



Alaska Trollers Association

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November 11, 2023

Board of Fisheries
State of Alaska
c/o Board Support
PO Box 115526
Juneau, AK 99811

Re: Comments on Proposal 259

Dear Board of Fisheries Members:

As you are aware, the Alaska Trollers Association (ATA) represents the power trollers and hand trollers who fish throughout the waters of Southeast Alaska, up to and including Yakutat. We represent these men and women who compose a fishery which supports thousands of Southeast Alaska rural resident jobs. Furthermore, according to the Central Council of the Tlingit and Haida Indian Tribes of Alaska 30% of trollers have tribal membership.

Our fishery has experienced dramatic declines over the last century, particularly through the reductions mandated by implementation of the Pacific Salmon Treaty (PST). Nevertheless, we continue to fight for our livelihoods and our way of life. Most recently, we took the initiative to intervene in costly litigation brought by the Wild Fish Conservancy (WFC), a Seattle-based, litigious nonprofit hell-bent on shutting down our fishery. In 2021, we fended off an effort by WFC to shut down our fishery when WFC requested a temporary injunction from the Western District of Washington. Earlier this year, we successfully obtained emergency relief from the Ninth Circuit Court of Appeals that kept our fishery open for the summer season and this winter season.

We will continue to fight in every venue to preserve our fishery and our way of life. It is with that sentiment in mind that we are writing to comment on Proposal 257, 258 and especially 259.

By simply omitting two words, "sport fishery" in RC 178, ADFG removed the management guideline of the 80/20 split which was fundamental in our negotiations. Proposal 259 seeks to reinstate this guideline of everyone staying within their agreed upon cap. Until 2020 sports fishing was always managed in-season. For example in 2008, 2017, 2018, 2020 in-season changes were made to the SEAK sport fishery.

Without adoption of Proposal 259, and due to the increase of non-resident sport effort, there is a very likely annual reallocation away from troller king harvests by the non-resident sport sector. Non-

residents must be managed to within their harvest ceiling as prescribed in 5AAC 29.060. Proposal 259 only reinstates your Board's action and time on this matter and without Proposal 259, last year's agreement is entirely invalidated, as is the Board's attention and action on this matter last year.

Using "averaging" as justification for allowing overages due to "no in-season management" of non-residents allows subjective formulation. In 2022, neither the non-residents NOR the trollers came close to catching their allowed harvest so should not be used. We believe the generic term "averaging" included in the RC 178 simply recognized the department has harvest goals that can be, with the best of intentions, not perfectly attained. We would not have agreed to whatever-you-feel averaging-should-be to justify a hands-off approach to non-resident king fishing.

Proposal 257 and 258 seek to address the new tier levels adopted by the Pacific Salmon Commission. While we agree the new tiers need to be enshrined in regulation, both Proposal 257 and 258 would apply to current regulations which erroneously misstate the signed agreement RC 178. We therefore ask the board to incorporate the new tiers within Proposal 257 or 258, **as long as Proposal 259 adoption happens to ensure the original agreement language gets reinstated.** RC 178 did not say "no in-season management" and any inference that there was a compliant gesture or verbal indication of such is conjecture.

From our State constitution, Article 8, Section 2: "The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people." As we have pointed out repeatedly, trollers have one of the highest percentages of Alaska residents of any fishery. We ask why our State agency acts to promote the interests of largely non-resident businesses that cater largely to non-residents.

ATA has been forced to address this issue – the modifications in verbage ADFG promulgated after Board decision. We do NOT want to re-open negotiations at this point in time, nor deal with reallocation – We ask only for the agreed outcome of our negotiations at the 2022 BOF, Proposal 259.

Sincerely,



Amy Daugherty
Executive Director