FISH AND WILDLIFE COMMISSION
AGENDA
Lower Level Conference Room

REGULAR MEETING 5 P.M. APRIL 18, 2019

I. CALL TO ORDER; ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES
   a. March 21, 2019

IV. AUDIENCE INTRODUCTIONS & PARTICIPATION (3 minutes per person at chair’s discretion)

V. STAFF/AGENCY REPORTS & PRESENTATIONS
   a. Staff report

VI. ITEMS OF BUSINESS
   a. BOF – Consider creating subcommittee to create BOF strategy for FWC consideration.
   b. Consider drafting letter to BOF asking that Northern District Cook Inlet proposals be deal
      with prior to Central District Cook Inlet proposals.
   c. BOF – consider offering guided Mat-Su field visit for BOF members this year.
   d. Economics of Sportfishing – options utilizing Southwick’s services for BOF meetings.
   e. FWC – Consider defining goals/priorities/mission statement for the upcoming fiscal year.
   f. Updates:
      i. BOF nominees/public hearing testimony.

VII. MEMBER COMMENTS

VIII. NEXT REGULAR MEETING – MAY 16TH – AGENDA/PRESENTATION ITEMS?

IX. ADJOURNMENT
Matanuska-Susitna Borough
FISH AND WILDLIFE COMMISSION
Thursday, March 21, 2019 at 5:00pm

I. CALL TO ORDER/ROLL CALL
Meeting was called to order by Mike Wood at 5:00 pm; commissioners present: Mike Wood, Larry Engel, Andy Couch, Howard Delo, John Wood, Dan Mayfield, Bruce Knowles; Jim Sykes arrived @5:08pm.

II. APPROVAL OF AGENDA
MOTION: Larry Engel made a motion to approve the agenda; Andy Couch seconded the motion.
AMENDMENT: Add “Kodiak” to BOF Item of Business;
Motion approved as amended without objection.

III. APPROVAL OF MINUTES
a. December 20, 2018, January 17, 2019 and February 21, 2019
MOTION: Larry Engel made a motion to approve the agenda; Howard Delo seconded the motion.
AMENDMENT: Howard had several amendments
- December 20 and January 17 IV – Neil DeWitt change her to here at the end of the sentence;
- February 21 – I – add Howard Delo; IV (11) clarify what was meant by “calculated over three season, and three dimensions; V(e) change commissioners to Board of Fish members.
Motion approved as amended without objection.

IV. AUDIENCE INTRODUCTION/PARTICIPATION
Dan Superak, Fishing Guide, Run and Operate
Rick Green, ADF&G, Fish and Game COM-ANC, Special Assistant to the F&G Commissioner
Debbie Delo, Howard’s wife
Tom Cappiello, applicant for FWC

V. STAFF/AGENCY REPORTS & PRESENTATIONS
a. Staff Report-Ted Eischeid
- Ted provided information regarding Southwick’s email with quote;
- update on new Acting Planning Services Manager will begin April 1st;
- Ted will become the Acting Environmental III planner beginning April 1st – more on that after budget;
- Agenda setting items need to be sent to Ted Eischeid ten days in advance and copy information to Karol Riese;
- Items Ted needs FWC direction on:
  - Vacant position on the commission;
  - Nelchina Caribou herd presentation;
  - Commissioner of Fish and Game to come to FWC meeting;
  - Board of Fish summer tour of the MatSu;
  - mailed packet – like it? (YES)
Discussion: The staff was concerned about the environmental III planner position not being filled, especially with the BOF meeting coming up – Howard Delo suggested to write a letter – Mike Wood and Larry Engel, this has already been done. Commission would like a copy of the letters and responses (this has to be done through Ted Eischeid or Karol Riese); commissioners appreciated packets being mailed and would like that continued.

Rick Green gave a brief detail of what his position is in ADF&G; the commissioner of ADF&G understands that this is the people’s resource and we are “blessed” to manage it. Andy Couch talked about the concern of so many stockings of pink salmon…etc. Concerns with large number of hatchery salmon being ranched here. The commissioners appreciated Rick Green attending the meeting and look forward to working with him and the new leadership of ADF&G. FWC would like the numbers of where and how many we caught so they can provide responsible questions for answers. Rick Green said to get ahold of him with any questions or information you need. The FWC extended an invite to Commissioner Doug Vincent-Lang.

