

FAIRBANKS FISH & GAME ADVISORY COMMITTEE / FISHERIES SUB-COMMITTEE
DRAFT minutes February 16, 2023
Zoom only

- I. Call to Order: 6:13pm Gale K. Vick, FAC Fisheries SC Chair
Moderator: Kyle Campbell, Interior Region Coordinator, Board Support
- II. Roll Call
 - a. Gale Vick
 - b. Mike Kramer
 - c. Virgil Umphenour
 - d. John Siegfried
- III. Fish and Game Staff Present:
 - a. Andy Gryska
 - b. Christy Gleason
 - c. Deena Jallen
 - d. Forest Bowers
- IV. Guests Present:
 - a. Jim Simon, TCC
 - b. Carl Frank, Minto AC
- V. Approval of Agenda – consensus
- VI. Approval of Previous Meeting Minutes – NA
- VII. Reports

Chair: Currently reviewing Statewide proposals under delegation of authority from the full FAC. Change in plan to do brief review of proposals at this meeting and deliberations at the next SC meeting and then submit to the Board of Fisheries as a RC (record copy) in time for the Statewide meeting on March 10, 2023. This change in deference to multiple levels of engagement on the current Alaska Peninsula / Chignik Board of Fisheries meeting. Most of us have been meeting non-stop for weeks. Mike Kramer concurred.

Not much in Statewide that is terribly pressing. We want to focus on Hatchery meeting comments as well (BOF Hatchery meeting subsequently cancelled until 2024.)

Kyle put up proposals on the screen. Preliminary recommendations as presented in attached Board of Fisheries format.

Prop 87 Deena Jallen explained that Proposal 87 was deferred from the AYK Board meeting. ADF&G proposal. Gale Vick recommended approval. Mike and Virgil agreed. Jim Simon .. this is really a housekeeping proposal. Deena noted that they would be contacting the CFEC data

base if this is passed.

Prop 82 Gillnet specifications, also deferred from AYK meeting. Christy Gleason original proposal from ADF&G with an amendment RC56 by BOF Chair Marit Carlson-Van Dort, per recommendations by some ACs. Gale Vick recommends support. Mike and Virgil agreed. Virgil wanted to know if this addressed nets under the ice. Christy noted the language in the original proposal and RC identify both summer and under the ice restrictions for both subsistence, personal use and commercial fishing. Mike Kramer asked about the Tanana River. Christy noted that there was a little confusion because restrictions are different in District 1&2 vs the rest of the Yukon and drainages.

Prop 153 TNA

Prop 154 TNA

Prop 155 TNA Andy Gryska – applicable to saltwater only. In fresh water, you are not allowed to use a spear gun. Virgil thinks we should amend for fresh water as well but allowing the “Hawaii sling”, which is basically like a rubber band sling. Vick recommend TNA on this proposal and the introduce a similar proposal for fresh water at another date. Andy Gryska noted that there is a local Fairbanks scuba diving group that might be interested in submitting a proposal.

Prop 156 Support . Discussion on the use of felt soled footgear in personal use picking up and distributing invasive species of snails, elodea, etc. It is currently illegal in sports fishing. Andy Gryska, more of a housekeeping proposal. Vick noted that it would be a good thing to inform the public more about.

Prop 157 for multiple salmon permits TNA

Prop 158 TNA

Prop 159 Support

Prop 160 Support but would like more information from the Dept. Mike Kramer thinks this proposal can help us find out how many kings are caught in terminal harvest areas (THA)

Prop 161 TNA

Prop 162 TNA

PROP 163 – Prohibit guiding in personal use fisheries. Unanimously Opposed

Mike Tinker was unable to attend this meeting but sent in this commentary on Prop 163,164,165 (paraphrased) “They ask to not allow PU or state subsistence users the use of commercial services. (Guides and transporters.) Silly argument. State fishers have the same needs for help that rural users do. Qualified state subsistence users and people like myself have physical and economic handicaps that can require guides and transporters. There is no valid reason to prohibit the use of professional help. Also, the FSB has long approved these aids for rurally qualified users.”

Vick noted that this was an issue raised at the Cordova BOF meeting in 2022. Recommends no support.

