RC101

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
Office of the President
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

February 17, 2009

Alaska Department of Fish and Game
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
FAX (907) 465-6094

Subject: Alaska Board of Fisheries Meetings Sitka, Alaska – February 17-26, 2009

Central Council Tlingit and Haida Indian Tribes (Central Council) is a federally-recognized tribe of more than 27,000 tribal citizens.

It is an important part of our mission to preserve our cultural resources. The subsistence gathering and harvesting of herring eggs is of vital importance to Alaska Natives as it is an integral part of our nutrition and has been a part of our spiritual and cultural foundation since time immemorial. We have strong concerns about the management of this resource as there continues to be extremely poor subsistence herring egg harvest due to the lack of quality spawn while the commercial fishermen continue to harvest record catches.

The purpose of this letter is to provide written comments on proposals being considered by the Alaska Board of Fisheries.

Specifically, we strongly support Proposals 203, 204 and 234 submitted by the Sitka Tribe of Alaska. Proposal 203 requests changes to the harvest level and rate for the Sitka sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disruption of pre-spawning herring, and limit incidental and unaccounted mortality. Proposal 234 requests in an increase in the Amount Reasonably Necessary for Subsistence.

In addition, Central Council strongly objects to Proposal 235 which would expand the permit and reporting requirement for all harvest of herring spawn in the Sitka Sound area.

Resolutions from our Executive Council regarding each of the above proposals are attached for your information.

Thank you for considering our comments regarding the management of this important traditional resource. If you have any questions, please contact my staff at (907) 463-7197.

Regards,

William E. Martin
President

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
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Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-05

Title: Supporting ADF&G Board Proposal 203. Change of the Harvest Level and Harvest Rate for the Sitka Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska (STA) has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000

tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than necessary to support cultural and traditional uses; and

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
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Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-06

Title: Supporting ADF&G Board Proposal 204, Include Herring Taken in Test Fishery in the Guideline Harvest Limit in the Sitka Sound Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality.

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Central Council
Tlingit and Haida
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Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-07

Title: Supporting ADF&G Board Proposal 234, Change the Harvest Level and Harvest Rate for the Sitka Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, STA has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Central Council
Tlingit and Haida
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Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-08

Title: Opposing ADF&G Board Proposal 235, to Expand Permit and Reporting Requirement for All Harvest of Herring Spawn in Sitka Sound Area

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, as a result of the enactment of HR 39-Title VIII of ANILCA, Alaska Natives strongly believe and assert their rights to priority use and access to gather, hunt, and fish Alaska's natural resources and its fish and wildlife.

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by opposing Alaska Board of Fisheries Proposal 235 to Expand Permit and Reporting Requirement for All Harvest of Herring Spawn in Sitka Sound Area.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

President William E. Martin

ATTEST

Tribal Secretary Michele Metz

RC102

ATT: Board of fisheries meeting Sitka, AK

Dear Board members,

I am writing you to voice my **strong opposition to proposals 255 and 256,** which you are currently deliberating on. I am sorry for sending this so late, but I hope you consider my comments when rendering your decisions.

These two proposals seem only to benefit wealthier permit holders who can afford to buy another permit and disadvantages those like myself who recently bought into the fishery. Many people in my situation still have payments we are making on the one permit we have. **There is no way I, and many like me, could afford to buy another permit.**

Furthermore, if these proposals passed the price on SE gillnet permits would undoubtedly skyrocket. With approximately 100 inactive permits and about 390 active permits, there aren't enough to go around. This will result in the "rich getting richer". **The wealthier permit holders will buy out the remaining inactive permits, the size of the fleet won't shrink, and smaller guys like myself will be put at a disadvantage.** Not only do I believe that overcrowding isn't an issue, these proposals would put more gear in the water with same amount of boats.

Also, I fail to see how getting additional fishing time or more gear could positively impact the sustainability, enforcement, or management of the fishery.

Thank you for you consideration,

Matthew Gruening

Matthew Gruening
Owner/Skipper F/V North Boy
SE Alaska drift net permit holder
P.O. Box 1030
Petersburg, AK 99833

ADDENDUM TO RC69

RC103

Other features of the model

Data can be viewed and filtered in numerous ways using the model. Below are some examples of charts and tables that are easily updated when new data is entered. Data can be filtered to include/exclude agencies, species, projects, etc.

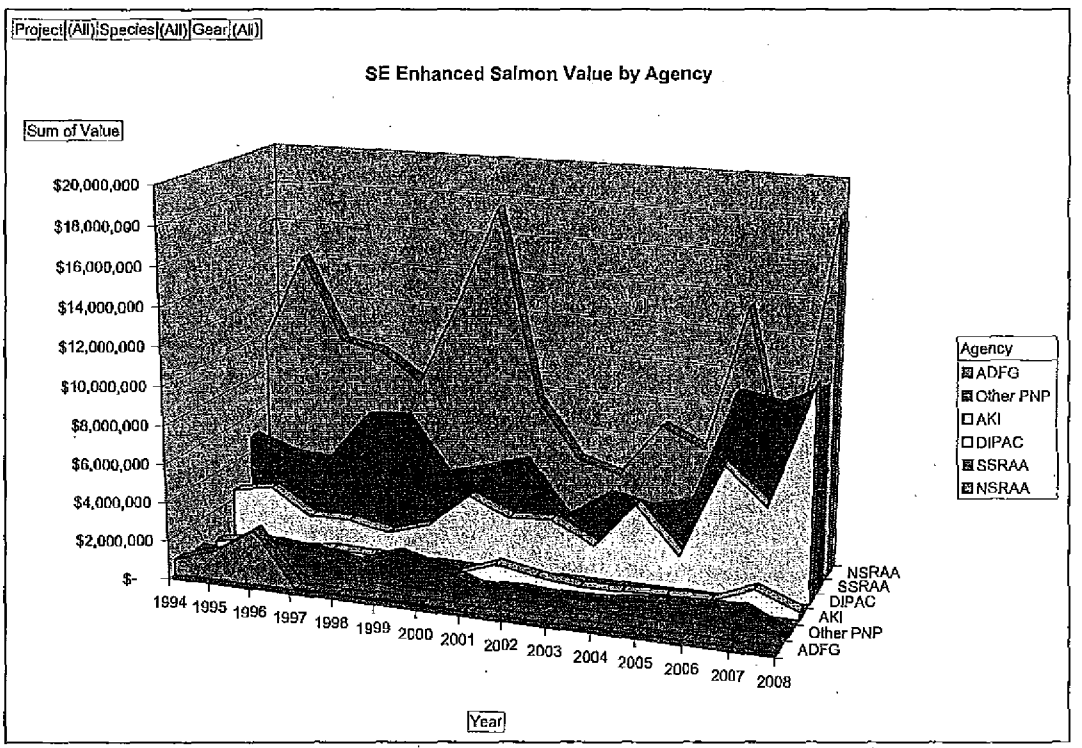


Chart 3. Value by Agency – Current Status (2007-08 Prelim.)

Project	(All)
Species	(All)
Gear	(Multiple Items)

Sum of Value	Agency						
Year	ADFG	Other PNP	AKI	DIPAC	SSRAA	NSRAA	Grand Total
1994	$ 817,670	$ 638,695	$ 354,615	$ 2,480,115	$ 4,827,805	$ 9,717,505	$ 18,836,405
1995	$ 1,484,608	$ 434,198	$ 742,383	$ 2,845,123	$ 4,132,201	$ 14,340,839	$ 23,979,354
1996	$ 2,833,764	$ 1,464,267	$ 341,230	$ 1,508,895	$ 3,895,422	$ 9,949,004	$ 19,992,582
1997	$ 94,544	$ 1,249,864	$ 668,976	$ 1,553,042	$ 6,562,189	$ 9,536,050	$ 19,664,665
1998	$ 36,407	$ 930,820	$ 590,526	$ 1,113,960	$ 6,707,155	$ 8,099,106	$ 17,477,975
1999	$ 106,662	$ 1,680,149	$ 479,375	$ 1,805,734	$ 3,794,755	$ 12,587,126	$ 20,453,800
2000	$ 105,503	$ 1,144,649	$ 106,454	$ 3,618,105	$ 4,407,252	$ 17,638,642	$ 27,020,606
2001		$ 488,535	$ 926,179	$ 2,658,049	$ 5,004,073	$ 7,723,893	$ 16,800,730
2002		$ 617,321	$ 566,058	$ 2,850,140	$ 2,183,734	$ 4,732,014	$ 10,949,268
2003		$ 466,567	$ 285,778	$ 1,698,741	$ 3,684,386	$ 4,164,553	$ 10,300,025
2004		$ 604,515	$ 323,862	$ 4,102,865	$ 3,217,348	$ 6,990,045	$ 15,238,635
2005		$ 839,849	$ 426,985	$ 1,709,304	$ 3,849,047	$ 5,947,168	$ 12,772,353
2006		$ 965,454	$ 423,268	$ 6,658,163	$ 9,675,289	$ 13,546,075	$ 31,268,249
2007		$ 1,052,296	$ 1,268,958	$ 4,732,253	$ 9,292,388	$ 3,998,136	$ 20,344,032
2008			$ 430,836	$ 11,063,842	$ 10,312,823	$ 18,441,580	$ 40,249,082
Grand Total	$ 5,479,159	$ 12,577,181	$ 7,935,482	$ 50,398,332	$ 81,545,868	$ 147,411,738	$ 305,347,760

*2007 data is preliminary
*2008 data is preliminary

Table 5. Value by Agency data – Current Status (2007-08 Prelim.)

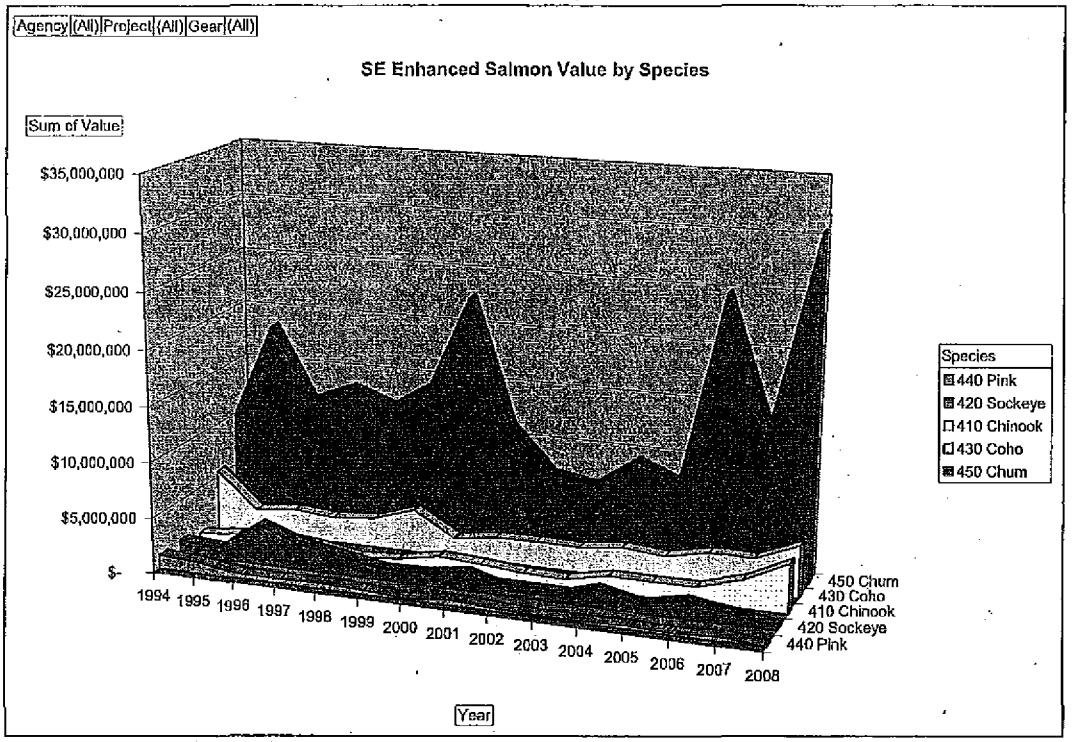


Chart 4 – Value by Species – Current Status (2007-08 Prelim.)

Agency	(All)
Project	(All)
Gear	(All)

Sum of Value	Species					
Year	440 Pink	420 Sockeye	410 Chinook	430 Coho	450 Chum	Grand Total
1994	$ 1,289,437	$ 1,376,727	$ 810,852	$ 5,496,524	$ 9,862,864	$ 18,836,405
1995	$ 1,046,624	$ 1,147,565	$ 1,071,866	$ 2,189,021	$ 18,524,278	$ 23,979,354
1996	$ 441,684	$ 3,654,636	$ 1,240,804	$ 2,618,726	$ 12,036,733	$ 19,992,582
1997	$ 437,525	$ 2,352,773	$ 953,626	$ 2,358,886	$ 13,561,855	$ 19,664,665
1998	$ 536,123	$ 1,750,710	$ 312,249	$ 2,685,823	$ 12,193,070	$ 17,477,975
1999	$ 415,028	$ 1,010,718	$ 607,761	$ 3,931,810	$ 14,488,483	$ 20,453,800
2000	$ 115,853	$ 1,084,582	$ 1,309,703	$ 1,741,389	$ 22,769,080	$ 27,020,606
2001	$ 533,586	$ 1,613,834	$ 1,067,248	$ 2,258,043	$ 11,328,019	$ 16,800,730
2002	$ 303,690	$ 457,053	$ 751,936	$ 2,350,712	$ 7,397,546	$ 11,260,937
2003	$ 167,970	$ 514,817	$ 689,416	$ 2,320,008	$ 6,774,374	$ 10,466,584
2004	$ 219,733	$ 1,641,917	$ 1,481,337	$ 2,773,144	$ 9,401,074	$ 15,517,206
2005	$ 320,577	$ 780,074	$ 1,440,971	$ 2,428,793	$ 7,833,543	$ 12,803,958
2006	$ 201,845	$ 1,598,269	$ 1,491,675	$ 3,246,883	$ 24,894,554	$ 31,433,225
2007	$ 439,249	$ 908,967	$ 2,539,812	$ 3,133,056	$ 13,497,194	$ 20,518,277
2008	$ 42,233	$ 313,577	$ 4,471,926	$ 4,759,321	$ 30,662,026	$ 40,249,082
Grand Total	$ 6,511,157	$ 20,206,218	$ 20,241,182	$ 44,292,138	$ 215,224,689	$ 306,475,385

**2007 data is preliminary*
**2008 data is preliminary*

Table 6. Value by Species data – Current Status (2007-08 Prelim.)

Species	450 Chum
Agency	NSRAA
Sale Type	(All)
Project	Medvejie/Deep Inlet

Sum of Value	Gear								
Year	troll		seine		gillnet		Grand Total		
1994	$	629,017	$	953,907	$	393,046	$	1,975,970	
1995	$	517,271	$	1,476,363	$	1,405,054	$	3,398,688	
1996	$	535,093	$	2,433,774	$	369,181	$	3,338,048	
1997	$	638,703	$	3,549,426	$	895,521	$	5,083,650	
1998	$	166,561	$	3,042,516	$	990,128	$	4,199,206	
1999	$	118,688	$	4,636,988	$	1,303,514	$	6,059,190	
2000	$	1,044,668	$	6,075,077	$	1,570,492	$	8,690,237	
2001	$	632,829	$	1,239,777	$	882,024	$	2,754,630	
2002	$	136,626	$	487,856	$	540,208	$	1,164,691	
2003	$	127,716	$	701,827	$	424,172	$	1,253,716	
2004	$	248,860	$	1,574,736	$	1,123,885	$	2,947,481	
2005	$	495,148	$	1,356,489	$	1,427,783	$	3,279,419	
2006	$	526,148	$	3,410,691	$	2,215,109	$	6,151,948	*2006 data is final*
2007	$	530,686	$	315,109	$	336,593	$	1,182,388	*Preliminary*
2008	$	355,564	$	2,039,958	$	1,220,038	$	3,615,560	*Preliminary*
Grand Total	$	6,703,578	$	33,294,495	$	15,096,749	$	55,094,822	

Table 7. An example of a single project's contribution value history (Deep Inlet Chum).

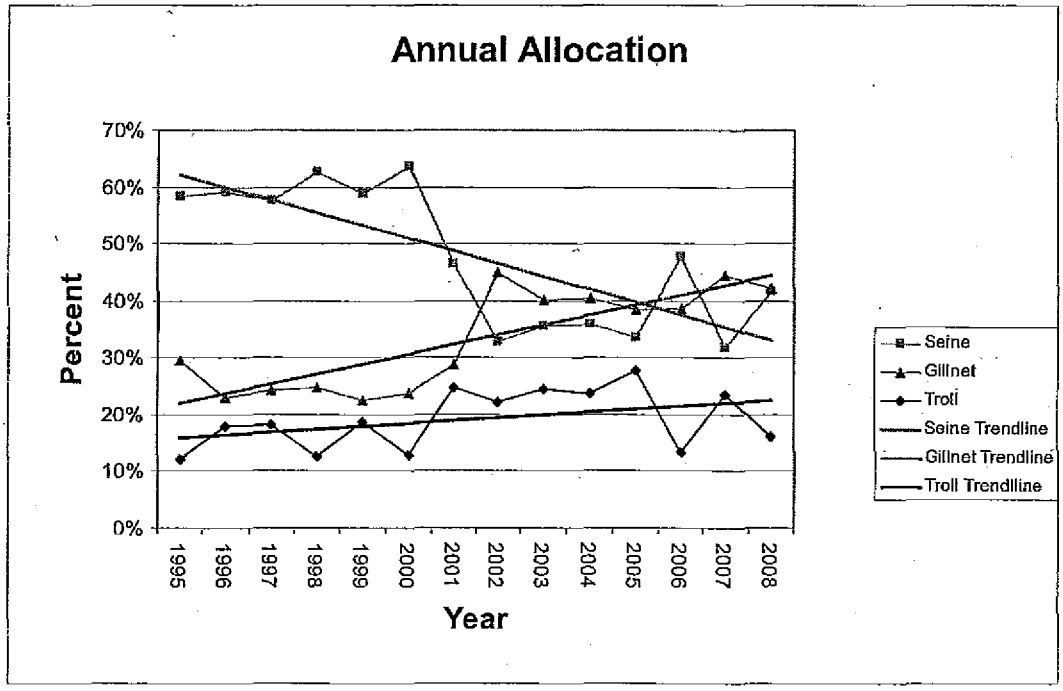


Chart 5 – Allocation 5-year averages with trends (all projects, all species).
– Current Status (2007-08 Prelim.)

3. Proposals to rebalance

There's no shortage of ideas on rebalancing. We have fielded numerous questions on how various ideas would affect the allocation. I have divided these into groups:

c. *BOF proposals*
d. *Management options* – other management possibilities outside of BOF proposals.
e. *New (or increased) Production* – a look at some options.
f. *Marine survival considerations* – some "what-if" scenarios.
g. *Adjustments to current model* – a look at the possibility of adjusting allocation percentages.

a. Board of Fish Proposals

Name	Description	Submitted by	Project	Model Results
BOF 244	Alter SE AK Allocation Agreement to include only NSRAA & SSRAA	Mike Saunders / Lynn Canal Gillnetters Assoc.	ALL	See below.
BOF 267	Change Nakat Inlet to 1:1 SN:GN rotation	SEAS	Nakat Inlet	Shift 10,000 chum from GN to SN
BOF 268	Neets Bay harvest will go to NET gear group below their range	SEAS	Neets Bay	Shift <5,000 chum from GN to SN (potential for more – low surplus fish in recent years)
BOF 271	Change Anita Bay from 2GN 1SN to 1GN 2GN thru July 31 & 2GN 1SN Aug 1 to end of season	SEAS	Anita Bay	Shift 20,000 chum from GN to SN
BOF 273	Change Deep Inlet to 1:1 rotation for 2009-11	Joint RPT	Deep Inlet	Shift 215,000 chum from GN to SN
BOF 274	Change Deep Inlet to 1:1 rotation for 2009-11	SEAS	Deep Inlet	Same as BOF 273

BOF 244 – This proposal of course is *outside the existing SE Allocation Plan.* I ran the data anyway....The model can easily filter out only NSRAA and SSRAA data. One question is whether to include the portion of Boat Harbor and Limestone Inlet production funded by NSRAA over the years. I ran the data both ways.

Using either Boat Harbor/Limestone Inlet scenario, the balance is much closer than running the data with all Agencies (see Tables 2 & 4.), with the trollers still being out.

CHART 1 Data: Value by GEAR

Agency	(Multiple Items)	NSRAA & SSRAA
Project	(All)	
Species	(All)	
Tweak	Regular	All BH & LI chum credited to DIPAC

Sum of Value	Gear			
Year	troll	gillnet	seine	Grand Total
1994	$ 4,264,113	$ 2,380,267	$ 7,900,930	$ 14,545,310
1995	$ 2,521,567	$ 3,366,244	$ 12,585,230	$ 18,473,041
1996	$ 3,041,969	$ 1,650,666	$ 9,151,791	$ 13,844,426
1997	$ 2,790,781	$ 2,643,909	$ 10,663,549	$ 16,098,239
1998	$ 1,892,758	$ 2,665,109	$ 10,248,394	$ 14,806,261
1999	$ 3,287,549	$ 2,499,125	$ 10,595,207	$ 16,381,881
2000	$ 2,900,002	$ 2,711,894	$ 16,433,998	$ 22,045,894
2001	$ 3,468,888	$ 2,376,090	$ 6,883,988	$ 12,727,966
2002	$ 1,876,343	$ 1,830,965	$ 3,208,441	$ 6,915,749
2003	$ 2,142,174	$ 2,558,223	$ 3,148,542	$ 7,848,939
2004	$ 3,257,325	$ 2,829,798	$ 4,120,270	$ 10,207,393
2005	$ 3,022,486	$ 3,267,844	$ 3,505,885	$ 9,796,215
2006	$ 3,625,547	$ 5,773,058	$ 13,822,759	$ 23,221,365
2007	$ 3,628,213	$ 4,043,018	$ 5,621,293	$ 13,290,524
2008	$ 5,926,152	$ 6,199,488	$ 16,628,763	$ 28,754,403
Grand Total	$ 47,643,867	$ 46,794,699	$ 134,519,040	$ 228,957,505
	20.8%	20.4%	58.8%	100.0%

*2007 data is preliminary
*2008 data is preliminary

5-Year Rolling Averages for Gear Groups

Source: ADF&G ESTIMATES (SE ALLOCATION DATA FROM ADF&G)

	Gear			
Period	Troll	Gillnet	Seine	TOTAL
94-98	19%	16%	65%	100%
95-99	17%	16%	67%	100%
96-00	17%	15%	68%	100%
97-01	17%	16%	67%	100%
98-02	18%	17%	65%	100%
99-03	21%	18%	61%	100%
00-04	23%	21%	57%	100%
01-05	29%	27%	44%	100%
02-06	24%	28%	48%	100%
03-07*	24%	29%	47%	100%
04-08*	23%	26%	51%	100%
ALL Years 94-08*	21%	20%	59%	

	Troll	Drift	Purse
Target	27-32%	24-29%	44-49%

Color code: below range | in range | above range

Table 8a. BOF 244 - Alter SE AK Allocation Agreement to include only NSRAA & SSRAA. NSRAA data includes no value for Boat Harbor/Limestone Chum.

CHART 1 Data: Value by GEAR

Agency	(Multiple Items)	NSRAA & SSRAA
Project	(All)	
Species	(All)	
Tweak	(All)	Portion of BH & LI chum credited to NSRAA

Sum of Value	Gear			
Year	troll	gillnet	seine	Grand Total
1994	$ 4,264,113	$ 3,149,480	$ 7,900,930	$ 15,314,524
1995	$ 2,521,567	$ 4,119,653	$ 12,585,230	$ 19,226,450
1996	$ 3,041,969	$ 1,870,612	$ 9,151,791	$ 14,064,372
1997	$ 2,790,781	$ 3,042,703	$ 10,663,549	$ 16,497,033
1998	$ 1,892,758	$ 2,927,071	$ 10,248,394	$ 15,068,223
1999	$ 3,287,549	$ 2,891,278	$ 10,595,207	$ 16,774,034
2000	$ 2,900,002	$ 3,552,435	$ 16,433,998	$ 22,886,435
2001	$ 3,468,888	$ 2,769,876	$ 6,883,988	$ 13,122,752
2002	$ 1,876,343	$ 2,309,655	$ 3,208,441	$ 7,394,438
2003	$ 2,142,174	$ 2,785,403	$ 3,148,542	$ 8,076,118
2004	$ 3,257,325	$ 3,363,224	$ 4,120,270	$ 10,740,819
2005	$ 3,022,486	$ 3,506,352	$ 3,505,885	$ 10,034,723
2006	$ 3,625,547	$ 6,751,509	$ 13,822,759	$ 24,199,816
2007	$ 3,626,213	$ 4,661,023	$ 5,621,293	$ 13,908,530
2008	$ 5,926,152	$ 7,602,338	$ 16,628,763	$ 30,157,253
Grand Total	$ 47,643,867	$ 55,302,612	$ 134,519,040	$ 237,465,518
	20.1%	23.3%	56.6%	100.0%

*2007 data is preliminary
*2008 data is preliminary

5-Year Rolling Averages for Gear Groups

Source: ADF&G ESTIMATES (SE ALLOCATION DATA FROM ADF&G)

	Gear			
Period	Troll	Gillnet	Seine	TOTAL
94-98	18%	19%	63%	100%
95-99	17%	18%	65%	100%
96-00	16%	17%	67%	100%
97-01	17%	18%	65%	100%
98-02	18%	19%	63%	100%
99-03	20%	21%	59%	100%
00-04	22%	24%	54%	100%
01-05	28%	30%	42%	100%
02-06	23%	31%	46%	100%
03-07*	23%	31%	45%	100%
04-08*	22%	29%	49%	100%
ALL Years 94-08*	20%	23%	57%	

	Troll	Drift	Purse
Target	27-32%	24-29%	44-49%

Color code: below range | in range | above range

Table 8b. BOF 244 - Alter SE AK Allocation Agreement to include only NSRAA & SSRAA. NSRAA data includes value from NSRAA's portion of Boat Harbor/Limestone Chum.

Commercial Ex-Vessel Value of All SE Enhanced Salmon

Calculation of Adjustments needed to bring gear groups back into range.

The latest 5-year average (2004-08) for total enhanced value is $17,054,000 per year.

Using this value as the estimated annual value for the upcoming 5-year period, and applying the Mid-points of the target range:

Mid-points of target ranges>		28.8%	45.4%	25.9%		100.0%
		SE	SE	SE		
		Gear				
Period	PROJECTED	Troll	Purse	Drift		TOTAL
2009	$ 17,054,000	4,908,000	7,737,000	4,409,000		17,054,000
2010	$ 17,054,000	4,908,000	7,737,000	4,409,000		17,054,000
2011	$ 17,054,000	4,908,000	7,737,000	4,409,000		17,054,000
2012	$ 17,054,000	4,908,000	7,737,000	4,409,000		17,054,000
2013	$ 17,054,000	4,908,000	7,737,000	4,409,000		17,054,000
5-yr	$ 85,270,000	$ 24,540,000	$ 38,685,000	$ 22,045,000		$ 85,270,000
		28.8%	45.4%	25.9%		
09-13 target		4,908,000	7,737,000	4,409,000		17,054,000
04-08*		$ 3,892,000	$ 8,740,000	$ 4,423,000		$ 17,055,000
Change required		1,016,000	(1,003,000)	(14,000)		
Percent change from 04-08*		26%	-11%	0%		

Table 9a. BOF 244 - Alter SE AK Allocation Agreement to include only NSRAA & SSRAA. NSRAA data includes no value for Boat Harbor/Limestone Chum.

Commercial Ex-Vessel Value of All SE Enhanced Salmon

Calculation of Adjustments needed to bring gear groups back into range.

The latest 5-year average (2004-08) for total enhanced value is $17,808,000 per year.

Using this value as the estimated annual value for the upcoming 5-year period, and applying the Mid-points of the target range:

Mid-points of target ranges>		28.8%	45.4%	25.9%		100.0%
		SE	SE	SE		
		Gear				
Period	PROJECTED	Troll	Purse	Drift		TOTAL
2009	$ 17,808,000	5,125,000	8,079,000	4,604,000		17,808,000
2010	$ 17,808,000	5,125,000	8,079,000	4,604,000		17,808,000
2011	$ 17,808,000	5,125,000	8,079,000	4,604,000		17,808,000
2012	$ 17,808,000	5,125,000	8,079,000	4,604,000		17,808,000
2013	$ 17,808,000	5,125,000	8,079,000	4,604,000		17,808,000
5-yr	$ 89,040,000	$ 25,625,000	$ 40,395,000	$ 23,020,000		$ 89,040,000
		28.8%	45.4%	25.9%		
09-13 target		5,125,000	8,079,000	4,604,000		17,808,000
04-08*		$ 3,892,000	$ 8,740,000	$ 5,177,000		$ 17,809,000
Change required		1,233,000	(661,000)	(573,000)		
Percent change from 04-08*		32%	-8%	-11%		

Table 9b. BOF 244 - Alter SE AK Allocation Agreement to include only NSRAA & SSRAA. NSRAA data includes value from NSRAA's portion of Boat Harbor/Limestone Chum.

b. Management options

Name	Description	Comments	Project	Model Results
Deep Inlet 1:0 SN:GN	Look at Deep Inlet without Gillnet		Deep Inlet	Shift 360,000 chum from GN to SN
Lynn Canal Troll	Allow trolling in Lynn Canal		DIPAC chum	Might shift 50,000+ chum from gillnet to troll; part of catch might be shift from CR

c. New (or increased) Production

Name	Description	Comments	Project	Model Results
Sitka Coho Program	2 million smolt release in Sitka area	In Progress	NSRAA Coho	Added contribution by gear: 72K troll, 12K seine, 12K gillnet
Deer Lake Coho Expansion	1.5 million smolt release from Deer Lake	In Progress	Deer Lake Coho	Added contribution by gear: 35K troll, 16K seine
Gunnuk Creek Hatchery Chum Program		65M Permitted capacity		
AKI Chum Program		30M Permitted capacity		
AKI Coho Production	See below.	In Progress		Added contribution by gear: 52K troll, 2K seine
Bakewell Lake Coho		First adults in 2010		

AKI Coho – (Increased production & survival issue) The AKI coho program has increased smolt numbers to 2.5 M (from 1.8 M) for the past 3 releases, and plans to continue in the 2.5-3M range. Marine survival rates have been lower than average for the past 5-yr period. There is potential of adding 55 K or more coho, primarily to the troll contribution.

d. Marine survival considerations – some "what-if" scenarios.

Name	Description	Comments	Project	Model Results
NSRAA LL Chum – higher survival HF	See below		Hidden Falls Chum	Adds 38,000 chum to seine.
NSRAA LL Chum – higher survival DI	See below.		Deep Inlet Chum	Adds 45,000chum: 7K troll, 24K seine, 14K gillnet
AKI Coho	Included above in production section			

NSRAA LL Chum - Survivals for NSRAA Late-Large (LL) Chum survival has only been about 60% of regular chum rearing. We are suspending LL rearing; this will increase survival for a portion of the run, adding contribution to seiners at HF and all groups at Deep Inlet.

e. Adjustments to current model

Name	Description	Comments	Project	Model Results
Re-Allocate Model % Ranges	Rework Allocation percentages – for example reduce troll and divide reduction among NET groups		All	

Rebalancing worksheet

This worksheet tracks potential changes to programs to demonstrate how changes might affect the rebalancing of the enhanced salmon allocation. The worksheet starts with the calculated amount each gear group is over or under. Estimates of shifts in value are entered for proposed changes; the worksheet adds or subtracts from the "current" amount for each gear group, resulting in a new estimate at the bottom of the sheet.

Rebalancing Ideas / Worksheet

		Troll	Purse	Drift	
past 5-yr avg	24,105,000	4,555,000	9,643,000	9,907,000	current
upcoming 5-yr avg	24,105,000	6,938,000	10,935,000	6,232,000	target

		Troll	Purse	Drift	Assumptions
	Amount Over / (Under)	(2,383,000)	(1,292,000)	3,675,000	
	% Over / Under	-52%	-13%	37%	
	Possible changes:				
	Management				
BOF 273-274	Deep Inlet: 1:1 SN:GN		684,900	(816,599)	model 5-yr averages
BOF 267	Nakat Inlet 1:1 SN:GN		161,929	(193,067)	model 5-yr averages
BOF 271	Anita Bay 2:1 SN:GN early season		62,501	(74,519)	model 5-yr averages
BOF 268	Neets Bay		12,050	(14,367)	model 5-yr averages
	Lynn Canal Troll				
	New (or increased) Production				
	Sitka Coho Program	750,816	45,144	95,726	model 5-yr averages
	Deer Lake Coho Expansion	359,720	61,934		model 5-yr averages
	Gunnuk Creek Chum Program				
	AKI Chum Program				
	Bakewell Lake Coho	205,400	27,500	127,400	model 5-yr price; 10 lb
	Marine Survival				
	AKI Coho	537,119	9,092		model 5-yr averages
	NSRAA LL - HF higher survival		121,540		model 5-yr averages
	NSRAA LL - DI higher survival	24,283	75,947	54,479	model 5-yr averages
	Total	[illegible]	1,262,637	(820,946)	

	Troll	Purse	Drift	Total
Sum of changes:	1,877,338	1,262,537	(820,946)	2,318,930
New estimate:	[illegible]	[illegible]	[illegible]	26,423,930
Percentage after changes:	24%	41%	34%	100%
Mid-point of ranges:	28%	45%	26%	100%
	-4%	-4%	9%	

Table 10. Rebalancing worksheet (Excel file).

In the example above, trollers are under by $2.38M. (This is the difference between current and target amounts.) If all the changes listed went into effect (and value assumptions were realistic), they would pick up $1.88 M, putting them within 4% of their mid-point.

Note value shifts are not dollar for dollar when shifting from one gear group to another. This is because the model uses 5-year averages for price and weight by gear.

Rebalancing Ideas / Worksheet

		Troll	Purse	Drift	
past 5-yr avg	24,105,000	4,555,000	9,643,000	9,907,000	current
upcoming 5-yr avg	24,105,000	6,938,000	10,935,000	6,232,000	target

		Troll	Purse	Drift	Assumptions
	Amount Over / (Under)	(2,383,000)	(1,292,000)	3,675,000	
	% Over / Under	-52%	-13%	37%	
	Possible changes:				
	Management				
BOF 273-274	Deep Inlet: 1:1 SN:GN		684,900	(816,599)	model 5-yr averages
BOF 267	Nakat Inlet 1:1 SN:GN		161,929	(193,067)	model 5-yr averages
BOF 271	Anita Bay 2:1 SN:GN early season		62,501	(74,519)	model 5-yr averages
BOF 268	Neets Bay		12,050	(14,367)	model 5-yr averages
	Lynn Canal Troll				
	New (or increased) Production				
	Sitka Coho Program	750,816	45,144	95,726	model 5-yr averages
	Deer Lake Coho Expansion	359,720	61,934		model 5-yr averages
	Gunnuk Creek Chum Program				
	AKI Chum Program				
	Bakewell Lake Coho	205,400	27,500	127,400	model 5-yr price; 10 lb
	Marine Survival				
	AKI Coho	537,119	9,092		model 5-yr averages
	NSRAA LL - HE higher survival		121,540		model 5-yr averages
	NSRAA LL - DI higher survival	24,283	75,947	54,479	model 5-yr averages
	Total	1,877,338	1,262,537	(820,946)	

	Troll	Purse	Drift	Total
Sum of changes:	1,877,338	1,262,537	(820,946)	2,318,930
New estimate:	6,432,338	10,905,537	9,086,054	26,423,930
Percentage after changes:	24%	41%	34%	100%
Mid-point of ranges:	29%	36%	36%	100%
	-4%	-4%	9%	

Adjust Allocation Model
Re-Allocate Model % Ranges -3.0%; apportioned per current net group ratio

	Troll	Purse	Drift	Total
Sum of changes:	1,877,338	1,262,537	(820,946)	2,318,930
New estimate:	6,432,338	10,905,537	9,086,054	26,423,930
Percentage after changes:	24%	41%	34%	100%
Mid-points with Troll % reduction:	26%	47%	27%	100%
	-1%	-6%	7%	

Table 11. Rebalancing worksheet with addition of Adjustment of Allocation Percentages (Excel file).

There has been discussion of **reworking the allocation ranges.** Above is an example showing a reduction of 3% in the Troll Allocation – with the 3% being split per the ratio of seine to gillnet; approximately 2% to seine and 1% to gillnet.

RC 104

John H. Littlefield III
4102 Halibut Point Road
Sitka, AK 99835

2/18/2009

Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau, AK 99811-5526

Dear Chairman Jensen and members of the Board of Fish,

Thank you for allowing me to testify today. My name is John Littlefield. I have lived in Sitka for 62 years. Like my grandfathers and grandchildren, I was born here.

My previous written testimony was submitted to give you some idea of why people were faxing in a form letter. That testimony can be seen at:

Additional testimony I had prepared in time for submission at this meeting and for use to appeal to the commissioner and legislature for action is too long to be submitted at this meeting. It summarizes and updates previously submitted information and includes updated information I received as lately as the end of last week. It also includes the data set for all the graphs plotted and information on averages, test sets, etc. so it can be reviewed by ologists.
It includes information I believe the Board should be aware of prior to their deliberations and committee work. I will make full copies of that testimony available to the entire board, committee chairs, or the commissioner upon request. He will have a copy shortly in any case. It is 72 pages long including the title pages.

I realize the Board is unlikely to approve language this meeting that will be adopted by the legislature prior to the start of this year's fishery. That is why I will appeal to the commissioner and legislature for action this year. Much of what I ask in my testimony, such as the repeal of 5 AAC27.160 (g) requires legislative action. Simply repealing that section and returning to the old generalized herring harvest strategy will reduce this year's GHL from 15,308 tons to 11,982 tons or a reduction of 3,326 tons. Almost exactly like last year. The fact that the herring return last year was less than the forecast also makes this action timely. You could also recommend likewise but it wouldn't take effect until next year. I don't think we can wait given the changing dynamics of this fishery. The generalized

harvest strategy for herring harvests in Southeast Alaska is not in any regulation I could find. The department may then manage the herring fishery as they see necessary.

In _____ I listed three concerns I had. I still have the same concerns.

1. The need for using the best available science and methodology to manage the Sitka Sound Herring stock.
2. Conservation of the Sitka Sound herring stock based on a series of events that have occurred since around 1997. And
3. The inability of subsistence users to harvest the amounts of subsistence roe products that we need.

The additional information on 1997 related events includes a new data set for NSRAA's Medivije chum releases. When they release above 30 million chums there appears to be a significant relationship to the age-3, 4 & 5 year old herring that have been disappearing from the Sitka stock.

Age compositions and Weights-at-age are one half of the ASA model.

Why those age classes have declined and are not maturing is essential to using the ASA model. Hatcheries effects on wild stocks need to be avoided and the relationship I see needs to be verified by others.

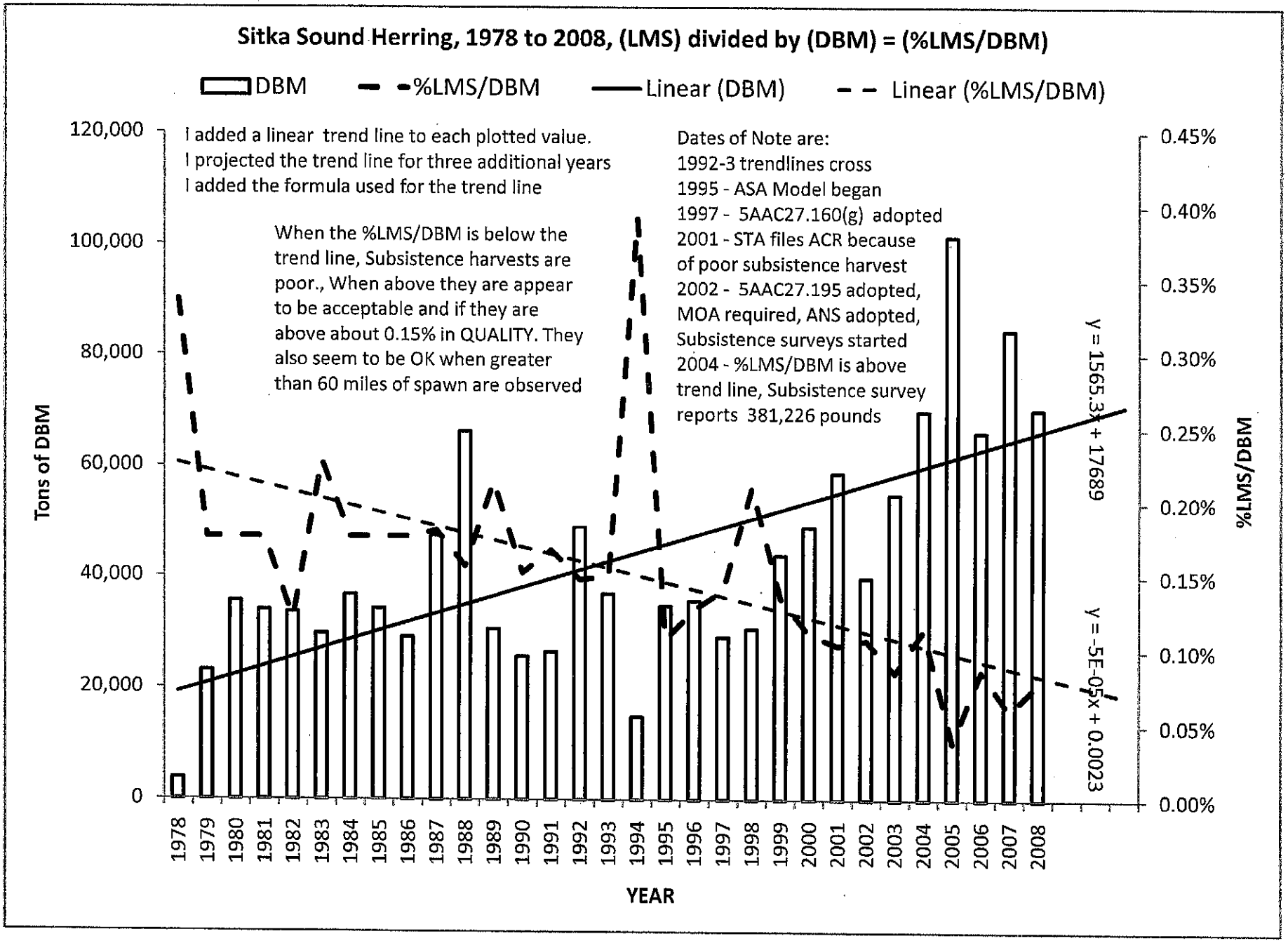
The department states in several places in the Southeast Herring Stock Assessment dated March 2008 several funding related issues and states that tradeoffs are necessary because of funding limitations. For example there was a statement on page 3 that "No additional fecundity at-at-weight-estimates are expected to be obtained in 2008 due to resource limitations." The last estimate of fecundity was done in 2005 and the report does not make clear whether that study included Sitka Sound when the age composition of the herring stock in Sitka Sound was different than what we see today.

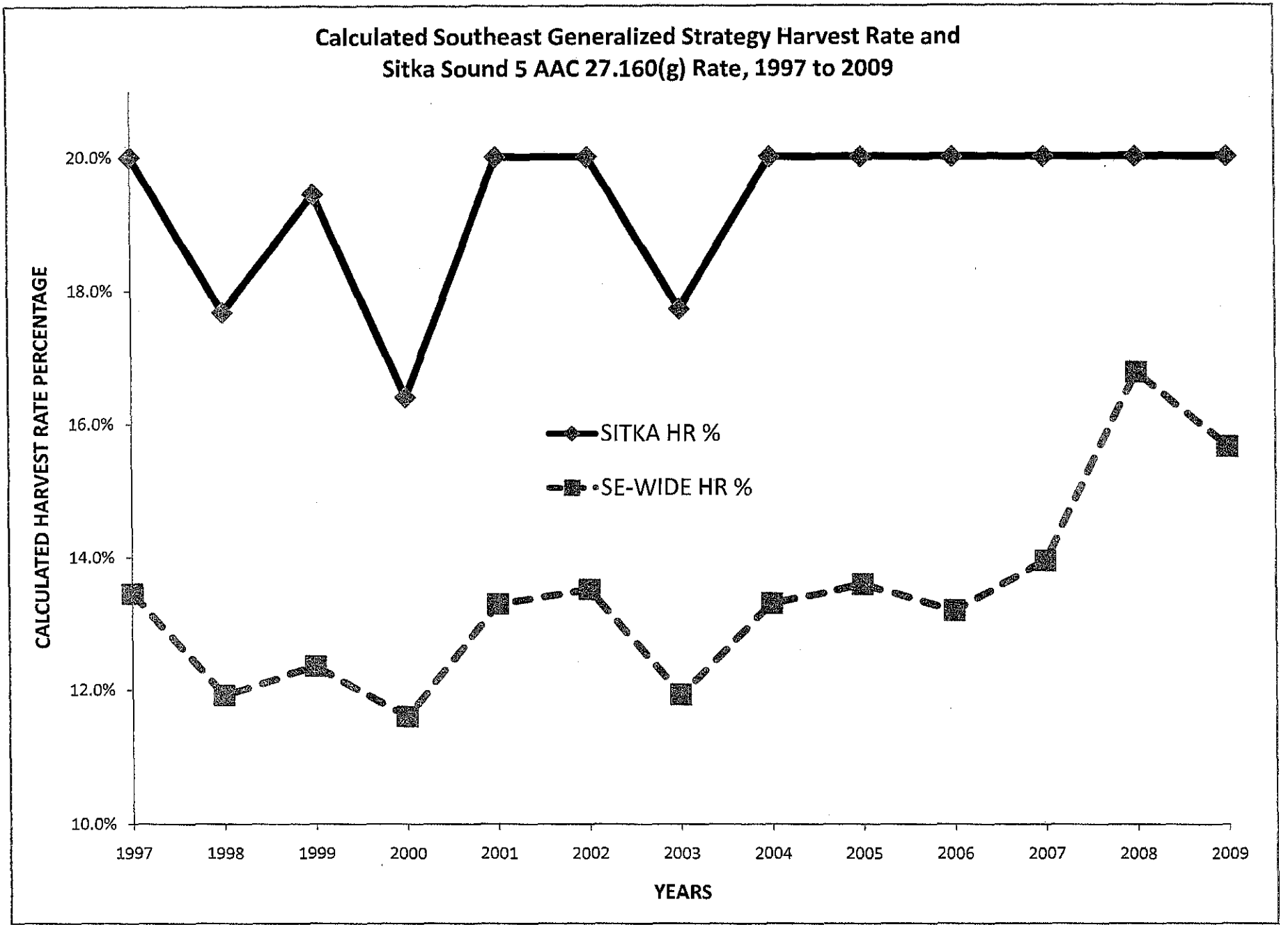
Fecundity estimates are necessary for the other half of the ASA model.

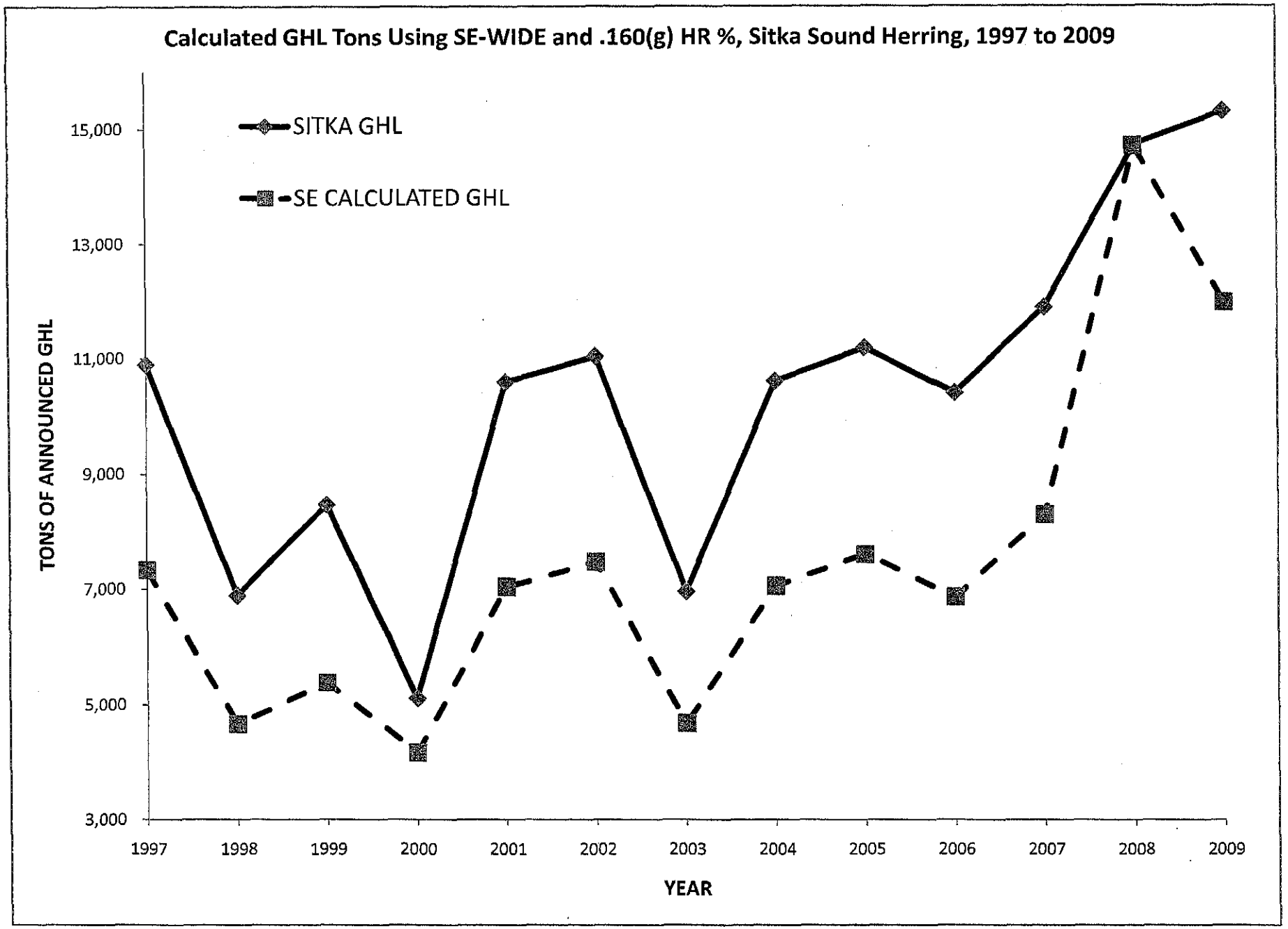
The department did not request additional money this year for herring management or research.

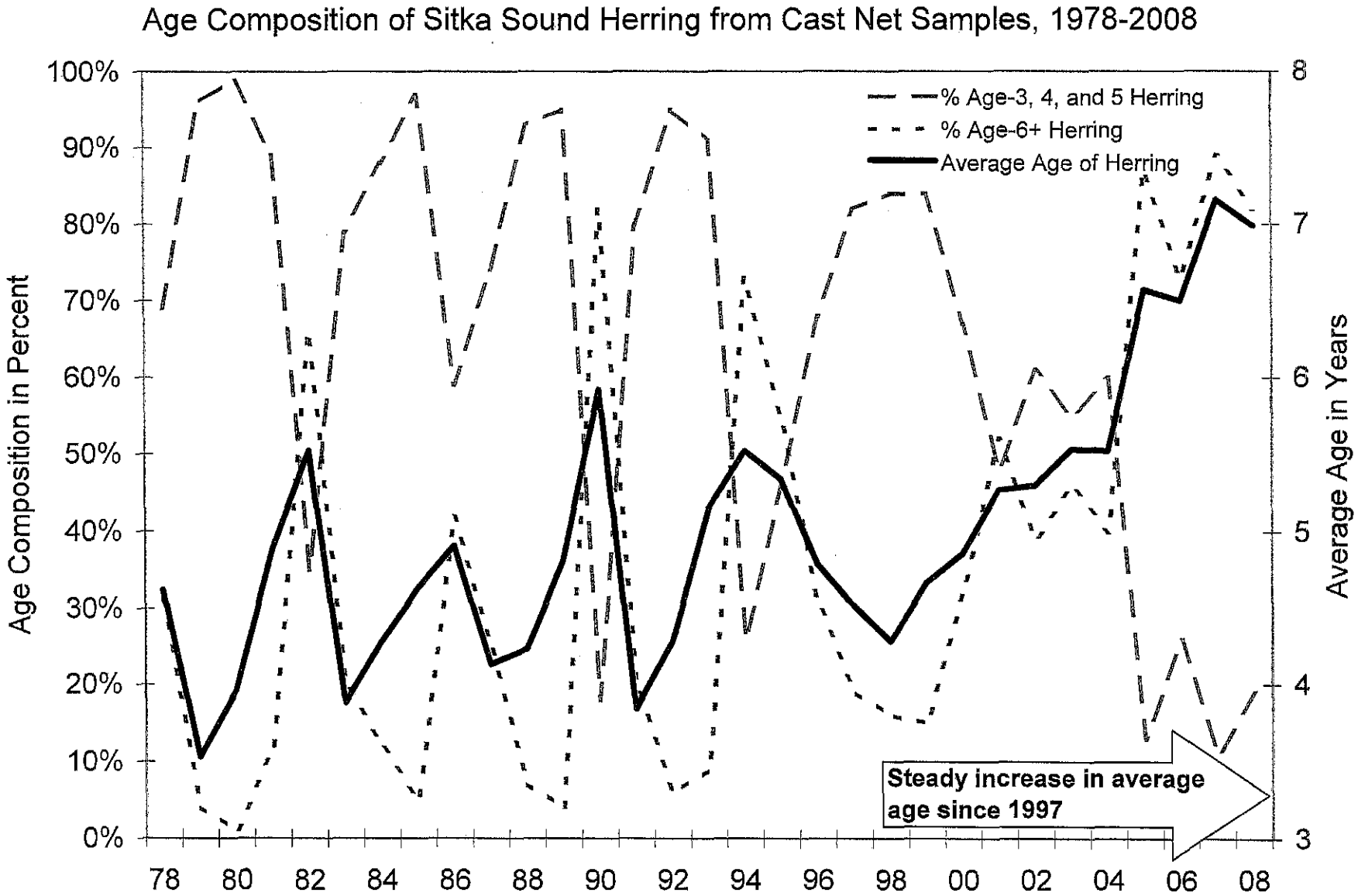
I've attached some graphs for your interpretation.

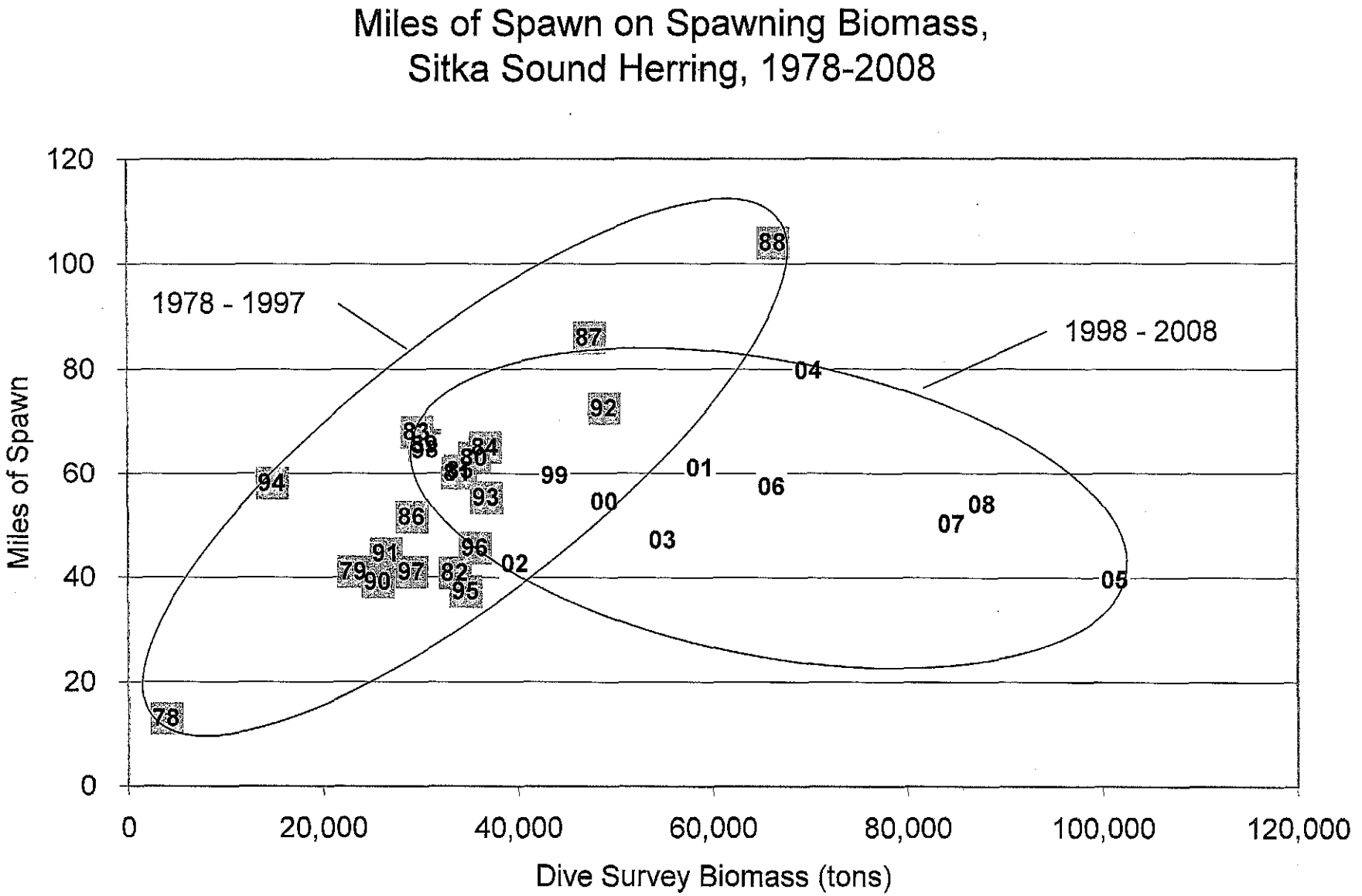
Thank you for the time and I will serve on the herring committee if asked.

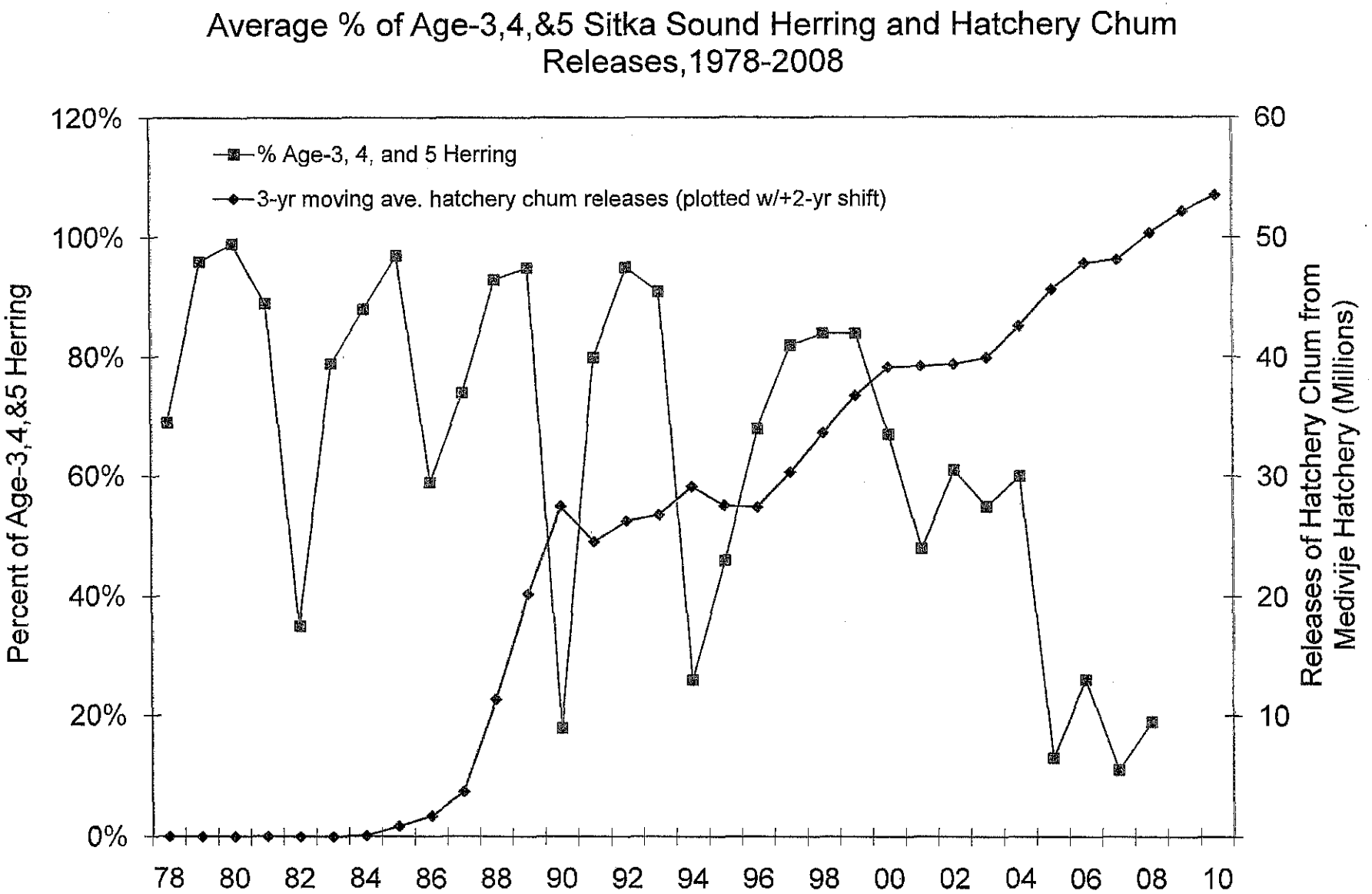

Sitka Sound Herring, 1978 to 2008, (LMS) divided by (DBM) = (%LMS/DBM)
DBM
%LMS/DBM
Linear (DBM)
Linear (%LMS/DBM)
I added a linear trend line to each plotted value.
I projected the trend line for three additional years
I added the formula used for the trend line
When the %LMS/DBM is below the trend line, Subsistence harvests are poor., When above they are appear to be acceptable and if they are above about 0.15% in QUALITY. They also seem to be OK when greater than 60 miles of spawn are observed
Dates of Note are:
1992-3 trendlines cross
1995 - ASA Model began
1997 - 5AAC27.160(g) adopted
2001 - STA files ACR because of poor subsistence harvest
2002 - 5AAC27.195 adopted, MOA required, ANS adopted, Subsistence surveys started
2004 - %LMS/DBM is above trend line, Subsistence survey reports 381,226 pounds
y = 1565.3x + 17689
y = -5E-05x + 0.0023
Tons of DBM
%LMS/DBM
YEAR
120,000
100,000
80,000
60,000
40,000
20,000
0
0.45%
0.40%
0.35%
0.30%
0.25%
0.20%
0.15%
0.10%
0.05%
0.00%
1978
1979
1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008


Calculated Southeast Generalized Strategy Harvest Rate and
Sitka Sound 5 AAC 27.160(g) Rate, 1997 to 2009
CALCULATED HARVEST RATE PERCENTAGE
20.0%
18.0%
16.0%
14.0%
12.0%
10.0%
SITKA HR %
SE-WIDE HR %
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
YEARS


Calculated GHL Tons Using SE-WIDE and .160(g) HR %, Sitka Sound Herring, 1997 to 2009
SITKA GHL
SE CALCULATED GHL
TONS OF ANNOUNCED GHL
15,000
13,000
11,000
9,000
7,000
5,000
3,000
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
YEAR

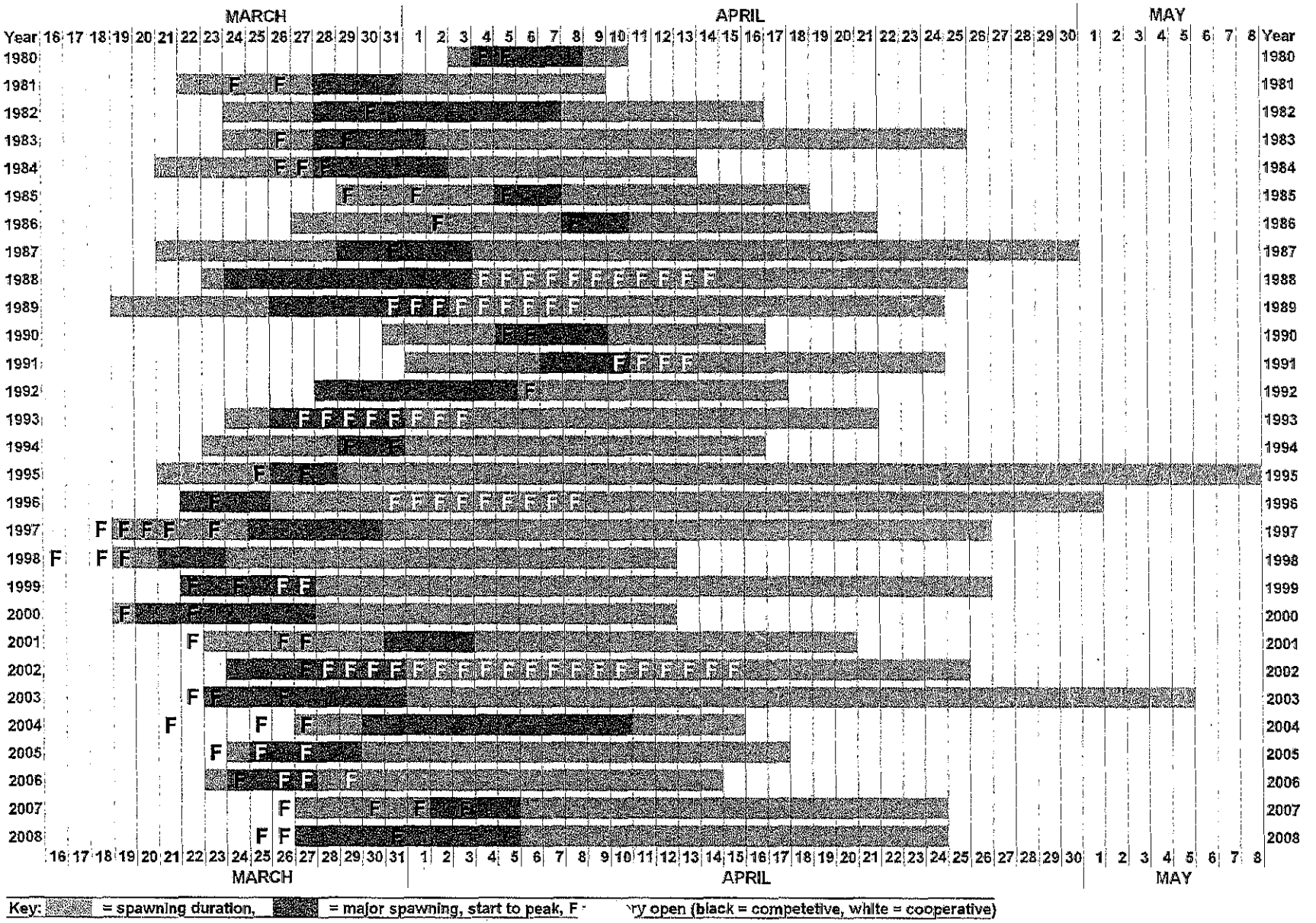

Age Composition of Sitka Sound Herring from Cast Net Samples, 1978-2008
Age Composition in Percent
Average Age in Years
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
8
7
6
5
4
3
78
80
82
84
86
88
90
92
94
96
98
00
02
04
06
08
% Age-3, 4, and 5 Herring
% Age-6+ Herring
Average Age of Herring
Steady increase in average age since 1997


Miles of Spawn on Spawning Biomass,
Sitka Sound Herring, 1978-2008
120
100
80
60
40
20
0
Miles of Spawn
0
20,000
40,000
60,000
80,000
100,000
120,000
Dive Survey Biomass (tons)
1978 - 1997
1998 - 2008
78
79
80
81
82
83
84
85
86
87
88
90
91
92
93
94
95
96
97
98
99
00
01
02
03
04
05
06
07
08

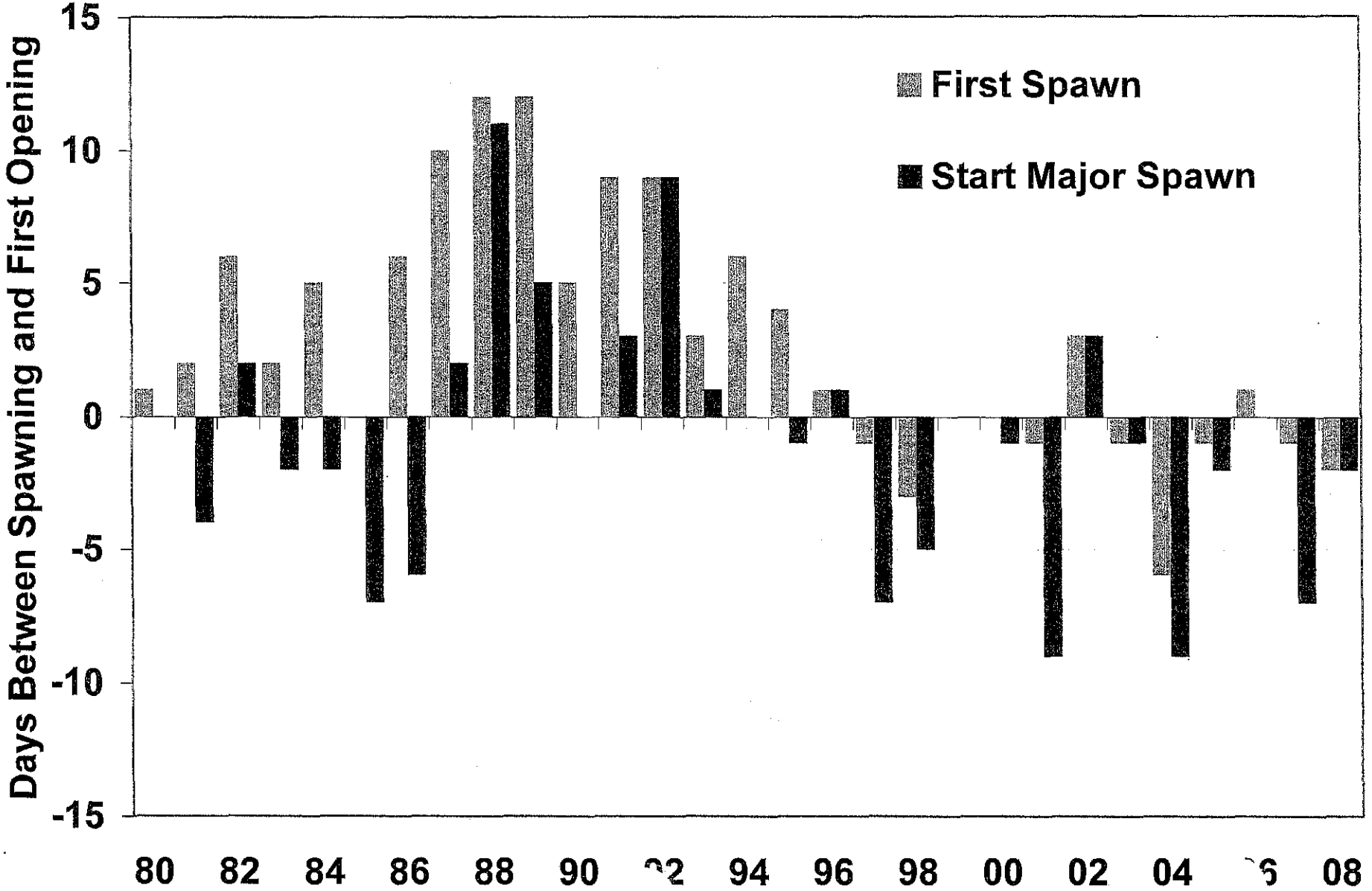

Average % of Age-3,4,&5 Sitka Sound Herring and Hatchery Chum Releases,1978-2008
% Age-3, 4, and 5 Herring
3-yr moving ave. hatchery chum releases (plotted w/+2-yr shift)
Percent of Age-3,4,&5 Herring
Releases of Hatchery Chum from Medivije Hatchery (Millions)
120%
100%
80%
60%
40%
20%
0%
60
50
40
30
20
10
78
80
82
84
86
88
90
92
94
96
98
00
02
04
06
08
10

Timing of Spawning and Seining

Sitka Sound Herring, 1980-2008



Days Between Spawning and Seining



RC 105

To: Board of Fisheries
From: Gerry Hope, President
Alaska Native Brotherhood (ANB) Sitka Camp #1
Date: February 17, 2009
Re: Testimony on Herring proposals.

Good afternoon. Welcome to Sitka. It's always nice to have the Board of Fisheries in town to hold your meetings in, as you see, "Sunny-Sitka-By-The-Sea".

My name is Gerry Hope. I am President of the Alaska Native Brotherhood (ANB), Sitka Camp #1 – and I speak on their behalf today.

The ANB, and our partner organization – the Alaska Native Sisterhood (ANS) Sitka Camp #4, have been addressing concerns of the Alaska Native Community for just about 100 years now. Some of you may know, the ANB was founded in 1912 right here in Sitka.

Some areas addressed by the ANB and ANS include, but not limited to; getting the Alaska Natives' right to vote, to own land, successfully campaign the 1945 Territorial Legislature enact an Anti-Discrimination law and worked to end fish traps that were detrimental to fish and the ecology.

The ANB and ANS remain vital to addressing concerns of the Alaska Native Community today.

One major concern is trying to find ways to keep the viability of herring in our waters.

Over the past half-century many people, including myself, have witnessed a serious decline in the amount of herring around Sitka. This is a concern. It is a concern because the herring play a very important role in, not just the customary and traditional harvest (i.e. subsistence) of the resource, but also the ecology. Herring provide an important food source for sea mammals, birds and other fish. Herring must not only survive, they must be able to thrive.

Right now, herring simple survival is threatened.

With this in mind, the Sitka ANB is strongly supportive of the Sitka Tribe of Alaska's proposals submitted to the Board of Fisheries consideration. Specifically, **ANB supports proposals number 203, 204 and 234** submitted by STA. **In addition, ANB supports proposal number 200.** These proposals appropriately address the goal of maintaining the herring resource for years to come, while at the same time provide a reasonable and necessary opportunity for subsistence of herring eggs.

Conversely, ANB opposes proposals number 235 and 217. It is the ANB's opinion both proposals number 235 and 217 would do more harm to the herring resource.

RC 106

WHALERS' COVE LODGE

Statement to the ADF&G Board of Fish in Sitka February 18, 2009

Whalers' Cove Lodge is a destination sport fishing lodge and the largest local employer and tax contributor in Angoon. We have been in operation for 25 years and under construction and constant improvement since 1971; (for 38 years). We maintain a client base of over 14,000 previous guests. We operate in a remote fishery with very few competitors and have little if any impact on the resource. We operate up to 12 charter boats and hire about 50 Angoon staff. We are a self sufficient and a not-very efficient operation with a lot of moving parts. It is easy to hurt us in this failing economy.

We sell a high-end weekly wilderness sport fishing vacation to non-resident anglers. Although we offer and try to sell a wide variety of sport fishing, eco-tour and wilderness adventure options, **the principal draw and the most critical factor in our business is our client's ability to catch and retain their sport caught fish. The vast majority of our guests wish to be guided and to take a reasonable amount of their catch home to eat (just like you).** This is their annual or once-in-a-lifetime fishing adventure. They plan to fish every day for a week. My clients are unique from those hosted by day charter boats. They are affluent avid anglers and a great financial resource for our Alaska fisheries and our economies. A King Salmon or halibut caught and retained by one of my clients generates a much higher return (directly into the local Angoon and Alaska economies) than the same fish caught and processed in the commercial fishery. Yet the allocation for these species has historically gone to the commercial fisheries. I'm not whining, as I believe in the democratic process and I am proud of this board.

I am also a commercial fisherman as are almost all of my guides, my sons and my friends. We purchase commercially caught fish and some years are the only local fish buyers in Angoon. We support our NSRAA hatcheries with cash and political support. I believe that we are not an enemy of the commercial fishermen. Yet you killing us and our ability to operate a remote sport fishing lodge in Angoon; through the proliferation of harmful and vindictive regulation that has no value in protecting the resource. Why are some of us so filled with greed that we want every last fish allocated for ourselves. Why are we so filled with animosity that we cannot coexist?

I ask the board to consider our situation and that of other remote lodges, live aboard boats and charter operators with cabins on the beach. Let us survive too.

Richard L. Powers DBA Whalers' Cove Sport-fishing Lodge

[illegible] May to October Address: BOX 101 • ANGOON, ALASKA 99820 // October to May Address: BOX 22 • SUTTON, [illegible]
E-mail: info@whalerscovelodge.com • WEB: www.whalerscovelodge.com

RC107

To whom it may concern:

I'm writing in regards to proposals 255 and 256. The notion that these proposals constitute a fleet consolidation is greatly flawed. We will be seeing the 80-100 permits that haven't fished in seven years back in use; resulting in a lot more gear in the water and roughly the same amount of boats. Those who are financially secure enough to afford a second permit will benefit from a larger portion of a finite resource. Not only will the amended statute increase permit value, making it more difficult to gain footing as a young fisherman; but they will require two permits to compete. This is contrary to the access regulations as they have been since statehood.

I can safely say that these proposals will adversely affect my ability to make a living as a commercial fisherman. With the recent downturn in halibut, salmon has become an increasing portion of my income. Although I feel strongly that these versions of 'consolidation' should never be adopted; this is especially the wrong time and economic climate to be taking away from those who can afford it least, and giving to those who can.

-Sincerely

Nathan Gruening
F/V Dawn Treader

RC 108

State of Alaska — Department of Fish and Game

LINGCOD / JIG FISHERY LOGBOOK

For Office Use Only

Fish Ticket Number RC 105

Vessel Name	Port of Landing	Date of Landing
Vessel ADF&G Number	Type of Gear (Circle): Dinglebar Mech. Jig Handline Other Number of Lines:	
Permit Holder and Permit Number	Target Species	For Office Use Only Total Round Pounds of Target Species From Fish Ticket

Date	Nearest Headland or Bay and Statistical Area	Average Depth (fm)	Total Number of Hooks	Hours Fished	No. Lingcod Retained	No. Lingcod Released	#males/ #females	Bycatch/ Species & No.	Comments

RC 108 (PAGE 1)

Signature of Permit Holder

Phone Number

State Copy - white
Fisher's Copy - canary

Carbon copy

PVOA 8/18/09

ADF&G LONGLINE • POT FISHERY LOGBOOK

PERMIT HOLDER _____ TARGET SPECIES _____ CREW SIZE (includes skipper) _____

VESSEL NAME _____ PORT OF LANDING _____ SYSTEM USED

ADF&G NUMBER _____ DATE LEFT PORT _____ CONV ☐ SNAP ☐

SKIPPER NAME _____ DATE OF LANDING _____ OTHER (explain) _____

LONGLINE GEAR			
HOOK SIZE/TYPE	SKATE LINE SIZE	HOOK SPACING	NUMBER OF HOOKS/SKATE
/			

POT GEAR		
POT DIMENSIONS (ft)	GROUNDLINE WT. or DIAMETER	POT SPACING (ft)

BAIT(S) USED	%

SET NO.	DATE SET	TIME SET	Lat. X Lon Beginning	DATE HAULED	TIME HAULED	Lat X Lon End	AVERAGE DEPTH (fm)	NO. SKATES or POTS SET	LOST GEAR Y/N—(How much?)	COMMENTS/TAGS ATTACH TAGS HERE FOT THIS SET

CATCH and BYCATCH DATA please indicate if catch is in **NUMBERS or POUNDS** (round) use seperate box for each species	TARGET	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT

SET NO.	DATE SET	TIME SET	Lat. X Lon Beginning	DATE HAULED	TIME HAULED	Lat X Lon End	AVERAGE DEPTH (fm)	NO. SKATES or POTS SET	LOST GEAR Y/N—(How much?)	COMMENTS/TAGS ATTACH TAGS HERE FOT THIS SET

CATCH and BYCATCH DATA please indicate if catch is in **NUMBERS or POUNDS** (round) use seperate box for each species	TARGET	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT

SET NO.	DATE SET	TIME SET	Lat. X Lon Beginning	DATE HAULED	TIME HAULED	Lat X Lon End	AVERAGE DEPTH (fm)	NO. SKATES or POTS SET	LOST GEAR Y/N—(How much?)	COMMENTS/TAGS ATTACH TAGS HERE FOT THIS SET

CATCH and BYCATCH DATA please indicate if catch is in **NUMBERS or POUNDS** (round) use separate box for each species	TARGET	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT	SPECIES	AMOUNT

ADDITIONAL COMMENTS / Did you shake gear and/or sablefish due to reaching your limit? How much?

WHITE COPY MUST BE ATTACHED TO THE FISH TICKET AT THE TIME OF DELIVERY

RPCA 2/18/09

RPC 108 (page 2)

Carbon Copy

PURCHASER

ALASKA DEPARTMENT OF FISH & GAME
HERRING TICKET

RC 108 (page 3)

DO NOT WRITE IN THIS SPACE

H05 07888

DO NOT WRITE IN THIS SPACE

Vessel Name

Fishery

ADF&G NO.

DEWATERED? ☐ Yes ☐ No

STATISTICAL AREA	
Stat. Area	%

Number

Date Caught ▶

Period Start Time ▶

Time gear operated in hours:

Proc. Code

◀ Date/Time Landed

Period No. ▶

Company

Area Caught ▶

(Nearest bay or headland)

SPECIES	CODE	DELIV. CODE	GROUNDS WEIGHT Catch lb.	% Roe	FINAL WEIGHT Product lb.	% Roe	PRICE	AMOUNT	NO. KELP BLADES
Herring Sac Roe	230	43							
Herring Food/Bait	230	44							
Herring Eggs on Kelp (Unsalted)	230	45							
Herring Eggs on Kelp (Salted)	230	46							
SMELT									
General	510								
Eulachon	511								
Rainbow	513								
Capelin	516								
TOTAL									

Permit Holder's Signature PVOA

Fish Received by

Date 2/18/09

FISH DELIVERED HEREBY WERE CAUGHT IN COMPLIANCE WITH STATE LICENSING LAWS AND STATE LABOR LAWS AND REGULATIONS.

RC 109

Sitka Conservation Society
P.O. Box 6533
201 Lincoln, Suite 4
Sitka, AK 99835
(907) 747 – 7509 (ph.)
(907) 747 - 6105 (fax)

RC 109

Alaska Board of Fisheries:

The Sitka Conservation Society is a membership organization with over 650 local members and includes dozens of individual commercial fishing and charter members. An even more substantial portion of SCS's membership depends on local finfish resources –herring and salmon – for personal use. These members have expressed concerns that the growth of the local charter industry has also resulted in localized depletions of some groundfish stocks. SCS supports a local use priority for fishery resources and also fully supports fishery management that provides for the long-term sustainability of both the guided angler and the commercial fisheries in Sitka.

The Sitka Conservation Society would primarily like to address Proposal 310 – the fish-ticket proposal - because we think that the Department needs to have timely and accurate data for guided harvest available for the purpose of in-season management. This measure addresses the need to inform precautionary management measures as resources fluctuate and conforms to the recommendations of a panel convened by the National Academy of Sciences to review recreational fishery survey methods.

First, as amply indicated by the presentations pertaining to salmon, there are several reasons that there needs to be in-season catch data to allow for in-season adjustments to protect specific runs of concern. The sockeye presentation on Tuesday afternoon was particularly pertinent - there were record low sockeye runs in Yakutat in 2008 in rivers that are experiencing fundamental changes due to glacial rebound. Further, fishermen in southern Southeast Alaska will have reduced access to early pink and chum runs in some areas to minimize bycatch of McDonald Lake sockeye.

Here in Sitka, cohos are the primary target species for all user groups and will be of increasing importance as problems with West Coast migratory Chinook stocks reduce king salmon harvests by commercial fishermen, guided sport anglers and subsistence users. Over the next few years, commercial fishermen, charter boat clients and local users will be fishing on coho runs that will come from the low escapement years of 2006 and 2007. Sport harvests of coho in recent years average about 15 to 20% of the total area harvest. Because of the importance of this species, the recent low escapements, and level of guided harvest, careful accounting is necessary.

Further, one of the concerns that was only described briefly in the Sportfish Division's assessment of coho stocks pertained to impacts beyond the control of fishery managers. There are substantial mining projects in British Columbia that are ongoing or proposed for major mainland coho producing watersheds such as the Stikine, Taku, Nass and Skeena. As noted in the coho assessment, timber harvest practices continue to be a concern. The Sportfish Division has repeatedly asked the Forest Service to repair the hundreds of failed fish passages across heavily logged watersheds and to inventory streams that do not have required riparian buffers for anadromous fish use. In sum, while coho runs are generally healthy, the combination of recent low escapements and non-fishery developments means

that the agency needs management tools to protect runs that may be disproportionately impacted by non-fishery uses.

Further, the changing regional and global climate merits additional consideration in the management process. There have been documented cases of repeated stream temperature threshold exceedances throughout Alaska. In 2004, for example, we had an unusually hot summer in Southeast where thousands of fish died instream. The pink salmon harvests by the seine fleet came in at 80% below the projections for that cycle and in 2008 harvests were still low.

Second, leading fishery scientists recommend that the data collection and reporting requirements for guided recreational fisheries be harmonized with those applicable to commercial fisheries. In 2006, the National Research Council produced a book entitled "Review of Recreational Fisheries Survey Methods." The authors recommended that fishery managers ensure that data collection and analysis from the guided charter sector be equivalent to the commercial fisheries sector because of the similar impacts. The key finding was that "marine recreational fishing is a significant source of fishing mortality for many marine species and that adequate scientific information on the nature of that mortality in time and space is required for successful management of those species." The authors noted many inadequacies of many state survey methods, including those used to track Southeast Alaska's guided angler fisheries.

Although many charter operators responsibly fill out and submit the mandatory logbooks, there is no mechanism to ensure that this information is compiled and used for fishery management in-season. The logbooks, creel surveys and mail-in surveys simply do not provide timely and verifiable information as effectively as the fish ticket system used by commercial operators and commercial fish managers.

SCS requests that the Board and the Sportfish Advisory Committee proceed to develop a solution along the lines of Proposal 310 that enables the Department to manage both the commercial and sport harvests in-season using current catch data. The solution should not duplicate existing reporting but rather provide an improved system that facilitates in-season accounting for locations and numbers of fish harvested. With this information, the Department can better assess fish runs, track effort and take appropriate measures in the unfortunate event that harvest level or area-specific restrictions become necessary to ensure sustainable fisheries for future generations.

Paul Olson
Consultant
Sitka Conservation Society

RC110

Proposal 266

Opposition

I have fished commercially for 16 years in the Yakutat area, primarily fishing the Alsek and East rivers for the sockeye season.

I feel that increasing the gear limit from 15 fth in length to 75 fth will exceed the capacity of the Yakutat sockeye area in a whole.

One example is the Alsek river this past season on June 22nd was held to a 24 hr fishing period, and the remainder of the district was give an opening for the week of June 22nd 6am to June 24th 6pm.

ADF&G in Yakutat knows that the remainder of the district is an intercepting fishery for fish bound for rivers down the coast.

The Lost River and the East River were closed for this opening due to lack of fish in the river systems.

I believe that allowing five times the amount of gear in the remainder of the district would hurt all river systems and exhaust the resource.

Sincerely, Brad Swanson

Brad Swanson

RC1M

SEAS Public Testimony at Sitka 2009 SE Finfish Board of Fisheries Meeting

SEAS Supports the Regional Planning Team Consensus Agreement. The complexities of the enhanced salmon allocation issues in Southeast Alaska are enormous. And although we have purse seiners who are upset over the lack of major change in this Agreement, SEAS recognizes the sacrifice that the driftnet fleet has made in this Agreement. And we are very appreciative of the major effort that all participants made to this process, solving a local problem with a local solution by local stakeholders representing all user groups equally.

This RPT Agreement encompasses Proposals 244, 245, 246, 267, 268, 271, 273,274,327

Proposal 261:

There are areas in northern SEAK that have had historically record productivity in recent decades. While the department may not be comfortable on renewing traditional, historic purse seine fisheries in 111, 112 and 114, there needs to be more aggressive research and information gathering, i.e., test fisheries in this region so that we are able to stay on top of the enormous pink salmon runs we have had in the region.

While this proposal is not intended to establish more than a test fishery base of information, there could be a need to expand on this if DIPAC were withdrawn from the enhanced allocation formula. In that case, we would expect to stand shoulder to shoulder with the driftnet fleet and request access to DIPAC production through management changes to existing seine areas in 111 and 114.

SEAS Opposes Proposals 262 and 264

And so should the state of Alaska in recognizing it's sovereignty over fisheries management.
Both of these proposals share the common misconception and misunderstanding of the state of Alaska's first class management of the salmon resource. It is this first class management that the Klawock AC and Kootznawoo Corporation attempt to usurp by these poorly thought out proposals. To begin with, there have been no tagging studies nor scale samples taken to even indicate that the purse seine fishery in either location harvests a single sockeye bound for either of these 2 systems. The sockeye stocks of both the Angoon region and Klawock Lake are in a healthy state. The purse seine fleet avoids these areas and stocks by time and distance regulation. The seine fishery indeed only transects a portion of the run timing of each of these important subisistence stocks.

The one exception to the healthy sockeye stocks of the region is the Kanalku system. The SEAK Purse Seine Task Force has been meeting annually since the 2006 Ketchikan Board of Fisheries instructions to do so. There is complete concensus on the issue affecting Kanalku sockeye and that is that only 25% of the sockeye make it up the falls to the lake to spawn. Therefore, the Task Force has applauded the efforts of the state of Alaska and the US Forest Service in securing funding to build a fish passage at Kanalku Falls.

S EAS 2-18-09

The fishery Proposal 262 seeks to limit would cause tens of millions of dollars of damage to the purse seine fleet and the seafood industry in SE Alaska to solve a problem that does not exist in the fishery, but at the base of Kanalku Falls itself.

The fishery that Proposal 264 seeks to limit is already severely limited by international Treaty with Canada and seldom exercises more than 30-40 boat days within 50 miles of Klawock River during the time in question.

Thank you for your time and consideration and we have much more to add to other proposals, particularly net proposals, and would welcome inclusion on Committee E on behalf of SEAS.

Aside from Salmon, I am also in favor of Equal Harvest Sharing in the Sitka Sac Roe fishery. If there is no movement during this cycle, I would request that the Board of Fisheries place this issue in the Restructuring Committee so that this important issue can have a fair study and hearing. As a volunteer representing the approximately 75% of the Sitka Sac Roe permit holders who seek to implement Equal Harvest Sharing in their fishery, I would appreciate inclusion on Committee A.

