

# **Kodiak Fish & Game Advisory Committee**

**December 16 & 17 2010-KNWRVC**

**Oliver Holm Chairman**

(Minutes represent a paraphrased summary of the KAC, department staff and public comments and are not a verbatim transcript of the meeting. Tapes of the meeting are available for review by contacting the committee secretary)

**Call to order: 7:10pm at the KNWR Visitors Center**

**Roll call: A quorum was achieved with the following members present:** Oliver Holm, Don Fox, Kip Thomet, Julie Kavanaugh, Ron Kavanaugh, Tuck Bonney, Paul Chervenak, Rick Berns (for Al Cratty), Theresa Peterson for Pete Hannah, Alexis Kwachka), Andy Finke, Kip Thomet, Rolan Ruoss, Curt Waters, Duncan Fields

**Excused absences:** Lou Dochtermann.

**ADF&G Staff:** Don Tracy, James Jackson, Geoff Spalanger, Joe Dinnocenzo and Jeff Wadle.

**USFWS:** Bill Pyle and Kevin Van Hatten.

**Audience:** 12.

**Approve Agenda:** Motion to adopt agenda passed unanimously.

**Approve Minutes of previous meeting:** Minutes of our meeting of February 24<sup>th</sup> 2010 were approved unanimously.

**Correspondence:** E-mails from Richard Blanc and Rick Ellingston containing their comments on several salmon proposals.

**Chair Announcements:** None.

**Old Business:** None.

**New Business:**

- 1) **Sport fish proposals:** Committee discussion and action on sport fish proposals.
- 2) The advisory committee discussed formation of a workgroup to discuss the possible listing of the Karluk Chinook Salmon as a stock of concern by the BOF. The committee will discuss it December 17<sup>th</sup> at our 9am ground fish proposals meeting.
- 3) **Commercial fin fish proposals:** The department gave a preliminary forecast report for the 2011 salmon season then the advisory committee discussed and took action on fin fish proposals.
- 4) **Adjourn:** The committee adjourned till 9am the following day when it would meet to discuss and take action on ground fish proposals and form a Karluk salmon workgroup.

**December 17<sup>th</sup> 2010**  
**KNWRVC**

**Call to order:** 9:00am. A quorum was noted with 14 committee members present. Chris Fiala filled in for Rolan Ruoss.

**ADF&G staff:** Nick Sagalkin, Don Tracy and retired sport fish biologist Len Swartz.

**KRAA:** Kevin Brennan.

**USFWS:** Kevin van Hatten.

**Old Business:**

- 1) Karluk work group was formed and would meet several times next week before bringing their recommendations to a Sunday January 9<sup>th</sup> 2011 meeting of the advisory committee at the KNWRVC. Duncan Fields would be the chair and Len Swartz secretary. Other members were Kip Thomet(setnet), Oliver Holm(purse Seine), Mike or Tim Carlson(sport fish), Chris Fiala or Chuck Pearman(salt water charter), Andre Finke(subsistence), Charlie Powers(native corporation/land owner), Duncan Fields(advisory committee), Curt Waters(trawl), Kevin Brennan(KRAA), Len Swartz(secretary), Don Tracy(ADF&G sport fish), Jeff Wadle(ADF&G commercial fish) and Kevin van Hatten(USFWS).

**New Business:**

- 1) Ground fish proposals were discussed and acted upon.
- 2) KAC chairman Oliver Holm was selected to represent the advisory committee at the January 11<sup>th</sup>-14<sup>th</sup> 2011 BOF meeting to be held in Kodiak.
- 3) January 12<sup>th</sup> 2011 would be the date set for the committee to hold elections and discuss and take action on Kodiak Area game proposals. The meeting would be at 7pm at the Harbor Visitors and Convention Center. The BOF will be letting us use their meeting room.

**Adjourned at 1:45pm**

**Ground fish, commercial fin fish and sport fish proposals follow in numerical order not in the order they were discussed and acted on in a format recommended by regional coordinator Sherry Wright. The format makes it easier for the BOF to follow.**

## **BOF KODIAK GROUND FISH PROPOSALS**

### **Proposal 52**

**ACTION: Fails 11 opposed---2 support---1 abstained.**

**Description:** Close state waters of Sitkalidak Strait south of a line from Left Cape to Cape Barnabas and north of a line from Cape Kasiak to Black Point to pelagic trawling.

