



Kenai Peninsula Fishermen's Association

Ensuring the Sustainability of Our Fishery Resources

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RC 055

January 13, 2017

To:

Alaska Board of Fisheries

Boards Support Section

P.O. Box 115526

Juneau, AK 99811-5526

RE: Please refer to RC 31, RC 20, RC 005

Chairman Jensen;

KPFA and Cook Inlet stakeholders are extremely concerned that **“new and significant”** information relative to sound **“conservation and sustainable management”** of Cook Inlet bound sockeye and chinook salmon migrating through the entire Kodiak Management Area will be seriously compromised if the Alaska Board of Fisheries does not address in a timely manner **“stocks of concern”** identified in the two genetics reports (FMS No. 16-11 *Genetic Stock Composition of the Commercial and Sport Harvest of Chinook Salmon in the Westward Region* & FMS No. 16-10 *Genetic Stock Composition of the Commercial Harvest of Sockeye Salmon in the Kodiak Management Area*).

A memorandum from the Department of Fish and Game dated 10.03.16 titled **“Upper Cook Inlet Stock of Concern Recommendations”** submitted at the October worksession (RC 005) states **“King salmon – the department recommends no change to the status of the seven king salmon stocks of concern”** and **“Sockeye salmon – The department recommends no change to the status of Susitna River sockeye salmon stock of yield concern.”**

The final sentence of the memorandum, **“As part of the UCI escapement goal presentation to the board in February, staff will include an update on stocks of concern and review the department’s recommendations for stocks of concern”**

The Kodiak Management Area has been clearly defined by the genetics reports as a significant harvesters of Cook Inlet bound stock. If the board were to complete their review of the Kodiak region without incorporating conservation recommendations from the Upper Cook Inlet meeting they would knowingly violate key tenants in the SSFP (5 AAC 39.222).

Sockeye forecast for the Cook Inlet area for 2017 appears to be extremely low. The post season review of the 2016 return appears to be 1,000,000 short of the forecast. If we were to apply the same percentage of loss to the projections for 2017 sockeye returns, minimum escapement goals might be in jeopardy. Interception of Cook Inlet sockeye harvested and possibly targeted in the Kodiak Management Area could conceivably trigger onerous restrictions on Cook Inlet, personal use, sport, commercial and subsistence users.

Of particular concern for sockeye is the large apportionment of Cook Inlet sockeye within the Chignik, Igvak, Mainland and south Kodiak Island sections. We have suggested in our previous submittal (RC 31) that a thorough review with department recommendations with the intent to revise 5 AAC 18.395, 5 AAC 18.363 and 5 AAC 18.332 may be mechanisms to develop a Board Generated Proposal to address revisions. We would also suggest that this proposal be brought up at the Upper Cook Inlet Regulatory meeting in February – March 2017.

It is unfortunate that the relative genetics reports were released with very little time for stakeholders to review and comment on them prior to this regulatory meeting. We are concerned that preliminary results may have been available in the first and second years of the analysis yet no forewarnings from fisheries managers or geneticists. If the department had alerted the public with some preliminary information prior to the deadline in April of 2016, stakeholders may have been able to address their concerns within the proposal process. Particular concerns could have been addressed at the very least in *placeholder proposal format*.

Please note that;

“The duty to conserve and develop fishery resources implies a concomitant power to allocate fishery resources among competing users”.

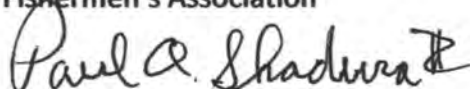
“Conservation” defined. – “Conserving “ implies controlled utilization of a resource to prevent its exploitation, destruction, or neglect. (pg. 24 - 25, AK F&G Laws and Regulations Annotated 2015-2016).

We strongly encourage the board to utilize policy 2016-282-FB or 2013-270-FB or other means to extend this Kodiak regulatory meeting to address clear conservation concerns.

Submitted by:

The Kenai Peninsula Fishermen’s Association

Paul A. Shadura II



board director



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ALASKA BOARD OF FISHERIES

POLICY ON TABLING AND POSTPONING PROPOSALS

2016-282-FB

1. When it is necessary to table or postpone consideration of a proposal, the board will be guided by the motions and procedures specified in Robert's Rules of Order.
2. Because Robert's Rules of Order does not provide an effective way to postpone consideration of a proposal beyond a meeting and to a time uncertain, the board will accomplish that consistent with this policy through a "motion to postpone to a time uncertain."
3. The board intends that a motion to postpone to a time uncertain will be rarely used, and only when the board concludes that it needs additional information not currently available to act on a proposal, and the board is not able to identify the time by which the information will be available. Examples of when such a motion may be appropriate include when another federal or state agency may soon take action that will affect the proposal, and when the board concludes it is necessary to study an issue, gather more information, or develop criteria before taking up a proposal.
4. By motion the board may take up a postponed proposal at any regular or special meeting, provided appropriate notice is given consistent with the Alaska Administrative Procedure Act, (AS 44.62.010—AS 44.62.320), and the Alaska Open Meetings Act (AS 44.62.310—AS 44.62.312).
5. A motion to postpone to a time uncertain, adopted by a majority vote, will postpone consideration of a proposal until a future meeting, not later than the last regular meeting of the next board cycle. If the board concludes that it still needs additional information not currently available to act on the proposal, the board may table or postpone the proposal consistent with the motions and procedures specified in Robert's Rules of Order and this board policy.

Date Adopted: February 29, 2016
Anchorage, Alaska

VOTE: 7-0


Tom Kluberton, Chairman

~DRAFT~

ALASKA BOARD OF FISHERIES

CRITERIA FOR DEVELOPMENT OF BOARD-GENERATED PROPOSAL

It has been suggested that criteria need to be established to guide Alaska Board of Fisheries (board) members when deliberating on whether or not to develop a board-generated proposal. The board will consider the following criteria when deliberating the proposed development and scheduling of a board-generated proposal:

1. Is it in the public's best interest (e.g., access to resource, allocation concerns, consistent intent, public process)?
2. Is there urgency in considering the issue (e.g., potential for escapement objectives not being met or sustainability in question)?
3. Are current processes insufficient to bring the subject to the board's attention (e.g., reconsideration policy, normal cycle proposal submittal, ACRs, petitions)?
4. Will there be reasonable and adequate opportunity for public comment (e.g., how far do affected users have to travel to participate, amount of time for affected users to respond)?

Approved: January 20, 2013

Vote: 6-0

Anchorage, Alaska

Karl Johnstone, Chairman
Alaska Board of Fisheries