RC 112

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

STA Staff Report
Annual Sitka Sound Post-Season Subsistence Harvest Survey 2009

I. The Board of Fish Creates the Annual Survey through the MOA: 2002

In 2002 the amount reasonably necessary for subsistence herring eggs from Sitka Sound was set using data expanded from a 1996 ADF&G random sample community harvest survey. The Board determined the most reliable method to attain annual harvest data was an annual post-season survey. The MOA states:

(1) The Tribe will collaborate with ADF&G in 2002 to create and conduct an annual customary and traditional [subsistence] harvest-monitoring program based on post-season surveys and interviews with local harvesters;
(2) The annual harvest-monitoring program will follow standard survey sampling methodology;
(3) The Tribe and ADF&G will collaboratively conduct the harvest interviews. The Tribe and ADF&G will collaboratively maintain the survey data, including a confidential list of participants and their contact information; and,
(4) The Tribe will provide ADF&G with harvest data each year and this raw data will be analyzed by ADF&G using standard statistical techniques. [Section III (A) 1-4]

II. Survey Methodology

The Sitka Sound subsistence herring egg harvest is widely acknowledged to be a subsistence activity comprised of (1) numerous high harvesting individuals where certain recognized harvesters attain large amounts of the resources which is then shared with, traded and/or bartered with elders and (2) others who cannot harvest for themselves (work obligations, age, no access to a skiff, disability, living in a community where herring no longer spawn, etc.). This situation called for a survey where each high harvester was surveyed. Therefore, the post-season Sitka Sound subsistence survey is a "census" survey. Therefore, ADF&G and the Sitka Tribe worked together in 2002 to create a list of high harvesting and routine harvesting individuals to contact to conduct the post-harvest survey.

The Tribe and ADF&G enacted a media outreach program to inform the community of the importance of the survey to ensure open participation in the survey. The community strongly supports the survey, with ADF&G reporting a less than 1% rate of survey refusal. It is important to note that, over time and as expected, the initial survey list was expanded as necessary while individuals who moved or passed away were removed from the survey list. The collaborative survey effort allows the Tribe to hire and manage survey technicians, who receive training from the ADF&G's Division of Subsistence staff, to conduct the survey while the Division's statisticians process the survey data and work with other Division and tribal staff to draft and finalize the annual harvest report.

Annual Customary and Traditional Herring Egg Survey Summary

	Total # Surveyed	Total Pounds Harvested	Total # harvesting	% harvesters unsuccessful	% of ANS met	% of harvesters able to share herring	% receiving	% Using Eggs	% Reporting Needs Unmet[1]	Average harvest (pounds per harvester)
2002	85	151,717	59	--	96%	40	54	97	--	2571.47
2003	122	278,799	89	0%	176%	72	45	96	--	3132.57
2004	148	381,226	86	3.5%	241%	60	39	97	--	4432.86
2005	173	79,064	86	14%	50%	36	39	99	--	919.35
2006	127	219,356	70	0%	138%	61	47	86		3133.66
2007	126	87,211	61	13%	55%	62.7	57.9	88.1	43.6	1429.69
2008	127	71,936	51	8%	45%	38.7	54	87.6	63.2	1410.51

IV. Summary

According to the annual customary and traditional herring egg harvest, subsistence harvesters are still attempting to harvest herring eggs. In years where subsistence needs have been met (2002, 2003, 2004 and 2006), the harvest has been within or exceeds the current amount reasonably necessary for subsistence as set in the current regulation.

For the years that the annual survey documented that harvesters were unable to meet the amount necessary for subsistence – 2005, 2007 and 2008 - there is an attempted harvest rate of between 8-14% from a survey list of experienced high harvesting individuals.

Comments received during the 2005, 2007 and 2008 surveys note an extreme short duration of spawn in areas that harvesters could harvest from, the lack of quality spawn, and economic factors such as spending more and more time and more money on gas trying unsuccessfully to find a location to harvest from are making it more difficult to harvest

When needs are being met, individual subsistence harvesters' average harvest is twice as high as when needs are not met. This can be seen by comparing 2005, 2007 and 2008 average harvest with 2002, 2003, 2004 and 2006 harvest. The range is in excess of a 20% variation between successful years and the years that the amount reasonably necessary are not met.

During years that harvesters are unable to even harvest 70,000 pounds the percentage of harvesters able to share herring falls between 36-39% compared to more successful years when 60% or more of the harvesters report sharing. This impact is seen if you compare the percentage of people sharing herring eggs in 2005 (36%) compared to the percentage of people sharing eggs in 2008 (38.7%).

In 2007 and 2008 – the first years that the question appeared on the annual survey, 43.6% and 63.2 % respectively have reported that their subsistence needs are not being met.

Attachment A

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

March 21, 2008

VIA FACSIMILE AND HAND DELIVERY

David Gordon
Area Management Biologist
Alaska Dept. of Fish & Game
304 Lake St., Room 103
Sitka, AK 99835
Fax No. 747-6693

RE: No fishing zone – request by Sitka Tribe of Alaska

Dear Mr. Gordon:

I write on behalf of Sitka Tribe of Alaska (STA), tribal government for over 3,950 tribal citizens located in Sitka, Alaska. As a tribal government, STA is responsible for health, welfare, safety and culture of citizens. I write today in response to the upcoming Sac Roe fishery for 2008.

STA believes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska, and that ADF&G should provide restraint in this year's fishery and maximize the opportunity to disburse the fishery. Because the community has failed to meet our subsistence opportunity this past year and in fact two of the past three years we implore ADF&G to consider closing the following areas to commercial fishing:

> From Signal Island south to Makhnati Island, then east to Aleutski Island, and northeast to the Baranof Island shore at the O'Connell Bridge, then north to Harbor Point along the HPR road system, drawing a line northwest from Harbor Point to South Little Gavanski Island, continuing west to North Crow Island, from South Crow Island continuing Southwest to South Gagarin Island, and completing the line at Signal Island (as defined on the attached map).

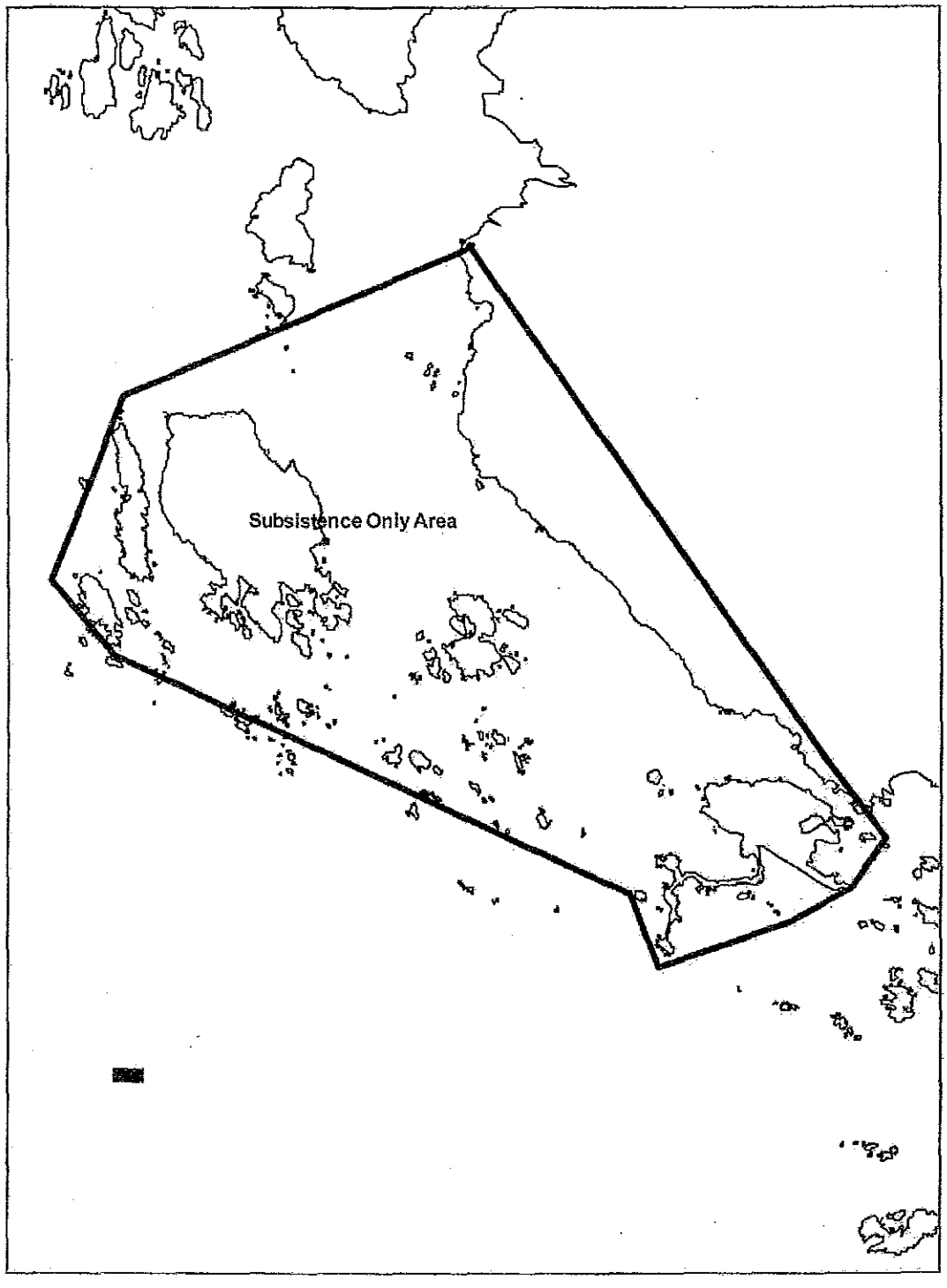
In addition we would appreciate this area be closed to test fishing as well.

Thank you for the opportunity for us to provide our written request pursuant to the Memorandum of Agreement. Please contact our In-season herring liaison, Roy Levine if you have any questions about this matter.

Sincerely,

Lawrence Widmark
Tribal Council Chairman

456 Katlian Street • Sitka, Alaska 99835 • (907) 747-3207 • Fax (907) 747-4915


Subsistence Only Area

TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 465-4100
FACSIMILE: (907) 465-2332

July 11, 2001

Lawrence Widmark, Chairman
Sitka Tribe of Alaska
456 Katlian Street
Sitka, AK 99835

Dear Mr. Widmark:

I appreciate the concerns expressed in your July 3 letter regarding the 2001 subsistence harvest of herring eggs in the Sitka area. I share your frustration, and that of members of the Sitka Tribe, that problems were encountered in fulfilling subsistence needs even though the Sitka herring population is at near record levels of abundance.

I am sorry you believe that the suggestions and offers of assistance of our local area management staff "do nothing to remedy or address the impacts." We take our responsibility to ensure reasonable subsistence opportunity very seriously, and we are always willing to work with Sitka subsistence users on workable solutions. It would be helpful for us to know what specific ideas or recommendations you can offer along the lines of non-allocative management measures. Your letter mentions "other non-allocative management decisions that can and should be made by the department," but you did not provide any specific ideas or recommendations for us to consider. Please let me know what specific non-allocative management options you think can work to provide for subsistence.

I will briefly review the main points made by the Department of Fish and Game department regarding our ability to help improve the situation. The department maintains comprehensive programs providing for the quantitative assessment of the Sitka herring stock and management of the commercial herring sac roe fishery. In 1997, the Board of Fisheries board adopted an increased threshold for Sitka herring of 20,000 tons that is required before a commercial fishery can take place. That regulation was intended to 1) ensure that the Sitka herring stock is managed to maximize the long-term productivity of the stock, and 2) to provide for subsistence uses. Our stock assessment program indicates a healthy herring stock sufficient to allow harvest by both commercial and subsistence users in addition to maintaining a healthy population for the marine ecosystem. Total returns documented in 2001 are estimated at 63,000 tons, a level that is the second highest recorded over the past 42 years since Alaska's statehood. The department manages subsistence and commercial fisheries in accordance with existing laws and regulations, and manages fisheries within that context to achieve successful outcomes. The department does not make management decisions that can be considered allocative between user groups.

As presented at the June 14 meeting, the department offered two basic approaches, which are not allocative, and which we feel will lead to successful subsistence fisheries if adopted. First, we offered improved communications between the department and the Sitka Tribe which could be enhanced though formal appointment of a Tribal liaison to the local area staff of the department. Through the liaison, the department could communicate daily with information from aerial surveys, sonar surveys, communications from fishermen and spotter pilots, test fishing results, and could provide daily spawn

maps. This information could be used by subsistence fishers to plan subsistence fishing activities for a successful outcome. We already provide daily updates on herring spawning activity on the Alaska Department of Fish & Game web site as well as daily updates on the Sitka herring telephone hotline. Also, we have been working informally with one STA subsistence fisherman, and occasionally have offered to take him on our aerial survey flights when space is available. Through improved communications, Tribal subsistence fishermen could have the benefit of the department's information on herring abundance, maturity by area, distribution and spawning patterns.

Second, we offered to help facilitate a new level of cooperation between the Tribe and commercial fishermen who are willing to assist. A major factor this past season was spawn distribution and the distance of major spawning activity from traditional areas where branches are set. As stated in testimony at the June 14 meeting, many Tribal members are unable to travel in poor weather to more remote areas where active spawning is taking place, or do not want to set in areas where sand from bottom sediments could spoil egg quality. Having talked with just a few commercial fishermen, it is clear that those with larger vessels, capable of traveling throughout the Sound in any kind of weather, could provide transportation assistance for the subsistence harvest. This does not preclude anyone from fishing from small skiffs in traditional areas, but does offer the possibility of a backup plan to ensure a successful season. Testimony presented at your recent meeting indicated that the Tribe harvested three tons of eggs on branches in 2001 compared with eight tons in 2000. Based on our recent spawn-on-kelp test fishery, eight tons of eggs would require about 30 tons of spawning herring. This amount is indeed small in relation to the amount of herring available in 2001. It would greatly assist the department toward this second suggestion if the Tribe could indicate the quantity of their needs and willingness to cooperate in this type of effort.

Third, we encouraged the Tribe to approach the Board of Fisheries in the event that the Tribe feels regulatory remedies are necessary to provide for a reasonable opportunity. Subsistence is the priority consumptive use; however, I am not in a position to set aside fishing areas or to tamper with commercial fishing opportunities without direction from the board. Such action would be highly allocative on my part since current regulations in concert with my two suggestions as outlined above should adequately provide for subsistence uses.

I look forward to hearing your response to these suggestions, and to finding a successful resolution to this issue.

Sincerely,

Frank Rue
Commissioner

cc: Scott Kelley
Doug Mecum
Mike Turek
Representative Wilson
Representative Williams
Herring Seiners Association
Andy McGregor
Rob Bosworth
Mary Pete
Representative Kookesh
Grant Miller

NO RC 13

RC114

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

Sitka Tribe of Alaska Staff Report

Heather Meuret-Woody
Sitka Tribe of Alaska 2009

I am a research biologist for Sitka Tribe of Alaska. I write to support proposals 200, 203, and 204. I am also writing to oppose proposals 217.

I support **proposal 203** –Guideline Harvest Level (GHL) shall not exceed 10,000 tons, establish a harvest rate percentage that is not more than 10% (currently it is 20%), and increase the current conservation threshold of 20,000 tons.

- Recommend a productivity threshold instead of a conservation threshold.
- Current harvest rate may be too aggressive under current levels of recruitment.
- ADF&G lacks knowledge on all other stages of herring life history, besides reproduction.
- Sac roe market has continued to decline since 1996, limiting the amount of supply creates demand.

Threshold

A conservation threshold was set at 20,000 tons in 1997. The threshold was designed to merely prevent herring from extinction, and it does not factor in ecosystem requirements or the amount reasonably necessary for subsistence, which was established in regulation in 2002. In fact the initial threshold for Sitka was established rather arbitrarily, as reported by Jim Parker, former Sitka ADF&G herring biologist, in 1996. In order to maintain high productivity of the stock, the minimum threshold has to be increased; 20,000 tons will not keep the stock in a high productivity state where it has been since 1980. I recommend to the Board of Fisheries to adopt a productivity threshold which is based on associated level of recruitment. Since 2000, Sitka Sound herring recruitment has been poor, and the herring stock has not been able to recruit in excess of replacement. The last major recruitment event occurred in 1988 (Hulson, P.J.F. Thesis 12/2007). A productivity threshold prioritizes the importance of herring in the ecosystem and for all user types (commercial, subsistence, etc.). This type of threshold is always higher than the conservation threshold, because it factors in changing environmental conditions and life history characteristics. I recommend the threshold be raised to 30,000 – 40,000 tons, which accounts for ecosystem requirements, subsistence needs and the low recruitment levels.

Harvest rate of 10%

I believe the current 20% harvest rate may be too aggressive under current levels of recruitment. I recommend a maximum harvest rate of 10% based on the uncertainty of the stock: missing lower age classes, lower maturity rates and slower growth rates, and subsistence needs are not being met. A 10% harvest rate reduces the risk of biomass failure to less than 1%, and safeguards the stock if ADF&G is assessing the stock poorly (Mieloch, A. Bioeconomic analysis of

Alaska's sac-roe Pacific herring fisheries, 2000). There are other areas in Alaska where a lower harvest rate of 10%-15% is successful, i.e. Nelson Island, Norton Sound, Cape Avinof, Port Clarence, Kamishak Bay, and Prince William Sound. The San Francisco herring fisheries harvest at 10-15% because the harvest rate takes into consideration oceanic conditions, population size and structure, and the importance of herring as a food fish for other species. The California Department of Fish and Game reported in 2003 that the current harvest rate policy of 20% appears to be too aggressive under current levels of stock production. A harvest rate in the range of 10-15% appears to be sustainable with the lower level production. Some areas in British Columbia also harvest at 10% (2007 Roe Herring Integrated Fisheries Management Plan, Canada). ADF&G lacks knowledge on all other stages of herring life history, besides reproduction. The larval stage may be the most important factor for determining year class strength (Cushing 1975, Iles & Sinclair, 1982), yet ADF&G does not study this phase. The Department lacks knowledge on the presence of disease in Sitka herring. Pathology results in 2007 from herring samples that ADF&G staff collected at Canon Island had almost a 30% prevalence of Ichthyophonus hofei, with almost 20% demonstrating visible signs of the disease (Herschberger, P. EVOS report 2007), however the department failed to take this into account in their management. The Sitka Sound herring population is lacking recruits, in fact the last time Sitka herring reproduced in excess of replacement was 2000. Recruitment is vital to the health of the herring population. ADF&G reports that the Sitka Sound herring are growing slower and maturing slower than previously observed, from 1978–2001, 35% of age-3 fish were mature, and 100% of age-4 fish were mature and recruited into the biomass. Currently no age-3 and age-4 fish are recruiting and even age-5 and 6 fish are not yet mature. There are no other herring populations on the entire West coast experiencing this trend. A NOAA report covering 1929-1966 states that even during the days of herring reduction plants when herring were fished hard, the age composition of herring from Southeast Alaska always had a large population of age-3 and age-4 fish, and age-8+ herring were almost unheard of (Reid, G. NOAA Scientific Report No. 634, 1971). ADF&G has stated that "this trend is very different than what has been observed from 1978-2001," and for forecasting measures, "they are really not sure what this means." ADF&G is now compensating for this trend by using two maturity schedules in the ASA model (1978-2001 and 2002-2009). This method reassigns previously mature herring now as immature herring, with hopes that these fish will eventually recruit into the mature population. These factors are indicative of an exploited herring population. In 2008, more than 57% of Sitka Sound herring were age-8+, and 92% were over age-5. The forecast for 2009 predicts that more than 55% are over age-8, and 88% are over age-5. The population's age is relatively older when recruitment is poor. Under current regulations and management ADF&G could wipe out the entire stock in a single opening.

Market and capping harvest at 10,000 tons

The herring sac roe market peaked in 1979, and spiked again in 1995-1996, since then the market has declined considerably. The consumer's interest in herring roe has also declined, causing the price per ton to decline, however the Guideline Harvest Level keeps increasing. Evidently more and more fish are worth less and less. The Sitka Sound commercial herring sac roe fishery could make their own market by capping their harvest at 10,000 tons, thus creating a limited supply of sac roe, which would increase demand and produce higher prices. The Alaska sac roe market competes with the Atlantic herring sac roe markets, as well as the California and Washington markets, and the Canadian markets. The Japanese market actually prefers British Columbia roe, as it is a higher grade, thus it gets a better price. In Japan, sac roe sells for $120-$150/oz. Sitka Sound bait herring averages $0.20/per lb, while sac roe averages $0.25/per lb. In recent years, there has not been a market for sac roe in Chignik, Kotzebue, Port Clarence, Norton Sound,

Security Cove/Nunivak, and Togiak. In a few years, if not already, Sitka will lack buyers. A 2001 Sea Grant study on the management practices in Alaska commercial herring roe fisheries states that the biggest concern for permit holders is conservation of the resource and fish prices (Stearns, G. & Huppert, D. 2001). It appears that harvesting herring for bait may not only be more profitable but also more environmentally sound because it uses the whole fish.

I support **proposal 204** – Include herring taken in the test fishery in the guideline harvest limit.

- ADF&G is unable to accurately assess the level of herring mortality in released purse seine sets.
- ADF&G statistics reflect registered catch, not unaccounted mortality induced by fishing gear such as: escapee mortality, net bursts, severe stress, severe scale loss, severe skin loss, and released mortality.
- Excessive test setting is disrupting herring spawning activity and breaking up schools -herring used to be allowed to begin spawning prior to the commercial fishery; however in 1997 the fishery became an intercept fishery, catching the herring in pre-spawning schools.
- Herring avoid traditional spawning areas and spawn elsewhere in response to numerous vessels.

ADF&G statistics reflect registered catch, not unaccounted mortality induced by fishing gear such as: escapee mortality, net bursts, severe stress, severe scale loss, severe skin loss, and released mortality. ADF&G has not conducted any studies on test fishing mortality despite the concerns of Sitka Tribe. The department is unable to accurately assess the level of herring mortality in released purse seine sets. In 2008 Sitka Tribe staff observed and documented the unaccounted magnitude of underwater discarding and surface mortality, the result of the commercial herring fishery. In 1997, ADF&G stated that test sets would be minimized to extent possible. However in 2007 there were over 40 test sets, 21 of which were done prior to the sac roe fishery, 80% of the tested fish were over 10% roe, and over 4,500 tons of herring were "tested." Also over 50% of the test sets were conducted in the Tribe's highest used subsistence herring egg area. I believe that excessive test setting is disrupting herring spawning activity and breaking up schools. The herring used to be allowed to begin spawning prior to the commercial fishery; however in 1997 the fishery became an intercept fishery, catching the herring in pre-spawning schools. This causes the spatial diversity of herring schools to break apart, resulting in herring spawning in areas they haven't historically spawned. For example in the 47 years of documented spawn, herring have only spawned on the Kruzof Island shoreline 14 times; over half of these have been within the past 10 years. The Kruzof Island shoreline is not the ideal herring spawning habitat as the currents rip west along the shoreline (Sundberg, K. A. 1981 and Haldorson, L., & Collie, J. 1991). Once the eggs hatch and the herring larvae emerge, they are advected out of the Sound into the Gulf of Alaska, instead of retaining in near shore nursery bays such as those on the eastern shores of Sitka Sound (Nakwasina, Katlian Bay). Once the larvae drift out of Sitka Sound they can be assumed dead, as they will not survive in the Gulf of Alaska nor recruit into the population. This may be the scenario we are experiencing now, as we have no recruits into the Sitka Sound herring population and the fishery seems to have moved the herring to spawn on the Kruzof Island shoreline. In addition, vessel noise has been identified as a stressor on Pacific Herring (Cherry Point Management Plan 2008, p.139). Metlakatla implements management practices based on pre-spawning sensitivity. Herring avoid traditional spawning areas and spawn elsewhere in response to numerous vessels. It was observed in Metlakatla that when herring were arriving with numerous fishing vessels (milling in the area to preview the stock), the herring tended to move away. Proposal 204 seeks to reduce the amount of test setting by deducting the herring that are seined up from the GHL.

I support **proposal 200** – To establish minimum threshold levels for herring stocks in Salisbury Sound (13-A) because regulation states that 13-A is designated as winter bait and personal use only, and 13-B (Sitka Sound) is designated as sac roe fishery. In addition, I oppose Proposal 217 – To include 13-A (Salisbury Sound) in regulation for 13-B (Sitka Sound).

- ADF&G Management Plan (5 AAC 27. 190): requires ADF&G to identify stocks of herring on a spawning area basis, and to assess the abundance of mature herring for each stock.
- ADF&G needs to correctly identify herring stocks in order for improved management of the resource.
- In 2005 and 2006 of herring otolith microchemistry and stable isotope analysis has concluded that there may be 2 stocks of herring in Sitka (i.e. Sitka Sound (north and south of Makhnati Island) and Salisbury Sound).
- Salisbury Sound herring population spawns 14-18 days after the main spawning event in Sitka Sound, which is also an indication of life history differences of a discrete stock.

There is no definition of biomass availability or harvest guidelines for 13-A that allows for a commercial sac roe fishery. The ADF&G Management Plan (5 AAC 27. 190): requires ADF&G to identify stocks of herring on a spawning area basis, and to assess the abundance of mature herring for each stock. ADF&G lacks any knowledge to justify that Sitka Sound biomass has increased substantially and consequently intermittent spawning has occurred in Salisbury Sound. A study by the Sitka Tribe in 2005 and 2006 of herring otolith microchemistry [(Mg/Ca, Sr/Ca, Sr/Sr, and Ba/Ca) and stable isotopes ($\delta^{18}O$ and $\delta^{13}C$)] has concluded that there may be 2 stocks of herring in Sitka (i.e. Sitka Sound (north and south of Makhnati Island) and Salisbury Sound). Both edge and core chemistries of the examined otoliths revealed 2 distinct chemical signatures: Salisbury Sound and Sitka Sound. Herring otolith chemistry in Salisbury Sound was statistically different than that of Sitka Sound. Discriminate analysis of stable isotopes supported the trace element findings; carbon isotopes distinguished 2 distinct herring spawning locations (i.e. Salisbury Sound and Sitka Sound). Carbon isotopes were also able to distinguish herring that hatched in Salisbury Sound from those that hatched in Sitka Sound. The Tribe is continuing this research and will have a more complete data set covering 2005-2009. While the Tribe has shared this data with ADF&G, the department seems set on denying the possibility that discrete stocks may exist. [What I find astounding is that ADF&G is content with assuming Salisbury Sound herring (over 25 miles away) are Sitka Sound herring in order to guarantee the GHL is harvested.] ADF&G stated when the sac roe fishery areas were established in regulation in 1975 that there had been no documented herring spawning in Salisbury Sound. In contrast, many local Elders can recall herring spawn in Salisbury Sound, well before the existence of ADF&G. A letter dated July 15, 1925 from J.P. McNeil of Booth Fisheries describes herring spawning for 3 weeks from Salisbury Sound to Cape Ommaney. In addition, the Salisbury Sound herring population spawns 14-18 days after the main spawning event in Sitka Sound, which is also an indication of life history differences of a discrete stock. ADF&G needs to correctly identify herring stocks in order for improved management of the resource. Therefore including 13-A in the 13-B fishery is not an appropriate action at this time.

Sincerely,

Heather Meuret-Woody
Research Biologist
Sitka Tribe of Alaska
456 Katlian Street
Sitka, Alaska

SITKA, ALASKA

Booth Fisheries
J. P. MCNeil

July 15, 1925.

Spawn about 28th March until about 15th of April. Varies about 5 days in starting; lasts about two weeks. Spawn from Salisbury Sound to Cape Ommaney. At Cape Ommaney spawn two weeks later for every 15 miles south of Sitka, as far south as Redfish Bay.

Large herring spawn first in Sitka Sound for two or three weeks, then a run of small spawning herring not fished for, because too fat to freeze. The small herring also spawn in May, in Silver Bay, Deep Bay, etc. in Sitka Sound.

Fish from about two weeks before spawning until about the 15th of April. When starting to spawn says they spread out close to shore, make water milky and so hard to catch. Very thin just before spawning. No feeding done? Used only for bait.

Cold Storage Co. uses no pots, but some do.

Says in December, January and February, herring stay about 50 fm. deep. Says sealions only go 15 to 20 fms. deep. Says herring gradually work into shallow water. Determine their presence by dragging a lead line.

Says in shallow water sealions dive under schools and drive them to top where caught.

Many large herring in 1925 at present, close in shore.

Says always in large quantity but stay in deep water and only get them when whales or sealions stir them up. Part of September, October, and November, December no herring in quantity, says because no surface feed and are going deeper. Says rise to surface on warm days but descend when colder. 1924 was the poorest year. Came in late, spawned and went out but best year for fishermen who potted herring at Sinski Bay. Spawn first at Sitka and work south.

1924 froze 1900 bbls. for bait; usually 3000 bbls. lasts 1 year for bait. Use about 1 bbl. per 1000 lbs. of halibut. Fishermen use scrap fish as bait also while fishing.

About 1/3 of herring die and sink to bottom in pots. Spawning samples uniform.

Says always spawn at half tide. Never find any spawn below low tide mark.

Larger spawners average about 10 to 10½ inches.

Says would help spawning if a few trees were felled to hang into the water.

(30)

#24-102-FB

POLICY STATEMENT ON MANAGEMENT OF THE NELSON ISLAND DISTRICT HERRING FISHERY

Due to the importance of subsistence utilization of herring by local residents in the Nelson Island district, special measures are necessary to insure that the subsistence priority required by state law is provided during development of the commercial herring fishery in this area. Regulations necessary for the orderly development of the commercial herring fishery in the Nelson Island District do not in any way restrict the taking of herring or other fish for subsistence purposes. In addition, 5 AAC 01.020 provides that commercial fishermen may retain fish for their subsistence use or for the subsistence use of other persons.

To provide additional protection of the subsistence herring fishery, the following guidelines are provided:

1. The commercial fishery will be allowed to take up to ten percent of the available herring biomass, compared to up to twenty percent for most other fisheries having stocks of similar size and condition.

2. The commercial fishing season will be opened when a biomass of 1000-1500 metric tons or spawning activity is documented.

3. Periodic closures of the commercial fishery will be scheduled, during which time subsistence fishing will be the only activity allowed.

4. Several important subsistence use areas occur throughout the district, including waters north of Cape Vancouver, and specific areas may be closed to commercial fishing to insure the adequacy of subsistence harvests.

5. The department will use all available means, including input from local residents, to insure the adequacy of subsistence herring harvests during the commercial fishing season.

Date: 11/20/84
Fairbanks, Alaska

Ron Jolin, Chairman
Alaska Board of Fisheries

examining social and economic conditions, as well as biological conditions which may warrant a change in subsistence uses and the Board's regulations.

The Board will closely monitor changing resource use patterns and shall determine when such patterns can no longer be considered customary and traditional use. Non-traditional and non-customary use of subsistence resources will be discouraged.

Nick Szabo, Chairman
Alaska Board of Fisheries

Adopted March 31, 1979
Anchorage, Alaska

VOTE: 6/0

ALASKA BOARD OF FISHERIES

See also #76-3-JB, #79-5-JB, #81-9-JB

Policy #79-47-FB

POLICY STATEMENT ON THE SUBSISTENCE UTILIZATION OF FISH AND GAME

The Board of Fisheries recognizesthat existing cultures and life styles in Alaska are of great value and should be preserved. Accordingly, customary and traditional subsistence uses of fish and game are assigned a priority among beneficial uses.

The use of fish and game for subsistence is vital to the existence of many Alaskans, although limitations on the productivity of fish and game stocks may limit continued increases in the number of subsistence users.

Beyond directly satisfying food requirements, home consumption of fish and game tends to preserve cultures and traditions and gives gratification to a strong desire possessed by many Alaskans to harvest their own food. The latter functions seem genuinely important to the physical and psychological well-being of a large number of Alaskans.

In some circumstances, subsistence users may also be participants in sport or commercial harvesting. Where subsistence users can satisfy their harvest by commercial or sport methods, special regulations for the subsistence priority may not be needed. Where regulations are needed, commercial and sport uses may not need to be totally eliminated prior to restrictions on subsistence uses, but traditional and customary subsistence uses will receive a priority harvest opportunity in the Board's regulatory system.

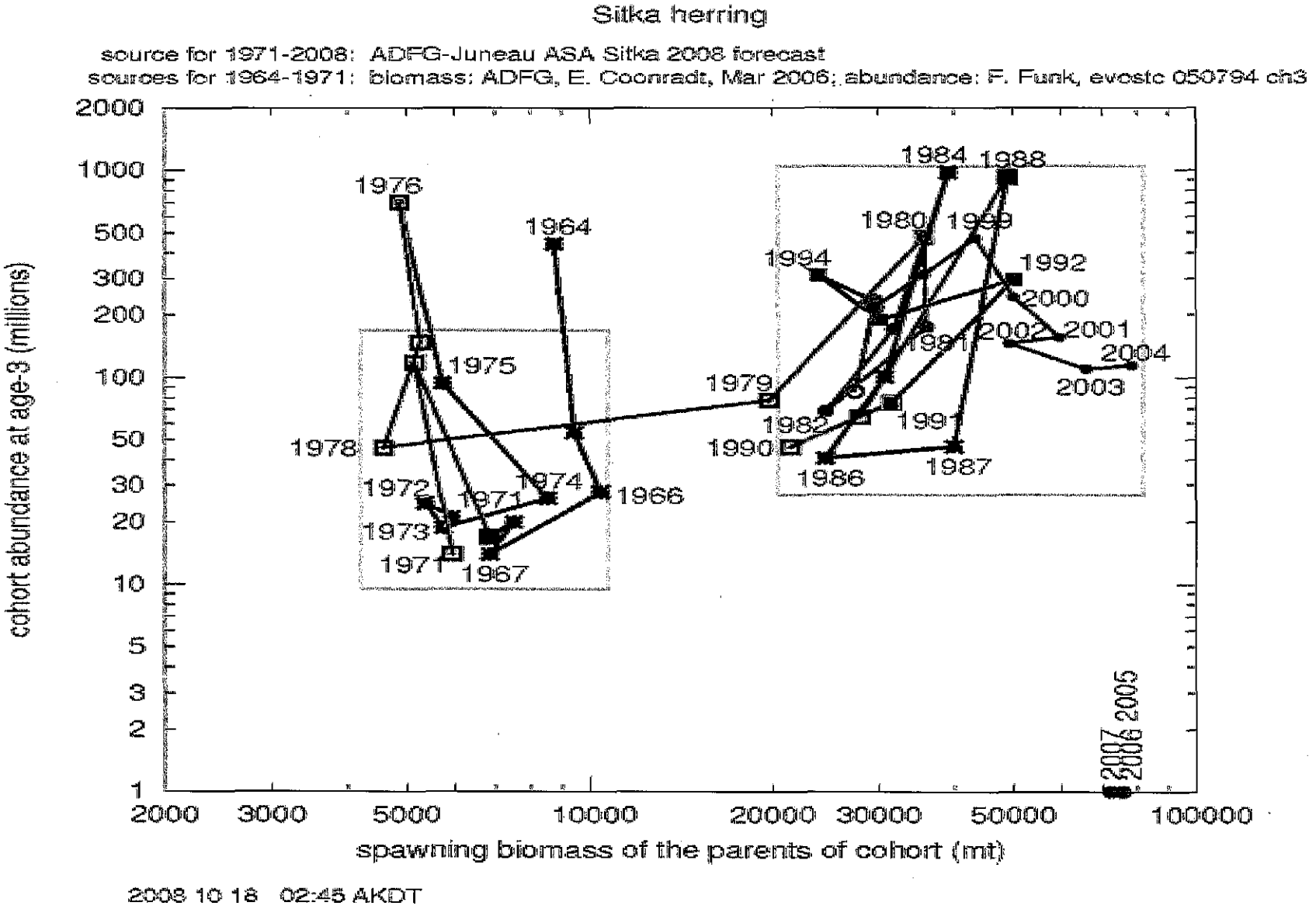
Whenever possible, the subsistence priority should be achieved by existing regulatory techniques, such as open and closed seasons, bag limits, control of methods and means of take, and controlled use areas. When a resource is plentiful enough to accommodate all uses, the Board may not need to distinguish between different types of use. Special regulations such as designation of a subsistence hunting or fishing area to allocate a subsistence resource to local subsistence users may be enacted if the above approach is inappropriate or ineffective.

If further restriction is necessary, priority among subsistence users will be based on (1) customary and direct dependence upon the resource as the mainstay of one's livelihood; (2) local residency; and (3) availability of alternative resources. The Board will depend heavily on data gathered by the Subsistence Section in achieving priority for subsistence and in considering the three factors above.

Implicit in the two criteria of "direct dependence" and "availability of alternative resources" is the idea that a subsistence priority is based to some extent on the actual needs of people. Subsistence needs of individuals, families, and cultural groups may differ in type and degree. It is recognized that judgement will be an unavoidable necessity in weighing actual need. Elements to consider in establishing the level of subsistence need include location, local cultures, traditions, customs, and alternative resources.

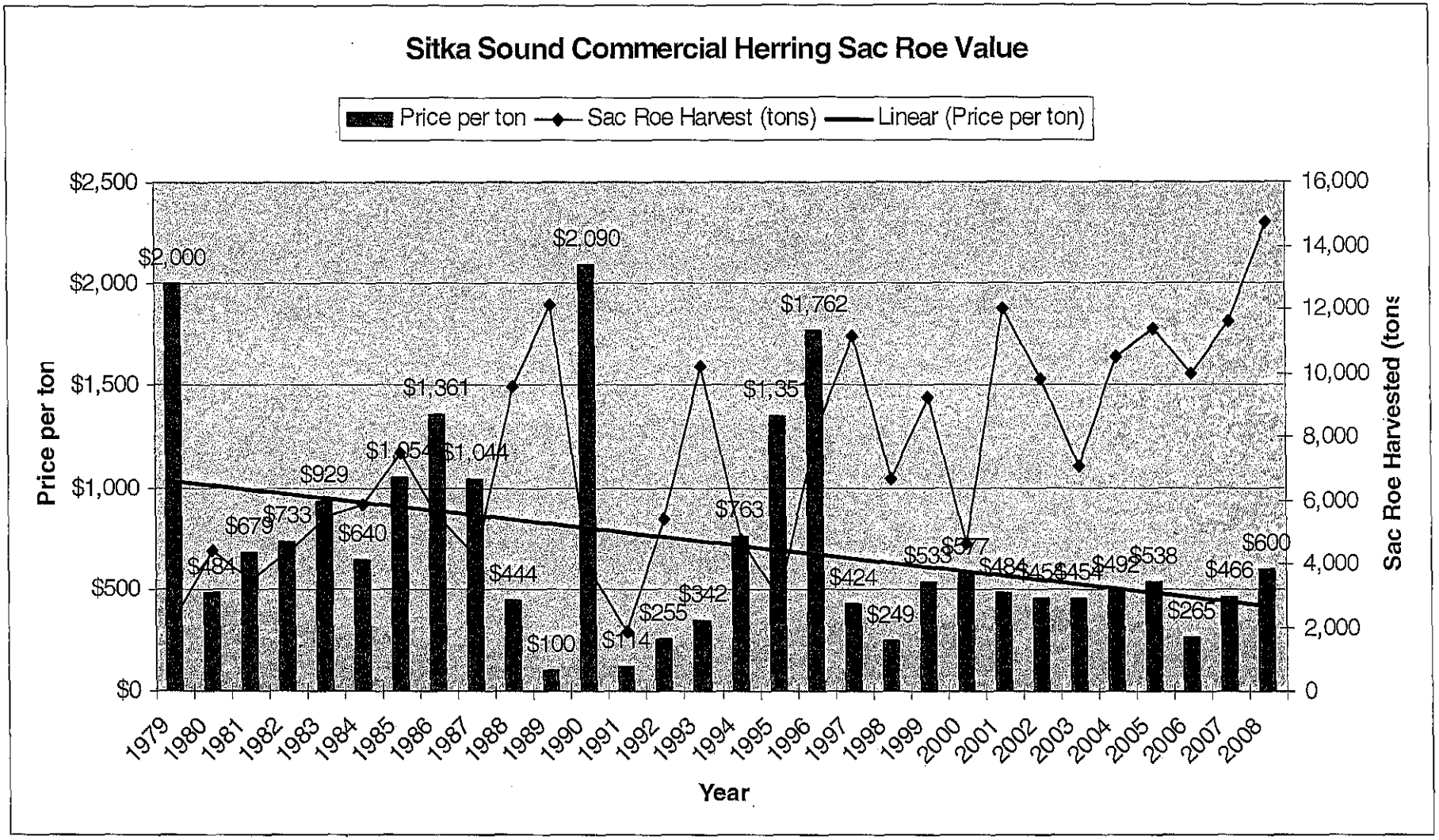
The Board recognizes the need for regional differences in the approach to fish and game management and will maintain flexibility by periodically

Spawning biomass has been in the upper box since 1980. However the conservation threshold set at 20,000 tons will not keep the spawning biomass in the upper box. Once the spawning biomass slips into the lower box, it more than likely will remain there.

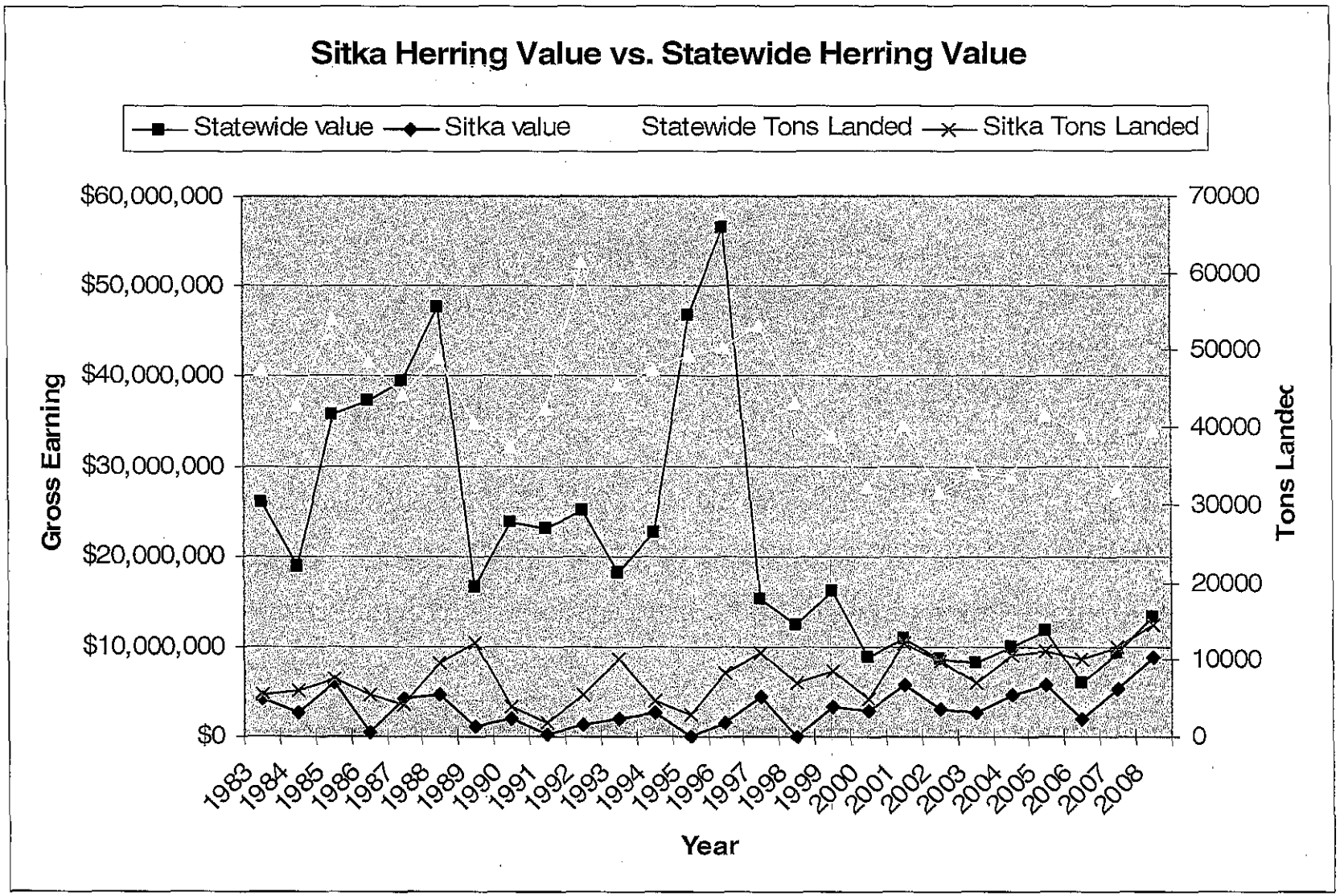


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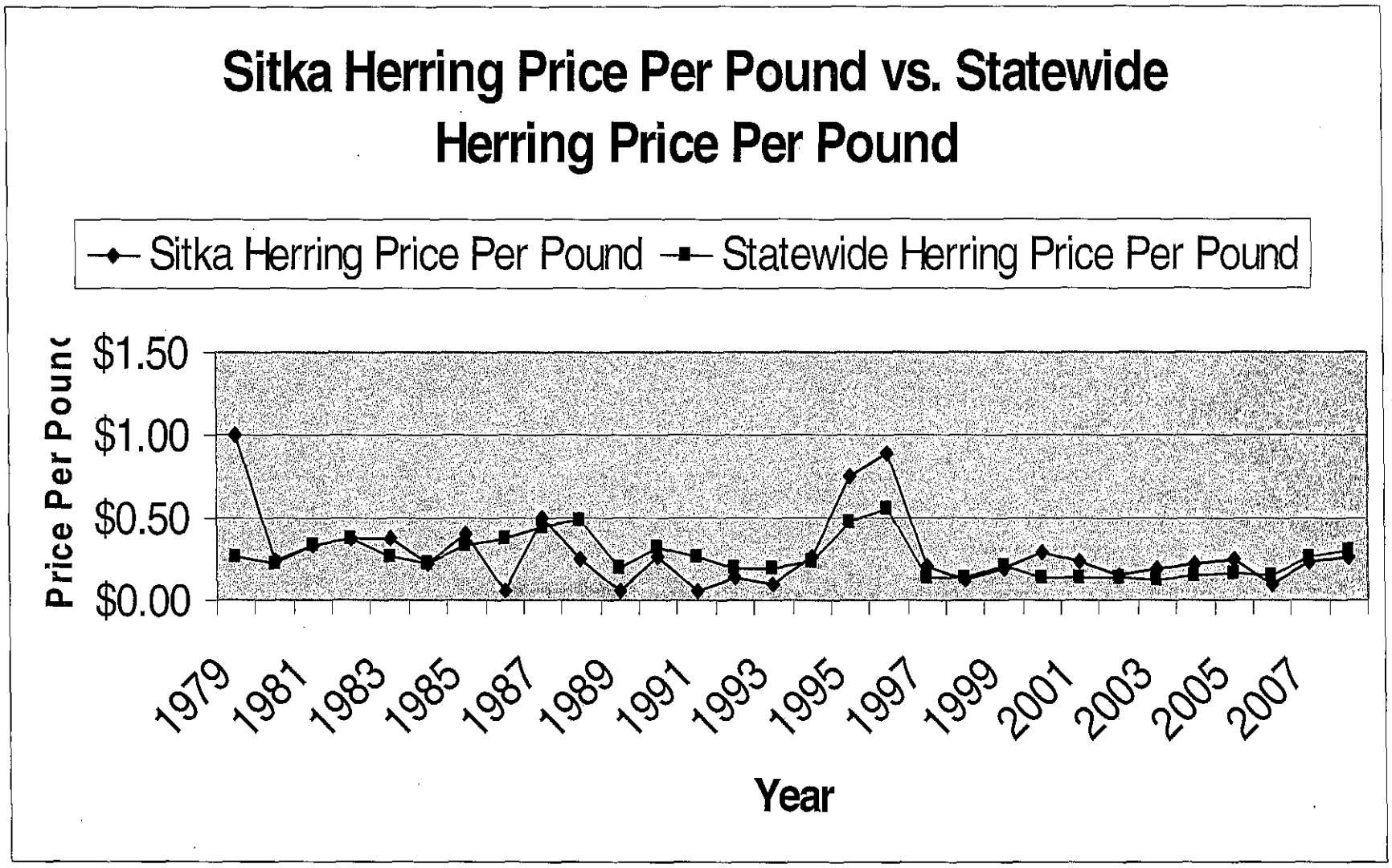
Value of the Sitka Commercial Herring Sac Roe Fishery 1979-2008.
The value has been decreasing since 1996 however the harvest level has been increasing (source: ADF&G, D. Gordon, 2008).



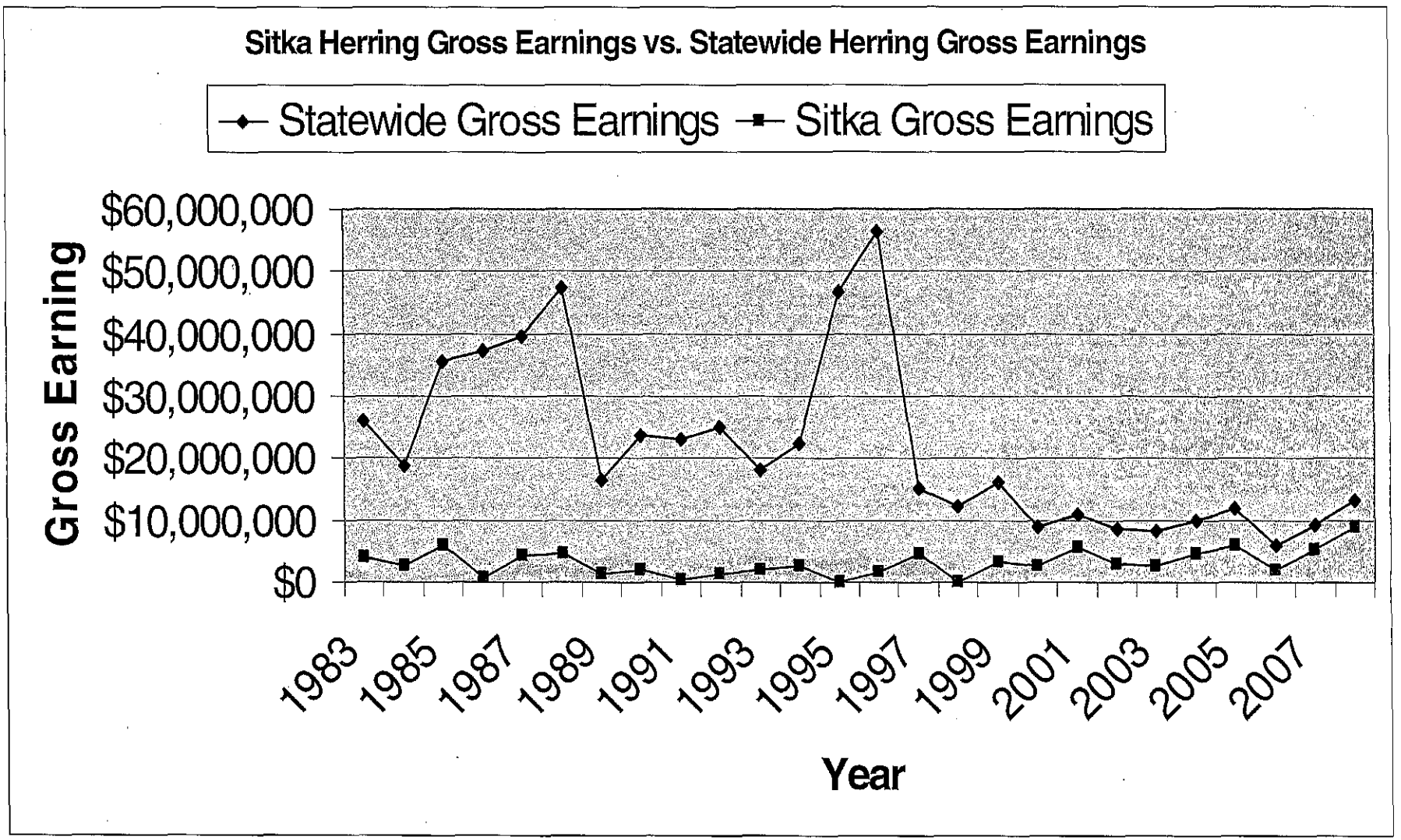
Value of Sitka Commercial Herring Fishery Compared to the Statewide Value 1983-2008 (source: ADF&G, D. Gordon, 2008)



Sitka commercial herring sac roe fishery price per pound compared to the statewide herring sac roe fishery price per pound 1979-2008 (source: ADF&G Herring Fishery website).



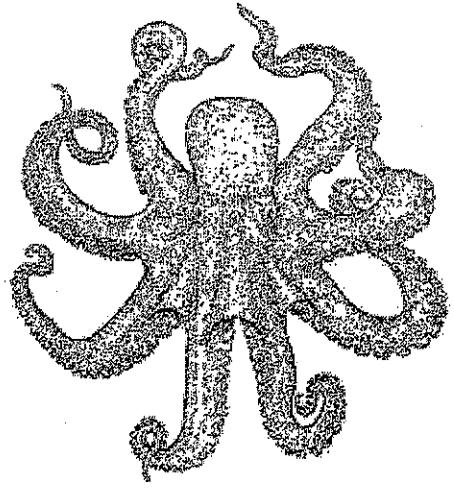
Sitka commercial herring sac roe fishery gross earnings compared to the statewide herring sac roe fishery gross earnings1983-2008 (source: ADF&G Herring Fishery website).





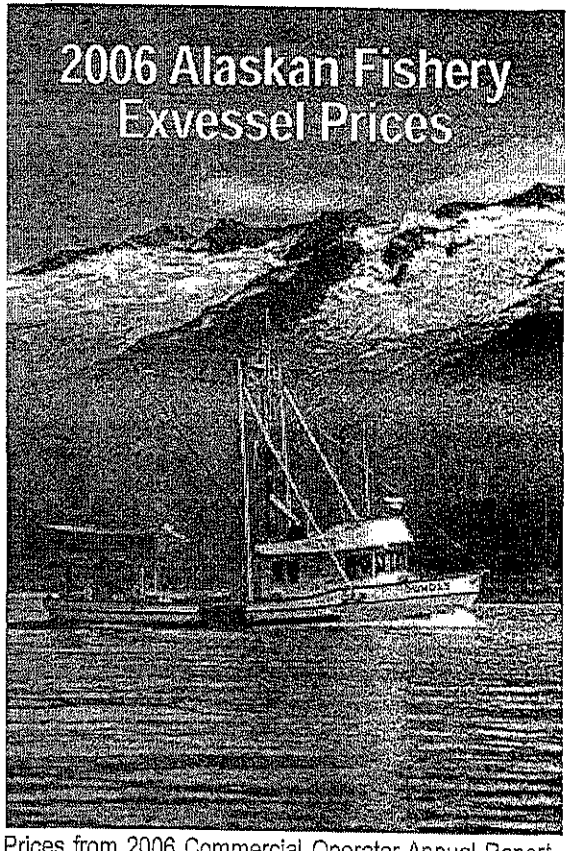
Species	Area	Price
SALMON		
salmon, chinook	Alaska Peninsula	$0.69
salmon, chinook	Bristol Bay	$0.71
salmon, chinook	Cook Inlet	$1.89
salmon, chinook	Juneau/Yakutat	$4.11
salmon, chinook	Ketchikan/Craig	$3.07
salmon, chinook	Kodiak	$0.94
salmon, chinook	Petersburg/Wrangell	$3.35
salmon, chinook	Prince William Sound	$5.04
salmon, chinook	Sitka/Pelican	$3.92
salmon, chinook	Yukon	$3.95
salmon, chum	Alaska Peninsula	$0.16
salmon, chum	Bristol Bay	$0.12
salmon, chum	Cook Inlet	$0.30
salmon, chum	Juneau/Yakutat	$0.36
salmon, chum	Ketchikan/Craig	$0.34
salmon, chum	Kodiak	$0.33
salmon, chum	Petersburg/Wrangell	$0.33
salmon, chum	Prince William Sound	$0.37
salmon, chum	Sitka/Pelican	$0.36
salmon, chum	Yukon	$0.20
salmon, coho	Alaska Peninsula	$0.31
salmon, coho	Bristol Bay	$0.38
salmon, coho	Cook Inlet	$0.66
salmon, coho	Juneau/Yakutat	$1.22
salmon, coho	Ketchikan/Craig	$1.39
salmon, coho	Kodiak	$0.66
salmon, coho	Petersburg/Wrangell	$1.05
salmon, coho	Prince William Sound	$0.81
salmon, coho	Sitka/Pelican	$1.95
salmon, coho	Yukon	$0.20
salmon, pink	Alaska Peninsula	$0.13
salmon, pink	Bristol Bay	$0.03
salmon, pink	Cook Inlet	$0.12
salmon, pink	Juneau/Yakutat	$0.17
salmon, pink	Ketchikan/Craig	$0.17
salmon, pink	Kodiak	$0.16
salmon, pink	Petersburg/Wrangell	$0.16
salmon, pink	Prince William Sound	$0.17
salmon, pink	Sitka/Pelican	$0.17

Species	Area	Price
SALMON		
salmon, sockeye	Alaska Peninsula	$0.66
salmon, sockeye	Bristol Bay	$0.66
salmon, sockeye	Cook Inlet	$1.07
salmon, sockeye	Juneau/Yakutat	$1.18
salmon, sockeye	Ketchikan/Craig	$1.09
salmon, sockeye	Kodiak	$0.84
salmon, sockeye	Petersburg/Wrangell	$1.12
salmon, sockeye	Prince William Sound	$1.61
salmon, sockeye	Sitka/Pelican	$1.11
SHRIMP		
shrimp, spot	Petersburg/Wrangell	$4.41
shrimp, spot	Juneau/Yakutat	$7.36
shrimp, spot	Ketchikan/Craig	$5.06
OTHER SHELLFISH		
clam, Pacific geoduck	Ketchikan/Craig	$3.67
octopus, North Pacific	Cook Inlet	$0.90
octopus, North Pacific	EEZ	$0.47
octopus, North Pacific	Kodiak	$0.63
squid, majestic	Dutch Harbor	$0.02
squid, majestic	Kodiak	$0.07



ALASKA DEPARTMENT OF FISH AND GAME

2006 Alaskan Fishery Exvessel Prices

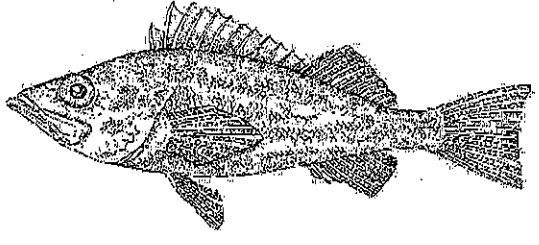


Prices from 2006 Commercial Operator Annual Report

Alaska Department of Fish and Game
Division of Commercial Fisheries
1255 W. 8th Street
P.O. Box 115526
Juneau, AK 99811-5526
Phone: 907-465-4210 • Fax: 907-[illegible]2604
www.cf.adfg.state.ak.

November 2007

Species	Area	Price
CRAB		
crab, Dungeness	Petersburg/Wrangell	$1.39
crab, Dungeness	Sitka/Pelican	$1.44
crab, Dungeness	Juneau/Yakutat	$1.48
crab, golden (brown) king	Petersburg/Wrangell	$4.59
crab, golden (brown) king	Dutch Harbor	$1.95
crab, golden (brown) king	Juneau/Yakutat	$4.22
crab, red king	Kodiak	$3.98
crab, red king	Dutch Harbor	$3.93
crab, Tanner, bairdi	Bering Sea	$1.53
crab, Tanner, bairdi	Juneau/Yakutat	$1.74
crab, Tanner, bairdi	Dutch Harbor	$1.41
crab, Tanner, bairdi	Kodiak	$1.53
crab, Tanner, snow (opilio)	Bering Sea	$1.16
crab, Tanner, snow (opilio)	Dutch Harbor	$1.15
GROUNDFISH		
bocaccio	Sitka/Pelican	$0.35
cod, Pacific (gray)	Adak/West Aleutians	$0.35
cod, Pacific (gray)	Alaska Peninsula	$0.37
cod, Pacific (gray)	Cook Inlet	$0.47
cod, Pacific (gray)	Dutch Harbor	$0.37
cod, Pacific (gray)	EEZ	$0.37
cod, Pacific (gray)	Juneau/Yakutat	$0.25
cod, Pacific (gray)	Ketchikan/Craig	$0.21
cod, Pacific (gray)	Kodiak	$0.41
cod, Pacific (gray)	Prince William Sound	$0.45
cod, Pacific (gray)	Sitka/Pelican	$0.56
flounder, arrowtooth	Kodiak	$0.07
flounder, starry	Kodiak	$0.08
greenling, Atka mackerel	Dutch Harbor	$0.02
lingcod	Cook Inlet	$0.73
lingcod	EEZ	$1.07
lingcod	Juneau/Yakutat	$0.86
lingcod	Ketchikan/Craig	$0.74
lingcod	Kodiak	$0.53
lingcod	Prince William Sound	$1.01
lingcod	Sitka/Pelican	$1.23
perch, Pacific ocean	Dutch Harbor	$0.05
perch, Pacific ocean	Kodiak	$0.16
pollock, walleye	Dutch Harbor	$0.13
pollock, walleye	EEZ	$0.12
pollock, walleye	Kodiak	$0.14



Species	Area	Price
GROUNDFISH		
rockfish, black	Cook Inlet	$0.42
rockfish, black	Juneau/Yakutat	$0.39
rockfish, black	Ketchikan/Craig	$0.55
rockfish, black	Kodiak	$0.40
rockfish, black	Prince William Sound	$0.36
rockfish, black	Sitka/Pelican	$0.46
rockfish, canary	Juneau/Yakutat	$0.39
rockfish, canary	Ketchikan/Craig	$0.28
rockfish, canary	Sitka/Pelican	$0.45
rockfish, China	Juneau/Yakutat	$0.46
rockfish, China	Sitka/Pelican	$0.47
rockfish, dusky	Juneau/Yakutat	$0.30
rockfish, dusky	Kodiak	$0.15
rockfish, dusky	Sitka/Pelican	$0.40
rockfish, northern	Kodiak	$0.15
rockfish, quillback	Juneau/Yakutat	$0.35
rockfish, quillback	Ketchikan/Craig	$0.80
rockfish, quillback	Petersburg/Wrangell	$0.32
rockfish, quillback	Sitka/Pelican	$0.72
rockfish, redbanded	EEZ	$0.18
rockfish, redbanded	Juneau/Yakutat	$0.25
rockfish, redbanded	Ketchikan/Craig	$0.27
rockfish, redbanded	Kodiak	$0.08
rockfish, redbanded	Sitka/Pelican	$0.30
rockfish, redstripe	Sitka/Pelican	$0.27
rockfish, rougheye	Cook Inlet	$0.41
rockfish, rougheye	Dutch Harbor	$0.03
rockfish, rougheye	EEZ	$0.49
rockfish, rougheye	Juneau/Yakutat	$0.32
rockfish, rougheye	Ketchikan/Craig	$0.30
rockfish, rougheye	Kodiak	$0.25
rockfish, rougheye	Petersburg/Wrangell	$0.26
rockfish, rougheye	Prince William Sound	$0.52
rockfish, rougheye	Sitka/Pelican	$0.40
rockfish, shortraker	Cook Inlet	$0.21
rockfish, shortraker	EEZ	$0.23
rockfish, shortraker	Juneau/Yakutat	$0.29
rockfish, shortraker	Ketchikan/Craig	$0.30
rockfish, shortraker	Kodiak	$0.22
rockfish, shortraker	Petersburg/Wrangell	$0.26
rockfish, shortraker	Prince William Sound	$0.33
rockfish, shortraker	Sitka/Pelican	$0.32
rockfish, silvergray	Juneau/Yakutat	$0.28
rockfish, silvergray	Ketchikan/Craig	$0.15
rockfish, silvergray	Sitka/Pelican	$0.36
rockfish, thornyhead (idiots)	Cook Inlet	$1.17
rockfish, thornyhead (idiots)	Dutch Harbor	$1.14
rockfish, thornyhead (idiots)	EEZ	$0.89
rockfish, thornyhead (idiots)	Juneau/Yakutat	$0.99
rockfish, thornyhead (idiots)	Ketchikan/Craig	$0.96
rockfish, thornyhead (idiots)	Kodiak	$0.63

Species	Area	Price
GROUNDFISH		
rockfish, thornyhead (idiots)	Petersburg/Wrangell	$1.13
rockfish, thornyhead (idiots)	Prince William Sound	$1.01
rockfish, thornyhead (idiots)	Sitka/Pelican	$1.18
rockfish, tiger	Sitka/Pelican	$0.38
rockfish, yelloweye (red snapper)	Cook Inlet	$0.75
rockfish, yelloweye (red snapper)	EEZ	$0.95
rockfish, yelloweye (red snapper)	Juneau/Yakutat	$0.97
rockfish, yelloweye (red snapper)	Ketchikan/Craig	$0.84
rockfish, yelloweye (red snapper)	Kodiak	$0.38
rockfish, yelloweye (red snapper)	Petersburg/Wrangell	$1.09
rockfish, yelloweye (red snapper)	Prince William Sound	$0.85
rockfish, yelloweye (red snapper)	Sitka/Pelican	$1.14
rockfish, yellowtail	Sitka/Pelican	$0.30
sablefish (blackcod)	Cook Inlet	$3.61
sablefish (blackcod)	Dutch Harbor	$3.62
sablefish (blackcod)	EEZ	$3.65
sablefish (blackcod)	Juneau/Yakutat	$3.90
sablefish (blackcod)	Ketchikan/Craig	$3.79
sablefish (blackcod)	Kodiak	$3.58
sablefish (blackcod)	Petersburg/Wrangell	$4.04
sablefish (blackcod)	Prince William Sound	$3.58
sablefish (blackcod)	Sitka/Pelican	$4.00
skate, general	Dutch Harbor	$0.02
skate, longnose	Kodiak	$0.23
sole, butter	Kodiak	$0.14
sole, Dover	Kodiak	$0.26
sole, flathead	Dutch Harbor	$0.01
sole, flathead	Kodiak	$0.15
sole, rex	Dutch Harbor	$0.01
sole, rex	Kodiak	$0.24
sole, rock	EEZ	$0.08
sole, rock	Kodiak	$0.24
HALIBUT		
halibut, Pacific	Bering Sea	$3.63
halibut, Pacific	Bristol Bay	$2.60
halibut, Pacific	Dutch Harbor	$3.65
halibut, Pacific	Sitka/Pelican	$3.76
halibut, Pacific	Ketchikan/Craig	$3.72
halibut, Pacific	Petersburg/Wrangell	$3.77
halibut, Pacific	EEZ	$3.61
halibut, Pacific	Cook Inlet	$3.90
halibut, Pacific	Kodiak	$3.79
halibut, Pacific	Prince William Sound	$3.73
halibut, Pacific	Juneau/Yakutat	$3.73
HERRING		
herring, Pacific	Ketchikan/Craig	$0.18
herring, Pacific	Kodiak	$0.11
herring, Pacific	Bristol Bay	$0.07
herring, Pacific	Sitka/Pelican	$0.19

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Attitudes Toward Current and Alternative Management Practices in Alaska's Limited Entry Commercial Herring Roe Fisheries

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INTRODUCTION

Pacific herring (*Clupea pallasi*) has been commercially harvested in Alaska since the early 1900s. Early harvesting was primarily focused on markets for food but shifted to production of fish oil and fishmeal in the 1920s.

In the1970s, the sac roe fishery for export to Japan became the dominant herring fishery. Although the market price has been deteriorating in recent years, Japan remains the predominant buyer for Alaska's herring resources. The total ex-vessel value of the roe herring roe has dropped from about $50 million in 1996 to under $10 million in 2000.

Herring are still harvested for food and bait, as well as for roe. Alaska herring are fished commercially with purse seine, gillnet, and beach seine gear. Spawn-on-kelp fisheries also exist, in which herring are caught, transferred to pens, and kept in these enclosures until the fish spawn on kelp blades hung in the pens. Most commercial herring fisheries in Alaska are limited-entry fisheries, with a total of 1,254 permit holders currently licensed.

Alaska's purse seine and gillnet limited entry fisheries are managed in a "derby" fashion, with permit-holders fishing until a pre-established quota is reached. There have been discussions among permit-holders in the Southeast Alaska roe herring seine fishery about changing their fishery to a cooperative fishery, where individual allocations of the catch are pre-established. However, the potential benefits and drawbacks of such a change are complex and difficult to assess. The purpose of this paper is to summarize the fishers' attitudes toward current and alternative management practices in Alaska's limited entry roe herring fisheries. It is not intended as an endorsement of any one particular management strategy over another.

By surveying participants in Alaska's commercial herring roe fishery, this study sought to explore five main questions:

- How important is it for herring management systems to address certain issues pertaining to the fisheries?
- Have these issues been getting worse, not changing, or getting better in recent years?
- To what extent do permit-holders agree or disagree with alternative herring roe fishery management systems?
- Does ownership of Pacific halibut (*Hippoglossus stenolepis*) or sablefish (*Anoplopoma fimbria*) individual fishing quotas (IFQs) affect attitudes toward implementing an IFQ management system for herring fisheries?
- Who would be hurt by implementing IFQ or equal fishing quota sharing systems in herring roe fisheries?

METHODS

In January 2001, a census was taken of 13 major limited entry roe herring fisheries in Alaska: Cape Romanzof gillnet, Cook inlet purse seine, Goodnews Bay gillnet, Kodiak gillnet and purse seine, Nelson Island gillnet, Norton Sound gillnet and beach seine, Nunivak Island gillnet, Prince William Sound gillnet and purse seine, and Southeast gillnet and purse seine. The survey consisted of 39 questions seeking information about levels of experience, attitudes towards management policies, and demographics.

A total of 377 surveys were returned. This figure represents 419 different permits, because some individuals hold more than one permit. For this reason data from the survey are presented in two ways: data given for each fishery represent 419 data entries, or one opinion from each permit-holder; and data summarized for all fisheries combined represent 377 data entries, or one opinion from each survey participant.

Due to the low number of responses from the Norton Sound beach seine fishery, data are not presented on a separate fishery basis. Rather, they are included in summaries for all fisheries combined.

RESULTS

A total of 1101 surveys were sent out, and 377 surveys were returned for an overall response rate of 34.2 percent. Individual fisheries with a response rate equal to or greater than 50 percent included only purse seine fisheries (Southeast = 64.6%, Prince William Sound = 52.2%, and Cook Inlet = 50.0%). Most respondents claimed Alaska as their primary state of residence. With minor exceptions, there were few respondents under 36 years of age. A majority in all but three fisheries belonged to a commercial fishing association.

Question: How important is it for herring management systems to address certain issues pertaining to the fisheries?

Permit-holders were asked how important they felt it was for herring management practices to address the following issues: safety, conservation of the resource, correspondence between actual catch figures and harvest quotas, operating expenses, fish quality, fish prices, personal financial gain, and an open-ended category for other issues. Issues ranked most frequently as extremely important were conservation of the resource, fish quality, and fish prices (Table 1).

Question: Have these issues been getting worse, not changing, or getting better in recent years?

The three issues that received the largest percentage of marks in the "getting better" category included safety (31.0%), fish quality (29.7%), and conservation of the resource (25.2%). The three issues that received the largest percentage of marks in the "getting worse" category included fish prices (80.4%), personal financial gain (71.6%), and operating expenses (59.4%) (Table 2).

Table 1. **Answers given to Question 13 (in percent): "How important do you feel it is for roe herring fishery management policies to address the following issues?" Data are summarized for all fisheries combined.**

	1 Not at all important	2	3 Somewhat important	4	5 Extremely important	6 Not sure/ No answer
Safety	7.7	8.8	24.1	18.6	36.3	4.5
Conservation of the resource	1.3	0.8	4.5	15.9	70.8	6.6
Fair allocation of the resource	3.4	2.9	11.9	24.9	50.1	6.6
Actual catches matching harvest quotas	2.1	4.5	24.7	27.1	36.3	5.3
Operating expenses	9.3	9.5	24.1	19.6	29.2	8.2
Fish quality	1.1	1.3	3.7	18.6	69.8	5.6
Fish prices	8.2	3.4	10.1	14.6	58.6	5.0
Personal financial gain	11.7	6.9	15.6	17.5	38.5	9.8
Other	1.3	0.3	1.1	2.1	5.0	90.2

Table 2. **Responses given to Question 14 (in percent): "Have these issues been getting worse, not changing, or getting better in recent years?" Data are summarized for all fisheries combined.**

	1 Getting worse	2 Not changing	3 Getting better	4 Not sure/No answer
Safety	6.9	50.4	31.0	11.7
Conservation of the resource	13.0	45.4	25.2	16.4
Fair allocation of the resource	23.3	46.4	12.5	17.8
Actual catches matching harvest quotas	20.7	46.9	16.7	15.6
Operating expenses	59.4	26.0	2.4	12.2
Fish quality	15.1	43.0	29.7	7.7
Fish prices	80.4	9.3	2.7	7.7
Personal financial gain	71.6	15.6	1.3	11.4
Other	7.4	1.1	0.3	91.2

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Question: To what extent do permit-holders agree or disagree with alternative herring roe fishery management systems?

Two alternative management systems were suggested in the survey: an equal quota sharing system and an individual fishing quota system. Both systems award participants fixed amounts of the available herring quota but differ in the way that the quotas are awarded, as well as the actual quota amounts. An equal quota sharing system would award an equal amount of the herring quota to each participant regardless of catch history. In this regard, this management system resembles a fleetwide co-op. In an individual fishing quota system, variable amounts of the herring quota are awarded to each participant, based on catch history during a certain time frame. This would resemble the way that halibut and sablefish fisheries are currently managed in Alaska.

For all 13 fisheries combined, feelings toward the equal quota sharing system were sharply split. "Strongly disagree" at 37.1 percent and "strongly agree" at 21.8 percent were the two most frequent responses (Figure 1). Among individual herring fisheries, only the Southeast purse seine fishery had a majority supporting the equal quota share idea, either mildly or strongly. A majority were either mildly or strongly in disagreement with the equal quota share system in the Cook Inlet and Kodiak purse seine fisheries, and in the Prince William Sound, Kodiak and Norton Sound gillnet fisheries. (Table 3).

Asked if they felt it would be a good idea to implement an IFQ-style management system in their fishery, nearly half of all respondents (46.9%) indicated that they "strongly disagree" with this idea (Figure 2). Seven of the 13 individual fisheries had a majority of responses marked as some form of disagreement, with no majorities in some form of agreement (Table 4).

Figure 1. Respondents' answers to the question of whether it would be a good idea to implement an equal quota sharing system in their fishery. Data are for all fisheries combined.

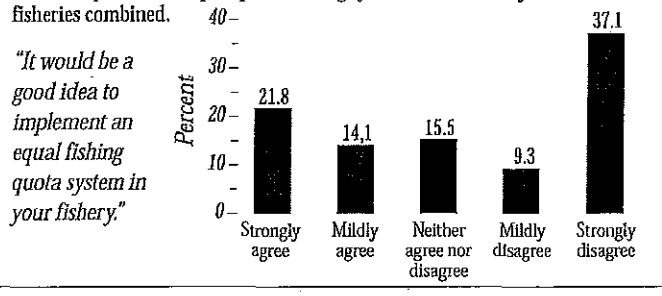


Table 3. **Respondent's answers (in percent) when asked if they felt it would be a good idea to implement an equal quota sharing system in their fishery.**

Percent	Strongly agree	Mildly agree	Neither agree nor disagree	Mildly disagree	Strongly disagree
PURSE SEINE					
Southeast	45.2	25.8	0.0	0.0	29.0
Prince William Sound	21.3	23.4	4.3	8.5	40.4
Cook Inlet	27.3	4.5	9.1	9.1	50.0
Kodiak	24.1	6.9	6.9	3.4	55.2
GILLNET (GULF OF ALASKA)					
Southeast	27.5	17.6	5.9	5.9	41.2
Prince William Sound	20.0	10.0	10.0	30.0	30.0
Kodiak	8.3	19.4	5.6	11.1	52.8
GILLNET (WESTWARD)					
Nelson Island	14.3	14.3	28.6	8.6	34.3
Nunivak Island	20.0	20.0	20.0	0.0	33.3
Goodnews Bay	40.5	5.4	37.8	2.7	13.5
Cape Romanzof	18.2	22.7	31.8	4.5	13.6
Norton Sound	9.9	8.6	18.5	18.5	37.1
ALL	21.8	14.1	15.4	9.3	37.1

Question: Does ownership of Pacific halibut or sablefish IFQs affect attitudes toward implementing an IFQ management system for herring fisheries?

To determine if halibut or sablefish IFQ ownership affects whether people support an IFQ system for herring fisheries, responses were summarized separately for owners and non-owners of IFQ shares. Non-owners of IFQ shares outnumbered owners by more than two to one, as shown in Figure 3. The mean responses from owners of halibut or sablefish IFQ shares were not significantly different from those of non-owners.

Figure 3. Responses to the question of whether it would be a good idea to implement an individual fishing quota management system in herring fisheries, separated by IFQ ownership. Data are for all fisheries combined.

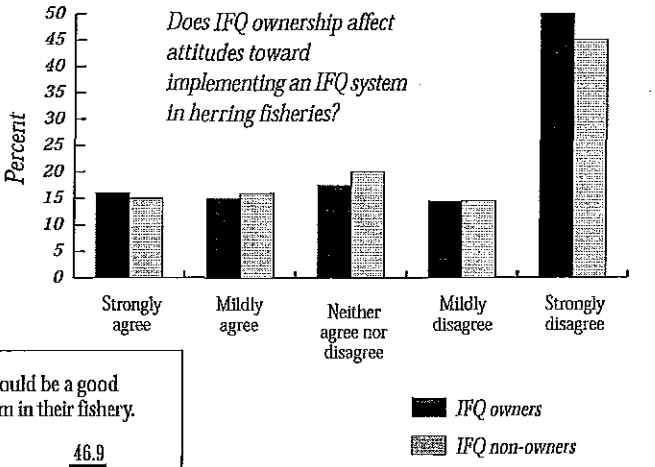


Figure 2. Respondents' answers to the question of whether it would be a good idea to implement an individual fishing quota management system in their fishery. Data are for all fisheries combined.

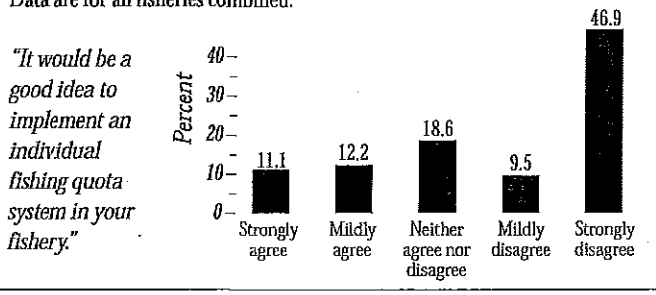


Table 4. Respondents' answers (in percent) when asked if they felt it would be a good idea to implement an individual fishing quota management system in their fishery.

Percent	Strongly agree	Mildly agree	Neither agree nor disagree	Mildly disagree	Strongly disagree
PURSE SEINE					
Southeast	29.0	12.9	12.9	12.9	32.3
Prince William Sound	14.9	10.6	25.5	6.4	40.4
Cook Inlet	9.1	18.2	13.6	18.2	45.5
Kodiak	13.8	17.2	10.3	6.9	51.7
GILLNET (GULF OF ALASKA)					
Southeast	3.9	23.5	11.8	11.8	47.1
Prince William Sound	0.0	0.0	40.0	20.0	40.0
Kodiak	2.8	5.6	11.1	5.6	69.4
GILLNET (WESTWARD)					
Nelson Island	8.6	8.6	31.4	8.6	42.9
Nunivak Island	6.7	13.3	26.7	0.0	46.7
Goodnews Bay	13.5	13.5	29.7	5.4	37.8
Cape Romanzof	27.3	22.7	27.3	0.0	18.2
Norton Sound	7.4	6.2	14.8	13.6	58.0
ALL	**11.1**	**12.2**	**18.6**	**9.5**	**46.9**

Question: Who would be hurt by implementing IFQ or equal fishing quota sharing systems in herring roe fisheries?

Survey participants were asked if anybody would be hurt by implementing an IFQ or equal quota sharing system in their fishery. With the exception of the Southeast purse seine, Nunivak Island gillnet, and Goodnews Bay gillnet fisheries respondents, a majority from all fisheries reported that implementing an equal quota sharing system would hurt somebody in their fishery.

Respondents were asked to indicate who would be hurt the most among crew members, processors, people with little or no catch during qualifying years, new entrants to the fishery (since the qualifying period), Alaska fishermen or fisherwomen, coastal communities, or others. Respondents could mark more than one category for this question. Most indicated that implementing an IFQ management system in their fishery would hurt "people with little or no catch during qualifying years" the most (Table 5). Twenty-eight percent to 32 percent indicated that implementing an IFQ or equal quota sharing system would hurt "crew members" and "Alaska fishermen or fisherwomen" the most (Table 5).

Table 5. **People who would be hurt the most by implementing an IFQ or equal quota share management system. Data (in percent) is for all fisheries combined.**

	Equal quota share	IFQ
Crew members	28.6	31.8
Processors	7.7	9.0
People with little or no catch during qualifying years	n/a *	58.9
New entrants to the fishery since the qualifying period	n/a *	30.2
Prospective new entrants with limited resources	14.9	21.8
Alaska fishermen or fisherwomen	28.6	26.0
Coastal communities	15.6	22.0
Other	20.7	11.9

* Because catch history is not used in calculating equal quota shares, the categories "people with little or no catch during qualifying years" and "new entrants to the fishery since the qualifying period" are not relevant to the equal quota sharing option.

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CONCLUSIONS

The survey shows that the single most crucial management issue to permit holders is conservation of the resource. Of all respondents, 70.8% indicated that they felt it was "extremely important" for management policies to address this issue. The next two most important issues for herring management were "fish quality" and "fish prices." Among "extremely important" issues for management (conservation of the resource, fish quality, fish prices, and fair allocation of the resource), only fish prices had a majority (80.4 %) of marks in the "getting worse in recent years" category. None of the extremely important issues were "getting better in recent years," according to a majority of respondents. This indicates that respondents feel "fish prices" is an issue to be addressed by herring managers.

With few exceptions, most fisheries disagreed to some extent with the statement that it would be a good idea to implement an equal quota sharing or IFQ management system in their fishery. In a notable exception to this, respondents from the Southeast purse seine fishery generally support (71% mildly or strongly) an equal quota sharing system in their fishery.

No significant difference existed between the mean answers of owners and non-owners of IFQ shares as to whether it would be a good idea to implement an IFQ-style management system in their herring fishery. Attitudes toward implementing an IFQ management system in herring fisheries were identical, regardless of whether participants had prior experience with IFQ management systems in other fisheries.

Survey respondents indicated that implementation of an IFQ sharing system would hurt "people with little or no catch during qualifying years." "Crewmembers" and "Alaska fishermen or fisherwomen" would be hurt the most by implementing an equal quota sharing system in their fishery.

Are Alaska herring fisheries ready for an alternative management system? Overall, survey respondents have expressed unfavorable views toward implementing IFQ or equal quota sharing systems in Alaska roe herring fisheries. However, it is unclear whether participants in the herring fisheries would benefit from improved safety measures or increased prices for their catches if either alternative system is implemented, Additional insights may be gained from close study of British Columbia's newly adopted system for managing its herring roe fisheries.

ACKNOWLEDGEMENTS

The authors would like to thank Kurt Schelle and Ben Muse of the Commercial Fisheries Entry Commission and Dr. Loveday Conquest of the University of Washington School of Aquatic and Fishery Sciences for lending technical advice for the survey. Special thanks are offered to all permit-holders who participated in the survey.



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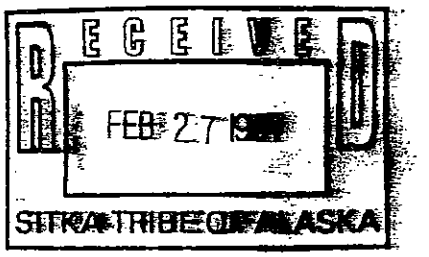
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STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

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February 27, 1997

Mr. Lawrence Widmark
Council Chairman
Sitka Tribe of Alaska

Dear Mr. Widmark,

In response to the STA council resolution of 2/20/97 regarding reconsideration of the 10 year moratorium by the vehicle of lawsuit against the Sitka Sound Sac Roe Fishery and based on discussions at our meeting yesterday I offer the following comments:

The department has management authority to open and close fisheries and establish areas for fisheries consistent with existing statutes and regulations to allow for sustainable harvest to occur. This authority has been delegated to me by the commissioner of the Department of Fish and Game for fisheries within the Sitka Management Area. As a department manager I don't have the authority to close fisheries for allocative purposes, however such authority resides with the Board of Fisheries.

In response to testimony by STA representatives at the Board of Fisheries meeting in Sitka in January, the Board raised the threshold for the Sitka fishery from 7,500 tons of mature spawning biomass to 20,000 tons and placed the new threshold and associated harvest rate policy into regulation. This increase was beyond the 15,000 tons requested by the Tribe, and beyond the 16,800 tons which the department analysis indicated would approximately maximize yield over the long run and provide for a sustainable harvest. Setting the threshold in regulation at levels beyond those recommended by the department was done by the Board of Fisheries for allocative reasons in order to provide a greater assurance that subsistence needs would always be met.

The Board of Fisheries did not adopt the proposal by STA to place a 10-year moratorium on the sac roe fishery, nor did they adopt a proposal to create a "commission" to manage the fishery. Instead they created a "region wide herring task force" under the direction of Mr. Miller of the Board of Fisheries to discuss issues of regional importance (such as closure proposals and allocations), and encouraged discussions concerning local issues by the existing Advisory Committees. At our meeting yesterday I recommended that STA contact Mr. Miller immediately to indicate your interest in an appointment to the regional herring task force. Mr. Miller will make appointments to the Task Force.

Regarding STA resolution to count pre-fishery test fishing sets against the sac roe fishery quota, my response was that the approach should be to minimize mortality and to minimize test fish sets to extent possible. I do not believe that there is a significant mortality associated with test fishing since sets are only held for a matter of minutes until samples can be taken, and then herring are released. I indicated that during a pre-fishery organizational meeting with fishermen I would ask which boats would allow on board observers. Whenever such boats are assigned by the department to make test sets, STA would be notified and could make arrangements to observe first hand if significant mortality is in fact occurring.

Regarding night fisheries, I carefully explained the circumstances which led to night fishing during the controlled harvest portion of last year's sac roe fishery. It is up to me as fishery manager to schedule fishery openings, and nothing in regulation prevents me from scheduling fisheries at night provided that they are orderly and manageable. Last year's night fishing occurred during a controlled fishery in which only 17 boats were allowed to fish at any one time. All sets had to be called in, including time, size of set, roe content, and whether the set was harvested or released. Sets at night were generally small, around six tons. I monitored this activity to ensure that 1) no large sets were occurring 2) progress was being made toward the quota without undue sorting and handling of herring, and 3) to ensure that fishermen kept to their agreement with the department for the controlled fishery. As I stated during yesterday's meeting I would not allow night fishing during a competitive fishery or when a large biomass of herring was present since the quota set for the fishery might be exceeded and such a fishery would be difficult to manage. I would like to emphasize that I have no plans to make night fishing a regular practice in the Sitka fishery. I am taking note of your concerns about night fishing and will consider those concerns in any decision which considers night fishing in the future, but I can make no promises in advance which could affect the outcome of this or any other fishery. Regulations are in place to guide the management of this and other fisheries.

Regarding management of the subsistence fishery I recognize both the food value and cultural importance of herring spawn to subsistence users in the Sitka Area. In order to provide for increased opportunities for subsistence harvest of herring spawn the following additional measures can be taken beginning with the 1997 season: 1) Daily aerial observations of herring spawn will be indicated on 8x11 spawn maps and faxed daily to the STA office for distribution to subsistence users. Those who are interested in more detailed information are welcome to contact the department directly. Subsistence harvesters could use this information to make informed decisions about where to locate their hemlock branches. 2) I have offered to take Jack Lorrigan, Ray Nielson Jr. and possibly others, as a passengers in our chartered aircraft (as circumstances allow) to make first hand aerial observations of spawn and herring activity to better indicate to Tribal Council members the type and quality of observations made by the department as a basis for management of the herring resource. 3) Some fishermen have offered to assist subsistence users in placement and/or retrieval of hemlock branches. I would be able to ask for such volunteers at the pre- sac roe fishery organizational meeting. 4) I look forward to hearing of any additional suggestions on the part of the Tribe for a more successful subsistence harvest during the 1997 season.

Regarding future studies of open pound harvest methods in Sitka Sound, my plans are to involve the Tribe in planning phases of the study to ensure that any possible conflicts with subsistence use of the resource are minimized.

I hope you find this letter informative of my willingness to work with the Tribe to begin to resolve some of your continuing concerns. I want to thank the Tribe for the courtesy of explaining your positions to me personally and for giving me the opportunity to do the same.

Sincerely,

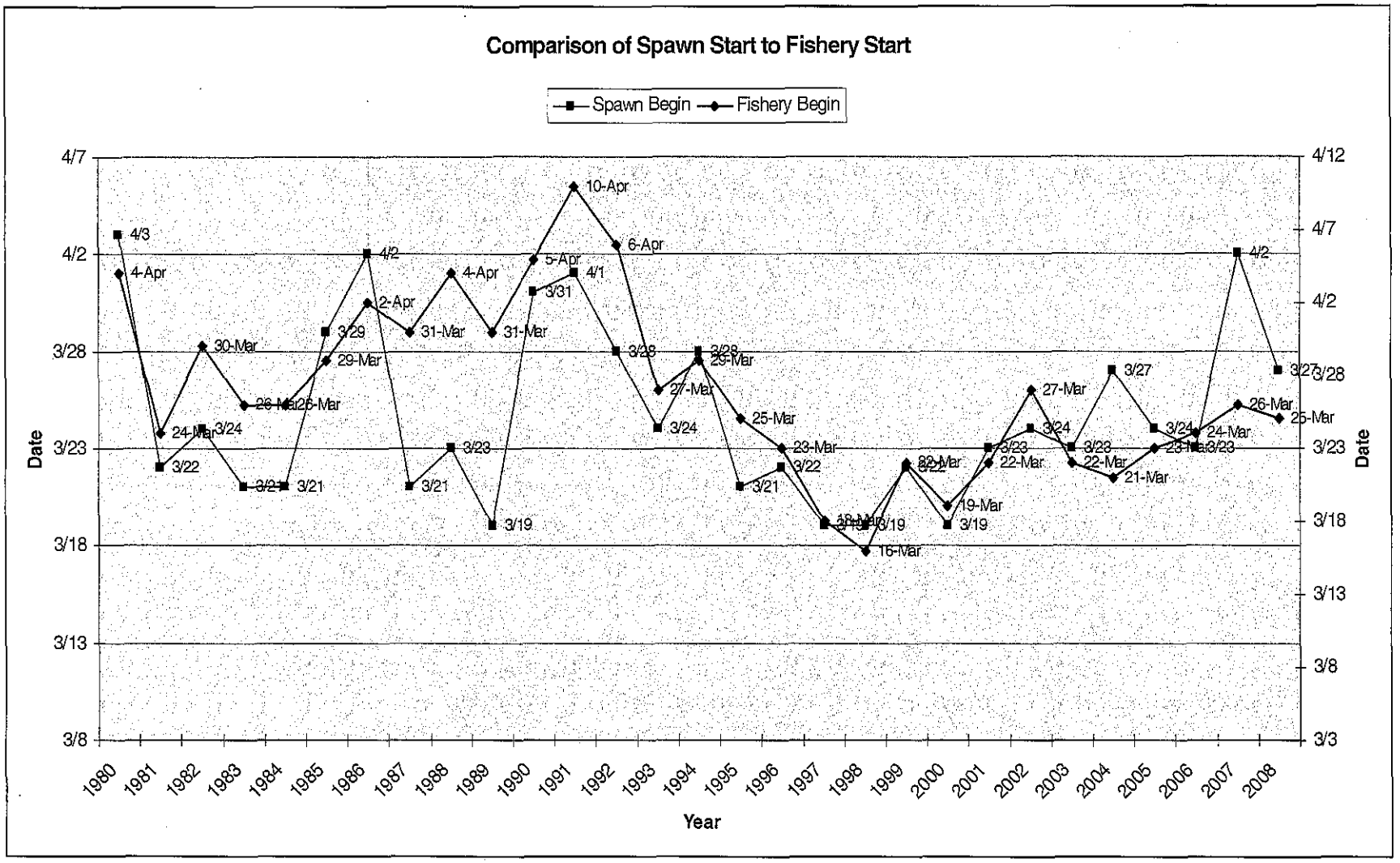
Bill Davidson

Bill Davidson
Sitka Area Management Biologist

cc Marty Weinstein, AG's Office
Doug Mecum, Regional Management Coordinator, ADF&G
Grant Miller, Alaska Board of Fisheries

Attached: 2/20/97 STA Council Resolution

The Sitka Sound commercial herring sac roe fishery used to occur after the initial spawn began. In 1997, the timing of the fishery changed, so now the commercial fishery occurs, and then the herring begin to spawn. This has created an intercept fishery which may be disrupting pre-spawning herring schools (source: ADF&G Sitka Sound Herring Sac Roe Fishery Data 1971-2008).