VI. ITEMS OF BUSINESS
a. UCI Northern District King Salmon Management Proposals
   1. Deshka River King Salmon Management Plan:

   MOTION: John Wood moved page 29 of 54 “Deshka River King Salmon Management Plan; Howard Delo seconded.
   
   DISCUSSION: Emergency order/announcements; discussion broke down when we talked about burden sharing – we had several options but they aren’t there right now;

   Motion approved as written unanimously.

   Additional discussion.

   2. Little Susitna River King Salmon Management Plan

   MOTION: John Wood moved to approve Little Susitna River King Salmon Management Plan; Larry Engel seconded;
   
   DISCUSSION: need to correct a couple of things,

   AMENDMENT: Andy Couch moved to remove the word “of” from (B)(v)(3); Jim Wood seconded;

   Motion approved as amended unanimously.
3. Susitna and Yentna Rivers King Salmon Management Plan

MOTION: John Wood moved to approved Susitna and Yentna Rivers King Salmon Management Plan; Larry Engel seconded;

AMENDMENT: Andy Couch moved to make the following corrections: (d)(18) line three, in river should be changed to in-river; line four, strike “other”; (13)((D) change Saturday to Friday so it.

Amendment approved unanimously.

Motion approved as amended unanimously.

4. Northern District King Salmon Management Plan

MOTION: Andy Couch made a motion to approve the Northern District King Salmon Management Plan that is written with these additions:

- (11) If the sport fishery on the Little Susitna River, (A) is closed or if retention of king salmon is prohibited then, the commissioner shall close, by emergency order, the commercial king salmon fishery in the Eastern Sub-district of the Northern District for the remainder of the fishing periods provided for under this section; (B) is restricted to retention of king salmon under 28 inches or less in length as measured from the tip of snout to tip of tail then the commissioner shall, by emergency order, reduce the time allowed per fishing period provided for in this section to no more than six hours in duration.
- (11) If the in-season Deshka River run projection is below the sustainable escapement goal, the commissioner may, by emergency order, close the commercial king salmon fishery throughout the Northern District for the remainder of the fishing periods provided for under this section;
- (12) If the in-season Little Susitna River run projection is below the sustainable escapement goal the commissioner may, by emergency order, reduce the time allowed per fishing period provided for in this section to no more than six hours in duration throughout the Northern District;

DISCUSSION: A discussion ensued with respect to the different scenarios and language.

Howard Delo sees both sides—listed off what is currently proposed and kind of agrees what Andy is trying to do; how can you make a comparable to the commercial guys? Conflicted, see both views, I would probably tend to agree with Mike to leave it as it is for now. Mike discussed a cap, things were shut down so that Kings would come back to the Susitna River. Think about the restrictions that have been made to the Northern District.

Andy withdrew the motion.
MOTION: Larry Engel made a motion that the language in (10)(A) and (10)(B) and (11)(A)(B) with rewording to add at the end of “order,” six hour provision in the Eastern Sub-district of the Northern District; seconded by Howard Delo:

- (10) If the sport fishery on the Deshka River,
  (A) is closed or if retention of king salmon is prohibited then, the commissioner shall close, by emergency order, the commercial king salmon fishery throughout the Northern District for the remainder of the fishing periods provided for under this section; or
  (B) is restricted to retention of king salmon under 28 inches or less in length as measured from the tip of snout to tip of tail then the commissioner shall, by emergency order, reduce the time allowed per fishing period provided for in this section to no more than six hours in duration.
- (11) If the sport fishery on the Little Susitna River,
  (A) is closed or if retention of king salmon is prohibited then, the commissioner shall close, by emergency order, the commercial king salmon fishery in the Eastern Sub-district of the Northern District for the remainder of the fishing periods provided for under this section;
  (B) is restricted to retention of king salmon under 28 inches or less in length as measured from the tip of snout to tip of tail then the commissioner shall, by emergency order, six hour provision in the Eastern Sub-district of the Northern District.

