

**ALASKA DEPARTMENT OF FISH AND GAME**

**STAFF COMMENTS**

**ON SUBSISTENCE, PERSONAL USE, SPORT, GUIDED SPORT, AND  
COMMERCIAL FINFISH REGULATORY PROPOSALS**

**FOR THE SOUTHEAST AND YAKUTAT MANAGEMENT AREAS**

**ALASKA BOARD OF FISHERIES MEETING**

**KETCHIKAN, ALASKA**

**JANUARY 22- FEBRUARY 1, 2006**



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**This document is organized by Board Committee. A complete listing of staff comments by proposal and page number and position appears after the Table of Contents on page \_\_\_\_.**

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**DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)**

| <b>Proposal No.</b> | <b>Department Position</b> | <b>Issue</b>  |
|---------------------|----------------------------|---|
| 81                  | N                          | Create subsistence only zone for Sitka Sound spawn on branches                          |
| 82                  | N                          | Add sac roe seine as alternate gear for 3-B   |
| 83                  | N                          | Add sac roe seine as alternate gear for 3-B, equal shares of leftover GHL               |
| 84                  | N                          | Modify allocation between winter bait and SOK fisheries (50-50)                         |
| 85                  | N                          | Modify allocation between winter bait and SOK fisheries (50-50)                         |
| 86                  | N                          | Modify GHL percentage for 3-B winter bait and SOK to 25-75                              |
| 87                  | N                          | Modify allocation between winter bait, SOK and bait pound fisheries (45-45-10)          |
| 88                  | N                          | Allocate 10% of Sitka Sound GHL to northern SEAK SOK fishery                            |
| 89                  | O                          | Reduce maximum harvest rates from 20 to 10 percent                                      |
| 90                  | O                          | Modify language in State wide regulation, add word "resource" and delete "yield"        |
| 91                  | N                          | Make 1-E/1-F sac roe fishery set gillnet only fishery                                   |
| 92                  | N                          | Modify 1-E/1-F sac roe seine fishery coop regulation                                    |
| 93                  | S                          | Modify 1-E/1-F sac roe seine fishery coop regulation                                    |
| 94                  | N                          | Establish commercial closed waters in Section 1-F                                       |
| 95                  | N                          | Establish commercial closed waters in Section 1-E (West Behm Canal)                     |
| 96                  | N                          | Establish commercial closed waters in Sections 1-E and 1-F                              |
| 97                  | N                          | Repeal all references to herring fisheries in Sections 1-E and 1-F                      |
| 98                  | O                          | Clarify fish ticket reporting requirements for seine herring openings                   |
| 99                  | N                          | Modify gillnet specifications, allow vessel 75 fathoms with two permit holders on board |
| 100                 | N                          | Equal shares for sac roe seine  |
| 101                 | N                          | Equal shares for sac roe seine in 1-E/1-F   |
| 102                 | N                          | Equal shares for sac roe seine  |
| 103                 | S                          | Modify kelp allocation table  |
| 104                 | S                          | Modify SOK pound definition to simply 12,000 cubic feet                                 |
| 105                 | S                          | Modify SOK pound definition to simply 12,000 cubic feet                                 |
| 106                 | S                          | Modify kelp allocation table, if GHL 700+ double pound 2,000 blades                     |

**-continued-**

## DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)

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| Proposal No. | Department Position | Issue  |
|--------------|---------------------|--|
| 107          | N                   | Modify fishing boundary for 3-B SOK  |
| 108          | N                   | Modify kelp allocation table for 3-B   |
| 109          | N                   | Modify fishing boundary for 3-B SOK  |
| 110          | O                   | Count spawn milage on pound nets in GHL calculation  |
| 111          | O                   | Modfiy multiple pound definitions  |
| 112          | S                   | "Per permit holder" housekeeping   |
| 113          | S                   | "Per permit holder" housekeeping   |
| 114          | S                   | Modify SOK pound marking requirements  |
| 115          | S                   | Post SOK fishery pound configuration modification  |
| 116          | S                   | SOK reporting requirement housekeeping   |
| 117          | N                   | Modify seine specifications for District 12  |
| 118          | S                   | Review ANS for salmon in SEAK  |
| 119          | O                   | Create State managed sub fishery on Stikine River  |
| 120          | O                   | Add archery as legal gear type   |
| 121          | N                   | Open sport fishing in Chilkat Inlet north of Letnikof Cove boat ramp when the projected inriver run to the Chilkat River is high             |
| 122          | N                   | Increase bag, possession, and annual limits for king salmon in Chilkat Inlet north of Seduction Point during years of high projected returns |
| 123          | S                   | Develop king salmon management plan for District 11  |
| 124          | S                   | Develop king salmon management plan for District 11  |
| 125          | N                   | Allow spring troll fishery in Section 11-A, B, and C during directed fisheries   |
| 126          | S                   | Develop king salmon management plan for District 8   |
| 127          | S                   | Establish an abundance based management plan for fisheries targeting Stikine River king salmon in District 8                                 |
| 128          | N                   | Establish resident and nonresident harvest limits in District 8 during years of high abundance of Sitkine River chinook salmon               |
| 129          | N                   | Manage spring troll and driftnet fisheries for concurrent openings   |
| 130          | N                   | Modify drift gillnet mesh restriction regulation for District 8  |

-continued-



**DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)**

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| <b>Proposal No.</b> | <b>Department Position</b> | <b>Issue</b>   |
|---------------------|----------------------------|--|
| 131                 | N                          | Modify opening date for District 8 drift gillnet fishery (first Mon in May)  |
| 132                 | S                          | Adopt mesh restrictions in drift gillnet fisheries to protect steelhead  |
| 133                 | N                          | Manage spring troll fisheries in District 8 for Alaska hatchery fish   |
| 134                 | N                          | Allow spring troll fishery in all of District 8 during directed fisheries  |
| 135                 | N                          | Modify Wrangell Narrows-Blind Slough MP  |
| 136                 | N                          | Change king salmon allocation from 80-20 to 50-50  |
| 137                 | N                          | Modify drift gillnet king salmon allocation from fixed 7,600 to 2.9% all gear  |
| 138                 | N                          | Increase the sport allocation of chinook salmon from 20% to 30%  |
| 139                 | N                          | Provide a sliding chinook allocation based on abundance for sport and troll fisheries                                  |
| 140                 | O                          | Address sport allocation overage and underage in the SE King Salmon Management Plan                                    |
| 141                 | O                          | Liberalize sport fishery for chinook in May or June when sport fishery underage occurs in the prior year.              |
| 142                 | O                          | Liberalize sport fishery for chinook in May or June when sport fishery underage occurs in the prior year.              |
| 143                 | N                          | Allow anglers the use of two rods in the winter during years of high chinook abundance or when a sport underage exists |
| 144                 | N                          | Repeal nonresident annual limit, and, during years of high abundance, allow bag limit of two chinook salmon in May.    |
| 145                 | O                          | Liberalize sport regulations for king salmon during years of high abundance.   |
| 146                 | N                          | Repeal nonresident annual limit, and, during years of high abundance, allow bag limit of two chinook salmon.           |
| 147                 | N                          | Repeal nonresident annual limit, and, during years of high abundance, allow bag limit of two chinook salmon.           |
| 148                 | N                          | Repeal nonresident annual limit, and, during years of high abundance, allow bag limit of two chinook salmon in May.    |
| 149                 | N                          | Increase the nonresident annual limit for king salmon to four during years of high abundance                           |

**-continued-**

**DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)**

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| <b>Proposal No.</b> | <b>Department Position</b> | <b>Issue</b>   |
|---------------------|----------------------------|--|
| 150                 | N                          | Repeal nonresident annual limit for king salmon  |
| 151                 | N                          | Increase nonresident annual limit for king salmon  |
| 152                 | O                          | Establish king salmon possession limits for all anglers equal to the annual limit for nonresidents.                |
| 153                 | N                          | Allow charter operators and crew to retain king salmon   |
| 154                 | N                          | Increase resident and nonresident bag limits for chinook salmon in the Ketchikan area at the start of stat week 20 |
| 155                 | O                          | Reduce hatchery production in SEAK and PWS   |
| 156                 | O                          | Establish corridor hatchery chum salmon fisheries in District 8  |
| 157                 | N                          | Establish troll/net allocation objectives for chum and sockeye salmon  |
| 158                 | N                          | Allow drift gillnet fishing in spring troll areas in D-8 when there are no directed king salmon fisheries          |
| 159                 | O                          | Modify Neets Bay hatchery MP (boundaries)  |
| 160                 | N                          | Modify Nakat Inlet hatchery MP (gillnet and troll only)  |
| 161                 | N                          | Modify SEAK Enhanced Salmon allocation plan  |
| 162                 | N                          | Modify Deep Inlet MP to address early king salmon fisheries  |
| 163                 | N                          | Modify Eastern Channel chum salmon cost recovery management plan   |
| 164                 | S                          | Clarify Hidden Falls THA MP  |
| 165                 | S                          | Modify Deep Inlet MP to allow minimum mesh restriction during king salmon fishery                                  |
| 166                 | S                          | Modify opening time for traditional drift gillnet fisheries  |
| 167                 | N                          | Modify sockeye salmon cap for Hawk Inlet purse seine fishery (reduce to 10,000 total)                              |
| 168                 | N                          | Repeal 58' salmon purse seine vessel length limit  |
| 169                 | O                          | Require first 4,000 sockeye harvested in Hidden Falls THA to be donated to Angoon and Kake                         |
| 170                 | N                          | Modify sockeye salmon cap for Hawk Inlet purse seine fishery (exclude hatchery fish)                               |

**-continued-**

**DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)**

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| <b>Proposal No.</b> | <b>Department Position</b> | <b>Issue</b>  |
|---------------------|----------------------------|---|
| 171                 | N                          | Modify troll gear specifications relative to fishing rods and downriggers         |
| 172                 | N                          | Modify troll gear specifications relative to fishing rods and downriggers         |
| 173                 | N                          | Modify troll gear specifications relative to fishing rods and downriggers         |
| 174                 | N                          | Modify troll gear specifications relative to fishing rods and downriggers         |
| 175                 | N                          | Hand troll gear specifications west of Cape Spencer                               |
| 176                 | N                          | Require barbless hooks in commercial troll fishery                                |
| 177                 | N                          | Increase hand troll gurdies from two to four                                      |
| 178                 | S                          | Require Chinook be offloaded between winter/spring and summer/winter fisheries    |
| 179                 | O                          | Limit spring troll areas to those in 2002. Changes to these only after TF approve |
| 180                 | N                          | Establish spring troll fishery in Yakutat   |
| 181                 | S                          | Establish criteria for combining spring troll fishing areas                       |
| 182                 | S                          | Modify spring troll MP Alaska hatchery percentages                                |
| 183                 | S                          | Change pink/chum fishery date from June 29 to 30                                  |
| 184                 | N                          | Modify high abundance waters definition   |
| 185                 | N                          | Modify summer catch allocation from 70-30 to 60-40                                |
| 186                 | O                          | Modify summer troll fishing periods in 108-10 to seven days per week              |
| 187                 | N                          | Change summer troll fishing date from July 1 to mid-July or August 1              |
| 188                 | N                          | Change summer troll fishing closure date from September 20 to 30                  |
| 189                 | O                          | Allow hatchery coho troll fishery in Behm Canal through October 7                 |
| 190                 | N                          | Expand troll boundary from Cape Suckling to Cape St. Elias                        |
| 191                 | N                          | Modify winter troll harvest guideline accounting for AK hatchery fish and addon   |
| 192                 | N                          | Modify winter troll season in District 11   |
| 193                 | O                          | Close Situk setnet September 30   |

**-continued-**

**DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)**

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| <b>Proposal No.</b> | <b>Department Position</b> | <b>Issue</b>   |
|---------------------|----------------------------|--|
| 194                 | S                          | Change opening day from Monday to Sunday   |
| 195                 | S                          | Modify open fishing periods  |
| 196                 | S                          | Modify Situk king salmon management plan   |
| 197                 | S                          | Modify Alek fishery opening date for king salmon with PSC approval   |
| 198                 | S                          | Require all CFEC permit holders to report the number of steelhead taken but not sold in the Southeast Alaska and Yakutat   |
| 199                 | N                          | Increase the bag limit for coho salmon in Southeast Alaska to ten per day.   |
| 200                 | N                          | Allow catch-and-release only for steelhead in Southeast Alaska   |
| 201                 | O                          | Define possession limit as the maximum number of fish a person may have in possession until returning to their domicile  |
| 202                 | O                          | Prohibit injured salmon from being released.   |
| 203                 | N                          | Allow sport caught pink salmon to be used as bait.   |
| 204                 | N                          | Allow sport caught chum salmon to be used as bait.   |
| 205                 | O                          | Allow two cutthroat trout per day and in possession, 9-inch minimum size limit, only one of which may be 25 inches or longer, in remote trophy cutthroat trout lakes |
| 206                 | S                          | Repeal the bag and possession limits for coho salmon in Yakutat Bay  |
| 207                 | N                          | Restrict sport fishing gear to single hooks only on the Situk River  |
| 208                 | O                          | Restrict sport fishing in the Chilkoot River to designated hours from June 1 through August 31.  |
| 209                 | N                          | Adopt special regulations for Dolly Varden in Mud Bay, Chicken, and Freshwater Creeks on Chichagof Island and Teardrop Creek on Chilkat Peninsula                    |
| 210                 | N                          | Allow catch-and-release only in Peterson Creek and adjacent saltwater area, with exceptions.   |
| 211                 | N                          | Prohibit snagging and the use of bait in saltwater area near Peterson Creek when steelhead and coho salmon are present.  |
| 212                 | S                          | Prohibit snagging in a portion of Fish Creek and adjacent saltwater area near Juneau.  |

**-continued-**

**DEPARTMENT POSITIONS BY PROPOSAL NUMBER (PROPOSALS 81-222)**

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| <b>Proposal No.</b> | <b>Department Position</b> | <b>Issue</b>  |
|---------------------|----------------------------|---|
| 213                 | N                          | Prohibit snagging in a portion of Salmon Creek and adjacent saltwater area near Juneau.   |
| 214                 | N                          | Rescind the sport fishery closure for sockeye salmon in Sitkoh Lake drainage  |
| 215                 | S                          | Rescind the sport fishery closure for pink salmon in Starrigavan Creek.   |
| 216                 | S                          | Allow sport harvest of hatchery king salmon in Sitka area streams with a bag limit of 5 fish 28 inches or greater in length, and 5 fish less than 28 inches.  |
| 217                 | S                          | Rescind the sport fishery closure for pink salmon in Indian River.  |
| 218                 | S                          | Allow the use of bait from June 1 through November 15 and allow snagging for salmon only during periods established by emergency order in Blind Slough        |
| 219                 | S                          | Reduce harvest limits for sockeye salmon in the Sweetwater drainage, and close a small portion of Hatchery Creek to sport fishing from June 1 through July 31 |
| 220                 | O                          | Reduce the bag limit for coho salmon in the Harris River to three per day.  |
| 221                 | O                          | Prohibit the use of bait year-round in the Harris River.  |
| 222                 | S                          | Repeal special provisions that apply to trout in One Duck Lake  |



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| No. 111-Modify multiple pound definitions .....   | 80 |
| No. 86-Modify GHL percentage for 3-B winter bait and SOK to 25-75 .....                     | 21 |
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***Reporting Requirements***

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No. 94-Establish commercial closed waters in Section 1-F ..... 38

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No. 97-Repeal all references to herring fisheries in Sections 1-E and 1-F ..... 43

***Subsistence Herring***

No. 81-Create subsistence only zone for Sitka Sound spawn on branches ..... 3

***Other***

No. 90-Modify language in State wide regulation, add word "resource" ..... 30



**PROPOSAL 81. PAGE 61. 5 AAC 01.705. DESCRIPTION OF DISTRICTS AND SECTIONS.**

PROPOSED BY: Larry Gamble

WHAT WOULD THE PROPOSAL DO? Proposal 81 seeks to restrict the amount of sac roe herring that can be harvested in a specific area by allowing only one commercial opening for a portion of the season's GHJ (GHJ). The restricted area would include the waters enclosed by a line from Dog Point, to [Signaka] Islands to Beili Rocks to Cape Burunof [Baranof Point] (Figure 81-1).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 27.110. Fishing seasons for Southeastern Alaska Area. (b) Herring may be taken in the sac roe fishery only during seasons established by emergency order in the following districts and sections:

- (1) in the purse seine fishery herring may be taken only in the following sections:
  - (D) Section 13-B, north of the latitude of Aspid Cape (56 41.75 N. lat.), except Whale and Necker Bays.

5 AAC 27.195. Sitka Sound commercial sac roe herring fishery (a) In managing the commercial sac roe herring fishery in section 13-B north of the latitude of Aspid Cape (Sitka Sound), the department shall

- (1) manage the fishery consistent with the applicable provisions of 5 AAC 27.160(g) and 5 AAC 27.190;
- (2) distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses specified in 5 AAC 01.716(b) .

(b) In addition to the provisions of (a) of this section, the department shall consider the quality and quantity of herring spawn on branches, kelp, and seaweed, and herring sac roe when making management decisions regarding the subsistence herring spawn and commercial sac roe fisheries in Section 13-B north of the latitude of Aspid Cape.

5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. (a) The Alaska BOF finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

(7) herring and herring spawn in waters of Section 13-A, and Section 13-B north of the latitude of Aspid Cape;

(b) The board finds that 105,000 - 158,000 pounds of herring spawn are reasonably necessary for subsistence uses in Section 13-A, and Section 13-B north of the latitude of Aspid Cape.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED: It is likely that in most years the Sitka Sound sac roe seine fishery would not be able to achieve harvesting the GHJ and the subsistence harvest of roe on hemlock might increase if this proposal was adopted.

**BACKGROUND:** In October of 2001 the Sitka Tribe of Alaska (STA) submitted an ACR to the Alaska BOF (BOF) to address concerns that the commercial sac roe harvest was negatively impacting the subsistence roe harvest in Sitka Sound. The Board adopted the proposal contained in the ACR during the January 7-14, 2002 meeting in Anchorage to consider regulation changes to help ensure a subsistence opportunity. The Board ultimately adopted a new management plan for the Sitka Sound sac roe herring fishery. This plan included a new provision to distribute the commercial harvest of herring for sac roe, if the department determines that it is necessary, to ensure a reasonable opportunity to harvest the amount necessary for subsistence and adopted an amount necessary finding of 105,000-158,000 pounds of herring roe based on information provided by the department's Subsistence Division and testimony from subsistence users.

The department has entered into a Memorandum of Understanding with STA effective November 4, 2002 with provisions for preseason and postseason informational and planning meetings, as well as inseason collaboration to provide recommendations to the department concerning potential impacts on the subsistence fishery. Additionally, during or following each season the Subsistence Division would work cooperatively with STA to determine the amount and quality of the subsistence harvest, and whether or not a reasonable opportunity had been provided. The latter would be accomplished by a subsistence harvest interview and monitoring program in lieu of a subsistence harvest-reporting permit. The department's Subsistence Division has collaborated with the Tribe in conducting surveys in 2002 and 2003 but the department was not been able to participate with the subsistence monitoring surveys in 2004 and 2005 due to lack of funding. Inseason collaboration has generally been through a Tribal Liaison that department managers consult with throughout the season.

The 2005 GHJ for the herring sac roe seine fishery was 11,192 tons based on a 20% harvest rate of a forecast biomass of 55,962 tons. The sac roe harvest occurred in areas north of Sitka adjacent to areas traditionally used by subsistence harvesters. The department was in consultation with the Tribal Liaison throughout the fishery. The first sac roe opening occurred on March 23 in an area between Eastern Middle Island, Halibut

Point and Western Kasiana Island (Figure 81-1). Most of the 3,553 tons harvested was taken along the eastern shoreline of Middle Island. A second opening occurred in the Halibut Point area on March 25 harvesting 1,857 tons and a third opening on March 27 occurred in the area of Halibut Point and Old Sitka Rocks harvesting 4,814 tons. The Tribal Liaison was consulted prior to each opening. A final cooperative mop-up fishery occurred during the two days immediately following the March 27 opening to harvest approximately 1,000 tons.

After the 2005 herring season in Sitka Sound it was reported that many subsistence roe on branch harvesters either failed to get spawn on branches or the quality of the harvest was below expectations. Preliminary 2005 season results of the Tribe's subsistence harvest and monitoring program, provided verbally to the department in November 2005, was a harvest of roe on hemlock of 72,432 pounds, below the ANS. This compares to 294,000 pounds in 2004, 210,000 pounds in 2003, and 112,000 pounds in 2002 (Table 81-1).

Essential to the management of the sac roe fishery is an intensive inseason monitoring program that includes daily aerial and vessel surveys to monitor herring distribution and abundance. This information is necessary to determine areas of herring abundance for potential commercial sac roe openings as well as to map herring spawn, an essential element of stock assessment. During the 2005 season, monitoring indicated the herring were primarily concentrated in the waters north of Sitka between the Halibut Point Road system and the island groups immediately to the west. This area is the focal point of the Sitka Sound herring spawn and for this reason is the area most heavily used by subsistence roe on hemlock harvesters as well as an area commonly opened to commercial sac roe harvest. The exception to this was a large biomass of herring that unexpectedly spawned along the southern and western shore of Kruzof Island. This shoreline is highly exposed to weather and sea and is characterized by an extensive shallow and rocky bottom. It was not apparent that a large volume of herring was present in this area until the herring had committed to the inshore area where it would be very difficult and dangerous to prosecute a fishery. Smaller concentrations of herring were observed in other areas of Sitka Sound including Eastern Channel and Hayward Strait. This distribution did not change through the entirety of the herring fishery. Despite a determination to disperse the sac roe harvest to other areas of the Sound, opportunities to do so were never available.

Ultimately, the spawn distribution was consistent with the inseason assessment of the distribution of pre-spawning herring (Figure 81-2). Spawning occurred in most areas north of the Sitka Channel along the road system, on Middle, Crow, and Gavanski Islands, and on north Japonski Island. Spawning was light on Kasiana Island, an area that is traditionally heavily used by subsistence roe on branch harvesters. Spawn along the Kruzof Island shoreline was very heavy.

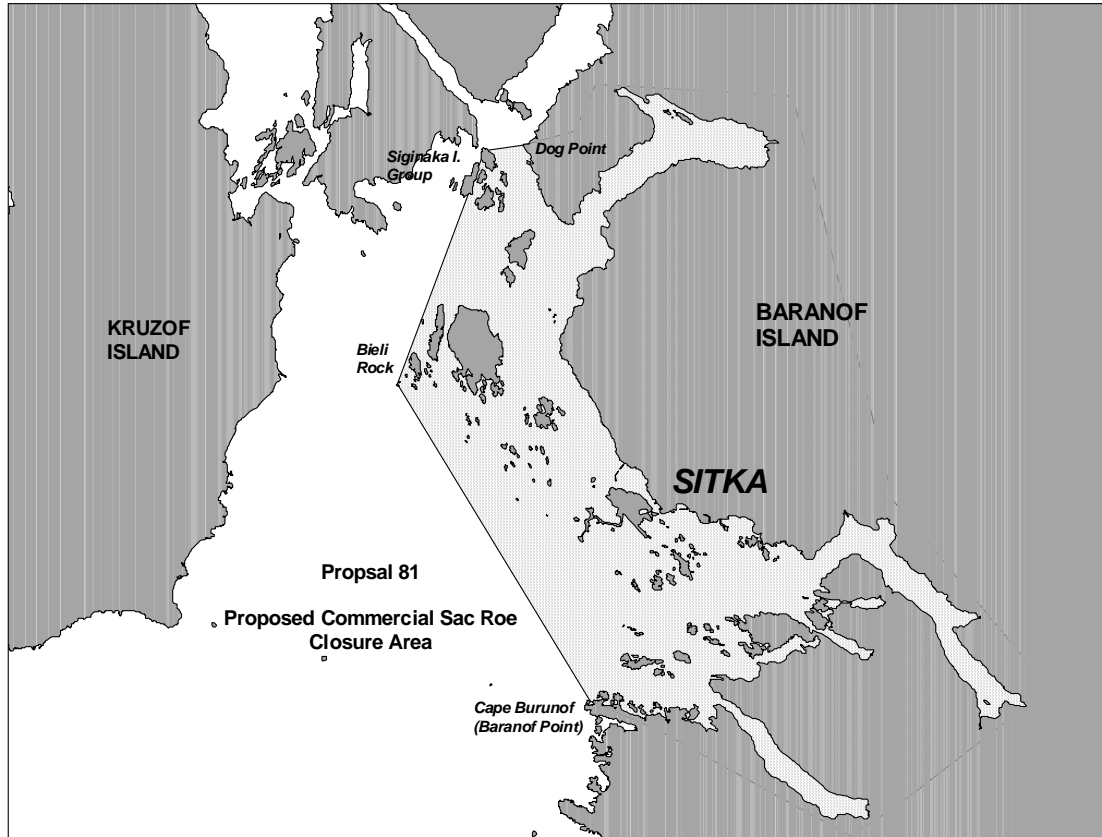
DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal. The department recognizes the importance of the subsistence roe on hemlock fishery and much progress has been made toward building a collaborative relationship and inseason consultative process with Tribal subsistence interests. The 2002-2004

herring seasons were successful for both subsistence harvesters and the commercial sac roe fishery. The department prefers that any issues regarding the 2005 fishery, and the possible impacts management decisions had on the subsistence fishery, be addressed through consultation between the department and subsistence users. The department notes that although the ANS was not met in 2005, based on harvest estimates by STA, the average harvest since subsistence harvest monitoring began in 2002 is 172,000 pounds, exceeding the upper end of the ANS range of 105,000-158,000 pounds.

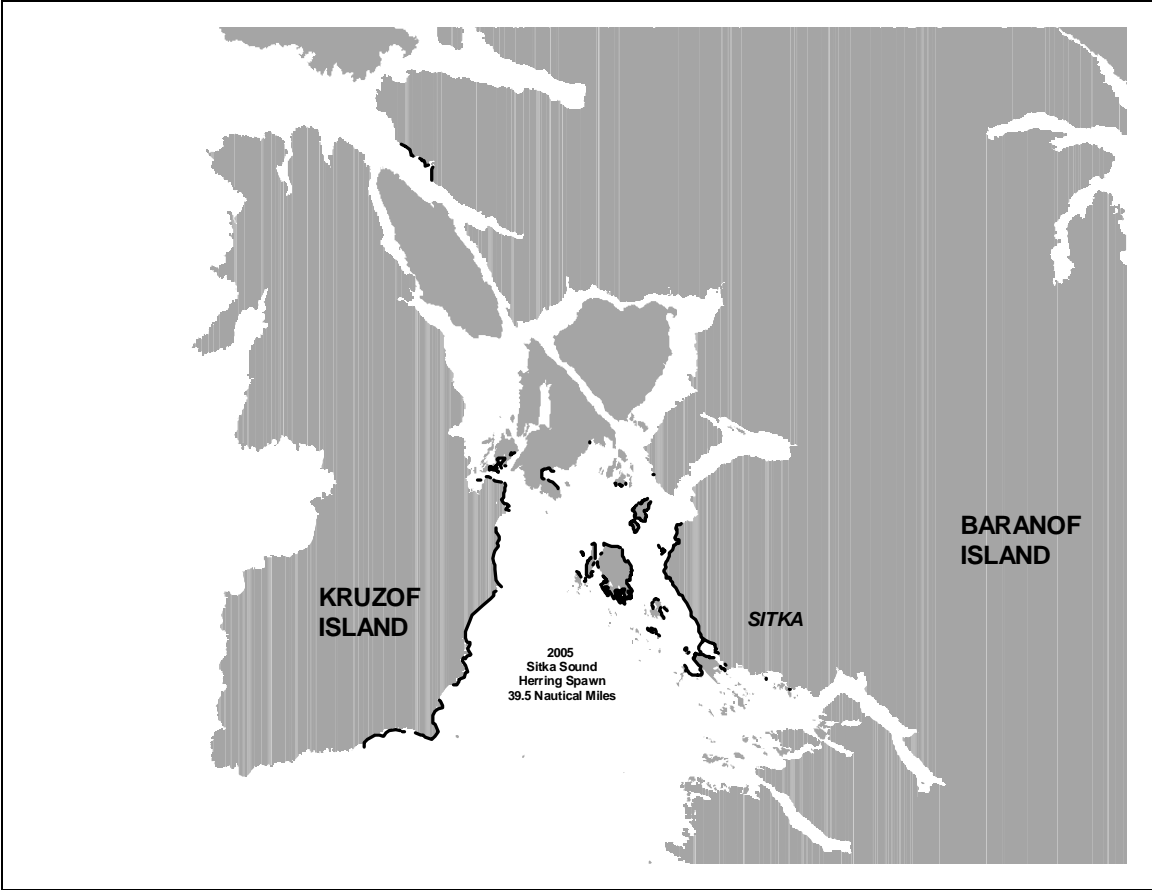
COST STATEMENT: The adoption of this proposal is not expected to result in additional direct cost for a private person to participate in this fishery.

**Table 81-1.**—Subsistence harvest, in pounds, of herring roe in Sitka Sound, 2002-2005.

| Year    | STA Analysis | ADF&G Analysis |
|---------|--------------|----------------|
| 2002    | 111,962      | 139,755        |
| 2003    | 209,995      | 269,905        |
| 2004    | 293,579      |                |
| 2005    | 72,432       |                |
| Average | 171,992      |                |



**Figure 81-1.**—Area of Sitka Sound proposed for restricted sac roe harvest.



**Figure 81-2.**—Map of Sitka Sound highlighting areas of herring spawn in 2005.

**PROPOSALS 82 and 83. PAGES 61 and 62. 5 AAC 27.110(b)(1). FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA and 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: Larry Demmert

WHAT WOULD THE PROPOSAL DO? Proposal 82 would allow purse seining to produce herring sac roe as an alternative gear choice for the spawn-on-kelp (SOK) pound fishery permit holders in Section 3-B.

Proposal 83 would set up an equal shares fishery system for the Section 3-B herring SOK pound fishery and allow a purse seine fishery on the portion of the quota that is not utilized in the pound fishery.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 27.110. FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA. (a) Herring may be taken from October 1 through February 28 (winter food and bait fishery), only during periods established by emergency order, in the following Districts and Sections: 1-10, 11-B, 11-C, 12, 13-A, 13-B south of the latitude of Aspid Cape (56°41.75'N. lat.), 14, 15-A, and 16, except for locations within those districts set out in (b) of this section.

(b) Herring may be taken in the sac roe fishery only during seasons established by emergency order in the following districts and sections:

(1) in the purse seine fishery, herring may be taken only in the following sections:

(A) Section 1-E;

(B) Section 1-F, north of the latitude of South Vallenar Point;

(C) Section 11-A, north of the Shrine of St. Therese;

(D) Section 13-B, north of the latitude of Aspid Cape (56°41.75' N. lat.) except for Whale and Necker Bays;

(E) Sections 15-B and 15-C;

5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A AND DISTRICT 7. (a) In Sections 3-B, 12-A, and 13-C and District 7 of the Southeastern Alaska Area, the department shall set an annual guideline harvest range for herring spawn on kelp in pounds based on the forecasted return of mature spawning herring. The department shall manage the fishery to keep the harvest within the guideline harvest range each season by restricting CFEC permit holders operating a herring-SOK pound to a specific number of kelp blades or Fronds annually according to the provisions of this section.

(b) In Sections 3-B, 12-A and 13-C, and District 7, a herring SOK CFEC permit holder may jointly operate a pound with one or more other herring SOK CFEC permit holders and a closed pound with up to two other herring SOK CFEC permit holders. A permit holder operating an open pound may use fronds or individual kelp blades in the open pound, but may not use both during a fishing season.

(h) In Section 3-B, the harvest limit for the bait fisheries is 60 percent of the GHL for the Craig/Klawock herring stock, and the harvest limit for the SOK pound fishery is 40 percent of that GHL. Any portion of the harvest limit not taken by the bait fishery during a calendar year may be taken by the pound fishery during that year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, proposals 82 and 83 would allow permit holders the option of a herring sac roe purse seine fishery in Section 3-B when there is herring remaining within GHLS in the herring SOK pound fishery. Proposal 83 would also institute an equal shares system.

BACKGROUND: Between 1971 and 1992, the Craig/Klawock herring stocks were utilized by the winter food and bait fishery only. The BOF established the Craig/Klawock herring pound fishery in 1992.

Between 1992 and 1997, 85% of the total GHL was allocated to the winter bait fishery and 15% went to the herring pound fishery. Since 1998 the pound fishery has been allocated 40% of the GHL with 60% allocated to the winter bait fishery and any herring not harvested by the winter bait fishery is added to the pound fishery.

Since 1992, the average harvest in the SOK fishery was 76,000 pounds of product, with an average of 111 active permits. In January 1995, the Commercial Fisheries Entry Commission adopted limited entry for the pound fisheries with 229 permits allowed for Craig/Klawock. As of October 2005, 209 permits are allowed for this fishery.

Since 1992, the participation for the bait fishery has averaged 4 participants per year (range 1-29).

Since 1992, the average harvest for the bait fishery was 400 tons (range 4-2,295 tons)

The minimum spawning biomass threshold for the Craig/Klawock herring stock is 5,000 tons.



The BOF established the SOK fishery for Section 3-B in 1992. The department has been unable to accurately measure the amount of herring placed in pounds and the associated mortality during this fishery. Before a proposal such as this could be enacted the department would have to be able to accurately measure the amount of herring used in the SOK fishery. When the BOF established the Craig/Klawock herring pound fishery in 1992, closed waters were established around the heavily used subsistence areas nearby, including those waters around Fish Egg Island.

Table 82-1 shows the recent winter food and bait harvest and the SOK harvest.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative issues of this proposal. The department has reservations about our ability to manage small remainders from the herring SOK pound fishery to stay within the total GHGs given the fishing power of the purse seine fleet.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 82-1.**—Section 3-B, Craig/Klawock area herring summary, 1992-2005.

| Season  | Total GHL (tons) | Bait GHL (tons) | Bait harvest (tons) | Allocated pound GHL (tons) | GHL carried over from bait GHL | SOK harvest (tons) | Number of pounds or permits on the grounds | Spawn deposition estimate <sup>a</sup> (tons) |
|---------|------------------|-----------------|---------------------|----------------------------|--------------------------------|--------------------|--|---|
| 1991-92 | 2,684            | 2,281           | 2,316               | N/A                        | N/A                            | 26.2               | 248  | 12,350  |
| 1992-93 | 1,602            | 1,362           | 623                 | N/A                        | N/A                            | 5.9                | 209  | 6,956   |
| 1993-94 | 895              | 760             | 636                 | N/A                        | N/A                            | 16.8               | 147  | 4,325   |
| 1994-95 | 726              | 617             | 124                 | N/A                        | N/A                            | 25.4               | 159  | 3,415   |
| 1995-96 | 658              | 558             | 34                  | N/A                        | N/A                            | 37.6               | 162  | 3,620   |
| 1996-97 | 715              | 615             | 517                 | N/A                        | N/A                            | 21.9               | 119  | 5,558   |
| 1997-98 | 755              | 455             | 254                 | 300                        | 201                            | 23.5               | 112  | 6,346   |
| 1998-99 | 750              | 450             | 102                 | 300                        | 348                            | 36                 | 70   | 6,627   |
| 1999-00 | 626              | 376             | 346                 | 250                        | 30                             | 0.0                | 50/104                                     | 9,164*  |
| 2000-01 | 1,058            | 635             | 145                 | 423                        | 491                            | 27.2               | 31   | 7,937*  |
| 2001-02 | 952              | 571             | 145                 | 380.8                      | 426                            | 41.7               | 89   | 7,329   |
| 2002-03 | 630              | 378             | 145                 | 250                        | 228                            | 69.2               | 122  | 13,065  |
| 2003-04 | 1,754            | 1,052           | 157                 | 702                        | 895                            | 49.3               | 125  | 22,894  |
| 2004-05 | 2,217            | 1,330           | 553                 | 887                        | 780                            | 115.2              | 78   | 17,337  |
| Average |                  | 755             | 435                 |                            |                                | 35                 | 122  | 9,066   |

N/A=not applicable, In 1997 the Board of Fish enacted regulations to allow unused bait quota to be carried over to the pound fishery.

<sup>a</sup> Numbers with asterisks indicate estimates that have been updated since last BOF meeting to incorporate best estimates using diver calibration factors.

**PROPOSAL 84 and 87. PAGE 62 and 64. 5 AAC 27.185(j). MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7 and 5AAC 27.160(b)(7) QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Larry Demmert (84), and Richard Eliason (87)

WHAT WOULD THE PROPOSAL DO? Both of these proposals concern the allocation of the annual GHL of Tenakee Inlet herring between the food and bait, bait pound, and SOK fisheries.

Proposal 84 would allocate 50% of the annual GHL plus any of the annual GHL unharvested by the Tenakee Inlet bait and bait pound fisheries to the Tenakee Inlet SOK fishery.

Proposal 87 would allocate 45% of the annual GHL to the food and bait fishery, 45% to the SOK fishery, and 10% to the bait pound fishery.

WHAT ARE THE CURRENT REGULATIONS?

**5AAC 27.160. QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA AREA.**

(b) The herring harvest quota for bait pound operations is as follows:

(7) District 12: 10 percent of the GHL for the Tenakee Inlet stock; the harvest quota for the winter food and bait fishery is 90 percent of that GHL; if there are no active herring bait pounds permits issued by March 15 of a year, the unharvested remainder of that GHL will be allocated to the herring SOK fishery; after the SOK fishery in District 12 is closed, any remaining unharvested portion of that GHL will be allocated to the pound fishery.

**5AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

(j) In Section 12-A, the harvest limit for the SOK pound fishery is the amount of any annual guideline harvest level for the Tenakee Inlet herring stock that is not harvested by the bait fisheries. If the unharvested portion of the GHL is less than 50 tons, there will be no SOK pound fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? These proposals would allocate the annual herring GHL of the Tenakee Inlet herring stocks between the food and bait, bait pound, and SOK fisheries during seasons when the spawning biomass in Tenakee Inlet exceeds the 3,000-ton threshold required for commercial herring fisheries to occur. These proposals would reduce the amount of

herring potentially available to the food and bait, and bait pound fisheries, but would ensure that a closed pound SOK fishery would occur during seasons when commercial herring fisheries are allowed in Tenakee Inlet. Under current regulations, the SOK fishery may occur only if there is a sufficient portion of the GHL remaining at the conclusion of the winter food and bait fishery. Reallocation of the herring available for harvest in Tenakee Inlet would reduce the amount of locally caught bait herring in Northern Southeast Alaska, resulting in greater imports of bait herring from other areas. It would also guarantee the opportunity for a closed pound SOK fishery during seasons when commercial herring fisheries are allowed in Tenakee Inlet.

BACKGROUND: Tenakee Inlet has been managed as a winter food and bait fishery since the 1978/1979 season, when guideline harvest threshold levels were implemented. When the Tenakee Inlet spawning biomass is forecast to exceed the threshold level of 3,000 tons, a GHL is established according to a sliding harvest rate schedule. The minimum GHL for Tenakee Inlet is 10% of the 3,000 ton threshold level or 300 tons of herring. Since the 1982/1983 season the winter food/bait fishery has averaged an annual harvest of 804 tons from an average quota of 835 tons (table 84-1). As many as 21 permit holders have participated in this fishery and as few as 2 with an average of 9 permit holders. No harvest occurred between the 1990/1991 season and the 1995/1996 season as the herring biomass was below the minimal threshold level. From 1996/1997 to the 2004/2005 season, the Tenakee herring spawning biomass has been above threshold but the average GHL and harvest have been much less than the historic average. The recent 9-year average GHL is 639 tons of which an average of 449 tons have been harvested leaving an average of 190 tons of the GHL unharvested. During the past two seasons, in spite of repeated efforts, the harvest of food and bait herring in Tenakee Inlet has been insignificant, due to the behavior of the herring, which have stayed deep in the water column and out of the reach of fishers seine gear. Tenakee Inlet herring stocks are preferred as bait by local fishermen and processors, due to their size and the proximity of Tenakee Inlet to local processors in Sitka and Juneau.

In 2003 the BOF adopted regulations allowing a herring SOK fishery to occur only if there is an unharvested amount of the Tenakee Inlet herring GHL greater than 50 tons after the close of the food and bait fishery. If the remaining GHL is between 50 and 99 tons, the SOK fishery is limited to utilizing only open pounds, while 100 or more tons of the annual GHL must be available for the fishery to utilize closed pounds. Since the recent inception of the Tenakee Inlet SOK fishery, the GHL available for the SOK fishery has ranged from 140 tons in 2002/2003 to 476 tons in 2004/2005. Participation in the fishery has increased from 59 to 91 permits, and the production of SOK product has ranged from 95,000 pounds to 197,000 pounds (Table 84-1).

The department has recently announced that the Tenakee Inlet herring stock forecast did not meet the threshold of 3,000 tons and there will not be a fishery 2005-2006 season.

DEPARTMENT COMMENTS: The department is NEUTRAL in regards to the allocative aspects of these proposals.

Considering that these proposals would subdivide a GHL that can be as low as 300 tons at threshold level, the department has concerns with its ability to manage these fisheries during years that Tenakee Inlet is at or slightly above threshold levels. The region's current management capability has its limitations, and attempts to manage a winter bait fishery for harvests of less than 200 tons poses a substantial risk of exceeding the GHL. Considering the large number of participants thus far in the Tenakee Inlet SOK fishery, over utilization of the herring resource is a significant concern for quotas of less than 200 tons.

Proposal #117 is indirectly related to these proposals since it would change gear to allow more access to the existing Tenakee Inlet GHL to harvest bait.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 84-1.**—Historical Tenakee Inlet commercial herring GHL, harvest, and effort 1982-2005.

| Season  | Food and Bait   |                |         | Bait Pound |                |         | Spawn on Kelp |                         |                   |         |
|---------|-----------------|----------------|---------|------------|----------------|---------|---------------|-------------------------|-------------------|---------|
|         | GHL (tons)      | Harvest (tons) | Permits | GHL        | Harvest (tons) | Permits | GHL           | Herring Utilized (tons) | SOK Product (lbs) | Permits |
| 1982-83 | 875             | 749            | 7       |            |                |         |               |                         |                   |         |
| 1983-84 | 850             | 619            | 8       |            |                |         |               |                         |                   |         |
| 1984-85 | 1,400           | 1,406          | 16      |            |                |         |               |                         |                   |         |
| 1985-86 | 1,700           | 2,040          | 17      |            |                |         |               |                         |                   |         |
| 1986-87 | 800             | 1,275          | 16      |            |                |         |               |                         |                   |         |
| 1987-88 | 1,450           | 1,577          | 21      |            |                |         |               |                         |                   |         |
| 1988-89 | 720             | 655            | 11      |            |                |         |               |                         |                   |         |
| 1989-90 | 650             | 595            | 16      |            |                |         |               |                         |                   |         |
| 1990-91 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1991-92 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1992-93 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1993-94 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1994-95 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1995-96 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1996-97 | 300             | 98             | 3       |            |                |         |               |                         |                   |         |
| 1997-98 | 825             | 586            | 5       |            |                |         |               |                         |                   |         |
| 1998-99 | 1,023           | 835            | 5       |            |                |         |               |                         |                   |         |
| 1999-00 | 542             | 494            | 4       |            |                |         |               |                         |                   |         |
| 2000-01 | 906             | 775            | 5       |            |                |         |               |                         |                   |         |
| 2001-02 | 840             | 355            | 4       |            |                |         |               |                         |                   |         |
| 2002-03 | 528             | ***            | ***     |            |                |         | 140           | 240                     | 95,110            | 59      |
| 2003-04 | 360             | ***            | ***     | 40         | 0              | 1       | 347           | 410*                    | 201,400*          | 85      |
| 2004-05 | 428             | 0              | 0       | 48         | 0              |         | 476           | 460*                    | 202,832*          | 91      |
| Average | 835             | 804            | 9       | 44         | 0              |         | 321           | 240                     | 95,110            | 78      |

\*\*\*confidential, less than 3 permits participating

\*includes ADF&G test pounds

**PROPOSAL 85. PAGE 63. 5 AAC 27.160. QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA.**

PROPOSED BY: Richard Eliason

WHAT WOULD THE PROPOSAL DO? The proposal would allocate 50% of the District 7 GHL to the winter bait fishery and 50% to the SOK fishery.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.160(6) District 7: 10 percent of the GHL for the Ernest Sound stock; the harvest quota for the winter food and bait fishery is 90 percent of that GHL; if there are no active herring bait pound permits issued by March 15 of a given year, the unharvested remainder of that GHL will be allocated to the herring SOK fishery; after the SOK fishery in District 7 is closed, any remaining unharvested portion of that GHL will be allocated to the bait pound fishery;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would allocate the annual herring GHL of the Ernest Sound herring stock between the food and bait, bait pound, and SOK fisheries during seasons when the spawning biomass in Ernest Sound exceeds the 2,500-ton threshold required for commercial herring fisheries to occur. This proposal would reduce the amount of herring potentially available to the food and bait fishery and would eliminate the amount of herring available to the bait pound fishery. However this proposal would ensure that a closed pound SOK fishery would occur during seasons when commercial herring fisheries are allowed in Ernest Sound. Under current regulations, the SOK fishery may occur only if there is a sufficient portion of the GHL remaining at the conclusion of the winter food and bait fishery. Reallocation of the herring available for harvest in Ernest Sound would reduce the amount available for bait herring in Southern Southeast Alaska, resulting in greater imports of bait herring from other areas.

BACKGROUND: Estimates of biomass beginning with the 1970/71 season through the early 1980s, were based on hydro-acoustic surveys, which was the best method of estimating the wintering biomass inseason. Over time, the department began doing SCUBA dive surveys on all significant spawning stocks of herring. Fisheries on wintering stocks were then based upon the amount of spawn deposited the previous season in a spawning area that was associated with the wintering stock. Spawn deposition surveys have been conducted in most seasons on the Vixen Inlet/Union Bay/Ship Island spawning stock since 1992. The spawning biomass threshold for Ernest Sound is set at 2,500 tons. When the Ernest Sound spawning biomass is forecast to exceed the threshold level of 2,500 tons, a GHL is established according to a sliding harvest rate schedule. The minimum GHL for Ernest Sound is 10% of the 2,500 ton threshold level or 250 tons of herring. No fishery will occur in the upcoming 2005/06

season because the spawning biomass forecast of 2,284 tons is below the minimum threshold level.

Ernest Sound has been managed as a winter food and bait fishery since the 1969/1970 season. Since the 1969/1970 season, the winter food/bait fishery has averaged an annual harvest of 385 tons during the 15 seasons that it was fished. Since the 1992/1993 season the winter food/bait fishery has averaged an annual harvest of 81 tons from an average quota of 441 tons during seasons the fishery was opened. Most of those seasons the stocks did not have a significant harvest for two reasons. The sizes of the herring in Ernest Sound have been smaller than the bait market desired. Also, demand for herring has been met from east coast supplies at a relatively lower price than Southeast herring. Since the 1969/1970 season as many as 14 permit holders have participated in this fishery and as few as 1 with an average of 4 permit holders (Table 85-1).

In 2003 the BOF adopted regulations allowing a herring SOK fishery to occur only if there is an unharvested amount of the Ernest Sound herring GHL greater than 50 tons after the close of the food and bait fishery. If the remaining GHL is between 50 and 99 tons, the SOK fishery is limited to utilizing only open pounds, while 100 or more tons of the annual GHL must be available for the fishery to utilize closed pounds. Since the recent inception of the Ernest Sound SOK fishery, threshold has only been met for the 2003-2004 season. The SOK fishery had a GHL of 830 tons. A total of 64 herring pounders landed 112,286 pounds of SOK product in 2004 (Table 85-1).

DEPARTMENT COMMENTS: The department is NEUTRAL in regards to the allocative aspects of this proposal. However, the department does have concerns with its ability to manage these fisheries during years when the Ernest Sound herring stock is at or slightly above threshold levels.

Proposals 84 and 87 are similar proposals for Tenakee Inlet.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Table 85-1.**—Historical Ernest Sound spawning biomass, herring GHL, harvest and effort, 1969-2005.

| Season  | <u>Food and Bait</u> |                   | <u>Bait Pound</u> |                |         | <u>Spawn on Kelp</u> |                |                  |         |
|---------|----------------------|-------------------|-------------------|----------------|---------|----------------------|----------------|------------------|---------|
|         | GHL* (tons)**        | Harvest Permits** | GHL               | Harvest (tons) | Permits | GHL                  | Harvest (tons) | Harvest (pounds) | Permits |
| 1969-70 | Conf                 | Conf              |                   |                |         |                      |                |                  |         |
| 1970-71 | Conf                 | Conf              |                   |                |         |                      |                |                  |         |
| 1971-72 | 967                  | 6                 |                   |                |         |                      |                |                  |         |
| 1972-73 | Conf                 | Conf              |                   |                |         |                      |                |                  |         |
| 1973-74 | 535                  | 5                 |                   |                |         |                      |                |                  |         |
| 1974-75 | 593                  | 10                |                   |                |         |                      |                |                  |         |
| 1975-76 | 708                  | 7                 |                   |                |         |                      |                |                  |         |
| 1976-77 | 1,037                | 14                |                   |                |         |                      |                |                  |         |
| 1977-78 | 447                  | 7                 |                   |                |         |                      |                |                  |         |
| 1978-79 |                      |                   |                   |                |         |                      |                |                  |         |
| 1979-80 |                      |                   |                   |                |         |                      |                |                  |         |
| 1980-81 |                      |                   |                   |                |         |                      |                |                  |         |
| 1981-82 |                      |                   |                   |                |         |                      |                |                  |         |
| 1982-83 |                      |                   |                   |                |         |                      |                |                  |         |
| 1983-84 |                      |                   |                   |                |         |                      |                |                  |         |
| 1984-85 |                      |                   |                   |                |         |                      |                |                  |         |
| 1985-86 |                      |                   |                   |                |         |                      |                |                  |         |
| 1986-87 |                      |                   |                   |                |         |                      |                |                  |         |
| 1987-88 |                      |                   |                   |                |         |                      |                |                  |         |
| 1988-89 |                      |                   |                   |                |         |                      |                |                  |         |
| 1989-90 |                      |                   |                   |                |         |                      |                |                  |         |
| 1990-91 |                      |                   |                   |                |         |                      |                |                  |         |
| 1991-92 |                      |                   |                   |                |         |                      |                |                  |         |

**-continued-**

**Table 85-1.**—Page 2 of 2.

| Season         | <u>Food and Bait</u> |                  |           | <u>Bait Pound</u> |                |         | <u>Spawn on Kelp</u> |                |                  |         |
|----------------|----------------------|------------------|-----------|-------------------|----------------|---------|----------------------|----------------|------------------|---------|
|                | GHL*                 | Harvest (tons)** | Permits** | GHL               | Harvest (tons) | Permits | GHL                  | Harvest (tons) | Harvest (pounds) | Permits |
| 1992-93        | 200                  | Conf             | Conf      |                   |                |         |                      |                |                  |         |
| 1993-94        | below threshold      |                  |           |                   |                |         |                      |                |                  |         |
| 1994-95        | 255                  | Conf             | Conf      |                   |                |         |                      |                |                  |         |
| 1995-96        | 280                  | Conf             | Conf      |                   |                |         |                      |                |                  |         |
| 1996-97        | 377                  | Conf             | Conf      |                   |                |         |                      |                |                  |         |
| 1997-98        | below threshold      |                  |           |                   |                |         |                      |                |                  |         |
| 1998-99        | 662                  | Conf             | Conf      |                   |                |         |                      |                |                  |         |
| 1999-00        | below threshold      |                  |           |                   |                |         |                      |                |                  |         |
| 2000-01        | below threshold      |                  |           |                   |                |         |                      |                |                  |         |
| 2001-02        | below threshold      |                  |           |                   |                |         |                      |                |                  |         |
| 2002-03        | below threshold      |                  |           | below threshold   |                |         | below threshold      |                |                  |         |
| 2003-04        | 872                  | Conf             | Conf      | 90                | 0              | 0       | 830                  | 56             | 112,286          | 64      |
| 2004-05        | below threshold      |                  |           | below threshold   |                |         | below threshold      |                |                  |         |
| Average        | 441                  | 385              | 4         | 90                | 0              | 0       | 830                  | 56             | 112,286          | 64      |
| 1992-2005 Avg. | 441                  | 81               | 1         | 90                | 0              | 0       | 830                  | 56             | 112,286          | 64      |

\*1970 through 1990 GHLs estimates were based on hydro-acoustic surveys. 1991 through 2004 seasons GHLs

were calculated from spawn deposition estimates or biomass accounting calculations.

\*\* Conf indicates that Harvest and Permits Numbers are Confidential

**PROPOSAL 86. PAGES 63. 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: Larry Demmert

WHAT WOULD THE PROPOSAL DO? Proposal 86 would modify the allocation plan for Section 3-B herring quota to decrease the food and bait fishery allocation and to increase the herring SOK pound fishery allocation.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUND IN SECTIONS 3-B, 12-A AND DISTRICT 7.

(h) In Section 3-B, the harvest limit for the bait fisheries is 60% of the GHL for the Craig/Klawock herring stock, and the harvest limit for the SOK pound fishery is 40 percent of that GHL. Any portion of the harvest limit not taken by the bait fishery during a calendar year may be taken by the pound fishery during that year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If implemented, proposal 86 would reallocate herring from the bait fishery to the herring SOK pound fishery so that 75 percent of the GHL is available for the SOK fishery.

BACKGROUND: Between 1971 and 1992, the Craig/Klawock herring stocks were utilized by the winter food and bait fishery only. The BOF established the Craig/Klawock herring pound fishery in 1992. A summary of the Section 3-B herring fisheries from 1992-2005 is shown as Table 86-1.

Between 1992 and 1997, of the total GHL, 85% was allocated to the winter bait fishery and 15% went to the herring pound fishery. Since 1998 the pound fishery has been allocated 40% of the GHL with 60% allocated to the winter bait fishery and any herring not harvested by the winter bait fishery is allocated to the pound fishery.

Since 1992, the average harvest in the SOK fishery was 76,000 pounds of product, with an average of 111 active permits. In January 1995, the Commercial Fisheries Entry Commission adopted limited entry for the pound fisheries with 229 permits allowed for Craig/Klawock. As of October 2005, 209 permits are allowed for this fishery.

Since 1992, the average harvest for the bait fishery averaged 4 participants per year (range 1-29).

Since 1992, the average harvest for the bait fishery was 400 tons (range 4-2,295 tons)

The minimum spawning biomass threshold for the Craig/Klawock herring stock is 5,000 tons.

DEPARTMENT COMMENTS: This is an allocative issue and the department is NEUTRAL.

Action on this proposal may be related to possible action on Proposals 82 and 83 which seek to allow SOK permit holders the option to harvest herring for sac roe.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 86-1.**—Section 3-B, Craig/Klawock area herring summary, 1992-2005.

| Season  | Total<br>GHL<br>(tons) | Bait GHL<br>(tons) | harvest<br>(tons) | pound<br>GHL<br>(tons) | carried<br>over from<br>bait GHL | SOK<br>harvest<br>(tons) | permits<br>on the<br>grounds | n      | estimate <sup>a</sup><br>(tons) |
|---------|------------------------|--------------------|-------------------|------------------------|----------------------------------|--------------------------|------------------------------|--------|---------------------------------|
| 1991-92 | 2,684                  | 2,281              | 2,316             | N/A                    | N/A                              | 26.2                     | 248                          | 12,350 |                                 |
| 1992-93 | 1,602                  | 1,362              | 623               | N/A                    | N/A                              | 5.9                      | 209                          | 6,956  |                                 |
| 1993-94 | 895                    | 760                | 636               | N/A                    | N/A                              | 16.8                     | 147                          | 4,325  |                                 |
| 1994-95 | 726                    | 617                | 124               | N/A                    | N/A                              | 25.4                     | 159                          | 3,415  |                                 |
| 1995-96 | 658                    | 558                | 34                | N/A                    | N/A                              | 37.6                     | 162                          | 3,620  |                                 |
| 1996-97 | 715                    | 615                | 517               | N/A                    | N/A                              | 21.9                     | 119                          | 5,558  |                                 |
| 1997-98 | 755                    | 455                | 254               | 300                    | 201                              | 23.5                     | 112                          | 6,346  |                                 |
| 1998-99 | 750                    | 450                | 102               | 300                    | 348                              | 36                       | 70                           | 6,627  |                                 |
| 1999-00 | 626                    | 376                | 346               | 250                    | 30                               | 0.0                      | 50/104                       | 9,164* |                                 |
| 2000-01 | 1,058                  | 635                | 145               | 423                    | 491                              | 27.2                     | 31                           | 7,937* |                                 |
| 2001-02 | 952                    | 571                | 145               | 380.8                  | 426                              | 41.7                     | 89                           | 7,329  |                                 |
| 2002-03 | 630                    | 378                | 145               | 250                    | 228                              | 69.2                     | 122                          | 13,065 |                                 |
| 2003-04 | 1,754                  | 1,052              | 157               | 702                    | 895                              | 49.3                     | 125                          | 22,894 |                                 |
| 2004-05 | 2,217                  | 1,330              | 553               | 887                    | 780                              | 115.2                    | 78                           | 17,337 |                                 |
| Average |                        | 755                | 435               |                        |                                  | 35                       | 122                          | 9,066  |                                 |

N/A=not applicable, In 1997 the Board of Fish enacted regulations to allow unused bait quota to be carried over to the pound fishery.

<sup>a</sup> Numbers with asterisks indicate estimates that have been updated since last BOF meeting to incorporate best estimates using diver calibration factors.

**PROPOSAL 88. PAGES 64-65. 5 AAC 27.160. QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Richard Eliason

WHAT WOULD THE PROPOSAL DO? Proposal 88 seeks to allocate 10% of the GHL for the Sitka Sound stock to the Northern Southeastern SOK herring pound fishery.

WHAT ARE THE CURRENT REGULATIONS? The Sitka Sound (Section 13-B) herring stock is currently fully allocated to a limited entry herring sac roe purse seine fishery. An additional 100 tons is available for the bait pound fishery in Sitka Sound. Northern Southeastern spawn on kelp herring pound permit holders are currently allowed to fish in Sections 13-C and 12-A by regulation.

5 AAC 27.110. Fishing seasons for Southeastern Alaska Area. (b) Herring may be taken in the sac roe fishery only during seasons established by emergency order in the following districts and sections:

- (1) in the purse seine fishery herring may be taken only in the following sections:
  - (D) Section 13-B, north of the latitude of Aspid Cape (56 41.75 N. lat.), except Whale and Necker Bays.

5 AAC 27.160. Fishing seasons for Southeastern Alaska Area. (b) the herring harvest quota for bait pound operations is as follows:

- (2) Section 13-B: 100 tons;

5 AAC 27.185. Management Plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL ARE ADOPTED? If this proposal was adopted the Sitka Sound purse seine sac roe GHL would be reduced by 10%. The Northern Southeastern SOK herring pound permit holders would have another option to fish herring spawn on kelp in pounds.

BACKGROUND: Both the Sitka Sound herring sac roe purse seine fishery and the Northern Southeastern SOK pound fishery are limited entry fisheries. Since 1977 the average GHL in Sitka Sound for the sac roe purse seine fishery has been 6,117 tons. The available GHL for Sitka Sound is fully utilized by the sac roe purse seine fishery. Current regulations only allow Northern Southeastern SOK pound permit holders to

operate in Hoonah Sound (Section 13-C) and in Tenakee Inlet (Section 12-A) under 5 AAC 27.185. Management plan for the herring spawn on kelp pounds fishery in Sections 3-B, 12-A, and 13-C, and District 7.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

COST STATEMENT: The adoption of this proposal is not expected to result in additional direct cost for a private person to participate in this fishery.

**PROPOSAL 89 Page 65, 5 AAC 27.190. HERRING MANAGEMENT PLAN FOR STATISTICAL AREA A. and 5 AAC 27.160. QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA AREA. (g).**

PROPOSED BY: Ketchikan Area Herring Action Group

WHAT WOULD THE PROPOSAL DO? This proposal would limit the maximum harvest rate for commercial herring fisheries to 10% of the estimated biomass when the forecast spawning biomass is greater than threshold.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.160. (g) provides for the taking of herring sac roe in Section 13-B, and permits the harvest rate percentage to vary between 10% and 20% of the biomass, determined by the formula:

$$\text{Harvest Range Percentage} = 2 + 8 \left( \frac{\text{Spawning Biomass (in tons)}}{20,000} \right)$$

The fishery will not be conducted if the spawning biomass is less than 20,000 tons.

5 AAC 27.190. HERRING MANAGEMENT PLAN FOR SOUTHEASTERN ALASKA AREA. (2) shall establish minimum spawning biomass threshold below which fishing will not be allowed;

(4) except as provided elsewhere, may allow a harvest of herring at an exploitation rate between 10 percent and 20 percent of the estimated spawning biomass when that biomass is above the minimum threshold level;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The GHL would equal between 0% and 10% of spawning biomass when spawning biomass is forecast to be at least equal to the threshold established for that area. Using the Sitka Sound Sac Roe fishery as an example, the potential decline in harvests in the past six years is presented in Table 89-1.

BACKGROUND: As required by the Herring Management Plan for Southeast Alaska, the department conducts annual stock assessment surveys before setting harvest levels or allowing harvest to occur. At the January 1997 Board meeting, the board adopted a sliding scale harvest percentage rate beginning at 10% and not to exceed 20%. This level is considered to be conservative and consistent with the Herring Management Plan adopted by the BOF.



The management plan also specifies that an area's minimum biomass threshold must be reached before a commercial harvest is allowed (Table 89-2). A "threshold level" is the minimum herring biomass needed to ensure sustained yield and maintain biological productivity. Threshold levels have been established for numerous spawning stocks in Southeast Alaska. Threshold levels are based on all available stock performance data and may be evaluated and revised over time. Current thresholds vary from 1,000 to 20,000 tons. Herring stocks with thresholds of less than 1,000 tons, are not considered for harvest and herring stocks with thresholds less than 2,000 tons are not considered for harvest in either the Southeast Alaska winter bait or sac roe fisheries. Under the current approach for setting seasonal harvest limits, herring stocks of 2,000 tons of adult fish would allow for an annual harvest of 200 tons of herring. The region's current management capability prevents successful management of the winter bait or sac roe fisheries for harvests of less than 200 tons. The exception is the Yakutat area, where the spawning threshold for a winter bait fishery is 1,000 tons.

DEPARTMENT COMMENTS: The department manages Southeast Alaskan herring spawning stocks based on a sustained yield principle as set forth in the current herring management plan. The department OPPOSES this proposal because there is no biological justification. Appropriate harvest rates are intertwined with a threshold management strategy. Analyses of Alaskan herring populations have found that a maximum of 20% exploitation rate is appropriate for stocks where thresholds are set at 25% of the estimated average unfished biomass. Threshold levels for herring in Southeast Alaska are based on this value and therefore the 20% exploitation rate is considered appropriate for long-term productivity, reduced risk from collapse, and providing for maximum sustained yield.

The department does not feel it is appropriate to establish a maximum harvest of 10% at all levels above threshold biomass unless the rate is intended solely for allocative purposes. The department is neutral on any allocative aspects of this proposal.

It can be assumed that reduced harvest rates may have a positive impact on a stock, however due to the highly variable spawner-recruit relationship, large environmental impacts on egg and larval survival, and variable impact on a stock by predators, it is uncertain to what degree reduced harvest rates would influence future trends in biomass levels.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 89-1.**—Actual Sitka Sound GHL and harvest and assumed 10% maximum GHL and harvest.

| <u>GH L &amp; Harvest in Tons</u> |             |   |                   |                |                                   |                       |
|-----------------------------------|-------------|---|-------------------|----------------|-----------------------------------|-----------------------|
| Year                              | GH L at 20% | Percent Harvest Rate<br>(to calculate GH L) | Actual<br>Harvest | GH L at<br>10% | Assumed<br>Harvest at<br>10% GH L | Harvest<br>Difference |
| 2000                              | 5,120       | 15.3%                                       | 4,572             | 3,121          | 2,787                             | -1,785                |
| 2001                              | 10,597      | 20.0%                                       | 12,034            | 5,298          | 6,016                             | -6,018                |
| 2002                              | 11,042      | 20.0%                                       | 9,788             | 5,521          | 4,894                             | -4,894                |
| 2003                              | 6,969       | 17.7%                                       | 7,051             | 3,932          | 3,978                             | -3,073                |
| 2004                              | 10,618      | 20.0%                                       | 10,380            | 5,309          | 5,190                             | -5,190                |
| 2005                              | 11,192      | 20.0%                                       | 11,294            | 5,596          | 5,647                             | -5,647                |
| Average                           | 9,256       | 19%   | 9,187             | 4,796          | 4,752                             | -4,434                |

**Table 89-2.**—Herring spawning threshold levels for major herring stocks in Southeast Alaska and Yakutat.

| Area   | Threshold Level<br>(tons) |
|--|---------------------------|
| Hoonah Sound                                     | 1,000                     |
| Yakutat Bay                                      | 1,000                     |
| Ernest Sound                                     | 2,500                     |
| Anita Bay  | 2,500                     |
| Port Camden                                      | 2,500                     |
| Hobart Bay/Port Houghton                         | 2,000                     |
| Lisianski Inlet                                  | 2,500                     |
| Seymour Canal                                    | 3,000                     |
| Tenakee Inlet                                    | 3,000                     |
| Tongass Narrows and<br>George and Carroll Inlets | 3,500                     |
| Mearns Passage/Bocas de Finas                    | 5,000                     |
| Kah Shakes and Cat Island                        | 6,000                     |
| Lynn Canal                                       | 5,000                     |
| Sitka Sound                                      | 20,000                    |
| West Behm  | 6,000                     |
| Other stocks not included above                  | 2,000                     |

**PROPOSAL 90. PAGE 66. 5 AAC 27.035. CLOSURE OF REGISTRATION AREAS**  
**(c) (7).**

PROPOSED BY: Ketchikan Herring Action Group

WHAT WOULD THE PROPOSAL DO? This proposal seeks to modify statewide regulation regarding factors that shall be considered when closing registration areas or portions of registration areas. Specifically, instead of “maximum sustainable yield” the proponents would change factor (c) (7) to read “maximum sustainable resource”.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.035. (c) In determining whether to close a registration area, the commissioner shall consider all appropriate factors to the extent there is information available on such factors. Factors which may be considered include (1)...(7) information pertaining to the maximum sustainable yield level of herring within the registration area; ...(9)....

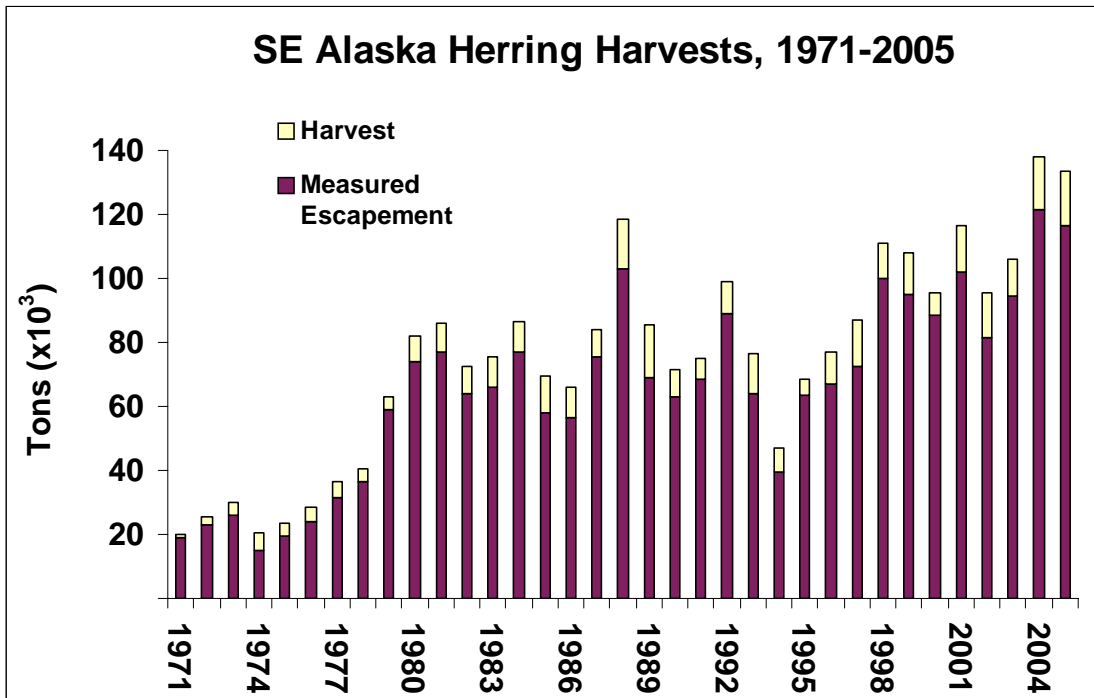
WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The effect is unclear, however the department staff delegated the responsibility to open and close herring fisheries would consider if herring resources are at maximum levels or not prior to allowing harvest. Such levels would need to be defined so it would be clear what the “maximum sustainable resource” is for every herring stock. If a resource was below maximum historic levels the department might not be authorized to allow harvest. To the extent that such determinations over-ride existing regulations, all existing regulations would need to be reviewed so that harvest policy is clear.

BACKGROUND: Although there are records of herring harvest prior to statehood, past records of herring stock biomass are quite limited and subjective in nature. Stock status is now determined based on department monitoring programs, and fisheries are provided based on regional regulations, such as 5 AAC 27.190. HERRING MANAGEMENT PLAN FOR SOUTHEAST ALASKA AREA. When individual spawning stocks exceed threshold levels a harvest of 10-20 percent of the estimated spawning biomass is then allowed.