DRAFT

Cherry Point Reach
Management Plan

June 2008

Are Pacific Herring impacted by excessive intermittent sound?

Noise has been identified as a potential stressor on Pacific Herring (EVS 1999); most commercial fish react to vessel noise, and these reactions are most pronounced in migratory schooling fish which rely upon hearing to detect environmental cues, such as approaching predators. Nonetheless, the Cherry Point herring stock has continued to spawn on the Cherry Point shoreline and near the three existing marine industrial facilities despite vessel traffic and associated noise. It is unclear how vessels frequenting herring spawning grounds affect the fish. It is unclear if the noise affects either herring spawning success or individual health.

Ambient noise conditions in the marine environment are dependent on source, propagation, and absorption conditions. Underwater noise in the natural environment is strongly affected by currents; bottom topography; water density variation due to salinity, turbidity, and temperature; the presence of man made structures; noise from other sources; and surface conditions (wind and wave) (e.g., noise levels increase in shallow, hard bottom habitats). In the Cherry Point Reach, seafloor topography may create an unusual hydroacoustic situation. Alden Bank borders the western portion of the vessel-approach path. Sound produced by traveling vessels may reflect off Alden Bank and continue to resonate between the shore and the bank over the southern portion of the herring spawning area (EVS 1999).

Sufficient uncertainty exists from published studies and local conditions that one cannot make a definite statement that ship noise does or does not have any effect. Additional study is necessary to judge the effects of future increases in vessel traffic.

Summary:

1. Is our understanding of the effects of excessive noise and Cherry Point herring complete?
2. If not, additional study is necessary and why?
3. If so, how will new proposals be addressed given our understanding of these effects?

Can management of vessel traffic reduce potential impacts and the risk of an oil spill at Cherry Point Reach?

Since the industrialization of the Cherry Point Reach, significant efforts have been made by industry, government and the public to reduce the risk of oil spills and the impacts of commercial vessel traffic within this area. Projected increases and other changes in marine vessel traffic in the area may increase the risk of accidents. Increased vessel traffic increases the risk of impacts from crude oil and petroleum product spills, fugitive dust, and incidental discharges.

This Plan anticipates that vessel traffic includes all forms of commercial navigation including, but not limited to: cargo ships, tank vessels, barges, tugs, fishing vessels, research vessels,

water quality, create diversions in the local hydrology, disrupt sediment flow along drift cells, shade aquatic vegetation, and diminish the euphotic zone in the area of the facility. There is also potential for impacts form noise, prop wash, ballast water and waste discharges, fuel spills, hydraulic fluid spills, material spills, and other activities associated with these facilities that may directly and indirectly impact aquatic flora and fauna. All heavy industrial facilities at Cherry Point possess wharves and piers for commerce of their materials.

One of ongoing questions is how to quantify the amount of shading in order to appropriately assess if an adverse impact is occurring, and if so, how to mitigate for it. Nightengale and Simenstad (2001) addressed this question. In a laboratory setting, studies have shown that the threshold for the lowest levels of maximum prey capture for juvenile chum and pink salmon occurs between 10^{-1} and 1 foot-candles which is partially equivalent to 0.5 (PAR) Photosynthetically Active Radiation. This represents the lowest end of light levels characterizing dawn or dusk which ranges from 10^{-1} to 100 ft-candles. Measurements of light levels under ferry terminals have identified under-dock areas that drop below the threshold even in the high light conditions of summer. When light intensity falls below this threshold, the fish must "dark adapt" to rod vision. During this time they are in a state of blindness with visual adaptation taking between 35 to 50 minutes. This "dark adapt" process is likely what is reflected in fish pause or directional change behavior. To summarize, if an area on a pier is measured at dropping below 0.5 PAR, fish must adapt their eyesight, which can take 35 – 50 minutes, during which they are vulnerable to predation.

Nightengale and Simenstad concluded that during daylight hours, at very minimum, under-dock light levels must be maintained at levels above 0.5 PAR to avoid this behavioral interference. They point out that this lower threshold of light level only addresses migration delays and behavioral alterations associated with required visual adaptation to light intensity variations and transitions from cone to rod vision. Cone vision is often the only form of vision for larval marine fishes. Fish visual development takes place on varying levels. Within juvenile cone vision development stages, there are also varying levels of sensitivity to the full spectrum of ultraviolet wavelengths. As visual development proceeds, juvenile marine fishes are known to behave and feed in response to specific ultraviolet wavelengths, as compared to forms of artificial light, such as fluorescent lights. Note that artificial lighting does not contain both UV-A and UV-B spectra. Evidence reveals that juvenile fish, such as salmonids, feeding in shallow nearshore waters utilize natural ultraviolet wavelengths for prey capture. Therefore, Nightengale and Simenstad (2001) conclude that by allowing the transmission of increasing levels of natural light, and thus ultraviolet light spectra, to the under-dock environment this will reduce structural interference with fish ability to capture under-dock prey.

Are Pacific Herring impacted by excessive intermittent sound?

Underwater Noise in the Cherry Point Reach

There are three primary types of underwater noise:

- Physical – wind-driven, rainfall, breaking waves
- Biological – animal sounds
- Man-made – ship machinery, propellers, water disturbance.

A preliminary study conducted during pier maintenance at the ConocoPhillips Ferndale Refinery is the only available study of underwater noise in the Cherry Point Reach. This study, conducted in 2007, measured ambient noise levels ranging from 139 to 159 decibels (dB). The ambient noise consisted of sounds generated by above-water construction (a crane on a barge), normal operations at the marine terminal, and natural sources. These levels are comparable to those cited by Washington State Department of Transportation of 115 to 135 dB measured in the Hood Canal replacement project, and 136 decibels dB in Eagle Harbor on Bainbridge Island (Laughlin 2005).

Vessels as a Source of Underwater Noise in the Cherry Point Reach

In the southern Georgia Strait, non-recreational vessel traffic is dominated by cargo ships (34% of all traffic, as measured in total ship hours), passenger vessels (31%), tugs (17%), and tankers (9%), and low-frequency sound radiated by these ships comes largely from cargo ships (71%), passenger vessels (13%), tugs (7%), and tankers (5%). Recreational vessels are not frequent in the area of the piers.

The number of vessels fishing at Cherry Point has fluctuated from under 100 to over 500 over the years. When commercial fishing vessels are present in the area in relatively large numbers (e.g., 287 during spawning months in 1998), there is potential for elevated noise levels that could affect fish behavior.

The number of tankers and barges was projected to increase by 38 percent (from 330 vessels/year in 2002 at the BP pier). BP recorded 102 vessels docking during herring spawning months (April-June) between 2002-2007. Tankers entering the area coast to slow their speed. The escort tugs may be more responsible for generating transient sounds.

Vessels generate sound from engines, gearboxes, propellers, internal machinery, and movement through the water. Propeller cavitation has been identified as the most important source of underwater sounds in the ocean between 5 Hz and 100 kHz. Larger ships generate lower frequencies and higher amplitudes compared to smaller vessels such as commercial fishing or research vessels. Direct measurements of underwater noise generated by tank vessels in the Cherry Point Reach have not been made.

It is known that underwater noise from shipping including tank vessels and tugs during cruising, mooring, and unmooring, is generally continuous, 5 - 500 Hz in frequency, and 160 to 200 dB in loudness. Tank vessels emit relatively low-frequency sound. As they approach Cherry Point, tankers gradually reduce speed. Irregular pulses of sound from changing speed are not expected. Tanker generators and engines remain running while at the dock and tankers may take on ballast and cargo and are likely contribute to ambient sound.

Tugs that dock tankers or barges generate irregular pulses during maneuvering. There were 426 tug trips to the Cherry Point Refinery pier in 1998 during the peak spawning period of April through June.

Impacts of Continuous or Vessel-Generated Noise on Herring

Most of the literature on noise effects on herring is from studies on Atlantic herring. It is assumed that Atlantic and Pacific herring respond similarly to acoustic stimuli because of the similarities in their anatomy and behavior. It is unclear what conditions cause herring to react to sound. However, it is likely that herring would avoid vessels to some degree. Larger ships may influence Pacific herring behavior from a greater distance compared to smaller vessels. Decreased vessel speed probably results in decreased fish reactions.

Ambient noise levels may also affect herring response to vessel noise by determining when a vessel becomes audible or distinguishable from the background. Hearing thresholds may also be affected by the life history stage of some fish though there is no data to support this hypothesis. However, increases in noise may correlate with increased predation rates due to masking of a predators' signature.

A number of studies show that herring are able to detect vessels because vessels emit noise levels in the same frequency range as herring sound detection capabilities. The degree or magnitude of avoidance responses is dependent on fish depth and activity and vessel speed and noise levels. Actively spawning fish have been shown to react differently to acoustic stimuli compared to pre- or post-spawning adults. Studies suggest that post-spawning adults may be the most sensitive to acoustic stimuli from vessels. Herring also appear to be sensitive to noise when feeding.

The Metlakatla Indian Community in Alaska implement management practices based on field observation and acoustic surveys suggesting pre-spawning sensitivity. Their work suggests that herring avoid traditional spawning areas and spawn elsewhere in response to numerous vessels. Metlakatla managers noticed that when herring were arriving simultaneously with numerous fishing vessels (milling in the area to preview the stock), the herring tended to move away. When noise levels were reduced, herring returned.

Pacific herring in net pens exhibited avoidance behavior when large vessels approached the area. Large vessels approaching at constant speed generated more response than constant or decreasing sound amplitudes made by stationary or departing vessels. Avoidance "response" included disruption of feeding, sinking below the surface, and tightening and polarization of the school but return to pre-existing spatial orientation after the vessel has passed. Herring confined in a pen exhibited avoidance behavior at 118 dB within the frequency range of 60 to 3000 Hz. This behavior consisted of slowly moving away from the surface and the sound source but maintaining school structure (Schwarz and Greer 1984). Another study showed that herring exhibit a strong startle response at 80 Hz and 20 and 25 dB. Less and no response was exhibited in this study to sound levels from 30 to 40 dB. Avoidance ended within 10 seconds after the vessel began departing and its noise began diminishing in intensity.

Though the effects of noise on herring eggs has not been thoroughly researched, laboratory research suggests that noise may have lethal effects on the embryonic stage of sheepshead

minnow (*Cyprinodon variegates)* but no difference for longnose killfish (*Fundulus simulis)*. The research also showed that fry length and weight were higher in quiet tanks. There are no field studies which examined the effects of noise on herring larval stages. Although fish can habituate to sound levels, this is not a consistent response. Post-spawning Atlantic and Pacific herring may be more sensitive to acoustic stimuli than pre-spawning or spawning adults. Research also suggests that herring's continuous exposure to vessel traffic while migrating may promote habituation to vessel noise. Herring have shown an ability to adapt to high but constant noise levels. In general, sudden increases in sound amplitude promote a strong reaction than continuous sound levels.

The herring stocks at Fidalgo Bay and Quartermaster Harbor are also subjected to commercial vessel traffic. They have not exhibited the same decline in spawning biomass as the Cherry Point stock.

Pulsed Sound Effects

Fish also respond to continuous or pulsed nature of the sound. Irregular pulses of noise appear to have more of an effect in triggering a reaction than regular or continuous tones. Beyond 100 kHz the effect of vessel-radiated sonar noise is usually insignificant (i.e., low sound pressure). Sounds in the range of 20 to 60 Hz have no effect.

Uncertainty

Sufficient uncertainty exists from published studies and local conditions that one cannot make a definite statement that ship noise does or does not have any effect. Thus, consider the development of a cooperative research project to determine the present and projected amount of commercial traffic at Cherry Point, whether sound from these operations affects the spawning behavior of herring, and recommend viable solutions to recognized affects.

Can management of vessel traffic reduce potential impacts and the risk of an oil spill at Cherry Point Reach?

A number of regulatory agencies and committees are present in the state of Washington to oversee vessel traffic and work on promoting oil spill prevention. On the federal level, the Environmental Protection Agency is the lead federal response agency for oil spills occurring in inland waters, and the U.S. Coast Guard is the lead response agency for spills in coastal waters and deepwater ports.

At the state level, the Washington State Department of Ecology has a Spill Prevention, Preparedness and Response Program that focuses on prevention of oil spills to Washington waters and land, as well as planning for an effective response to oil and hazardous substance spills whenever they occur. Ecology also tracks vessel entries and transits in Washington state waters.

OFFICIAL POSITION OF THE SITKA TRIBE OF ALASKA

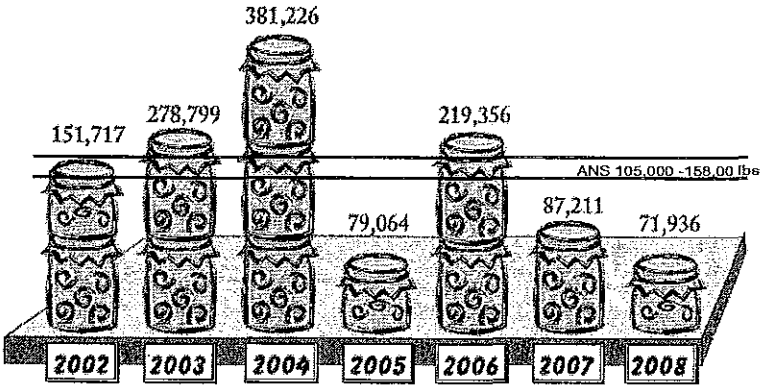
RC118

Establishing a Reasonable Opportunity
for Subsistence Herring Egg Harvest in 13A and 13B

EXECUTIVE SUMMARY

The Sitka Tribe of Alaska (STA) urges the State of Alaska's Board of Fisheries to implement regulations which provide a reasonable opportunity to harvest subsistence herring eggs as required under the state subsistence statute (AS16.05.258).

STA has been before the Board of Fish in 2002, 2006 and now 2009 with demonstrated subsistence harvest efforts *and* documented failed subsistence harvests [please see graphic below]. As you can see, in three of the most recent four years, subsistence herring egg harvesters have not been able to harvest the minimum amount of herring necessary for subsistence, as set in 05 AAC 01.716(b), despite diligent harvest efforts.



Total estimated pounds of herring spawn harvested by subsistence users in Sitka, 2002–2008.

Mike Turek, ADF&G Division of Subsistence, Juneau, 2008.

STA has submitted three proposals for consideration (203, 204 and 234) asking that the Board take action to (a) increase the amount reasonably necessary for subsistence and (b) address impacts to subsistence users from the commercial fishery to ensure a reasonable opportunity is provided for the subsistence harvest of herring eggs.

Proposal 234 asks that the amount reasonably necessary for subsistence, currently set at 105,000-158,000 pounds for Sitka be increased to 265,000-325,000 based on the documented needs of subsistence herring egg consumer in Sitka and around the state. According to STA's annual subsistence herring egg survey, when needs are met local residents use between 151,717-381,226 pounds of herring eggs. A statewide survey of needs indicates that subsistence herring egg needs are at least 451,000 pounds, thus the total documented need for herring eggs is 832,557 pounds. *See Appendix: Amount Reasonably Necessary for Subsistence* and *Resolutions in Support of STA* for more information.

STA **opposes Proposal 235** which would require all harvesters of herring spawn to obtain a permit and report harvest. Since 2002, STA and ADF&G Division of Subsistence have collaboratively implemented a post-season harvest monitoring program where in-person interviews are conducted with all known subsistence harvesters following ADF&G methodology to develop a highly accurate annual harvest estimate. Therefore, STA does not see any reason to now also require permits. *See Appendix 235: Permit Opposition* for more detailed information on this issue.

Proposal 203 requests that certain modifications be placed on the commercial fishery based on documented impacts of the commercial fishery on the subsistence opportunity. Proposal 203 requests that a cap be placed on the harvest rate percentage at 10%, the conservation threshold be raised above 20,000 tons, and the GHL be capped at

	Commercial Harvest	Subsistence harvest	
2001	***12,058 tons***	**Unknown – needs not met**	
2002	9,908 tons	151,717 pounds	(76 tons)
2003	7,076 tons	278,799 pounds	(139 tons)
2004	10,615 tons	381,226 pounds	(190 tons)
2005	***11,520 tons***	**79,064 pounds**	**(36 tons)**
2006	10,070 tons	219,356 pounds	(110 tons)
2007	***11,630 tons***	**87,211 pounds**	**(44 tons)**
2008	***14,700 tons***	**71,396 lbs**	**(36 tons)**

10,000 tons. STA submitted this proposal because there is great uncertainty regarding the health of the Sitka Sound herring stock. For the biological reasons behind this proposal *see Appendix D: commercial fishery impacts to subsistence.* Additionally, STA has observed a direct correlation between years when the commercial fishery has harvested greater than 11,000 tons and subsistence needs not being met as indicated on the above referenced table.

Proposal 204 requests that the herring biomass tested prior to commercial openings be included in the Guideline Harvest Level. Test fishing has been a long time concern of STA because of the undocumented seine mortality that occurs when test setting, impacts to pre-spawning schools of herring causing them to relocate, and because since 1997, the commercial fishery has been commencing prior to the first herring spawn. Thus, test fishing, while necessary for the commercial fishery, has a direct negative impact to subsistence harvesters of herring eggs.

STA also **supports Proposal 200** and **opposes Proposal 217**. STA believes that the regulations require ADF&G to identify stocks of herring on a spawning area basis and assess the abundance of mature herring for each stock prior to commercial fishing. In 2005 and 2006 STA conducted a study of herring otolith microchemistry and stable isotope analysis that concluded that there may be 2 stocks of herring in Sitka (i.e. Sitka Sound (north and south of Makhnati Island) and Salisbury Sound). Salisbury Sound herring population spawns 14-18 days after the main spawning event in Sitka Sound, which is also an indication of life history differences of a discrete stock. When there is a poor subsistence harvest from Sitka Sound the entire state suffers.

TRADITIONAL USE OF HERRING EGGS

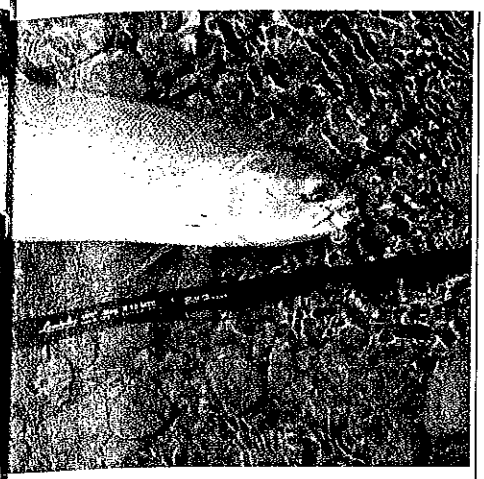
Ancient geographic place names and traditional stories document the importance of herring to the Tlingit people. While open skiffs have replaced wooden canoes, each spring tribal harvesters anchor hemlock boughs in the intertidal waters of Sitka Sound to harvest herring eggs. Successful harvests depend upon protected intertidal areas where the ocean bottom is not too sandy. Many areas in the region of Southeast Alaska have been commercially over-fished, making Sitka's herring eggs important not only to Sitka residents but to family, elders and friends throughout the region and state.

PREVIOUS EFFORTS TO REMEDY SITUATION

Due to a dismal harvest season for subsistence herring egg gatherers in 2001, STA petitioned the Board of Fisheries (BOF) to ask that new regulations be enacted to limit the effect of the commercial herring fishery on the subsistence harvest of herring eggs. In response, at its January 2002 meeting, BOF enacted three new regulations and required ADF&G and STA to create a "Memorandum of Agreement" (MOA) to ensure collaborative management between ADF&G and STA for the commercial and subsistence herring fisheries. Specifically, the State and the Tribe agreed to coordinate collaborative responsibilities that include: (1) participation in the pre-season stakeholder meeting and post-season meetings, (2) communication regarding each commercial opening, and, (3) conducting a collaborative post-season subsistence harvest survey. The regulations set the amount reasonably necessary for subsistence herring eggs in Sitka Sound at 105,000-158,000 pounds per year, directs ADF&G to consider the quantity and quality of herring eggs in the commercial and subsistence herring fisheries, and requires ADF&G to disperse the commercial fishery if necessary to allow for a reasonable opportunity for subsistence harvest (5 AAC 01.716(b), 5 AAC 27.195(b) and 5 AAC 27.195(a)(2)).

Since 2002, the MOA has provided a structural base for STA and ADF&G to participate and communicate in the cooperative management of the commercial and subsistence herring fisheries in Sitka Sound. The MOA was designed to provide the structure for communication between STA and ADF&G to implement the regulations. The MOA and regulations combined were designed to give ADF&G the tools necessary to provide a reasonable opportunity for subsistence and manage the commercial fishery, with the amount reasonably necessary for subsistence establishing the benchmark of whether a reasonable opportunity was provided. Unfortunately ADF&G has been unable to provide a reasonable opportunity to subsistence users in 3 of the 4 most recent years, and thus STA has proposed revising the regulations which will be able to ensure subsistence users receive a reasonable opportunity.

Curran 2/18 RCH9



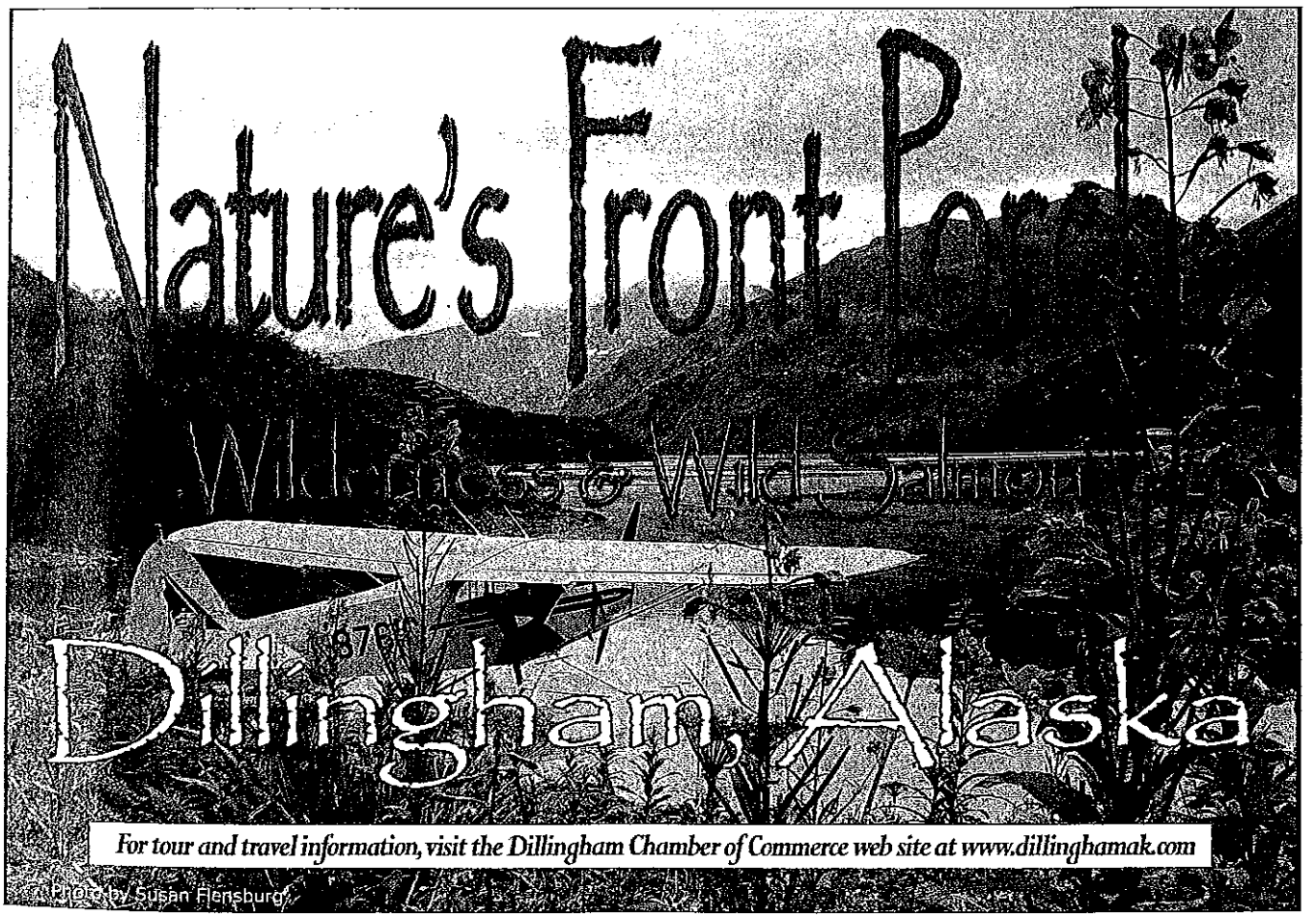
Practice, Practice

The real key to success when chucking heavy metal is to get out on the water and do it. It may take an entire season of dedication to get it all down, but it's worth it. There's nothing quite like the feeling of a big fish chomping down on your spinner and fall's a great time to get out there and try it.

JD Richey is a contributing editor for Fish Alaska.







2/5/2009

RC120

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

2008 Annual Report on Management Of Customary and Traditional Herring Harvest

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Executive Summary

In 2008, the Sitka Tribe of Alaska (STA) attempted to participate in the collaborative management of the Sitka Sound Sac Roe Herring Fishery with the Alaska Department of Fish and Game (ADF&G) for the sixth consecutive season. The Sitka Tribe Herring Liaison attended meetings and communicated with represeniatives from the (ADF&G), commercial fisherman, processors, and the STA Herring Committee. The amount of communication between ADF&G and STA prior to and during the fishery was acceptable and the ADF&G dispersed the fishery at the request of STA. However, subsistence needs were not met in 2008 and STA has the following major concerns with the 2008 Sitka Sound Herring Fishery:

Background

Due to a poor harvest season for subsistence herring egg gatherers in 2001, STA petitioned the Board of Fisheries (BOF) to ask new regulations be enacted to limit the effect of the commercial herring fishery on the subsistence harvest of herring eggs. In response, at its January 2002 meeting, BOF enacted three new regulations and required ADF&G and STA to create a "Memorandum of Agreement" (MOA) to ensure collaborative management occurred between ADF&G and STA for the commercial and subsistence herring fisheries. The regulations set the Amount Reasonably Necessary for Subsistence herring eggs in Sitka Sound at 105,000-158,000 pounds per year, recognized the quantity and quality of herring eggs are important to both the commercial and subsistence herring fisheries, and required ADF&G to disperse the commercial fishery if necessary to allow for a reasonable opportunity for subsistence harvest.

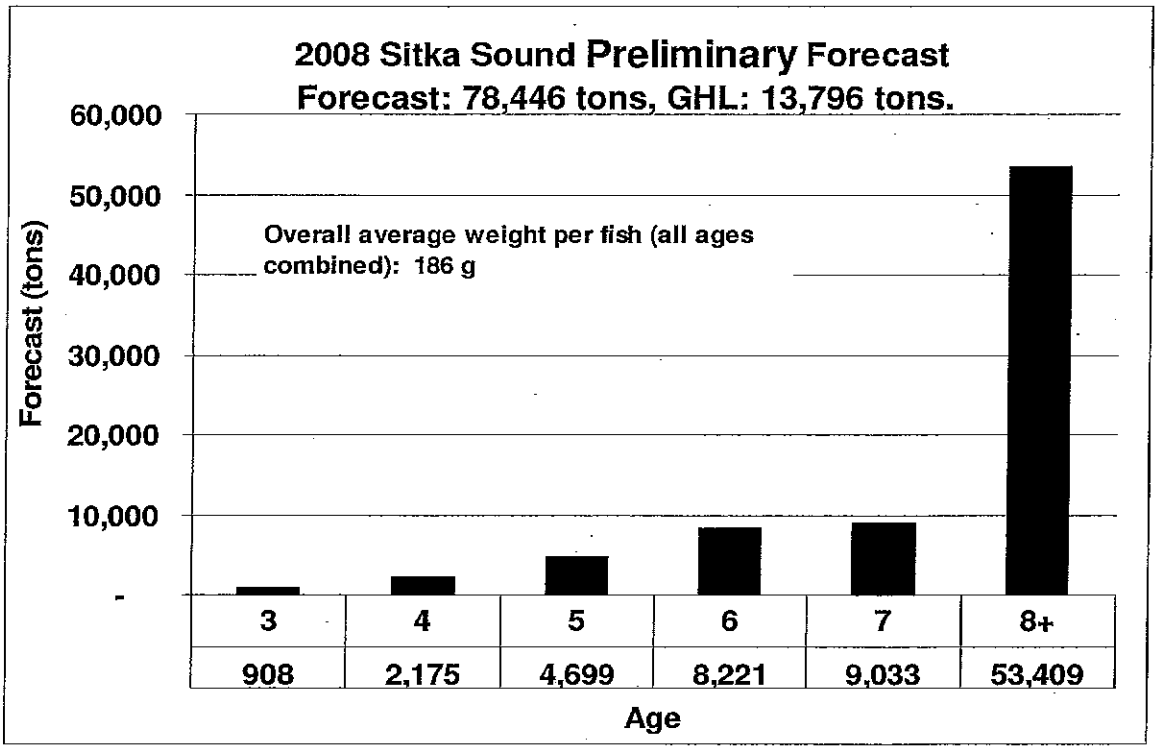
Since 2002, the MOA has provided a structural base for STA and ADF&G to participate and communicate in the collaborative management of the commercial and subsistence herring fisheries in Sitka Sound. The MOA was designed to provide the structure for collaboration between STA and ADF&G to "distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest" while ensuring that the department "considers the quality and quantity of herring spawn on branches, kelp and seaweed, and herring sac roe when making management decisions regarding the subsistence herring spawn and commercial sac roe fisheries."

2008 Management

A. Pre-Season Management

On November 29, 2007 ADF&G Commercial Fisheries Division met with STA Herring Committee to notify them of the 2008 preliminary Gross Harvest Limit (GHL). ADF&G released the preliminary GHL for the 2008 Sitka Sound Fishery to the general public on December 3, 2007 at 13,796 tons. The preliminary forecast indicated the spawning stock would consist of 4% age-3, 6% age-4, 9% age-5, 13% age-6, 12% age-7, and 57% age-8+ (Figure 1). STA staff drafted a press release in response to the preliminary GHL. The Tribe stated that they were alarmed at the record GHL in light of the poor subsistence herring egg harvest the past 2 out of 3 years.

Figure 1. 2008 report by Mark Pritchett, ADF&G.



STA representatives (Tom Gamble, Eric Morrison, Al Wilson, Mike Baines, Harvey Kitka, and Heather Woody) participated in the Southeast Alaska Herring Sac Roe Pre-Season Meeting on January 31, 2008 with ADF&G and the commercial herring fisherman. Dr. Sherri Dressel and Marc Pritchett from ADF&G presented the stock status review, which includes 2007 spawn data, 2008 biomass forecast, and a review of other herring stocks. Dr. Sherri Dressel stated that changes to the ASA forecast model have been made over time. In 2007 the department began using two maturity and selectivity schedules, and the Ricker spawner-recruit relationship for age-3 herring. Marc Pritchett stated that the highest spawn density (824,316 eggs/m^2) on record occurred in 2007, over 47% above the average spawn density. This high spawn density data is contrary to the virtual lack of recruits into the population. Marc Pritchett also noted that there were 3 separate spawning events in Sitka Sound in 2007. These differences in spawn timing and locations may indicate separate stocks. Through STA's herring research we found that the otolith chemistry from Salisbury Sound is distinct from northern and southern Sitka Sound, indicating that these fish stocks can be considered to be separate groups of randomly mating, reproductively isolated individuals with temporally or spatial integrity, which exhibit differences in life history parameters (Begg and Waldman, 1999). Dr. Sherri Dressel stated that the Sitka Sound herring stock is

composed of older fish, and all Southeast Alaska stocks are experiencing lower numbers of age-3 herring. Since 2002 the maturity rates for age-3 and age-4 have decreased. Since 2003 the stock has experienced fewer recruits and slower growth, indicating a declining biomass, thus population age is relatively older when recruitment is poor. According to Pacific herring researcher Dr. Evelyn Brown, Sitka and Prince William Sound herring recruited on a 4-year cycle, however this cycle seems to have ended in 2000.

On February 4, 2008 the ADF&G conducted winter herring sampling in Sitka Sound. On March 1st, ADF&G released the revised GHL of 14,723 tons after the winter herring test fishery. This was a 7% increase from the initial forecast. ADF&G cited weight-at-age data from the winter herring sampling as the reason for the increase. Weight-at-age can be misleading as herring weigh the most prior to spawning, after which their weights are reduced. STA staff drafted a press release in response to the record GHL and the 7% increase.

ADF&G began aerial surveys on March 13th. Herring Committee met on this day and motioned to close the traditional area to the commercial herring fishery. On March 17th the permit holders were standing down to fishing due to price negotiations.

On March 18, STA staff Eric Morrison, Helen Dangel, and new Herring Liaison Roy Levine met with ADF&G Fisheries Manager, Dave Gordon and Eric Coonradt to discuss the ADF&G strategy for the 2008 herring fishery.

The R/V Kestrel arrived in Sitka on March 22nd to begin acoustic surveys while the permit holder and processor reached a price negotiation. The first test fishery was conducted at Old Sitka. With samples of 10% mature roe, the department announced a 2-hour notice effective at 8:00 AM, March 24th.

Sitka Tribe's staff and Tribal Council organized a community dinner for subsistence herring egg harvesting support the evening of March 24th at the Community House. National Geographic videographers documented the dinner.

B. In-Season Management

Roy Levine was the STA Herring Liaison for 2008, with Eric Morrison and Helen Dangel as alternates. Roy communicated with Dave Gordon, ADF&G Fisheries Manager, during the season, and listened to broadcasts on the VHF radio, channel 10.

On March 21st, the STA Herring Committee met and passed a motion to close the primary tribal subsistence area, requesting a no-fishery zone from "Signal Island south to Makhnati Island, then east to Aleutski Island, and northeast to the Baranof Island shore at the O'Connell Bridge, then north to Harbor Point along the HPR road system, drawing a line northwest from Harbor Point to South Little Gavanski Island, continuing west to North Crow Island, from South Crow Island continuing southwest to South Gagarin Island, and completing the line at Signal Island" (Map in Attachment A).

On March 23rd at 9 AM, ADF&G held a Task Force meeting with Dave Gordon and Bill Davidson; permit holders, Ron Porter and Cindy Fuglvog; processors, John Baird (Icicle Seafood), and John Hickman from Sitka Sound Seafood; and Al Wilson, Roy Levine and Eric Morrison from STA. The Task Force discussed the disbursement of the fishery in light of STA's letter, which Mr. Gordon stated was a departure from what the Tribe did in the past. In 2007, the Tribe did request a no-fishing area; however it wasn't prior to the fishery. The processors and permit holders stated they felt that the reason

we did not get herring eggs in the past was because we didn't have enough harvesters, so they offered to assist with harvesting in order to help the Tribe get the amount of eggs they need.

The STA Herring Committee met later the evening of March 23rd. The committee passed motions to draft letters to the Federal Subsistence Board requesting emergency closure of federal public waters, and to the Secretaries of the Interior and Agriculture to petition for assertion of Extraterritorial Jurisdiction to enforce ANILCA. These letters were distributed March 25th.

On March 24th, STA staff: Roy Levine, Eric Morrison, and Heather Woody attended the ADF&G pre-fishery meeting with the commercial herring fishermen, processor, and tenders. Dave Gordon stated that Sitka's processing capacity for herring sac-roe has increased to 1,800 – 2,000 tons a day, not including the Canadian processors. Dave Gordon announced that he planned on conducting 4 openings, at 3,700 tons per opening, with 1-day between openings, for a total of 7 days. Mr. Gordon stated that based on winter samples, the 2007 and 2008 herring seemed to be growing better than the previous trend of poor growth rates. However he did state that the department is finding slower growth and maturation rates for age-3 and age-4 herring, and that there are age-5 and age-6 herring that are not mature, which is very different than what has been observed. Mr. Gordon stated, "No other populations are experiencing this trend," and for forecasting biomass, the department "doesn't know what this means." Also mentioned at this pre-fishery meeting, was the initial letter the Sitka Tribe sent to Mr. Gordon requesting a no-fishing zone in the traditional subsistence herring egg harvest area, no test fishing in this area as well (Attachment A). Mr. Gordon stated that he makes the decision to test fish and he didn't agree with refraining from test fishing in this requested no-fishery zone. He went on to say that only the Board of Fisheries can make decisions like this, and he follows the management plan; making the decision to have no closed waters for the commercial fishery. Dave suggested that if the Tribe wants the traditional area closed to commercial herring fisheries, then the Tribe should submit a proposal to the State Board of Fisheries.

On March 24th, Sitka Tribe received a letter from the processors and permit holders of Sitka Sound sac roe herring fishery, offering to take Tribal Citizens out to help them harvest herring eggs. Some staff and Council from STA did go out on the *F/V Rogue*, owned by Sitka Sound Seafood, but it contributed little to the overall harvest.

On March 25th, Mr. Gordon called the Herring Liaison at 12 PM to let him know there might be a potential opening at 3:00 PM at: Middle Island to the southern tip of Little Gavanski Island to the northern tip of Big Gavanski Island to the eastern tip of Siginaka Islands to the Krestof Island shoreline and east of a line from the southern tip of Kresta Point to Guide Island to the northern tip of Gagarin Island then east to Crow Island. The Herring Liaison checked with the proper people within the committee and council, and returned the call at 1 PM with no objection. The first opening occurred at 3:00 PM and lasted until 4:00 PM. Due to slow catch rates, ADF&G decided to expand the area westward to include the waters north from Bieli Rock to the Kruzof Island shoreline and south of a line from Rob Point to Point Brown, effective at 5:30 PM. Apparently Mr. Gordon felt this was an extension of the first opening, and did proceed to consult the Herring Liaison for this opening (Map in Attachment B). The opening lasted until 7:00 PM. Mr. Gordon estimated that a total of 1,000 tons at 12% roe content was harvested in the two openings.

On March 26th, Mr. Gordon called the Herring Liaison at 12 PM to consult about a potential opening at 2:25 PM. Mr. Levine contacted the Herring Committee and Council, and returned the call at 1:10 PM stating that the Tribe had no objection. The 2nd opening included the Kruzof Island shoreline enclosed by a line from the southeastern-most tip of Kresta Point to the northernmost tip of Gagarin Island to Bieli Rock too Vitskari Rocks to the eastern tip of St. Lazaria Island (Map in Attachment C). ADF&G

opened the fishery again at 4:00 – 4:30 PM. Apparently Mr. Gordon felt this was again an extension of the first opening, and did proceed to consult the Herring Liaison for this opening. The preliminary harvest for the opening on March 26th was 6,000 to 7,000 tons. The herring began spawning at Shoals Point on March 27th. STA staff, Heather Woody and Rich Didrickson, collected spawning herring samples at Shoals Point. They were able to observe the fishing boats and tenders pumping fish from the seine nets. Heather Woody was able to collect samples from the unaccounted fishing mortality, as there were thousands of dead herring floating all along the Kruzof Island shoreline. On March 30th, the Herring Liaison talked to Mr. Gordon at 11:30 AM. Mr. Gordon stated that the tenders were still pumping herring at Shoals Point. Mr. Gordon updated his harvest estimate at 9,300 tons. Later that day, when the Herring Liaison spoke to Dave Gordon, the harvest was then estimated 11,000 tons. The department then released update #8, which reported that 10,640 tons was harvested to date, leaving an additional 4,100 tons remaining of this season's GHL.

On March 27th Mike Baines, Al Wilson, and Eric Morrison were featured on Raven Radio's "Give and Take" call in show, hosted by Steve Will. They shared a tribal perspective to listeners, and express some concerns about the status of the Sitka herring stock.

On March 29th, at 9:40 AM, Dave Gordon called STA staff to inform us that a test set in Promisula Bay had 12% roe content, and they were waiting for the results from test sets in the Siginaka Islands.

On March 31st, at 11AM, Dave Gordon announced a potential opening later that day at Lisianski Point, Big Gavanski Island, Siginaka Islands, Krestof Island and Olga Strait (Map in Attachment D). Eric Morrison, alternate Herring Liaison, called the Herring Committee and Council for a response. STA objected to the opening, and the Herring Liaison called Dave Gordon at 1:30 PM to communicate the objection to the opening. The 3rd opening started at 1:40 PM and ended at 6:10 PM. The preliminary total harvest was 4,065 tons. Mr. Gordon called the next day to report that they were done harvesting. Herring continued to spawn on the Kruzof Island shoreline, from Shoals Point to Fred's Creek.

Below, Table 1 details the three commercial herring sac ore fishery openings in 2008. The STA Herring Committee wrote a letter of opposition on the March 31st opening. The Herring Committee also wrote a letter to ADF&G requesting a no-fishery zone in the traditional subsistence herring egg harvest area. On March 25th, the Herring Committee submitted letters to the Federal Subsistence Board requesting emergency closure of federal public waters, and to the Secretaries of the Interior and Agriculture to petition for assertion of Extraterritorial Jurisdiction to enforce ANILCA.

Table 1.

DATE	LOCATION	AMOUNT HARVESTED (tons)
3/25/2008	N. Middle Island/Inner Point	941
3/26/2008	S.E. Kruzof Island	9,649
3/31/2008	East of Siginaka Islands	4,065
	TOTAL	**~14,700**

C. Summary of Commercial Test Fishing

The STA Herring Committee is concerned with the locations and amounts of test sets coordinated by ADF&G. Below, Table 2 summarizes reports provided by ADF&G and processors as to the number of test sets conducted during the 2008 season. There were 14 test sets, totaling 1,460 tons that were reported to the processors during the 2008 season. This is significantly less test fishing than more recent years (39 test sets in 2007), which is probably due to the lengthy price negotiations between the permit holders and the processors. The commercial fishery began test setting on 3/22/08 in the vicinity of

locations important for the subsistence harvest of herring eggs. The Herring Committee believes that excessive test setting disrupts the spawning behavior of the herring, i.e. spatial homing, in Sitka Sound, thus negatively impacting the reasonable opportunity to harvest herring eggs. The majority of the test sets were within the no-fishery boundary established by the STA Herring Committee.

Table 2.

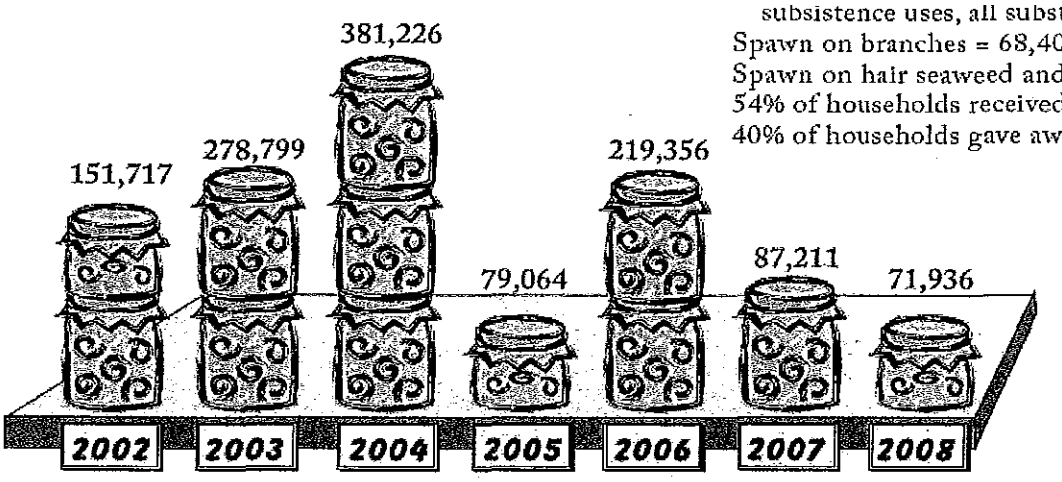
DATE	VESSEL	LOCATION	TEST SET (tons)	% MATURE ROE
3/14/2008	Hukilau	Salisbury Sound	35	0
3/22/2008	Jean C	Old Sitka Rocks	100	13.5
3/24/2008	Perseverance	N. Middle Island	150	9.1
3/24/2008	Pillar Bay	N. Old Sitka Rocks	200	13.2
3/25/2008	Perseverance	N. Crow Island	80	12.5
3/25/2008	Ocean Summer	Halibut Point	150	11.1
3/25/2008	Karine Britt	S. Old Sitka Rocks	200	11.4
3/25/2008	Outlook	Nakwasina	70	12.2
3/25/2008	Perseverance	Boarder Rocks	50	10.6
3/26/2008	Commander	S. Old Sitka Rocks	50	12.5
3/26/2008	Pacific Lady	Halibut Point	75	11.6
3/26/2008	Andy Sea	Inner Point	100	11.3
3/31/2008	Emily Nicole	Promisula Bay	100	12.8
3/31/2008	Agave	E. Siginaka Islands	100	15.2
		TOTAL	**1,460 tons**	**AVG 12.07%**

D. Customary and Traditional Herring Harvest Monitoring

The State of Alaska secured funding for the 2008 Herring Harvest Monitoring Survey (HHMS). The Sitka Tribe of Alaska funded the actual surveying. Mike Turek, from ADF&G Subsistence Division, and Helen Dangel, from Sitka Tribe of Alaska, revised the survey for 2008 to improve the flow and add questions about the future of harvesting. The 2008 survey included a Makhnati Island/Causeway Islands supplemental survey for historical subsistence herring egg harvesting in the federal waters for a separate research project. The surveyors hired for the 2008 season were Dan Williams, Roy Levine, Mark Young, and James Craig. For the HHMS, 127 households were surveyed. Tribal Citizens and anyone who harvested herring eggs were surveyed. The survey was completed and given to ADF&G on June 12.

Survey results as extrapolated by ADF&G are below:

In 2008, the total estimated harvest of herring eggs for subsistence users was 71,936 pounds - on all substrate, i.e. hemlock branches, Né, and Macrocystis (Figure 2). Of the 71,936 pounds harvested, 68,409 lbs, or 95% of the total amount harvested was gathered on hemlock branches, and 3,527 lbs, or 5% of the total amount harvested was gathered on Né and Macrocystis. This is well below the amount reasonably necessary for subsistence as set in regulation 5 AAC 01.716 (7) (b)), which sets the amount reasonably necessary at 105,000 – 158,000 pounds annually. Also it is noted that 54% of the households surveyed received herring eggs, while 40% gave away herring eggs.



Total estimated pounds of herring spawn harvested by subsistence users in Sitka, 2002–2008.

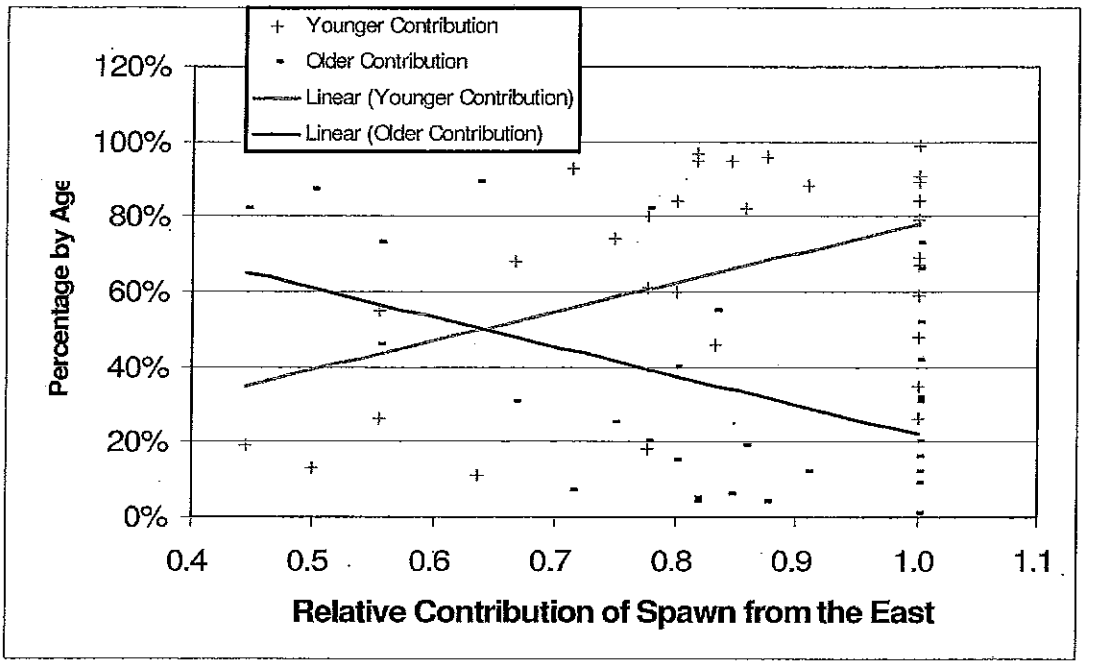
Figure 2. Data and figure provided by Mike Turek, ADF&G Division of Subsistence, 2008.

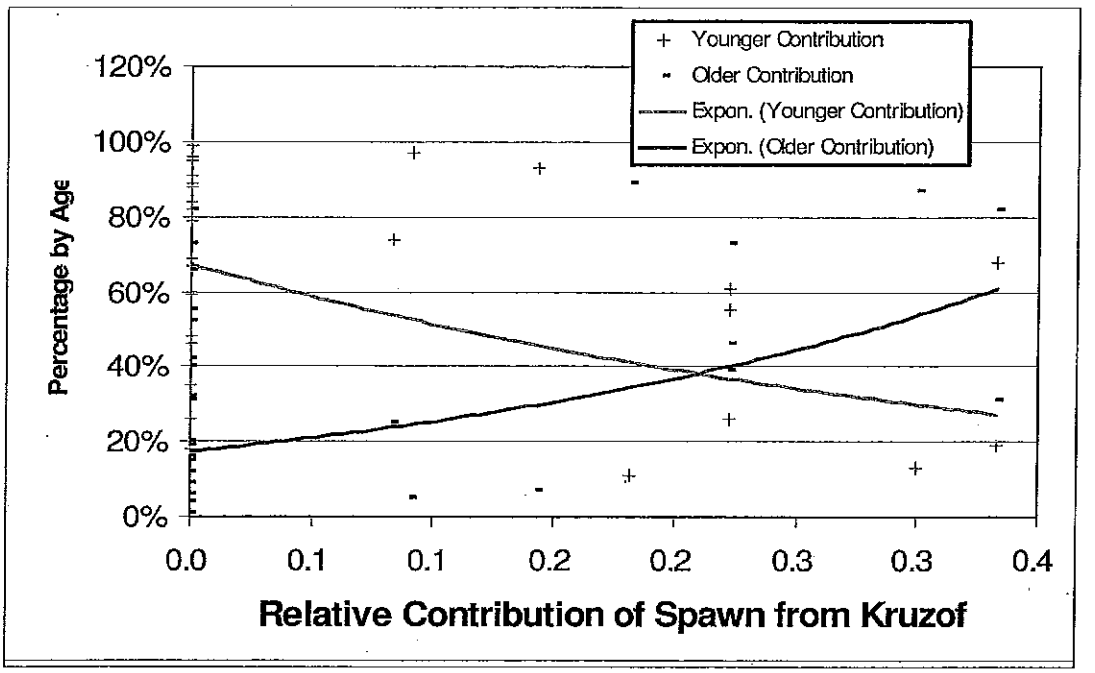
In general, the herring harvest monitoring survey comments focused on concerns about the management of the commercial harvest of the herring, specifically the GHL (quota) was too high. About forty households commented on the poor quality of spawn in 2008, stating it was less than what we received in 2007. It is noted that subsistence has to fish where there is a fairly good amount of spawn. Also noted are several complaints of branch theft. As the subsistence resource is reduced due to a poor spawn year, the demand for subsistence herring eggs increases which can lead to more branch theft.

E. Conclusion

A reasonable opportunity for the subsistence harvest of herring eggs requires a span of no less than 3 days of spawn in one particular area. When a large school of herring is identified by ADF&G to have 10% mature roe or greater, extensive test fishing and a proposed fishery soon follows as documented by past seasons. Consequently *IF* a fishery is prior to spawning, then the commercial fishery disturbs the natural behavior of pre-spawning herring. Once the herring are disturbed, they disperse, and then the reasonable opportunity for subsistence is jeopardized. ADF&G has not adequately ensured a reasonable opportunity for subsistence before providing for other consumptive uses. This is believed to be the situation for the 2008 season, as the March 26th opening trapped a huge biomass of pre-spawning herring in the shallows of the Kruzof Island shoreline, and proceeded to have an uncontrollable harvest that exceeded 10,000 tons. A single harvest of this magnitude may have irreversibly disrupted a herring stock, and more than likely removed the repeat spawners that would have had knowledge of migration routes and selecting spawning habitats. Prior to 2002, ADF&G used to conduct the fishery after the herring began initial spawning, allowing the fish to hit their natal beach to spawn naturally. In this manner, the fish were allowed to move into their spawning grounds, thus the commercial fishery would occur right on the spawning grounds, and subsequently in the traditional subsistence herring harvest area. With the intentions of dispersing the fishery, ADF&G now conducts the fishery away from the traditional areas, and the fishery has evolved into an intercept fishery, which is catching herring in pre-spawning schools. It is believed that this change in the timing of the fishery with herring spawn time is the cause for herring not to spawn in their traditional areas. If there is a large spawn on the western shores of Sitka Sound, i.e. Kruzof Island, then recruitment is low, however if the spawn occurs on the eastern shore of Sitka Sound, then recruitment is high (Figure 3).

Figure 3. Relationship of recruitment of herring in Sitka Sound relative to herring spawn on the western shores vs. eastern shores. Figure provided by Dr. Evelyn Brown and Heather Meuret-Woody, 2008.

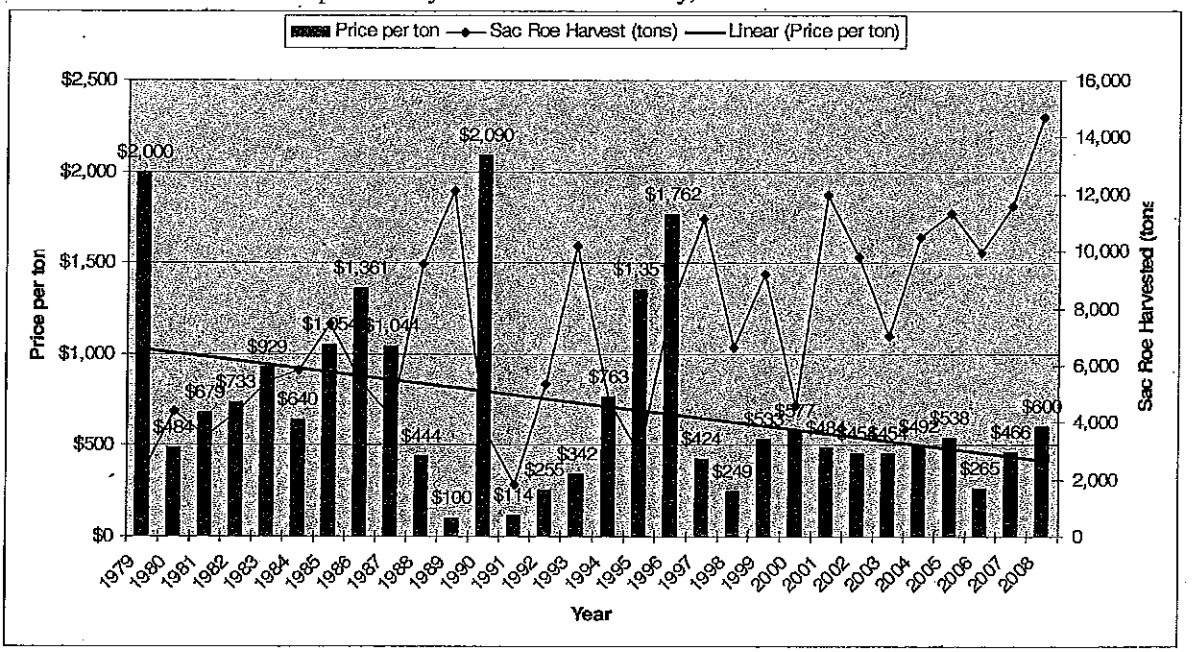




Although the market peaked in 1996, in the past 12 years, the market has significantly dwindled down for herring sac roe. At the market peak, herring was $1,700 a ton, compared to $200 - $500 a ton in more recent years (Table 3.) Despite a dwindling market for sac roe, the subsistence priority afforded by the State of Alaska continues to take a back seat to a commercial herring fishery. This is evidenced by the harvest strategy change and the increase in the Guideline Harvest Limit to 20% from 1997-2008, despite the department's noted remarks on the decrease of the spawning biomass, slower growth and maturity rates, and missing lower age classes. Even though no regulations have restricted subsistence opportunity for subsistence herring eggs in Sitka Sound, the implementation of the commercial fishery without further restriction has created an actual restriction on subsistence opportunity.

Table 3.

The herring sac roe market was strong in the late 1970s and again in the mid-1990s, however for the past 12 years, the market has significantly dwindled for sac roe from Sitka Sound and the Togiak – Bristol Bay region, while the market prefers sac roe from British Columbia. Table provided by Heather Meuret-Woody, 2008.



Under state law, if a fish stock is able to be harvested consistent with sustained yield principles, the State is obligated first to determine what amount of the resources is reasonably necessary for subsistence uses, and then allocate an amount available for harvest by non-subsistence users (Alaska Statute 16.05.258). Further, the State shall adopt regulations providing for a reasonable opportunity for subsistence uses, and then provide regulations that provide for other uses of the stock (AS 16.05.258). While the State has found herring and herring eggs a subsistence resource in Sitka Sound, established the amount reasonably necessary for subsistence, and provided further regulation to provide for reasonable opportunity for subsistence, subsistence opportunity under state regulation is still not being met. STA believes this is because the regulations designed to protect subsistence uses are not being implemented effectively, or may not work at all. The current ADF&G management strategy in regards to the commercial fishery does not ensure that a reasonable opportunity for subsistence uses is provided each year, because the law and regulations allow ADF&G to permit the commercial fishery to harvest the very fish the subsistence harvesters are relying on. The current management strategy also has no

mechanisms required to take action when a reasonably opportunity is not met. Through many years of working with the current management regime and the MOA between STA and ADF&G, STA believes that something further must be done. STA feels the herring egg surveys that Fish and Game Subsistence

Division assists with are an important key in the subsistence management of herring eggs; however the Subsistence Division should be more of a participant in the fishery and processes. The MOA states that "STA and ADF&G are to participate and communicate in a collaborative management of the commercial and subsistence herring fisheries in Sitka Sound," however until STA can be an equal with the state as required in a government-to-government relationship, there is not collaborative management occurring.

STA concludes that in 2008, a reasonable opportunity to harvest subsistence herring eggs in Sitka Sound was not provided by ADF&G. STA concludes this in light of 1) subsistence harvesters in 2008 were unable to harvest the amount reasonably necessary for subsistence, as set by state regulation, while the commercial fishery was able to reach their record-setting quota, 2) that there appears to be a conservation concern for the herring biomass in Sitka Sound based on current scientific evidence regarding the health of the Sitka Sound herring stock, and other Southeast Alaska herring stocks, and 3) Sitka Tribe recommends that the commercial fishery occurs after the herring begin to spawn.

Attachment A: March 21, 2008 letter to ADF&G requesting a no-fish zone
Attachment B: ADF&G Opening 1 announcement
Attachment C: ADF&G Opening 2 announcement
Attachment D: ADF&G Opening 3 announcement

RC 121

Sitka Tribe of Alaska
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Tribal Council Resolution 2009-14

In Support of Board of Fisheries Proposal 200 - Establish minimum threshold levels for the herring stock in Area 13-A(Salisbury Sound) and In Opposition to Board of Fisheries Proposal 217 - Amend regulation to include Area 13-A with 13-B (Sitka Sound) in the Sitka Sound commercial herring sac roe fishery.

WHEREAS, Sitka Tribe of Alaska is the federally recognized tribal government responsible for the health, safety, welfare and cultural preservation for more than 4,020 enrolled Tribal Citizens residing in Sitka, Alaska; and

WHEREAS, the Sitka Tribe of Alaska's traditional territory reflects the lands and waters historically and presently the stewardship responsibility of the Sheet'ka Kwaan. The relationship between the Alaska Native people in Southeast Alaska and the resources of the land and sea is so close that an entire culture is reflected in the traditional laws passed on from generation to generation which mandate conservation and perpetuation of subsistence resources; and

WHEREAS, Article VII Section (1)(h) of the Constitution of the Sitka Tribe of Alaska specifically directs the Sitka Tribal Council "to protect and preserve the Tribal property and the wildlife and natural resources within those areas under the jurisdiction of the Tribe;" and

WHEREAS Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs from Sitka are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has identified a sub-population of herring specific to Salisbury Sound (13-A) using both trace elemental analysis and stable isotope analysis of herring otolith samples collected in 2005 and 2006; and

WHEREAS, There is no definition of biomass availability or harvest guidelines for 13-A that allows for a commercial sac roe fishery; and

WHEREAS ADF&G lacks any knowledge to justify that Sitka Sound biomass has increased substantially and consequently intermittent spawning has occurred in Salisbury Sound. ADF&G is content with assuming Salisbury Sound herring are Sitka Sound herring in order to guarantee the GHL is harvested.

NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Sitka Tribe of Alaska hereby supports Board of Fisheries Proposal 200 - to establish minimum threshold levels for the herring stock in Area 13-A (Salisbury Sound).

NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Sitka Tribe of Alaska hereby opposes Board of Fisheries Proposal 217 - to amend regulation to include Area 13-A with 13-B (Sitka Sound) in the Sitka Sound commercial herring sac roe fishery.

CERTIFICATION

The foregoing Resolution was adopted at a duly called and convened meeting of the Tribal Council of Sitka Tribe of Alaska held on **February 4, 2009**, at which a quorum was present by a vote of **_3_In Favor, _2_Against, _2_, Absent, _2_Abstain.**

Sitka Tribe of Alaska - Tribal Chairman

Attest:

Sitka Tribe of Alaska - Tribal Secretary

Sitka Tribe of Alaska
456 Katlian Street
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907-747-3207
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Tribal Council Resolution 2009-13

Support for Board of Fisheries Proposal 203 - to change the harvest level and harvest rate for the Sitka herring sac roe fishery

WHEREAS, Sitka Tribe of Alaska is the federally recognized tribal government responsible for the health, safety, welfare and cultural preservation for more than 4,020 enrolled Tribal Citizens residing in Sitka, Alaska; and

WHEREAS, the Sitka Tribe of Alaska's traditional territory reflects the lands and waters historically and presently the stewardship responsibility of the Sheet'ka Kwaan. The relationship between the Alaska Native people in Southeast Alaska and the resources of the land and sea is so close that an entire culture is reflected in the traditional laws passed on from generation to generation which mandate conservation and perpetuation of subsistence resources; and

WHEREAS, Article VII Section (1)(h) of the Constitution of the Sitka Tribe of Alaska specifically directs the Sitka Tribal Council "to protect and preserve the Tribal property and the wildlife and natural resources within those areas under the jurisdiction of the Tribe;" and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, The Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, the Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn and regulations which provide for other uses of herring, subject to preferences among beneficial users; and

WHEREAS, The current regulations have not provided subsistence harvesters a reasonable opportunity to harvest herring spawn in three of the most recent four years (2005 was recorded as 79,064 pounds, 2007 was recorded as 87,21 pounds, and 2008 was recorded as 72,936 pounds); and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, the current regulation of commercial fishing has not been adequate to provide for subsistence and commercial uses of herring and herring spawn; and

WHEREAS, Additional regulation of the commercial fishery is required in order to provide for a reasonable opportunity for subsistence uses of herring and herring eggs;

WHEREAS, Sitka Tribe of Alaska recommends Proposal 203 because the current threshold does not adequately account for conservation of the resource nor does it prioritize the importance of herring in the ecosystem for all user types (commercial, subsistence), capping the amount of take at 10,000 tons reflects the market need for herring eggs, and the current harvest rate of 20% may be too aggressive under current levels of stock production, and a 10% harvest rate reduces biomass failure to less than 1%, and safeguards the stock if ADF&G is assessing the stock poorly.

NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Sitka Tribe of Alaska hereby supports Board of Fisheries Proposal 203 - to change the harvest level and harvest rate for the Sitka herring sac roe fishery because it provides for regulation of the commercial fisher in order to accommodate the use by subsistence harvesters.

CERTIFICATION

The foregoing Resolution was adopted at a duly called and convened meeting of the Tribal Council of Sitka Tribe of Alaska held on **February 4, 2009** at which a quorum was present by a vote of _7_ **In Favor,** _0_ **Against,** _2_ **Absent,** _0_ **Abstain.**

Sitka Tribe of Alaska – Tribal Chairman

Attest:

Sitka Tribe of Alaska – Tribal Secretary

Sitka Tribe of Alaska
456 Katlian Street
Sitka,
Alaska 99835
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FAX: 907-747-4915

Tribal Council Resolution 2009-16

Support for Board of Fisheries Proposal 204 - to include herring taken in test fishery in the guideline harvest level in the Sitka Sound herring sac roe fishery.

WHEREAS, Sitka Tribe of Alaska is the federally recognized tribal government responsible for the health, safety, welfare and cultural preservation for more than 4,020 enrolled Tribal Citizens residing in Sitka, Alaska; and

WHEREAS, the Sitka Tribe of Alaska's traditional territory reflects the lands and waters historically and presently the stewardship responsibility of the Sheet'ka Kwaan. The relationship between the Alaska Native people in Southeast Alaska and the resources of the land and sea is so close that an entire culture is reflected in the traditional laws passed on from generation to generation which mandate conservation and perpetuation of subsistence resources; and

WHEREAS, Article VII Section (1)(h) of the Constitution of the Sitka Tribe of Alaska specifically directs the Sitka Tribal Council "to protect and preserve the Tribal property and the wildlife and natural resources within those areas under the jurisdiction of the Tribe;" and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs from Sitka are shipped throughout the State of Alaska; and Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS Under state law, the Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn and regulations which provide for other uses of herring, subject to preferences among beneficial users; and

WHEREAS, The current regulations have not provided subsistence harvesters a reasonable opportunity to harvest herring spawn in three of the most recent four years (2005 was recorded as 79,064 pounds, 2007 was recorded as 87,21 pounds, and 2008 was recorded as 72,936 pounds); and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, the current regulation of commercial fishing has not been adequate to provide for subsistence and commercial uses of herring and herring spawn; and

WHEREAS, Additional regulation of the commercial fishery is required in order to provide for a reasonable opportunity for subsistence uses of herring and herring eggs;

WHEREAS, Disturbing pre-spawning schools of herring are disrupting their natural spawning behavior and causing the herring to spawn on beaches they historically have not used which are outside of the customary and traditional area for the subsistence harvest of herring eggs; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest level in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality.

NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Sitka Tribe of Alaska hereby supports Board of Fisheries Proposal 204 - to include herring taken in test fishery in the guideline harvest level in the Sitka Sound herring sac roe fishery.

CERTIFICATION

The foregoing Resolution was adopted at a duly called and convened meeting of the Tribal Council of Sitka Tribe of Alaska held on **February 4, 2009** at which a quorum was present by a vote of _7_ **In Favor,** _0_ **Against,** _2_ **Absent,** _0_ **Abstain.**

Sitka Tribe of Alaska – Tribal Chairman

Attest:

Sitka Tribe of Alaska – Tribal Secretary

Sitka Tribe of Alaska
456 Katlian Street
Sitka, Alaska 99835

907-747-3207

FAX: 907-747-4915

Tribal Council Resolution 2009-18

Support for Board of Fisheries Proposal 234 - to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation to 265,000 B 325,000 pounds.

WHEREAS, Sitka Tribe of Alaska is the federally recognized tribal government responsible for the health, safety, welfare and cultural preservation for more than 4,020 enrolled Tribal Citizens residing in Sitka, Alaska; and

WHEREAS, the Sitka Tribe of Alaska's traditional territory reflects the lands and waters historically and presently the stewardship responsibility of the Sheet'ka Kwaan. The relationship between the Alaska Native people in Southeast Alaska and the resources of the land and sea is so close that an entire culture is reflected in the traditional laws passed on from generation to generation which mandate conservation and perpetuation of subsistence resources; and

WHEREAS, Article VII Section (9)(h) of the Constitution of the Sitka Tribe of Alaska specifically directs the Sitka Tribal Council Ato protect and preserve the Tribal property and the wildlife and natural resources within those areas under the jurisdiction of the Tribe;@ and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute the nutritional, spiritual, and cultural foundation of tribal citizens since time immemorial; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs from Sitka are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Alaska Board of Fisheries set the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs in state regulation in 2002 as 105,000 B 158,000 pounds;

WHEREAS, in the four years where subsistence harvesters have had their needs met since 2002, the harvest was documented at 151,717 (2002), 278,799 (2003), 293,000 (2004), and 219,356 (2006);

WHEREAS, this new data along with the needs of Alaska Natives from around the state should be taken into account in the calculation of the Amount Reasonably Necessary for Subsistence;

NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Sitka Tribe of Alaska hereby supports Board of Fisheries Proposal 234 - to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation from 105,000-158,000 pounds to 265,000 B 325,000 pounds.

CERTIFICATION

The foregoing Resolution was adopted at a duly called and convened meeting of the Tribal Council of Sitka Tribe of Alaska held on **February 4, 2009** at which a quorum was present by a vote of _7_ **In Favor,** _0_ **Against,** _**2**_ **Absent,** _**0**_ **Abstain.**

Sitka Tribe of Alaska - Tribal Chairman

Attest:

Sitka Tribe of Alaska - Tribal Secretary

Sitka Tribe of Alaska
456 Katlian Street
Sitka, Alaska
99835
907-747-3207
FAX: 907-747-4915

Tribal Resolution 2009-17

In Support of the Herring Committee's Recommendation to Oppose Proposal 235: to expand permit and reporting requirement for all harvest of herring spawn in Sitka Sound

WHEREAS, the Sitka Tribe of Alaska is the federally recognized tribal government for more than 4,020 enrolled tribal citizens in Sitka, Alaska organized under the Indian Reorganization Act of 1934 as amended; and

WHEREAS, the Sitka Tribe of Alaska is responsible for the health, safety, welfare and cultural preservation of its tribal citizens and their use of the Sitka Tribe's traditional territory; and

WHEREAS, the Sitka Tribe of Alaska's traditional territory reflects the lands and waters historically and presently the stewardship responsibility of the Sheet'ka Kwaan and as such are composed of the western side of Baranof Island, the greater reaches of Peril Strait, southwestern portions of Chichagof Island and the myriad of islands as well as the waters between these locations; and

WHEREAS, the harvest of herring and herring eggs for food has been and continues to be an important part of our traditional diet, lifestyle and cultural traditions and as stewards of this priceless resource the Sitka Tribe and our tribal harvesters take special care to protect herring and our access to harvesting herring eggs for food; and

WHEREAS, the Sitka Tribe of Alaska's Herring Committee has convened to review the proposals before the State of Alaska's Board of Fish for their 2009 meeting to be held in Sitka February 17-26, 2009; and

WHEREAS, the Herring Committee, comprised of active harvesters and tribal elders, has recommended that the Sitka Tribal Council oppose proposal 235 which requests the Board of Fish to enact a permit system for the harvest of herring eggs from Sitka Sound; and

WHEREAS, the Sitka Tribe was authorized by the State of Alaska's Board of Fish in 2002 to design and implement an annual post-harvest survey under the tutelage of the State of Alaska's Division of Subsistence; and

WHEREAS, the Sitka Tribe did collaborate with the Division of Subsistence to create such a survey, works diligently with the harvesting community to ensure that an annual survey is conducted which follows the methodology established by the Division of Subsistence, and submits the surveys to the State of Alaska's Division of Subsistence to compile in order to achieve a highly accurate annual harvest estimate; and

NOW THEREFORE BE IT RESOLVED, the Sitka Tribe will demonstrate to the State of Alaska's Board of Fish, using the best research available, that returned harvest permits achieves less accurate data than do face-to-face harvest surveys and therefore if the Board of Fish were to implement a permit system to replace the established annual post-season survey it would be an imprudent use of State resources and achieve a less accurate post-season harvest estimate.

NOW THEREFORE BE IT FURTHER RESOLVED, the Sitka Tribal Council strongly supports the Herring Committee's recommendation to oppose proposal 235: to expand permit and reporting requirement for all harvest of herring spawn in Sitka Sound to be considered by the State of Alaska's Board of Fish meeting in Sitka February 17-26, 2009.

CERTIFICATION

The foregoing resolution was adopted at a duly called and convened meeting of the Tribal Council of the Sitka Tribe of Alaska held on **February 4, 2009** at which a quorum was present by a vote of **_7_ IN FAVOR, _0_ AGAINST, _0_ ABSTAIN, _2_ ABSENT.**

Sitka Tribe of Alaska – Tribal Chairman

Attest:

Sitka Tribe of Alaska – Tribal Secretary

NO RC 122

RC 123

Age Composition, Weight, Length, and Sex of Herring, *Clupea pallasii*, Used for Reduction in Alaska, 1929-66

By

GERALD M. REID, Fishery Biologist

National Marine Fisheries Service, Gibson Cove Facility
Kodiak, Alaska 99615[1]

ABSTRACT

Sampling data from the reduction fisheries for herring, *Clupea pallasii*, in southeastern Alaska (1929-66), Prince William Sound (1937-58), and Kodiak (1936-59) are summarized. The data include the weight of the catches, the weight allowed by quota, and age composition, average weight, average length, and sex ratios.

INTRODUCTION

In Alaska, herring, *Clupea pallasii*, have long been used for food and bait, but for many years their principal use was in the so-called reduction fishery. In this fishery, which began in 1882 (Skud, Sakuda, and Reid, 1960) and expanded rapidly, the herring was processed into meal for animal food or fertilizer, or into oil for paints and industrial uses. The greatest production was from 1929 to 1966, when more than 90% of all the herring caught went into the reduction processes. In the peak year, 1937, 125,000 tons of herring were processed. After 1937, the industry declined, and by 1966 the last processing plant engaged exclusively in herring reduction was closed.

Until 1925, about the only information available on the reduction fishery was the amount of meal and oil produced; little or nothing was known about the numbers of fish processed or the biology of the populations being fished. The fishery had become so large by 1925 that concern was being expressed about overexploitation of the herring resource. As a result, the U.S. Bureau of Fisheries began gathering more extensive data. The Bureau program, which continued through 1966, emphasized the collection of statistics on the catches and of information on the biology of the herring.

This paper compiles the data gathered in various years between 1929 and 1966 in the three major herring fishing areas of Alaska —southeastern Alaska, Prince William Sound (including Resurrection Bay-Day Harbor),[2] and Kodiak (Figure 1).

GEOGRAPHICAL DISTRIBUTION OF CATCHES

The distributions of the catches in the three areas, which were designated as regulatory districts to implement the regulations necessary for management, are shown in Figures 2, 3, and 4.

The sizes of the catches and the amount of fishing effort varied greatly within the area covered by each district because (1) herring

[1] Reid was employed at the National Marine Fisheries Service Biological Laboratory at Auke Bay, Alaska, when he was compiling the data for this report.

[2] Data from Resurrection Bay-Day Harbor, a regulatory subdistrict of Prince William Sound, are presented separately in this paper because both bays are located outside of Prince William Sound proper.

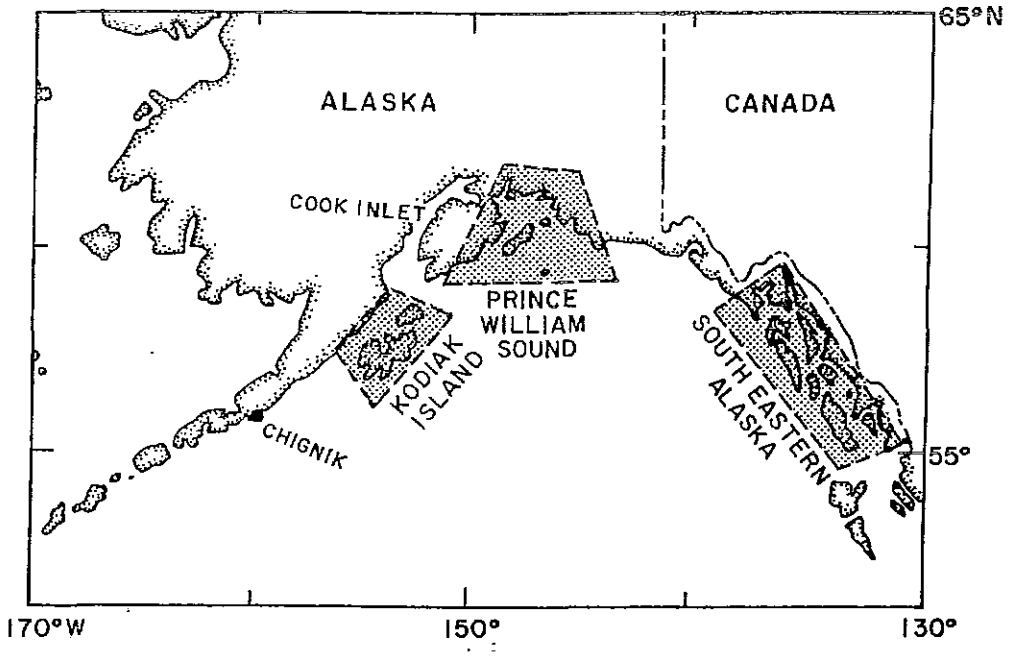


Figure 1.—Three major herring fishing areas of Alaska where statistics and biological data were taken between 1929 and 1966.

tended to concentrate in certain areas, (2) regulations restricted the geographic extent and timing of commercial fishing within each district, and (3) fishing tended to be more intense near the reduction plants. As an example—between 1939 and 1966, more than 40% of the landings in southeastern Alaska came from the vicinity of Larch Bay on southwest Baranof Island (Figure 2). This bay usually had large concentrations of feeding herring in the late summer, was one of the few locations where the herring fleet enjoyed unrestricted entry, and was relatively close to several reduction plants. In all three districts, in years when herring were not abundant in areas of normally high concentrations, the fishing fleet was widely dispersed, and the total annual catch was made up of small catches from many locations (Figures 2, 3, and 4).

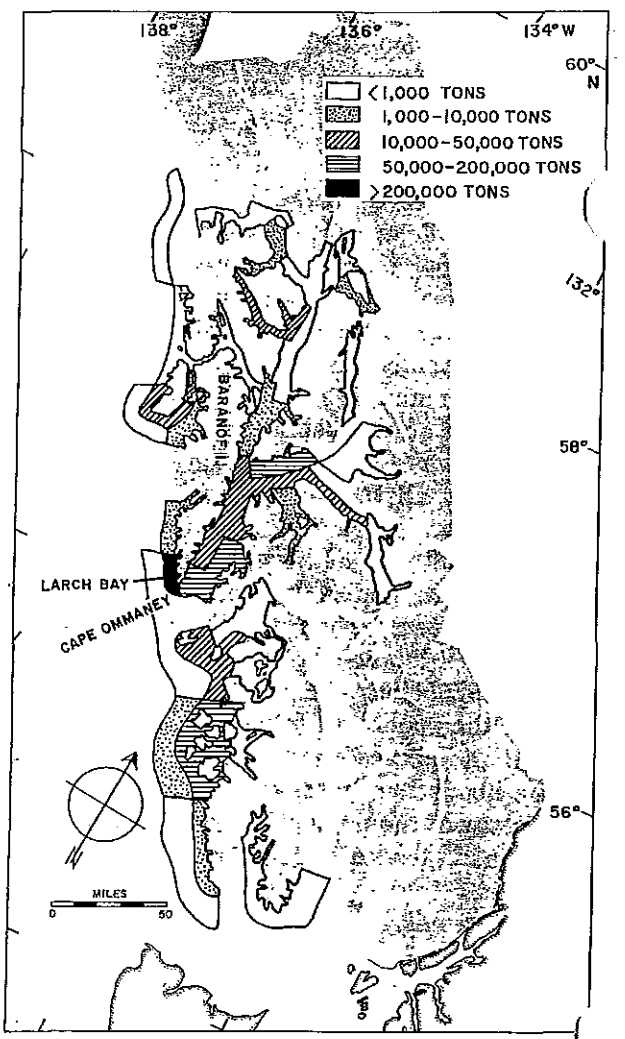


Figure 2.—Distribution of herring catches in southeastern Alaska, 1929-66.

Table 3.—Age composition of samples of herring from southeastern Alaska reduction fishery, 1929-66.[1]

[Tr, <0.1 percent]

Year	Samples	Herring	Fish in age class--											
			I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII
	no.	no.	%	%	%	%	%	%	%	%	%	%	%	%
1929	74	2,730	0.0	5.2	67.5	6.4	4.4	10.2	2.5	1.8	0.7	1.0	0.2	0.1
1930	69	4,007	0.0	1.0	21.6	69.8	3.0	2.4	1.3	0.6	0.2	0.1	0.0	Tr
1931	22	1,266	3.2	13.6	10.1	26.1	39.8	3.7	1.9	1.3	0.2	0.1	0.0	0.0
1932	8	706	0.0	4.8	50.4	11.5	15.9	15.0	1.6	0.4	0.3	0.1	0.0	0.0
1933	8	192	0.0	5.2	10.9	31.3	7.8	22.4	21.9	0.0	0.5	0.0	0.0	0.0
1934	46	1,194	0.0	0.1	75.9	5.5	8.9	3.7	4.8	1.1	0.0	0.0	0.0	0.0
1935	23	592	0.0	1.2	5.9	84.3	4.9	2.2	1.0	0.2	0.3	0.0	0.0	0.0
1936	34	1,347	0.4	9.9	13.1	9.3	62.1	3.0	1.8	0.2	0.2	0.0	0.0	0.0
1937	38	1,122	1.6	34.9	19.9	9.3	6.1	26.9	1.1	0.2	0.0	0.0	0.0	0.0
1938	37	1,628	0.1	21.1	61.8	4.2	2.7	2.5	7.4	0.1	0.1	0.0	0.0	0.0
1939	25	727	1.1	12.0	33.7	45.1	3.7	1.5	1.5	1.0	0.4	0.0	0.0	0.0
1940	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1941	61	1,524	3.7	45.5	36.1	8.7	4.3	1.3	0.3	0.1	0.0	0.0	0.0	0.0
1942	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1943	117	3,252	0.1	13.9	60.5	18.9	3.7	2.0	0.8	0.1	Tr	Tr	0.0	0.0
1944	121	4,008	0.1	25.3	27.1	38.3	7.3	1.3	0.4	0.2	0.0	0.0	0.0	0.0
1945	169	4,201	4.8	2.7	56.9	13.6	18.0	3.1	0.6	0.3	Tr	0.0	0.0	0.0
1946	273	6,614	0.1	29.2	22.0	31.8	7.4	7.8	1.4	0.2	0.1	Tr	0.0	0.0
1947	129	3,100	0.5	3.0	68.0	13.1	12.3	1.9	1.0	0.2	Tr	0.0	0.0	0.0
1948	134	3,265	1.3	4.6	12.1	66.2	4.8	7.3	1.8	0.8	0.1	0.0	Tr	0.0
1949	116	3,505	1.0	17.5	18.0	14.4	39.3	3.7	4.7	0.8	0.6	Tr	Tr	Tr
1950	116	2,897	0.0	3.4	22.6	13.8	22.0	32.9	2.7	2.0	0.5	0.1	0.0	0.0
1951	71	1,764	0.1	10.4	18.2	47.4	12.9	4.9	5.5	0.4	0.2	0.0	0.0	0.0
1952	90	2,249	1.5	7.7	14.0	16.6	37.2	13.3	5.3	3.7	0.4	0.3	0.0	0.0
1953	76	2,646	0.1	37.9	19.1	6.7	17.8	12.2	3.9	1.6	0.7	Tr	Tr	0.0
1954	22	687	0.1	1.5	42.5	19.4	6.0	17.9	8.6	1.0	2.3	0.7	0.0	0.0
1955	76	1,976	0.0	60.1	3.5	20.0	7.1	1.3	4.5	2.7	0.7	0.2	0.2	0.0
1956	74	2,218	0.0	0.0	65.8	3.0	18.0	4.8	1.7	3.6	2.2	0.6	0.1	0.2
1957	298	8,940	0.0	Tr	3.9	83.0	10.0	2.3	0.6	0.2	Tr	Tr	Tr	0.0
1958	432	12,512	0.2	1.2	4.6	4.8	86.0	2.7	0.5	Tr	Tr	Tr	0.0	0.0
1959	449	13,232	1.5	28.1	3.7	3.2	4.9	57.3	0.9	0.4	Tr	Tr	Tr	0.0
1960	311	8,706	Tr	30.8	45.5	3.0	2.2	2.3	15.4	0.7	Tr	0.1	0.0	0.0
1961	232	6,230	0.0	2.0	57.9	31.1	4.4	2.0	1.8	0.8	Tr	0.0	0.0	0.0
1962	54	1,572	0.0	0.5	6.0	80.1	10.9	0.5	0.5	0.8	0.6	0.0	0.0	0.0
1963	40	1,160	0.1	6.5	6.0	11.5	67.7	7.3	0.3	0.2	0.3	0.1	0.0	0.0
1964	81	2,356	0.0	0.1	4.7	4.4	8.1		0.8	0.3	Tr	0.3	0.0	
1965	84	2,484	0.0	0.0	0.7	15.6	23.8	10.9	22.1	25.8	1.1	0.0	0.0	0.0
1966	87	2,606	0.0	8.0	7.4	22.0	36.3	10.2	8.7	6.8	0.5	0.1	0.0	0.0

[1] Fishery did not operate in 1940 and 1942.

Table 7.—Mean weight of herring by age class, southeastern Alaska reduction fishery 1929-66.[1]

[N.f. indicates no fish in the age class or too few fish to supply reliable data on weight]

Year	Mean weight of fish from age class--											
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII
	g	g	g	g	g	g	g	g	g	g	g	g
1929	N.f.	61.2	103.1	112.9	145.6	165.9	170.3	190.6	204.3	206.5	203.3	191.0
1930	N.f.	67.8	93.3	123.7	134.3	165.2	172.6	193.3	172.8	219.8	N.f.	N.f.
1931	--	--	--	--	--	--	--	--	--	--	--	--
1932	--	--	--	--	--	--	--	--	--	--	--	--
1933	--	--	--	--	--	--	--	--	--	--	--	--
1934	--	--	--	--	--	--	--	--	--	--	--	--
1935	--	--	--	--	--	--	--	--	--	--	--	--
1936	--	--	--	--	--	--	--	--	--	--	--	--
1937	--	--	--	--	--	--	--	--	--	--	--	--
1938	--	--	--	--	--	--	--	--	--	--	--	--
1939	--	--	--	--	--	--	--	--	--	--	--	--
1940	--	--	--	--	--	--	--	--	--	--	--	--
1941	39.4	74.6	89.2	110.0	128.8	154.6	163.2	172.0	N.f.	N.f.	N.f.	N.f.
1942	--	--	--	--	--	--	--	--	--	--	--	--
1943	37.7	72.1	95.9	112.5	120.3	135.8	150.2	139.5	154.0	N.f.	N.f.	N.f.
1944	32.8	73.9	98.2	115.7	130.0	135.8	145.8	172.6	N.f.	N.f.	N.f.	N.f.
1945	35.6	74.9	104.4	121.9	138.1	156.8	156.1	163.8	207.0	N.f.	N.f.	N.f.
1946	40.5	72.2	97.3	117.5	130.5	143.0	154.0	147.0	160.9	185.0	N.f.	N.f.
1947	36.9	78.7	103.1	123.8	140.2	152.1	159.7	182.6	N.f.	138.0	N.f.	N.f.
1948	39.0	70.7	102.5	118.1	135.7	99.0	151.8	154.4	162.5	N.f.	148.0	N.f.
1949	35.6	73.9	96.3	124.7	142.2	159.0	163.9	161.2	174.0	148.0	210.0	195.0
1950	N.f.	82.7	106.9	122.9	142.2	151.9	169.2	166.9	168.9	160.0	N.f.	N.f.
1951	29.5	64.5	99.9	116.8	132.2	145.7	154.1	170.2	171.2	N.f.	N.f.	N.f.
1952	31.9	72.6	89.6	118.3	129.4	148.8	164.7	163.2	183.3	183.4	N.f.	N.f.
1953	40.3	70.5	99.1	116.0	145.9	141.2	181.0	167.0	172.1	204.0	148.0	N.f.
1954	28.0	67.4	106.6	124.7	143.8	165.8	166.1	166.9	175.3	184.2	N.f.	N.f.
1955	N.f.	77.8	101.0	128.8	140.3	159.7	177.4	172.0	171.7	180.4	179.8	N.f.
1956	N.f.	N.f.	106.3	124.8	145.7	165.4	170.2	173.3	175.8	213.0	223.0	216.0
1957	N.f.	N.f.	106.2	111.5	117.8	132.4	146.5	158.7	N.f.	N.f.	N.f.	N.f.
1958	35.9	64.9	87.0	110.9	130.5	141.4	155.8	161.7	148.0	176.0	N.f.	N.f.
1959	35.0	80.5	92.0	111.4	125.1	143.5	155.5	158.8	172.5	213.5	180.0	N.f.
1960	55.0	56.2	98.1	109.1	123.7	133.3	145.2	152.8	164.0	150.8	N.f.	N.f.
1961	N.f.	82.0	92.0	106.8	118.9	138.6	149.1	159.8	227.0	N.f.	N.f.	N.f.
1962	N.f.	82.3	105.7	123.2	138.3	154.1	158.0	162.5	168.9	N.f.	N.f.	N.f.
1963	36.0	75.1	102.4	129.4	145.6	160.6	184.5	176.0	210.3	196.0	N.f.	N.f.
1964	N.f.	87.0	115.0	130.5	142.2	174.3	179.6	184.5	205.4	173.0	213.0	N.f.
1965	N.f.	N.f.	99.7	128.5	144.3	159.0	170.0	188.5	199.5	N.f.	N.f.	N.f.
1966	75.0	81.4	111.8	141.6	145.4	165.4	178.8	191.8	184.9	214.0	N.f.	N.f.

