protect late-run Kenai River king salmon.

Lastly, it is a real reach for UCIDA to argue that this ACR is not allocative in nature. This whole proposed modification is based on increased allocation.

This ACR fails to meet the established criteria for an Agenda Change Request.



September 29, 2015

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526,
Juneau, AK 99811-552

KRSA comments on Agenda Change Requests to be considered by the Alaska Board of Fisheries at the 2015 Work Session, October 21-22, Anchorage, Alaska

Kenai River Sportfishing Association (KRSA) strongly recommends that the Alaska Board of Fisheries (BOF) fail, in each case, the following seven Agenda Change Requests (ACRs) as they fail to meet any criteria for accepting ACRs.

- ACR #8 addressing the Kasilof River Salmon Management Plan 5 AAC 21.365;
- ACR #9 addressing the Kasilof River Salmon Management Plan 5 AAC 21.365;
- ACR #10 addressing the Kenai River Late-Run King Salmon Management Plan 5 AAC 21.359;
- ACR #11 addressing the Kenai River Late-Run Sockeye Salmon Management Plan 5 AAC 21.360;
- ACR #12 addressing the Kenai River Late-Run Sockeye Salmon Management Plan 5 AAC 21.360;
- ACR # 13 addressing the Central District Drift Gillnet Fishery Management Plan 5 AAC 21.353; and
- ACR #14 addressing the Central District Drift Gillnet Fishery Management Plan 5 AAC 21.353.

Discussion: In accordance with 5 AAC 39.999 Policy for changing board agenda.

The Board of Fisheries will accept an agenda change request only:

- 1) For a fishery conservation purpose or reason; or*
- 2) To correct an error in regulation; or*
- 3) To correct an effect on a fishery that was unforeseen when a regulation was adopted.*

The Board will not accept an agenda change request that is predominantly allocative in nature in the absence of new information found by the Board to be compelling.



A thorough review of the current codified regulations, fishery statistics from each of the previous five salmon fishing seasons in Upper Cook Inlet (2011-2015), and a review of the documents archived from the both the 2011 and 2014 Upper Cook Inlet (UCI) meetings of the BOF makes it perfectly clear that the criteria set forth for acceptance of an ACR are not satisfied by any of the seven put before the BOF at this time.

Acceptance of any one of these seven ACRs, each of which seeks to open and address key aspects of the major fishery management plans that govern the complicated mixed stock, mixed species UCI salmon fisheries, would result in a piecemeal, out-of-cycle meeting of the BOF on the most complex, contentious area of the State during the limited time available at the 2016 Statewide Finfish meeting March 8-12, 2016 when a full hearing of the UCI salmon fisheries is scheduled for the winter of 2017. In spite of the authors' erroneous claim that the changes they suggest would not result in the reallocation of salmon fishery resources, this claim flies in the face of facts.

Nowhere in their requests do the authors of the ACRs describe the likely negative consequences of adopting their recommended "solutions." The fact that heavily influenced the conduct of the East Side Set Net fishery in both 2014 and 2015 was significant concern for achievement of the minimum escapement goal for Kenai River late-run king salmon. It was not unforeseen that regulatory actions taken by the BOF at the UCI 2014 meeting to ensure that the minimum goal for this important species would be realized might result in numbers of sockeye salmon in excess of the Optimum Escapement Goal range entering the Kasilof and Kenai rivers. This subject was a primary topic of that meeting and was discussed at length. Likewise, the fact that Susitna sockeye are designated a Stock of Yield Concern and the continued failure to achieve minimum escapement goals in the three index lakes provided strong justification for the modifications made to the Central District Drift Gillnet Fishery Management Plan. Also the changes to the Drift plan mark an important step in the implementation of the 35-year-old directive to minimize the harvest of northern bound coho salmon to provide sport and guided sport fishermen a reasonable opportunity to harvest these salmon resources over the entire run. Somehow the authors of these ACRs would have the BOF falsely believe that the strong "push" they seek now to change one of the fundamental UCI management plans would not have a likewise strong "pull" on one or more of the other fundamental plans.

Supplemental facts supporting rejection of each of the seven ACRs before the BOF at this time include that the escapement goals for Kasilof River sockeye, Kenai River late-run sockeye and Kenai River late-run king salmon are scheduled by the Alaska Department of Fish and Game (ADFG) to be evaluated and amended if appropriate as a customary and important step in the preparation for the regularly scheduled 2017 UCI meeting. In the case of Kasilof River sockeye the likely result will be a recommended increase in the escapement goal range. For Kenai River late-run king salmon ADFG is most likely going to recommend an escapement goal range that is comprised of fish only greater than 30 inches. Additionally, ADFG's preseason outlook for Kenai River late-run king salmon is very likely to be positive enough for ADFG to begin all fisheries governed by the Kenai River Late-Run King Salmon Management Plan under normal regulations.

Specific comments:



ACR #8 seeks amendments to the Kasilof River Salmon Management Plan that would instruct ADFG to increase commercial set net fishing time in the Kasilof section of the Upper Subdistrict after July 25 when the escapement of sockeye salmon into the Kasilof River is projected to exceed 365,000 fish (365,000 is the upper bound of the current Sustainable Escapement Goal) before utilizing the Kasilof River Special Harvest Area (KRSHA). This ACR request fails to meet the criteria as the current extensive usage of the KRSHA was not unforeseen when the BOF adopted measures to conserve late-run king salmon during the recent years where historic low numbers of Kenai River late-run king salmon have been observed. This was the case in both 2014 and 2015. Specifically during the 2014 UCI meeting, the BOF removed language from the Kenai River Late-Run King Salmon Management Plan that exempted the Kasilof River Salmon Management Plan from conservation measures aimed at achieving the minimum escapement goal for Kenai River late-run king salmon while providing language in the codified regulation allowing ADFG extensive access to the KRSHA.