**Amendment:** A amendment to close trawling from August 1<sup>st</sup> to October 15<sup>th</sup> failed on a 8 opposed and 2 support vote.

**Discussion:** Proposal 52 and 53 were discussed by the committee for over 3hrs.

**Minority:** Agreed with KAC member Mr. Berns(who represents Old Harbor/Akihok) that the area in question was a subsistence area for the village and that after the trawl fleet left the area local residents found it harder to find fish for subsistence and that it took several weeks for halibut to return.

Committee member Mr. Waters who represents the trawl fleet on the KAC said that the trawl fleet mainly fishes the area in question when adverse weather forces the fleet into calmer waters. He felt that if they could meet with local residents in the village they would get a better understanding of the fishery it would help alleviate their concerns.

**Majority:** Agreed with chairman Holm that the by catch numbers provided by the department showed no by catch concern.

### **Proposal 53**

**ACTION: Fails 11 opposed –3 support.**

**Description:** Close state waters in Marmot Bay to pelagic trawling.

**Amendment:** Amendment to close state waters in a 3 mile circle around Spruce Island failed on a 11 opposed and 3 support vote.

**Discussion:**

**Staff comments:** 30-50% of the harvest comes from the Marmot area.

**Committee comments:**

**Minority:** KAC member Mr. Fields had deep concerns about chinook by catch. He also noted that the residents of Ouizinke who fish for chinook in the area on a year round basis have noticed a steep decline in chinook numbers.

**Majority:** Although the majority also had concerns about by catch they agreed with Mr. Kwachka that the closure along with the Sea Lion Zone would effectively shut down the area to pelagic trawling. Mr. Bonney also noted that his cannery would lose 15-20 days of processing if the area was closed.

After a lengthy discussion a motion was made and passed to have the committee send a letter to the BOF requesting that the board write a letter to the NPMC. Enclosed with our minutes is a draft of the letter.

### **Proposal 54**

**ACTION: Passes unanimously 14-0.**

**Description:** Amend rockfish management plan.

**Amendment:** None.

**Discussion:**

**Staff comments:** Current black rockfish regulations create confusion as they allow for multiple harvest types(directed, incidental and by catch) trip limits, and by catch levels within the fishery. The proposed management plan simplifies regulations by creating an single directed black rockfish fishery with clearly specified trip limits and allow non-directed black and dark rockfish harvest with various by catch limits rather than trip limits.

**Committee comments:** Agree with and support staff comments.

#### **Proposal 55**

**ACTION: Passes as amended 14-0.**

**Description:** Define gear for harvesting lingcod.

**Amendment:** KAC amendment-- (g) Ling cod by catch for mechanical jigging and hand troll is 20%.

**Discussion:**

**Staff comments:** Legal gear is undefined for directed ling cod fisher. This proposal would put into regulation what gear is legal.

**Committee comments;** Agreed with staff comments but amended the proposal to allow for a 20% by catch in the mechanical jigging and hand troll fishery.

#### **Proposal 56**

**ACTION: Proposal as amended passes 14-0.**

**Description:** Repeal use of a single continuous line with not more than 150 hooks as lawful mechanical jigging gear.

**Amendment:** KAC amended to allow for a continuous line with no more than 150 hooks as lawful gear in the pacific cod fishery.

**Discussion:**

**Staff comments:** Felt that a single continuous line with not more than 150 hooks should be repealed because it created confusion and was inconsistent with current fishing practices.

**Committee comments:** After discussion with several jig fisherman in the audience who stated that fishing for pacific cod in deeper waters they would need to be able to have the continuous line with 150 hooks the KAC amended the proposal to allow for the practice.

#### **Proposal 57**

**ACTION: Passes 14-0.**

**Description:** Modify fishing season for ground fish to be taken only during seasons established by emergency order or under a permit issued by the commissioner.

**Amendment:** None.

**Discussion:**

**Staff comments:** House keeping proposal that cleans up regulation to avoid confusion.

**Committee comments:** Agree with and support staff comments.

## **BOF KODIAK HERRING PROPOSALS**

### **Proposal 58**

**ACTION: Proposal passes 14-0.**

**Description:** Allow mechanical jigging and hand troll gear to be used under the herring bait permit with an annual limit of 1000lbs.

