

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME ALASKA BOARD OF FISHERIES

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February 14, 2011

Representative Steve Thompson, Chairman
House Fisheries Committee
Alaska State Capital Room 428
Juneau, Alaska 99801

Re: Questions on Alaska Board of Fisheries Process

Dear Representative Thompson,

I appreciated the opportunity to talk with the House Fisheries Committee on February 10, 2011 about the Alaska Board of Fisheries process. Representative Herron sent follow-up questions about the role of the board relative to protecting subsistence uses. The responses to the questions are provided below. I have also added a clarification to an answer I offered to Representative Johnson during the hearing relative to information requests.

1) What efforts will the board make this year to ensure that a priority for subsistence harvesters is maintained?

The board follows the steps specified in the Alaska Subsistence Law (AS 16.05.258) and regulatory criteria in 5 AAC 99.010(b). Before the board acts on any regulatory change, it will ensure that the adoption of a proposed regulation will still allow for a reasonable opportunity for the subsistence harvest and use of amounts identified as reasonably necessary for those uses. If the harvestable amount is insufficient for subsistence uses, the board will reduce other consumptive uses in order to provide a reasonable opportunity for subsistence uses.

2) Why has it been difficult for the board to ensure that state regulations regarding subsistence are not confusing to subsistence harvesters? What can be done to reduce confusion caused by differing state and federal priorities on subsistence?

The management divisions publish and distribute copies of fishing regulations and they have a variety of outreach programs to inform the fishing public. The state fishing regulations, which apply in all state waters, and federal regulations, crafted to protect subsistence uses for rural

residents fishing in federally managed waters, are indeed often confusing to resolve. As each regulatory body develops regulations to maximize harvest as biologically justified, the regulations become more detailed.

The state boards identify specific amounts of fish stocks or game populations that are reasonably necessary for subsistence uses. Having this information is critical for evaluating whether other uses infringe on subsistence needs. The federal board has not quantified subsistence use amounts, which has confounded the coordination between state and federal programs. Action by the Federal Subsistence Board to identify the amounts for which it is managing would go a long way to reduce confusion.

3) How many of the board members have a strong background in subsistence?

Many Alaskans would consider that board member Mike Smith's lifelong experience of fishing on the Yukon River a strong subsistence background. Mike currently serves as the director of Tanana Chiefs' subsistence program.

Please note that the Governor's Boards and Commissions office is currently reviewing possible nominations for the three board seats expiring on June 30, and the names will be forwarded to the legislature for confirmation.

4) What changes have been put in place by the Board of Fisheries, due to low returns of chum and Chinook on the Yukon River, in order to ensure adequate harvests for subsistence users in the region while allowing for recovery of those stocks?

During the January 26-31, 2010 Arctic-Yukon-Kuskokwim Finfish meeting, and after hearing testimony from 118 individuals, advisory committees, and fishing groups, the board took a number of important conservation measures to conserve Chinook and chum salmon stocks:

- Revised triggers, guideline harvest ranges, and fishing schedules in the Yukon River king salmon management plan and addressed fishing periods in the Innoko River (Proposal 87).
- Prohibited all gillnets with mesh over 7 1/2 inches in size on the Yukon River, effective with the 2011 season (Proposal 90). This action was taken to address conservation concerns with Chinook stocks and to increase reproductive capacity in spawning areas in the US and in Canada.
- Prohibited the sale of king salmon during non-king salmon directed fisheries (Proposal 92).
- Allowed emergency order authority to close salmon fishing in a district or portion of a district, as a way to address concerns with the "windows" schedule in the lower river commercial fishery (Proposal 94).
- Closed the Tok River drainage to sport fishing for salmon (Proposal 100).
- Revised management triggers in the Yukon River Fall Chum Management Plan (Proposal 194).

5) *Is there a designated subsistence seat on the North Pacific Fishery Management Council?*

No. Information on the NPFMC website indicates that it is composed of 15 members; 11 voting and 4 non-voting. Seven of the voting members are appointed by the Secretary of Commerce upon the recommendation of the governors of Alaska and Washington. The Governor of Alaska nominates candidates for five seats, the Governor of Washington two seats. There are four mandatory voting members; they are the leading fisheries officials from the states of Alaska, Washington and Oregon and the Alaska Regional Director for the National Marine Fisheries Service. The four non-voting members are the Executive Director of the Pacific States Marine Fisheries Commission, the Area Director for the U.S. Fish and Wildlife Service, the Commander of the 17th Coast Guard District, and a representative from the U.S. State Department.

Representative Johnson asked a question about charging the public for meeting records and the ease of gaining access to audio files of past board meetings. There are no charges for routine requests, such as for audio or written materials from a single meeting. These requests are easy to fulfill and account for over 95 percent of all records requests. However, we do charge for requests which require considerable staff time such as requests to duplicate multiple years of meeting records or for customized searches.

Also, the sound system program we use for recording board meetings is called For the Record (FTR), the same as used by the Alaska Legislature and the court system. While the free download is an extra step compared to listening to audio as a *wav* file, FTR allows the listener to jump to specific portions of the meeting as indexed through log notes. Our staff provides technical assistance as required to assist end users, and we are currently working through the technical and administrative steps to develop an online audio archive.

The board takes its role in conserving and developing Alaska's fisheries resources very seriously. Please let me know if any other questions arise about the Board of Fisheries.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jim Marcotte', followed by a long horizontal line extending to the right.

Jim Marcotte
Executive Director, Alaska Board of Fisheries

cc: Representative Herron
Representative Johnson
Representative Austerman
Representative Pruitt
Representative Kawasaki
Representative Miller