ACR #9 seeks amendments to the Kasilof River Salmon Management Plan that would instruct ADFG that only after specific dates and under specific circumstances could utilize the “within one half mile of shore” and “within 600 feet of the high tide mark” tools that are found within the Kasilof River Salmon Management Plan. This ACR fails to meet the criteria for acceptance. While the specific guidelines for traditional use of these two tools as found in the existing Plan are grounded in the management of Kasilof River sockeye over a wide range of abundance of Kenai River late-run sockeye, subsection (e) of 5 AAC 21.363 of the Upper Cook Inlet Salmon Management Plan gives ADFG authority to act “outside” of the specific language of any codified management plan should it become necessary in their effort to achieve established escapement goals. The BOF thoroughly discussed both the Kasilof River Salmon Management Plan and subsection (e) of the Upper Cook Inlet Salmon Management Plan at the 2014 meeting. Additionally this ACR fails to suggest how concern over the achievement of the minimum escapement goal for Kenai River late-run king salmon would be affected.

ACR #10 seeks amendments to the Kenai River Late-Run King Salmon Management Plan that would eliminate the paired restrictions found in that plan that apply to the East Side Set Net fishery. In answer to the question, “What solution do you prefer?” the author essentially provides a 2013 copy of the Kenai River Late-Run King Salmon Management with the current escapement goal of 15,000-30,000 inserted. The cornerstone of the entire 2014 meeting of the BOF was the conservation of Kenai River late-run king salmon which had experienced historic low run in each year since 2012. Conservation of this important species drove the development of the paired restrictions, the consequences of which, including addition numbers of sockeye salmon spawning in the Kasilof and Kenai rivers, were not unforeseen. A careful review of the meeting transcripts makes it clear that there exists no error in regulation.

ACR #11 seeks amendments to the Kenai River Late-Run Sockeye Salmon Management Plan mandating that ADFG provide additional fishing time to the East Side Set Net fishery when they project that the upper end of the inriver goal for Kenai River late-run sockeye will be exceeded. The cornerstone of the entire 2014 UCI meeting of the BOF was the conservation of Kenai River late-run king salmon which had experienced historic low run in each year since 2012. Conservation of this important species drove the development of the paired restrictions, the consequences of which, including addition numbers of sockeye salmon spawning in the Kasilof and Kenai rivers, were not unforeseen. A careful review of the meeting transcripts makes it clear that there exists no error in regulation. In addition, it must be understood that the inriver goal is not the escapement goal. The inriver goal is an allocative management target. The Optimal Escapement Goal for Kenai River late-run sockeye salmon is 700,000 – 1,400,000



and a review of the fishery statistics shows that this number, after the harvest by the sport fishery taken upstream of the sonar counter is subtracted from the sonar count, is rarely if ever exceeded.

ACR #12 seeks amendments to the Kasilof River Salmon Management Plan that would require ADFG to provide additional fishing time to the East Side Set Net fishery. This ACR fails to meet the criteria. It seeks to exempt the Kasilof section of the Upper Subdistrict from participating in the paired restrictions adopted for the conservation of historically small runs of Kenai River late-run king salmon. The current extensive usage of the KRSHA was not unforeseen when the BOF adopted measures to conserve late-run king salmon. Specifically during the 2014 UCI meeting, the BOF included the Kasilof section in the conservation measure and went so far as to removed language from the Kenai River Late-Run King Salmon Management Plan that exempted the Kasilof River Salmon Management Plan from the conservation measures while at the same time providing language in the codified regulation allowing ADFG extensive access to the KRSHA.

ACR #13 seeks amendment to the Central District Drift Gillnet Fishery Management Plan that would eliminate the “1% rule” designed to provide for an orderly transition between UCI fisheries. The 1% rule is directed at the timeframe during which the marine waters of the UCI Central District are managed primarily for the commercial harvest of sockeye salmon to the time when the commercial harvest of coho salmon is minimized so as to provide the sport and guided sport fisheries with a reasonable opportunity to harvest over the course of the run. This ACR fails on all counts to meet the criteria. This ACR fails to acknowledge the discussion on the record prior to adoption of the 1% rule for the Drift Fishery during the 2014 BOF meeting. It is also not unforeseen that conservation measures adopted into the Drift Plan in an effort to meet minimum escapement goals for northern bound sockeye or provide for sport fisheries could be a contributing factor to larger sonar counts of sockeye salmon in both the Kasilof and Kenai rivers. This ACR also fails to acknowledge that the 1% rule did not take effect in 2015. This ACR does not acknowledge that conservation measures put in place in an effort to meet the minimum escapement target for Kenai River late-run king salmon were the most significant contributing factor in limiting commercial fishing during each 2014 and 2015.

ACR #14 seeks amendments to the Central District Drift Gillnet Fishery Management Plan that would essentially undo all of the changes adopted into this plan by the BOF since 2011 with the intent of dramatically increasing the fishing power of the Drift Fishery at the expense of sockeye and coho salmon necessary to provide attainment of escapement goals in Northern Cook Inlet and to provide the UCI sport and guided sport fisheries with a reasonable opportunity to harvest coho salmon over the course of the run. This ACR fails on all counts to meet the criteria. This ACR fails to acknowledge the discussion on the record prior to adoption of the 1% rule for the Drift Fishery during the 2014 BOF meeting. It is also not unforeseen that conservation measures adopted into the Drift Plan in an effort to meet minimum escapement goals for northern bound sockeye or provide for sport fisheries could be a contributing factor to larger sonar counts of sockeye salmon in both the Kasilof and Kenai rivers. This ACR also fails to acknowledge that the 1% rule did not take effect in 2015. This ACR does not acknowledge that conservation measures put in place in an effort to meet the minimum escapement target for Kenai River late-run king salmon were the most significant contributing factor in limiting commercial fishing during each 2014 and 2015.