Motion approved with 6 in favor and 1 (M. Wood) opposed.

b. Board of Fish Proposals – Central District Drift Gillnet Fishery Management Plan (Pages 41 - 44 of packet)
Larry Engel recapped the reason that this proposal is being made.

MOTION: Larry Engel made a motion to approve the BOF Regulation Proposal in the FWC packet (Pages 41 – 42); John Wood seconded.

DISCUSSION: Andy Couch said we should use brackets [ ] instead of parentheses ( ) around items to be deleted.

AMENDMENT: Andy Couch amended to use brackets instead of parenthesis on sections that are going to be deleted; Dan Mayfield seconded.

- [NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (d) (2)(A) OF THIS SECTION, ONE REGULAR 12-HOUR FISHING PERIOD FROM JULY 16 THROUGH JULY 31 MAY OCCUR IN THE CENTRAL DISTRICT INSTEAD OF IN DRIFT GILLNET AREA 1;]
- [THERE ARE NO MANDATORY AREA RESTRICTIONS TO REGULAR FISHING PERIODS]
- [IN THIS SUBSECTION “FISHING PERIOD” MEANS A TIME PERIOD OPEN TO COMMERCIAL FISHING AS MEASURED BY A 24-HOUR CALENDAR DAY FROM 12:01 AM UNTIL 11:59 P.M.]
- In (e)(1) add the word regular before 12 hour;
DISCUSSION: Discussion ensued.

Amendment approved unanimously;

Motion approved as amended unanimously.

c. Board of Fish – Candidate Selection and Input
   Howard Delo gave an update on the candidates and would like to have FWC submit a letter to
   support Israel Peyton being re-appointed to his position. John Wood believes Israel Payton will be
   reappointed and that we should not get in the middle of it. Howard Delo removed his suggestion.
   Andy Couch stated that we need to know at some time who to support and will rely on John Wood
   and the Governor to put forth good nominees.

d. Updates:
   i. Freshwater fishing guide logbook program – Andy Couch
      Andy Couch provided information on the program and proposal.

MOTION: Andy Couch made a motion that the Upper Cook Inlet logbook data be compiled prior to the
   UCI meeting and distributed to the public; Howard Delo seconded.

Motion approved unanimously.

ii. North Pacific Council Upper Cook Inlet Task Force
    No one attended.

iii. Assembly workshop on wetlands, March 19 – Larry Engel
    Most everyone was there and were pleased with the presentation. Jim Sykes stated that the
    Army Corps of Engineers were very willing to cooperate on this issue.

iv. BOF statewide meeting and hatchery discussion
    Andy Couch provided the agenda.

v. Wasilla Chamber Mat-Su Fisheries panel discussion happening March 28 – Andy Couch

VII. MEMBER COMMENTS

Andy Couch: I guess I am tasked with writing these proposals up, is there any direction on what you
   want? Also brought up Kodiak commercial fisheries thought.

Larry Engel: Wants to stay apprised about what is happening in Kodiak regarding commercial
   fisheries; not prepared yet to write a proposal, but will have time to research this and
   get feedback and get prepared to look at this closer by next year; we should be
   prepared to share our concerns about this at the BOF meeting in a year; Kodiak is
   intercepting a lot of fish and could have an impact on our stocks of concern.

Dan Mayfield: I think we should look at the Agenda and try to get it down to a two-hour time frame.
   Need to take motions first and then have discussions on the motions. Everyone is
   making a sacrifice.
Howard Delo: Thank Debbie for driving me over; may have a difficult time driving me to the next one.

Jim Sykes: Always learns something

Mike Wood: Went to BOF discussion and advised of the FWC stance on 171, 170, and 169 – they all failed. I have been talking with a lot of people about what we could be saying; sometimes that will work in their favor; so we are not just working with KRSA. Learning about the different animosities with the dip netters, etc. Try to work together for this next board cycle. I think we could learn a lot by working with others. We are all working towards the same thing. Maybe we can have a special meeting. I think we are bigger than that; we do not need to be pigeon-holed. I think we should reach out to other people and find common ground. (NOTE: Ted can facilitate interest-based discussions).