Read into the record (language from #163)

“Personal use fisheries were implemented as a stop gap measure to actively manage sockeye salmon runs after the Exxon Valdez oil spill allowing Alaskan residents to harvest excess fish to maintain optimum escapement goals. Currently the industry of guiding this non commercial fishery is growing rapidly. Personal use fishermen do not pay for management of fisheries, and do not pay for enhancement of those fisheries targeting hatchery salmon (for example, Gulkana River sockeye, Kachemak Bay Coho/Sockeye, Fish Creek Sockeye) allowing persons to commercialize these resources paid for almost exclusively by commercial fishermen (some is paid for through sportfish funded programs) is entirely unfair to the commercial sector and sportfishing license holders. Personal use fisheries have been entirely to give residents an opportunity to participate in subsistence style fisheries, feeding their families despite living in a non subsistence zone, they are not intended to be commercialized. Imagine a company in Glennallen charging money to operate a fishwheel for subsistence fishing.” (See also alternatives in this proposal.)

Vick noted that using a guide (Chitina) is a safety issue. Mike Kramer agreed and recommends opposing.

Virgil noted that when he and Dan Coffey were on the Board of Fish they tried to get a legislative fix on having sports fish guides similar to game guides on licensing. At the time we were addressing alien sports fish guides and lodges. Vick noted that Virgil’s argument is addressed in Prop #164.

Jim Simon: Asked the Dept to clarify - #163 prohibits guiding but that #164 prohibits both guiding and transporting. The devil is in the details. When this was discussed in Cordova there were some clarifications made by Dept staff. There has been a lot of turn over on the BOF since then but it seems like the BOF then had no intention of touching this transport issue. ¹

#164 Establish registration and reporting requirements for personal use guides and transporters, as follows:

- Personal use guides and transporters shall be registered similarly to sport fishing guides following the same requirements established in 5 AAC 75

- Personal use guides and transporters shall report to the department all retained fin fish and shellfish, estimated fishing effort, and any other information deemed helpful to the department.

What is the issue you would like the board to address and why? Establish regulations for commercial guide operations in personal use fisheries. Currently there are no requirements for guides engaging in commercial operations. This makes it impossible for the department to collect data to better regulate this budding industry and is prudent for management of fisheries.

Vick noted that this is for personal use fisheries all over the state, including Kenai, Susitna, Chitina.

Vick noted inclined to support but needs more information.

Kramer opposes. Was a sports fish guide at one time and there was no license fees or registration requirements. Originally was told registration would have no fees attached but now there is. Doesn’t think any good data is provided to the Dept. There are very few people

¹ See Summary of Actions, Alaska Board of Fisheries Prince William Sound/Upper Copper and Upper Susitna Rivers Finfish and Shellfish Nov. 30 – Dec. 6, 2021 | Cordova Center, Cordova

providing guiding services in personal use fishery. The data the Dept gets comes from people on boats.

Unanimous to research more with the Dept before next meeting.

Prop #165 Prohibit compensation for guide services in subsistence fisheries, as follows:

No person or persons shall pay more than the pro rata share in exchange for guide services while engaged in subsistence fisheries.

For the purpose of this section "guide services" include providing direct instruction in fishing techniques and locations, or operating watercraft while subsistence fishing is taking place from that watercraft. "Guide services" do not include transportation to and from the fishing site, customary and traditional barter, fish processing services, gear rentals, or trips between family members of second degree kindred.

"Pro rata" means a proportional share of direct trip costs. Direct trip costs include fuel, ice, food, fish processing or other costs incurred from consumable goods or services, but do not include cost of durable goods such as boats, fishing equipment, or regular maintenance costs of equipment.

What is the issue you would like the board to address and why? Subsistence fishing provides the guide industry a loophole to commercially exploit fish and game resources when other commercial opportunities are closed for conservation reasons. Subsistence fishing is defined to be a non commercial enterprise and should not be used to enrich individuals who choose not to share in the conservation burden, they provide an outsized catch power to resident fishermen who nearly entirely do not need subsistence fish, would not qualify as federal subsistence users, and have the means to participate sport, personal use, commercial or other subsistence fisheries in the state of Alaska.

By allowing commercial guiding in subsistence fisheries the board of fish is allocating fish generally away from local traditional users of the resource towards urban users who have limited knowledge, equipment and means who are not traditional users of the resource.