Tad Fujioka
f/v Merlin
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Sitka, AK 99835

September 30, 2015

Chairman Kluberton and member of the Board of Fisheries:

I support ACR 15 to reduce percentage of Alaska hatchery Chinook required in Spring Troll Districts during years of extraordinarily high abundance of non-Alaska hatchery Chinook

I am a small boat fisherman and hence depend on the spring troll season

My name is Tad Fujioka. I live in Sitka where I am a commercial troller. My boat, the *Merlin* is only 28' long- one of the smallest power trollers in the fleet. The *Merlin* is too small for me to safely fish the most productive waters of the winter fishery during typical winter weather. Even during the summer fishery, frequently the one or two short-duration derby-like openings coincide with poor weather and I am often unable to fish the best (or even the mediocre) waters. (For instance I was only able to fish prime water for about half of the summer Chinook season this year.) In contrast, the spring fishery occurs nearly exclusively on inside waters. Furthermore the spring districts are managed with regular weekly openings over a two month period. If the weather is unsafe on one week, it, will usually be fine the next. This means that most of the time I can fish the same waters as everybody else and compete on a more equal footing than during the winter or summer fisheries. Many of the fishermen from smaller villages are also in small boats and especially hence benefit from the spring season.

Background: Spring districts are managed based on percentage of Alaska-hatchery Chinook

The spring troll Chinook fishery is managed to harvest kings returning to local hatcheries. In order that these fish be caught while they are still fairly bright, it is necessary to catch them a moderate distance from the hatchery release site. At this point they are still mixed with the non-Alaska hatchery Chinook (The latter are commonly referred to "treaty" fish since the quota for Chinook that don't originate in Alaskan hatcheries is set by the process outlined in the US-Canada Salmon Treaty.) There are several dozen different spring troll areas, each of which is managed in season based on the percentage of treaty fish vs Alaska hatchery fish. The higher the percentage of hatchery fish in a district's harvest, the higher the number of treaty fish allowed to be caught there before the district is closed for the remainder of the spring season. ADF&G managers try to spread the district's quota out over the entire spring season as much as feasible, so most districts end up being open 1-3 day/ week.

Chinook abundance in Southeast is currently at historic high level

In the past couple of years there has been extraordinarily high Chinook abundance in the waters of Southeast Alaska. This is driven by the many adult Chinook caught in Southeast Alaska that were born in the Columbia River or other watersheds in the Pacific Northwest or British Columbia. Patterns of high/low marine survival of Chinook tends to alternate between the northern and southern ends of the range. When Alaskan rivers have good returns, the southern rivers tend to perform poorly. When Alaskan stocks are struggling, the southern stocks have strong returns. We are experiencing the peak of the latter phase of the cycle now. The recent Chinook returns to the Columbia River (which is the largest producer of Chinook in the Southeast Alaska fishery) have been nearly as large as they were in the pre-dam era! The 2013 and 2014 returns were the biggest since 1937, and the 2015 return while not yet complete, is of similar magnitude.



Support ACR 15 cont'd

Unanticipated consequence of “too many” treaty Chinook

A tremendous abundance of Chinook in the waters of Southeast Alaska should be a great thing for everyone. Unfortunately the method for setting a spring troll district's allowable harvest of treaty fish (defined in 5 AAC29.090) doesn't account for the possibility that the abundance of treaty fish might increase. Ironically, an abundance of treaty Chinook means that the spring troll fisheries are shut down earlier than usual and/or managed extremely conservatively. With so many treaty kings around, the spring troll districts which normally produce a catch of 30%-50% Alaska hatchery fish, are catching much lower percentages. (In 2014 the overall hatchery percentage was 25%. This is the lowest since at least 1986.) These lower percentages in turn mean that each district's allotment of treaty fish is reduced (frequently cut in half relative to past seasons from 2,000 to 1,000). As a result, the fishing time in these spring districts is reduced to fewer days per week, or the district is shutdown entirely. This reduces the opportunity during the Chinook fishery that is the most level playing field for small boat fishermen like myself.

Spring troll Chinook much more valuable than summer troll Chinook

Due to the limited supply of Chinook being harvested coast-wide in May and June, the dock price for spring kings is considerably higher than the July summer price. For instance in 2014, the dock price in Sitka for most of the spring season for red kings was \$6/lb for large and \$5/lb for mediums. The summer price was considerably lower at \$4.25 for large and \$3.50 for medium. This sort of price spread is typical from year to year. Even more valuable to the troll fleet than this 40% increase over the summer price is the addition of the hatchery Chinook to our catch. Over the years the spring fishery has averaged one Alaska hatchery-produced king for every 2 treaty kings caught. (The ratio in the summer fishery by contrast is about 1 to 25.) When the value of the hatchery fish are included, each treaty king caught in the spring brings about twice as much income to the troll fleet as the same fish would have if caught in the summer fishery. In the years that our spring fishery is restricted or prematurely curtailed we are unnecessarily losing fifty cent on the dollar. Most of the hatchery king that are not caught by the troll fleet don't even end up being caught by any other fisherman but instead are taken by the hatchery operator as cost-recovery-at a fraction of price they would command if caught when bright.

ACR 15 would only rarely apply

During these years when the treaty fish are much more abundant than originally anticipated, 5 AAC 29.090 requires flexibility to allow the spring fisheries to continue to be prosecuted in the normal manner. Hence the need for ACR 15, which would do precisely that. In the years when the Abundance Index is at least 1.95 (which has happened only 4 times since 1979) the proposal would make a slight adjustment of the hatchery percentages associated with higher treaty caps in order to allow the spring troll fishery to be continue to be managed in a manner similar to other years.