Ted Eischeid: A state expert on efficient meetings suggested having motions written prior to the meeting, with extra copies for other FWC members, as a better way to make motions/amendments.

MOTION to adjourn by Larry Engel; seconded by Howard Delo.

Motion approved unanimously.

Meeting stands ADJOURNED at 8:07 PM

_________________________________________  ____________________
Mike, Wood Chair  Date

ATTEST:

_________________________________________  ____________________
Ted Eischeid, MSB Planner II  Date
1. BOF Meeting Schedule
2. MSB meeting/work on wetlands
3. BOF booklet?
4. Diquat PO for Elodea Control on Alexander Lake
5. Role and function of FWC from MSB Code Chapter 4.75:

**4.75.010 FUNCTIONS AND DUTIES.**

(A) The commission shall advise and make recommendations to the assembly, borough manager, and/or any state or federal agencies, departments, commissions, or boards possessing jurisdiction in the area of fish, wildlife, and habitat on the interests of the borough in the conservation and allocation of fish, wildlife, and habitat.

(B) The commission may also advise the assembly and the borough manager on any other matter as to actions or issues for the borough to address on any other areas concerning fish, wildlife, habitat, administration, application, enforcement, or appointment to include political efforts, additional lobbying efforts, or any other position or action the borough should take on fish, wildlife, or habitat issues.

(Ord. 15-122, § 2, 2015: Ord. 12-052, § 3 (part), 2012)
Cook Inlet Salmon Committee

REPORT

April 2, 2019, 9:00 AM – 5:00 PM
Anchorage, AK

The Cook Inlet Salmon Committee met in order to continue developing recommendations to the Council on management measures needed to extend federal management authority to salmon fisheries in EEZ waters of Cook Inlet.

Committee Members in attendance:
John Jensen (Petersburg, Chair)  Hannah Heimbuch (Homer)
Dan Anderson (Homer)           Eric Huebsch (Kasilof)
Jeff Berger (Ninilchik)         Dino Sutherland (Eagle River)

Members absent:
Mark Casseri (Kasilof)

Others in attendance:
Jeff Anderson (USFWS)           Wes Humbyrd (UCIDA)
*Forrest Bowers (ADF&G)         David Martin (UCIDA/CIFF)
Catherine Cassidy (fisherman)   Roland Maw (UCIDA)
*Curry Cunningham (Alaska Pacific University)  John McCombs (CIFF/UCIDA)
*Doug Duncan (NMFS)             Matt Oxford (UCIDA)
*Diana Evans (NPFMC)           *Lauren Smoker (NOAA General Counsel)
Jeff Fox (UCIDA)                Teague Vanek (UCIDA/CIFF)
*Gretchen Harrington (NMFS)     *Jordan Watson (NMFS)
Georgeanna Heaverley (Cook Inletkeeper)  David Witherell (NPFMC)

*member of the Salmon Amendment Work Group

Administrative Issues

The meeting began at 9:00 a.m., and Committee members and others in attendance introduced themselves. Committee member Mark Casseri was unable to attend. The availability of a teleconference listen-in option for the public was advertised on the webpage for the Committee meeting, which also provided links to all of the meeting documents.

The posted agenda was modified so that the Status Determination Criteria discussion, including the workgroup comments on the stakeholder proposal, was moved from fourth to second in the sequence. Jim Armstrong briefly reviewed the March 6, 2019 Committee report, reminding attendees that the Committee had made initial recommendations on record-keeping and reporting methodologies, but were continuing to develop a stakeholder proposal on status determination criteria and also develop recommendations on the delegation of management measures to the State of Alaska under Alternative 2.
Although Chairman Jensen initially stated that public comment would be taken in two segments before and after lunch, he later relaxed that decision and called on audience members during the course of Committee discussion. No written public comments had been submitted to the meeting webpage.

Jim Armstrong noted to the Committee that the Council Chair would not allow alternates to serve on the Committee when regular Committee members cannot attend in person or by phone. Jim noted that no ad hoc committees allow this, and at-large Council members are also not permitted substitutes.