[1]/See Table 3 for numbers of samples and numbers of fish. No data on weight were collected in 1931-39, and the fishery did not operate in 1940 and 1942.

EVOSTC ANNUAL PROJECT REPORT

Project Number:..... 070819

Project Title: ..... Prince William Sound Herring Disease Program

PI Name:..... Paul Hershberger, Richard Kocan, John Hansen, Diane Elliott, Eveline Emmenegger, Geal Kurath, Scott LaPatra, Jim Winton

Time period covered: ..... FY'07: October 1, 2006 - September 1, 2007

Date of Report:..... September 6, 2007

Report prepared by: ..... Paul Hershberger

Project website (if applicable): .....

Work Performed:

For the fourth consecutive year, we were successful at rearing specific pathogen-free (SPF), immunologically naïve Pacific herring in the laboratory at the Marrowstone Marine Field. Naturally deposited herring eggs were collected from two herring spawning stocks in Puget Sound (Quilcene Bay and Cherry Point). We are currently maintaining approximately 5,000 newly-metamorphosed herring juveniles from Quilcene Bay, and approximately 25,000 pre-metamorphosed larvae from Cherry Point. We will cull these fish to reasonable numbers (~1,000 Quilcene fish and ~2,000 Cherry Point fish) shortly to avoid overcrowding and food-limitation issues prior to over-wintering. We now maintain 4 age classes of SPF herring at the Marrowstone Marine Station (age 0-3 yr), and they continue to be utilized as test animals for empirical studies and development of forecasting disease tools.

Pacific herring were susceptible to waterborne challenge with viral hemorrhagic septicemia virus (VHSV) throughout their early life history stages, with significantly greater ($p < 0.001$) cumulative mortalities occurring among VHSV-exposed groups of age 9 d, 44 d, 54 d, and 76 d larvae than among respective control groups. Similarly, among age 89 d and 1+ yr post-metamorphosed juveniles, cumulative mortality was significantly greater ($p < 0.0001$) in VHSV - challenged groups than in respective control groups. Larval exposure to VHSV conferred partial protection to the survivors after their metamorphosis to juveniles because cumulative mortalities were significantly less ($p < 0.025$) among juvenile groups that survived a VHS epidemic as larvae than among groups that were previously naïve to VHSV. Magnitude of the protection, measured as relative percent survival, was a direct function of larval age at first exposure and was likely a reflection of gradual developmental onset of immunocompetence. These results indicate the potential for easily overlooked VHS epizootics among wild larvae in regions where the virus is endemic and emphasize the importance of early life history stages of marine fishes in influencing ecological disease processes.

Development of a molecular diagnostic tool to detect erythrocytic necrosis virus is underway. Briefly, blood was collected from several groups of VEN-positive (wild) and negative (SPF) herring, DNA was extracted and amplification of viral nucleic acid was attempted using four sets of conserved iridovirus primers. Molecular tool development is currently proceeding by attempted cloning of the bands.

Swimming performance studies are well under way to determine whether natural infections with *Ichthyophonus*, VENV, and VHSV result in decrease fitness among wild herring. Two cohoirts of wild, age 1+ yr Pacific herring were collected from Puget Sound (7/1/07 and 7/26/06) and introduced to a fabricated swim chamber during two swimming trials. Water velocity in the chamber was maintained at 1.0-1.4 ft / sec, and herring swam in the chamber for 4 hours (trial 1) and 72 hours (trial 2). Fish were euthanized from the chamber as they fatigued; at the termination of each swim trial, all un-fatigued fish were euthanized. Infection / disease data were collected from all sampled fish , including Ichthyophonus prevalence (explant tissue cultures) and intensity (histology), VEN prevalence and intensity (Giemsa-stained blood films), and VHSV prevalence and intensity (plaque assay of kidney

/ spleen homogenates). Preliminary analyses indicate that *Ichthyophonus* prevalence was similar among fatigued and un-fatigued groups; however, intensity of the infections (based on histological evaluation) is currently being evaluated. Similarly, blood films for VENV and plaque assays for VHSV are currently being processed. This experiment will be repeated once more (in September, 2007), using wild, age 0 herring.

To develop a standardized challenge model for erythrocytic necrosis virus (ENV) and determine its virulence to Pacific herring, a series of challenge studies are currently underway. Previous studies demonstrated that wild herring routinely undergo a VEN epizootic after confinement to laboratory tanks (Figure 1). We utilized this repeatable disease phenomenon as a source of VEN-positive material to conduct disease challenges using SPF herring. Wild, age 1+ herring were collected from a local herring bait fisher on 7/26/07 and transported to a flow-through tank in the laboratory. As a source of VEN-positive material for disease challenges, 20 herring VEN-positive herring were euthanized after 32d in the laboratory confinement. Kidney / spleen pools from the positive fish were homogenized, diluted 1:10, centrifuged, and the supernatant passed through a 0.45 μm filter; 0.05mL of the virus-positive filtrate was then injected into each of 30, age 1yr SPF herring. The remainder of the filtrate was added to tanks, containing 30 age 0 yr SPF herring. Thirty additional age 1 yr SPF herring were then cohabitated with the confined wild herring that were undergoing the VEN epizootic. The injection, waterborne, and cohabitation challenges are currently ongoing (day 8 post-challenge occurred on September 5, 2007), but preliminary scans of blood films sub-sampled from herring 5 d post-challenge indicated that VEN inclusions were present in herring exposed to infected tissue homogenates by both waterborne and injection challenge. Cumulative mortality, VEN progression, and mean hematocrits will be monitored from these exposed fish for 45d.

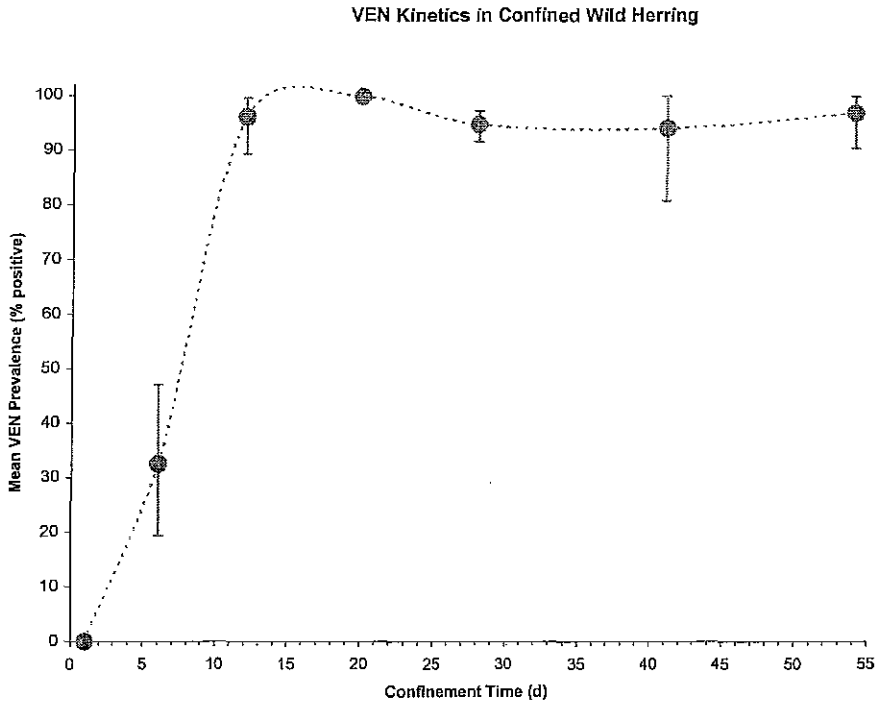


Figure 1. VEN prevalence in confined, age 0 Pacific herring held in tanks at the USGS Marrowstone Marine Field Station (from Hershberger et al. 2006).

Ongoing efforts are underway to develop and optimize a serum neutralization test to detect neutralizing antibodies for VHSV. Briefly, SPF herring and Atlantic salmon were exposed to VHSV, and the survivors were euthanized 29-34d post-challenge. Heparinized whole blood was separated by centrifugation, and the plasma portion was shipped to Dr. LaPatra for the first attempt at detecting neutralizing antibodies. All samples were assayed against two different VHSV isolates (99-001 from Pacific herring and 99-292 from Atlantic salmon, both from VHSV-Genogroup IV, the North American strain). All negative controls demonstrated a negative antibody titer (no virus neutralization at dilutions <1:20). However, few of the sera from the VHSV survivors were positive for neutralizing antibodies. Production of neutralizing antibodies to IHNV, a closely-related rhabdovirus, in rainbow trout is

temperature dependent. After further evaluation of our initial attempt to detect VHSV-neutralizing antibodies in herring, we hypothesize that antibody production proceeds slower than we initially anticipated. Therefore, we are currently repeating the study and we will euthanize a portion of the survivors 60 d post-challenge (Septemper 5, 2007 represents 49d into the challenge). The remainder of the surviving herring will be re-exposed to VHSV to attempt to detect an anamnestic antibody response. Heparinized whole blood will be centrifuged, and the plasma portion will be shipped to Dr. LaPatra in October, 2007 for a second attempt at detection of neutralizing antibodies.

As a pilot to studies planned in future years, the ability of naïve Pacific herring to develop innate resistance to VHSV with developmental ontogeny was tested by exposing three different age classes to VHSV. Briefly, cumulative mortality in all age classes (age 0, 1, and 2 yr) exposed to VHSV were similar (Figure 2), indicating that partial in protection to older wild age classes of Pacific herring likely results from components of the adaptive immune system. These age susceptibility studies will be repeater with older herring age classes in future years, but these preliminary data indicate that VHS-forecasting tools should target the adaptive arm of the immune system.

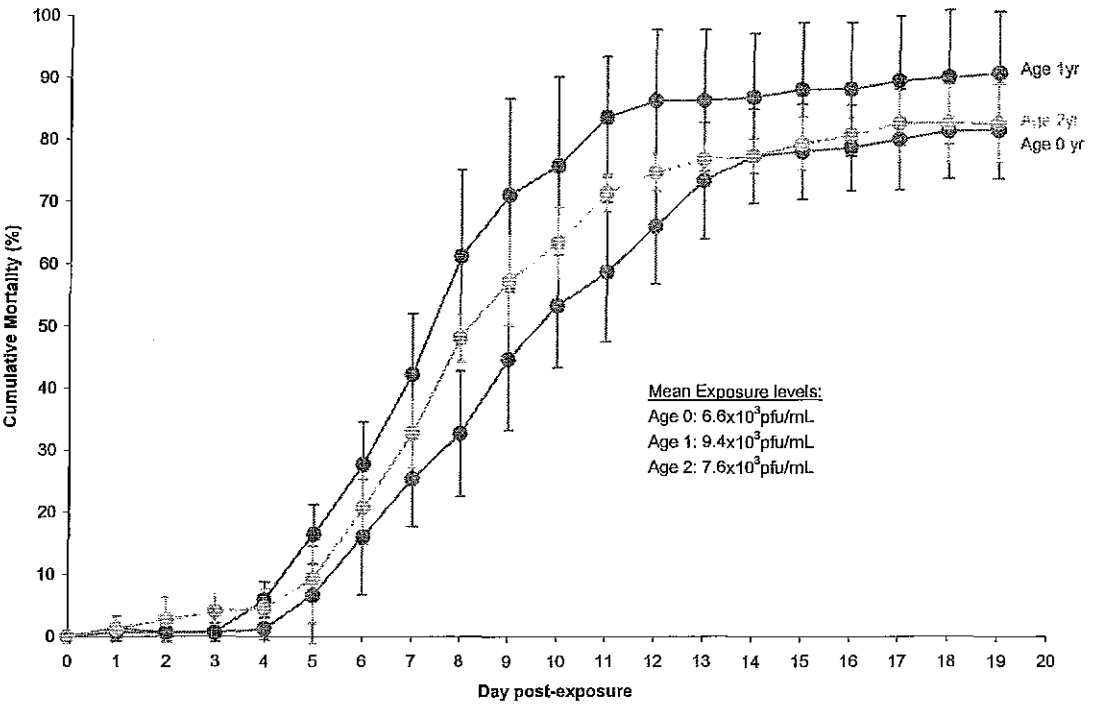


Figure 2. Susceptibility of 3 age classes of SPF herring to VHS. Data points indicate the back-transformed means of arc-sin transformed proportions for 5 replicate tanks in each age class. Replicate tanks each contained 30 herring at the beginning of the study. Mean cumulative mortality in each negative control age class was 5.6% after 20d.

As a no-cost addition to the '07 work plan, chlorine and iodine solutions were determined to be effective at inactivating *Ichthyophonus* spores in vitro. Inactivation in seawater increased directly with halogen concentration and exposure duration, with significant differences ($p < 0.05$) from controls occurring at all chlorine concentrations and exposure durations tested (1.5 - 13.3 ppm for 1-60 min) and at most iodine concentrations and exposure durations tested (1.2 ppm for 60 min and 5.9 - 10.7 ppm for 1-60 min). However, 10-fold reductions in spore viability occurred only after exposure to halogen solutions at higher concentrations and / or longer durations (13 ppm total chlorine for 1-60 min, 5.9 ppm total iodine for 60 min, and 10.7 ppm total iodine for 1-60 min). Inactivation efficacy was greater when halogen solutions were prepared in freshwater, presumably because of combined effects of halogen-induced inactivation and general spore instability in freshwater. The results have

practical implications for disinfection and biocontainment in research laboratories and other facilities that handle live *Ichthyophonus* cultures and / or infected fish.

As a no-cost addition to the '07 work plan, preliminary studies were conducted, using specific pathogen-free herring exposed to VHSV to identify herring immune response genes that may be useful in developing predictive tools that forecast disease epizootics. First, Expressed Sequence Tag (ESTs) database was initiated from Pacific herring, representing genes that are differentially regulated during VHSV infections. These candidate genes will later serve as sentinels of the immune response in herring for examining host factors that govern disease resistance and susceptibility. Second, we assessed the transcriptional regulation of these ESTs during VHSV infection in controlled laboratory challenges. The proteasome subunit beta type 9 protein gene sequence was submitted to, and is currently listed in GenBank (Accession #EF607279).

Surveys of wild herring were preformed in PWS, Sitka Sound, and Puget Sound during FY'07. Sixty adult herring were sampled from a spawning aggregation in Sitka Sound (south side of Cannon Island) on April 19, 2007. Prevalence of *Ichthyophonus* was 28.3% (17/60), with 18% (11/60) demonstrating visible signs of ichthyophoniasis. VEN was not detected (0/60), and kidney / spleen pools for VHSV assay are currently archived for future processing. Wild herring were collected from four temporally and spatially distinct herring pre-spawn aggregations in Puget Sound during in 2007 (including Johnson Point, Yukon Harbor, Skagit Bay, and Cherry Point); *Ichthyophonus* prevalence ranged from ranged from 7-35%. Kidney / spleen pools from the Cherry Point stock are archived for later VHSV assays. We partnered with monthly sampling excursions to Skagit Bay, to monitor the seasonal progression of VEN in juvenile herring. Samples are still being processed, but preliminary scans indicate a recurring, prolonged VEN epizootic among juvenile herring in Skagit Bay. Two samples of herring here obtained from Prince William Sound during 2007, one sample contained 60 adult, pre-spawn herring, and the other contained 60 juvenile herring. These fish were processed by the ADF&G pathology laboratory in Juneau, and the results are reported in the following laboratory reports:

ACCESSION NO: 07-0540

ALASKA DEPARTMENT OF FISH AND GAME
JUNEAU FISH PATHOLOGY LABORATORY, CFM&D DIVISION
3333 Old Glacier Highway - PO Box 25526, Juneau, AK 99802-5526
Phone: (907) 465-3577

REPORT OF LABORATORY EXAMINATION

LOT (YEAR, STOCK, SPECIES): Prince William Sound (St. Matthews Bay) Pacific herring *Clupea pallasi*

FACILITY: Western Fisheries Research Center, USGS

CONTACT PERSON/ADDRESS: Dr. Paul Hershberger, WFRC, USGS, 6505 NE 65th Street, Seattle, WA 98115-5016

SAMPLE DATE: 4/5/07 **DATE SAMPLE RECEIVED:** 4/8, 4/12/07

SPECIMEN TYPE: Kidney/spleen pools **LIFE STAGE:** Adult 3+ years **STATE:** Unfrozen/on ice
Blood smears Dried smears
Heart explant cultures Refrigerated explants

NUMBER IN SAMPLE: 60 kidney/spleen pools **WILD:** Yes
60 blood smears
60 explant cultures

HISTORY/SIGNS: Since the crash of this herring stock in 1993, there have been ongoing investigations regarding the recovery process and diseases in the population, the latter of which have focused on VHSV *Ichthyophonus hoferi* and VENV.

REASON FOR SUBMISSION: A recently funded project includes annual surveillance for the presence of VHSV, *Ichthyophonus* and VENV in Pacific herring from Prince William

Submit this report via e-mail to mandy.migura@alaska.gov . Thank you!

A Bioeconomic Analysis of Alaska's Sac-Roe Pacific Herring Fisheries

by Anthony J. Mieloch, Department of Economics

An important component to fisheries management is the behavior of fishermen when they face changes in management policy, market conditions, and/or biological and environmental factors. Since research has shown that fish populations may be significantly impacted by oceanographic and environmental variables, market conditions and management policies may also be driven by these variables. Understanding how the markets for fish products are affected by the interplay between environmental variability and their biological outcomes provides policy makers with important information to set rational harvest and management goals. The goal of this research project was to evaluate the impact changing environmental variables had on management?s choice of harvest policy for the Togiak sac-roe herring (*Clupea pallasi*) fishery and how their choice affected the revenues fishermen received. Though environmental variables play an important role in determining herring biomass levels, the present research was not able to identify an appropriate relationship between climatic variables and biomass levels. However, given this setback the analysis continued without an explicit climatic variable included in the structural model, but instead used temper-ature as an implicit component in the stochastic part of the model.

The bioeconomic analysis of the Togiak sac-roe herring fishery consisted of a biological component and an economic component. These components were combined in a stochastic model to account for the inherent variability of the herring biomass and to include the variability imposed by the environment of the Bristol Bay region. A stochastic framework was chosen to allow for an explicit analysis of the trade-offs between the often conflicting objectives of economics and biology. For simplicity, management?s control variable was limited to its choice of exploitation rate and was allowed to increase at 1% intervals from 10% to 30%.

The simulations indicated that maximization of expected revenue occurred at an exploitation rate of 28% with expected revenues of $9.2 million. At this exploitation rate, the median biomass was 92,433 mt with a biomass failure frequency of nearly 6%. Alternatively, at low exploitation rates of 10% to 15%, the frequency of biomass failure was reduced to less than 1%. However, these low exploitation rates sharply reduced expected exvessel revenues; for example, at an exploitation rate of 10%, expected exvessel revenue was $7.3 million. Yet as the exploitation rate was increased to 15%, exvessel revenue became more sensitive and increased between 2% and 4% for each 1% increase in exploitation rate. Fortunately, the sensitivity in exvessel revenue was not surprising since the exvessel price was found to be insensitive to changes in the quantity harvested.

Exploitation rates between 15% and 23% exhibited the lowest levels of sensitivity for both expected revenues and the risk of biomass failure. For exploitation rates between 16% and 23%, expected exvessel revenues increased from $8.4 million to $8.9 million. The sensitivity of biomass failure frequency to exploitation rate also remained low, under 3%, for exploitation rates between 16% and 23%. Unfortunately, as the exploitation rate was increased from 24% to 27%, the frequency of biomass failure

leaped above 3%.

Though the analysis was not constructed to identify an optimal exploitation rate, it does provide a range of exploitation rates which exhibited desirable trade-off characteristics between the economic and biological outcomes they generated. Herring are an important prey specie to other commercially important fisheries such as the Pacific salmon and pollock fisheries. Hence, the low median biomass, combined with the increased risk of collapse associated with a revenue maximization objective, meant it could not be seen as a desirable outcome. In addition, given the importance of the herring fishery to the coastal communities of Togiak Bay, an excessive reduction in revenue resulting from minimizing the frequency of biomass was not deemed economically or politically feasible.

These results suggested that a more appropriate exploitation rate may exist between these competing objectives. Given the trade-offs between biomass failure and economic expectations, long-term sustainability of the biological component requires managers to choose an exploitation rate that moderates the variability of the herring biomass. In addition, the increased frequency of biomass failure would likely impose added costs to the region through the reduction of harvests in other fisheries where herring is a prey specie. Bio- mass failures exceeded 3% for exploitation rates above 23% which indicated that these levels of exploitation rates may not be preferred. The economic outcomes for exploitation rates ranging from 16% to 23% were between $8.4 million and $8.9 million. Most important to fisheries managers is that over this range of exploitation rates revenues were less sensitive. This result suggests managers may have some flexibility when choosing exploitation rates. Therefore, due to the moderate risk of biomass failure and reduced sensitivity of revenues, the present research suggests exploitation rates ranging from 16% to 22% to be preferable.

Return to global glimpses

RC 124

SUMMARY OF ACTIONS
ALASKA BOARD OF FISHERIES

LOWER COOK INLET FINFISH
November 8 – 12, 2001
Anchorage, Alaska

DESIGNATED REPORTER: Sherry Wright

This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the Board's actions.

HERRING

PROPOSAL NO. 1 **ACTION: Carried as amended**

DESCRIPTION: Amend Kamishak Bay District Herring Management Plan to protect stocks and stabilize the fishery.

AMENDMENTS: Kamishak Bay management plan was amended to add the following purpose statement: "The purpose...of the plan is to promote and maintain the health of the herring stock in the Kamishak Bay District and stabilize the commercial fishery targeting it by utilizing conservative management strategies that support a biologically sound and sustainable commercial fishery...Since herring that spawn in the Kamishak Bay District are known to reside in waters of north Shelikof Strait during part of the year, this plan also sets guidelines for the allocation."

The maximum allowable exploitation rate is changed to 15 percent of the biomass and will determined by the age class structure of the forecasted biomass, and the degree of biomass uncertainty as measured by the adequacy of recent years' aerial survey conditions and coverage. Additionally, the board set the following guidelines: 1) For projected spawning biomass of 24,000 short tons or more, the exploitation rate is between zero and 15 percent. At the maximum exploitation rate, 13.5 percent will be allocated to Kamishak Bay sac roe fishery and 1.5 percent to Shelikof Strait food and bait fishery; 2) For projected spawning biomass of 14,000 to 24,000 short tons, the exploitation rate is between zero and 12.5 percent. At the maximum exploitation rate, 11.25 percent will be allocated to Kamishak Bay sac roe fishery and 1.25 percent to Shelikof Strait food and bait fishery; 3) For projected spawning biomass of 6,000 to 14,000 short tons, the exploitation rate is between zero and 10 percent. At the maximum exploitation rate, 9 percent will be allocated to Kamishak Bay sac roe fishery and 1 percent to Shelikof Strait food and bait fishery; and 4) For projected spawning biomass of less than the minimum spawning biomass threshold of 6000 short tons, the Kamishak Bay sac roe fishery and Shelikof Strait food and bait fishery north of Miners Point will be closed.

DISCUSSION: Board revised the proposal to reflect the abundant levels and the harvest rates presented by the department. Cooperative fisheries have been used in many areas to assure that harvests will not exceed a low GHL. Cooperative fisheries must be voluntary.

PROPOSAL NO. 2 **ACTION: Carried**

DESCRIPTION: Remove Southern, Outer, and Eastern districts from regulation as areas potentially open to herring fishing.

DISCUSSION: This fishery has not been executed for decades. The criteria in this proposal for this fishery to be reinstituted were less prohibitive than in proposal 3. The burden will be on the proponents of the fishery. Department will have EO authority to reopen the fishery when there is a harvestable surplus.

PROPOSAL NO. 3 **ACTION: No action**

DESCRIPTION: Establish a set of regulatory criteria necessary to open Southern, Outer, and Eastern districts to herring fishing.

DISCUSSION: No action due to action taken on proposal 2.

5 AAC 27.465. Kamishak Bay District Herring Management Plan

(a) The purpose of the Kamishak Bay District herring management plan under this section is to promote and maintain the viability of the herring stock in the Kamishak Bay District and stabilize the commercial fishery targeting the herring stock by using conservative management strategies that support a biologically sound and sustainable commercial fishery. This management plan describes the management strategies used to set and implement the guideline harvest levels for the Kamishak Bay sac roe fishery. Since herring that spawn in the Kamishak Bay District are known to be present in waters of north Shelikof Strait during part of the year, this plan also sets guidelines for the allocation of the Kamishak Bay herring stock to the Shelikof Strait food and bait herring fishery, as described in 5 AAC 27.535.

(b) The management year for the Kamishak Bay herring stock is July 1 - June 30.

(c) The allocation of the allowable harvest of the Kamishak Bay herring stock is 90 percent to the Kamishak Bay sac roe fishery, and 10 percent to the Shelikof Strait food and bait fishery.

(d) The guideline harvest level for the fall Shelikof Strait food and bait fishery and the following spring Kamishak Bay sac roe fishery will be based on the projected biomass as determined by the most recent aerial surveys, age class composition, historical mortality, recruitment trends, and other relevant data that is collected by the department.

(e) The maximum allowable exploitation rate for the Kamishak Bay herring stock is 15 percent of the spawning biomass. The department will determine the exploitation rate based on the age class structure of the forecasted biomass, the degree of biomass uncertainty as measured by the adequacy of recent years' aerial survey conditions and coverage, and the following guidelines:

(1) if the projected spawning biomass is 24,000 short tons or more, the department will establish a guideline harvest level of herring based on an exploitation rate between zero and 15 percent;

(2) if the projected spawning biomass is at least 14,000 short tons, but less than 24,000 short tons, the department will establish a guideline harvest level of herring based on an exploitation rate between zero and 12.5 percent;

(3) if the projected spawning biomass is at least 6,000 short tons, but less than 14,000 short tons, the department will establish a guideline harvest level of herring based on an exploitation rate between zero and 10 percent;

(4) if the projected spawning biomass is less than the minimum threshold of 6,000 short tons, the Kamishak Bay sac roe fishery and the Shelikof Strait food and bait fishery north of the latitude of Miners Point (57ø 54.00' N. lat.) will be closed.

(f) The management strategy for the Kamishak Bay sac roe fishery is to target older age classes of herring, and to limit the exploitation rate of recruit age herring, which are fish age five and younger, to 10 percent or less. In order to provide maximum protection to recruit age herring, a further reduction of the exploitation rates set out in (e) of this section, or a complete closure of the affected fisheries, may be implemented if the biomass projection, or inseason test fishing, indicates a higher percentage of fish are recruit age herring.

History: Eff. 4/7/93, Register 126; am 3/8/2002, Register 161

Authority: AS 16.05.251

5 AAC 27.960. Harvest strategy for Bering Sea-Kotzebue Area

(a) The department shall manage the Norton Sound District herring sac roe fishery so that the seine harvest does not exceed 10 percent of the total herring sac roe harvest projection as published by the department. The board realizes that herring biomass projections, inseason assessments, and harvest monitoring by gear type are not accurate; therefore, the department may not adjust the harvest projection after it has been published.

(b) The harvest limit in Subdistrict 7 of the Norton Sound District from September 1 through November 15 is 10 metric tons of herring.

(c) Repealed 5/11/85.

(d) Repealed 5/11/85.

(e) Repealed 5/11/85.

(f) Repealed 5/11/85.

(g) The department shall manage the Port Clarence District herring sac roe fishery so that 10 percent of the available harvest is reserved for the herring food and bait fishery.

(h) In the Norton Sound District, the guideline harvest level for the wild herring spawn-on-kelp fishery described in 5 AAC 27.934, is 30 metric tons.

History: In effect before 1982; am 4/14/82, Register 82; am 4/16/83, Register 86; am 5/11/85, Register 94; am 4/2/88, Register 105; am 3/30/95, Register 133; am 5/19/99, Register 150

Authority: AS 16.05.060

AS 16.05.251

(a) Herring may not be taken for commercial purposes in any waters of the Kuskokwim Area that are not described in 5 AAC 27.875.

(b) Herring spawn on kelp and herring spawn on any other substrate may not be taken for commercial purposes in any waters of the Kuskokwim Area.

History: In effect before 1988; am 5/31/98, Register 146

Authority: AS 16.05.251

AS 16.10.190

5 AAC 27.893. Vessel specifications and operations for Kuskokwim Area

(a) In the Goodnews Bay, Nelson Island, and Cape Avinof Districts, a vessel used to take herring may not be more than 30 feet in overall length. For the purpose of this section, "overall length" means the straight-line measurement between the extremities of the vessel.

(b) In the Nelson Island, Goodnews Bay, and Cape Avinof Districts, a vessel used to take herring may not have on board any mechanical device designed to shake or dislodge herring from a gillnet.

History: Eff. 5/1/87, Register 102; am 4/2/88, Register 105; am 3/30/95, Register 133; am 6/10/98, Register 146

Authority: AS 16.05.251

Editor's note: 5 AAC 27.893 was filed as an Emergency Regulation on 5/1/87. The identical section had been filed in a set of "regular" regulations on 4/21/87 to take effect 5/21/87, Register 102. The Emergency Regulation was therefore allowed to lapse. The history line for 5 AAC 27.893 reflects only the 5/1/87 effective date of the section.

5 AAC 27.894. Management Plan for Gillnet and Cooperative Purse Seine Fishery in the Nunivak Island District

Repealed.

History: Eff. 4/16/2000, Register 154; am 4/5/2001, Register 158; repealed 5/26/2006, Register 178

5 AAC 27.895. Harvest strategy for Kuskokwim Area

(a) In the Cape Avinof District, the department shall manage the commercial herring fishery for an exploitation rate not to exceed 15 percent of the estimated available biomass.

(b) Repealed 5/11/85.

(c) Repealed 5/11/85.

(d) In the Nelson Island District, the department shall manage the commercial herring fishery so that the combined commercial and subsistence herring harvest does not exceed a exploitation rate of 20 percent of the estimated available biomass. The subsistence portion of the combined subsistence and commercial harvest is

96-159-FB

ALASKA BOARD OF FISHERIES
FINDINGS

KODIAK SAC-ROE HERRING MANAGEMENT PLAN

(Finding #96-03-FB)

The Alaska Board of Fisheries (board), at a regularly scheduled meeting which began November 29, 1995, took action on the Kodiak Management Area (KMA) herring sac-roe fisheries and adopted a management strategy which will be found at 5 AAC 27.535(e).

Prior to taking action, the Board considered information contained in oral and written reports by the Alaska Department of Fish and Game (ADF&G). The board also accepted public testimony from 78 individuals and from interested advisory committees. In addition, the board accepted testimony from a sub-committee of the Kodiak Fish and Game Advisory committee that was developed to address the topic of management of the KMA herring sac-roe fishery.

This document does not attempt to explain the board's reasoning or to summarize the information presented to and considered by the board; that information can be found in the administrative record. The purpose of this document is to express the general underlying intent behind the board's action and provide general guidelines to facilitate further consideration of this issue if the board's action does not achieve its intended purposes.

FINDINGS:

1. The overriding underlying intent behind the board's adoption of the KMA herring sac-roe management strategy was to address conservation concerns. These concerns were caused, in part, by recent growth in the KMA herring seine fleet, increased processing capacity, commercial harvest of herring with low roe percentages, increased harvests, frequent and extreme exceeding of guideline harvest levels (GHLs) in individual management units, and indications that localized stock depletion has occurred. The board was also concerned that ADF&G did not have sufficient management tools to satisfactorily monitor catches and manage the fishery under existing regulations and management strategies.

2. The secondary intent in adopting the KMA management strategy was to preserve the historical harvest balance between seine and gillnet fishers without setting specific allocations by gear type. The board finds the historic gillnet harvest to range, in round numbers, between 20 and 30 percent.

Since 1982, KMA has been managed under a liberal harvest strategy. The season opened on April 15 and closed on June 30. Fishing periods were the same for both seine and gillnet gear groups, and ran for 24 hours every other day, starting on odd numbered days at 12:00 noon. In 1995, in order to reduce the risk of exceeding GHL's, ADF&G was forced to depart from this harvest strategy. During 1995, fishing periods were reduced to ten hours during daylight hours; although ADF&G's concerns centered primarily on the harvesting power of the seine fleet, this reduction in fishing time applied to both seine and gillnet fisheries.

3. It is the intent of the board that the KMA management strategy will allow ADF&G to manage individual harvest units for harvest at or near their respective GHL's.

4. It is the intent of the board that the KMA management strategy will allow ADF&G to prevent overexploitation of herring stocks, including stocks which migrate through several management units. However, it is recognized that if more than one management unit is closed when a GHL is reached, it will be a significant departure from historical management actions and will adversely affect the historical harvest balance between gear types.

5. It is the intent of the board that, under the KMA management strategy, catch percentages by seine and gillnet fishers will remain within historical normal ranges.

6. If the intent of the board, as described above, is not achieved through the KMA herring sac-roe harvest strategy, the board expects ADF&G or interested parties to bring this issue back before the Board through an agenda change request.

7. Future board consideration of whether the KMA management strategy has had an unforeseen effect should be made in light of the board's intent in adopting the plan.

8. The board may consider significant deviations from the historical average harvest percentages between the seine and drift fleets to be compelling new information. However, there has been significant variation in harvest percentages in the past, and consideration of any agenda change request based on changes in the balance between the drift and seine gear types will require consideration of these historical ranges. Table three from ADF&G's presentation to the board in Kodiak is attached, and is incorporated by reference to assist in any future consideration of agenda change requests dealing with this management plan.

Adopted: January 29, 1996
Anchorage, Alaska

Vote: 7-0

Larry J. Engel, Chairman
Alaska Board of Fisheries

#79-49-FB,
#79-59-FB,
#79-60-FB,
#80-68-FB
see also

ALASKA BOARD OF FISHERIES
RESOLUTION #80-80-FB

1981 BRISTOL BAY HERRING
MANAGEMENT DIRECTIVE

The 1981 Bristol Bay herring and herring roe-on-kelp fishery will be managed within the following guidelines:

1. a minimum threshold level of biomass for conservaion of the stocks will be maintained;

2. differing harvest rates for older and younger age class herring will be used;

3. the commercial harvest will not start until the start of spawning, thus insuring the opportunity for the highest roe rocovery; and

4. the harvest management should minimize wastage of the resource.

The Board of Fisheries therefore directs the staff of the Department to take the following actions given the specified circumstances:

1. when the total observed biomass of early season older age class herring exceeds 20,000 metric tons, the season will open and the harvest rate will be 10% of the observed biomass; the harvest rate may be allowed to increase to 20% if the observed biomass exceeds 40,000 metric tons and sufficient spawning has occurred;

2. when the total observed biomass of later season younger age class herring exceeds 20,000 metric tons, a harvest rate of no more than 10% will be allowed; and

3. the number of openings allowed in the herring roe-on-kelp fishery will be based on the fishing time in the herring fishery.

ADOPTED: Anchorage, Alaska
December 13, 1980

VOTE:

Nicholas G. Szabo
Chairman

#84-105-FB

FINDINGS OF THE ALASKA BOARD OF FISHERIES REGARDING EXCLUSIVE USE AREAS FOR THE A-Y-K HERRING SAC ROE FISHERIES

The Alaska Board of Fisheries has adopted regulations allowing participation in certain herring sac roe fisheries of the A-Y-K area only by persons or vessels that have not also participated in other Alaska herring sac roe fisheries during that calendar year. While the board does not believe that exclusive use regulations are appropriate for all fisheries, it does believe that these regulations will serve the orderly conservation and development of these fisheries. In support of the regulations, the board finds:

1. These fisheries are an important segment of the local economies of communities of the coastal A-Y-K region. In most cases, there are few if any employment alternatives to commercial fishing.

2. The herring sac roe fisheries are only recently developing, and local fishers in general do not have sophisticated equipment or skills to apply to herring fishing, though they do have the capability to fully harvest and utilize all available resources.

3. Herring fishers in other Alaska herring sac roe fisheries have generally developed highly refined fishing skills and acquired significantly more effecient fishing equipment, which if employed on a wholesale basis in the A-Y-K area would disadvantage A-Y-K fishermen and the communities that are dependent upon commercial fishing as a cash economy.

4. In order to allow A-Y-K fishers the opportunity to acquire the skills and equipment so that they may fairly compete with those who participate in other Alaska herring sac roe fisheries, the board has adopted the exclusive use regulations. Exclusive use will allow A-Y-K fishers the time to develop those skills needed to be competitive, and income generated from the fisheries will assist them in upgrading equipment.

5. Without the exclusive use regulations, the amount of effort in the fishery will increase, since other Alaskan herring sac roe fisheries would be over by the time the fisheries are conducted in the A-Y-K region. This would result in shortened fishing seasons and increased numbers of participants diminishing the opportunity for A-Y-K fishers to develop fishing skills and diminishing the income generated to each participant, thus impacting the A-Y-K fishers' ability to acquire competitive equipment.

6. Since the A-Y-K herring fisheries are so recently developed compared to other Alaska herring sac roe fisheries, the level of knowledge of the status of the herring resource is less than of stocks elsewhere in Alaska. Regulations which reduce the amount of effort and the efficiency of the participants or which reduce the rate at which effort grows and efficiency increases are therefore necessary. A slower paced fishery on stocks of unknown magnitude, distribution, and resiliency is appropriate. Further, the significant degree of subsistence utilization of the herring resource in the A-Y-K region, compared to other regions of the state, supports the board's desire for a cautious, conservative regulatory environment.

Date: 2/1/85

Ron Jolin, Chairman
Alaska Board of Fisheries

RC 125

Changes in Roe Herring Markets: A Review of Available Evidence

CFEC Report Number 05-5N

December 2005
Prepared by Stefanie Carlson

Commercial Fisheries Entry Commission
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1.0 Introduction

Alaska has several gillnet and purse seine fisheries that target herring ready to spawn. The main product from the herring is roe to be processed for the traditional Japanese salted herring roe (*shio kazunoko*) market or the newer, lower valued flavored herring roe (*ajitsuke kazunoko*) market. The males and carcasses of females, after roe extraction, may become inputs into a fish meal ancillary product. Larger carcasses, characteristic of Bering Sea roe herring, may also be processed for the Japanese dried herring food markets. Roe herring harvested in Alaska are typically frozen in the round and are shipped overseas for roe extraction and further processing.

Alaska also conducts herring fisheries which target herring when they have high oil content and are best for high quality bait. For permitting purposes, the herring fisheries tend to be differentiated according to the desired product. Roe herring fisheries experienced the greatest growth in effort in the 1980s, and many have been limited. Unless CFEC limited the entire fishery as a "combined roe herring and herring" fishery, the food/bait herring fishery in the same area has remained unlimited in all areas except Kodiak.

Roe herring fisheries appear to have some management benefits over food/bait herring fisheries. Roe herring fisheries are believed to be on local stocks, so it is somewhat clearer what regulatory stocks are being harvested and therefore easier to estimate biomass and calculate harvest rates that will sustain yields. In contrast, food/bait fisheries are sometimes believed to be "mixed stock" fisheries.

Alaska roe herring fisheries developed in the 1970s following a decline of the herring resource in Japanese and Soviet waters. The ex-vessel prices for roe became relatively high in the 1980s, often exceeding $1,000 per ton (nominal dollars) in some fisheries. Some persons believed that the roe herring fishery would permanently be the highest value use for the herring resource. Others are concerned that Japanese demand for traditional salted herring roe is declining.

The ex-vessel price for the herring within an area and time period is said to vary depending upon the size and quality of the extracted skein and the percentage roe content. The worldwide supply of roe herring and the Japanese yen to US dollar exchange rate also play important roles in determining the annual ex-vessel prices.

In the past decade, roe herring ex-vessel prices paid in Alaska fisheries have declined considerably. Market observers have suggested this is due to changing tastes and preferences and changing demographics in Japan, the main market for herring roe products. This decline in ex-vessel price for roe herring has led to declines in participation in both limited and unlimited roe herring fisheries. In several limited fisheries, entry permits often remain un-fished. Some unlimited fisheries have seen big declines in participation. In addition, processors opted to forego participation in the northern-most westward roe herring fishery in 2004 leaving permit holders without a market and a substantial quota un-harvested. If the market for roe herring continues to decline it is possible other fisheries will lack buyers.

This report discusses summary harvest and gross earnings information available for Alaska's roe herring fisheries. A time series of annual ex-vessel price estimates is provided for select fisheries. Recent articles and expert commentary in industry magazines are reviewed and views about changing tastes in Japan are outlined. Changing Japanese markets are the focus in seeking an explanation for declining ex-vessels prices in Alaska's roe herring fisheries.

2.0 Statewide participation and earnings in Alaska roe herring fisheries

Alaska's commercial roe herring fisheries begin early March in southern Southeast portion of the state and end mid-July in the northern most Bering Sea fishery. Many areas conduct both a purse seine and gillnet roe herring fishery. Participation and earnings across the fisheries have varied widely since development in the 1970s.

The combined ex-vessel value of Alaska's commercial roe herring purse seine and gillnet fisheries is shown below. Total harvest volume over the 1983 to 2004 period has been lowest in recent years, with a period low of 31,500 tons in 2002.[1] During the same period, the highest statewide volume landed in Alaska's roe herring fisheries was almost twice that of the 2002 harvest; in 1992, 61,476 tons were landed. The total ex-vessel value across the same fisheries and period also is lowest in recent years. The total ex-vessel value of the fisheries peaked in 1996 at $56.5 million. The following year, despite a slight increase in harvests, total ex-vessel value dropped to only $15.2 million.

The value of the fisheries has not recovered. Interest in Alaska's roe herring fisheries has declined as the price paid for the resource has declined. The table below shows dramatic reduction in statewide participation following the 1996 peak in total gross earnings. In 1996, landings were recorded on 2,471 permits; but in 2004, landings were recorded on only 350 permits. Despite healthy biomass estimates, the Norton Sound commercial roe herring fishery (the latest in the state) did not occur in 2004 due to lack of participation from processors.

[1] Unless noted, "ton" in this report refers to a short ton which is 2,000 pounds.

Total participation, harvest, and earnings (nominal dollars) in Alaska's commercial roe herring purse seine and gillnet fisheries, 1983-2004*

2004	Permits w/landings	350		1993	Permits w/landings	1,144
	Price/ton	$299			Price/ton	$398
	Tons landed	33,511			Tons landed	45,386
	Gross earnings (mill$)	$10.0			Gross earnings (mill$)	$18.1
2003	Permits w/landings	417		1992	Permits w/landings	1,515
	Price/ton	$241			Price/ton	$408
	Tons landed	34,105			Tons landed	61,476
	Gross earnings (mill$)	$8.2			Gross earnings (mill$)	$25.1
2002	Permits w/landings	482		1991	Permits w/landings	1,615
	Price/ton	$273			Price/ton	$548
	Tons landed	31,500			Tons landed	42,451
	Gross earnings (mill$)	$8.6			Gross earnings (mill$)	$23.2
2001	Permits w/landings	649		1990	Permits w/landings	1,748
	Price/ton	$271			Price/ton	$631
	Tons landed	40,290			Tons landed	37,481
	Gross earnings (mill$)	$10.9			Gross earnings (mill$)	$23.7
2000	Permits w/landings	993		1989	Permits w/landings	2,213
	Price/ton	$272			Price/ton	$408
	Tons landed	32,401			Tons landed	40,471
	Gross earnings (mill$)	$8.8			Gross earnings (mill$)	$16.5
1999	Permits w/landings	1,114		1988	Permits w/landings	2,079
	Price/ton	$418			Price/ton	$972
	Tons landed	38,834			Tons landed	48,958
	Gross earnings (mill$)	$16.2			Gross earnings (mill$)	$47.6
1998	Permits w/landings	1,104		1987	Permits w/landings	2,227
	Price/ton	$285			Price/ton	$889
	Tons landed	43,226			Tons landed	44,285
	Gross earnings (mill$)	$12.3			Gross earnings (mill$)	$39.4
1997	Permits w/landings	2,009		1986	Permits w/landings	1,870
	Price/ton	$285			Price/ton	$768
	Tons landed	53,262			Tons landed	48,588
	Gross earnings (mill$)	$15.2			Gross earnings (mill$)	$37.3
1996	Permits w/landings	2,471		1985	Permits w/landings	1,790
	Price/ton	$1,121			Price/ton	$663
	Tons landed	50,396			Tons landed	53,880
	Gross earnings (mill$)	$56.5			Gross earnings (mill$)	$35.7
1995	Permits w/landings	1,641		1984	Permits w/landings	1,416
	Price/ton	$948			Price/ton	$441
	Tons landed	49,386			Tons landed	43,004
	Gross earnings (mill$)	$46.8			Gross earnings (mill$)	$18.9
1994	Permits w/landings	1,382		1983	Permits w/landings	1,506
	Price/ton	$474			Price/ton	$547
	Tons landed	47,421			Tons landed	47,479
	Gross earnings (mill$)	$22.5			Gross earnings (mill$)	$26.0

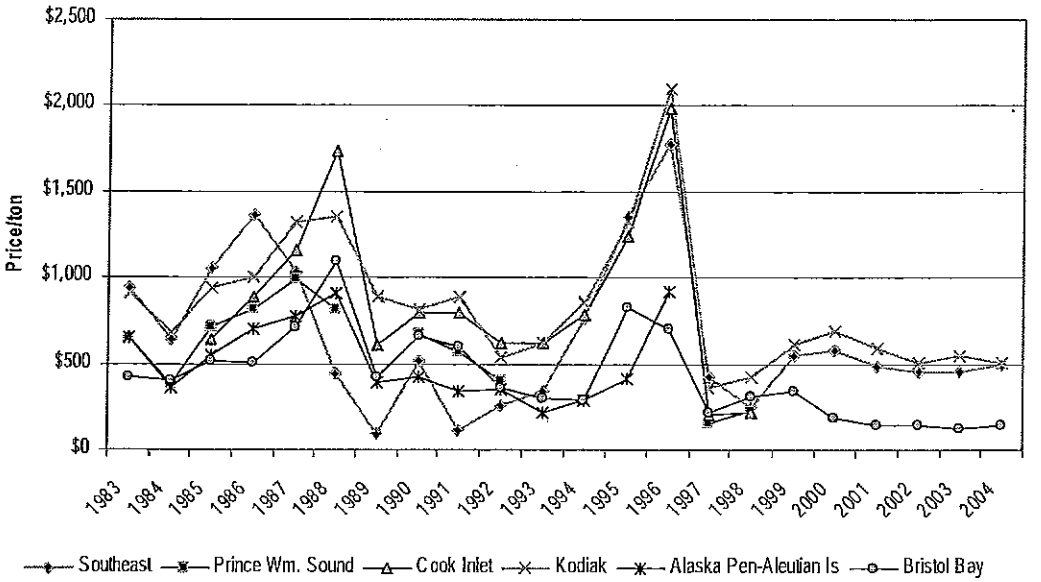
** Purse seine fisheries included: Southeast (G01A), Prince William Sound (G01E), Cook Inlet (G01H), Kodiak (G01K), Chignik (G01L), Alaska Peninsula-Aleutian Islands (G01M), Bristol Bay (G01T), Kotzebue (G01X)*

Gillnet fisheries included: Southeast (G34A), Prince William Sound (G34E), Cook Inlet (G34H), Westward (G34J), Kodiak (G31K/G34K), Alaska Peninsula-Aleutian Islands (G34M), Nelson Island (G34N), Bering Sea (G34Q), Security Cove (G34S), Togiak (G34T), Nunivak Island (G34U), Cape Avinof (G34V), Goodnews Bay (G34W), Kotzebue (G34X), Cape Romanzof (G34Y), Norton Sound (G34Z)

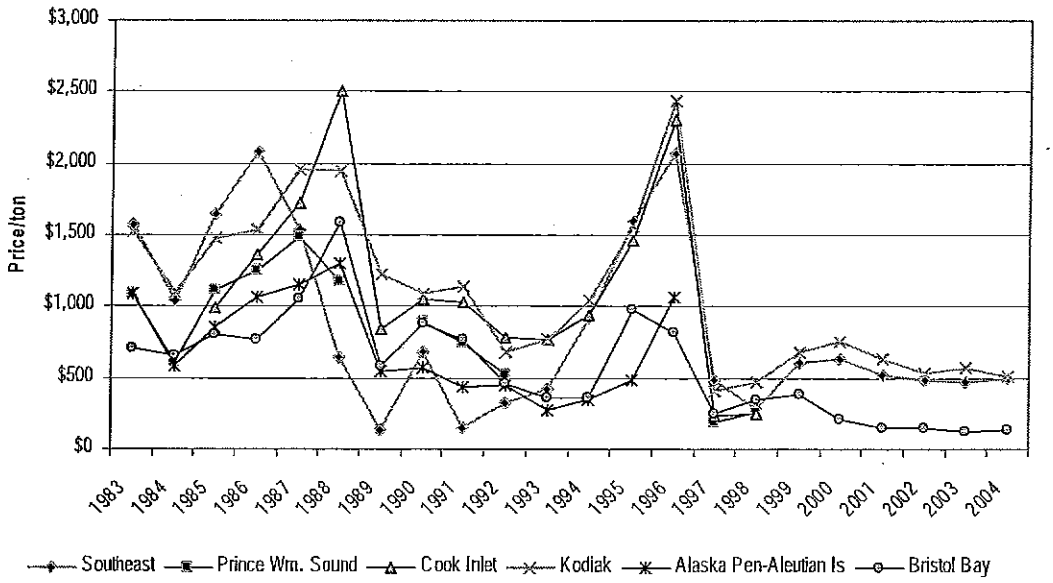
Ex-vessel prices per short ton paid for roe herring in select roe herring purse seine and gillnet fisheries are shown on the following charts. The Commercial Fisheries Entry Commission estimates ex-vessel prices annually by area, gear type, and delivery condition for all Alaska herring fishery landings recorded on fish tickets. Estimates are made using values reported on fish tickets and information gathered from processors through the Commercial Operator Annual Report, administered by the Alaska Department of Fish and Game. The roe herring prices shown below are estimates based on roe herring deliveries only, excluding any food or bait herring landings made on roe herring fishery permits.

Ex-vessel prices peaked in most roe herring fisheries in 1988 and again in 1996. These peaks are followed by steep declines in ex-vessel prices in 1989 and 1997. The charts that follow show average ex-vessel roe herring price estimates first in nominal dollars and then in real 2004 dollars for select purse seine and for select gillnet fisheries. The decline in ex-vessel prices appears to be more pronounced when prices are converted to real (constant-value) 2004 dollars.

Average ex-vessel roe herring price paid in select roe herring purse seine fisheries, nominal dollars

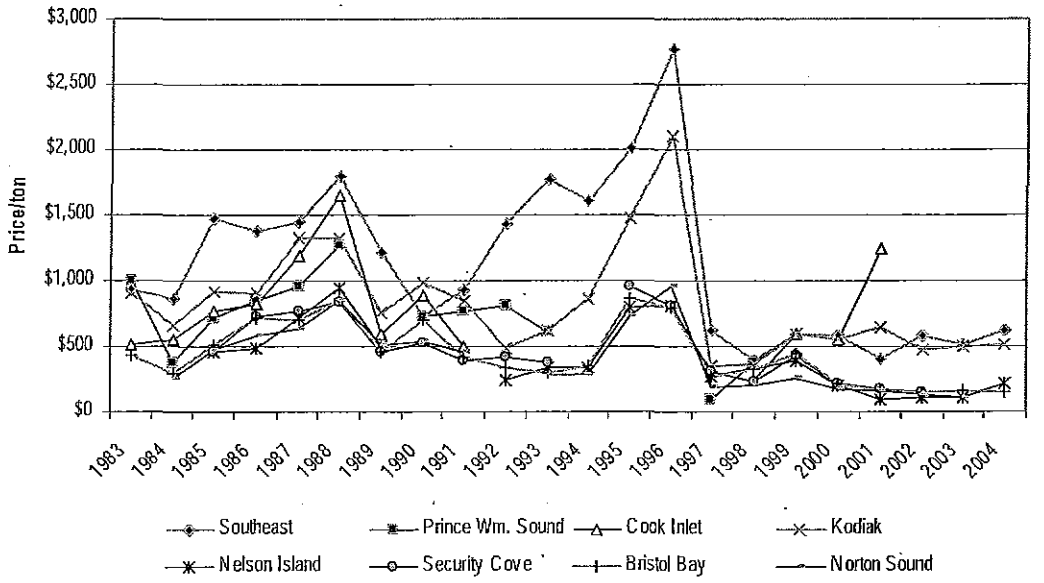


Average ex-vessel roe herring price paid in select roe herring purse seine fisheries, 2004 dollars*

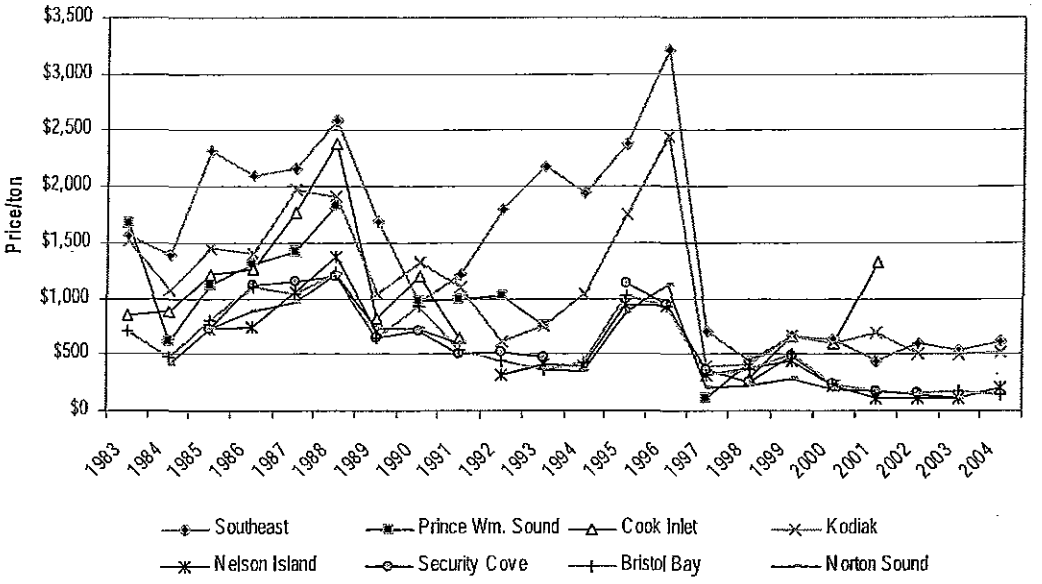


** Note: Ex-vessel prices were adjusted to 2004 dollars using implicit price deflators for gross domestic product.*

Average ex-vessel roe herring price paid in select roe herring gillnet fisheries, nominal dollars



Average ex-vessel roe herring price paid in select roe herring gillnet fisheries, 2004 dollars*



** Note: Ex-vessel prices were adjusted to 2004 dollars using implicit price deflators for gross domestic product.*

3.0 Japanese herring roe market

Ex-vessel price paid to Alaska fishermen is influenced by the world-wide supply of roe herring, the wholesale prices for herring roe products in Japan, and the exchange rate between the yen and the dollar. This section addresses each of those factors. The table below shows the Japanese herring roe annual supply, 1994 through 2003, as provided by analyst Bill Atkinson.

British Columbia has been the main source of extracted Pacific herring roe to Japan and the dominate supplier of the highest grade herring roe used in the "branded gift pack" market. High quality salted kazunoko is packaged in decorative trays and sold through department stores or other gift outlets for the Japanese New Year. Most other Pacific herring roe enter the "home pack" salted kazunoko market. Lower grade Pacific herring roe (skeins that are misshapen, broken, or less desirable in color) is suitable for flavored herring roe, sold for year round home consumption through supermarkets. The smaller size and softer texture of Atlantic roe make it less suitable for the salted kazunoko market. Atlantic herring roe fills the balance of the flavored herring roe producer needs. Alaska ships most product to Japan or China as roe herring (whole fish) for reprocessing, thus extracted herring roe exports are minimal. Across the period shown, the total supply of herring roe in Japan has trended downward. The seasonal supply of Pacific herring roe, however, has been relatively stable in the most recent years shown.

Japanese herring roe supply (in metric tons)[2]

Source	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Beginning inventory:	3,650	3,900	3,100	4,450	5,050	3,740	4,600	5,000	4,300	4,200
Pacific herring roe:										
Canada	5,929	3,913	2,800	4,200	5,095	4,650	4,272	4,264	4,582	4,710
United States	850	881	1,720	2,310	478	314	442	157	48	-
China	359	1,260	-	2,400	2,956	1,965	2,715	2,358	2,343	2,550
Russia	96	101	300	300	188	112	212	144	261	280
Total	7,234	6,155	4,820	9,210	8,717	7,041	7,641	6,923	7,234	7,540
Pacific roe herring:										
North America	4,000	3,300	3,600	3,470	2,440	2,800	2,320	2,750	2,530	2,760
Russia	100	300	400	500	420	300	450	490	1,120	860
Total	4,100	3,600	4,000	3,970	2,860	3,100	2,770	3,240	3,650	3,620
Pacific total:	11,334	9,755	8,820	13,180	11,577	10,141	10,411	10,163	10,884	11,160
Atlantic total:	9,756	10,191	7,950	5,750	5,886	5,364	6,587	6,132	5,905	5,180
Season total:*	21,116	20,021	16,770	19,130	17,576	15,956	17,491	16,688	16,791	16,340
Total supply:*	24,766	23,921	19,870	23,580	22,626	19,696	22,091	21,688	21,091	20,540

Source: Drouin, Michel. 2004. Roe by the numbers. Pacific Fishing. April 2004. Data for this article were provided by Bill Atkinson (publisher of *Bill Atkinson's News Report* and author of Pacific Fishing *Japan Update* column).

**Note that season totals in the table are as presented in the article cited, but are as much as 3 percent higher than the sum of Pacific and Atlantic source roe. This overage carries through to total supply and is not accounted for in the data provided.*

[2] This table breaks Pacific herring roe sources into 2 product forms: product received as roe and product received as roe herring (whole fish). The quantities shown in this table for either product form are a measure of the roe received and exclude carcass weights.

The table above shows supply from Russia more than doubled from 2001 to 2002. According to commentary offered by Bill Atkinson in commercial fishing and seafood trade magazines, Russia has continued to expand their role in the Japanese herring roe market. In recent editions of the *Japan Update* market news column published in Pacific Fishing, Atkinson discusses the influence of a growing Russian roe herring fishery on the market.

> "The Russian roe-herring fishery has continued to increase over the past several years, and this is providing considerable competition for all roe marketed for home consumption. The retail price for Russian roe was about 1,980 yen/kg last year, and it totally dominated the market during December of last year (*Japan Update*, July 2005)."
>
> "With an improved quality seen over the past few years and the still reasonable prices, Russian herring roe has taken a dominant position in the year-end marketplace...The impact of Russian herring roe on the market will be a major topic of discussion between makers and importers this year. With the exception of a few specialty needs, such as the limited gift-pack market, future successes will depend on a combination of quality product offered at "reasonable" prices (*Japan Update*, April 2005)."

The National Marine Fisheries Service, Southwest Regional Office produces summary data on Japanese seafood markets, including *Average Wholesale Prices and Sales Volume of Selected Fishery Products at 10 Major Central Wholesale Markets in Japan*. The report shows a steady decline in the annual wholesale price of salted herring roe from 1996 through 2004 (reported in yen per kilogram). While price followed a steady downward trend, the quantity traded during the reporting period and in reported markets fluctuated from year to year with a high of 7,054 metric tons in 1998 and low of 5,875 in 1996. In the three most recent years, the quantity reported ranges from 5,946 to 6,451 metric tons.

Average wholesale price and sales volume of salted herring roe at 10 major wholesale markets in Japan, 1996-2004

	Price (yen/kg)	Quantity (MT)
2004	2,343	6,451
2003	2,581	5,946
2002	2,650	6,431
2001	2,734	6,591
2000	2,763	6,838
1999	2,836	6,956
1998	2,879	7,054
1997	3,372	6,298
1996	4,663	5,875

Source: National Marine Fisheries Service, Southwest Regional Office, *Average wholesale prices and sales volume of selected fishery products at 10 major central wholesale markets in Japan (yen/kg)* available online at http://swr.ucsd.edu/fmd/sunee/salesvol/svw.htm

Trends in wholesale price measured in dollars differ from trends in price measured in yen. According to Johnson and Knapp, a long-term decline in Japanese wholesale prices for salted herring roe was partly offset by an upward trend in the value of the yen relative to the dollar (Johnson and Knapp, 2000). In some years, however, a decreasing Japanese wholesale price for salted herring roe measured in yen was exaggerated by a decline in the value of the yen relative to the dollar. In 1997, most notably, a steep decline in Japanese wholesale price was intensified by a two-year decline in the value of the yen. Yen to US dollar exchange rates are provided in the figure below. Thus Alaska ex-vessel roe herring prices reflect both changes in the Japanese wholesale prices and changes in the exchange rate.

Japanese yen/US dollar exchange rate, January 1980-November 2005



Source: Federal Reserve Statistical Release H.10, Foreign Exchange Rates, available online at http://www.federalreserve.gov/releases/H10/hist/default.htm

The changing market for Alaska's roe herring has received substantial attention from Alaska newspapers and commercial fishing trade magazines in recent years. The April 2004 issue of Pacific Fishing featured several stories on the world-wide market for roe. An article by Michel Drouin, *Roe supply and demand: How Japan's market appetite for herring, salmon, and pollock roe is playing out for U.S. fishermen and processors,* addressed changes in demand for herring roe. Bill Atkinson is recognized as the source for the article selections provided below.

> "In the past, everything closed down for the first three days of the year, and people would stockpile traditional foods for that period. Now, supermarkets are open through the holidays, and aside from eating a few token pieces of herring roe, the purchases are not much different than rest of the year. This change has depressed both sales volume and price levels."

"Herring roe and urchin roe are losing their position as high-end luxury products. Increasingly, they are becoming standard fare in supermarkets, with prices set to win bargain-hunting consumers."

"A smaller market for gift packs remains, with person-to-person and family-to-family gift exchange. But the fast-paced lifestyle of younger Japanese has put a premium on convenience, which has undercut demand for traditional salted herring roe."[3]

The 2004 Pacific Fishing *StatsPack* issue (an annual comprehensive report on recent harvests, forecasts for the coming year, and industry trends) included the following outlook for herring roe markets in the *Herring Forecast* section of the report.

"There's no shortage of herring quota in 2004. With over 80,000 tons available from California to Alaska, it would normally be a big year. But herring markets have changed, and 2004 won't be a bonanza. Demand for kazunoko (salted herring roe) continues to sag as younger Japanese eschew the traditional foods of their parents... Now, convenience and economy rule the herring roe market in Japan (*StatsPack*, March 2004)."

"Japanese are still eating herring roe: they just prefer flavored over salted roes more and more, providing growth in the flavored roe market. But it's the lower-end, lower-value product sold in five-pound pails rather than fancy trays. At half the price and twice the convenience (flavored roes are open-and-eat food) it's understandable why the times, and the tastes, are changing (*StatsPack*, March 2004)."

4.0 The future for Alaska roe herring fisheries

In summary, industry commentary and harvest and price data show trends of decreasing total herring roe supply to Japan, declining wholesale price paid in Japan, and declining ex-vessel price paid in Alaska roe herring fisheries. In a 2001 paper titled *Changing Markets for Alaska Roe Herring*, Johnson and Knapp review industry observers' perceptions of explanations for reduced demand for traditional salted herring roe in Japan as follows:

- A prolonged recession in Japan.
- More personal travel during holidays, resulting in less time at home to participate in traditional activities such as those associated with kazunoko.
- Development of substitute products as holiday gifts, including salted and smoked salmon, smoked ham, and liquor.

[3] Traditional Japanese salted herring roe (kazunoko) requires the consumer to soak the dried product overnight in fresh water to extract most of the salt.

- Changing corporate culture resulting in curtailment of company gift-giving... which discourages or prohibits officials from accepting gifts from the corporations they regulate--such as high value branded kazunoko gift packs.
- Changing demographics of Japan's population...The younger generation tends to be more health conscious, seeking diets lower in salt. The younger generation is also more convenience-oriented and less patient with the rituals of traditional cooking.

To substantiate these perceptions of reduced demand, Johnson and Knapp point to comparisons of average estimated consumption of salted herring roe and average wholesale prices for salted herring roe over four three-year periods: 1988-1990, 1991-1993, 1994-1996, and 1997-1999. The table below shows consumption and price summary data used in the study. Their work suggests the Japanese demand curve for traditional salted herring roe is shifting inward; at any given volume, prices Japanese consumers are willing to pay for salted herring roe are declining.[4]

	Estimated consumption of salted herring roe (MT)	Avg. wholesale price of salted herring roe (yen/kilo)
Average, 1988-1990	10,737	3,933
Average, 1994-1996	9,713	3,561
Percent change	-10%	-9%
Average, 1991-1993	11,803	3,413
Average, 1997-1999	9,925	2,612
Percent change	-16%	-23%

Source: Johnson T and Knapp G. 2001. Changing markets for Alaska roe herring. Funk F, Blackburn J, Hay D, Paul AJ, Stephenson R, Toresen R, Witherell D, editors. Alaska Sea Grant College Program, Fairbanks, AK. University of Alaska Sea Grant. AK-SG-01-04, 2001.

Johnson and Knapp offer the following summary statements looking to the future of herring roe markets.

> "Imports and distributors interviewed for this research generally were pessimistic about the future of herring roe products, expressing a widely held view that demand will continue to diminish into the foreseeable future. However, some of them, and more commonly kazunoko processors, believe that demand can be stimulated by lowering the price, developing new products, or employing new ways of marketing familiar products."
>
> "Perhaps the greatest concern to the Alaska herring industry should be declining Japanese demand for traditional salted herring roe. If Pacific herring harvests

[4] Note that Johnson and Knapp highlighted ranges of years for comparison that resulted in a decrease in consumption accompanied by a decrease in price; evidence of an inward shifting demand curve. Applying their method to contiguous periods of time fails to produce the same results. Changes between periods 1 and 2, 2 and 3, and 3 and 4 are consistent with movement along a stationary demand curve (higher prices occur in periods of lower quantity and lower prices occur in periods of higher quantity). By looking at periods over longer time gaps, the data tend to support the theory that demand is gradually shifting inward as tastes and preferences for herring roe products change.

remain at levels of the past decade, it is likely that Japanese wholesale prices for salted herring roe--and prices paid to Alaska fishermen--will remain low and may fall further."

"Alaska herring may serve as a reminder that viable commercial fisheries depend not only on fishery resources, but also on the markets from which resources derive their value."

RC126

Tribal List of Organizations that support 234 and use herring eggs

1. Nunapitchuk IRA Council
2. Native Village of Ouzinkie
3. Atmautluak Traditional Council
4. Native Village of St. Michael
5. Hoonah Indian Association
6. Georgetown Tribal Council- Anchorage
7. Cheesh-na Tribal Council- Chistochina
8. Chevak Native Village
9. Ugashik Traditional Village
10. Native Village of Nuiqsut
11. Native Village of Shaktoolik
12. Nunakauyak Traditional Council- Toksook Bay
13. Hydaburg Cooperative Association
14. Native Village of White Mountain
15. Lime Village Traditional Council
16. Organized Village of Kasaan- Ketchikan
17. Stebbins Community Association
18. Nulato Tribal Council
19. Beaver Village Council
20. Native Village of Eyak
21. Village of Diomede
22. Akutan Traditional Council
23. Yakutat Tlingit Tribe
24. Qawalangin Tribe of Unalaska
25. Ketchikan Indian Community
26. Alatna Tribal Council
27. Native Village of Port Heiden
28. Levelock Village Council
29. Organized Village of Kake
30. Organized Village of Saxman
31. Chilkoot Indian Association
32. Twin Hills Village Council
33. Grayling IRA Tribal Council
34. Nightmute Traditional Council
35. Native Village of Kiana
36. Kenaitze Indian Tribe- Kenai
37. Kongiganak Traditional Council
38. Chickaloon Village Traditional Council
39. Pauloff Harbor Tribe- Sand Point
40. Deering IRA Council

NATIVE VILLAGE OF NUNAPITCHUK
Nunapitchuk IRA Council
P.O. Box 130
Nunapitchuk, AK 99641
Ph. (907) 527-5705 fax 527-5711

RESOLUTION 09-01-07

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Nunapitchuk would use 2,000 or more pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 116 households, so our community would use a total of 2,000 or more pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Native Village of Nunapitchuk supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Nunapitchuk would use 2,000 or more pounds of herring eggs if they were available to our community.

Passed and Approved: January 27, 2009.

Zechariah C. Chaliak, Sr.
Nunapitchuk IRA President

Jerry Wassillie, Sr.
Nunapitchuk IRA Secretary

Native Village of Ouzinkie
Ouzinkie Tribal Council
Resolution 2009-05

A RESOLUTION FROM THE OUZINKIE TRIBAL COUNCIL SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act Title VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on: on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,00 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Ouzinkie would use 2,200 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 86 households, so our community would use a total of 2,200 pounds if they were available to us.

NOW THEREFORE BE IT RESOLVED, that the Ouzinkie Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000. Our Community of Ouzinkie would use 2,200 pounds of herring eggs if they were available to our community.

Passed this 16th day of January, 2009.

Alex Ambrosia, Tribal President

Katherine Panamarioff, Recording secretary

ATMAUTLUAK TRADITIONAL COUNCIL
P.O. BOX 6568
ATMAUTLUAK, ALASKA 99559
PHONE # (907) 553-5610
FAX # (907) 553-5612
E-MAIL: atmautluaktc@hughes.net

RESOLUTION 09-03

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGNAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13 – A and 13 – B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Atmautluak would use (500) five hundred pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has (64) sixty-four households, so our community would use a total of (32,000) thirty-two thousand pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED that Atmautluak Traditional Council supports to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds. Our community of Atmautluak would use 32,000 pounds of herring eggs if they were available to our community.

SUBMITTED BY: Atmautluak Traditional Council Date: 1-30-09

Moses A. Pavilla

CONTACT NAME: Moses A. Pavilla Sr. Date: 1-30-09



Native Village of St. Michael
P.O. Box 59050 - St. Michael, Alaska 99659 Phone: (907) 923-2304/2405
Fax: (907) 923-2406

2008 RESOLUTION ___

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of St. Michael would use 25-30 [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 80 [NUMBER] households, so our community would use a total of 2,580 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVE the Native Village of St. Michael supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of St. Michael would use 2,580 AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: DATE: 01-30-2009

CONTACT NAME: PHONE: Shirley Martin, 907-923-2304/2405

RC 127

Hoonah Indian Association

P.O. Box 602
Hoonah, AK 99829-0602
Phone (907) 945-3545 Fax (907) 945-3703

Resolution No. 09-03

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence harvesting and use of herring eggs constitutes a vital aspect of our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: The Community of Hoonah would use 55 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 198 native households, so our community would use a total of 10,890 pounds of herring eggs if they were available to us, now,

THEREFORE BE IT RESOLVED, the Hoonah Indian Association supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Hoonah would use 10,890 pounds of herring eggs if they were available to our community.

CERTIFICATION

This resolution was duly adopted this 23th day of January 2009 with a vote of 6 for, 0 against, 0 absent, 0 abstentions.

Mr. Frank Wright Jr., President Date

Attest:

Johanna Dybdahl, Tribal Administrator Date

GEORGETOWN
tribal council

GEORGETOWN TRIBAL COUNCIL
RESOLUTION 09_02

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: the Native Village of Georgetown is a federally recognized Tribe; and

WHEREAS: The Georgetown Tribal Council is the governing body of the Native Village of Georgetown, and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; And

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for

4300 B Street, Suite 207 ✭ Anchorage, AK 99503 ✭ (907) 274-2195 ✭ FAX (907) 274-2196 ✭ gtc@gci.net ✭ Toll free 1-888-274-2195

herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Georgetown would use 5 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 46 households, so our community would use a total of 230 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED GEORGETOWN TRIBAL COUNCIL supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000– 325,000 pounds. Our community of Georgetown would use 230 pounds of herring eggs if they were available to our community.

Certification

Passed and approved by a constituted quorum on the Council via email and verbal telephone votes on this 23th day of January 2009 by a vote of 4 in favor, 0 opposed, and 1 abstaining.

Signed: _____ Witness: _____

Gary Fredericks — President

Amber Matthews — Tribal Administrator

Cheesh-na Tribal Council
P.O. Box 241
Chistochina, AK 99586
(907) 822-3503/822-5179 FX

RESOLUTION ____

A RESOLUTION SUPPORTING THE PROTECTION ALASKA'S ABORIGINAL, TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act of 1980, wherein TITLE VIII grants subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our eco-system, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: The Native Village of Chistochina would use 1500 pounds of herring eggs, per year, if herring eggs were available to us; and

NOW THEREFORE BE IT RESOLVED, Cheesh-na Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Proposal 234 (increases the Amount Reasonably Necessary for Subsistence herring eggs in Sitka Sound to 265,000 – 325,000 pounds). Our community would use 1500 pounds of herring eggs if they were available to our community.

SUBMITTED BY: Joe Hicks DATE: 1/22/08

CONTACT NAME: Joe Hicks PHONE: 907 822 3503

CHEVAK NATIVE VILLAGE
Chevak Traditional Council
P.O. Box 140 Aurora Street
Chevak, AK 99563
Phone: (907) 858-7428, Fax: (907) 858-7812

RESOLUTION 2009-03

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS: the Chevak Traditional Council (Council) a governing body for the Chevak Native Village a sovereign entity and a federally recognized Tribe; and

WHEREAS: the Council represents the interests of the Kashunamiut for their health, safety and welfare; and

WHEREAS: the five member governing body of the Council is fully authorized to act for and on behalf of it's tribal members arising under the Self-Determination Act of 1975, Public Law 93-638 as amended , 25 U.S.C. Et. Seq.; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; And

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Chevak Native Village would use 20-25 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 88 households, so our community would use a total of 800 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED that Chevak Native Village supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. The Chevak Native Village would use 800 pounds of herring eggs if they were available to our community.

CERTIFICATION

This certifies that the Council is composed of five (5) duly elected members of Chevak Native Village of whom 5 were present at a meeting held this 26th day of January and the Council adopted this resolution by a vote of 5 in favor, 0 in opposition, and 0 abstaining.

CHEVAK TRADITIONAL COUNCIL

Attest:

Roy J. Atchak, Chief

Daniel Joe, Secretary/Treasurer

SEAL

CHEVAK TRADITIONAL COUNCIL
CORPORATE
SEAL
1978
ALASKA

UGASHIK TRADITIONAL VILLAGE COUNCIL

RESOLUTION 2009-05

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVEST HERRING EGGS.

WHEREAS, The Ugashik Traditional Village Council is a FEDERALLY recognized Tribal Government (hereinafter "Tribe"), and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and,

WHEREAS, Congress enacting the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,00 - 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS, Our Community of Ugahik would use 25 (Twenty-five) pounds of herring eggs per household, per year if they were available to us; and

Now, Therefore Be It Resolved, that our Community of 6 (six) households, would use a total of150 (one-hundred, fifty) pounds of herring eggs if they were available to us.

CERTIFICATION:

This resolution was duly considered and adopted of the Ugashik Village Council in Anchorage, Alaska on January 22, 2009, at which time a poll vote of the Council members was taken.

For 4 Against 0 Abstain 0
Present 4 Absent 1

Authorized Representative:

President: Mrise Downing

Secretary: Hannah Swanson

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

RC 128

RESOLUTION NO. 09-02

WHEREAS: Subsistence gathering and harvesting of herring eggs constitutes our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native Claim s to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for subsistence (ANS) for herring eggs set in state regulation in 2001, currently designated at 105,000-158,000 pounds, based on the needs of Alaska Natives around the State; and

(Resolution No. 09-02 Continued)

WHEREAS: Our community of Nuiqsut would use 50,000-100,000pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 500 households, so our community would use a total of 50,000-100,000 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED: Native Village of Nuiqsut supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds. Our community of Nuiqsut would use 50,000-100,000 pounds if herring eggs if they were available to our community.

CERTIFICATION:

It is hereby certified that on the 15th day of January, 2009 a quorum of the Native Village of Nuiqsut Tribal Council was formed, and did pass and adopt the preceding resolution by a vote of 4 in favor, Ø opposed and Ø abstaining.

Thomas Napageak 01-15-09
Vice Tribal Council President Date

Cheryl Kunaknana 01-15-09
Tribal Council Secretary Date



IRA Council
P.O. Box 100
Shaktoolik, Alaska 99771-0100

Phone (907) 955-3701
Fax (907) 955-2352

Native Village of Shaktoolik
RESOLUTION 09-02

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL, TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, the Native Village of Shaktoolik is an Alaskan Native Village organized as an Alaskan Native/American Indian Organization Act of 1934 as amended in 1936 for Alaska, and;

WHEREAS, the Native Village of SHaktoolik IRA Council is the elected governing body of the Alaska Native/American Indian People of the Native Village of Shaktoolik, and;
WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Shaktoolik would use 80 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 66 households, so our community would use a total of 5280 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED the Native Village of Shaktoolik supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Shaktoolik would use 5280 pounds of herring eggs if they were available to our community.

Certification
09-02

We, the undersigned members of the Native Village of Shaktoolik IRA Council do hereby certify that the Native Village of Shaktoolik IRA Council is composed of 7 members, of whom 05 voted on this 13th day of January, 2009, and the foregoing resolution was adopted by a vote of 05 members.

YES 05 NO ____ ABSTAIN ____ ABSENT 02

Simon L Bekoalok

Simon L. Bekoalok Jr.
President

ATTEST:

Edna Savetilik

Edna Savetilik
Secretary

NUNAKAYAUYAK TRADITIONAL COUNCIL
2009 RESOLUTION 2009-01-003

TITILE: A RESOLUTION SUPPORTING THE PROTECTION OFALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAMES MANAGEMENT REGULAT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Natives Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence use of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Toksook Bay would use one thousand pounds of herring eggs per household, per year if they were available to us; and

WHREAS: Our community has 115 households, so our community would use a total of one thousand pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED _____ NUNAKAUYAK TRIDITIONAL COUNCIL supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Toksook Bay would use one thousand pounds of herring eggs if they were available to our community.

SUBMITTED BY: _____ DATE: 1-12-09

CONTACT NAME: Florence Therchik PHONE: (907) 427-7027

✓ flyer
thnx
DVD
151

Our community Hydaburg, would use 55 lbs per household of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 125 households.

OR

Our community Hydaburg, would use 7000-10,000.00 lbs TOTAL of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 125 households.

Does your community receive the herring eggs you need? NO. And in recent years our egg take has dropped drastically

Would you use eggs if they were available? Yes. They are a mainstay of our nutritional and cultural needs.

Comments (especially about your use of Sitka herring eggs):
Hydaburg has a long history of utilizing Sitka Herring Eggs. It is the first subsistence food available in the spring. Family + Friends send eggs to Hydaburg Annually. It is part of the Southeast culture and Heritage.

Our tribe/ community City of Hyd/Hydaburg Cooperative Assoc. represents 400 (#) of people.

Signed by official — Date

Anthony Christian — 9.22.09

City of Hydaburg Mayor

Hydaburg Cooperative Association NR Director

White Mountain
Alaska
The Fish River Tribe

Native Village of White Mountain
IRA TRIBAL COUNCIL
P.O. Box 84082
White Mountain, AK 99784
TELEPHONE: (907) 638-3651 & FAX: (907) 638-3652

NATIVE VILLAGE OF WHITE MOUNTAIN
2009 RESOLUTION NO. 2009-02

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy", and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor Subsistence herring egg harvest due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fisher in the guideline Harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 Pounds to 265,000 325,000 pounds, based on the needs of Alaskan Natives around the State.

WHEREAS, Our community of White Mountain would use 100,000 pounds of herring eggs per household, per year if they were available to us; and

NOW THEREFORE BE IT RESOLVED that the Native Village of White Mountain supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring egg in Sitka Sound to 265,000-325,000 pounds. Our community of White Mountain would use 100,000 pounds of herring eggs if they were available to our community.

SUBMITTED BY: _____ DATE: January 15, 2009

CONTACT NAME: Dorothy Barr, Tribal Coordinator PHONE: (907) 638-3651

Lime Village Traditional Council (LVTC)

RESOLUTION 09-05

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

RC129

WHEREAS: Our Community of Lime Village would use 50 [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 15 [NUMBER] households, so our community would use a total of 50 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED LVTC supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Lime Village would use 50 [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Ursula Graham DATE: 1-15-09

CONTACT NAME: " PHONE: 907 526 5236

ORGANIZED VILLAGE OF KASAAN

P. O. Box 26-Kasaan * Ketchikan, Alaska 99950-03
(907) 542-2230 * (fax) 907-542-3006

RESOLUTION OVK-09-01-003

A Resolution of the Organized Village of Kasaan, supporting the protection of Alaska's Aboriginal Traditional and Customary Harvest of Herring Eggs and support for changes to current Department of Fish and Game Management regulations for harvesting Herring Eggs.

WHEREAS, the Organized Village of Kasaan is a federally recognized Tribe organized pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) and May 1, 1936 (49 Stat. 1250); and

WHEREAS, the Corporate Charter of the Organized Village of Kasaan (Ratified October 15, 1939) states in its Purpose and Existence, "In order to further the economic development of the Indians residing in the neighborhood of Kasaan, Alaska, by conferring upon the Organized Village of Kasaan corporate rights and powers; and to enable this Village and its members to undertake enterprises designed to secure for the members of the corporation an assured economic independence..."; and

WHEREAS, the Organized Village of Kasaan is governed by a Council of elected representatives composed of a President and six members who act in accordance with the powers granted to it by its Constitution and By-Laws (Ratified on October 15, 1938); and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

info@kasaan.org
www.kasaan.org

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS, Our Community of Kasaan would use 150 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS, Our Community has 28 households, so our community would use a total of 4,200 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED, that the Organized Village of Kasaan Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our Community of Kasaan would use 4,200 pounds of herring eggs if they were available to our community.

Certification

APPROVED, PASSED AND ADOPTED by a duly constituted quorum of the OVK IRA Council on this 8th day of January 2009by a Roll Call Vote:Della Coburn: Absent; Julia Coburn: Absent; Glen Hamar: Yes; Cheryl Edenshaw: Yes, and Paula Peterson: Yes.

RICHARD J. PETERSON – PRESIDENT

ATTESTED:

PAULA K. PETERSON – COUNCIL SECRETARY

08-12-23-08

Sitka Community Association

[TRIBE/CORPORATION/ORGANIZATION]

2008 RESOLUTION ___

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of _____ would use _____ [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has _____ [NUMBER] households, so our community would use a total of _____ [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Sitka Tribes Community Association [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our community of _____ would use _____ [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Fred Peters DATE: 12/23/08

CONTACT NAME: _____ PHONE: 907-934-2653

NULATO TRIBAL COUNCIL
P.O. Box 65049 • Nulato, Alaska 99765
PHONE 907-898-2339 • FAX 907-898-2207
nulatotribe@nulatotribe.org

Resolution No. 2008-34

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-b) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs in state regulation in 2002, currently designated at 1005,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS, Our community of Nulato would use 5 pounds of herring eggs per household, per year if they were available to us; and

WHEREAS, Our community has 90 households, so our community would use a total of 450 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Nulato Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our community of Nulato would use 450 pounds of herring eggs if they were available to our community.

DULY ADOPTED on this 30th day of December, 2008.

CERTIFICATION

This certifies that the above resolution was duly adopted at a convened meeting of the Nulato Tribal Council, at which time a quorum was present. This resolution was adopted by a vote of 4 for, 0 against, with 0 abstaining.

Michael J. Stickman

Michael J. Stickman, 1st Chief

Gloria L. Patsy

Gloria L. Patsy, Secretary/Treasurer

RC 130

Beaver Tribal Council
[TRIBE/CORPORATION/ORGANIZATION]
2008 RESOLUTION 09-03

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Beaver would use 10 [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 43 [NUMBER] households, so our community would use a total of 10 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Beaver [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Beaver would use 10 [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Delina Petruska DATE: 1-12-09

CONTACT NAME: Rhonda Pitka PHONE: 628-6126

Native Village of Eyak
[TRIBE/CORPORATION/ORGANIZATION]
2008 RESOLUTION ___

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of 2,251 would use 110 000 (roe on kelp) [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 700 [NUMBER] households, so our community would use a total of 110000 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Native Village of Eyak [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our community of 2,251 would use 70000 - 110000 [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Native Village of Eyak DATE: 1-7-09

CONTACT NAME: Tom Haluska PHONE: 907-424-7738

Input - 12-30

Our community NATIVE VILLAGE OF EYAK, would use 10 lbs per household of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 168 households.

OR

Our community _____, would use _____ lbs . TOTAL of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has _____ households.

Does your community receive the herring eggs you need? NO

Would you use eggs if they were available? YES

Comments (especially about your use of Sitka herring eggs):
WE GET HERRING EGGS FROM TATITLEK WHEN THE SPAWN IS GOOD. EXXON-VALDEZ OIL SPILL HAS DESTROYED MOST OTHER SUBSISTENCE HERRING SPAWN AREAS IN P.W.S. WE ARE VERY THANKFUL FOR YEARS WHEN SITKA TRIBE HAS SENT US SPAWN. SOME YEARS SITKA HAS SENT US 100 LBS. WE NEED MORE.

Our tribe/ community NATIVE VILLAGE OF EYAK represents 525 (#) of people.

Signed by official

[signature]

EXECUTIVE DIRECTOR

Date

12/22/08

Native Village of Diomede
[TRIBE/CORPORATION/ORGANIZATION]
2009 RESOLUTION 02

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Diomede would use 0 [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 42 [NUMBER] households, so our community would use a total of 0 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Native Village of Diomede [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our community of Diomede would use 0 [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: [signature] President DATE: 01-17-09

CONTACT NAME: Frances Ozenna PHONE: 686-2175
Tribal Coordinator

Akutan Traditional Council
P. O. Box 89
Akutan, Alaska 99553-0089
(907) 698-2300 / 2301 Fax

RESOLUTION #: 09-04

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: The Native Village of Akutan is a federally recognized Tribe; and

WHEREAS: The Akutan Traditional Council is the governing body for the Native Village of Akutan; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy", and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of commercial herring fisheries, there continues to be extremely poor subsistence herring egg

harvests due to lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: the Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: The Community of Akutan, with 35 households would use 3 pounds of herring per household for a total of 105 pounds per year if they were available to us; and

NOW THEREFORE BE IT RESOLVED: the Akutan Traditional Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Akutan would use 105 pounds of herring eggs if they were available to our community.

PASSED AND APPROVED ON THIS 12th **day of** January **, 2009.**

CERTIFICATION:

The foregoing resolution was adopted by a quorum of, 7 in favor, 0 opposed, and 0 abstaining.

Zenia Borenin, President

Vera Pelkey, Secretary

SUBMITTED BY: _____ DATE: _____

CONTACT NAME: _____ PHONE: _____

YAKUTAT TLINGIT TRIBE

606 FOREST HWY. 10, PO BOX 418, YAKUTAT, ALASKA 99689
PHONE (907) 784-3238 FAX (907) 784-3595

RESOLUTION 09-04

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS, Our Community of Yakutat has a population of approximately 722 people and would use 10,000 pounds of herring eggs if they were available to use.

RC131

NOW, THEREFORE, BE IT RESOLVED, The Yakutat Tlingit Tribe supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds. Our community of Yakutat would use 10,000 pounds of herring eggs if they were available to our community.

PASSED THIS 22TH DAY OF JANUARY, 2009.

Victoria L. Demmert, Tribal President

CERTIFICATION

This is to certify that I, Beverly Bremner, am the Secretary of the Yakutat Tlingit Tribe and that Council consists of five duly elected members, and that this Resolution No. 09-04 was considered and adopted at a duly convened meeting of the Yakutat Tlingit Tribe at which a quorum of the members was present and voting, and that taken was **5** for, **0** against, and **0** abstaining.

ATTEST:
Beverly Bremner, Tribal Secretary

QAWALANGIN
Tribe of Unalaska

RESOLUTION 09-06

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, the Qawalangin Tribal Council is the governing body of the Qawalangin Tribe of Unalaska (Qawalangin Tribe), a federally recognized tribal government; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of

P.O. Box 334, Unalaska, Alaska 99685 (907) 581-2920 FAX (907) 581-3644

Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of Unalaska would use _____ [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 130 [NUMBER] households, so our community would use a total of _____ [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Qawalangin Tribe [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000– 325,000 pounds. Our community of _____ would use _____ [AMOUNT] pounds of herring eggs if they were available to our community.

We do certify that the above Resolution was passed and approved at a Special Meeting of the Qawalangin Tribe Council therefore called and held the ___ day of _____, 2009. At which a quorum was present and resulted in a vote of ____ayes, _____nays and _____abstaining.

Denise Rankin

Denise M. Rankin

President

Jennie Jacobsen

Jennie Jacobsen

Secretary/Treasurer

SUBMITTED BY: _____ DATE: _____

CONTACT NAME: _____ PHONE: _____

Ketchikan Indian Community
2960 Tongass Ave.
Ketchikan, Alaska 99901
(907) 225-5158
Fax (907) 247-0429

September 30, 2008

Sitka Tribe of Alaska
Resources Protection Department
456 Katlian Street
Sitka, Alaska 99835

Please find answers to the questionnaire sent to Ketchikan Indian Community regarding the Herring Eggs from Sitka Sound:

Our community, Ketchikan Indian Community (KIC), would use 55 pounds per household of herring eggs, if they were available to us.

Our community has 1,300 households.

Does your community receive the herring eggs you need?

No. Most KIC tribal members rely on Sitka Herring Eggs.

Would you use eggs if they were available?

YES.

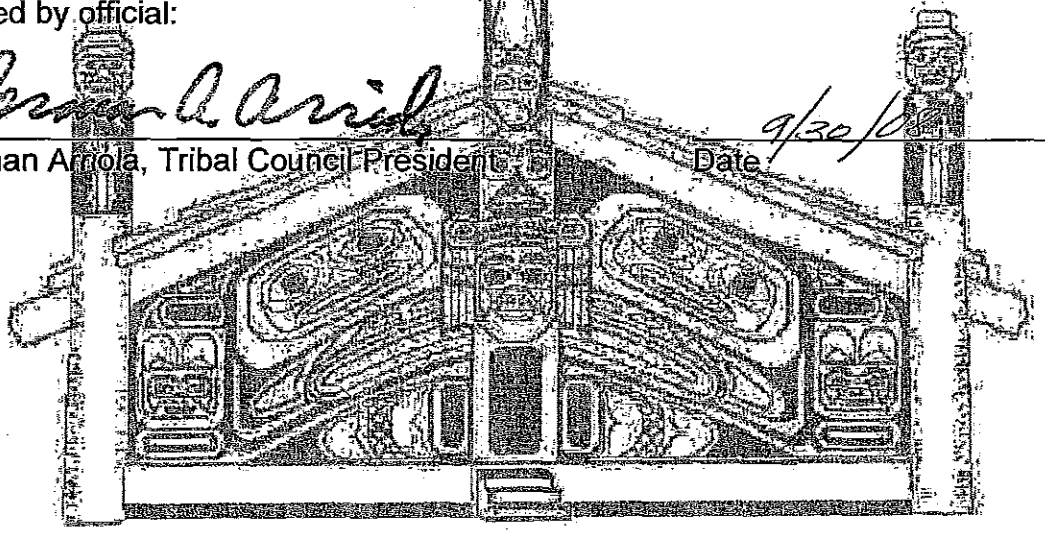
Comments (especially about your use of Sitka Herring Eggs).