Region-wide trends of herring harvest and escapement in Southeast Alaska are shown in Figure 90-1 from 1971-2005. Available region-wide data seem to indicate stable and even increasing abundance over the recent 35-year time period. However, quantitative determination of “maximum sustainable resource levels” is problematic because little information is available prior to statehood when spawning stocks were not carefully monitored.

**DEPARTMENT COMMENTS:** The department OPPOSES this proposal. Regulations and programs are in place based on the sustained yield principle, and consistent with the Alaska Constitution, Article VIII, Section 4, Sustained Yield clause which states: "...replenishable resources belonging to the State shall be utilized, developed and maintained on the sustained yield principle, subject to preferences among beneficial uses." To the extent that this proposal seeks to re-allocate the herring resource the department is neutral.

**COST STATEMENT:** The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery. However, if the intent of this proposal is that the department should reduce or close fisheries, then the potential value of foregone fisheries represents a direct cost to fishers as lost opportunity for direct income.



**Figure 90-1.**—Southeast Alaska regional herring harvests and escapements, 1971-2005.

**PROPOSAL 91. - 5AAC 27.197(a). SECTIONS 1-E AND 1-F COMMERCIAL SAC ROE HERRING FISHERY.**

PROPOSED BY: Andy Wright and Arnold Enge

WHAT WOULD THE PROPOSAL DO? This proposal if adopted would designate the Section 1-E and 1-F (West Behm Canal) commercial sac roe herring fishery as gillnet only on years in which the threshold level is met.

WHAT ARE THE CURRENT REGULATIONS?

5AAC 27.197. SECTION 1-E AND 1-F COMMERCIAL SAC ROE HERRING FISHERY. (a) In managing the commercial sac roe herring fishery in section 1-E and the waters of Section 1-F north of the latitude of South Vallenar Point, the department shall,

- (1) manage the commercial fishery so that the opportunity to fish herring in years in which the threshold level is met will alternate between the set gillnet and purse seine fisheries; the set gillnet fishery must occur the first year that the threshold level is met;
- (2) manage the purse seine fishery under the terms of a cooperative fishery management plan (CFMP); the plan must be accepted by all Southeastern Alaska sac roe seine CFEC permit holders and identify the number of purse seine vessels that will fish herring on behalf of the cooperative that season.
- (b) The commissioner will open and close fishing periods and areas open for fishing by emergency order. In the emergency order, the commissioner may impose other conditions that are necessary for an orderly and manageable fishery.
- (c) In a purse seine fishery, the cooperative shall surrender to the state all proceeds from the sale of legally harvested herring that exceeds the GHL.
- (d) When the harvest of herring by the purse seine fishery or the set gillnet fishery exceeds the GHL for a year, the excess harvest will not be factored into determining the GHL for a future year.
- (e) If a CFMP is not accepted to by all purse seine CFEC permit holders and the department by January 15 of a year in which the purse seine fishery would operate, a commercial sac roe fishery may not be conducted for that year.
- (f) The schedule of alternating fisheries under this section shall be maintained. The set gillnet fishery shall be conducted the next year that the threshold level is met.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted this proposal would change the West Behm Canal sac roe herring fishery, from an alternating gear-type fishery to an exclusive set gillnet fishery.

BACKGROUND: During the 2003 Board of Fisheries cycle, regulations were adopted to have a herring sac roe fishery in West Behm Canal, alternating between gear groups: set gillnet and purse seine. In 2003 the estimated total spawning biomass was 7,638 tons. This projected a return in 2004 of 9,366 tons which was above the minimum threshold level for a sac roe fishery to occur. As written in regulations the set gillnet gear group is the first to utilize the resource when the threshold is reached.

No gillnet sac roe fishery occurred in 2004 due to very poor returns to the West Behm Canal Area. The estimated total spawning biomass in 2004 was 416 tons.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSALS 92 and 101. – 5 AAC 27.197. SECTIONS 1-E AND 1-F COMMERCIAL SAC ROE HERRING FISHERY.**

PROPOSED BY: Southeast Alaska Herring Seiners Marketing Association (92) and Sam Mutch (101)

WHAT WOULD THE PROPOSAL DO? This proposal if adopted would modify the existing cooperative fishery management plan (CFMP) within 5 AAC 27.197 (e). Instead of mandating that all purse seine CFEC permit holders agree to and sign the CFMP, this proposal would automatically divide the GHL equally among Southeast sac roe seine permit holders.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 27.197. SECTION 1-E AND 1-F COMMERCIAL SAC ROE HERRING FISHERY. (a) In managing the commercial sac roe herring fishery in section 1-E and the waters of Section 1-F north of the latitude of South Vallenar Point, the department shall,

- (1) manage the commercial fishery so that the opportunity to fish herring in years in which the threshold level is met will alternate between the set gillnet and purse seine fisheries; the set gillnet fishery must occur the first year that the threshold level is met;
  - (2) manage the purse seine fishery under the terms of a cooperative fishery management plan (CFMP); the plan must be accepted by all Southeastern Alaska sac roe purse seine CFEC permit holders and identify the number of purse seine vessels that will fish herring on behalf of the cooperative that season.
- (b) The commissioner will open and close fishing periods and areas open for fishing by emergency order. In the emergency order, the commissioner may impose other conditions that are necessary for an orderly and manageable fishery.
- (c) In a purse seine fishery, the cooperative shall surrender to the state all proceeds from the sale of legally harvested herring that exceeds the GHL.
- (d) When the harvest of herring by the purse seine fishery or the set gillnet fishery exceeds the GHL for a year, the excess harvest will not be factored into determining the GHL for a future year.
- (e) If a CFMP is not accepted to by all purse seine CFEC permit holders and the department by January 15 of a year in which the purse seine fishery would operate, a commercial sac roe fishery may not be conducted for that year.
- (f) The schedule of alternating fisheries under this section shall be maintained. The set gillnet fishery shall be conducted the next year that the threshold level is met.



WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would divide the GHL equally among the 51 Southeast sac roe seine permit holders. This proposal would eliminate the possibility for one permit holder, who does not agree with the CFMP and wishes for the fishery to remain competitive or has a different agenda, to preclude the fishery.

BACKGROUND: During the 2003 Board of Fishies cycle, regulations were adopted to have a herring sac roe fishery in West Behm Canal, alternating between gear groups: set gillnet and purse seine. The harvesting power of 51 purse seine vessels in West Behm Canal is very likely to over harvest the GHL in a competitive fishery. During the 2003 BOF cycle, the Board adopted regulations that called for 100% agreement between Southeast purse seine sac roe permit holders. If there is not 100 % agreement with the CFMP then no fishery will take place that year.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal. However, the department would like to emphasize that the small quota which exists in West Behm Canal cannot be effectively managed with a competitive purse seine fishery. The potential to over harvest the GHL is too great. The department would still limit the number of boats that could participate in the fishery. How the fleet would equally split the GHL would be something that the overall industry would have to agree upon.

There must be an enforcement mechanism built into the regulation to ensure that one or more vessels cannot operate outside of the equal share regulation.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 93. PAGE 67 5 AAC 27.197. SECTIONS 1-E AND 1-F COMMERCIAL SAC ROE FISHERY.**

PROPOSED BY: ADF&G

WHAT WOULD THE PROPOSAL DO? This proposal if adopted will clarify which gear group will be allowed to fish if the threshold level is met in West Behm Canal.

WHAT ARE THE CURRENT REGULATIONS?

5AAC 27.197. SECTION 1-E AND 1-F COMMERCIAL SAC ROE HERRING FISHERY. (a) In managing the commercial sac roe herring fishery in Section 1-E and the waters of Section 1-F north of the latitude of South Vallenar Point, the department shall,

- (1) manage the commercial fishery so that the opportunity to fish herring in years in which the threshold level is met will alternate between the set gillnet and purse seine fisheries; the set gillnet fishery must occur the first year that the threshold level is met;
  - (2) manage the purse seine fishery under the terms of a cooperative fishery management plan (CFMP); the plan must be accepted by all Southeastern Alaska sac roe purse seine CFEC permit holders and identify the number of purse seine vessels that will fish herring on behalf of the cooperative that season.
- (b) The commissioner will open and close fishing periods and areas open for fishing by emergency order. In the emergency order, the commissioner may impose other conditions that are necessary for an orderly and manageable fishery.
- (c) In a purse seine fishery, the cooperative shall surrender to the state all proceeds from the sale of legally harvested herring that exceeds the GHL.
- (d) When the harvest of herring by the purse seine fishery or the set gillnet fishery exceeds the GHL for a year, the excess harvest will not be factored into determining the GHL for a future year.
- (e) If a CFMP is not accepted to by all purse seine CFEC permit holders and the department by January 15 of a year in which the purse seine fishery would operate, a commercial sac roe fishery may not be conducted for that year.
- (f) The schedule of alternating fisheries under this section shall be maintained. The set gillnet fishery shall be conducted the next year that the threshold level is met.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This department proposal does not change the concept of rotational fisheries between the gear groups. This proposal seeks to clarify what happens when a fishery is forecast, but is subsequently not conducted due to less herring arriving than anticipated. This unforeseen situation was not dealt with when the regulations were put into place. This proposal would simply clarify which gear group will fish next when the threshold level is reached.

BACKGROUND: During the 2003 Board of Fisheries cycle, regulations were adopted to have a herring sac roe fishery in West Behm Canal, alternating between gear groups: set gillnet and purse seine.

By regulation, in 2004 the set gillnet fleet was set to fish in West Behm Canal on a GHL of 940 tons. The department did not open the season due to concerns about the lack of mature, spawning herring in the area.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal. The language proposed in section (f) (on page 68 of the proposal book) is housekeeping in nature and simply clarifies the existing regulation.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 94, PAGE 68. 5 AAC 27.150. WATERS CLOSED TO HERRING FISHING IN SOUTHEASTERN ALASKA.**

PROPOSED BY: Ketchikan Herring Action Group

WHAT WOULD THE PROPOSAL DO? Proposal 94 would close a portion of Section 1-F which includes waters adjacent to Cat, Duke, and Mary Island.

The proposal also states that closing these waters would be subject to the approval of the legislature.

WHAT ARE THE CURRENT REGULATIONS? These waters are currently open to a set gillnet sac roe fishery under the authority of 5 AAC 27.110. (b)(2)(B)(ii).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, Proposal 94 would close all commercial harvest of herring certain waters of Section 1-F. The exact boundary for the closed waters is not specifically stated in the proposal.

BACKGROUND: From 1976 through 1990 the District 1, Section 1-F set gillnet sac roe fishery occurred strictly on the mainland side of Revilla Channel (Figure 94-1). The fishery took place in the Kah Shakes Cove, Black Island, and Foggy Bay portion of Section 1-F. In 1991, the spawning distribution of Kah Shakes herring population shifted from the traditional spawning grounds to include portions of Cat Island and surrounding islands (Figure 94-2). During that season the department used emergency order authority to change the available fishing area to include Cat Island. This was done after many days of on grounds observation of herring moving away from the Kah Shakes Cove area to the Cat Island area. In October of 1991 the BOF, after hearing testimony from state biologists, Annette Island biologists, and members of the public, changed the registration area to include the spawning areas in and around Cat Island. At that time the department also changed the threshold level from 5,000 tons to 6,000 tons to account for movement of herring within the area and to set up a more conservative threshold level.

Since the 1998 season the threshold level of 6,000 tons has not been reached in Section 1-F and there has been no fishery in the area. While the amount of spawn in state waters has dropped, the amount of spawn within the Annette Island Reservation has increased dramatically, suggesting a continued movement of spawning herring within the greater Ketchikan area.

The controversy surrounding the Kah Shakes/Cat Island/Annette Island herring has been in front of the BOF several times. The State of Alaska has also been to court on two occasions to defend its herring policy within the greater Revilla Channel area. The

department considers the spawning population in the greater Revilla Channel area as one stock. This approach has been upheld from the Board and Courts in past years.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department OPPOSES the main aspect of the proposal to close a portion of Section

1-F to set gillnet fishing. The department does not consider the Cat Island spawning herring as a separate stock from herring that spawn at Kah Shakes and feels that under the guidelines in 5 AAC 27.190 Herring Management Plan for Southeastern Alaska Area the fishery can be successfully managed.

The department continues to observe the changing spawning location of herring between Kah Shakes, Cat Island, Annette Island, and possibly West Behm Canal. Although there has not been a fishery in Kah Shakes/Cat Island area since 1999, the department continues to do aerial surveys to map spawn, take biological samples, and to dive on the spawn on an annual basis.

Finally, the department is uncertain what role the legislature would have in approving or implementing this proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 94-1.**–Kah Shakes/Cat Island herring stock summary.

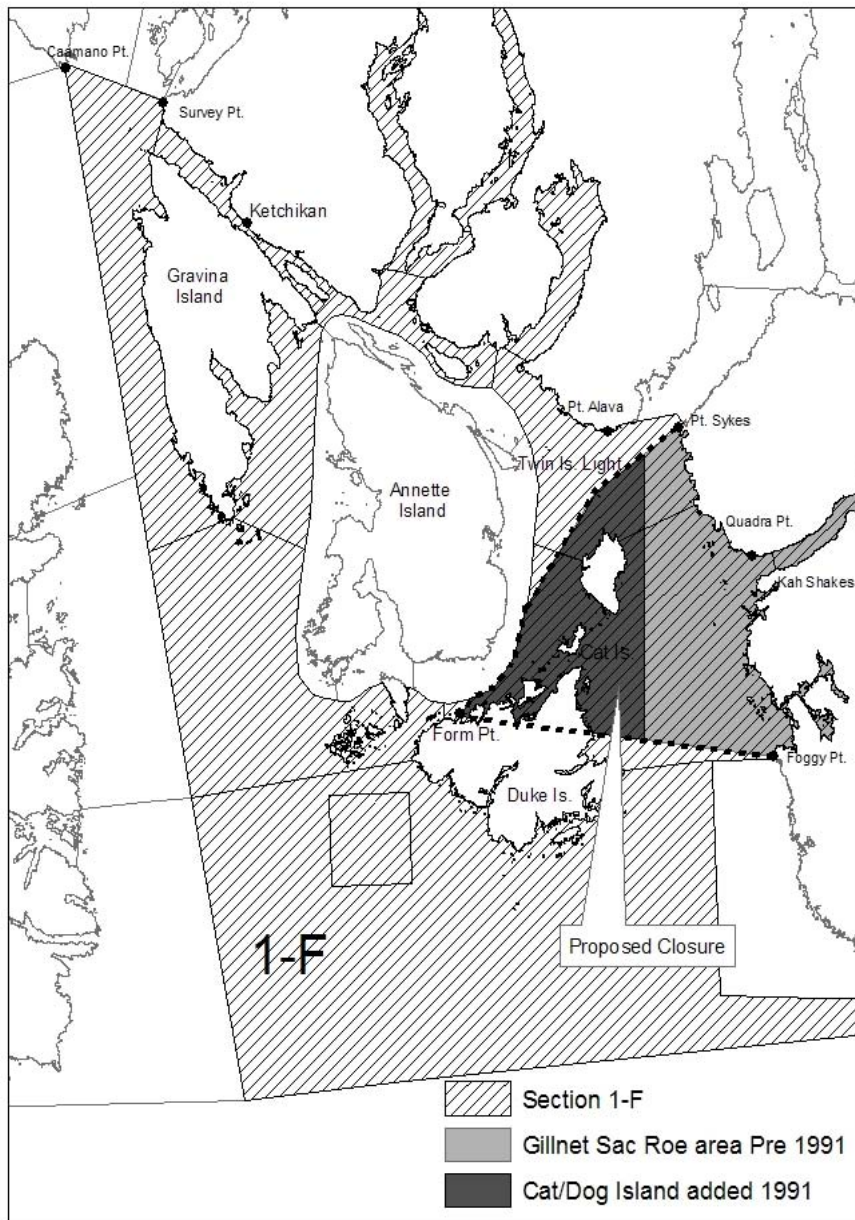
| Season  | Quota (tons) | Harvest (tons) | Nautical Miles of Spawn | Forecast for Estimate for Fishery | Threshold | Estimate of post-fishery biomass | Forecast Estimate Type |
|---------|--------------|----------------|-------------------------|-----------------------------------|-----------|----------------------------------|------------------------|
| 1975-76 | 300          | 426            | 9.5                     |                                   | 5,000     | 5700                             |                        |
| 1976-77 | 800          | 820            | 11.3                    | 5,700                             | 5,000     | 4000                             | sd                     |
| 1977-78 | 680          | 171            | 4.5                     | 4,000                             | 5,000     | 5650                             | sd                     |
| 1978-79 | 585          | 528            | 3.8                     | 5,650                             | 5,000     | 10,800                           | sd                     |
| 1979-80 | 1,100        | 1,140          | 12.5                    | 10,800                            | 5,000     | 15,500                           | sd                     |
| 1980-81 | 1,550        | 1,840          | 10.0                    | 15,500                            | 5,000     | 18,450                           | sd                     |
| 1981-82 | 1,900        | 2,279          | 15.5                    | 18,450                            | 5,000     | 15,700                           | sd                     |
| 1982-83 | 2,500        | 3,250          | 14.7                    | 15,700                            | 5,000     | 14,700                           | sd                     |
| 1983-84 | 2,100        | 2,182          | 11.3                    | 14,700                            | 5,000     | 15,550                           | sd                     |
| 1984-85 | 2,150        | 2,161          | 8.5                     | 15,550                            | 5,000     | 9,235                            | sd                     |
| 1985-86 | 1,100        | 1,536          | 10.0                    | 9,235                             | 5,000     | 9,850                            | sd                     |
| 1986-87 | 1,200        | 1,440          | 9.0                     | 9,850                             | 5,000     | 8,400                            | sd                     |
| 1987-88 | 953          | 1,087          | 7.0                     | 8,400                             | 5,000     | 6,150                            | sd                     |
| 1988-89 | 647          | 592            | 7.0                     | 6,150                             | 5,000     | 3,320                            | sd                     |
| 1989-90 | 0            | 0              | 14.0                    | 3,320                             | 5,000     | 8,624                            | sd                     |
| 1990-91 | 680          | 660            | 14.9                    | 8,624                             | 5,000     | 10,450                           | sd                     |
| 1991-92 | 1,200        | 1,256          | 21.3                    | 10,450                            | 6,000     | 8,100                            | sd                     |
| 1992-93 | 867/717      | 737            | 14.0                    | 8,100                             | 6,000     | 7,741                            | sd                     |
| 1993-94 | 1,032/882    | 749            | 12.6                    | 9,299                             | 6,000     | 4,413                            | asa                    |
| 1994-95 | 621          | 626            | 10.8                    | 6,174                             | 6,000     | 6,632                            | asa                    |
| 1995-96 | 871          | 605            | 9.8                     | 8,132                             | 6,000     | 3,929                            | asa                    |
| 1996-97 | 912          | 1,137          | 14.7                    | 8,436                             | 6,000     | 5,368                            | asa                    |
| 1997-98 | 636          | 616            | 9.2                     | 6,300                             | 6,000     | 11,541                           | asa                    |
| 1998-99 | 870          | 0              | 6.4                     | 8,124                             | 6,000     | 2,407                            | asa                    |
| 1999-00 | 0            | 0              | 10                      | 4,277                             | 6,000     | 642                              | asa                    |
| 2000-01 | 0            | 0              | 2.2                     | 2,382                             | 6,000     | 819                              | asa                    |
| 2001-02 | 0            | 0              | 0                       | 2,283                             | 6,000     |                                  | asa                    |
| 2002-03 | 0            | 0              | 4.5                     | n/a                               | 6,000     |                                  | -                      |
| 2003-04 | 0            | 0              | 0                       | n/a                               | 6,000     |                                  | -                      |
| 2004-05 | 0            | 0              | 0                       | n/a                               | 6,000     |                                  | -                      |

1993 and 1994 – the original GHL of 867 and 1,032 tons were reduced by 150 tons to account for an anticipated Annette Island harvest. 150 tons was average harvest on Annette since the mid-1970's.

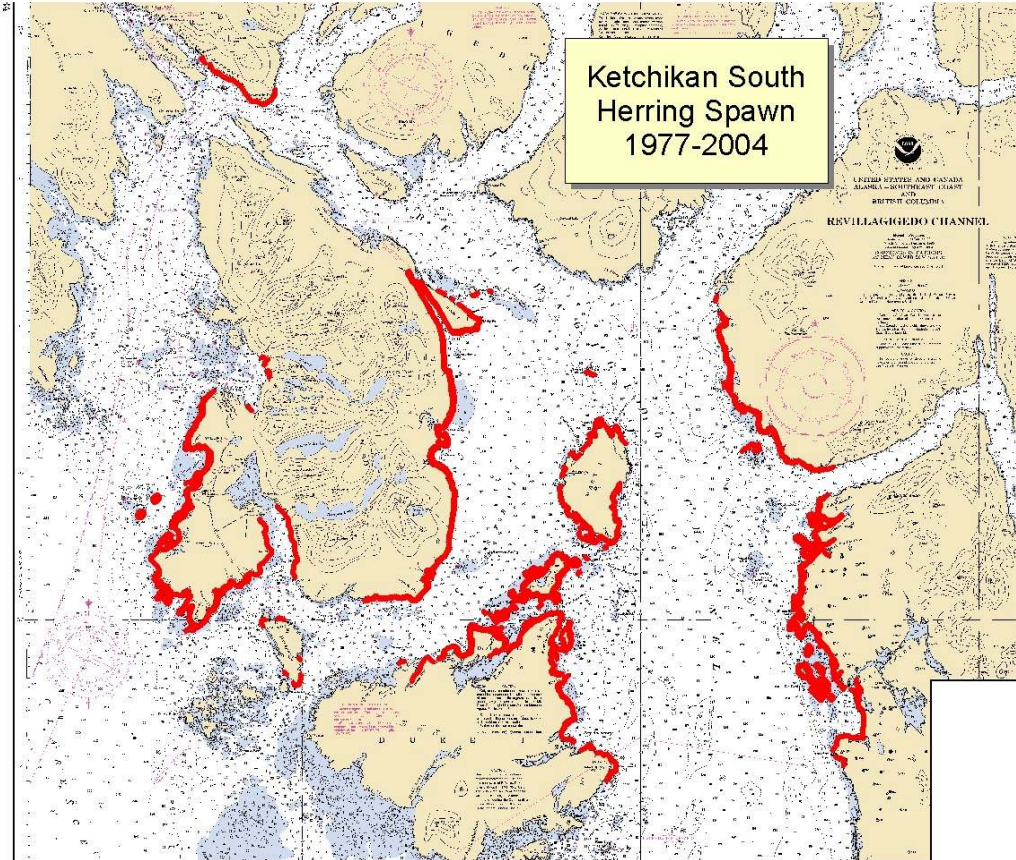
Notes: 1994 and 1995 quotas based on a forecast which combined the ASA forecast estimate and the spawn deposition estimate.

sd= Spawn deposition estimate.

asa= Age structured analysis



**Figure 94-1.**—Section 1-F set gillnet herring fishery boundary.



**Figure 94-2.**—Composite of Revilla Channel spawn 1977-2004.



**PROPOSALS 95, 96, and 97. PAGES 69 and 70. 5 AAC 27.150. WATERS CLOSED TO HERRING FISHING IN SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Ketchikan Herring Action Group (95,96) & Tongass Sportfishing Association (97)

WHAT WOULD THE PROPOSAL DO? If adopted these proposals would close the District 1, Section 1-E and 1-F (West Behm Canal) gillnet and purse seine sac roe herring fisheries.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.110 FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA.

(b) (1) in the purse seine fishery, herring may be taken only in the following sections:

(A) Section 1-E,

(B) Section 1-F, north of the latitude of South Vallenar Point.

(b) (2) in the set gillnet fishery, herring may be taken in the following districts and sections:

(A) Section 1-E,

(B) Section 1-F, north of the latitude of South Vallenar Point.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, these proposals would close the commercial purse seine and set gillnet sac roe herring fisheries in the West Behm Canal area adjacent to Ketchikan.

BACKGROUND: During the January 2003 BOF meeting in Sitka the Board discussed in detail two proposals on West Behm Canal herring. Proposal 116 requested the Board to permanently close West Behm Canal to commercial herring fishing. Proposal 117 requested the Board to allocate to a user group the herring resource of West Behm Canal.

The Alaska Department of Fish and Game submitted a Briefing Document for these proposals. The Briefing Document was used as the basis for the discussion during the Herring Committee meeting and for final deliberation in front of the Board. The department also gave an overview of the West Behm management issues during its oral presentations.

The department presented the following information on West Behm Canal herring:

- 1) West Behm Canal herring stocks were at low levels for most of the 1970s and 1980s.
- 2) West Behm Canal herring had historically been harvested by purse seine bait, purse seine sac roe and set gillnet sac roe fisheries. The primary harvest was done in the purse seine bait fishery (Figure 95-1).
- 3) The spawning population within West Behm Canal area increased substantially during the 1993 to 1999 period (Figure 95-2).
- 4) In 2000 and 2001 the spawning biomass decreased. The spawning biomass increased in 2002.
- 5) The department, just prior to the BOF meeting in Sitka, conducted an extensive analysis and established a threshold level of 6,000 tons for West Behm Canal herring (Regional Information Report No. IJ03-02).
- 6) The department suspects inter-annual movement of herring between Kah Shakes, Cat Island, Annette Island, and possibly West Behm Canal. There have been no studies to indicate to the magnitude (if any) of herring movement in the Ketchikan area.
- 7) Herring management has been controversial with the general public in Ketchikan.
- 8) 5 AAC 27.190 HERRING MANAGEMENT PLAN FOR SOUTHEASTERN ALASKA AREA is a Board management plan that must be followed.

The Board voted against Proposal 116, and passed an amended Proposal 117. The Board did establish commercial sac roe net fisheries in West Behm Canal. Elements of a commercial sac roe fishery in west Behm Canal are: (1) an alternating fishing schedule between set gillnet gear and purse seine gear with the first fishery using set gillnet gear to start in the spring of 2004 if the established threshold level is reached; (2) a mandated purse seine fishing plan (Cooperative Fishery Management Plan) that all 51 CFEC permit holders and the department have to agree upon before a purse seine sac roe fishery is allowed, and; (3) establishment of closed waters to fishing for both sac roe gear groups. The Board also authorized through this proposal a fresh bait pound fishery in West Behm Canal with 10% of the annual GHIL available for that fishery.

The first scheduled fishery was set for the spring of 2004 in the area shown in Figure 95-3. The gear group to fish was the set gillnet fleet. The age-structured analysis (ASA) forecast of the mature spawning biomass for the West Behm Canal herring spawning population for the spring of 2004 was 9,366 tons. Using the threshold level of 6,000 tons and the sliding scale harvest rate, this forecast would have allowed a harvest rate of 11.1% of the population and an overall GHIL level of 1,040 tons. Approximately 100 tons, or 10% of the GHIL was allocated to the bait pound fishery. Therefore, the GHIL for the West Behm Canal sac roe fishery would have been 940 tons.

However, that return of herring in the West Behm Canal area did not materialize that year and no fishery was conducted. The department conducted numerous aerial and vessel

surveys beginning in mid-March lasting through mid-April of 2004. Department biologists never located sufficient biomass of mature herring in the area to warrant opening the set gillnet fishery. During the spawning cycle the department only mapped 8.3 nautical miles of spawn. This compares to 19.5 in 2003 and 18.0 in 2002 (Table 95-1). The estimated total spawning biomass for the 2004 season in West Behm Canal was 443 tons.

During this time the set gillnet fleet was posed to fish. Approximately 90 gillnet fishermen had registered to fish.

Due to the very low spawning biomass in West Behm Canal in 2004 there was no scheduled fishery for the spring of 2005. Again in 2005 the spawning biomass was at very low levels. There was approximately 8.6 nautical miles of spawn mapped in 2005 totaling approximately 1,231 tons of herring.

The department does not fully understand the large reduction in the spawning biomass in West Behm Canal in 2004 and 2005. During the past several years in the greater Ketchikan area there has been a yearly change in the spawning biomass and location of spawn for the Kah Shakes/Cat Island/Annette Island/West Behm Canal herring. While spawn within the state waters of District 1 has diminished, the amount of spawn on Annette Island has greatly expanded.

During the 2003 BOF meeting the department stated in its Briefing Documents

(RC-2, page 56): *“The department still has concerns over the potential movement of spawning herring in the Ketchikan area and the low biomass in the Kah Shakes/Cat Island area in recent years. Due to the unknowns about migration, mixing, and volatility of the stock biomass in West Behm Canal, it would be beneficial to have more years of data to better understand the stock’s dynamics and evaluate the assumptions used to determine the current threshold level.”*

Due to the very low spawning biomass in 2005 there is no anticipated fishery in West Behm for the 2006 cycle.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department still has concerns over the potential movement of herring in the greater Ketchikan area, and for the low spawning biomass levels in West Behm Canal during the 2004 and 2005 spawning cycle.

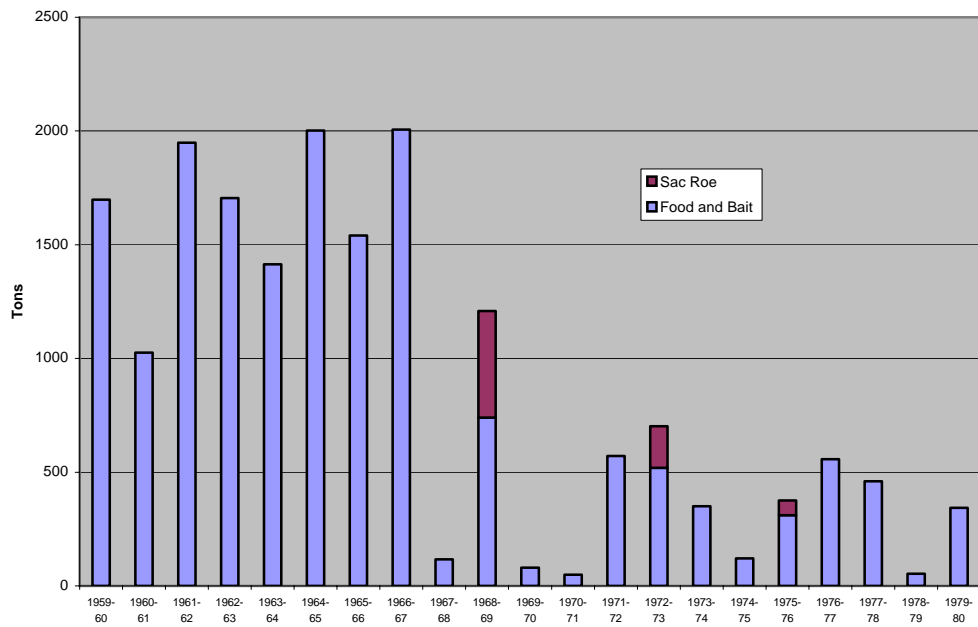
Finally, the department is uncertain what role the legislature would have in approving or implementing these proposals.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

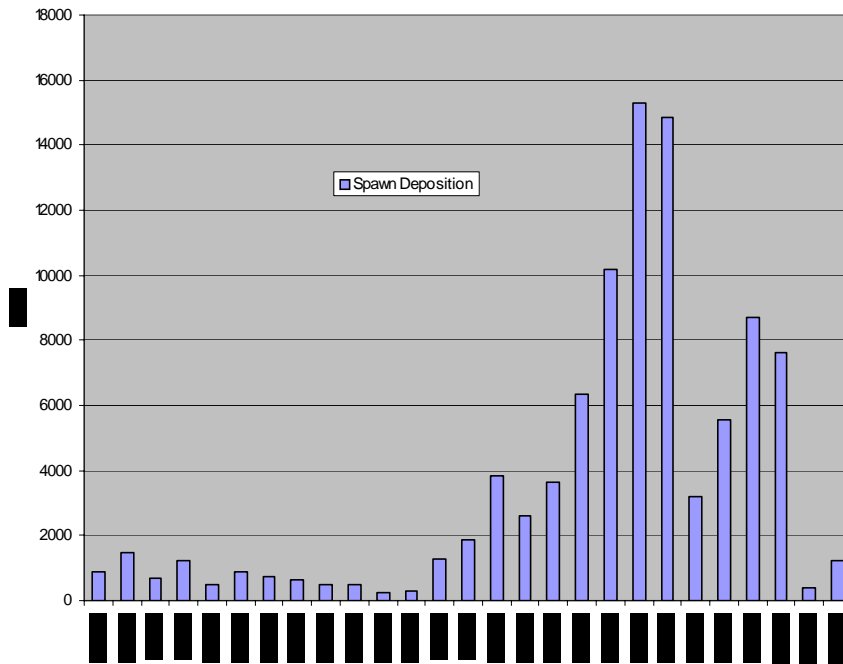
**Table 95-1.**–West Behm Canal herring summary 1990 – 2005.

| SEASON  | NAUTICAL MILES OF SPAWN | SPAWN DEPOSITION ESTIMATE (TONS) <sup>a</sup> | BIOMASS FORECAST (TONS) | TEST FISHERY HARVEST |
|---------|-------------------------|---|-------------------------|----------------------|
| 1990-91 | 4.5                     | 1,274   |                         |                      |
| 1991-92 | 6.6                     | 1,868   | 1,274                   |                      |
| 1992-93 | 13.6                    | 3,854   | 1,868                   |                      |
| 1993-94 | 7.7                     | 2,609   | 3,854                   | 9                    |
| 1994-95 | 10.0                    | 3,650   | 2,609                   | 9                    |
| 1995-96 | 16.2                    | 6,585*  | NA                      | 20                   |
| 1996-97 | 24.0                    | 9,993   | 6,846                   |                      |
| 1997-98 | 23.5                    | 15,319  | 9,648                   | 19                   |
| 1998-99 | 25.6                    | 14,691*                                       | 15,968                  | 10                   |
| 1999-00 | 16.4                    | 3,478*  | 10,405                  | 30                   |
| 2000-01 | 17.2                    | 5,574   | 3,218                   | 47                   |
| 2001-02 | 18.0                    | 8,695*  | 4,610                   | 107                  |
| 2002-03 | 19.5                    | 7,638   | 6,742                   | 43                   |
| 2003-04 | 8.3                     | 443   | 9,366                   |                      |
| 2004-05 | 8.6                     | 1,231   | 446                     |                      |

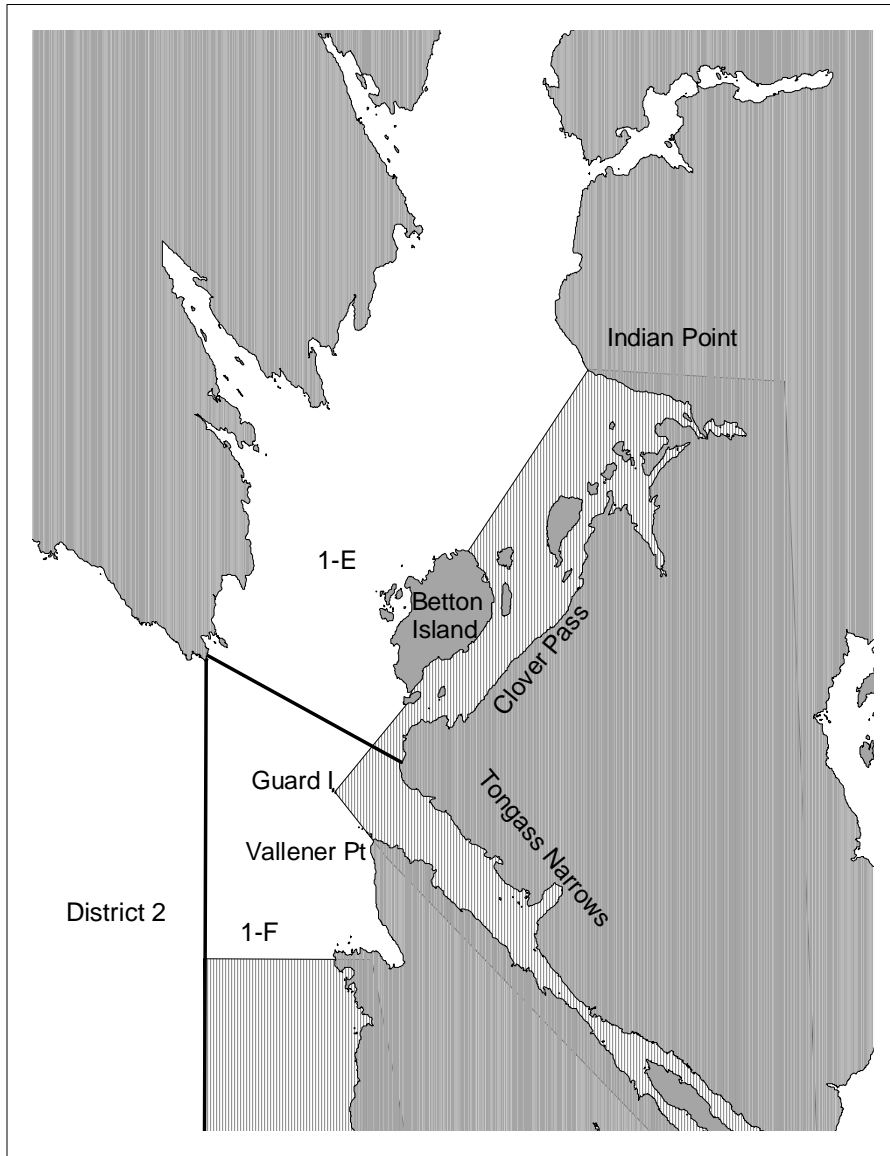
<sup>a</sup> Asterisks represent final values that have been updated since 2003 BOF meeting based on updated diver calibrations or herring fecundity estimates.



**Figure 95-1.**—Historic commercial harvest of herring from West Behm Canal, 1959-60 through 1979-80, by fishery.



**Figure 95-2.**—Spawn deposition estimates of West Behm Canal herring in tons of herring, 1979-2005.



**Figure 95-3.**—Open area for West Behm Canal pound fishery (Section 1-E and portions of Section 1-F). Hatched areas are waters closed to sac roe herring fishing.

**PROPOSAL 98. PAGES 70-71. 5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS, FISHERMEN, AND OPERATORS OF CERTAIN COMMERCIAL FISHING VESSELS; TRANSPORTING REQUIREMENTS.**

PROPOSED BY: Alaska Independent Tenderman's Association

WHAT WOULD THE PROPOSAL DO? Proposal 98 seeks to change herring fish ticket reporting requirements so that permit holders are solely responsible for ensuring that tender operators have the opportunity to imprint the CFEC permit card to complete a fish ticket at the time of delivery. This proposal also appears to seek allowing fish tickets to be completed sometime before the tender leaves the fishing grounds rather than immediately at the time of delivery as now required under regulations.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 39.130. Reports required of processors, buyers, fishermen, and operators of certain commercial fishing vessels; transporting requirements. (c)

(9) the CFEC permit number of the operator of the unit of gear with which the fish were taken, imprinted on the fish ticket from the valid permit card at the time of delivery only;

5 AAC 27.162. Buyer and tender reporting requirements for the sac roe herring fishery in Southeastern Alaska Area

(c) A copy of the fish ticket required under (b) of this section must be provided at the time of delivery to the CFEC permit holder from the person, buyer, company, firm, or other organization that is the first purchaser of herring that is taken in the Southeastern Alaska Area. A separate fish ticket must be issued by the purchaser for each delivery. If the CFEC permit holder does not accompany the herring while it is transported to the point of delivery, a copy of the fish ticket must accompany each delivery to that point.

(d) For the purposes of this section,

(1) "delivery" means the transfer of herring from a fishing vessel operated by the CFEC permit holder or its net to another vessel or to a licensed processing facility;

(2) "landing" means the transfer of herring from a fishing vessel operated by the CFEC permit holder to a licensed processing facility, or the transfer of herring from a vessel used to transport herring, to a licensed processing facility.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED: This proposal is seeking to relieve tender operators of the burden of citation if the CFEC permit holder fails to provide a CFEC permit card at time of delivery to a tender.

BACKGROUND: During the 2005 Sitka sac roe fishery a number of tender operators with herring on board were cited for failure to have fish tickets with all of the required information as specified by regulations. In particular, tender vessels that had received herring deliveries possessed tickets that were not imprinted with the CFEC permit card, did not have the appropriate signatures or other required information. Reasons stated by tender operators for these infractions was that permit holders and their vessels were quickly disengaging from tenders prior to having fish tickets completed in order that the fishing vessel might gain a little time and have the opportunity of making another set prior to closure. Herring sac roe purse seine openings are intensely competitive and are often closed on very short notice. Tender operators believe that they have no control over the permit holder and thus feel that they should not be liable for the actions of the permit holder.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. The transfer of herring from a permit holder to a purchaser of raw fish is a two-way transaction that requires both the permit holder and the purchaser to cooperate under various statutes and regulations. The department feels that changing applicable regulations to relieve purchasers of liability based on the lack of consideration of regulations by a few individual permit holders is not in the best interest of the State or the processors and permit holders participating in the fishery.

COST STATEMENT: The adoption of this proposal is not expected to result in additional direct cost for a private person to participate in this fishery.



**PROPOSAL 99. PAGE 71 & 72. 5 AAC 27.131. GILLNET SPECIFICATIONS AND OPERATIONS FOR SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Ed Hansen

WHAT WOULD THE PROPOSAL DO? The proposal would allow a herring gillnet vessel with two permit holders on board to fish with a net not exceeding 75 fathoms.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.131. Gillnet specifications and operations for Southeastern Alaska Area. (a) A vessel fishing for herring may not have more than one herring gillnet on board or operated from any vessel taking herring. A herring gillnet may not be longer than 50 fathoms.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal could have several effects:

- 1) It could reduce the total amount of gear fishing during an opening. Permit holders that have been actively fishing could combine their efforts on one boat. The fishery could progress more slowly if this were to happen.
- 2) Conversely, if adopted this proposal could increase the total amount of gear fishing. Permits that have been inactive could become active and combine their efforts with another permit holder on one boat. They would not have to purchase or lease a vessel to fish in the fishery. With more gear on the grounds, the fishery could progress faster.
- 3) Vessels in the fishery might be fishing either 50 fathoms or 75 fathoms of gillnet depending upon the number of permit holders aboard.

BACKGROUND: There are three exclusive set gillnet sac roe fishing areas in Southeast Alaska: the Revilla Channel fishery in Section 1-F, the Seymour Canal fishery in Section 11-D, and the Hobart- Houghton fishery in District 10. During the 2003 BOF meeting in Sitka the board adopted a new sac roe gillnet fishery for West Behm Canal.

The herring gillnet fishery went to limited entry in 1978. Currently there are 116 interim use and permanent permits available to the fishery. The number of permits that have actively fished since 1997 has declined from the 1978-1997 average of 116 permits. Since 1998 the average number of permits fished is 71 permits with a low of 44 permits in 2000 (Table 99-1). The decrease of fishing effort is most likely attributable to a decline of herring prices and the absence of the Revilla Channel herring fishery.

DEPARTMENT COMMENTS: The department is NEUTRAL on the adoption of this proposal. If adopted, the department does not believe this proposal would significantly affect current management practices and the integrity of herring stocks. Alaska Bureau of Wildlife Enforcement may have trouble determining net length for vessels with a single permit holder and vessels with two permit holders and may ask that vessels be identified by a special marking such as the D used to mark gillnetters in Bristol Bay with dual permit holders aboard.

COST STATEMENT: If adopted, this proposal could have several different effects for the cost of a person to participate in this fishery. If permit holders that have been actively fishing combine their efforts on one boat, there would be lower costs associated with each permit holder since costs associated with the fishery would be shared.

If permits that have been inactive become active, to combine efforts with another permit holder, then costs could increase for that person to participate in the fishery. Demand for permits could increase driving permit prices higher. The fishery could progress faster resulting in a lower average catch per boat.

**Table 99-1.**—Southeast Alaska herring gillnet permits and permits fished, 1978-2005.

| Year           | Total Permits | Gillnet Permits Actively Fished | Percent Actively Fished |
|----------------|---------------|---------------------------------|-------------------------|
| 1978           | 169           | 126                             | 75%                     |
| 1979           | 128           | 101                             | 79%                     |
| 1980           | 130           | 108                             | 83%                     |
| 1981           | 129           | 119                             | 92%                     |
| 1982           | 132           | 105                             | 80%                     |
| 1983           | 133           | 120                             | 90%                     |
| 1984           | 133           | 126                             | 95%                     |
| 1985           | 133           | 121                             | 91%                     |
| 1986           | 128           | 117                             | 91%                     |
| 1987           | 125           | 117                             | 94%                     |
| 1988           | 125           | 121                             | 97%                     |
| 1989           | 122           | 109                             | 89%                     |
| 1990           | 118           | 70                              | 59%                     |
| 1991           | 121           | 85                              | 70%                     |
| 1992           | 119           | 109                             | 92%                     |
| 1993           | 120           | 103                             | 86%                     |
| 1994           | 121           | 118                             | 98%                     |
| 1995           | 121           | 118                             | 98%                     |
| 1996           | 121           | 121                             | 100%                    |
| 1997           | 120           | 116                             | 97%                     |
| 1998           | 114           | 87                              | 76%                     |
| 1999           | 113           | 92                              | 81%                     |
| 2000           | 115           | 45                              | 39%                     |
| 2001           | 114           | 58                              | 51%                     |
| 2002           | 115           | 67                              | 58%                     |
| 2003           | 115           | 84                              | 73%                     |
| 2004           | 117           | 89                              | 76%                     |
| 2005           | 116           | 64                              | 55%                     |
| 1978-1997 Avg. | 149           | 116                             | 88%                     |
| 1998-2005 Avg. | 116           | 64                              | 64%                     |

**PROPOSALS 100 and 102. PAGES 72-74. 5 AAC 27.160. QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA AREA. (G)(X).**

PROPOSED BY: Larry Demmert (100) and Sitka Herring Group (102)

WHAT WOULD THE PROPOSAL DO? Proposal 100 seeks to allocate an equal portion of the Southeast Alaska purse seine sac roe fishery GHL to each permit holder. Proposal 102 seeks to do the same as proposal 100, however, proposal 102 refers only to the Sitka Sound (Section 13-B) herring sac roe fishery.

WHAT ARE THE CURRENT REGULATIONS? All Southeastern Alaska herring sac roe fisheries are limited entry and the Sections 11-A and 13-B herring sac roe purse seine fisheries are managed as competitive fisheries. The purse seine sac roe fishery in Sections 1-E and 1-F is required by regulation to be managed under the terms of a cooperative agreement.

5 AAC 27.110. Fishing seasons for Southeastern Alaska Area. (b) Herring may be taken in the sac roe fishery only during seasons established by emergency order in the following districts and sections:

- (1) in the purse seine fishery herring may be taken only in the following sections:
  - (A) Section 1-E;
  - (B) Section 1-F, north of the latitude of South Vallenar Point;
  - (C) Section 11-A, north of the Shrine of St. Terese;
  - (D) Section 13-B, north of the latitude of Aspid Cape (56 41.75 N. lat.), except Whale and Necker Bays.

5 AAC 27.197. Sections 1-E and 1-F commercial sac roe herring fishery. (a) In managing the commercial sac roe herring fishery in Section 1 -E and the waters of Section 1-F north of the latitude of South Vallenar Point, the department shall

- (1) manage the commercial herring fishery so that the opportunity to fish herring in years in which the threshold level is met will alternate between the set gillnet and purse seine fisheries; the set gillnet fishery must occur the first year that the threshold level is met;
- (2) manage the purse seine fishery under the terms of a cooperative fishery management plan (CFMP); the plan must be accepted by all Southeastern Alaska sac roe purse seine CFEC permit holders and identify the number of purse seine vessels that will fish herring on behalf of the cooperative that season.

(b) The commissioner will open and close fishing periods and areas open for fishing by emergency order. In the emergency order, the commissioner may impose other conditions that are necessary for an orderly and manageable fishery.

(c) In a purse seine fishery, the cooperative shall surrender to the state all proceeds from the sale of legally harvested herring that exceeds the GHL.

(d) When the harvest of herring by the purse seine fishery or the set gillnet fishery exceeds the GHL for a year, the excess harvest will not be factored into determining the GHL for a future year.

(e) If a CFMP is not accepted to by all purse seine CFEC permit holders and the department by January 15 of a year in which the purse seine fishery would operate, a commercial sac roe fishery may not be conducted for that year.

(f) The schedule of alternating fisheries under this section shall be maintained. The set gillnet fishery shall be conducted the next year that the threshold level is met.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If these proposals were adopted all registered sac roe purse seine herring permit holders would be allocated equal shares of the available GHL each season. If the sac roe herring fisheries were managed on an equal share basis it is possible that permit holders could cooperate to harvest their shares more efficiently by using reduced numbers of fishing vessels, crewmembers, spotter aircraft and tenders. Fewer people would share in the economic benefits derived from the fishery. Fishers would have greater opportunities to release sets containing marginal roe content or small herring to increase overall quality and value of fish harvested. The pace of the fishery would be determined more by industry's ability to process catch than by the need to provide competitive openings for all permit holders. There might be competition for herring in areas determined to have high roe percentages, but there would not be competition to maximize individual fishermen's share of the harvest. The fishery could occur in a larger, less restricted area. If adopted this proposal may disadvantage fishermen who historically have harvested more than average or who may have invested in their boats and gear to be able to harvest a greater than average amount.

BACKGROUND: All 51 permit holders usually participate each year in the Sitka sac roe seine fishery. The Lynn Canal sac roe seine fishery has not been opened since 1982 due to below threshold forecasts and no sac roe fishery has yet occurred in the newly established Behm Canal fishery due to below threshold forecasts.

Since 1977 the average fishery harvest in Sitka has been 6,342 tons (Table 100-1). The average harvest per permit holder has been 131 tons. Summary information for the Lynn Canal sac roe seine fishery is presented in Table 100-2.

Currently the Sitka Sound purse seine sac roe fishery is managed competitively when possible. After test fishing has demonstrated good roe herring in an area and vessel

surveys have been conducted to gauge herring amount and distribution, then the department may open the fishery in a specific area. Fishing periods are opened for either set time periods or are managed in season by monitoring catch on the fishing grounds.

Cooperative style equal share fisheries have been used as a management tool in Sitka Sound in cases when roe quality standards would have been difficult or impossible to achieve, in order to slow down the pace of the fishery due to processing capacity limitations, and to control the harvest when smaller amounts of GHL remain to be harvested in order to remain within the established seasonal GHL. There are no specific regulations which address how a cooperative fishery should be managed. Cooperative style fisheries have been difficult to organize inseason since generally not all permit holders have agreed to this approach. The department has agreed to manage cooperative style (equal share) fisheries in Sitka Sound under strict guidelines with permit holders and processors, but only after all 51 permit holders have unanimously agreed to the guidelines. Cooperative style fisheries with the GHL shared between permit holders have been used during all or portions of the 1979, 1988, 1989, 1991, 1993, 1996, 1999, 2002, 2005 seasons (Table 100-1). Cooperative style equal share fisheries have accounted for 100% of the herring harvest in five years and from 10% to 49% of the harvest in four of the years. For all other years the GHL was completely harvested in competitive fisheries.

Since 1979 for Sitka Sound the reported average roe content has been 10.6%, and the amount harvested has averaged 104% of the established GHLS.

DEPARTMENT COMMENTS: The department is NEUTRAL on these allocative proposals, and can manage either competitive or shared quota fisheries. The department has successfully used shared quotas in the past as a management tool in the Sitka Sound sac roe fishery based on the unanimous agreements of all 51 permit holders. Department success with shared quota fisheries in Sitka Sound is in part related to management in accordance with the terms of cooperative agreements between permit holders, processors and the department.

Reasons cited by the authors in support of this proposal are primarily to improve fishery economics through more efficient use of harvesting assets. Additional economic benefits advanced by the authors include increasing market value by improving roe content and harvesting at a pace that minimizes time from harvesting to freezing improving overall quality of frozen product.

Authors also cite reduction in vessel collisions and improved safety. In recent years, several vessel collisions during fishery openings have resulted in significant damage to vessels, Coast Guard citations, and civil lawsuits. State statutes on interference with commercial fishing gear have not been invoked in these circumstances due to the high burden of proof of intent.

If any of these equal shares proposals were adopted, the department's responsibility for making critical time and area decisions that affect the quality of the herring harvest would be reduced. Also, industry would bear more of the responsibility of controlling harvests in consideration of processing capacities. The department's inseason management

orientation of monitoring of herring quality and distribution would not significantly change. It should be anticipated that the department would continue to exercise time and area authority to minimize high-grading and excessive test setting to achieve desired herring quality. The department would also use time and area authority to disperse the harvest in consideration of subsistence roe fisheries (5 AAC 27.195). Potential conflicts between commercial and subsistence fisheries could be reduced through temporal and geographic dispersal of commercial fishing activities under an equal share management regime.

Increased monitoring of fishery activities may be necessary to ensure compliance with regulations and harvest limits. This would include on-grounds monitoring of harvesting and transferring of herring to tenders and possibly dockside verification to ensure adequate enforcement of catch limits. Dockside monitoring might involve third party contractors such as those used in British Columbia to verify sac roe herring landings at processing facilities.

Past experiences with cooperative style fisheries in Sitka Sound have shown that harvest limits are likely to be exceeded. In 1999, a cooperative fishery to catch the remaining GHL of 765 tons resulted in a harvest of 873 tons, exceeding the target by 14%. In 2002, the target harvest of 1,382 tons was exceeded by 94 tons (7%) and in 2005 the target harvest of 1,020 was exceeded by 64 tons (6%). At larger GHLs it might be expected that, proportionally, the level the GHL is exceeded would go down. However, this would largely depend upon how many of the permit holders pool together and work cooperatively under an equal share program. For example, if all 51 permit holders chose to harvest their own share with their own vessel the overall overage would likely be high. Conversely, if permit holders work in cooperatives using fewer harvesting vessels the overall overage would likely be lower. The expectation might be that most permit holders will work in cooperative type groups as this will reduce the cost of participation in the fishery. In Canadian herring sac roe fisheries it is required by regulation that fishermen work in pools of a minimum number of license holders. This management approach was designed specifically to reduce excessive overages of GHLs.

If the board chooses to adopt equal shares for sac roe herring fisheries, the department recommends the following issues be considered:

- Department authority to determine the maximum number of harvesting vessels that can participate during any given open period.
- Excessive sorting of captured herring so as to maximize roe content can cause stress and mortality. We recommend that a standard minimum roe content be established (e.g. 10%) and that if sampling indicates the minimum roe content exists that the set be retained.
- Allow the department to close the fishery if excessive catch and release is occurring.
- Sometimes not all permit holders participate in the fishery. Equal share amounts can be established either based upon the total number of limited entry permits issued by CFEC or by a registration process. If a registration process

is adopted, the department needs the authority to establish a final cut-off date and criteria so that individual limits can be established prior to opening the fishery.

- Mandatory presence of permit holders during the harvesting should be defined. Will the permit holder need to be on a harvesting vessel at the time their share is harvested? On a nearby tender? In the town of Sitka?
- Mandatory call-in to the department immediately prior to making a set and the results of each set. This will allow the department to monitor the effort and effectively manage the fishery.
- Prohibit the making of a set unless roe samplers are immediately available. Sets should not be held for an excessive amount of time while a decision is made to pump or release the set. A fixed amount of time should be established to make this determination.
- Once a set is dried up or pumping has started, all herring in that set must be retained and sold.
- Fishing should be allowed only during daylight hours. This will allow the department to monitor and implement changes to the fishery in an effective manner.
- Company pool sharing of fish from a set and sharing between companies should be allowed and encouraged.
- Reporting of harvest on fish tickets should be made by each permit holder and not by the boat that actually caught the fish.
- A mechanism should be developed so that permit holders or company pools that exceed their shared quota cannot benefit and may be penalized for excess harvest. All revenues from overages shall be payable to the state, and any overages 5% or more above shared quota amounts will be submitted to Alaska Bureau of Wildlife Enforcement for possible citation.
- Dockside verification of landings to ensure compliance with harvest limits.

COST STATEMENT: Although the intent of the proposal is to reduce costs for a private person to participate in the fishery, if a dockside monitoring program is implemented to verify landed amounts against trip limits, then those costs would likely represent an additional cost to participate.



**Table 100-1.**—Summary of Sitka Sound herring purse seine sac roe fishery. 1977-2005. GHL, harvest total, harvest, permits, and average seine harvest by permit.

| Year    | GHG (GHG) | Harvest (tons) | Percent GHG Harvested | Number Permit Holders | Average Harvest/Permit | Roe Percent | Percent Cooperatively Harvested |
|---------|-----------|----------------|-----------------------|-----------------------|------------------------|-------------|---------------------------------|
| 1977*   | 0         | 0              |                       |                       |                        |             |                                 |
| 1978    | 250       | 238            | 95%                   | 23                    | 10                     | 11          |                                 |
| 1979    | 2,000     | 2,559          | 128%                  | 48                    | 53                     | 9.3         | 100%                            |
| 1980    | 4,000     | 4,445          | 111%                  | 50                    | 89                     | 10.8        |                                 |
| 1981    | 3,000     | 3,506          | 117%                  | 51                    | 69                     | 11.0        |                                 |
| 1982    | 3,000     | 4,363          | 145%                  | 51                    | 86                     | 11.7        |                                 |
| 1983    | 5,500     | 5,416          | 98%                   | 51                    | 106                    | 11.1        |                                 |
| 1984    | 5,000     | 5,830          | 117%                  | 50                    | 117                    | 11.1        |                                 |
| 1985    | 7,700     | 7,475          | 97%                   | 52                    | 144                    | 11.3        |                                 |
| 1986    | 5,029     | 5,443          | 108%                  | 52                    | 105                    | 11.9        |                                 |
| 1987    | 3,600     | 4,216          | 117%                  | 52                    | 81                     | 9.9         |                                 |
| 1988    | 9,200     | 9,390          | 102%                  | 52                    | 181                    | 9.5         | 100%                            |
| 1989    | 11,700    | 11,831         | 101%                  | 51                    | 232                    | 9.4         | 100%                            |
| 1990    | 4,150     | 3,804          | 92%                   | 52                    | 73                     | 10.6        |                                 |
| 1991    | 3,200     | 1,838          | 57%                   | 22                    | 84                     | 8.9         | 100%                            |
| 1992    | 3,356     | 5,368          | 160%                  | 52                    | 103                    | 9.4         |                                 |
| 1993    | 9,700     | 10,186         | 105%                  | 50                    | 204                    | 10.7        | 100%                            |
| 1994    | 4,432     | 4,758          | 107%                  | 51                    | 93                     | 11.0        |                                 |
| 1995    | 2,609     | 2,908          | 111%                  | 51                    | 57                     | 11.8        |                                 |
| 1996    | 8,144     | 8,144          | 100%                  | 51                    | 160                    | 9.6         | 49%                             |
| 1997    | 10,900    | 11,147         | 102%                  | 51                    | 219                    | 11.5        |                                 |
| 1998    | 6,900     | 6,638          | 96%                   | 51                    | 130                    | 10.2        |                                 |
| 1999    | 8,476     | 9,217          | 109%                  | 51                    | 181                    | 10.7        | 10%                             |
| 2000    | 5,120     | 4,630          | 90%                   | 51                    | 91                     | 9.9         |                                 |
| 2001    | 10,597    | 11,974         | 113%                  | 51                    | 235                    | 10.9        |                                 |
| 2002    | 11,042    | 9,788          | 89%                   | 51                    | 192                    | 10.9        | 15%                             |
| 2003    | 6,969     | 7,051          | 101%                  | 51                    | 138                    | 10.7        |                                 |
| 2004    | 10,618    | 10,393         | 98%                   | 51                    | 204                    | 10.8        |                                 |
| 2005    | 11,192    | 11,366         | 102%                  | 51                    | 223                    | 11.4        | 10%                             |
| Average | 6,117     | 6,342          | 104%                  |                       | 131                    | 10.6        |                                 |

\* Fishery placed under limited entry. Threshold policy implemented. No fishery since stock below threshold.

**Table 100-2.**—Summary of Lynn Canal herring purse seine sac roe fishery. 1977-1982. GHL, harvest total, harvest, permits, and average seine harvest by permit.

| Season* | Guideline<br>Harvest<br>Level (GHL) | All Gear<br>Harvest<br>(tons) | Seine<br>Harvest<br>(tons) | Percent<br>Harvest<br>By Seine | Permits<br>Reporting<br>Harvest | Average<br>Harvest/<br>Seine Permit |
|---------|-------------------------------------|-------------------------------|----------------------------|--------------------------------|---------------------------------|-------------------------------------|
| 1977    | 995                                 | 926                           | 709                        | 77                             | 6                               | 118                                 |
| 1978    | 820                                 | 954                           | 603                        | 63                             | 6                               | 101                                 |
| 1979    | 120                                 | 7                             | 0                          | 0                              | 0                               | 0                                   |
| 1980    | 720                                 | 976                           | 976                        | 100                            | 19                              | 51                                  |
| 1981    | 845                                 | 756                           | 754                        | 100                            | 15                              | 50                                  |
| 1982    | 400                                 | 551                           | 551                        | 100                            | 21                              | 26                                  |
| Average | 650                                 | 695                           | 599                        | 73                             | 11                              | 58                                  |

\*Lynn Canal has not opened since 1982 since the stock has been below threshold.

**PROPOSAL 103. PAGE 74. 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, 13-C, AND DISTRICT 7.**

PROPOSED BY: Jerry Dahl

WHAT WOULD THE PROPOSAL DO? This proposal, if adopted, would revise the kelp allocation tables for the Section 13-C herring pound SOK fishery such that the kelp allocation for single-permit closed pounds would increase from 1,000 blades to 2,000 blades when the GHL is 800 tons or more. For double-permit closed pounds the kelp allocation would increase from 1,000 blades to 2,500 blades when the GHL is from 600-799 tons and increase from 1,000 blades to 3,000 blades with the GHL is 800 tons or more.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, 13-C, AND DISTRICT 7.

(d) In Section 13-C, the kelp allocation is as follows:

Guideline harvest range for herring in tons,

|             | Single-permit<br>Closed | Double-permit<br>Closed | Triple-permit<br>Closed | Single-permit<br>Open | Multiple-permit<br>Open |
|-------------|-------------------------|-------------------------|-------------------------|-----------------------|-------------------------|
| GHl (tons)  | Blades                  | Blades                  | Blades                  | Blades/Fronds         | Blades/Fronds           |
| 100-249     | None                    | None                    | None                    | 600/60                | 600/60                  |
| 250-399     | 200                     | 400                     | 500                     | 1,100/110             | 1,100/110               |
| 400-599     | 300                     | 500                     | 750                     | 1,600/160             | 1,600/160               |
| 600-799     | 1,000                   | 1,000                   | 1,500                   | 2,300/230             | 2,300/230               |
| 800 or more | 1,000                   | 1,000                   | 1,500                   | 3,000/300             | 3,000/300               |

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The existing kelp allocation tables would be revised for the Section 13-C limited entry spawn on kelp fishery so that at higher GHls the kelp allocation would increase for both single and double-permit closed pounds. By using higher numbers of kelp blades in closed pounds, a greater proportion of herring eggs would be deposited on the SOK product and a lesser number would be deposited on pound webbing, thus increasing production levels. It is not expected that more herring would be used to accommodate this proposed kelp

allocation increase. With greater numbers of kelp blades, fishers may tend to place less herring in their pounds to avoid kelp breakage. Fishers would tend to be less selective of the size of kelp blades harvested. Somewhat lower grade product overall might be produced by the fishery. Participation levels in the Section 13-C fishery are stable and not expected to change.

**BACKGROUND:** During the initial development of this fishery the management intent was to evenly allocate herring among the pound operators. This proved to be unworkable from a legal and management approach. In 1997, the BOF adopted regulatory changes that allowed the department to use a kelp allocation incentive when needed to reduce herring harvested by the fishery by sharing herring within a pound to stay within the regional harvest rate policy of 10-20% (5 AAC 27.190 (4) Herring Management Plan for Southeastern Alaska Area). During the 2000 BOF meeting the kelp allocation was placed into regulation. Once the department has announced the seasonal GHL, fishers can select kelp allocation options from within the corresponding Guideline Harvest Ranges. In 2003, the BOF modified the kelp allocation tables providing higher numbers of kelp blades at higher stock levels as well as adding incentives to fish triple-permit closed pounds at lower stock levels.

To some extent the current kelp allocations have been limited based on perceptions of the maximum number of blades that can fit into a herring pound traditionally used in the fishery. In addition, kelp restrictions are a means to limit the harvest of the *Macrocystis* kelp blades so that harvested kelp is not wasted in the conduct of the fishery. By using smaller blades as well as finding more innovative and efficient methods of hanging kelp in pounds, participants have demonstrated the ability to fit more kelp blades in pounds than previously thought possible. Also, over the past several seasons the department has issued experimental gear permits allowing fishermen to use varying pound configurations to improve the efficiency of herring and kelp utilization. Specifically, experimental pounds have had a larger surface area and shallower depth while still maintaining a maximum volume consistent with current regulations. These reconfigured pounds may also contribute to larger amounts of kelp effectively fished in pounds. (This is addressed in the briefing document for Proposals 104 and 105). The current herring pound size restrictions (maximum: 400 sq ft surface area and 30' deep) have been in place since 1994.

Beginning in 1997, several fundamental changes to the management of the SOK fisheries including basing the SOK harvest objective on a 10-20% harvest rate of the forecast herring biomass and increasing kelp allocations at higher stock levels have substantially contributed to increased production in this fishery (Table 103-1). The market trend in recent years has been decreasing prices with increasing production.

**DEPARTMENT COMMENTS:** The department SUPPORTS this proposal. This proposal is consistent with the present kelp allocation tables and should not result in an increase in herring harvest. The department does not view the increased kelp harvest to accommodate this proposal as having a significant impact on the *Macrocystis* kelp resource. An assessment of the *Macrocystis* kelp resource conducted by the department

showed the use of kelp by spawn on kelp fisheries as insignificant relative to the available biomass (van Tamelen and Woodby, 1999).

COST ANALYSIS: The department does not believe that adoption of this proposal would result in an additional direct cost for a private person to participate in this fishery.

Van Tamelen, P. G. and D. Woodby. 1999. Assessment of *Macrocystis* biomass, quality, and harvesting effects in relation to herring roe-on-kelp fisheries in Alaska. Regional Informational Report No. 1J99-24, Alaska Dept. of Fish and Game, Juneau.

**Table 103-1.**—Herring SOK harvest in Section 13-C, 1990-2005.

| Year | Pounds of Spawn-on Kelp | Landings |
|------|-------------------------|----------|
| 1990 | 24,004                  | 106      |
| 1991 | 27,263                  | 86       |
| 1992 | 46,246                  | 109      |
| 1993 | 29,568                  | 71       |
| 1994 | 66,658                  | 116      |
| 1995 | 57,479                  | 130      |
| 1997 | 128,605                 | 127      |
| 1998 | 171,104                 | 119      |
| 1999 | 187,522                 | 87       |
| 2000 | 71,992                  | 86       |
| 2001 | 132,368                 | 91       |
| 2002 | 273,224                 | 98       |
| 2003 | 283,134                 | 108      |
| 2004 | 472,146                 | 107      |
| 2005 | 363,427                 | 94       |

**PROPOSAL 104-105. PAGE 75. 5 AAC 27.130. LAWFUL GEAR FOR SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Jerry Dahl, Jr. (104) and Larry Demmert (105)

WHAT WOULD THE PROPOSAL DO? These proposals, if adopted, would change the definition of a closed herring pound.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.130. LAWFUL GEAR FOR SOUTHEASTERN ALASKA AREA.

(e) In the Southeastern Alaska Area,

(1) .....;the opening of a closed pound at the water surface may not exceed 400 square feet in area, and neither the sewn vertical wall nor the near-vertical wall may exceed a depth of 30 feet below the surface when the pound contains herring;.....

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If this proposal was adopted herring pounders would have the option of using pounds of any size dimensions as long as the total volume did not exceed 12,000 cubic feet. The 12,000 cubic feet is the equivalent volume of a pound configured to the maximum 400 square feet surface area and maximum depth of 30 feet currently allowed by regulation.

BACKGROUND: In the early years of the development of SOK pound fisheries in Southeastern Alaska a Commissioner's Permit was used to regulate the fishery. At that time there were no maximum pound size restrictions, however, a minimum surface area of 250 square feet was required. The BOF standardized the size of herring pounds to a surface area of no more than 400 square feet in 1994 and added a depth limit of 30 feet in 1997. The standardization of herring pounds was considered necessary as a means of controlling the amount of herring used in the pound fisheries. Since then almost all SOK participants have used a pound with 20'X20' surface dimension and a 30' maximum depth. During the 2003 BOF cycle several proposals to alter pound dimensions were considered and failed to be supported due to the department's desire to have pounds standardized for controlling herring use and enforcement of pound size restrictions. It was also stated that any change in the fundamental unit of gear in regulation should be supported by improved product quality without increasing the overall amount of herring harvested. To that end and at the Board's recommendation the department has issued

experimental gear permits to continue exploring varying pound configurations as a means to increase production without increasing herring use.