**Discussion of Committee Member Concerns**

This agenda item was suggested by Committee members so they could bring to the table some fundamental concerns they had identified since their involvement in the Council process. First among these is the belief by some Committee members that the scope of the FMP extends into State waters including freshwater tributaries. Committee member Dan Anderson stated that he needed clarity on a seeming inconsistency between what is permitted jurisdictionally and what is necessary for achieving appropriate harvest levels of salmon stocks independent of jurisdiction. For example, the actual escapement of salmon to spawning grounds occurs in state waters, but escapement-based management is being proposed for the EEZ. There was subsequent discussion about information in the discussion paper that some Committee members felt was inconsistent with the MSA, about the reach of federal review of state decisions, about Council influence on setting escapement goals, and how these issues are reconciled with the National Standards. Some Committee members suggested that underfishing, defined by stakeholders as harvest that allows escapement goals to be exceeded, should be avoided in order to be consistent with the National Standards and MSA. Gretchen Harrington spoke to each of the National Standards and how these are achieved in the federal process, and pointed out that underfishing is not contemplated in the National Standards. Jim Armstrong suggested that the Committee identify and set aside, for practical purposes, those philosophical issues that are constraining the development of Committee recommendations to the Council on the amendment. Committee member Hannah Heimbuch suggested that the Committee focus less on frustration with select items in the discussion paper and more on achieving a workable cooperative management solution that involves state and federal processes.

**Status Determination Criteria**

As described in the Committee Report for the March 6, 2019 meeting, a set of workgroup comments would be provided to the Committee in response to a stakeholder proposal for status determination criteria (SDCs) that Committee member Erik Huebsch had delivered at the March meeting. The enumerated list of eleven workgroup comments was sent to the Committee on March 22, and discussion of workgroup comments at the April meeting proceeded in order of the list. A revised stakeholder proposal was provided by Mr. Huebsch for the April meeting who led the Committee through his responses to the comments.

Comment #1 addressed the geographic scope of the FMP (which the proposal claims to include state waters) and demarcation of the EEZ within Cook Inlet. There was dispute from Committee members about the baseline used for establishing the EEZ in Cook Inlet and that runs to the east and west of Kalgin Island. Committee and audience members suggested that they had evidence that the line as depicted in various figures in the discussion paper should be moved to the north, and that this would greatly change assumptions about the percentage of EEZ catch that has occurred historically. Gretchen Harrington stated that the figures in the discussion paper are correct and were created using GIS from authoritative boundary definitions. A NOAA nautical chart publication was suggested by some Committee members as providing correct references, however, Gretchen pointed out that the baseline in figure 77 of this publication appears to be the same baseline used in creating the figures in the discussion paper. To be clear, the EEZ is defined as 3 nm from the baseline, and this definition was used in GIS to generate the figures in the discussion paper.
Comment #2 was addressed in the revised stakeholder proposal.

Comment #3 addressed the term “CPUE” used in the original stakeholder proposal and the need to describe how it was calculated. After some discussion at the Committee table, Chairman Jensen allowed audience member Jeff Fox of UCIDA, and formerly an ADF&G biologist, to describe how State in-season management is adjusted using indices of run strength interpreted from driftnet vessel catches and assumed proportional catch by gear sector. Gretchen Harrington pointed out that CPUE is not used for status determination criteria when escapement goals are available because, in general CPUE is not the best available information to estimate abundance. The SDC proposed under Alternative 2 are defined for stocks according to their respective “tier” which relates to presence of escapement goals for the stocks (tier 1) and stocks managed as a complex with indicator stocks (tier 2). Through the annual stock assessment process, stocks can move up in tiers if the quality of information on the stocks changes. There is flexibility to use CPUE, if that is the best information available, for stocks in tier 3 (stocks with no reliable estimates of escapement) under the proposed Alternative 2 SDC. Due to limited potential for reconciliation of opposing views on this issue, the Committee moved to the next workgroup comment.

Comment #4 addressed the need for the proposal to describe how certain conclusions were reached, such as stating that there are no overfished stocks in the area. There was no opposition to this comment, but it was explained that there was limited time for preparation of the proposal, and that they could be provided in a future iteration.