I Oppose Statewide proposal 203 facilitating the potential closure of hatchery SHAs to sport fishing

As written, section (B) of this proposal would elevate cost-recovery above sport fishing. The purpose of hatchery production is to increase opportunity for all fishermen, but this proposal is about decreasing sport opportunities. While at times it may be necessary to restrict sport harvest in order to meet brood stock or natural escapement, cost-recovery is a lower priority use of the resource. As such it doesn't deserve to be prioritized above sport fishing.

Thank you, Tad Fujioka



Submitted By
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10/1/2015 1:41:29 PM
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1 Oct 15

Alaska Board of Fish

RE: ACR submitted by the Alitak District Setnetters Association

Dear Board Members:

I implore you to seriously consider our (Alitak District Setnetters Association's) Agenda Change Request to open the Alitak District Management Plan this Board cycle for conservation concerns.

The Alitak District sockeye escapements and harvests are well below normal. When you compare the Alitak District Sockeye harvest to the Kodiak Management Area from 1976-2009 Alitak District harvested 26.27% of the Kodiak Management Area. From 2010-2013 Alitak District harvested 13.38%. I don't have the 2014 and 2015 results, but they would make Alitak Districts harvest even more dismal.

We brought this situation to the BOF's attention in 2014 and you directed the Kodiak F&G to implement changes. We were told that a different management strategy would be enacted to conserve the resource.

The 2015 season was prosecuted as in the past. Result: Early Upper Station BEG was not achieved; Frazer Lake was over escaped; the abnormal amount of jacks were not eradicated; Late Upper Station by the 8 Sep 15 had not achieved minimum escapement with no harvest opportunity after the 9 Aug 15.

Had the management strategy we were told in 2014 happened, we as an association of fishers had purchased small mesh net to harvest the jacks and nets to harvest the fish efficiently and effectively in the Dog Salmon Flats Section at a cost of \$36,670.90. We were not able to implement our investment.

We can't wait until next year at Kodiak's Board cycle to put into regulation a management strategy that will conserve the Alitak District

Sockeye resource.



PC 08
2 of 2

We need to start achieving BEG escapements now. For the first time in 43 years as a set gill netter in Alitak District I'm concerned that I won't be able to continue to survive as a fisherman.

Thank you for your consideration,

Rich Blanc

Alitak District Settner for 43 years



October 1, 2015

Alaska Board of Fisheries

Board Support Section

P.O. Box 115526

Juneau, Alaska 99811-5526

RE: Public Comments for October 21-22, 2015 Worksession

Please accept these three Agenda Change Request applications for public comment for the upcoming worksession.

Thank you,

A handwritten signature in black ink that reads "Paul A. Shadura II".

Paul A. Shadura II



AGENDA CHANGE REQUEST FORM ALASKA BOARD OF FISHERIES

The Board of Fisheries (board) will accept requests to change its schedule under certain guidelines set forth in 5 AAC 39.999. The board will accept these agenda change requests (ACRs) only:

- 1) for a fishery conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1) CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

Alaska Administrative Code Number 5 AAC 21.359 (e) (3) (A) Kenai River Late-Run King Salmon Management Plan

2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Managing 49.85 effective statute miles of ESSN fishing areas in a 36 hour weekly restriction without consideration for high productivity within the Kenai or Kasilof Sections.

3) WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the new or amended regulation say?

(e) (3) (A) if the use of bait is prohibited in the Kenai River sport fishery under (1) (A) of this subsection, commercial fishing periods in the Kenai and Kasilof sections may be managed independently based on abundance and are open for no more than 36 hours per week within each section, with a continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either...

4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE. If one or more of the three criteria set forth above is not applicable, state that it is not.

a) for a fishery conservation purpose or reason:

Yes, this proposal allows fisheries managers more tools for "surgical" openings based on perceived abundance managed within the constraints of "time" and "area". Conserving one resource if necessary while maximizing the harvest of surplus stocks of salmon.

b) to correct an error in regulation:

We believe that the BOF did not realize the full complications of their actions at that time and were reluctant to change the regulation without further Department input. Now that we have two fishing season to view the results we believe that managers and some BOF members are willing to amend this regulation.

c) to correct an effect on a fishery that was unforeseen when a regulation was adopted:

In the 36 hour restriction with two distinct runs to manage for it may have been difficult for Board members to understand the complications to manage for the individual goals in a real time basis.



5) WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

Continued high use of the Kaslof Terminal area while further restricting the economic viability of each sections historical participants.



SOUTH K BEACH INDEPENDENT FISHERMEN'S ASSOCIATION

P.O. Box 1632 Kenai, Alaska 99611-1632 (907) 283-5098
Protecting and Preserving the Kasilof River Aquarian System

March 19, 2015

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

RE: Emergency Petition (03.17.15), Summary of Requested Changes

Chairman Kluberton,

SOKI seeks to clarify and simplify the suggested language change by submitting this Record Copy (RC).