**Amendment:** None.

**Staff comments:** No conservation concerns the department could reduce catch by EO.

**Committee comments:** Not many people do it. There is a large biomass available. Possible way to get bait.

## **BOF KODIAK SUBSISTENCE SALMON PROPOSALS**

### **Proposal 59**

**ACTION: Passes 14-0.**

**Description:** Allow use of dip nets at the lower mouth of Settler's Cove Creek at Port Lions from June 1<sup>st</sup> –July 30<sup>th</sup>.

**Amendment:** None.

**Discussion:**

**Staff comments:** No conservation concerns.

**Committee comments:** Good way to catch subsistence fish.

### **Proposal 60**

**ACTION: Passes 14-0.**

**Description:** Change finfish reporting requirements for owner, operator or employees of a lodge, charter vessel or similar enterprise and do not allow use of sport fish guide or charter vessel operator gear in a subsistence fishery when the vessel is being operated as a charter.

**Amendment:** None.

**Discussion:**

**Staff comments:** Support proposal because it prevents abuse of subsistence resource.

**Committee comments:** Agree with staff and also felt the subsistence resource was not intended to supply clients with fish.

### **Proposal 61 &62 (discussed and acted on together) ACTION: Passes 12-2.**

**Description:** Require subsistence caught fish be recorded on the permit before leaving the fishing site.

**Amendment:** None.

**Discussion:**

**Committee comments:** Its easier to record your catch on the permit when leaving the area rather than as each is caught.

**Minority:** Felt the word site was to ambiguous.

## BOF KODIAK COMMERCIAL SALMON PROPOSALS

### Proposal 63

**ACTION: Proposal fails 14-0.**

**Description:** Prohibit a person who registers to fish a salmon permit in one area from crewing in another salmon area in the same year.

**Amendment:** None.

#### **Discussion:**

**Committee comments:** Some committee members felt that it would be more appropriate to be taken up as a statewide proposal. It was felt that the proposal was too restrictive and penalizes the honest fisherman who fishes one area and crews in another area to make some extra money in a bad season. It was noted that quite a few west side set-netters went to Bristol Bay to crew in June and came back in July to fish their Permits. This was because of the low prediction for early run Karluk sockeye and the anticipation of limited catches and fishing time in the June sockeye fishery.

### Proposal 64

**ACTION: Proposal fails 14-0.**

**Description:** Allow for pink salmon harvest from August 15<sup>th</sup>-24<sup>th</sup> on Kodiaks West Side.

**Amendment:** None.

#### **Discussion:**

**Staff comments:** Department is opposed to proposal on biological concerns for the late run Karluk sockeye salmon run. Lacks resources to manage the late run fishery.

**Committee comments:** Agree with staff comments and that the department has the flexibility to manage the fishery now. Its not perfect but it works well.

### Proposal 65

**ACTION: Proposal fails 14-0.**

**Description:** Allow for set gillnet fishing after August 15<sup>th</sup> if escapement goals are met in the NW Kodiak Districts.

**Amendment:** None.

#### **Discussion:**

**Staff comments:** The department is neutral on the allocative issues of allowing only one gear type fishing time in an area where all gear types can legally fish. The department is **OPPOSED** to harvesting any sockeye or pink salmon if returns are less than the lower escapement goal and also opposed to creating unusually complicated and burdensome management plans.

**Committee comments:** Support staff comments and are also opposed because of the allocation issue of only allowing one gear type to fish.

### Proposal 66

**ACTION: No action taken**

**Description:** Liberalize pink salmon harvest regulations from August 15<sup>th</sup>-24<sup>th</sup> on Kodiaks West side.

**Amendments:** None.

#### **Discussion:**

**Committee comments:** The maker of the proposal withdrew it so no action was taken.

**Proposal 67****ACTION: Proposal fails 14-0.**

**Description:** Amend Westside Kodiak Management Plan to include minimum escapement goals in the major sockeye systems of Olga Bay.

**Amendment:** None.

**Discussion:**

**Staff comments:** Neutral on the allocation aspects of proposal but **OPPOSED** to any changes to the Westside Management Plan that would inhibit the department's ability to control NW and SW Kodiak District salmon escapements.

**Committee comments:** Support staff comments and also agreed with KAC member Mr. Fields that there were no accurate stock separation studies, shutting down the west side to manage for Olga Bay could cause over escapement in the Karluk system and that the department needs the flexibility to manage for all the systems.