For the 2003 herring season, two non-standard pound net configurations were authorized on an experimental gear permit. One net was 20x30x20-foot deep, one was 20x40x15-foot deep, and both were 12,000 cubic feet in volume. Results from the 2003 study indicated that the experimental pounds were associated with greater total product poundage and greater proportion of product graded as “jumbo” when compared to conventional pounds. However, because there were only two experimental pounds it was inconclusive whether the positive result was due to the altered pound dimensions or due to other less measurable factors. The promising outcome did result in numerous inquiries from permit holders to obtain experimental gear permits for the 2004 season. In an effort to continue exploring the option the department announced that it would accept all requests for experimental gear permits. Ultimately 47 experimental permits were issued for various pound configurations not to exceed 12,000 cubic feet in volume. The experimental closed pounds generally fell into three size categories including; 15 permits for 24’x24’x20’ deep pounds, 21 permits for 30’x20’x20’ deep pounds, and 9 permits for 40’x20’x15’ deep pounds. The harvest statistics from various pound size categories used during the 2004 fishery are as follows:

**Table 104-1.**—Experimental pound gear harvest statistics, 2004.

| Pound Dimensions | Total Pounds Landed | Number Permits | Average lbs/ Permit |
|------------------|---------------------|----------------|---------------------|
| 20’x20’x30’d     | 215,148             | 47             | 4,578               |
| *40’x20’x15’d    | 44,389              | 9              | 4,932               |
| *30’x20’x20’d    | 97,317              | 21             | 4,634               |
| *24’x24’x20’d    | 73,734              | 15             | 4,916               |

**\*Experimental pounds.**

The above harvest statistics in Table 104-1 lend credence to the idea that herring impoundments configured with more surface area and less depth results in more eggs deposited on to the kelp rather than the net webbing. A large number of experimental permits were issued for the 2005 season however those results have not been analyzed at this time and will be available by the Board meeting.

DEPARTMENT COMMENTS: The department SUPPORTS these proposals. They do not seek to increase the volume of the herring pounds currently allowed by regulation. Whether more or less herring were being used in the experimental pounds was not answered and would require a significant effort to resolve. However, the department does not believe that there was a significant increase, if any increase at all, of herring used in the experimental pounds. It was difficult to ascertain whether the herring are



experiencing less stress in the experimental pounds compared to the normally configured pounds but most individuals that used experimental pounds reported that the herring appeared to be in a healthier condition at release. The results from the 2004 season show overall an increase of production from experimental pounds versus the standard pounds.

One concern expressed during the 2003 BOF meeting was increased complexity of enforcing herring pound restrictions with varying pound configuration on the grounds. The department, during the 2004 fishery in Section 13-C measured a number of experimental herring pounds and found that most were within the permitted dimensions. Most problematic was obtaining an accurate depth measurement given that the bottom panel of the net pounds tend to sag though this is also true for the conventional pounds. If adopted, we may want to also have a provision that participants declare their pound size prior to the fishery so that the department can continue to adequately enforce pound size regulations as well as track production levels by the various pounds.

**COST ANALYSIS:** The department does not believe that adoption of this proposal would result in an addition direct cost for a private person to participate in this fishery. It should be noted that participants in the SOK fisheries have already chosen to invest considerable money in constructing pounds and purchasing nets to participate under the experimental gear permit.

**Table 104-2.**—Herring SOK harvest in Section 13-C, 1990-2005.

| Year | Pounds of Spawn-on Kelp | Landings |
|------|-------------------------|----------|
| 1990 | 24,004                  | 106      |
| 1991 | 27,263                  | 86       |
| 1992 | 46,246                  | 109      |
| 1993 | 29,568                  | 71       |
| 1994 | 66,658                  | 116      |
| 1995 | 57,479                  | 130      |
| 1997 | 128,605                 | 127      |
| 1998 | 171,104                 | 119      |
| 1999 | 187,522                 | 87       |
| 2000 | 71,992                  | 86       |
| 2001 | 132,368                 | 91       |
| 2002 | 273,224                 | 98       |
| 2003 | 283,134                 | 108      |
| 2004 | 472,146                 | 107      |
| 2005 | 363,427                 | 94       |

**PROPOSAL 106. PAGE 75-76. 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, 13-C, AND DISTRICT 7.**

PROPOSED BY: Jerry Dahl, Jr.

WHAT WOULD THE PROPOSAL DO? This proposal is not specific to any of the four Southeast Alaska SOK fisheries though it appears that the author was intending to address kelp allocations in Section 12-A and District 7. This inference is based on the proposal’s reference to a GHL of 700 tons or more, which is consistent with current regulations for those two areas. Making that assumption, if this proposal is adopted, the kelp allocation tables for Sections 12-A, and District 7 would change such that the kelp allocation for double-permit closed pounds would increase from 1,000 blades to 2,000 blades when the GHL is 700 tons or more.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, 13-C, AND DISTRICT 7.

(e) In District 7 and Section 12-A, the kelp allocation is as follows:

Guideline harvest range for herring in tons,

|             | Single-permit<br>Closed | Double-permit<br>Closed | Triple-permit<br>Closed | Single-permit<br>Open | Multiple-permit<br>Open |
|-------------|-------------------------|-------------------------|-------------------------|-----------------------|-------------------------|
| GH L (tons) | Blades                  | Blades                  | Blades                  | Blades/Fron ds        | Blades/Fron ds          |
| 50-99       | None                    | None                    | None                    | 1,000/100             | 3,000/300               |
| 100-299     | 200                     | 400                     | 500                     | 1,500/150             | 4,500/450               |
| 300-499     | 300                     | 500                     | 500                     | 2,000/200             | 6,000/600               |
| 500-699     | 400                     | 500                     | 500                     | 2,500/250             | 7,500/750               |
| 700 or more | 1,000                   | 1,000                   | 1,000                   | 2,500/250             | 7,500/750               |

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The existing kelp allocation tables would be revised for the Section 12-A and District 7 fishery so that when the GH L for the SOK fishery is 700 tons or more the kelp allocation would increase from 1,000 to 2,000 blades for double-permit closed pounds. This would give permit holders an incentive to use double-permit pounds at higher GH Ls resulting in less herring used in the fishery. By using higher numbers of kelp blades in double-permit closed

pounds, a greater proportion of herring eggs would be deposited on the SOK product and a lesser number would be deposited on pound webbing, thus increasing production levels. With greater numbers of kelp blades, fishers may tend to place less herring in their pounds to avoid kelp breakage. Fishers would tend to be less selective of the size of kelp blades harvested. Somewhat lower grade product overall might be produced by the fishery.

BACKGROUND: There are two CFEC limited entry SOK pound fisheries in Southeast Alaska including the Northern SE SOK herring pound fishery and the Southern SE SOK fishery. The Northern SE permit includes Sections 13-C and 12-A fisheries and the Southern SE permit includes Section 3-B and District 7 fisheries. The District 7 and Section 12-A herring SOK fisheries were established by the BOF during the 2003 Board cycle. Both of these areas are allocated to the winter food and bait fishery with any unharvested portion of the GHL allocated to the SOK pound fishery. Harvest and participation in these spawn-on kelp fisheries are shown in Table 1 and 2. In 2003, newly adopted regulations were implemented too late in the season to provide for a fishery in District 7.

To some extent the current kelp allocations have been limited based on perceptions of the maximum number of blades that can fit into a herring pound traditionally used in the fishery. In addition, kelp restrictions are a means to limit the harvest of the *Macrocystis* kelp blades so that harvested kelp is not wasted in the conduct of the fishery. By using smaller blades as well as finding more innovative and efficient methods of hanging kelp in pounds, participants have demonstrated the ability to fit more kelp blades in pounds than previously thought possible. Also, over the past several seasons the department has issued experimental gear permits allowing fishermen to use varying pound configurations to improve the efficiency of herring and kelp utilization. Specifically, experimental pounds have had a larger surface area and shallower depth while still maintaining a maximum volume consistent with current regulations. These reconfigured pounds may also contribute to larger amounts of kelp effectively fished in pounds.

Beginning in 1997, several fundamental changes to the management of the SOK fisheries including basing the SOK harvest objective on a 10-20% harvest rate of the forecast herring biomass and increasing kelp allocations at higher stock levels have substantially contributed to increased production in this fishery (Table 106-1 and Table 106-2). The market trend in recent years has been decreasing prices with increasing production.

DEPARTMENT COMMENTS: The department SUPPORTS this proposal. This proposal is consistent with the present allocation tables and should not result in an increase in herring harvest. The department does not view the increased kelp harvest to accommodate this proposal as having a significant impact on the *Macrocystis* kelp resource. An assessment of the *Macrocystis* kelp resource conducted by the department showed the use of kelp by SOK fisheries as insignificant relative to the available biomass (van Tamelen and Woodby, 1999).

COST ANALYSIS: The department does not believe that adoption of this proposal would result in an additional direct cost for a private person to participate in this fishery.

Van Tamelen, P. G. and D. Woodby. 1999. Assessment of *Macrocystis* biomass, quality, and harvesting effects in relation to herring roe-on-kelp fisheries in Alaska. Regional Informational Report No. 1J99-24, Alaska Dept. of Fish and Game, Juneau.

**Table 106-1.**—Herring SOK harvest in Section 12-A, 2003-2005.

| Year | Pounds of Spawn-on Kelp | Landings |
|------|-------------------------|----------|
| 2003 | 95,110                  | 59       |
| 2004 | 197,384                 | 85       |
| 2005 | 187,479                 | 91       |

**Table 106-2.** Herring SOK harvest in District 7, 2003-2005.

| Year | Pounds of Spawn-on Kelp | Landings |
|------|-------------------------|----------|
| 2004 | 112,286                 | 64       |
| 2005 | Below Threshold         |          |

**PROPOSALS 107 and 109. PAGES 76 and 77. 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: Mike Svenson (107) and Larry Demmert (109)

WHAT WOULD THE PROPOSAL DO? Proposals 107 and 109 would increase the area in Section 3-B where herring may be caught for use in the herring SOK pound fishery.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUND IN SECTIONS 3-B, 12-A AND DISTRICT 7.

(f) Pounds for the taking of herring spawn on kelp and seines for the taking of herring for placement in pounds may be operated only in the following locations:

(1) in Section 3-B, in the waters of San Alberto Bay, Shinaku Inlet and San Christoval Channel north of a line from Entrance Point to the southernmost tip of Clam Island to the southernmost tip of Fern Point and east of 133°20' W. long.; in Section 3-B, the following waters are closed to herring SOK pounds and to seining for taking herring for placement in pounds:

(A) Klawock Inlet and Big Salt Lake;

(B) the waters of San Christoval Channel in the main channel enclosed by a line from 55°35.62' N. lat., 133°20' W. long. to 55°33.17' N. lat', 133°20' W. long. to 55°33.37' N. lat., 133°17.52' W. long. to 55°33.50 N. lat., 133°17.28' W. long.;

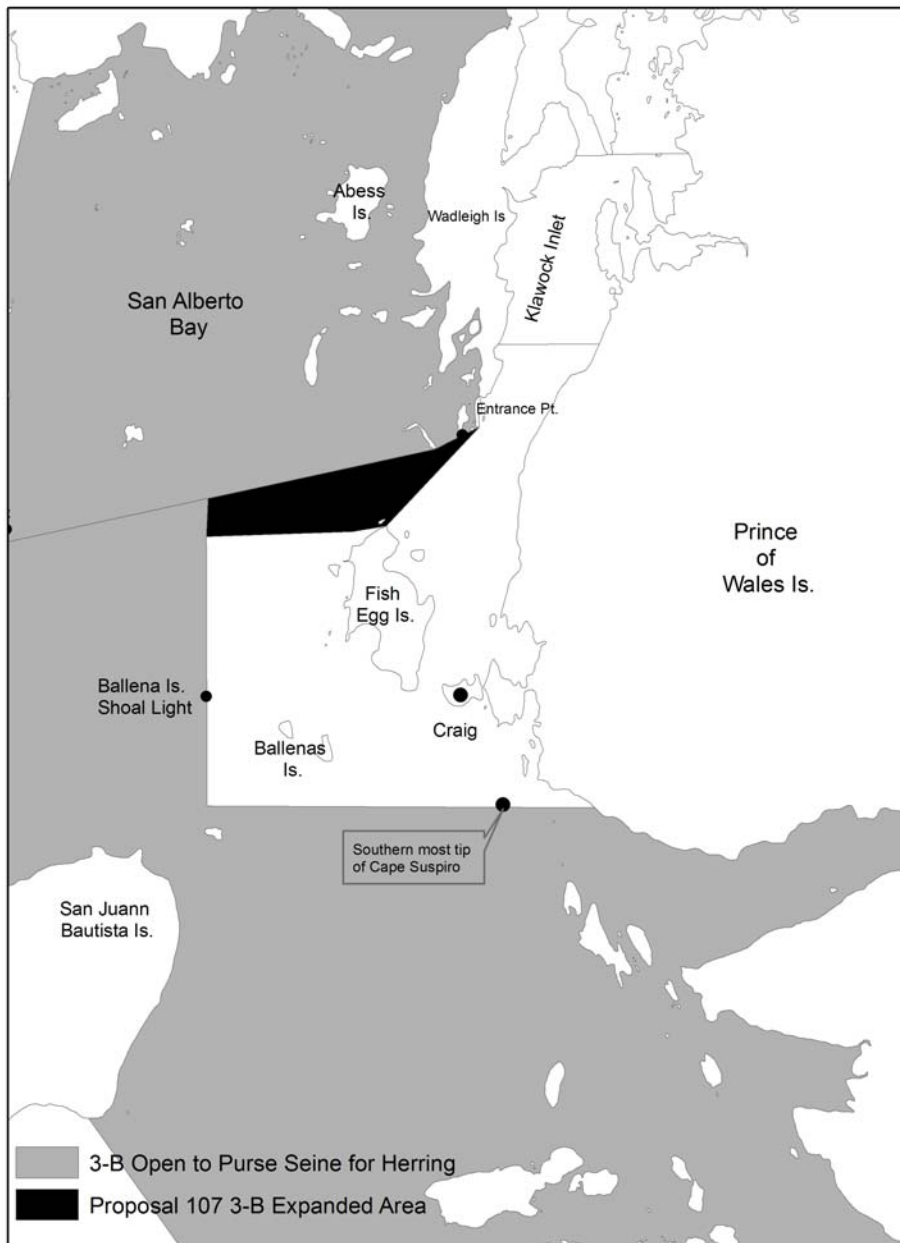
(C) the waters of Fish Egg and Ballena Islands south of 55°31' N. lat. And north of the southernmost tip of Cape Suspiro and east of the longitude of Ballena Island Shoal Light;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If implemented, proposals 107 and 109 would increase the waters open to the commercial harvest of herring around Fish Egg Island in section 3-B.

BACKGROUND: When the BOF established the Craig/Klawock herring pound fishery in 1992, closed waters were established by the BOF around the heavily used subsistence areas nearby, including those waters around Fish Egg Island. The subsistence harvest of SOK in the waters around Fish Egg Island is the largest subsistence harvest of SOK in Southeast Alaska.

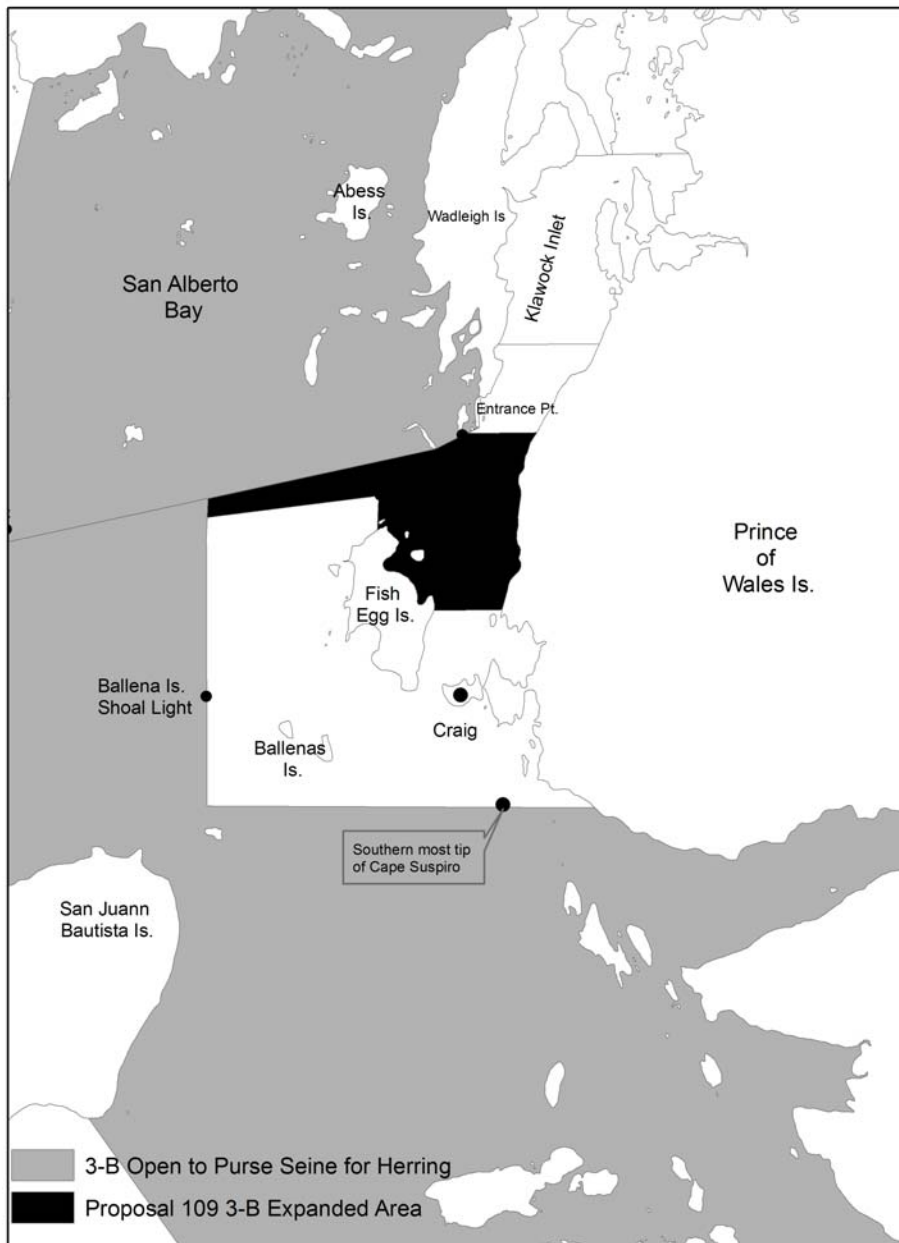
DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 107-1.**—This map shows the proposed line change in Section 3-B herring SOK fishery (Proposal 107).





**Figure 107-2:**—This map shows the proposed line change in section 3-B herring SOK fishery (Proposal 109).

**PROPOSAL 108. PAGE 77. 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: Larry Demmert

WHAT WOULD THE PROPOSAL DO? Proposal 108 would increase the kelp allocation to single-permit closed pounds in the Section 3-B SOK fishery.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUND IN SECTIONS 3-B, 12-A AND DISTRICT 7. (a) In Sections 3-B, 12-A, and 13-C and District 7 of the Southeastern Alaska Area, the department shall set an annual guideline harvest range for herring spawn on kelp in pounds based on the forecasted return of mature spawning herring. The department shall manage the fishery to keep the harvest within the guideline harvest range each season by restricting CFEC permit holders operating a herring-SOK pound to a specific number of kelp blades or Fronds annually according to the provisions of this section.

(b) In Sections 3-B, 12-A and 13-C, and District 7, a herring SOK CFEC permit holder may jointly operate a pound with one or more other herring SOK CFEC permit holders and a closed pound with up to two other herring SOK CFEC permit holders. A permit holder operating an open pound may use fronds or individual kelp blades in the open pound, but may not use both during a fishing season.

(c) In Section 3-B, the kelp allocation is as follows:

Guideline Harvest Range for Herring in tons,

**Single-Permit closed Pounds:**

100-599 tons of herring - 200 blades

600 - 799 tons of herring - 250 blades

800 - 999 tons of herring - 300 blades

1000 or more tons of herring - 350 blades

**Double-Permit closed Pounds:**

100-599 tons of herring - 400 blades

600 - 799 tons of herring - 450 blades

800 - 999 tons of herring - 600 blades

1000 or more tons of herring - 750 blades

**Triple-Permit closed Pounds:**

100-599 tons of herring - 550 blades

600 - 799 tons of herring - 675 blades

800 - 999 tons of herring - 900 blades

1000 or more tons of herring - 1125 blades

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If implemented, proposal 108 would increase the amount of kelp a single-permit closed pound is allowed to harvest and use in their pound in the Section 3-B SOK fishery.

BACKGROUND: The initial management intent of the fishery was to evenly allocate herring among the pound operators. This proved to be unworkable both legally and as a management approach. Since 1997 the department has managed the fishery by allocating the number of kelp blades a pound operator may use. During the 2000 BOF meeting the kelp allocation was placed into regulation. In Section 3-B there is a need for shared pounds through the Guideline Harvest Range so a kelp allocation incentive is used to reduce the herring harvested in the fishery by sharing pounds to stay within the regional harvest rate policy of 10-20% (5 AAC 27.190 (4) Herring Management Plan for Southeastern Alaska Area).

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. An increase of kelp allocations for single pounds might not only increase herring harvest due to the operation of more single and fewer shared pounds, but in the Section 3-B fishery it may also increase the harvest of herring by increasing the number of permits which participate in the fishery.

The department still believes there is a need for shared pounds throughout the Guideline Harvest Range and supports a kelp allocation incentive to increase the number of shared pounds in the fishery, however the department is willing to work during committee deliberations at the 2006 board meeting with the board and fishermen on the size of the incentive.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 110: Page 78, 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.(t)**

PROPOSED BY: Larry Demmert

WHAT WILL THE PROPOSAL DO? This proposal seeks to increase the spawn area estimate in areas where SOK pounds are located, by 800 ft<sup>2</sup> for each pound in that area.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC.185(t) After a person releases herring and harvests product from the pound, the person must maintain the pound and webbing in place for at least four weeks. To optimize hatching success the person must position egg-covered webbing in its original configuration with adequate water circulation on all sides.

WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The spawn area estimate for areas having herring pound fisheries will increase. For example, in 2004 there were 92 single permit closed pounds, 6 double pounds, and 6 test fish pounds, in Hoonah Sound (total of 104 SOK pounds). This would have increased the 2004 area estimate for Hoonah Sound from 1,970,307 m<sup>2</sup> to 2,053,507 m<sup>2</sup> (increase of approximately 4%). This would have increased the spawn deposition estimate of total spawning biomass from 7,399 tons to 7,819 tons and the 2005 Hoonah Sound forecast from 4,357 to 4,534 tons. This change is probably insufficient to change the kelp allocation table options.

BACKGROUND: As required by the Herring Management Plan for Southeast Alaska, the department conducts annual stock assessment surveys before setting harvest levels or allowing harvest to occur. A key component for estimating and forecasting the spawning biomass is the spawn deposition survey that estimates the number of herring eggs by spawning area. The estimate of total egg numbers is converted into a spawning population biomass estimate. This method has been used in Southeast Alaska since 1976. Since the mid-1990s, estimates of spawn deposition have been incorporated into age-structured and biomass accounting models to estimate and forecast spawning population biomass.

A lengthy time series of data allows the use of Age Structured Analysis (ASA) modeling to forecast the Tenakee Inlet and Craig spawning stocks and to determine the GHL for SOK pound fisheries that take place in these areas. The ASA estimate of biomass and forecast incorporates an estimate of herring captured and used in pounds to produce spawn on kelp, so for these two stocks, herring eggs deposited on the pound webbing are accounted for in a more direct way than back calculating biomass of fish through

estimates of egg density. Since Ernest Sound and Hoonah Sound have more limited data time series, less rigorous modeling, called biomass accounting is used to forecast biomass. As of the 2005 season, the biomass accounting method also incorporates an estimate of herring captured and used in pounds to produce SOK.

The requirement to leave pound webbing in place for at least four weeks after herring are released is intended to optimize egg survival and hatching success.

DEPARTMENT COMMENTS: The department OPPOSES this proposal. The herring management plan requires the department to assess the abundance of mature herring for each stock before allowing fishing to occur, but does not specify how the department shall conduct herring stock assessment. The proposal suggests using a single estimate for including eggs deposited on pounded webbing into the department's herring forecasts. But the department's current methods are thought to more accurately reflect total return. Methods are being investigated to more accurately estimate the average number of tons used in pound structures in the SOK fisheries and the best method of including these estimates into the modeled forecasts. The department supports including these estimates into forecast models but opposes adopting a specific modeling technique into regulation.

COST STATEMENT: The department does not believe that adoption of this proposal will result in additional direct cost for a private person to participate in this fishery.

**PROPOSAL 111, PAGE: 78. 5 AAC 27.185(a)(b) REGULATION TITLE: MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: Larry Demmert

WHAT WOULD THE PROPOSAL DO? The department believes the intent of this proposal is to define a unit of gear in the SOK fishery as being one pound. The department also believes this proposal's intent is to define that when more than one permit holder is using a pound those permit holders would be only using a fraction of a unit of gear in proportion to the number of permit holders using the pound. The incentive behind this re-definition of a unit of gear is that permit holders might seek to operate pound structures simultaneously in different regulatory sections and districts to ensure participation in both fisheries.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS FISHERIES IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7. (a) In Sections 3-B, 12-A, and 13-C, and District 7, of the Southeastern Alaska Area, the department shall set an annual guideline harvest range for herring spawn on kelp in pounds based on the forecasted return of mature spawning herring. The department shall manage the fishery to keep the harvest within the guideline harvest range each season by restricting CFEC permit holders operating a herring SOK pound to a specific number of kelp blades or fronds annually according to the provisions of this section.

(b) In Sections 3-B, 12-A, and 13-C, and District 7, a herring SOK CFEC permit holder may jointly operate an open pound with one or more other herring SOK CFEC permit holders and a closed pound with up to two other herring SOK CFEC permit holders. A permit holder operating an open pound may use fronds or individual kelp blades in the open pound, but may not use both during a fishing season.

(o) A person must be physically present at the person's pound fishing site during operation of the pound. For the purpose of this subsection, "operation of the pound" means

- (1) when kelp is being placed into a pound structure;
- (2) when herring is being captured and transferred into a closed pound;
- (3) when an open pound is being moved; and
- (4) when kelp product is being collected from the pound.

(p) A person must be physically present when the person's herring SOK product produced in a pound is being sold.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would allow permit holders fishing multiple permit pounds to fish more pounds.

If a unit of gear is defined as one pound, then when more than one permit holder is using one pound any one of those permit holders would be allowed to fish in more than one multi-permit pound. The total fraction of the number of pounds they were fishing would have to be not more than one whole pound. As a result there could be many more pounds fishing and more kelp on the grounds resulting in more herring being harvested than the existing management plan intended.

If a CFEC permit holder claims authorization to simultaneously operate shared pounds in different regulatory sections or districts 5 AAC 27.185 (o) and (p) require that person's physical presence at times when the pound is being operated or when product is being sold. However the distance between fisheries that may be on-going at the same time and the ability to go back and forth between these areas in any weather, may place impounded herring at risk of greater mortality when pounds cannot be operated or tended. Although the two permit holders could each physically operate and tend the one pound, both are responsible in each location for compliance with all regulations of the management plan.

**BACKGROUND:** The Southeastern Alaska SOK fishery first started in the early 1960s in the Craig Area. The existing SOK closed pound fishery started in 1990 when the Hoonah Sound fishery was created. Since then, SOK fisheries have been established in Craig, Tenakee and Ernest Sound. The SOK fisheries are split into the Northern SOK fishery and the Southern SOK fishery. The Southern SOK fishery is comprised of Craig and Ernest sound. The Northern SOK fishery is comprised of Hoonah Sound and Tenakee. In 1998 the fisheries were limited to entry. There are total of 116 permits in the Northern SOK fishery, of which an average of 104 are actively fished. The Southern SOK fishery has a much larger number of permits with a total of 229 permits, but a much smaller percentage of the permits are actively fished with an average 108 permits actively fished.

The department manages the fisheries based on a division of kelp blades or fronds between permit holders. The department recognizes that kelp management alone has not been effective in limiting the harvest of herring and staying within the herring GHL (GHL) set for the fishery. The department has attempted to rectify this problem by allowing the use of multiple-permit pounds thereby reducing the numbers of pounds on the grounds. This should lead to the reduction in the harvesting, impounding and the associated mortality of herring. The department's method of encouraging multiple permit pounds and open pounds has been a kelp incentive. That incentive allows a greater number of kelp blades per permit holder for multiple pounds and open pounds.

The amount of kelp for the various types of pounds is defined in the management plan. Permit holders determine their kelp allocation by looking at the kelp allocation table in the management plan (Table 111-1).

Multiple permit pounds are common in the SOK fisheries especially in years when the GHL's are low. Combining permits on one pound lessens costs for the permit holders and also increases the amount of kelp a permit holder can use. Table 111-2 shows that in most years with smaller GHL's in both the Hoonah Sound and Craig fisheries many permit holders have combined their efforts on single pounds.

When the SOK fisheries were initially developing and were managed by Commissioner's permit, there was a permit stipulation that permit holders needed to be on site at all times when the pounds contained herring. The department was concerned that in a fishery with a small threshold and quota that permit holders should be available to take care of their pounds and captured live herring in the event of inclement weather or other problems developed while operating the pound. This stipulation was later dropped in favor of the pound operation definition in 5 AAC 27.185 (o) and (p). Since the board initiated new SOK fisheries, the limited entry permit program allows Northern Southeast permit holders to fish in either Section 13-C or Section 12-A, and the Southern Southeast permit holders to fish in either Section 3-B or District 7 during a season, but not both at once.

DEPARTMENT COMMENTS: The department OPPOSES this proposal. If adopted, this proposal would allow permit holders fishing multiple permit pounds to fish more pounds. The result could be an increase in the amount of herring harvested due to the potential for more pounds being used and more kelp being harvested. If the intent of the proposal is to operate in two fisheries simultaneously, then given the circumstances permit holders may at times have a difficult time with regulatory compliance with the management plan.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery. However, the exact effects this proposal could have are unknown.



**Table 111-1.**—Craig and Hoonah Sound SOK fisheries kelp allocation.

| Guideline Harvest Range (tons) | Single Permit Closed Pounds | Double Permit Closed Pounds | Triple Permit Closed Pounds | Single Permit Open Pounds  | Multiple Permit Open Pounds |
|--------------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|-----------------------------|
| <b>Craig</b>                   |                             |                             |                             |                            |                             |
| 200-599                        | 200 blades                  | 400 blades                  | 550 blades                  | 100 fronds or 1,000 blades | 300 fronds or 3,000 blades  |
| 600-799                        | 250 blades                  | 450 blades                  | 675 blades                  | 150 fronds or 1,500 blades | 450 fronds or 4,500 blades  |
| 800-999                        | 300 blades                  | 600 blades                  | 900 blades                  | 200 fronds or 2,000 blades | 600 fronds or 6,000 blades  |
| 1,000 or more                  | 350 blades                  | 750 blades                  | 1,125 blades                | 250 fronds or 2,500 blades | 750 fronds or 7,500 blades  |
| <b>Hoonah Sound</b>            |                             |                             |                             |                            |                             |
| 100-249                        | none                        | none                        | none                        | 60 fronds or 600 blades    | 60 fronds or 600 blades     |
| 250-399                        | 200 blades                  | 400 blades                  | 500 blades                  | 110 fronds or 1,100 blades | 110 fronds or 1,100 blades  |
| 400-599                        | 300 blades                  | 500 blades                  | 750 blades                  | 160 fronds or 1,600 blades | 160 fronds or 1,600 blades  |
| 600-799                        | 1,000 blades                | 1,000 blades                | 1,500 blades                | 230 fronds or 2,300 blades | 230 fronds or 2,300 blades  |
| 800 or more                    | 1,000 blades                | 1,000 blades                | 1,500 blades                | 300 fronds or 3,000 blades | 300 fronds or 3,000 blades  |

**Table 111-2.**—Craig and Hoonah Sound SOK fisheries seasonal GHL, permits making landings and pounds on the fishing grounds.

| Season    | Craig  |         |         | Hoonah Sound |            |         |
|-----------|--------|---------|---------|--------------|------------|---------|
|           | GHL**  | Permits | Pounds* | GHL          | Permits    | Pounds* |
| 1991-1992 | 403    | 227     | 248     | 150          | 108        | 120     |
| 1992-1993 | 240    | 21      | 209     | 150          | 64         | 115     |
| 1993-1994 | 135    | 84      | 147     | 150          | 110        | 123     |
| 1994-1995 | 109    | 146     | 159     | 150          | 125        | 132     |
| 1994-1995 | 100    | 154     | 162     | 0            | No Fishery |         |
| 1996-1997 | 200    | 143     | 119     | 1,400        | 125        | 130     |
| 1997-1998 | 500    | 148     | 112     | 700          | 115        | 115     |
| 1998-1999 | 650    | 103     | 70      | 778          | 86         | 96      |
| 1999-2000 | 280*** | 0       | 50      | 359          | 84         | 48      |
| 2000-2001 | 913    | 51      | 31      | 366          | 87         | 45      |
| 2001-2002 | 852    | 89      | 50      | 1,264        | 98         | 108     |
| 2002-2003 | 478    | 118     | 61      | 427          | 108        | 53      |
| 2003-2004 | 1,754  | 95      | 50      | 1,207        | 107        | 100     |
| 2004-2005 | 2,217  | 67      | 41      | 728          | 94         | 91      |

\*Number of pounds may be more than the number of permits harvesting SOK product because not all fishers were successful in getting herring into the pounds.

\*\*GHL includes the SOK share of the overall GHG plus any leftover bait quota.

\*\*\*Fishers were not able get herring in the pounds.

**PROPOSAL 112. PAGE: 78. 5 AAC 27.185(c)(d)(e). REGULATION TITLE: MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: ADF&G

WHAT WOULD THE PROPOSAL DO? The proposal clarifies that the kelp allocation is per permit holder.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.

(c) In Section 3-B, the kelp allocation is as follows:

Guideline Harvest Range for Herring (tons) ...

(d) In Section 13-C, the kelp allocation is as follows:

Guideline Harvest Range for Herring (tons) ...

(e) In District 7 and Section 12-A, the kelp allocation is as follows:

Guideline Harvest Range for Herring (tons) ...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would clarify the intent of the regulation that the kelp allocation is per permit holder. Clarification would result in less ADF&G staff time spent explaining the kelp allocations in multiple pound permits. Fishermen participating in this fishery would have less likelihood of misinterpreting the regulation resulting in them being better able to maximize their product when fishing a multiple-permit pound.

BACKGROUND: The Southeastern Alaska Spawn on Kelp (SOK) fishery first started in the early 1960's in the Craig Area. The first official SOK fishery was established in 1990 in Hoonah Sound. Since then, SOK fisheries have been established in Craig, Tenakee and Ernest Sound. The SOK fisheries are split into the Northern SOK fishery and the Southern SOK fishery. The southern SOK fishery is comprised of Craig and Ernest sound. The Northern SOK fishery is comprised of Hoonah Sound and Tenakee. In 1995 the fisheries were limited to entry. There are a total of 116 permits in the Northern SOK fishery, of which an average of 104 are actively fished. The Southern SOK fishery has a much larger number of permits with a total of 229 permits, but a much smaller percentage of the permits are actively fished with an average of 108 permits actively fished.

The department manages the fishery based on a division of kelp blades or fronds between permit holders. The department recognizes that kelp management alone has not been effective in limiting the harvest of herring and staying within the herring GHL set for the fishery. The department has attempted to rectify this problem by allowing the use of multiple-permit pounds thereby reducing the numbers of pounds on the grounds. This should lead to the reduction in the harvesting, impounding and the associated mortality of herring. The department's method of encouraging multiple permit pounds and open pounds has been a kelp incentive, that is allowing a greater number of kelp blades per permit holder for multiple permit pounds and open pounds.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this housekeeping proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 113. PAGE: 79. 5AAC 27.185 (k)(l)(m)(n)(o)(p)(q)(r)(s)(t)(u)(v)(w)(y)..**  
**REGULATION TITLE: MANAGEMENT PLAN FOR HERRING SPAWN ON**  
**KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: ADF&G

WHAT WOULD THE PROPOSAL DO? The proposal clarifies who is responsible for the operation of the pound or pound systems.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. Management plan for herring spawn on kelp in pounds in Sections 3-B, 12-A, and 13-C, and District 7.

(k) Before kelp or herring are added to a pound, a permit holder must plainly and legibly mark the person's first and last name and five-digit CFEC permit number in a conspicuous place on the pound so that the marking is clearly visible. The letters and numbers used to identify a pound must be at least six inches high with lines at least one-half inch wide and must contrast with the background. If a pound is being operated as a multiple-permit pound, the first and last names and five-digit CFEC permit numbers of all persons operating the pound must be placed on a single sign.

(l) A person using a tow pound for transporting herring to a closed pound must permanently affix a horizontal sign stating "Tow Pound" to the top surface of the tow pound. The letters must be at least six inches high with lines at least one-half inch wide and must contrast with the background. A person may introduce herring into a tow pound multiple times before transferring the herring to a SOK pound.

(m) A person may place the person's kelp in no more than one pound. Before kelp is introduced into a SOK pound, a person must store the kelp in a manner that prevents herring from spawning on the kelp.

(n) On a line or structure used to suspend kelp, a person shall affix a legible tag showing above the water surface that states the number of blades or fronds on that line or structure and that states the person's first and last name. In a multiple-permit pound, each person must keep that person's kelp on lines or structures separate from lines or structures that support kelp belonging to other permit holders.

(o) A person must be physically present at the person's pound fishing site during operation of the pound. For the purpose of this subsection, "operation of the pound" means...

(p) A person must be physically present when the person's herring SOK product produced in a pound is being sold.

(q) A person may transfer additional herring into a closed pound only until herring have been released or product has been harvested from the pound. After herring have been released or product has been harvested from a pound, a person using that pound may not fish for herring or add kelp to the pound. A person may not transfer herring into a pound after 11:59 p.m. on the fourth day following the first transfer of herring into the pound. If

the commissioner determines it is necessary for the conservation of herring stocks the commissioner may, by emergency order, restrict the placement of herring into pounds.

(r) Person's operating two separate closed pounds must notify the local representative of the department before connecting the person's pounds. No more than two pounds may be connected into a combined structure. After the person's have connected two pounds, the persons may not transfer additional herring into the combined pound. After two pounds are connected under this section, the persons may drop the wall between the pounds so that herring may swim between the connected pounds.

(s) A person may not retain herring in a closed pound for more than six days and must release the herring by 11:59 p.m. on the sixth day, with the first day being the day that herring are placed into the pound. When releasing herring, a person must lower at least one full side of a pound's webbing at least six feet below the surface of the water to allow herring to escape.

(t) After a person releases herring and harvests product from a pound, the person must maintain the pound and webbing in place for at least four weeks. To optimize hatching success, the person must position egg-covered webbing in its original configuration with adequate water circulation on all sides.

(u) A person must release all herring from a pound operated by that person. A person may not retain and use herring that has been introduced into a pound as bait for commercial use, sport use, personal use, or subsistence use.

(v) After notifying the department, a person may release herring from a closed pound and fish the pound as an open pound. All webbing on the closed pound must be removed. The person will not be entitled to additional kelp and may operate the pound only as an open pound for the remainder of the season.

(w) A person shall completely remove all pounds and associated equipment from the waters in ...

(y) SOK blades or fronds belonging to a person must be kept separate from SOK blades or fronds belonging to another person until all spawn on kelp from a pound has been weighed and graded.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would clarify that the permit holder is responsible for the operation of the pound or the pound systems. It would no longer need to be assumed that the "person" is the permit holder.

BACKGROUND: The Southeastern Alaska SOK fishery first started in the early 1960s in the Craig Area. The first official SOK fishery was established in 1990 in Hoonah Sound. Since then, SOK fisheries have been established in Craig, Tenakee and Ernest Sound. The SOK fisheries are split into the Northern SOK fishery and the Southern SOK fishery. The southern SOK fishery is comprised of Craig and Ernest sound. The Northern SOK fishery is comprised of Hoonah Sound and Tenakee. In 1995 the fisheries were

limited to entry. There are a total of 116 permits in the Northern SOK fishery, of which an average of 104 are actively fished. The Southern SOK fishery has a much larger number of permits with a total of 229 permits, but a much smaller percentage of the permits are actively fished with an average of 108 permits actively fished.

All permit holders involved in the operation of a pound, whether a single or multiple permit pound, must be physically present at their pound fishing site during the operation of the pound. Operation of the pound is defined as 1) when kelp is placed into the pound structure, 2) when herring is being captured and during the transfer of herring into a closed pound, 3) when an open pound is being moved, 4) when kelp product is being collected from the pound, and 5) when the SOK product produced in a pound is being sold.

For multiple permit closed pounds, all permit holders assigned to the pound must be present at their pound site when kelp and herring are introduced into the pound. If only one permit holder is present at this time then that pound must be operated for the remainder of the season as a single permit closed pound and no more than the number of blades of kelp allocated to a single closed pound may be harvested.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this housekeeping proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 114. XXX. PAGE: 78. 5 AAC 27.185(k). REGULATION TITLE: MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: ADF&G

WHAT WOULD THE PROPOSAL DO? The proposal requires the pounds to be marked by a vertical sign above the surface of the water. The proposal requires pounds to be marked at all times. The proposal requires net support systems to be marked at all times.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. Management plan for herring spawn on kelp in pounds in Sections 3-B, 12-A, and 13-C, and District 7.

(k) Before kelp or herring are added to a pound, a permit holder must plainly and legibly mark the person's first and last name and five-digit CFEC permit number in a conspicuous place on the pound so that the marking is clearly visible. The letters and numbers used to identify a pound must be at least six inches high with lines at least one-half inch wide and must contrast with the background. If a pound is being operated as a multiple-permit pound, the first and last names and five-digit CFEC permit numbers of all persons operating the pound must be placed on a single sign.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would allow for ADF&G, ABWE and others to readily determine permit holder(s) of pounds or pound systems. It would ensure that pounds are marked at all times even after product has been removed and herring have been released. The proposal also ensures that when fishers remove the pound structure to use in another fishery, the system they use to support the pound net will be marked until the net is removed from the water.

BACKGROUND: The Southeastern Alaska Spawn on Kelp (SOK) fishery first started in the early 1960's in the Craig Area. The first official SOK fishery was established in 1990 in Hoonah Sound. Since then, SOK fisheries have been established in Craig, Tenakee and Ernest Sound. The SOK fisheries are split into the Northern SOK fishery and the Southern SOK fishery. The southern SOK fishery is comprised of Craig and Ernest sound. The Northern SOK fishery is comprised of Hoonah Sound and Tenakee. In 1995 the fisheries were limited to entry. There are a total of 116 permits in the Northern SOK fishery, of which an average of 104 are actively fished. The Southern SOK fishery has a much larger number of permits with a total of 229 permits, but a much smaller percentage of the permits are actively fished with an average of 108 permits actively fished.

All permit holders involved in the operation of a pound, whether a single or multiple permit pound, must be physically present at their pound fishing site at all times during the operation of the pound. Operation of the pound is defined as 1) when kelp is placed into



the pound structure, 2) when herring is being captured and during the transfer of herring into a closed pound, 3) when an open pound is being moved, 4) when kelp product is being collected from the pound, and 5) when the SOK product produced in a pound is being sold. For multiple permit closed pounds, all permit holders assigned to the pound must be present at their pound site when kelp and herring are introduced into the pound. If only one permit holder is present at this time then that pound must be operated for the remainder of the season as a single permit closed pound and no more than the number of blades of kelp allocated to a single closed pound may be harvested.

The department has encountered problems with pounds being poorly marked. This has resulted in department or ABWE personnel having to maneuver close to herring pounds to determine the permit holder(s) of the pound. When pounds are full of herring, an approaching skiff can “spook” the herring resulting in a loss of SOK product or a reduction in the quality of SOK product.

In recent years there has been the opportunity to fish separate SOK fisheries within both the Southern and Northern SOK areas. Some fishers use only one pound structure for two or more fisheries. The timing of the fisheries are such that they have to leave the net behind in accordance to 5AAC 27.185(t) while taking the pound structure. The nets are supported by some sort of buoy or float system or by a system of logs. There have been cases of these net support systems not being clearly marked or marked at all. In some instances, support systems, which have not been marked, have never been recovered by the fisher.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in a substantial increase of direct cost for most persons to participate in this fishery. However, design and construction of existing web support systems vary greatly among pounders and it is conceivable that substantial costs could be incurred to build a structure that would support the web after the pound was removed.

**PROPOSAL 115, PAGE: 82. 5 AAC 27.185(t). REGULATION TITLE: MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C, AND DISTRICT 7.**

PROPOSED BY: ADF&G

WHAT WOULD THE PROPOSAL DO? The proposal clarifies that fishermen are allowed to remove the pound structure to be used in another fishery. It defines how the webbing left behind must be arranged. Finally it ensures that the web support system will be adequately marked.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.185. Management plan for herring spawn on kelp in pounds in Sections 3-B, 12-A, and 13-C, and District 7.

(t) After a person releases herring and harvests product from a pound, the person must maintain the pound and webbing in place for at least four weeks. To optimize hatching success, the person must position egg-covered webbing in its original configuration with adequate water circulation on all sides.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would clarify that pound structures can be removed and how nets left behind must be arranged and supported. The proposal would also ensure that the net support system is adequately marked making the net support system readily identifiable by ADF&G and ABWE personnel.

BACKGROUND: The Southeastern Alaska Spawn on Kelp (SOK) fishery first started in the early 1960s in the Craig Area. The first official SOK fishery was established in 1990 in Hoonah Sound. Since then, SOK fisheries have been established in Craig, Tenakee and Ernest Sound. The SOK fisheries are split into the Northern SOK fishery and the Southern SOK fishery. The southern SOK fishery is comprised of Craig and Ernest sound. The Northern SOK fishery is comprised of Hoonah Sound and Tenakee. In 1995 the fisheries were limited to entry. There are a total of 116 permits in the Northern SOK fishery, of which an average of 104 are actively fished. The Southern SOK fishery has a much larger number of permits with a total of 229 permits, but a much smaller percentage of the permits are actively fished with an average of 108 permits actively fished.

In recent years there has been the opportunity to fish separate SOK fisheries within both the Southern and Northern SOK areas. Some fishers use only one pound structure for two or more fisheries. The timing of the fisheries are such that they have to leave the net behind in accordance to 5AAC 27.185(t) while taking the pound structure. The nets have been supported by some sort of buoy or float system or by a system of logs. In some incidences the net support systems were not in the original size and configuration of the pound. The net support systems were either not originally set up that way or they were

improperly constructed so they collapsed in on themselves. Without the nets being properly spread out, the hatching success could be greatly reduced. There have been cases of these net support systems not being clearly marked or marked at all. In some incidences, support systems that have not been marked, have never been recovered by the fisher.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal.

COST STATEMENT: The department does not believe that adoption of this proposal will result in a substantial increase in direct cost for a private person to participate in this fishery. However, design and construction of existing web support systems vary greatly among pounders and it is conceivable that substantial costs could be incurred to build a structure that would support the web after the pound was removed.

**PROPOSAL 116, PAGE 83. 5 AAC 27.187. BUYER AND PROCESSORS REPORTING REQUIREMENTS FOR SPAWN ON KELP IN POUNDS FOR THE SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: ADF&G

WHAT WOULD THE PROPOSAL DO? This proposal will correct an inadvertent omission in regulations pertaining to the two herring SOK fisheries created by the Board in 2003. This proposal would amend the existing regulation so that 5 AAC 27.187 (a) would read: In Sections 3-B, **7-B, 12-A**, and 13-C.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 27.187. BUYER AND PROCESSORS REPORTING REQUIREMENTS FOR SPAWN ON KELP IN POUNDS FOR THE SOUTHEASTERN ALASKA AREA

(a) In Sections 3-B and 13-C

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If this proposal is adopted, regulations pertaining to the reporting requirements for SOK fisheries will be consistent throughout the region, and the department will receive the information necessary to properly manage the two recently created fisheries.

BACKGROUND: In 2003 the Board created the 7-B and 12-A SOK fisheries with the intent that they should have the same reporting requirements as the existing SOK

fisheries in 3-B and 13-C. The amendment of 5AAC 27.187(a) was overlooked at that time.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal. Having the reporting requirements consistent for all the SOK herring fisheries in the regions will aid ABWE and department personnel monitoring and managing these fisheries. This proposal is considered to be housekeeping.

COST STATEMENT: The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 117. PAGE 83. 5 AAC 27.132. SEINE SPECIFICATIONS AND OPERATIONS FOR SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Craig Shoemaker, Troy Denkinger, Don Kalk, Tim Ryan

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation limiting the depth of a herring purse seine in Area 12-A, from 1,700 meshes to 2,125 meshes, and it would give the department the authority to annually determine the maximum depth of herring purse seines in meshes in Section 12-A by emergency order.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 27.132. SEINE SPECIFICATIONS AND OPERATIONS FOR SOUTHEASTERN ALASKA AREA. (a) A herring purse seine may not be more than 200 fathoms in length.

(b) A herring purse seine may not be more than 1,700 meshes in depth.

5 AAC 27.110. FISHING SEASONS FOR SOUTHEASTERN ALASKA AREA. (a) Herring may be taken from October 1 through February 28 (winter food and bait fishery), only during periods established by emergency order, in the following Districts and Sections: 1-10, 11-B, 11-C, 12, 13-A, 13-B south of the latitude of Aspid Cape (56°41.75' N. lat.), 14, 15-A, and 16 except for locations within those districts set out in (b) of this section.

5 AAC 27.179. PERMITS FOR WINTER FOOD AND BAIT HERRING FISHERY IN SOUTHEASTERN ALASKA. (a) The owner or operator of a vessel used in the winter food and bait herring fishery must obtain a permit issued by the commissioner...

5 AAC 27.185. MANAGEMENT PLAN FOR HERRING SPAWN ON KELP IN POUNDS IN SECTIONS 3-B, 12-A, AND 13-C AND DISTRICT 7. (e) In District 7 and Section 12-A, the kelp allocation is as follows: Guideline Harvest Range for Herring in tons, ...

(j) In Section 12-A, the harvest limit for the SOK pound fishery is the amount of any annual GHL for the Tenakee Inlet herring stock that is not harvested by the bait fisheries. If the unharvested portion of the GHL is less than 50 tons, there will be no SOK pound fishery.

5 AAC 27.160. QUOTAS AND GHLS FOR SOUTHEASTERN ALASKA AREA. (b) The herring harvest quota for bait pound operations is as follows: ... (7) District 12: 10 percent of the GHL for the Tenakee Inlet stock; the harvest quota for the winter food and

bait fishery is 90 percent of that GHL; if there are no active herring bait pound permits issued by March 15 of a year, the unharvested remainder of that GHL will be allocated to the herring SOK fishery; after the SOK pound fishery in District 12 is closed, any remaining unharvested portion of that GHL will be allocated to the pound fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would most likely increase set sizes, catch rates and the likelihood of harvesting the GHL available for winter bait in Section 12-A (Tenakee Inlet). To the extent that the GHL for the Tenakee Inlet herring stock is utilized in the conduct of the winter bait fishery, the GHL remaining for the SOK and the bait pound fisheries may be reduced or not available.

Due to an increased risk of herring mortality that may be associated with larger sets, the department would need to directly observe the fishery to ensure the GHL is not exceeded and to consider whether to allow the use of larger size nets by emergency order.

BACKGROUND: Seine specifications for herring purse seine fisheries vary statewide. Regulations in Southeast Alaska allow the largest net, both in length and depth. Herring seines were not restricted in depth until 1974 when the Board regulated purse seines to the present dimensions of 200 fathoms in length and 1,700 meshes in depth in Southeast Alaska.

Tenakee Inlet has been managed as a winter food and bait fishery since the 1978/79 season, when minimum threshold levels were implemented. Since the 1982/83 season the winter food/bait fishery has averaged an annual harvest of 804 tons (table 117-1). As many as 21 and as few as 2 permit holders have participated in this fishery, with an average of 9 permit holders. There was no fishery for the six years between the 1990/91 season and the 1995/96 season when the herring biomass was forecasts to be below the minimal threshold level of 3,000 tons required to allow a commercial fishery. From the 1996/97 to the 2004/05 season, the Tenakee herring spawning biomass has been above threshold but the average GHL and harvest has been less than the historic average. During the past two seasons, in spite of repeated efforts, the harvest of food and bait herring in Tenakee Inlet has been insignificant. This lack of success attributed by fishermen to the behavior of the herring, which have stayed deep in the water column and out of the reach of the seine gear. Tenakee Inlet herring stocks are preferred as bait by fishermen and processors in the northern Southeast Alaska area, due to their generally large size and the proximity of Tenakee Inlet to processing plants in Sitka and Juneau. In the past two seasons processors have acquired bait herring from other existing bait herring fisheries in Southeast Alaska. No fishery will occur in the 2005/06 season because the spawning biomass forecast is below the minimum threshold level.

DEPARTMENT COMMENTS: The department is NEUTRAL with regard to the allocative nature of this proposal. Proposals 84 and 87 are closely related to this proposal relative to gaining increased access to the Tenakee Inlet herring stock GHL for the SOK fishery.

At low GHLS the department has concerns with its ability to adequately manage this fishery given the uncertainties of gear performance, the expected increase of catch rates, and potential for increased mortality while handling large sets. In order to gain experience with the characteristics of this larger gear, and to effectively exercise emergency order authority, the department would need to directly observe and manage the fishery to ensure that the GHL is not exceeded.

COST STATEMENT: Bait herring seiners in Tenakee Inlet would potentially have the extra cost associated with deepening their seines if they want to utilize the maximum allowable depth. Managing the Tenakee Inlet winter food and bait fishery would involve some increased logistic and support costs for the department to evaluate harvests using the more liberal gear. The department would need to provide on the grounds management at least for the first few years and possibly longer depending on how many permit holders participate in this fishery.

**Table 117-1.**—Historical Tenakee Inlet commercial herring GHL, harvest, and effort 1982-2005.

| Season  | Food and Bait   |                |         | Bait Pound |                |         | Spawn on Kelp |                         |                   |         |
|---------|-----------------|----------------|---------|------------|----------------|---------|---------------|-------------------------|-------------------|---------|
|         | GHL (tons)      | Harvest (tons) | Permits | GHL        | Harvest (tons) | Permits | GHL           | Herring Utilized (tons) | SOK Product (lbs) | Permits |
| 1982-83 | 875             | 749            | 7       |            |                |         |               |                         |                   |         |
| 1983-84 | 850             | 619            | 8       |            |                |         |               |                         |                   |         |
| 1984-85 | 1,400           | 1,406          | 16      |            |                |         |               |                         |                   |         |
| 1985-86 | 1,700           | 2,040          | 17      |            |                |         |               |                         |                   |         |
| 1986-87 | 800             | 1,275          | 16      |            |                |         |               |                         |                   |         |
| 1987-88 | 1,450           | 1,577          | 21      |            |                |         |               |                         |                   |         |
| 1988-89 | 720             | 655            | 11      |            |                |         |               |                         |                   |         |
| 1989-90 | 650             | 595            | 16      |            |                |         |               |                         |                   |         |
| 1990-91 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1991-92 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1992-93 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1993-94 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1994-95 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1995-96 | below threshold | --             | --      |            |                |         |               |                         |                   |         |
| 1996-97 | 300             | 98             | 3       |            |                |         |               |                         |                   |         |
| 1997-98 | 825             | 586            | 5       |            |                |         |               |                         |                   |         |
| 1998-99 | 1,023           | 835            | 5       |            |                |         |               |                         |                   |         |
| 1999-00 | 542             | 494            | 4       |            |                |         |               |                         |                   |         |
| 2000-01 | 906             | 775            | 5       |            |                |         |               |                         |                   |         |
| 2001-02 | 840             | 355            | 4       |            |                |         |               |                         |                   |         |
| 2002-03 | 528             | ***            | ***     |            |                |         | 140           | 240                     | 95,110            | 59      |
| 2003-04 | 360             | ***            | ***     | 40         | 0              | 1       | 347           | 410*                    | 201,400*          | 85      |
| 2004-05 | 428             | 0              | 0       | 48         | 0              |         | 476           | 460*                    | 202,832*          | 91      |
| Average | 835             | 804            | 9       | 44         | 0              |         | 321           | 240                     | 95,110            | 78      |

\*\*\*confidential, less than 3 permits participating

\*includes ADF&G test pounds



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## All Gear Allocation

### **PROPOSAL 136, PAGE 98. 5 AAC 29.060(b)(5). GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON.**

PROPOSED BY: Jim Roesch

WHAT WOULD THE PROPOSAL DO? This proposal would reallocate the harvests of king salmon in the commercial troll and sport fisheries to 50% troll and 50% sport.

#### WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATIONS OF KING SALMON.

(b) the department shall manage the sport and commercial net and troll fisheries in accordance with the annual harvest ceiling established by the Pacific Salmon Commission. The annual harvest allocation of the annual harvest ceiling for each fishery is as follows:

- (1) purse seine fishery: 4.3 percent of the annual harvest ceiling;
- (2) drift gillnet fishery: 7,600 king salmon;
- (3) set gillnet: 1,000 king salmon
- (4) troll fishery: 80 percent, after the net fishery allocations in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;
- (5) sport fishery: 20 percent, after the net fishery allocations in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted the commercial troll and sport fishery allocations of Treaty king salmon would become equal. The troll fishery allocation would be reduced by 37.5% and the sport fishery allocation would increase by 150%. As a way to gauge the magnitude of this proposal, had the 50:50 allocation been in place since the signing of the '99 Agreement, the cumulative troll fishery king salmon target harvests (based on the pre-season Abundance Index) would have been reduced by 583,400 and the sport fishery target harvest would have increased by the same amount (Table 136-1).

Four possible scenarios of the effects on the summer troll fishery under the proposed allocation schedule and using 1999-2004 catch data are presented in Table 136-2. The effects on the summer fishery only are presented due to the likelihood that the summer coho troll fishery would continue under the proposed allocation regime.

Increasing the sport allocation by 150% without changing management guidelines in the SE King Salmon Management Plan (5AAC 47.055) would eliminate harvest overages that are projected to occur at abundance indices below 1.2. However, even with substantially liberalized sport regulations (resident bag limit 3 fish, nonresident bag limit 2 fish, and no annual limit) the sport fishery is project to harvest only between 19% and 35% of the combined troll/sport allocation.

BACKGROUND: The Pacific Salmon Treaty (PST) was signed in 1985 and established multi-species harvest sharing arrangements between the United States and Canada and king salmon quotas/harvest ceilings for each country. In 1998 the Treaty was re-negotiated and a 10-year agreement was signed ('99 Agreement) that replaced the fixed king salmon quota in the 1985 agreement with an aggregate abundance management regime (AABM) for the SEAK king salmon fisheries.

Prior to 1987 there were no king salmon allocations by gear type in Southeastern Alaska. In 1987 the net fisheries were allocated 20,000 kings and the troll fishery was allocated the remainder. In 1992, the troll and sport fishery allocations were established at 83% and 17%, respectively. In 1994, the sport fishery was placed on an annual increasing allocation schedule beginning in 1994 at 18%, increasing to 19% in 1995 and has remained at 20% since 1996. Historical allocations and catches of PST governed king salmon and deviations from allocations by gear type are presented in Table 136-3.

Under the current Southeast King Salmon Management plan (5 AAC 47.055) the sport fishery has been unable to harvest its 20% allocation during years of high abundance. During years of low abundance it is estimated that the sport fishery would harvest approximately 24% of the sport/troll quota under the current plan. The Southeast King Salmon Management Plan does not specify whether cumulative harvest tracking is based on the pre versus post-season abundance index. Based on the pre-season index, sport harvests estimated for 1999 thru 2005, equate to 18.4% of the combined sport/troll allocation, and the combined sport underage is 31,362. Sport overages occurred in three years of low Chinook abundance (1999 - 2001) and sport underages occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index (the Abundance Index that measures actual compliance with the PST) and the latest harvest updates, the sport fishery harvested an average of 17.5% of the combined sport/troll quota during 1999-2004 and the sport underage during this period was 43,411 fish (Table 136-3).

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal. The department would suggest that allocations should be set at achievable levels and that regulations should be structured to achieve the allocations.

If this proposal is adopted the department would request extensive Board direction on how the troll and sport fisheries would be managed and, because the commercial troll and sport fisheries would be drastically altered, the following regulations would also need to either be significantly amended or repealed:

5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS;

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY;

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES;

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY;

5 AAC 29.110. MANAGEMENT OF THE COHO SALMON TROLL FISHERY.

5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

This proposal would also likely affect:

5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.

In addition, adoption of this proposal would likely shift troll catches entirely into the spring/summer period in order to allow the coho harvest to continue, and to limit the incidental mortalities resulting from any increase in king salmon non-retention periods. However, even allowing for the coho fishery, it is highly likely that the number of king salmon non-retention days would increase and the entire troll fishery would need to be closed for various periods to avoid increasing mortalities above the 1999 level as per Chapter 3 of the PST. More extensive summer closures would also significantly reduce coho salmon harvest opportunities by the troll fleet. A seasonal shift and the additional sport fish harvests would probably also change the Treaty stock mix. The long-term affects of such a shift and the resultant change in incidental mortality would need to be assessed.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 136-1.**—Sport and commercial troll fishery king salmon pre-season allocations that existed under the current allocation regime, that would have existed had the proposed allocation regime been in effect, and the increases and decreases in target harvests for each gear resulting from the proposed allocation change using 1999-2005 data.

| <b>Current 20:80 Allocation</b>           |                |                  |
|---|----------------|------------------|
|   | <b>Sport</b>   | <b>Troll</b>     |
| 1999                                      | 35,182         | 140,728          |
| 2000                                      | 34,627         | 138,507          |
| 2001                                      | 34,627         | 138,507          |
| 2002                                      | 66,514         | 266,056          |
| 2003                                      | 68,332         | 273,330          |
| 2004                                      | 71,689         | 286,755          |
| 2005                                      | 78,000         | 311,900          |
| <b>Totals</b>                             | <b>388,971</b> | <b>1,555,784</b> |
| <b>Proposed 50:50 Allocation</b>          |                |                  |
|   | <b>Sport</b>   | <b>Troll</b>     |
| 1999                                      | 87,955         | 87,955           |
| 2000                                      | 86,567         | 86,567           |
| 2001                                      | 86,567         | 86,567           |
| 2002                                      | 166,285        | 166,285          |
| 2003                                      | 170,831        | 170,831          |
| 2004                                      | 179,222        | 179,222          |
| 2005                                      | 194,950        | 194,950          |
| <b>Totals</b>                             | <b>972,377</b> | <b>972,377</b>   |
| <b>Target Harvest Increases/Decreases</b> |                |                  |
|   | <b>Sport</b>   | <b>Troll</b>     |
| 1999                                      | 52,773         | -52,773          |
| 2000                                      | 51,940         | -51,940          |
| 2001                                      | 51,940         | -51,940          |
| 2002                                      | 99,771         | -99,771          |
| 2003                                      | 102,499        | -102,499         |
| 2004                                      | 107,533        | -107,533         |
| 2005                                      | 116,950        | -116,950         |
| <b>Totals</b>                             | <b>583,406</b> | <b>-583,406</b>  |

**Table 136-2.**—The number of king salmon that would be available for the summer troll fishery under four scenarios allowing for winter, spring or summer only fisheries using the proposed 50:50 sport/troll allocation and 1999-2004 catch data.

|      | <b>Allow Winter and Spring Fisheries</b> | <b>Remainder For Summer</b> | <b>Summer Reduction</b> | <b>% Summer Reduction</b> |  |
|------|--|-----------------------------|-------------------------|---------------------------|--|
| 1999 | 40,969                                   | 46,986                      | -44,706                 | -49%                      |  |
| 2000 | 45,540                                   | 41,027                      | -47,254                 | -54%                      |  |
| 2001 | 37,289                                   | 49,278                      | -41,966                 | -46%                      |  |
| 2002 | 50,999                                   | 115,286                     | -131,668                | -53%                      |  |
| 2003 | 72,891                                   | 97,940                      | -136,332                | -58%                      |  |
| 2004 | 82,759                                   | 96,463                      | -139,965                | -59%                      |  |
|      | <b>Allow Winter Fishery</b>              | <b>Remainder For Summer</b> | <b>Summer Reduction</b> | <b>% Summer Reduction</b> |  |
| 1999 | 29,318                                   | 58,637                      | -33,055                 | -36%                      |  |
| 2000 | 33,599                                   | 52,968                      | -35,313                 | -40%                      |  |
| 2001 | 20,287                                   | 66,280                      | -24,964                 | -27%                      |  |
| 2002 | 27,770                                   | 138,515                     | -108,439                | -44%                      |  |
| 2003 | 47,263                                   | 123,568                     | -110,704                | -47%                      |  |
| 2004 | 44,900                                   | 134,322                     | -102,106                | -43%                      |  |
|      | <b>Allow Spring Fishery</b>              | <b>Remainder For Summer</b> | <b>Summer Reduction</b> | <b>% Summer Reduction</b> |  |
| 1999 | 11,651                                   | 76,304                      | -11,651                 | -13%                      |  |
| 2000 | 11,941                                   | 39,999                      | -46,568                 | -53%                      |  |
| 2001 | 17,002                                   | 34,938                      | -51,629                 | -57%                      |  |
| 2002 | 23,229                                   | 76,542                      | -89,743                 | -36%                      |  |
| 2003 | 25,628                                   | 76,871                      | -93,960                 | -40%                      |  |
| 2004 | 37,859                                   | 69,674                      | -109,548                | -46%                      |  |
|      | <b>Allow A Summer Fishery Only</b>       | <b>Troll Quota</b>          | <b>Summer Reduction</b> | <b>% Summer Reduction</b> | <b>Potential Increase In King Non-Retention Days</b> |
| 1999 | 91,692                                   | 87,955                      | -3,737                  | -4%                       | 3  |
| 2000 | 88,281                                   | 86,567                      | -1,714                  | -2%                       | 0  |
| 2001 | 91,244                                   | 86,567                      | -4,677                  | -5%                       | 0  |
| 2002 | 246,954                                  | 166,285                     | -80,669                 | -33%                      | 24   |
| 2003 | 234,272                                  | 170,831                     | -63,441                 | -27%                      | 11   |
| 2004 | 236,428                                  | 179,222                     | -57,206                 | -24%                      | 6  |

**Table 136-3.**—Catches of treaty king salmon, allocations by gear type and deviations from the final allocations based on the post-season Abundance Indexes, 1999 to 2004.

| Year                 | Treaty Catch |         |         | Total Treaty Catch | Allocation |         |         | Total Treaty Quota | Deviation From Allocation |         |         |
|----------------------|--------------|---------|---------|--------------------|------------|---------|---------|--------------------|---------------------------|---------|---------|
|                      | Troll        | Net     | Spot    |                    | Troll      | Net     | Spot    |                    | Troll                     | Net     | Spot    |
| 1999                 | 132,741      | 12,943  | 53,158  | 198,842            | 134,116    | 16,519  | 33,529  | 184,164            | -1,375                    | -3,576  | 19,629  |
| 2000                 | 133,963      | 11,091  | 41,439  | 186,493            | 129,780    | 16,276  | 32,445  | 178,500            | 4,183                     | -5,185  | 8,994   |
| 2001                 | 128,692      | 13,502  | 44,725  | 186,919            | 184,718    | 19,361  | 46,180  | 250,259            | -56,026                   | -5,859  | -1,454  |
| 2002                 | 298,132      | 13,497  | 45,504  | 357,133            | 277,872    | 24,593  | 69,468  | 371,933            | 20,260                    | -11,036 | -23,964 |
| 2003                 | 307,380      | 23,534  | 49,239  | 380,152            | 320,805    | 27,004  | 80,201  | 428,011            | -13,426                   | -3,471  | -30,962 |
| 2004                 | 321,940      | 40,443  | 66,391  | 428,773            | 313,473    | 26,593  | 78,368  | 418,434            | 8,467                     | 13,850  | -11,977 |
| Average 1999-2004    | 220,475      | 19,168  | 50,076  | 289,719            | 226,794    | 21,724  | 56,699  | 305,217            | -6,319                    | -2,556  | -6,623  |
| Cumulative 1999-2004 | 1,322,847    | 115,009 | 300,466 | 1,738,312          | 1,360,764  | 130,346 | 340,191 | 1,831,301          | -37,917                   | -15,337 | -39,735 |



**PROPOSAL 137. PAGE 97. 5 AAC 29.060 (b). ALLOCATION OF KING SALMON IN THE SOUTHEASTERN-YAKUTAT ALASKA AREA.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO? Proposal 137 would change the allocation of king salmon to the gillnet gear group from a fixed number to a number based on the abundance of king salmon for a given year.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON.

(a) The department shall manage the commercial and sport king salmon fisheries in the Southeastern Alaska-Yakutat Area in accordance with the conservation and harvest goals of the Pacific Salmon Treaty, as implemented by the Pacific Salmon Commission.

(b) The department shall manage the sport and commercial net and troll fisheries in accordance with the annual harvest ceiling established by the Pacific Salmon Commission. The annual harvest ceiling for each fishery is as follows:

(1) purse seine fishery: 4.3 percent of the annual harvest ceiling;

(2) drift gillnet fishery: 7,600 king salmon;

(3) set gillnet fishery: 1,000 king salmon;

(4) troll fishery: 80 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling;

(5) sport fishery: 20 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling;

(c) When computing the harvest allocation under this section, the department shall take into consideration that the Pacific Salmon Commission's annual harvest ceiling includes a pre-treaty base level of 5,000 Alaska hatchery-produced king salmon and the risk factor for computing the Alaska hatchery contribution. Alaska-hatchery produced king salmon above the 5,000 fish base and the risk factor are excluded from the annual harvest ceiling. In determining each fisheries allocation of the Pacific Salmon Commission's harvest ceiling, the department shall apportion the risk factor for computing the Alaska hatchery contribution and the 5,000 fish base into components for each fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If implemented, Proposal 135 would change the allocation of king salmon to the drift gillnet fishery from a fixed amount to an amount based on the abundance of king salmon for a given year. In years when the Abundance Index (AI) is below 1.35 the annual king salmon harvest ceiling will be below the current fixed level of 7,600. In years when the abundance index is above 1.35 the annual harvest ceiling will be above the current fixed level of 7,600. When managing drift gillnet fisheries in Southeastern Alaska at low AIs,

the department may need take action by emergency order authority to reduce fishing time, close areas, or preclude night fishing in order to remain below the harvest ceiling. As an example, if the AI is 1.0 the allowable harvest would 150,000 fish. At 2.9%, based on the amount suggested in Proposal 137, the corresponding drift gillnet harvest ceiling would be 4,350 fish. At 2.7%, based on historical drift gillnet treaty fish harvests compared with the all gear quota (Table 137-1), the corresponding drift gillnet harvest ceiling would be 4,050 fish. Although harvest ceilings may increase above the current level at higher AI's, the fishery would continue to be managed to harvest target species during usual time periods within the season. The king salmon ceilings represent upper limits to provide for king salmon harvests in the drift gillnet fisheries, and do not represent king salmon harvest levels in the sense of a quota or target amount to be harvested.