- 1) *SOKI members have worked with many setnet fishermen from the Kasilof Section - Ninilchik, Coho, South K-Beach, and the Kenai Section - North K-Beach, Salamantof and East Forelands sections of the east side setnet (ESSN) fishery. We would not have brought this petition forward without their support. They will comment individually if given the opportunity if this board moves to have the merits heard in a "special meeting".*
- 2) *We are not asking for additional hours per week. Just that the allowed hours (6, 8, 9, 12, and 36??) will be managed as a separated unit for the Kaslof or Kenai sections. This may result in an exclusion of one section as the Commisloner may deem appropriate considering an assessment of conservation and risk.*
- 3) *We believe that more "surgical" openings based on perceived abundance can be managed more precisely with time and area if the area is reduced from 70 some miles to roughly half that distance. Tide sequencing varies 1.5 – 2.0 hours from the southern most point to the northern most point.*
- 4) *The total Late Run Kenai King (LRKK) forecast this year is at 22,115. That is 3,115 more than last years forecast and final post season assessment. It is also 385 kings below the 22,500 actlon point that lifts the "notwithstanding" restricltons.*
- 5) *The Department has changed the location of the counter thereby moving the relative date to which they determine the size of the king run (50%) to 6 – 9 days latter.*
- 6) *The value of the fishery in the Kasilof Terminal area is signifcantly undervalued by the processing industry and they may not choose buy the sockeye at any price.*
- 7) *In actual practice this "flexibility tool" maybe in effect in for a one or two week period. It could be used once at best or possibly more if is successful.*

This slight requested modification to the regulation is a major improvement in an opportunity for maintaining an economically viable fishery. One modified fishing period that is based on "true abundance" for a given beach would be a tremendous relief to the fishery. Fishermen are aware of the consequences of this proposed action but are encouraged that this change may improve their position, especially those that are situated relatively near the proximities of the terminus of each river system.

We would appreciate you consideration and remain available for any questions,

Paul A. Shadura II
SOKI Spokesperson (cell 907.252.4290)



March 17, 2015

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

RE: Emergency Petition

AS 16.05.310, AS 44.62.190, AS 44.62.220, AS 44.62.30, AS 44.62.250, AS 44.62.270,
5 AAC 96.625, BOF Resolution #80-81-FB, BOF Policy #2000-203-BOF, 5 AAC 21.359

Chairman Kluberton,

Cook Inlet East Side Set Net fishermen who harvest fish in the Kasilof and Kenai Sections of the Upper Subdistrict request the Commissioner with concurrence from the Alaska Board of Fisheries (BOF) to amend the current language in 5 AAC 21.359 Kenai River Late-Run King Salmon Management Plan to:

(e) (3) (A) if the use of bait is prohibited in the Kenai River sport fishery under (1) (A) of this subsection, commercial fishing periods in the Kenai and Kasilof sections may be managed independently based on abundance and are open for no more than 36 hours per week within each section, with a 36-hour continuous closure per week beginning between 7:00 p.m. Thursday and 7:00 a.m. Friday, during which the number of set gillnets operated may also be restricted to either

It is our intent to comply with AS 44.62.220 *Right to Petition*;

- (1) the substance or nature of the regulation, amendment, or repeal requested;
- (2) the reasons for the request;
- (3) reference to the authority of the agency to take the action requested.

In policy 5 AAC 96.625 *Joint Board Petition Policy* we believe that we can identify all aspects that will justify a finding of an emergency.

In this section, an emergency is an unforeseen, unexpected event that either threatens a fish or game resource, or an unforeseen, unexpected resource situation where a biologically allowable resource harvest would be precluded by delayed regulatory action and such delay would be significantly burdensome to the petitioners because the resource would be unavailable in the future.

The South K-Beach Independent Fishermen's Association (SOKI) submitted a similar proposal to the BOF on March 20, 2014. The special meeting was convened on April 3rd, 2014. Board members asked several questions from the Department to determine if they could accomplish the requested management flexibility using the Commissioners emergency order (EO) authority *5 AAC 21.363(e)*.



In the Peninsula Clarion article dated 04.03.2014 then "board chairman Karl Johnstone asked again about emergency order authority and whether ADFG managers felt they could do what the petitioners were asking with that authority" Commercial fisheries director Jeff Regnart said, "We do feel we have that"

In the same article area commercial fisheries manager Pat Shields was asked, "would make it easier to manage the fishery" His response, "I guess the answer would be yes." "That would provide more flexibility to the department and you would manage each section separately with the hours that were provided."

When the situation did arise this last summer (2014) many setnet fishermen requested differential openings to take advantage of the sockeye returning to both the Kasilof and Kenai Rivers. The response from Mr. Shields was that the regional managers and commercial fisheries director determined that they would not manage the areas separately based on sockeye abundance (5 AAC 21.359 (e) (3)). In a recent meeting with Mr. Shields in a public forum we asked him if he would make that same statement he had made to us post season; that the Department could use their eo authority but because of the allocation aspect they needed more 'guidance' from the BOF. We would respectfully request that the BOF convene a special meeting to discuss the merits of this petition and ask the managers why they would not use the EO authority inseason even after several board members declared on record that they felt comfortable with the Department taking inseason action that would accomplish what the petitioners had requested.

On February 9th 2015 *Division of Sport Fish* released a *Memorandum* informing us that with only two years of side by side data that, "sonar operations at river mile 8.6 will be discontinued" Expansion factors of 1.55 would not be used and a new modified netting program would be instituted. The report states, " a disadvantage is that inseason projections used for management decisions will occur at a time when a smaller fraction of the run has passed the sonar," "Projections based on smaller fractions require larger expansions and are more uncertain" The report in the next paragraph states, " Delayed run timing may be more important consideration during the late run. In 2013 and 2014, it took up to six days longer for a given proportion of the late run to pass rm 14, compared to rm 9. Decisions based on data though 21 July are currently based on the expectation that approximately 50% of the run has passed rm 9, whereas only 34% of the run had passed the rm 14 sonar by that date in 2013-2014."

In reality in 2013 on the 21st it was about 34 % and in 2014 it was 26 % of the Late Run Kenai King (LRKK). The 21st was around the midpoint with the rm 9 counter. At rm 14 in 2013 the 50% point was on the 26th and in 2014 it was the 29th. That is 9 days after the July 20th inseason assessment of the sockeye run strength to the Kenai River.