KIC Elder's Program is constantly seeking donations because they don't have Herring Eggs to serve at the Elder's dinner held monthly.

Our tribe, Ketchikan Indian Community, represents 5,459 tribal members.

Signed by official:

Norman Arnola, Tribal Council President — Date: 9/30/08



(54) f

ALATNA TRIBAL COUNCIL
P.O. BOX 70
ALLAKAKET, AK 99720
PHONE (907) 9682261
OR (907) 968-2304
FAX (907) 968-2305

Date: October 10, 2008

To: Sitka Tribe of Alaska
From: Alatna Traditional Council
Re: Herring Eggs from Sitka Sound

The Alatna Tribe consists of 16 houses, 10 of which are currently occupied. The occupants would be interested in acquiring herring eggs if they are available. The households would use approximately 3 pounds of herring eggs apiece, making it roughly 30 pounds total.

Given the extended relations of each household it would be wise to round it off to 1 whole fish box (55 lbs) if the eggs were available.

Answers to questionnaire:

1.) Does the community receive the herring eggs you need?
As stated the community of Alatna does not receive any herring eggs as of today.

2.) Would you use eggs if they were available?
Alatna is a largely subsistent community; therefore yes the community members would use the herring eggs if they were available.

3.) Comments: The Alatna tribal members are of Inupiaq heritage and rarely acquire the subsistence foods like: Seal Oil, Seal Meat, Muktuk, or Herring Eggs. All of which are coastal foods. The Alatna residents are very interested in learning of ways to acquire these delicacies.

In conclusion, please contact the above numbers in relation to this letter. *Qaayaana'*

Sincerely,

Michelle Sam
1st Chief

38

Our community Port Heiden, would use 2 lbs per household of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 34 households.

OR

Our community _____, would use _____ lbs TOTAL of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has _____ households.

Does your community receive the herring eggs you need?

Would you use eggs if they were available?

Comments (especially about your use of Sitka herring eggs):

Our tribe/ community Port Heiden represents 97 (#) of people.

Signed by official Date

Glynn Carlson 10-6-08

I give that DVD (29)

Our community Levelock, would use 6 lbs per household of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 28 households.

OR

Our community Levelock, would use 168 lbs TOTAL of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 28 households.

Does your community receive the herring eggs you need? NO

Would you use eggs if they were available? yes

Comments (especially about your use of Sitka herring eggs):

Our tribe/ community Levelock Village Council represents 86 (#) of people.

P.O. Box 70
Levelock, AK 99625
287-3030

Signed by official Date

Jenne Jolledal 10-3-08

Administrator

Organized Village of Kake

Our community Kake, Alaska, would use 55 lbs per household of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 198 households.

OR

Our community _____, would use 10,890 lbs TOTAL of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has _____ households.

Does your community receive the herring eggs you need? No

Would you use eggs if they were available? Yes, about 25 lbs/household more.

Comments (especially about your use of Sitka herring eggs):
Gunalcheesh, Ha'Waa - Thank you very much for sharing the herring eggs. We use ours for Memorial Ceremonies, Honoring Elders, Honoring our Veterans Day, OVK's 20th Annual Culture Camp, our family Potlucks, 40 Day Dinners, Welcome (Warming of Hand) Potluck and @ OVK Circle Peacemaking Workshops. We (people of Kake) also send & take your herring eggs all over AK & the U.S.

Our tribe/community 550 City / and Tribal represents 413 (#) Tribal of people.

Signed by official

Edward Garza
Casimiro Acevedo
President. O.V.K.

Date

4-03-08

RC132

ORGANIZED VILLAGE OF SAXMAN
SAXMAN I.R.A. COUNCIL

ROUTE 2, BOX 2 – SAXMAN, KETCHIKAN, ALASKA 99901 · FAX: (907) 247-2504 · PHONE (907) 247-2502

April 4, 2008

Lawrence Widmark
Tribal Chairman
Sitka Tribe of Alaska
456 Katlian Street
Sitka, Alaska 99835

FOR THE RECORD

Dear Honorable Tribal President Lawrence Widmark,

The Organized Village of Saxman has serious concerns hearing that the State of Alaska plans to decrease the Amount Reasonably Necessary for Subsistence harvest of herring eggs. The impact for the Organized Village of Saxman would negatively affect 105 households in Saxman, Alaska where the use of herring eggs are enjoyed and appreciated.

The community of Saxman is comprised of a total of 105 households and the Saxman community usage would include:

Household Types		Amount of Usage	Total Pounds
93	Household with Families	93 X105 lbs	9,765
12	Household with Single or Coupled Senior Citizens	12 X 36 lbs.	432
4	Households with Single Dwellers	4 x 18 lbs	72
105	**Households**		**10,269**

There is difficulty in receiving all the herring eggs our Village needs and each year this difficulty continues with increased difficulty ranging from herring egg availability to having resources to harvest. There is no doubt in our hearts and minds that if herring eggs were available they would be consumed in our households. Our Village anxiously awaits the customary and traditional use of herring coming from Sitka waters each year. This food item helps individuals (Elderly to toddlers) to have sufficient and nutritious food that meets their food preference and assist families in respect to struggling with rising grocery store prices.

We urge and support Sitka Tribe of Alaska to protect the herring egg subsistence harvest, and to develop a long-term solution to ensure subsistence needs are met for Southeast Alaska families.

Sincerely,

Lee Wallace
President

copy/file: Saxman I.R.A. Council

Helen

Chilkoot Indian Association

Department Natural Resources
209 Main Street
PO Box 490
Haines, Alaska 99827
Telephone: (907) 766-2323
Fax: (907) 766-2365

FAX Transmittal

Date 4-1-08

To Eric Morrison, ENV Planner

From Scott Hansen, ENV Coordinator

Number of pages to follow this form: 1
If all information is not received, please call.

Messages:

Herring eggs from Sitka Sound

Our community HAINES, would use 65 lbs per household of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has 80 households. = 5200 LBS

OR

Our community _____, would use _____ lbs TOTAL of herring eggs, if they were available to us. (1 gallon bag = 3 lbs, 1 fish box = 55 lbs). Our community has _____ households.

Does your community receive the herring eggs you need? NOT ALWAYS

Would you use eggs if they were available? YES

Comments (especially about your use of Sitka herring eggs):

- SOME FAMILIES TRADE HOOLIGAN OIL OR FRESH HOOLIGANS FOR FRESH HERRING EGGS
- SOME RECEIVE EGGS FROM FAMILY & FRIENDS - SOME BUY IT
- FAMILY DINNERS, POTLUCKS, 40-DAY DINNERS, AFTER- Funeral FUNERAL FELLOWSHIPS & MEMORIAL POTLATCHES Memorial
- SHARE SOME WITH OUT-OF-TOWN FAMILY

Our tribe/ community HAINES represents 395 (#) of people.

Signed by official

Tribal Administrator

Date

4/1/08

Twin Hills Village Council
RESOLUTION 09-02

A Resolution supporting the protection of Alaska's aboriginal traditional and customary harvest of herring eggs and support for changes to current Department of Fish and Game Management Regulations for harvesting herring eggs.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Natives claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition of Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount of Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

NOW THEREFORE BE IT RESOLVED that the **Twin Hills Village Council** supports efforts protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION

Adopted and approved this 3rd day of February, 2009 by the Twin Hills Village Council.

By: _____ Attest: _____

John Sharp, President William Ilutsik, Vice President

Grayling IRA Tribal Council
[TRIBE/CORPORATION/ORGANIZATION]
2008 RESOLUTION 03

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of 180 would use 150lb [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS. Our community has 55 [NUMBER] households, so our community would use a total of 150lb [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Grayling IRA Tribal Council [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our community of 180 would use 150lb [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Gabriel Dicholi Sr, DATE: 2-6-09

CONTACT NAME: David Mailloux PHONE: 453-5142

Native Village of Nightmute
C/O Neg'temiut Traditional Council
P.O. Box 90021
Nightmute, Alaska 99690

2008 Resolution
08-12-88

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHERAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHERAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHERAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated and 105,000-158,000 pounds to 265,000-325,000 pounds, based of the needs of Alaska Natives around the State of Alaska; and

WHERAS: Our Community of Nightmute would use 70 pounds of herring per household, per year if they were available to us; and

WHEREAS: Our community has 36 households, so our community would use a total of 2,520 pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Nightmute Traditional Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds. Our community of Nightmute would use 2,520 pounds if herring eggs if they were available to our community.

Submitted By: Nightmute Traditional Council DATE: February 9, 2009

Contact: Isadore Anthony, President of Nightmute Traditional Council

Phone: (907) 647-6215

NATIVE VILLAGE OF KIANA

RESOLUTION 09-09

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS: Our Community of KIANA would use 5 [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has 97 [NUMBER] households, so our community would use a total of 485 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED NATIVE VILLAGE OF KIANA supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of KIANA would use 485 [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Daniel Douglas DATE: 2/10/09

CONTACT NAME: DELORES BARR PHONE: 907-475-2109

RC 133

Kenaitze Indian Tribe
P.O. Box 988 Kenai, Alaska 99611

Resolution No. 2009-06

A Resolution Supporting the Protection of Alaska's Customary and Traditional Harvest of Herring Eggs and Support for Changes to Current Department of Fish and Game Management Regulations for Harvesting Herring Eggs

Whereas, Kenaitze Indian Tribe is a federally recognized Tribal Government reorganized under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and in accordance with the preamble to the Tribal constitution, "is responsible for the social welfare of its 1,311 Tribal Members and 3,239 Alaska native residents of the Central and upper southern Kenai Peninsula of south Central Alaska"; and,

Whereas, the Kenaitze Indian Tribe has established long term goals which relate to the collective and individual, social, economic, and governmental concerns of its people; and,

Whereas, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska native claims to ownership of Alaska's lands, based on "customary and traditional use and occupancy"; and,

Whereas, congress enacted the Alaska national Interest Land Conservation Act Title VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and,

Whereas, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and,

Whereas, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and,

Whereas, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and,

Whereas, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and,

Whereas, the Sitka Tribe of Alaska has proposed to increase the Amount Reasonable Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and,

Whereas, our Community of Kenaitze Indian Tribe (1,311 Tribal Members and 3,239 other Alaska Native residents) would use herring eggs each year if they were available to us; and,

Now Therefore Be It Resolved, that the Kenaitze Indian Tribe supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase the Amount Reasonable Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Kenaitze Indian Tribe would use herring eggs if they were available to our community.

Certification

Voting For:	4
Voting Against:	0
Abstaining:	2
Absent:	0

Mary Ann Mills, Tribal Chairperson
Kenaitze Indian Tribe

Rita Smagge, Tribal Secretary
Kenaitze Indian Tribe

1-16-09
Date

Native Village of Kongiganak
[YOUR TRIBE/CORPORATION/AGENCY/ORGANIZATION]
2009 RESOLUTION 09-02-02

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

WHEREAS: Our Community of Kongiganak would use 500 [AMOUNT] pounds of herring eggs per household, per year if they were available to us; and

WHEREAS: Our community has ~~540~~ MN 56 [NUMBER] households, so our community would use a total of 500 [NUMBER] pounds of herring eggs if they were available to us.

NOW THEREFORE BE IT RESOLVED Native Village of Kongiganak [YOUR TRIBE/CORPORATION/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds. Our community of Kongiganak would use 500 [AMOUNT] pounds of herring eggs if they were available to our community.

SUBMITTED BY: Mary Nicholai DATE: 2/8/09

CONTACT NAME: Mary Nicholai PHONE: 907-557-5226

Chickaloon Village

Traditional Council

(Nay'dini'aa Na')

Katherine Wade,
Clan Grandmother

Gary Harrison,
Traditional Chief

Doug Wade,
Chairman/Elder

Rick Harrison,
Vice-Chairman

Penny Westing,
Secretary/Elder

Albert Harrison,
Treasurer/Elder

Jesse Lanman,
Elder Member

Burt Shaginoff,
Elder Member

Larry Wade,
Elder Member

Jennifer Harrison,
Executive Director

February 4, 2009

Mr. Lawrence Widmark Jr.
Chairman
Sitka Tribe of Alaska
456 Katlian Street
Sitka, Alaska 99835

Mr. Widmark,

We, as a council, would like to offer the Sitka Tribe support in your attempts to change herring egg harvest levels and harvest rates for the Sitka herring sac roe commercial fisheries, in recognition of the relationship that Tribal citizens have shared with traditional food sources that have sustained them for millennia.

We strongly believe the right to hunt, harvest and regulate these traditional foods in a responsible manner, deemed appropriate by your sovereign Tribal governing body, is integral for the health, culture and wellbeing of all Tribes.

We wish you success in your effort to assert your rights to protect and regulate your traditional food sources and to use them freely to nourish your tribal citizens. This impacts all Alaska Native people.

Sincerely,

Doug Wade
Tribal Chairman

P. O. BOX 1105 Chickaloon, Alaska 99674 Phone (907) 745-0707 Fax (907) 745-0709
email: [illegible] Home Page: http://www.chickaloon.org

Pauloff Harbor Tribe

To: Sitka Tribe
Both resolutions.

DATE: 2/11/2009

P.O. Box 97
Sand Point, Alaska 99661

Phone: (907) 383-6075
Fax: (907) 383-6094

PHONE POLL

Subject: Approve Resolution 09-02 for authorization and support for the protection of Alaska's Traditional and Customary Harvest of Herring Eggs and Support for Changes to Current Department of Fish and Game Management Regulations for Harvesting Herring Eggs.

Name		Yes	No	Not Available
Amber Karlsen, President	Amber Karl	[X]	[ ]	[ ]
William Dushkin, Sr., V-President	by phone	[X]	[ ]	[ ]
Paul Gundersen, Jr., Sec/Treas.	by phone	[X]	[ ]	[ ]
George P. Gundersen, Member	by phone	[X]	[ ]	[ ]
Connie Kochuten., Member	by phone	[X]	[ ]	[ ]

Deering IRA Council
P.O. Box 36089
Deering, AK 99736
Phone (907) 363-2138
Fax (907) 363-2195
Serving the Native Village of Deering

RESOLUTION 09-03

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designed at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

WHEREAS, Our Community of Deering would use 10 pounds of herring eggs per household, per year if they were available to use; and

WHEREAS, Our community has 43 households, so our community would use a total of 430 pounds of herring eggs if they were available to us.

NOW, THEREFORE BE IT RESOLVED, that the Deering IRA Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. Our community of Deering would use 430 pounds of herring eggs if they were available to our community.

Certification

We, the undersigned, do hereby certify that the Native Village of Deering, Deering IRA Council is comprised of 7 members, of who 7 were present at a duly constituted meeting held this 10th day of February, 2009, and that Resolution 09-03 was adopted by an affirmative vote of 6 yeas and 0 nays.

Emerson Moto, President

ATTEST: Bonita Barr, Secretary

2/10/09
Date

RC 134

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

"Documenting the Statewide Need for Subsistence Herring Eggs"

Part 1 of 8 Part Submission

Alaskan Tribal Council Resolutions of Support
For the Sitka Tribe of Alaska's
Herring Proposals
Before the State of Alaska Board of Fish

STAFF REPORT ON :

Documenting the Statewide Need For Subsistence Herring Eggs

The Sitka Tribe of Alaska is a federally recognized tribal government responsible for the health, safety, wellness, and cultural perpetuation for its 4,020 enrolled tribal citizens. One of the most important means to protect our way of life is protecting our traditional foods. Thus, protecting our citizens' access to traditional foods is a priority for the Sitka Tribe of Alaska.

Herring eggs from Sitka Sound have been gathered by the indigenous people of Southeast Alaska since time immemorial and today constitute our nutritional, spiritual, and cultural foundation. The very methods for the gathering of herring eggs - which include but are not limited to, time, location, weather, and environmental factors - have been passed down from generation to generation.

However, Tribal elders, herring egg harvesters, and community members have noticed a decreased spawn resulting in a diminished return on harvest effort when gathering herring eggs from Sitka Sound. Therefore, the Tribe and its herring egg harvesters have been explaining why we are sharing fewer and fewer herring eggs; for three of the past four years we have not been able to fill our local needs for herring eggs.

Most recently the Sitka Tribe conducted an outreach effort requesting help documenting the amount of herring eggs reasonably necessary subsistence not only Sitka, as the ANS was set in regulation in 2002, but for the State of Alaska. Explaining we wanted to forward this documentation Board of Fish in order to provide a clear picture of the amount reasonably necessary for subsistence from Sitka Sound.

In March of 2008, STA wrote to Southeast tribes seeking their support on the harvest of herring eggs from Sitka Sound. Then in September, STA wrote to all Alaskan tribes seeking their support as well. In December two resolutions of support were formalized and sent out that contained proposals to the Alaska Board of Fish. One resolution of support contains the 3 proposals the Sitka Tribe of Alaska has submitted to the Board of Fish, proposals 203,204, and 234. The other resolution of support contains support for the protection of Alaska's traditional and customary harvest of herring eggs by specifically supporting Sitka Tribe of Alaska's Proposal 234; which would increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs in Sitka Sound from 105,000-158,000 to 265,000-325,000 pounds.

Tribal staff asked Tribes, Alaska Corporations and Native Organizations to assist us to document the amount of herring eggs each family in their community consume annually, how many households their community represents, and how many total pounds of herring eggs their community would use annually, if it were available to them. We asked Tribes to use a resolution format to submit that information to us. To date,

- 60 Tribal Governments have supported at least one of the Sitka Tribe of Alaska's proposals before the Board for consideration.
- 2 Alaskan Corporations
- 3 Native Organizations

In response to our request for communities to document their residents' herring egg needs thirty-eight communities provided figures totaling more than 451,000 lbs. of herring eggs needed from Sitka Sound. This figure, 451,000 pounds, does not take into account our local needs or the needs of the communities which have not responded to our request.

Some communities also submitted comments on how they trade items like hooligan oil and fresh hooligan for herring eggs and have been doing this since time immemorial. Many Tribes indicated that herring eggs are important to them because they use them in cultural and ceremonial gatherings.

As Alaskans, we have been imparted with many valuable resources. The herring in Southeast Alaska not only affects our community of Sitka Alaska, but many others as well. Clearly, Herring eggs from Sitka Sound are in great demand, it will be the Board of Fish's decision on how to respond to this demand.

Tribal Organizations that support the Resolution on our 3 Proposals to the BOF.

1. Nunapitchuk IRA Council
2. Native Village of Ouzinkie
3. Leisnoi Village- Kodiak
4. Atmautluak Traditional Council
5. Native Village of St. Michael
6. Hoonah Indian Association
7. Organized Village of Saxman- Ketchikan
8. Native Village of Teller
9. Georgetown Tribal Council- Anchorage
10. Cheesh-na Tribal Council- Chistochina
11. Aluet Community of St. Paul Island
12. Chevak Native Village
13. Native Village of Tazlina- Glennallen
14. Ugashik Traditional Village
15. Native Village of Nuiqsut
16. Native Village of Shaktoolik
17. Nunakauyak Traditional Council- Toksook Bay
18. Hydaburg Cooperative Association
19. Qagan Tayagungin Tribe- Sand Point
20. Native Village of White Mountain
21. Lime Village Traditional Council
22. Organized Village of Kasaan- Ketchikan
23. Stebbins Community Association
24. Native Village of Savoonga
25. Petersburg Indian Association
26. Skagway Traditional Council
27. Dot Lake Village Council
28. Nulato Tribal Council
29. The Native Village of Afognak
30. Qawalangin Tribe of Unalaska
31. Twin Hills Village Council
32. McGrath Native Village Council
33. Native Village of Kotzebue
34. Clark's Point Village Council
35. Grayling IRA Tribal Council
36. Nightmute Traditional Council
37. Native Village of Kiana
38. Kenaitze Indian Tribe- Kenai
39. Kongiganak Traditional Council
40. Larsen Bay Traditional Council
41. Native Village of Eyak
42. Native Village of Cantwell
43. Native Village of Unalakleet
44. Belkofski Tribal Council- King Cove

45. Iqurmiut Traditional Council- Russian Mission
46. Ketchikan Indian Corporation
47. Pauloff Harbor Tribe- Sand Point
48. Deering IRA Council
49. Angoon Community Association

NATIVE VILLAGE OF NUNAPITCHUK
Nunapitchuk IRA Council
P.O. Box 130
Nunapitchuk, AK 99641
Ph. (907) 527-5705 fax 527-5711

RESOLUTION 09-01-06

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe

fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Native Village of Nunapitchuk supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

Passed and Approved: January 27, 2009.

Zechariah C. Chaliak Sr.
Zechariah C. Chaliak, Sr.
Nunapitchuk IRA President

Jerry Wassillie, Sr.
Nunapitchuk IRA Secretary

Native Village of Ouzinkie
Ouzinkie Tribal Council
Resolution 2009-04

A RESOLUTION FROM THE OUZINKIE TRIBAL COUNCIL SUPPORTING THE AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR THE CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act Title VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on: on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs ser in the state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED, that the Ouzinkie Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds.

Passed this 16th day of January, 2009.

Alex Ambrosia, Tribal President

Katherine Panamarioff, Recording secretary

RC 135

RESOLUTION 2009-05

TITLE: Authorization and Support for the Protection of Alaska's Traditional and Customary harvest of Herring Eggs and Support for Changes to Current Department of Fish and Game Management Regulations for Harvesting Herring Eggs.

WHEREAS, Leisnoi Village (aka Woody Island) is a Federally Recognized Indian Tribe as defined in P.L. 103-454, The Federally Recognized Tribe Act of 1994; and

WHEREAS, Leisnoi Village (aka Woody Island) is listed as a Federally Recognized Tribe in the Federal Register under the listing "Lesnoi Village (aka Woody Island); and

WHEREAS, the Woody Island Tribal Council is the governing body for Leisnoi Village which has the right to exercise its inherent right to self-determination and the powers granted to it within the Articles of the Constitution of Leisnoi village; and

WHEREAS, the mission of the Woody Island Tribal Council is to enhance the lives of its tribal members, including offering programs and services that preserve the culture and traditions; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED, the Woody Island Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds.

Passed and approved this 31st day of January, 2009.

Gordon L. Pullar, President

CERTIFICATION

This certifies that the above resolution was duly adopted at a regular meeting of the Woody Island Tribal Council, at which time a quorum was present. This resolution was adopted by a vote of 4 for, 0 against, with 0 abstaining.

Margaret Roberts, Secretary/Treasurer

ATMAUTLUAK TRADITIONAL COUNCIL
P.O. BOX 6568
ATMAUTLUAK, ALASKA 99559
PHONE # (907) 553-5610
FAX # (907) 553-5612
E-MAIL: atmautluaktc@hughes.net

RESOLUTION 09-02

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTIONG HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since tim4e immemorial: and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act or 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage rate is not more than

10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

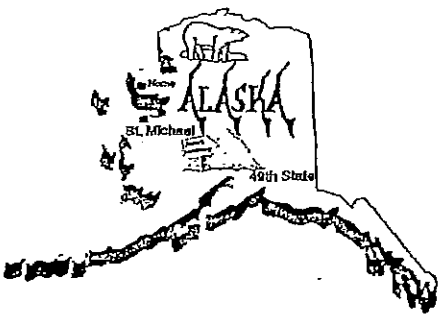
WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Native around the State.

NOW THEREFORE BE IT RESOLVED that the Atmautluak Traditional Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: THE ATMAUTLUAK TRADITIONAL COUNCIL DATE 1-30-09

Moses A Pavilla

CONTACT NAME: MOSES A. PAVILLA SR. PHONE: (907) 553-5610



Native Village of St. Michael
P.O. Box 59050 - St. Michael, Alaska 99659 Phone: (907) 923-2304/2405
Fax: (907) 923-2406

2008 RESOLUTION December

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

/HEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED the Native Village of St. Michael supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: _____ DATE: 1/30/09

CONTACT NAME: Shirley Marin PHONE: (907)923-2304/2405

Hoonah Indian Association

P.O. Box 602
Hoonah, AK 99829-0602
Phone (907) 945-3545 Fax (907) 945-3703

Resolution No. 09-02

TITLE: SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS,

WHEREAS: Subsistence harvesting and use of herring eggs constitutes a vital aspect of our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there

is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %), and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State, now

THEREFORE BE IT RESOLVED, the Hoonah Indian Association supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rule for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION

This resolution was duly adopted this 23th day of January 2009 with a vote of 6 for, 0 against, 0 absent, 0 abstentions.

Mr. Frank Wright Jr., President Date

Attest:

Johanna Dybdahl, Tribal Administrator Date

ORGANIZED VILLAGE OF SAXMAN
SAXMAN I.R.A. COUNCIL

ROUTE 2, BOX 2 – SAXMAN, KETCHIKAN, ALASKA 99901 · FAX: (907) 247-2504 · PHONE (907) 247-2502

RESOLUTION 01-09-134

A RESOLUTION BY THE ORGANZED VILLAGE OF SAXMAN, SAXMAN I.R.A. COUNCIL IN SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, the Organized Village of Saxman is a duly constituted Indian Tribe organized pursuant to the authority of the United States Congress by the Indian Reorganization Act, and such legislation of June 8, 1934; and

WHEREAS, the Saxman I.R.A. Council is authorized by the Organized Village of Saxman Constitution and Bylaws approved on October 18, 1940 by the Secretary of Interior, and ratified on January 14, 1941, as the Organized Village of Saxman governing body; and

WHEREAS, the Organized Village of Saxman is the federally recognized tribe governed by the Saxman I.R.A. Council, who has the authority to represent and act in all matters that concern the health, education, and welfare of the Native people who reside in the Village of Saxman; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the *Alaska Native Claims Settlement Act of 1971,* addressing Alaska Native claims to ownership of Alaska's lands, based on aboriginal use and occupancy; and

WHEREAS, Congress enacted the *Alaska National Interest Land Conservation Act TITLE VIII* enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) are customarily and traditionally used for subsistence; and

WHEREAS, under State law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence use(s) of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska and provide nutritional sustenance to Alaska Natives. In addition, herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there

continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than 35,000 (currently 20,000 tons but needs to be increased); and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 234 which will increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that the Organized Village of Saxman hereby strongly supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203, which would change the harvest level and rate for the Sitka herring sac roe fishery; and Proposal 204, which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery; and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION:
PASSED and **APPROVED** by a duly constituted quorum phone poll vote of the Saxman I.R.A. Council on January 31, 2009 by a vote of 5 **YES** votes and 0 **AGAINST** votes, and 1 **ABSENCES.**

Lee Wallace 1/31/09
Lee Wallace, Saxman I.R.A. Council President Date

ATTESTED:

Sylvia Banie 1/31/09
Sylvia Banie, Saxman I.R.A. Council Vice President Date

NVT/TTC *NATIVE VILLAGE OF TELLER*
TELLER TRADITIONAL COUNCIL

P.O. BOX 567
TELLER, ALASKA 99778

RC 136

Resolution # TR-09-01-14-014
Native Village of Teller/Teller Traditional Council

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHARNGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial: and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game: and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditional used for subsistence; and

WHEREAS: Under State law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be establishes by

NVT/TTC *NATIVE VILLAGE OF TELLER*
TELLER TRADITIONAL COUNCIL

P.O. BOX 567
TELLER, ALASKA 99778

the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS; The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted morality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED NATIVE VILLAGE OF TELLER/TELLER TRADITIONAL COUNCIL supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds.

Certification

We herby certify that the foregoing resolution was adopted at a duly convened meeting of the Teller Traditional Council on this 14th day of January 2009 by a vote of 5 for, 0 against, 0 abstain, 2 absent

ATTEST: Norman Menadelook Sr. 01/16/09
Norman Menadelook Sr., President Date

Jenny M. Lee 01/16/09
Jenny Lee, Secretary Date

GEORGETOWN
tribal council

GEORGETOWN TRIBAL COUNCIL
Resolution 09-01

A RESOLUTION OF SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: the Native Village of Georgetown is a federally recognized Tribe; and

WHEREAS: The Georgetown Tribal Council is the governing body of the Native Village of Georgetown, and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971,addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be

4300 B Street, Suite 207 ~ Anchorage, AK 99503 ~ (907) 274-2195 ~ FAX (907) 274-2196 ~ gtc@gci.net ~ Toll free 1-888-274-2195

extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED GEORGETOWN TRIBAL COUNCIL supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

Certification

Passed and approved by a constituted quorum on the Council via email and verbal telephone votes on this 23th day of January 2009 by a vote of 4 in favor, 0 opposed, and 1 abstaining.

Signed: _____ Witness: _____

Gary Fredericks — President

Amber Matthews — Tribal Administrator

Cheesh-na Tribal Council
P.O. Box 241
Chistochina, AK 99586
(907) 822-3503/822-5179 FX

RESOLUTION 01

A RESOLUTION SEEKING AUTHORIZATION AND SUPPORT FOR THE PROTECTION ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act of 1980, wherein TITLE VIII grants subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our eco-system, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guidance harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more that 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposal 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED, Cheesh-na Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Proposal 203 (changes the harvest level and harvest rate for the Sitka herring sac roe fishery); Proposal 204 (include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery); and Proposal 234 (increases the Amount Reasonably Necessary for Subsistence herring eggs in Sitka Sound to 265,000 – 325,000 pounds).

SUBMITTED BY: Joeneal R. Hicks DATE: 1/22/08

CONTACT NAME: Joeneal Hicks PHONE: 907 822-3503

ALEUT COMMUNITY OF ST. PAUL ISLAND
TRIBAL GOVERNMENT

President
Amos Philemonoff, Sr.
Vice-President
Dustin J. Jones
Secretary
Juliana Hapoff
Council Members
Thomas Bourdukofsky
Maxim Buterin, Jr.
Carol Melovidov
Robert Melovidov, Sr.
Elder Advisors
Marva Melovidov
Michael Zacharof

RESOLUTION 2009-13

A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS, the Aleut Community of St. Paul Island, is a federally recognized Tribe of Alaskan Natives having a common bond of living together on St. Paul Island, Alaska, and;

WHEREAS, the Tribal Government of St. Paul is the representative government for the Aleut Community of St. Paul Island, and;

WHEREAS, the Tribal Government of St. Paul promotes, maintains, and protects cultural practices, awareness, preservation, self-governance, and self-determination for the Aleut Community of St. Paul Island, and;

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971,addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy", and;

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game, and;

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence, and;

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn, and;

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and;

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the

commercial fishermen continue to harvest record catches, and;

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased), and;

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality, and;

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State, and;

WHEREAS: Our community has 160 households, so our community would use a total of 2,500 pounds of herring eggs if they were available to us, and;

NOW THEREFORE BE IT RESOLVED, that the Aleut Community of St. Paul Island supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds. The Aleut Community of St. Paul would use 2,500 pounds of herring eggs if they were available to our community.

Adopted at a duly convened meeting of the Tribal Council on this 15th day of January 2009 of 5 in favor 0 opposed 0 abstain 2 absent.

Attested by:

Amos Philemonoff, Sr.
President

Juliana Hapoff
Secretary/Treasurer

2050 Venia Minor Road • PO Box 86 • St. Paul Island, Alaska 99660
907-546-3200 (Main) • 907-3254 (Fax)

RC137

CHEVAK NATIVE VILLAGE
Chevak Traditional Council
P.O. Box 140 Aurora Street
Chevak, AK 99563
Phone: (907) 858-7428, Fax: (907) 858-7812

RESOLUTION 2009-02

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS: the Chevak Traditional Council (Council) a governing body for the Chevak Native Village a sovereign entity and a federally recognized Tribe; and

WHEREAS: the Council represents the interests of the Kashunamiut for their health, safety and welfare; and

WHEREAS: the five member governing body of the Council is fully authorized to act for and on behalf of it's tribal members arising under the Self-Determination Act of 1975, Public Law 93-638 as amended , 25 U.S.C. Et. Seq.; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring

fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that Chevak Native Village supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION

This certifies that the Council is composed of five (5) duly elected members of Chevak Native Village of whom 5 were present at a meeting held this 26th day of January and the Council adopted this resolution by a vote of 5 in favor, 0 in opposition, and 0 abstaining.

CHEVAK TRADITIONAL COUNCIL

Attest:

Roy J. Atchak, Chief

Daniel Joe, Secretary/Treasurer

SEAL

CHEVAK TRADITIONAL COUNCIL CORPORATE SEAL 1978 ALASKA

Native Village of Tazlina

P. O. Box 87
Glennallen, Alaska 99588-0087

Phone: (907) 822-4375 Fax: (907) 822-5865 tazlina@cvinternet.net

Wednesday, January 14, 2009

RESOLUTION 09-04

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS, the Native Village of Tazlina is a federally recognized tribal government; and

WHEREAS, The Tazlina Village Council is the governing body of the Native Village of Tazlina, and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; And

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn, and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe

fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that The Native Village of Tazlina supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION:
This resolution was duly considered and adopted at a meeting of the Village Council in Tazlina, Alaska on the 29th day of December, 2008 at which a quorum of the Council Members was in attendance.

For __5___ Against __0___ Abstain _0___ Present _5__ Absent _1__

SIGNED:

Johnny Goodlataw
President Johnny Goodlataw

1-19-2009
Date

Recorded:

Christopher Wright
Tribal Administrator, Christopher Wright

1-19-2009
Date

UGASHIK TRADITIONAL VILLAGE COUNCIL

RESOLUTION - 2009-07

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERING EGGS.

WHEREAS, The Ugashik Traditional Village Council is a FEDERALLY recognized Tribal Government (hereinafter "Tribe"), and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and,

WHEREAS, Congress enacting the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guidelines harvest level for the herring sac roe fishery is Section 13-A and 13-B shall be established by the department, shall not exceed 10,000tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%) The fishery will not be conducted if the spawning biomass is less then XXXXX (currently 20,000 tons but needs to be increased) and;

WHEREAS, The Sitka Tribe of Alaska has submitted to Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulations in 2002, currently designated at105,000 – 158,000 pounds to 265,0 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED UGASHIK TRADITIONAL VILLAGE supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000.

CERTIFICATION:

This resolution was duly considered and adopted of the Ugashik Village Council in Anchorage, Alaska on January 22, 2009, at which time a poll vote of the Council members was taken.

For 4 Against 0 Abstain 0
Present 4 Absent 1

Authorized Representative:

President: Kristi Downing

Secretary: Hannah Swanson

NVN
Native Village of Nuiqsut
2205 2nd Avenue
P.O. Box 89169, Nuiqsut Alaska 99789
PHONE (907) 480-3010 FAX (907) 480-3009 EMAIL tanvn@astacalaska.net

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HEARRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

Resolution No. 09-01

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used of herring subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life of support of ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring eggs harvests sue to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in section 13 -A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less the XXXXX (currently 20,000 tons but need to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED: Native Village of Nuiqsut supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds.

CERTIFICATION:

It is hereby certified that on the 15th day of January, 2009 a quorum of the Native Village of Nuiqsut Tribal Council was formed, and did pass and adopt the preceding resolution by a vote of 4 in favor, Ø opposed and Ø abstaining.

Thomas Napageak
Vice Tribal Council President

01-15-09
Date

Tribal Council Secretary

01-15-09
Date

RC 138



Native Village of Shaktoolik

IRA Council
PO Box 100
Shaktoolik, Alaska 99771-0100

Phone (907) 955-3701
Fax (907) 955-2352

Native Village of Shaktoolik
RESOLUTION 09-01

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, the Native Village of Shaktoolik is an Alaskan Native Village organized as an Alaskan Native/American Indian Organization Act of 1934 as amended in 1936 for Alaska, and;

WHEREAS, the Native Village of SHaktoolik IRA Council is the elected governing body of the Alaska Native/American Indian People of the Native Village of Shaktoolik, and;

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy", and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act, TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more

than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease the increase in the traditional subsistence area, entail disturbing schools of pre-spawning herring, and [redacted] and unaccounted mortality; and

WHEREAS, The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in Sitka Sound in 2002 [redacted] 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

NOW THEREFORE BE IT RESOLVED the Native Village of Shaktoolik supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

Certification
09-01

We, the undersigned members of the Native Village of Shaktoolik IRA Council do hereby certify that the Native Village of Shaktoolik IRA Council is composed of 7 members, of whom 05 voted on this 13th day of January, 2009, and the foregoing resolution was adopted by a vote of 05 members.

YES 05 NO ____ ABSTAIN ____ ABSENT 02

Simon L. Bekoalok Jr.
Simon L. Bekoalok Jr.
President

ATTEST:
Edna Savetilik
Edna Savetilik
Secretary

NUNAKAUYAK TRADITIONAL COUNCIL
2009 Resolution 2009-01-002

TITLE: AUTHRIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADTIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TTILE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13- A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence use of herring spawn; and

WHEREAS: The subsistence use of herring eggs id a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tins (currently there is no cap) and will be a harvest rate.

percentage that is not more that 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than xxxxx (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incident and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREDORE BE IT RESOLVED _____ NUNAKAUYAK TRIDITIONAL COUNCIL supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000

SUBMITTED BY: _____ DATE: 1-12-07

CONTACT NAME: Florence Therchick PHONE: (907) 427-7027

HYDABURG COOPERATIVE ASSOCIATION

HYDABURG COOPERATIVE ASSOCIATION
2009 RESOLUTION 2009-01

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has submitted Proposal 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Hydaburg Cooperative Association supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Sidney Edenshaw DATE: 1-19-09
Tribal President

CONTACT NAME: Doreen Witwer PHONE: 907-285-3660

Qagan Tayagungin Tribe
P.O. Box 447
Sand Point, AK 99661
(907)383-5616 ph

RESOLUTION 08-08

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, congress enacted the Alaska National Interest Land Conversation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continues efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more that 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XX,XXX ;and

WHEREAS: the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery. Proposal 204 is intended to decrease test setting

in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: the Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

NOW, THEREFORE, BE IT RESOLVED, THE QAGAN TAYAGUNGIN TRIBE SUPPORTS EFFORTS TO PROTECT THE SUBSISTENCE HARVEST OF HERRING EGGS BY SUPPORTING ALASKA BOARD OF FISHERIES PROPOSAL 203 WHICH WOULD CHANGE THE HARVEST LEVEL AND HARVEST RATE FOR THE SITKA HERRING SAC ROE FISHERY, PROPOSAL 204 WHICH WOULD INCLUDE HERRING TAKEN IN TEST FIHERY IN THE GUIDELING HARVEST LIMIT IN THE SITKA SOUND HERRING SAC ROE FISHERY, AND PROPOSAL 234 WHICH WOULD INCREASE THE AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE (ANS) HERRING EGGS IN SITKA SOUND TO 265,000 – 325,000 POUNDS.

David O. Osterback, President

Edith Jacobsen, Secretary

1/15/2009
Date

1/16/2009
Date

White Mountain
Alaska
The Fish River Tribe

Native Village of White Mountain
IRA TRIBAL COUNCIL
P.O. Box 84082
White Mountain, AK 99784
TELEPHONE: (907) 638-3651 & FAX: (907) 638-3652

RC 139

NATIVE VILLAGE OF WHITE MOUNTAIN
2009 RESOLUTION NO. 2009-01

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy", and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor Subsistence herring egg harvest due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guidelines harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than XXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fisher in the guideline Harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 Pounds to 265,000 – 325,000 pounds, based on the needs of Alaskan Natives around the State.

NOW THEREFORE BE IT RESOLVED that the Native Village of White Mountain supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring egg in Sitka Sound to 265,000-325,000 pounds,

SUBMITTED BY: _____ DATE: January 15, 2009

CONTACT NAME: Dorothy Barr, Tribal Coordinator PHONE: (907) 638-3651

Lime Village Traditional Council (LVTC)

RESOLUTION 09-04

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED LVTC supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds.

SUBMITTED BY: Ursula Graham DATE: 1-15-09

CONTACT NAME: ↗ ↖ PHONE: 907 526 5236

ORGANIZED VILLAGE OF KASAAN

P. O. Box 26-Kasaan ❁ Ketchikan, Alaska 99950-0340
(907) 542-2230 ❁ (fax) 907-542-3006

info@kasaan.org

www.kasaan.org

RESOLUTION OVK-09-01-002

A Resolution of the Organized Village of Kasaan, authorization and support for the protection of Alaska's Traditional and Customary Harvest of Herring Eggs and support for changes to current Department of Fish and Game Management Regulations for Harvesting Herring Eggs.

WHEREAS, the Organized Village of Kasaan is a federally recognized Tribe organized pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) and May 1, 1936 (49 Stat. 1250); and

WHEREAS, the Corporate Charter of the Organized Village of Kasaan (Ratified October 15, 1939) states in its Purpose and Existence, "In order to further the economic development of the Indians residing in the neighborhood of Kasaan, Alaska, by conferring upon the Organized Village of Kasaan corporate rights and powers; and to enable this Village and its members to undertake enterprises designed to secure for the members of the corporation an assured economic independence..."; and

WHEREAS, the Organized Village of Kasaan is governed by a Council of elected representatives composed of a President and six members who act in accordance with the powers granted to it by its Constitution and By-Laws (Ratified on October 15, 1938); and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribes of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set as 20%). The fishery will not be conducted if the spawning biomass is les that XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS, the Sitka Tribes of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, the Sitka Tribes of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED, that the Organized Village of Kasaan Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds.

Certification

APPROVED, PASSED AND ADOPTED by a duly constituted quorum of the OVK IRA Council on this 8th day of January 2008 by a Roll Call Vote: Della Coburn: ~~Absent~~; Julia Coburn: ~~Absent~~; Glen Hamar: Yes; Cheryl Edenshaw: Yes, and Paula Peterson: Yes.

RICHARD J. PETERSON — PRESIDENT

ATTESTED:

PAULA K. PETERSON — COUNCIL SECRETARY

08-12-23-01

Stebbins Community Association

[YOUR TRIBE/CORPORATION/AGENCY/ORGANIZATION]

2008 RESOLUTION ___

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

RC 140

McGrath Native Village Council
PO Box 134
McGrath, Alaska 99627
Phone 907-524-3257 Fax 907-524-3899

Resolution No. 09-08

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found the herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing our salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaboration management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designed at 105,000- 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that the **Twin Hills Village Council** supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION

Adopted and approved this 3rd day of February, 2009 by the Twin Hills Village Council.

By: _____
John W. Sharp, President

Attest: _____
William Ilutsik, Vice President

Twin Hills Village Council
RESOLUTION 09- 01

Authorization and support for the protection of Alaska's Traditional and customary harvest of herring eggs and support for changes to current Department of Fish and Game Management Regulations for harvesting herring eggs.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: United state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 12-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is more than 10% (current rate is set 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED the Qawalangin Tribe of Unalaska supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

We do certify that the above Resolution was passed and approved at a Special Meeting of the Qawalangin Tribe Council therefore called and held the 29 day of January, 2009. At which a quorum was present and resulted in a vote of 6 ayes, 0 nays and 0 abstaining.

Denise Rankin

Denise M. Rankin

President

Jennie Jacobsen

Jennie Jacobsen

Secretary/Treasurer

SUBMITTED BY: _____ DATE: _____

CONTACT NAME: _____ PHONE: _____

QAWALANGIN
Tribe of Unalaska

RESOLUTION 09-05

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, the Qawalangin Tribal Council is the governing body of the Qawalangin Tribe of Unalaska (Qawalangin Tribe), a federally recognized tribal government; and

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

P.O. Box 334, Unalaska, Alaska 99685 (907) 581-2920 FAX (907) 581-3644

guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW, THEREFORE, BE IT RESOLVED that the Native Village of Afognak hereby supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

NATIVE VILLAGE OF AFOGNAK

By: _____
Nancy Nelson, Chairperson
Native Village of Afognak Tribal Council

ATTESTATION

The foregoing Resolution was adopted at a meeting of the NVA on December 29, 2008, in Kodiak, Alaska, at which a quorum was present, by a vote of 7 FOR and 0 AGAINST, with 0 Abstentions.

By: _____
Patricia Kozak, Secretary
Native Village of Afognak Tribal Council

NATIVE VILLAGE OF AFOGNAK
RESOLUTION NUMBER 2008-28

TO AUTHORIZE AND SUPPORT THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, the Native Village of Afognak (NVA) is the federally recognized Indian tribe for the "Native Village of Afognak" as defined in section 3 (c) of the Alaska Native Claims Settlement Act, as amended; and

WHEREAS, NVA is an Indian Tribe as defined in section 103(c) of the Indian Self-Determination Act of 1975, as amended; and

WHEREAS, NVA is organized under a constitution duly adopted under Section 16 of the federal Indian Reorganization Act, as amended (25 U.S.C. 476); and

WHEREAS, the Native Village of Afognak Tribal Council is the governing body of the Native Village of Afognak; and

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 - 158,000 pounds to 265,000 - 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Nulato Tribal Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 - 325,000 pounds.

DULY ADOPTED on this 30th day of December, 2008.

CERTIFICATION

This certifies that the above resolution was duly adopted at a convened meeting of the Nulato Tribal Council, at which time a quorum was present. This resolution was adopted by a vote of 4 for, 0 against, with 0 abstaining.

Michael J. Stickman

Michael J. Stickman, 1st Chief

Gloria L. Patsy

Gloria L. Patsy, Secretary/Treasurer

NULATO TRIBAL COUNCIL
P.O. Box 65049 • Nulato, Alaska 99765
PHONE 907-898-2339 • FAX 907-898-2207
nulatotribe@nulatotribe.org

Resolution No. 2008-35

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Native, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED the Dot La Village [YOUR TRIBE/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Dot La Village DATE: 1-11-09

CONTACT NAME: Charles Miller PHONE: (907) 882-2695

Dot Lake Village Council

[YOUR TRIBE/CORPORATION/AGENCY/ORGANIZATION]

2008 RESOLUTION ___

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

department, shall not exceed 100,00 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%) The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Skagway Traditional Council **YOUR TRIBE/ORGANIZATION**, supports to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Delia Commander DATE: December 19, 2008
Tribal President/Administrator

CONTACT NAME: Delia Commander PHONE: 907-983-4068

RC 191

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

"Documenting the Statewide Need for Subsistence Herring Eggs"

Part 4 of 7 Part Submission

Alaskan Tribal Council Resolutions of Support
For the Sitka Tribe of Alaska's
Herring Proposals
Before the State of Alaska Board of Fish

08-12-23-01

Stebbins Community Association

[YOUR TRIBE/CORPORATION/AGENCY/ORGANIZATION]

2008 RESOLUTION ___

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

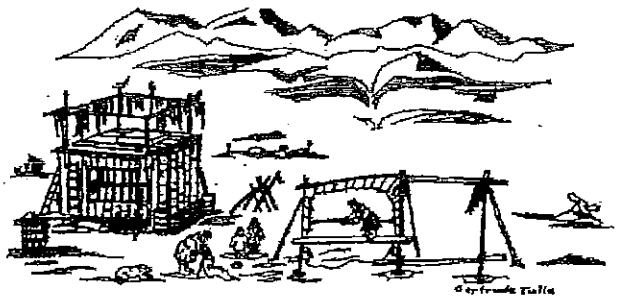
WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Stebbins Community Assoc. [YOUR TRIBE/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Fred Pete Jr. DATE: 12/23/08

CONTACT NAME: _____ PHONE: 907- 934-2653



NATIVE VILLAGE OF SAVOONGA • P.O. BOX 120, SAVOONGA, AK 99769 • PHONE 984-6414 • FAX 984-6027

A RESOLUTION OF THE NATIVE VILLAGE OF SAVOONGA IN SUPPORT OF THE ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

RESOLUTION 12-01

WHEREAS, the Native Village of Savoonga (Tribe), is duly constituted Native American Tribe recognized by the Federal Government of the United States, and

WHEREAS, the Native Village of Savoonga Council is a duly elected governing body of the Tribe, authorized to act by and on behalf of its members, and

WHEREAS, the Tribe is charged with the protection of our culture, heritage, environment and to protect subsistence for nutritional purposes, and

WHEREAS, the Tribe supports the informed and sustainable management of our fisheries especially the Alaska Board of Fisheries determined that herring spawn in Sitka Sound (Area 13-A and 3-B) is customarily and traditional benefits for subsistence, and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State and herring are for many communities t he life support of our ecosystem, nourishing the salmon, halibut and marine mammals that we are dependent on, and

WHEREAS, The Sitka Tribe of Alaska has submitted to Alaska Board of Fisheries Proposal 203 to change the harvest level and rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXX (currently 20,000 tons but needs to be increased), and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality, and

WHEREAS, the Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in State Regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED, that the Native Village of Savoonga hereby supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds.

CERTIFICATION

I, the undersigned, hereby certify that the Native Village of Savoonga IRA Council is composed of eight members, of whom _____, constituting a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 26TH day of Dec., 2008 and that the forgoing Resolution was duly adopted at said meeting by the affirmative vote of _____ members, and opposed by _____ members, and that said Resolution has not been rescinded or amended in any way.

DATED this 26TH day of Dec., 2008.

Ronnie Toolie

Ronnie Toolie
President

ATTEST:

Milton Noongwook
Secretary

Rec'd 1/5

Petersburg Indian Association

2008 RESOLUTION 2008-12-21

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Petersburg Indian Assoc. supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: P.I.A. DATE: 12-22-2008

CONTACT NAME: [signature] PHONE: 907-772-3636

2008 RESOLUTION 08-12

TITLE: **AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATION FOR HARESTING HERRING EGGS.**

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual. And cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section13-A and 13B shall be established by the

department, shall not exceed 100,00 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%) The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Skagway Traditional Council **YOUR TRIBE/ORGANIZATION**, supports to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Delia Commander DATE: December 19, 2008
Tribal President/Administrator

CONTACT NAME: Delia Commander PHONE: 907-983-4068

Dot Lake Village Council

[YOUR TRIBE/CORPORATION/AGENCY/ORGANIZATION]

2008 RESOLUTION ___

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

RC142

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

"Documenting the Statewide Need for Subsistence Herring Eggs"

Part 5 of 7 Part Submission

Alaskan Tribal Council Resolutions of Support
For the Sitka Tribe of Alaska's
Herring Proposals
Before the State of Alaska Board of Fish

McGrath Native Village Council
PO Box 134
McGrath, Alaska 99627
Phone 907-524-3257 Fax 907-524-3899

Resolution No. 09-08

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found the herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing our salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaboration management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries

Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325 pounds, based on the needs of Alaska Natives around the state.

NOW THEREFORE BE IT RESOLVED McGrath Native Village Council supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase the amount Reasonably Necessary for subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION

This resolution was duly considered and adopted by the McGrath Native Village Council on Feb 5, 2009 by a vote of 4 in favor; ___ Opposed, and 1 absent.

SIGNED:

Carolyn J Vanderpool
First Chief

ATTEST:

Matilda Dull
Tribal Administrator

Native Village of Kotzebue
Kotzebue IRA

February 6, 2009

ATTN: BOF COMMENTS
Boards Support Section
Alaska Department of Fish and Game
P.O. Box 115526
Juneau. AK 99811-5526
FAX: 907-465-6094

Knowledge of Language

Knowledge of Family Tree

Sharing

Humility

Respect for Others

Love for Children

Cooperation

Hard Work

Respect for Elders

Respect for Nature

Avoid Conflict

Family Roles

Humor

Spirituality

Domestic Skills

Hunter Success

Responsibility to Tribe

Native Pride

Dear Board of Fisheries Members:

The Native Village of Kotzebue writes in support of proposals that address Sitka Sound subsistence and commercial herring fisheries. The members of our Tribe have benefited from the subsistence herring spawn fisheries occurring in Sitka Sound for decades and continue to have strong connections with this area and harvest. More broadly, the Tribe believes that the need to provide food for the people of Alaska is the best use of wild resources, which are held in common by all Alaskans under the Constitution. **Proposal 234 – 5AAC 01.716(b)** speaks directly to this issue, by requesting adjustments in the Amount Necessary for Subsistence from an outdated, and for some time inadequate, amount of herring spawn allocated to subsistence use. The Sitka Tribe has taken the initiative to survey its members since 2002 on the amount of herring spawn necessary to meet basic subsistence needs and consistently found the current level of need significantly higher than current allocation levels. The State and Federal governments have for many years encouraged the development of harvest survey programs and involvement by all Alaska Tribes in the management regimes they believe are necessary to promote conservation over the long term in Alaska. Increased information that can be brought to bear on management issues is desirable by all parties and one way to promote this is by taking action based on survey efforts carried out by Tribes. Ignoring, or minimizing the worthiness of such efforts, by not acting on what they document, will discourage such future proactive efforts and risk creating an adversarial environment that will not serve the resource, or the people of Alaska, well.

Herring fisheries, and for that matter all baitfish fisheries, are notoriously difficult to manage effectively over time and there are many examples of management failures. Frequently, this occurred because of overconfidence by managers on the sufficiency of data and/or their ability to interpret, or fully understand the data. Unaccounted for environmental changes and limited and/or incorrect data also has contributed to the collapse of many baitfish fisheries. No one can deny that changes have been occurring in the North Pacific that raise large and justifiable concern over the future health of the entire ecosystem sustained there (e.g. warmer temperatures, northern movement of new fish and predators such as large squid, increase in acidity of ocean water, increase in large whale populations). In this context of a very dynamic system, static management levels are at a high risk of becoming quickly obsolete and incompatible with long-term management goals, and extra attention and scrutiny, with a large err on the cautious side, should be the rule. **Proposal 203 – 5AAC 27.160(g)** requesting a reduction in harvest levels in the herring sac roe fishery sec. 13-A and 13-B addresses this very valid concern. Not only is it hard to imagine that all the ecosystem changes documented since the time current harvest levels were put in place 11 years ago have had no impact on underlying assumptions used to set this level, but the recent lack of strong age class cohorts and the number of proposals addressing concerns with the status of Southeast Alaska herring should be seen as prima facie evidence that harvest levels are inadequate to address the conservation of a healthy and abundant herring population.

333 Shore Avenue • P.O. Box 296 • Kotzebue, Alaska 99752
Phone: (907) 442-3467 • Fax: (907) 442-2162

The Department of Fish and Game should also reassess the way they carry out their test fishery. The Sitka Tribe points out that the current methodology is disruptive to their harvest of herring spawn and the Department should strive to have the least impact on resources and users when implementing test fisheries. It is also reasonable to request that when test fisheries remove an amount of herring that impact overall stock allocations that these should be included in the Guideline Harvest Limits, which **Proposal 204 – 5AAC 27.195** addresses. Anytime management methods raise concerns of negative impacts to users, the Department should be required to defend such an approach, including lower impact methods that have been considered and why they were rejected, or not implemented.

Also, one of the best defenses available to protect wild resources Alaskans depend on in this continuously changing environment, is a diverse genetic pool that provides adaptive benefits, most of which are unknowable, to allow for resiliency and continued survival of wild species, whether they are harvested, or not. **Proposal 200- 5AAC 27.195** at least raises the question of whether a mischaracterization of stocks has, or continues to occur, and that additional research should be encouraged and carried out to reaffirm a major premise of Sitka Sound herring management – accurate stock identification.

The Ketchikan Herring Action Group through their **Proposal 199 – 5AAC 27.053** does a good job of discussing many of the public benefits and uses that are supported through healthy herring stocks in Southeast Alaska. While the Native Village of Kotzebue lacks the necessary information to take a position on whether all commercial fishing for herring should be closed in areas 1A through 16, this proposal should remind the Board that all the people of Alaska have a right to benefit from Alaska's wild resources and that in the case of herring, more weight needs to be given to the ecosystem benefits that derive from abundant and healthy herring populations. These fish drive a major part of the Southeast Alaska ecosystem; their beneficial influence and ecosystem contributions even extends beyond the waters themselves, to include healthy watersheds, forests, and the flora and fauna that are part of these systems, and the people that benefit from same. The Tribe also believes that it is the duty of the State of Alaska, through the Department of Fish and Game, to protect this resource for all Alaskans and that commercial use of wild resources only be allowed when populations are sufficient to accommodate all users and a healthy ecosystem.

The Native Village of Kotzebue encourages the Board of Fisheries to adopt **Proposals 203, 204, and 234**, during their spring 2009 meeting.

Thank you for your consideration.

Alex Whiting
Environmental Specialist

Linda Joule
Executive Director

CLARKS POINT VILLAGE COUNCIL

BOX 90

CLARKS POINT, ALASKA 99569

RESOLUTION # 09-03

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS; Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS; Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native Claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS; Congress enacted the Alaska National Interest Land Conservation Land Conservation Act Title VIII enacting Federal legislation granting subsistence priority for rural residents over the priority for rural residents over the priority harvest of all fish and game; and

WHEREAS; Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS; Under State Law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS; The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut and marine mammals we depend on; and

WHEREAS; Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS; The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guide-line harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be

established by the department, shall not exceed 10,000 tons (currently there is no cap) and harvest rate percentage that in not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than _____ (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area , curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in the state regulation in 2002, currently designated at 105,000-158,000 pounds to 265,000-325,000 pounds, based on the needs of Alaska Natives around the State.

WHEREAS: Our Community of Clarks Point would use approximately 4,200 pounds of herring eggs per year if they were available to us.

NOW THEREFORE BE IT RESOLVED by the Clarks Point Village Council in support of efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000-325,000 pounds.

PASSED AND APPROVED BY A QUORUM OF 5 MEMBERS _____. MEMBERS FOR 5 MEMBERS AGAINST 0. ON THIS DAY OF JANUARY 29, 2009.

Certified by _____ Dated: January 29, 2009

Attested by _____ Dated: January 29, 2009

Grayling IRA Tribal Council
[YOUR TRIBE/CORPORATION/AGENCY/ORGANIZATION]
2008 RESOLUTION 02

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

RC 143

percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Craveling IRA Tribal Council [YOUR TRIBE/ORGANIZATION] supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery. Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Gabriel Nicholi sr. DATE: 2-6-09

CONTACT NAME: David Maillelli PHONE: 453-5142

Benjamin Mann

Native Village of Nightmute
C/O Nightmute Traditional Council
P.O. Box 90021
Nightmute, Alaska 99690

2008 Resolution #:
08-12-87

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designed at 105,000 - 158,000 pounds to 256,000 - 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Nightmute Traditional Council support efforts To protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test Fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 256,000-325,000 pounds.

SUBMITTED BY: Nightmute Traditional Council DATE: February 9, 2009

CONTACT NAME: Isadore Anthony, President of Nightmute Traditional Council
PHONE: (907) 647-6215

NATIVE VILLAGE OF KIANA

RESOLUTION 09-08

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate

percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than XXXXX (currently 20,000 tons but needs to be increased); and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED NATIVE VILLAGE OF KIANA supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY: Daniel Dough DATE: 2/10/09

CONTACT NAME: DELORES BARR PHONE: 907-475-2109

Kenaitze Indian Tribe

P.O. Box 988 Kenai, Alaska 99611

Resolution No. 2009-05

Authorization and Support for the Protection of Alaska's Traditional and Customary Harvest of Herring Eggs and Support for Changes to Current Department of Fish and Game Management Regulations for Harvesting Herring Eggs

Whereas, the Kenaitze Indian Tribe is a federally recognized Tribal Government reorganized under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and in accordance with the preamble to the Tribal constitution, "is responsible for the social welfare of its 1,311 Tribal Members and 3,239 Alaska native residents of the Central and Upper Southern Kenai Peninsula of South Central Alaska"; and,

Whereas, the Kenaitze Indian Tribe has established long term goals which relate to the collective and individual, social, economic, and governmental concerns of its people; and,

Whereas, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and,

Whereas, congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska native claims to ownership of Alaska's lands, based on "customary and traditional use and occupancy"; and,

Whereas, Congress enacted the Alaska National Interest Land Conservation Act Title VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and,

Whereas, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and,

Whereas, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and,

Whereas, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and,

Whereas, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and,

Whereas, the Sitka Tribe of Alaska has submitted Alaska board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, **shall not exceed 10,000 tons** (currently there is no cap)and will be a harvest rate percentage that is not **more** than 10% (current rate is set at 20%). The fishery will not be conducted if the spawning biomass is less than XXXXXX (currently 20,000 tons but needs to be increased); and,

Whereas, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and,

Whereas, The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonable Necessary for subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 165,000 – 325,000 pounds, based on the needs of Alaska natives around the State.

Now Therefore Be It Resolved that the Executive Committee/Tribal Council of the Kenaitze Indian Tribe supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonable Necessary for subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

Voting For: 4
Voting Against: 0
Abstaining: 2
Absent: 0

Certification

Mary Ann Mills

Mary Ann Mills, Tribal Chairperson
Kenaitze Indian Tribe

Rita Smagge

Rita Smagge, Tribal Secretary
Kenaitze Indian Tribe

January 20, 2009

Date

Native Village of Kongiganak
[TRIBE/CORPORATION/ORGANIZATION]
2009 RESOLUTION 09-02-01

TITLE: A RESOLUTION SUPPORTING THE PROTECTION OF ALASKA'S ABORIGINAL TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS: Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; and

No RC 144

No RC 145

RC 146

Update on Alaskan Corporate support:

1. Sealaska Corporation
2. SheeAtiká Inc.

Other Native Organizations that support our proposals:

1. Tlingit and Haida Indian Tribes of Alaska
2. Sitka Kaagwaantaan Clan
3. Grand Camp Alaska Native Brotherhood

Organizations who oppose 235

1. Tlingit and Haida Indian Tribes of Alaska (resolution)
2. Rural Alaska Community Action Program, Inc. (letter)

SC.RES.2009.10
SEALASKA CORPORATION
JANUARY 30, 2009

AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERRING EGGS AND SUPPORT FOR CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS

WHEREAS, Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is insufficient to provide for a successful subsistence harvest (currently 20,000 tons but needs to be increased); and

WHEREAS, The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal

204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, The Sitka Tribe of Alaska has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State; now therefore be it

RESOLVED, That Sealaska Corporation supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

APPROVED X DISAPPROVED ____ TABLED ____

AYES 11 . NAYS 0 ABSENT 2

Emil Hallquist

VICE PRESIDENT AND CORPORATE SECRETARY

Resolution of the
Board of Directors
Of
Shee Atiká, Incorporated

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence are, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS, the Sitka Tribe of Alaska has submitted Proposal 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED Shee Atiká, Incorporated supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring roe fishery, the Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by the Board of Directors of Shee Atiká Investments, LLC in accordance with its Articles and Bylaws at a Meeting of said Board of Directors held on January 31, 2009 and said resolution appears in the record of said Meeting as set forth above.

Dated this 5th day of February, 2009.

By: _____
Harold L. Donnelly, Jr., Secretary

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-05

Title: Supporting ADF&G Board Proposal 203, Change of the Harvest Level and Harvest Rate for the Sitka Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, The Sitka Tribe of Alaska (STA) has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000

tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10 % (current rate is set at 20 %). The fishery will not be conducted if the spawning biomass is less than necessary to support cultural and traditional uses; and

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

Connie M Sama, COO
for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-06

Title: Supporting ADF&G Board Proposal 204, Include Herring Taken in Test Fishery in the Guideline Harvest Limit in the Sitka Sound Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality.

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

RC 147

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-06

Title: Supporting ADF&G Board Proposal 204, Include Herring Taken in Test Fishery in the Guideline Harvest Limit in the Sitka Sound Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality.

David Pratt

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 204 which would include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Central Council
Tlingit and Haida
Indian Tribes of Alaska

CENTRAL COUNCIL
tlingit and haida indian tribes of alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-1726

Executive Council of the Central Council
TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA

Resolution EC/ 09-07

Title: Supporting ADF&G Board Proposal 234, Change the Harvest Level and Harvest Rate for the Sitka Herring Sac Roe Fishery

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens worldwide; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the Alaska Board of Fisheries has found that herring spawn in Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS, under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska, and herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, STA has proposed 234 to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds to 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED that the Executive Council hereby authorizes Central Council to support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 234 which would increase of the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

ADOPTED this 30th day of January 2009, by the Executive Council of the Central Council of Tlingit and Haida Indian Tribes of Alaska, by a vote of 6 yeas, 0 nays, 0 abstentions and 0 absence(s).

CERTIFY

for President William E. Martin

ATTEST

Tribal Secretary Michele Metz

Sitka Kaagwaantaan Clan

2009 Resolution 1

TITLE: AUTHORIZATION AND SUPPORT FOR THE PROTECTION OF ALASKA'S TRADITIONAL AND CUSTOMARY HARVEST OF HERING EGGS AND SUPPORT FOR THE CHANGES TO CURRENT DEPARTMENT OF FISH AND GAME MANAGEMENT REGULATIONS FOR HARVESTING HERRING EGGS.

WHEREAS: Subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS: The Sitka Kaagwaantaan Clan has used and occupied the Sitka area for millennia; and

WHEREAS: The Sitka Kaagwaantaan Clan has harvested and shared the herring egg harvest since time immemorial; and

WHEREAS: Alaska Board of Fisheries has found that herring spawn iin Sitka Sound (Area 13-A and 13-B) is customarily and traditionally used for subsistence; and

WHEREAS: Under state law, Alaska Board of Fisheries is required to adopt regulations that provide for a reasonable opportunity for subsistence uses of herring spawn; and

WHEREAS: The subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout he State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS: Despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 203 to change the harvest level and harvest rate for the Sitka herring sac roe fishery as follows: the guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department, shall not exceed 10,000 tons (currently there is no cap) and will be a harvest rate percentage that is not more than 10% (Current rate is set at 20%).

WHEREAS: The Sitka Tribe of Alaska has submitted Alaska Board of Fisheries Proposal 204 to include herring taken in test fishery in the guideline harvest limit in the Sitka Sound herring sac roe fishery. Proposal 204 is intended to decrease test setting in the traditional subsistence area, curtail disturbing schools of pre-spawning herring, and limit incidental and unaccounted mortality; and

WHEREAS: The Sitka Tribe of Alaska has submitted Proposal 234 to increase the Amount Reasonably Necessary for Subisstence (ANS) for herring eggs set in state regulation in 2002, currently designated at 105,000 – 158,000 pounds ot 265,000 – 325,000 pounds, based on the needs of Alaska Natives around the state.

NOW THEREFORE BE IT RESOLVED:
The Sitka Kaagwaantaan Clan supports efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal 203 which would change the harvest level and harvest rate for the Sitka herring sac roe fishery, Proposal 204 which would include herring taken in test fishery; in the guideline harvest limit in the Sitka Sound herring sac roe fishery, and Proposal 234 which would increase the Amount Reasonably Necessary for Subsistence (ANS) herring eggs in Sitka Sound to 265,000 – 325,000 pounds.

SUBMITTED BY

Herman Kitka, Kaagwaantaan Tlingit Tlein and Date: 26 January 2009

Nels H Lawson

Contact:

Nels H Lawson at 907-747-6903

Grand Camp
Alaska Native Brotherhood

RESOLUTION NO. #36-08

TITLE: AUTHORIZATION AND SUPPORT FOR BOARD OF FISHERIES PROPOSAL #203 TO CHANGE THE GUIDELINE HARVEST LEVEL FOR THE HERRING SAC ROE FISHERY IN AREA 13-A AND 13-B TO NOT EXCEED 10,000 TONS, AND CHAANGE THE HARVEST RATE PERCENTAGE TO NO MORE THAN 100%, AND TO INCREASE THE CURRENT CONSDERVATION THRESHOLD OF 20,000 TONS

WHEREAS, the Alaska Native Brotherhood (ANB) has supported and advocated for Customary and Traditional (i.e., Subsistence) access and use for Alaska Natives in practice for thousands of years; and

WHEREAS, the ANB continues to support and advocate for Subsistence harvest of food and resources, including the change of guideline harvest levels for the herring sac roe fishery in Area 13-A and 13-B; and

WHEREAS, the ANB recognizes the Sitka Tribe of Alaska (STA) has taken scientific and governmental steps to protect the Subsistence harvest of herring and herring spawn; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act (ANCSA) of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act (ANILCA) TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Alaska Native Brotherhood; realizes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvests due to the lack of quality spawn while the commercial fishermen continue to harvest record catches; and

WHEREAS, the Alaska Native Brotherhood has suffered from an inability to achieve a normal harvest three of the last four years for subsistence herring roe, and other communities which depend on receiving Sitka herring eggs for their traditional lifeways are suffering as well; and

WHEREAS, the commercial fleet continues to harvest record catches because the 20% harvest rate allows for it, while the Sitka Sound herring biomass declines, and subsistence harvesters' needs are not met; and

WHEREAS, the Alaska Native Brotherhood has proposed to change the guideline harvest level for the herring sac roe fishery in Area 12-A and 13-B to not exceed 10,000 tons and change the harvest rate percentage to no more than 10%, and to increase the current conservation threshold of 20,000 tons.

NOW THEREFORE BE IT RESOLVED THAT, by the Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp Convention support efforts Sitka Tribe of Alaska's effort to protect the subsistence harvest of herring eggs and support efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal #203 which would change the guideline harvest level for the herring sac roe fishery in Area 13-A and 13-B to not exceed 10,000 tons, and change the harvest rate percentage to no more than 10%, and to increase the current conservation threshold of 20,000 tons.

ANB Grand President

ANS Grand President

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention at Ketchikan, Alaska, during the week of October 7-11, 2008.

ANB Grand Secretary

Grand Camp
Alaska Native Brotherhood

RESOLUTION NO. #38-08

TITLE: AUTHORIZATION AND SUPPORT FOR BOARD OF FISHERIES PROPOSAL #204 TO INCLUDE HERRING TAKEN IN THE TEST FISHERY DURING THE SITKA SOUND COMMERCIAL SAC ROE HERRING FISHERY IN THE GUIDELINE HARVEST LEVEL

WHEREAS, the Alaska Native Brotherhood (ANB) has supported and advocated for Customary and Traditional (i.e., Subsistence) access and use for Alaska Natives in practice for thousands of years; and

WHEREAS, the ANB continues to support and advocate for Subsistence harvest of food and resources, including strong concerns regarding herring taken in the test fishery during the Sitka Sounds commercial sac roe herring fishery in the guideline harvest level; and

WHEREAS, the ANB recognized the Sitka Tribe of Alaska (STA) has taken scientific and governmental steps to protect the Subsistence harvest of herring and herring spawn; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claims to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska National Interest Land Conservation Act TITLE VIII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Alaska Native Brotherhood; realizes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to the lack of quality spawn while the commercial fisherman continue to harvest record catches; and

WHEREAS, the Alaska Native Brotherhood recognizes the Customary and Traditional (i.e., Subsistence) Harvesters have suffered from an inability to achieve a normal harvest three of the last four years for subsistence herring roe, and other communities which depend on receiving Sitka herring eggs for their traditional lifeways are suffering as well; and

WHEREAS, excessive test setting has been occurring before the Sitka Sound commercial herring sac roe fishery, causing unaccounted mortality and disrupting the natural spawning behavior; and

WHEREAS, the Alaska Native Brotherhood has proposed to include herring taken in the test fishery in the guideline harvest level to reduce disturbance to pre-spawning herring and to reduce the amount of test setting that is occurring in Sitka Sound.

NOW THEREFORE BE IT RESOLVED, that the Alaska Native Brotherhood and Sisterhood Grand Camp Convention support Sitka Tribe of Alaska's effort to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal #204 to include herring taken in the test fishery during the Sitka Sound commercial sac roe herring fishery in the guideline harvest level.

Dewey Skan
ANB Grand President

ANS Grand President

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention at Ketchikan, Alaska during the week of October 7-11, 2008.

ANB Grand Secretary

Grand Camp
Alaska Native Brotherhood

RESOLUTION NO. #37-08

TITLE: AUTHORIZATION AND SUPPORT FOR BOARD OF FISHERIES PROPOSAL #234 TO INCREASE THE AMOUNT REASONABLY NECESSARY FOR SUBSISTENCE USE OF HERRING SPAWN IN AREA 13-A AND 13-B FROM 52.5-79 TONS TO 132.5-162.5 TONS

WHEREAS, the Alaska Native Brotherhood (ANB) has supported and advocated for Customary and Traditional (i.e. Subsistence) access and use for Alaska Natives in practice for thousands of years; and

WHEREAS, the ANB to support and advocate for Subsistence harvest of food and resources, including the amount reasonably necessary for subsistence use of herring spawn; and

WHEREAS, the ANB recognizes the Sitka Tribe of Alaska (STA) has taken scientific and governmental steps to protect the Subsistence harvest of herring and herring spawn; and

WHEREAS, the ANB support STA in their effort to address the Subsistence harvest of herring and herring spawn at the state Board of Fisheries; and

WHEREAS, subsistence gathering and harvesting of herring eggs constitute our nutritional, spiritual, and cultural foundation since time immemorial; and

WHEREAS, Congress enacted the Alaska Native Claims Settlement Act of 1971, addressing Alaska Native claim to ownership of Alaska's lands, based on "aboriginal use and occupancy"; and

WHEREAS, Congress enacted the Alaska Native Interest Land Conservation Act TITLE VII enacting Federal legislation granting subsistence priority for rural residents over the priority harvest of all fish and game; and

WHEREAS, the subsistence use of herring eggs is a statewide tradition for Alaska Natives, as eggs are shipped throughout the State of Alaska. Herring are the life support of our ecosystem, nourishing the salmon, halibut, and marine mammals we depend on; and

WHEREAS, the Sitka Tribe of Alaska; realizes that the greater Sitka Sound area has the last marginally healthy stock of herring left in Southeast Alaska; and

WHEREAS, despite continued efforts to work with the State of Alaska Department of Fish and Game in collaborative management of the commercial herring fisheries, there continues to be extremely poor subsistence herring egg harvest due to the lack of quality spawn while commercial fishermen continue to harvest record catches; and

WHEREAS, the Sitka Tribe of Alaska has suffered from an inability to achieve a normal harvest three of the last four years for subsistence herring roe, and other communities which depend on receiving Sitka herring eggs for their traditional life ways are suffering as well; and

WHEREAS, in order to protect traditional opportunities for subsistence harvest of herring eggs in Sitka Sound, it is becoming increasingly necessary to have more accurate information on harvest levels and usage; and

WHEREAS, the Sitka Tribe of Alaska has proposed to increase the Amount Reasonably Necessary for Subsistence (ANS) for herring eggs set in state regulation in 2002, currently designated at 52.5-79 tons to 132.5-162.5 tons, based on the needs of Alaska Natives around the State.

NOW THEREFORE BE IT RESOLVED THAT, by the Alaska Native Brotherhood and Alaska Native Sisterhood Grand Camp Convention support efforts Sitka Tribe of Alaska's efforts to protect the subsistence harvest of herring eggs by supporting Alaska Board of Fisheries Proposal #234 which would increase of the Amount Reasonably Necessary for Subsistence (ARNS) herring eggs in Sitka Sound to 52.5-162.5 tons.

Dewey Skan
ANB Grand President

Thomas K. Dybdahl
ANS Grand President

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention at Ketchikan, Alaska, during the week of October 6-11, 2008.

ANB Grand Secretary

RC 148

RC 148
Randall Gluth
02/18/2009

I am a local sport fisherman-personal use and subsistence user. Thirty years in Sitka harvesting for consumption and enjoyment has instilled a familiarity with patterns and changes in many of the local seafood sources.

The first years family and myself enjoyed the abundance of some species that are no longer available (abalone, razor clams as well as other clams). Sea Otter moved into the area in greater numbers and decimated clam and abalone beds. The next big change was the explosion of the charter fleet in the late eighties and nineties.

For the local fisherman the abundance of halibut in Sitka sound disappeared. All the local favorite Halibut holes were being hid day after day by charter boats. Some of the charter boats were catering to cruise ship passengers and would make two and sometimes more trips to these local spots. Today catching a Halibut in any of these favorite spots is extremely rare.

The Alaskan experience for those who live here is getting more disheartening as years go by. Every bay that produces shrimp or crab is so peppered with charter boat pots through the whole summer that locals running out on the weekends stand little chance of a catch. Many locals have resorted to planning much longer trips, hoping to run far enough from town trying to find a spot that the charter fleet isn't fishing out.

Driving around town after the season we see large stacks of shellfish pots at lodges an charter operator residences. This is a disturbing testament to the actual pressure these limited resources are getting.

In browsing websites of local lodges and operators you'll naturally see brags about the unbelievable quality of Salmon and Halibut fishing around Sitka but also Shark, shellfish, yellow eye, lingcod, and even clams. Clams! There obviously is no resource too great or small that can't be exploited for pleasure of the paying nonresident fisherman. One advertisement states "we will fill your freezer."

Such a great number of local sport-personal use fisherman hold an ever growing resentment toward e charter fleet that things like disappearing pot gear is getting more common place. Bumper stickers with erogatory statements against charter operators are everywhere. While I don't condone this behavior by locals, I certainly share their anger with what seems to be a complete disregard for our food sources. We see the number of boxes of these resources flown out of state.

When we locals hear statements about hardship and financial loss to this area coming from charter operators anytime a hint of reduced catch limits come up, I assure this board our sympathies are not with them. These precious resources are too important to us to ignore unsustainable harvest.

We hear stories about the great time charter clients are having hooking and releasing King and Coho Salmon after bag limits are filled. We know about mortality. We have all turned loose bleeding, undersize or non target salmon that we realize is a shameful waste. We know how completely spent a King or Coho have to be to retrieve your hook on a 15 or 20 pound leader with small hooks. This should not be considered great sport.

It has become more and more expensive for us to put food in our freezers. We spend money for gas, boat, gear, boat repairs, etc to put this local fare on our tables. For some here this can amount to a substantial amount of their income. For us this expense is not tax deductable and Uncle Sam doesn't pick up the tab.

Because of day fishing logistics, all resources harvested by guided sport are taken right in our front yard - so to speak. Traditional commercial fishing pressure is spread out over hundreds of miles of coast line. Local sport catchers have always coexisted with commercial fisherman without problem. These days this present 'in your face' seven days a week 'take no prisoners' resource grab is indeed gotten to be a big problem.

When we come home from a fishing trip with a small jar full of shrimp or a single legal crab or a water set with a subsistence Halibut skate, we have come to realize an Alaskans experience that is not at all viable. Most Alaskans by nature are a 'live and let live' group. Now we would like to do whatever is cessary to preserve what little is left of a lifestyle that did center around abundant food sources.

Thank you
Randy Gluth

RC 149

PROPOSAL 341: 5AAC 28.160. HARVEST GUIDELINES AND RANGES FOR EASTERN GULF OF ALASKA AREA. Increase the amount of Southeast Alaska demersal shelf rockfish (DSR) total allowable catch (TAC) allocated to the sport fisheries from 16% to 25% and decrease the amount of the TAC allocated to commercial fisheries from 84% to 75%.

Table 241-1. Total Allowable Catch (TAC) in metric tons and mortality by fishery of DSR in the Southeast Outside Subdistrict (SEO), 1982–2008.

Year	TAC (mt)[1]	Directed Fishery	Halibut Fishery	Halibut Discard Mortality[3]	Sport Mortality[4]	Subsistence	Total SEO Mortality	Sport Percent of TAC
1982		106	14		28		148	
1983		161	15		29		205	
1984		543	20		15		578	
1985		395	100		13		512	
1986		451	43		20		514	
1987		803	52		18		873	
1988	660	515	37		21		573	3.20%
1989	420	356	119		15		490	3.60%
1990	470	207	136	Commercial Percent of TAC since allocation set	17		360	3.60%
1991	425	386	119		18		523	4.20%
1992	550	364	189		16		569	2.90%
1993	800	345	272		20		637	2.50%
1994	960	283	154	175	34		646	3.50%
1995	580	177	112	108	25		422	4.30%
1996	945	345	85	179	28		637	3.00%
1997	945	267	87	217	38		609	4.00%
1998	560	241	117	190	47		595	8.40%
1999	560	235	112	174	73		594	13.00%
2000	340	183	94	148	80		505	23.50%
2001	330	172	147	122	71		512	21.50%
2002	350	136	153	140	87		516	24.90%
2003	360	102	174	107	74		457	20.60%
2004	450	173	155	179	104	23	611	23.10%
2005	410	42	195	162	90	16	489	22.00%
2006	410	0	205 *	21 55.12%	77	24	303	18.80%
2007	410	0	198	20 53.17%	60	21	278	14.60%
2008	382	42	148	15 53.67%	70[5]	21[5]	275	18.30%

[1] There was no TAC prior to 1988.

[2] Halibut Fishery "Landings" for 2006–2008 also include landings from all other non DSR directed groundfish and test fisheries.

[3] Estimated based on NMFS test fishing. For 2006–2008 it is assumed to be 10% of harvest.

[4] Estimated using SWHS harvest estimates, creel species composition sampling, and catch estimates from creel sampling and logbooks.

[5] Preliminary estimate.

Note significant decrease in estimated discard mortality of DSR in commercial halibut fishery due to full retention requirement and change in ADF&G method of estimating discard mortality.

* Commercial halibut catch limit for 2006 was quite high (10.63 million pounds).

RC 150

MEMORANDUM

STATE OF ALASKA
Department of Law

To: Jim Marcotte
Executive Director
Alaska Board of Fisheries

Thru:

From: Steven A. Daugherty
Assistant Attorney General
Natural Resources Section
Department of Law

Date: February 18, 2009

File No.: 993090033

Tel. No.: 269-5100

Fax: 279-2834

Subject: **Comments on Specific Proposals for the Southeast Alaska/Yakutat Finfish Meeting.**

This memorandum supplements the general advice previously submitted to the Board regarding general legal requirements that Board members should be aware of when adopting regulations. We have not attempted to provide comments on each proposal before the Board but instead are providing written comments regarding specific proposals where significant legal issues have been identified or where Board members or staff has requested additional guidance from the Department of Law. We intend to have an Assistant Attorney General present at the meeting to expand on these comments or address other legal issues that may arise.

Proposals 209, 210: These proposals would create an equal shares commercial sac roe herring fishery. While under the Alaska Supreme Court's *Grunert* decisions, the Board does not have authority to allocate within fisheries, the Board retains its authority under AS 16.05.251(a)(3) to establish quotas capping harvest levels within a fishery. If the board decides to pursue this proposal it should be careful to do so under its authority under 16.05.251(a)(3) rather than its allocation authorities.

Proposal 219: This proposal asks the Board to designate a king salmon stock as a stock of concern but does not specify whether it is asking for designation as a stock of conservation, management, or yield concern. The policy for management of sustainable salmon fisheries found at 5 AAC 39.222, defines these terms; these types of designations should only be made if the Board determines that the designation is appropriate under the applicable definition. The Board normally defers to the Department's recommendations regarding designation as a stock of concern, however, the Board may make a determination contrary to a Department recommendation if it establishes a record to support its decision.

Proposals 232, 233: These proposals would prohibit subsistence gillnet fishing in Chilkat Inlet north of Seduction Point. There is a positive customary and traditional use determination for salmon stocks in this area. The Board is not required to provide subsistence fishing throughout the entire area where it has made a positive customary and traditional use determination, and may adopt regulations to separate user groups and gear types where reasonably necessary for the conservation and development of fisheries. Where the Board limits the subsistence fishing area it should establish a record to show that reasonable opportunity for the subsistence use of the stock subject to the positive customary and traditional use determination would still be provided if the area is limited. "Reasonable opportunity" is defined at AS 16.05.258(f) and means an opportunity, as determined by the Board, "that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of success of taking of fish or game."

Proposal 234: This proposal asks the Board to change the amount necessary for subsistence for herring spawn in Section 13-A and a portion of Section 13-B. The Board may increase or decrease the amount reasonably necessary for subsistence uses or change the range as the Board determines to be appropriate so long as the Board establishes a record to show that it is providing reasonable opportunity for subsistence use. "Reasonable opportunity" is defined at AS 16.05.258(f) and means an opportunity, as determined by the Board, "that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of success of taking of fish or game." The Board may also decline to change its prior determination if it determines that new information does not require a change. The Board is not required to ensure that the amounts necessary for subsistence are harvested each year; there may be a number of factors such as participation levels, weather, fuel costs, availability of other resources, etc. which impact harvest in any given year. However, consistent failure to harvest within the range identified as the amount necessary for subsistence may indicate a need to revisit either the amounts reasonably necessary for subsistence or the Board's harvest regulations.

Proposal 235: This proposal asks the Board to establish permit requirements for the herring spawn subsistence fishery in Sitka Sound. Currently a subsistence permit is required for spawn on kelp, but no permit is required and there are no reporting requirements or harvest limits for spawn on branches or other substrates. Permits and reporting are required in many other subsistence fisheries across the state.

Proposal 236: This proposal asks the Board to modify the amounts reasonably necessary for subsistence for salmon throughout Southeast Alaska by species and specific location. The Board has broad discretion to identify fish stocks customarily and traditionally taken or used for subsistence. *See Native Village of Elim v. State,* 990 P.2d 1 (Alaska 1999). "Fish stock" is statutorily defined as "a species, subspecies, geographic

grouping or other category of fish manageable as a unit." AS 16.05.940(16). Where mixed stock fisheries occur the Board may find that individual stocks are not reasonably manageable as a unit. The Board may also consider whether subsistence users adapt to salmon cycles and rely on different species or areas in different years. If the Board decides to change its stock designations for amounts necessary for subsistence, it may also need to revisit its prior customary and traditional use determinations which appear to have been based on a broad area definition of stock.

Proposal 238: This proposal asks the Board to authorize the use of a seine boat for harvest of subsistence salmon for the community of Klawock. While the Board lacks the authority to provide a subsistence opportunity limited to members of a specific community, the Board may authorize group permits authorizing accumulation of limits from individual permits. Models for this type of regulation can be found at 5 AAC 01.630(h)-(j) (Glenallen); 5 AAC 01.760(e) (Redoubt Bay). This proposal could easily be modified to provide an opportunity for accumulation of limits to allow efficient use of seine gear for taking of subsistence salmon, but the opportunity could not be limited to residents of Klawock.

Proposal 239: This proposal would close subsistence fishing at Falls Lake and Gut Bay. The Board should consider whether adoption of this proposal would provide reasonable opportunity for the subsistence harvest of salmon. If the Board determines that a closure to subsistence harvest is warranted it should also consider whether closures to other fisheries may be warranted.

Proposal 240: This proposal would require a subsistence fishing permit holder to be present when using a net in the Chilkat River except in areas adjacent to lands held by the Chilkat Indian Village or within traditional fishing grounds of Klukwan fishermen. This proposal, as worded, may raise equal protection concerns. The Board may adopt different regulations for different areas based on fisheries conservation and development purposes; however, equal protection concerns under the Alaska Constitution are raised if it appears that a proposal is intended to benefit a specific subgroup of subsistence users. If the Board decides to pursue this proposal it should establish a record to show why the different regulations are reasonably necessary for the conservation and development of the fisheries and show that the fishing opportunity provided would not be limited to a specific subgroup of subsistence users based on race or location of residence.

Proposal 245: This proposal is unclear but appears to be asking the Board to adopt a regulation requiring a regional aquaculture association to take management actions to maintain harvest percentages by gear types. While the Board has broad authority over enhanced salmon and may adopt regulations relating to their harvest, the Board's authority with respect to hatchery management actions and amendment of

hatchery permits is limited and does not include general authority to direct hatchery management actions.

As noted in the Department of Law general comments on salmon enhancement, and as further detailed in an Informal Attorney General Opinion, 1997 Inf. Op. Att'y Gen. (Nov. 6, 661-98-0127) previously provided for inclusion in the Board materials, both the Board and Department both have authorities relating to salmon enhancement. Generally, the Department has primary authority over hatchery permitting and associated issues relating to salmon production and cost recovery. *See* AS 16.10.400 – 16.10.430. The Board "may not adopt any regulations or take any action regarding the issuance or denial of any permits required in AS 16.10.400 – 16.10.470." However, the Board has management authority over both wild and enhanced stocks under AS 16.05.730 which requires management to be consistent with sustained yield of wild stocks, but gives the Board discretion regarding whether enhanced fish stocks will be managed for sustained yield. The Board may exercise indirect authority over hatchery production by regulating the harvest of hatchery-released fish, by regulatory amendment of portions of hatchery permits relating to the source and number of salmon eggs, harvest by hatchery operators, and locations for harvest. AS 16.10.440(b). However, the Board is probably not authorized to take action that effectively revokes or prevents issuance of a permit. *See* 1997 Inf. Op. Att'y Gen. (Nov. 6; 661-98-0127).

If the Board decides to pursue this proposal in development of substitute language it should be careful to ensure that it stays within its authorities.

Proposals 286, 287: These proposals would define possession limit in Southeast Alaska to include preserved fish until a person returns to their place of domicile. This proposal, although likely within the Board's authority, would raise a number of legal issues as worded and would also present numerous enforcement issues which would be aggravated by being only applicable to a portion of the state. If the Board decides to pursue this proposal it may wish to defer action and pursue as a statewide proposal. The Board may also wish to attempt to develop an enforceable definition of "domicile" and clarify how the regulation would be applied.

Proposals 307, 308: These proposals seek to limit subsistence and personal use fishing on charter vessels and possession of subsistence and personal use caught fish on charter vessels, lodges, and at restaurants and guide service businesses. The Board may restrict fishing or possession if it determines that such restrictions are reasonably necessary for the conservation and development of fisheries and will still provide reasonable opportunity for subsistence; however, the Board needs to establish a record to support such restrictions.

Proposal 310: This proposal would direct the department to develop a new system for monitoring guided sport harvest. Under AS 16.05.241, the Board has no administrative, budgetary, or fiscal powers; thus, the Board lacks authority to adopt this proposal as worded. The Board may require additional reporting by guides or guided sport fishermen but cannot require the department to do anything with the reported harvest information.

Proposals 311, 312, 313: These proposals, as worded, would raise constitutional concerns under the U.S. and Alaska constitutions, particularly where they purport to allow searches without a warrant in hotels, lodges, and bed and breakfasts. These proposals could be reworded to largely achieve their intended purposes by putting burdens of production on guided sport fishers (and indirectly guides and operators) without presenting significant constitutional issues.

Proposal 328: This proposal would authorize power troll gurdies in the hand troll fishery and would conflict with CFEC regulations. This proposal, as worded, and without prior action by the CFEC, is beyond the Board's authority. A person using power troll gurdies is required under CFEC regulations to have a power troll permit.

Proposal 328: This proposal, as worded, would be unenforceable and because of limitations on the Board's authority, the intent of this proposal would be difficult to achieve in an enforceable manner. The Board's authority over halibut fishing is limited to mirroring federal regulations. The Board may, however, prohibit certain types of gear or general fishing practices in an area. The Board might be able to achieve some of the purposes of this section by prohibiting longlining, prohibiting fishing from an anchored vessel, or fishing with more than a few ounces of weight on a line.