**BACKGROUND:** In 1985 the Pacific Salmon Commission (PSC) allocated a fixed ceiling of king salmon to Southeast Alaskan fisheries. At that time, fixed ceilings were established for all of the different gear groups. Since that time the PSC has moved to abundance based management, allocating a percentage of the projected return to fisheries. This proposal will change the management approach for drift gillnet to the same system used by the other gear groups.

During the 1985-1996 period, the drift gillnet harvest percentage of the all gear quota exceeded 2.7% five years out of 12 years (Table 137-1). Examples of what the harvest ceiling for the drift gillnet fishery would have been from 1999-2004 is shown in Table 137-2. For comparative purposes, the basis of the purse seine gear group's harvest ceiling allocation is shown in Table 137-3.

**DEPARTMENT COMMENTS:** This is NEUTRAL on this allocative proposal.

Of the different gear groups in Southeastern Alaska and Yakutat areas, only the drift gillnet and set gillnet gear groups have fixed allocations of salmon. The Pacific Salmon Commission has moved to abundance-based allocations, and the purse seine, troll and sport fishing groups all use abundance-based allocations. Whether 7,600 king salmon, or a percentage, is allocated to the drift gillnet fishery, the department points out that this number is a "ceiling" to provide for the fishery under the treaty, and is not a target harvest level.

If this proposal is adopted the set gillnet gear group would continue to have a fixed harvest ceiling.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 137-1:**–Drift Gillnet treaty harvest of king salmon in numbers of fish and all gear quotas, 1985-2004.

| <b>Drift Gillnet</b> |                                   |                         |                       |  |  |
|----------------------|-----------------------------------|-------------------------|-----------------------|--|--|
| <b>Year</b>          | <b>Drift Gillnet (DN) Harvest</b> | <b>All-Gear Harvest</b> | <b>All-Gear Quota</b> | <b>DN Harvest as % Of All-Gear Quota</b> | <b>DN Harvest as % Of All-Gear Harvest</b> |
| 1985                 | 10,210                            | 263,000                 | 268,239               | 3.9%                                     | 3.8%                                       |
| 1986                 | 7,466                             | 263,000                 | 271,262               | 2.8%                                     | 2.8%                                       |
| 1987                 | 7,013                             | 263,000                 | 265,323               | 2.7%                                     | 2.6%                                       |
| 1988                 | 5,025                             | 263,000                 | 256,787               | 1.9%                                     | 2.0%                                       |
| 1989                 | 6,324                             | 263,000                 | 269,522               | 2.4%                                     | 2.3%                                       |
| 1990                 | 6,319                             | 302,000                 | 320,996               | 2.1%                                     | 2.0%                                       |
| 1991                 | 7,475                             | 273,000                 | 297,986               | 2.7%                                     | 2.5%                                       |
| 1992                 | 4,482                             | 227,400                 | 221,980               | 2.0%                                     | 2.0%                                       |
| 1993                 | 8,007                             | 263,000                 | 271,193               | 3.0%                                     | 3.0%                                       |
| 1994                 | 6,377                             | 240,000                 | 235,165               | 2.7%                                     | 2.7%                                       |
| 1995                 | 6,480                             | 176,939                 | 176,939               | 3.7%                                     | 3.7%                                       |
| 1996                 | 4,347                             | 147,500                 | 154,997               | 2.9%                                     | 2.8%                                       |
| <b>85-96 Average</b> | <b>6,627</b>                      |                         |                       | <b>2.7%</b>                              | <b>2.7%</b>                                |
| 1997                 | 5,055                             |                         | 289,500               |  | 1.7%                                       |
| 1998                 | 2,852                             |                         | 260,000               |  | 1.1%                                       |
| 1999                 | 4,436                             | 192,800                 | 184,200               | 2.3%                                     | 2.4%                                       |
| 2000                 | 2,834                             | 189,900                 | 178,500               | 1.5%                                     | 1.6%                                       |
| 2001                 | 4,400                             | 189,900                 | 250,300               | 2.3%                                     | 1.8%                                       |
| 2002                 | 4,692                             | 356,500                 | 371,900               | 1.3%                                     | 1.3%                                       |
| 2003                 | 3,634                             | 366,000                 | 439,600               | 1.0%                                     | 0.8%                                       |
| 2004                 | 9,387                             | 383,500                 | 426,077               | 2.4%                                     | 2.2%                                       |
| <b>97-04 Average</b> | <b>4,661</b>                      |                         |                       | <b>1.8%</b>                              | <b>1.7%</b>                                |

**Table 137-2:**—Allowable drift gillnet harvest of king salmon if the suggested 2.9% allocation had been in effect for 1999-2004.

| Year              | Allocation   |
|-------------------|--------------|
| 1999              | 5,591        |
| 2000              | 5,507        |
| 2001              | 5,507        |
| 2002              | 10,339       |
| 2003              | 10,614       |
| 2004              | 11,122       |
| <b>99-04 Avg.</b> | <b>8,113</b> |

**Table 137-3.**—Purse Seine harvest of king salmon in fish since 1985.

| <b>Purse Seine</b>   |               |                                      |  |
|----------------------|---------------|--------------------------------------|--|
|                      | PS Harvest    | PS Harvest as % Of<br>All-Gear Quota | PS Harvest as % Of<br>All-Gear Harvest |
| 1985                 | 21,474        | 8.2%                                 | 8.0%                                   |
| 1986                 | 11,553        | 4.4%                                 | 4.3%                                   |
| 1987                 | 4,364         | 1.7%                                 | 1.6%                                   |
| 1988                 | 10,851        | 4.1%                                 | 4.2%                                   |
| 1989                 | 11,192        | 4.3%                                 | 4.2%                                   |
| 1990                 | 8,838         | 2.9%                                 | 2.8%                                   |
| 1991                 | 10,240        | 3.8%                                 | 3.4%                                   |
| 1992                 | 16,965        | 7.5%                                 | 7.6%                                   |
| 1993                 | 6,730         | 2.6%                                 | 2.5%                                   |
| 1994                 | 12,242        | 5.1%                                 | 5.2%                                   |
| 1995                 | 10,438        | 5.9%                                 | 5.9%                                   |
| 1996                 | 1,909         | 1.3%                                 | 1.2%                                   |
| <b>85-96 Average</b> | <b>10,566</b> | <b>4.3%</b>                          | <b>4.2%</b>                            |
| 1997                 | 4,183         |                                      | 1.4%                                   |
| 1998                 | 8,518         |                                      | 3.3%                                   |
| 1999                 | 5,968         | 3.1%                                 | 3.2%                                   |
| 2000                 | 4,587         | 2.4%                                 | 2.6%                                   |
| 2001                 | 5,498         | 2.9%                                 | 2.2%                                   |
| 2002                 | 6,144         | 1.7%                                 | 1.7%                                   |
| 2003                 | 17,264        | 4.7%                                 | 3.9%                                   |
| 2004                 | 28,763        | 7.5%                                 | 6.8%                                   |
| <b>97-04 Average</b> | <b>10,116</b> | <b>3.7%</b>                          | <b>3.4%</b>                            |

**PROPOSAL 138. PAGE 98. 5 AAC 29.060(b)(5). GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON.**

PROPOSED BY: Sitka Charter Boat Operators Association

WHAT WOULD THE PROPOSAL DO? This proposal would reallocate the harvests of king salmon in the commercial troll and sport fisheries to 70% troll and 30% sport.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATIONS OF KING SALMON.

(b) the department shall manage the sport and commercial net and troll fisheries in accordance with the annual harvest ceiling established by the Pacific Salmon Commission. The annual harvest allocation of the annual harvest ceiling for each fishery is as follows:

- (6) purse seine fishery: 4.3 percent of the annual harvest ceiling;
- (7) drift gillnet fishery: 7,600 king salmon;
- (8) set gillnet: 1,000 king salmon
- (9) troll fishery: 80 percent, after the net fishery allocations in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;
- (10) sport fishery: 20 percent, after the net fishery allocations in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted the commercial troll fishery allocation would be reduced by 12.5% and the sport fishery allocation would increase by 50%. As a way to gauge the magnitude of this proposal, had the proposed 70:30 allocation been in place since the signing of the '99 Agreement, the cumulative troll fishery king salmon target harvests (based on the pre-season Abundance Index) would have been reduced by 194,455 fish and the sport fishery target harvest would have increased by the same amount (Table 138-1).

If the proposed allocation change had been in place since 1999, it could have resulted in an increase in the troll fishery king salmon non-retention days during the summer fishery from 1 to 11 days (Table 138-2). Any increase in king salmon non-retention days would also increase the estimated total mortality resulting from the catch and release of king salmon during the summer coho fishery. In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. In order to comply with the intent of

this provision, if this proposal was adopted, downward adjustments in incidental mortality would have to be made in other aspects of the troll fishery management plan to compensate for this increase. That compensation would likely be additional closure days during the coho fishery.

Increasing the sport allocation by 50% without changing management guidelines in the SE King Salmon Management Plan (5AAC 47.055) would eliminate harvest overages that are projected to occur at abundance indices below 1.2. At abundance indices above 1.2, even with substantially liberalized regulations (resident bag limit 3 fish, nonresident bag limit 2 fish, and no annual limit for nonresidents) the sport fishery would harvest only between 22 and 28 percent of the combined troll/sport allocation. At abundance indices below 1.2 the sport fishery could harvest an allocation of 30% if bag and annual limits are increased.

BACKGROUND: The Pacific Salmon Treaty (PST) was signed in 1985 and established multi-species harvest sharing arrangements between the United States and Canada and king salmon quotas/harvest ceilings for each country. In 1998 the Treaty was re-negotiated and a 10-year agreement was signed ('99 Agreement) that replaced the fixed king salmon quota in the 1985 agreement with an aggregate abundance management regime (AABM) for the SEAK king salmon fisheries.

Prior to 1987 there were no king salmon allocations by gear type in Southeastern Alaska. In 1987 the net fisheries were allocated 20,000 kings and the troll fishery was allocated the remainder. In 1992, the troll and sport fishery allocations were established at 83% and 17%, respectively. In 1994, the sport fishery was placed on an annual increasing allocation schedule beginning in 1994 at 18%, increasing to 19% in 1995 and has remained at 20% since 1996. Historical allocations and catches of PST governed king salmon and deviations from allocations by gear type are presented in Table 138-3 (these allocations and deviations are based on the first post-season calibrations of the Abundance Indexes.)

Under the current Southeast King Salmon Management plan (5 AAC 47.055) the sport fishery has been unable to harvest its 20% allocation during years of high abundance. During years of low abundance (below 1.1) it is estimated that the sport fishery would harvest from 23 to 26 percent of the sport/troll quota under the current plan. Based on the post-season abundance index (the Abundance Index that measures actual compliance with the PST) and the latest harvest updates, the sport fishery harvested an average of 17.5% of the combined sport/troll quota during 1999-2004 and the sport underage during this period was 43,411 fish (Table 138-3).

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 138-1.**—Sport and commercial troll fishery king salmon allocations that existed under the current allocation regime, and those that would have existed under the proposed 30:70 allocation regime and the increases and decreases in target harvests for each gear resulting from the proposed allocation change using 1999-2005 data. (Allocations are based on the pre-season Abundance indexes).

| <b>Current 20:80 Allocation</b>           |                |                  |
|---|----------------|------------------|
|   | <b>Sport</b>   | <b>Troll</b>     |
| 1999                                      | 35,182         | 140,728          |
| 2000                                      | 34,627         | 138,507          |
| 2001                                      | 34,627         | 138,507          |
| 2002                                      | 66,514         | 266,056          |
| 2003                                      | 68,332         | 273,330          |
| 2004                                      | 71,689         | 286,755          |
| 2005                                      | 78,000         | 311,900          |
| <b>Totals</b>                             | <b>388,971</b> | <b>1,555,784</b> |
| <b>Proposed 30:70 Allocation</b>          |                |                  |
|   | <b>Sport</b>   | <b>Troll</b>     |
| 1999                                      | 52,773         | 123,137          |
| 2000                                      | 51,940         | 121,194          |
| 2001                                      | 51,940         | 121,194          |
| 2002                                      | 99,771         | 232,799          |
| 2003                                      | 102,499        | 239,163          |
| 2004                                      | 107,533        | 250,911          |
| 2005                                      | 116,971        | 272,931          |
| <b>Totals</b>                             | <b>583,427</b> | <b>1,361,330</b> |
| <b>Target Harvest Increases/Decreases</b> |                |                  |
|   | <b>Sport</b>   | <b>Troll</b>     |
| 1999                                      | 17,591         | -17,591          |
| 2000                                      | 17,313         | -17,313          |
| 2001                                      | 17,313         | -17,313          |
| 2002                                      | 33,257         | -33,257          |
| 2003                                      | 34,166         | -34,166          |
| 2004                                      | 35,844         | -35,844          |
| 2005                                      | 38,971         | -38,969          |
| <b>Totals</b>                             | <b>194,455</b> | <b>194,455</b>   |

**Table 138-2.**—The number of king salmon that would be available for the summer troll fishery and the resulting increase in the troll king salmon non-retention days using the proposed 30:70 sport/troll allocation and 1999-2004 catch data (Numbers are based on pre-season Abundance Indexes).

| Effects of Reallocating Sport/Troll to 30/70 |                 |                      |                  |                    | Potential Increase In Non-Retention Days |
|--|-----------------|----------------------|------------------|--------------------|--|
| Year   | Winter + Spring | Remainder For Summer | Summer Reduction | % Summer Reduction |  |
| 1999   | 40,969          | 82,168               | -9,524           | -10%               | 1  |
| 2000   | 45,540          | 75,654               | -12,627          | -14%               | 2  |
| 2001   | 37,289          | 83,905               | -7,339           | -8%                | 2  |
| 2002   | 50,999          | 181,800              | -65,154          | -26%               | 11                                       |
| 2003   | 72,891          | 166,272              | -68,000          | -29%               | 8  |
| 2004   | 82,759          | 168,152              | -68,276          | -29%               | 5  |

**Table 138-3.**—Catches of treaty king salmon, allocations by gear type and deviations from the final allocations based on the post-season Abundance Indexes, 1999 to 2004.

| Year                 | Treaty Harvest |         |         | Total Treaty |           |         | Allocation |           |         | Total Treaty |         |  | Deviation from Allocation |  |  |
|----------------------|----------------|---------|---------|--------------|-----------|---------|------------|-----------|---------|--------------|---------|--|---------------------------|--|--|
|                      | Troll          | Net     | Sport   | Harvest      | Troll     | Net     | Sport      | Quota     | Troll   | Net          | Sport   |  |                           |  |  |
| 1999                 | 132,741        | 12,943  | 53,158  | 198,842      | 134,116   | 16,519  | 33,529     | 184,164   | -1,375  | -3,576       | 19,629  |  |                           |  |  |
| 2000                 | 133,963        | 11,091  | 41,439  | 186,493      | 129,780   | 16,276  | 32,445     | 178,501   | 4,183   | -5,185       | 8,994   |  |                           |  |  |
| 2001                 | 128,700        | 13,500  | 44,730  | 186,930      | 184,718   | 19,361  | 46,180     | 250,259   | -56,018 | -5,861       | -1,450  |  |                           |  |  |
| 2002                 | 298,132        | 13,497  | 45,504  | 357,133      | 277,872   | 24,593  | 69,468     | 371,933   | 20,260  | -11,096      | -23,964 |  |                           |  |  |
| 2003                 | 307,380        | 23,534  | 49,239  | 380,153      | 329,678   | 27,503  | 82,419     | 439,600   | -22,298 | -3,969       | -33,180 |  |                           |  |  |
| 2004                 | 321,941        | 40,438  | 66,391  | 428,770      | 319,325   | 26,921  | 79,831     | 426,077   | 2,616   | 13,517       | -13,440 |  |                           |  |  |
| Average 1999-2004    | 220,476        | 19,167  | 50,077  | 289,720      | 229,248   | 21,862  | 57,312     | 308,422   | -8,772  | -2,695       | -7,235  |  |                           |  |  |
| Cumulative 1999-2004 | 1,322,857      | 115,003 | 300,461 | 1,738,321    | 1,375,489 | 131,173 | 343,872    | 1,850,534 | -52,632 | -16,170      | -43,411 |  |                           |  |  |



**PROPOSAL 139, PAGE 98. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN. and 5 AAC 29.060(b). GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON.** (5 AAC 29060(b) was added by the department).

**PROPOSED BY:** Sitka Charter Boat Operators Association

**WHAT WOULD THE PROPOSAL DO?** This proposal would reallocate the harvest to a sliding scale that would vary between 80% troll and 20% sport to 70% troll and 30% sport based on the pre-season abundance index.

**WHAT ARE THE CURRENT REGULATIONS**

**5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.**

(b) The objectives of the management plan under this section are to

- (1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

**5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON.**

(b) the department shall manage the sport and commercial net and troll fisheries in accordance with the annual harvest ceiling established by the Pacific Salmon Commission. The annual harvest allocation of the annual harvest ceiling for each fishery is as follows:

- (11) purse seine fishery: 4.3 percent of the annual harvest ceiling;
- (12) drift gillnet fishery: 7,600 king salmon;
- (13) set gillnet: 1,000 king salmon
- (14) troll fishery: 80 percent, after the net fishery allocations in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;
- (15) sport fishery: 20 percent, after the net fishery allocations in (1) – (3) of this subsection are subtracted from the annual harvest ceiling;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If the proposal is adopted as written the commercial troll fishery Treaty king salmon allocation would be reduced in “low” abundance years where the abundance index (AI) is less than 1.1, and increased in “high” abundance years (AI  $\geq$  1.5). The proposal does not address

what the allocation would be in years when the AI is between 1.1 and 1.5. It's unclear if the sport fishery allocation sliding scale decreases incrementally from 30% to 20% or if it would stay at 30% up to an AI of 1.5 and then decrease to 20%. Historical allocations and catches of PST governed king salmon and deviations from allocations by gear type for both preseason and post-season (the Abundance Index that measures actual compliance with the PST) AI's are presented in Tables 139-1 and 139-2. Under current provisions of the King Salmon Management Plan, it is doubtful that the sport fishery allocation would be attained at AI's greater than 1.35. Also, the proposal does not say if the allocations would be "hard" numbers based strictly on the pre-season AI or if the allocations would be allowed to "float" based on the ability of the sport fishery to harvest its total allocation.

In high abundance years, the troll fishery would be allowed to catch the estimated sport fishery underage after September 1 only when the projected sport fishery underage is 10,000 fish or greater. The ability of the troll fishery to harvest any reallocation at this late date in the season is uncertain due to king salmon abundance and distribution, coho salmon abundance and distribution, weather conditions and any coho conservation measures that may be implemented. In 2005 the troll fishery was opened for six days, from September 15 – 20, to harvest the king salmon remaining on the troll allocation, but only 4,800 Treaty king salmon were harvested out of the 12,000 fish target.

**BACKGROUND:** The Pacific Salmon Treaty (PST) was signed in 1985 which established multi-species harvest sharing arrangements between the United States and Canada and king salmon quotas/harvest ceilings for each country. From 1996-1998 the fishery was managed under a Letter of Agreement between the United States and Canada that allowed for abundance based management of the SEAK king salmon fishery. In 1998 the Treaty was re-negotiated and a 10-year agreement was signed ('99 Agreement) that replaced the fixed king salmon quota in the 1985 agreement and the Letter of Agreement with an aggregate abundance management regime (AABM) for the SEAK king salmon fisheries.

Prior to 1987 there were no king salmon allocations by gear type in Southeastern Alaska. In 1987 the net fisheries were allocated 20,000 kings and the troll fishery was allocated the remainder. The Board first allocated Chinook salmon to the sport fishery in 1992, when the Southeast Alaska King Salmon Management Plan was originally adopted. These changes came in response to a request made by the Alaska Trollers Association, which was concerned about increased harvests by the sport fishery. Initially, the sport fishery was allocated 17% percent of the all-gear quota after net harvest allocations were subtracted. The management plan was changed in 1994 to allow for an increased allocation to the sport fishery. The 1994 plan specified allocations increasing by one percent per year through 1997, when the allocation reached the current level of 20% after accounting for the net harvest. Other aspects of the management plan were changed in 1997, 2000, and 2003. In 2003, the Board made a number of changes to the King Salmon Management Plan. The Board repealed the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and underages in the sport fishery. Another change was to modify the sport allocation objective from a fixed allocation of 20%, after the net allocation has been subtracted (an 80/20 split between the commercial troll and sport fisheries), to an average annual harvest of 20% of

the combined troll/sport allocation. Under the current plan, bag and possession limits are managed distinctly for Alaska residents and nonresidents. Bag limits for Alaska residents were increased at moderate abundance levels, while bag and annual limits for nonresident anglers were reduced at high abundance levels. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking a higher percentage in years of low abundance and a lower percentage in years of high abundance. However, the actual meaning of “an average harvest of 20% of the combined troll/sport allocation” was not specifically defined in regulation and there was no provision for the troll allocation to change based on the sport allocation.

DEPARTMENT COMMENTS

The department is NEUTRAL on this allocative proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 139-1.**—Preseason Abundance Indexes (AI), harvests, allocations and deviations from allocations of PST Treaty king salmon caught in Southeast Alaska Fisheries, 1996-2004.

| Year                 | PreSeason AI | Treaty Catch |         |         | Total Treaty Catch | Allocation |         |         | Total Treaty Quota | Deviation from allocation |         |         |
|----------------------|--------------|--------------|---------|---------|--------------------|------------|---------|---------|--------------------|---------------------------|---------|---------|
|                      |              | Troll        | Net     | Sport   |                    | Troll      | Net     | Sport   |                    | Troll                     | Net     | Sport   |
| 1996 <sup>a</sup>    | <b>071</b>   | 107,581      | 8,441   | 38,975  | 154,997            | 102,000    | 20,000  | 25,500  | 147,500            | 5,581                     | -11,559 | 13,475  |
| 1997 <sup>b</sup>    | <b>133</b>   | 221,944      | 11,447  | 53,305  | 286,696            | 214,761    | 21,049  | 53,690  | 289,500            | 7,183                     | -9,602  | -385    |
| 1998 <sup>b</sup>    | <b>125</b>   | 183,489      | 13,360  | 46,303  | 243,152            | 192,176    | 19,780  | 48,044  | 260,000            | -8,687                    | -6,420  | -1,741  |
| 1999                 | <b>115</b>   | 132,741      | 12,943  | 53,158  | 198,842            | 140,689    | 16,888  | 35,172  | 192,750            | -7,948                    | -3,945  | 17,986  |
| 2000                 | <b>114</b>   | 133,963      | 11,091  | 41,439  | 186,493            | 138,507    | 16,766  | 34,627  | 189,900            | -4,544                    | -5,675  | 6,812   |
| 2001                 | <b>114</b>   | 128,700      | 13,500  | 44,730  | 186,930            | 138,507    | 16,766  | 34,627  | 189,900            | -9,807                    | -3,266  | 10,103  |
| 2002                 | <b>174</b>   | 298,132      | 13,497  | 45,504  | 357,133            | 266,029    | 23,928  | 66,507  | 356,464            | 32,103                    | -10,431 | -21,003 |
| 2003                 | <b>179</b>   | 307,380      | 23,534  | 49,239  | 380,153            | 273,431    | 24,344  | 68,358  | 366,132            | 33,949                    | -810    | -19,119 |
| 2004                 | <b>188</b>   | 321,941      | 40,438  | 66,391  | 428,770            | 286,755    | 25,092  | 71,689  | 383,536            | 35,186                    | 15,346  | -5,298  |
| Average 1999-2004    |              | 220,476      | 19,167  | 50,077  | 289,720            | 207,320    | 20,631  | 51,830  | 279,780            | 13,156                    | -1,463  | -1,753  |
| Cumulative 1999-2004 |              | 1,322,857    | 115,003 | 300,461 | 1,738,321          | 1,243,919  | 123,783 | 310,980 | 1,678,682          | 78,938                    | -8,780  | -10,519 |

<sup>a</sup>In 1996 and 1997, harvest ranges were used as per the U.S. LOA. Ranges were 140,000-155,000; the midpoints were used as targets here.

<sup>b</sup>Management plans for the 1997-1998 season directed ADF&G to estimate the harvest that would be attained under 1-, 2- and 3-fish daily bag limits and then implement the bag limit which came closest to obtaining a 20% sport fish allocation. In 1997 the harvest target was 53,800, in 1998 it was 41,700 and in 1999 it was 42,800. The table shows the actual 80/20 troll/sport split.

**Table 139-2.**—Post-season Abundance Indexes (AI), harvests, allocations and deviations from allocations of PST Treaty king salmon caught in Southeast Alaska Fisheries, 1996-2004.

| Year                 | Post-Season AI | Treaty Catch |         |         | Total Treaty Catch | Allocation |         |         | Total Treaty Quota | Deviation from allocation |         |         |
|----------------------|----------------|--------------|---------|---------|--------------------|------------|---------|---------|--------------------|---------------------------|---------|---------|
|                      |                | Troll        | Net     | Sport   |                    | Troll      | Net     | Sport   |                    | Troll                     | Net     | Sport   |
| 1996 <sup>a</sup>    | <b>090</b>     | 107,581      | 8,441   | 38,975  | 154,997            | 102,000    | 20,000  | 25,500  | 147,500            | 5,581                     | -11,559 | 13,475  |
| 1997 <sup>b</sup>    | <b>137</b>     | 221,944      | 11,447  | 53,305  | 286,696            | 214,761    | 21,049  | 53,690  | 289,500            | 7,183                     | -9,602  | -385    |
| 1998 <sup>b</sup>    | <b>125</b>     | 183,489      | 13,360  | 46,303  | 243,152            | 192,176    | 19,780  | 48,044  | 260,000            | -8,687                    | -6,420  | -1,741  |
| 1999                 | <b>112</b>     | 132,741      | 12,943  | 53,158  | 198,842            | 134,116    | 16,519  | 33,529  | 184,164            | -1,375                    | -3,576  | 19,629  |
| 2000                 | <b>110</b>     | 133,963      | 11,091  | 41,439  | 186,493            | 129,780    | 16,276  | 32,445  | 178,500            | 4,183                     | -5,185  | 8,994   |
| 2001                 | <b>129</b>     | 128,700      | 13,500  | 44,730  | 186,930            | 184,718    | 19,361  | 46,180  | 250,259            | -56,018                   | -5,861  | -1,450  |
| 2002                 | <b>182</b>     | 298,132      | 13,497  | 45,504  | 357,133            | 277,872    | 24,593  | 69,468  | 371,933            | 20,260                    | -11,096 | -23,964 |
| 2003                 | <b>217</b>     | 307,380      | 23,534  | 49,239  | 380,153            | 329,678    | 27,503  | 82,419  | 439,600            | -22,298                   | -3,969  | -33,180 |
| 2004                 | <b>206</b>     | 321,941      | 40,438  | 66,391  | 428,770            | 313,403    | 26,589  | 78,351  | 418,342            | 8,538                     | 13,849  | -11,960 |
| Average 1999-2004    |                | 220,476      | 19,167  | 50,077  | 289,720            | 228,261    | 21,807  | 57,065  | 307,133            | -7,785                    | -2,640  | -6,988  |
| Cumulative 1999-2004 |                | 1,322,857    | 115,003 | 300,461 | 1,738,321          | 1,369,566  | 130,840 | 342,392 | 1,842,798          | -46,709                   | -15,837 | -41,931 |

<sup>a</sup>In 1996 and 1997, harvest ranges were used as per the U.S. LOA. Ranges were 140,000-155,000; the midpoints were used as targets here.

<sup>b</sup>Management plans for the 1997-1998 season directed ADF&G to estimate the harvest that would be attained under 1-, 2- and 3-fish daily bag limits and then implement the bag limit which came closest to obtaining a 20% sport fish allocation. In 1997 the harvest target was 53,800, in 1998 it was 41,700 and in 1999 it was 42,800. The table shows the actual 80/20 troll/sport split.

**Southeast King Salmon Management Plan:**

**PROPOSAL 140, PAGE 101. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend the regulations to include the following:

Account for sport fishery overages/underages annually, set aside underages to offset overages in future years and seasonally increase bag limits to harvest underages. The department will implement liberalized regulations for nonresidents at abundance indices below 1.2.

PROPOSED BY: Sitka Charter Boat Operators Association.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current plan by requiring the department to track sport fishery overages/underages on an annual basis, set aside underages to offset future overages, and increase bag limits seasonally to harvest underages. Additionally it would implement less restrictive regulations for non-residents at abundance indices below 1.2.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is 1 fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding scale that becomes progressively more restrictive as the abundance index declines. The current plan does not provide provisions for tracking overages or underages.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest by resident and non-resident anglers, but the increase in harvest would likely be greater for non-residents because they currently have more restrictive regulations than residents. It is more likely that cumulative overages would occur because this proposal only liberalizes regulations when underages occur, but does not restrict (in most cases) when an overages exists. Under the 1999 Pacific Salmon Treaty Agreement, the SE Chinook fishery is managed based on abundance. There are no provisions in the treaty that allow Alaska to harvest underages that occurred in prior years. Therefore, any increase in sport harvest to make up for past underages would have to be taken from another gear group.

BACKGROUND: Since the Pacific Salmon Treaty was ratified in 1985 Alaska has been allowed to harvest a specific number of “treaty” Chinook salmon. The amount of

Alaska's quota varies depending on the abundance of Chinook stocks on the West Coast. The Board of Fisheries has allocated Alaska's share of the treaty quota to various fisheries. The SE King Salmon Management Plan was established in 1992 and has been modified on numerous occasions. The plan lists the objectives for the sport fishery and the regulations under which it is managed. In 2003, the Board made a number of changes to the King Salmon Management Plan. The Board repealed the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and under ages in the sport fishery. Another change was to modify the sport allocation objective from a **fixed** allocation of 20%, after the net allocation has been subtracted (an 80/20 split between the commercial troll and sport fisheries), to an **average** annual harvest of 20% of the combined troll/sport allocation. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking a higher percentage in years of low abundance and a lower percentage in years of high abundance.

The three years during which the current management plans has been in effect have been years of very high Chinook abundance. During the 2003 and 2004 seasons the sport fishery harvested 11.9% and 16.9% respectively of its allocation. Prior to the 2005 season, with a preseason AI of 2.05, it was estimated that the sport fishery would harvest 15% of its allocation. Based on the performance of the sport fishery during the prior three years of high Chinook abundance, (in which the sport fishery under-harvested its allocation by a total of 69,086 fish) the department decided to request permission from the Board to issue an emergency regulation that would implement more liberal regulations than allowed under the King Salmon Management Plan. The Board agreed to this approach for increasing harvest opportunity in the Sport Fishery, and on May 3, the resident bag limit was increased to three fish and the non-resident annual limit was increased from 3 to 5 fish. The non-resident bag and possession limits remained at 1 fish. These regulations were in place throughout Southeast Alaska from May 3, 2005 through August 30, 2005. Prior to and after that time the regulations as mandated in the King Salmon Management Plan applied (resident bag limit 2 Chinook salmon, non-resident bag limit of 1 Chinook salmon and a non-resident annual limit 3 Chinook salmon). The high level of abundance in 2005 resulted in an all gear quota of 416,400 and a sport allocation of 77,979. The preliminary harvest estimate (based on expanded creel census data) is 62,909, treaty fish. Therefore, even with expanded bag and possession limits, the sport fishery harvested less than its quota by 15,070 fish in 2005.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal as written. The department remains NEUTRAL on the allocative aspects of this proposal. Under abundance-based management, the Treaty does not provide the option for increasing harvest to compensate for fish not harvested in prior years. Therefore, increasing the sport allocation to harvest overages from prior years would require commensurate reductions in allocations to other fisheries. This would reverse the action taken by the Board in 2003 that uncoupled the management of the troll and sport Chinook fisheries. A goal of the King Salmon Management Plan is for the sport fishery to obtain an average harvest of 20% of the combined troll/sport allocation. During the past three years, abundances have been high and, as expected, the sport fishery has harvested only

16.4% of its 20% allocation. The department SUPPORTS board action that would facilitate harvesting Alaska's entire treaty Chinook quota, however during years of lower abundance this proposal would likely cause the sport fishery to exceed its allocation more than would occur under the current plan.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

**PROPOSAL 141, PAGE 101. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend the regulation to include the following:

Remove the nonresident annual limits, require the department to monitor overages/underages and adjust nonresident bag limits to harvest the previous years underage, and relax regulations below abundance indices of 1.2.

PROPOSED BY: Sitka and Petersburg Charter Boat Operators Associations.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current plan by rescinding non-resident annual limits for king salmon, require the department to track overages/underages using a six year running average, and allow an increase of the non-resident bag limit in May/June to harvest any pervious year's underage. Additionally it would implement less restrictive regulations at abundance indices below 1.2.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is 1 fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding scale that becomes progressively more restrictive as the abundance index declines. The current plan does not provide provisions for tracking overages or underages.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest by non-resident anglers. It is more likely that cumulative overages would occur because this proposal only liberalizes regulations when underages occur, but does not restrict (in most cases) when overages exists. Under the 1999 Pacific Salmon Treaty Agreement, the SE Chinook fishery is managed based on abundance. There are no provisions in the treaty that allow Alaska to harvest underages that occurred in prior years. Therefore, any increase in sport harvest to make up for past underages would have to be taken from another gear group.

BACKGROUND: Since the Pacific Salmon Treaty was ratified in 1985 Alaska has been allowed to harvest a specific number of "treaty" Chinook salmon. The amount of Alaska's quota varies depending on the abundance of Chinook stocks on the West Coast. The Board of Fisheries has allocated Alaska's share of the treaty quota to various fisheries. The SE King Salmon Management Plan was established in 1992 and has been modified on numerous occasions. The plan lists the objectives for the Sport Fishery and the regulations under which it is managed. In 2003, the Board made a number of changes



to the King Salmon Management Plan. The Board repealed the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and underages in the sport fishery. Another change was to modify the sport allocation objective from a **fixed** allocation of 20%, after the net allocation has been subtracted (an 80/20 split between the commercial troll and sport fisheries), to an **average** annual harvest of 20% of the combined troll/sport allocation. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking a higher percentage in years of low abundance and a lower percentage in years of high abundance.

The three years during which the current management plans has been in effect have been years of very high Chinook abundance. During the 2003 and 2004 seasons the sport fishery harvested 11.9% and 16.9% respectively of its allocation. Prior to the 2005 season, with a preseason AI of 2.05, it was estimated that the sport fishery would harvest 15% of its allocation. Based on the performance of the sport fishery during the prior three years of high Chinook abundance, (in which the sport fishery under-harvested its allocation by a total of 69,086 fish) the department decided to request permission from the Board to issue an emergency regulation that would implement more liberal regulations than allowed under the King Salmon Management Plan. The Board agreed to this approach for increasing harvest opportunity in the Sport Fishery, and on May 3, the resident bag limit was increased to three fish and the non-resident annual limit was increased from 3 to 5 fish. The non-resident bag and possession limits remained at 1 fish. These regulations were in place throughout Southeast Alaska from May 3, 2005 through August 30, 2005. Prior to and after that time the regulations as mandated in the King Salmon Management Plan applied (resident bag limit 2 Chinook salmon, non-resident bag limit of 1 Chinook salmon and a non-resident annual limit 3 Chinook salmon). The high level of abundance in 2005 resulted in an all gear quota of 416,400 and a sport allocation of 77,979. The preliminary harvest estimate (based on expanded creel census data) is 62,909, treaty fish. Therefore, even with expanded bag and possession limits, the sport fishery harvested less than its quota by 15,070 fish in 2005.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal as written however we remain **NEUTRAL** on the allocative aspects. Under abundance-based management, the Treaty does not provide the option for increasing harvest to compensate for fish not harvested in prior years. Therefore, increasing the sport allocation to harvest overages from prior years would require commensurate reductions in allocations to other fisheries. This would reverse the action taken by the Board in 2003 that uncoupled the management of the troll and sport Chinook fisheries. A goal of the King Salmon Management Plan is for the sport fishery to obtain an average harvest of 20% of the combined troll/sport allocation. During the past three years, abundances have been high and, as expected, the sport fishery has harvested only 16.4% of its 20% allocation. The department **SUPPORTS** board action that would facilitate harvesting Alaska's entire treaty Chinook quota, however during years of lower abundance this proposal would likely cause the sport fishery to exceed its allocation more than would occur under the current plan.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

**PROPOSAL 142, PAGE 102. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

This proposal seeks to increase harvests to utilize underages from the previous year.

PROPOSED BY: Sitka Charter Boat Operators Association.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current Southeast Alaska King Salmon Management Plan by increasing harvest during May and/or June to utilize underages from the previous year.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is one fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding scale that becomes progressively more restrictive as the abundance index declines. The current plan does not provide provisions for tracking overages or underages.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal does not specify the types of provisions that should be implemented during May and/or June to harvest the previous years underage. Because of the wide variety of potential options that could be applied to achieve the proposal's intent, potential increases in harvest by the sport fishery would range from small to large. It is more likely that cumulative overages would occur because this proposal only liberalizes regulations when underages occur, but does not restrict when overages exist. Under the 1999 Pacific Salmon Treaty Agreement, the SE Chinook fishery is managed based on abundance. There are no provisions in the treaty that allow Alaska to harvest underages that occurred in prior years. Therefore, any increase in sport harvest to make up for past underages would have to be taken from another gear group.

BACKGROUND: The three years during which the current management plan has been in effect have been years of very high Chinook abundance. Under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll allocation during

2003 and 2004. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index. This has resulted in the sport fishery harvesting less than its allocation by a total of 60,198 during the past three years. Approximately 6% of the sport fishery king salmon harvest occurs during May, and is primarily by resident anglers. Approximately 50% of the sport fishery Chinook salmon harvest occurs during June and is primarily by nonresidents.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal as written, however is NEUTRAL on the allocative aspects. Under abundance-based management, the Treaty does not provide the option of increasing harvest to compensate for fish not harvested in prior years. Therefore, increasing the sport allocation to harvest underages from prior years would require commensurate reductions in allocations to other fisheries. This would reverse the action taken by the Board in 2003 that uncoupled the management of the troll and sport fisheries.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 143, PAGE 103. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

This proposal seeks to liberalize methods/means to allow sport fishers to use two rods from October through April when an underage exists from previous years.

PROPOSED BY: Petersburg Charterboat Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow sport anglers the use of two rods from October through April during years of high abundance or when an underage exists.

WHAT ARE THE CURRENT REGULATIONS? Under provisions of 5 AAC 75.020, sport fishing may only be conducted by the use of a single line. Under provisions of 5 AAC 47.030 no more than six lines may be fished from a vessel, and the maximum number of lines that may be fished from a vessel engaged in charter activities is equal to the number of paying clients on board the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Approximately 2% of the Southeast region king salmon harvest occurs during October through April. The increased king salmon harvest generated by allowing two rods during this time period is expected to be low. Resident anglers would be the primary beneficiaries of the increased harvest opportunity because few non-residents fish during this time. Increased harvest of other species would occur. Under the 1999 Pacific Salmon Treaty Agreement, the SE Chinook fishery is managed based on abundance. There are no provisions in the treaty that allow Alaska to harvest underages that occurred in prior years. Therefore, any increase in sport harvest to make up for past underages would have to be taken from another gear group.

BACKGROUND: In 2005 the Commissioner signed an emergency regulation that allowed up to two lines per angler in specific salt water areas near Juneau, Petersburg, and Wrangell to provide additional opportunity to harvest Taku and Stikine River Chinook salmon that were surplus to escapement needs. Bag limits and annual limits were increased in these areas and the use of two rods per angler was allowed. Creel data indicates the two-rod regulation increased rod hours fished by 27%. Boats with one or two anglers most commonly took advantage of the opportunity to fish with extra rods. In the Juneau area the increase in harvest due to this regulation was approximately 14%. In areas with higher catch rates, such as Sitka, it is expected that fewer people would use two rods and the increased harvest would be less.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal due to allocative aspects. The department SUPPORTS board action that would facilitate

harvesting Alaska's entire treaty Chinook quota. However, a regionwide regulation allowing the use of two rods would be difficult to enforce and there may be increased harvest of other species. Under abundance base management, the Treaty does not provide the option of increasing harvest to compensate for fish not harvested in prior years. Therefore, increasing the sport allocation to harvest overages from prior years would require commensurate reductions in allocations to other fisheries. This would reverse the action taken by the Board in 2003 that uncoupled the management of the troll and sport fisheries

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 144, PAGE 104. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

Remove the king salmon annual limit for nonresidents in Southeast Alaska and increase the bag limit to two king salmon for the month of May during high abundance index levels.

PROPOSED BY: Linda Slifer

WHAT WOULD THE PROPOSAL DO? This proposal would rescind regulations of the Southeast Alaska King Salmon Management Plan that establish non-resident annual limits. Additionally, at higher abundance indices, the non-resident king salmon bag limit would be increased to 2-fish during May.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is 1 fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish, and; from July 16 through December 31 the annual limit is 1 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Non-resident anglers would have increased harvest opportunity for king salmon. We estimate that a non-resident 2-fish bag limit during May and no annual limit would increase the sport fish Chinook harvest by 22%. Under these proposed changes to the plan the sport fishery would harvest 19% to 20% of the sport/troll quota at abundance indices above 1.5; and 24% to 31% when the abundance index is less than 1.5.

BACKGROUND: Under the current plan, bag and annual limits are managed separately for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident anglers remain stable at all but the very lowest levels. When the current plan was adopted by the Board, it was assumed that the specific regulatory actions would result in the sport fishery taking a higher percentage of sport/troll quota in years of low abundance and a lower percentage in years of high abundance. The three years during which the current management plan has been in effect have been years of very high Chinook abundance. Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll quota during 2003 and 2004. In 2005 the sport fishery

harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. During the past three years, abundances have been high and as expected, the sport fishery has caught only 16.5% of its 20% allocation. The current regulations that apply during lower AI ranges have not been implanted and their potential effects on harvest are untested. However, the proposed liberalized regulations for non-residents at all AI's would result in an increase in the sport harvest. The department SUPPORTS board action that would facilitate harvesting of Alaska's entire treaty Chinook quota. However, during years of lower abundance this proposal will likely cause the sport fishery to exceed its allocation more than expected under the current plan.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 145, PAGE 105. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

An annual limit of six king salmon for nonresidents, in May there will be a bag limit of two king salmon for nonresidents. Management in the month of May and or June to access the underage from the previous years sport fish allocation. The sport caught fish in May would not count against the nonresident annual limit when abundance index is 1.5 or greater.

PROPOSED BY: John Belcher.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the region wide non-resident Chinook salmon bag limit to two fish during May/June and increase the non-resident annual limit to six fish. Additionally, Chinook salmon caught in May would not count toward the non-resident annual limit if the abundance index is greater than 1.5. Secondly it directs the department to manage the sport fishery to harvest any sport fish underage from the previous year.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is 1 fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish, and; from July 16 through December 31 the annual limit is 1 fish. The current plan does not provide provisions for tracking overages or underages.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest by non-resident anglers. An increase of the annual limit to 6-fish, and a May non-resident bag limit of 2-fish would increase the sport harvest by 17% causing the sport fishery to exceed its 20% allocation of the sport/troll quota at abundance indices at or below 1.5. At abundance indices equal to or greater than 1.51 the sport harvest would range from 18% to 19% of the sport/troll quota. If a 2-fish bag limit was implemented in May and June with an annual limit of 6-fish the sport fishery harvest would increase by 30% causing the sport fishery to exceed its 20% allocation at abundance indices at or below 1.75. At abundance indices equal to or greater than 1.76 the sport fishery harvest be about 20% of the sport/troll quota. It is likely that cumulative overages would occur because this proposal only liberalizes regulations when an underage occurs, but does not restrict when an overages exists. Under the 1999 Pacific Salmon Treaty Agreement, the SE Chinook fishery is managed based on abundance. There is no provision in the treaty that allows Alaska to harvest underages that occurred



in prior years. Therefore, any increase in sport harvest to make up for past underages would have to be taken from another gear group.

**BACKGROUND:** The Southeast King Salmon Management Plan was established in 1992. The plan lists the objectives for the Sport Fishery and the regulations under which it is managed. In 2003, the Board made a number of changes to the King Salmon Management Plan. The Board repealed the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and underages in the sport fishery. Another change was to modify the sport allocation objective from a fixed allocation of 20%, after the net allocation has been subtracted (an 80/20 split between the commercial troll and sport fisheries), to an average annual harvest of 20% of the combined troll/sport allocation. Under the current plan, bag and possession limits are managed distinctly for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident anglers remain stable at all but the very lowest abundance levels. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking a higher percentage in years of low abundance and a lower percentage in years of high abundance. The three years during which the current management plan has been in effect have been years of very high Chinook abundance. Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll quota during 2003 and 2004. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal as written. The department is **NEUTRAL** on the allocative aspects of this proposal. Under abundance based management, the Treaty does not provide the option of increasing harvest to compensate for under harvest in prior years. Therefore, increasing the sport allocation to harvest overages from prior years would require commensurate reductions in allocations to other fisheries. This would reverse the action taken by the Board in 2003 that uncoupled the management of the troll and sport fisheries. A goal of the King Salmon Management Plan is for the sport fishery to obtain an average harvest of 20% of the combined troll/sport allocation. During the past three years, abundances have been high and, as expected, the sport fishery has harvested only 16.4% of its 20% allocation. The department **SUPPORTS** board action that would facilitate harvesting Alaska's entire Chinook treaty quota. However, during years of lower abundance this proposal will likely cause the sport fishery to exceed its allocation more than would occur under the current plan.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSALS 146, PAGE 106. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

No annual king salmon limit for nonresidents, with a daily bag limit of two king salmon during times of higher abundance.

PROPOSED BY: Dennis Cook.

WHAT WOULD THESE PROPOSALS DO? This proposal would increase the region wide nonresident king salmon bag limit to two fish and eliminate the annual limit for nonresidents during times of high abundance.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is one fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish, and; from July 16 through December 31 the annual limit is 1 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest by non-resident anglers. The sport fish harvest would increase 40% with no annual limit and a 2-fish bag limit causing the sport fishery to exceed its 20% allocation of the sport/troll even during times of high abundance.

BACKGROUND: In 2003, the Board adopted the Southeast Alaska King Salmon Management plan in its current form. Under the new plan, bag and possession limits are managed distinctly for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident anglers remain stable at all but the very lowest abundance levels. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking an average of 20% of the combined troll/sport allocation, with a higher percentage of allocation being taken in years of low abundance and a lower percentage in years of high abundance.

Sport underages have occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9% of the combined sport/troll quota during 2003 and 2004. In 2005, based on the performance of the sport fishery during the prior three years the department

requested permission from the Board to implement more liberal regulations than allowed under the king salmon management plan. The Board agreed to this approach and the resident bag limit was increased to 3-fish and the non-resident annual limit was increased from 3 to 5 fish by emergency regulation. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal because it is allocative. The department SUPPORTS board action that would facilitate harvesting Alaska's entire treaty Chinook quota.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 147, PAGE 107. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

An annual king salmon limit of six fish for nonresidents with a daily bag limit of two king salmon during times of higher abundance.

PROPOSED BY: Dennis Cook

WHAT WOULD THESE PROPOSALS DO? This proposal would increase the region wide nonresident king salmon bag limit to two fish and increase the annual limit for nonresidents to six fish during times of high abundance.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is one fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish, and; from July 16 through December 31 the annual limit is one fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest by non-resident anglers. With an annual limit of six fish and a nonresident bag limit of two fish, the sport harvest would increase by 35% causing the sport fishery to harvest 20% to 22% of its allocation at abundance indices of 1.51 or greater.

BACKGROUND: In 2003, the Board adopted the Southeast Alaska King Salmon Management plan in its current form. Under the new plan, bag and possession limits are managed distinctly for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident anglers remain stable at all but the very lowest abundance levels. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking an average of 20% of the combined troll/sport allocation, with a higher percentage of allocation being taken in years of low abundance and a lower percentage in years of high abundance.

Sport underages have occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9% of the combined sport/troll quota during 2003 and 2004. In 2005, based

on the performance of the sport fishery during the prior three years the department requested permission from the Board to implement more liberal regulations than allowed under the king salmon management plan. The Board agreed to this approach and the resident bag limit was increased to 3-fish and the non-resident annual limit was increased from 3 to 5 fish by emergency regulation. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal because it is allocative. The department SUPPORTS board action that would facilitate harvesting Alaska's entire treaty Chinook quota.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 148, PAGE 107. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

The bag limit is 2 king salmon and annual limit is six king salmon for nonresidents during the month of May.

PROPOSED BY: Theresa Weiser.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the region-wide Chinook salmon non-resident bag limit to 2-fish and increase the annual limit to 6 fish during May, independent of the abundance levels.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and non-resident anglers and annual limits for non-resident anglers at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident bag limit is one fish regardless of abundance, although the plan directs the department to establish periods of nonretention under very low abundance levels. At abundance indices above 1.2 the non-resident annual Chinook salmon limit is 3 fish. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish, and; from July 16 through December 31 the annual limit is 1 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest by non-resident anglers. An increase of the annual limit to 6-fish and a non-resident bag limit of 2-fish during May is estimated to increase the sport harvest by 17% causing the sport fishery to exceed its allocation at abundance indices at or below 1.5. At abundance indices above 1.51 the sport fishery would harvest 18% to 19% of the sport/troll allocation. Currently 6% of the king salmon harvest by sport fishermen occurs during May, primarily by residents.

BACKGROUND: Sport underages have occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll quota during 2003 and 2004. In 2005, based on the performance of the sport fishery during the prior three years the department requested permission from the Board to implement more liberal regulations than allowed under the king salmon management plan. The Board agreed to this approach and the resident bag limit was increased to 3-fish and the non-resident annual limit was increased from 3 to 5 fish by emergency regulation. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal due to allocative aspects. During the past three years, abundances have been high and therefore the current regulations that apply during lower AI ranges have not been implemented and their potential effects on harvest are untested, but the proposed liberalized regulations for non-residents at lower AI's would result in an increase in the sport harvest. The department SUPPORTS board action that would facilitate harvesting Alaska's entire treaty Chinook quota. However, during years of lower abundance this proposed change would likely cause the sport fishery to exceed its allocation more than would occur under the current plan.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 149, PAGE 108. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

Increase the annual limit for nonresidents to four king salmon during years of very high abundance.

PROPOSED BY: Ken Dole.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the Chinook salmon annual limit for non-residents to four fish during years of very high abundance.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish annual limits for non-residents at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident annual Chinook salmon limit is 3 fish at abundance indices above 1.2. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish; and from July 16 through December 31 the annual limit is 1 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Non-resident anglers would be given greater opportunity to harvest king salmon during years of high abundance. With an annual limit of 4-fish the sport harvest would increase by 5%. At abundance indices greater than 1.51 the sport harvest would range from 16% to 17% of the combined sport/troll quota.

BACKGROUND: In 2003, the Board adopted the Southeast Alaska King Salmon Management plan in its current form. Under the new plan, bag and possession limits are managed distinctly for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident anglers remain stable at all but the lowest abundance levels. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking an average of 20% of the troll/sport allocation, with a higher percentage of allocation being taken in years of low abundance and a lower percentage in years of high abundance.

Sport underages have occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll quota during 2003 and 2004. In 2005, based on the performance of the sport fishery during the prior three years the department requested permission from the Board to implement more liberal regulations than allowed under the king salmon management plan. The Board agreed to this approach and the resident bag limit was increased to 3-fish and the non-resident annual limit was increased



from 3 to 5 fish by emergency regulation. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal due to it being allocative. However, the department SUPPORTS board action that would facilitate harvesting Alaska's entire treaty Chinook quota.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 150, PAGE 109. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

Eliminate the annual king salmon limit for nonresidents.

PROPOSED BY: Rene Cook.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal existing non-resident annual limits for king salmon.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish annual limits for non-residents at various levels of Chinook abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident annual Chinook salmon limit is 3 fish at abundance indices above 1.2. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish; and from July 16 through December 31 the annual limit is 1 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Non-resident anglers would be given greater opportunity to harvest king salmon. The sport fish harvest would increase by 20% if the annual limit provisions of the plan were rescinded. The sport fishery would exceed its allocation at abundance indices less than or equal to 1.5. At abundance indices equal to or greater than 1.51 the sport fishery harvest would range from 18% to 19% of the sport/troll quota.

BACKGROUND: In 2003, the Board adopted the Southeast Alaska King Salmon Management plan in its current form. Under the new plan, bag and possession limits are managed distinctly for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident anglers remain stable at all but the very lowest abundance levels. It was assumed that the specific regulatory actions identified in the plan would result in the sport fishery taking an average of 20% of the troll/sport allocation, with a higher percentage of allocation being taken in years of low abundance and a lower percentage in years of high abundance.

Sport underages have occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll quota during 2003 and 2004. In 2005, based on the performance of the sport fishery during the prior three years the department requested permission from the Board to implement more liberal regulations than allowed under the king salmon management plan. The Board agreed to this approach and the resident bag limit was increased to 3-fish and the non-resident annual limit was increased

from 3 to 5 fish by emergency regulation. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal because it is allocative. The proposed liberalized regulations for nonresidents would increase sport harvest. The department SUPPORTS board action to facilitate harvesting Alaska's entire treaty Chinook quota. However, during years of lower abundance this proposal would likely cause the sport fishery to exceed its allocation, more than would occur under the current plan.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 151, PAGE 109. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend this regulation to include the following:

Increase the nonresident annual bag limit to six king salmon in Southeast Alaska.

PROPOSED BY: Sitka Charter Boat Operators Association.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the non-resident annual limit for Chinook salmon to six fish.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish annual limits for non-residents at various levels of king salmon abundance (as measured by the Chinook Abundance Index or AI). Under the current plan the non-resident annual Chinook salmon limit is 3 fish at abundance indices above 1.2. When the AI is less than or equal to 1.2 the non-resident annual limit is established using a sliding seasonal scale as follows: January 1 – June 30 the annual limit is 3 fish; July 1 through July 15 the annual limit is 2 fish; and from July 16 through December 31 the annual limit is 1 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Non-resident anglers would be given greater opportunity to harvest Chinook salmon. With an annual limit of 6-fish the sport harvest would increase by 15% causing the sport fishery to exceed its allocation at abundance indices less than or equal to 1.5. At abundance indices above 1.51 the sport harvest would approach 18% of the combined sport/troll quota.

BACKGROUND: In 2003, the Board adopted the Southeast Alaska King Salmon Management plan in its current form. Under the new plan, bag and possession limits are managed distinctly for Alaska residents and non-residents. Bag limits for Alaska residents are increased at moderate abundance levels, while bag and annual limits for non-resident remain stable at all but the lowest abundance levels. It was assumed that the specific regulatory actions identified in the plan would result the sport fishery taking an average of 20% of the troll/sport allocation, with a higher percentage of allocation being taken in years of low abundance and a lower percentage in years of high abundance.

Sport underages have occurred in recent years of high abundance (2002-2005). Based on the post-season abundance index, under the current plan, the sport fishery harvested 11.9% and 16.9 % of the combined sport/troll quota during 2003 and 2004. In 2005, based on the performance of the sport fishery during the prior three years the department requested permission from the Board to implement more liberal regulations than allowed under the king salmon management plan. The Board agreed to this approach and the resident bag limit was increased to 3-fish and the non-resident annual limit was increased

from 3 to 5 fish by emergency regulation. In 2005 the sport fishery harvested 16.1% of the combined sport/troll quota based on the pre-season abundance index.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal because it is allocative. The proposed liberalized regulations for non-residents would increase sport harvest. The department SUPPORTS board action that would facilitate harvesting Alaska's entire treaty Chinook quota. However, during years of lower abundance this proposed change will likely cause the sport fishery to exceed its allocation, more that would occur under the current plan.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 152, PAGE 110. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend the regulation to include the following:

For Alaska residents the bag limit will be based on the Southeast Alaska king salmon management plan and the possession limit will be the same as the nonresident annual limit. For nonresidents the bag and possession limits will be based upon the Southeast Alaska king salmon management plan.

PROPOSED BY: Sitka Charter Boat Operators Association.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current Southeast Alaska King Salmon Management Plan by establishing possession limits for resident and non-resident anglers equal to the non-resident Chinook salmon annual limit.

WHAT ARE THE CURRENT REGULATIONS? Chinook salmon possession limits are established by emergency order (5 AAC 47.055) and have been set at one bag limit for Chinook salmon each year since 1992.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the possession limit by 1 fish for residents and 2 fish for non-residents at Chinook Abundance Indices above 1.2. At AI's below 1.2, the nonresident annual limit varies by time during the season. Therefore the possession limit, under this proposal, would also vary. In some cases it would be greater than the current possession limit for both residents and nonresidents, and in some cases the new possession limit would be lower than the current possession limit for residents only. At higher AI's this regulation would result in increased harvest by both residents and nonresidents. At lower AI's the effect on harvest would vary. Residents who currently harvest and process more than the proposed possession limit before returning to their domicile would be more restricted.

BACKGROUND: This is a companion proposal to 201, which seeks to redefine the possession limit in Southeast Alaska as the maximum number of fish a person may have in possession until returning to their domicile.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. The department is unable to determine how this proposal and proposal 201 could be successfully monitored and enforced. If proposal 201 is not adopted, this proposal is unnecessary.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 153, PAGE 111. 5 AAC 47.030(g). Southeast Alaska king salmon management plan.** Amend the regulation to include the following:

Repeal to allow charter operators and crew members working on a charter vessel to retain king salmon.

PROPOSED BY: Rick Bierman.

WHAT WOULD THE PROPOSAL DO? This proposal would allow operators and crewmembers working on a charter vessel to retain king salmon while clients are on board.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 47.030, operators and crewmembers working on a charter vessel may not retain king salmon while clients are on board the vessel. Also under this section, the number of rods fished from a charter vessel may not exceed the number of paying clients on board, except that an additional line may be used for jigging herring or smelt to be used as bait.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Based on retention rates of halibut by crewmembers, the department estimates that adoption of this proposal would increase sport harvest of king salmon by less than 3%.

BACKGROUND: Current regulations that prohibit charter operators and/or crew from retaining king salmon and require that the number of rods equal the number of paying clients were implemented in 1997 to help reduce the sport fish harvest of king salmon. Prior to that, these restrictions had been routinely implemented by emergency order whenever the sport fishery was restricted under the terms of the Southeast Alaska King Salmon Management Plan. Charter operators and/or crew are allowed to fish for species other than king salmon while under charter by sharing a client's rod. Operators and crew are allowed to transfer their fish to clients under the provisions of 5 AAC 75.010. Examination of crew harvest of the other salmon and bottomfish species, which crewmembers are allowed to retain, indicate that crewmembers rarely retain their bag limits. Based on the 1999-2001 charter logbook data, crewmembers retained approximately 5% of the total charter harvest of halibut. During 1999-2004, crewmembers retained approximately 2% of the total charter harvest of coho salmon, lingcod, and pelagic and non-pelagic rockfish and less than 1% of pink and chum salmon.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal because it has allocative implications between guides, guided clients, and non-guided anglers with respect to king salmon. However, in March the board will be addressing a department submitted statewide proposal that would eliminate retention of all species by charter operators and crew while clients are on board the vessel. Since action on the statewide proposal may affect the board's decision on this proposal, we request that the board TABLE proposal 153 until the statewide shellfish meeting in March.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**PROPOSAL 154, PAGE 112. 5 AAC 47.055. Southeast Alaska king salmon management plan.** Amend the regulation to include the following:

At the beginning of Statistical week 20 within Ketchikan area waters (including all troll hatchery access corridors) the bag limits will be two fish for nonresidents and four fish for residents.

PROPOSED BY: Donald E. Westlund.

WHAT WOULD THE PROPOSAL DO? Increase resident bag limits to four fish and nonresident bag limits to two fish in all Ketchikan area waters including all troll hatchery access corridors at the start of statistical week 20.

WHAT ARE THE CURRENT REGULATIONS? Regionwide bag limits are set based on Chinook salmon abundance as specified in the Southeast King Salmon Management Plan (5AAC 47.055). Under that plan, the department may establish, by emergency order, that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area. In addition, the Department's EO authority (5 AAC 75.003) provides the option of increasing limits and methods and means in designated harvest areas when surplus hatchery fish are available.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of king salmon by resident and nonresident anglers. The additional harvest of king salmon would include both Treaty (wild and non-Alaska hatchery stocks) and non-treaty fish (Alaska hatchery stocks). The treaty portion of the increased harvest would count towards the sport fishery king salmon allocation. This proposal would also increase the size of the area included as part of the Ketchikan terminal harvest area (THA) fishery to include Districts 101-25, 29, the remainder of 101-27, portions of 101-85, 90 and 102-20.

BACKGROUND: Currently, the department uses its emergency order authority to liberalize sport fishery regulations in the Ketchikan terminal harvest area-THA to target Alaska hatchery king salmon originating from four hatcheries (Neets Bay, Deer Mountain, Whitman lake, and Tamgas). Once hatchery broodstock needs are met and the hatchery composition of the total sport catch reaches 50% (unofficial criteria), the designated terminal areas are opened to harvest surplus king salmon, with an expanded bag limit of 12 king salmon of any size. This opening typically occurs in mid-June each year. Currently, there are no official criteria directing how to manage the sport fisheries for hatchery king salmon in the Ketchikan area. From 2001-2005 an average of 68% of the Chinook harvested in the Ketchikan area have originated from Alaska hatcheries.

DEPARTMENT COMMENTS: The Department is NEUTRAL on this proposal because it is allocative.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

## District 8

**PROPOSALS 126, 127, 129, 130, 131 AND 134. PAGES 91-97. 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES; 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR; 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATIONS; 5 AAC 33.350. CLOSED WATERS; 5 AAC 33.381. DISTRICT 6: WRANGELL NARROWS-BLIND SLOUGH TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN; 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA; 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS – FINFISH; AND 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.**

PROPOSED BY: Alaska Trollers Association (126), ADF&G (127), Carl E. Crome (129), United Southeast Alaska Gillnetters (130 & 131), and Roger Gregg (134)

WHAT WOULD THE PROPOSAL DO? These proposals would develop a comprehensive abundance-based management plan for troll, gillnet, and sport fisheries targeting Stikine River king salmon in District 8 (Figure 127-1), repealing and amending unnecessary and conflicting regulations.

### WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON.

5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS.

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY. (b) Except in areas closed by emergency order or in the waters specified in 5 AAC 29.150, king salmon may be taken in all waters of Alaska east of the winter boundary line described in 5 AAC 29.020(b), with the following exceptions: (2) in District 8, the waters of the Stikine River inside a line from Babler Point to Hour Point...

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES; (a) In this chapter, a spring salmon troll fishery means a fishery that is (1) opened and closed by emergency order; (2) restricted in area; (3) designated by number so that each opening in a specific body of water is uniquely identified for catch and reporting purposes. (b) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced king salmon while maintaining a historical pink and chum salmon troll fishery in Cross Sound...

5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. (c)(3) District 8 opens on the second Sunday of June;

5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATIONS. (d)(1) in District 8 from the second Sunday in June through July 18, six inches, except during periods established by emergency order for Blind Slough for the harvest of king salmon when no maximum mesh size will apply;

5 AAC 33.350. CLOSED WATERS. (i)(3)(B) before the third Sunday in June and after the first Saturday in August, waters inside a line from Babbler Point to Hour Point along the shore of Wrangell Island to Point Highfield to the southern end of Liesnoi Island to the southern end of Greys Island to the small island near the eastern entrance of Blind Slough to the nearest point of Mitkof Island to the prominent point of Mitkof Island nearest Coney Island to the northern end of Coney Island to a point 500 yards north of Jap Creek on the mainland shore.

5 AAC 33.381. DISTRICT 6: WRANGELL NARROW-BLIND SLOUGH TERMINAL HARVEST AREA MANAGEMENT PLAN. (d) Due to harvest objectives in the terminal harvest area, the waters of Frederick Sound east of a line from Boulder Point to Point Highland are closed to commercial salmon fishing from April 16 through May 31.

5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA. (a) Unless otherwise specified through an emergency order issued under AS 16.05.060, the special provisions in this section apply in the salt waters listed. The special provisions are exceptions to the general provisions specified in 5 AAC 47.020, 5 AAC 47.030, and 5 AAC 47.035, and modify the general provisions only to the extent specified in this section.

(h) In the Petersburg/Wrangell vicinity, in the waters of Grey's Passage enclosed by a line from Babbler Point to Point Highfield to an ADF&G regulatory marker located at the eastern entrance to Blind Slough, to the mouth of Jap Creek on the mainland shore, salmon may be taken only from June 15 - April 15.

5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS – FINFISH. a) Unless otherwise provided in 5 AAC 47.021, 5 AAC 47.023, 5 AAC 47.055, or by emergency order issued under AS 16.05.060, the provisions in this section apply to finfish sport fishing in the Southeast Alaska Area.

(b) Sport fishing may be conducted only by the use of a single line per angler, and not more than six lines may be fished from a vessel.

(g) Operators and crew members working on a charter vessel may not retain king salmon while clients are on board the vessel. The maximum number of fishing lines that may be fished from a vessel engaged in sport fishing charter activities is equal to the number of paying clients on board the vessel, except that

(1) an additional line may be used to jig for herring and smelt as bait as specified in 5 AAC 75.030; and

(2) the total number of lines may not exceed the limit established in (b) of this section.

(i) Only unbaited, artificial lures may be used from November 16 - September 14.

5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN. (a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the preseason king salmon abundance index determined by the Chinook Technical Committee of the Pacific Salmon Commission. The bag and possession limits and other management measures established by the commissioner will remain in effect until December 31. For the following year, until that year's preseason abundance index becomes available, the bag and possession limits and other management measures will be based on the prior year's preseason abundance index. If the new preseason king salmon abundance index is not available by May 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's preseason abundance index, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

(c) When the king salmon abundance index is greater than 1.2, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon;

(2) a nonresident bag limit of one king salmon; and

(3) a nonresident annual limit of three king salmon, 28 inches or greater in length.

(d) When the king salmon abundance index is less than or equal to 1.2, the commissioner shall, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon;

(2) from January 1 through June 30, a nonresident's harvest limit is three king salmon, 28 inches or greater in length;

(3) from July 1 through July 15, a nonresident's harvest limit is two king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through June 30 will apply toward the two fish harvest limit; and

(4) from July 16 through December 31, a nonresident's harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through July 15 will apply toward the one fish harvest limit.

(e) In addition to the provisions of (d) of this section, when the king salmon abundance index is less than or equal to 1.1, the commissioner may, by emergency order, implement the following management measures in the following order of priority:

(1) from May 1 through June 30, a restriction of the maximum number of lines that may be fished from a charter vessel to four lines;

(2) from August 1 through September 30, a prohibition on the possession or retention of king salmon less than 48 inches in length by a nonresident angler, except that from August 15 through August 25, a nonresident will be allowed a bag and possession limit of one king salmon, 28 inches or greater in length, in the following areas:

(A) Lynn Canal north of a line from Point Couverden to Point Lizard Head to a line from Point Bridget to Point Whidby;

(B) Taku Inlet west of a line from Cooper Point to Greely Point; and

(C) Stephens Passage north of a line from Gwen Point to Point Styleman;  
and

(3) from August 1 through September 30, a prohibition on the possession or retention of king salmon less than 48 inches in length by resident and nonresident anglers, except that from August 15 through August 25, an angler will be allowed a bag and possession limit of one king salmon, 28 inches or greater in length, in the following areas:

(A) Lynn Canal north of a line from Point Couverden to Point Lizard Head to a line from Point Bridget to Point Whidby;

(B) Taku Inlet west of a line from Cooper Point to Greely Point; and

(C) Stephens Passage north of a line from Gwen Point to Point Styleman.

(f) In addition to the provisions of (d) and (e) of this section, when the king salmon abundance index is less than 1.0, the commissioner may, by emergency order, specify fishing times during which the retention of king salmon less than 48 inches in length is prohibited by resident and nonresident anglers. Fishing times of non-retention under this subsection will be implemented independently for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers. Fishing times of non-retention will be established on a regular basis between July 16 and July 31, as needed, and will be established on non-consecutive days when possible. If the entire period of July 16 through July 31 is established as a fishing time of non-retention and additional closures are necessary, additional fishing times of non-retention will be similarly established between July 1 and July 15.

(g) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(h) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, these proposals would modify, eliminate and/or create regulations that establish a comprehensive abundance based king salmon management plan for targeting Stikine River king salmon returns in District 8.

BACKGROUND: Prior to 1974, directed drift gillnet and troll fisheries for king salmon were allowed beginning the last Sunday or Monday in April in District 8, usually for three days each week. From 1974 to 1977, fishing time was decreased significantly in an attempt to increase king salmon escapements to the Stikine River. The April opening date was removed during the Fall 1977 BOF meeting as one of a series of proposals that would provide additional protection to depleted king salmon runs in Southeastern Alaska. King salmon escapements to the Stikine River were at very low levels and the complete closure of the directed king salmon fishery in District 8 was critical to the rebuilding of the king salmon returns.

Historical harvests of king salmon in the District 8 gillnet fishery in statistical weeks 18 through 29 from 1960-2005 are presented in Figure 127-2.