**Proposal 68****ACTION: Proposal fails on a 7-7 tie Vote.**

**Description:** Amend (e)(1) in the Inner Karluk Section Management Plan to "achieve" rather than "exceed" early run escapement goal.

**Amendment:** An amendment to say: department determines that early run escapement goal is achieved ---fails 10 opposed- 3 for-1 abstained.

**Discussion:**

**Committee comments:**

**Proponents** of the proposal felt that adoption would give the department flexibility to open early enough to avoid over escapement as has happened in the past.

**Opponents** felt that adoption would/could reallocate between set-net and seine fisherman especially if weather or tidal conditions cause the fish to back out of the terminal area in Inner Karluk and be over harvested by the seine fleet. The resulting over harvest could result in the shutting down of the June sockeye fishery till further escapement warranted an opening.

**Proposal 69****ACTION: Proposal fails 10-4**

**Description:** Create new regulation to make power and/or hand troll fishing legal gear in the Kodiak Management Area.

**Amendment:** None.

**Discussion:**

**Staff comments:** Neutral on allocation issues but **OPPOSED** on biological grounds.

**Committee comments:**

**Proponents** felt that it would offer new opportunities for salmon fisherman.

**Opponents** support department concerns and also felt that it would create a new mixed stock fishery which isn't allowed under the Sustainable Fisheries Policy followed by the BOF. There would be a reallocation from an already fully utilized fishery. Anyone in the state with a valid CEFC troll permit would be allowed into the Kodiak Management area. There also was concerns about Chinook by catch mortality.

**Proposal 70****ACTION: Proposal fails 14-0.**

**Description:** Define "attending a fish site" in regulation.

**Amendment:** None.

## **Proposal 70(continued)**

### **Discussion:**

**Staff comments:** Department is **OPPOSED** to the suggested language that require a permit holder to **only** remain in the district. It would make enforcement of this regulation impossible.

**Committee comments:** Agree with and support staff comments. This proposal would also be open to abuse.

## **Proposal 71**

**ACTION: Proposal fails 10-4.**

**Description:** Make set gillnet proposal allowing for dual permits permanent.

**Amendment:** None.

### **Discussion:**

#### **Committee comments:**

**Proponents** Felt that it has benefitted some set netters especially those with multiple permit family operations. It has increased the value of permits. It has allowed fisherman to survive economically in years of low salmon returns.

**Opponents** a majority of KAC members felt that it decreased opportunities for new people getting into the fishery and negatively affected crew member employment as people were hiring less crew. Permit stacking was meant to reduce gear in an over capitalized fishery not consolidate into fewer hands. This proposal only benefits multiple permit holders. Permits were only intended to be owner operated under the original limited entry concept.

## **Proposal 72**

**ACTION: Proposal passes 14-0.**

**Description:** create Pillar Creek special harvest area in all waters of Monashka Bay south of 57°49.60' N Lat.

**Amendment:** None.

### **Discussion:**

**Staff comments:** This special harvest area would allow harvest of hatchery produced coho salmon.

**KRAA comments:** Kevin Brennan KRAA manager said that there were no approved projects at this time but they wanted to get some discussion at this time.

**Committee comments:** Support staff and KRAA comments and felt this would allow cost recovery for the aquaculture association at some future date.

## **Proposal 73**

**ACTION: Proposal passes 14-0.**

**Description:** Create Dry spruce Bay special harvest area in all waters of Dry Spruce Bay south of 57°55.62' N Lat.

**Amendment:** None.

**Discussion:** KAC would like to reference comments on proposal 72 as they also apply here.

## **Proposal 74**

**ACTION: Proposal fails 14-0.**

**Description:** Amend closure times in the Alitak District Salmon Management Plan.

**Amendment:** None.

### **Discussion:**

**Staff comments:** Proposal would increase fishing time by 12hrs(change from days to hours).



## **Proposal 74(continued)**

**Committee comments:** KAC members agreed with Mr. Fields that the way the openings are synchronized any changes even ever so slight would be cause for future problems. The management plan is balanced the current plan being developed over a long period of time no change was warranted.