Other points to consider if regards to the Kenai River;

- 1) It has been reported that on a pink salmon year (2014) the ARIS counter was no longer counting individual Kings and the run was "estimated" using previous data because of the interference of mass amounts of pinks through the insonified area after the 28th of July. How long was the ARIS inoperable?
- 2) The run of sockeyes projected for 2015 are 3.6 million. Slightly down from 2014.
- 3) The Kenai sockeye final escapement continues to be in the high range of the OEG. A continually stressor to the systems siblings and creates a greater risk of returning less than high sustained yield.
- 4) Kenai district setnet fishermen were restricted from fishing within the third week of July and then were opened to early before there was any significant abundance of sockeye available. Closed shortly after, they missed the bulk of the run.



5 AAC 21.363 Upper Cook Inlet Salmon Management Plan (a) (3) in adopting the specific management plans described in (2) of this subsection the board will consider: (a) (3) (C) the various needs and demands of the user groups of the salmon resources of upper Cook Inlet:

Clearly the change in the LRKK assessment tool with no side by side three year analysis, no corrective factor with still unproven uncertainties in the program, a change in methodologies and a continued reliance on in river netting programs to determine run strength and the 1.1, 1.2 and some 1.3 age class component of kings in the population, coupled with an inflexible management strategy that does not allow variance for direct proximity fisheries consideration is reason enough to consider a slight change that will most likely have little negative "net" affects on conservation concerns. Consider that the total return of LRKK for 2014 was 19,000 and this year, 2015, the conservative estimate is at 22,115. Just slightly below the 22,500 number where all restrictions come off. This is *new and significant information* that was not available to the BOF for their 2014 UCI regulatory meeting.

For the Kasilof River we reference 5 AAC 21.365 *Kasilof River Salmon Management Plan* and the *Kasilof River Special Harvest Area (KRSHA)*;

Over 66% of the permit holders who fish within the ESSN fishery register in the Kasilof section. The Kasilof is projected to have another great sockeye return of 1,092,000. Last year the Kasilof River again exceeded the top end of the escapement goal. Continued returns to a spawning and rearing limited environment will eventually lead to a downturn in production as the system has experienced previous high returns and dropped production below the one spawner to one returning adult ratio.

Because the Department continued to use the terminal harvest area for 17 days last year, a record number of 560 kings were harvested in KRSHA. Continued conflicts with commercial setnet fishermen in the area resulted in a standard 90% of the harvest was captured by 10% of less of the participant permit holders. That means 90% of those fishing in the terminal area only harvest 10% of the delivered salmon.

To make this situation more detrimental to the fishery as a whole, the average price for Kasilof terminal sockeyes was about .75 cents per pound with some processors declining to purchase any of the product. In reverse, sockeye harvested outside of the terminal area averaged over \$2.00 per pound in grounds price. That works out to over a 65% reduction in value per fish for those harvested and delivered within the terminal area. Post season discussions with regional processors indicate that they are even less inclined to purchase Kasilof sockeye caught in the *special harvest area* in 2015. With high expected returns of sockeye in the Bristol Bay area and the strength of the dollar to foreign currency it is likely that the Kasilof terminal will garner little interest by the processors. If they do buy from their selected group of fishermen the price may drop below .50 per pound (equivalent to the early 2000 salmon depressed pricing).

We haven't yet considered the continued disruption to other in river user groups who are experiencing the upstream effects of lost opportunity. We question the long term negative effects to the health and diversity of the Kasilof King run. We believe it to be a sustainable run but by a continued change in the historical harvest patterns are we avoiding one problem just to create another? *This is not an orderly or historical fishery.*

We reference again 5 AAC 21.363 Upper Cook Inlet Salmon Management Plan (a) (5) in the absence of a specific management plan, it is the intent of the board that salmon be harvested in the fisheries that have historically harvested them, according to the methods, means, times and locations of those fisheries;



If this is a “guiding principal” for a specific management action without a plan does this mean that when plans conflict that we deter and decimate the intent language from the main objectives?

In the Peninsula Clarion article mentioned earlier we see board member Tom Kluberton stating, “the board made the changes to the king salmon management plan, at least in part, for the benefit of the inriver sport fishers who target the same fish.” Mr. Kluberton, commercial setnet fishermen do not target the kings as our gear is not selected for them and how does this request to reduce the harvest in the terminal area degrade the experience for those recreating in the Kasilof River?

We believe that we have detailed all the necessary triggers that will bring this emergency petition to the discussion table for the BOF to make a surgical decision to a management plan that has had one year to expose its problems.

- 1) We have defined the requested “substance of our amendment”, the reasons for our request and referenced the authority to take the action.
- 2) We have documented “unforeseen” “new and significant information” that was not available to the board in 2014. Department announcement on changing of assessment tools or trigger dates was not discussed in 2014 with any such detail.
- 3) I do not believe that the BOF or the Department was planning for comparatively high catches of kings in the terminal area or the increase in use of the terminal area to a record level.
- 4) It could be argued that we have unknown or potential declines in sockeye productivity in both the Kenai and Kasilof systems.
- 5) We should be concerned that we may be impacting other stocks by changing historical harvesting patterns.
- 6) By not allowing flexibility in harvesting within the constraints of the hourly limits while managing for abundance levels of sockeye entering the natal systems we will significantly and adversely affect the petitioners because the resource will not be available in the near or present future.

Our user group is well aware of the changes to our fishery with this LRKK salmon management plan. We believe that the Department and the BOF should give proper deference to our user group in trying to define the best practice to accomplish a sustainable but also a reasonable opportunity to conduct an economically viable fishery.

