

# SUPREME COURT DENIES BALLOT INITIATIVE CHALLENGE

What You Didn't See on the 2016 Ballot – And Why.

For the past couple of years, ATA and a number of other groups and processors have been busy pushing back on another anti-commercial fishing campaign. Once again the radicalized faction of the Kenai River sportfishing industry proposed a ballot initiative; this time, to ban commercial set nets in 'urban' areas.

In 2014, Lt. Governor Mead Treadwell determined that a ballot initiative filed by Alaska Fisheries Conservation Alliance (AFCA) would be an appropriation of resources by the voters, which is illegal in Alaska. Part of Treadwell's argument was based on a Supreme Court case won by our industry against the Fairness in Fishing (F.I.S.H.) Initiative in 1996. In that instance, the state did certify the petition and it was headed for the ballot until the court ruled.

After the state denied the new ballot initiative, AFCA filed a lawsuit challenging the decision. The seafood industry, led by setnetter and attorney Jim Butler, Copper River gillnetter and UFA president Jerry McCune, North Pacific Seafoods' John Garner, and others moved quickly to form Resources for All Alaskans (<u>RFAA</u>). ATA is a founding member and executive director Dale Kelley serves on the board; President Steve Merritt (F/V C'est La Vie) is on the advisory committee, which includes fishermen and processors representing nearly every commercial salmon interest in the state. First order of business was to file court documents in support of the State of Alaska.

The state lost the first round and appealed to the <u>Alaska Supreme Court</u>. While waiting for the court's decision the sport interests were allowed to gather signatures needed to place the initiative on the 2016 ballot. In August 2015, RFAA's lawyer, William Falsey, alongside the state attorneys, made the case for Alaska's allocation system. Their arguments were powerful and spot on. The ballot initiative was ultimately <u>defeated</u>.

The history of battling with this Kenai crowd has been loud and bloody – and not just between Kenai groups. ATA's executive director chaired Salmon for Alaska's Future (SFAF), which took up the media battle against the 1990's F.I.S.H. Initiative. If approved, that measure would have reallocated 'only' 5% of the statewide salmon resource to the sport fishery. What that would have meant in real terms is that commercial fishermen could have lost access to all the kings and coho harvested in the state, plus a big chunk of sockeye. SFAF was started by UFA board members to educate the public about the industry. This was felt to be particularly important if the ballot initiative had gone to a vote. An Anchorage office was opened and staffed by a number of campaign and media professionals, and was moved to ATA's office once the Supreme Court ruled favorably on a lawsuit filed by UFA. SFAF no longer exists, so industry formed RFAA to help assist with the recent lawsuit and provide accurate information about the industry.

Think this is over? During the 2016 Kenai Classic Roundtable, the sport reps pitched to Alaska senators Murkowski and Sullivan their new ideas for managing fisheries, while also calling for a buyback of Cook Inlet's East Side setnet fleet. No setnetters were sitting at that round table.

As for RFAA, in the long term we hope to gather the resources necessary to work on positive messaging for the seafood industry, while maintaining a group that can be readily called into action to tackle any future threats to our fisheries and fishing communities.

ATA's mission is to preserve, promote, and perpetuate the fishing industry in Alaska. We work for conservation, sound management, good public policy, and safety at sea for the general welfare and mutual benefit of all trollers.





## From the Director s Desk ....

So... <u>spring port meetings</u> are over, the <u>first news</u> <u>release</u> and <u>management plan</u> hit the street and you were struggling with how to put a season together – then comes news of a total <u>spring closure</u>. It's a painful blow, but to many not so surprising after

ADFG made it known that most spring troll areas would be curtailed this season due to low Alaska king salmon productivity.

Last year Alaska saw a near total run failure of Chinook from Copper River to Dixon Entrance - only two small systems made the escapement goal. That hasn't happened for more than 40 years! Some rivers, like the Unuk, have been just at or below goal for the past few years. Under state regulation, if a stock doesn't make the lower end of the escapement goal for three or more years, it can be designated a 'stock of concern'. Once it makes that list there is little flexibility for ADFG managers; restrictions are piled on and it can take years until the Board of Fish considers the stock healthy enough to liberalize the fishery. It is important to work with ADFG and do what we can now to improve the lot of these fish and maintain healthy runs for the future. Data shows that we harvest a significant share of the Southeast kings, so by rights our fleet must shoulder a heavy conservation burden. The sport community in the Juneau area has been closed to king salmon from April 1 to June 14; some measures have been implemented in other sport areas and we expect to see more. Copper River has already seen restrictions and delays and Southeast gillnet and seine fisheries should as well. Everyone should be required to do their fair share to protect these fish. Whether or not this will happen remains to be seen.