This proposal is not intended to limit the passing down of traditional knowledge, traditional barter, or sharing of equipment. This proposal is also not intended to affect commercial services in engaging with aiding subsistence fishermen indirectly such as transporting them to subsistence locations, furnishing gear, processing fish etc.

This proposal is simply intended to codify that subsistence fishing shall not support commercial enterprises, as intended by state law.

Vick: Does not agree

Kramer: Does not agree. You could stretch that argument too far.

Opposed unanimously

#166 Establish a statewide bag limit for personal use finfish fisheries, as follows:

Statewide bag limit for all Personal Use dip net fisheries. A bag limit is defined as a maximum number of salmon of any one salmon species a permit may take. A permit may not exceed the statewide bag limit of salmon between all the personal use dip net fisheries.

What is the issue you would like the board to address and why? Currently there is no state wide bag limit for personal use dip net fisheries in the state. As in that every household can collect a permit for multiple personal use fisheries and compound their catch for the year. Referencing hunting regulation 5 AAC. 92.130 (a) a person may not exceed the total of the statewide take of that species in the unit or

portion of a unit. Using this hunting regulation as an example one cannot harvest all his or her tags of deer in Southeast Alaska and then hunt Kodiak with a full new set of tags. The tags are a total bag limit for the year. This is the issue I would like to address for the statewide PU dip net fisheries, just like a person must choose where they want to hunt for the year a household should choose where to fish and fill their bag limits. This does not limit the household from fishing multiple personal use dipnet fisheries, but just ensures their catch in one dipnet fishery would subtract from the total allowed in the other.

Vick – opposes. Bag limits already managed by ADF&G based on escapement.

Kramer – correct. But this proposal would prevent people getting multiple bag limits on different systems.

John - agree

Unanimously opposed.

Prop #167 Require inseason reporting of subsistence and personal use salmon harvest within 5 days of harvest, as follows:

(6) subsistence fishing reports must be completed on forms provided by the department and submitted to the department office from which the permit was issued [at a time specified by the department] within 5 days of harvest for each particular area and fishery;

(6) personal use fishing reports must be completed on forms provided by the department and submitted to the department office from which the permit was issued [at a time specified by the department] within 5 days of harvest for each particular area and fishery;

What is the issue you would like the board to address and why? Require In-Season reporting of Subsistence and Personal Use Salmon within 5 days of harvest using an online app or phone call to the Department.

Currently, participants in both fisheries are not required to report their harvest until well after the close of the season. Both Fisheries take a substantial number of salmon, especially in low abundance runs. It is imperative that managers have real time data to use their EO authority to close fisheries when the security of the resource demands it. The Department has been consistent at Area meetings saying this is a Statewide issue. It is time for all users of the valuable resources to be accountable.

Vick – opposed. We already have an adequate reporting on personal use.

Christy: On the Yukon, on personal use salmon we have a weekly in-season reporting. Same with pike fishing in winter for subsistence in Chatanika harvest area. And a weekly reporting on subsistence fishing with a permit below Nenana up to Wood River. The rest of subsistence permit areas you have to report by October 25th.

Jim Simon: I believe the Copper River has moved to some on line reporting options. Most of my experience is Kuskokwim and Yukon, in the past subsistence harvest household services in the fall.

Opposed, for discussion at next meeting.

Prop #168 Extend emergency order authority to allow restrictions of sport fisheries in contaminated waters, as follows:

Vick – has direct impact on Interior stocked waters and PFAS issue

Gryski - it might be a housekeeping. We already have emergency authority. Will have more information at next meeting

Jim Simon: my reading is that the regulatory change for EO authority for all waters not just stocked waters because of concerns on contamination. Removes the “stocked waters” language to apply to all waters.

Recommend for further clarification from Dept

Prop #169 Amend the list of banned invasive species, as follows:

Recommend for further clarification from Dept.

End of proposals discussions.

BOF Hatchery meeting March 9, 2023². Not a meeting with proposals but will take public comment. Mostly informational. Vick will submit personal comments. The FAC had public comments last year which are still applicable and can be re-submitted. Two main items.

(1) 2019 FAC proposal to establish numerical limit on returning hatchery salmon by species, which was not passed.