In 1985 the king salmon rebuilding program was incorporated into the Pacific Salmon Treaty (PST), and the U.S. and Canada established a goal of achieving 19,800 to 25,000 large spawners in the Canadian portion of the Stikine River by 1995. The Stikine River king salmon escapement goal was lowered by joint agreement in the year 2000 to 14,000 to 28,000 large spawners. Escapements have exceeded the lower end of the escapement goal range every year since 1985 and the upper end of the goal has been met or exceeded 6 out of the last 10 years (1996-2005). Since 1976 and prior to the 2005 season, the District 8 gillnet fishery has opened for sockeye in the second or third week in June, allowing approximately two-thirds of the Stikine king salmon migration to pass before the fishery starts.

The BOF deliberated a similar proposal to institute a directed commercial drift gillnet fishery on Stikine River king salmon in District 8 during its February, 2000 and 2003 meetings. The Board also deliberated a proposal to reopen the Grey's Passage area to sport fishing during its February, 2000 meeting. The BOF rejected the proposals because stock assessment and abundance-based management programs were not in place to support implementation of such fisheries, and because the Pacific Salmon Treaty (PST) requires consent of the two nations prior to implementation of directed fisheries on Stikine River king salmon. The Board directed the department to continue to negotiate an agreement with Canada and work towards developing stock assessment programs to enable both parties to implement abundance based fishery regimes. At the 2000 BOF meeting in Juneau, the board directed the department to begin the process within the PST to re-establish directed fisheries for Stikine River king salmon. To that end, the department put the item on the agendas of regularly scheduled PST meetings. Conferences with Canada regarding re-establishment of the fisheries were positive. At the 2002 PST meeting in Portland, OR, Canada desired to link any possible Taku king salmon fisheries with directed fisheries for Stikine River king salmon. The U.S. delegation opposed linkage on the grounds that there was adequate research data and assessment tools to perform abundance-based management for Taku king salmon fisheries, but not for Stikine fisheries. Since that time, the department and the Canadian Department of Fisheries and Oceans have instituted an aggressive program to improve stock assessment and management capabilities on this run. A bilaterally-accepted MSY escapement goal for Stikine River king salmon was established in 2000, adult tagging programs have been initiated to provide in-season estimates of escapement, and a coded wire tagging project has been deployed to provide estimates Stikine River king salmon in marine harvests.

In February of 2005, the U.S. and Canada successfully negotiated modified Treaty Annex provisions, which included harvest sharing arrangements for king salmon returning to the Stikine River. In addition to the sharing arrangements for king salmon, the negotiators also agreed to subsistence king and coho salmon fisheries on the Stikine River. A major component of the negotiations was specific harvest shares for both countries that are referred to as Allowable Catch (AC). Preliminary ACs are calculated using preseason forecasts of terminal run for each stock. The 2005 preseason terminal run forecast for the Stikine River was approximately 80,000 large adults providing for an Alaskan harvest of 30,500 fish in District 8 by all gear groups including directed harvest by drift gillnet fisheries in District 8. The AC would be adjusted as inseason information on run strength became available. The harvests of Stikine king salmon in District 8 above base level catch (BLC) would not count against the 7,600 drift gillnet, troll, or sport harvest caps allowed under the king salmon allocation plan adopted by the BOF according to 5 AAC 29.060. The agreement only pertains to large king salmon (660 mm MEF or larger in length).

Following successful negotiations, the BOF approved emergency regulations in March 2005 for the commercial and sport fisheries in District 8. These regulations were only in effect for the 2005 season. The emergency regulations for the gillnet fishery allowed District 8 to open the first Monday in May through the second Sunday in June. However, open periods were subject to the provisions of the PST and the fishery could not occur on weekends or State or Federal holidays. The emergency regulations for the sport fishery included a number of provisions. One prevented a seasonal closure to salmon sport fishing from occurring in the Grey's Pass area of District 8 for 2005, while other provisions allowed for the anglers' use of an additional (second) rod, increased the daily bag limit increase to 3 king salmon for all anglers, and eliminated the nonresident annual limit. The emergency regulations allowed for the troll fishery to be open 7 days a week in the District 8 hatchery access areas.

The successful negotiations and emergency regulations resulted in the first drift gillnet fishery directed at harvesting Stikine River king salmon in almost 30 years. The 2005 preseason terminal run forecast of adult Stikine King salmon was approximately 80,000 fish. This put the preseason TAC's at 31,900 and 20,300 fish for the U.S. and Canada respectively. The final terminal run forecast for the 2005 season is approximately 78,000 fish. This estimate put the U.S. TAC at 30,500 fish and the Canada TAC at 19,500 fish. The fishery was limited to the waters in District 8 in order to target adult Stikine king salmon. One hundred thirteen vessels made landings of king salmon over the course of this six-week fishery from statistical week 19 through 24. A total of 21 days were fished within this time period. Effort grew every week of the fishery 36 boats recording landings during the first week and 104 boats during the sixth week of the fishery (Figure 127-3). Through statistical week 29, the estimated cumulative U.S. harvest of adult Stikine king salmon (commercial gillnet, troll, sportfish, and subsistence) is estimated to be 31,000 and the Canadian harvest is 18,989 fish. The U.S. gillnet portion of this catch is estimated to be 23,620 fish (Table 127-1).

Four-day openings were standard during the District 8 directed Stikine king salmon gillnet fishery in 2005 due to good catch rates and fairly strong inriver indicators (Figure 127-3). These openings ran from 8:00 a.m. Monday morning to 8:00 a.m. Friday morning. In association with sport salmon derbys fishery openings were shortened for two weeks to maintain a balance between sport and commercial fishing opportunities at the requests of the Petersburg and Wrangell Advisory Committees. The Advisory Committees wanted to see a build up of king salmon for the annual sport fishing derbies



and they did not want a commercial gillnet fishery occurring on Memorial Day. Therefore, during week 22 (the week before Memorial Day) the fishery was reduced to two days and the following week the fishery had a three-day opening beginning Tuesday. A six-inch minimum mesh restriction was put into place in week 21 to aid in steelhead conservation efforts. The waters of District 8 were opened west of a line from Indian Point to Point Rothsay with several specific area closures that were established by the Petersburg and Wrangell Advisory Committees as sport fish only areas. The sport fish closures around Wrangell remained in effect throughout the six weeks of the fishery, while the Petersburg closures remained in effect four weeks and were dropped after Memorial Day (weeks 23 and 24).

The liberalized troll fishery started on May 1 in the District 8 spring troll fishing areas (Figure 127-4). The fishery was open continuously (7 days a week). On June 30, the end of SW 27, the liberalized regulations for the troll fishery ended and the summer troll management plan came into effect on July 1. Under the summer troll management plan, trolling was allowed in all of District 8 during the same time and areas where gillnetting was open. The total harvest of Stikine king salmon in the liberalized spring troll fishery was estimated to be 4,317 fish, well above previous years harvest (Table 127-2).

The bulk of the liberalized regulations for District 8 sport fishery took effect on May 1 and remained in effect through July 15, 2005. However, some liberalization began as early as April 16, when the Grey's Pass area was allowed to remain open instead of closing on that date. In Petersburg, the king salmon derby was brief, lasting four days (May 27 –May 30) with very strong derby catches (a record 689 fish entered). In Wrangell, the king salmon derby ran 30 days (May 14 through June 12) with 220 derby entries, reflecting only the single largest fish that each participant entered. Unlike Petersburg, many fish in the Wrangell derby are not entered due to differences in derby rules.

An estimated 3,002 Stikine king salmon (28 inches and larger) were caught in the sport fishery throughout District 8 over the course of the May 1 through July 15 period (Table 127-2). The 2005 District 8 king salmon harvest was slightly higher than the recent 5-yr average of 2,822 large king salmon and the base-period sport Stikine harvest of 2,818 large king salmon, the average of 1985-2003 (Table 127-1). The goal of significantly increasing District 8 Stikine king salmon sport harvest in 2005 well above the base sport harvest level was not realized

Canadian harvests of king salmon have increased since 1979 when a commercial gillnet fishery directed at harvesting sockeye salmon was initiated near the U.S.-Canada border. Prior to 1979 Canadian catches were comprised of the aboriginal fishery at Telegraph Creek and a small commercial fishery at Telegraph Creek, which began in 1975. The Canadian total king salmon harvest (upper and lower-river commercial fisheries and aboriginal food fishery) in 2005 was 18,989 large fish. The Canadian total king salmon harvest since 1979 (not including the 2005 season) ranged from 734 fish in 1984 to 4,690 fish in 1997 with an average of 2,198 fish. The Canadian lower-river commercial fishery harvests the vast majority of king salmon with an average catch of 1,214 fish since 1979 (Table 127-4). In 2005, the lower-river commercial fishery started in statistical week 20, 6 weeks early than its normal starting date. During this time the fishery was open 3 to 7 days a week with an average of 4.7 days per week (Figure 127-5). The effort in permits

fishing per week ranged from 8 to 12 permits during this time. The 2005 Canadian lower-river commercial harvest of king salmon was 18,232 and the total Canadian harvest of Stikine king salmon was 18,994 (Table 127-1).

The 2005 inriver run size was estimated to be approximately 48,000 fish and the escapement was estimated to be approximately 28,000 fish, at the upper end of the 14,000-28,000 escapement goal range (Table 127-1). The Little Tahltan River had approximately 7,400 king salmon through the weir before it was pulled on August 9. King salmon escapements to the Little Tahltan River have exceeded the lower end of the escapement goal (2,700-5,300 with a point estimate of 3,300 large king salmon) in 21 out of the last 21 years (1985-2005) and have exceeded the upper end of the escapement goal in 11 years during that same time period. Andrews Creek had the second highest king salmon escapement count on record during the 2005 season with approximately 1,700 fish (Table 127-5).

DEPARTMENT COMMENTS: The department SUPPORTS the concept of these proposals to create directed fisheries to harvest king salmon in excess of escapement needs and the department is NEUTRAL on the allocative aspects of these proposals.

During the October, 2005 Work Session the BOF adopted a Stikine King Salmon Fishery Workgroup and a charge statement to develop an abundance based management plan for commercial and sport fisheries to harvest Stikine River Chinook salmon in District 8. The work group held meetings from October through December to gather information and work toward a consensus on what needs to be incorporated into the management plan. It is anticipated that the workgroup recommendations will be presented at the January 2006 BOF meeting.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

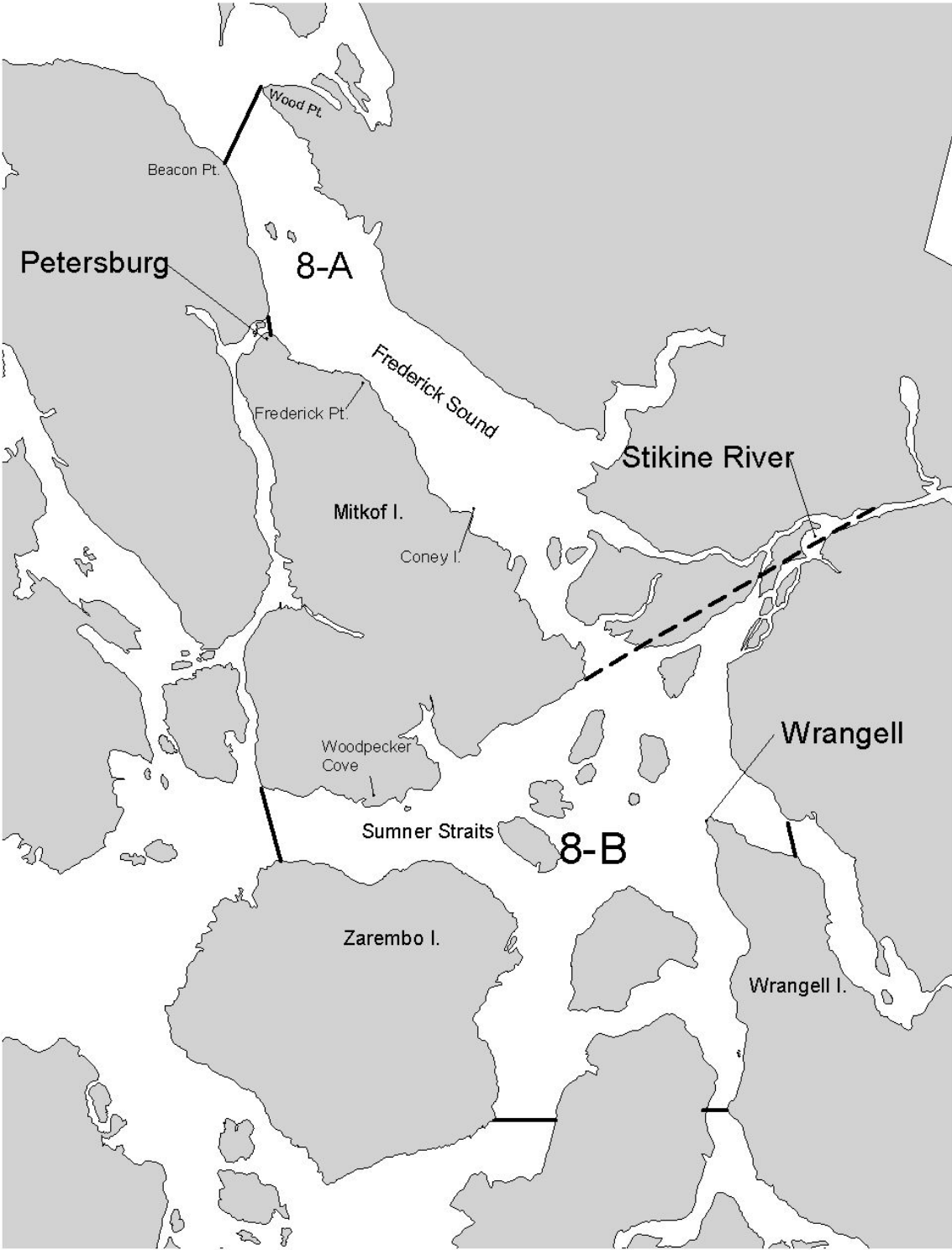
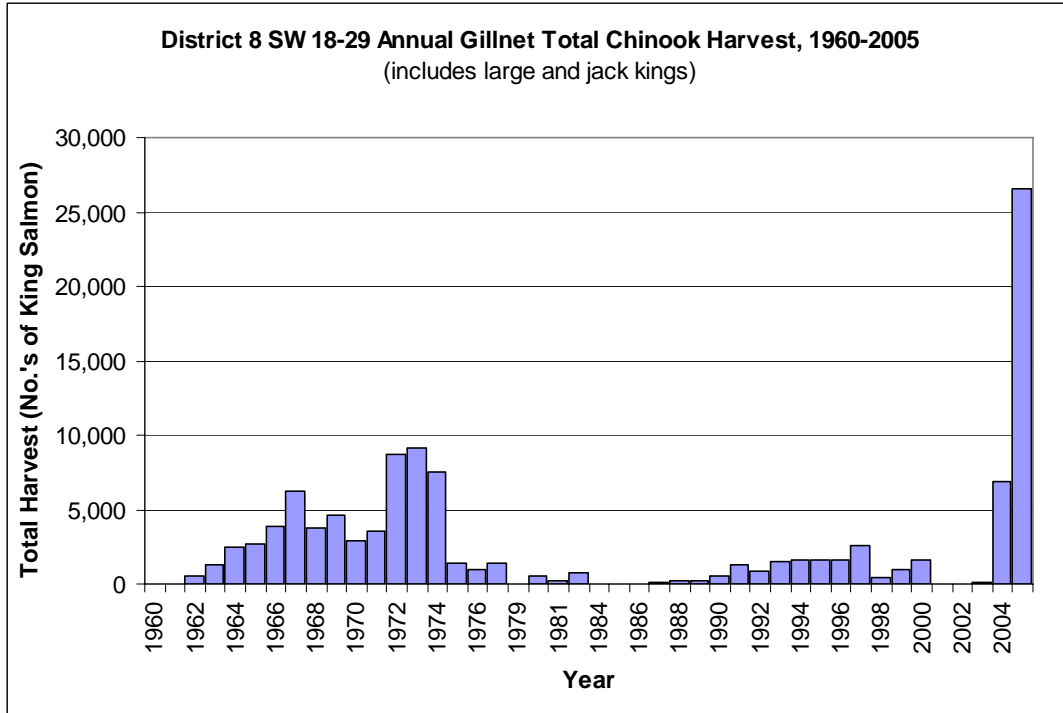
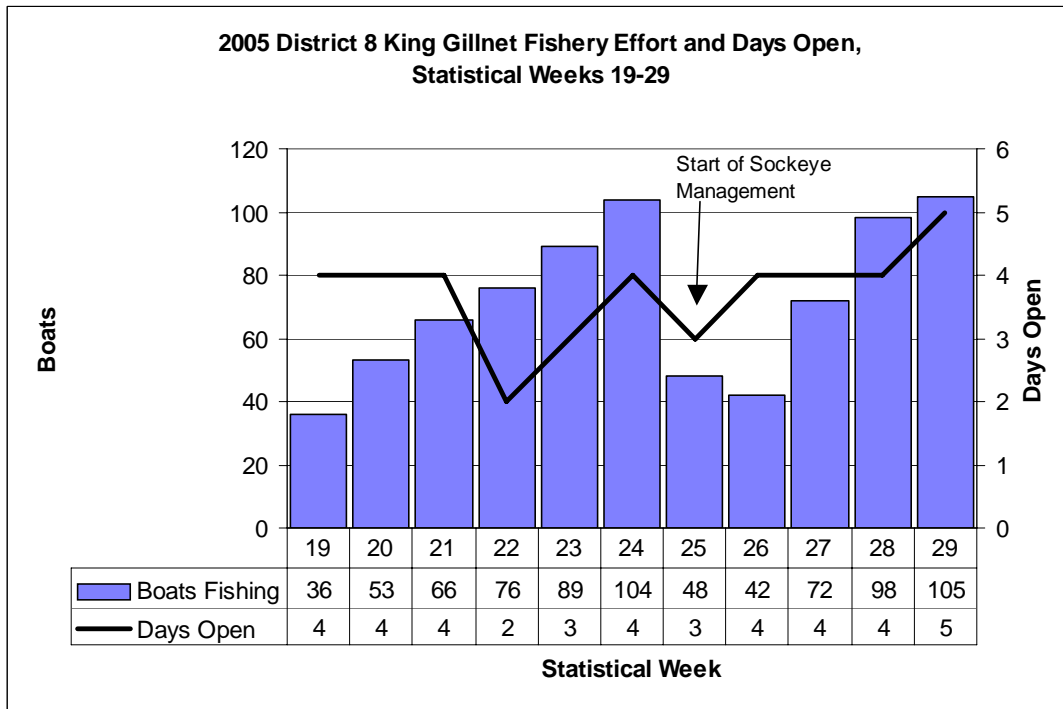


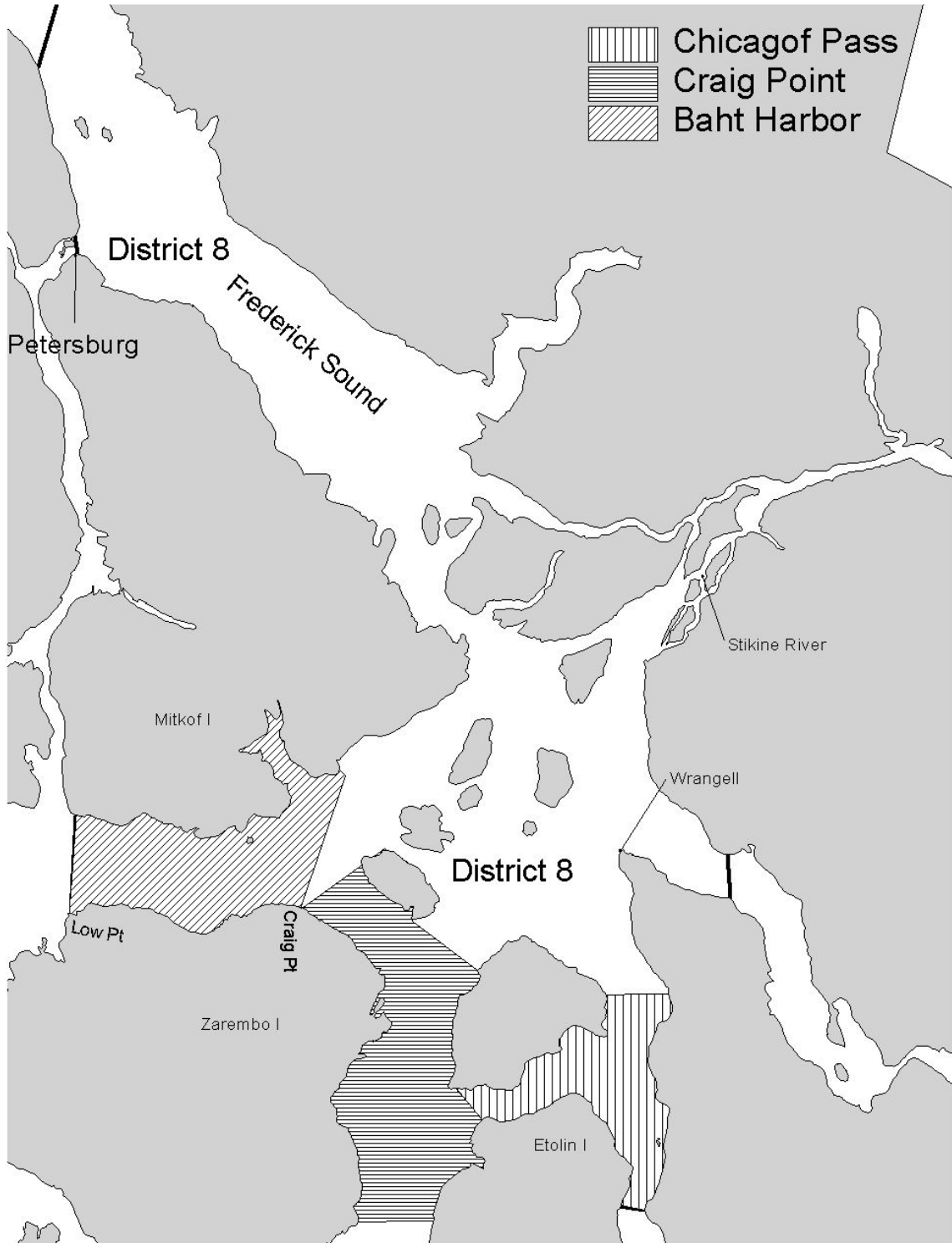
Figure 127-1.—Map showing District 8.



**Figure 127-2.**—Annual District 8 gillnet king salmon harvest during statistical weeks 18-29, 1960-2005. Harvest includes both large and jack kings.



**Figure 127-3.**—2005 District 8 gillnet king fishery effort in boats fishing and days open by statistical week.



**Figure 127-4.**—2005 District 8 spring troll fishery areas.

**Table 127-1.**—Escapement index counts, spawning escapement estimates, harvests, and run sizes for large Stikine River Chinook salmon, from 1975 to 2005. Escapement estimates in bold are from mark-recapture estimates (1996 to 2004), estimates in italics (1975 to 1984) are from expansions of aerial counts, and estimates from 1985 to 1995 and 2005 are from expansions of Little Tahltan River weir counts (2005 data and some recent estimates are subject to revision).

| Year | Aerial counts | Little Tahltan weir count | Spawning escapement | U.S. sport harvest, Psg-Wrg | U.S. D8 gillnet harvest | U.S. D8 troll harvest | Canadian harvest | Terminal harvest | Terminal run size   |
|------|---------------|---------------------------|---------------------|-----------------------------|-------------------------|-----------------------|------------------|------------------|---------------------|
| 1975 | 700           |                           | <i>7,571</i>        |                             | 1,529                   |                       | 1,202            | 2,731            | 10,302              |
| 1976 | 400           |                           | <i>5,723</i>        |                             | 1,101                   |                       | 1,160            | 2,261            | 7,984               |
| 1977 | 800           |                           | <i>11,445</i>       |                             | 1,378                   |                       | 162              | 1,540            | 12,985              |
| 1978 | 632           |                           | <i>6,835</i>        | 2,282                       |                         |                       | 500              | 2,782            | 9,617               |
| 1979 | 1,166         |                           | <i>12,610</i>       | 1,759                       | 39                      | 384                   | 1,109            | 3,291            | 15,901              |
| 1980 | 2,137         |                           | <i>30,573</i>       | 2,498                       | 334                     | 519                   | 2,466            | 5,817            | 36,390              |
| 1981 | 3,334         |                           | <i>36,057</i>       | 2,022                       | 252                     | 565                   | 1,504            | 4,343            | 40,400              |
| 1982 | 2,830         |                           | <i>40,488</i>       | 2,929                       | 1,001                   | 721                   | 2,449            | 7,100            | 47,588              |
| 1983 | 594           |                           | <i>6,424</i>        | 2,634                       | 24                      | 978                   | 1,456            | 5,092            | 11,516              |
| 1984 | 1,294         |                           | <i>13,995</i>       | 2,171                       | 10                      | 1,025                 | 726              | 3,932            | 17,927              |
| 1985 | 1,598         | 3,114                     | 16,037              | 2,953                       | 15                      | 2,803                 | 1,203            | 6,974            | 23,011              |
| 1986 | 1,201         | 2,891                     | 14,889              | 2,475                       | 44                      | 2,434                 | 2,056            | 7,009            | 21,898              |
| 1987 | 2,706         | 4,783                     | 24,632              | 2,834                       | 63                      | 2,310                 | 2,528            | 7,735            | 32,367              |
| 1988 | 3,796         | 7,292                     | 37,554              | 2,440                       | 103                     | 1,162                 | 2,833            | 6,538            | 44,092              |
| 1989 | 2,527         | 4,715                     | 24,282              | 2,776                       | 198                     | 1,660                 | 3,018            | 7,652            | 31,934              |
| 1990 | 1,755         | 4,392                     | 22,619              | 4,283                       | 208                     | 1,604                 | 2,610            | 8,705            | 31,324              |
| 1991 | 1,768         | 4,506                     | 23,206              | 3,657                       | 581                     | 1,204                 | 2,565            | 8,007            | 31,213              |
| 1992 | 3,607         | 6,627                     | 34,129              | 3,322                       | 475                     | 224                   | 2,635            | 6,656            | 40,785              |
| 1993 | 4,010         | 11,449                    | 58,962              | 4,227                       | 707                     | 335                   | 2,757            | 8,026            | 66,988              |
| 1994 | 2,422         | 6,387                     | 33,094              | 2,140                       | 1,210                   | 375                   | 2,303            | 6,028            | 39,122              |
| 1995 | 1,117         | 3,072                     | 16,784              | 1,218                       | 605                     | 346                   | 2,001            | 4,170            | 20,954              |
| 1996 | 1,920         | 4,821                     | <b>28,949</b>       | 2,464                       | 783                     | 283                   | 2,931            | 6,461            | 35,410              |
| 1997 | 1,907         | 5,613                     | <b>26,996</b>       | 3,475                       | 1,736                   | 311                   | 4,701            | 10,223           | 37,219              |
| 1998 | 1,385         | 4,879                     | <b>25,968</b>       | 1,438                       | 129                     | 119                   | 2,325            | 4,011            | 29,979              |
| 1999 | 1,379         | 4,738                     | <b>19,947</b>       | 3,668                       | 564                     | 437                   | 3,935            | 8,604            | 28,551              |
| 2000 | 2,720         | 6,640                     | <b>27,531</b>       | 2,581                       | 604                     | 525                   | 2,996            | 6,706            | 34,237              |
| 2001 | 4,158         | 9,738                     | <b>63,523</b>       | 2,263                       | 6                       | 680                   | 3,123            | 6,072            | 69,595              |
| 2002 | 1,131         | 7,490                     | <b>50,875</b>       | 3,077                       | 21                      | 983                   | 3,060            | 7,141            | 58,016              |
| 2003 | 1,903         | 6,492                     | <b>46,824</b>       | 3,252                       | 84                      | 1,426                 | 3,057            | 7,819            | 54,643              |
| 2004 | 6,014         | 16,381                    | <b>48,900</b>       | 2,939                       | 4,522                   | 2,767                 | 3,638            | 13,866           | 62,766              |
| 2005 | 1,997         | 7,387                     | <b>28,184</b>       | 3,002                       | 23,620                  | 4,302                 | 18,994           | 49,918           | 78,102 <sup>a</sup> |

<sup>a</sup> Preliminary estimate based on inseason marine harvest information and CPUE data collected during the mark-recapture escapement project.

**Table 127-2.**—District 8 spring troll areas, king salmon harvests, stock composition, permits fished and days open, 1993-2005.

|         | Permits Fished | Total Catch | Alaska Hatchery Catch | Alaska Hatchery Composition | Days Open   |           |                |
|---------|----------------|-------------|-----------------------|-----------------------------|-------------|-----------|----------------|
|         |                |             |                       |                             | Baht Harbor | Craig Pt. | Chichagof Pass |
| 1993    | 7              | 43          | 17                    | 40%                         | 12          |           |                |
| 1994    | 8              | 107         | 27                    | 25%                         | 10          |           |                |
| 1995    | 6              | 18          | 0                     | 0%                          | 11          |           |                |
| 1996    | 6              | 58          | 58                    | 100%                        | 15          |           |                |
| 1997    | 10             | 135         | 0                     | 0%                          | 12          |           |                |
| 1998    | 4              | 14          | 0                     | 0%                          | 13          |           |                |
| 1999    | 10             | 450         | 275                   | 61%                         | 33          |           |                |
| 2000    | 20             | 428         | 81                    | 19%                         | 35          |           |                |
| 2001    | 15             | 585         | 345                   | 59%                         | 38          |           |                |
| 2002    | 24             | 602         | 101                   | 17%                         | 39          | 36        |                |
| 2003    | 28             | 741         | 178                   | 24%                         | 39          |           |                |
| 2004    | 50             | 1,912       | 412                   | 22%                         | 36          | 25        | 41             |
| 2005    | 89             | 4,995*      | 459                   | 9%                          | 61          | 61        | 61             |
| Average | 21             | 776         | 150                   | 29%                         |             |           |                |

\*Estimated 4,317 Stikine King Salmon Catch

**Table 127-3.**—2005 estimates of District 8 Stikine king salmon harvested in the sport fishery during the May 1 through July 15 period when liberalized regulations were in effect. The estimates were generated from creel surveys conducted in Petersburg and Wrangell, and apply to wild king salmon 28-inches and greater in size.

District 8 Wild KS estimated Harvests:

| Commercial Sport Fish |        | Period:          | Petersburg | Wrangell | totals |
|-----------------------|--------|------------------|------------|----------|--------|
| Stat Week             | Biweek |                  |            |          |        |
| 18-19                 | 9      | April 25 -May 8  | 57         | 16       | 73     |
| 20-21                 | 10     | May 9 - 22       | 74         | 467      | 541    |
| 22-23                 | 11     | May 23 - June 5  | 641        | 1,048    | 1,689  |
| 24-25                 | 12     | Jun 6 - 19       | 187        | 383      | 570    |
| 26-27                 | 13     | June 20 - July 3 | 62         | 69       | 131    |
| 28-29                 | 14     | July 4 - 17      | 0          | 0        | 0      |
|                       |        |                  | 1,021      | 1,981    | 3,002  |



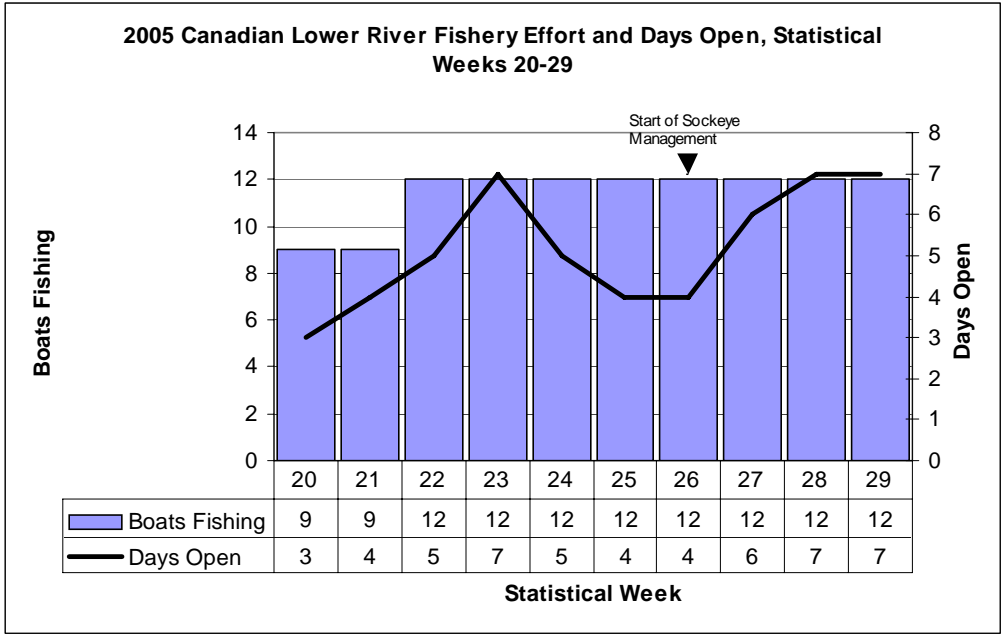
**Table 127-4.**—Annual Canadian harvest of large Stikine River king salmon.

| Year       | First Nations | Commercial | Sport | Total Large |
|------------|---------------|------------|-------|-------------|
| 1979       | 323           | 712        | 68    | 1,102       |
| 1980       | 686           | 1,176      | 124   | 1,985       |
| 1981       | 473           | 678        | 193   | 1,344       |
| 1982       | 499           | 1,769      | 180   | 2,448       |
| 1983       | 851           | 567        | 50    | 1,468       |
| 1984       | 643           | 0          | 91    | 734         |
| 1985       | 793           | 318        | 103   | 1,214       |
| 1986       | 1,026         | 910        | 104   | 2,040       |
| 1987       | 1,183         | 1,018      | 145   | 2,346       |
| 1988       | 1,178         | 1,182      | 205   | 2,565       |
| 1989       | 1,078         | 1,591      | 156   | 2,825       |
| 1990       | 633           | 1,617      | 153   | 2,403       |
| 1991       | 753           | 758        | 153   | 1,664       |
| 1992       | 911           | 929        | 200   | 2,040       |
| 1993       | 929           | 874        | 386   | 2,189       |
| 1994       | 698           | 1,092      | 234   | 2,024       |
| 1995       | 570           | 1,076      | 133   | 1,779       |
| 1996       | 722           | 1,749      | 183   | 2,654       |
| 1997       | 1,155         | 3,328      | 207   | 4,690       |
| 1998       | 538           | 1,626      | 185   | 2,349       |
| 1999       | 765           | 2,151      | 170   | 3,086       |
| 2000       | 1,109         | 1,977      | 225   | 3,311       |
| 2001       | 654           | 826        | 182   | 1,662       |
| 2002       | 927           | 436        | 393   | 1,756       |
| 2003       | 570           | 714        | 190   | 1,474       |
| 2004       | 1,425         | 2,481      | 87    | 3,994       |
| 2005       | 762           | 18,232     | N/A   | 18,994      |
| 79-04 Avg. | 811           | 1,214      | 173   | 2,198       |

N/A = not available

**Table 127-5.**—Little Tahltan River weir counts in Canada and Andrew Creek index surveys in the U.S., 1979-2005. Counts do not include jacks.

| Year       | Little Tahltan Weir | Andrew Creek |
|------------|---------------------|--------------|
| 1979       |                     | 382          |
| 1980       |                     | 363          |
| 1981       |                     | 654          |
| 1982       |                     | 947          |
| 1983       |                     | 444          |
| 1984       |                     | 389          |
| 1985       | 3,114               | 319          |
| 1986       | 2,891               | 707          |
| 1987       | 4,783               | 788          |
| 1988       | 7,292               | 564          |
| 1989       | 4,715               | 530          |
| 1990       | 4,392               | 664          |
| 1991       | 4,506               | 400          |
| 1992       | 6,627               | 778          |
| 1993       | 11,437              | 1,060        |
| 1994       | 6,373               | 572          |
| 1995       | 3,072               | 338          |
| 1996       | 4,821               | 332          |
| 1997       | 5,547               | 300          |
| 1998       | 4,873               | 487          |
| 1999       | 4,733               | 605          |
| 2000       | 6,631               | 690          |
| 2001       | 9,730               | 1,447        |
| 2002       | 7,476               | 875          |
| 2003       | 6,492               | 595          |
| 2004       | 16,381              | 1,844        |
| 2005       | 7,387               | 1,701        |
| 79-04 Avg. | 6,294               | 657          |



**Figure 127-5.**—Canadian lower river commercial fishery effort and days open.

**PROPOSAL 128, PAGE 93. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area; and 5 AAC 47.055 Southeast Alaska king salmon management plan.**

Amend this regulation to include the following:

This proposal would set the nonresident bag limit at 2 fish with an annual limit of four and the resident bag limit at 3 fish with no annual limit.

PROPOSED BY: Wrangell Advisory Committee.

WHAT WOULD THE PROPOSAL DO? During years of high abundance of Stikine River king salmon when directed commercial fisheries and liberalized sport fisheries are allowed, the nonresident bag limit would be set at two fish per day, with an annual limit of four; the resident bag limit would be three per day with no annual limit.

WHAT ARE THE CURRENT REGULATIONS? Currently no abundance-based management plan exists for terminal fisheries upon Stikine River king salmon. The Southeast Alaska King Salmon Management plan [5AAC 47.055] establishes region-wide daily sport fishing bag and possession limits. Bag limits for residents and annual limits for nonresidents vary based on the Pacific Salmon Treaty's (PST) projected abundance of Chinook salmon. The Grey's Passage area, near the mouth of the Stikine River, is closed to sport fishing from April 16 to June 14.

In 2005, Alaska and Canada agreed to share the harvest of Stikine River king salmon that are in excess to the escapement needs. The Board, acting on an ACR for District 8 and 11 king salmon, authorized an emergency regulation to expand the sport fishery and open the directed commercial fisheries to harvest Alaska's share of the projected excess of Stikine River king salmon in 2005. These provisions included a 3-fish bag limit for all anglers, no annual limit for non-resident anglers, reopening previously closed waters to salmon sport fishing, and allowing the use of a second rod while fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Information taken from 1999 through 2004 charter trips, taken primarily by non-resident anglers, indicate that the District 8 chartered anglers have accounted for estimated harvests between 113 and 292 king salmon 28 inches or greater in length (avg. = 186 fish) annually, during the May 1 to July 15 period. In most of these years the bag limit was 1 fish with a 3 fish annual limit. It was estimated that chartered anglers released between 16 and 91 king salmon 28 inches or greater in length (avg. =58 fish). If a higher bag limit had allowed these fish to be retained, then harvest would have increased by between 9% and 36% (an average of 24%). The liberalized 2005 sport fishery also provided an opportunity to gauge what would occur under a 3 king salmon daily bag limit with no annual limit, for resident and non-resident anglers. Preliminary harvest estimates from

charter anglers indicate the harvest was approximately 200 king salmon for 408 charter clients. Thus, the increased bag- and annual limit provisions for the 2005 fishery do not appear to have substantially increased harvest above the 1999-2004 charter harvest levels.

The effect of increasing the resident bag limit to 3 will vary depending on the Chinook Technical Committee Abundance Index (AI). Under the current King Salmon Management Plan, the resident bag limit would be 1 or 2 fish, depending on the AI. Estimates of angling success by private anglers fishing in District 8 waters between May 1 and July 15 indicate that the vast majority of anglers catch 0 or 1 fish per trip. In 2005, when the resident bag limit was increased to 3 fish by emergency regulation, the preliminary harvest estimate for king salmon in District 8 is 3,002 fish. This is similar to the 5-year average of approximately 2,822 Stikine king salmon. Creel data indicate that only 1% of anglers harvest the 3-fish bag limit during 2005.

BACKGROUND: The king salmon sport fishery has been managed under the Southeast Alaska King Salmon Management Plan. In October 2005, the Board charged a working group to develop an abundance-based management plan for harvest of Alaska's share of Stikine River king salmon that are in excess of escapement needs. The working group will present its recommendations to the Board during the January Southeast finfish meeting.

DEPARTMENT COMMENTS: The department is NEUTRAL with respect to the allocative aspects of this proposal. However, the department SUPPORTS full utilization of the Stikine River king salmon and the efforts by the BOF charged working group to develop comprehensive management approaches for future directed fisheries upon Stikine River king salmon.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 132, PAGES 95& 96. 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO? Proposal 132 seeks to add regulatory language for the modification of drift gillnet gear to aid in the conservation of steelhead.

**WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION**

(b) The maximum depth of gillnets is as follows:

(1) in the Southeastern Alaska Area, a drift gillnet may not be deeper than 60 meshes;

(c) The maximum length of gillnets is as follows:

(3) in District 8, a gillnet may not be more than 300 fathoms in length, except that a gillnet may not exceed 150 fathoms in length in Blind Slough during seasons established by emergency order;

(d) The maximum gillnet mesh sizes are as follows:

(1) in District 8, from the second Sunday in June through July 18, six inches, except during periods established by emergency order for Blind Slough for the harvest of king salmon when no maximum mesh size will apply;

(e) In Districts 1, 6, 8, 11, and 15, during periods established by emergency order, the minimum gillnet mesh size is six inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would create a regulation that would give the department authority to modify gillnet net mesh size in order to reduce the number of steelhead caught. If the department recommendation for a minimum mesh size of seven inches is adopted, it would require everyone who gillnets in District 8 during the directed king salmon gillnet fishery to fish with a net of at least 7 inch minimum mesh size.

BACKGROUND: Steelhead populations in Southeast Alaska share a common characteristic of having relatively low numbers of fish. Approximately 330 steelhead populations have been identified throughout Southeast Alaska with the majority of these believed to contain 200 or fewer spawning adults. The steelhead in central Southeast Alaska near Petersburg and Wrangell are primarily populations of steelhead that share “spring” run timing, entering freshwaters between March and May. However, a few SEAK streams and larger transboundary river systems host “fall” run steelhead, that enter freshwater between August and late October. These steelhead spend the winter in the

freshwater systems before spawning. Coastal SEAK systems with fall run fish typically also include greater numbers of spring run fish. Peak spawning for “spring” and “fall” run steelhead occurs in May, followed by the return of surviving adults (kelts) to saltwater in late May and June. Unlike other salmon, adult steelhead may travel between fresh and saltwater multiple times for repeat spawning. This tendency may confer a greater reproductive value to the population’s viability, as well as to allow some steelhead to attain greater sizes in some populations that are sought after by sport anglers. Steelhead have been documented to spawn as many as five times in studied Southeast Alaska streams. This has been based on steelhead with 4 spawning checks on scale samples taken from Petersburg, Peterson, and Sitkoh creeks as well as the Karta and Situk rivers (Lohr and M. Bryant 1999). Current tagging research in Sitkoh Creek has shown that immigrant spawners initially tagged in 2003 have returned each of the last 2 years, indicating those caught in 2005 were on their 3rd (or greater) spawning run. Repeat spawning fish usually constitute 25-33% (sampled range = 11% to 38%) of the total adult return (Van Hulle, 1985). Although specific stock composition estimates are not available, adult steelhead sampled in Southeast Alaska from six systems range between 20 and 40 inches TL, with average lengths ranging from 28 to 31 inches TL.

Anadromous catalogue listings and staff knowledge have indicated a significant number of local steelhead populations, to which returning adults may pass through District 8 waters during times when a directed District 8 gillnet fishery may be prosecuted (Figure 132-1). Among these, adult steelhead pass through District 8 waters to-and-from nine (9) streams terminating in District 8, as well as four (4) streams along the lower Stikine River. Although information is not available to validate migration routes, steelhead also migrate to-and-from other streams that are in close proximity to District 8 boundaries. It is highly probable that some fish from an additional five (5) such populations enter areas where gillnetting may occur during commercial openings. Lastly, it needs to be noted that a number of additional streams that are situated progressively farther from District 8 boundaries, may pass through District 8 waters. Index surveys of steelhead escapements in the Petersburg/Wrangell Area by snorkel survey are presented in Table 136-1.

Steelhead sport fishing attracts resident and visiting anglers to this and other areas of Southeast Alaska, largely in spring. The road systems provide access for steelhead anglers in the Petersburg and Wrangell communities to some sites while boats or floatplanes are used to reach other locations. Between 1977 and 1993 anglers fished under liberal regulations and estimated annual harvests averaged 373 (SWHS estimate range: 131- 778 steelhead) in the Petersburg/Wrangell management area that encompasses a significant portion of central Southeast Alaska (Mitkof, Kupreanof, Kuiu, Wrangell, Etolin, and Zarembo islands, plus the mainland between Cape Fanshaw and Meyers Chuck). In the last 11 years, the department has applied restrictive sport fishing regulations to manage SEAK steelhead. This followed concerns of stock declines, and indications of declining harvests accompanied by increasing angling effort levels that followed a peak in harvest during 1986. The resulting and current regional regulations have included dropping the daily bag limit from 2 to 1 fish, selecting a minimum length limit of 36 inches, setting an annual limit of 2 steelhead per year, and restricting bait to Sept 15-Nov 15 in most waters. Since 1994 sport harvests of steelhead have fallen to an annual average of 47 (1994-2004 SWHS estimate range: 0 to 166 steelhead) for the

Petersburg/Wrangell management area. Steelhead harvest estimates are generally not available to describe harvest in specific area streams, largely due to insufficient responses identifying fished waters by name. The restrictive regulations have been considered successful in slowing, or stemming regional declines in steelhead abundance. However, Federal Subsistence fisheries have recently started in Southeast Alaska and their liberalized regulations and local permit conditions may increase steelhead harvests above existing levels in some area streams. These regulations have not been patterned on the department's management approach, liberalizing harvest using lowered or non-existent length limits and currently proposed federal regulatory changes are expected to re-allow the use of bait in waters under federal management authority.

Commercial fishing regulations were also modified in response to declining steelhead numbers. In 1997, commercial net fisheries were no longer allowed to sell steelhead. Steelhead caught could be retained but not sold. Figure 132-2 shows the historical steelhead harvests in District 8 prior to 1997.

The 2005 District 8 directed king salmon fishery overlapped the run timing of spring immigrant steelhead as well as spring and fall emigrant steelhead. In the absence of a large minimum mesh size, two area closures were implemented around key steelhead systems to reduce the number of steelhead caught in the gillnet fishery. In the third week of the fishery, a six-inch minimum mesh size was implemented in an attempt to further reduce steelhead bycatch. The total steelhead catch, release, and harvest numbers during the entire directed king salmon fishery extrapolated from the survey data were 337, 263, and 74 fish, respectively (Figure 132-3). This data suggest that approximately 78% of the steelhead caught during the directed king salmon fishery were released, however survival rates are unknown. One indication that some released fish lived was that several net-marked steelhead were observed live during department snorkel surveys.

Since steelhead cannot be sold and were not required to be recorded on fish tickets, the estimated number of steelhead caught, and then either released or harvested was determined by analyzing data collected from weekly surveys of the gillnet fleet. Surveys were conducted by ADF&G personnel during the six weeks of the directed king salmon fishery and also the first week of the sockeye fishery. The information garnered from the survey included mesh size(s) of nets, number of king salmon harvested, number of steelhead caught and released or harvested during the current opening as well as steelhead caught and released, or harvested during the entire previous opening. The percent of the fleet that was sampled each week ranged from 35% to 76%. The data used to estimate weekly steelhead catch from the surveys of the gillnet fleet were from the reports of the entire previous week's catch. These reports were used instead of the catch from the current opening in which the boats had only been fishing for approximately one day. The catches from an entire opening required fewer assumptions to be made in deducing catch rates compared to expanding out from one day of fishing. The steelhead catch rates calculated from the survey had the potential to be influenced by different types of bias. However, this data is the best available information for 2005.

Data collected from the ADF&G surveys indicated that significantly more steelhead were caught in mesh sizes less than seven inches compared to mesh sizes greater than or equal to seven inches. The seven inch mesh size was chosen as the split between gear sizes as this was the transition that most fishermen considered between "fall gear" and "king



gear”. Approximately 50% of the fleet was fishing mesh sizes less than seven inches while approximately 40% were fishing mesh sizes equal to or greater than seven inches, the remainder of the fleet (approximately 10%) were fishing combined nets that included a section of net that was less than seven inches and a section of net that was greater than seven inches. The weekly estimates of steelhead caught in mesh size less than seven inches and greater than or equal to seven inches is summarized in Figure 132-4. Differences in steelhead catch between the two general mesh size classes, greater and less than seven inches, were quite evident. Only 6.5% of the steelhead were reported caught in nets were seven inches or larger. If the weekly steelhead catch rates of gillnetters fishing nets with mesh sizes seven inches or greater (from the 2005 survey data) are isolated from the rest of the gear fished and then extrapolated out to the entire fleet, the result would be a total of 19 total steelhead incidentally caught during the District 8 directed king salmon fishery. Therefore, instituting a minimum mesh size of seven inches would be very instrumental in reducing steelhead catch during a directed king salmon gillnet fishery in District 8.

In addition to the ADF&G survey, various research also indicates increased mesh size in gillnet fisheries has reduced steelhead catch rates while still allowing optimal harvest of target species (Phinney and Deschamps, 1970; Beamesderfer and Parker, 2001). Although comparisons between in-river fisheries in the Columbia River system and marine fisheries in Grays Harbor (Washington) and adjacent to the mouth of the Stikine River are bound to exhibit different variables (fish sizes, gear differences, environmental variables), a shared conclusion is evident. Furthermore, both the Columbia River study and the survey data from the 2005 District 8 gillnet fishery demonstrate that increased mesh size not only reduces steelhead catch rates, but also increases king salmon catch rates.

A workgroup was formed by the BOF in October of 2005 to develop an abundance-based management plan to guide management of commercial and sport fisheries that target the returns of king salmon to the Stikine River. One of the specific issues to be considered by the workgroup was the reduction of incidental mortality of steelhead in the commercial fishery. The workgroup’s recommendations will be presented at the January, 2006 BOF meeting.

DEPARTMENT COMMENTS: The department SUPPORTS modifying gillnet gear to reduce the steelhead catches during directed king salmon fisheries. Department staff heard concerns voiced by anglers and some commercial gillnet fishermen over the impacts of gillnets on migrating steelhead during public meetings hosted by the Petersburg and Wrangell Advisory Committees. However, no actions were taken by the Board to address steelhead catches by modified gillnet gear during the March 2005 Statewide BOF meeting because there was insufficient time to either purchase a large mesh net, or to modify gear. During the 2005 fishery, there were concerns voiced over the steelhead catches. The department supports the implementation of a minimum mesh size of seven inches and believes that this regulation would significantly reduce the catch of steelhead.

The department will continue to monitor steelhead catch and escapement to local streams during directed spring king salmon fisheries.

COST STATEMENT: The approval of this proposal will result in a significant increase in direct cost for an individual to participate in this fishery if they do not presently own a gillnet with king salmon mesh. Gillnetters wishing to participate in the fishery would have to purchase or modify their gillnets to comply with any gear modifications the department imposes.

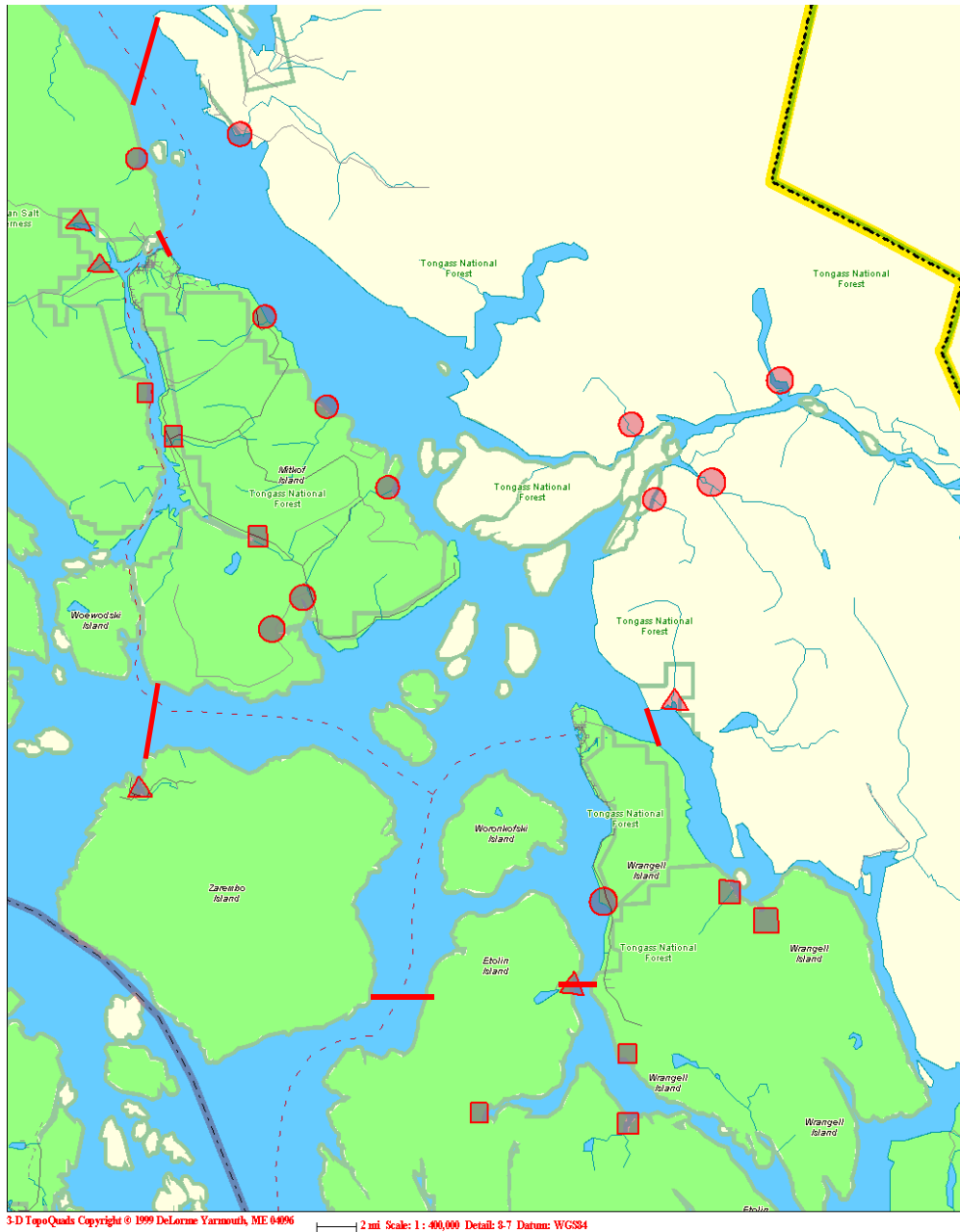
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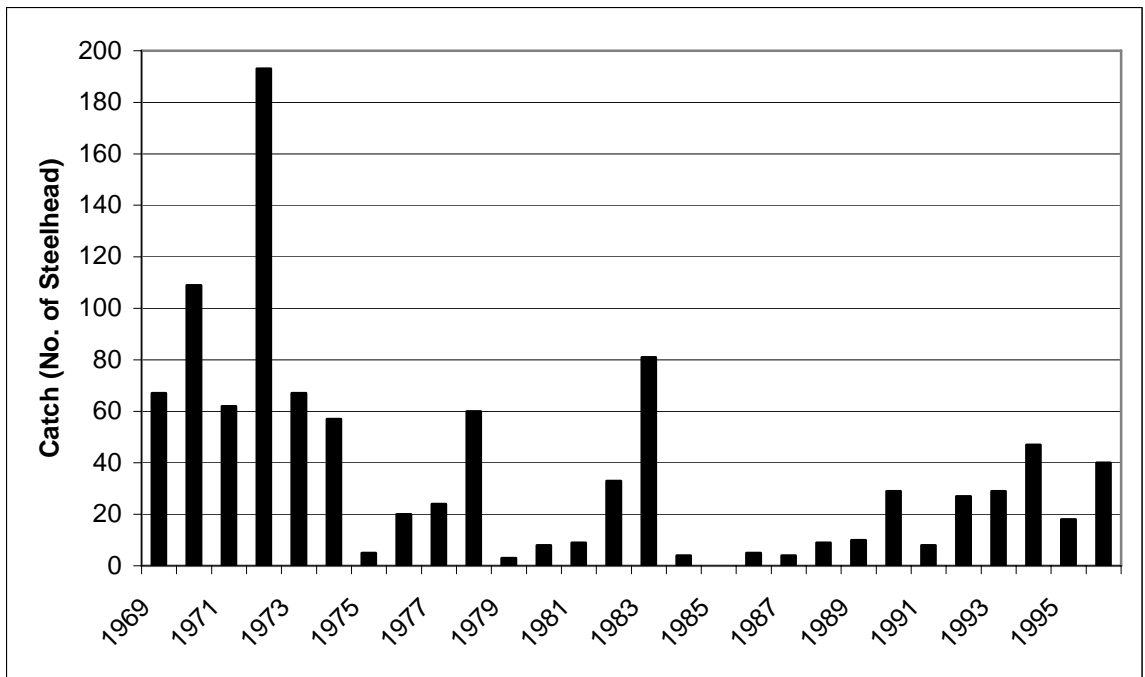
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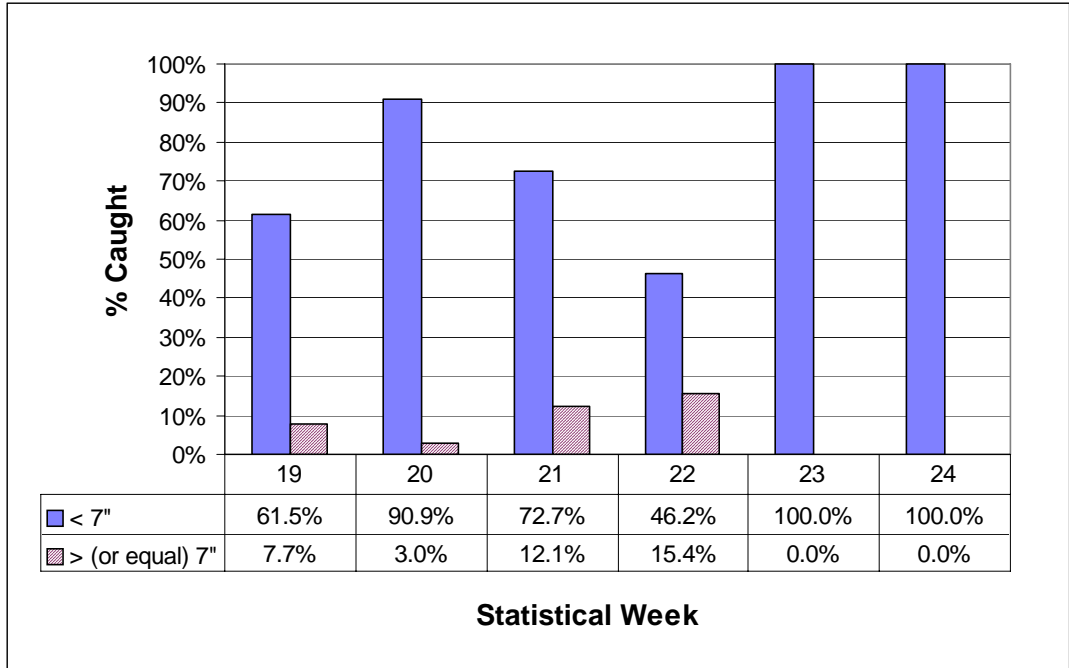
Van Hulle, F. 1985. Alaska Steelhead workshop. Alaska Department of Fish and Game. Division of Sport Fish, Juneau, Alaska. 134 pp.



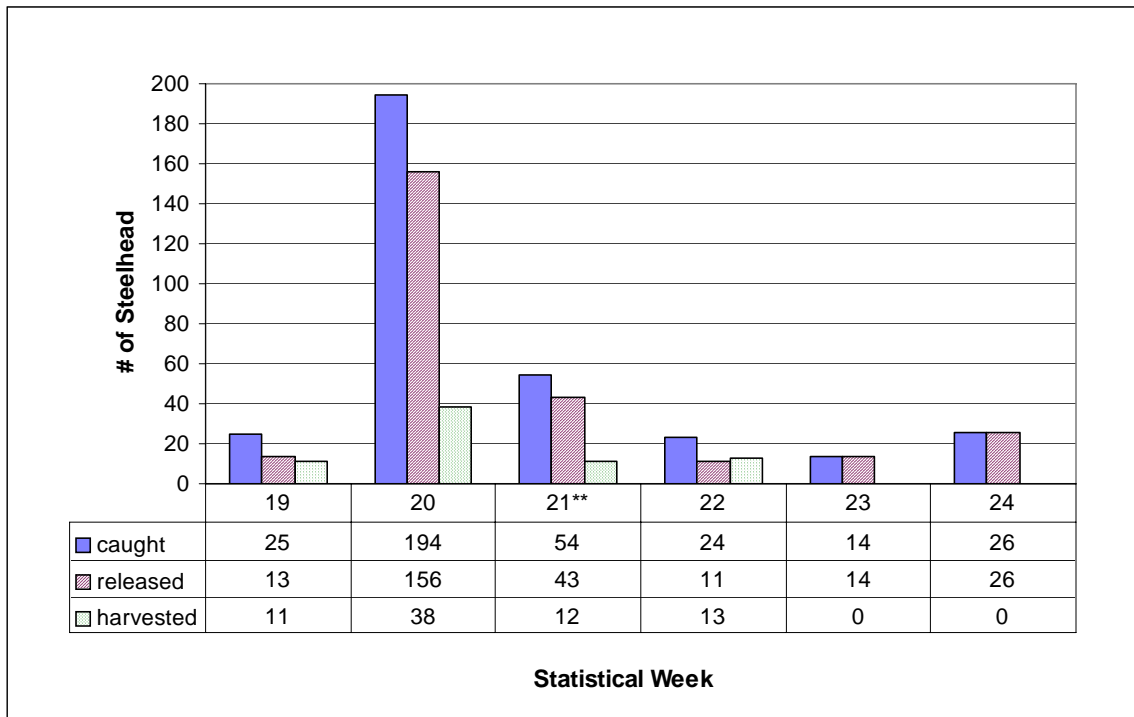
**Figure 132-1.**—Locations of steelhead streams listed in the anadromous stream catalogue or based on staff and local knowledge that may be influenced by District 8 king salmon gillnet fisheries. Locations of steelhead stocks that migrate to and from natal streams within District 8 waters are shown with circles. Locations of steelhead stocks outside District 8 but in very close proximity to district 8 boundaries (red lines) are shown with triangles. Locations of other neighboring steelhead stocks are also identified since information is not available on their migration routes in relation to locations of District 8 directed gillnet fisheries (shown with boxes).



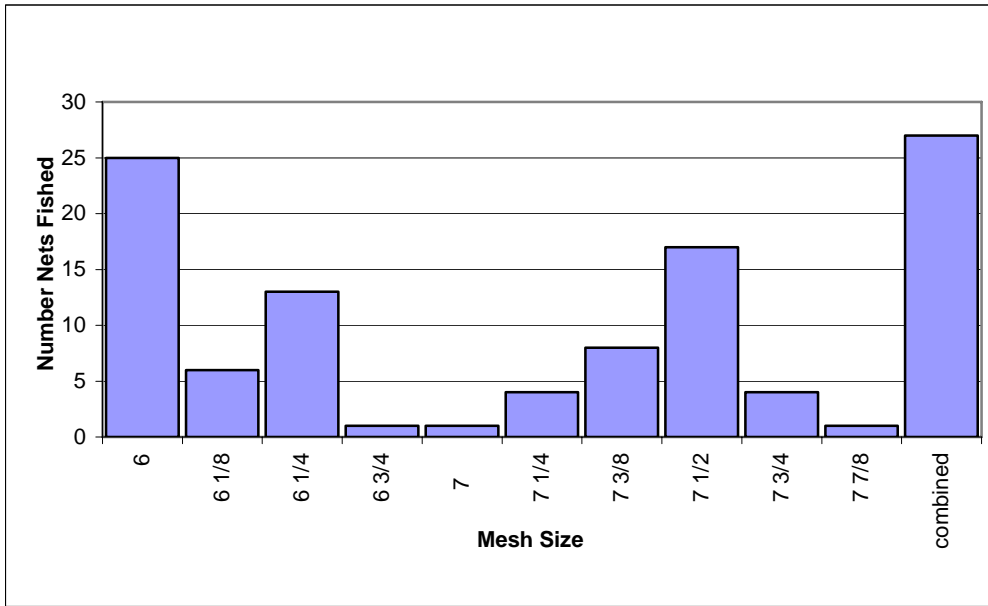
**Figure 132-2.**—District 8 drift gillnet fishery steelhead harvest, 1969-1996.



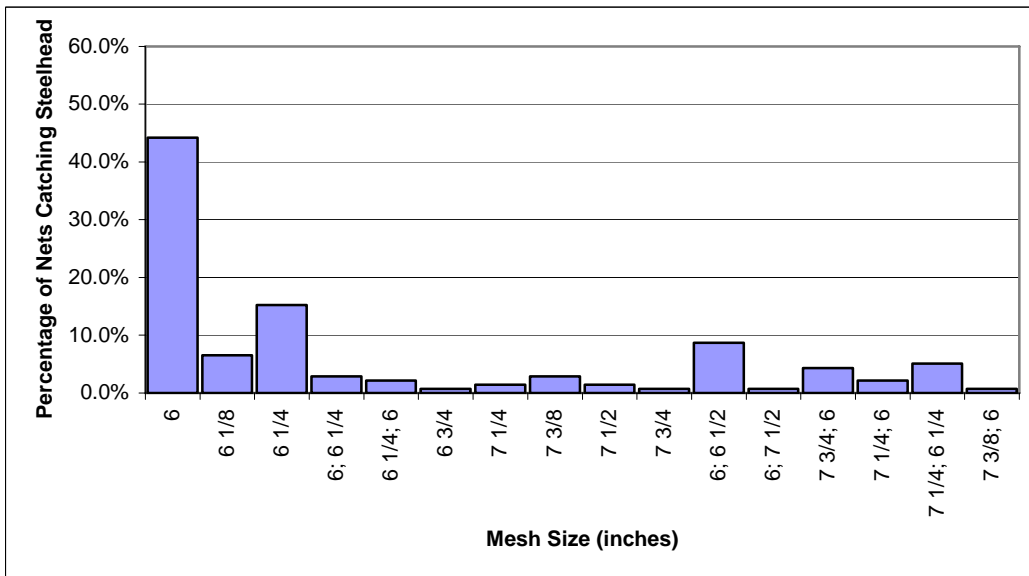
**Figure 132-3.**—Estimated weekly incidental steelhead catch in the 2005 District 8 directed king salmon gillnet fishery. A six-inch minimum mesh restriction was implemented in week 21.



**Figure 132-4.**—Estimated weekly incidental steelhead catch by mesh size in the 2005 District 8 directed king salmon gillnet fishery.



**Figure 132-5.**—Mesh sizes fished in the District 8 directed Stikine king salmon gillnet fishery.



**Figure 132-6.**—Percentage of nets catching steelhead by mesh size in the 2005 directed Stikine king salmon gillnet fishery.

**Table 132-1.**—Index surveys of steelhead escapements by snorkel gear in the Petersburg/Wrangell Management Area, 1998-2005.

| Index System     | 1998            | 1999            | 2000            | 2001            | 2002            | 2003            | 2004            | 2005            |
|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Petersburg Creek | 152             | 115             | 68              | 64              | 41              | 188             | 330             | 369             |
| Bear Crk         | NS <sup>a</sup> | NS <sup>a</sup> | NS <sup>a</sup> | NS <sup>a</sup> | NS <sup>a</sup> | NS <sup>a</sup> | NS <sup>a</sup> | 103             |
| Slippery Creek   | NS <sup>a</sup> | NS <sup>a</sup> | 42              | 41              | 31              | 76              | 92              | NS <sup>a</sup> |

<sup>a</sup> NS = not surveyed



**PROPOSAL 133. PAGE 96. 5 AAC 29.090(b). MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO? This proposal would require that any spring fisheries occurring in Districts 8 or 11 be managed based on the composition of Alaska hatchery produced king salmon catch as is currently required under 5 AAC 29.090(d)(1)(D). No troll fisheries would be allowed in either Districts 8 or 11 that target wild king salmon returning to the Stikine and Taku Rivers.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(d) In its management of the spring fisheries under this section, the department shall

(1) first consider changes in the previous years' spring fisheries; the department shall open the fisheries if they meet the following requirements:

(D) the department shall manage each spring salmon troll fishery as follows:

- (i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the king salmon taken in that fishery;
- (ii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the king salmon taken in that fishery;
- (iii) no more than 5,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the king salmon taken in that fishery;
- (iv) there is no limit on the number of non-Alaska hatchery salmon that may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is 66 percent or more

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, it would not allow spring troll fisheries to target king salmon returning to the Stikine River in District 8 or king salmon returning to the Taku River in

District 11. This proposal would require that the spring troll fisheries in Districts 8 and 11 (figures 133-1 and 133-2) to be managed according to provisions of the spring fishery management plan (5 AAC 29.090) that currently govern the non-Alaska hatchery-produced king salmon harvest limits for spring fisheries occurring outside of Districts 8 and 11.

**BACKGROUND:** Spring troll fisheries directed at the harvest of Alaska hatchery-produced king salmon have occurred in District 8 since 1993, while no spring troll areas have ever been established in District 11 (Table 133-1).

The number of spring troll areas in District 8 have varied from one to three in each of the years 1993-2005, with three (Baht Harbor, Craig Point and Chichagof Pass) in place for the past two years . The total District 8 spring troll fishery king salmon catches have averaged 774 fish and ranged from 14 in 1998 to approximately 5,000 in 2005 (Table 133-1). The Alaska hatchery component of these fisheries has averaged 29% and ranged from 0% in 1995 to 100% in 1996. The Alaska hatchery component was 9% in 2005.