ADFG's top job right now is getting fish into the rivers, but the troll manager is open to loosening the restrictions in some areas if and when he can safely do so. Hopefully that will happen sooner than later, since some spots like Yakutat, Sitka, Craig and Fredrick Sound don't normally catch many of the stocks of concern.

We'll see what the next couple of years bring, but it's likely that some level of restriction will be necessary for the foreseeable future. ADFG doesn't think that this is a fishing problem, but something happened to these fish after they left the rivers and too few are making it home to spawn, so they must use extreme caution. It's an unfortunate situation we're in, but encouraging that there is far more data to work with than when the fleet confronted similarly depressed stocks in the 1970s. The working relationship with the ADFG managers is strong and everyone involved is trying to do the best thing for both fish and fishing communities.

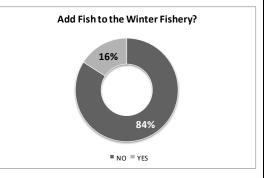
It's time for the fleet to walk its sustainability talk and in port meetings across the region we saw again and again that folks are willing to do just that. ATA will continue to monitor the situation and seek safe opportunities to fish wherever they exist.

Fish First ... Dale

#### WINTER SURVEY

Thanks to those who participated in the winter survey. The whole fleet was queried; 123 responses were received and 117 were valid, meaning not a duplicate or from an individual who doesn't own a permit. This is the equivalent of 11% of trollers who fish each year and 40% of those who made winter landings from 1985-2017. It's also 39% of the 10 year average winter fleet; 33% of the 5 year average; and 29% of the number of permit holders who fished this winter. 84% opposed moving fish to winter. Of the ATA members responding, 94% preferred to leave the fishery as is and preserve quota fish for spring and summer.

The ATA Board did not submit a 2018 Board of Fisheries proposal to change the winter harvest guideline harvest level (GHL).



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Society of Accredited Marine Surveyors

## HOW TO AVOID CLOSE ENCOUNTERS OF THE WORST KIND

Handy tips for you and your new crewmembers, so you can sleep soundly.

#### COMMUNICATE

<u>Monitor VHF 16 and answer the radio.</u> Make sure your crew is comfortable using this important tool; practice different scenarios. Hail on VHF Ch 16 - then change to CH 13 to communicate with other vessels. Speak clearly. State your vessel name and location so everyone knows who they are talking to.

<u>Be clear in your movements and communications.</u> Know what traffic is around you and express your intentions with clear movements and radio communications.

#### **BE AWARE**

<u>Where are you?</u> Make sure your crew knows where they are and where safe water is, so they will feel comfortable deviating off the trackline you asked them to follow. Scale in and out on the radar to identify potential traffic conflicts. Look behind you! Cruise ships can cover 2 nm in 6 minutes.

#### If you are too tired to drive, wake someone up!

Night travel. When traveling at night, make sure other traffic can see your legal navigation lights.

<u>Know established cruise ship tracklines.</u> Many thanks to USAG for making information, tracklines and estimated schedules available ion their webpage. www.usag.org

<u>Rules of the Road.</u> Know the rules and use common sense. Tugs and barges, ferries and cruise ships are often constrained due to keel clearance and maneuvering limitations. Ease traffic situations by waiting five minutes, slowing down to allow large boats to pass, alter your course — take their stern and communicate.

Constant bearing, decreasing distance means you are on a collision course!

#### **RESTRICTED MANEUVERABILITY**

<u>Understand Large Vessel Restrictions.</u> Ships and tugs are constrained by draft, so need more room to maneuver and take more time and space to turn and stop than fishing vessels.

<u>Speed, time and distance.</u> A cruise ship moving at 20 knots will cover 2 nm in 6 minutes -- *less time than it takes you to make a cup of coffee.* 

<u>Stopping.</u> A ship or tug and barge can't stop on a dime nor turn as handily as your fishing vessel. Even at slow speeds (2-3kt) and full astern, a cruise ship will still travel up to at least a ship length (1000'-2000') before stopping. At 10 knots, a stop can be a half mile.