SITKA FISH AND GAME ADVISORY COMMITTEE MINTUES: 1/27/2009

Meeting called to order at 18:30 at the NSRAA conference room

Committee members in attendance:
Tad Fujioka - TF Trapping- chair
Jerry Barber - JB Hunting- vice-chair
Karen Johnson - KJ at large
Mo Johnson - MJ Seine
Mike Baines - MB Sportfish
Tory O'Connell -TO Alternate
Dick Curran -DC Longline
Joel Hanson - JH Guiding
Floyd Tomkins -FT Conservation
Ken Ash -KA Hand troll
John Murray -JM Power troll
Erik Bahnsen -EB Charter
Jeff Farvour - JF at-large
Eric Jordan - EJ alternate

ADF&G staff in attendance:
Dave Gordon -DG, Commercial Fisheries Sitka Area Biologist
Patti Skannes, Troll Biologist, Commercial Fisheries
Cleo Brylinsky, CB - Groundfish Project Leader, Commercial Fisheries
Mike Vaughn, MV _ Groundfish Biologist, Commercial Fisheries

Public Participation:
Walt Pasternak- WP
Matt Donohue and wife - troller, lingcod
Randy Gluth RG- sport and personal use
Pete Esquiro, PE - NSRAA
Rick Steffey RS-
Fred Feyette
Jim Doggett
Linda Benken- LB longline

Proposal 294: Close Regional Aquaculture THA to charter fishing
-This proposal was tabled at last meeting after extensive discussion. See minutes from 1-22-09 for additional comments.
JB MTA, JH 2nd
WP - My intention is to close directly in front of hatchery net pens. Charter does not pay for these fish and I'd like Pete to talk about this. This is not to take away from personal use or true sports fisherman.
PE - The Board of NSRAA did not take any formal actions regarding BOF proposals. We did look at this proposal and while many of the individuals on the board think that charter should help

pay for these programs the Board did not take a formal position. This is very similar with respect to other proposals in past years. We have all common property users on our board so have avoided allocation positions.

NSRAA is a private non-profit and along with this comes the wording that we have a "public" purpose to produce fish for common property use. Some of the comments made by Board were to stay neutral, but another thought closures should be the same for commercial and charter. There was general agreement on the need personal use and local fishermen to have access. Twenty five years ago "sport fisherman" meant something very different than what we are dealing with today with the charter industry.
MD - NSRAA wants to stay neutral. How come NSRAA needs the charter boats?
PE - I was referring to sport fishermen, not charter. We do get support from fishing groups.
MD - can you close to guided versus sport in management?
PE - not sure we can.
WP - my intent is not to close to local sport fishermen or personal use. I would like to see Pete have the jurisdiction to manage these sectors differently.
JF - Pete can you tell us where your money comes from?
PE - two main sources: The 3% tax that commercial salmon fishermen pay (base funding $750,000-$1.3 million) the rest comes from the sales of surplus fish returning to the hatchery (50-75% of our budget). The Boat Company has contributed between $8 - $10K per year depending on number of fish they caught - this has been done for a decade and is voluntary. Three lodges have donated once, and 2 or 3 individual charter operators have written a check for a few hundred dollars. Sitka Sportsmen's association gives 3% of the sales of their derby fish.
TO: discuss amendment that would require guided charter operators to pay an access fee in order to get a permit to fish in the terminal access areas of the NSRAA.
EJ - my understanding is that NSRAA already has the authority to manage their terminal areas between users. My thinking is that the problem is in some specific areas within NSRAA - we could suggest an amendment:
5AAC 47.20. Clarify that Regional Aquaculture association have the authority to manage the guided sport fishery independently from the other sport users. The association manager has the authority to close the guided sport fishery when needed.
RG - There is a problem with charter and local personal use fishermen in all areas, not just terminal areas and not just with salmon. We are not in conflict with the commercial fisherman. Halibut is a good example of this. There are a lot of small boat fishermen that go to Medeveje hatchery area to get their salmon but we are in direct competition with the charter guys in a small area. They are very aggressive. Most of us know many people that charter and we can like them but the industry has gotten out of hand - open ended policy has lead to this problem. We have to curtail this activity, they are taking our food. Way past time to take action
MD - likes Eric's proposal if WP can accept it. SSRAA is different. Can we amend Eric's to reflect the difference.
KA - Pete, how does that sound for you- do you want to take on that responsibility?
PE - we already do it for other fisheries. I have no objections to this.

EJ - Walt, this is a significant watering down - how are you feeling about it.
WP - for discussion sake I have no problem with that but doubt BOF will follow this.
DG - the Aquaculture associations don't have authority to close waters. ADF&G would not relinquish that authority but we work with them. Not sure what EJ is after. If you want to address this as allocation the BOF should address it.
PE - During the season we are in conference with ADF&G daily to decide how to manage the commercial gear groups. I wouldn't propose going outside of this.
JM - Thank Walt for bringing up the discussion. This stuff needs airing; it is too bad that there are not more charter guys here tonight. It burns me that the charter guys don't contribute. How do we do it legally? BOF may not be the right venue. If they refuse to pay then we go ahead with this proposal. Give them a chance to pay their own way first.
PE - accountability is an issue but there should be a way. These programs are expensive Years ago the city tried to help us with this and the charter fishery protested but said they would work on a voluntary program. The charter industry did not participate.
KA - I like the proposal that EJ has made. This proposal was brought up by ATA Board - they were neutral because they weren't sure it was legal.
MD - Agree with PE - I was at several public meetings. The charter guys aren't going to tax themselves much of anything. Will EJ proposal work to decrease charter fishing.
DG - bottom line is ADF&G doesn't make allocation decisions. Our actions are based on direction of the BOF. Brood stock would be a closure reason
TO - I don't think EJ proposal is really addressing the issue. The ADF&G does not have the authority to allocate. What about the money issue - should we amend that?
MJ - what is the problem at the THA?
PE - they are able to get right up against the nets and they can catch a lot of fish. Have had problems with manners in regards to moving for the cost recovery boats.
EJ - Glad that I offered that up before suggesting it as a motion. I don't think that does it. I have a different view, this isn't just about money. I don't think that they should be in an area that is closed to all other commercial fisheries. I think they should be worked into the rotation.
I really wanted to accommodate JH, but I think the Sportfish division has not been interested in helping with this at all.
MD - they should be a gear group and managed, to do otherwise is allocative
JH - there is obviously some serious conflict in this community and some serious hatred of charter, we don't have these issues in the Boat Company - not all charter operators are cut from the same cloth.
There are innocent people and reasons to protect, there is reason to be strategic. Please don't stomp on people
RS - heard a lot of this, there is a rift in this community between commercial, charter, personal use. If they are paying at least I can look at them in the eye. Knowing that that user group is helping to contribute would help with healing the rift. Can you require a license to harvest fish in the terminal area with the guided vessels having to purchase that sticker and the commercial guys pay through 3% tax.
JB - Pete, if the guided sport donated to NSRAA would that be a good thing, can you accept money?

I don't like the proposal as written - wouldn't that prohibit us from fishing even if we gave a million dollars.
WP - we don't have to take 4 hours out of the night to discuss this. The Boat Company is excellent, it's the rest of the industry that is the problem
JB - because
EJ - **Motion to amend by replacing the entirety of the proposal with:**
...When a Regional Aquaculture Association Terminal Harvest Area(s) or Terminal Harvest subarea(s) are closed to commercial salmon fishing and the hatchery operator requests to also close the area(s) to the guided sport sector, the ADF&G may approve the closure.
2nd MJ
EJ - Dave, first I think that within the THA the association can close to cost recovery - they do it all the time. I think this allows the Boards of these associations to make policy and it will be harder for sportfish division to ignore this.
DG - in season or preseason? In season would not work. Why not put it on the BOF.
JM - rumor today that they closed Hidden Falls charter fishing by the nets last year because they were getting in the way of brood stock. Do you have the discretion to close to guided sport? Yes with brood stock.
TO - Can't support the wording - this isn't giving direction on when the charter fishery should be closed.
JB ? on amendment
11 Y, 3 N to amend
JF - I liked what TO was getting at. To me the BOF needs to be sent a clear message. I don't know if it's worth adding an additional amendment. A lot of the BOF aren't very clear of the issues.
JH - note in authorizing NSRAA Board to make allocation issues the composition of the Board only has 1 sport fish seat. There may be an opportunity Pete for you to diversify the Board given your non profit status.
MD - language is just "may, not shall"
WP - comment - Homeshore and others have been on NSRAA Board so they are represented even though we are not
9 Y, 5 N in support of amended proposal

Proposal 43: guiding principles for groundfish regs
CB - sarcastic - this doesn't apply to SE anyway.
TO - suggest we move past this one.

Proposal 330: Housekeeping logbook (ADF&G)
TO MTA, JF 2
CB - housekeeping proposal about how to keep location data.
TO ?
14 Y, 0 N,

Proposal 331: Close charter and commercial bottom fish fisheries in Port Frederick
EJ MTA, JM 2nd

EJ- This looks like they are trying to create a LAMP and I support it as it was proposed by their AC.
JM - this goes along with the next proposal and it should help them get a LAMP
CB - AD&G is neutral
LB - When the Sitka group did the LAMP we were careful that everyone was at the table. I am not familiar with the Icy Straits AC - do they have good representation? Need to be sure that we are having a group decision.
DC - this couldn't include halibut.
JH - this makes an assumption that there is a distinction between charter sport fisherman and other sport fishermen. This is a precedent setting thing.
JB ?
4Y, 2N, 8A(Many felt that they should not comment as this is outside of our area.)

Proposal 332: Close waters around Naha Bay to all bottomfishing
JM MTA, no 2nd

Proposal 333: Raise GHL for Lingcod in CSEO
EJ MTA, JM 2nd
EJ - would the Dept discuss this?
CB - Dept opposes this proposal. We have provided a packet of figures and maps and tables related to the various groundfish proposals tonight. The lingcod GHL has not been harvested in total for many years so is difficult to evaluate affects on resource of increasing GHL.
TO - It is presumptuous to assume the resource can withstand a higher GHL just because a user group needs more fish. Oppose proposal
MD - Did the trollers catch all of their allocation?
CB - Not in 2008.
TF - Is the number of fish that is shown in the table the number that was caught or the quota?
CB - "pounds" is what was caught and the % of the quota is in the next column.
WP - going back to 2003, 2004, 2005 the sport fishery has been over quota. Is there anyway that the Dept would shut down directed fishery down for guided charter.
CB - they don't do in-season management, they make changes for next year based on past year. That is one reason for the slot-limit.
EJ - Some history here. There was a proposal to allocate these through a task force. We all worked this out for the Sitka area first, then had to go back and work on other areas - Bill Paden facilitated this at BOF. TO was working for Dept then. Part of the reasoning there was the sport fishery was getting what they were getting and the directed commercial fishery is open entry so people can get started in commercial fishing via this fishery without needing to buy a limited entry permit. The people that took the big bite was the longline fleet and they agreed to it for conservation.
JM - What do you think of the contention that the stock assessment is out dated? Maybe we should support it.
CB - We never have had a stock assessment for lingcod. Early info was based on being conservative based on Canadian fishery - in 1993 - but quotas were too high, so in 1999 we

took another look at this and set GHL lower. Since that time the lingcod stocks have recovered and they are looking way better. There is no biomass based assessment.
TO - At the time, the quota was lowered to protect stocks
JB ?
0 N, 13 Y

KJ left
Proposal 334: Increase charter allocation of lingcod
EJ MTA, JM 2nd
JM - What is TO talking about - how would a task force work?
TO - I think a task force is needed, this is a very complex issue but there are reasons that some of the commercial sectors are down.
EJ - A task force would be a problem because guides are isolated at the local level, but at the BOF level, then have support. Hence there is little reason for the guiding industry to participate in a local task force.
JB - I agree with Eric
JF - the other option is to vote these up or down and take them to BOF.
EJ ?
0 Y, 12 N, 1 A

Proposal 335: Increase charter allocation of lingcod to 50% in all areas
TO MTA, JB 2nd
0 Y, 12 N, 1 A

Proposal 336: Increase longline bycatch allowance of lingcod to 10% of target species in CSEO
EJ MTA, DC 2nd
CB - the Dept supports this proposal. The proposer is asking that bycatch allowance be increased to 10%. It doesn't change the allocation amount. This allows people to harvest the allocation that they already have. When the halibut quota is low they can't take their full allocation because the 5% limit will restrict them before they reach their allocation.
MD - doesn't seem to be directly related to the halibut quota.
MV - the directed DSR fishery wasn't prosecuted in 2005 and they had a 35% allowance so that's another reason the catch was down that year.
JM - will there be a problem if the halibut quota goes back up?
TO - the longline allocation is under one umbrella and this allows them to take it as they catch it, I don't think it will hurt other users or lingcod.
EJ - halibut fishery is hurting financially. They need these fish.
JF - I agree with EJ, longliners are managed in season and we should be able to utilize this.
JH - what is release mortality?
DC - Average IFQ holder has 2000 lbs in area 2C - if he goes and gets 500 lbs of halibut it is hardly worth bringing in a lingcod since it is really hard to stay within the 5% bycatch allowance. Even a single large lingcod could put him in violation. I support this.

LB - ALFA supports this. When we took the allocations we did support a cut to support the directed fishery, but we should be able to take advantage of the allocation we have and the 5% rule hurts that.
MV - The dept is going to ask for authority to set the allowance instead of setting it in regulation (sliding scale more or less than 10%).
EJ motion to amend to give dept sliding authority for bycatch rates.
TO 2nd
MB ?
13 Y, 0 N amendment passes
Amended proposal
TO ?
13 Y, 0 N as amended to give the dept. authority to set the lingcod bycatch allowance in the halibut longline fishery

Proposal 337: Allow surplus dinglebar quota to be available to troll fleet
EJ MTA, JM 2nd
EJ - trying to figure this out. When does this become surplus, what time in season? There needs to be a time element.
JM - I agree. The quota got caught in CSEO for directed and the year before they fished up to the bitter end. I think directed fishery was down the past 3 years as prices were good on salmon so people didn't need to dinglebar and VMS may have had some part in that. Prices aren't as high now and VMS is going away so I don't think there will be any DSR quota left over.
MD - except for one year the trollers didn't even get their bycatch (in CSEO) so why do they need more?
MV - In NSEO this proposal may benefit the trollers the most because the directed fishery hasn't been taking their allocation - also maybe some benefit to the trollers in SSEOC.
JB - The problem I have is, why would be give it to the troll fleet - why not subsistence or personal use or sport fishermen. I would prefer that.
MD - When does the directed fishery close? Not until November 15. There is no way to give surplus to trollers. You won't know until too late whether or not there is a surplus.
EJ - opposed to this proposal. There are a lot of reasons why trollers can't keep lings while fishing in Sitka Sound- various small area closures in which a troller can't have lingcod aboard even if there were caught in an area that was open. It doesn't hurt to leave some extra fish in the water.
?
0 Y, 13 N

Proposal 338: Allow trollers to retain lingcod as bycatch during April in Icy Bay
EJ MTA, DC 2nd
EJ - The reason we moved the season back is that the males are on the nest in April so we don't want to have any fishery that targets nest guarding males.
CB - Dept opposes it. The commercial allocation is lumped in Icy Bay. The troll fishery could take the entire commercial allocation before any other commercial groups got to fish.

MD - directed fishery opens 5/15 so it could steal fish from that.
?
0 Y, 13 N

Proposal 339: Allow sport fishers to retain one lingcod per day over 55"
JB MTA, EJ 2nd
JB - Sport sector is having trouble staying within their quota already, so this would put them way over. I do like the idea of being able to keep a trophy fish.
MD - Can the Dept tell us if the large fish are females.
MV - Very large lingcods are mostly females.
MD - don't like trophy fishing in bottomfish, older fish have more viable eggs.
TF - how common are 55"+ lingcod?
CB - Dept is neutral. Only 3 lingcod larger than this were sampled in the creel survey.
TO - This seems to me that this is setting up for a catch and release fishery which is a bad idea for lingcod.
EJ - It doesn't seem right that all the other users can keep large fish, but can we make an amendment to allow this?
JB - don't want to amend
JF - don't want to support an amendment. I think there is a difference between sport and commercial.
MD - Big fish are all in one area, small fish are in another one - they will target trophy fish. They should not allow large fish to be retained, even in commercial fishing.
JM - when was slot put in place and why?
CB - it was intended to keep sport catch within allocation.
MV - Restrictions started the first year they had an allocation. The restrictions (size and time) have been adjusted several times.
?
OY, 13 N

Proposal 340: Change boundary for lingcod sport fishery at Cross Sound
JM MTA, KA 2nd
JM - not in favor, a very broad ranging proposal.
CB - don't have a map of what they are asking for so it's hard to visualize. Dept is neutral on allocation and opposes moving lines.
?
0 Y, 11 N, 2 A

Proposal 341: Reallocate DSR from Commercial fishery to charter fishery
TO MTA, 2nd JB
TO - history of actions of BOF. BOF was very clear that this fishery was to be bycatch only for the charter fishery and with declining halibut quotas there should be less need for bycatch, not more need.
JF - offended by this proposal. It says that this is but a small cost to the longline fleet
WP - remember fishery

EJ - The gorilla in the room is that we are managing the guided sport fishery under the umbrella of the sport fishery. The BOF should have a Guided Sportfish allocation. It is foolish that we don't.
Every fishermen that I know supports resident Alaskans getting a fish to eat, but they don't support giving it up to another commercial group, whether this is trollers giving to gillnetters, gillnetters giving to seiners, etc. The charter fleet needs their own allocation. This bigger problem has to be resolved.
?
O Y, 13 N

Proposal 342: housekeeping DSR
JF MTA 2nd JM
CB - Dept proposal that we support. Housekeeping to be clear on how we manage DSR season allocations.
? KA
13 Y, 0 N

Proposal 343: allow summer directed fishery of DSR
Not moved
Proposal 344: allow jig fishery for DSR in summer
Not moved

Proposal 345: adjust bycatch limits of DSR
TO MTA, 2nd JF
CB - Supports this. Would allow bycatch percentage of this to be adjustable similar to the lingcod proposal. (Proposal 336 as amended) Would allow this quota to be fully utilized.
FT - sounds as if the bycatch is linked to halibut quota so that it fluctuates with halibut quota. What if this goes back up - will the Dept get caught out.
CB - Not if we are allowed to adjust it.
LB - This is a nalogous to the lingcod issue - right now the halibut quota is so low we can't sell all of our DSR. This won't increase mortality to DSR since we are required to retain all of the DSR bycatch anyway, but it will allow the longline fleet to make more money on the fish they already retain. It will give fishermen incentive to handle the fish better too.
CB - There is a graphic that shows the DSR catch in the halibut fishery.
?
13 Y, 0 N
JM - would this effect directed fishery?
CB - no the directed fishery would happen first so bycatch is what is remaining. The mortality of the DSR in the halibut fishery is taken off the top.

Proposal 346: DSR fishery (sport and commercial) bycatch only
Not moved

Proposal 347: allow directed fishery for slope rockfish

TO MTA, EJ 2nd
CB - Dept opposed to this proposal.
FT - what does "slope rock" mean?
CB - slope rockfish are an assemblage of deep water rockfish. There are a few figures for this one.
?
0 Y, 13 N, 0 A

Proposal 348: housekeeping DSR retention
EJ MTA, JM 2nd
CB - Dept housekeeping
?
13 Y, 0 N

Proposal 349: require use of decompression device for released sport caught rockfish
EJ MTA, DC 2nd
CB - Staff comments - opposed by sportfish division. Gist is that the research is not conclusive on long term survival. Most concerned over higher total fishing mortality because of changes in angler behavior.
EJ- I support this proposal. We saw a video from OSU and some folks have tried this out. Of course there is no long term data yet since it is a very new technique, but we saw the effects on these rockfish. They look as good as Cleo.
EB - I did this in 100% of the season last year and we did it all the time - it is very cumbersome. I would like to write a grant to get a whole bunch of these devices in town to get people releasing fish particularly among charter fishermen. I won't support it for that reason (cumbersome). But it does work. The clients loved it.
JM - What was the last part of your logic.
CB - Right now the dept considers 100% of releases to be mortalities - maybe more people would release more fish.
EJ - I'm going to share as what I see as the future - under new legislation in Switzerland and Germany anglers will have to pass a course on humane methods of catching and dispatching fish.
TO - support proposal because it was sponsored by the AC and I wish the Dept had been neutral instead of opposed to this - they already say there is 100% mortality. How can this do anything but reduce this percentage?
WP- the dept is on record as supporting Catch and Release in sportfishing in the past- reads from an older sportfishing regulation book.
?
12 Y, 1 N, 0 A

Proposal 350: require use of a decompression device for sport caught rockfish
This proposal is identical to above.

Proposal 351: require longline caught DSR to be released at depth
TO MTA, 2nd DC
TO - Very disappointed to see this in the proposal book. This would not increase survival and the research is clear on this since minimizing the time that a fish spends at the surface is critical to survival.
EJ - Don't we have full retention on this already?
CB - Dept opposed
EB -
?
O Y, 13 N

Proposal 352: require release of sport caught rockfish at depth
Not moved

Proposal 353: require retention of sport caught yelloweye; other non-pelagic rockfish may be released
JM MTA, JB 2nd
TF - I wrote this before seeing the presentation referred to by EJ while discussing proposal 349 and would have written it a different way after having seen the latest research. The highly desired fish within the "non-pelagic" group is the yelloweye. That's really the one species of concern. There are other species in that group that are less desirable and that are capable of submerging on their own upon release. I disagree with mandating retention. It is anti conservation to mandate killing juvenile fish when they can be successfully released.
TO- what about using decompression device.
TF- Have no problem with using one, but it is not needed for many of these fish. They can be carefully released and they swim right down on their own. Copper rockfish in particular are generally caught in shallow water and don't inflate. Quillback can deflate themselves if you hold them 10' below the surface for a minute or so instead of bringing them right up.
?
13 Y, 0 N, O A

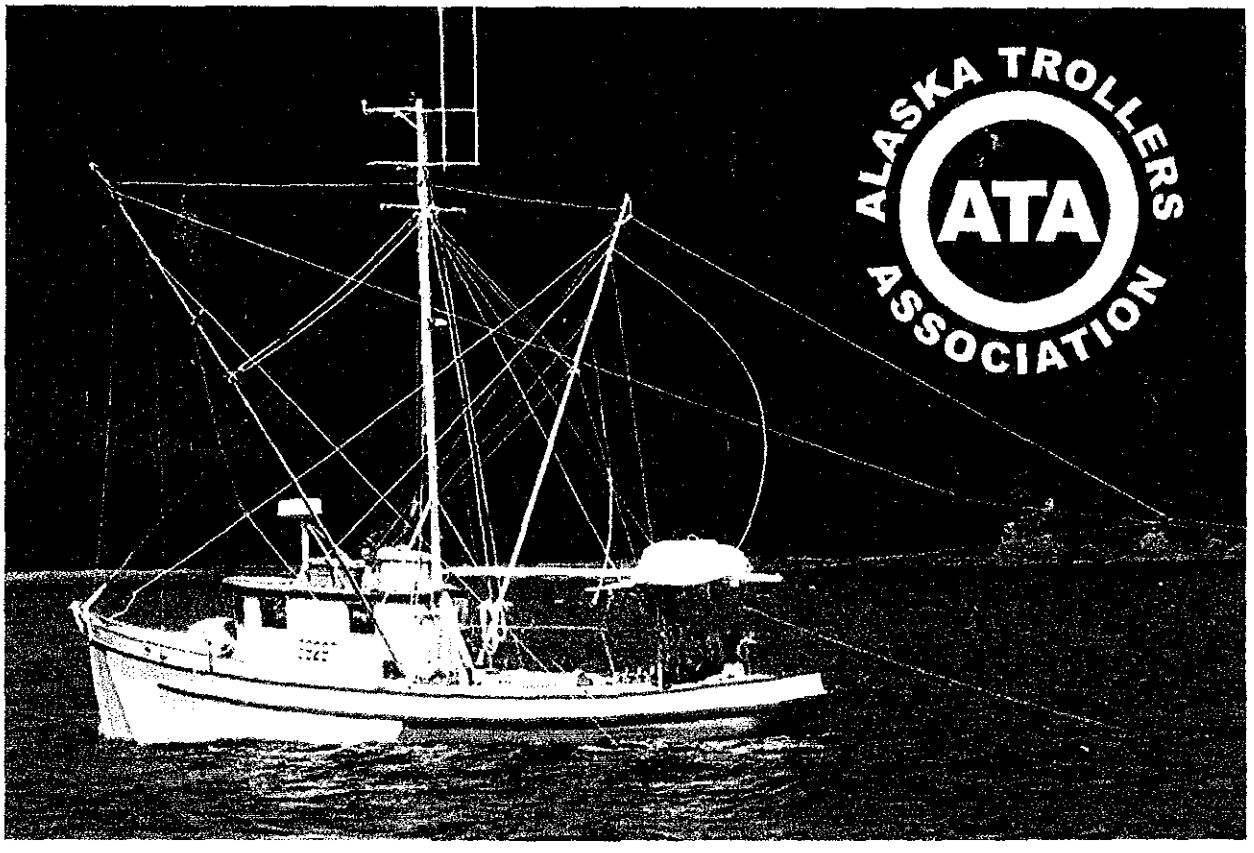
Proposal 354: change black rockfish regs to allow sale of bycatch that must be retained (ADF&G)
CB - Dept proposal
JB MTA, EJ 2nd
JM - what happens in the closed areas?
CB - we closed them to directed fishing for the purposes of potential research areas but regs wasn't written realistically.
TF - The non directed fisheries all have limits as a percent of their target species, so this proposal won't allow somebody to target black rockfish under the guise of bycatch?
Yes
?
12 Y, 0 N, 1 N

Proposal 355: allow directed black rockfish commercial fishery in inside waters
Not moved

JH - move to adjourn
13 Y, 0 N

Adjourn at 9:50

RC152



Supplemental Materials

Alaska Board of Fisheries
Sitka, Alaska
February 2009

Alaska Trollers Association
Board of Fisheries: SE Finfish Positions
February 17, 2009

PROPOSAL	ISSUE	POSITION	ATA
137	Groundfish bag limits	S	
138	Groundfish bag limits	S	
224	Exception to chinook bag limit during Golden North Derby	S – w/amend at (h)	
225	Double bag limit in hatchery access areas - all areas	O	
226	Double bag limit in hatchery access areas - Ketchikan only	O	
227	District 8 Transboundary Rivers Fishery 7d/wk for troll	S	
228	Open part of Fredrick Sound to troll M-W only in May/June	Withdraw	
229	Increase Stikine annual limit to 4 daily bag limits = 8	O	
230	District 11 Transboundary Rivers Fishery 7d/wk for troll	S	
231	District 11 Transboundary Rivers Fishery open district-wide	S	
244	Exclude PNPs from hatchery allocation plan	O	
245	NSRAA and hatchery allocation	O	
246	Close Coffmann Cove to commercial fishing	O	
247	Re-opened District 8 waters can be managed for any fishery	S	
248	Uncouple troll and set gillnet openings in Yakutat	S	
250	Allow both troll and gillnet gear onboard	S – only with #252	
252	Offload from one fishery before participating in another	S	
266	Increase allowable set gillnet length for Yakutat area	NA	
269	Expand Neets Bay harvest area / increase sport king limits	O	
286	Define possession limit as maximum number fish taken home	S	
288	Annual limit of 12 coho for non-residents & harvest record	S	
289	Amend harvest reporting for non-residents to include coho	S	
295	Develop a plan to address sport catch and release mortality	Support Concept	
296	Modify the definition of sportfishing gear in SE Alaska	S – w/ amend	

Alaska Trollers Association
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Testimony of Dale Kelley on Behalf of
Alaska Trollers Association
Before the Alaska Board of Fisheries
February 2009
Sitka, Alaska

Good day! Thank you for the opportunity to testify. My name is Dale Kelley. I am Executive Director of the Alaska Trollers Association. Our office is located in Juneau.

Included in your packet is an amended overview of our positions. Briefly, ATA wishes to withdraw proposal 228 and correct a word placement error in our proposal 322. On proposal 266, we wish to remain neutral. We also offer variations on our proposals relative to the Taku and Stikine chinook fisheries (227, 230, and 231). Myself and the ATA board members look forward to working in committee on issues of concern to the troll fleet.

The rest of my comments will focus on **proposals 286, 288, 289, and 310-313**, which seek to better tabulate, monitor, and enforce meaningful bag and possession limits for sport caught fish, particularly that which leaves the region. To our members, that means counting every fish caught and imposing the possession limit as a cap on what a person can transport to their main home – just like many other states and nations do.

I recognize that ATA's proposals have created consternation amongst some in the guided industry and that is unfortunate. The fact is ATA had hoped a Board of Fisheries task force, promised in 2006, would have worked to develop consensus proposals on some or all of these topics. Since that committee never got off the ground, our board felt it important to put something on the table, so that it could be dealt with this board cycle. With that in mind, I hope you will focus more on the issues we are trying to address than the precise verbiage of our proposals. ATA seeks meaningful and practical solutions and does not wish to impose unreasonable burdens or limits on anglers or the guided industry. We do, however, expect that the guided industry be held as accountable for reporting their catch and allowing inspection as the seafood industry, and that the sport community share with us the burden of sustainably managing the public resource.

Data Collection and Tabulation
An ongoing source of frustration is the length of time it takes to get sportfish data, because of the various methodologies used to estimate catch. When we submitted our proposals, the sport catch appeared larger than it actually was and created unnecessary angst. I recognize and appreciate that the Department is working to refine its tools. We'd just like that toolbox to also include the means to provide more timely and accurate estimates of sport catch and methods for monitoring and enforcing possession and/or annual limits.

ADFG requires charterboat operators in our region to fill out logbooks. While preparing for this meeting, ATA suggested a fish ticket system instead of a logbook, because we recognize it as an effective and convenient method to track both harvest and the movement of fish. However, if ADFG thinks fish tickets are no better for these purposes than the logbook, and logbooks are a better fit for guided operators – then by all means, use the logbook. ATA just requests that ADFG tabulate the

catch data from the logbooks throughout the fishing season, like they do for commercial fisheries. Busy people are asked to make time to collect and submit that data during the season, and it should be available to the public and other managers within a reasonable amount of time.

There is currently no conservation issue and ATA is not asking for additional salmon species to be allocated between the users, so why should we care about sportfish data? In short, we don't think you should wait for broad scale or localized depletion, or allocation disputes, to do things to improve our systems. In fact, as the world leaders in sustainable fishery management, that hasn't been Alaska's way. This board process and our well run fisheries are a testament to that.

Having timely data during the fishing season could give people a better sense of what is really occurring in the sportfishery – any fictional issues would quickly be set aside. It could be of help to managers in the event the sportfishery would have to be actively managed for unanticipated downturns in abundance. This information could also help minimize disruption for anglers, because management options could be implemented based on real-time data. The ocean is different lately – and who knows what to make of it – but we should ensure that all fishery managers have the best available information - on all fisheries - as inseason conservation assessments are made.

Possession Limits and Enforcement

There is a large volume of seafood that leaves the state and region each year, because preserved fish do not count as part of the possession limit. This is exacerbated by the fact that Alaska has no limit on the number of fish a person can transport to their permanent place of residence. The situation has led to both real and perceived notions about how much fish is leaving the state - and speculation about what is being done with it.

A loophole that allows people to take fish in excess of stated possession limits makes very little sense. The 'possession limit' on coho might be 12 fish, but that's just fresh fish. Basically, there is no possession limit, so long as you process your bag limit before heading out again. It's easier to understand this regulation in relation to people who live in the area where they're fishing, so are likely to take only what their family and freezer space can handle. But it's much more difficult to understand for those heading outside the region and begs the question of how much is too much?

I have provided for you a grid describing possession limits – some to a person's permanent domicile – used by other states. I found many more examples, including methods other places use to monitor and enforce these limits. Similar Alaska provisions are quite obviously absent from the list.

In my research I found a number of possession and transport definitions that speak to the ethics of sportfishing and taking only what you need. In Western Australia, they are quite pointed about explaining their possession limit as a primary tool for conservation and a method used to define and limit the amount of sport caught fish transported from their region to what they term, "socially acceptable levels". In that neck of the woods, it equates to 100 half pound servings. Obviously, fishery limits and circumstances dictating them vary around the world and even within a region. At least other places are having this conversation. Why do we fear it?

Our fisheries are fully utilized and we must always work to manage them accordingly. All forms of fishing provide valuable access to the public resource, significant jobs, and a variety of other benefits to Alaska. Meaningful regulations for all fisheries are necessary and appropriate to both conserve fish and balance the long term needs of all user groups and the state.

Placing limits on the transport of fish might bother those guided operators who claim to just be providing public access. But why is that considered different than what commercial fishermen do?

This fish doesn't just go into their personal meat lockers. It is the public who rightly owns the resource, and commercial fishermen provide the fish that some people do not have the time, money, or inclination to come catch for themselves. In fact, even with the low chinook quota last year I think we gave McDonald's a run for its money. A back of the envelope estimate suggests that in 2008 trollers served the public over 28 million salmon meals!

I ask you to consider, how many fish do YOU eat each year? Seriously. The national average for seafood consumption still hovers around 16 pounds a year – most of it shellfish. I certainly don't eat stacks of wetlock boxes full of fish, and neither does my family. Providing a nice quantity of fish for a visitor and their family should not mean feeding that person's entire clan or community. My point being that we can provide a wonderful recreational fishing experience, and ample product to enjoy at home, without sending the message that Alaska doesn't care how much sport caught fish is packed out of here, or whether or not it is being wasted or sold.

Finally, this issue is not only of concern to commercial fishermen. Some troopers indicate that possession limit laws would be more clear and easier to enforce if the processed fish loophole was closed and they could inspect the facilities of guided operations, just as they do commercial fishing boats and seafood plants.

I have reviewed correspondence from protection officers in Dillingham to Southeast outlining enforcement issues. They confirm what we already know – some people come to Alaska and then pay for their trip by selling sport caught fish. Obviously that is not the norm. Most people follow the law - when there is one to follow. Right now, going over the possession limit is not illegal, so long as the fish is preserved. We simply don't have adequate laws in place to enforce fixed possession limits. This is not only out of sync with other states; it's out of sync with how Alaska manages its other fisheries and game.

So, what do possession limits really MEAN in this state? Do we intend to enforce them? If not, perhaps they should just come off the books so everything is clear.

Surely that's not the state's intention and we're asking you to help clarify that question - this Board cycle - by establishing clear cut possession, transport, and inspection regulations. I firmly believe that doing so will enhance our management program and help significantly tone down the acrimony we are seeing around the state – and very much so here in Sitka. Alaska fishermen need to get beyond this and move on to all those issues we share in common.

The sportfishery has grown far beyond what we saw in 1985 when the Treaty was signed, there were only 225 charterboats in Southeast, and residents took the bulk of the sport catch. Today the guided industry remains unlimited and the combined sport harvest is not insignificant, and it's trending up on some species – not in the explosive way that we witnessed in the past – but trending up all the same. It is our hope that we can avoid unnecessary allocation battles down the road through good information, communication, and laws that reflect Alaska's sustainable fisheries ethic.

This is Alaska. We run 1000 mile sled dog races and pioneered world class sustainable fisheries. I just know we can pull together and creatively solve this matter in a way that works for all user groups. As always, ATA is standing by to help.

Thank you.

	Possession Limit Definition	Examples of Quantities Allowed	Includes Processed/Frozen	To Place of Residence	Related Rules
Alaska	Maximum number of *unpreserved* fish that a person may have in possession.	In SE, 2 daily bag limits of unprocessed salmon (12 fish most species); variable non-resident annual limit for chinook.	No	No	Most SEAK FW closed to the taking of chinook. Emergency Order authority for conservation purposes. Preserved fish must be fit for human consumption for 15 days or more.
Washington	The number of daily limits allowed to be kept in the field, or in transit.	Marine: 2 daily limits fresh plus 40# proc/frzn; while on boat, one daily limit plus 40# proc/frzn. FW: Same, plus no size or daily limit on Atlantics.	Yes	Yes	Marine waters subject to inseason management. In freshwater, can't fish after adult daily limit is reached. Catch record cards required.
Oregon	Maximum number or amount of a type of fish or shellfish that a person may lawfully possess in the field or forest, or in transit to the place of permanent residence.	1 daily limit on vessel and 2 on land for P.Halibut. Anglers limited to 1 daily and 1 annual catch limit from the Columbia River - even if they hold both OR and WA licenses.	Yes	Yes	Permanent residence = a residential dwelling where a person normally lives, with associated features such as an address, telephone number, utility account, etc.
California	A sport angler may not possess more than the individual daily bag and possession limits as defined.	10 fish all species rockfish - no more than 2 Bocaccio.	Yes	Yes	May fish only until passenger boat limit reached. Trip completed when person disembarks from vessel and individual possession limits apply.
British Columbia	The possession limit is the number of fish (all species) that an angler may have in possession, at any given time, except at place of ordinary residence.	2 daily limits of aggregate salmon-limit 2 chinook. Tidal waters all species daily limit is 4 fish w/30 annual chinook limit. FW annual limit 10 chinook. Tidal/FW combined daily limit all species = 4/day.	Yes	Yes	Head/tail of finfish and carapace of any crab should be retained until fish consumed. The amount of fish a person is preparing to consume cannot exceed the possession limit.
Atlantic Canada	Persons fishing and staying overnight before returning home can have more than one day's catch in their possession, provided the catch limit on any day has not been exceeded, the fish are properly logged, and all Atlantic cod are tagged per license.	10 fish all species combined - no exceeding total daily bag limit for each day fished.	Yes	Yes	Public noticed that rules may change inseason. All groundfish caught must be retained. Boat limits - catch only your own - issued unique tags and must keep with cod until eaten.
Western Australia	The possession limit is a key conservation measure that prevents the accumulation of excessive quantities of fish by individuals on a fishing trip and sets a clear ceiling for socially acceptable catch levels.	20 kilos fillets or pieces of fish; or 10kilos fillets/pieces plus one daily limit whole fish; or, two daily limits whole fish - equiv. to 60kilos whole fish or 100 individual servings of fish.	Yes	Yes	To enable enforcement of bag/possesion limits, two fillets or pieces of fish are counted as one whole fish on day trips; fish can be filleted at sea if they are over 30cm. Fillets must be measurable, with skin/scales attached.

ATA Position on District 8 Directed Commercial Chinook Fisheries

Intent
Unless otherwise noted, the directed king salmon troll fishery in District 8 shall occur throughout the district from May 1 through June 30, whenever a directed commercial king salmon fishery is allowed.

The directed fisheries must be managed to ensure that both the directed troll chinook and gillnet sockeye fisheries continue unimpeded.

Time and Area

District 8

1. Trolling shall occur Monday thru Friday, with the following exception:

    - No trolling on Memorial Day

Hatchery Access and Sockeye Fishing in Lower Chinook Abundance Years

If Stikine River abundance does not allow a directed commercial king salmon fisheries in Dist.8:

- The troll fleet will operate under the terms of the spring troll fishery regulations targeting Alaska hatchery kings.

- The gillnet fleet will begin fishing on the second Sunday in June, taking chinook incidental to the sockeye fishery.

District 8 Rationale

From Statehood until the Stikine River chinook fishery was closed (1977), the troll fleet averaged 31% of the harvest share. The percentage was higher than that pre-statehood.

Since 2006, trollers have averaged just 11% of the commercial harvest and 9% of the combined sport and commercial harvest of Stikine chinook.

Typical gillnet harvest rates are many times that of the troll fishery. In 2005, gillnetters in District 8 harvested at a rate 4.5 times that of the trollers. CPUE in District 8 averaged 2.4 for troll and 10.6 for gillnetters in 2006-08 - or 5 gillnet fish for every 1 fish caught by trollers. In 2008 alone, that ratio was 7:1. Due to the nature of their gear, trollers need more fishing time and area to catch fish, particularly in terminal areas. ADFG estimates that if trollers had been open 7 days per week in District 8 these past three years, they would have averaged only about 1000 more fish.

While it would be difficult to achieve a fixed allocated number or percent without unduly disrupting other users, trollers still want an opportunity to harvest a fair harvest share of the fish they helped to rebuild. To do that, the troll fleet is seeking additional time and area.

District 8	Troll	Gillnet	Total Troll & Gillnet
1960	4,337	0	
1961	2,413	0	
1962	461	588	
1963	1,590	1,207	
1964	1,406	2,303	
1965	804	2,490	
1966	1,041	3,340	
1967	1,670	6,245	
1968	898	3,623	
1969	1,323	4,512	
1970	1,680	2,677	
1971	721	3,321	
1972	1,608	8,090	
1973	3,285	8,913	
1974	1,972	7,840	
1975	682	1,529	
1976	301	1,101	
1977	262	1,287	
Total	**26,454**	**59,066**	**85,520**
Percent	**31%**	**69%**	

Pacific Salmon Treaty Stikine River Quota Allocation

Allowable Catch		US Allocation		Canadian Allocation	
Lower	Upper	Lower	Upper	Lower	Upper
0	5,000	0	500	0	4,500
5001	20,000	501	11,000	4,500	9,000
20,001	30,000	11,001	17,500	9,000	12,500
30,001	50,000	17,501	30,500	125,000	19,5
50,001	100,000	30,501	63,000	19,500	37,0

	Troll	Gillnet	Sport
2006	1,895	19,728	2,944
2007	1,313	8,918	3,268
2008	1,055	7,043	1,035
Total	**4,263**	**35,689**	**7,247**
	9%	**76%**	**15%**
Troll	4,263	**11%**	
Gillnet	35,689	**89%**	
Total	39,952		

Stikine Chinook	2006	2007	2008	Avg
Troll Fishery				
Chinook	1,895	1,313	1,055	1,421
Permits Fished	90	76	92	87
Days open	44	30	37	43
CPUE	2.7	3.1	1.7	2.5
Projected troll harvest if fishery open 7days/week	2,794	2,822	1,767	2,461
Difference in catch	900	1,509	712	1,040
Drift Gillnet Fishery				
Chinook	19,728	8,918	7,043	11,896
Permits Fished				
Days open				
CPUE	13.0	10.5	8.2	10.6
Sport Fishery				
Chinook	2,944	3,268	1,035	2,416
Total All Gear	24,566	13,499	9,133	15,733

ATA Position on District 11 Directed Chinook Fisheries

0 - 11,000 No troll fishery

11,001 – 17,500

1. Same areas open in 2005 with the following lines in 11A:
   - Marmion Island Light to Circle Point
   - Piling Point to **Outer** Point
2. 11A: 5 days/week – no weekends - in any week that a directed king salmon drift gillnet fishery occurs.

   11B: 7 days/week in any week that a directed king salmon drift gillnet fishery occurs.
3. Trolling closed Memorial Day weekend

17,501 – 30,500

1. Same areas open in 2005 with the following lines in 11A:
   - Marmion Island Light to Circle Point
   - Piling Point to **Outer** Point
2. 11A: 7 days/week in any week that a directed king salmon drift gillnet fishery occurs.

   11B: 7 days/week in any week that a directed king salmon drift gillnet fishery occurs.
3. Trolling closed Memorial Day weekend

30,501 – 63,000

1. Same areas open in 2005 the following lines in 11A:
   - Piling Point to **Outer** Point
2. 11A: 7 days/week in any week that a directed king salmon drift gillnet fishery occurs.

   11B: 7 days/week in any week that a directed king salmon drift gillnet fishery occurs.
3. Trolling closed Memorial Day weekend

District 11 Rationale

From Statehood until the chinook fishery was closed (1977), the troll fleet averaged 35% of the Taku River harvest share. Considering the modification and improvement of gillnet gear in the 60s and 70s, it's likely that the troll percentage of harvest was even higher than 35% pre-statehood.

ATA recognizes that achieving a fixed allocation or percentage would be unduly disruptive for other users. However, trollers still want an opportunity to harvest a fair share of the salmon runs they helped to rebuild.

Under the Taku River King Salmon Management Plan, trollers averaged just 16 fish (0.001%) of the commercial harvest in 2005 and 2006. Trollers need more fishing time and area to achieve a level of parity with the gillnet fleet. ATA is asking for modest increases in time/area to help accomplish this goal. Practical differences in gear efficiency in terminal areas makes it unlikely that increased time and area would significantly impact the balance of harvest, but it could do a lot to provide opportunity for the local fleet during a slow time of year.

Typical gillnet harvest rates are many times that of the troll fishery. In 2005, gillnetters in District 8 harvested at a rate 4.5 times that of the trollers. CPUE in District 8 averaged 2.4 for troll and 10.6 for gillnetters in 2006-08 - or 5 gillnet fish for every 1 fish caught by trollers. In 2008 alone, that ratio was 7:1. Trollers need more fishing time and area to catch fish, particularly in terminal areas. ADFG estimates that if trollers had been open 7 days per week in District 8 these past three years, they would have averaged only about 1000 more fish.

Limiting the fishery to the backside of Douglas Island and the Taku River area keeps trollers out of hatchery release sites for the sport fishery and other prime sportfishing areas. Sportfishing on the backside of Douglas Island is fairly low key until July/August, when trollers head to other fishing grounds. We are asking for a slight line modification that is unlikely to create troll/sport conflict.

District 11	Troll	Gillnet	Total Troll & Gillnet
1960	1,155	8,398	
1961	2,380	7,173	
1962	1,500	5,580	
1963	2,002	2,229	
1964	4,765	2,178	
1965	6,098	3,650	
1966	4,607	4,221	
1967	3,243	5,166	
1968	3,534	4,454	
1969	2,794	5,091	
1970	2,084	2,762	
1971	952	4,947	
1972	250	4,544	
1973	1,748	7,054	
1974	1,408	2,378	
1975	1,572	1,899	
1976	50	1,369	
1977	112	539	
Total	**40,254**	**73,632**	**113,886**
Percent	**35%**	**65%**	

Pacific Salmon Treaty Taku River Quota					
Allowable Catch		**US Allocation**		**Canadian Allocation**	
Lower	**Upper**	**Lower**	**Upper**	**Lower**	**Upper**
0	5,000	0	0	0	5,000
5001	20,000	1	11,000	5,000	9,000
20,001	30,000	11,001	17,500	9,000	12,500
30,001	50,000	17,501	30,500	12,500	19,500
50,001	100,000	30,501	63,000	19,500	37,000

Taku Chinook	2005	2006	Average
Troll Fishery			
King Salmon	21	11	16
Permits Fished	3	4	3.5
Days open	35	18	26.5
CPUE	0.2	0.2	0.2
Projected troll harvest if fishery open 7days/week	36	33	34
Drift Gillnet Fishery			
King Salmon	19,840	10,936	15,388
Permits Fished	121	120	120
Days open	32	26	29
CPUE	5.1	3.5	4.3
Sport Fishery			
King Salmon			

RC153

Testimony of Ken McGee
Board of Fisheries
February 2009

My name is Ken McGee and I'd like to thank you, Mr. Chairman, and members of the Board for the opportunity to testify.

I will address four proposals on the management of directed fisheries on the Taku and Stikine Rivers: 227, 228, 230, and 231.

I support these proposals which ask for a bit more time and area for trollers fishing the directed Stikine and Taku chinook fisheries in Districts 8 and 11.

Trollers had a historic fishery on Taku chinook and harvested about 35% of the run from Statehood until closure in the late 1970s. The average troll catch on the Stikine was about 31%. All gear groups shared the pain of rebuilding and should share adequate harvest opportunities.

In the fall of 2005 the Board of Fisheries formed task forces to develop management plans for gillnetters, trollers, and anglers in Districts 8 & 11. I served on the District 11 task force. Both groups did some good work and found common ground on many things, but there was still some disagreement on time and area in a few places.

Trollers would like to see more time and area, similar to our 2006 requests. You will see that modifications being requested by ATA and local trollers are relatively small and attempt to keep all users in mind.

Trollers considered asking for a specific allocation, but that would hard to manage and disruptive for all users. The best way for trollers to get a fair share is with generous time and area.

Linking us to gillnet openings makes no sense, as our success rates in terminal areas are very different. Troll gear is nowhere near as effective as gillnet.

In District 11, trollers averaged just 16 chinook in 2005 and 2006. That's way less than 1% of the catch. During that same period, the gillnet fleet averaged 15,300 fish.

During the 2008 District 8 fishery the gillnet CPUE was 7 times higher than troll. Since 2006, gillnetters averaged nearly 12,000 fish in District 8 and trollers about 1,700 – CPUE averaged 5 gillnet fish to 1 troll.

It's important to consider that even if trollers had fished 7 days a week in these fisheries, **ADFG estimates only slight increases in troll harvest would have occurred.**

ATA has formulated troll management papers for both areas, which I support and have attached for the record. **Their compromises do not include 7 days a week or all areas.** These concepts are broadly supported by trollers who fish Districts 8 & 11. A lot of thought went into developing plans that would fit the unique features of both areas, minimize conflicts between user groups, and secure adequate data for future management decisions.

Trollers have been very supportive of the other gear groups' attempts to secure reasonable fishing time and effort. Our communities will benefit as all three gear types harvest these fish. It is my hope that you will be favorable to the troll position on these very important fisheries.

I will be available to work on committee

Thank you.

ATA Position on District 11 Directed Chinook Fisheries

0 - 11,000	No troll fishery
11,001 – 17,500	1. Same areas open in 2005 with the following lines in 11A: • Marmion Island Light to Circle Point • Piling Point to **Outer** Point 2. 11A: 5 days/week – no weekends - in any week that a directed king salmon drift gillnet fishery occurs. 11B: 7 days/week in any week that a directed king salmon drift gillnet fishery occurs. 3. Trolling closed Memorial Day weekend
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ATA recognizes that achieving a fixed allocation or percentage would be unduly disruptive for other users. However, trollers still want an opportunity to harvest a fair share of the salmon runs they helped to rebuild.

Under the Taku River King Salmon Management Plan, trollers averaged just 16 fish (0.001%) of the commercial harvest in 2005 and 2006. Trollers need more fishing time and area to achieve a level of parity with the gillnet fleet. ATA is asking for modest increases in time/area to help accomplish this goal. Practical differences in gear efficiency in terminal areas makes it unlikely that increased time and area would significantly impact the balance of harvest, but it could do a lot to provide opportunity for the local fleet during a slow time of year.

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District 8	Troll	Gillnet	Total Troll & Gillnet
1960	4,337	0	
1961	2,413	0	
1962	461	588	
1963	1,590	1,207	
1964	1,406	2,303	
1965	804	2,490	
1966	1,041	3,340	
1967	1,670	6,245	
1968	898	3,623	
1969	1,323	4,512	
1970	1,680	2,677	
1971	721	3,321	
1972	1,608	8,090	
1973	3,285	8,913	
1974	1,972	7,840	
1975	682	1,529	
1976	301	1,101	
1977	262	1,287	
Total	**26,454**	**59,066**	**85,520**
Percent	**31%**	**69%**	

Pacific Salmon Treaty Stikine River Quota Allocation

Allowable Catch		US Allocation		Canadian Allocation	
Lower	Upper	Lower	Upper	Lower	Upper
0	5,000	0	500	0	4,500
5001	20,000	501	11,000	4,500	9,000
20,001	30,000	11,001	17,500	9,000	12,500
30,001	50,000	17,501	30,500	125,000	19,5(
50,001	100,000	30,501	63,000	19,500	37,0(

	Troll	Gillnet	Sport
2006	1,895	19,728	2,944
2007	1,313	8,918	3,268
2008	1,055	7,043	1,035
Total	**4,263**	**35,689**	**7,247**
	9%	**76%**	**15%**
Troll	4,263	**11%**	
Gillnet	35,689	**89%**	
Total	39,952		

Stikine Chinook	2006	2007	2008	Avg
Troll Fishery				
Chinook	1,895	1,313	1,055	1,421
Permits Fished	90	76	92	87
Days open	44	30	37	43
CPUE	2.7	3.1	1.7	2.5
Projected troll harvest if fishery open 7days/week	2,794	2,822	1,767	2,461
Difference in catch	900	1,509	712	1,040
Drift Gillnet Fishery				
Chinook	19,728	8,918	7,043	11,896
Permits Fished				
Days open				
CPUE	13.0	10.5	8.2	10.6
Sport Fishery				
Chinook	2,944	3,268	1,035	2,416
Total All Gear	24,566	13,499	9,133	15,733

	Gillnet		Troll
Current	1 DAY	=	3 DAYS
TIME	7 thaml Day	=	5 DAYS

RC154

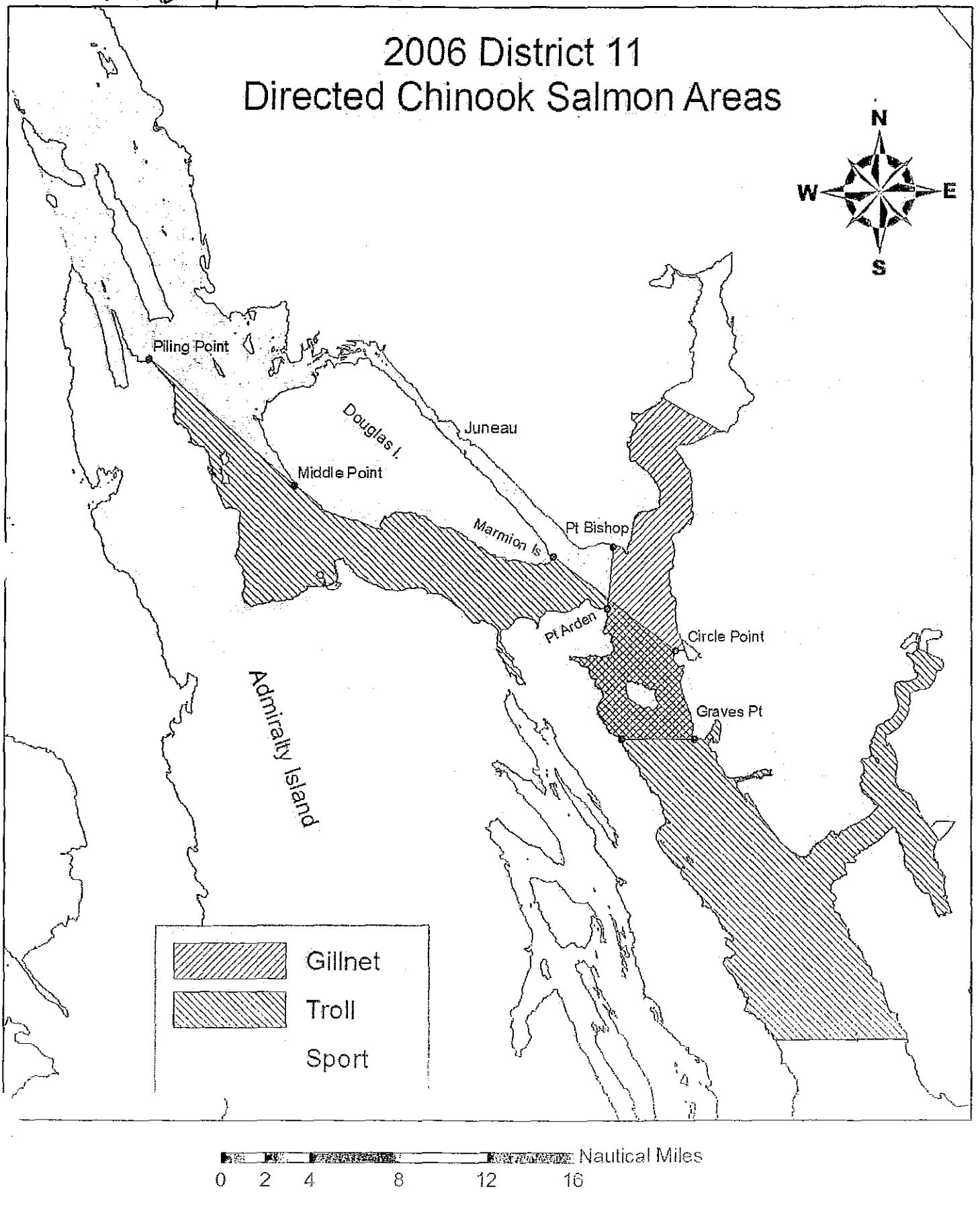
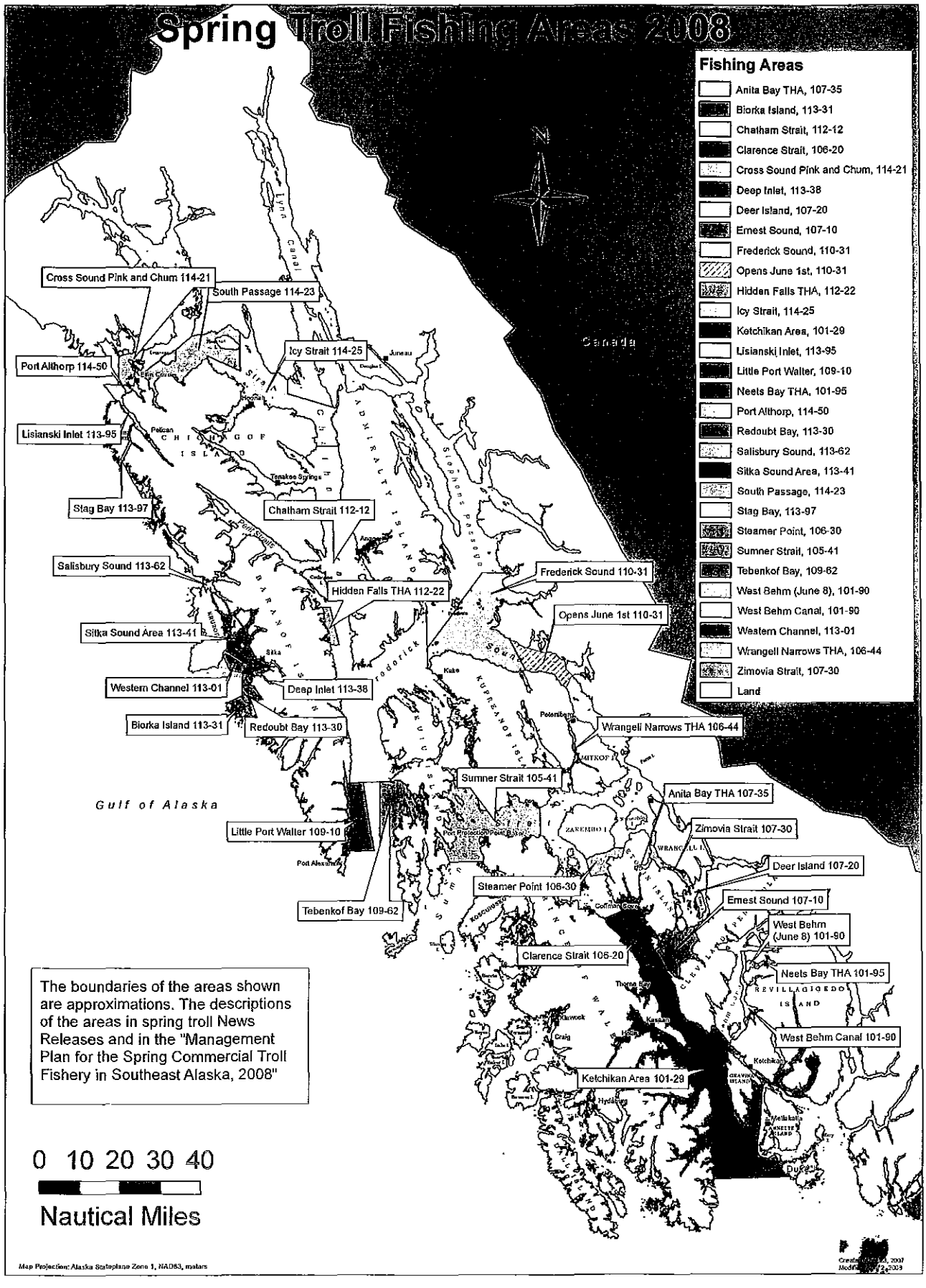


Table .-Estimated harvest, escapement, exploitation, total run, and total allowable catch for Taku River large chinook salmon, 1979-2007. Data pertains to large (> 659 mm MEF) chinook salmon.

	U.S. Catch						Canadian Catch			Total			
	Gillnet[a]		Juneau[a]		Total	Test	Inriver			Total Harvest			
Year	Dist 111	Troll	sport	Total	Base	fishery[b]	Commercial[c]	Sport[d]	Total	(No TF)	Escapement[e]	Exploitation	Run
1979[f]	259	4,544	1,853	6,656	2,112	-	-	300	300	2,412	21,617	8%	28,573
1980[f]	778	3,813	2,900	7,490	3,678	-	145	300	445	4,122	39,239	9%	47,174
1981[f]	672	5,276	1,931	7,879	2,603	-	92	300	392	2,995	49,559	5%	57,830
1982[f]	850	2,709	1,571	5,130	2,421	-	35	300	335	2,756	23,848	9%	29,313
1983	121	419	1,027	1,568	1,148	-	154	300	454	1,602	9,794	14%	11,815
1984	428	2,754	1,115	4,297	1,543	-	227	300	527	2,070	20,778	8%	25,602
1985[g]	792	750	1,804	3,345	2,595	-	354	300	654	3,249	35,916	8%	39,915
1986[g]	844	808	750	2,402	1,594	-	306	300	606	2,200	38,111	5%	41,119
1987[g]	448	399	993	1,840	1,441	-	212	300	512	1,953	28,935	6%	31,286
1988[g]	265	2,034	764	3,063	1,029	-	365	300	665	1,694	44,524	4%	48,252
1989[g]	936	2,034	1,743	4,713	2,679	-	659	300	959	3,638	40,329	8%	46,000
1990[g]	1,123	2,034	1,935	5,092	3,059	-	1,139	300	1,439	4,498	52,143	8%	58,675
1991[g]	1,382	2,034	3,866	7,281	5,248	-	685	300	985	6,232	51,645	10%	59,911
1992[g]	831	2,034	3,087	5,951	3,918	-	935	300	1,235	5,153	55,889	8%	63,076
1993[g]	2,218	2,034	5,804	10,056	8,023	-	1,394	300	1,694	9,717	66,125	12%	77,875
1994[g]	1,133	2,034	2,550	5,716	3,683	-	2,087	300	2,387	6,070	48,368	11%	56,472
1995[g]	588	2,034	3,129	5,750	3,716	-	538	300	838	4,555	33,805	11%	40,393
1996[g]	1,688	1,605	4,043	7,336	5,730	-	3,145	300	3,445	9,175	79,019	10%	89,799
1997[g]	1,994	1,478	5,991	9,463	7,985	-	2,810	300	3,110	11,095	114,938	9%	127,511
1998[g]	271	656	1,854	2,781	2,125	-	967	300	1,267	3,392	31,039	10%	35,087
1999[g]	795	811	1,879	3,484	2,673	327	813	300	1,113	3,786	16,786	17%	21,710
2000[g]	334	1,390	1,121	2,845	1,455	1,109	1,326	300	1,626	3,081	34,997	8%	40,577
2001[g]	797	2,324	1,276	4,398	2,074	1,150	1,439	300	1,739	3,813	46,544	7%	53,831
2002[g]	917	2,658	2,283	5,858	3,200	1,198	1,581	300	1,881	5,081	55,044	8%	63,981
2003[g]	607	1,930	1,627	4,164	2,234	1,422	1,572	300	1,872	4,106	36,435	9%	43,894
2004	874	3,916	2,575	7,364	3,449	1,397	2,181	300	2,481	5,930	75,032	7%	86,275
2005	19,276	1,625	2,714	23,615	21,990	-	8,056	300	8,356	30,346	38,725	43%	70,696
2006	9,615	2,021	2,094	13,729	11,709	643	7,530	300	7,830	19,538	42,296	30%	64,498
2007	512	1,763	1,304	3,578	1,815	1,390	821	300	1,121	2,936	14,854	14%	20,943
2008[h]	*850*	1,216	*1,255*	3,321	2,105	1,399	*774*	300	1,074	3,179	*27,383*		33,480
Avg 85-03	945	1,636	2,447	5,028	3,393	274	1,175	300	1,475	4,868	47,926	8%	59,517
Base[i]	940	1,217	2,585	1,773	3,525	703	1,157	300	1,506				

[a]District 111 gillnet and Juneau area sport catches are through SW28 excluding Alaska hatchery fish.
[b]Test fishery harvest quota is set at 1,400 large chinook salmon.
[c]The Canadian commercial catch includes the inriver commercial gillnet harvests and a small aboriginal harvest.
[d]The Canadian inriver sport harvest is assumed to be 300 fish annually.
[e]Total escapement estimates are *in prep* .
[f]The base time period for use in CTC terminal exclusion calculations (i.e., 1979-1982).
[g]The base time period for use in TBR base fishery harvest calculations (i.e., 1985-2003).
[h]The 2008 data are preliminary minus the US Troll estimate. The CDN assessment catch is shown i[illegible]fishery column and the CDN commercial number only includes aboriginal catch[illegible]s not include Chinook catch during sockeye fishery. The escapement estimate is prel
[i]The [illegible].e shown was calculated using information available in 2005.


Spring Troll Fishing Areas 2008
Fishing Areas
Anita Bay THA, 107-35
Biorka Island, 113-31
Chatham Strait, 112-12
Clarence Strait, 106-20
Cross Sound Pink and Chum, 114-21
Deep Inlet, 113-38
Deer Island, 107-20
Ernest Sound, 107-10
Frederick Sound, 110-31
Opens June 1st, 110-31
Hidden Falls THA, 112-22
Icy Strait, 114-25
Ketchikan Area, 101-29
Lisianski Inlet, 113-95
Little Port Walter, 109-10
Neets Bay THA, 101-95
Port Althorp, 114-50
Redoubt Bay, 113-30
Salisbury Sound, 113-62
Sitka Sound Area, 113-41
South Passage, 114-23
Stag Bay, 113-97
Steamer Point, 106-30
Sumner Strait, 105-41
Tebenkof Bay, 109-62
West Behm (June 8), 101-90
West Behm Canal, 101-90
Western Channel, 113-01
Wrangell Narrows THA, 106-44
Zimovia Strait, 107-30
Land
Canada
Gulf of Alaska
Cross Sound Pink and Chum 114-21
South Passage 114-23
Port Althorp 114-50
Icy Strait 114-25
Lisianski Inlet 113-95
Stag Bay 113-97
Chatham Strait 112-12
Salisbury Sound 113-62
Hidden Falls THA 112-22
Frederick Sound 110-31
Opens June 1st 110-31
Sitka Sound Area 113-41
Western Channel 113-01
Deep Inlet 113-38
Biorka Island 113-31
Redoubt Bay 113-30
Wrangell Narrows THA 106-44
Sumner Strait 105-41
Anita Bay THA 107-35
Zimovia Strait 107-30
Little Port Walter 109-10
Deer Island 107-20
Steamer Point 106-30
Ernest Sound 107-10
Tebenkof Bay 109-62
West Behm (June 8) 101-90
Clarence Strait 106-20
Neets Bay THA 101-95
West Behm Canal 101-90
Ketchikan Area 101-29
The boundaries of the areas shown are approximations. The descriptions of the areas in spring troll News Releases and in the "Management Plan for the Spring Commercial Troll Fishery in Southeast Alaska, 2008"
0 10 20 30 40
Nautical Miles
Map Projection: Alaska Stateplane Zone 1, NAD83, meters

RC155

February 13, 2009

Board of Fish
Alaska Dept of Fish and Game
Boards Support Section
Jim Marcotte, Executive Director
PO Box 115526
Juneau, AK 99811-5526

Sent via Fax 465-6094

RE: Misc. Business – Petition Request for Development of a Hoonah LAMP

Dear Chairman Jensen and Board of Fish Members,

We, the undersigned would like to petition the Board of Fish for help in the development of a LAMP for the Hoonah Area. We are providing a possible Draft Charge statement for the Board of Fish to consider adopting to help facilitate this process. The draft charge statement is based off of a previous charge statement developed for LAMPS #2000-201-FB.

We would prefer the development of a local task force of Hoonah residents since the local fish and game advisory committee is combined with the Gustavus area and our cultures are not the same.

Mike See would be willing to be the interim chair to help the Board of Fish appoint members to the task force and facilitate the start of the process.

Sincerely,

Michael See

DRAFT

ALASKA BOARD OF FISHERIES
Charge Statement for Development of a Hoonah LAMP

The Alaska Board of Fisheries is establishing a task force to identify and discuss issues related to local area management planning and for the development of a LAMP in the Hoonah area.

Membership: To be developed but ideally would include 2 Hoonah charter operators; 2 commercial fishermen, 2 subsistence users and a local member at large. All members of the task force must be year round residents of Hoonah.

Geography: From Point Adolphus to The Sisters to Point Augusta

Species: Salmon, groundfish, crab, halibut and shrimp

It is the Board's intent that these boundaries are for the purpose of facilitating discussion of issues within these boundaries. They are not meant to be regulatory lines in the sand at this point in time. Depending on the issues identified, the boundaries may need to change or may be different for different species.

It is the Board's intent to not limit participation in the task force meetings to the members appointed to the task force. The Board's intent is that task force meetings be as inclusive of public input as possible. Stakeholder participants will be responsible for their own travel expenses to attend task force meetings. Also, The Board chairman when requested to facilitate comprehensive use group participation, may add additional task force members.

The Board requests after development of the committee and immediate issues are identified, a problem statement be developed. As part of the proposed solution the Board asks that the task force consider the issue of local depletion within the area. The Board further requests that the task force discuss preferred solutions to the problems and consider the impacts such solutions may have on other fisheries and other users. Last, the Board asks that the task force report the status of their efforts to the Board by letter during the fall work sessions.

RC155

Febuary 10 2009 Icy Straight Advisory Meeting

6:20 pm Scott with the State and Mark Ortaga on the phone
Motion made by Keith S to approve the old agenda, Second by Richard Dalton, All yes, Minutes were approved.

Votes on the new board
1Year Term- Faggen Skaflestad, Richard Dalton (vice president) Cheyne Blough
2 Year term- Mike See (chair- President) , Bill Miller,
3 Year term- Owen James, Keith Skaflestad (secretary)

#220 Motion FS Second BM Motion passed

#221 Motion OJ Second BM Motion Failed

#222 Motion CB Second KS Motion Passes

#223 Two Rods Motion KS Second FS Motion to support

#224,225,229 No motion not enough info

#243 Motion KS Second MS Keith yes The rest was No Motion Failed

#249,250, 251,252 Motion to support KS Second RD Motion Passed

#261,262,263 Motion fails to support

#244,245 Motion passes to support

#246,247,263 Motion fails to support

#286 No action not enough info

8:20 Recess Intel 6;00 pm tomorrow

Restart 6:10 02-11-09

#288 5 FS, MS, KS CB, BM to support 4 Not to support motion passes To support

#289, 290Motion fails to not support

#292 1 Yes 9 NO Not to support

#293 motion fails to not support
#295, 296,297,298 No Action not enough info

#299 To support

#300 motion passes to support

#301,302,303,304,305 motion fails to not support

Vacant seats filled by John Murray and Don Bolton

Meeting recessed 8:40 02-12-09 Meeting starts at 6:30

#306 motion passed

#307,308,309,310,311,312,313,320,321 Motion fails to not to support

#322 No action no enough info

#323,324,325,326,328,329,330 Motion not to support

#331 motion passed to support

#333,335, Motion passed to not support

#336,339 Motion passed to support

#340,341 Motion to not support

#342 Motion passed to support

#343,344 Motion to not support

#345 Motion passed to support

#346,347 Motion to not support

#348 Motion to support

#349,350,351,352,353 Motion to not support

#354 Motion to support

#355 Motion to not support

#260,267,268,271,273,274 Motion to not to support
Meeting Adjoined 10:25

RC 156

A NATIVE CORPORATION
SEALASKA

February 19, 2009

Alaska Department of Fish and Game
Board of Fisheries
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526

Re: ABF Proposal 235

Dear Board of Fisheries:

Sealaska Corporation is writing to express its support for the customary and traditional use of subsistence resources and its opposition to any regulations that would individualize subsistence pursuits as embodied in Alaska Board of Fish Proposal 235, which would require permits to harvest herring eggs.

Sincerely,

SEALASKA CORPORATION

Richard P. Harris
Executive Vice President

RC 157

ALASKA FEDERATION OF NATIVES

February 12, 2009

Mr. Mel Morris
Member, Alaska Board of Fisheries
917 Mill Bay Road
Kodiak, Alaska 99615

Dear Mr. Morris:

On behalf of the Board of Directors of the Alaska Federation of Natives, I am writing to each Member of the Board of Fisheries (with copies to the Fish Board's Executive Director and the Federal Subsistence Board) to convey the Native community's grave concern about Proposal 235 on Southeast herring.

The AFN Board met in Juneau on February 11, 2009 and thoroughly discussed Proposal 235. It then adopted a motion to convey to the state and federal boards its **"...support for the customary and traditional use of subsistence resources and its vehement opposition to any means or regulations to "individualize" subsistence pursuits, such as a subsistence permitting system that is embodied in Alaska Board of Fish Proposal 235, which would require permits to harvest herring eggs."**

Any individualized system of subsistence permitting destroys the concept of "customary and traditional" uses embodied in Title VIII of ANILCA, which gives a community-wide priority to rural subsistence users in times of shortage. Adoption of Proposal 235 would further entrench the legal differences between the two conflicting systems and guarantee that the current dual management regime will continue indefinitely. Such action would merely postpone any return to a unitary system, a goal the State has sought for years. It would also exacerbate the deep alienation between urban and rural Alaska, which has been the most emotionally divisive issue in state politics for 20 years.

AFN urges the Board of Fisheries to reject Proposal 235 at its upcoming meetings. Thank you for your consideration of this critical issue.

Sincerely,

Julie E. Kitka

Julie Kitka,
President, Alaska Federation of Natives
1577 C Street, Suite 300, Anchorage, Alaska 99501
Phone: 907-274-3611

RC 158

2/18/09

Good Afternoon Ladies and Gentlemen: My name is Johanna Dybdahl and I am the Tribal Administrator for the Hoonah Indian Association. I am here on behalf of our tribal membership of 1,032. Unfortunately our President, Frank Wright Jr. is unable to attend as he is commercial crab fishing and he asked that I speak in his absence. I am a Tlingit and a lifelong resident of Hoonah. I am here to represent our federally recognized tribe, the Hoonah Indian Association. I know that we are on a limited timeframe, but I am confident that I can speak to those proposals that we find of the most importance.

We speak in favor of proposal 133. We would like to see shellfish removed as a sport fishery to maintain the shellfish species for local access. Shellfish are an important food source to our villages and the depletion by non-residents will be harmful to those who supplement their diets with this very healthy food source and value the concept that we only take what we need to feed our families.

We speak in favor of proposals 164 and 165. The Hoonah Indian Association supports the recognition of King Crab as a subsistence food and we support opening Pork Frederick to subsistence and personal use for King Crab. Our people have taken this food for thousands of years and for it not to be considered one of our customary and traditional foods is unthinkable.

The Hoonah Indian Association speaks in favor of proposals 203 and 204. We have supported these proposals by resolutions #09-02 and #09-03. We agree with the Sitka Tribes of Alaska to change the harvest level and harvest rate for herring sac roe fishery to their proposed guidelines. We also agree that the herring test setting should be included in the Guideline Harvest Limit to insure that the pre-spawning herring have the least disturbance and a healthy fishery is maintained

We also support proposal 234 which would support the increase in Amount Reasonably Necessary for Subsistence. Our community of Hoonah would use 10,890 pounds of herring eggs if they were available to our community at a rate of 55 pounds of herring eggs per household for approximately 198 native households. The Sitka Herring Fishery has always been important to not only the community of Sitka, but to all of the surrounding native communities. Our seine boats have always been welcome to come and participate in the customary and traditional harvest of this wonderful resource. In return the eggs are brought back to our community for all to share. You may think that who could possibly use 55 pounds of herring eggs per family, I would just ask, how many 10 pound bags of potatoes are purchased in a year for an average non native family?

The Hoonah Indian Association adamantly opposes proposal 235. This proposal expands the permit and reporting requirements for all harvest of herring spawn in the Sitka Sound area. Again, our people would be required to apply for and maintain a permit to harvest the very foods that connect us to our land and place. Ladies and gentlemen, forgive me if my people say an emphatic no! We have been over regulated and over permitted out of our very livelihood and customary and traditional harvesting. Now if this proposal is implemented the herring egg harvest, which has always been a community effort which is shared by all, will require yet

another permit for individuals, thus making it a competitive sport fishery amongst individuals. No better reporting or reliable reporting will be made available, many will not report their take for fear of losing what little they have remaining.

We support proposals 286 and 287 and encourage that a meaningful definition of possession limits be imposed. Allowing preserved fish to not count towards the possession limit nullifies the intent of a possession limit. It is very easy to process fish overnight and I believe that we can all bear witness to the thousands of fish boxes we see leave our communities every season. If nothing else then perhaps an annual limit can be imposed on non-residents. We would support that concept as well.

The Hoonah Indian Association opposes proposal 299 which would allow beach seine, cast net, purse seine and gillnet use by charter operators for the unlimited harvest of herring for sport.

We support proposal 308 to restrict subsistence and personal use fishing by commercial lodge or charter operators when paying clients are present. We believe that the numbers in poundage would be so significant to warrant this regulation.

The Hoonah Indian Association also supports Proposals 311-313 that supports and allows enforcement access to vessels, lodges, and processing facilities to effectively monitor charter catch in Southeast.

In closing, we are a culture and a people who only believe in taking what is needed for our families. The Hoonah people are still, and always will be a fishing people. We depend on our customary and traditional practices to feed our families. Our food is our connection to our land and our ancestors. We are the first conservationists to this land and we will never deplete any stock in any area as long as the blood flows in our veins.

Thank you for the opportunity to comment on behalf of the Hoonah Indian Association representing our tribal membership.

Respectfully Submitted:

Johanna Dybdahl

Johanna Dybdahl, Tribal Administrator

RC 159

Teresa Moses' Herring Testimony

My name is Teresa Moses and I am testifying in opposition of Proposal 235 for permits. Many harvesters will not be compliant to this type of procedure as they are already suffering from the high quotas set for the commercial sac roe fisheries. I am also against Proposal 204 because it is unethical to take samples and add them to the inadequate guidelines you are attempting to set for herring egg harvesters. I will not support proposal 203 or any other proposal that manipulates our Tribal statistics. Currently only a portion of our citizens report their herring eggs harvests and this portion is not efficient in their estimations. Although I may be in opposition of Proposals 203, 204 and 235, I still believe there is a way subsistence gatherers can work towards mutual resource management efforts as it is in the same values they've been upholding for generations.

I learned to gather herring eggs from my uncle. This is the way we are taught: We never sell our herring eggs. We only take what we need. It is impossible for most of us to think in terms of poundage and permits because we should *not* have to. We live by our own values to manage our resources and the fact that we still even have herring eggs to harvest speaks well for our own methods of resource management by the traditional knowledge used to judge harvest amounts.

Our people have been consuming herring and their roe for centuries. We did not have cows for the calcium in milk; we did not have nuts and the protein they provide. We had herring eggs for these nutrients. This is one of our staples in life that our bodies are accustomed too.

We used to be able to make sure our native community had enough herring eggs to last to our memorial season and through the rest of the winter. Now we are forced to hoard our eggs, which in turn affects our relationships because we are losing our identity even more so by not obeying our internal laws to provide for each other the way we were taught to and are supposed to.

Sitka is one of the last communities with a substantial outcome for herring eggs so I am *not* in support of Proposal 217. We already harvest inadequate amounts of herring eggs and even if spawning is only intermittent up in Salisbury, it is possible that Sitka can be fished out

completely and we will be forced to start going out of town to harvest our eggs just like all of the other rural communities that have been fished out. Proposal 217 will *not* help our herring egg harvesters; it will only help diminish the herring stock even more so.

I know of people that set their branches in the channel, right across from the polluted waters of our harbors because they did not get to harvest enough eggs. How can we harvest our eggs when they are still in the female herrings on the decks of the sein boats? This is what happened last year. Our harvesting takes place after the herring spawn and we did not have sufficient time to harvest before the commercial fisheries took a majority of the population away. So I would like to thank you for Proposal 199 and 234 which, if passed, would close certain areas for subsistence gatherers and increase the amount reasonably necessary for our means of survival. Gunalchéesh! I hope to see more proposals like *those ones* from the Board of Fisheries in the years to come.

RC160

Proposals 245 and 244: Support

Proposal 245 seeks assistance and direction from the Board in resolving a situation that many gillnetters consider unacceptable. The issue involves allocation of enhanced salmon among the three commercial gear groups in southeast Alaska. Specifically, in question are allocations to the gear groups of salmon produced by the Northern Southeast Regional Aquaculture Association (NSRAA) and the process for establishing or adjusting harvest opportunities annually for those salmon. Proposal 244 addresses the most fundamental aspect of this issue. Currently allocations do not distinguish salmon produced with the support of the 3% enhancement tax from those produced without tax support. This raises serious concern regarding fair access to those salmon funded by the enhancement tax.

Background: Implementing legislation for the Pacific Salmon Treaty in 1985 contained $20 million for new salmon enhancement intended to mitigate anticipated effects from the Treaty on southeast Alaska's three commercial gear groups. Projects supported by that funding were added to the existing hatchery production from the region's state-operated facilities, the two regional aquaculture associations, and a number of small independent private, non-profit hatcheries. With the subsequent elimination of direct state participation in commercially oriented hatcheries, virtually all hatchery production, including treaty-funded projects, reverted to the two regional associations. Since commercial fishermen paid 3% of landed value of salmon as an enhancement tax and the amounts collected were then appropriated to the respective regional associations based on the location of harvest, concerns were raised among fishermen about fair distribution of benefits from their taxes.

In 1991 an allocation task force was convened at the direction of the Board and charged with developing an agreement for long-term sharing of hatchery-produced salmon. The task force was comprised only of gear group representatives from the boards of NSRAA and the Southern Southeast Regional Aquaculture Association (SSRAA). After difficult negotiations, the task force recommended a solution comprised of a range of percentages of annual landed value of enhanced salmon for each gear group. The percentages were negotiated figures derived primarily from the average landed values of wild salmon per gear type over an historical base period. Adherence to the sharing arrangement was to be evaluated on a rolling 5-year average. In this agreement the purse seine share was set at 44-49%, gillnet at 25-29%, and troll at 27-32%. The Board adopted this framework into regulation in 1994 and assigned responsibility for monitoring to the joint Regional Planning Team (RPT), composed of three gear group representatives from each regional association board and three ADFG staff each from the northern and southern halves of the region. In the most recent 5-year period for which complete data are available (2003-2007), the gillnet harvest is above its range at 39% while both purse seine and troll figures fall below those ranges at 40% and 21% respectively.

Problem: The overriding problem confronting the gillnet fishery in northern southeast Alaska districts is that little and decreasing production from NSRAA is available for harvest by the gillnet fleet while those fishermen must pay 3% of ex-vessel value to

NSRAA on all salmon landed. NSRAA board decisions to terminate funding of projects in Districts 11 and 15 underlie much of the reduced availability of NSRAA production for the gillnet fleet. Those decisions, effective in mid-2008, occurred on the strength of unanimous support of purse seine and troll board representatives and over the unanimous objection of gillnet board members. Further limits on gillnet access to NSRAA-produced salmon followed from actions taken by industry members of the joint RPT in 2008. That portion of the RPT recommended and NSRAA implemented a reduction of weekly fishing time by half for gillnet access to chum salmon in the terminal harvest area at Deep Inlet near Sitka. In addition, it altered the weekly sequence of fishing in that terminal area such that the purse seine fishery always precedes gillnetting. These RPT recommendations were supported unanimously by the purse seine and troll representatives and opposed unanimously by gillnet members. ADFG staff on the RPT did not participate in the decision because of its allocative nature.

Comment: The only justification offered for reducing gillnet access to the NSRAA terminal harvest area at Deep Inlet is the assertion that the gillnet fishery is above its 5-year average enhancement allocation range and the purse seine fishery is below its range. By NSRAA policy the terminal harvest areas for the major Hidden Falls hatchery are available only to the purse seine and troll fleets. Withdrawal of financial support by NSRAA for the only two projects with NSRAA involvement (chum salmon rearing in Boat Harbor and Limestone Inlet) that generate significant production in gillnet districts may have been influenced by the allocation range issue. However, it also appears to reflect priorities of the purse seine and troll representatives on that board and their willingness to join their interests explicitly to the exclusion of the remaining gear group.

The current enhancement allocation arrangement has not been reviewed for 15 years and, more importantly, appears fundamentally flawed. The original allocation ranges do not capture the fishery and market changes that have evolved since 1994. An inappropriate evaluation metric is employed. No distinction is drawn between taxed and untaxed categories of enhanced salmon. The decision-making process is subject to partisan gear group manipulation, and so on. Some detail on the major issues follows.

1. Allocation Accounting. It is important to note that the long-term pattern of "enhanced" harvests is significantly different from the short-term pattern that now provides the rationale for reallocating enhanced salmon. Since the inception of accounting in 1994, the purse seine fishery has taken 51% of the total value, the gillnet fleet 30%, and trolling 19%. The purse seine and gillnet figures both are marginally above the set ranges while the troll fishery never has reached the lower end of its range for a 5-year period. It is unreasonable and really an abuse of the system for the present 5-year rolling averages to be used by the RPT and NSRAA as the pretext for actively restricting gillnet and increasing purse seine access to NSRAA-produced salmon. The purse seine share over time is over its range by a greater amount than is true for gillnet harvest. At the very least, the Board should amend the existing regulation to ensure that adherence to any agreed sharing plan is measured over the duration of that arrangement and is consistent with its intent. The current situation involves an unjustifiable

manipulation of fishing opportunities to advantage one gear group that by any reasonable standard is not in need or deserving of the benefit.

2. Limitations of trolling. Troll harvest has fallen within its 27-32% range in only four of the 14 years of records. Since the overall evaluation is carried out in terms of percentages of total value of enhanced salmon, the chronic inability of the troll fishery to harvest within its range artificially inflates the apparent impacts of the other fisheries. The difficulty experienced in bringing troll harvest within its target range has nothing to do with conduct of the other gear types or with the efforts or expenditures by NSRAA directed at providing harvest opportunities for trolling. In fact, by far the greatest total expenditures by NSRAA have been for chinook and coho enhancement specifically to contribute to the troll fishery. Significant numbers of both species do return to NSRAA's facilities each year, and the troll fishery does benefit substantially.

The problem, however, lies with the lack of efficiency by trolling when attempting to harvest chinook or coho in terminal areas. Once hatchery returns of chinook or coho segregate from wild stocks, they generally have ceased active feeding and are much less susceptible to hook-and-line gear. Thus, troll harvests of the enhanced component of its primary target species are limited to the lower harvest rates that can be sustained by the intermingled wild stocks in areas of active feeding. These harvest rates include limitations on chinook mandated by terms of the Pacific Salmon Treaty. Other gear must be employed to harvest remaining concentrations of these species that reach terminal areas. The practical importance of these circumstances is that, despite all efforts, the troll fishery has not shown the capability to capture enhanced salmon at the level of its target range. Further, it is most difficult to imagine how these very basic limitations of trolling can be overcome at any point in the future. Meanwhile, limiting harvest opportunities for another fleet simply because the troll percentage remains below its target amounts to an unwarranted penalty. The existing enhanced salmon allocation arrangement requires serious revision on this point.

3. Faulty base period. It follows from the item above that basing the original allocation ranges on views of historical sharing of wild stock harvests was unwise and led to a flawed system. That approach may have been understandable at its time. Estimates of the relative values of salmon landings from a base period of years did provide a means for estimating the initial levels of 3% tax contributions to the regional aquaculture associations. But it was assumed incorrectly that the base period pattern would be perpetuated. For instance, this approach could not take into account changes, whether cyclical or regulatory, in conduct of the traditional fisheries, nor did it anticipate the changes that successful large-scale enhancement would create (such as the troll limitations above). The evolution of markets including competition from farmed salmon, obligations in the Treaty, altered levels of participation by gear type, and changes in the species mix of salmon landed in the region are other factors that make inappropriate the reference to a harvest base period that extends back into the 1960s and 1970s. If a formalized system for sharing enhanced salmon is to continue into the future, it must be keyed to criteria that more accurately reflect the modern circumstances and capabilities of the respective commercial fleets.

4. Taxed vs. non-taxed enhancement; Proposal 244. The hard fact is that in 2009 the 3% paid by gillnetters in northern southeast Alaska to NSRAA is being appropriated almost exclusively, certainly disproportionately, to the benefit of the other commercial gear groups. The recent RPT and NSRAA decisions mean that the future opportunity for a gillnetter to harvest NSRAA-produced salmon will occur only in a truncated rotational fishery at Deep Inlet. The reallocation effects of that terminal area rotation are so disadvantageous to gillnet fishermen that many or most will be forced for business reasons not to participate at all. In that case, NSRAA almost literally will return no benefit to a gear group that is taxed on every salmon landed to support NSRAA.

This situation developed due to the way in which the current enhanced allocation scheme handles the production from Douglas Island Pink and Chum (DIPAC) facilities. DIPAC is an independent private, non-profit hatchery organization that has become a significant producer in northern southeast Alaska. All commercial fleets, but especially the gillnet fisheries in Districts 11 and 15 benefit from its production. DIPAC receives no enhancement tax revenues. When the original enhancement task force developed the percentage sharing arrangement, it did so without taking into account the serious implications of lumping enhanced catches from facilities that do and do not receive the fishery-wide enhancement tax. In fairness, at that time almost all production derived from NSRAA, SSRAA, or state-operated facilities. However, as production from other organizations, particularly DIPAC, increased, the RPT continued to treat all enhanced salmon as equal. That policy has counted substantial numbers of DIPAC production in recent gillnet catches and thus obscured that fleet's decreasing share of tax-supported NSRAA salmon

At the same time, NSRAA receives a significant windfall. The 3% tax is levied on all sales of DIPAC and other non-NSRAA returns. As the most recent example, DIPAC in 2008 contributed approximately $10 million in ex-vessel value to the commercial fisheries with all of the resulting tax revenues flowing to NSRAA. None of those tax dollars or the tax amounts generated by gillnet harvest of wild stocks support DIPAC, and none will benefit gillnetters if current policies continue. Southeast gillnet fishermen have not advocated diverting tax revenues to non-regional association. However, gillnet interests do consider the continuance of those policies that systematically withhold the benefits from their enhancement taxes to be unacceptable.

The question of harvest rights in relation to enhancement has arisen previously and been tested in the Alaska courts. The relevant part of a 1989 Superior court decision held that a gear group involved in regional enhancement must be afforded reasonable opportunity to harvest enhanced returns. It is not legal to take actions that effectively prevent that access. Gillnet access to the NSRAA terminal harvest area at Deep Inlet resulted indirectly from this decision. The argument here is that it is apparent on the surface that a gear group cannot now legitimately be denied access to enhanced salmon that are supported by its taxes whether or not other sources of enhanced fish may have become available to it.

The Board recently acted on an issue that is closely related. The Board removed salmon produced by the private non-profit Valdez hatchery from those included in the enhancement allocation for Prince William Sound. While it is difficult to discern the Board's explicit rationale for this determination, a reasonable inference is that it recognized the injustice inherent in mixing salmon from tax supported and non-tax supported organizations in allocating enhanced salmon. A compelling case exists for making that policy effective statewide. Proposal 244 advocates taking that action for southeast Alaska now. We strongly urge the Board to adopt #244.

5. Separate accounting for NSRAA and SSRAA: A system to govern the sharing of enhanced salmon in southeast Alaska must include accounting separately for the districts covered by each regional aquaculture association, NSRAA and SSRAA. The current southeast-wide approach adds no significant positive feature to one that evaluates the northern and southern regions independently. On the negative side, it adds confusion and difficulty in establishing clear accountability for the production and the actions of the two RAAs. This is not at all to suggest that SSRAA has violated the trust of any constituent group or that it may need to alter its mode of operation. Simply, there is need for greater clarity in NSRAA's commitment to its taxed constituent groups and for greater transparency in its program to deliver on those commitments. Separate accounting will not resolve all of the problems in the northern region, but it will represent a necessary step for any resolution.