In 2005 a harvest sharing agreement with Canada was negotiated that allows directed fisheries on king salmon stocks returning to the Stikine and Taku Rivers. Emergency regulations were promulgated by the BOF in March, 2005 that established commercial troll, drift gillnet and sport fisheries directed at harvesting these fish. Trolling was allowed continuously from May 1 – June 30 in the spring troll areas that were in place in 2004 in Sumner Strait and Stikine Strait. Drift gillnetting was allowed on a weekly basis by Emergency Order throughout District 8, including Frederick Sound. Troll and drift gillnet catches, effort, catch/permit, and Alaska hatchery catches and composition for the areas where troll and gillnet gear were fished in the same areas during statistical weeks 19-25 are presented in Table 133-2. Data for these weeks is presented here because these catches occurred prior to the normal opening of the drift gillnet fisheries in District 8. Gillnet catches for District 11 are presented in Table 133-2 (troll catches in District 11 are confidential because fewer than 3 vessels fished).

The total spring troll king salmon catch for Districts 8 and 11 combined through June 30 was approximately 5,000 fish, of which approximately 4,500 (90%) were of Stikine or Taku River. origin. The total drift gillnet fishery harvested in both districts through June 30 was approximately 49,700 adult king salmon of which approximately 46,200 (94%) were of Stikine and Taku River origin (Table133-3).

**DEPARTMENT COMMENTS:** The department is NEUTRAL on this allocative proposal.

This proposal calls for the exclusion of the commercial troll fishery from directed fishing for king salmon stocks returning to the Stikine and Taku Rivers in Districts 8 and 11. The proposal is related to the suite of proposals calling for the development of long term management plans for those fisheries (See Staff Comments for joint Proposal Briefs 123 and 126).

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 133-1.**—District 8 spring troll fishery king salmon catches, effort and Alaska hatchery composition, 1993-2005.

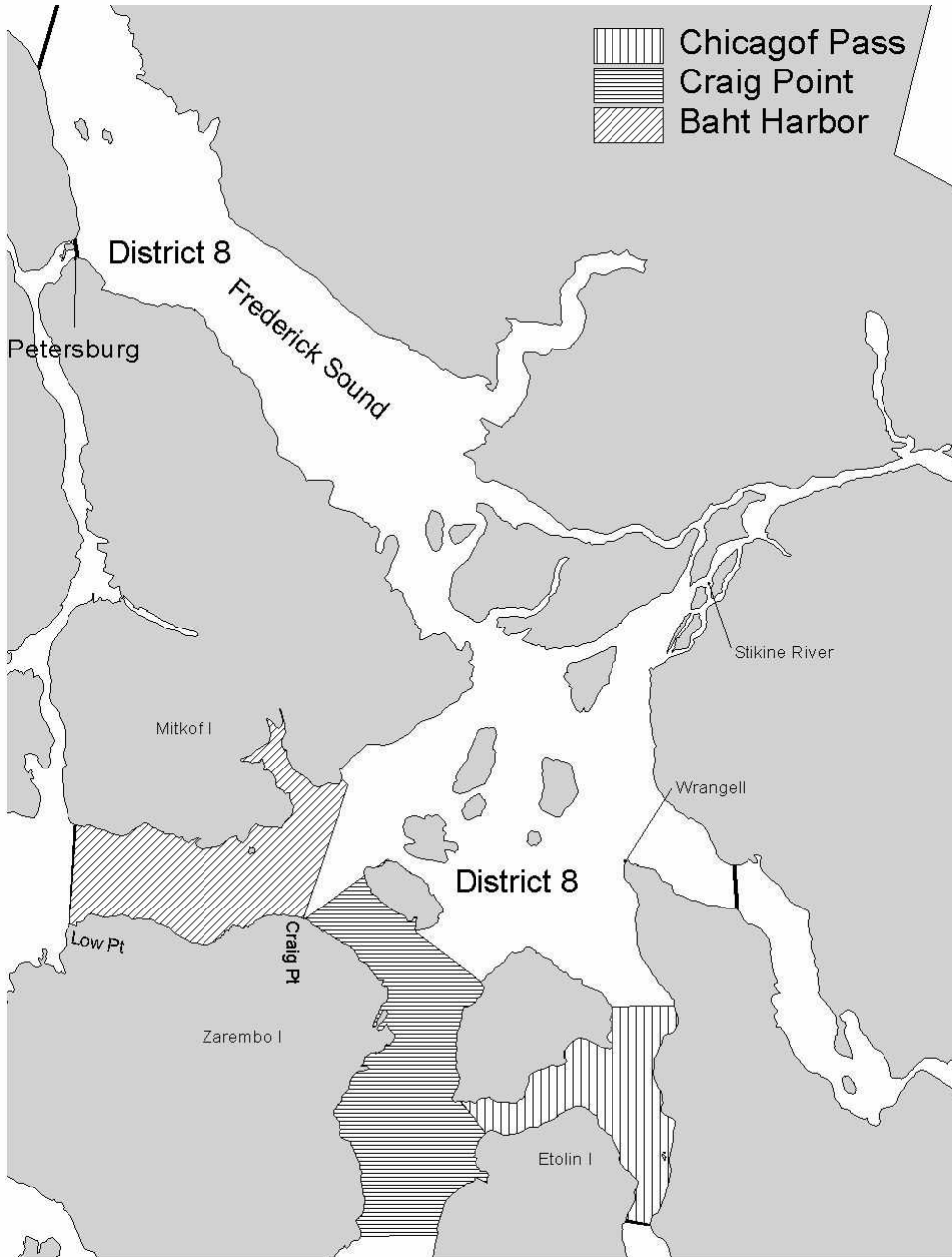
|         | Permits Fished | Total Catch | Alaska Hatchery Catch | Alaska Hatchery Composition |
|---------|----------------|-------------|-----------------------|-----------------------------|
| 1993    | 7              | 43          | 17                    | 40%                         |
| 1994    | 8              | 107         | 27                    | 25%                         |
| 1995    | 6              | 18          | 0                     | 0%                          |
| 1996    | 6              | 58          | 58                    | 100%                        |
| 1997    | 10             | 135         | 0                     | 0%                          |
| 1998    | 4              | 14          | 0                     | 0%                          |
| 1999    | 10             | 450         | 275                   | 61%                         |
| 2000    | 20             | 428         | 81                    | 19%                         |
| 2001    | 15             | 585         | 345                   | 59%                         |
| 2002    | 24             | 602         | 101                   | 17%                         |
| 2003    | 28             | 741         | 178                   | 24%                         |
| 2004    | 50             | 1,912       | 412                   | 22%                         |
| 2005    | 89             | 4,995       | 459                   | 9%                          |
| Average | 21             | 776         | 150                   | 29%                         |

**Table 133-2.**—District 8 spring troll fishery and drift gillnet king salmon catches, effort, catch rates and Alaska hatchery composition by fishery area and sub-district during statistical weeks 19-25 for 2005.

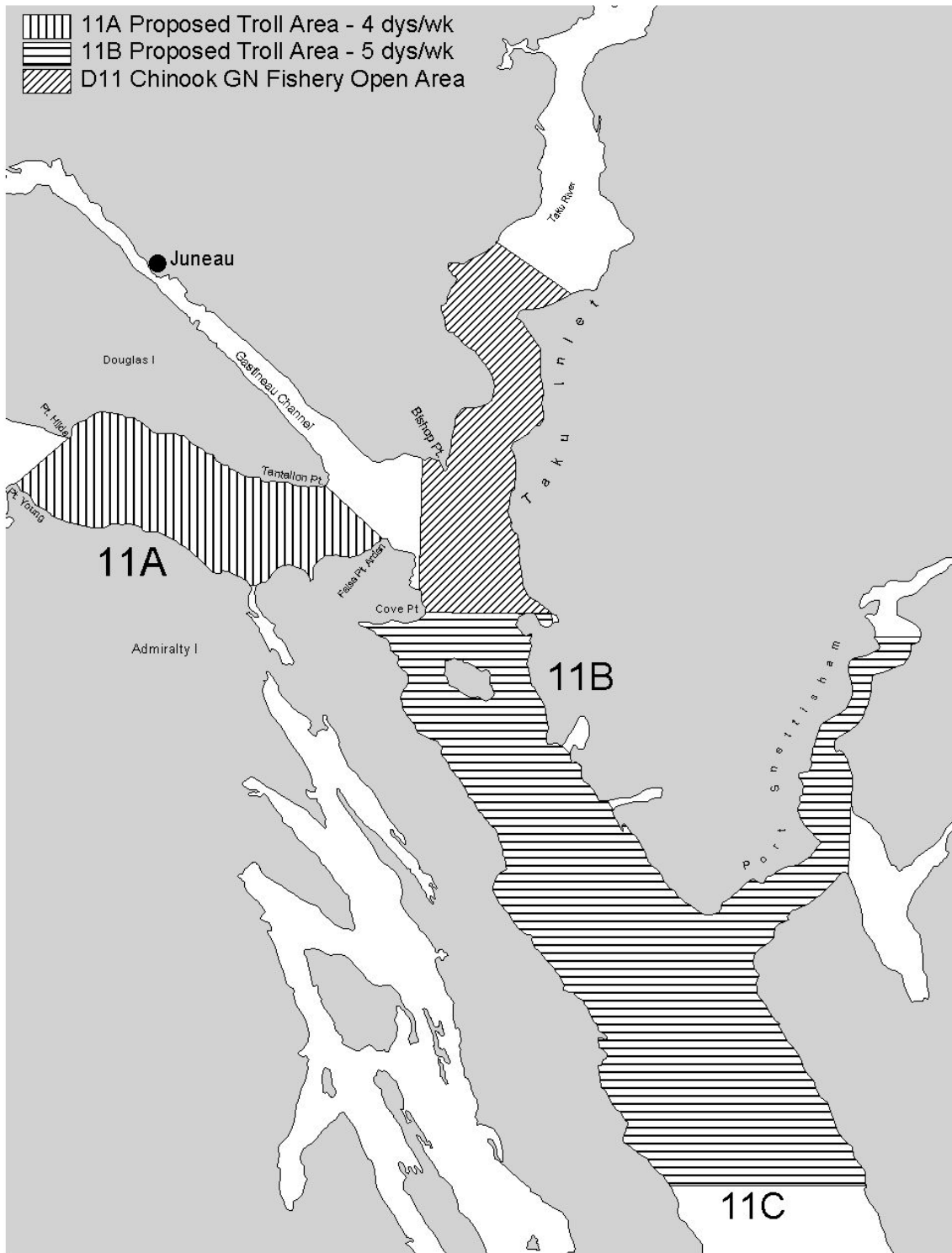
| Spring Fishery Area/Gillnet Sub-District | Permits Fished | Total Catch    | Catch/Permit | Alaska Hatchery Catch | Alaska Hatchery Composition |
|--|----------------|----------------|--------------|-----------------------|-----------------------------|
|  |                | <b>Troll</b>   |              |                       |                             |
| 10810-Chichagof Pass                     | 22             | 725            | 33           | 55                    | 8%                          |
| 10830-Baht Harbor                        | 57             | 2,039          | 36           | 218                   | 11%                         |
| 10840-Craig Point                        | 38             | 1,610          | 42           | 186                   | 12%                         |
|  |                | <b>Gillnet</b> |              |                       |                             |
| 10810                                    | 6              | 536            | 89           |                       | 0%                          |
| 10830                                    | 55             | 4,267          | 78           | 306                   | 7%                          |
| 10840                                    | 86             | 15,877         | 185          | 351                   | 2%                          |

**Table 133-3.**—Districts 8 and 11 total and directed king salmon catches and number of permits fished for drift gillnet and commercial troll through June 30, 2005.

| <b>District 11</b>    |                       |                    |                           |
|-----------------------|-----------------------|--------------------|---------------------------|
|                       | <b>Permits Fished</b> | <b>Total Catch</b> | <b>Taku/Stikine Catch</b> |
| Drift Gillnet         | 112                   | 20,212             | 19,372                    |
| Troll                 | Confidential          |                    |                           |
| <b>District 8</b>     |                       |                    |                           |
| Drift Gillnet         | 127                   | 24,445             | 22,515                    |
| Troll                 | 89                    | 4,995              | 4,310                     |
| <b>Total</b>          |                       |                    |                           |
| <b>Drift Gillnet</b>  | <b>239</b>            | <b>44,657</b>      | <b>41,887</b>             |
| <b>Troll</b>          | <b>89</b>             | <b>4,995</b>       | <b>4,310</b>              |
| <b>All Gear Total</b> |                       | <b>49,652</b>      | <b>46,197</b>             |



**Figure 133-1.**—Map of District 8 showing 2005 spring troll fishery areas. Drift gillnetting was allowed throughout District 8 except those waters closed by Emergency Regulation (sport and steelhead closures) and by Emergency Order as needed near the mouth of the Stikine River.



**Figure 133-2.**—Map showing waters of Section 11-B that were opened for commercial drift gillnet fishing and commercial trolling in 2005.

## District 11

**PROPOSAL 123, 124 & 125. PAGE 88, 89, & 90. 5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS; 5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY; 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES; 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR; 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATIONS; 5AAC 33.350. CLOSED WATERS; 5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA; 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS – FINFISH; AND 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.**

**PROPOSED BY:** Juneau-Douglas Advisory Committee (123), Alaska Trollers Association (124), and Roger Gregg (125)

**WHAT WOULD THE PROPOSAL DO?** These proposals would develop a comprehensive abundance based management plan for troll, gillnet, and sport fisheries targeting Taku River king salmon in District 11, repealing and amending unnecessary and conflicting regulations.

### **WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 29.060. General harvest ceiling and allocation of king salmon.

5 AAC 29.070. General fishing seasons and periods.

(a) The fishing seasons for the salmon troll fishery are as follows:

- (1) winter season from October 1 through April 30;
- (2) summer season from May 1 through September 30

(b) The department shall manage the king salmon troll fishery to provide for

- (1) a winter fishery during the period beginning October 11 through April 30 or until the guideline harvest level is reached, as specified in 5 AAC 29.080, whichever occurs first;
- (2) spring fisheries during the period beginning after the winter fishery is closed under (1) of this subsection, but no later than May 1, through June 30, as specified in 5 AAC 29.090:

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY. This regulation defines winter troll fishery management from October 11 through April 30.

(b)(3) in District 11, king salmon may be taken only

- (A) in Section 11-A west of a line from Outer Point to Point Louisa and south and east of a line from Salisbury Point to Point Tantallion, from the opening of the winter fishery, specified in 5 AAC 29.070(b), through April 14;
- (B) in Section 11-B, 11-C, and 11-D, except that king salmon may be taken in Section 11-B north of the latitude of Graves Point Light only from the opening of the winter fishery, specified in 5 AAC 29.070(b), through March 31

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(a) In this chapter, a spring salmon troll fishery means a fishery that is (1) opened and closed by emergency order; (2) restricted in area; (3) designated by number so that each opening in a specific body of water is uniquely identified for catch and reporting purposes. (b) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced king salmon while maintaining a historical pink and chum salmon troll fishery in Cross Sound...

5AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. (c)(4)

(A) Section 11-B opens on the third Sunday in June, except that the commissioner may open, by emergency order, drift gillnet fishing periods in the waters of Section 11-B north of the latitude of Cove Point and South and east of a line from a point at 58° 12.33 N. lat, 134° 10' W. long. To Cove Point, from May 1 through the third Sunday in June subject to the following provisions;

(i) drift gillnet fishing periods are subject to the provisions of the Pacific Salmon Treaty as specified in 5 AAC 33.361;

(ii) the commissioner may not establish a fishing period to begin on a Saturday, Sunday, or a state or federal holiday;

(iii) fishing periods will begin at 12:01 p.m. from May 1 through the third Sunday in June;

(iv) notwithstanding 5 AAC 75.003(2)(A), when the drift gillnet fishery is opened under this paragraph from May 1 through the third Sunday in June, the commissioner may, by emergency order, increase the sport fishery bag and possession limits and liberalize method and means of harvest for salmon;

5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATION.



(d)(2) in District 11, through the fourth Saturday in June, six inches, except that from May 1 through the third Sunday in June, during fishing periods established by emergency order, the maximum gillnet mesh size is 7.5 inches.

5AAC 33.350. Closed waters. This regulation defines waters closed to the taking of salmon with net gear.

5 AAC 47.021. SPECIAL PROVISIONS FOR SEASONS, BAG, POSSESSION, AND SIZE LIMITS, AND METHODS AND MEANS FOR THE SALT WATERS OF SOUTHEAST ALASKA AREA.

(e) In the waters of Taku Inlet,

(1) north of a line from Cooper Point to the mouth of Dorothy Creek, king salmon may be taken only from June 15 – April 15;

(2) from May 1 through the third Sunday in June, when the commercial drift gillnet fishery is open in the waters of Section 11-B under 5 AAC 33.310(c)(4)(A), the commissioner may, by emergency order increase the bag and possession limits and liberalize the method and means of harvest for king salmon.

5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS – FINFISH.

(b) Sport fishing may be conducted only by the use of a single line per angler, and not more than six lines may be fished from a vessel

(g) Operators and crewmembers working on a charter vessel may not retain king salmon while clients are on board the vessel. The maximum number of fishing lines that may be fished from a vessel engaged in sport fishing charter activities is equal to the number of paying clients on board the vessel except that

(2) the total number of lines may not exceed the limit established in (b) of this section.

5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the preseason king salmon abundance index determined by the Chinook Technical Committee of the Pacific Salmon Commission. The bag and possession limits and other management measures established by the commissioner will remain in effect until December 31. For the following year, until that year's preseason abundance index becomes available, the bag and possession limits and other management measures will be based on the prior year's preseason abundance index. If the new preseason king salmon abundance index is not available by May 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's preseason abundance index, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

(c) When the king salmon abundance index is greater than 1.2, the commissioner shall, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon;

(2) a nonresident bag limit of one king salmon; and

(3) a nonresident annual limit of three king salmon, 28 inches or greater in length.

(d) When the king salmon abundance index is less than or equal to 1.2, the commissioner shall, by emergency order, implement the following management measures:

(1) a bag limit of one king salmon;

(2) from January 1 through June 30, a nonresident's harvest limit is three king salmon, 28 inches or greater in length;

(3) from July 1 through July 15, a nonresident's harvest limit is two king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through June 30 will apply toward the two fish harvest limit; and

(4) from July 16 through December 31, a nonresident's harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by the nonresident from January 1 through July 15 will apply toward the one fish harvest limit.

(e) In addition to the provisions of (d) of this section, when the king salmon abundance index is less than or equal to 1.1, the commissioner may, by emergency order, implement the following management measures in the following order of priority:

(1) from May 1 through June 30, a restriction of the maximum number of lines that may be fished from a charter vessel to four lines;

(2) from August 1 through September 30, a prohibition on the possession or retention of king salmon less than 48 inches in length by a nonresident angler, except that from August 15 through August 25, a nonresident will be allowed a bag and possession limit of one king salmon, 28 inches or greater in length, in the following areas:

(A) Lynn Canal north of a line from Point Couverden to Point Lizard Head to a line from Point Bridget to Point Whidby;

(B) Taku Inlet west of a line from Cooper Point to Greely Point; and

(C) Stephens Passage north of a line from Gwen Point to Point Styleman;

and

(3) from August 1 through September 30, a prohibition on the possession or retention of king salmon less than 48 inches in length by resident and nonresident anglers, except that from August 15 through August 25, an angler will be allowed a bag and possession limit of one king salmon, 28 inches or greater in length, in the following areas:

(A) Lynn Canal north of a line from Point Couverden to Point Lizard Head to a line from Point Bridget to Point Whidby;

(B) Taku Inlet west of a line from Cooper Point to Greely Point; and

(C) Stephens Passage north of a line from Gwen Point to Point Styleman.

(f) In addition to the provisions of (d) and (e) of this section, when the king salmon abundance index is less than 1.0, the commissioner may, by emergency order, specify fishing times during which the retention of king salmon less than 48 inches in length is prohibited by resident and nonresident anglers. Fishing times of non-retention under this subsection will be implemented independently for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers. Fishing times of non-retention will be established on a regular basis between July 16 and July 31, as needed, and will be established on non-consecutive days when possible. If the entire period of July 16 through July 31 is established as a fishing time of non-retention and additional closures are necessary, additional fishing times of non-retention will be similarly established between July 1 and July 15.

(g) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(h) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, these proposals would modify, repeal, and/or create regulations through the establishment of a comprehensive abundance-based king salmon management plan for targeting Taku River king salmon in District 11.

BACKGROUND: Prior to 1976, directed drift gillnet and troll fisheries for king salmon were allowed by regulation in District 11 between late April and mid-June. As a result of very low escapements of Taku River king salmon in the early 1970s, the Alaska Board of Fisheries (BOF) passed regulations instituting closures in the directed troll and gillnet fisheries, delaying the opening of the fishery until the third Sunday in June. Time and

area closures were also implemented in commercial troll and sport fisheries harvesting Taku River king salmon.

Taku River king salmon runs have responded to conservation efforts taken in Southeast Alaska fisheries, with escapement increasing from a 1973-1984 average of 23,300 fish to a 1985-2004 average of 48,500 fish. A Taku River king salmon escapement goal of 30,000-55,000 large (3-ocean and older) fish was developed after analysis of extensive stock assessment data. The goal was formally accepted in 1999 by the department, by the Canadian department of Fisheries and Oceans, and by the Transboundary and Chinook Technical Committees of the Pacific Salmon Commission. Taku River king salmon escapements have met or exceeded the 30,000-55,000 fish goal annually since 1988, with the exception of 1999.

In February 2003 the BOF adopted regulatory language establishing directed king salmon commercial drift gillnet and sport fisheries in District 11 (Taku Inlet) contingent upon the outcome of Pacific Salmon Treaty negotiations with Canada. This regulation allowed District 11 to open the first Monday in May through the third Sunday in June. Approval was based largely on the recognition that the department now had the necessary tools to manage Taku River king salmon to achieve maximum sustained yield (MSY) escapement goals (i.e., an operational pre-season forecast and an in-season run strength assessment program). In establishing this fishery, the BOF developed the specific conditions listed above in regulation 5 AAC 33.310.

Negotiations with Canada on the development of fishery regimes and harvest sharing for directed Taku River king salmon fisheries were ongoing at Pacific Salmon Commission meetings in Portland and Vancouver, B.C. during 1999 - 2005. At a Pacific Salmon Commission meeting in February 2005, negotiations with Canada successfully reached agreement on abundance-based fishing regimes and harvest sharing arrangements. The agreement for allowable catch (AC) is based upon the pre-season forecast of the terminal run. Once the in-season projection is available, the AC is adjusted accordingly as run strength information dictates. The harvest of Taku River king salmon in District 11 above base level catch (BLC) will not count against the all gear king salmon quotas according to 5 AAC 29.060. The agreement only pertains to large king salmon (660 mm MEF or larger in length). The result of this agreement allowed for opening the first commercial fisheries directed at harvesting Taku River king salmon since 1975.

In March of 2005 the BOF approved emergency regulations for directed king salmon fisheries in District 11 to include commercial troll and liberalized methods and means for sport gear. These regulations were only in effect for the 2005 season.

Board actions allowed the commercial troll fishery in District 11 in two areas (Figure 123-1). A portion of the waters of Section 11-A on the west side of Douglas Island were open concurrently with the commercial drift gillnet fishery in Section 11-B. Waters of Section 11-B south of the latitude of Cove Point were open five days per week, Monday-Friday. If the directed commercial drift gillnet king salmon fishery was closed, trolling was closed in both areas.

Board actions that affected the sport fishery near Juneau included reopening the Taku Inlet area, an area that had been seasonally closed since 1976. The liberalized sport fishery regulations took effect from April 25 through June 30. During this period, in Sections 11-A and 11-B, sport fishers were allowed the use of two rods per angler, the bag and possession limits were three king salmon 28 inches in length or greater, and king salmon caught in District 11 would not count toward the nonresident annual limit.

The preseason terminal run forecast for the Taku River in 2005 was approximately 99,600 large adults providing for an Alaskan harvest share of 22,800 Taku River origin king salmon by all gear groups. The new fishery occurred between statistical weeks 19 – 25 (May 1 to June 18). The total combined gear harvest of king salmon in District 11 was approximately 28,000 fish. Of this, the total harvest of Taku River origin large king salmon taken was approximately 22,000 fish, including a commercial drift gillnet harvest of 19,000 fish (Figure 123-2), a commercial troll harvest of 21 fish, and the Juneau area sport harvest of 3,100 fish (Table 123-1). Landings from gillnet permit holders were reported from a total of 117 boats over the course of the seven week fishery. Although as many as 16 troll permit holders were observed fishing in District 11 in early May, only 3 of these permit holders made landings. Most of the trollers fished for less than one day before moving on to presumably more productive areas.

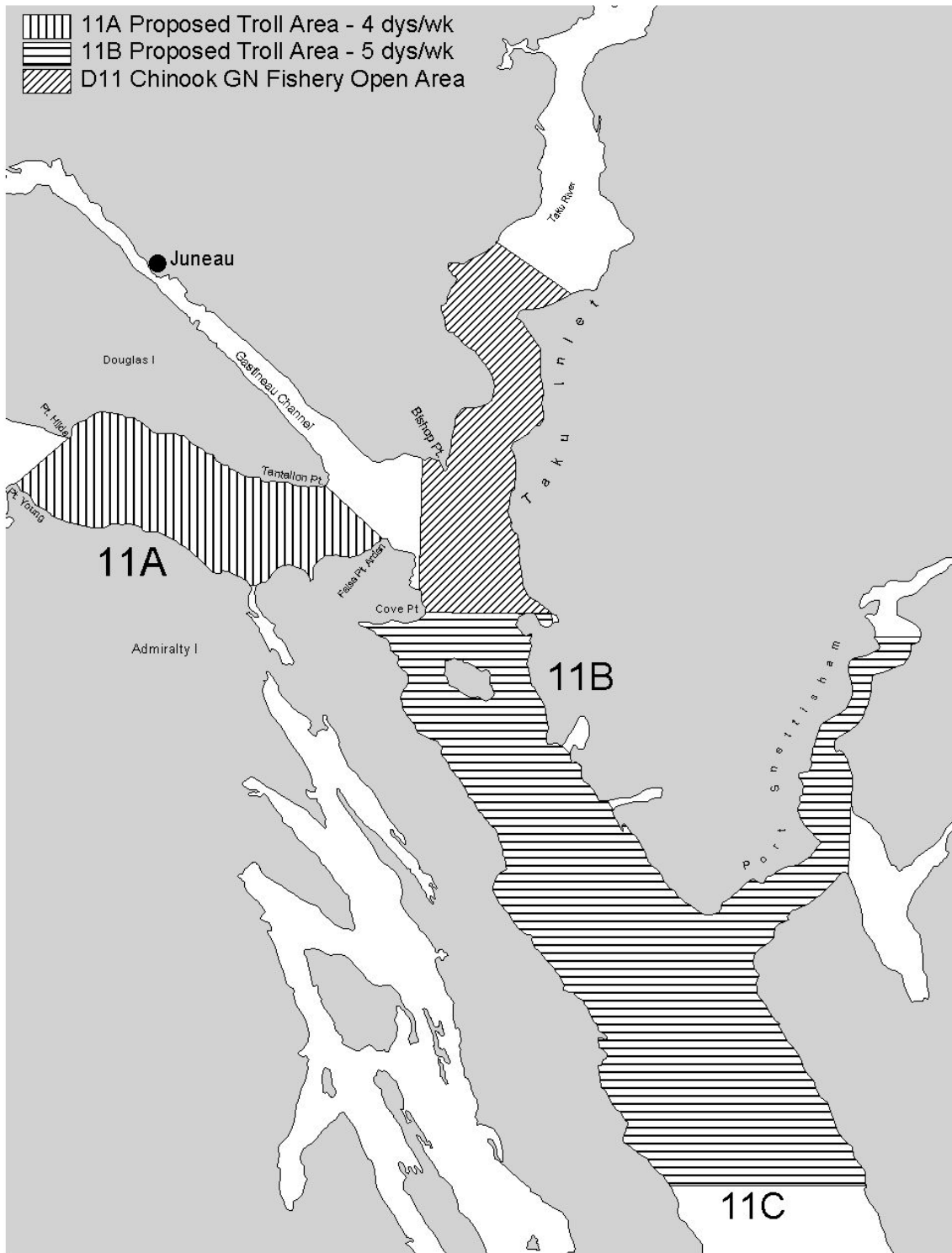
The final inseason estimate of terminal run size is approximately 76,000 fish. The U.S. harvest of large Taku River king salmon was approximately 22,000 fish, the Canadian harvest was 7,500 fish, and the escapement was estimated to be 46,000 fish (Figure 123-3). Although this was a very good return, it was 20,000 fewer fish than the original preseason forecast. A terminal run of 76,000 king salmon translates to a U.S. harvest share of approximately 19,000 king salmon or 3,000 fewer salmon than were actually harvested.

DEPARTMENT COMMENTS: The department SUPPORTS the concept of these proposals to create directed fisheries to harvest king salmon in excess of escapement needs, and the department is NEUTRAL on the allocative aspects of these proposals.

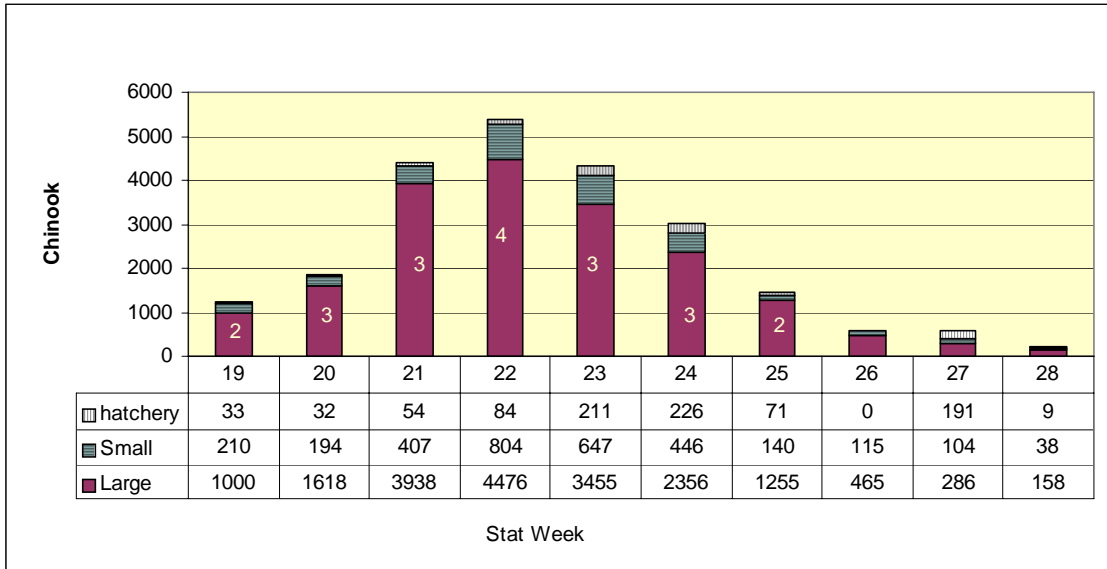
During the October, 2005 Work Session the BOF adopted a Taku King Salmon Fishery Workgroup and a charge statement to develop an abundance based management plan for commercial and sport fisheries to harvest Taku River Chinook salmon in District 11. The work group held meetings from October through December to gather information and work toward a consensus on what needs to be incorporated into the management plan. The workgroup recommendations will be presented at the January 2006 BOF meeting.

Proposal 192, requesting the repeal of regulations limiting the winter troll season in District 11 may also be considered related to these proposals since during the late winter season, Taku River fish may be harvested in the proposed fishery extension.

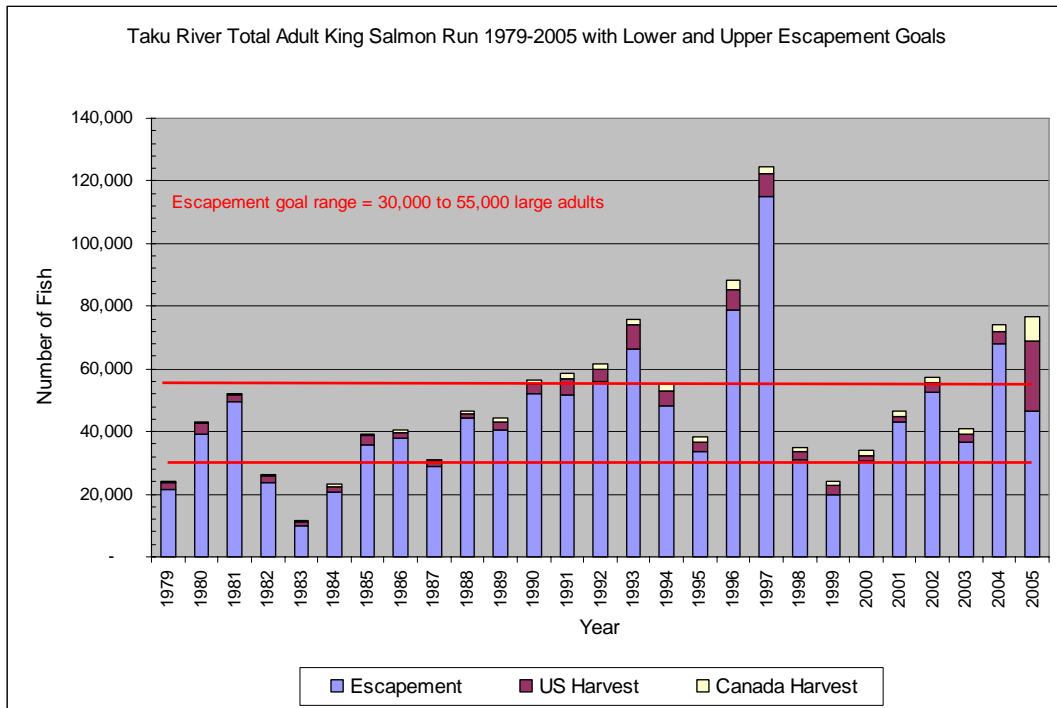
COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 123-1.**—Waters of Section 11-B that were opened for commercial drift gillnet fishing and commercial trolling in 2005.



**Figure 123-2.**—2005 District 11 drift gillnet fishery harvest by statistical week. (Note: The number of days open each week is indicated on the bars.)



**Figure 123-3.**—Taku River adult king salmon run 1979-2005 with lower and upper escapement goals.

**Table 123-1.**—Estimates of District 11 Taku king salmon harvested in the sport fishery during May 1 through July 15, 2005 when liberalized regulations were in effect. The estimates were generated from creel surveys conducted in Juneau and apply to wild King salmon 28 inches and greater in size.

| Commercial Stat Week | Sport Fish Biweek | Period           | Section 11A Harvest | Section 11B Harvest | Total Harvest |
|----------------------|-------------------|------------------|---------------------|---------------------|---------------|
| 18-19                | 9                 | April 25 – May 8 | 249                 | 19                  | 268           |
| 20-21                | 10                | May 9 – May 22   | 620                 | 100                 | 720           |
| 22-23                | 11                | May 23 – June 5  | 1,050               | 383                 | 1,433         |
| 24-25                | 12                | June 6 – June 19 | 447                 | 37                  | 484           |
| 26-27                | 13                | June 20 – July 3 | 36                  | 5                   | 41            |
| 28-29                | 14                | July 4 – July 17 | 189                 | 8                   | 197           |
| Total                |                   |                  | 2,591               | 552                 | 3,143         |



## **Chilkat River Management Plan**

**PROPOSAL 121, PAGE 87. 5 AAC 33.384. Lynn Canal and Chilkat River king salmon fishery management plan.** Amend this regulation to include the following:

The department shall issue an emergency order to open up to the mouth of Chilkat River to sport fishing for king salmon when the projected inriver run is high.

PROPOSED BY: Donald and Elli Braaten.

WHAT WOULD THE PROPOSAL DO?: This proposal would amend the plan to require the department to issue an emergency order to open sport anglers for king salmon up to the mouth of the Chilkat River.

WHAT ARE THE CURRENT REGULATIONS?: Chilkat Inlet north of a line extending from an ADF&G regulatory marker located approximately one mile south of Anchorage Point to an ADF&G regulatory marker directly north of the Letnikof Cove boat ramp is closed to sport fishing for king salmon from April 15 through July 15 by regulation [5 AAC 47.021 (c)]. The Lynn Canal and Chilkat River king salmon fishery management plan outlines how local commercial, sport, and subsistence fisheries are managed under projected escapement levels. Under the plan, if the projected inriver run return of king salmon to the Chilkat River is greater than 3,600 fish, the commissioner may, by emergency order, increase the bag and possession limits for king salmon in the waters of Chilkat Inlet north of Seduction Point [5 AAC 33.384 (e) (4) (C)]. However, the plan does not allow for additional open areas to sport fishing for king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? : This proposal would increase king sport fishing opportunities and harvest, by an unknown amount, in Chilkat Inlet. The department assumes that the intent is to only expand fishing opportunity in years of high runs.

BACKGROUND: In 1987, the department began to restrict sport, subsistence and commercial fisheries in upper Lynn Canal when the number of king salmon counted in the Chilkat River spawning index streams declined. The seasonal king salmon sport fishing closure in Chilkat Inlet was first enacted that year by emergency order. This closure was implemented by emergency order each year until it was adopted into regulation in 1994. The Division of Sport Fish initiated radiotelemetry and mark-recapture experiments in 1991 and 1992 to estimate spawning distribution and abundance of large king salmon in the Chilkat River. Results of this research indicated that the index survey counts were not representative of the entire system. Therefore, mark-recapture experiments have been conducted annually to estimate the escapement of large

king salmon. Estimates have ranged between 2,035 and 8,100 fish since 1991. Because abundance appeared relatively high and stable, the fishery restrictions were gradually relaxed. The department has used the information gathered from this research to forecast the return of Chilkat River king salmon on an annual basis since 1998. The BOF adopted the Lynn Canal and Chilkat River king salmon fishery management plan in 2003 based around the current escapement goal range of 1,750 – 3,500 for this stock. The department staff comments noted that the plan did not allow the harvest all available surplus fish during years of high runs. In 2004, the department liberalized bag and possession limits for sport anglers fishing in Chilkat Inlet under provisions in this plan. The department took no special actions in Chilkat Inlet in 2005.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal, however we SUPPORT the concept of increased harvest opportunities for Chilkat River king salmon in years of high runs. The department does not support increasing harvest opportunities in years of low runs.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 122, PAGE 87. 5 AAC 33.384. Lynn Canal and Chilkat River king salmon fishery management plan.** Amend the regulation to include the following:

The department may issue an emergency order to increase the bag, possession and annual limits for king salmon in the waters of Chilkat Inlet north of Seduction Point.

PROPOSED BY: Elli Braaten.

WHAT WOULD THE PROPOSAL DO?: This proposal would allow the department to increase the bag, possession, and nonresident annual limits of king in Chilkat Inlet, by emergency order.

WHAT ARE THE CURRENT REGULATIONS?: Under the Lynn Canal and Chilkat River king salmon fishery the plan, if the projected inriver run of king salmon to the Chilkat River is greater than 3,600 fish, the commissioner may, by emergency order, increase bag and possession limits for king salmon in the waters of Chilkat Inlet north of Seduction Point [5 AAC 33.384 (e) (4) (C)]. However, nonresidents are still limited by the annual limit via under the King Salmon Management Plan each year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? : This proposal would increase nonresident king sport fishing effort and harvest in Chilkat Inlet by an unknown amount. Although not specified in the proposal, the department assumes that the intent is to implement this regulation only during years with high runs.

BACKGROUND: The Division of Sport Fish initiated radiotelemetry and mark-recapture experiments in 1991 and 1992 to estimate spawning distribution and abundance of large king salmon in the river. Results of this research indicated that the survey counts were not representative of the entire system. Therefore, mark-recapture experiments have been conducted annually to estimate the escapement of large king salmon. Estimates have ranged between 2,035 and 8,100 fish since 1991. Because abundance appeared relatively high and stable, the fishery restrictions were gradually relaxed. The department has used the information gathered from this research to forecast the return of Chilkat River king salmon on an annual basis since 1998. The BOF adopted the Lynn Canal and Chilkat River king salmon fishery management plan in 2003 based around the escapement goal range of 1,750 – 3,500 for this stock. Staff comments noted that the plan did not allow the harvest all available surplus fish during years of high runs. In 2004, the department liberalized bag and possession limits for sport anglers fishing in Chilkat Inlet as follows: for resident anglers the bag and possession limit was three king salmon 28 inches or more in length and, for nonresident anglers a bag and possession limit of two king salmon 28 inches or more in length. However, the nonresident annual limit of three

king salmon 28 inches or more in length still applied. The department took no special actions in Chilkat Inlet in 2005.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal, however we SUPPORT the concept of increased harvest opportunities for Chilkat River king salmon in years of high runs. The department does not support increasing harvest opportunity in years of low runs.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

## **Wrangell Narrows/Blind Slough Management Plan:**

**PROPOSAL 135, PAGE 97. 5 AAC 33.381(b). District 6: Wrangell Narrow-Blind Slough Terminal Harvest Area salmon management plan.** Amend the regulation to include the following:

When the projected return of king salmon is 1,000 fish or greater, the resource will be shared equally between commercial and sport fishing until closed by emergency order.

PROPOSED BY: William R. Glover.

WHAT WOULD THE PROPOSAL DO? This proposal would reallocate the terminal return of Crystal Lake Hatchery (CLH) king salmon currently managed under an existing management plan [5AAC 33.381] in all years when the projected return is to exceed 1,000 fish.

WHAT ARE THE CURRENT REGULATIONS? The Wrangell Narrows-Blind Slough Terminal Harvest Area salmon management plan (5AAC 33.381) allocates the CLH returns of king and coho salmon in Terminal Harvest Area (THA) to sport and commercial users. When the projected adult return is below 1,000 fish, all sport and commercial fisheries are closed in the THA. When the run is 1,000-2,000 the commercial fishery is closed and the sport fishery is open with a bag limit of 2 fish greater than 28 inches and 2 fish less than 28 inches, and Blind Slough is closed to fishing. When the run is 2,000-4,000 the commercial fishery is closed and the sport fishery in the THA and Blind Slough are open. At returns above 4,000 the sport fishery is open with an increased bag limit and the commercial fishery in the THA is opened to harvest 50% of the run above 4,000 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal was adopted, the sport harvest in the Terminal Harvest Area (THA) would decline and the commercial harvest would increase in all years when the return exceeds 1,000 fish. Since 1997 the projected THA return of adult king salmon has averaged 5,084 fish, with sport harvests averaging 2,774 king salmon 28 inches or larger. Troll harvest has averaged 867 fish over years with a troll quota. Given a proposed 50% allocation, between 17% and 50% (average = 36%) of the 1997-2004 sport harvests would be reallocated to commercial fishers, resulting in 26% and 623% (average = 215%) increases in the THA troll harvest. On average, the number of fish reallocated would be approximately 1,000 fish. Currently 100% of the king salmon release at Blind Slough is paid for by Sport Fish sources (Federal Aid in Sport Fish Restoration, or DJ/WB, and Fish and Game Fund). These funding sources require that the primary benefit accrue to the sport fishery. The current management plan reflects that priority. If adopted, the sport fishery funding to the hatchery would be jeopardized.

BACKGROUND: CLH produced king salmon strongly contribute to terminal and common property fisheries in or near Petersburg, Wrangell, and Ketchikan. The terminal harvest area fisheries have been managed under the abundance-based management plan, to achieve annual broodstock goals of 1,000 adult Chinook since June 1997. Crystal Lake Hatchery was transferred from Commercial Fisheries Division to Sport Fish Division in July 1995. Prior to the transfer, Sport Fish Division had been paying a portion of the operating costs of the facility. Currently, Sport Fish Division contracts with the Southern Southeast Regional Aquaculture Association (SSRAA) to operate the hatchery. Sport Fish Division pays for the production of Chinook and coho released at Blind Slough and Chinook released at Neets Bay. SSRAA provides funding for the Chinook releases at Anita Bay.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The proposed reallocation is inconsistent with funding requirements for the hatchery and the department is concerned that adoption of this proposal will result in loss of funding and potentially closure of the hatchery.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Committee “C” Subsistence and Personal Use (3 Proposals) ..... 201**

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No. 119-Create State managed subsistence fishery on the Stikine R. .... 204

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**PROPOSAL 118. PAGE 84. 5 AAC 01.716. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS AND AMOUNTS NECESSARY FOR SUBSISTENCE USES.**

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal requests a review and update of the amount reasonably necessary for subsistence use (ANS) of salmon in the Southeastern Alaska and Yakutat Management Areas.

WHAT ARE THE CURRENT REGULATIONS? AS 16.05.258. Subsistence Use and Allocation of Fish and Game. (b) The appropriate board shall determine whether a portion of a fish stock or game population identified under (a) of this section can be harvested consistent with sustained yield. If a portion of a stock or population can be harvested consistent with sustained yield, the board shall determine the amount of the harvestable portion that is reasonably necessary for subsistence uses, ...

5 AAC 01.716. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES. (a) The board finds that the following stocks are customarily and traditionally taken or used for subsistence:

(b) The board finds that 105,000—158,000 pounds of herring spawn are reasonably necessary for subsistence uses in Section 13-A, and Section 13-B north of the latitude of Aspid Cape.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The amount reasonably necessary for subsistence use (ANS) of salmon in the Southeastern Alaska and Yakutat Management Areas would be updated.

BACKGROUND: In 1989, the Alaska Board of Fisheries made Customary and Traditional (C&T) determinations covering all of Southeast Alaska communities for all fisheries. At its spring, 1993, meeting the Board of Fisheries completed its work reauthorizing subsistence regulations for Southeast Alaska. In 1993 the Alaska Board of Fisheries established administrative ANS findings (not in regulations) for all salmon in the Southeastern and Yakutat areas. Subsistence harvest data collected over the past decade were considered in setting these amounts or ranges. For the Southeastern Area the board established an ANS range of 21,000 – 34,000 salmon and in the Yakutat Area a range of 1,200-3,000 salmon.

Whenever there is a harvestable surplus on fish stocks subject to customary and traditional uses as determined by the Board, the subsistence statute also requires the Board to determine



the amount reasonably necessary for subsistence uses (ANS) (AS 16.05.258). In making ANS findings, the Board considers information about subsistence harvest and use patterns from the department and the public and may periodically reconsider and update these findings or address public proposals to change them. The department will provide a report summarizing the appropriate data and making recommendations for ANS findings for the Board of Fisheries to consider.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal for a review and update of the amount reasonably necessary for subsistence use of salmon in the Southeastern Alaska and Yakutat Management Areas. The department is neutral on the amount reasonably necessary for subsistence as this is a Board determination.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 119. PAGE 86. 5 AAC 01.716. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES; 5 AAC 01.730. SUBSISTENCE FISHING PERMITS.**

PROPOSED BY: Southeast Federal Subsistence Regional Advisory Council (SERAC)

Note: This proposal has been WITHDRAWN by the SERAC.

WHAT WOULD THE PROPOSAL DO? The proposal would create a State managed subsistence fishery for king, sockeye and coho salmon in the waters of District 8 including the Stikine River.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.716. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS AND AMOUNT NECESSARY FOR SUBSISTENCE USES.

(a) The Alaska Board of Fisheries finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

(23) herring, herring spawn, bottomfish, halibut, salmon, Dolly Varden, and steelhead trout in the waters of Districts 7 and 8.

5 AAC 01.730. SUBSISTENCE FISHING PERMITS.

(b) Permits will not be issued for the taking of coho salmon from the Taku River and Stikine River drainages, or for king salmon. However king or coho salmon taken incidentally by gear operated under terms of a subsistence permit for other salmon are legally taken and possessed for subsistence purposes as described in (j) of this section.

(e) The department shall adhere to the following when issuing subsistence salmon fishing permits:

(1) fishing effort must be allowed in places and during times when resource abundance will allow a harvest without jeopardizing the sustained yield of the stock and in a manner which provides for an orderly fishery;

(2) any gear must be allowed which is efficient and economical in light of local circumstances and which provides for an orderly harvest without waste of the resource;

(3) possession limits may be established if resources are limited relative to anticipated harvest levels;

(4) the department may not set any possession limit which jeopardizes the sustained yield of a stock;

(5) a permit is valid for the entire season in which it is issued;

(6) the department may require the permit holder to report daily harvests on the catch calendar which accompanies the permit.

(f) When a permit is denied under the guidelines in (e) of this section, the commissioner or his designee shall determine if the requested use is a subsistence use by applying the Joint Boards of Fisheries and Game criteria for the identification of subsistence uses. The commissioner or his designee shall issue the permit if he determines that the request is for a subsistence use and the sustained yield of the stock will not be jeopardized.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would have several effects. It would create a State managed subsistence fishery for coho, sockeye and king salmon in the waters of District 8. The fisheries are currently under Federal management and regulations, therefore the management would be turned over to the State and State regulations would be in effect. Under state regulations, any person who is qualified subsistence user could participate in the fisheries rather than just residents of Petersburg, Wrangell and Meyers Chuck. The change in management and the difference in State regulations would be a deviation from the terms agreed upon in the Annex IV of the Pacific Salmon Treaty that allowed the fishery.

BACKGROUND: The Department has issued personal use permits for Stikine River sockeye salmon for several years prior to 2002, targeting the time period when the enhanced Tuya sockeye stocks are returning to the Stikine River. However, due to the failure in achieving the minimum Tahltan Lake escapement goal from 1998 to 2002, no personal use fishery was allowed on the Stikine in 2002 and the directed commercial gillnet fishery was closed in District 8 during the time Tahltan Lake sockeye salmon were present.

In January of 2004, U.S. and Canada negotiated modified Treaty annex provisions to allow a U.S. subsistence fishery for sockeye salmon on the Stikine River. In February of 2005, U.S. and Canada successfully negotiated modified Treaty Annex provisions, which included harvest sharing arrangements for king salmon returning to the Stikine River. In addition to the sharing arrangements for king salmon, the negotiators also agreed to subsistence king and coho salmon fisheries on the Stikine River.

The 2005 season was the second season a U.S. Federal subsistence sockeye fishery was conducted on the Stikine River, and was the first season that a U.S. Federal subsistence Chinook and coho fishery were conducted. The fisheries were managed by the United States Forest Service. A permit issued by the USFS to federally qualified users was required. The fisheries took place on the Stikine River upriver from marine waters to the U.S./Canadian border. Fishing in "clearwater" tributaries or side channels and at stock assessment sites was prohibited. The Guideline Harvest Levels for Chinook, sockeye, and coho were set at 125, 600, and 400 fish, respectively. The open dates were May 15 to June 20 for the Chinook fishery, July 1 to July 31 for the sockeye fishery, and August 15 to October 1 for the coho fishery. The allowable fishing gear for the fishery was dipnets, spears, gaffs, rod and reel, beach seine, or gillnets not exceeding 15 fathoms in length with mesh size no larger than 5½ inches. In 2004, a total of 40 permits were issued but only 20 were actively fished. Of those

20 that were fished, landings were reported on 16 of them for a total of 243 sockeye. In 2005, a total of 34 permits were issued and the estimated harvests included 15 Chinook, 252 sockeye, and 53 coho (Table 119-1).

DEPARTMENT COMMENTS: The Southeast Federal Subsistence Regional Advisory Council (SERAC) who submitted this proposal wishes to WITHDRAW the proposal. The department is OPPOSED to this proposal due to complications it would create under the terms agreed upon in the Pacific Salmon Treaty and for reasons similar to the SERAC. The primary reason for the request to withdraw the proposal is that State regulations would allow anyone who is subsistence qualified to participate in the fishery. The effect could be drastically reduced bag limits in order to maintain keep the harvest levels at or under the levels agreed upon in Annex IV of the Pacific Salmon Treaty.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 119-1.**—U.S. Subsistence Effort and Harvest on the Stikine River, 2004-2005.

| Year | Permits Issued | Permits Fished | Chinook =>28" | Chinook <28" | Chum | Coho | Pink | Sockeye | Steelhead |
|------|----------------|----------------|---------------|--------------|------|------|------|---------|-----------|
| 2004 | 40             | 16             | 12            | 9            | 11   | 0    | 22   | 243     | 1         |
| 2005 | 35             | 22             | 15            | 8            | 22   | 53   | 69   | 252     | 0         |

**PROPOSAL 120, PAGE 86. 5 AAC 01.720. LAWFUL GEAR AND GEAR SPECIFICATIONS.**

PROPOSED BY: David R. Rice

WHAT WOULD THE PROPOSAL DO? Amend the regulation in the Southeastern Alaska Area adding archery and compound bow rigged for fishing to the list of legal gear for subsistence salmon.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.720. LAWFUL GEAR AND GEAR SPECIFICATIONS. Fish may be taken by gear listed in 5 AAC 01.010(a) except as may be restricted under the terms of a subsistence fishing permit and except as follows:...

5 AAC 01.010 Methods, Means, and General Provisions. (a) Unless otherwise provided in this chapter, the following are legal types of gear for subsistence fishing: (1) gear specified in 5 AAC 39.105 ...

5 AAC 39.105 TYPES OF LEGAL GEAR (d) (Note: in section d is a list of legal gear types)

Archery gear is not included in types of legal gear listed in 5 AAC 01.010(a) or 5 AAC 39.105(d).

**5 AAC 01.730. SUBSISTENCE FISHING PERMITS.**

(e) The department shall adhere to the following when issuing subsistence salmon fishing permits: (1) fishing effort must be allowed in places and during times when resource abundance will allow a harvest without jeopardizing the sustained yield of the stock and in a manner which provides for an orderly fishery;

(2) any gear must be allowed which is efficient and economical in light of local circumstances and which provides for an orderly harvest without waste of the resource;

5 AAC 77.001 INTENT AND APPLICATION OF THIS CHAPTER. (a) The Board of Fisheries finds that... (4) it is necessary to establish a fishery classified as "personal use" because...(C) since the gear for this fishery is often different from that historically associated with sport fishing, this fishery should not be classified as a sport fishery, to prevent confusion among the public.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Archery and compound bow rigged for fishing would be legal gear for taking subsistence salmon in the Southeastern Alaska Area.

BACKGROUND: Archery fishing is not a common practice in Southeast Alaska. Traditionally three principal types of gear for harvesting salmon for non-commercial uses in Southeast Alaska have been used: 1) trolling and setting with hook and line, 2) weirs and fish traps, and 3) gaffs, spears, and leisters. Department staff have not found any evidence that archery and compound bow gear rigged for fishing is a customary and traditional method of harvesting salmon in Southeast Alaska. Dip net, beach seine, and drift gillnet are the most commonly used types of gear for subsistence salmon fishing in Southeast Alaska, and account for the majority of the harvest.

DEPARTMENT COMMENTS: The department OPPOSES this proposal since archery has not been identified as a customary and traditional method for subsistence harvest of salmon, and since according to 5 AAC 01.730, Subsistence Fishing Permits, gear which “is efficient and economical” and “which provides for orderly harvest without waste” is identified as gear which should be allowed under permit.

In the proposal reference is made to both sport and personal use experiences in addition to subsistence. Since sport harvest methods and means are generally only by use of a single line with hooks, allowing for the use of archery under the classification personal use fishery would be a possibility, however that is not what the proponent of this proposal has requested. Regulations cited above under 5 AAC 77.001 Intent and Applications of this Chapter, seem to indicate reasons why the fishery should not be classified as sport, commercial or subsistence, instead of why the fishery should be provided in the first place.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.





**Committee “D” Commercial Net Fisheries, Yakutat Salmon, THA/SHA Management Plans (22 Proposals)..... 211**

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**PROPOSAL 155. PAGE 112. 5 AAC 33.364. SOUTHEAST ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.**

PROPOSED BY: Virgil L. Umphenour

WHAT WOULD THE PROPOSAL DO? This proposal would add a new subsection to reduce hatchery production of pink and chum salmon in Southeast Alaska by at least 50 percent of the 2003 production.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.364 Southeastern Alaska Area Enhanced Salmon Allocation Management Plan.

- (a) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations: (1) seine- 44-49%, (2) troll- 27-32%, (3) drift gillnet- 24-29%.
- (b) The department shall evaluate the annual harvest of salmon stocks from enhancement projects to determine whether the distribution of the value of enhanced salmon taken in the seine, troll, and drift gillnet fisheries in the Southeastern Alaska Area is consistent with the allocation established in (a) of this section. The evaluation of allocation percentages shall be based on five-year increments, beginning with 1985. The value of the enhanced salmon harvested each year shall be determined by the department based on data from the Commercial Fisheries Entry Commission.
- (c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.
- (d) The department may not make inseason adjustments or change in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section.

5 AAC 40.300 Regional Planning Teams in General. The commissioner will establish regions and regional planning teams for the primary purpose of developing comprehensive salmon plans for various regions of the state.

5 AAC 40.340 Regional Planning Team Responsibility. Each regional planning team shall prepare a regional comprehensive salmon plan, for the appropriate region, to

rehabilitate natural stocks and supplement natural production, with provisions for both public and private non-profit hatcheries. Each regional planning team shall consider the needs of all user groups and ensure that the public has opportunity to participate in the development of the comprehensive salmon plan. Each regional comprehensive salmon plan must define regional production goals by species, area, and time.

5 AAC 40.345 Southeast Alaska. In accordance with the Southeast Alaska Area Enhanced Salmon Allocation Management Plan in 5 AAC 33.364, the joint Northern and Southern Southeast Regional Planning Team shall make annual recommendations to the commissioner on production changes to salmon enhancement projects to comply with allocation plans.

#### WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

Southeast salmon hatchery releases in 2003 totaled 83.53 million pink salmon fry and 318.20 million chum salmon fry. Under this proposal, combined releases of pink salmon fry from all Southeast salmon hatcheries would be restricted to no more than 41.76 million, and combined releases of chum salmon fry from all Southeast salmon hatcheries would be restricted to no more than 159.1 million. Annual adult returns to the hatcheries vary according to the differing ocean survival rates encountered, but the contributions to the common property and cost recovery fisheries could be anticipated to decrease by one-half with this proposal. The recent 10-year average total harvest of hatchery fish in the commercial fisheries of Southeast (1993-04) was 1.1 million pink salmon and 3.5 million chum salmon. This proposal could result in the average annual loss of 0.55 million pink salmon and 1.8 million chum salmon to future commercial fisheries in Southeast. Since hatchery organizations would need to maintain cost recovery income a majority of the reduced production would be lost to common property fisheries.

#### BACKGROUND:

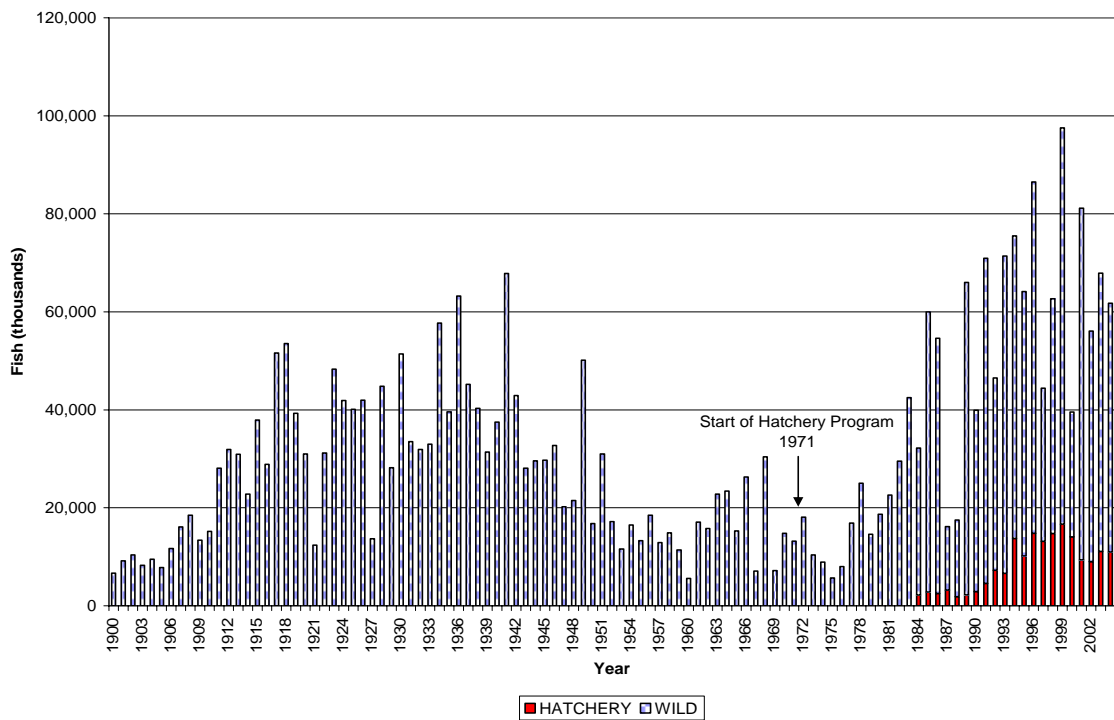
At past Alaska Board of Fisheries (BOF) meetings, there have been similar proposals which attempted to restrict production of chum salmon from Southeast salmon hatcheries, and/or production of pink salmon from Prince William Sound salmon hatcheries. In actions taken in January 2001 and June 2002, the Alaska BOF stated its intent to institutionalize a public forum to bring a statewide perspective to issues associated with hatchery production of salmon. The BOF and the Alaska Department of Fish and Game (ADF&G) then issued the Joint Protocol on Salmon Enhancement #2002-FB-215 in order to implement the forum.

#### DEPARTMENT COMMENTS:

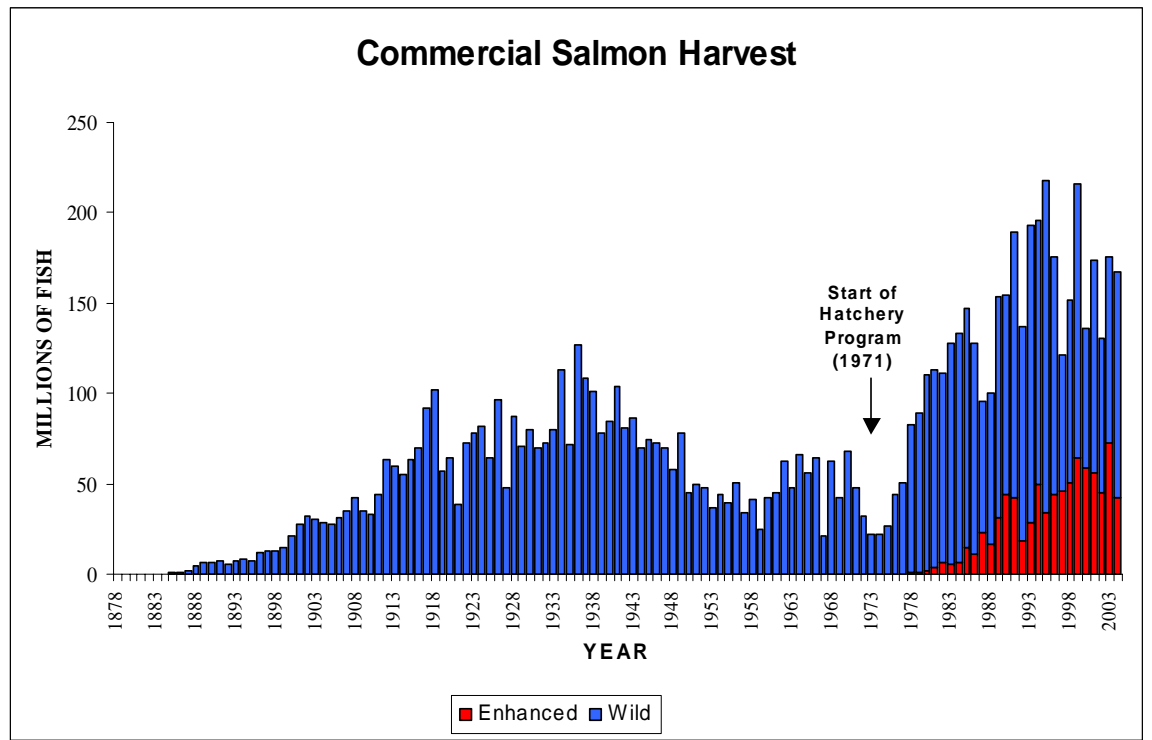
The department is OPPOSED to this proposal. A restriction of hatchery production is unwarranted for the reason as stated in answer to the question “What will happen if nothing is done” in the proposal – that wild stocks will continue to be at low abundance. Figure 155-1 shows wild and hatchery harvests for Southeast Alaska and Figure 155-2

shows wild and hatchery harvests statewide. These data do not support the conclusion that wild stocks will continue to be at low abundance due to competition with hatchery stocks. A restriction of this magnitude would also likely result in large decreases in harvests of pink and chum salmon in the commercial common property fisheries, and likely result in severe economic consequences both to large portions of the commercial fishing fleets and to the salmon processing industry of Southeast.

**COST STATEMENT:** The department does not believe that adoption of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 155-1.**—Annual commercial harvests of wild and hatchery salmon in Southeast Alaska.



**Figure 155-2.**—Annual commercial harvests of wild and hatchery salmon statewide in Alaska.



**PROPOSAL 156. Pages: 113&114. 5 AAC 33.200. FISHING DISTRICTS AND SECTIONS; 5 AAC 33.310(c)(3). FISHING SEASONS AND PERIODS FOR NET GEAR and 5 AAC 33.330.**

**GEAR.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSALS DO? This proposal would establish in regulation two areas within Section 8-B that could be opened by emergency order to harvest returns of salmon to the Anita Bay THA when the rest of District 8 is closed due to low returns of Stikine River sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.200. FISHING DISTRICTS AND SECTIONS.

(h) District 8: waters of Frederick Sound south of a line from Wood Point to Beacon Point (excluding Wrangell Narrows), Sumner Strait east of a line from Point Alexander to Low Point, Stikine Strait north of the latitude of Round Point, Zimovia Strait north of the latitude of Nemo Point and Eastern Passage west of a line from Hour Point (56<sup>o</sup> 27.80' N. lat., 132<sup>o</sup> 16.63' W. long.), to Babbler Point;

5AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR

c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 p.m. Sunday and close by emergency order;

(3) District 8 opens on the second Sunday of June;

5 AAC 33.330. GEAR

(a) Except as provided in 5 AAC 29, salmon may be taken only by drift gillnets and seines.

(b) Notwithstanding 5 AAC 39.240, a permit holder may use a registered salmon fishing vessel, when it has fishing gear on board, to tow another registered salmon fishing vessel with fishing gear on board if the permit holder for the vessel being towed is on board one of the vessels.

5 AAC 33.383. DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN. (c) This plan distributes the harvest of hatchery-produced king, coho, and chum salmon among the purse seine, troll, and gillnet fisheries when there are excess fish not being harvested by the hatchery operator.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? If adopted, there are several effects this proposal may have. It would direct the department to provide gillnetters with two areas to fish for hatchery chum salmon bound for Anita Bay when the remainder of District 8 was closed for wild stock concerns. The proposal would allow for the potential expansion of the Anita Bay THA for gillnetters. The quality of enhanced salmon caught may be better than salmon caught in the Anita Bay THA. If these areas were opened, there would be fewer fish available for gillnetters, seiners and trollers fishing in the THA. There would be increased harvests of wild stocks of salmon within these two corridors.

BACKGROUND: Anita Bay was initially used as a remote release site for the Burnett Inlet Hatchery, which was operated by the Alaska Aquaculture Foundation Incorporated (AAFI). Hatchery returns of pink and chum salmon first occurred in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000 (Table 156-1). In 2001, the Southern Southeastern Regional Aquaculture Association (SSRAA) transferred the release of king, coho and chum salmon from Earl West Cove to Anita Bay. SSRAA is currently permitted to annually release 400,000 Chinook, 225,000 coho, and 14 million chum salmon. In 2003 the outer THA line was moved to the mouth of the bay. Also in 2003, three lines were established in the head of the bay to reduce Dungeness gear and net conflicts. These lines are time restricted. As the season progresses, the net fisheries are allowed further inside the bay. In 2002, the first common property harvest occurred on hatchery returns in the Anita Bay THA. The 2004 and 2005 harvests mark the only significant harvest by seiners or gillnetters of king, coho and chum salmon (Tables 156-1 and Table 156-2).

There are several streams and rivers that have salmon runs that may be caught in the proposed corridor areas. These include the Stikine River, which produces all 5 species of salmon, plus a number of smaller streams, which produce sockeye, coho pink and/or chum salmon. The THA harvest includes sockeye and pink salmon, which are not released in the THA (Tables 156-1 and Table 156-2).

Test fisheries were initiated in 2001 to evaluate the run timing, strength and the incidence of natural returns of salmon stocks in areas adjacent to the Anita Bay (THA) prior to the return of enhanced chum salmon in 2003. Two areas around and inside Anita Bay (Figure 156-1) were designated for the test fisheries. The first area was within the waters of Chichagof Pass north and east of a line from Drag Island to the northern tip of Etolin Island (56° 20.10' N. latitude; 132° 32.10' W. longitude), to south of the latitude from East Point on Woronkofski Island, to Zimovia Strait north of 56° 20.00' N. latitude. The second area included the waters south of 56° 20.00' N. latitude to the Anita Bay THA (waters east of 132° 24.40' W. longitude), to waters north of a line from Anita Point to Turn Island. In addition, the successful bidder for the Zimovia strait area was required to make at least two sets within the Anita Bay THA every fishing period. Gillnetters used a 300 fathom gillnet with at least a 6-inch mesh size. Fishing times were for a 24-hour period starting between 6:00 am Friday to 6:00 am Sunday. In 2001, the test fish boats were contracted to fish for four statistical weeks starting in statistical week 30. In 2002, the gillnetters were contracted to fish in five statistical weeks starting in statistical week 29.