<u>Height of eye.</u> A cruise ship will look farther away than it is. Avoid crossing its bow —take their stern instead. If you see them, you can't beat them. If you are 10' above the water and can see a cruise ship's waterline it means they are 3.7 nm away; at 20 kt it will be at your position in about 10 minutes.

<u>Wider than they appear</u>. At slow speeds (3-7 kts) a 1-3 degree set makes them wider. Learn More

Alaska Marine Safety Education Association (AMSEA)<u>www.amsea.org</u> / 747-3287 AK Vocational Technical Center (AVTEC) <u>www.avtec.edu</u> University of Alaska Marine Advisory Program <u>www.uas.edu</u>



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#### 2016 Raffle Results

Thanks to everyone who bought tickets, donated prizes, and otherwise helped to make the ATA Raffle a success. Tickets are on sale now for the next event. Who knows, maybe 2017 will be your lucky year!

Name	Prize	Donor	City
Phil Richards	\$2,500	АТА	
Dave Lyons	\$1,000	ATA	
Mark Tupper	\$500	ATA	
Wayne Brown	T-Shirt	АТА	
Carl Peterson	T-Shirt	АТА	
Matt Peavey	One Ton Commercial Ice	City of Craig	Craig
Matt Lawrie	\$100 SeaMar Gift Cards	Hoonah Cold Storage	Hoonah
Glorianne Wollen	\$100 SeaMar Gift Cards	Hoonah Cold Storage	Hoonah
Susan Padilla	\$50 Cash	Alaska Glacier Seafoods	Juneau
Mike Mayo	\$50 Cash	Alaska Glacier Seafoods	Juneau
Ben Peters	\$50 Cash	Alaska Glacier Seafoods	Juneau
Mike Erickson	Gift Certificate	Napa Auto Parts	Juneau
Brett Stillwaugh	\$300 Custom Processing	Cedar's Lodge	Ketchikan
Ben Atwood	\$100 Fuel	Clover Pass Resort	Ketchikan
Ron Merritt	\$100 Gift Certificate	Madison Lumber & Hardware	Ketchikan
Shellee Atwood	\$25 Gift Cert	Tatsuda's Iga	Ketchikan
Tim Pine	Smoked Red King Salmon	EC Phillips	Ketchikan
William Prisciandero	Smoked Red King Salmon	EC Phillips	Ketchikan
Mike Bobo	Smoked Red King Salmon	EC Phillips	Ketchikan
Molly Bill	Smoked Red King Salmon	EC Phillips	Ketchikan
Brad Saalsaa	Smoked Red King Salmon	EC Phillips	Ketchikan
Howard Pendell	Smoked Red King Salmon	EC Phillips	Ketchikan
Kevin Beam	Hat	Silver Horde Fishing Supplies	Lynwood
Bill Privett	T-Shirt	Silver Horde Fishing Supplies	Lynwood
Terry Friske	Trolling Spoons	Silver Horde Fishing Supplies	Lynwood
Spencer Severson	Trolling Spoons	Silver Horde Fishing Supplies	Lynwood
Jeff Thomas	Trolling Spoons	Silver Horde Fishing Supplies	Lynwood
Bonnie Dodds	Trolling Spoons	Silver Horde Fishing Supplies	Lynwood
Suzanne Wood	Trolling Spoons	Silver Horde Fishing Supplies	Lynwood
Gary Mulligan	Trolling Spoons	Silver Horde Fishing Supplies	Lynwood
Ricco Mulligan	Hoodies	Lisianski Inlet Cafe	Pelican
Joe Barrett	Hoodies	Lisianski Inlet Cafe	Pelican
Brian Lynch	Gift Certificate	Piston & Rudder Service	Petersburg
Carter Hughes	50% Off Survey Fee	Tom Pope	Port Angeles
Doug Rhodes	Man Overboard AIS Device	Seattle Marine and Fishing Supply	Seattle
Jeff Thomas	2 Hours Welding	Precision Boatworks	Sitka
Andrew Scorzelli	Trolling Hooks	QI HOOKS	Sitka
Kolbjorn Skaflestad	Trolling Hooks	QI HOOKS	Sitka
Joel Brady-Power	Trolling Hooks	QI HOOKS	Sitka
Mike Rentel	Trolling Hooks	QI HOOKS	Sitka
Dave Lyons	\$50 Cash	Frontier Packaging	Tukwilla
Simon Jacobi	\$50 Cash	Frontier Packaging	Tukwilla
Jim Dennis	One Night's Lodging	Zimovia Bed & Breakfast	Wrangell

