



# UNITED FISHERMEN OF ALASKA

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March 5, 2013

Karl Johnstone, Chair  
Board of Fisheries  
Boards Support Section  
PO Box 115526  
Juneau, AK 99811-5526

## **RE: Board of Fisheries Statewide Proposals Comments**

Dear Chairman Johnstone,

United Fishermen of Alaska is the largest statewide commercial fishing trade association, representing 36 commercial fishing organizations participating in fisheries throughout the state and its offshore federal waters. UFA appreciates the opportunity to comment on the following proposals:

**Proposal 215: Criteria for the allocation of fishery resources among personal use, sport, and commercial fisheries. OPPOSE** - This proposal places a long term statewide restriction on allocations to address a specific, localized and temporary situation. Although we support the stated intent that it would theoretically prevent the Board from eliminating commercial fisheries altogether in allocation decisions, we oppose the proposal because it would bring a statewide restriction that may have unforeseen effects in future deliberations. We also oppose the part of the proposal that would prohibit aquaculture associations from obtaining all of their coast recovery from one fishing area, as an undue restriction on the flexibility of the associations and regional planning teams to best address cost recovery needs in a manner most acceptable to local users of all categories.

**Proposal 216: Require statewide adherence to salmon fishery management plans. OPPOSE** - This proposal would clarify achieving escapement goals is the primary management objective and takes priority over provisions in any specific management plan. Escapement goals included in this proposal are biological escapement goals (BEGS), sustainable escapement goals (SEGS), and optimal escapement goals (OEGS), but not inriver goals. We oppose this proposal because it unnecessarily restricts the management authority by elevating the priority of escapement goals, when there may be many additional factors that may also be of overriding or primary priority in future unforeseen circumstances.

**Proposal 217: Mandate statewide priority for management of king salmon. OPPOSE** - This proposal would classify king salmon stocks as the department's management priority. In addition, the lower end of all king salmon goals statewide would be raised two percent annually for the next 15 years. We oppose this proposal because it unnecessarily restricts management flexibility by elevating the priority of king salmon, when there may be many additional species that may be of overriding or primary priority in different areas and specific circumstances. We also oppose the arbitrary raising of king salmon (escapement) goals, because it cannot be

expected to increase king salmon runs and would most likely arbitrarily cause future fishing closures for multiple user groups.

**Proposal 218: Establish a sustained escapement threshold (SET) for stocks listed as yield or management concern. OPPOSE** - This proposal would require that a sustained escapement threshold (SET) be established for any stock that is listed as a yield or management concern. The adoption of this proposal would create an immediate backlog of work by ADF&G to create SETs for all stocks that currently have yield or management concerns. In the current budget situation, such a requirement would be an unfunded mandate that would divert financial and manpower resources from other important functions of the department.

**Proposal 219: Define terms, including “maximum sustained yield”, “optimum sustained yield”, “sustained yield”, and “mixed stock fishery”. OPPOSE** - UFA Opposes this proposal to add redundant and potentially confusing definitions used in fishery management. We agree with ADF&G that definitions for technical fishery management terms, especially those used in salmon management, are currently found in regulation at 5 AAC 39.222(f) and therefore do not need to be repeated.

**Proposal 220: Allow groundfish registration by fax, telephone, or email. SUPPORT** - UFA supports this proposal would allow area registration in groundfish fisheries by fax, and we support the addition of email as suggested in the ADF&G comments. This would help affected fishermen by allowing currently accepted, verifiable forms of communication.

**Proposal 222: Require a CFEC permit holder to provide proof of identification when attempting to sell fish or at the request of a peace officer. SUPPORT** - UFA supports this proposal to align the regulation requiring a Commercial Fisheries Entry Commission (CFEC) permit holder to provide identification with similar regulations, with regard to penalties for an offense. We support the ability for the ID requirements to be treated as a strict liability offense rather than a misdemeanor, as is currently the only option.

**Proposal 223: Specify area registration requirements for salmon net fishing vessels. SUPPORT** - UFA supports this proposal to clarify that a salmon net fishing vessel may not have fished “during the current registration year” in a salmon net fishing area prior to re-registration in another area.