The results from the test fisheries were analyzed by first mapping set locations using the GIS program Arcview. Groupings of sets were divided into 6 sections (Figure 156-1). Section 1 represents the Anita Bay THA prior to 2003. Section 2 represents the approximate new THA that was expanded in 2003. Section 3 identifies the area north of Section 2 and south of a line from Nemo Pt. to a point on Etolin Island. Section 4 identifies the area north of Section 3 up to 56° 20.00' N. latitude. Section 5 includes those waters north of Section 4, south of the latitude of Reef Point and east of the longitude of 132°27.00' W. longitude. Section 6 includes those waters of Chicagof Pass west of Section 5 and east of a line from the southern most tip of Drag Island to a point on Etolin Island at 56° 20.10' N. latitude; 132° 32.10' W. longitude. Sets from each section were identified and analyzed.

The tests fishery results indicated that small numbers of wild sockeye, coho and pink salmon and higher numbers of chum salmon were present in the existing THA prior to returns of hatchery king, coho and chum salmon (Table 156-3). This is also verified by the number of sockeye and pink salmon caught within the THA since 2002 (Tables 156-1 and Table 156-2). In general, the results indicate the greater the distance from the THA the more salmon species are caught with higher catch rates for both years (Figure 156-3). The exception is the catches in Section 4. The catches in this area are the highest for all areas.

DEPARTMENT COMMENTS: The department OPPOSES this proposal to allow increased fishing time by regulation in a mixed stock fishing area based on the presence of hatchery fish. With this proposal the department has concerns regarding increased interception of wild salmon stocks. The department believes that this fishery would harvest wild fish at an unacceptable rate. The department currently has the ability to allow directed chum salmon fisheries via 5 AAC 33.331(e) when warranted by wild salmon abundance. This proposal goes against the BOF mixed stock policy. An almost identical proposal was submitted during the 2002/2003 BOF cycle. The board voted down that proposal. The department is neutral on the allocative issues this proposal creates. Harvests in corridor fisheries in District 8 would redistribute harvest in the Anita Bay THA which is managed according to 5 AAC 33.383 to distribute harvest between purse seine, drift gillnet and troll gear.

COST ANALYSIS: There may be some small cost to the department if this proposal is adopted. There may be some cost to individual gillnetters, seiners or trollers if fish are harvested outside of the THA where the fish might be more concentrated.

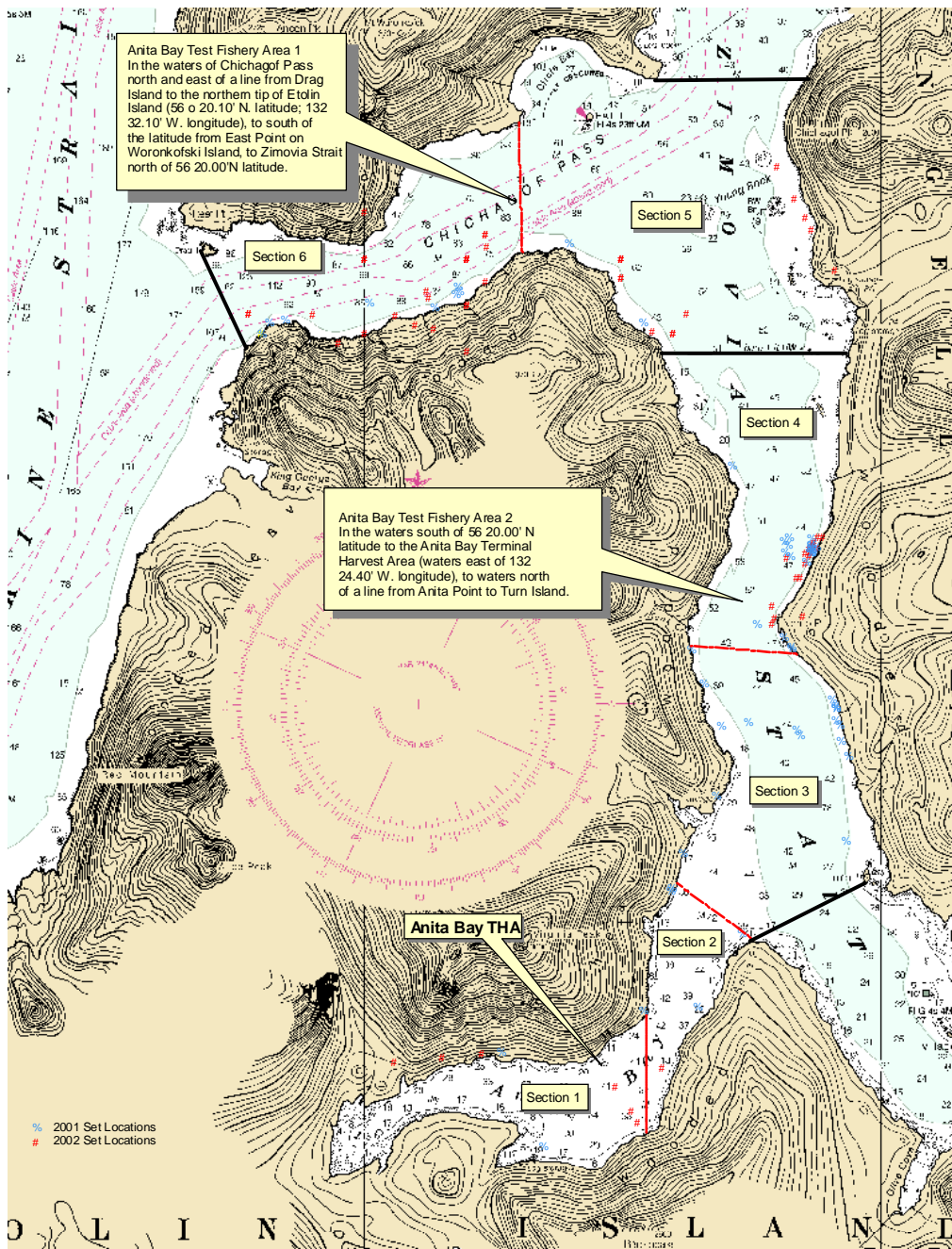


Figure 156-1.—2001 and 2002 Anita Bay test fisheries areas, set locations and sections.

**Table 156-1.**—Anita Bay THA Total Harvest by all gear groups, 1994-2005. Harvest prior to 2002 was for hatchery cost recovery .

| Year | King  | Sockeye | Coho  | Pink    | Chum    |
|------|-------|---------|-------|---------|---------|
| 1994 | 0     | 5       | 20    | 129,318 | 9       |
| 1995 | 0     | 0       | 0     | 0       | 0       |
| 1996 | 0     | 0       | 8     | 88,802  | 719     |
| 1997 | 0     | 4       | 33    | 531     | 626     |
| 1998 | 0     | 0       | 0     | 0       | 12,499  |
| 1999 | 0     | 0       | 0     | 0       | 65,406  |
| 2000 | 0     | 0       | 0     | 0       | 7,351   |
| 2001 | 0     | 0       | 0     | 0       | 0       |
| 2002 | 0     | 0       | 917   | 0       | 4       |
| 2003 | 52    | 33      | 1,268 | 330     | 2,263   |
| 2004 | 1,792 | 364     | 2,221 | 136     | 43,203  |
| 2005 | 603   | 615     | 1,334 | 5,326   | 123,664 |

**Table 156-2.**—Anita Bay THA Total Harvest by gear, 2002-2005.

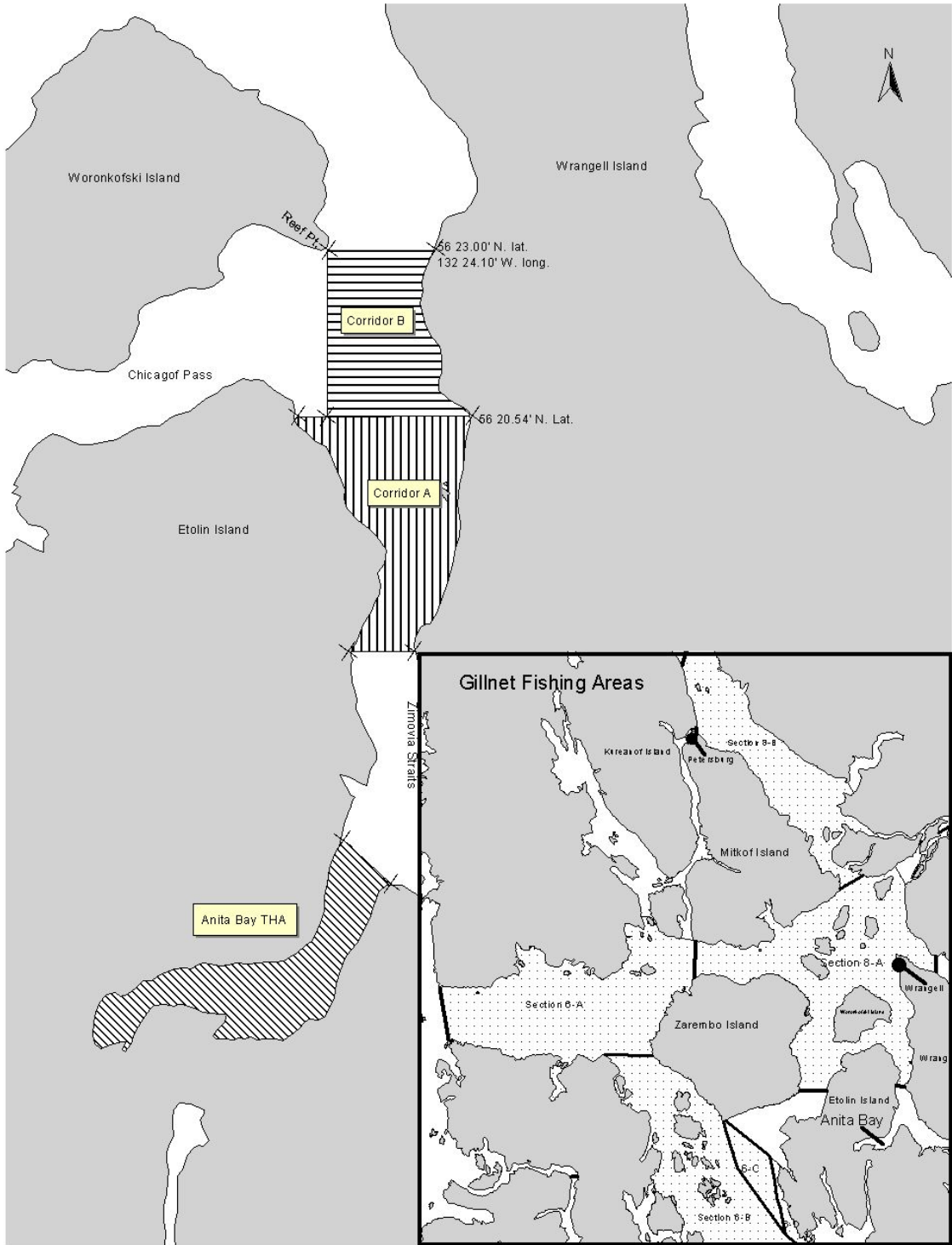
| Gear    | Year | King  | Sockeye | Coho  | Pink  | Chum    |
|---------|------|-------|---------|-------|-------|---------|
| Gillnet | 2002 | -     | -       | 917   | -     | 4       |
|         | 2003 | 52    | 33      | 1,268 | 330   | 2,263   |
|         | 2004 | 1,457 | 359     | 2,221 | 136   | 43,197  |
|         | 2005 | 553   | 554     | 1,239 | 1,970 | 57,146  |
| Troll   | 2002 | -     | -       | -     | -     | -       |
|         | 2003 | -     | -       | -     | -     | -       |
|         | 2004 | 103   | -       | -     | -     | -       |
|         | 2005 | -     | -       | -     | -     | -       |
| Seine   | 2002 | -     | -       | -     | -     | -       |
|         | 2003 | -     | -       | -     | -     | -       |
|         | 2004 | 232   | 5       | -     | -     | 6       |
|         | 2005 | 50    | 61      | 95    | 3,356 | 66,506  |
| Total   | 2002 | -     | -       | 917   | -     | 4       |
|         | 2003 | 52    | 33      | 1,268 | 330   | 2,263   |
|         | 2004 | 1,792 | 364     | 2,221 | 136   | 43,203  |
|         | 2005 | 603   | 615     | 1,334 | 5,326 | 123,652 |

**Table 156-3.**—Anita Bay area test fishery results in numbers of salmon, 2001 and 2002.

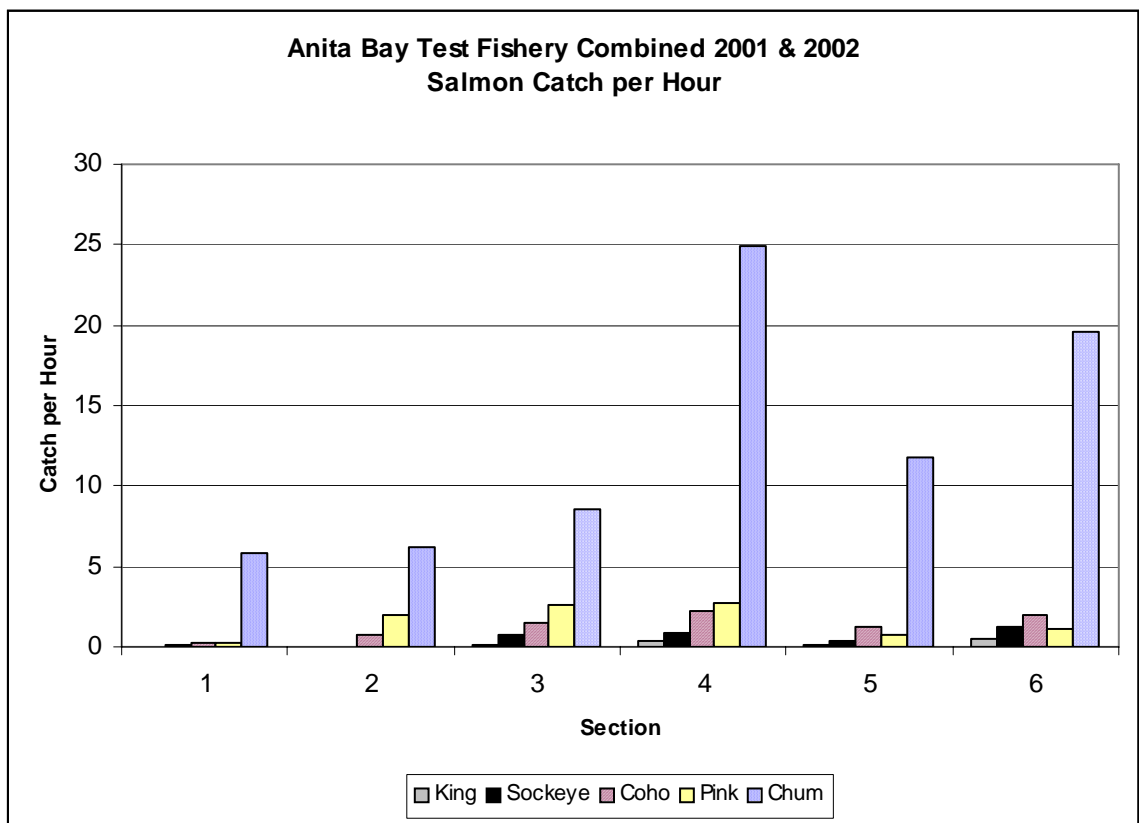
| Section                         | No. Sets | Total Hours | King | Sockeye | Coho | Pink | Chum |
|---------------------------------|----------|-------------|------|---------|------|------|------|
| <u>2001</u>                     |          |             |      |         |      |      |      |
| 1                               | 3        | 4.8         | 0    | 1       | 2    | 5    | 8    |
| 2                               | 4        | 6.1         | 0    | 0       | 4    | 12   | 38   |
| 3                               | 17       | 22.7        | 3    | 16      | 34   | 58   | 193  |
| 4                               | 21       | 44.2        | 1    | 17      | 94   | 133  | 541  |
| 5                               | 2        | 1.9         | 0    | 1       | 1    | 2    | 2    |
| 6                               | 8        | 10.2        | 6    | 8       | 6    | 7    | 8    |
| <u>2002</u>                     |          |             |      |         |      |      |      |
| 1                               | 7        | 10.8        | 0    | 1       | 2    | 0    | 83   |
| 2                               | -        | -           | -    | -       | -    | -    | -    |
| 3                               | -        | -           | -    | -       | -    | -    | -    |
| 4                               | 20       | 12          | 20   | 33      | 30   | 17   | 855  |
| 5                               | 14       | 17.6        | 2    | 7       | 24   | 12   | 228  |
| 6                               | 27       | 11.6        | 6    | 18      | 38   | 18   | 419  |
| <u>Combined 2001 &amp; 2002</u> |          |             |      |         |      |      |      |
| 1                               | 10       | 15.6        | 0    | 2       | 4    | 5    | 91   |
| 2                               | 4        | 6.1         | 0    | 0       | 4    | 12   | 38   |
| 3                               | 17       | 22.7        | 3    | 16      | 34   | 58   | 193  |
| 4                               | 41       | 56.2        | 21   | 50      | 124  | 150  | 1396 |
| 5                               | 16       | 19.5        | 2    | 8       | 25   | 14   | 230  |
| 6                               | 35       | 21.9        | 12   | 26      | 44   | 25   | 427  |

**Table 156-4.**—Anita Bay area test fishery results in salmon catch per hour, 2001 and 2002.

| Section                         | No. Sets | Total Hours | King | Sockeye | Coho | Pink | Chum |
|---------------------------------|----------|-------------|------|---------|------|------|------|
| <u>2001</u>                     |          |             |      |         |      |      |      |
| 1                               | 3        | 4.8         | 0    | 0.2     | 0.4  | 1    | 1.7  |
| 2                               | 4        | 6.1         | 0    | 0       | 0.7  | 2    | 6.2  |
| 3                               | 17       | 22.7        | 0.1  | 0.7     | 1.5  | 2.6  | 8.5  |
| 4                               | 21       | 44.2        | 0    | 0.4     | 2.1  | 3    | 12.2 |
| 5                               | 2        | 1.9         | 0.0  | 0.5     | 0.5  | 1.0  | 1.0  |
| 6                               | 8        | 10.2        | 0.6  | 0.8     | 0.6  | 0.7  | 0.8  |
| <u>2002</u>                     |          |             |      |         |      |      |      |
| 1                               | 7        | 10.8        | 0    | 0.1     | 0.2  | 0    | 7.7  |
| 2                               | -        | -           | -    | -       | -    | -    | -    |
| 3                               | -        | -           | -    | -       | -    | -    | -    |
| 4                               | 20       | 12          | 1.7  | 2.8     | 2.5  | 1.4  | 71.3 |
| 5                               | 14       | 17.6        | 0.1  | 0.4     | 1.4  | 0.7  | 13.0 |
| 6                               | 27       | 11.6        | 0.5  | 1.5     | 3.3  | 1.5  | 36.1 |
| <u>Combined 2001 &amp; 2002</u> |          |             |      |         |      |      |      |
| 1                               | 10       | 15.6        | 0    | 0.1     | 0.3  | 0.3  | 5.8  |
| 2                               | 4        | 6.1         | 0    | 0       | 0.7  | 2    | 6.2  |
| 3                               | 17       | 22.7        | 0.1  | 0.7     | 1.5  | 2.6  | 8.5  |
| 4                               | 41       | 56.2        | 0.4  | 0.9     | 2.2  | 2.7  | 24.9 |
| 5                               | 16       | 19.5        | 0.1  | 0.4     | 1.3  | 0.7  | 11.8 |
| 6                               | 35       | 21.9        | 0.5  | 1.2     | 2.0  | 1.1  | 19.5 |



**Figure 156-2.**—Proposed directed enhanced chum salmon drift gillnet areas in District 8.



**Figure 156-3.**—Anita Bay test fishery combined 2001 and 2002 salmon catch-per-hour in Sections 1-6.

**PROPOSAL 157. PAGE 115. 5 AAC29.0XX. SOUTHEAST ALASKA SOCKEYE AND CHUM SALMON ALLOCATION.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO? This proposal would establish guidelines for allocation of sockeye and chum salmon between the troll and net fishery gear groups based on historical harvest records from 1960-2004. The department would be directed not to disrupt traditional commercial fisheries, but to make inseason adjustments while managing fisheries in order to maintain the BOF-established allocation percentages for these two species.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 29.065. ALLOCATION OF COHO SALMON. The historical harvest allocation (1969-1988) of coho salmon in the Southeastern Alaska and Yakutat commercial salmon fisheries is 19 percent purse seine, 13 percent drift gillnet, seven percent set gillnet, and 61 percent troll. While these percentages may vary from season to season, given fluctuations in salmon abundance and the distribution and limitations of fisheries management, the department shall manage the fishery to maintain these allocation guidelines over the long-term. In that management the department

- 1) may not disrupt any of the traditional commercial fisheries upon which this historical allocation is founded;
- 2) may make inseason adjustments to attempt to achieve these historical harvest allocation guidelines.

5AAC 33.363 MANAGEMENT GUIDELINES FOR ALLOCATING SOUTHEAST ALASKA PINK, CHUM, AND SOCKEYE SALMON BETWEEN COMMERCIAL NET FISHERIES. h) Consistent with management guidelines for allocating pink, sockeye, and chum salmon between the commercial net fisheries, the following allocations between the purse seine and gillnet fleets have historically occurred for the period 1960-1988, based on the total catches of the Southeast Area net fisheries minus the Annette Island Reserve catches, and will be considered by the board in future allocation decisions:

- 1) pink salmon: 95 percent purse seine and five percent gillnet;
- 2) sockeye salmon: 51 percent purse seine and 49 percent gillnet;
- 3) chum salmon: 73 percent purse seine and 27 percent gillnet.

5AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN. a) The purpose of the management plan contained in this section is to provide a fair and equitable distribution of the harvest of



salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce the conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations:

- 1) seine –44 percent -- 49 percent
  - 2) hand and power troll – 27 percent –32 percent
  - 3) drift gillnet – 24 percent – 29 percent.
- b)...The evaluation of allocation percentages shall be based on five-year increments...
- c)...the board will, in its discretion, adjust fisheries within special harvest areas...
- d) The department may not make inseason adjustments in or out of the special harvest areas...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The department would continue to manage traditional seine, troll, drift gillnet and set gillnet fisheries as they have been managed over the historic base period. In situations where harvest of sockeye or chum salmon appears to be varying substantially from the allocation percentages established, and in a way that would change the long-term allocation of these species, the department would make inseason adjustments to fisheries in order to maintain the allocation percentages. This regulation is patterned after 5 AAC 29.065 which directs the department to manage the fisheries to maintain historical allocation of coho salmon amongst troll and net gears by making inseason adjustments. This regulation differs from 5 AAC 33.363 and 5 AAC 33.364, which state or imply that the department should not make inseason adjustments.

BACKGROUND: The historic harvest of sockeye salmon for net and troll gear groups is shown in Table 157-1. The historic harvest of chum salmon for net and troll gear is shown in Table 157-2. Since statehood the average harvest percentage of sockeye salmon has been 48% seine, 40% drift gillnet, 12% set gillnet, and 1% troll. Since statehood the average harvest percentage of chum salmon has been 74% seine, 24% drift gillnet, 0% set gillnet, and 3% troll. Increased harvest of chum salmon by troll gear began around 1988, peaked in 1993 and has continued during recent years. Harvest of chum salmon by troll fishers is attributed to targeting of enhanced chum salmon returns in milling areas outside of hatchery terminal harvest areas. Harvest and effort has fluctuated, in part due to because of changing economic conditions. No similar phenomenon has yet to develop in association with sockeye enhancement programs, which are few at present.

The department analysis of catch was applied to the years 1960-2004 since those years were suggested in Proposal 157. The department would point out that troll-net allocations of coho salmon in 5AAC 29.065 were based on the years 1969-1988, and that seine-drift gillnet allocations of pink, sockeye, and chum salmon were based on the years 1960-1988.

It was not clear from the proposal what “net” gear should be included, so the inclusion of data showing set gillnet harvest of sockeye and chum salmon in the Yakutat Area in Tables 157-1 and 157-2 is based on gear groups included in 5 AAC 29.065 which allocates coho salmon.

5 AAC 33.363 requires that the board consider purse seine and gillnet allocations of pink, sockeye and chum salmon from 1960-1988 when making future allocation decisions, and the proponents of proposal 157 state that this proposal would not change that allocation. Table 157-3 presents allocation between purse seine and drift gillnet gear prior to and following the 1989 season, compared to the regulatory allocation percentages in 5 AAC 33.363.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

Proposal 157, as does 5 AAC 29.065, directs the department regarding appropriate inseason actions to maintain historical allocations. The department suggests that, from a management perspective, (1) non-disruption of traditional commercial fisheries in order to maintain historic allocations is simply to carry out status quo, but (2) making inseason adjustments to maintain allocations does place the department in a difficult role. Any inseason adjustment taken to restore a sockeye or chum salmon allocation balance could be interpreted as disadvantaging individual affected permit holders and disrupting their fishery. If the board adopts this proposal, the department will need clear guidelines specifying when and where the department should take inseason action to maintain allocations. Furthermore, since traditional fisheries are not to be adjusted inseason, the proposal implies that new fisheries or fisheries on hatchery production should be adjusted when criteria are met. In that regard 5 AAC 33.365 already addresses value allocations for enhanced salmon between purse seine, drift gillnet, and troll for enhanced fish. Since the proposal suggests taking action to maintain historic catch percentages based on numbers of fish by species, it is conceivable that the proposal could run counter to 5 AAC 33.365 which works to balance enhanced production between gear groups according to value criteria. Status of enhanced fish allocations are being provided in an oral and written report to the board.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 157-1.**—Southeast Alaska and Yakutat historic commercial sockeye salmon harvest by gear in numbers and percent, 1960-2005 and showing the 1960-2004 average number and average percent.

| Year         | Seine     |              | Driftnet  |              | Setnet  |              | Troll  |             | Total     |
|--------------|-----------|--------------|-----------|--------------|---------|--------------|--------|-------------|-----------|
| 1960         | 358,697   | (68%)        | 127,058   | (24%)        | 44,671  | (8%)         | 939    | (0%)        | 531,365   |
| 1961         | 418,952   | (62%)        | 169,724   | (25%)        | 82,403  | (12%)        | 1,264  | (0%)        | 672,343   |
| 1962         | 411,748   | (57%)        | 233,082   | (32%)        | 73,937  | (10%)        | 1,181  | (0%)        | 719,948   |
| 1963         | 422,605   | (63%)        | 194,420   | (29%)        | 52,517  | (8%)         | 2,014  | (0%)        | 671,556   |
| 1964         | 570,250   | (63%)        | 246,250   | (27%)        | 90,175  | (10%)        | 1,004  | (0%)        | 907,679   |
| 1965         | 672,001   | (63%)        | 279,349   | (26%)        | 120,417 | (11%)        | 1,872  | (0%)        | 1,073,639 |
| 1966         | 480,024   | (48%)        | 334,702   | (33%)        | 185,360 | (19%)        | 679    | (0%)        | 1,000,765 |
| 1967         | 600,602   | (62%)        | 274,038   | (28%)        | 88,431  | (9%)         | 157    | (0%)        | 963,228   |
| 1968         | 494,851   | (60%)        | 245,865   | (30%)        | 80,776  | (10%)        | 574    | (0%)        | 822,066   |
| 1969         | 338,357   | (42%)        | 348,350   | (43%)        | 123,540 | (15%)        | 437    | (0%)        | 810,684   |
| 1970         | 308,198   | (46%)        | 240,538   | (36%)        | 115,795 | (17%)        | 485    | (0%)        | 665,016   |
| 1971         | 162,253   | (26%)        | 329,017   | (53%)        | 130,547 | (21%)        | 929    | (0%)        | 622,746   |
| 1972         | 324,893   | (36%)        | 450,148   | (49%)        | 134,617 | (15%)        | 1,068  | (0%)        | 910,726   |
| 1973         | 342,336   | (34%)        | 532,485   | (53%)        | 128,466 | (13%)        | 1,204  | (0%)        | 1,004,491 |
| 1974         | 236,064   | (34%)        | 364,312   | (53%)        | 82,418  | (12%)        | 2,215  | (0%)        | 685,009   |
| 1975         | 61,784    | (25%)        | 108,574   | (44%)        | 73,291  | (30%)        | 584    | (0%)        | 244,233   |
| 1976         | 135,192   | (23%)        | 322,017   | (55%)        | 130,603 | (22%)        | 1,241  | (0%)        | 589,053   |
| 1977         | 328,932   | (31%)        | 541,443   | (51%)        | 186,001 | (18%)        | 5,713  | (1%)        | 1,062,089 |
| 1978         | 272,197   | (36%)        | 358,917   | (47%)        | 130,681 | (17%)        | 2,804  | (0%)        | 764,599   |
| 1979         | 397,137   | (38%)        | 472,610   | (45%)        | 164,813 | (16%)        | 7,018  | (1%)        | 1,041,578 |
| 1980         | 510,956   | (47%)        | 408,296   | (38%)        | 159,564 | (15%)        | 2,921  | (0%)        | 1,081,737 |
| 1981         | 438,921   | (42%)        | 438,824   | (42%)        | 149,273 | (14%)        | 7,476  | (1%)        | 1,034,494 |
| 1982         | 445,385   | (32%)        | 749,348   | (53%)        | 212,882 | (15%)        | 2,459  | (0%)        | 1,410,074 |
| 1983         | 776,695   | (51%)        | 586,574   | (38%)        | 152,571 | (10%)        | 7,973  | (1%)        | 1,523,813 |
| 1984         | 457,206   | (39%)        | 593,901   | (51%)        | 102,565 | (9%)         | 9,654  | (1%)        | 1,163,326 |
| 1985         | 716,342   | (40%)        | 830,238   | (46%)        | 234,896 | (13%)        | 7,713  | (0%)        | 1,789,189 |
| 1986         | 587,730   | (42%)        | 658,611   | (47%)        | 150,770 | (11%)        | 6,883  | (0%)        | 1,403,994 |
| 1987         | 310,282   | (24%)        | 736,200   | (56%)        | 259,989 | (20%)        | 9,722  | (1%)        | 1,316,193 |
| 1988         | 654,748   | (46%)        | 600,925   | (42%)        | 162,168 | (11%)        | 9,341  | (1%)        | 1,427,182 |
| 1989         | 823,178   | (40%)        | 893,976   | (43%)        | 329,454 | (16%)        | 20,171 | (1%)        | 2,066,779 |
| 1990         | 965,918   | (46%)        | 767,492   | (37%)        | 344,606 | (17%)        | 9,176  | (0%)        | 2,087,192 |
| 1991         | 1,051,269 | (52%)        | 711,874   | (36%)        | 229,903 | (11%)        | 9,805  | (0%)        | 2,002,851 |
| 1992         | 1,336,889 | (51%)        | 922,069   | (36%)        | 314,175 | (12%)        | 22,854 | (1%)        | 2,595,987 |
| 1993         | 1,690,471 | (55%)        | 1,021,899 | (33%)        | 345,887 | (11%)        | 25,337 | (1%)        | 3,083,594 |
| 1994         | 1,430,610 | (61%)        | 686,792   | (29%)        | 206,683 | (9%)         | 21,777 | (1%)        | 2,345,862 |
| 1995         | 907,120   | (52%)        | 640,971   | (37%)        | 153,723 | (9%)         | 27,323 | (2%)        | 1,729,137 |
| 1996         | 1,514,523 | (55%)        | 1,026,591 | (37%)        | 209,029 | (8%)         | 11,024 | (0%)        | 2,761,167 |
| 1997         | 1,578,041 | (66%)        | 645,516   | (27%)        | 110,078 | (5%)         | 39,430 | (2%)        | 2,373,065 |
| 1998         | 732,790   | (56%)        | 501,291   | (38%)        | 77,189  | (6%)         | 6,474  | (0%)        | 1,317,744 |
| 1999         | 425,298   | (38%)        | 545,681   | (49%)        | 128,751 | (12%)        | 5,730  | (1%)        | 1,105,460 |
| 2000         | 489,221   | (45%)        | 496,564   | (46%)        | 99,182  | (9%)         | 4,467  | (0%)        | 1,089,434 |
| 2001         | 1,013,151 | (55%)        | 686,533   | (37%)        | 141,449 | (8%)         | 8,992  | (0%)        | 1,850,125 |
| 2002         | 154,478   | (21%)        | 464,138   | (63%)        | 112,656 | (15%)        | 1,247  | (0%)        | 732,519   |
| 2003         | 681,418   | (47%)        | 598,679   | (42%)        | 154,384 | (11%)        | 4,596  | (0%)        | 1,439,077 |
| 2004         | 900,557   | (50%)        | 797,969   | (45%)        | 88,282  | (5%)         | 5,009  | (0%)        | 1,791,817 |
| Average      |           |              |           |              |         |              |        |             |           |
| 1960 to 2004 | 620,673   | <b>(48%)</b> | 515,197   | <b>(40%)</b> | 152,213 | <b>(12%)</b> | 7,132  | <b>(1%)</b> | 1,295,214 |
| 2005         | 898,490   | (62%)        | 462,196   | (32%)        | 79,221  | (5%)         | 13,277 | (1%)        | 1,453,184 |

**Table 157-2.**—Southeast Alaska and Yakutat historic commercial chum salmon harvest by gear in numbers and percent, 1960-2005, and showing the 1960-2004 average number and average percent.

| Year         | Seine     |       | Driftnet  |       | Setnet |      | Troll   |      | Total      |
|--------------|-----------|-------|-----------|-------|--------|------|---------|------|------------|
| 1960         | 726,017   | (78%) | 199,887   | (22%) | 277    | (0%) | 2,453   | (0%) | 928,634    |
| 1961         | 2,172,066 | (89%) | 251,900   | (10%) | 11,038 | (0%) | 2,679   | (0%) | 2,437,683  |
| 1962         | 1,593,386 | (87%) | 233,421   | (13%) | 616    | (0%) | 2,676   | (0%) | 1,830,099  |
| 1963         | 1,186,182 | (81%) | 265,251   | (18%) | 10,294 | (1%) | 6,230   | (0%) | 1,467,957  |
| 1964         | 1,661,431 | (87%) | 250,045   | (13%) | 1,481  | (0%) | 2,576   | (0%) | 1,915,533  |
| 1965         | 1,185,569 | (81%) | 269,986   | (18%) | 4,094  | (0%) | 6,359   | (0%) | 1,466,008  |
| 1966         | 2,846,425 | (88%) | 365,070   | (11%) | 3,396  | (0%) | 5,203   | (0%) | 3,220,094  |
| 1967         | 1,545,057 | (86%) | 250,050   | (14%) | 4,459  | (0%) | 7,051   | (0%) | 1,806,617  |
| 1968         | 2,251,556 | (86%) | 363,713   | (14%) | 13,866 | (1%) | 2,791   | (0%) | 2,631,926  |
| 1969         | 332,514   | (59%) | 208,918   | (37%) | 17,203 | (3%) | 1,708   | (0%) | 560,343    |
| 1970         | 1,919,378 | (79%) | 494,294   | (20%) | 10,147 | (0%) | 3,235   | (0%) | 2,427,054  |
| 1971         | 1,495,755 | (77%) | 435,924   | (22%) | 6,306  | (0%) | 7,602   | (0%) | 1,945,587  |
| 1972         | 2,168,632 | (74%) | 744,933   | (25%) | 12,887 | (0%) | 11,634  | (0%) | 2,938,086  |
| 1973         | 1,221,201 | (69%) | 524,199   | (30%) | 8,995  | (1%) | 10,460  | (1%) | 1,764,855  |
| 1974         | 988,297   | (59%) | 666,313   | (40%) | 4,185  | (0%) | 13,818  | (1%) | 1,672,613  |
| 1975         | 381,540   | (56%) | 298,296   | (43%) | 3,761  | (1%) | 2,784   | (0%) | 686,381    |
| 1976         | 511,827   | (50%) | 503,230   | (49%) | 7,462  | (1%) | 4,251   | (0%) | 1,026,770  |
| 1977         | 336,408   | (47%) | 364,164   | (51%) | 8,623  | (1%) | 11,621  | (2%) | 720,816    |
| 1978         | 521,880   | (62%) | 288,959   | (34%) | 6,181  | (1%) | 26,193  | (3%) | 843,213    |
| 1979         | 438,175   | (50%) | 401,161   | (46%) | 7,399  | (1%) | 24,661  | (3%) | 871,396    |
| 1980         | 1,002,478 | (63%) | 548,674   | (35%) | 20,151 | (1%) | 12,168  | (1%) | 1,583,471  |
| 1981         | 517,002   | (64%) | 270,231   | (34%) | 10,655 | (1%) | 8,680   | (1%) | 806,568    |
| 1982         | 828,476   | (64%) | 448,362   | (35%) | 6,320  | (0%) | 5,639   | (0%) | 1,288,797  |
| 1983         | 579,168   | (51%) | 516,639   | (46%) | 11,195 | (1%) | 20,308  | (2%) | 1,127,310  |
| 1984         | 2,434,053 | (69%) | 1,030,527 | (29%) | 32,230 | (1%) | 28,053  | (1%) | 3,524,863  |
| 1985         | 1,849,523 | (61%) | 1,134,446 | (37%) | 12,468 | (0%) | 52,767  | (2%) | 3,049,204  |
| 1986         | 2,198,907 | (71%) | 815,813   | (26%) | 16,616 | (1%) | 51,390  | (2%) | 3,082,726  |
| 1987         | 1,234,558 | (61%) | 747,357   | (37%) | 14,555 | (1%) | 12,846  | (1%) | 2,009,316  |
| 1988         | 1,625,841 | (56%) | 1,144,450 | (40%) | 29,256 | (1%) | 88,264  | (3%) | 2,887,811  |
| 1989         | 1,079,555 | (63%) | 542,846   | (32%) | 16,259 | (1%) | 68,986  | (4%) | 1,707,646  |
| 1990         | 1,062,522 | (61%) | 616,226   | (35%) | 5,825  | (0%) | 62,817  | (4%) | 1,747,390  |
| 1991         | 2,125,308 | (74%) | 707,277   | (25%) | 2,984  | (0%) | 28,437  | (1%) | 2,864,006  |
| 1992         | 3,193,433 | (77%) | 845,176   | (20%) | 7,604  | (0%) | 85,030  | (2%) | 4,131,243  |
| 1993         | 4,606,463 | (70%) | 1,401,186 | (21%) | 4,065  | (0%) | 525,160 | (8%) | 6,536,874  |
| 1994         | 6,376,472 | (75%) | 1,823,497 | (21%) | 4,229  | (0%) | 330,375 | (4%) | 8,534,573  |
| 1995         | 6,600,529 | (71%) | 2,478,672 | (26%) | 2,585  | (0%) | 277,453 | (3%) | 9,359,239  |
| 1996         | 8,918,577 | (79%) | 2,033,267 | (18%) | 1,803  | (0%) | 406,240 | (4%) | 11,359,887 |
| 1997         | 5,863,690 | (75%) | 1,689,474 | (21%) | 808    | (0%) | 312,042 | (4%) | 7,866,014  |
| 1998         | 9,406,979 | (82%) | 1,923,764 | (17%) | 1,351  | (0%) | 117,642 | (1%) | 11,449,736 |
| 1999         | 8,944,189 | (80%) | 2,166,218 | (19%) | 928    | (0%) | 74,704  | (1%) | 11,186,039 |
| 2000         | 8,306,381 | (73%) | 2,559,879 | (23%) | 1,185  | (0%) | 478,144 | (4%) | 11,345,589 |
| 2001         | 4,436,178 | (69%) | 1,564,210 | (24%) | 406    | (0%) | 467,830 | (7%) | 6,468,624  |
| 2002         | 3,110,189 | (67%) | 1,410,100 | (30%) | 204    | (0%) | 117,528 | (3%) | 4,638,021  |
| 2003         | 4,336,128 | (70%) | 1,528,070 | (25%) | 542    | (0%) | 286,410 | (5%) | 6,151,150  |
| 2004         | 5,684,447 | (74%) | 1,830,083 | (24%) | 1,555  | (0%) | 171,182 | (2%) | 7,687,267  |
| Average      |           |       |           |       |        |      |         |      |            |
| 1960 to 2004 | 2,706,763 | (74%) | 870,137   | (24%) | 7,743  | (0%) | 94,357  | (3%) | 3,679,001  |
| 2005         | 2,814,511 | (63%) | 1,511,570 | (34%) | 525    | (0%) | 174,596 | (4%) | 4,501,202  |

**Table 157-3.**—Southeast Alaska purse seine and drift gillnet harvest and allocation percentages. 5AAC 33.363 Allocation includes harvest from the regulation basis period, 1960-1988.

| <b>Pink Salmon</b>    |               |            |                |            |             |
|-----------------------|---------------|------------|----------------|------------|-------------|
|                       | Total Seine   | % seine    | Total Driftnet | % driftnet | Total       |
| Allocation from       |               |            |                |            |             |
| 5AAC 33.363           | 415,988,615   | <b>95%</b> | 22,318,705     | <b>5%</b>  | <b>100%</b> |
| Total Harvest         |               |            |                |            |             |
| 1960-2004             | 1,144,104,215 | <b>96%</b> | 42,052,543     | <b>4%</b>  | <b>100%</b> |
| 2005                  | 55,726,935    | 97%        | 1,530,243      | 3%         | 100%        |
| <b>Sockeye Salmon</b> |               |            |                |            |             |
|                       | Total Seine   | % seine    | Total Driftnet | % driftnet | Total       |
| Allocation from       |               |            |                |            |             |
| 5AAC 33.363           | 12,235,338    | <b>51%</b> | 11,775,816     | <b>49%</b> | <b>100%</b> |
| Total Harvest         |               |            |                |            |             |
| 1960-2004             | 27,930,270    | <b>55%</b> | 23,183,851     | <b>45%</b> | <b>100%</b> |
| 2005                  | 898,490       | 66%        | 462,196        | 34%        | 100%        |
| <b>Chum Salmon</b>    |               |            |                |            |             |
|                       | Total Seine   | % seine    | Total Driftnet | % driftnet | Total       |
| Allocation from       |               |            |                |            |             |
| 5AAC 33.363           | 37,753,302    | <b>73%</b> | 14,036,213     | <b>27%</b> | <b>100%</b> |
| Total Harvest         |               |            |                |            |             |
| 1960-2004             | 121,804,342   | <b>76%</b> | 39,156,158     | <b>24%</b> | <b>100%</b> |
| 2005                  | 2,814,511     | 65%        | 1,511,570      | 35%        | 100%        |

**PROPOSAL 158. PAGE 115. 5 AAC 33.310(c) FISHING SEASONS AND PERIODS FOR NET GEAR.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO?

This proposal would allow equal time and areas for gillnetting in District 8 whenever trolling is allowed under the Spring Fishery Management Plan during years when a directed fishery targeting Stikine River king salmon is not allowed.

WHAT ARE THE CURRENT REGULATIONS?

5AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR (c).

- (3) District 8 opens on the second Sunday of June.

5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS

(b) The department shall manage the king salmon troll fishery to provide for

- (1) a winter fishery during the period beginning October 11 through April 30 or until the guideline harvest level is reached, as specified in 5 AAC 29.080, whichever occurs first;

- (2) spring fisheries during the period beginning after the winter fishery is closed under (1) of this subsection, but no later than May 1, through June 30, as specified in 5 AAC 29.090.

5 AAC 29.090.MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(d) In its management of the spring fisheries under this section, the department shall

- (2) first consider changes in the previous years' spring fisheries; the department shall open the fisheries if they meet the following requirements:

- (D) the department shall manage each spring salmon troll fishery as follows:

- (i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the king salmon taken in that fishery;

- (ii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the king salmon taken in that fishery;
- (iii) no more than 5,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the king salmon taken in that fishery;
- (iv) there is no limit on the number of non-Alaska hatchery salmon that may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is 66 percent or more

5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON. (b) (2) drift gillnet fishery: 7,600 king salmon;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, during years when a directed fishery for Stikine River king salmon is not allowed, during spring troll fishery management periods allowed under 5 AAC 29.090 in District 8, gillnetting would be allowed in the same areas for time periods equal to trolling.

Allowing gillnetting in spring fishery areas would add an additional commercial gear type in a fishery that is currently limited to commercial trolling. Greater numbers of king salmon would be harvested by drift gillnet and lesser numbers of king salmon would be harvested by troll gear. Presently both gears may overlap in time and area during spring troll fishery openings, from the second Sunday in June when all of District 8 may open to the gillnet fishery. Allowing both gear types in relatively smaller area where spring troll fisheries occur from May 1 to the second Sunday in June may lead to gear conflicts.

Opening the gillnet fishery for directed harvest of hatchery king salmon would have implications managing the gillnet gear group for the annual harvest ceiling of 7,600 king salmon. King salmon harvested during this fishery other than Alaska hatchery produced fish will be counted toward this ceiling under the Pacific Salmon Treaty and 5 AAC 29.060. In the event that the ceiling is reached, restrictions of time or area or night fishing closures may need to be implemented in Districts 1, 6, 11, and 15. Drift gillnet harvest of king salmon in the region has averaged 5,841 from 1985-2004 (Table 135-1). Drift gillnet harvest of king salmon in District 8 during the traditional season from the second Sunday in June has averaged 1,468, 39% of which are Alaska hatchery fish (Table 158-2). Additional targeting of king salmon in District 8 in May and June poses a significant risk that the 7,600 annual harvest ceiling will be reached and the traditional gillnet fisheries will be disrupted.

BACKGROUND: Spring troll fisheries directed at the harvest of Alaska hatchery-produced king salmon have occurred in District 8 since 1993 (Table 158-1).

The number of spring troll areas in District 8 have varied from one to three in each of the years 1993-2005, with three (Baht Harbor, Craig Point and Chichagof Pass) in place for the past two years . The total District 8 spring troll fishery king salmon catches have averaged 774 fish and ranged from 14 in 1998 to approximately 5,000 in 2005 (Table 158-1). The Alaska hatchery component of these fisheries has averaged 29% and ranged from 0% in 1995 to 100% in 1996. The Alaska hatchery component was 9% in 2005. Spring troll areas in district 8 were managed under emergency regulation and open continuously in 2005.

The spring troll areas that were in effect in 2004 and 2005 are presented in Figure 158-1.

The drift gillnet king salmon catches during statistical weeks 24-27 (Prior to July 1) for 1993-2005 are presented in Table 158-2. The average gillnet king salmon catch during that time period was 1,468 fish and ranged from 248 in 1998 to over 11,000 in 2005 (no gillnet fisheries occurred prior to July 1 during the years 2001-2003. The Alaska hatchery component of the gillnet catches averaged 39% and ranged from 7% in 2005 to 82% in 2000 (Table 158-2).

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

If this proposal is approved, the gillnet treaty king salmon allocation could be reached or nearly reached prior to or during the ongoing traditional gillnet fisheries for sockeye salmon or other species. Significant time and area reductions might be necessary in existing traditional gillnet fisheries in all districts in order to avoid exceeding the allocation.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

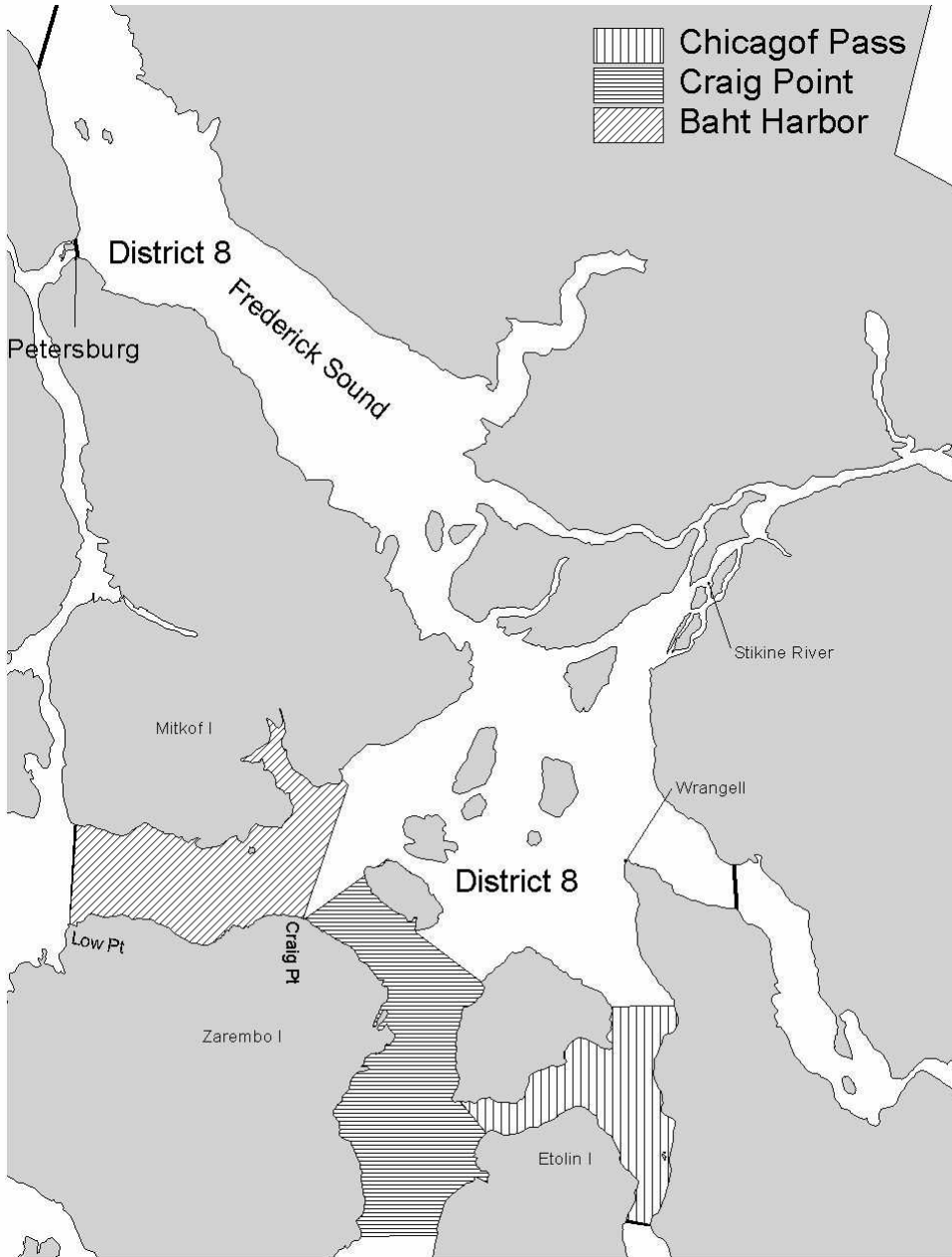


**Table 158-1.**—District 8 spring troll fishery king salmon catches, effort and Alaska hatchery composition, 1993-2005.

|         | Permits Fished | Total Catch | Alaska Hatchery Catch | Alaska Hatchery Composition |
|---------|----------------|-------------|-----------------------|-----------------------------|
| 1993    | 7              | 43          | 17                    | 40%                         |
| 1994    | 8              | 107         | 27                    | 25%                         |
| 1995    | 6              | 18          | 0                     | 0%                          |
| 1996    | 6              | 58          | 58                    | 100%                        |
| 1997    | 10             | 135         | 0                     | 0%                          |
| 1998    | 4              | 14          | 0                     | 0%                          |
| 1999    | 10             | 450         | 275                   | 61%                         |
| 2000    | 20             | 428         | 81                    | 19%                         |
| 2001    | 15             | 585         | 345                   | 59%                         |
| 2002    | 24             | 602         | 101                   | 17%                         |
| 2003    | 28             | 741         | 178                   | 24%                         |
| 2004    | 50             | 1,912       | 412                   | 22%                         |
| 2005    | 89             | 4,995       | 459                   | 9%                          |
| Average | 21             | 776         | 150                   | 29%                         |

**Table 158-2.**—District 8 drift gillnet king salmon catches, effort and Alaska hatchery composition, 1993-2005.

|         | Permits<br>Fished | Total Catch | Alaska<br>Hatchery Catch | Alaska<br>Hatchery<br>Composition |
|---------|-------------------|-------------|--------------------------|-----------------------------------|
| 1993    | 63                | 952         | 506                      | 53%                               |
| 1994    | 69                | 644         | 148                      | 23%                               |
| 1995    | 110               | 1,090       | 381                      | 35%                               |
| 1996    | 118               | 1,374       | 631                      | 46%                               |
| 1997    | 128               | 2,126       | 618                      | 29%                               |
| 1998    | 30                | 248         | 120                      | 48%                               |
| 1999    | 71                | 815         | 319                      | 39%                               |
| 2000    | 31                | 795         | 651                      | 82%                               |
| 2001    | Not Open          |             |                          |                                   |
| 2002    | Not Open          |             |                          |                                   |
| 2003    | Not Open          |             |                          |                                   |
| 2004    | 78                | 5,172       | 1200                     | 23%                               |
| 2005    | 122               | 11,258      | 817                      | 7%                                |
| Average | 82                | 1,468       | 539                      | 39%                               |



**Figure 158-1.**—2005 District 8 Spring troll fishery areas. Drift gillnetting was allowed throughout District 8.

**PROPOSAL 159, PAGE 116. 5 AAC 33.370. DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN.**

PROPOSED BY: Southern Southeast Regional Aquaculture Association

WHAT WOULD THE PROPOSAL DO? This proposal if adopted would extend the western line of the Neets Bay THA from the third Sunday in July to August 15.

WHAT ARE THE CURRENT REGULATIONS? There is a current management plan in place for the Neets Bay Terminal Harvest Area, 5 AAC 33.370. DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN. (a) The intent of the Board of Fisheries in adopting this management plan is to distribute the harvest of hatchery-produced salmon in Neets Bay between the purse seine, troll, and drift gillnet fleets. In addition to that goal, the board and the public would like to have a fishery in Neets Bay that produces a quality product that will allow the Southern Southeast Regional Aquaculture Association (SSRAA) to meet its corporation escapement goal with the least number of fish and provide the highest possible price to the fishermen.

(b) The department, in consultation with SSRAA, shall manage Neets Bay east of the longitude of the easternmost tip of Bug Island to the closed waters area at the head of the bay to distribute the harvest of Neets Bay hatchery produced salmon between the purse seine, troll, and drift gillnet fleets by setting the fishing times for those fleets as follows:

(1) salmon may be taken by troll gear only during periods established by emergency order;

(2) salmon may be taken by purse seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups with a closure of at least 24 hours between openings; the first opening must be for gillnets;

(B) a gillnet opening must be no less than 24 hours in duration and a seine opening must be no less than 12 hours in duration;

(3) repealed 6/25/89;

(4) repealed 6/25/89;

(5) from the second Sunday in June through the third Sunday in July, the area described in (b) of this section shall be expanded to Neets Bay east of the longitude of Chin Point to the closed waters area at the head of the bay.

(c) A drift gillnet operated in the harvest area may not exceed 200 fathoms in length.

(d) Personal use and sport fishing will be allowed in the harvest area whenever SSRAA is not harvesting salmon for its corporation escapement goal and so long as the personal use and sport fishery do not jeopardize the attainment of that goal.

(e) Gear for the personal use fishery is drift gillnets with a maximum length of 50 fathoms. The annual bag and possession limit is 25 salmon.

(f) Waters of Neets Bay east of a line between ADF&G regulatory markers located approximately one mile from the head of the bay are closed to commercial, sport, and personal use salmon fishing from June 15 through November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would extend the period of time through August 15 when the Neets Bay THA/SHA is expanded west from Bug Island to Chin Point so that the department, in consultation with SSRAA, can manage the area to provide for cost recovery and distribute the harvest between the gear groups according to 5 AAC 33.370. This area is shown in Figure 159-1.

BACKGROUND: Neets Bay is a rearing and release site for the Southern Southeast Regional Aquaculture Association (SSRAA). Permitted capacities for SSRAA in Neets Bay include 49 million summer chum, 20 million fall chum, and 2.9 million coho salmon. Currently, SSRAA conducts cost recovery to meet its corporation escapement goal within Neets Bay and has a rotational fishery between the three gear groups; purse seine, troll and drift gillnet.

During the 2003 Board of Fish cycle the waters of Neets Bay were expanded from the original lines of east of the easternmost tip of Bug Island to include those waters of Neets Bay from the second Sunday in June through the third Sunday in July to be open east of the longitude of Chin Point to the closed waters area at the head of the bay. This was done in order for SSRAA to harvest their incoming salmon in the best possible quality.

SSRAA is now requesting that the THA be expanded through August 15. The department feels that if the THA is expanded through August 15, wild stocks of pink, coho, and sockeye salmon returning to Behm Canal systems including McDonald Lake may be harvested in greater numbers. Some common property areas for purse seining, trolling, or sport fishing could potentially be closed if necessary to provide for escapements to these systems.

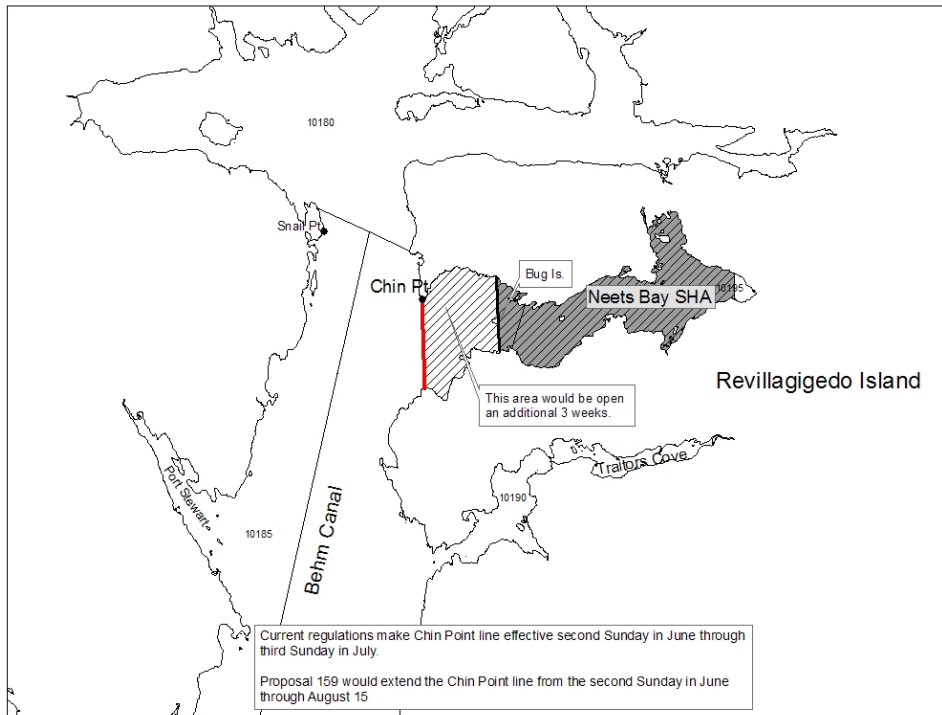
Since this proposal was written, SSRAA and the department have come to an agreement that August 1<sup>st</sup> would be a mutually acceptable date.

DEPARTMENT COMMENTS: The department OPPOSES this proposal as written but can support the proposal with the modification that the extension of the Chin Point line

lasts only through August 1. SSRAA agrees that this would greatly improve their ability to target their harvest goal of summer chum salmon returning to Neets Bay.

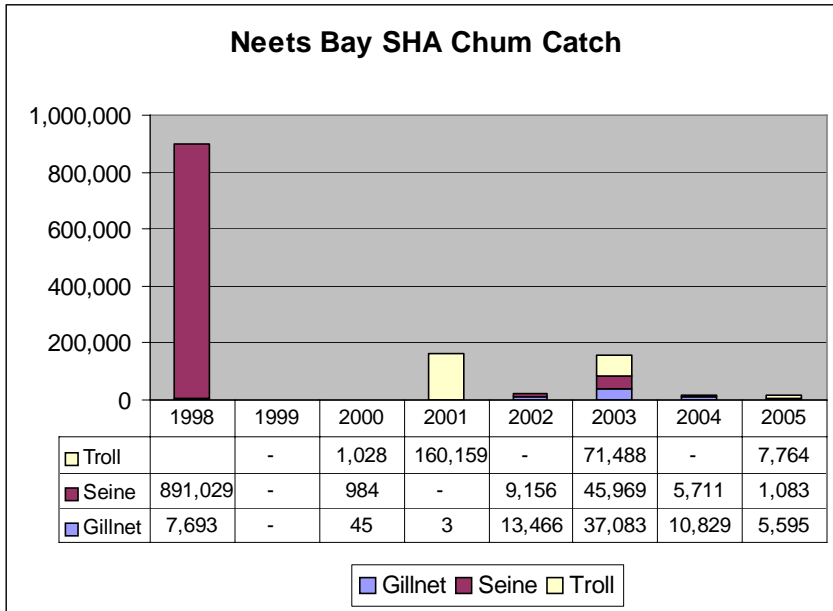
The department foresees an August 15 extension as potentially inhibiting its ability to effectively manage common property fish in the future.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

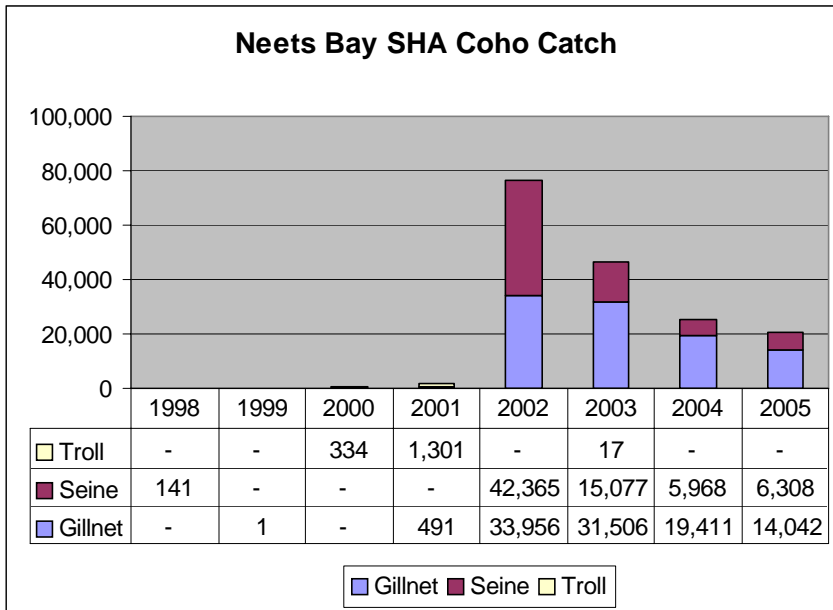


**Figure 159-1.**—Map showing the Neets Bay Special Harvest Area.

**Table 159-1.**—Neets Bay SHA chum salmon harvest, 1998-2005.



**Table 159-2.**—Neets Bay SHA coho salmon harvest, 1988-2005.



**PROPOSAL 160. PAGE 117. 5 AAC 33.372. DISTRICT 1: NAKAT INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN.**

PROPOSED BY: Southern Southeast Regional Aquaculture Association

WHAT WOULD THE PROPOSAL DO? This proposal if adopted would create an exclusive gillnet and troll gear fishery in the Nakat Inlet Terminal Harvest Area (THA) after 2007.

WHAT ARE THE CURRENT REGULATIONS? Nakat Inlet currently has a management plan, 5AAC 33.372. a) This management plan distributes the harvest of hatchery produced coho and chum salmon in the Nakat Inlet Special Harvest Area between purse seine, troll, and drift gillnet fleets.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the waters of Nakat Inlet between 54° 50' N. lat. and 54° 56' N. lat. from June 1 through November 10 to distribute the harvest of hatchery-produced coho and chum salmon as follows:

(1) salmon may be taken by troll gear at any time;

(2) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups with a closure of at least 18 hours between openings; the first opening must be for gillnets;

(B) a gillnet opening must be no less than 24 hours in duration and a seine opening must be no less than 12 hours in duration.

(3) after the last rotational fishery on September 17, the Nakat Inlet Special Harvest Area will be open on a continual basis to purse seine, drift gillnet, and troll gear through November 10.

(c) All waters within 500 yards of the terminus of Nakat Lake Creek (101-11-39) are closed to the taking of salmon.

(d) A drift gillnet operated in the special harvest area may not exceed 200 fathoms in length.

(e) Salmon may be taken in the special harvest area under sport and personal use fishing regulations at any time. A personal use permit issued under 5 AAC 77.682 must include the following conditions: (1) salmon may be taken for personal use only by drift gillnets;



(2) a drift gillnet operated for personal use may not exceed 50 fathoms in length; and

(3) the annual bag and possession limit for personal use is 25 salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted this proposal would turn the Nakat Inlet THA in District 1 (Figure 160-1) into an exclusive gillnet and troll fishery after 2007.

In 2006 the management would continue according to the current regulations.

In 2007, seiners would be allowed into the Nakat THA only after August 31. From September 1 through September 17 the THA would be managed as allowed under the current plan as a gillnet/seine rotational fishery. From September 18 through November 10, 2007 it would be open on a continual basis for all three gear groups.

In 2008 the area would be managed as specified in the proposal as an exclusive gillnet and troll area.

This change in the management plan has been agreed upon by SSRAA's Board of Directors.

The department has concerns that during large returns neither troll gear nor gillnet gear has the ability to harvest all surplus returns. Should that situation arise the department would either request that SSRAA harvest surplus returns with purse seine gear, or would open the THA for common property harvest by purse seine gear.

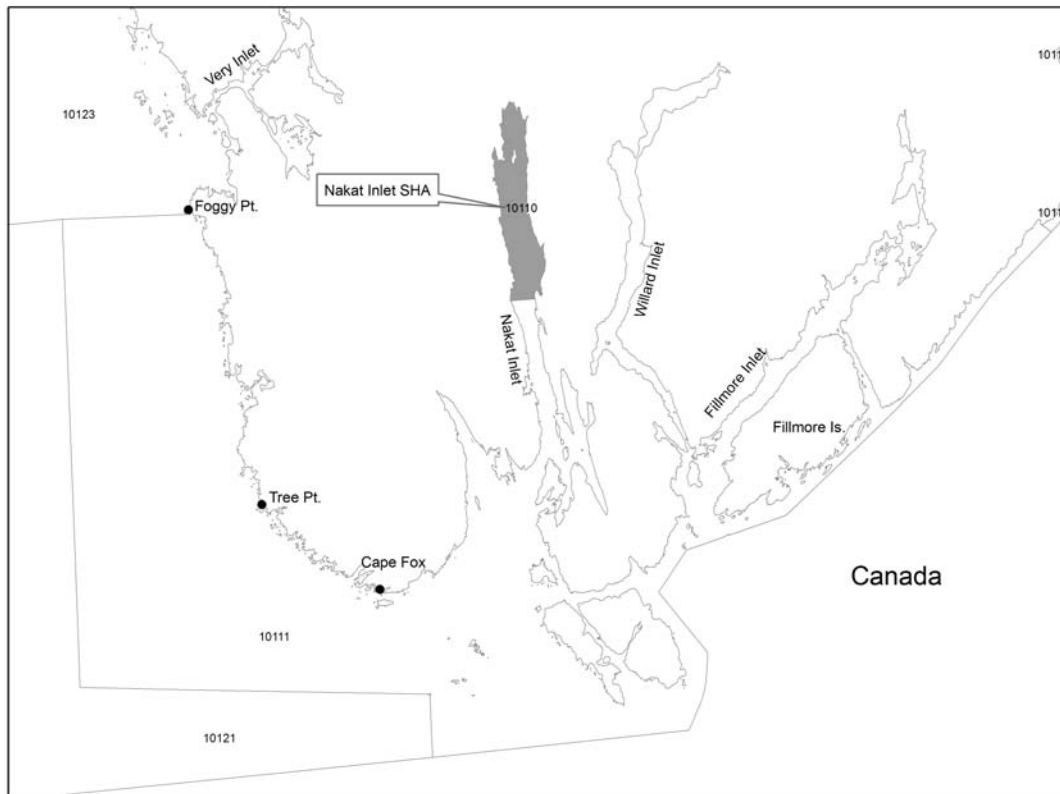
BACKGROUND: Current permitted capacities for SSRAA releases in Nakat Inlet include 8 million summer chum, 8 million fall chum, and 300 thousand coho salmon. SSRAA is permitted to release 20 million summer chum salmon in Kendrick Bay. Historical harvest of coho and chum salmon in the Nakat Inlet THA by drift gillnet and purse seine gear is presented in Table 160-1. Harvest of salmon in the Kendrick Bay THA by purse seine gear is presented in Table 160-2.

Currently the Nakat Inlet THA is a rotational fishery between the three gear groups. It is opened continuously to troll gear beginning June 1, and alternates between gillnet and purse seine from June 1 through September 17, at which time it is opened on a continual basis to purse seine, drift gillnet, and troll gear through November 10.

SSRAA has increased chum salmon production in the Kendrick Bay THA to compensate the purse seine fleet for foregoing summer harvest in the Nakat Inlet THA. This has been a long term, on-going project for SSRAA.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects for this proposal. This change in the Nakat Inlet Management Plan has been agreed upon by SSRAA's Board of Director's.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 160-1.**—Map showing the Nakat Inlet Special Harvest Area.