### **2016 HARVEST STATS**

CHINOOK	Quota Allocation	Treaty Catch	Hatchery Add On & TermExclusion	D8 Stiking	Transboundary D11 Taku	Harvest Total
All Gear Quota	355,600			US TAC = 0	US TAC = 0	
Troll	263,197					
Winter		50,305	2,642			52,291
Spring		35,968	8,974			42,782
Summer		179,705	2,161			181,329
Annette Island		0	0			0
Total Troll	263,197	266,008	10,424			276, 432
Seine	15,291	20,285	7,959			28,244
Drift Gillnet	10,312	4,691	9,098			13,789
Set Gillnet	1,000	230	0			230
Sport	65,799	62,490	8,287			70,777
Total Net and Sport	00,199	87,696	25,344			
Total Net and Sport		07,090	25,344			113,040
Total All Gear		353,704	35,768	0	0	389,472
соно	Catch	2016 % Commercial Catch	Avg % Commercial (1989-2016)	BOF Allocation %		
Troll	1,382,901	68%	65%	61%		
Seine	257,091	13%	15%	19%		
Drift Gillnet	263,968	13%	14%	13%		
Set Gillnet	144,032	6%	7%	7%		
Total Commercial	2,047,992	100%				
Creart	200.000					
Sport	~300,000					
Marine Freshwater						
Total All Gear	2,048,292					
СНИМ	Catch		Permits	Landings	Avg Wt	Avg Price
Total Troll	148,420		702	3,862	8.5	\$0.63
			702			-

# Calendar

April		
3-10	<u>NPFMC</u>	Hilton Hotel, Anchorage
May		
23-24	NPFMC Observer Advisory Committee	AFSC, Building 4, Sand Point Way, Seattle, WA
June		
5-13	<u>NPFMC</u>	Centennial Hall, Juneau
14	First Aid, CPR, and AED Workshop	NSRAA, Sitka Register online at <u>www.amsea.org</u> or call (907) 747-3287
15	Drill Conductor Workshop	NSRAA, Sitka Register online at <u>www.amsea.org</u> or call (907) 747-3287
26	ATA Port Meeting	3pm - Harrigan Centennial Hall, Sitka

#### **Request for Information**

The USCG is requesting input about the importance of maintaining the aids to navigation located around Klag Island and Portlock Harbor. Between the two areas there are seven beacons, some that are in need of repair. If this area is of concern to you, contact Robert Nendza at (907)738-8247 or Robert.T.Nendza@uscg.mil

## **Revised Tongass Land Management Plan**

On July 31, 2016, the US Forest Service (USFS) released the <u>Draft Record of Decision</u> on a Proposed Amendment to the 2008 Tongass Land Management Plan (TLMP), which will be the blueprint for managing nearly 17 million acres in the Tongass over the next 10-15 years. The Forest Service held open houses and subsistence hearings in 10 southeast communities to answer questions about the Draft Environmental Impact Statement (DEIS) and Proposed Plan Amendment. 165,000 comments were received on the plan – over 1,300 of which were considered significant.

Guiding the TLMP amendment process this time is the 2012 Planning Rule, which is intended to improve sustainability and multiple-use planning in National Forests.

The decision is the first broad <u>acknowledgement</u> by the Forest Service of the need to conserve high-priority fishproducing watersheds in the Tongass. It largely follows the unanimous recommendations of the Tongass Advisory Committee (Committee), a USDA appointed group composed of 15 representatives from the conservation, fishing, logging and native communities. The Committee called on the USFS to exclude from future old-growth timber planning 1.89 million acres commonly referred to as the Tongass 77. They also recommended more rigorous study of potential impacts to fish and wildlife prior to plotting out second-growth timber sales.

USFS Forest Supervisor, M. Earl Stewart selected Alternative 5 of the draft Record of Decision, which was based on the Committee's recommendations. Objectives of the new plan include:

- Maintaining a viable timber industry by providing 46 million board feet of timber per year through a 16year transition to young-growth timber harvest.
- Improving permitting for renewable energy development, including hydropower.
- Maintaining the diversity of native plant and animal communities in the plan area.