Recommendations: With the foregoing difficulties in mind:

The Board is requested respectfully to direct that all allocation adjustments recommended by the RPT since 2006 be withdrawn or reversed;

Adoption of Proposal 244 is the most important single Board action that can restore acceptable balance to the gear groups' benefits from their enhancement taxes;

The Board is requested, if it still believes that an enhanced salmon allocation process is useful or necessary to initiate a new process or establish its own set of guidelines. If the Board chooses to do so, we recommend that essential elements in any allocation framework include:

- Accounting systems for NSRAA and SSRAA separately;
- A requirement that any adjustments are based on cumulative deviations from target levels over the life of the allocation arrangement;
- Emphasis on adjustment mechanisms that avoid direct reallocations between gear groups to the greatest extent possible;
- Allocation targets that are based on modern catch histories and particularly on realistic assessments of gear-type harvest potentials and limitations;
- A decision-making procedure that requires consensus among the gear group representatives or any alternative that prevents gear alliances from benefiting their interests over the objections of a disadvantaged gear group.

Jeff Shelton
1670 Evergreen Ave.
Juneau, AK 99801

RC161

2-20-09

I Walter Pasternak would like to withdraw perposal 220

Walter C Pasternak
Box 830
Sitka, Ak 99835

Table of projected harvests for 2008 with a 15% reduction to the all gear quota based on various annual limit scenarios for nonresident anglers, ... resulted in the projected harvest being within 10% of the BOF sport allocation. The preseason AI in 2008 was 1.07, with a resulting BOF sport allocation of 26,600 fish.

Time Period				Projected % of the 20% BOF sport +	Projected % diff from from BOF sport	Difference in numbers of	BOF sport	Projected sport harvest with scenario Time Period				
May 1-30	June 1-30	July 1- 15	July 16-Dec 31	troll allocation	allocation	king salmon	20% allocation	All Year	May 1-30	June 1-30	July 1-15	July 16-Dec 31
3	1	1	2	17.8%	-10.9%	-2,899	26,600	23,721	10,621	4,163	1,586	7,350
2	3	1>48"	1	17.9%	-10.5%	-2,796	26,600	23,823	8,497	10,408	595	4,323
3	2	1>48"	1	17.9%	-10.3%	-2,753	26,600	23,866	10,621	8,326	595	4,323
1	2	2	2	17.9%	-10.3%	-2,729	26,600	23,890	4,248	8,326	3,966	7,350
1	3	1>48"	3	18.0%	-10.2%	-2,721	26,600	23,898	4,248	10,408	595	8,647
2	1	2	2	18.0%	-9.9%	-2,644	26,600	23,976	8,497	4,163	3,966	7,350
3	1	1>48"	3	18.1%	-9.7%	-2,593	26,600	24,026	10,621	4,163	595	8,647
3	1	3	1	18.1%	-9.6%	-2,554	26,600	24,066	10,621	4,163	4,958	4,323
1	2	3	2	18.2%	-9.1%	-2,426	26,600	24,193	4,248	8,326	4,269	7,350
3	3	1	1>48"	18.2%	-8.9%	-2,380	26,600	24,239	10,621	10,408	1,586	1,624
3	1>48"	3	2	18.4%	-8.0%	-2,129	26,600	24,490	10,621	1,561	4,958	7,350
2	3	2	1>48"	18.4%	-8.0%	-2,125	26,600	24,495	8,497	10,408	3,966	1,624
3	2	2	1>48"	18.4%	-7.8%	-2,082	26,600	24,538	10,621	8,326	3,966	1,624
1>48"	3	2	3	18.5%	-7.5%	-2,005	26,600	24,614	1,593	10,408	3,966	8,647
2	2	1>48"	2	18.6%	-7.0%	-1,852	26,600	24,768	8,497	8,326	595	7,350
3	1>48"	2	3	18.6%	-6.9%	-1,824	26,600	24,795	10,621	1,561	3,966	8,647
2	3	1	1	18.6%	-6.8%	-1,805	26,600	24,814	8,497	10,408	1,586	4,323
3	2	1	1	18.7%	-6.6%	-1,762	26,600	24,857	10,621	8,326	1,586	4,323
1	3	1	3	18.7%	-6.5%	-1,730	26,600	24,889	4,248	10,408	1,586	8,647
1>48"	3	3	3	18.7%	6.4%	-1,703	26,600	24,917	1,593	10,408	4,269	8,647
2	1	3	2	18.8%	-6.2%	-1,652	26,600	24,967	8,497	4,163	4,958	7,350
3	1	1	3	18.8%	-6.0%	-1,602	26,600	25,018	10,621	4,163	1,586	8,647
2	2	2	1	18.9%	-5.7%	-1,507	26,600	25,112	8,497	8,326	3,966	4,323
1	2	2	3	18.9%	-5.4%	-1,432	26,600	25,187	4,248	8,326	3,966	8,647
2	1	2	3	19.0%	-5.1%	-1,347	26,600	25,273	8,497	4,163	3,966	8,647
2	3	3	1>48"	19.1%	-4.3%	-1,133	26,600	25,486	8,497	10,408	4,958	1,624
1	2	3	3	19.2%	-4.2%	-1,129	26,600	25,490	4,248	8,326	4,269	8,647
3	2	3	1>48"	19.2%	-4.1%	-1,090	26,600	25,529	10,621	8,326	4,958	1,624
2	2	1	2	19.4%	-3.2%	-860	26,600	25,759	8,497	8,326	1,586	7,350
3	1>48"	3	3	19.4%	-3.1%	-832	26,600	25,787	10,621	1,561	4,958	8,647
3	3	1>48"	1	19.5%	-2.5%	-672	26,600	25,947	10,621	10,408	595	4,323
1	3	2	2	19.5%	-2.4%	-647	26,600	25,972	4,248	10,408	3,966	7,350

RC 162

Table of projected harvests for 2008 with a 15% reduction to the all gear quota based on various annual limit scenarios for nonresident anglers, w resulted in the projected harvest being within 10% of the BOF sport allocation. The preseason AI in 2008 was 1.07, with a resulting BOF sport allocation of 26,600 fish.

Time Period				Projected % of the 20% BOF sport +	Projected % diff from from BOF sport	Difference in numbers of	BOF sport	Projected sport harvest with scenario Time Period				
May 1-30	June 1-30	July 1- 15	July 16-Dec 31	troll allocation	allocation	king salmon	20% allocation	All Year	May 1-30	June 1-30	July 1-15	July 16-Dec 31
2	2	1>48"	3	19.6%	-2.1%	-555	26,600	26,065	8,497	8,326	595	8,647
3	1	2	2	19.6%	-1.9%	-519	26,600	26,100	10,621	4,163	3,966	7,350
2	2	3	1	19.6%	-1.9%	-515	26,600	26,104	8,497	8,326	4,958	4,323
2	1	3	3	19.7%	-1.3%	-355	26,600	26,264	8,497	4,163	4,958	8,647
1	3	3	2	19.7%	-1.3%	-344	26,600	26,275	4,248	10,408	4,269	7,350
2008 emergency regulations												
3	3	2	1>48"	20.0%	0.0%	0	26,600	26,619	10,240	10,034	4,780	1,565
2	3	1>48"	2	20.2%	+0.9%	+230	26,600	26,849	8,497	10,408	595	7,350
3	2	1>48"	2	20.2%	+1.0%	+273	26,600	26,892	10,621	8,326	595	7,350
3	3	1	1	20.2%	+1.2%	+320	26,600	26,939	10,621	10,408	1,586	4,323
2	2	1	3	20.3%	+1.6%	+437	26,600	27,056	8,497	8,326	1,586	8,647
3	1	3	2	20.4%	+1.8%	+473	26,600	27,092	10,621	4,163	4,958	7,350
2	3	2	1	20.4%	+2.2%	+575	26,600	27,194	8,497	10,408	3,966	4,323
3	2	2	1	20.5%	+2.3%	+618	26,600	27,237	10,621	8,326	3,966	4,323
1	3	2	3	20.5%	+2.4%	+650	26,600	27,269	4,248	10,408	3,966	8,647
3	1	2	3	20.6%	+2.9%	+778	26,600	27,397	10,621	4,163	3,966	8,647
1	3	3	3	20.7%	+3.6%	+953	26,600	27,572	4,248	10,408	4,269	8,647
3	3	3	1>48"	20.7%	+3.7%	+992	26,600	27,611	10,621	10,408	4,958	1,624
2	3	1	2	20.9%	+4.6%	+1,221	26,600	27,841	8,497	10,408	1,586	7,350
3	2	1	2	21.0%	+4.8%	+1,265	26,600	27,884	10,621	8,326	1,586	7,350
2	2	2	2	21.1%	+5.7%	+1,520	26,600	28,139	8,497	8,326	3,966	7,350
2	3	1>48"	3	21.1%	+5.7%	+1,527	26,600	28,146	8,497	10,408	595	8,647
2	3	3	1	21.2%	+5.9%	+1,566	26,600	28,186	8,497	10,408	4,958	4,323
3	2	1>48"	3	21.2%	+5.9%	+1,570	26,600	28,189	10,621	8,326	595	8,647
3	2	3	1	21.2%	+6.0%	+1,610	26,600	28,229	10,621	8,326	4,958	4,323
3	1	3	3	21.3%	+6.7%	+1,770	26,600	28,389	10,621	4,163	4,958	8,647
3	3	1>48"	2	21.8%	+8.4%	+2,355	26,600	28,974	10,621	10,408	595	7,350
2	2	3	2	21.9%	+9.4%	+2,511	26,600	29,130	8,497	8,326	4,958	7,350
2	3	1	3	21.9%	+9.5%	+2,518	26,600	29,138	8,497	10,408	1,586	8,647
3	2	1	3	21.9%	+9.6%	+2,562	26,600	29,181	10,621	8,326	1,586	8,647
3	3	2	1	22.0%	+10.1%	+2,700	26,600	29,319	10,621	10,408	3,966	4,323
2	2	2	3	22.1%	+10.6%	+2,817	26,600	29,436	8,497	8,326	3,966	8,647

RC 163

Written Public testimony
By Matthew Stroemer , F/V Acumen
Power Troll.

I am opposed to proposals #244 and 245 excluding PNP's from the Southeast Enhanced Salmon Allocation Plan.

My second point of testimony is to the fact that trollers are well under our target range (allocation plan, 5AAC 33.363) of 32% and will remain there if steps are not taken to improve troll opportunity.

These opportunities may consist of better access to existing hatchery areas and possibly opening new areas where enhanced salmon stocks can be harvested without impact to wild treaty fish stocks.

It is also of concern to me that the industry task force has seemed to have left chum salmon out of the equation, when looking at means to move trollers closer to our allocation. With the increased market value of chums (due to a shift toward more affordable alternatives to Coho and Chinook), and the ever more effective targeting of these fish by trollers, this should be considered one of the most viable opportunities. The management of hatchery returns that allows for the buildup of chums in and around terminal areas that can be effectively harvested by trollers is an important issue.

Proper management of the Chum fishery should be one the methods to moving all gear groups into allocations range.

Thank you,
Matthew Stroemer

RC164

ATA would like ~~to~~ to withdraw from Proposal 228 the TBR on District 8 A.

Mark Roberts

RC 165

RECEIVED
FEB 19 2009
BOARDS

Alaska Board of Fisheries Support Section
(907)-465-6094

I am **against** Proposal 263. Allowing two seine nets on board a seiner is not needed. You can already use a 75 fathom lead for catching salmon in the shallows or you can make a decision to use a shallow seine for an opening. The two seines on board would allow for easier catching of back-out fish near the regulatory markers. Northern Southeast has a hard time making escapement goals without making it a lot easier to catch fish closer to the creek mouths which are in the close proximity to the regulatory markers.

Sincerely,

Ed Manning
(Southeast Salmon Seine Permit Holder)

RC 1166

RECEIVED
FEB 19 2009
BOARDS

Alaska Board of Fisheries Support Section
(907)-465-6094

I am **against** Proposals 253,254,86. These proposals will do nothing but increase competition in a already crowded fishery. We are working to reduce the fleet ,not increase it. The last few years we have been slowly working toward a permit buy-back. This would not help that either .The 58' seiners would be worth less money, as a lot of large Canadian seiners would be brought into the fishery. The fishery has worked well for many years and there has never been a problem catching the fish with 58 foot boats.

Sincerely,

Ed Manning

(Southeast Salmon Seine Permit Holder)

RC 167

Submitted by: Southeast Alaska Fishermen's Alliance 2/20/08

Summary of Gunnar Knapp Presentation Comparing Economic Studies

Gunnar Knapp, Professor of Economics developed a 42 page presentation for the Cook Inlet Salmon Task Force on January 29, 2009 entitled "Comparison of Recent Sport and Commercial Fisheries Economic Studies" The whole presentation can be viewed at http://housemajority.org/coms/jcis/pdfs/gunnar_knapp_economic_studies_comparison_20090129.pdf

"ADFG Sport Fish Economic Study" website link not working
MCA "The Seafood Industry in Alaska's Economy"
http://www.marineconservationalliance.org/docs/SIAE_Jan09.pdf

While Gunnar spoke about the two studies in the context of the Cook Inlet Salmon and the Cook Inlet Salmon Task Force but the comments would be very appropriate for all species the Board of Fish will be considering and have provided some of the information from various pages of his report.

Page 8 – The sport fishing report was to obtain estimates of the economic contribution of sportfishing activities to the Alaska economy and to develop a consistent method for producing such estimates on a regular basis (Executive Summary, page 4) Gunnar states that the purpose of the report was "Major goals were to collect new data and develop a method for estimating economic importance"

Page 14 – " Input-output models require lots of assumptions!"

Page 16 – Important differences in how the reports estimated economic impacts
- Different methods for estimating direct sales
- Different industry sectors
- Different Alaska regions
- Different assumptions about payments between industries
- Different definitions for: "jobs" "income" and "taxes"

Page 20 – Comparison of Estimated Statewide Economic Importance in 2007
See table on page

Page 21 – Conclusions: Statewide Economic Importance
- Both the sport fishing and commercial fishing industries are large and important industries to Alaska
- If we assume that both studies estimates are correct, and that expenditures by residents don't bring new money into Alaska, then for all fisheries statewide:
  - Commercial fishing has about three times the economic contribution of sport fishing
  - Commercial fishing has about six times the economic impact of sport fishing

- These conclusions are highly approximate and depend on numerous assumptions!!!!!

Page 36 – The Economic importance estimates for sport fishing are probably less reliable than for commercial fishing

That doesn't mean they are too high or too low
It only means they have a greater margin of error

Page 38 – Here are some important things to keep in mind when comparing economic impacts of commercial and sport fisheries:

- How fisheries are managed affects their economic impacts
- Public investments affect fisheries' economic impacts
- Even if catches and allocations stay the same, economic impacts can change significantly from year to year
- Economic impacts aren't necessarily proportional to fish catches

Page 39- Comparing Commercial and Sport Fishing Economic Impacts and Values

How to Misuse Economics

- Present economic information that isn't relevant to the policy issue under consideration
- Assume that economic impacts are proportional to fish catches
- Present irrelevant information about economic impacts in other areas
- Overstate the accuracy of estimated impacts or values

Page 40 – What policy conclusions can we draw from the report about sport-commercial allocation issues for Cook Inlet salmon?

- Neither report specifically estimated the economic importance of Cook Inlet salmon
  - The sport fishing report estimated the economic importance of all Cook Inlet sport fisheries combined
- It seems reasonable to conclude that the average economic contribution and impact per harvested salmon is considerably higher for Cook Inlet sport fisheries than for Cook Inlet commercial fisheries
- Nevertheless, I believe the studies provide relatively little if any useful policy guidance on sport-commercial allocation issues for Cook Inlet salmon.

Page 41- If the average economic contribution and impact per harvested salmon is considerably higher for Cook Inlet sport fisheries than for Cook Inlet commercial fisheries, why ***wouldn't*** that necessarily imply that we should reallocate salmon to sport fisheries???

Here are a few potential reasons:

- There is not a one-to-one tradeoff between commercial harvests and sport harvests
- Allocating more salmon to Cook Inlet sport fisheries will not result in proportionally higher economic contributions
  - It won't give Alaska anglers more money to spend

- The potential increase in sport fishing income and jobs won't all go to Alaskans
- The commercial industry is not viable without a certain threshold level of fishing opportunities and regular openings
- Diversification of economic activities is generally a good idea
- Not everyone wants more fishermen in Cook Inlet salmon streams (and more traffic, more crowded parking, etc)
- Other things matter besides economic impacts – for example, treating people fairly

Page 42 – Am I saying that there is no potential economic justification for reallocating Cook Inlet salmon from commercial to sport fisheries?

- No!
- I am saying that comparing these two studies does not provide that justification
- Economic arguments for changes in allocation should be based on analysis and clear thinking about:
  - The specific expected economic effects
  - Of the specific proposed policy change
- Even if average economic effect per fish in a region is higher in the sport fishery than the commercial fishery, that does not mean that all reallocations are always economically justified!

Comparison of Estimated Statewide Economic Importance in 2007

	SPORT FISHING REPORT		COMMERCIAL FISHING REPORT
	Estimated contribution (from all sales)	Estimated impact (from sales to non-residents	Estimated contribution (= impact) (from all sales, almost all of which are to non-residents)
Direct sales	$1.4 billion	$0.7 billion	$3.6 billion
Total sales	$1.6 billion	$0.9 billion	$5.8 billion
Total income	$.54 billion	$.32 billion	$1.75 billion
Total jobs	15,879	9,437	78,519

Note: There are important differences between studies in the methodologies and definitions. Note in particular that sport direct sales are based on estimates of total angler expenditures; commercial direct sales are based on wholesale value of seafood processed in Alaska. Note also that port income includes payment to both labor and company owners; Commercial income includes only payments to labor.
Sources: Sport fishing report: Executive Summary, page 10; Commercial fishing report: Figures 36, 37, 38, 39

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Table 15 Charter halibut participation, ort and harvest during 1995-2005

	CHARTER							ANGLERS	
2C Year	Licensed Businesses	Active Vessels	Total Trips	Charter Avg trip/vessel	Number harvested	Million Lb Harvested	Percent Harvested	Sportfish Licenses	Halibut Clients*
1995	na	na	na	na	49,615	0.986		90,940	na
1996	na	na	na	na	53,590	1.187	20%	94,677	na
1997	na	na	na	na	51,181	1.034	5%	98,265	na
1998	na	569	15,541	27	54,364	1.584	61%	97,079	55,922
1999	387	591	15,700	27	52,735	0.939	-5%	100,801	56,173
2000	412	634	20,241	32	57,208	1.132	15%	105,245	72,803
2001	386	627	18,965	30	66,435	1.202	22%	103,341	69,222
2002	351	567	15,085	27	64,614	1.275	29%	106,561	52,809
2003	353	590	16,948	29	73,784	1.412	43%	105,827	59,498
2004	365	624	19,111	31	84,327	1.75	77%	121,858	67,803
2005	381	654	na	na	102,206	1.95	98%	na	na
2006	395	680	23,932	34	103,374	na	na	na	94,163
2007	403	724	25,528	35	115,830	na	na	na	104,099
*an increasing number of sportfish licenses are sold over the internet									
sources: (1) Charter and Clients - ADFG (2) Commercial - NMFS RAM Division									
Area 2C Charter GHL - Initial Review Draft - March 9, 2007 - page 11 Table 15									
2006 & 2007 data received by DVL ADFG via email 3/25/08									
Walt Pasternak 2/19/09									

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2nd ADDENDUM TO RC69

RC169

Appendix

Allocation Summary
SE Enhanced Salmon Value by Gear & Project

2007, 2008 Preliminary

Species	(All)
Sale Type	(All)
Gear	seine

Sum of Value	Year					
Project	2004	2005	2006	2007	2008	Grand Total
Hidden Falls	1,933,375	897,846	5,506,430	1,623,058	10,741,215	20,701,923
Medvejie/Deep Inlet	1,574,736	1,356,561	3,410,691	318,512	2,048,739	8,709,239
Kendrick	46,915	316,418	1,987,191	2,024,490	2,378,337	6,753,351
Neets Bay	237,321	316,738	508,795	1,103,386	711,500	2,877,740
Anita Bay	48,235	207,123	1,188,730	367,401	536,128	2,347,617
Nakat	186,146	361,330	1,188,836	132,670	65,418	1,934,400
(blank)	480,340	178,145	363,088	172,159		1,193,731
AKI Pink	203,158	320,577	189,236	404,636	42,233	1,159,840
Snettisham	507,949	188,466	92,504	150,905	3,304	943,127
Amalga Harbor	142,218	84,110	243,547	44,002	19,667	533,545
Gastineau Channel	46,869	23,861	227,797	67,719	25,571	391,818
Boat Harbor	103,431	6,124	72,768	26,692	21,635	230,651
Medvejie	15,313	18,242	7,963	29,644	130,222	201,384
Limestone Inlet	12,929	4,393	21,171	16,226	9,600	64,318
AKI Chum			4,665	22,667	21,833	49,165
Herring Cove	3,071	6,269	4,765	7,074	14,076	35,255
Deer Lake	3,452	8,308	19,043	1,862	-	32,666
AKI Coho				19,924	-	19,924
Macaulay	7,049	3,814	9	1,416	-	12,289
Burnett Inlet	3,474	232	-	6,421	1,564	11,691
Neck Lake	3,741	-	315	3,924	1,564	9,544
Crystal Lake	802	696	-	-	-	1,498
Earl West	615					615
AKI King					-	
Shamrock Bay	-					-
Grand Total	5,561,138	4,299,254	15,037,545	6,544,788	16,772,607	48,215,332

Table A1. Value to seine by enhancement project, 2004-2008.

Allocation Summary
SE Enhanced Salmon Value by Gear & Project

2007, 2008 Preliminary

Species	(All)
Sale Type	(All)
Gear	gillnet

Sum of Value	Year					
Project	2004	2005	2006	2007	2008	Grand Total
Boat Harbor	848,868	415,347	1,825,103	1,308,718	2,877,170	7,275,205
Gastineau Channel	199,690	240,225	1,340,007	1,642,342	3,767,090	7,189,355
Medvejie/Deep Inlet	1,123,885	1,427,783	2,215,109	344,786	1,232,587	6,344,150
Amalga Harbor	801,576	261,789	1,221,314	802,831	2,995,644	6,083,154
Anita Bay	251,048	561,209	1,609,846	1,387,626	1,180,358	4,990,087
Nakat	354,902	352,418	611,038	1,000,188	1,683,076	4,001,622
Neets Bay	298,621	453,145	839,800	788,438	973,423	3,353,426
Snettisham	1,130,764	318,521	1,212,949	249,987	286,170	3,198,391
(blank)	785,144	560,442	568,562	739,381		2,653,529
Limestone Inlet	137,524	83,034	274,833	343,001	849,085	1,687,476
Medvejie	48,964	44,474	35,115	107,661	505,515	741,727
Kendrick	10,676	45,752	254,877	183,639	188,735	683,679
Neck Lake	145,984	64,191	44,602	94,054	106,891	455,722
Herring Cove	16,064	19,177	36,521	37,437	108,129	217,328
Burnett Inlet	8,814	7,433	8,192	38,209	105,394	168,042
Crystal Lake	6,127	32,124	49,210	38,052	41,380	166,894
Macaulay	19,132	4,318	22,347	5,320	31,501	82,617
Hidden Falls	14,542	16,204	15,944	2,892	17,877	67,459
Earl West	56,443					56,443
Haines/ 17 Mile IB	4,706	3,852	5,139	2,844	28,062	44,603
Haines/ Herman Crk IB	4,695	2,666	1,371	11,690	23,095	43,517
Chilkat Lake IB	-	16,798				16,798
Haines/ 31Mile IB	875	189	-	4,377	4,967	10,408
AKI Coho				639	-	639
Shamrock Bay		547				547
AKI King					-	-
Grand Total	6,269,043	4,931,637	12,191,878	9,134,114	17,006,149	49,532,821

Table A2. Value to gillnet by enhancement project, 2004-2008.

Allocation Summary
SE Enhanced Salmon Value by Gear & Project

2007, 2008 Preliminary

Species	(All)
Sale Type	(All)
Gear	troll

Sum of Value	Year					
Project	2004	2005	2006	2007	2008	Grand Total
Neets Bay	1,005,440	603,038	676,050	1,006,542	1,325,053	4,616,122
Hidden Falls	706,315	571,429	1,037,384	326,442	1,688,924	4,330,493
Medvejie	587,830	384,713	160,299	607,670	1,515,124	3,255,637
Medvejie/Deep Inlet	248,860	499,941	526,148	545,406	366,995	2,187,351
AKI Coho	120,704	85,311	194,165	787,222	360,357	1,547,760
Herring Cove	290,908	269,224	252,512	327,050	348,480	1,488,174
Deer Lake	130,516	370,189	489,878	71,291	138,258	1,200,133
(blank)	170,393	369,267	245,075	318,976		1,103,711
Anita Bay	66,347	94,418	209,717	381,225	231,444	983,151
Macaulay	144,867	75,303	103,813	73,094	177,404	574,481
Crystal Lake	51,807	89,087	84,779	172,539	156,936	555,148
Nakat	63,125	44,772	96,869	165,521	118,575	488,861
Shamrock Bay	76,421	91,026	69,267			236,714
AKI King	-	21,097	35,203	33,870	6,413	96,582
Neck Lake	19,976	2,634	20,129	14,691	20,553	77,983
Burnett Inlet	2,397	1,317	2,516	7,835	15,810	29,875
Earl West	1,118					1,118
Kendrick	-	300				300
AKI Chum					-	-
Grand Total	3,687,025	3,573,066	4,203,802	4,839,375	6,470,326	22,773,594

Table A3. Value to troll by enhancement project, 2004-2008.

SE Allocation
SE Enhanced Salmon
Nakat Inlet THA 101-10
Proposal: Change Ratio of Seine : Gillnet from 1:2 to 1:1

Species	CHUM
Harvest	TERM
Area Value	10110

Sum of N Catch	Gear Class			
Year	TROLL	PURSE	DRIFT	Grand Total
1999		44,866	2,879	47,745
2000		51,731	19,697	71,428
2001		36,449	32,719	69,168
2002		46,263	16,408	62,671
2003		87,930	39,261	127,191
2004		114,883	24,892	139,775
2005		138,041	12,848	150,889
2006		339,339	26,113	365,452
2007		13,084	156,552	169,636
2008			79,725	79,725
Grand Total	-	872,586	411,094	1,283,680
3 year average(2004-06)	-	197,421	21,284	218,705
Percent of Total	0%	90%	10%	100%
5 year average(2004-08)		121,069	60,026	181,095
Percent of Total	0%	55%	27%	83%

Proposal = 1 Seine : 1 Gillnet

	troll	seine	gillnet	Grand Total
New percent:	-	95%	5%	100%
New Fish Estimate	-	172,041	9,055	181,095
Percent of Total	0%	95%	5%	100%

	troll	seine	gillnet	Grand Total
# Fish Change from Present	-	50,971	(50,971)	(37,610)

Model 5yr avg price	$ -	$ 0.42	$ 0.37	$ 0.42
Model 5yr avg weight	8.69	8.69	8.69	8.04

	troll	seine	gillnet	Grand Total
$$ Change from Present	$ -	$ 161,929	$ (193,067)	$ (31,137)

Table A4. BOF 267 Nakat Inlet THA.

Assumptions: If change were made to 1:1 schedule, gillnet portion would be about half of that under 2:1 schedule. (Split would change from 90%-10% (based on 2004-06 period with 2:1 schedule) to 95%-5%).

SE Allocation
SE Enhanced Salmon
Neets Bay SHA 101-95
Proposal: All catch goes to net group that is below their range

Species	CHUM
Harvest	TERM
Area Value	10195

Sum of N Catch	Gear Class			
Year	TROLL	PURSE	DRIFT	Grand Total
1999				
2000	1,028	984	45	2,057
2001	166,394		3	166,397
2002		9,156	13,466	22,622
2003	72,535	45,969	37,083	155,587
2004		5,711	10,829	16,540
2005	7,764	1,083	5,599	14,446
2006	10,085	14	2,320	12,419
2007	4,977	189	74	5,240
2008	22	235	143	400
Grand Total	262,805	63,341	69,562	395,708
5 year average(2004-08)	5,712	1,446	3,793	9,809
Percent of Total	58%	15%	39%	100%

Proposal = All to group below their range
(Seiners are below range / so set gillnet to 0%)

	troll	seine	gillnet	Grand Total
Change:	1.00	3.62		
New Fish Estimate	5,712	5,239	-	10,951
Percent of Total	52%	48%	0%	100%

	troll	seine	gillnet	Grand Total
# Fish Change from Present	-	3,793	(3,793)	1,142

Model 5yr avg price	$ 1.042	$ 0.67	$ 0.42
Model 5yr avg weight	8.69	5.66	9.94

	troll	seine	gillnet	Grand Total
$$ Change from Present	$ -	$ 12,050	$ (14,367)	$ (2,317)

Table A5. BOF 268 Neets Bay SHA

Assumptions: Seiners are currently below their range, 100% would go to seine.

SE Allocation
SE Enhanced Salmon
Anita Bay SHA 107-35
Proposal: Change Ratio of 1 Seine : 2 Gillnet to 2 Seine : 1 Gillnet from beginning of season thru July 31
Aug 1 - end of season remains at 1 Seine : 2 Gillnet

5-year average (2004-08)

Period	PURSE	DRIFT	Grand Total
1. WEEKS 23-31	65,579	35,996	101,575
2. WEEKS 32-40	17,374	25,927	43,301
Grand Total	82,953	61,923	144,876
Percent of Catch	57%	43%	100%

CURRENT		PROPOSED		Change (Ratio)		Estimated Catch		
SN	GN	SN	GN	SN	GN	PURSE	DRIFT	Grand Total
1	2	2	1	1.3	0.45	85,252	16,322	101,575
1	2	1	2	1	1	17,374	25,927	43,301
						102,627	42,249	144,876
						71%	29%	100%

Change from present (Ratio)	1.24	0.68

# Fish Change from Present	troll	seine	gillnet	Grand Total
		19,674	(19,674)	-

	troll	seine	gillnet	Grand Total
Model 5yr avg price	$ 0.42	$ 0.42	$ 0.42	$ 0.42
Model 5yr avg weight	10.69	10.68	10.68	10.04

$$ Change from Present	troll	seine	gillnet	Grand Total
	$ -	$ 62,501	$ (74,519)	$ (12,018)

Table A6. BOF 271 Anita Bay SHA

Assumptions: In changing from a 1:2 to 2:1 schedule for the early season fishing, seiners might catch 30% more fish than under the current 1:2 schedule. (The 30% is simply a guess, by plugging varying percent increases into the worksheet, results are recalculated. Note the 1.3 in the blue cell = 130%, or a 30% increase from present level.) Also - If you go much beyond a 30% increase, the gillnet catch quickly approaches 0.

SE Allocation
SE Enhanced Salmon
Deep Inlet THA 113-38
Proposal: Change Ratio of 1 Seine : 2 Gillnet to 1 Seine : 1 Gillnet

Numbers of Fish

Sale Type	(All)
Species	450 Chum
Agency	(All)

Current = 1 Seine : 2 Gillnet

Sum of Contribution		Gear			
Project	Year	troll	seine	gillnet	Grand Total
Medvejie/Dee	2004	145,858	1,023,757	421,070	1,590,685
	2005	165,046	564,171	430,655	1,159,872
	2006	139,291	1,105,493	643,127	1,887,911
	2007	166,602	104,985	105,209	376,796
	2008	51,271	340,002	196,514	587,787
Grand Total		668,068	3,138,408	1,796,575	5,603,051
5 year average		133,614	627,682	359,315	1,120,610
Percent of Total		12%	56%	32%	100%

Proposal = 1 Seine : 1 Gillnet

	troll	seine	gillnet	Grand Total
Change:	1.00	1.34	0.40	
New # Fish Estimate	133,614	843,271	143,726	1,120,610
Percent of Total	12%	75%	13%	100%

	troll	seine	gillnet	Grand Total
Fish Change from Present	-	215,589	(215,589)	-

Model 5yr avg price	$ 0.42	$ 0.61	$ 0.42
Model 5yr avg weight	3.69	3.68	3.64

	troll	seine	gillnet	Grand Total
$$ Change from Present	$ -	$ 684,900	$ (816,599)	$ (131,699)

Table A7. BOF 273-274 Deep Inlet THA

Assumptions: In changing from a 1:2 to 1:1 schedule, seiners might catch 40% more fish than under the current 1:2 schedule.

SE Allocation
SE Enhanced Salmon
NSRAA Deer Lake and Sitka Coho Programs
Proposal: Production Increases

SITKA COHO

Smolt	M.S.	Adults
2,000,000	8%	160,000

	Troll	Purse	Drift	
Harvest rate:	45%	7.5%	7.5%	60%
Catch:	**72,000**	**12,000**	**12,000**	**96,000**
model 5 yr ave wt:	6.6	6.84	8.14	
model 5 yr ave price:	$ 1.58	$ 0.55	$ 0.98	
Value est:	$ 750,816	$ 45,144	$ 95,726	$ 891,686

DEER LAKE COHO

Smolt	M.S.	Adults
1,500,000	10%	150,000

	Troll	Purse	Drift	
Harvest rate:	40%	12.5%	0.0%	53%
Catch:	**60,000**	**18,750**	**-**	**78,750**
Current Prod. 5 yr avg:	25,504	2,287	-	
New Prod.:	**34,496**	**16,463**	**-**	**50,959**
model 5 yr ave wt:	6.6	6.84	8.14	
model 5 yr ave price:	$ 1.58	$ 0.55	$ 0.98	
New Prod. Value est:	$ 359,720	$ 61,934	$ -	$ 421,654

Table A8. NSRAA Coho Production Changes

Assumptions: Both projects are ongoing, with room for growth. Assumptions as to production level, harvest rates, survival are shown.

SE Allocation
SE Enhanced Salmon
SSRAA Bakewell Lake Coho Program
Proposal: Production Increases

Bakewell Lake Coho

Smolt	M.S.	Adults
500,000	8%	40,000

	Troll	Purse	Drift	
Harvest rate:	32.5%	12.5%	32.5%	78%
Catch:	**13,000**	**5,000**	**13,000**	**31,000**
model 5 yr ave wt:	6.6	6.84	8.14	
model 5 yr ave price:	$ 1.58	$ 0.55	$ 0.98	
Value est:	$ 135,564	$ 18,810	$ 103,704	$ 258,078
user 5 yr ave wt:	10	10	10	
user 5 yr ave price:	$ 1.58	$ 0.55	$ 0.98	
Value est:	$ 205,400	$ 27,500	$ 127,400	$ 360,300

Table A9. SSRAA Coho Production Changes

Assumptions: This is a new project. Assumptions as to production level, harvest rates, survival are shown.

AKI COHO

If.....

smolt	2,500,000
marine survival	7.5%
harvest rate	45%
Contrib est	84,375

		Contrib. Est.	5-yr (2003-08)	Increase
Troll contrib est	96%	81,000	29,333	51,667
Seine contrib est	4%	3,375	1,117	2,258
		84,375	30,450	53,925

Assuming a 2 M smolt release, 10% survival and 45% harvest rate, AKI might contribute 60,000 more coho than for the past 5 year average.

Assuming a 2 M smolt release, 8% survival and 45% harvest rate, AKI might contribute 40,000 more coho than for the past 5 year average.

	troll	seine	gillnet	Grand Total
# Fish Change from Present	51,667	2,258	-	53,925

	troll	seine	gillnet
Model 5yr avg price	$ 1.58	$ 0.58	
Model 5yr avg weight	6.60	6.89	

	troll	seine	gillnet	Grand Total
$$ Change from Present	$ 537,119	$ 9,092	$ -	$ 546,211

Table A10. AKI Coho Production Changes

Assumptions: This project is ongoing. Smolt numbers have recently increased; Port Armstrong has experienced a period of lower marine survival. There is room for growth and improved survivals from the past 5-year period. Coho of the same stock have performed well at nearby Deer Lake and at Hidden Falls. Assumptions as to production level, harvest rates, survival are shown.

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2007 saltwater logbook kept and released by species and port of offloading

		Large Kings		Small Kings		Coho		Sockeye	Pinks	Chum	Halibut	
Month	t of Offloac	Kept	Rel	Kept	Rel	Kept	Rel	Kept	Kept	Kept	Kept	Rel
		49,553	6,868	1,571	11,786	193,239	3,953	1,202	68,771	7,928	120,876	51,118

2007 data cont.		Lingcod		Pelagic Rockfish		Yelloweye		Non-Pelagic Rockfish		Shark	
		Kept	Rel	Kept	Rel	Kept	Rel	Kept	Rel	Kept	Rel
		7,675	18,145	45,559	10,252	19,430	1,354	18,283	3,393	54	0

2006 Logbook Data - preliminary raw data

IPHC Area	Port of Landing	porting We	Businesses Reporting	Vessels Reporting	Halibut Kept	Halibut Released	Rockfish Kept	Rockfish Released
2C					55,252	22886	72568	16580

Both Datas sets provided by ADFG thru information requests

Ed Hansen - Southeast Alaska Fishermen's Alliance 2/19/09

RC 170

RC 171

Alaska Board of Fisheries
Committee Report

COMMITTEE A

Southeast Herring
February 20, 2009

Board Committee Members:

1. Mel Morris, *Chairman
2. Karl Johnstone
3. Bonnie Williams

Alaska Department of Fish and Game Staff Members:

1. Dave Gordon – Sitka Area Management Biologist, Commercial Fisheries Division
2. Kyle Hebert – Southeast Research Coordinator, Commercial Fisheries Division
3. Eric Coonradt - Sitka Assistant Area Management Biologist, Commercial Fisheries Division (Note Taker)
4. Bo Meredith – Ketchikan Assistant Area Management Biologist, Commercial Fisheries Division (Note Taker)
5. Sherri Dressel – Herring and Groundfish Biometrician, Commercial Fisheries Division
6. Bill Davidson - Southeast Management Coordinator, Commercial Fisheries Division
7. Mike Turek – Subsistence Resource Specialist, Division of Subsistence
8. Jim Fall – Research Director, Division of Subsistence

Advisory Committee Members:

1. Eric Jordan – Sitka AC
2. Charles Denny – Saxman AC

Public Panel Members:

1. Ed Hansen – Southeast Alaska Fishermen's Alliance (SEAFA)
2. John Woodruff – Icicle Seafoods
3. Robert Thorstensen – Sitka Herring Group
4. Chip Treinen – Sitka Herring Association
5. Ron Porter – Sitka Herring Association
6. Dean Haltiner – Sitka Herring Group
7. Julianne Curry – Petersburg Vessel Owners Association (PVOA)
8. Mike Keating – Sitka Charter Boat
9. Tony Moran – AK Independent Tenderman Association
10. John Littlefield – Self

11. Kent Hall – Charter Boat Operator
12. Charlie Skulka – Seiner and Subsistence
13. Al Wilson – Subsistence
14. Heather Woody - Sitka Tribe of Alaska (STA)
15. Paul Ipock – Subsistence
16. Randy Lantiegne – Icicle Seafoods
17. Steve Reifenstuhl – Silver Bay Seafoods
18. Joe Lindholm – Seiner
19. Mike Miller – STA
20. Vince Patrick - STA
21. Gary Haynes – Roe on kelp
22. Rodger Ingman – Seiner
23. Ralph Guthrie – Subsistence
24. Larry Demmert – Roe on kelp
25. Evelyn Brown – Ketchikan Herring Action Group/ STA

Federal Subsistence Representative:

1. None

The Committee met February 20, 2009 at 9:30 a.m. and adjourned at 3:30 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (22 total) 199-218, 234, 235.

PROPOSAL 199 – 5 AAC 27.035. CLOSURE OF REGISTRATION AREAS. Eliminate all commercial herring fisheries within Southeastern Alaska. An exception would be herring fisheries within the Annette Island Reserve where the state has no regulatory authority.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 13, 22, 34, 39, 67, 88, 89, 99, 103, 104, 106, 115.

Record Comments: RC 14, 20, 36, 42, 43, 53, 56, 74, 78, 87.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Proposer wanted to look at Southeast as a whole. There is no evidence of any one stock being different from another.
- Herring are important in the marine ecosystem as forage food.

Opposition:

- No biological reasons to close all herring fisheries.
- Southeast herring stocks are managed for stability.
- This proposal is too draconian.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 200 – 5 AAC 27.195. SITKA SOUND COMMERCIAL SAC ROE HERRING FISHERY. Suspend commercial herring harvest in Salisbury Sound, to the north of Sitka Sound, until further stock delineation studies are completed.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9.

Timely Public Comment: RC 1, Public Comment Tab, PC 34, 82, 86, 89, 99, 105, 111.

Record Comments: RC 14, 20, 26, 30, 49, 42, 43, 49, 53, 74, 87, 114.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Herring in Salisbury Sound spawn at a later date and with conservation in mind, better studies are needed to say herring stocks are viable before fishing in this area.
- STA conducted otolith microchemistry research on herring in Salisbury Sound and stated that the preliminary results indicate Salisbury herring are a different stock.

Opposition:

- The validity of otolith microchemistry as a useful tool for disseminating herring stocks is questionable. The chemical signature of an otolith is affected more by the environment.
- There is no strong correlation between the large biomass observed in Salisbury Sound and recorded spawn.
- There are many years with no documented spawn in Salisbury Sound since 1965; therefore, it is unlikely Salisbury herring are a different stock.
- Some fish sampled in Salisbury Sound by STA have differing otolith microchemistry.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 201 – 5 AAC 27.110. FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA. Establish a herring sac roe set gillnet fishery in District 3.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 34, 99.

Record Comments: RC 14, 20.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- The herring resource in District 3 is already fully allocated to a winter bait and spawn-on-kelp fishery.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 202 – 5 AAC 27.160. QUOTAS AND GUIDELINE HARVEST LEVELS FOR SOUTHEAST ALASKA AREA. Eliminate the District 10 herring winter food and bait fishery. All of the available guideline harvest level (GHL) would be allocated to the herring set gillnet sac roe fishery.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 34, 99.

Record Comments: RC 14, 20.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- There are already limited winter bait opportunities in Southeast Alaska.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 203 – 5 AAC 27.190. HERRING MANAGEMENT PLAN FOR STATISTICAL AREA A. and 5AAC 27.160. QUOTAS AND GUIDELINE HARVEST LEVELS FOR SOUTHEASTERN ALASKA AREA. Amend the harvest policy for the commercial herring fisheries in Sections 13-A and 13-B.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 7, 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 34, 39, 58, 67, 88, 99, 106, 111.

Record Comments: RC 14, 20, 26, 30, 36, 42, 43, 44, 53, 54, 56, 59-63, 68, 69, 74, 87, 92, 97, 101, 104, 105, 114, 118, 124, 147.

Narrative of Support and Opposition:

Department:

- Based on the observations of more older fish and fewer younger fish, the model indicates young herring are present in the population but are maturing at an older age.
- The approach used to set the original threshold is an established method that is commonly used.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The threshold should be set at a level that ensures that the stock can sustain itself. If calculated from more recent years' data, the threshold would calculate out to 27,000 tons plus a 10% buffer which would result in a 30,000 ton threshold.
- There are too many unknowns and conservation is warranted.
- Every other herring fishery in the world has a juvenile herring monitoring program; missing this crucial piece of information on the younger fish makes the stock assessment flawed and dangerous.
- It was stated that the Sitka Sound stock has persisted in two population states: a low abundance state pre-1979 and a high abundance state which began in 1979. The current threshold is set below the lower bound of the high abundance state. All of this is based on the assumption that ADF&G's population assessment is correct.

Opposition:

- A public panel member stated that the department had recommended a 10,600 to 16,650 ton threshold range. The Board adopted the current 20,000 ton threshold specifically to allow for subsistence harvest.
- The accelerated harvest rate was adopted by the Board to minimize loss of commercial harvest as a result of the increased threshold.

- Herring first show in the fishery when mature as spawners and juveniles are seen broadly aggregated in bays.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 204 – 5 AAC 27.195. SITKA SOUND COMMERCIAL SAC ROE HERRING FISHERY. Require that the estimated amount of herring captured in purse seines during pre-fishery sets conducted to test herring quality be deducted from the commercial sac roe guideline harvest level.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 7, 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 34, 39, 67, 82, 88, 99, 106, 111.

Record Comments: RC 14, 20, 26, 30, 36, 42, 43, 44, 53, 54, 56, 58-63, 68, 69, 74, 87, 97, 101, 105, 114, 121, 122, 147.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Seining herring causes scale loss resulting in disease and delayed mortality; its significance is not known.
- Some would support the proposal if amended to account for 15-20% mortality.
- Test fishing may have negative impacts on subsistence harvest.

Opposition:

- Test setting is essential to conduct a successful sac roe fishery.
- Spawn-on-kelp fisheries consistently transfer herring from seine net to net pens, holding these fish for an extended period of time and these fish appear fine after an extended hold time.
- Areas with pound fisheries are experiencing a stable or increasing biomass, which counters the idea that fish caught in a seine experience significant mortality.
- There would be a disincentive for commercial fishermen to conduct test sets for roe quality which would result in lower quality harvest.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.
Oppose: Sitka.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 205 – 5 AAC 27.110. FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA. Provide an allocation target of 25% of herring to the gillnet fishery.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 34, 99.

Record Comments: None.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- This proposal would take away from existing fisheries which are fully allocated.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 206 – 5 AAC 27.110. FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA. The desire may be to change the herring fishery in District 7 to a set gillnet fishery.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 99.

Record Comments: None.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- The herring resource in District 7 is already fully allocated to a winter bait and spawn-on-kelp fishery.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 207 – 5 AAC 27.160. QUOTAS AND GUIDELINE HARVEST LEVELS FOR SOUTHEAST ALASKA AREA. Eliminate the District 10 herring winter food and bait fishery.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 99.

Record Comments: None.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action due to action taken on proposal 202.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 208 – 5 AAC 27.XXX. NEW SECTION FOR TENDERING. Require that herring be transported to processing locations either on the specific fishing vessel that caught the herring or on a registered tender.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 34, 99.

Record Comments: RC 26, 30.

Narrative of Support and Opposition:

Department: None.

Department of Law:

- This proposal is within the Board's authority if they determine it is reasonably necessary for the conservation or development of the fishery.

Federal Subsistence Representative: None.

Support:

- Changes in the management of the fishery, with multiple days between openings, has increased the practice of permit holders tendering herring reducing opportunity for tender operators.
- Ensures that tender operators will continue to have a viable economic benefit in this fishery.

Opposition:

- There are times when there is not enough tendering capacity from available tenders.
- Seine vessels who are unsuccessful do not want to be excluded from tendering other vessels' fish.
- Currently, the vast majority of fish caught during this fishery are transported by tenders.
- Permit holders have always been allowed to tender harvest in the history of the fishery.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 209 – 5 AAC 27.160. QUOTAS AND GUIDELINE HARVEST LEVELS FOR SOUTHEASTERN ALASKA AREA. (G)(X). Allocate an equal portion of the Sitka Sound (Section 13-B) herring sac roe fishery guideline harvest level (GHL) to each permit holder.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 28, 34, 38, 88, 111.

Record Comments: RC 14, 20, 42, 53, 56, 116, 150, 191, 192, 196, 206.

Narrative of Support and Opposition:

Department: None.

Department of Law:

- There is a precedent and the Board does have the authority to establish an equal quota style fishery but the Board may not allocate within a fishery under AS 16.05.251(a)(3).

Federal Subsistence Representative: None.

Support:

- Over 75% of permit holders are in agreement that this is the correct course for this fishery.
- Subsistence concerns may be alleviated.
- ADF&G would have a greater ability to distribute the fishery throughout Sitka Sound.
- Safety during the fishery would be greatly increased.
- Increased quality of the harvest.

Opposition:

- This proposal benefits people new to the fishery inexperienced at harvesting herring in Sitka Sound with a lower than average harvest record.
- Twenty five percent of the fleet is against an equal share (EQS) fishery; support has gone down since 3 years ago when only five percent were against this style of fishery.
- An EQS style fishery would likely result in more of the harvest being processed in Sitka. Out of town processors will likely lose significant revenue.
- An EQS style fishery is unlikely to disperse the fishery because there will be pressure to fish on herring with the best quality roe.
- It was suggested that more sifting of herring with lower roe content will occur based on experience with past cooperative style fisheries.
- An EQS style fishery will eliminate jobs.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language:

PROPOSAL 210 – 5 AAC 27.160. QUOTAS AND GUIDELINE HARVEST LEVELS FOR SOUTHEASTERN ALASKA AREA. (G)(X). Allocate an equal portion of the Sitka Sound (Section 13-B) herring sac roe fishery guideline harvest level (GHL) to each permit holder.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 9.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 28, 34, 38, 88, 111.

Record Comments: RC 14, 20, 53, 116, 150, 191, 192, 196, 206.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action due to action taken on proposal 209.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 211 – 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7. Require permit holders to be present only during placement of herring into pounds and the harvest of spawn-on-kelp product.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Enforcement Specialist stated this proposal would reduce the amount of time a permit holder is available on site for law enforcement personnel. The more a permit holder is present and the more available they are for law enforcement, the more accountable they are for what happens.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Under current regulation permit holders are not required to pick their own kelp, therefore a permit holder should not be required to be present when kelp is placed in the pound structure.
- Placing kelp into pounds is not fishing.

Opposition: None

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Support with substitute language.

Board Committee Recommendation: Consensus to support.

Substitute Language:

PROPOSAL 211 SUBSTITUTE LANGUAGE:

5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

(o) A permit holder must be physically present at the permit holder's pound fishing site during operation of the pound. For the purpose of this subsection, "operation of the pound" means

(1) **Repealed** [WHEN KELP IS PLACED INTO A POUND STRUCTURE];

(2) when herring is being captured and transferred into a closed pound;

(3) when an open pound is being moved; and

(4) when kelp product is being collected from the pound.

PROPOSAL 212 – 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C AND DISTRICT 7. Allow multiple permit holders to join more than two legal units of gear in the spawn on kelp in pounds fishery.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 99.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Enforcement Specialist stated it is difficult for enforcement personnel to measure the depth of a pound. As surface area increases, it is possible that the center mesh will drop and exceed maximum volume allowed under current regulations.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- This would require less webbing per pound which would result in more herring eggs on the kelp and not on the webbing.

Opposition:

- Under current regulations permit holders are currently allowed to join up to two pounds.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: After further consideration and lack of clarity of the intent of the proposal, the department has withdrawn its support and is opposed to this proposal.

AC Positions: Support: Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 213 – 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND IN DISTRICT 7. Clarify the definition of "the first day" herring are introduced into a herring pound in the herring pound management plan for Sections 3-B, 12-A, 13-C and District 7.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: None.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- This proposal is considered housekeeping.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 214 – 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7. Amend the date spawn on kelp permit holders are required to remove pounds from the waters in Sections 12-A and 13-C from June 10 to July 1.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 3.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- Enforcement Specialist stated there have been many citations issued for failure to remove pound structures in the Hoonah Sound area. Possible disintegration of structures due to increased time in water making retrieval more difficult was discussed.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Due to the remote location of spawn on kelp fisheries, the later removal date would allow permit holders to remove pounds while participating in the Hidden Falls fishery. This would reduce the need for a special trip to remove pounds, saving time and fuel.
- The delayed removal date would allow permit holders more flexibility in removing gear from the fishing area.

Opposition:

- The Emmons Island area in Hoonah Sound is a high use recreational area and the pound structures provide a hazard to navigation and takes away from the natural landscape.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Sitka.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 215 – 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7. Increase the area in Section 3-B where herring may be harvested for use in the spawn-on-kelp pound fishery.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3.

Record Comments: RC 207.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- One member of the public panel stated that there is no conflict with subsistence users.
- This would allow permit holders a chance to have a more reliable product due to their increased ability to catch herring.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 216 – 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7. Increase the size of the area in Section 3-B where herring spawn-on-kelp open pounds are allowed.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3.

Record Comments: RC 207.

Narrative of Support and Opposition:

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- This proposal would give an open pounder increased opportunity to harvest better quality spawn-on-kelp product.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 217 – 5 AAC 27.110. FISHING SEASONS FOR SOUTHEAST ALASKA AREA.
Include Salisbury Sound herring spawn in the assessment of the Sitka Sound spawning stock.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 34, 39, 82, 86, 99, 105, 111.

Record Comments: RC 14, 20, 42, 49, 53, 74.

Narrative of Support and Opposition:

Department:

- Regulations require the department to identify stocks of herring on a spawning area basis. Salisbury Sound has had intermittent spawning since 1965; therefore the department believes that herring spawning in Salisbury are part of the greater Sitka Sound population.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- STA concluded that Salisbury herring are a discrete stock based on otolith microchemistry research. A panel member questioned the validity of otolith microchemistry as a valid tool for defining herring stocks. The STA otolith microchemistry research has not been accepted for publication after peer review, based on current data.
- The large biomass observed in Salisbury Sound does not correlate with the small amount of recorded spawn, suggesting some of the herring are transitory.

Opposition:

- Herring in Salisbury Sound spawn at a later date and with conservation in mind, better studies are needed to identify this herring stock and whether it is viable before harvesting in this area.
- STA conducted otolith microchemistry research on herring in Salisbury Sound and stated that the preliminary results indicate Salisbury herring are a different stock.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 218 – 5 AAC 27.131. GILLNET SPECIFICATIONS AND OPERATIONS FOR SOUTHEASTERN ALASKA AREA. Allow a permit holder who purchases two set gillnet herring permits to fish two nets with a combined length of 100 fathoms.

Staff Reports: RC 3 and 4, Oral Tab 13, Written Tab 28.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 34.

Record Comments: None.

Narrative of Support and Opposition:

Department: None.

Department of Law:

- This proposal is not within the Board's authority under AS16.43.140(c).

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Petersburg (if amended to 1.5 shackles of gear).
Oppose: None.

Public Panel Recommendation: No action.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 234 – 5 AAC 01.716 (b). CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES. Increase the amount necessary for subsistence of herring spawn in Area 13-A and 13-B.

Staff Reports: RC 3, Oral Tab 2.

Staff Comments: RC 2.

Deliberation Materials: RC 16, 150.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 55, 67, 99, 111, 120.

Record Comments: RC 56, 64, 74, 78, 87, 88, 95, 96, 97, 101, 105, 112, 120, 121, 126-147.

Narrative of Support and Opposition:

Department:

- ADF&G Subsistence Division emphasized the need for harvest information for high harvesters.
- Changes in stock abundance due to natural fluctuations, harvest by other fisheries, duration of spawn, spawn distribution, weather, changes in demand, availability of other resources and reduction in participation in harvest monitoring program or under-reporting are possible reasons for not achieving ANS.

Department of Law:

- The ANS is intended as a reasonable opportunity for a diligent person to harvest.
- Must limit other uses when not enough harvestable surplus.

Federal Subsistence Representative: None.

Support:

- This proposal is an extension of the 2002 action by the BOF to reflect harvest levels based on more accurate survey data.

Opposition:

- A panel member suggested that effort levels indicated in survey data show a decreased participation in the traditional roe-on-branch fishery.
- If subsistence harvesters can not currently achieve the amount reasonably necessary, what is the purpose for increasing the ANS finding?

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 235 – 5 AAC 01.730. SUBSISTENCE FISHING PERMITS. Expand permit and reporting requirement for all harvest of herring spawn in Sitka Sound.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 150.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 14, 55, 67, 99, 99, 111.

Record Comments: RC 56, 64, 74, 88, 89, 92, 101, 105, 112, 120, 121, 146, 150.

Narrative of Support and Opposition:

Department:

- ADF&G is concerned that the department recently has not had a more proactive role in the post-season harvest survey. The department believes the harvest survey has merit, it should be a collaborative effort with ADF&G and such programs need to be designed around local areas and local needs.
- If a permit program is adopted it would need to be integrated with the existing post-season harvest survey program if it is to be successful.
- If funding for survey not available then how can survey be done?

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- There are concerns with the current survey conducted by STA. Some believe that a permit system would provide more accurate and transparent data.
- There is potential for under-reporting with the current interview process, which would negatively affect the commercial fishery.

Opposition:

- With the introduction of a permit, there are concerns of future restrictions being placed on the subsistence fishery.
- There are concerns that there maybe low compliance with a permit and thus potential for under-reporting.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

RC 172

Alaska Board of Fisheries
Committee Report

COMMITTEE B

King Salmon Management Plans
February 20, 2009

Board Committee Members:

1. Vince Webster, *Chair
2. Howard Delo
3. Bill Brown

Alaska Department of Fish and Game Staff Members:

1. Rob Bentz – Deputy Director, Sport Fish Division
2. Bob Chadwick – Regional Sport Fish Management Coordinator
3. Brian Lynch – Regional Troll Fishery Management Biologist, Commercial Fisheries
4. Pattie Skannes – Assistant Troll Fishery Management Biologist, Commercial Fisheries
5. Ed Jones – Salmon Stock Assessment, Sport Fish
6. Randy Bachman – Haines Area Management Biologist, Commercial Fisheries
7. Kelly Piazza – Ketchikan Area Management Biologist, Sport Fish
8. Doug Fleming – Petersburg Area Management Biologist, Sport Fish

Advisory Committee Members:

1. John Scoblic – Ketchikan AC
2. Otto Florshcutz – Wrangell AC
3. Jeff Farvour – Sitka AC
4. Mike Bangs – Petersburg AC
5. Greg Brown – Juneau/Douglas AC
6. Valentino Burattin – Klukwan AC
7. Mike Saunders – Upper Lynn Canal AC
8. Jim Beard – East Prince of Wales AC
9. Steve Merit – Craig AC

Public Panel Members:

1. Larry Edfelt – Territorial Sportsmen
2. Jerry Dahl – PVOA
3. Mark Roberts – self
4. Ken McGee – ATA
5. Seth Boone – SEAGO

6. Tom Ohaus – SEAGO
7. Greg Kain – self
8. Theresa Weiser – SCBOA
9. Chris Knight – USAG
10. Jev Shelton – USAG
11. Stan Malcolm – PCBA
12. Don Westlund – self
13. Jeff Wedekine – KGSA
14. Rich Davis – SPC
15. Kathy Hansen – SEAFA
16. Brennan Eagle – self

Federal Subsistence Representative: None.

The Committee met February 20, 2009 at 9:23 a.m. and adjourned at 1:45 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE (15 total): 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233.

PROPOSAL 219. – 5 AAC 39.222. Policy for the management of sustainable salmon fisheries. List Bradfield Canal king salmon as a stock of concern.

Staff Reports: RC 4, Oral Tab 8, RC 3, Written Tab 22.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 41, 89, 99, 108.

Record Comments: RC 150.

Narrative of Support and Opposition:

- A panel member recommended no action because no data available for the Bradfield Canal king salmon stocks.
- A board member read the comments from the Department of Law (RC 150) that stated that the Board would need more information to list this stock as a stock of concern.
- The Wrangell AC representative stated that this proposal was intended to rebuild the Bradfield Canal king salmon stocks to pre-statehood levels. They took no action.
- A board member asked if there was any support for this proposal; none was offered.

Department:

- The department said that there are no escapement goals for Bradfield Canal stocks and that these stocks do not meet the criteria for stock of concern status.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 220. – 5 AAC 47.021. Special provision for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. Adjust allocation to guided sport fishery by amount over or under previous year's allocation.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 13, 15.

Timely Public comment: RC 1, Public Comment Tab, PC 16, 68, 75, 84, 85, 112.

Record Comments: RC 57, 155.

Narrative of Support and Opposition:

- A board member asked if a 15% reduction had occurred, how would the sport and commercial troll harvests be affected? The department responded that the commercial troll allocation would be affected.
- A panel member asked if overages and underages were accounted for in the current management plan. The department staff clarified that overages and underages are not currently in the plan.
- A board member asked if there was any support for the proposal, none was offered.
- A panel member informed the committee that the proposal was being withdrawn by the proposer.
- A board member asked if the panel member would submit an RC to withdraw the proposal.

Department:

- The department stated that the 2003-2008 average king salmon harvest was 17.4 % of the total sport/troll allocation.
- The department presented a retrospective look at the sport fishery harvest. If a 15% reduction had been applied to the sport allocation, the sport harvest would have been 20.5% of the sport/troll allocation.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects. The department is opposed to modifying the plan to account for overages and underages in the sport fishery.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action; proposal withdrawn.

Board Committee Recommendation: Consensus to take no action due to withdrawal of support by proposer.

Substitute Language: None.

PROPOSAL 221. – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Apply the one king salmon per day bag limit to both residents and nonresidents.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 16, 32, 68, 75, 89, 99.

Record Comments: RC 1, 26, 31, 155.

Narrative of Support and Opposition:

- The Sitka AC stated that the proposal was based on a misunderstanding of the regulations.
- A board member asked if there was any support for the proposal, none was offered.

Support: None.

Opposition:

- Sitka AC representative stated that they were opposed to the proposal.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Sitka.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 222. – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Amend the regulation to close guided sport fishery in areas of high king salmon abundance during years of low overall abundance.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 16, 32, 61, 65, 68, 84, 89.

Record Comments: RC 1, 98, 155.

Narrative of Support and Opposition:

- A panel member asked how high abundance was determined. The department staff stated that there are five areas on the outside coast with traditionally high abundance.
- A panel member commented that the proposal would set "management by mortality."
- The Wrangell AC representative commented that this proposal will push sport anglers into troll areas and potentially create conflicts. They took no action.
-

Support:

- The Sitka AC representative stated that the proposal will limit catch and release mortality.

Opposition:

- The Craig AC and East Prince of Wales AC both stated opposition to this proposal.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.
Oppose: Craig, East Prince of Wales.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 223. – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Allow the use of two rods October through March unless a conservation concern exists.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 40, 62, 68, 75, 99.

Record Comments: RC 150, 155.

Narrative of Support and Opposition:

- A panel member stated that the King Salmon Management Plan allows for two rods in years of high abundance and had no issue regarding the harvest of other species targeted. They thought of this as a resident fishery.
- A panel member indicated that the current language regarding two rods did not have language specific to resident and nonresident anglers.
- A board member asked if there was some other fishery where two rods are allowed.
- A board member stated that there was no consensus and asked the panel if the proposal is amended to "residents only" would the public panel approve?

Department:

- The department staff asked for clarification on the two rod regulation with regard to species other than king salmon.
- The Enforcement Specialist stated that there would be enforcement problems if the regulation does not apply to all species.
- Department staff stated that there are no regulations with specific resident and nonresident language, but there are regulations with specific time periods when only residents would be fishing.
- The department staff asked for clarification on whether there will be changes to the King Salmon Management Plan or will the threshold be lowered.

Support:

- The Sitka AC and the Wrangell AC supported and amended this proposal to include "resident only" language. No other species were considered.
- The Ketchikan AC supported this proposal, but assumed that this proposal was written with regard to residents only.
- The Petersburg AC supported this proposal as written. Catch and effort is not a concern during that time of year.
- The Wrangell AC stated that they would support if amended to read for residents only.

Opposition:

- The Craig AC opposed this proposal unanimously because the proposal as written did not specify "resident only", but otherwise would have.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg, Ketchikan, Sitka, Wrangell.
Oppose: Craig.

Public Panel Recommendation: No consensus as written; Consensus to support with amended language to include "resident only".

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language: FOR PROPOSAL 223

5AAC 47.055. Southeast Alaska King Salmon Management Plan

(f) When the king salmon abundance index is greater than 1.2 and less than or equal to 1.5, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident sport fish angler may use two rods from October through March;

(2) [(1)] a resident bag limit of two king salmon;

(3) [(2)] a nonresident bag limit of one king salmon;

(4) [(3)] a nonresident annual limit of three king salmon, 28 inches or greater in length.

(g) When the king salmon abundance index is less than or equal to 1.2, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident sport fish angler may use two rods from October through March;

(2) [(1)] a bag limit of one king salmon;

(3) [(2)] from January 1 through June 30, a nonresident's harvest limit is three king salmon, 28 inches or greater in length;

(4) [(3)] from July 1 through July 15, a nonresident's harvest limit is two king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through June 30 will apply toward the two fish harvest limit;

(5) [(4)] from July 16 through December 31, a nonresident's harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through July 15 will apply toward the one fish harvest limit.

PROPOSAL 223 continued

(h) In addition to the provisions of (g) of this section, when the king salmon abundance index is less than or equal to 1.1, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident sport fish angler may use two rods from October through March;

(2) [(1)] from May 1 through June 30, no more than six lines may be fished from a charter vessel;

(3) [(2)] from July 16 through September 30,

(A) a nonresident bag, possession, and harvest limit of one king salmon 48 inches or greater in length; notwithstanding (g)(4) of this section, any king salmon harvested from January 1 through July 15 will apply towards the one fish harvest limit; and

(B) a resident bag and possession limit of one king salmon, 28 inches or greater in length.

PROPOSAL 224. – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Allow exception for nonresident salmon bag limit to apply August 1-25.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 6, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 68, 89, 92, 97, 113.

Record Comments: RC 1, 5, 6, 155.

Narrative of Support and Opposition:

- A panel member that submitted the proposal stated that the proposal was summarized incorrectly. The proposer provided RC 6 with substitute concept language to the proposal. New language states that when the AI ≤ 1.2 that the resident bag limit drops to 1 king salmon and that would be the final restriction in the resident fishery. All restrictions at lower AIs will occur in the non-resident fishery. The objective of this was to extend the resident king salmon fishery. Proposer indicates that the resident fishery needs 1,000 fish to operate.
- A board member asked how many times the AI has dropped below 1.2.
- A panel member stated that the AI has dropped below 1.2 and last year was below 1.1.
- The Wrangell AC asked whether the substitute language would include all of SEAK. This was affirmed by proposer.
- A panel member supported substitute language because it protected resident fisheries.
- A panel member asked whether department staff have a projection of what the proposal will do if adopted into the management plan. Department staff indicated that the analysis has not been done but RC 162 was provided by the department to show different harvest limit scenarios across 4 time periods of non-resident annual harvest limits ranging from 3 fish per time period to only 1 with a size limit greater than or equal to 48 inches. Additionally, the resident bag limit was set at 1 fish per day and a sport fish allocation of 26,600 king salmon assuming a reduction of 15% from last year's sport fish allocation of 31,000.
- A panel member asked what would be the increase in the harvest if the proposal is adopted and how this affects the guided sport fishery if the AI ≤ 1.1.
- A panel member asked whether the matrix in RC 162 was run with the proposal's language. Department staff stated that the matrix used an AI = 1.07.
- A panel member asked whether there would be new tools under the King Salmon Management Plan with the 15% reduction for each AI. Department staff indicated that this was the question before the board, i.e., with the 15% reduction does the King Salmon Management Plan need to be adjusted.
- A board member asked for clarification on the explanation of RC 6 – when the AI is below 1.2: (the bag limit would drop from 2 to 1) and that would be the final restriction in the resident fishery; currently if the AI drops below 1.0, the commissioner may impose further restrictions on resident and nonresidents. This change would read only non-residents. Department staff confirmed that the only change to the existing management plan would be to remove the resident concept from the subsection where AI ≤ 1.0.

PROPOSAL 224

- A panel member, in response to the low AI in 2008 and the recent 15% reduction to the king salmon all-gear quota, recommended changing the King Salmon Management Plan between AIs of 1.0 and 1.1 so that the nonresident annual limits would be as follows over the following 4 time periods:

  May 1-31 = 3 king salmon ≥ 28 inches
  June 1-30 = 3 king salmon ≥ 28 inches
  July 1-15 = 1 king salmon ≥ 28 inches
  July 16 – Dec 31 = 1 king salmon ≥ 28 inches

  Note: the management actions taken in 2008 by emergency order for non-resident annual limits over these 4 time periods were:
  May 1-31 = 3 king salmon ≥ 28 inches
  June 1-30 = 3 king salmon ≥ 28 inches
  July 1-15 = 2 king salmon ≥ 28 inches
  July 16 – Dec 31 = 1 king salmon ≥ 48 inches

- A board member reiterated this change (above) to the King Salmon Management Plan and stated that there is no allocation change.

Department:

- Department staff stated that there are options (time, size limits, and modifying harvest rates) to help keep the sport fishery within its allocation and submitted RC 162 as an example of what could be used.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support amended language provided in RC 6 and nonresident harvest levels provided in RC 162.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language:

5 AAC 47.055. Southeast Alaska King Salmon Management Plan

PROPOSAL 224 continued

(h) [IN ADDITION TO THE PROVISIONS OF (G) OF THIS SECTION, WHEN THE KING SALMON ABUNDANCE INDEX IS LESS THAN OR EQUAL TO 1.1, THE COMMISSIONER SHALL, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:

(1) FROM MAY 1 THROUGH JUNE 30, NO MORE THAN SIX LINES MAY BE FISHED FROM A CHARTER VESSEL;

(2) FROM JULY 16 THROUGH SEPTEMBER 30,

(A) A NONRESIDENT BAG, POSSESSION, AND HARVEST LIMIT OF ONE KING SALMON 48 INCHES OR GREATER IN LENGTH; NOTWITHSTANDING (G)(4) OF THIS SECTION, ANY KING SALMON HARVESTED FROM JANUARY 1 THROUGH JULY 15 WILL APPLY TOWARDS THE ONE FISH HARVEST LIMIT; AND

(B) A RESIDENT BAG AND POSSESSION LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH.]

(h) **In addition to the provisions of (g) of this section, when the king salmon abundance index is less than or equal to 1.1, the commissioner shall, by emergency order, implement the following management measures:**

(1) from May 1 through June 30, a nonresident's annual limit is three king salmon, 28 inches or greater in length, and any king salmon 28 inches in length harvested by a nonresident from January 1 through April 31 will apply toward the three fish annual limit;

(2) from July 1 through December 31, a nonresident's annual limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches in length harvested by a nonresident from January 1 through June 30 will apply toward the one fish annual limit

(3) a resident bag and possession limit of one king salmon, 28 inches or greater in length.

(i) In addition the provisions specified in (g) and (h) of this section, when the king salmon abundance index is less than 1.0, the commissioner may, by emergency order, specify fishing times during which the retention of king salmon less than 48 inches in length is prohibited by [RESIDENT AND] **nonresident anglers. Fishing times of non-retention under this subsection will be implemented independently for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers. Fishing times of non-retention will be established on a regular basis between July 16 and July 31, as needed, and will be established on non-consecutive days when possible. If the entire period of July 16 through July 31 is established as a fishing time of non-retention and additional closures are necessary, additional fishing times of non-retention will be similarly established between July 1 and July 15.**

PROPOSAL 225. – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Double sport bag limit for king salmon in all hatchery troll access corridors.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 32, 61, 68, 75, 83, 89, 92, 97, 99, 113.

Record Comments: RC 152, 155.

Narrative of Support and Opposition:

- The proposer requested to withdraw support for this proposal because it was ultimately the same concept as proposal 226, which was more specific.
- The chair asked if there was opposition to removing this proposal; none was offered.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action; proposal withdrawn.

Board Committee Recommendation: Consensus to take no action due to withdrawal of support by proposer.

Substitute Language: None.

PROPOSAL 226. – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Double sport bag limit for king salmon in troll access corridors in May and June in the Ketchikan area.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 21, 32, 68, 75, 84, 89, 92, 97, 99, 113.

Record Comments: RC 1, 41, 152.

Narrative of Support and Opposition:

- A board member asked if the department had EO authority to increase the bag limit in years of high abundance. The department affirmed.
- The Ketchikan AC was asked by the proposer to read their meeting minutes into the record. The Ketchikan AC initially opposed this proposal, but then added language to increase the bag limit and modify the opening to May 20 to June 30.
- A board member asked the proposer why this would be better than using EO authority.
- The proposer explained that in order for the department to increase bag limits, the Ketchikan area fishery must reach 50% hatchery composition. He stated that the department gets its data from the Division of Commercial Fisheries and that there is a considerable time lag in getting the information.
- Department staff reiterated that the department uses tag data from the recreational fishery to monitor the hatchery contribution. During the early portion of the season there is little effort and therefore limited data.
- A board member asked if there was a preference to management approach to either using EO authority or regulation to close or open a fishery. The department staff indicated that they preferred to manage by EO authority rather than have the regulations fixed.
- A panel member stated that they were opposed to this proposal and asked if the Unuk and Chickamin River king salmon stocks are intercepted in this fishery.
- A panel member expressed opposition in light of the department's EO authority.
- A panel member stated that there should be expansion of the sport fishery because of the amount of money the Division of Sport Fish pays on enhancement in the area. They also stated that if the department has no concern for treaty fish in this area, then why should there be concern regarding the sport fishery?
- A panel member stated that there was no conflict in Ketchikan between the sport fishery and commercial trollers and said that whether there is increase in harvest or not, the sport fishery will still be fishing in the area.
- A board member asked if there was any other support for this proposal.
- A panel member stated their support of the proposal because it allows more sport harvest of hatchery fish, but wondered what affect that would have on other hatchery corridor areas.
- A board member stated that we do not base decisions on future proposals.

- A panel member did not think this would reallocate fish from one gear group to another because the sport fishery would still be held to their 20 % allocation.

Department:

- The department stated that this proposal would increase the sport harvest by 24% and increase the treaty portion of the harvest by 10.6% or 1,209 fish.
- The department staff stated that negligible numbers of Unuk and Chickamin king salmon are harvested in the Ketchikan spring troll fishery.
- With regard to potential changes in troll access areas, the department staff stated that changes in other areas must be addressed through future board proposals.
- Department staff read the department's EO authority regarding flexibility to manage for hatchery produced fish and emphasized the balance between harvesting treaty fish and hatchery stocks.

Support:

- The Ketchikan AC supports as amended.

Opposition:

- A panel member was opposed to this proposal because it took inseason management flexibility away from the department.
- The Wrangell AC opposed this proposal because of the increased burden that it would put on the trollers and stated that the commercial trollers and sport anglers should not mix.
- The Petersburg AC opposes and stated that this could provide more quality fish to the sport fishery, but may cause allocation issues.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Ketchikan, Petersburg.
Oppose: Craig, Wrangell.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 227: 5 AAC 29.095. District 8 King Salmon Management Plan. Open District 8 to trolling 7 days per week during the directed king salmon fishery.

Staff Reports: RC 4, Oral Tab 8, RC 3, Written Tab 22.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 17, 32, 40, 55, 68, 75, 92, 94, 99, 113.

Record Comments: RC 152, 153.

Narrative of Support and Opposition:

- A board member and a panel member asked for clarification on the base catch, treaty fish allocations, and weekly overage/underage in the District 8 directed king salmon fishery.
- A board member asked what influence this proposal will have on the District 8 commercial troll harvest.
- The proposer realized that he was asking for too much and wanted to change his proposal from 7 days of commercial troll fishing to 5 days of commercial troll fishing. He stated the commercial troll fishery has compromised by giving up areas and by asking for fewer days. The commercial trollers are willing to fish only 5 days, Monday through Friday, and not on Memorial Day weekend.

Department:

- The department provided a brief history and explained the weekly guideline harvest objectives, treaty fish, and base level catches in the District 8 directed fishery.
- The department stated that this proposal will have little influence on the overall commercial troll harvest in District 8.

Support:

- A panel member stated that the commercial troll fishery cannot fish effectively while the gillnet fishery is open so the commercial troll fleet is limited to the fishing on days when the gillnet fishery is closed.
- Several panel members support this proposal if changed from 7 days of fishing to 5 days of fishing.
- A panel member said commercial troll fishermen request more time and not a higher allocation of the catch.
- Two panel members noted due to the feeding behavior of the king salmon in District 8, there is only a short window of time early in the morning when the fish bite so the commercial trollers need more time to increase harvest.
- A panel members pointed out that commercial trollers helped to rebuild the Stikine River king salmon run and that they should benefit from directed fisheries on Stikine River king salmon.
- A panel member clarified that Stikine River king salmon harvested outside of District 8 count against the Southeast Alaska troll allocation.

- A panel member said the commercial trollers helped to rebuild the Stikine River stock of king salmon.
- The Wrangell AC supports this proposal if amended to five days of trolling.
- The Sitka AC supports this proposal as written but one gillnetter from their AC was opposed.

Opposition:

- A panel member stated that current regulations were created by the local Wrangell/Petersburg workgroup and suggested the current regulations stay in place. The agreement reached three years ago was designed to reduce conflicts for sport anglers while still providing additional opportunities for commercial trollers. The same panel member stated that allowable catches during the directed king salmon fishery in District 8 were not allocated among specific gear groups as they felt historical catch data were not accurate.
- The Petersburg AC suggested leaving the current plan in place and that it is still too early to change regulations established three years ago.
- A panel member stated gillnetters only have two areas to fish during the spring and the commercial trollers have access to a lot of other areas designated for them during the concurrent spring troll season.
- A panel member said commercial trollers have plenty of other terminal areas to fish.
- A panel member said in the historical fishery commercial trollers and gillnetters had equal time. In the current regulations commercial trollers are already given additional days.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka, Wrangell.
Oppose: Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 228: 5 AAC 29.150(i)(7) CLOSED WATERS. Open a section of Frederick Sound to trolling Monday through Wednesday each week, from the first Monday in May through the second Saturday in June.

Staff Reports: RC 4, Oral Tab 8, RC 3, Written Tab 22.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 17, 32, 40, 55, 68, 92, 113.

Record Comments: RC 152, 153.

Narrative of Support and Opposition:

- The proposer informed the committee that he has withdrawn the proposal because he does not want to catch Crystal Lake fish or affect other fisheries.
- A board member asked if there was any support for the proposal, none was offered.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus for no action; proposal withdrawn.

Board Committee Recommendation: Consensus to take no action due to withdrawal of support by proposer.

Substitute Language: None.

PROPOSAL 229: 5 AAC 47.057 (b)(3). STIKINE RIVER KING SALMON MANAGEMENT PLAN. Increase the nonresident annual limit for king salmon to a multiple of 4 daily bag limits in the Stikine River area.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 40, 68, 75, 92, 99, 113.

Record Comments: RC 152, 155.

Narrative of Support and Opposition:

- The proposer introduced this proposal and stated that the directed fisheries in District 8 benefit most gear groups, but there is little benefit for the sport fishery. He also stated that the commercial fisheries reinstated in District 8 may be detrimental to sport fishery due to increased competition between the sport and commercial fisheries.
- A panel member stated that in 2005 there was no annual limit for nonresidents in the District 8 directed sport fishery.
- A panel member stated that the current five fish nonresident annual limit was a compromise made by the Board between sport and commercial users during the 2006 meeting.
- A board member requested clarification on regulations and made a suggestion to change wording to 6 fish.
- A board member requested nonresident harvest information.
- A panel member stated that they are not catching the annual limit now, so what is the point? Another marketing tool?
- Another panel member stated that this would not be justified when commercial trollers have been fighting to get back in to the area.

Department:

- The department stated this proposal increases the nonresident annual limit, not the daily limit.
- The department stated that this regulation will have little influence on the nonresident harvest in the District 8 directed sport fishery.

Support:

- A panel member expressed support for this proposal.
- A panel member stated that all king salmon fisheries were closed during the rebuilding period in District 8, including the resident and nonresident sport fishery.
- Several panel members supported making the annual limit a multiple of the daily bag limit so they can market several full days of king salmon fishing in District 8 during years with a liberalized sport fishery.
- A panel member stated this will be beneficial and used as a marketing tool.

PROPOSAL 229

Opposition:

- A panel member stated that commercial fisheries were closed in District 8 for around 30 years.
- A panel member was concerned the charter fleet may ask for more area in future years if their nonresident clients can not obtain the annual king salmon limit. The panel member also stated that nonresidents rarely catch their annual limit under the current regulations.
- The Wrangell AC was opposed and suggested that the current bag limits remain in place for a few more years to see if harvests are stable or changing.
- A panel member suggested leaving the current regulation as written.
- A panel member opposed and stated the limits were already liberal and they did not like the idea of using increased annual limits as a marketing tool by the charter industry.
- A panel member stated nonresidents did not contribute to the rebuilding years.
- A panel member stated the local working group allowed for more time and opportunity but not allocation, and suggested not changing the regulation.
- Several panel members were opposed because current regulations are liberal and allow nonresidents with more than enough king salmon in the District 8 directed sport fishery.
- The Petersburg AC opposed even though the department stated nonresidents harvest would increase very little.
- A panel member was concerned that 5 king salmon allowed for a nonresident in the current regulations was already too many fish for an individual to utilize.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Petersburg, Wrangell.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support substitute language.

Substitute Language:

5 AAC 47.057. Stikine River King Salmon Management Plan

(b) Notwithstanding the provisions of 5 AAC 47.055, if an allowable catch is available, the commissioner will open, by emergency order, on May 1 or as soon as the available catch has been announced, a directed king salmon sport fishery in District 8 with the following provisions:

(3) a nonresident bag limit of two king salmon, 28 inches or greater in length, and a possession limit of two king salmon; an annual limit of [FIVE] **six** king salmon, 28 inches or greater in length.

PROPOSAL 230: 5 AAC 29.097. District 11 King Slamon Management Plan. Open District 11 to trolling 7 days per week during the directed king salmon fishery.

Staff Reports: RC 4, Oral Tab 7, RC 3, Written Tab 21.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 17, 55, 92, 94, 113.

Record Comments: RC 152, 153, 154.

Narrative of Support and Opposition:

- A board member noted his concern with gear conflicts between the sport and troll user groups and asked the public panel members if they saw potential for conflict.
- A panel member speaking for himself stated that he sees no conflict between troll and sport users.
- A board member asked the department if they removed areas 11-C and 11- D from the proposal would the department change their position. Department staff reiterated that if the area was amended to the current troll areas in regulation in 11-A and 11-B, the department would be neutral due to the allocative nature of the proposal.
- A panel member asked staff to reiterate the department concerns with the north end of 11-A. The department explained that in the north end of 11-A there are conservation concerns with the Chilkat River stock of king salmon. Concerns also exist for the south end of section 11-C for the King Salmon River stock of king salmon.
- A board member clarified that the removal of 11-C and 11-D would not help the situation and the department reiterated that the removal would have to also include both the north end of 11-A and all of 11-C which essentially would equate to the existing area in regulations.
- Two panel members noted that there would be conflicts between user groups if the area was expanded to includes all of section 11-A.
- A panel member referred to substitute language, RC 152 describing a smaller area than originally proposed. He further stated that conflicts among user groups are negligible.
- A panel member stated that he does not want to fish during the gillnet openings in District 11-B, but rather fish weekdays when gillnetting is closed and said he would submit an RC to clarify the dates.
- A board member asked if the proposal was changed to exclude the area where the department has a conservation concern, would any public panel members change their opinion. There was no response from the public panel.
- A panel member stated that there is no historical troll harvest of Taku River king salmon in District 11. Historical troll harvest included non-Taku River king salmon and that the gillnetters historically harvested Taku River king salmon since the late 1800's. He also stated that the adoption of this proposal would increase incidental mortality and harvest of treaty fish.
- A panel member disagreed with the perspective of the troll industry not having a history of catching king salmon in District 11.

- A board member asked if the proposer was willing to amend the area to exclude the area where the department has a conservation concern. No opposition was voiced.

Support:

- The Sitka AC unanimously supported this proposal.

Opposition:

- The Juneau AC representative stated that their committee was opposed to the proposal as written.
- A panel member stated that they were not originally opposed to proposal, but were now opposed to expanding to include all of 11-A.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects. Opposed as written since it would include fishing in sections 11-C and 11-D during a directed fishery on Taku River king salmon.

AC Positions: Support: Sitka.
Oppose: Juneau.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 231: 5 AAC 29.097. District 11 King Slamon Management Plan. Open troll fishery throughout District 11 when the transboundary river fishery is open.

Staff Reports: RC 4, Oral Tab 8, RC 3, Written Tab 22.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 17, 55, 92, 94, 113.

Record Comments: RC 152, 153, 154.

Narrative of Support and Opposition:

- No discussion; comments from Proposal 230 apply.

Support: None.

Opposition: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects. Opposed as written since it would include fishing in sections 11-C and 11-D during a directed fishery on Taku River king salmon.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus. Comments from Proposal 230 apply.

Board Committee Recommendation: Consensus to take no action based on actions taken on 230.

Substitute Language: None.

PROPOSALS 232 and 233: 5AAC 33.384. Lynn Canal and Chilkat River King Salmon Fishery Management Plan. Close subsistence gillnetting before July 1 above Seduction Point in Chilkat Inlet.

Staff Reports: RC 3, Written Tab 17.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4.

Timely Public Comment: None.

Record Comments: RC 1, 9, 26, 31, 150.

Narrative of Support and Opposition:

- A board member cited the board's directive for C&T determinations and read verbatim the definition of "reasonable opportunity." The board member also stated that the Department of Law stated that a C&T finding was determined for the area.
- Two board members asked the department if there was a season for subsistence. The department explained that the subsistence fishery usually opens the third Saturday in June and closes concurrently when the commercial fishery closes in District 15-A.
- A board member asked the department if there were any conservation concerns. The department staff stated that there are no specific management concerns with this proposal.
- A board member noted that if this proposal was adopted as written, a commercial fishery would exist but that subsistence would close.
- A board member asked the department if they were comfortable with the EO authority to manage the stocks appropriately for all users. The department affirmed.

Support:

- The Upper Lynn Canal AC representative communicated that the AC vote was unanimous in support. One of their concerns was that the Chilkat River king salmon run was very low in 2008 resulting in the cancellation of the local king salmon derby.

Opposition:

- The Klukwan AC opposes this proposal. The representative stated that if the area is open or closed for commercial fishing it should be open or closed for subsistence.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Upper Lynn Canal.
Oppose: Klukwan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

RC 173

Alaska Board of Fisheries
Committee Report

COMMITTEE C

Subsistence Salmon and Groundfish
February 20, 2009

Board Committee Members:

1. Howard Delo, *Chair
2. Bill Brown
3. Vince Webster

Alaska Department of Fish and Game Staff Members:

1. Troy Tydingco - Management Biologist, Sport Fish Division
2. Richard Chapell - Management Biologist, Sport Fish Division
3. Doug Fleming - Management Biologist, Sport Fish Division
4. Steve McCurdy - Assistant Management Biologist, Sport Fish Division
5. Randy Bachman - Management Biologist, Commercial Fisheries Division
6. Scott Kelley - Regional Supervisor, Commercial Fisheries Division
7. Jim Fall - Research Director, Subsistence Division
8. Marianne See - Assistant Director, Subsistence Division
9. Mike Turek - Subsistence Resource Specialist, Subsistence Division
10. Al Cain - Enforcement Specialist

Advisory Committee Members:

1. Jeff Farvour - Sitka AC
2. Charles Denny - Saxman AC
3. Valentino Burattin - Klukwan AC
4. Otto Florschutz - Wrangell AC
5. Steve Merritt - Craig AC
6. Mike Saunders - Upper Lynn Canal AC
7. Casey Mapes - Yakutat AC
8. Cheyne Blough - Icy Straits AC
9. Jim Beard - East Prince of Wales Island AC
10. John Scoblic - Ketchikan AC

Public Panel Members:

1. Norm Hughes – United Southeast Alaska Gillnetters
2. Jerry Dahl – Petersburg Vessel Owners Association

3. Chuck Heydu - Self
4. Gregg Bigsby – Lynn Canal Gillnetter
5. Mike Yanak - Self
6. Kathy Hansen – Southeast Alaska Fishermen's Alliance
7. Jeremy Campbell - Self
8. Rick Bierman – Juneau Charter Boat Association.
9. LaVonne Grunn – Self
10. Randy Stewart – Southeast Alaska Seiners

Federal Subsistence Representative:

1. Floyd Kookesh – Southeast Regional Advisory Council
2. Terry Suminski – US Forest Service
3. Jeff Reeves – US Forest Service
4. Cal Casipit – US Forest Service
5. Rod Campbell – US Fish & Wildlife Service, Office of Subsistence Management

The Committee met February 20, 2009 at 1:30 p.m. and adjourned at 3:30 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (8 total) 236 – 243.

PROPOSAL 236: 5 AAC 01.716. Customary and traditional uses of fish stocks and amount necessary for subsistence uses. This proposal asks the board to modify findings regarding the amount of salmon reasonably necessary to provide for subsistence uses (ANS) in the Southeastern Alaska Area.

Staff Reports: RC 3.

Staff Comments: RC 2.

Deliberation Materials: RC 15.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 93, 94, 99.

Record Comments: RC 31, 38, 87, 150.

Narrative of Support and Opposition:

Department:

- Department cannot manage a subsistence salmon ANS on a stream specific basis.

Department of Law:

- The board has authority to define a fish stock.

Federal Subsistence Representative:

- Federal representative stated that they support using the best available information but are neutral on what the ANS numbers should be or how they are derived.

Support:

- Support the department's option 2 in Staff Report (RC 3).

Opposition:

- Public expressed concerns about managing for specific stocks as opposed to mixed stocks, as agreed to in the US/Canada Pacific Salmon treaty.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Craig.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support option 2.

Substitute Language:
REQUEST
Direct ADF&G and public to develop comprehensive options for next SE/Yakutat finfish meeting (2012).

PROPOSAL 242: 5 AAC 01.725. Waters closed to subsistence fishing. Extend the southern boundary of the subsistence fishing area in Chilkoot Inlet in District 15 in upper Lynn Canal from Battery Point to a point approximately 1 mile south of Mud Bay Point

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: None.

Timely Public Comment: None.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- If the boundary is extended the department does not anticipate a significant change in harvests.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Klukwan.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 237: 5 AAC 01.716. Customary and traditional uses of fish stocks and amount necessary for subsistence uses. This proposal would establish a Customary and Traditional (C&T) finding for subsistence harvest of salmon and smelt in waters of Section 15-A.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 13, 15, 17.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4.

Timely Public Comment: RC 1, Public Comment Tab, PC 99.

Record Comments: RC 31.

Narrative of Support and Opposition:

Department:

- Positive customary and traditional use finding for salmon and smelt (1989) did not include waters mentioned in the proposal.
- The board should determine whether there is significant new information concerning the customary use of salmon and smelt in Section 15-A.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Klukwan AC representative said he would support proposal if eulachon (smelt) was excluded.

Opposition:

- Upper Lynn Canal AC representative explained that the proponent wants to fish near his house at Mud Bay.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Upper Lynn Canal.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 238: 5 AAC 01.720. Lawful gear and gear specifications. This proposal would allow the use of a commercial seine vessel to harvest subsistence sockeye salmon (presumably outside of current subsistence fishery areas) for distribution to subsistence users of Klawock.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials:

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 10, 12, 14, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 85, 89, 94, 99, 112.

Record Comments: RC 31, 150.

Narrative of Support and Opposition:

Department: None.

Department of Law:
- If passed this would set a precedent for Southeast Alaska.

Federal Subsistence Representative: None.

Support: None.

Opposition:
- Klawock AC representative said he would withdraw support for the proposal.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: Craig, Upper Lynn Canal, Sitka.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 239: 5 AAC 01.725. Waters closed to subsistence fishing. Close subsistence fishing at Falls Lake and Gut Bay.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: RC 150.

Narrative of Support and Opposition:

Department:

- Subsistence-personal use permit data suggests catch per permit is relatively stable for Falls Lake and Gut Bay sockeye salmon.
- The department reviews subsistence-personal use permits stipulations annually and adjusts catch limits and seasons as necessary to provide for escapement and subsistence opportunity.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Concern over stock status.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 240: 5 AAC 01.730(c). Waters closed to subsistence fishing. This proposal would exempt a portion of the Chilkat River adjacent to the Haines highway from mile post 19 upstream to a point one mile upstream of Wells Bridge of the requirement to be physically present at the subsistence net while it is fishing.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 94, 99.