Comment #5 addressed a need for showing calculations and mathematical definitions, and Mr. Huebsch repeated the response under #4.

Comments #6 and #7 addressed confusion about the proposal’s use of the term GHL, and it was explained by Mr. Huebsch that this was meant to be equivalent to “MSY proxy”. In the revised proposal, Mr. Huebsch replaced the term GHL with $F_{MSY}$, defined in the National Standard 1 Guidelines as the MSY fishing mortality rate.

Comment #8 addressed the use of harvest rates defined as harvest/run size for stocks where run size is unknown. Mr. Huebsch referred back to the in-season catch analysis described by Mr. Fox.

Comment #9 suggested that the proposal described the status quo in many respects. Mr. Huebsch said that he believes the proposal describes how fishery management is supposed to function, but that in Cook Inlet it no longer functions because of the prescriptive management plans that do not allow adaptive management.

Comment #10 suggested that the proposal’s definition of OY accommodate uncertainty and ecological issues rather than prescribe economic outcomes. Mr. Huebsch stated that the salmon life cycle requires a different approach such that the carrying capacity of the stock could be reached if harvest is less than what is needed, i.e., underharvest or surplus escapement.

Comment #11 addressed proposed harvest rates in a table in the proposal, and the need to describe how they were calculated. Mr. Huebsch suggested that the current harvest rates for pink salmon in the Kenai are very low, and any increase would be an improvement. He also stated that he was willing to discuss more appropriate rates where disputes may exist. Discussion also reflected perceptions about preferential treatment of sportfish harvest as underlying some underharvest outcomes. Dr. Jordan Watson suggested that workgroup comments be interpreted less as challenges and more as suggestions on how to prepare an approach that the SSC would need to review.

Following the discussion of the workgroup comments, Chairman Jensen allowed the audience to engage in further discussion including the limiting effect of sportfish harvest historically, the need for management solutions that benefit all user groups, and extreme underharvest of pinks, need for focusing on a cooperative solution, the long and painful history getting to this point and the need for protection
from the negative effects of state management. An appeal was made by an audience member for a positive and cooperative approach that is respectful of all parties involved.

An audience member provided a presentation on historic runs using brood tables for Kenai sockeyes that he provided and discussed his views on the range of factors involved in the success of a salmon run, stressing that it is more than numbers of fish. The ages of the fish and when spawning occurred for each age class are also important. The age structure has important impacts on competition for resources before they leave freshwater.

Another audience member addressed the boundary line issue described above.

Delegation of Management Measures under Alternative 2

As described in the Committee Report for the March 6, 2019 meeting, the Committee wanted to revisit the range of management measures that could be divided between Federal and State authority. The table on page 41 of the discussion paper provides draft divisions of measures, although some are indisputably Federal such as SDCs, OY, ACLs, etc. Committee member Dino Sutherland suggested that “underharvest” be added to the list and said he will develop language to describe it.

It was suggested that, from now on, Committee recommendations on issues addressed in the discussion paper, that are different from the draft measures in the paper, be presented as redline versions so that differences can be easily tracked.

There was discussion about escapement goals and allocation and how those would be addressed and whether escapement goals would need to be federally compliant. The Committee was reminded that an appeal process is described in the discussion paper that addresses objections to State management actions. Discussion of SAFE preparation, and other Plan Team and SSC processes were described.

The option for establishing a Salmon Plan Team as described on page 69 of the discussion paper appeared to have general appeal to the Committee, although a formal recommendation was not put forward. Members of the Committee will consider the text in the discussion paper in preparation for a future recommendation on Plan Team. The Committee discussed Plan Team membership and Plan Team – SSC processes.

Timing and Issues for Further Development

The Committee recommends a two-day meeting in May in order to continue to develop recommendations on the amendment. Agenda topics for that meeting tentatively include recommendations on 1) Salmon Plan Team, 2) SDCs, 3) Bycatch options, and 4) improving the Committee process. A two-day meeting was suggested in order to allow for Topic #4 which reflects the need for stakeholders to continue to learn about the federal process in order to improve the Committee’s ability to provide viable recommendations to the Council.

Chairman Jensen adjourned the Committee meeting at 4:20 p.m.