### **Proposal 75**

**ACTION: No action taken.**

**Description:** Close fishing for Chinook salmon in the Mainland District until escapement goals are met.

**Amendment:** None.

**Discussion:**

**Staff comments:** Department **OPPOSED** the current regulations to conserve Chinook salmon stocks in management areas in close proximity to spawning streams are more effective. Department has no stock separation program.

**Committee comments:** Support staff comments . The committee voted to take no action at this time and would discuss at the BOF meeting in board committee.

### **Proposal 76**

**ACTION: Proposal passes 14-0.**

**Description:** Amend subsection (f) in the Pauls Bay Section Management Plan .

**Amendment:** None.

**Discussion:**

**Staff comments:** Due to budget restraints there hasn't been a weir since 2004. This is a housekeeping proposal that eliminates interim escapement goals. Will be monitored by aerial survey.

**Committee comments:** Agree with and support staff comments.

### **Proposal 77**

**ACTION: Proposal passes 14-0.**

**Description:** Amend closed water regulations and add a new paragraph.

**Amendment:** None.

**Discussion:**

**Staff comments:** Department housekeeping proposal.

**Committee comments:** Agree with and support staff comments.

### **Proposal 78**

**ACTION: Proposal passes 14-0.**

**Description:** Amend (a)(3) in the Alitak District Salmon Management Plan.

**Amendment:** None.

**Discussion:** This is a housekeeping proposal that clarifies language in regulation.

**Committee comments:** Agree with and support staff comments.

## **BOF KODIAK SPORT FISH PROPOSALS**

### **Proposal 79**

**ACTION: Proposal passes 13-1.**

**Description:** Close Kalsin Pond outlet to sport fishing.

**AND**

**Proposal 80( Proposals 79 & 80 were discussed and acted on together)**

**Description:** Close Kalsin Pond outlet stream to sport fishing within 200ft of Chiniak Highway.

**Amendment:** None.

**Discussion:**

**Staff comments:** Department supports any instance to establish a fishery and public safety's ability to enforce regulations. Department neutral on allocation issues.

**Committee comments:**

**Opponents** Felt it made an exclusive area for tubers and there was no biological reason for the proposal.

**Proponents** KAC felt the closure would make snagging regulations more enforceable and the local people who live and fish the area supported it.

**Proposal 81**

**ACTION: Proposal as amended passes 13-1.**

**Description:** Open the American and Olds Rivers to king salmon fishing.

**Amendment:** KAC offered an amendment changing September 15<sup>th</sup> to August 15<sup>th</sup> to protect coho stocks.

**Discussion:**

**Proponents** voted to change the date of closure to August 15<sup>th</sup> to protect coho stocks.

**Opponents** wanted to protect coho's.

**Proposal 82**

**ACTION: Proposal as amended passes 14-0.**

**Description:** Reduce the rockfish bag limit from 10 per day, 20 in possession to 5 per day, 10 in possession.

**Amendment:** KAC amended the proposal to : reduce limit to 7 per day, 14 in possession 2 of which may be yellow eye.

**Discussion:**

**Staff comments:** Department had concerns about the increased harvest from 7,000 to 16,000(approx. 40,000lbs) most of the increase due to guided sport anglers. The department has no stock assessments but hasn't seen a change in age class due to increased harvest.

**Committee comments:** The advisory committee after discusses with staff and fish guides who were in the audience who wanted a larger limit then the proposal requested because of lower amounts of salmon available offered an amendment. As there hasn't been a decrease in rockfish stocks the KAC opted for a daily limit of 7 and 14 in possession.

**BOF CHIGNIK GROUND FISH PROPOSALS**

**Proposal 84**

**ACTION: Proposal fails 13-0-1 abstained.**

**Description:** Modify Pacific Cod Fishery Registration as follows:

Add state and parallel fisheries to 5 AAC 28.506 CHIGNIK AREA REGISTRATION SECTION (b).

**Amendment:** None.

**Proposal 84(continued)**

**ACTION: Proposal fails 14-0.**

**Discussion:**

**Committee comments:** KAC members agreed with committee member Mr. Kavanaugh that adoption of this proposal would disenfranchise 7 boats 6 of which fish in the area are from Kodiak. If you fish any other area for cod then under this proposal you couldn't participate in the Chignik fishery. The 6 Kodiak boats are long time participants in the Chignik fishery catching a large percentage of the cod catch. Reallocation from these vessels would change long time fishing practices.