

The following is a written transcript from the January 2014 Board of Fish meeting in Kodiak. It covers Board discussions primarily covering RC 78, in particular as it relates to OEG/BEG and setnet fishing in the Dog Salmon Flats Section of Olga Bay and the emphasis of a friendly amendment in the form of a sunset clause with the intention of the Board to revisit this issue in 2017. It was transcribed by Brad and Kay Underwood from the audio portion of Kodiak Finfish January 9, 2014 at the Board of Fish section of the Alaska Dept of Fish and Game website. It covers the time from 3:20:08 (Kluberton) to 3:38:00 (Question on Amendment)

Kluberton – a lot of great testimony and assistance from the Dept as we've looked into the Alitak suite of proposals here and through the course of discussion – a variety of topics seem to resonate and carry well with everyone in the audience. So what rc 78 does and it's not intuitively obvious - I'll wander through what the effects are and I think they are good for the fishery. In general, as this came along, the concepts that came forward were needed to review the effects of the OEG that's on the Upper Station systems as well as making sure that we've got the ability for the Dept to manage large returns to the Frazer system. And also know that we can keep from overescaping Frazer and have some ability to take into consideration the large percentage of jack salmon that wander in there. So what this language will do is – it effectively removes that June 9th test fishery that we heard about. We had pretty good accord from seiners that were willing to forgo that and it would let us give another 5000 fish to wander up toward the Upper Station system. Just because that test fishery wouldn't have to happen unless escapement goals for Frazer and Upper Station are being met. So this test fishery would check for Frazer fish as the Upper Station run was dwindling down and by taking the OEG off, which will happen - that test fishery just isn't going to be necessary. We didn't have to explicitly have to mention that it is a "may" occur situation on June 9th so we will bypass that. Then we will basically install a trigger for an OEG - move an OEG from 25,000 to 30,000 fish for the Upper Station run. That OEG will only come into play when staff feels that Frazer is expected to exceed the escapement goal. So we are effectively removing the OEG and putting it back to the BEG range on the Upper Station system and if the Dept thinks we are about to break through the top of that escapement goal then an OEG will come into play only when we are in danger of overescaping the Frazer. If we continue to have trouble containing the return to Frazer the relief valve becomes a fishery in Dog Salmon Flats which is typically a closed area - but would be opened just as a special harvest area to capture anything that might cause an overescapement at Frazer. It would be open to set gillnetters to wander in there and try to mop those up before we overescape. This language also removes the staggered openings which was intended to optimize the harvest by all gear groups for a short amount of time. It will increase the overall amount of time when gear is out of the water and maximize the pulse of fish up in the further systems of Olga Bay. Then we will leave in place the 69 hours closure period during every 10 days that's in the management plan now. That would stay there so this language meets all the goals I had in mind for this system and goes a step beyond - still keeps the value of the OEG in place when it's necessary only and otherwise allows us to build that stock – it protects the Frazer. We had discussion about the jacks. And with what the Dept does there - is use the escapement range on the Frazer system to accommodate in a year of a large percentage of jacks - they'll just as a matter of practice- they have learned to aim higher into the escapement range. In an effort to try to get more of those fish - more mature breeding males and females up into the system. There's also been improvements made into the fish passes in recent years

that receive money and made improvements that have helped move the stranded fish that used to get caught in the river - make it up the fish pass and into the lake. Things have been going better. We should be improving the jack situation. I don't think we need to add anything explicit to address that. The Dept seems to have it under control with these two measures. So that is the extent of this. I'd like to take action here as we discuss this - put this in place - I have a few more ideas - but let's take care of this first.

Jensen - Kluberton took the words out of my mouth. I agree with him totally. We were looking for some kind of tool or plan to help this system out a little bit and I think this, out of all we heard, this sort of came out to be the best plan available - at this time anyway - I think it's a sensible plan. We're going to be able to escape more fish into terminal areas and the systems by having more time off. Everybody is going to have to take the time off and try to get these systems back on line and hopefully this plan will work.

Johnson - Compliments to staff, board members, and stake holders in putting this together in what's a pretty complex system here and think the effort here is in behalf of the fish - the main issue up there - that's why I'm for this as well.

Chairman - Looks good so far. We don't know what this language might do over the long run. We might want to consider not a permanent regulation but a regulation that we can revisit next cycle.

Kluberton - I alluded to other points. This is certainly one of them. I'd like to address those points now and we can get it all into one bundle - same result - so during discussion before we came back to order, two points were raised; one being, points brought up in rc 79, there were folks who fish in a series of locations - family operations - who fish all along the path from open water up to terminal areas and they were hoping for some attention to continuing staggered openings...(gap in audio not relevant to OEG/BEG)....**second point brought forward by a number of people was a need for a sunset clause so that the BOF will, with some certainty, will visit this again in three years - how it's working. There's a number of good reasons to do the sunset. Certainly one is to make sure that Dog Salmon Flats special harvest area doesn't become an institution through allocation. I think everybody is sensitive to that. And I think that alone is a good justification - also because the dynamic nature of this system - it's a very unique area and I think it just behooves us - the board and the Dept - to keep a finger on that pulse - look at it at least every few years.** What I would like to do is for the time being - as in the next three years - keep with the language that the Dept helped us to prepare. And give them the ability to manage their openings the way they choose - those that they felt would be most effective to them. For the time being, maybe not address the staggered openings in rc 79 and know in three years time, we'll come back and be able to evaluate whether that's going to be a significant change. My approach for now would be to ask for a friendly amendment - to add a 3 year sunset to the language found in rc 78.

No objection to the friendly amendment from the dept of law saying that it is allowed. No objections raised by board members to friendly amendment.

The friendly amendment added to rc 78 providing a sunset clause to expire the reg at end of next Kodiak meeting. **Mr Messing (lawyer) explains the need that sunset terminates Dec 31, 2016, prior to BOF**

meeting in Kodiak 2017. If some of these issues come back in a different form the board will be able to look at them with some enthusiasm.

Jackson talks about staggered openings.

Staggered opening are left out for now.

Huntington - Supports rc78. Wants to know if it affects allocation?

Johnson – Any allocative impacts?

Jackson – The way management plan - with rc78 - could be some allocative changes.

Johnson – Eventually we are going to deal with allocative criteria. And the sustainable salmon fishery policy criteria as well here as we get into this and I would like to see the effects of just this change without having additional changes – to see if we have managed to do something worthwhile. And be able to identify exactly why – that’s why I think the stair step (staggered openings) is not something I want to see right now. A sunset clause will give us an opportunity to use that if we need to.

Kluberton – Thank you. I would like to address Huntington’s question on allocation – one of the driving reasons for the sunset is that the most prominent aspect of this would be openings in the Dog Salmon Flats area which traditionally has been a closed area – serves as a pressure relief valve for the circumstances where there is a very large return coming to the Frazer system – that’s just managed to get through and needs to be stopped from overescaping. So that’s the reason it would tip the balance between the gillnet section and seine sector potentially. We won’t know until we see how those returns develop if they start rolling in huge again it could become an allocative factor. **And that was the compelling reason for the sunset. I’m sure we may find ourselves needing to make some other adjustments in a few years. By providing a sunset it insures we will be taking a look at this again next cycle.**

Johnson – I’m hearing quite a bit of positive support for this proposal.

Carried as amended 6-0.