Thank you,

Paul A. Shadura II
Spokesperson
SOKI



AGENDA CHANGE REQUEST FORM ALASKA BOARD OF FISHERIES

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- 1) for a fishery conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1) CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

Alaska Administrative Code Number 5 AAC: 5 AAC 21.200 (b), 5 AAC 21.310 (b) (2) (C), 5 AAC 21.330 (b) (3) (C)

2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Statistical areas for the ESSN fishery are not defined in regulation, only referenced. There is no compelling regulatory language that requires a permit holder to comply with reporting the proper statistical area on a fish ticket. 5 AAC 21.310 (b) (2) (C) (iii) requires the ADF&G to determine a one percent participation threshold and relies on fish tickets to determine statistical area fished. Those fishing in the Kasilof Section may report in the Kenai Section or in the Kasilof Section with no accountability. Statistical areas 244 – 31, 244 – 32, 244 – 41 and 244 – 42 have coordinates listed in various sections. 244 – 21 and 244 – 22 describe the Clam Gulch road as the division line but it is not defined in regulation. Placing the actual ESSN statistical areas in regulation in Article 2 Fishing Districts, Subdistricts, and Sections would clarify boundaries for management purposes and require compliance in reporting on fish tickets for adherence to individual Sections one percent regulation.

3) WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the new or amended regulation say?

Language would substantiate the statistical area by coordinates in regulation.

4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE. If one or more of the three criteria set forth above is not applicable, state that it is not.

a) for a fishery conservation purpose or reason:

Rule is in place for allocative reasons.

b) to correct an error in regulation:

This corrects an error in regulation that does not require accurate and accountable reporting for compliance with a regulatory rule. Information derived from the Department may be inaccurate and triggers unwarranted restrictions.



c) to correct an effect on a fishery that was unforeseen when a regulation was adopted:

We do not believe that this was a foreseen issue as the assumptions may have been that the statistical areas were already defined in regulation.

5) WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

Continued non compliance with existing rules resulting in more non-warranted restrictive regulatory actions. Potential loss of an important tool for directed harvest of surplus stocks of salmon.



6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.
This proposal seeks to correct a regulatory compliance issue for more precise management actions.

7) IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.
Not allocative, oversight and to correct a regulation.

8) STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR (e.g., commercial fisherman, subsistence user, sport angler, etc.)
I am an Alaskan resident and appreciate access to surplus harvesting opportunities.

9) STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES MEETING.
None that I am aware of although the discussion of statistical areas have been a subject of discussion from time to time.

Submitted by:

NAME South K-Beach Independent Fishermen's Association (SOKI)

Individual or Group

PO Box 1632

Kenai, AK.

99611-1632

Address

City, State

Zip

[Redacted address line]

Home Phone

Work Phone

Email

SIGNATURE: Paul A. Shaduca II

DATE: 10-1-15

Note: Addresses and telephone numbers will not be published.



AGENDA CHANGE REQUEST FORM ALASKA BOARD OF FISHERIES

The Board of Fisheries (board) will accept requests to change its schedule under certain guidelines set forth in 5 AAC 39.999. The board will accept these agenda change requests (ACRs) only:

- 1) for a fishery conservation purpose or reason; or
- 2) to correct an error in regulation; or
- 3) to correct an effect on a fishery that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new compelling information, as determined by the board [5 AAC 39.999 (a) (2)].

Please answer all questions to the best of your ability.

1) CITE THE REGULATION THAT WILL BE CHANGED IF THIS ACR IS HEARD. If possible, enter the series of letters and numbers that identify the regulation to be changed. If it will be a new section, enter "5 AAC NEW".

Alaska Administrative Code Number 5 AAC: 5 AAC 21.365 (c) (3), (f)

2) WHAT IS THE PROBLEM YOU WOULD LIKE THE BOARD TO ADDRESS? STATE IN DETAIL THE NATURE OF THE CURRENT PROBLEM. Address only one issue. State the problem clearly and concisely. The board will reject multiple or confusing issues.

Under the restrictions mandated in 5 AAC 21.359 (c) (3) (A) the use of the 600ft area in lieu of the KRSHA terminal area would appear to be outside of the policies and directives in the Kasilof River Salmon Management Plan. We believe that the 600 ft zone should be part of the KRSHA plan and that the hours used should not be counted against a 36 hour restriction in place for the entire ESSN fishery. If used on a regular basis, control of the escapement of Kasilof bound sockeye could be of benefit to escapement goals and objectives without violating the policy described in (a) of this regulation. ...It is the intent of the Board of Fisheries that the Kasilof River salmon be harvested in the fisheries that have historically harvested them, including the methods, means, times, and locations of those fisheries. ... Further use of the Kasilof Terminal area has created a "new" fishery where 10 % of the participants who harvest 90% of the sockeye in the KRSHA have established locations on the jurisdictional outside boundaries in any strong armed manner or with intimidation that allows them take control.

3) WHAT SOLUTION DO YOU PREFER? Or, if the board adopted your solution, what would the new or amended regulation say?

5 AAC 21.365 (c) (3) - ...if the commissioner determines that further restrictions are necessary to aid in achieving the lower end of the Kenai River sockeye and king salmon escapement goal(s), the commissioner may, in an emergency order under this paragraph, further restrict fishing to within 600 feet of the mean high tide mark in the Kasilof Section, hours allowed under this provision will be considered part of the KRSHA as stated within (f) of this section;

4) STATE IN DETAIL HOW THIS ACR MEETS THE CRITERIA STATED ABOVE. If one or more of the three criteria set forth above is not applicable, state that it is not.

a) for a fishery conservation purpose or reason:

Conservation of depressed stocks.

b) to correct an error in regulation:

Within (f) of this regulation ...Before the commissioner opens the KRSHA, it is the board's intent that additional fishing time be allowed in the remainder of the Kasilof Section first, ... When the Board adopted



changes to 5 AAC 21.359 they could not have been expected to know of all the negative changes or restrictions to other management plans. This is a contradiction to the purpose of the Kaslof Management Plan and the KRSIA. The Department was given flexibility to manage fisheries outside of the Terminal area and continues to overescape the Kaslof River sockeye without being able to use the traditional areas to harvest. The 600 ft zone has proven to have minimal effects on Kenai bound King salmon.

c) to correct an effect on a fishery that was unforeseen when a regulation was adopted:

5) WHAT WILL HAPPEN IF THIS PROBLEM IS NOT SOLVED PRIOR TO THE REGULAR CYCLE?