(2) To limit the number of fish than can be harvested for cost recovery

Kramer - defer until next meeting. Working on several ideas.

Vick: That concludes tonights business. We are all getting ready for the Area M meeting.

Adjourned 7:06pm

PRELIMINARY RECOMMENDATIONS OF SUB-COMMITTEE TO DELIBERATE IN MARCH

² This meeting has been CANCELLED for 2023, subsequent to this meeting

Alaska Board of Fisheries: Statewide Finfish and Supplemental Issues Proposals

March 10-13, 2023 | Anchorage, AK

Proposal Number	Proposal Description		
Support/ Support as amended/ Oppose/N o Action	Number Support	Number Oppose	Comments, Discussion (pros & cons), Voting Notes, Amendments
<i>Note: Effective September 2019, when abstentions occur, the action or decision of a majority of the remaining members at a meeting at which a quorum is present is an act of the committee. For example, a vote tally of 7-6-2 means the motion carries. Members abstaining from voting must provide an explanation that is included in the committee record.</i>			
<u>87</u>	Define eel stick. RECOMMEND SUPPORT		
<u>153</u>	Define escape mechanisms for collapsible 'slinky' groundfish pots. RECOMMEND TNA		
<u>82</u>	Modify the dates sinking of gillnets is allowed in the Yukon Area from October 1 to April 30. RECOMMEND SUPPORT/ SEE RC56 FROM AYK		
<u>154</u>	Allow the use of purse seine drums. RECOMMEND TNA		
<u>155</u>	Allow a person using a spear or speargun to take fish while swimming at the water's surface. RECOMMEND TNA, SALTWATER ONLY, NOT ALLOWED IN FRESHWATER RECOMMEND SEPARATE PROPOSAL FOR SPEARGUNS FOR FRESH WATER		
<u>156</u>	Prohibit the use of felt soled wading footwear while personal use fishing in freshwater. RECOMMEND SUPPORT		
<u>157</u>	Allow a person holding CFEC permits for multiple salmon net areas to commercial fish for salmon in more than one net area per year. RECOMMEND TNA		
<u>158</u>	Allow a person holding CFEC permits for multiple salmon net areas to commercial fish for salmon in more than one net area per year.		
<u>159</u>	Close commercial fishing for a given species within one-fourth of a mile of any area closed to sport fishing for that species.		

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Proposal Number	Proposal Description		
Support/ Support as amended/ Oppose/N o Action	Number Support	Number Oppose	Comments, Discussion (pros & cons), Voting Notes, Amendments
			RECOMMEND SUPPORT
<u>160</u>	Require surrender of proceeds gained from sale of wild king salmon caught in hatchery terminal harvest areas.		
			RECOMMEND SUPPORT / DO MORE RESEARCH ON THIS
<u>161</u>	Create and establish Alaska Board of Fisheries policy regarding the management of groundfish fishery resources in waters of Alaska <i>(To be heard at the Pacific cod meeting and deliberated during the Statewide Finfish and Supplemental Issues meeting)</i> .		
			TNA
<u>162</u>	Allow the Kenai River Special Management Area -DNR decal to serve as proof of ADF&G sport fishing guide vessel registration.		
			TNA
<u>163</u>	Prohibit guiding in personal use finfish fisheries. RECOMMEND OPPOSE		
<u>164</u>	Establish registration and reporting requirements for personal use guides and transporters. RECOMMEND RESEARCH AND DISCUSSION		
<u>165</u>	Prohibit compensation for guide services in subsistence fisheries. RECOMMEND OPPOSE		
<u>166</u>	Establish a statewide bag limit for personal use finfish fisheries. RECOMMEND OPPOSE		
<u>167</u>	Require inseason reporting of subsistence and personal use salmon harvest within 5 days of harvest. RECOMMEND OPPOSE - FOR DISCUSSION		
<u>168</u>	Extend emergency order authority to allow restrictions of sport fisheries in contaminated waters. RECOMMEND FOR FURTHER DISCUSSION		
<u>169</u>	Amend the list of banned invasive species. RECOMMEND FOR FURTHER DISCUSSION		

Adjournment:

Minutes Recorded By: _____

Minutes Approved By: _____

Date: _____