Record Comments: RC 40, 150.

Narrative of Support and Opposition:

Department:

- Enforcement specialist said 2 unattended set gillnets were seized and returned to owners in the last 5 years.

Department of Law:

- As written the proposal would raise equal protection legal issues.

Federal Subsistence Representative: None.

Support:

- Klukwan AC submitted proposal.
- Klukwan AC representative suggested amending the proposal.

Opposition:

- Upper Lynn Canal AC opposed proposal.
- Potential safety hazard to small boats and possible gear conflicts.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Klukwan.
Oppose: Upper Lynn Canal.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 241: 5 AAC 01.660(b)(d). Fishing seasons and periods. The proposal would establish a 36 hour subsistence period at the end of each week that would remain in effect regardless of weekly changes in the commercial set gillnet fishing period.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, None.

Timely Public Comment: RC 1, Public Comment Tab, None.

Record Comments: RC 67.

Narrative of Support and Opposition:

Department:

- Concern over subsistence opening being too close to commercial opening.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- This proposal pertains to the Yakutat area.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Yakutat.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 243: 5 AAC 01.720. Lawful gear and gear specifications (5). Amend this regulation to allow subsistence harvest of rockfish and lingcod by rod and reel.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 7, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: RC 155.

Narrative of Support and Opposition:

Department:

- No bag limits for subsistence rockfish and lingcod.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Use of rod and reel tackle may be more conservative than multi-hook gear allowed under subsistence regulations.
- Rod and reel is more selective harvest technique.

Opposition:

- May increase harvests.
- Enforcement problems may result from rod and reel as subsistence gear.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Craig.
Oppose: Sitka, Icy Strait, East Prince of Wales Island, Wrangell, Yakutat, Ketchikan.

Public Panel Recommendation: No recommendation.

Board Committee Recommendation: No consensus.

Substitute Language: None.

RC # 174

Alaska Board of Fisheries
Committee Report

COMMITTEE D

Sport Fisheries
February 21, 2009

Board Committee Members:

1. Bonnie Williams, *Chair
2. Karl Johnstone
3. Howard Delo

Alaska Department of Fish and Game Staff Members:

1. Rob Bentz – Deputy Director, Sport Fish
2. Bob Chadwick – Southeast Regional Management Coordinator, Sport Fish
3. Al Cain – ADF&G Enforcement Specialist, Sport Fish
4. Roger Harding – Southeast Trout Research Project Leader, Sport Fish
5. Kelly Piazza – Ketchikan Area Management Biologist, Sport Fish
6. Brian Glynn – Juneau Area Management Biologist, Sport Fish
7. Doug Fleming – Petersburg Area Management Biologist, Sport Fish
8. Troy Tydingco – Sitka Area Management Biologist, Sport Fish
9. Rich Chapell – Haines Area Management Biologist, Sport Fish
10. Carol Coyle – Trout Research Biologist, Sport Fish
11. Chris Brockman – Trout Research Biologist, Sport Fish
12. Brian Marston – Yakutat Area Management Biologist, Sport Fish
13. Judy Lum – Assistant Enhancement & Research Coordinator, Sport Fish

Advisory Committee Members:

1. John Scoblic – Ketchikan AC
2. Tory O'Connell / Tad Fujioka – Sitka AC
3. Charles Denny – Saxman AC
4. Steve Merritt – Craig AC
5. Otto Florschutz – Wrangell AC
6. KC Mapes – Yakutat AC
7. Jeff Franker – Yakutat AC
8. Jim Beard – East Prince of Wales AC

Public Panel Members:

1. Rick Bierman – Juneau Charter Boat Operator's Association (JCBOA)
2. Theresa Weiser – Sitka Charter Boat Owner's Association (SCBOA)
3. Greg Kain – self
4. Pete Hanson – Southeast Alaska Guide Organization (SEAGO)
5. Stan Malcom – Petersburg Charter Boat Association (PCBA)
6. Richard Yamada – Alaska Charter Association (ACA)
7. Jeff Longridge – Alaska Troller's Association (ATA)
8. Kirk Thomas – SEAGO
9. Dick Curran – Alaska Longline Fishermen's Association (ALFA)
10. Mark Kaelke – Trout Unlimited (TU)
11. Joel Hanson – self
12. Jeff Farvour – self
13. Michael Mauer – self
14. Larry Edfelt – Territorial Sportsmen Inc. (TSI)
15. Alan Reeves – self
16. Joel Kawahara – self
17. Mark Vinsel – Raincountry Flyfishers
18. Norman Hughes – United Southeast Alaska Gillnetter's Association (USAG)
19. Julianne Curry – Petersburg Vessel Owner's Association (PVOA)
20. Linda Behnken – ALFA
21. Kathy Hansen – Southeast Alaska Fishermen's Alliance (SEAFA)
22. Aaron Bean – self
23. Chuck McNamee – self
24. Jeremy Campbell – self
25. Eric Jordan – self
26. Randall Gluth – self
27. Chuck Haydn – self

Federal Subsistence Representative:

1. Rod Campbell – USFWS

The Committee met February 21, 2009 at 8:00 a.m. and adjourned at 2:20 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE (35 total): 286, 287, 137, 368, 138, 288 – 295, 298, 297, 296, 299, 300 - 317, 319.

PROPOSAL 286. – 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS AND METHODS AND MEANS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA and **5AAC 47.023 SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS AND METHODS AND MEANS FOR THE FRESH WATERS OF THE SOUTHEAST ALASKA AREA.** Define possession limits in Southeast Alaska waters as the maximum number of fish a person may possess until returning to their domicile.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 3, 6, 8, 9, 10, 11, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 11, 16, 17, 23, 31, 36, 40, 50, 55, .61, 65, 68, 73, 78, 75, 83, 89, 92, 99, 100, 113, 114.

Record Comments: RC 7, 23, 31, 34, 37, 42, 50, 65, 77, 83, 98, 150, 152, 155.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposal 287.
- The proposer clarified that the intent of this proposal is to get people to understand that frozen fish should be considered to be in possession.
- A panel member stated that there needs to be some type of process so frozen fish can be distributed within fishing party en route back to varying domiciles.
- A panel member expressed concerns that nonresident clients may not participate in the sport fishery if they were only allowed to keep two bag limits.
- A board member asked if fish can be legally transferred to another party; another board member confirmed that yes, processed fish could be legally transferred if the proper form is filled out.
- Various panel members acknowledged the legal concerns, but supported the concept of this proposal.
- A panel member asked that the task force formed by board 3 years ago to address this issue be resurrected.

Department:

- The Enforcement Specialist pointed out enforcement concerns with tracking possession and transfer of fish. As this was not mentioned in the original proposal, these issues would need to be addressed if the proposal is adopted.

Department of Law:

- The Department of Law explained that tracking of preserved fish is beyond the board's authority and further explained that this proposal, as written, is only applicable to one part of state and recommends that the board consider a statewide proposal.
- The Department of Law also mentioned that a definition of "domicile" would need to be established.

Federal Subsistence Representative: None.

Support:

- A panel member mentioned that this proposal would reduce wanton waste and overharvest.

Opposition:

- Several panel members stated that some industries might be negatively impacted if this proposal is adopted.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Wrangell.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 287. – 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS AND METHODS AND MEANS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA and **5AAC 47.023. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS AND METHODS AND MEANS FOR THE FRESH WATERS OF THE SOUTHEAST ALASKA AREA.** Define possession limits in Southeast Alaska waters as the maximum number of fish a person may possess until returning to their domicile.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 3, 6, 9, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC .9, 11, 23, 16, 40, 41, 65, 68, 73, 83, 84, 89, 99, 114.

Record Comments: RC 7, 31, 42, 50, 65, 150.

Narrative of Support and Opposition:

- This proposal was combined with the discussion on proposal 286.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Wrangell
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 137. – 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Establish a sport bag limit for all species.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 23, 36, 40, 50, 65, 68, 71, 73, 89, 113, 114.

Record Comments: RC 7, 47, 98, 99, 152.

Narrative of Support and Opposition:

- The proposer conveyed that RC47 had been submitted to amend language of original proposal.
- The proposer explained the content of RC47 whereby limits could be set by species, and not apply to all unregulated species.
- A panel member suggested that some access to all fish species is needed.
- A panel member voiced concern about no bag limit on many species.
- The proposer explained that sablefish is a fully utilized biomass and if anglers begin targeting this species there could be cause for conservation concern.
- Bag limits for sablefish were discussed and ranged from 2 daily to 10 daily.
- The Sitka AC recommended a 2-fish bag limit on sablefish, but added that there should not be limits established for species typically used as bait (e.g. herring and eulachon).
- Overall, opinions varied from sport fishing being self limiting and small, to expanding and becoming a potential threat.
- A panel member conveyed that species targeted in deeper areas tend to be long lived and slow to mature and also caught as bycatch while fishing for sablefish.
- A panel member asked if some intended species stated as being fully allocated, and if so, then to who; the member thought that it might be unconstitutional.

Department: None

Department of Law: None

Federal Subsistence Representative: None

Support:

- The Sitka AC thought that at a minimum, there should be a 2 fish bag limit on sablefish.
- Two panel members thought that some bag limit on sablefish should be established and start with a conservative limit.

Opposition:

- A panel member noted that there should be some consideration of fish to be used as bait.
- A panel member stated that there is no documented harvest of some fish species.
- A panel member noted that bag limits should only be established if sport fish harvest increases and creates conservation concerns.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No Consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 368. – 5 AAC 47.xxx. NEW SECTION. Establish possession limits for nonresident fishers at one daily bag limit for all species in the Southeast and Yakutat areas.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 9, 13.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 23, 40, 68, 71, 73, 84, 89, 113, 114.

Record Comments: RC 7, 71..

Narrative of Support and Opposition:

- Various panel members said charter clients freeze catch nightly, so possession limits are meaningless, and that effective possession limits are needed.
- One panel member said charter clients invest considerable funds to preserve and transport catch to domicile, so waste of harvest is unlikely and has not been documented.
- Another panel member said that the regulations should reflect that Alaska can no longer be looked upon as the "Last Frontier" where you can take all you want without limits.
- Author will submit written RC to withdraw support.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member summarized by stating that low possession limits are needed to reduce non-resident harvest.

Opposition:

- A panel member summarized by saying that nonresident harvest is not excessive and that regulation change is not needed.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action; proposer withdrew support.

Board Committee Recommendation: No action; proposal withdrawn RC 224.

Substitute Language: None.

PROPOSAL 288.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Establish a nonresident coho salmon annual limit of 12 fish and require nonresident anglers to have nontransferable harvest record in possession when angling for coho salmon.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 7, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 16, 17, 23, 32, 40, 55, .61, 65, 73, 83, 85, 89, 92, 99, 100, 112, 113, 114.

Record Comments: RC 7, 23, 34, 42, 65, 77, 152, 155.

Narrative of Support and Opposition:

- A panel member stated that conservation closures are the sole burden of the troll fleet.
- Two panel members voiced concern with timeliness and accuracy of sport harvest reporting in season, and would like to see an enforceable annual limit.
- A panel member stated that current bag limits should suffice, and that a precedent should be set for charter companies to sell the experience of fishing vs. the consumption of sport caught fish.
- A panel member suggested lowering the bag limit vs. establishing an annual limit, as long as the bag limit was agreed upon.
- One panel member sees no reason to set an annual limit if there are no conservation concerns.
- The EPOW AC representative sees this proposal as too restrictive, also noting that there are no conservation concerns. However, the representative also voiced concern to the number of wet lock boxes leaving the state.

Department:

- The Enforcement Specialist was concerned with this proposal stating that it likely will create a unintended class of criminal with citations being issued.
- The Enforcement Specialist also states that if annual limits are adopted, the most enforceable tool for recording catch is a harvest record.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The Sitka AC voiced that something needs to be done to limit harvest of coho salmon by nonresidents, and that an accurate reporting tool was needed to get a handle on any future conservation concerns.

Opposition:

- The EPOW AC and one panel member stated that there were no conservation concerns for coho salmon.
- A panel member stated that the current harvest reporting is sufficient.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.
Oppose: East Prince of Wales.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 289.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Require nonresidents to record coho harvest on a nontransferable harvest record.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 1, 2, 6, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 17, 23, 32, 40, 55, 61, 65, 68, 73, 75, 82, 83, 89, 92, 99, 100, 113, 114.

Record Comments: RC 7, 42, 152, 155.

Narrative of Support and Opposition:

- A panel member thought it was reasonable to have an annual limit recorded.
- A panel member stated that they were not opposed to tracking catch but were opposed to recording fish on the back of the license. They also stated that it would be difficult to record many coho if the fishing was good.
- A panel member stated that the industry was not opposed to recording data, but did not see how any additional recording would help, especially if they were not required to be turned in until the end of the year.
- A panel member stated that there are already 3 data collection methods in place for sport caught fish, and that fish were already being recorded in charter logbooks; this would create a fourth.
- One panel member stated that this proposal does not distinguish between guided and unguided.
- A board member clarified that it would apply to nonresidents.
- One panel member told about his experiences with anglers returning with wet and destroyed licenses stating that it would be difficult to record information on an open skiff in inclement weather.
- A board member asked how often logbooks are submitted; a panel member replied stating every 7 days.

Department:

- The Enforcement Specialist stated that annual limits are recorded on the license and there was potential that the passage of this proposal would create an unintentional class of criminal.
- The department clarified that data is processed inseason and that 2008 data was available in December. Department staff also noted that logbook forms are turned in weekly.
- Staff also conveyed that annual limit records are the easiest and most measurable tool for use by enforcement officers.
- In response to a board member question, staff responded that management for allocation would not change with more timely information.

Department of Law: None

Federal Subsistence Representative: None.

Support:

- The proposer stated a need for better recording and tracking method for nonresident sport harvest.

Opposition:

- A panel member stated that the current reporting system is adequate.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 290.– 5 AAC 47.020 GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA; 5 AAC 47.021 GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE FRESH WATERS OF THE SOUTHEAST ALASKA AREA; and **5 AAC 47.023 SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE FRESH WATERS OF SOUTHEAST ALASKA AREA.** Prohibit the retention of steelhead in fresh and salt waters except in 16 streams.

Staff Reports: RC 3, Written Tab 19.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 9, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 11, 41, 68, 73, 84, 93, 99, 107, 114.

Record Comments: RC 7, 42, 66.

Narrative of Support and Opposition:

Department:

- The department withdrew support for this proposal and explained that this proposal was not the best vehicle to address the issue.
- The department stated that they will plan to participate in a federal/state working group.

Department of Law: None.

Federal Subsistence Representative:

- Federal staff reiterated that the position of the Office of Subsistence Management was submitted in both PC 93 and RC 66. Federal staff further conveyed that they disagreed with the State's characterization of federal staff inaction with regard to responsible steelhead management.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: No action; the department withdrew support for this proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: None.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 291.– 5 AAC 47.023. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, FOR THE FRESH WATERS OF THE SOUTHEAST ALASKA AREA. Prohibit the retention of steelhead in 21 fall steelhead drainages, and Ward Creek, Thorne River, and Karta River.

Staff Reports: RC 3, Written Tab 19.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 10, 12, 13.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 41.

Record Comments: None.

Narrative of Support and Opposition:

- The proposer said that opportunities to catch wild steelhead are limited and that conservation is necessary to improve opportunity.
- The proposer also stated that department data shows 7 out of 10 index streams are stable or slightly declining.
- The proposer further conveyed that there is a non-retention regulation precedent in the Anchor River, Kenai Peninsula.
- The EPOW AC representative said the streams listed in this proposal are large and can support current harvests.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The proposer stated that non-retention is necessary for improved opportunity for steelhead angling in listed streams.

Opposition:

- The EPOW AC representative conveyed that steelhead populations are stable in listed streams under current regulations.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: East Prince of Wales.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 292.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA and **5 AAC 47.022. GENERAL PROVISIONS FOR SEASON AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA .** Amend the regulation to reduce the bag limit and establish size restrictions for Dolly Varden.

Staff Reports: RC 3, Written Tab 19.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 41, 68, 99, 107.

Record Comments: RC 155.

Narrative of Support and Opposition:

- The proposer stated that they were going to submit an RC to withdraw support for this proposal.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The proposer expressed concern with declining Dolly Varden harvests.
- A panel member went through the history of this proposal from the last board cycle. The proposal submitted to the board in 2006 requested a bag limit reduction in 3 streams. The board asked the author to resubmit a proposal in 2009 requesting a southeast-wide reduction in bag limit.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No action; proposer withdrew support for this proposal.

Board Committee Recommendation: No action; proposal withdrawn RC 193.

Substitute Language: None.

PROPOSAL 293.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Increase limits for harvest of dogfish and change reporting requirements.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 9, 68, 73, 89, 99, 114.

Record Comments: RC 7, 42, 155.

Narrative of Support and Opposition:

- The Sitka AC representative supported increasing the limit of dogfish.
- The Wrangell AC representative felt that dogfish should not be regulated and stated that dogfish are eaten by some as "fish and chips".
- The EPOW AC representative supported this proposal, but saw the potential for abuse.
- A panel member opposed the proposal on the basis of potential overharvest.
- A panel member opposed the proposal as written, but was in favor of a slight increase in harvest.
- A panel member and the EPOW AC representative viewed by some as nuisance species.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member voiced that there appeared to be moderate increase in harvest with reporting.

Opposition:

- The Ketchikan AC representative voiced concerns for overharvest of this long lived and slow growing species.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Sitka, East Prince of Wales, Ketchikan.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 294.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. Close regional aquaculture association terminal harvest areas to guided sport harvest of salmon not financed by the state.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 23, 65, 68, 73, 75, 83, 84, 85, 89, 99, 112, 114.

Record Comments: RC 7, 42.

Narrative of Support and Opposition:

- A panel member asked the board to clarify department's EO authority to close sport fishing in terminal harvest areas (THA) for cost recovery. The panel member thought that the department might possibly be unclear on what its authorities are. The panel member noted that he would prepare and submit an RC with amended language.

Department:

- The department explained that they do not have the EO authority to close an area to sport fishing for the purpose of cost recovery, only for the collection of brood stock.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member stated that sport fisheries should not be allowed to harvest fish they do not pay for.
- The Sitka AC representative stated that they would support, but only with amended language.
- A panel member stated that if commercial fisheries in THA are closed for cost recovery, then guided sport fisheries should also be closed.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.

Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 295.– 5AAC 47.XXX. NEW SECTION. Request that the department and charter industry representatives develop a plan to address catch and release mortality issues with a goal of reducing overall mortality.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 21, 41, 65, 68, 92, 99, 113.

Record Comments: RC 31, 42, 48, 152.

Narrative of Support and Opposition:

- Several panel members agreed that this issue needs to be addressed by the various stakeholders.
- A panel member emphasized that action by the board is needed to help reduce mortality and would like this to be collaborative effort among user groups.
- A panel member would like information about new catch and release techniques which reduce mortality that may occur in the rockfish fishery to be distributed by department to educate the general public.
- The Yakutat AC representative wanted people to be aware of what catch and release is doing to various fisheries, and that hundreds of fish are being released; some of which are dying.
- A panel member recommends that investigations include commercial bycatch as well as sport fisheries.
- The Craig AC representative expressed worries about ramifications of the proposal to the Pacific Salmon Treaty and to the king salmon fisheries.
- A panel member suggested that an entity other than department disseminate the information.

Department:

- Department staff added that they currently meet with small groups, and have made catch and release education a priority with the angling public.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member wants education for public regarding catch and release.
- Another panel member wanted fair disposition of catch and release between commercial and sport fisheries.

Opposition:

- The Craig AC felt the information could be used against the sport fishery, and that the department dissemination of mortality numbers could reduce treaty allocation.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Yakutat.
Oppose: Craig.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 298.– 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS - FINFISH. Allow the use of a hand operated or electric reel in the Southeast Alaska sport fishery.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 6, 8, 9, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 15, 36, 50, 68, 72, 73, 84, 89, 92, 99, 113, 114, 118.

Record Comments: RC 7, 40, 42, 76, 152.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposal 296.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: None.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Sitka.

Public Panel Recommendation: Comments from proposal 296 apply.

Board Committee Recommendation: No recomendation.

Substitute Language: None.

PROPOSAL 297.– 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS - FINFISH. Clarify the definition of a sport fishing rod in Southeast Alaska.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 15, 36, 50, 68, 72, 73, 84, 89, 92, 99, 113, 114, 118.

Record Comments: RC 7, 42, 76, 152.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposal 296.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Comments from proposal 296 apply.

Board Committee Recommendation: No action.

Substitute Language:

PROPOSAL 296.– 5 AAC 75.020. SPORT FISHING GEAR. Amend the definitions of allowable sport fishing gear for Southeast Alaska.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 11, 15, 23, 35, 36, 40, 50, 55, 55, 61, 68, 73, 75, 84, 89, 92, 113, 114, 118.

Record Comments: RC 7, 40, 42, 50, 98, 152.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposals 297 and 298.
- A panel member stated that the use of power reels by the handicapped, elderly, children, and temporarily disabled should be allowable by permit, and that permits should be easy to obtain (i.e., some sort of waiver).
- A panel member stated that there needs to be a better definition of sport gear.
- A panel member demonstrated a rod-mounted electric reel.
- The Sitka AC representative clarified that the reel demonstrated was not like the jigging machine used in Sitka. This jigging machine does not have the support of the AC.
- A board member asked if the electric reel that was demonstrated was "power-assist" or if it was limited to either manual or power. It was pointed out that the reel demonstrated had only two options, either power or manual.
- A board member asked if the electric reel demonstrated was acceptable to panel members; there was both support and opposition.
- A board member asked a panel member to submit substitute language.
- A panel member noted that banning electric reels would help the charter sector stay within its allocation.
- It was noted that compromise language will be submitted in an RC.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The Craig AC noted that sport fishing should be angler versus the fish (human-powered) not fish versus the machine.
- A panel member stated that power reels gives anglers access to otherwise inaccessible (i.e. deep) species, i.e., halibut and sablefish.

Opposition:

- A panel member stated that this proposal will provide opportunity to individuals who are for some reason unable to exert strenuous effort.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka, Craig.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 299.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR SALT WATERS OF THE SOUTHEAST ALASKA AREA. Include beach seine, cast net, purse seine, and gillnet as legal sport gear for herring.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 68, 73, 89, 92, 99, 113, 114.

Record Comments: RC 7, 42, 152, 155.

Narrative of Support and Opposition:

- A panel member said that fish caught under personal use or subsistence cannot be used as bait for sport charters.
- A panel member said that there is no legal way for sport anglers to catch bait herring for use on charter boats.
- Another panel member said that a commercial processor had refused to sell bait to a charter operator.
- A board member said this proposal is legally dead, so no further discussion is needed.
- The board members conveyed to an inquiring panel member that a sport charter business could obtain a commercial bait permit.

Department:

- The Enforcement Specialist conveyed that herring caught in legal commercial fisheries could be sold and used as sport bait, but that a commercial sport operation could not stockpile bait and use it for other clients. A commercial sport operation could catch bait with legal gear and use that bait for those clients aboard.

Department of Law:

- The Department of Law explained that gear listed in this proposal would be new gear for sport fisheries and would need to be closely defined by net length and by allowed time and place.

Federal Subsistence Representative: None.

Support:

- The proposer's representative noted that legal methods and means are needed to catch herring for sport bait.
- The Sitka AC supported this proposal, but did not think cast nets should be introduced as a new sport gear.

Opposition:

- A panel member stated that sport harvest should not be used for commercial purposes, i.e., as sport bait.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Sitka.
Oppose: None.
Public Panel Recommendation: No action.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 300.– 5 AAC 47.030. (i) METHODS, MEANS AND GENERAL PROVISIONS-FINFISH. Correct an error by amending this regulation as follows:

(i) Only unbaited, artificial lures may be used**, in fresh water,** from November 16 - September 14.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC None.

Record Comments: RC 7, 42, 155.

Narrative of Support and Opposition:

Department:

- This is a housekeeping proposal.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support as housekeeping.

Substitute Language:

(i) Only unbaited, artificial lures may be used**, in fresh water,** from November 16 - September 14.

PROPOSAL 301.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Require the use of a single barbless hook for salmon fishing if release is intended.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 17, 23, 68, 73, 84, 114.

Record Comments: RC 7, 42, 155.

Narrative of Support and Opposition:

- A panel member stated that there is no definition of barbless hooks.
- A panel member believes that barbless hooks lower mortality, have a place in fisheries, and are required in California and many other states.
- A panel member stated that he will always have some intent to release fish and would therefore have to use barbless hooks all the time, i.e., king salmon < 28 inches, and pink and chum salmon.
- A panel member stated that the Chinook Technical Committee (CTC) considers a mortality factor associated with release. This issue should be considered in a systematic fashion, not piecemeal.
- A panel member expressed that barbless hooks should extend to the commercial fisheries.

Department:

- The Enforcement Specialist restated that there is not a current definition of barbless hooks.
- The intent to release a fish is difficult to prove from an enforcement standpoint and the wording in the proposal is would preclude any possibility of enforcement.
- The department staff stated that there was a mortality factor already included in estimating released or "drop off" fish in the CTC model.
- The Enforcement Specialist stated that enforcement would be difficult.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member stated that a systematic review of the best methods and available data would reduce overall mortality of released fish.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects; Opposed to the proposal because it would be difficult to enforce.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 302.– 5 AAC 75.075. SPORT FISHING SERVICES AND SPORT FISHING GUIDE SERVICES; LICENSE REQUIREMENT; REGULATION OF ACTIVITIES. Prohibit catch and release fishing in the guided sport fishery in Southeast Alaska.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 23, 68, 73, 84, 85, 99, 112, 114.

Record Comments: RC 31, 42, 155.

Narrative of Support and Opposition:

- The proposer stated that many fish that are released die and that these fish are wasted and noted that a catch and release study indicated that 81% mortality and that the study was revised to 31%.
- A panel member stated that this proposal might be a violation of the treaty with Canada and that the treaty was going to a total mortality regime for all of its fisheries.
- A panel member stated that increasing bag limits and requiring retention would eliminate waste from catch and release.
- A panel member stated that this proposal is too general as it does not specify species or delineate between fresh and salt water.
- A panel member stated that enforcement would require fishing to stop after the last fish had been retained. The panel member asked the Enforcement Specialist about the enforceability of the proposed regulation change.
- A panel member stated that single barbless hook and release mortality is 3-5%, yet catch and release fishing would be outlawed by this proposal and would put this sector out of business.
- A panel member said excessive catch and release fishing harms the commercial sector.
- A panel member stated that this is contrary to what the commercial sector has told the sport sector.
- A panel member suggested that this proposal was too general and that the proposal does not do its job if there is a problem.

Department:

- Department staff stated that release and "drop off" mortality rates in the CTC model are already accounted for in the king salmon fisheries.
- In response to a panel member question, the Enforcement Specialist stated that guided and unguided anglers can be regulated separately and that the best vehicle available is to require cessation of fishing once bag limit is reached.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The proposer stated that king and coho salmon in salt water are highly susceptible to hook and release mortality.
- A panel member supported the proposal but wanted to amend the language to limit catch and release fishing to king and coho salmon in marine waters.

Opposition:

- The Ketchikan AC was opposed because many anglers (cruise ship passengers) do not want to deal with the expense of shipping and their fishing effort are generally about the experience as opposed to harvesting the fish.
- The Craig AC failed this proposal because of concern about long-term harvest and thought it should apply to freshwater resident species.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.
Oppose: Ketchikan, Craig.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 303.– 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS – FINFISH. Allow unguided anglers to deploy an extra rod or line for jigging herring while salmon fishing.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 68, 73, 89, 99, 113, 114.

Record Comments: RC 7, 152, 155.

Narrative of Support and Opposition:

- A panel member thinks it is inequitable that guided anglers have a special provision to fish a second rod for herring, while nonguided anglers cannot.
- A panel member said it is illegal for a charter captain, who cannot fish while paying clients are onboard, to use sport gear to catch herring and furnish the fish to clients for use as bait.
- The Yakutat AC representative suggested specifying the size of lure.
- The Ketchikan AC stated that current regulations allow for captains to jig for herring; took no action.

Department:

- Department staff conveyed that the charter provision for herring jigging 5AAC 47.030 (g) (1 and 2) does not allow an angler to fish 2 rods. The provision does allow an additional angler, such as the captain or crew, to jig for herring if fewer than 6 lines are being fished. Support for this proposal is based on an incorrect interpretation of 5AAC 47.030 (g) (1).
- The Enforcement Specialist stated that the charter provision for herring jigging is a limited exception that allows sport caught fish to be immediately used as bait.
- The Enforcement Specialist reiterates that as long as less than 6 lines are being fished from a charter vessel an sixth rod may be used to jig for herring. Unguided anglers cannot fish an extra rod under the current regulations.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member stated that all anglers should be allowed to fish a second rod to catch bait herring.

Opposition:

- A panel member stated that it was illegal for charter operators to harvest herring to use as bait for clients, but the Enforcement Specialist clarified that it was only illegal in the case of cast nets.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 304.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA and **5 AAC 47.022. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE FRESH WATERS OF THE SOUTHEAST ALASKA AREA.** Prohibit removing steelhead under 36 inches from the water.

Staff Reports: RC 3, Written Tab 19.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, rAC 2, 8, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 41, 84, 99.

Record Comments: RC 155.

Narrative of Support and Opposition:

- The panel members stated a need for education for proper catch and release techniques.
- A board member asks what legally constitutes removal of the fish from the water.
- A panel member voiced concerns with not being able to release fish without removing any of it from the water while in some boats.
- A panel member points out that it is important for steelhead anglers to be able to get a photo.
- A panel member voiced concern with the difficulty of releasing steelhead without removing a portion of the fish from the water, but acknowledges photo-taking while the fish is thrashing is stressful and could lead to increased mortality.

Department:

- The Enforcement Specialist clarifies that any portion of the fish removed from the water would constitute a violation as written in the proposal.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The EPOW representative stated that preventing removal of fish from the water would reduce mortality. The EPOW AC also expressed concerns presented with increased handling stress of steelhead for photos.
-

Opposition:

- A panel member stated that this proposal would eliminate opportunity for steelhead anglers to take a photo.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: East Prince of Wales.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 305.– 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS – FINFISH. Prohibit the use of felt soles for wading in freshwater.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 41, 53, 92, 94, 99, 107, 113.

Record Comments: RC 42, 152, 155, 178, 179, 180.

Narrative of Support and Opposition:

- The Sitka AC representative stated that they supported it as amended and that it should only apply to freshwater sport anglers, i.e., not agency personnel.
- The proposer amended the proposal to indicate that the effective date of the proposal should be January 2011 so that cost wouldn't be a big factor.
- The proposer mentioned that anglers transfer invasive species via sediment in Montana waters and that Didymo is present on Juneau road system. He also noted that Southeast Alaska temperatures are similar to other places where Didymo exists.
- The proposer intended this proposal only to apply to sport anglers and therefore agrees with AC comments.
- The proposer also mentioned that this proposal will reduce the anglers transferring Didymo to other areas, will be easily enforceable, and the change should be in department regulatory summary.
- Some manufacturers are phasing out the production of felt soles.
- A panel member supported this proposal stating that he did not want felt soles to transfer invasive species.
- A panel member stated the rubber soles were unsafe on some surfaces and that safety concerns were cited as felt soles are slippery on mud ice.
- A panel member stated that the EPA has implemented regulations limiting vessel discharge to reduce one of the vectors for invasive species transmission.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The proposer stated that banning felt soles would be a good precautionary step to prevent introduction of invasive species.

Opposition:

- A panel member cited safety concerns with prohibiting felt soled shoes.

- A panel member expressed concern for the cost of changing gear.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral. Supports educating anglers, hunters, and anyone who spends time in aquatic environments.

AC Positions: Support: Craig, Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 306.– 5 AAC 47.030(g). METHODS, MEANS AND GENERAL PROVISIONS - FINFISH. Consolidate regulations pertaining to sport fishing services into one section as follows:

5 AAC 47.030 Methods, means and general provisions - Finfish.

[(G) OPERATORS AND CREW MEMBERS WORKING ON A CHARTER VESSEL MAY NOT RETAIN KING SALMON WHILE CLIENTS ARE ON BOARD THE VESSEL. THE MAXIMUM NUMBER OF FISHING LINES THAT MAY BE FISHED FROM A VESSEL ENGAGED IN SPORT FISHING CHARTER ACTIVITIES IS EQUAL TO THE NUMBER OF PAYING CLIENTS ON BOARD THE VESSEL, EXCEPT THAT

(1) AN ADDITIONAL LINE MAY BE USED TO JIG FOR HERRING AND SMELT AS BAIT AS SPECIFIED IN 5 AAC 75.030; AND

(2) THE TOTAL NUMBER OF LINES MAY NOT EXCEED THE LIMIT ESTABLISHED IN (B) OF THIS SECTION.]

5 AAC 47.036. Prohibitions.

(c) Operators and crew members working on a charter vessel may not retain king salmon while clients are on board the vessel. The maximum number of fishing lines that may be fished from a vessel engaged in sport fishing charter activities is equal to the number of paying clients on board the vessel, except that:

(1) an additional line may be used to jig for herring and smelt as bait as specified in 5 AAC 75.030; and

(2) the total number of lines may not exceed the limit established in 5 AAC 47.030(b).

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 94, 99.

Record Comments: RC 42, 155.

Narrative of Support and Opposition:

Department:

- This is a housekeeping proposal.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support as housekeeping.

Substitute Language: None.

PROPOSAL 307.– 5 AAC XX.XXX. NEW SECTION. Prohibit charter vessel use in subsistence or personal use fisheries within 30 days of use in guided sport fishery.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 9, 23, 40, 65, 68, 73, 75, 84, 85, 94, 112, 114.

Record Comments: RC 7, 42, 150, 155.

Narrative of Support and Opposition:

- Proposals 307 and 308 were considered together by the committee.
- Panel members said charter operators are in competition with local users for shrimp, crab, and halibut. Charter day trips deplete local resources. In contrast, the commercial sector disperses its effort away from communities.
- Panel members said that charter operators furnishing subsistence and personal use harvest to clients, which is a severe problem.
- A panel member said logbooks could be used to track charter vessel use.
- A panel member said it would be possible for guide service businesses to separate client catch from personal catch.
- Panel members said vessels registered for charter fishing are often used by residents on non-client days to harvest subsistence resources for resident consumption. This proposal would harm residents' ability to harvest subsistence and personal use resources.
- A panel member said this proposal would severely restrict charter business. Charter operators would have to turn away unanticipated business for 30 days if they had participated in personal use or subsistence harvest. Commercial fishing vessels can comply with time use restrictions because of exactly scheduled fishery dates.
- A panel member said the proposals would place onerous restrictions on the use of charter vessels and lodge freezers.

Department:

- The Enforcement Specialist explained that current regulations prohibit lodges and charter operators from furnishing harvest from subsistence and personal use fisheries to clients. Law enforcement staff has successfully prosecuted lodges for this offense but these cases take much time and effort. Proposals 307 and 308 would not help much in prosecuting new cases.
- Department staff stated that in some commercial fisheries, vessel use is restricted by time to provide separation from use in subsistence and personal use fisheries.

Department of Law:

- The Department of Law explained that the board may restrict fishing time, bag and possession limits if necessary for conservation.

- Law also noted that time periods for separating commercial vessel use in commercial and subsistence/personal use fisheries ranges from 72 hrs to 14 days.

Federal Subsistence Representative: None.

Support:

- A panel member stated that charter and guide operators illegally furnishing subsistence/personal use to clients is a severe problem and causes local depletion of resources.

Opposition:

- A panel member stated that a 30-day separation of vessel use in charter and subsistence/personal use would harm resident charter operators' ability to access subsistence/personal use resources.
- A panel member stated that prohibiting resident charter operators from possessing resources harvested in subsistence/personal use resources would place onerous restrictions on residents.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 308.– 5 AAC 47.XXX and **01.XXX. NEW SECTIONS.** Prohibit resident owners and resident employees of guide service businesses from participating in subsistence and personal use fisheries and possessing subsistence and personal use finfish or shellfish at the lodging site or on a licensed guide vessel when clients are present.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 9, 23, 36, 40, 55, 68, 73, 75, 84, 85, 89, 92, 94, 99, 112, 113, 114.

Record Comments: RC 7, 31, 42, 98, 150, 152, 155.

Narrative of Support and Opposition:

- Proposals 307 and 308 were considered together by the committee.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- See proposal 307 comments.

Opposition:

- See proposal 307 comments.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 309.– 5 AAC 47.XXX. NEW SECTION. Establish a coho salmon allocation for the guided sport fishery based on the percentage of its last ten years of coho salmon harvest and the all gear harvest of coho salmon.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 11, 23, 40, 68, 71, 73, 75, 84, 114.

Record Comments: RC 7, 32, 34, 37, 42, 71, 77, 155.

Narrative of Support and Opposition:

- A panel member stated that he believed an allocation was coming and now is the appropriate time to establish a coho allocation and that passage of this proposal would be a step towards peace between user groups.
- A panel member stated that an allocation for the sport sector should be adopted.
- A panel member stated that he supported this proposal, but strongly recommended that resident sport anglers not be restricted.
- A panel member stated that he opposed this proposal as written and stated that the status quo works now and doesn't think an allocation is necessary.
- A panel member stated that resident anglers may use the charter industry to get their annual harvest of fish.
- A panel member stated that all sectors should share in the conservation burden.

Department:

- Department staff stated that bag limits are based on sustainability and there is not currently a coho allocation; inseason management has been used when necessary for conservation. The board would need to direct the department in how to achieve the allocation.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The Sitka AC stated that a coho allocation is inevitable and would be a good step towards developing positive relationships between user groups.

Opposition:

- A panel member stated that they believed allocation is unnecessary and unwarranted.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Sitka.
Oppose: East Prince of Wales.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 310.– 5 AAC 47.020. GENERAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, ANNUAL, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Establish a fish ticket system to monitor inseason harvest by guided sport fishery.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 9, 23, 35, 36, 40, 50, 55, 68, 73, 75, 82, 83, 84, .85, 89, 92, 97, 99, 112, 113, 114.

Record Comments: RC 7, 42, 98, 150, 152, 155.

Narrative of Support and Opposition:

Department: None.

Department of Law:

- The Department of Law stated that the board lacks the authority to charge the State with implementing the proposed fish ticket system.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: None.

Board Committee Recommendation: No action.

Substitute Language: None.

PROPOSAL 311.– 5 AAC 75.XXX. NEW SECTION. Allow representatives of the Department of Fish and Game or the Department of Public Safety free and unobstructed access to all charter fishing vessels, lodges, and other land-based or floating processing establishments to inspect catch, equipment, gear, and conduct enforcement activities.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 9, 11, 23, 31, 32, 35, 36, 40, 50, 55, 61, 65, 68, 73, 83, 84, 89, 92, 97, 99, 113, 114.

Record Comments: RC 7, 31, 42, 98, 150, 152, 155.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposals 312 and 313.
- A panel member stated that the intent of the proposal is to monitor removals of fishery resources in places that are not ordinarily observed. Commercial fisheries already bear the burden of full accounting and the guided industry should also.
- A panel member discussed this proposal with guided industry and they would welcome enforcement, but that they should have probable cause to search homes.
- A panel member wanted a better definition of possession limits and suggested that this should be worked out with enforcement throughout the state.
- The Wrangell AC representative questioned if the proposer realized how integrated some homes and businesses are.
- The Ketchikan AC discussed that this proposal is an infringement on civil rights and it is invasive into look in people's freezers.
- A panel member said that he looked at other regulations regarding possession and that Canada requires one small patch of skin be left on each fillet of frozen fish for identification. He also stated that enforcement in Sitka was problematic.

Department:

- The Enforcement Specialist stated that if the board considers possession limits there needs to be clear labeling of preserved harvest to provide separation by individuals, date, and species identification.
- The Enforcement Specialist also stated that people have a constitutional right to privacy in a home, but on a vessel, there would be a lower level of expectation of privacy than a home on land.

Department of Law:

- The Department of Law stated that the privacy under the US Constitution provides the right to be free from search and seizure in homes, motels etc. and this expectation is even greater in Alaska.

Federal Subsistence Representative: None.

Support:

- A panel member stated that equity in sharing the burden of conservation is appropriate for all user groups.

Opposition:

- The Ketchikan AC stated that this proposal would be an invasion of privacy

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed; Supports the concept of increased access and accountability. ADF&G believes that such authority should be statewide, which is beyond the scope of this meeting.

AC Positions: Support: Wrangell.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 312.– 5 AAC 75.995 INSPECTION OF GUIDED SPORT FISHING ESTABLISHMENTS AND VESSELS. Allow representatives of the Department of Fish and Game or the Department of Public Safety free and unobstructed access to vessels and freezer facilities associated with charter fishing similar to what is currently in place for the commercial fishing industry.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 9, 11, 17, 23, 31, 32, 35, 36, 40, 50, 55, 61, 65, 68, 73, 75, 83, 84, 89, 92, 97, 99, 113, 114.

Record Comments: RC 7, 31, 42, 98, 150, 152, 155.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposals 311 and 313.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 313.– 5 AAC. XX.XXX. NEW SECTION. Allow representatives of the Department of Fish and Game or the Department of Public Safety free and unobstructed access to all freezer facilities at lodges and bed and breakfasts associated with charter fishing to inspect catch and conduct enforcement activities.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 11, 23, 32, 35, 36, 40, 50, 55, 65, 68, 73, 75, 84, 89, 92, 97, 99, 113.

Record Comments: RC 7, 31, 42, 98, 150, 152, 155.

Narrative of Support and Opposition:

- This proposal was combined and discussed with proposals 311 and 312.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language: None.

PROPOSAL 314.– 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA. Lower the bag limit for sockeye salmon in Situk-Ahrnklin Estuary drainages.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC None.

Timely Public Comment: RC 1, Public Comment Tab, PC 41.

Record Comments: RC 67.

Narrative of Support and Opposition:

- The Yakutat AC representative said that this proposal is not trying to reduce the bag limit, but create stable regulations and sport fishery.
- The Yakutat AC stated that this proposal has support from entire community of Yakutat.
- Board member asked if department had EO authority to raise/lower bag limits if warranted.
- Board member also asked the department if a conservation concerns exist.
- Board member asked about the history of the sport fishery.

Department:

- The department explained that there are no conservation concerns at this time.
- Department staff noted that the season in 2008 was curtailed in July and that the department does have EO authority to modify bag limits as needed.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The Yakutat AC said that adoption of this proposal will help prevent future closures of sport fishery.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Yakutat.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 315.– 5 AAC 47.023. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE FRESHWATERS OF THE SOUTHEAST ALASKA AREA. Open Ketchikan Creek to sport fishing for two additional weeks, May 15 through May 31.

Staff Reports: RC 3, Written Tab 19.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 10.

Timely Public Comment: None.

Record Comments: None.

Narrative of Support and Opposition:

- A panel member asked for clarification regarding why this proposal is necessary.
- The proposer's representative said that this proposal would increase the sport fishing opportunity by 2 weeks.
- The Ketchikan AC representative stated that they are in support of this proposal since there are no conservation concerns for Ketchikan Creek.

Department:

- Department staff clarified that this proposal would extend fishing opportunity by 2 weeks: May 15 – 31.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The Ketchikan AC stated that this proposal will increase sport fishing opportunity.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: Ketchikan.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 316.– 5 AAC 47.023. SPECIAL PROVISIONS FOR SEASONS AND BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. Prohibit snagging from the Macaulay Salmon Hatchery fish ladder to the Channel Wayside fishing dock from May 1 through November 1.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: None.

Timely Public Comment: RC 1, Public Comment Tab, PC 54, 107.

Record Comments: None.

Narrative of Support and Opposition:

- A panel member sees this as a housekeeping proposal and noted that this regulation should have been carried forward to the new dock.
- A panel member states that Macaulay Salmon Hatchery terminal harvest area (THA) is one of the few places to sport fish for enhanced fish on the Juneau road system, but snagging creates unsafe and unpleasant conditions for the public.
- A board member asked the department to clarify why the regulation was no longer in place.
- A panel member stated that Macaulay Salmon Hatchery Board worked with the City of Juneau staff to solve this issue.
- A panel member stated that this was a small area between the dock and the hatchery and the whole beach on the other side of the dock would still be open to snagging.
- Other panel members said that there would be plenty of room for both snagging and non-snagging.

Department:

- The Enforcement Specialist asked the proposer if there would be any conflicts with snagging from boats. The proposer responded that sport fishing boats do not come into the proposed area.
- Department staff explained the regulation was not enforceable as written because the regulation was specifically linked to the name of the former dock.
- The Enforcement Specialist also noted that any new regulations should include a provision in regulation with language addressing "attempting to snag".

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member stated that current snagging conditions are unsafe.
- A panel member stated that a regulation is only way to close this area to snagging.
- A panel member mentioned that there is ample area nearby to accommodate snaggers.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 317.– 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA and **5 AAC 47.023. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE FRESH WATERS OF THE SOUTHEAST ALASKA AREA.** Allow only catch-and-release for steelhead in all streams crossed by Juneau road system.

Staff Reports: RC 3, Written Tab 19.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: None.

Timely Public Comment: RC 1, Public Comment Tab, PC 41, 107.

Record Comments: None.

Narrative of Support and Opposition:

- The proposer stated that pressure on steelhead stocks is increasing on the Juneau road system and that these stocks are particularly vulnerable, i.e., close to a major population center.
- The proposer suggested an alternative: a steelhead season closure above the Peterson Creek highway bridge.
- A board member asked federal staff if this proposal would create any conflicts with subsistence users.

Department: None.

Department of Law: None.

Federal Subsistence Representative:

- Federal staff noted that this proposal would not create any problems for subsistence users.

Support:

- The proposer stated that increased pressure on steelhead stocks warrants a more restrictive fishery.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 319.– 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. Close the area 200 feet below the falls of Polotnikof River at Port Banks to snagging.

Staff Reports: None.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 9.

Timely Public Comment: RC 1, Public Comment Tab, PC 99.

Record Comments: RC 42.

Narrative of Support and Opposition:

- The Sitka AC representative offered additional language that would limit power vessels.
- A panel member raised concern about potential impacts the amendment would have on commercial fisherman.
- A panel member stated that the amendment would prevent power vessels from anchoring in fragile habitat but allow small non-powered watercraft (i.e., canoes).

Department:

- Department staff noted that this proposal would liberalize current restrictions by reducing the area closed to snagging.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- A panel member stated that this proposal would not affect commercial fleet.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Oppose.

AC Positions: Support: Sitka.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to oppose.

Substitute Language:

RC 175

Alaska Board of Fisheries
Committee Report

COMMITTEE E

Commercial Net Fisheries
February 21, 2009

Board Committee Members:

1. Vince Webster, *Chair
2. Mel Morris
3. Bill Brown

Alaska Department of Fish and Game Staff Members:

1. Bill Davidson – Regional Management Coordinator, Commercial Fisheries
2. William Bergmann – Petersburg Area Management Biologist, Commercial Fisheries
3. Kevin Monagle – Juneau Area Management Biologist, Commercial Fisheries
4. Flip Pryor – Regional Resource Development Biologist, Commercial Fisheries
5. Scott Walker – Ketchikan Area Management Biologist, Commercial Fisheries
6. Troy Thynes – Petersburg Assistant Area Management Biologist, Commercial Fisheries
7. Scott Kelley – Regional Supervisor, Commercial Fisheries
8. Ron Josephson – Fisheries Monitoring, Permitting and Development Section **Chief**, Commercial Fisheries.
9. Steve Doherty – Department of Law
10. Kelly Piazza – Ketchikan Area Management Biologist, Sport Fisheries
11. Brian Frenette – Regional Supervisor, Sport Fisheries
12. Mike Wood – Ketchikan Assistant Area Management, Sport Fisheries
13. Al Cain – Board Enforcement Consultant
14. Peter Froehlich – Commercial Fisheries Entry Commission

Advisory Committee Members:

1. John Scoblic – Ketchikan AC
2. Jonathan Pavlik – Yakutat AC
3. James Martinez – Klawock AC
4. Arnold Enge – Petersburg AC
5. Cheyne Blough – Icy Strait AC
6. Mike Saunders – Northern Lynn Canal AC
7. Otto Florschutz – Wrangell AC

Public Panel Members:

1. Andy Wright – Gillnet/Proposal 255
2. Bob Thorstenson – Seine/Southeast Alaska Seiners Association (SEAS) Executive Director
3. Bryan Benkman – Seine/SEAS Member
4. Dave Otte – Troll/Alaska Troller's Association (ATA), Regional Planning Team (RPT) and Southern Southeast Aquaculture Association (SSRAA) Member
5. Donald Westlund – Charter
6. Ed Hansen – Gillnet/Southeast Alaska Fishermen's Alliance (SEAFA) Representative
7. Fabian Grutter – Sitka Gillnetter
8. Jeff McKean – United Southeast Alaska Gillnetters (USAG) Representative
9. Jeff Wedekind – Ketchikan Guided Sport Fishermen's Association (KGSFA)
10. Jerry Dahl – Gillnet/Petersburg Vessel Owners Association (PVOA) Representative
11. Jev Shelton – Gillnet/USAG Member
12. Jim Becker – Gillnet/USAG Member
13. Kevin McDougal – Gillnet/Northern Regional Aquaculture Association (NSRAA) Board President/RPT member
14. Mitch Eide – Seine/RPT Member
15. Paul Ipock – Troll/Longline
16. Richard Eliason – Sitka Gillnetter/NSRAA Board Member
17. Richard Hofmann – Troll/ATA Member
18. Richie Davis – Troll/Seafood Producers Cooperative (SPC)
19. Ryan Kapp – Seine
20. Sally Burattin – Klukwan
21. Steve Reifenstuhl – Silver Bay Seafoods
22. Tom Fisher – Troll/SSRAA Board Member
23. Gregg Bigsby – Gillnet
24. Casey Mapes – Yakutat Gillnetter
25. Floyd Kookesh – Southeast Regional Advisory Council (SERAC)/Angoon Subsistence User

Federal Subsistence Representative: None.

The Committee met February 21, 2009 at 8:00 a.m. and adjourned at 3:00 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (43 total) 86 and 244-285.

*Asterisked proposals are those also discussed in Committee G, the commercial troll committee.

Joint Regional Planning Team Enhanced Salmon Allocation Plan

The committee began with a discussion regarding the Joint Regional Planning Team (JRPT) Enhanced Salmon Allocation Plan agreement between the gillnet, purse seine and troll gear groups. Supporters of the agreement stated that this plan is a package that must be passed in its entirety. Proposals relating to the JRPT allocation plan are 244, 245, 246, 267, 268, 269, 271, 273, 274 and 327.

Support:

- Some members felt that this plan would solve allocation concerns. This plan as a whole is good for industry.
- Has give and take for all gear groups.
- Plan needs to be looked at as a whole. It has changes for immediate fixes and changes in production for long term fixes.
- Status quo is not fair and is not working.
- User groups would not lose money. All user groups make money for the amount of money that is put in through fish taxes. The seiners make the most from their fish tax investment.

Opposition:

- Some members felt that allocation process was flawed with trollers voting with purse seiners creating a 4-2 vote against gillnetters.
- Harvest of enhanced fish varies by year just like harvest of wild fish. Since 1994 both gillnet and seine are above their allocations.
- Existing allocation plan is nearly 20 years old. It is outdated and flawed. It needs significant review.
- This would be the first time the allocation plan will take fish away from other groups instead of allocating new production.
- The enhancement facilities are near capacity. Some are near the capacity for the facility and some are near their permitted capacity.
- Will not solve allocation imbalance.
- Gillnetters will be displaced. Unfair for north end gillnetters.
- Purse seiners aren't patient enough to wait for benefits in changes of production. Gillnetters had to wait for benefits of production
- Sitka gillnetters are a small group and a major victim of the plan.

AC Positions:

Support: Ketchikan.
Opposed: None.

There was no consensus on the JRPT allocation plan.

After there was no consensus for the JRPT Enhanced Salmon Allocation Plan within the committee, the committee Board members chose to discuss each proposal assigned to the committee.

PROPOSAL 273 – 5 AAC 33.376(B)(1)(B). DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. Amend the regulation to use a 1:1 ratio for gillnet and seine openings in the Deep Inlet Terminal Harvest Area (THA) for 2009 to 2011. This ratio would sunset after the 2011 season.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 7, 20, 21, 27, 74, 94, 99, 108, 116.

Record Comments: RC 69, 111.

Narrative of Support and Opposition:

- **JRPT recommends from 2009 through 2011 a one to one ratio between gillnet and seine fishing time after the third Sunday in June.**
- Proposals 273 and 274 were discussed together.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- JRPT keeps the 2 to 1 gillnet to seine during the first part of the season.
- JRPT took a regional perspective and altered Anita Bay and Deep Inlet hatchery management plans.

Opposition:

- Proposed plan part of a flawed allocation policy.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Upper Lynn Canal.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: Consensus to support with substitute language. Jensen conflicted.

5AAC 33.376 DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. (b)(1)**(C) beginning with the first E.O. of the 2009 season through the last E.O. of the 2011 season the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of one to one after the third Sunday in June;**

5AAC 33.370 DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN. (b)(2)**(C) after June 20, the time ratio for gillnet openings to seine openings is one to one;**

5AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. (d)(3)**(A) beginning with the first E.O. of the 2009 season through the last E.O. of the 2011 season the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of one to one;**

***PROPOSAL 244 – 5 AAC 33.364. SOUTHEAST ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.** Exclude production from those private non-profit salmon hatchery operators not receiving salmon enhancement tax revenue from the value calculations associated with the Southeastern Alaska Enhanced Salmon Allocation Management Plan.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 19, 20, 21, 25, 37, 48, 55, 75, 82, 87, 89, 92, 94, 95, 101, 102, 108, 113, 116.

Record Comments: RC 24, 39, 111, 152, 155, 160, 163, 235.

Narrative of Support and Opposition:

- **JRPT recommends no action.**
- SSRAA looks at yearly contributions.
- Salmon enhancement tax is based on where landings are made.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Fixes the imbalance in current enhanced salmon allocation plan.
- No distinction between enhancement tax produced fish and non-enhancement tax produced fish.

Opposition:

- JRPT allocation plan resolves the issues this proposal seeks to fix.
- Unreasonable to have to separate enhancement allocation plans.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on action taken on proposal 273. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 245 – 5 AAC 33.364. SOUTHEAST ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.** There are two parts to this proposal. The first part suggests enhanced salmon production from Northern Southeast Regional Aquaculture Association be removed from item (2) of the Southeast Alaska Area Enhanced Salmon Allocation Plan. The second part of the proposal seeks to formally vest, in regulation, authority for "...maintaining a reasonable commitment of production..." with the association (NSRAA).

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 6, 8, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 21, 48, 55, 82, 89, 92, 94, 102, 108, 113.

Record Comments: RC 24, 39, 111, 150, 152, 155, 160, 163, 182, 235.

Narrative of Support and Opposition:

- **JRPT recommends no action.**
- Requested the board to require a new enhanced allocation plan.

Department: None.

Department of Law:

- The board does not have the authority to direct specific hatchery operations. The proposal, as written, is beyond the board's authority.

Federal Subsistence Representative: None.

Support:

- Proposal takes allocation out of JRPT hands.

Opposition:

- No opposition providing JRPT allocation plan is accepted.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on action taken on proposal 273. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 246 – 5 AAC 29.150. CLOSED WATERS**; and **5 AAC 33.350. CLOSED WATERS.** This proposal would close the waters within Coffman Cove to commercial salmon fishing.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 55, 89, 92, 94, 99, 108, 113, 119.

Record Comments: RC 39, 111, 152, 155, 235.

Narrative of Support and Opposition:

- **Proponents submitted PC 119 to withdraw proposal.**
- **JRPT recommends opposition.**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No action based on action taken on proposal 273. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 247 – 5 AAC 29.150(i). CLOSED WATERS.** This proposal would establish in regulation a new subsection (8) under 5 AAC 29.150(i) stating that, beginning on July 1, the waters of District 8 will be open for trolling consistent with drift gillnet openings.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99, 113.

Record Comments: RC 152, 235.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Supports as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 248 – 5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY (i)(1).** This proposal would repeal 5AAC 29.100(i)(1) and would uncouple the troll and set gillnet openings during the summer troll season, from August 7 through September 20, and would make the management of each fishery independent.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8.

Timely Public Comment: RC 1, Public Comment Tab, PC 92, 113.

Record Comments: RC 67, 152, 235.

Narrative of Support and Opposition: None.

Department: The department has tools to be able to manage any increases in coho harvest.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- This proposal will take commercial fishing pressure off of the Situk River and spread it to other river systems.
- Allows permit holders that hold both gillnet and troll permits to pick and choose what type of gear they would like to fish.
- High fuel costs are limiting fishers from flying out to other rivers concentrating them on areas near the road system.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Yakutat.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

***PROPOSAL 252 – 5 AAC 29.XXX. (NEW SECTION)**; and **5 AAC 33.XXX. (NEW SECTION).** This proposal would require commercial salmon fishermen, who fish in more than one salmon fishery utilizing the same vessel, to land all product from one salmon fishery before participating in another salmon fishery.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 92, 99, 113.

Record Comments: RC 67, 152, 235.

Narrative of Support and Opposition: None.

Department:

- See comments on proposal 249.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- See comments on proposal 249.

Opposition:

- See comments on proposal 249.

SSFP: Not Discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Supports.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with list of regulation issues.

Board Committee Recommendation: Consensus to support with substitute language. Jensen conflicted.

Substitute Language:

5AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS.
(k) Fish harvested by one gear type must be offloaded, landed and documented on a fish ticket before operating any other salmon gear type.

5AAC 33.331. GILLNET SPECIFICATIONS AND OPERATIONS.
(j) Fish harvested by one gear type must be offloaded, landed and documented on a fish ticket before operating any other salmon gear type.

5AAC 33.332. SEINE SPECIFICATIONS AND OPERATIONS.
(i) Fish harvested by one gear type must be offloaded, landed and documented on a fish ticket before operating any other salmon gear type.

***PROPOSAL 249 – 5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS** and **5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION.** This proposal would allow gillnet and troll gear onboard a vessel simultaneously while participating in a fishery and while in transit between fisheries.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 7, 9, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 5, 89, 99.

Record Comments: RC 67, 235.

Narrative of Support and Opposition:

- **Proposals 249, 250, 251 and 252 were discussed together.**
- Proposal 252 should be adopted along with this proposal.
- The troll issues will be statewide.

Department:

- Board Enforcement Consultant commented that current regulations require complete separation of gear.
- The following is a list of issues that should be addressed if the proposal is adopted:
  - Letter of the law does not allow towing boats with gear;
  - One or more persons on board must have current valid permits in possession for each gear type onboard vessel;
  - Fish harvested by one gear must be offloaded, landed and documented on a fish ticket before operating different gear (prop 252);
  - Gillnets must be bagged and stowed below deck while operating troll gear;
  - Cannon balls must be removed from trolling wires and stored below decks prior to using operating gillnet gear.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Allows fishers to more efficiently participate in two fisheries.

Opposition:

- Major change in the way these fisheries are prosecuted.

SSFP: Not discussed.

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PROPOSAL 249

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with list of regulation issues. Jensen conflicted.

Board Committee Recommendation: No consensus.

Substitute Language:

5AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS.
(k) Not withstanding 5AAC 39.240(a), a vessel may have hand troll or power troll gear, as specified in 5 AAC 29, and drift gillnet gear on board, only as specified by area in 5AAC 33, as follows:

(1) One or more persons on board the vessel must be a CFEC permit or interim use permit holder of a Southeast drift gillnet and either a hand troll or power troll permit and shall have both of these permits in their possession for each gear type that is aboard the vessel and shall present both permits for inspection upon request of an employee of the department or a peace officer;

(2) Fish harvested by one gear type must be offloaded, landed and documented on an ADF&G fish ticket before operating another salmon gear type;

(3) Gillnets must be bagged and stowed below deck prior to and during operation of troll gear and when troll caught fish are on board the vessel;

(4) All cannon balls and other trolling weights aboard the vessel must be removed from trolling wires and stored below decks prior to and during operation of ~~other seine~~ gear and gillnet net gear caught fish are on board the vessel.

CANNOT

5AAC 33.331. GILLNET SPECIFICATIONS AND OPERATIONS.
(j) Not withstanding 5AAC 39.240(a), a vessel may have drift gillnet, only as specified in 5 AAC 33, and hand troll or power troll gear, only as specified in 5 AAC 29, on board as follows:

(1) One or more persons on board the vessel must be a CFEC permit or interim use permit holder of a Southeast drift gillnet and either a hand troll or power troll permit and shall have both of these permits in their possession for each gear type that is aboard the vessel and shall present both permits for inspection upon request of an employee of the department or a peace officer;

(2) Fish harvested by one gear type must be offloaded, landed and documented on an ADF&G fish ticket before operating another salmon gear type;

(3) Gillnets must be bagged and stowed below deck prior to and during operation of troll gear and when troll caught fish are on board the vessel;

(4) All cannon balls and other trolling weights aboard the vessel must be removed from trolling wires and stored below decks prior to and during operation of gillnet gear and when gillnet caught fish are on board the vessel.

***PROPOSAL 250 – 5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS** and **5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION.** This proposal would allow gillnet and troll gear onboard a vessel simultaneously while participating in a fishery and while in transit between fisheries.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 40, 89, 113.

Record Comments: RC 67, 152, 235.

Narrative of Support and Opposition:

Department:
- See proposal 249.

Department of Law: None.

Federal Subsistence Representative: None.

Support:
- See proposal 249.

Opposition:
- See proposal 249.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with list of regulation issues. Jensen conflicted.

Board Committee Recommendation: No action based on action taken on proposal 249.

Substitute Language: None.

***PROPOSAL 251 – 5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS; 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION;** and **5 AAC 33.332. SEINE SPECIFICATIONS AND OPERATION.** This proposal would allow large lead weights called cannon balls that are used to deploy salmon troll gear to be stored below decks while fishing with seine or gillnet gear. It would also allow a gillnet onboard a vessel while trolling if the net was removed from the gillnet reel and stored in a bag that is tied closed.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 75, 89.

Record Comments: RC 67, 235.

Narrative of Support and Opposition: None.

Department: See comments on proposal 249.

Department of Law: None.

Federal Subsistence Representative: None.

Support:
- See comments on proposal 249.

Opposition:
- See comments on proposal 249.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with list of regulation issues. Jensen conflicted.

Board Committee Recommendation: No consensus.

Substitute Language:

5AAC 33.332. SEINE SPECIFICATIONS AND OPERATIONS.

(i) Not withstanding 5AAC 39.240(a), a vessel may have a purse seine, only as specified in 5 AAC 33, and hand troll or power troll gear, only as specified in 5 AAC 29, on board as follows:

(1) One or more persons on board the vessel must be a CFEC permit or interim use permit holder of a Southeast purse seine permit and either a hand troll or power troll permit and shall have both of these permits in their possession for each gear type that is aboard the vessel and shall present both permits for inspection upon request of an employee of the department or a peace officer;

(2) Fish harvested by one gear type must be offloaded, landed and documented on a fish ticket before operating another salmon gear type;

(3) seines must be removed prior to operation of troll gear;

(4) All cannon balls and other trolling weights aboard the vessel must be removed from trolling wires and stored below decks prior to and during operation of seine gear and when seine caught fish are on board the vessel.

PROPOSAL 86 – 5 AAC 33.xxx. MAXIMUM LENGTH OF SALMON SEINE VESSEL. This proposal would repeal any length limit in Southeast Alaska and has been rejected by the BOF for Prince William Sound.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: None.

Timely Public Comment: RC 1, Public Comment Tab, PC 49, 57, 97.

Record Comments: RC 10.

Narrative of Support and Opposition:

- See comments on proposal 253.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- See comments on proposal 253.

Opposition:

- See comments on proposal 253.

SSFP: Not discussed

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: See proposal 253.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 253 – 5 AAC 33.xxx. MAXIMUM LENGTH OF SALMON SEINE VESSEL. This proposal would increase the allowable length of a salmon seine vessel in the Southeastern Alaska Area to 75 feet "hull length."

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 30, 85, 94, 97, 99, 112.

Record Comments: RC 67, 166, 235.

Narrative of Support and Opposition:

- Seine vessels have changed over the last 50 years. They have become wider and have increased hold capacities.
- Building or purchasing a vessel greater than 58' would have to be a business decision. A vessel is a tool. You need to choose the right tool for the job.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Purse seine fishers can own bigger boats that are usable for other fisheries.
- Change is needed to keep up with modern times and technology.
- Larger vessels could increase quality of fish.
- No length maximums on other Southeast Alaska salmon drift gillnet and troll vessels.
- Vessel hold capacity would increase.

Opposition:

- The monetary value of a 58 foot limit seiner will go down.
- Seine vessels larger than 60 feet would not be able to fish in certain classes of halibut IFQs.
- Once vessel size is changed, the seine industry will be asking to change net sizes.
- There is concern that larger, outside vessels may out compete locals.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.

Oppose: Sitka, Klawock, Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No consensus. Jensen conflicted.

Substitute Language: None.

PROPOSAL 254 – 5 AAC 33.xxx. MEASUREMENT OF SOUTHEASTERN ALASKA SEINE VESSEL LENGTH. The proposal would measure vessel length as "hull length" exclusive of anchor rollers on the bow, stern rollers, or other extensions including platforms.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 6, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 30, 94, 97, 99, 112.

Record Comments: RC 67, 166.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support

- This proposal would keep the stern roller out of the vessel measurement.

Opposition:

- The proposal leaves too much wiggle room to fudge vessel length.
- This proposal would be no different than extending length of vessel.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 255 – 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION. This proposal would provide an incentive of additional fishing time for permit holders who acquire a second entry permit for the drift gillnet fishery.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 2, 7, 42, 43, 44, 45, 46, 47, 52, 59, 60, 63, 64, 66, 69, 70, 74, 75, 76, 77, 78, 79, 81, 89, 90, 91, 94, 96, 110.

Record Comments: RC 67, 102, 107, 235.

Narrative of Support and Opposition:

- Proposals 255 and 256 were discussed together.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Currently, owning two permits allows for no additional benefits.

Opposition:

- The proposal could increase the costs of permits making new entry difficult.
- One panel member suggested this proposal was against the State Constitution as it does not apply to all equally. The state constitution requires that all are similarly situated.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral to allocative aspects and opposed to the fundamental changes in management that would result if this proposal were to be adopted.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 256 – 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION. This proposal would provide an incentive of additional gear for permit holders who acquire a second entry permit for the drift gillnet fishery.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 8, 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 4, 7, 42, 43, 44, 45, 46, 47, 52, 56, 59, 60, 63, 64, 66, 69, 70, 74, 75, 76, 77, 78, 79, 81, 89, 90, 91, 94, 96, 110.

Record Comments: RC 67, 102, 107, 235.

Narrative of Support and Opposition:

- Proposals 255 and 256 were discussed together.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- See comments on proposal 255.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral to allocative aspects and opposed to the fundamental changes in management that would result if this proposal were to be adopted.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 257– 5 AAC 33.331. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. This proposal would change the day that weekly drift gillnet fishing periods open from Sunday to Monday.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 12, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 26, 29, 51, 75, 89, 91, 94.

Record Comments: RC 31, 67, 155.

Narrative of Support and Opposition:

- Proposals 257 and 258 were discussed together.
- One panel member suggested that if the proposal was not supported as a whole then maybe the Monday start time could be instituted during the fall season when days are shorter.
- Wrangell AC supports this proposal with their amendment of a 6:00 a.m. start time.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Allows fishers to spend Sunday with families and attend church and not miss fishing.
- Reduces conflict with sport fishermen.

Opposition:

- Processors don't want fish on the weekend.
- Purse seiners in some districts may start fishing before gillnetters, increasing their allocation.
- This was done in the past and processors wanted it moved back to Sunday.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 258– 5 AAC 33.331. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. This proposal would change the day that weekly drift gillnet fishing periods open from Sunday to Monday.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 10, 13, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 18, 26, 29, 51, 75, 89, 91, 94.

Record Comments: RC 67.

Narrative of Support and Opposition:

- Proposals 257 and 258 were discussed together.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None

Support:

- See comments on proposal 257.

Opposition:

- See comments on proposal 257.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Wrangell.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on action taken on proposal 257.

Substitute Language: None.

PROPOSAL 259 – 5AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR (c)(3). and 5 AAC 33.368. DISTRICT 8 KING SALMON MANAGEMENT PLAN. This proposal would amend current regulations to require that District 8 gillnet openings begin on Monday during the entire month of June.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 26, 51, 68, 89, 91, 94, 99.

Record Comments: RC 67, 72.

Narrative of Support and Opposition:

- Amended wording was suggested to make this change only during the first two sockeye weeks.

Department:

- There is an error in the regulation book, but is correct in the briefing document.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Gillnetters continue to target kings during sockeye fishery.
- Gillnetters could start on a Monday during the first two sockeye weeks.

Opposition:

- Proposal is just for District 8 and not for other districts.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Petersburg (with amendment).
Oppose: Wrangell.

Public Panel Recommendation: Consensus to oppose as written.

Board Committee Recommendation: No consensus.

Substitute Language:

The following regulations include what the Board passed in 2006 and are found in RC 204. They are the basis for the way the department has been managing the fishery since 2006.

5 AAC 33.368. District 8 King Salmon Management Plan.

(a) The purpose of the management plan in this section is to provide for abundance-based management, reduce the conflicts between commercial and sport fishermen, and reduce the incidental harvest of steelhead, as follows,

(b) District 8 will open on the second Sunday in June except, the commissioner may open, by emergency order, drift gillnet fishing in the waters of District 8 **beginning on the first Monday in May through the second Saturday in June;**

(1) the commissioner may not establish a fishing period on a Saturday, Sunday, or a State of Alaska or Federal holiday;

(2) the commissioner may not establish a fishing period later than 8:00 a.m. the Wednesday before the Memorial Day weekend;

(3) fishing periods will begin at 8:00 a.m.; and

(4) fishing periods may not exceed four days a week.

The following language would amend the above and extend the Monday openings further into June.

5 AAC 33.368. District 8 King Salmon Management Plan.

(a) The purpose of the management plan in this section is to provide for abundance-based management, reduce the conflicts between commercial and sport fishermen, and reduce the incidental harvest of steelhead, as follows;

(b) District 8 will open on the second [SUNDAY] **Monday** in June except, the commissioner may open, by emergency order, drift gillnet fishing in the waters of District 8 **beginning on the first Monday in May through the third Monday in June**;

(1) the commissioner may not establish a fishing period on a Saturday, Sunday, or a State of Alaska or Federal holiday prior to the second Monday in June;

(2) the commissioner may not establish a fishing period later than 8:00 a.m. the Wednesday before the Memorial Day weekend;

(3) fishing periods will begin at 8:00 a.m. **prior to the second Monday in June**; and

(4) fishing periods may not exceed four days a week **prior to the second Monday in June**.

~~**5 AAC 33.310. Fishing seasons and periods for net gear.**~~

~~(c) (3) District 8 opens on the second [SUNDAY]~~ **Monday** ~~of~~ June;

PROPOSAL 260 – 5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. This proposal would open a portion of District 7 outside of Anita Bay Terminal Harvest Area to seining whenever gillnetting is open in the adjacent area of District 8.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 94, 99, 108.

Record Comments: RC 67, 235.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- One member stated that this was the wrong approach and would institute a new terminal fishery.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 261 – 5 AAC 33.366. NORTHERN SOUTHEAST SEINE SALMON FISHERY MANAGEMENT PLAN. It is not clear what exactly this proposal would do. The proponent states that there is a need to develop a salmon management plan for access to fish returning to Districts 11, 12, and 14. Therefore, it is assumed that the intent of this proposal is to increase access to northern inside pink salmon stocks through additional seine opportunities in District 14 and possibly District 11. A management plan already exists that allows access to pink salmon returning to Districts 11, 12, and 14 [5 AAC 33.366].

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 21, 74, 89, 94, 97, 99.

Record Comments: RC 67, 235.

Narrative of Support and Opposition:

- One member suggested that purse seiners did not fish in these areas in big pink salmon years due to processor limits.
- In the last 10 years, 4 were huge pink salmon years.
- Districts 11 and 15 are the smallest pink salmon producers in entire region. Current pink salmon harvest in those districts have been in proportion of those runs.
- Discussed ADFG's ability to conduct more test fisheries. ADFG has a cap of $600,000 in test fish receipt authority that is currently reached by existing test fisheries.
- Sockeye cap would not apply to test fishing.

Department:

- The existing Northern Southeast Alaska management plan works.
- There have been years of large pink salmon returns where excess pink salmon were not harvested. The reason for this has been due to the sockeye cap with the Pacific Salmon Treaty. The department cannot fish north of Point Marsden once the 15,000 sockeye cap has been reached.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- One member suggested this would allow for more pink salmon harvest on Taku River pink salmon stocks in big years.
- There is a large body of water without nets in it.

Opposition:

- Management plan is already in place.
- No documentation of over-escapement of pink salmon in the proposed areas.

- More sockeye and chum salmon would be harvested.
- Fish mill in this area and fishing would be adversely affect escapements in numerous areas.
- Need test fisheries before fishing these areas.
- The state does not have additional receipt authority for new test fisheries.
- Severe negative impacts on Taku River stocks may occur.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Icy Strait, Upper Lynn Canal.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 262 –5 AAC 33.366. NORTHERN SOUTHEAST SEINE SALMON FISHERY MANAGEMENT PLANS. This proposal would place additional regulatory restrictions and/or constraints on purse seine fishing in upper Chatham Strait by amending 5AAC 33.366. This proposal would take away emergency order authority from the department in managing the purse seine fisheries in upper Chatham Strait and Icy Strait. It would also diminish the department's ability to verify pink salmon run strength entering northern inside waters by adding regulatory constraints to the index fishery at Point Augusta.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 15, 41, 48, 89, 94, 97, 99, 108.

Record Comments: RC 67, 262, 235.

Narrative of Support and Opposition:

- Panel member commented that the problem may not be over-harvest. Fish that return to Kanalku Lake often don't make it past the falls.
- Industry is working to help find solutions to resolve this problem.

Department:

- A current board proposal asks for revised amounts necessary for subsistence (ANS) needs findings. The Angoon area is listed in this proposal.
- Escapement on the system has been low in recent years.
- The department opposes taking away management tools.
- The department currently manages for escapement to Kanalku Lake and has closed adjacent waters. Northern areas are not open until later in the season.
- The department had a weir on the system in 2007 and 2008 and will continue in 2009.
- Additional information is being collected to resolve run timing issues and fish barrier concerns.
- ADFG is working with the USFS on stock assessment studies.
- Passage of this proposal may lead to a significant decrease in commercial purse seine harvest of pink salmon.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The community of Angoon has taken the brunt of the conservation burden for Kanalku Bay.
- Sockeye subsistence harvesters can't wait 3 more years for results of ongoing studies.
- Concerned with Kanalku sockeye run ceasing to exist.
- Angoon members are forced to travel to other areas in small boats to get subsistence sockeye.

Opposition:

- Proposal would take away the department's E.O. authority.
- Proposal is moving toward federal control of state waters.
- Proposal will not bring back more sockeye to Kanalku Bay.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Upper Lynn Canal.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 263 – 5 AAC 33.332. SEINE SPECIFICATIONS AND OPERATION. This proposal would allow a purse seine vessel to have two legal limits of seine gear on board a vessel in Southeast Alaska.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 10, 12, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 99.

Record Comments: RC 67, 155, 165, 235.

Narrative of Support and Opposition:

- Some panel members would support the proposal if it only applied to terminal areas.

Department:

- The department anticipates more fishing would occur near stream mouths.
- As a rule there are no excess fish available near stream mouths.
- Due to budget constraints the department cannot maintain stream markers efficiently.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- Purse seiner would be allowed to have a deep net and a shallow net onboard a vessel allowing fishing in a variety of depths.

Opposition:

- Fleet may become too efficient.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed.

AC Positions: Support: Ketchikan.
Oppose: Petersburg.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 264 – 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. This proposal would close commercial salmon fishing from July 1 through July 15 in the Klawock area.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 12, 14, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 89, 94, 99.

Record Comments: RC 67, 235.

Narrative of Support and Opposition:

- A panel member commented that 70% of the king salmon harvested in District 4 occurs in July.
- One panel member stated that there was very little fishing in District 4 in 2008 with approximately 6,000 sockeye caught, of which 70% have historically been Canadian.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- One panel member stated that the fish in the Klawock River in June are gone and the District 4 fishery is the cause. The return to the Sarkar River is also poor.
- One panel member stated that District 4 purse seine fishery was closed in 1985 and it helped to bring fish back to the Klawock River.
- Sockeye returns are going down.

Opposition:

- The District 4 purse seine fishery is controlled by the Pacific Salmon Treaty which has been in place since 1985.
- No seining has ever taken place in May and June in Districts 3 and 4.
- Klawock River sockeye have been rebuilt since lows in the 1970s.
- Proposal as written includes troll.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral on allocative aspects and opposed to fishery restrictions.

AC Positions: Support: Klawock.
Oppose: Ketchikan.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 265 – 5 AAC 33.310. FISHING SEASON AND PERIODS FOR NET GEAR. Amend the regulation to change the opening and closing dates for sockeye in the Klawock area.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 9, 10, 12, 14, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 89, 94, 99.

Record Comments: RC 13, 67, 235.

Narrative of Support and Opposition:

Department:

- The department supports amended language that allows a July 15 to August 7 opening.
- The department has extended the fishery in the past during years with late sockeye runs.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Opposed as written, but supports with substitute language.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support with substitute language.

Board Committee Recommendation: Consensus to support with substitute language. Jensen conflicted.

Substitute Language:

5 AAC 01.710 (e) From July 7 through [July 31] **August 7**, sockeye salmon may be taken in the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock Oil Dock, the Klawock River, and Klawock Lake only from 8:00 a.m. Monday until 5:00 p.m. Friday.

5 AAC 77.382 (h)(2) From July 7 through [July 31] **August 7**, sockeye salmon may be taken in the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock Oil Dock, the Klawock River, and Klawock Lake only from 8:00 a.m. Monday until 5:00 p.m. Friday.

PROPOSAL 266 – 5 AAC 30.331. GILLNET SPECIFICATIONS AND OPERATIONS. This proposal would increase the allowable gillnet length for other waters of the district to one 75 fathom net.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 5, 9, 10.

Timely Public Comment: RC 1, Public Comment Tab, PC 8, 75, 92, 113.

Record Comments: RC 67, 110, 152.

Narrative of Support and Opposition:

Department:

- This proposal could significantly alter the Yakutat setnet fisheries.
- There might be additional closures in the more terminal areas around Yakutat.
- The Yakutat setnet fishery was closed down last year for two weeks due to poor sockeye returns.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The proposal would fix congestion problem and thin out effort on the Situk lagoon.
- This proposal would give fishers in Yakutat a better opportunity to make a living.

Opposition: None

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: Yakutat.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: No consensus.

Substitute Language: None.

PROPOSAL 267 – 5 AAC 33.372. DISTRICT 1: NAKAT INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. This proposal would change the current Nakat Inlet Terminal Harvest Area (THA) fishery management plan by allowing the commercial purse seine gear group to share in the harvest of terminal fish.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 9, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 7, 21, 89, 94, 95, 99, 108.

Record Comments: RC 69, 111, 235.

Narrative of Support and Opposition:

- **JRPT recommends opposition.**
- Purse seiners would support this if the JRPT package is not approved.
- One panel member stated that the purse seine fleet made a deal with the gillnet fleet to move out of Nakat Inlet to get increased production in Kendrick Bay. The increased production has not occurred as expected and now the purse seine fleet wants back into Nakat Inlet.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None

Support:

- The Nakat Inlet deal made 3 years ago did not work for the seiners.

Opposition:

- This proposal is tied in with proposal 244 and 245. The status quo is a better alternative.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: Upper Lynn Canal.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on the action taken on proposal 273. Jensen conflicted.

Substitute Language: None.

PROPOSAL 268 – DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN. Change the current fishing schedule in the Neets Bay Terminal Harvest Area (THA). Fishing opportunities would go to the gear group that is out of their enhanced allocation range. If both purse seiners and gillnetters are within their ranges, then a fishing scheme of one day for purse seiners followed by one day for gillnetters would be used.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 4, 8, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 7, 21, 89, 94, 95, 99, 108.

Record Comments: RC 69, 235.

Narrative of Support and Opposition:

- **JRPT recommends changes to allow for a one to one rotation between gillnet and seine after June 20.**

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- See proposal 267.

Opposition:

- See proposal 267.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: See proposal 267.
Oppose: See proposal 267.

Public Panel Recommendation: Non Consensus.

Board Committee Recommendation: No action based on the action taken on proposal 273. Jensen conflicted.

Substitute Language: None.

PROPOSAL 269 – 5 AAC 33.370. DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN AND **5 AAC 47.021. (J)(4) SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS FOR THE SALT WATERS OF THE SOUTHEAST ALASKA AREA.** Expand the existing boundaries of the Neets Bay THA from inside Neets Bay proper out into Behm Canal and south to Clarence Strait. This would allow increased resident and nonresident bag limits of two fish in all waters along the western shore of Revillagigado Island bounded by a line from Point Higgins, west to Tatoosh Rocks, and north to Brow Point. The two fish daily bag limit would not count towards the nonresident harvest limit. Timing for this opening would coincide with the traditional Neets Bay Terminal Harvest Area typically opening mid June through end of July.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8, 9, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 9, 21, 55, 89, 92, 99, 113.

Record Comments: RC 152, 235.

Narrative of Support and Opposition:

- **JRPT has no recommendation.**

Department:

- There was an error in the briefing document. The hatchery composition in statistical area 101-90 is around 60%.
- The department would prefer to manage time and area by emergency order authority.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- One panel member said there are 70% hatchery produced fish in this area during that time of year.
- One panel member said Sport Fish pays for 41.2% of hatchery produced fish.

Opposition:

- One panel member said sport fishers harvest kings and cohos heavily in Clover Pass where trollers are restricted.
- One panel member said SSRAA could expand cost recovery in West Behm Canal with an expansion of the THA.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 270 – 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. This proposal would close shoreline fishing in Herring Cove and move the king and coho salmon release site to a new location.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: RC 19.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 6, 15, 21, 68, 89, 94, 99.

Record Comments: None.

Narrative of Support and Opposition:

Department:

- The department has not conducted any studies to address access concerns of the area. The department has presented a number of access improvement projects, some of which have been rejected by the local residents. The department has done what is in its authority to address concerns.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- This issue is a local resident problem and should be address by local governments.
- One panel member said this issue should have been brought to the SSRAA Board to address the problem.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to oppose.

Board Committee Recommendation: No recommendation.

Substitute Language: None.

PROPOSAL 271 – 5 AAC 33.383(d)(3). DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. Seine fishing time in the Anita Bay Terminal Harvest Area (THA) would double in June and July. Gillnet fishing time would be reduced in half during that same time period. The existing consultation process between the department and Southern Southeast Regional Aquaculture Association (SSRAA) will become formalized in regulation.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 10, 15.

Record Comments: RC 69, 235.

Narrative of Support and Opposition:

- **JRPT recommends changes from 2009 through 2011 to allow for a one to one ratio between gillnet and seine fishing time.**
- If the JRPT passes, some seiners would oppose.
- If JRPT does not pass, some gillnetters would oppose.
- Some seiners have taken advantage of early king salmon fishing.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- This proposal is not a 1 to 1 ratio between seine and gillnet fishing time as recommended in the JRPT plan, but a 2 to 1 seine to gillnet ratio.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No action based on the action taken on proposal 273. Jensen conflicted.

Substitute Language:

PROPOSAL 272 – 5 AAC 40.071. DISTRICT 9: GUNNUK CREEK SPECIAL HARVEST AREA. and **5AAC 40.073. DISTRICT 9: SOUTHEAST COVE SPECIAL HARVEST AREA.** The proposal would develop a management plan for Gunnuk Creek Hatchery which is located at Kake. The proposal would limit the common property harvest to seining and trolling. The proposal asks that when a common property seine fishery occurs an equal split fishery be instituted.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 8.

Timely Public Comment: None.

Record Comments: 235.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- The local Kake seine fleet is small and does not do well in the typically aggressive fishing style of THA fisheries.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: No consensus.

Board Committee Recommendation: No recommendation. Jensen conflicted.

Substitute Language: None.

PROPOSAL 274 – 5 AAC 33.376(B)(1)(B). DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. Amend the regulation to use a 1:1 ratio for gillnet and seine openings in the Deep Inlet Terminal Harvest Area (THA) for 2009 to 2011. This ratio would sunset after the 2011 season.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 8, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 3, 20, 21, 27, 74, 89, 94, 99, 108, 116.

Record Comments: RC 69, 111, 235.

Narrative of Support and Opposition:

- **The JRPT recommends no action due to the action taken on proposal 273.**
- See proposal 273.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- See proposal 273.

Opposition:

- See proposal 273.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Neutral.

AC Positions: Support: None.
Oppose: See proposal 273.

Public Panel Recommendation: See proposal 273.

Board Committee Recommendation: No action based on action taken on proposal 273.

Substitute Language: None.

PROPOSAL 275 – 5 AAC 33.372. DISTRICT 1: NAKAT INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. The proposal would clarify and update the Nakat Inlet Terminal Harvest Area (THA) management plan in three ways. These changes would include: clarification of opening and closing dates, modification of the southern boundary and removal of the northern boundary line in the THA, and deletion of the reference to seining to be consistent with changes to the Nakat Inlet THA management plan adopted by the board in 2006.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 94, 99, 108.

Record Comments: None.

Narrative of Support and Opposition:

- Proposals 275 through 279 are considered housekeeping proposals.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition:

- One panel member doesn't want the words "purse seine" removed from Nakat Inlet Terminal Harvest Management Plan regulation.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support. Jensen conflicted.

Substitute Language: None.

PROPOSAL 276 – 5 AAC 33.371. DISTRICT 1: CARROLL INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. This proposal would repeal the Carroll Inlet Terminal Harvest Area (THA) management plan.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 8, 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 277 – 5 AAC 33.377. DISTRICT 2: KENDRICK BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. This proposal would clarify regulations for the Kendrick Bay Terminal Harvest Area (THA) salmon management plan.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 278 – 5 AAC 33.381 DISTRICT 6: WRANGELL NARROWS-BLIND SLOUGH TERMINAL HARVEST AREA MANAGEMENT PLAN. This proposal would describe in regulation the southern boundary (Figure 278-1) of the Wrangell Narrows-Blind Slough Terminal Harvest Area (THA).

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 10, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 279 – 5 AAC 33.373 EASTERN PASSAGE TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. This proposal would remove the Eastern Passage Terminal Harvest Area (THA) management plan from regulation.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 280 – 5 AAC 40.081. DISTRICT 9: PORT ARMSTRONG SPECIAL HARVEST AREA. This proposal seeks to establish cost recovery openings for the Port Armstrong Special Harvest Areas (SHA) in regulation. This proposal also seeks to close the Port Armstrong SHAs to common property commercial fishing, in regulation, to insure the salmon hatchery operator meets their cost recovery and brood stock requirements.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 281 – 5 AAC 33.385. MIST COVE TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. This proposal seeks to close the Mist Cove Special Harvest Area (SHA) to common property commercial salmon fishing to insure the salmon hatchery operator meets cost recovery and brood stock requirements.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 282 – 5 AAC 40.042. NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION SPECIAL HARVEST AREAS. This proposal seeks to establish cost recovery openings for the Northern Southeast Aquaculture Association's (NSRAA) Special Harvest Areas (SHAs), in regulation, to insure the salmon hatchery operator meets its cost recovery and broodstock requirements. The proposal also seeks to repeal regulations that refer to areas no longer used as hatchery release sites.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 283 – 5 AAC 40.030. DISTRICT 13: SHELDON JACKSON SPECIAL HARVEST AREAS. This proposal seeks to establish cost recovery openings for the Sheldon Jackson Special Harvest Areas (SHAs) in regulation and modify the boundaries of one of the Sheldon Jackson SHAs.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 2, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department:

- The aspect of this proposal that is not housekeeping is a change in the SHA line. This line change would be done by E.O. authority if not incorporated into the management plan.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 284 – 5 AAC 33.XXX. DISTRICT 15: BOAT HARBOR TERMINAL HARVEST AREA MANAGEMENT PLAN. This proposal would create a management plan for the Boat Harbor Terminal Harvest Area (THA) in District 15.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 94, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

PROPOSAL 285 – 5 AAC 40.044. BURRO CREEK FARMS SPECIAL HARVEST AREA. Repeal an outdated and unnecessary regulation.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: RC 1, Advisory Committee Comment Tab, AC 4, 8, 15.

Timely Public Comment: RC 1, Public Comment Tab, PC 89, 99.

Record Comments: None.

Narrative of Support and Opposition: None.

Department: None.

Department of Law: None.

Federal Subsistence Representative: None.

Support: None.

Opposition: None.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support as a housekeeping proposal.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support.

Substitute Language: None.

McDonald Lake Sockeye Salmon Action Plan-RC70

McDonald Lake is located approximately 40 miles north of Ketchikan. It has historically been considered the largest sockeye salmon producer in southern Southeast Alaska. Sockeye salmon escapements have been below goal in four out of the past five years and are not anticipated to meet the escapement goal in upcoming years due to poor parent year escapements and poor survival. As a result, the McDonald Lake sockeye were identified by the department as a potential stock of concern. The action plan is intended to rebuild the McDonald Lake sockeye salmon run back to levels that attain the escapement goal range. The action plan includes measures to reduce harvests and improve stock assessment.

The McDonald Lake Sockeye Salmon Action Plan was brought forward for discussion in the commercial net fisheries committee. The commercial net fisheries and the personal use fisheries are most effected by the proposed management actions of the plan.

Staff Reports: RC 3-Written Reports, RC 4-Oral Reports.

Staff Comments: RC 2.

Deliberation Materials: None.

AC Reports: None.

Timely Public Comment: None.

Record Comments: RC 70.

Narrative of Support and Opposition:

Department:

- Management actions taken in commercial net fisheries would occur during July and early August.
- Only a portion of District 7 would be affected by the management actions.
- Lake fertilizing stopped because the lake was no longer rearing limited due to decreased fry production from low returns.
- The stock of concern status would continue until at least the next Southeast Board of Fish meeting in 2012 unless otherwise directed by the BOF.
- The department would be reluctant to deviate from the action plan until the escapement problem has been resolved.
- Funding for stock assessment work is secured for several years. The department would like to do additional work that could be funded through AKSSF funds, the Northern Fund, or by monies from the legislature.
- SSRAA has had numerous cooperative projects with the department and will continue to do so.
- ADFG would prefer at least 3 years of genetic stock analysis to attain meaningful results.
- In addition to low escapements, pre-smolt survival has been low for 3 consecutive years.
- Other stocks in the West Behm Canal area have not had escapement concerns.

Department of Law: None.

Federal Subsistence Representative: None.

Support:

- On the surface, the management actions that have taken place and the actions that are included within the action plan are appropriate.

Opposition:

- Restricted areas could have large impacts on harvests of other fish.

SSFP: Not discussed.

POSITIONS AND RECOMMENDATIONS

ADF&G Position: Support.

AC Positions: Support: None.
Oppose: None.

Public Panel Recommendation: Consensus to support.

Board Committee Recommendation: Consensus to support with RC-70 becoming a board generated proposal.

Substitute Language: None.