Use of the KRSIA created a new non-historical fishery with unforeseen effects yet to be determined.



PC 09
15 of 16

6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.

This ACR seeks to clarify the policies and provisions in two management plans while still adhering to



6) STATE WHY YOUR ACR IS NOT PREDOMINANTLY ALLOCATIVE.
 This ACR seeks to clarify the policies and provisions in two management plans while still adhering to conservation goals.

7) IF THIS REQUEST IS ALLOCATIVE, STATE THE NEW INFORMATION THAT COMPELS THE BOARD TO CONSIDER AN ALLOCATIVE PROPOSAL OUTSIDE OF THE REGULAR CYCLE.

8) STATE YOUR INVOLVEMENT IN THE FISHERY THAT IS THE SUBJECT OF THIS ACR (e.g., commercial fisherman, subsistence user, sport angler, etc.)
 I am an Alaskan resident and appreciate access to surplus harvesting opportunities.

9) STATE WHETHER THIS ACR HAS BEEN CONSIDERED BEFORE, EITHER AS A PROPOSAL OR AS AN ACR, AND IF SO, DURING WHICH BOARD OF FISHERIES MEETING.
 This proposal was discussed in the 2014 UCI board meeting but was not adopted as a wait and see approach. The Department used this provision this year (2015) and now has new data to present. This tool could have been used earlier in the season with promising results prior to the need to open the KRSIIA normal area.

Submitted by:

NAME South K-Beach Independent Fishermen's Association (SOKI)

Individual or Group

PO Box 1632

Kenai, AK.

99611-1632

Address

City, State

Zip

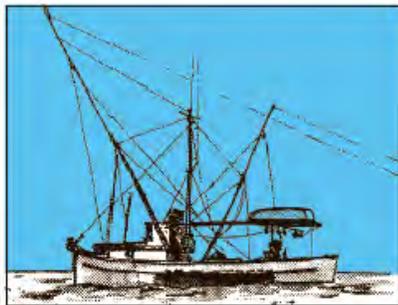
Home Phone

Work Phone

Email

SIGNATURE: Paul A. Shadura II **DATE:** 10-1-15

Note: Addresses and telephone numbers will not be published.



Alaska Trollers Association

130 Seward St., No. 205
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

September 30, 2015

Alaska Dept. of Fish and Game
Boards Support Section
PO Box 115526
Juneau, AK 99811
Sent via email

Dear Chairman Kluberton and Board of Fish Members:

The Alaska Trollers Association (ATA) supports ACR15, which would allow a small reduction in the spring troll fishery hatchery triggers, but only when abundance is anticipated to be very high. The proposal is designed to prevent loss of opportunity similar to what we have recently experienced, due to a high abundance of treaty king salmon.

ATA represents hook and line fishermen who operate in state and federal waters off Southeast Alaska. This low volume, high value fishery is quite important to the region. There are nearly 2,000 troll permits and up to 1,000 fish each year. The fleet is 85% resident; roughly 1:35 people in Southeast work on a troll vessel.

The troll Chinook fishery is divided into three distinct segments – winter, spring, and summer. The spring portion is unique, as it occurs exclusively in inside waters and the fishing areas are small and tightly controlled as a means to target hatchery kings. Many of these fish are produced to mitigate the troll fleet's losses under the Pacific Salmon Treaty (Treaty) and do not count against the annual quota. Spring fisheries are important to local communities, not only because they provide fish in addition to the quota, but because they occur in protected waters and prices are typically quite good.

ACR15 was submitted in response to an unforeseen event in the spring troll fishery resulting from the abundance and availability of treaty Chinook in our region. Many spring fishing areas were adjusted in 2014 and 2015, due to the presence of Columbia River Chinook, which are returning at levels that have not been seen since the first dam was placed in 1938. There are about 30 spring areas. In 2014, seven (7) areas were subject to time/area restriction or closure. Partly as a result of these actions, just 25% of the Chinook landed during the 2014 spring fishery were Alaska hatchery fish – the smallest proportion since the start of the spring fisheries. Similar modifications occurred in 2015. In both years, the loss of time and area were exacerbated by broad area closures to protect Unuk River Chinook. The intent of the ACR is to help ensure that the spring fisheries continue to function in the way the Board intended them to.

To put an additional point on the sheer numbers of treaty fish that are present in our fishery, the 2015 winter fishery closed 5 weeks earlier than ever before. We fully expect to see strong abundance in the coming year and fear additional closures and the loss of access to valuable hatchery fish.



A high abundance index (1.95) was chosen to ensure that caps would only be increased in years of exceptional production. The abundance index has reached 1.95 or more just four times since 1979. The increase in the spring caps would be modest and only taken in years when there are lots of quota fish, so it is unlikely to negatively impact the BOF goals for the summer troll fishery.

No one anticipated returns to the Columbia River like we are seeing today. A variety of factors are at play (e.g. increased spill), which leads us to believe that abundance will be sustained at higher levels than we've seen for decades, at least for the next couple of years.

ACR15 would simply allow ADFG the flexibility to help prevent unnecessary disruption of an important component of the troll fishery. We believe that flexibility will be needed in 2016, which compels ATA to request out of cycle action by the BOF.

Thank you for your consideration of ATA's point of view. Don't hesitate to contact me if I can provide additional information or answer any questions.

Best regards,

A handwritten signature in black ink that reads "Dale Kelley".

Dale Kelley
Executive Director