**Proposal 224: Revise EO announcement process to add email or fax as means of notification: SUPPORT** - supports this proposal to would allow emergency orders (EOs) and related announcements to be publicized on the department’s website, add telephone message hotline, e-mail, and facsimile machine (fax) as a means of notification, and remove the obsolete reference to use of telegrams and commercial radio facilities. We appreciate this proposal to bring the E.O. announcements into alignment with current communications tools used by fishermen and the public.

**Proposal 225: Develop and require use of a statewide policy during consideration of permit stacking proposals. OPPOSE** - This proposal would require development of a framework for examining future proposals related to permit stacking. The Board already has the ability to request additional information on a permit stacking proposal through the restructuring process. We oppose this concept of pre-determined constraints on future Board of Fisheries’ flexibility in addressing the future management needs in commercial fisheries.

**Proposal 236: Establish allocation criteria with assigned point values to a user group as part of a weighted system when making allocation decisions among user groups in salmon fisheries.**

**OPPOSE** - This proposal would require the Alaska Board of Fisheries (board) to assign a point value to allocation criteria to be awarded to user groups when considering allocation. We oppose this proposal as an arbitrary constraint on the Board's flexibility in allocation decisions. Such a point system would impose a numerical system on the fisheries decisions that are often subjective matters. The numeric modeling of the complicated and myriad factors involved in decisions on resource allocations can be expected to fall far short of the ability and judgment of well-qualified, fair-minded Board of Fisheries members who are open to the broad range of input from Alaskans on fishery matters.

**Proposal 243: Modify the addition of Pacific herring in the forage fish management plan.**

**OPPOSE** - UFA opposes the addition of herring to the Forage Fish management Plan, because we feel this would create a conflict between the 1999 Forage Fish management plan's prohibition of the commercial taking of forage fish and the longstanding commercial fisheries on herring, which have been operating with prudent management while sustaining populations of herring in the areas fished. According to ADF&G comments, "...Pacific herring were intentionally omitted from the Forage Fish Management Plan when it was adopted because ongoing herring fisheries were already regulated to provide for sustainable and beneficial uses under the provisions of Chapter 27. The plan prohibits the commercial taking of forage fish, except as provided in regulatory chapters 5 AAC 03-5 AAC 39. The Forage Fish Management Plan was developed for the purpose of preventing development of new directed fisheries on the forage fishes listed..." Proposal 243 is inconsistent with the purpose of the plan, in its recognition of longstanding herring fisheries, and is an invitation for future attempts to eliminate these fisheries and the associated benefits to the participants, communities, and public consumers.

**Proposal 247: Modify closed waters in the Tsiu River for the Yakutat salmon fishery.**

**OPPOSE** - This proposal is a board generated proposal created from an Agenda Change Request (ACR) that the Board itself voted down at its Fall 2012 worksession, and which was a re-hash of a proposal from the Southeast finfish meeting in 2012. We object first and foremost due to our desire for reasonable public process that respects the need by all users for an orderly system of allocation and management, with respect for the three-year Board of Fisheries process that should be expected in the absence of real and unforeseen resource-based emergencies. While some participants are able to attend multiple Board of Fisheries meetings in a short period of time to continuously rehash opportunities for allocations away from other users, this is an unnecessary and over-burdensome drain on the limited financial resources of this fishery's participants.

This proposal is strictly about re-allocation to take away opportunity from longtime participants, as the Tsiu has met the escapement goals for 37 out of 38 years and the request is for spatial separation between sport and commercial users. We opposed this as an ACR because we did not see a fishery conservation concern, there is not an error in regulation, and we do not feel there is an effect on a fishery that was unforeseen when current regulations were adopted. We opposed it in the 2012 regular Board of Fisheries cycle as an arbitrary closure of longstanding setnet fisheries. In the absence of a conservation concern and with the remote rural demographic, the affected commercial fishery participants should not be expected to bear the costs of participation of this re-hashing of this proposal in a year, and outside of the normal Board cycle.

UFA opposes the arbitrary displacement of longstanding fisheries to carve out exclusive areas for tourism fisheries. **We recommend that the Board of Fisheries embrace tourism growth under the premise that it should fit in with existing prior uses, rather than to seek to displace them, as a general development philosophy, in the best interest of all Alaskans.**

Thank you for your service to the public through your service on the Alaska Board of Fisheries, and for your consideration of our input on these proposals.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julianne Curry".

Julianne Curry  
Executive Director