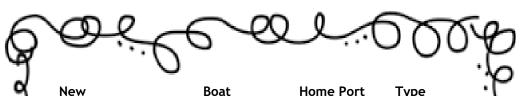
The decision does not seek to modify the 2001 Roadless Rule, which was challenged and upheld by the 9th Circuit Court appointed panel in 2015.

TLMP Information: 2008 Tongass Land Management Plan / Proposed Plan Amendment



# Welcome New Members

(Through 12/31/16)



Sitka

Hoonah

Pelican

Fairbanks

New Kent Barkhau Cal Curt **Dave Williams** Carl Phillips **Ryan Nichols** Larry Clerget Jeff Christopher Pacific Pride of Alaska

Upgrades

Cal Robinson

Adam Hackett

Ron Conatser

Heather Sears

Ian Cryan

Lou Bar

Mike Rugo

Boat Woodstock Crystal Rose Lea Nekton La Bella Luna Go 'n Off

Lady Jo

llahee

Ida Lee

Princess

Barbi J

Gavia

Sharon Sue

PT Sitka Rochester, WA HT Cape May, NJ HT/S Ketchikan R Sitka PT/P Sitka PT/G Rice, WA PT/S Albion, CA PT/S Juneau PT/S Wrangell Retired Retired Auke Bay

Type

PT

ΡT

PT

PT

Did we miss you? Give a call!

## We're grateful for the support of ATA's Business Members and encourages your patronage of these fine establishments...

Alaska Glacier Seafoods Bruce Weyhrauch, Juneau **City of Craig City of Port Alexander City of Pelican** Delta Western, Sitka E.C. Phillips & Son, Ketchikan First Bank, Ketchikan Hammer & Wikan, Petersburg Hoonah Cold Storage House of Liauor, Sitka Icicle Seafoods, Petersburg LFS/Murray Pacific, Sitka

Madison Lumber, KTN Pacific Pride of Alaska, KTN Petro Marine, Anchorage Port Townsend Shipwrights Precision Boatworks, Sitka Qi Hooks, Sitka Savage, Inc., Seattle Seafood Producers Co-op Sea Mart, Sitka Seattle Marine, Seattle Seaview Boatvard, Seattle Service Auto Parts, Ketchikan Shoreline, Pelican

Sitka Boatwatch, Sitka Sitka Salmon Shares, IL Sitka Sound Seafoods Southeast Pilots, Ketchikan The Office Bar, Hoonah Timber & Marine Supply, KTN Tongass Trading, Ketchikan Trading Union, Petersburg **Triad Fisheries** Union Machine Shop, KTN US Seven Oceans, Mukilteo Yakutat Seafoods, Yakutat

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Check out past editions of ATA's Newsletter online at www.aktrollers.org



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Silver	400	200	110	1000	500	You may include dues & contributions to
Gold	450	250	160	2500	1000	these groups along with your ATA dues:
Platinum	550	350	300	5000	2500	United Fishermen of Alaska (\$175)
LIFE	5000	2000	750			
1st YR Initiation Rate	175	75				Halibut Coalition (any amount)
Retired Troller	50	50	50			
Name: F/V:						
Address: City/ZIP:						City/ZIP:
Phone/Cell: E-Mail: Add to eNews List? Yes No						Add to eNews List? Yes No
Crew Size: Ice Boat: Freezer Boat: Direct Seafood Marketer: Processor: SPC: UFA:						
Other Fisheries: Call-In Program? Yes No						
Are you willing to volunteer some time and/or expertise to ATA? Yes No						
EXTRA DONATION: \$ Please use my donation for: Legal Treaty General Purposes Publicity						y General Purposes Publicity
T-SHIRTS: Men's: Limited Colors and Styles Trolling is Good(XXL - ONLY); Black w/logo (L - ONLY) Womens: OUT OF STOCK						go (L - ONLY) Womens: OUT OF STOCK
Qty. Size(s) Color(s) Long-sleeve \$25 Hat: \$25 - OUT OF STOCK						
Short-sleeve \$25 Raffle Ticket: \$20 each #						
May we substitute if color/style choice unavailable? Yes No						
Method of Payment: Check Mastercard Visa Account #						
Exp. Date: Amount: \$						
					Need a Receipt? Yes No	
Signature:			A receipt for tax purposes is sent to all			
			members in late January. Check <u>only</u> if you			
Print Name:			<ul> <li>want an extra receipt &amp; <u>add email</u>.</li> </ul>			
Email:						