**Table 160-1.**—Harvest of coho and chum salmon in the Nakat Inlet Terminal Harvest Area by drift gillnet and purse seine, 1996-2005.

| YEAR | Drift Gillnet |        | Purse Seine |         |
|------|---------------|--------|-------------|---------|
|      | Coho          | Chum   | Coho        | Chum    |
| 1996 | 46            | 27,474 | 935         | 296,181 |
| 1997 | 2,542         | 58,361 | 1,177       | 239,156 |
| 1998 | 282           | 27,053 | 385         | 188,489 |
| 1999 | 8             | 2,879  | 138         | 44,866  |
| 2000 | 1,368         | 19,697 | 730         | 51,731  |
| 2001 | 425           | 32,719 | 34          | 36,449  |
| 2002 | 1,252         | 16,408 | 592         | 46,263  |
| 2003 | 2,413         | 39,261 | 298         | 87,930  |
| 2004 | 518           | 24,892 | 564         | 114,883 |
| 2005 | 86            | 12,848 | 132         | 138,041 |
| Mean | 894           | 26,159 | 499         | 124,399 |

**Table 160-2.**—Harvest of salmon in the Kendrick Bay Terminal Harvest Area by purse seine, 1996-2005.

| YEAR | Sockeye | Coho  | Pink  | Chum    |
|------|---------|-------|-------|---------|
| 1996 | 548     | 177   | 1,167 | 155,044 |
| 1997 | 1,204   | 160   | 9,055 | 243,886 |
| 1998 | 1,114   | 1,272 | 8,499 | 362,911 |
| 1999 | 390     | 493   | 4,673 | 42,045  |
| 2000 | 1,182   | 295   | 1,212 | 76,991  |
| 2001 | 221     | 540   | 5,259 | 32,518  |
| 2002 | 108     | 120   | 1,790 | 4,352   |
| 2003 | 82      | 119   | 927   | 2,094   |
| 2004 | 58      | 47    | 37    | 55      |
| 2005 | 63      | 153   | 1,626 | 20,829  |
| MEAN | 497     | 338   | 3,425 | 94,073  |

**PROPOSAL 161, PAGE 119. 5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.**

PROPOSED BY: Southeast Alaska Fishermen's Alliance

WHAT WOULD THE PROPOSAL DO?

Add a new section to regulation 5 AAC 33.364.- the regional planning team (RPT) shall evaluate the annual harvest of salmon stocks from enhancement projects to determine the amount of enhanced fish contributed to common property fisheries by the hatchery associations. The evaluation of allocation between the common property uses and the hatchery association shall be based on five-year increments as a rolling average, beginning 2005. The amount of enhanced fish contributed to common property fisheries will be determined by the department based on the data from the year-end hatchery operator reports.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.364 Southeastern Alaska Area Enhanced Salmon Allocation Management Plan.

- (e) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations: (1) seine- 44-49%, (2) troll- 27-32%, (3) drift gillnet- 24-29%.
- (f) The department shall evaluate the annual harvest of salmon stocks from enhancement projects to determine whether the distribution of the value of enhanced salmon taken in the seine, troll, and drift gillnet fisheries in the Southeastern Alaska Area is consistent with the allocation established in (a) of this section. The evaluation of allocation percentages shall be based on five-year increments, beginning with 1985. The value of the enhanced salmon harvested each year shall be determined by the department based on data from the Commercial Fisheries Entry Commission.
- (g) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.
- (h) The department may not make in-season adjustments or change in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section.

5 AAC 40.300 Regional Planning Teams in General. The commissioner will establish regions and regional planning teams for the primary purpose of developing comprehensive salmon plans for various regions of the state.

5 AAC 40.340 Regional Planning Team Responsibility. Each regional planning team shall prepare a regional comprehensive salmon plan, for the appropriate region, to rehabilitate natural stocks and supplement natural production, with provisions for both public and private non-profit hatcheries. Each regional planning team shall consider the needs of all user groups and ensure that the public has opportunity to participate in the development of the comprehensive salmon plan. Each regional comprehensive salmon plan must define regional production goals by species, area, and time.

5 AAC.40.345 Southeast Alaska. In accordance with the Southeast Alaska Area Enhanced Salmon Allocation Management Plan in 5 AAC 33.364, the joint Northern and Southern Southeast Regional Planning Team shall make annual recommendations to the commissioner on production changes to salmon enhancement projects to comply with allocation plans.

#### WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

By regulation the RPT would annually review data already determined by the BOF to be appropriate for the RPT to review without this proposal.

#### BACKGROUND:

BOF Finding #94-02-FB adequately addresses the issue in this proposal, allocation of enhanced salmon between hatchery cost recovery and commercial common property fisheries. Several of the findings are specific to hatchery contributions to the commercial common property fisheries. Finding 1.(A) gives the performance goals as 70% for those hatcheries receiving salmon enhancement tax (SET), and 60% for those hatcheries not receiving SET. Finding 1.(B) designates the annual management plan (AMP) as the place to implement the performance goals. Finding 1.(C) suggests an incentive for meeting the performance goals would be priority in state financing. Finding 10.(A) designates the joint regional planning team (RPT) to evaluate the hatchery contributions. Finding 10.(B) designates the joint RPT to determine if any adjustments are necessary. Finding 10.(C) states the joint RPT will make recommendations to the commissioner to include the adjustments in the AMP. And finally, Finding 13. has the specific tools to use to make the adjustments - SHA management adjustments, implementing new production, and/or modification of existing production – and that either the RPT can make specific recommendations regarding which tool to use to make an adjustment, or that the hatcheries themselves can request to make an adjustment.

DEPARTMENT COMMENTS: The department's position is NEUTRAL.

The proposal states that fishermen do not have a place to consider the amount of enhanced fish taken for common property uses compared to cost recovery. The board of directors of each association makes business decisions by setting the amount of fish directed at common property versus cost recovery in their enhancement projects. All board of directors meetings are open to the public. Furthermore, the board of directors of NSRAA, SSRAA, DIPAC, & AKI have fishermen on the board. Not all members may agree with all facets of a particular project, but members do have a voice in the process.

Allocation of enhanced fish among gear groups, as well as cost recovery, is an issue appropriate for review by the RPT. The appropriate regional aquaculture association appoints a seiner, troller, and drift gillnetter to the RPT to represent each gear group. These RPT members are quite often board members of SSRAA or NSRAA and have experience with the needs of both the fisherman and the needs of the hatchery associations.

By regulation (5 AAC 33.364) the department evaluates the annual harvest of salmon stocks from enhancement projects to determine whether the distribution of the value of enhanced salmon taken in seine, troll, and drift gillnet fisheries in southeast AK is consistent with the allocation set forth in regulation. The results are presented to the RPT each spring and suggested changes that may effect allocation are then forwarded for the commissioner's consideration. The RPT can currently review allocation between common property and cost recovery without BOF action on this proposal. However, this proposal would clarify that since the amount and distribution of cost recovery harvests can affect allocations between gear groups in the associated common property fisheries, common property versus cost recovery contributions should be evaluated on an annual basis by the RPT.

All hatchery releases and returns are considered common property until those fish are within the SHA of the hatchery. The annual management plan for a particular hatchery facility, which is reviewed by the RPT, specifies how the department will manage common property fisheries as well as cost recovery fisheries each season.

The data show that the Southeast 5-year average hatchery contribution rate to commercial common property fisheries, all species, all facilities, is 56%. This rate is somewhat below BOF Finding #94-02-FB, Finding 1(A) which sets forth a 60% goal for hatcheries not receiving SET funding, and a 70% goal for hatchery organizations eligible for the SET. The rate of 56% leaves a corresponding rate of 44% for hatchery cost recovery. Harvest rates vary significantly from species to species, from facility to facility, and between organizations. Harvest rates vary by species primarily due to schooling behavior and the efficiency and location of the intercepting fisheries, i.e., net gear or troll gear. While this variation can result in marked contrasts in harvest rates between two facilities, the aggregate harvest rate of the Region-wide program is monitored for value allocation. Regional planning may dictate that hatcheries be distributed over a wide area in order to provide increased fishing opportunities to a broader range of user groups.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 162. PAGE 120. 5 AAC 33.376. DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN.**

PROPOSED BY: Northern Southeast Regional Aquaculture Association

WHAT WOULD THE PROPOSAL DO? This proposal would establish a separate management plan in the Deep Inlet Terminal Harvest Area (THA) rotational common property fishery during the May through mid-June period when openings are directed at hatchery Chinook salmon rather than the later returning hatchery chum salmon. Though not specifically stated in the proposal, the intent is to provide more fishing time for drift gillnet fishermen during the early season when there is little or no interest by purse seiners to participate. The proposal also seeks to consider allocation consequences of earlier net fisheries in an area traditionally open to the spring troll fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan. (a) The intent of this management plan is to distribute the harvest of hatchery-produced salmon in the area described in (b) of this section between the purse seine, drift gillnet, and troll fleets.

(b) The department, in consultation with the Northern Southeast Aquaculture Association (NSRAA), shall open and close, by emergency order, fishing seasons and periods to manage the waters of Deep Inlet, Aleutkina Bay, and contiguous waters south of a line from a point west of

Pirates Cove at 56° 59.35' N. latitude, 135° 22.63' W. longitude, to the westernmost tip of Long

Island to the easternmost tip of Long Island to the westernmost tip of Emgeten Island to the

westernmost tip of Error Island to the westernmost tip of Berry Island to the southernmost tip of

Berry Island to the westernmost tip of the southernmost island in the Kutchuma Island group to the easternmost tip of the southernmost island in the Kutchuma Island group to the westernmost tip of an unnamed island at 57° 00.30' N. latitude, 135° 17.67' W. longitude, to a point on the southern side of the unnamed island at 57° 00.08' N. latitude, 135° 16.78' W. longitude, and then to a point on the Baranof Island Shore at 56° 59.93' N. latitude, 135° 16.53' W. longitude ( area shown in Figure 162-1.)

(1) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups; the department, in consultation with NSRAA, shall close fishing between openings;

(B) the time ratio for gillnet openings to seine openings is two to one;

(2) salmon may be taken by troll gear when the waters described in this subsection are closed to commercial net gear;

(3) the commissioner shall close the seasons in the waters described in this subsection to trolling during hatchery cost recovery periods.

(c) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, the drift gillnet fleet would have more fishing time in the early season chinook salmon fishery in the Deep Inlet THA. More hatchery Chinook salmon would be harvested by the common property fisheries rather than for hatchery cost recovery. Trollers that have traditionally fished in the Deep Inlet THA during that earlier period may be displaced by additional net fishing opportunity. The harvest rate of local wild stock sockeye salmon may increase.

#### BACKGROUND:

Hatchery Chinook salmon begin passing through the Eastern Channel and Deep Inlet THA as they return to the Medvejie Hatchery in early to mid-May with the abundance of Chinook continuing to build through the month of June. The average total Medvejie Hatchery return for the years 1995-2005 was 36,000 chinook salmon with an average common property exploitation rate of only 38%. In 2002, the NSRAA Board requested that the Deep Inlet THA be opened earlier than the normal July 1 opening date to allow opportunity for net fisheries to harvest hatchery chinook salmon returning to the Medvejie Hatchery. In 2002, Deep Inlet opened mid-June resulting in a harvest of 1,834 chinook by gillnetters and 507 by seiners prior to week 28 (early-July). With this success, NSRAA requested that the THA open even earlier in 2003 and the net gear rotation was opened in early-June. A similar schedule was provided in 2004. In 2005, the net gear rotational fishery was opened May 1. One allocative aspect of the earlier openings was the potential to displace trollers that have traditionally fished within the THA during the May and June spring troll openings. With this concern in mind the NSRAA Board discussed modifications of the THA to maintain traditional troll areas. Ultimately it was determined that a small area inside the westernmost line of the THA was a traditional troll drag and the westernmost line was modified by emergency order for the period of May 1-May 21. The harvest of Chinook by gillnet and seine from the period prior to week 28 (early July) in 2002-2005 is given in Table 162-1.

Current permitted capacity for chum salmon in Sitka Sound is 60 million by NSRAA and 10 million by Sheldon Jackson College (SJC). Of these, 10 million are for release at the Medvejie Hatchery, 1 million are for release at SJC Hatchery and 59 million are for



release in Deep Inlet. Currently NSRAA permitted capacity for Chinook is 5.2 million for releases at the Medvejie Hatchery. Releases of 1.0 million zero-check Chinook into Deep Inlet will begin in 2006.

The current management plan for the Deep inlet THA was developed to access hatchery chum salmon that begin to return in late-June. The time ratio of gillnet openings to seine openings of two to one was to allocate fishing opportunity for chum salmon between the two net gear groups. Trollers can fish in the THA when closed to commercial net gear. Experience from the past four seasons indicate that purse seine fishermen are not participating in the Deep Inlet fishery until around the middle of June, a week or so prior to the opening of the general Southeast salmon purse seine fishery.

One concern the department has identified with the earlier openings in Deep Inlet is possible increased exploitation on sockeye salmon returning to Salmon Lake at the head of Silver Bay. There is no information on stock composition of the sockeye salmon intercepted in the Deep Inlet gillnet fishery, though Salmon Lake sockeye likely comprise some portion of the harvest during the June period. Reported gillnet harvest of sockeye during the June fishing period has ranged from 18-209 sockeye and the seine harvest has ranged from 12-159 sockeye in years 2002-2005. The department has invoked full retention and full reporting of salmon harvested with the Deep Inlet THA under 5 AAC 39.265 (Retention of Salmon Taken in a Commercial Net Fishery) in order to monitor the potential impacts of this fishery on nearby wild coho and sockeye salmon stocks.

Subsistence harvest records indicate that sockeye begin returning to Silver Bay in early June and continue through July with peak harvest occurring early to mid-July. In March 2000, the Southeast Alaska Regional Advisory Council (SERAC) identified Sitka Sound sockeye and coho salmon assessment as a subsistence fisheries monitoring priority. A sockeye and coho salmon assessment program has been conducted at Salmon Lake since 2001. Results from weir operations at Salmon Lake show that the sockeye run is relatively small with escapement estimates ranging from 815-1,941 in 2001-2005. Minimum escapement targets for Salmon Lake sockeye have not been established and will require many additional years of escapement information to determine an appropriate escapement level. Sockeye salmon returning to Salmon Lake support one of only two sockeye salmon subsistence fisheries in Sitka Sound. Since 1990, the average reported subsistence harvest is 160 sockeye salmon with a high harvest of 353 fish. In 2002, 2003, 2004, and 2005, the Salmon Lake sockeye subsistence and sport fisheries were closed early by emergency order in response to low escapements.

Proposal 165, submitted by the department, proposes to provide for a drift gillnet minimum mesh size restriction of sixes inches through late June to reduce the concerns of increasing the harvest of Salmon Lake sockeye salmon.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

Considering NSRAA's plans to begin releasing 1.0 million Chinook directly into Deep Inlet, the department supports development of a separate management plan for early season king salmon harvesting opportunity in the THA considering the possibility that

purse seine gear may not participate in the fishery. Two main elements that should be considered include; 1) modification of the two to one gillnet to seine time rotation prior to the second or third week of June to provide more time for gillnetters, and 2) modification of the THA boundaries to maintain traditional troll drags within the THA used during the spring troll fisheries, and/or to allow trolling in the THA when the net fisheries are open.

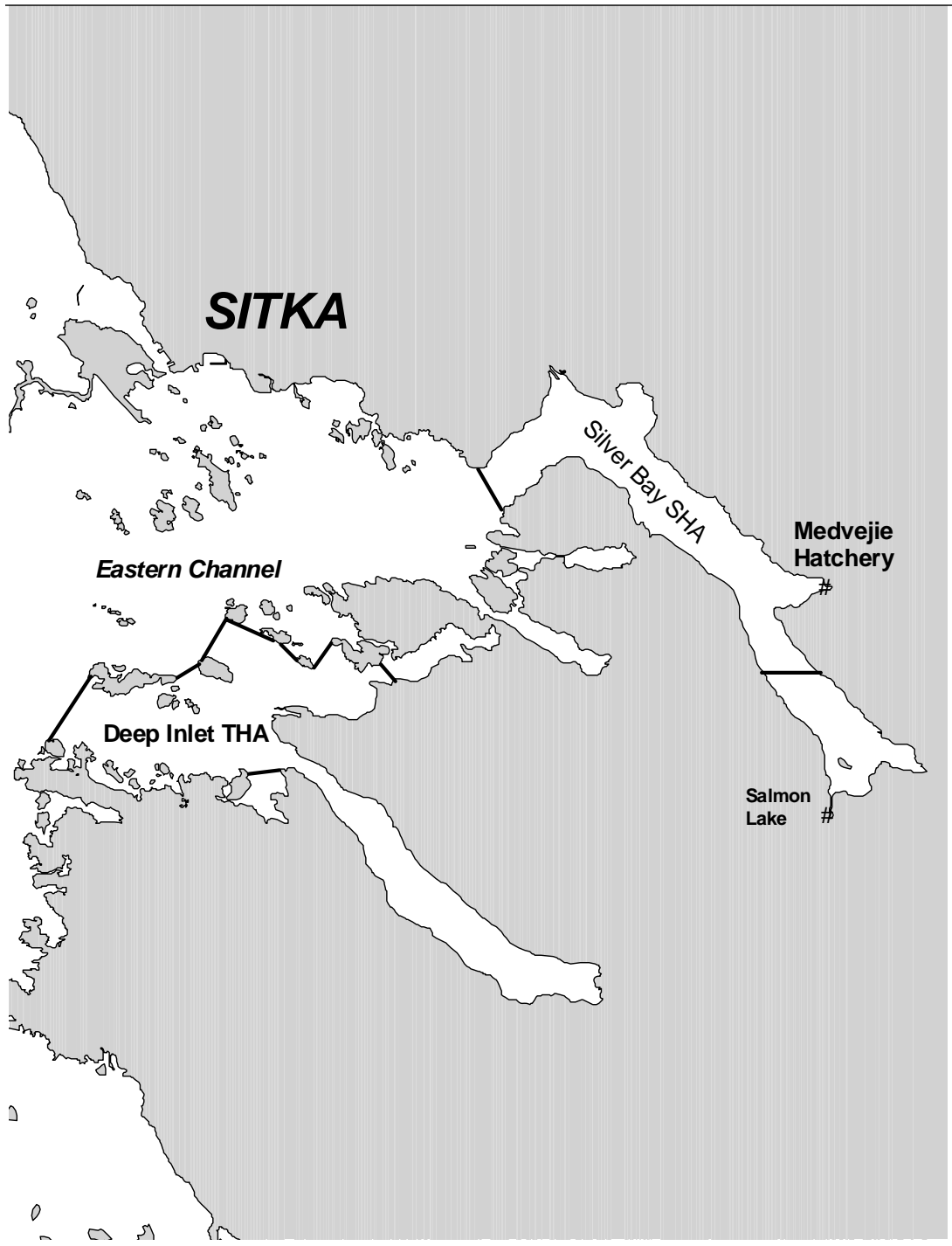
If returns from enhanced Chinook releases into Deep Inlet become substantial, the value allocation of returns would increase for gillnet gear and decrease for seine gear. Troll gear would continue to have opportunities to harvest Chinook returns outside of the THA in Spring fisheries, or within the THA depending on the specific rotational gear fishing schedule developed by the NSRAA Board of Directors. Changing values would be monitored according to 5 AAC 33.364 and the RPT would make appropriate future recommendations for enhancement projects.

When managing the Deep Inlet THA the department will need to sample harvest of Chinook salmon for coded-wire-tags as required under the Pacific Salmon Treaty to monitor the proportion of harvest which is attributed to Alaska hatchery production, and to manage fisheries for harvest ceilings by gear type. The department may continue to exercise time and area authority within the Deep Inlet THA, as it has done in the past for coho salmon, in order to limit the harvest of wild sockeye salmon stocks migrating through the area.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for private person to participate in this fishery.

**Table 162-1.**—Chinook and sockeye harvest by gear and week, prior to July 1, in the Deep Inlet THA, 2002-2005.

| YEAR         | Week | Gillnet      |            |        | Seine        |            |        |
|--------------|------|--------------|------------|--------|--------------|------------|--------|
|              |      | Chinook      | Sockeye    | Effort | Chinook      | Sockeye    | Effort |
| 2002         | 25   | 897          | 21         | 7      | confidential |            |        |
|              | 26   | 592          | 140        | 12     | confidential |            |        |
|              | 27   | 345          | 48         | 8      | 37           | 24         | 5      |
| <b>Total</b> |      | <b>1,834</b> | <b>209</b> |        | <b>507</b>   | <b>38</b>  |        |
| 2003         | 23   | 39           | 0          | 7      | 0            | 0          | 0      |
|              | 24   | 107          | 0          | 7      | 0            | 0          | 0      |
|              | 25   | 103          | 31         | 7      | confidential |            |        |
|              | 26   | 280          | 35         | 8      | 8            | 9          | 6      |
|              | 27   | 104          | 18         | 5      | 198          | 150        | 8      |
| <b>Total</b> |      | <b>633</b>   | <b>84</b>  |        | <b>209</b>   | <b>159</b> |        |
| 2004         | 23   | 144          | 1          | 4      | 0            | 0          | 0      |
|              | 24   | 286          | 0          | 6      | 0            | 0          | 0      |
|              | 25   | 834          | 12         | 6      | confidential |            |        |
|              | 26   | 992          | 34         | 8      | confidential |            |        |
|              | 27   | 441          | 26         | 8      | confidential |            |        |
| <b>Total</b> |      | <b>2,697</b> | <b>73</b>  |        | <b>88</b>    | <b>12</b>  |        |
| 2005         | 19   | confidential |            |        | 0            | 0          | 0      |
|              | 20   | 9            | 0          | 3      | 0            | 0          | 0      |
|              | 21   | confidential |            |        | 0            | 0          | 0      |
|              | 22   | confidential |            |        | 0            | 0          | 0      |
|              | 23   | confidential |            |        | 0            | 0          | 0      |
|              | 24   | 54           | 0          | 5      | 0            | 0          | 0      |
|              | 25   | 139          | 1          | 7      | confidential |            |        |
|              | 26   | 321          | 13         | 10     | confidential |            |        |
|              | 27   | 168          | 4          | 10     | 91           | 11         | 5      |
| <b>Total</b> |      | <b>720</b>   | <b>18</b>  |        | <b>152</b>   | <b>25</b>  |        |



**Figure 162-1.**—Map of the Deep Inlet/Eastern Channel area of Sitka Sound.

**PROPOSAL 163. PAGE 120-122. 5 AAC 40.042(a). NORTHERN SOUTHEAST AQUACULTURE ASSOCIATION SPECIAL HARVEST AREA.**

PROPOSED BY: Northern Southeast Regional Aquaculture Association and Chum Trollers Association

WHAT WOULD THE PROPOSAL DO? This proposal modifies time and area for the Silver Bay and Deep Inlet Special Harvest Areas (SHA) for chum salmon in order to provide greater chum salmon cost recovery harvesting opportunity for NSRAA.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 40.042 NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION SPECIAL HARVEST AREA. (a)

(6) Silver Bay, for chum salmon:

(A) before 12:01 a.m. July 24 and after the coho salmon fishery is closed in August, or August 20 if the coho salmon fishery is not closed in August closure, the Silver Bay Special Harvest Area for chum salmon is the waters of Eastern Channel and Silver Bay enclosed by a line from Entry Point Light, to the southernmost tip of Harris Island, to the southernmost tip of Galankin Island, to Simpson Rock Light, to the southernmost tip of Makhnati Island, to Sentinel Rock, to the westernmost tip of Cape Burunof, to a point west of Pirates Cove at 135° 59.35' N. lat., to the westernmost tip of Long Island, to the westernmost tip of Emgeten Island, to the westernmost tip of Error Island, to the northernmost tip of Luce Island, and to the westernmost tip of Silver Point;

(B) from 12:01 a.m. July 24 through the end of August coho salmon fishery closure specified in (A) of this paragraph, or August 20 if there is no coho closure, the Silver Bay Special Harvest Area for chum salmon is the waters of Eastern Channel and Silver Bay south of a line from Entry Point Light to the southernmost tip of Harris Island, to the southernmost tip of Galankin Island, and east of a line from Galankin Island to the northernmost point of Silver Point;

(7) Deep Inlet: the waters of Deep Inlet, Aleutkina Bay, and contiguous waters south of a line from a point west of Pirates Cove at 56° 59.35' N. lat., 135° 22.63' W. long., to the westernmost tip of Long Island, to the easternmost tip of Long Island, to the westernmost tip of Emgeten Island, to the westernmost tip of Error Island, to the westernmost tip of Berry Island, to the southernmost tip of Berry Island, to the westernmost tip of the southernmost island in the Kutchuma Island group, to the easternmost tip of the southernmost island in the Kutchuma Island group, to the westernmost tip of an unnamed island at 57° 00.30' N. lat., 135° 17.67' W. long., to a point on the southern side of the unnamed island at 57° 00.08' N. lat.,

135° 16.78' W. long., and then to a point on the Baranof Island shore at 56° 59.93' N. lat., 135° 16.53' W. long.;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted NSRAA would have less time, but more area to conduct cost recovery harvests in the Eastern Channel area. The proposed closure date for cost recovery in the outer Eastern Channel area is two days earlier than currently provided, however, cost recovery would be allowed to resume again in August one day earlier than presently allowed, resulting in a net loss of one day of fishing time. This time reduction is offset by a larger area being provided during the period the area is restricted. Common property fishermen, primarily trollers might be displaced by the new cost recovery seining areas in the expanded SHA.

BACKGROUND: The amount of chum salmon that is necessary to achieve NSRAA cost recovery goals has increased in recent years due to falling salmon prices and reduced Salmon Enhancement tax revenue. This results in significant challenges for NSRAA in achieving cost recovery goals in a timely manner so that common property hatchery fisheries are minimally impacted. Slow progress in achieving cost recovery causes significant disruption to common property access to returning hatchery chum salmon. It often becomes necessary to restrict fishing time and area within the Deep Inlet THA rotational net gear fishery until cost recovery is complete. In recent years the Deep Inlet THA rotational schedule has been restricted to one day of seining and two days of gillnetting per week beginning July 1 and continuing until after the cost recovery harvest have been completed. During three of the last four seasons the Deep Inlet THA has been entirely closed to common property fisheries for periods of up to three weeks in the middle of August to accommodate cost recovery harvest. Restrictions on common property harvesting also can result in the build up of lower quality chum salmon being harvested once common property fisheries are re-opened.

Chum salmon returning to Deep Inlet and Medvejie Hatchery typically aggregate in the deeper waters of Eastern Channel beginning in mid to late-July through the middle of August before ultimately moving into the terminal areas of Deep Inlet and Silver Bay. It is at this time that trollers can effectively target chum salmon in Eastern Channel. Over the past 10 years troll harvests of hatchery chum salmon in Eastern Channel have ranged from 67,000 to 450,000 averaging 190,000 annually. Prior to 2000, the department had expanded the SHA into Eastern Channel by emergency order in order to facilitate cost recovery efforts and this raised complaints from trollers that were being displaced by cost recovery boats. The department told the NSRAA Board that further expansion of the SHA would not occur until the NSRAA Board requested a new SHA through the BOF process during the 1999/2000 cycle. In 2000 the BOF passed new regulations for the management of the Silver Bay SHA.

The SHA restriction in outer Eastern Channel during the period from July 22 through the August coho troll closure or August 20 if the coho troll fishery is not closed in August was to provide the troll fleet with an area to harvest hatchery chum salmon without being displaced by cost recovery harvesting efforts.

DEPARTMENT COMMENTS: The department is NEUTRAL on the proposal. The department does not have any concerns with this proposal regarding additional impacts on wild stocks. The department does feel that this increasingly complex plan will do little to alleviate the problems associated with cost recovery harvesting in the long term.

This proposal was the product of a workgroup assigned by the NSRAA Board to develop a plan that would contribute to expediting cost recovery harvesting. The primary goal of the plan was to minimize disruptions to the common property rotational net fisheries in the Deep Inlet THA without significant negative impacts on the troll fishery targeting chum salmon in Eastern Channel. For this reason most of the discussion was between NSRAA staff and the Chum Trollers Association.

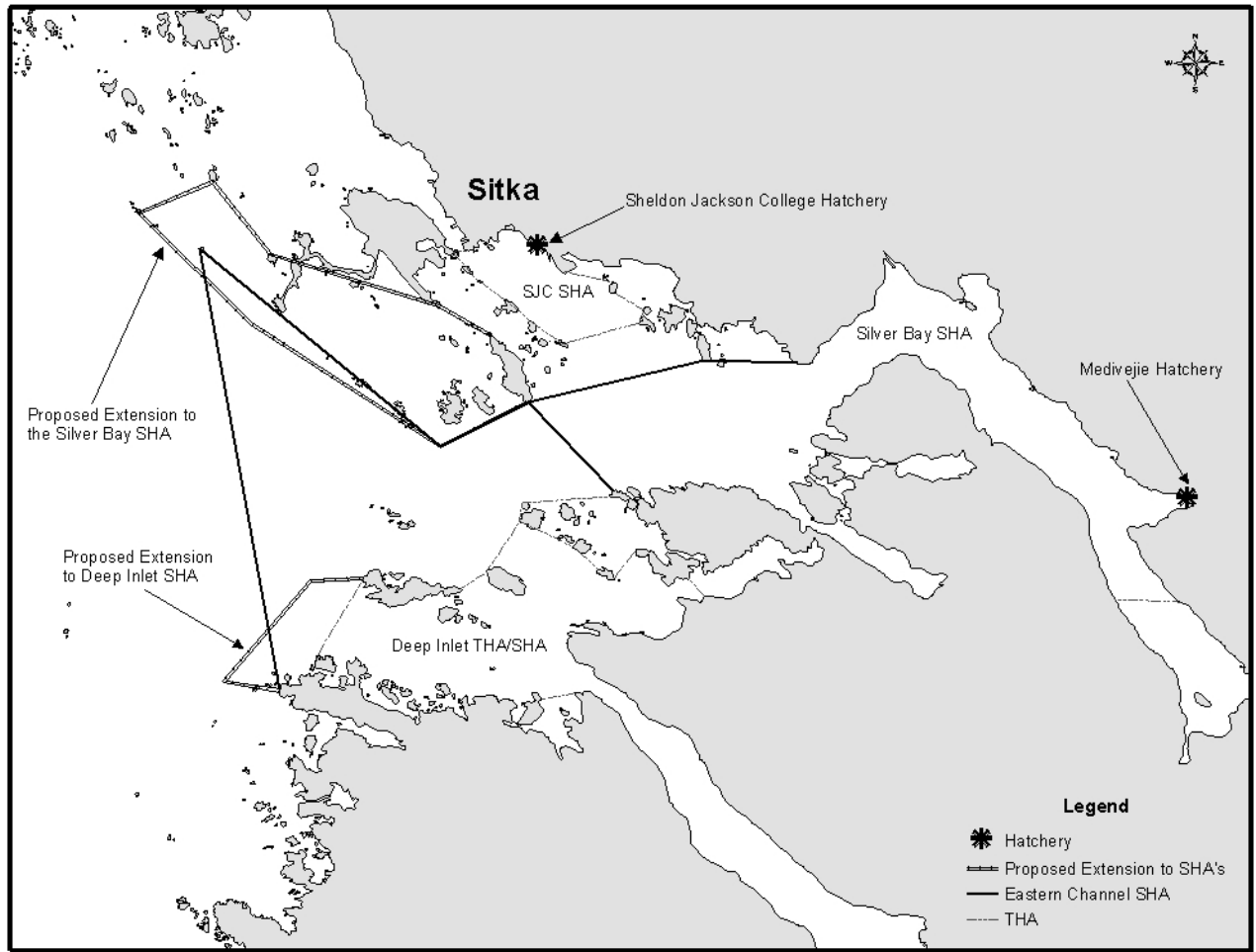
During the 2005 salmon season the department implemented the proposed plan by emergency order as a means of determining whether the plan would be effective at accomplishing its intended goals as well as whether or not any unforeseen allocation issues would arise. If allocation conflicts did become apparent the department was prepared to quickly revert back to the current regulations. By season's end, NSRAA had achieved their cost recovery goal of 485,000 chum salmon. The department's evaluation is that cost recovery was achieved due to the usual restrictions of the Deep Inlet THA common property and without benefit from implementation of this plan.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for private person to participate in this fishery.

**Table 163-1.**—Harvest of Medvejie/Deep Inlet hatchery chum salmon by fishery, 1992-2005.

| Year | Seine     | Gillnet | Troll   | Cost Recovery | Total Common Property | Total Harvest | Percent Cost Recovery |
|------|-----------|---------|---------|---------------|-----------------------|---------------|-----------------------|
| 1992 | 168,270   |         | 40,100  | 116,073       | 208,370               | 324,443       | 36%                   |
| 1993 | 458,223   | 373,306 | 450,169 | 334,378       | 1,281,698             | 1,616,076     | 21%                   |
| 1994 | 527,822   | 159,913 | 271,369 | 336,577       | 959,104               | 1,295,681     | 26%                   |
| 1995 | 523,373   | 409,527 | 190,793 | 134,417       | 1,123,693             | 1,258,110     | 11%                   |
| 1996 | 1,849,557 | 190,932 | 321,491 | 419,511       | 2,361,980             | 2,781,491     | 15%                   |
| 1997 | 1,377,210 | 361,662 | 291,660 | 282,473       | 2,030,532             | 2,313,005     | 12%                   |
| 1998 | 2,064,843 | 492,782 | 100,927 | 292,380       | 2,658,552             | 2,950,932     | 10%                   |
| 1999 | 2,600,993 | 608,659 | 67,215  | 332,805       | 3,276,867             | 3,609,672     | 9%                    |
| 2000 | 2,172,929 | 619,980 | 449,578 | 316,173       | 3,242,487             | 3,558,660     | 9%                    |
| 2001 | 423,465   | 266,526 | 197,411 | 144,731       | 887,402               | 1,032,133     | 14%                   |
| 2002 | 303,410   | 183,948 | 80,108  | 176,926       | 567,466               | 744,392       | 24%                   |
| 2003 | 527,972   | 210,320 | 86,642  | 207,663       | 824,934               | 1,032,597     | 20%                   |
| 2004 | 1,029,170 | 420,402 | 132,438 | 498,714       | 1,582,010             | 2,080,724     | 24%                   |
| 2005 | 564,171   | 430,638 | 132,671 | 506,466       | 1,127,480             | 1,633,946     | 31%                   |





**Figure 163-1.**—Map of the Eastern Channel area of Sitka Sound showing the existing Silver Bay and Deep Inlet SHAs and the proposed area expansions.

**PROPOSAL 164. PAGE 122-123. 5 AAC 33.734 DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST AREA MANAGEMENT PLAN.**

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would provide clearer regulatory language in guiding the management of the Hidden Falls THA.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.734. 5 AAC 33.734 DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST AREA MANAGEMENT PLAN.

(b) Purse seine and troll openings will be managed by emergency order to harvest king and chum salmon returning to the Hidden Falls Hatchery in excess of broodstock and cost recovery needs.

(c) From April 15 through June 30, chum and king salmon may be taken by troll and purse seine gear as follows:

(1) purse seine openings will be limited to a maximum of two fishing days per week in the terminal harvest area;

(2) if management actions are necessary to achieve broodstock and cost recovery goals, the purse seine and troll fisheries for the harvest of chum salmon will be closed; the department shall also manage the Hidden Falls Terminal Harvest Area troll fishery for king salmon to prohibit the harvest of chum salmon and the purse seine fishery for king salmon will not be opened;

(3) if necessary to allow troll gear access to king salmon, the waters of Kasnyku Bay west of a line from North Point to the westernmost tip of Round Island and north of the latitude of the westernmost tip of Round Island may be closed to purse seine fishing.

(d) Beginning July 1, king and chum salmon may be harvested by troll and purse seine gear as follows:

(1) during troll and purse seine gear openings, areas within the terminal harvest area may be closed to protect chum and king salmon broodstock;

(2) to limit the troll gear harvest of chum salmon in the terminal harvest area, the department shall manage the troll gear fishery so the harvest number of chum salmon on any vessel does not exceed the harvest number of king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, the management plan setting the guidelines for allocation of hatchery fish returning to Hidden Falls between troll and purse seine gear will be less ambiguous and provide the department with clearer guidelines as to when prescribed management actions are necessary.

BACKGROUND: The Hidden Falls Hatchery THA Management Plan was amended during the last board cycle and some of the language developed in the plan was ambiguous.

DEPARTMENT COMMENTS: The department authored and SUPPORTS this proposal, and considers this proposal housekeeping. An effort was made to redraft the language so the intent is clear without changing allocation aspects or original intent.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for private person to participate in this fishery.

**PROPOSAL 165, PAGE 122-123. 5 AAC 33.376 DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA MANAGEMENT PLAN.**

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the harvest of wild stock sockeye salmon passing through the Deep Inlet THA.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.376. DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA MANAGEMENT PLAN.

(c) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, it will allow the department to require 6” minimum mesh in the Deep Inlet THA prior to July 1. The purpose of the minimum mesh restriction would be to reduce harvest of local wild sockeye salmon returning to Silver Bay that are passing through the Deep Inlet THA.

BACKGROUND: The NSRAA board has requested that the department open the Deep Inlet THA fisheries in May and June to provide net gear access to hatchery king salmon migrating through the area as they return to Medvejie Hatchery. NSRAA also has a permit to release up to 1.0 million zero-check Chinook smolt in Deep Inlet beginning in 2005. Net fisheries targeting hatchery Chinook in the Deep Inlet THA during June likely harvest early returning Salmon Lake sockeye salmon, and this harvest has been identified as a concern with this new fishing opportunity. There is no information on stock composition of the sockeye salmon harvested in the Deep Inlet gillnet fishery in June, though Salmon Lake and Redoubt Lake sockeye likely comprise a large portion of the harvest. Reported gillnet harvest of sockeye during the Deep inlet THA fishery has ranged from 18-209 sockeye in years 2002-2005.

A sockeye salmon assessment program has been conducted at Salmon Lake since 2001. Results from weir operations at Salmon Lake show that the sockeye run is relatively small with escapement estimates ranging from 815-1,941 in 2001-2003. Minimum escapement targets for Salmon Lake sockeye have not been established and will require many additional years of escapement information to determine an appropriate escapement level. Sockeye salmon returning to Salmon Lakes support one of only two sockeye salmon subsistence fisheries in Sitka Sound. In March 2000, the Southeast Alaska

Regional Advisory Council (SERAC) identified Sitka Sound sockeye and coho salmon assessment as a subsistence fisheries monitoring priority. Since 1990, the average reported subsistence harvest is 160 sockeye salmon with a high harvest of 353 fish. In 2002, 2003, 2004, and 2005, the Salmon Lake sockeye subsistence and sport fisheries were closed early by emergency order in response to low escapements. Subsistence harvest records indicate that sockeye begin returning to Silver Bay in early June and continue through July with peak harvest occurring early to mid-July.

The department currently has the authority under 5 AAC 33.331 (e) to implement six inch mesh restrictions during time periods established by emergency order in all areas in the traditional common property gillnet fisheries to limit the harvest of sockeye salmon if necessary for conservation.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal.

Whether a minimum mesh restriction is adopted or not for the early season May-June fisheries, the department may find it necessary to use time and area authority to close the outer portions of the THA, to reduce harvest of wild stocks migrating through the area, or to reduce the harvest of Treaty Chinook within the area to manage for Chinook harvest ceilings under the Pacific Salmon Treaty and regulation. The department anticipates continuing to implement 5 AAC 39.265 to require full retention and full reporting in the Deep Inlet THA to continue to monitor the harvest of wild stocks in this fishery. The department will also need to conduct sampling of the harvest for coded-wire tags to account for harvest of Chinook salmon based on the Treaty allocations.

COST STATEMENT: The department believes that approval of this proposal will result in additional cost to some gillnet fishermen who do not currently own a six inch mesh net.

**Table 165-1.**—Chinook and sockeye harvest by gear and week in the Deep Inlet THA, 2002-2004.

| <b>YEAR</b>  | <b>Week</b> | <b>Chinook</b> | <b>Sockeye</b> | <b>Boats</b> | <b>Chinook</b> | <b>Sockeye</b> | <b>Boats</b> |
|--------------|-------------|----------------|----------------|--------------|----------------|----------------|--------------|
| <b>2002</b>  | 25          | 897            | 21             | 7            | confidential   |                |              |
|              | 26          | 592            | 140            | 12           | confidential   |                |              |
|              | 27          | 345            | 48             | 8            | 37             | 24             | 5            |
| <b>Total</b> |             | <b>1,834</b>   | <b>209</b>     |              | <b>507</b>     | <b>38</b>      |              |
| <b>2003</b>  | 23          | 39             | 0              | 7            | 0              | 0              | 0            |
|              | 24          | 107            | 0              | 7            | 0              | 0              | 0            |
|              | 25          | 103            | 31             | 7            | confidential   |                |              |
|              | 26          | 280            | 35             | 8            | 8              | 9              | 6            |
|              | 27          | 104            | 18             | 5            | 198            | 150            | 8            |
| <b>Total</b> |             | <b>633</b>     | <b>84</b>      |              | <b>209</b>     | <b>159</b>     |              |
| <b>2004</b>  | 23          | 144            | 1              | 4            | 0              | 0              | 0            |
|              | 24          | 286            | 0              | 6            | 0              | 0              | 0            |
|              | 25          | 834            | 12             | 6            | confidential   |                |              |
|              | 26          | 992            | 34             | 8            | confidential   |                |              |
|              | 27          | 441            | 26             | 8            | confidential   |                |              |
| <b>Total</b> |             | <b>2,697</b>   | <b>73</b>      |              | <b>88</b>      | <b>12</b>      |              |
| <b>2005</b>  | 19          | confidential   |                |              | 0              | 0              | 0            |
|              | 20          | 9              | 0              | 3            | 0              | 0              | 0            |
|              | 21          | confidential   |                |              | 0              | 0              | 0            |
|              | 22          | confidential   |                |              | 0              | 0              | 0            |
|              | 23          | confidential   |                |              | 0              | 0              | 0            |
|              | 24          | 54             | 0              | 5            | 0              | 0              | 0            |
|              | 25          | 139            | 1              | 7            | confidential   |                |              |
|              | 26          | 321            | 13             | 10           | confidential   |                |              |
|              | 27          | 168            | 4              | 10           | 91             | 11             | 5            |
| <b>Total</b> |             | <b>720</b>     | <b>18</b>      |              | <b>152</b>     | <b>25</b>      |              |

**PROPOSAL 166. PAGE 124. 5 AAC 33.310 (c). FISHING SEASONS AND PERIODS FOR NET GEAR.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the 12:01 P.M. Sunday opening time requirement for the drift gillnet fishery and provides that the opening would occur by emergency order on Sunday.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. (c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 Sunday and close by emergency order:

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? All gillnet fishing districts in Southeastern would no longer have to be open concurrently at 12:01 P.M. on Sunday each week. The effect of this proposal if adopted would be to allow the opening time on Sunday to be adjusted in each fishing district so there would be more flexibility to optimize fish quality.

BACKGROUND: The salmon industry is always looking at ways to improve quality. The proponents feel that openings earlier on Sunday would be more conducive to obtaining larger deliveries by Sunday night that could then more economically be tendered back to the fishing plant by Monday morning. The proponents think fish quality would be improved because fish caught on Sunday would be delivered to the plant the following morning.

DEPARTMENT COMMENTS: The department SUPPORTS proposals that could improve fish quality and the economics of the fishery without jeopardizing the sustainability of the resource. The department is neutral on any within or between gear group allocations that may result from this proposal. Fishing time would not be increased with this proposal. Hours added during the beginning of an opening would be subtracted from the end of an opening. The department anticipates that due to potential effort shifts between fisheries, adjacent Districts 6 & 8, and Districts 11 & 15 would be managed with the same opening times.

If the Board chose to adopt this proposal the department would anticipate working with industry within the Southeast Alaska Drift Gillnet Task Force to agree upon an opening time that best meets the intent of this proposal while maintaining sustainable resource management.

COST ANALYSIS: The approval of this proposal is not expected to result in additional direct cost for a private person to participate in this fishery.



**PROPOSAL 167 & 170. PAGE 125 & 126. 5 AAC 33.366 NORTHERN SOUTHEAST SEINE SALMON FISHERY MANAGEMENT PLANS.**

PROPOSED BY: United Southeast Alaska Gillnetters (167) and Southeast Alaska Seiners Association (170)

WHAT WOULD THE PROPOSAL DO? Proposals 167 and 170 address the sockeye salmon harvest limit in the purse seine fishery in the month of July north of the latitude of Point Marsden in District 12 (Figure 167-1), known as the Hawk Inlet fishery. Proposal 167 seeks to reduce the harvest limit from 15,000 to 10,000 sockeye salmon. Proposal 170 seeks to retain the existing harvest limit of 15,000 sockeye, but would include only wild sockeye salmon stocks in the total and subtract harvests of enhanced sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS?

**5 AAC 33.366. NORTHERN SOUTHEAST SEINE FISHERY MANAGEMENT PLANS**

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 sockeye salmon are taken; all sockeye salmon harvested by seine vessels that the department identifies as fishing north of Point Marsden during any July fishing period when other areas are open concurrently will be counted against the 15,000 sockeye salmon harvest limit under this paragraph; during the openings, the department will use aerial flyovers, on-the-ground sampling, and interviews to estimate the sockeye harvest north of Point Marsden.

(b) Salmon may be taken during emergency order openings for chum salmon in Excursion Inlet only in waters of Section 14-C north of the latitude of the northern tip of the Porpoise Islands; the department may open the area by emergency order only after consideration of concerns for chum and coho salmon conservation.

**5 AAC 39.222. POLICY FOR THE MANAGEMENT OF SUSTAINABLE SALMON FISHERIES.** (c) Management of salmon fisheries by the state should be based on the following principles and criteria: (1) (D) effects and interactions of introduced or enhanced salmon stocks on wild salmon stocks should be assessed; wild salmon stocks and fisheries on those stocks should be protected from adverse impacts from artificial propagation and enhancement efforts;

5 AAC 33.363. MANAGEMENT GUIDELINES FOR ALLOCATING SOUTHEAST ALASKA PINK, CHUM, AND SOCKEYE SALMON BETWEEN COMMERCIAL NET FISHERIES.

(e) In applying this policy to mixed stock cape and corridor fisheries, deviation from the current management should not be allowed except to access harvestable surpluses of significant stocks that will otherwise go unharvested. Harvest of these stocks must be conducted in a manner that minimizes the incidental take of other species and that does not jeopardize the conservation of any stock. The board recognizes that it may need to establish the allowable number or percentage of incidental catch in these highly mixed stock areas in order to ensure that the department is not forced into making allocation decisions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Proposal 167 seeks to reduce the harvest limit from 15,000 to 10,000 sockeye salmon in the Hawk Inlet fishery. The effect of this would be more conservative seine openings, additional passage of northbound pink salmon, and foregone harvest opportunity for the purse seine fleet on pink salmon surplus to escapement requirements. Proposal 170 retains the 15,000 sockeye salmon harvest limit, but the limit would include only wild fish, hatchery-produced sockeye salmon would not be counted towards the limit. This would not increase harvests of wild sockeyes over what the regulation allowed when it was implemented since there were no enhanced sockeye salmon in the harvest at that time. Proposal 170 would effectively increase the total number of sockeye salmon that could be caught in July along the Hawk Inlet shoreline north of Point Marsden before curtailing the fishery. It could potentially lead to more seine fishing time on the Hawk Inlet shoreline and increase exploitation of north bound pink salmon and enhanced sockeye salmon.

BACKGROUND: In 1988 the BOF adopted a regulation that allowed a commercial purse seine fishery on the Hawk Inlet shoreline north of Point Marsden during the month of July to improve utilization of Lynn Canal and Taku River pink salmon. The area had been closed by regulation prior to August 1 since 1984. Openings in that area now depend upon an early assessment of the run and the general abundance of pink salmon in the Hawk Inlet shoreline area. Indicators of abundance are: the District 11 drift gillnet fishery performance, the Taku River fish wheel catches, test fishing along the Hawk Inlet shoreline, and aerial observations of abundance throughout the Juneau area. Conservation of all species was to be considered prior to opening the Hawk Inlet shoreline, and a maximum harvest of 15,000 sockeye salmon was established for the area for July. The results of the new fishery were to be evaluated by the Board during the Winter 1990 Board meeting.

During the 1994 BOF meeting, an extramural agreement was reached among the department, the Southeast Alaska Seiners (SEAS), and the United Southeast Alaska for the Hawk Inlet shoreline fishery in July. At the 2003 BOF meeting clarifying language

was adopted into 5 AAC 33.366(2) consistent with procedures used by the department to account for the sockeye salmon harvest limit in the Hawk Inlet fishery. The 15,000 sockeye salmon harvest cap has been reached three times since 1989 during the nine years when the Hawk Inlet shoreline has been opened to purse seining (Table 167-1).

Since the establishment Gillnetters (USAG) concerning the sockeye accounting procedures to be used by the department of the Hawk Inlet fishery sockeye salmon harvest cap, the DIPAC Snettisham Hatchery inside Port Snettisham in District 11 started a program to produce sockeye salmon for the common property salmon fisheries. Enhanced sockeye salmon smolt have been released from the Snettisham Hatchery since 1994 (Figure 167-2). Production of hatchery smolt ranged from between one and two million smolt per year between 1994 and 1996 (no smolt were released in 1997 due to a disease outbreak). Annual smolt production increased significantly in 1998 with the release of 5.63 million smolt. In the last 7 years (1998-2004) an average of 5.9 million smolt per year have been released leading to substantial increases in the returns of adult sockeye salmon to the hatchery. In 2004, Snettisham Hatchery sockeye salmon production was increased, so in the spring of 2006 the hatchery will begin releasing up to 9 million sockeye salmon smolt per year.

All Snettisham Hatchery sockeye salmon are produced with thermally-marked otoliths that are traceable in the catch. Since 1999, Snettisham Hatchery adult sockeye salmon have been documented in the traditional purse seine fishery north of Point Marsden and in the Hawk Inlet test fishery conducted annually by the department to assess north bound pink salmon abundance (Table 167-2). The contribution of thermally-marked Snettisham Hatchery sockeye to the catch in the commercial fisheries (troll, gillnet and purse seine fisheries in Districts 10, 11, 12, 14, and 15) has increased since 1999, based on in-season thermal mark recovery information (Figure 167-3 & 167-4).

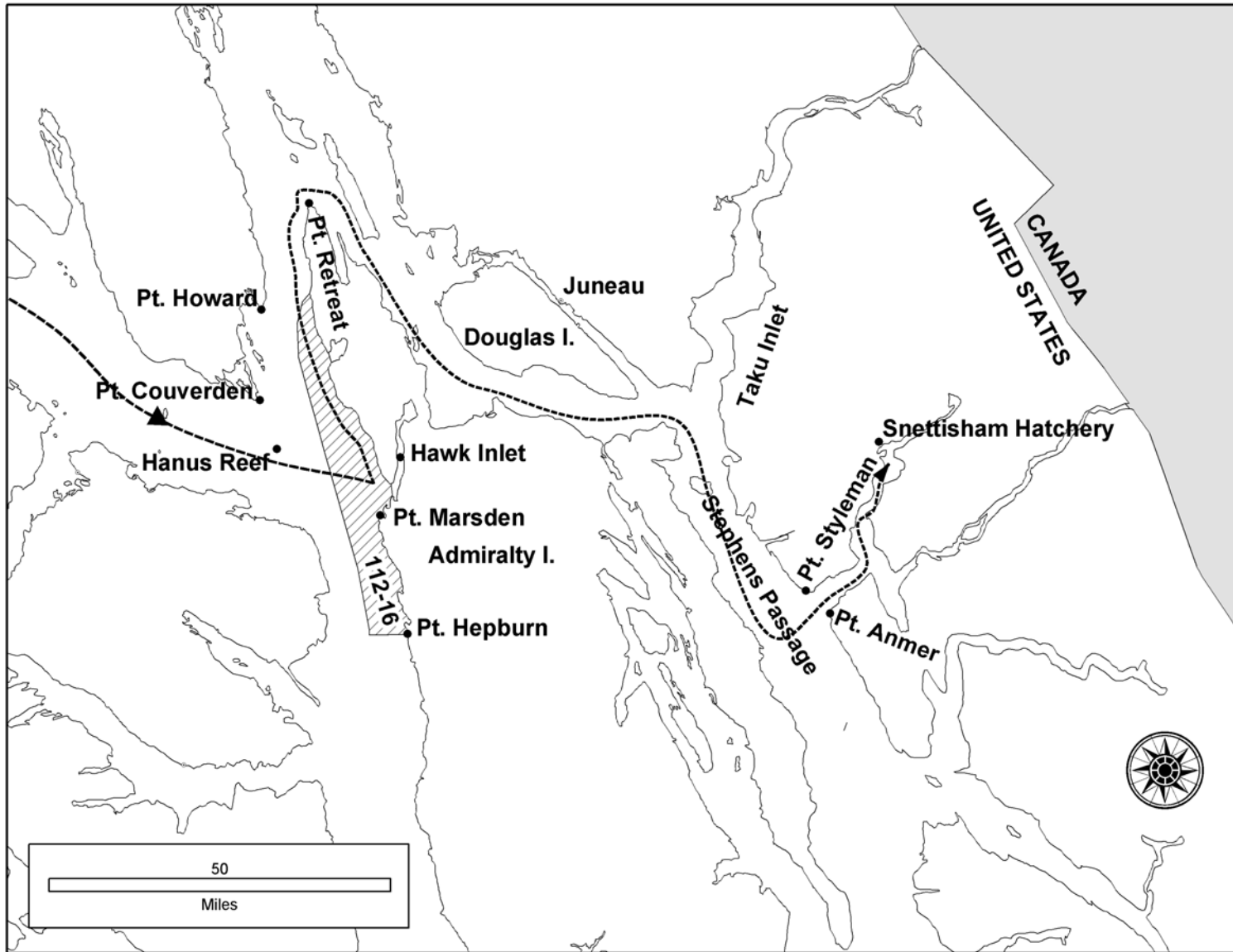
Based on the increasing returns of Snettisham Hatchery sockeye salmon, and the available thermal-mark recovery data, it is reasonable to assume that recent accountings of the sockeye salmon catch limits at Hawk Inlet include a higher proportion of hatchery sockeye relative to wild sockeye salmon. The department's existing fish ticket system, fishery overflight program, and in-season thermal-mark recovery program will continue to be used to monitor the Hawk Inlet fishery.

DEPARTMENT COMMENTS: The department is NEUTRAL on these allocative proposals.

While the department is neutral regarding the allocative aspects of this proposal, the department is concerned that the management of the Hawk Inlet fishery be should consistent with management of other fisheries in the region and with policies in regulation.

5 AAC 39.222 Policy for the Management of Sustainable Salmon Fisheries, (c) (1) (D) states that “wild stocks and fisheries on those stocks should be protected from adverse impacts from artificial propagation and enhancement efforts.” 5 AAC 33.363 Management Guidelines for Allocating Southeast Alaska Pink, Chum, and Sockeye Salmon Between Commercial Net Fisheries, (e) states that “In applying this policy to mixed stock cape and corridor fisheries, deviation from the current management should not be allowed except to access harvestable surpluses of significant stocks that would otherwise go unharvested. Harvest of these stocks must be conducted in a manner that minimizes the take of other species and does not jeopardize the conservation of any stock. The board recognizes that it may need to establish the allowable number or percentage of incidental catch in these highly mixed stock areas in order to ensure that the department is not forced into making allocation decisions.”

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

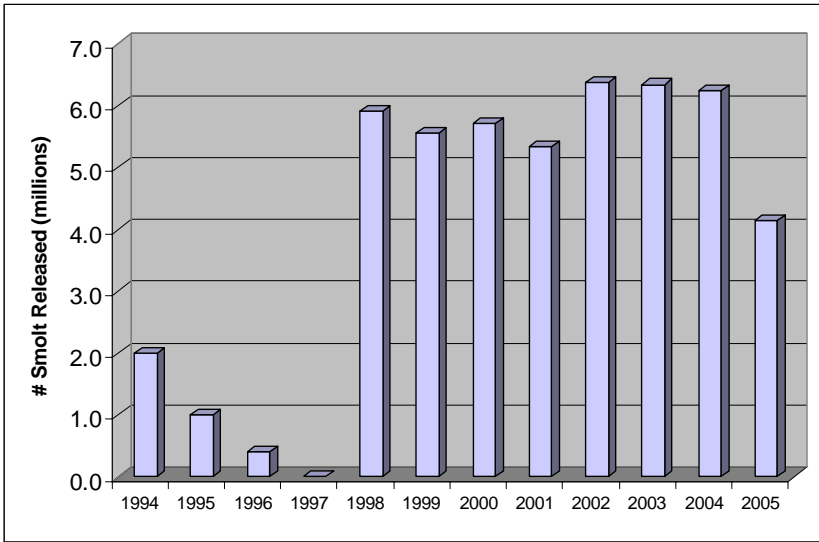


**Figure 167-1.**—Port Snettisham sockeye migration route in relation to Hawk Inlet and Pt. Marsden.

**Table 167-1.**—Hawk Inlet, July, purse seine openings and sockeye salmon harvest, 1989–2005.

| Year                     | Date         | Boats | Hours     | Sockeye       | Percent <sup>(1)</sup><br>Enhanced | Enhanced<br>Sockeye | Pink             | Chum           | Total<br>Harvest | Percent<br>sockeye |
|--------------------------|--------------|-------|-----------|---------------|------------------------------------|---------------------|------------------|----------------|------------------|--------------------|
| 1989                     | 9-Jul        | 62    | 15        | 3,595         |                                    |                     | 113,577          | 5,799          | 122,971          | 2.9%               |
|                          | 16-Jul       | 45    | 39        | 11,437        |                                    |                     | 558,013          | 13,387         | 582,837          | 2.0%               |
|                          | <b>Total</b> |       | <b>54</b> | <b>15,032</b> |                                    |                     | <b>671,590</b>   | <b>19,186</b>  | <b>705,808</b>   | <b>2.1%</b>        |
| 1992                     | 23-Jul       | 46    | 15        | 12,529        |                                    |                     | 218,873          | 18,673         | 250,075          | 5.0%               |
| 1993                     | 11-Jul       | 33    | 12        | 6,120         |                                    |                     | 80,471           | 30,325         | 116,916          | 5.2%               |
| 1994                     | 15-Jul       | 57    | 15        | 7,061         |                                    |                     | 283,239          | 41,661         | 331,961          | 2.1%               |
|                          | 18-Jul       | 30    | 8         | 3,262         |                                    |                     | 125,674          | 11,251         | 140,187          | 2.3%               |
|                          | <b>Total</b> |       | <b>23</b> | <b>10,323</b> |                                    |                     | <b>408,913</b>   | <b>52,912</b>  | <b>472,148</b>   | <b>2.2%</b>        |
| 1999                     | 18-Jul       | 28    | 8         | 2,655         | 16.9%                              | 449                 | 211,731          | 20,222         | 234,608          | 1.1%               |
|                          | 21-Jul       | 28    | 15        | 3,221         | 18.2%                              | 586                 | 385,943          | 26,143         | 415,307          | 0.8%               |
|                          | <b>Total</b> |       | <b>23</b> | <b>5,876</b>  | <b>17.6%</b>                       | <b>1,035</b>        | <b>597,674</b>   | <b>46,365</b>  | <b>649,915</b>   | <b>0.9%</b>        |
| 2001                     | 19-Jul       | 47    | 12        | 10,579        | 28.0%                              | 2,962               | 194,624          | 16,508         | 221,711          | 4.8%               |
| 2003                     | 10-Jul       | 27    | 10        | 6,755         | 7.5%                               | 507                 | 81,120           | 23,356         | 111,231          | 6.1%               |
|                          | 13-Jul       | 12    | 10        | 3,431         | 13.5%                              | 463                 | 97,099           | 15,337         | 115,867          | 3.0%               |
|                          | <b>Total</b> |       | <b>20</b> | <b>10,186</b> | <b>9.5%</b>                        | <b>970</b>          | <b>178,219</b>   | <b>38,693</b>  | <b>227,098</b>   | <b>4.5%</b>        |
| 2004                     | 8-Jul        | 37    | 10        | 3,427         | 24.0%                              | 822                 | 216,307          | 85,131         | 304,865          | 1.1%               |
|                          | 11-Jul       | 20    | 15        | 3,824         | 28.0%                              | 1,071               | 79,885           | 24,935         | 108,644          | 3.5%               |
|                          | 15-Jul       | 44    | 15        | 10,239        | 34.0%                              | 3,481               | 329,051          | 63,567         | 402,857          | 2.5%               |
|                          | <b>Total</b> |       | <b>40</b> | <b>17,490</b> | <b>30.7%</b>                       | <b>5,374</b>        | <b>625,243</b>   | <b>173,633</b> | <b>816,366</b>   | <b>2.1%</b>        |
| 2005                     | 7-Jul        | 28    | 10        | 2,110         | 26.0%                              | 549                 | 356,744          | 26,953         | 385,807          | 0.5%               |
|                          | 10-Jul       | 42    | 15        | 4,861         | 31.0%                              | 1,507               | 479,863          | 45,123         | 529,847          | 0.9%               |
|                          | 14-Jul       | 33    | 15        | 4,672         | 39.0%                              | 1,822               | 614,111          | 31,805         | 650,588          | 0.7%               |
|                          | 17-Jul       | 38    | 15        | 4,120         | 44.0%                              | 1,813               | 257,996          | 19,300         | 281,416          | 1.5%               |
|                          | <b>Total</b> |       | <b>55</b> | <b>15,763</b> | <b>36.1%</b>                       | <b>5,690</b>        | <b>1,708,714</b> | <b>123,181</b> | <b>1,847,658</b> | <b>0.9%</b>        |
| <b>All years Average</b> |              |       | <b>30</b> | <b>11,544</b> |                                    | <b>3,206</b>        | <b>520,480</b>   | <b>57,720</b>  | <b>589,744</b>   | <b>3.08%</b>       |

<sup>(1)</sup> The percent enhanced for 2004 and 2005 is interpolated from pooled DIPAC and ADFG samples.



**Figure 167-2.**—Snettisham hatchery sockeye salmon smolt releases

**Table 167-2.**—Contribution of thermally marked sockeye salmon to common property and test fisheries purse seine harvests from subdistrict 112-16.

| <b>Enhanced<sup>(1)</sup> Sockeye Salmon Percent of Harvest</b> |                               |                   |                            |              | <b>Estimated Number of Enhanced Sockeye Salmon</b> |              |              |
|---|-------------------------------|-------------------|----------------------------|--------------|--|--------------|--------------|
| <u>Date</u>   | <u>(source<sup>(2)</sup>)</u> | <u>Snettisham</u> | <u>Other<sup>(3)</sup></u> | <u>Total</u> | <u>Snettisham</u>                                  | <u>Other</u> | <u>Total</u> |
| 07/18/99  | CP                            | 13%               | 4%                         | 17%          | 335  | 114          | 449          |
| 07/21/99  | CP                            | 14%               | 4%                         | 18%          | 457  | 129          | 586          |
| 07/19/01  | CP                            | 26%               | 2%                         | 28%          | 2,750  | 212          | 2,962        |
| 07/10/03  | CP                            | 9%                | 0%                         | 9%           | 633  | 0            | 633          |
| 07/13/03  | CP                            | 17%               | 0%                         | 17%          | 2,137  | 0            | 2,137        |
| 07/18/04  | CP                            | 50%               | 0%                         | 50%          | 1,714  | 17           | 1,730        |
| 07/30/04  | CP                            | 49%               | 1%                         | 50%          | 1,881  | 31           | 1,912        |
| 08/01/04  | CP                            | 63%               | 0%                         | 63%          | 6,427  | 0            | 6,427        |
| 07/15/05  | CP                            | 34%               | 3%                         | 37%          | 3,224  | 280          | 3,505        |
| 06/29/01  | TF                            | 0%                | 6%                         | 6%           | 0  | 25           | 25           |
| 07/06/01  | TF                            | 3%                | 4%                         | 7%           | 6  | 8            | 15           |
| 07/13/01  | TF                            | 16%               | 1%                         | 17%          | 68   | 4            | 72           |
| 06/29/02  | TF                            | 4%                | 0%                         | 4%           | 7  | 0            | 7            |
| 07/12/02  | TF                            | 20%               | 3%                         | 23%          | 32   | 5            | 36           |
| 07/19/02  | TF                            | 15%               | 8%                         | 23%          | 33   | 18           | 51           |
| 07/01/03  | TF                            | 1%                | 0%                         | 1%           | 2  | 0            | 2            |
| 07/08/03  | TF                            | 8%                | 0%                         | 8%           | 27   | 0            | 27           |
| 06/29/04  | TF                            | 4%                | 3%                         | 7%           | 9  | 7            | 16           |
| 07/05/04  | TF                            | 8%                | 0%                         | 8%           | 22   | 0            | 22           |
| 07/12/04  | TF                            | 17%               | 1%                         | 18%          | 186  | 15           | 201          |
| 07/20/04  | TF                            | 33%               | 0%                         | 33%          | 271  | 0            | 271          |
| 06/24/05  | TF                            | 1%                | 0%                         | 1%           | 2  | 0            | 2            |
| 07/01/05  | TF                            | 8%                | 3%                         | 11%          | 14   | 5            | 19           |
| 07/08/05  | TF                            | 34%               | 0%                         | 34%          | 69   | 0            | 69           |

<sup>(1)</sup> all enhanced sockeye salmon have otolith marks.

<sup>(2)</sup> CP = common property commercial harvest; TF = test fishery harvest

<sup>(3)</sup> Other = Chilkat Lake, Taku River (Tatsamenie Lake), and Stikine River (Tahltan Lake) marks.



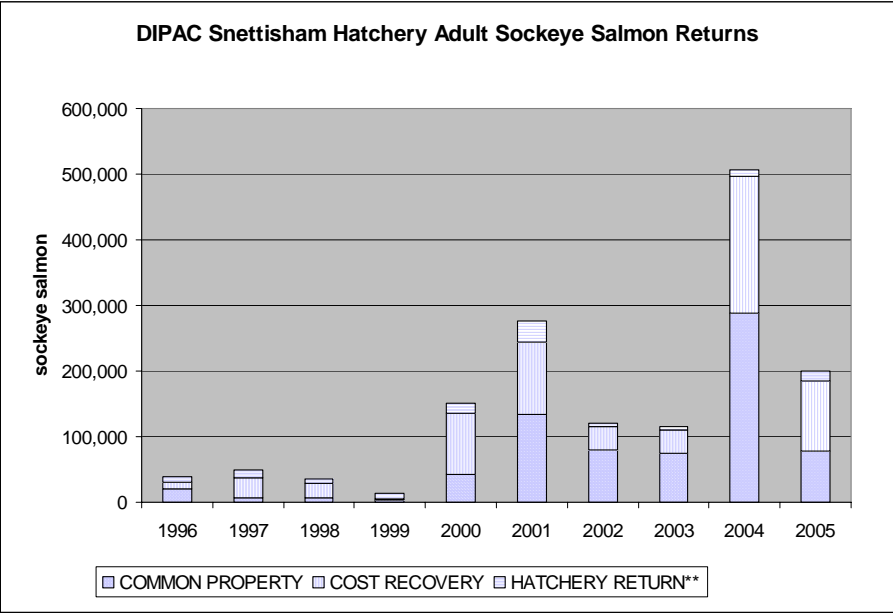
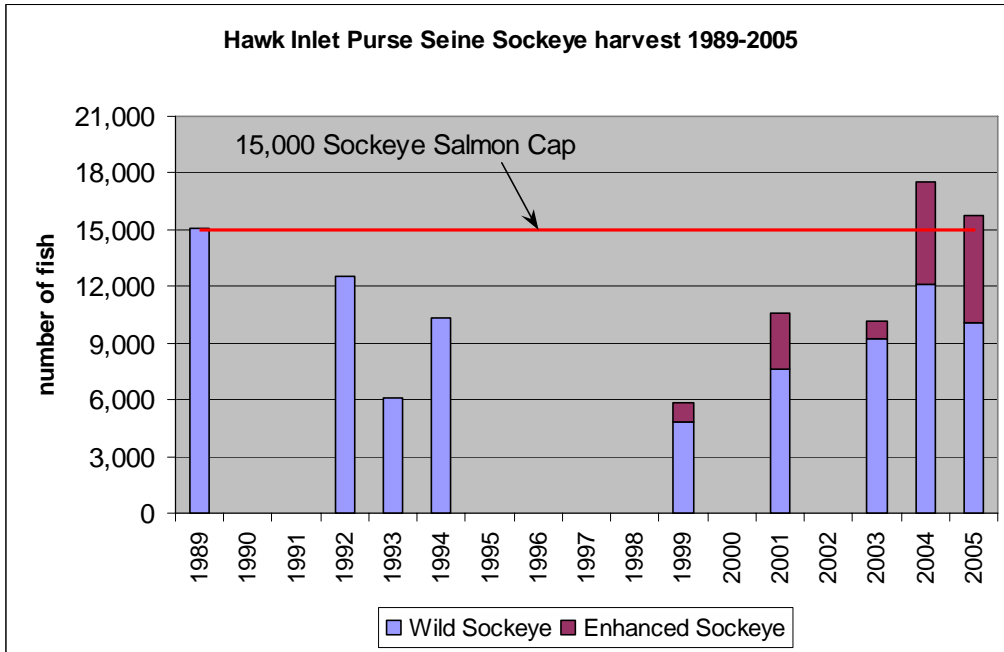


Figure 167-3.—Snettisham hatchery adult sockeye salmon returns, 1996-2005.



**Figure 167-4.**—Hawk Inlet purse seine wild and enhanced sockeye salmon harvest, 1989-2005.

**PROPOSAL 168. PAGE 125. 5 AAC 33.3XX. MAXIMUM LENGTH OF SALMON SEINE VESSEL IN SOUTHEASTERN ALASKA AREA.**

PROPOSED BY: Larry Demmert

WHAT WOULD THE PROPOSAL DO? The proposal seeks to repeal the 58' maximum length of a salmon seine vessel for Southeastern Alaska.

WHAT ARE THE CURRENT REGULATIONS? The prior regulation 5 AAC 39.160 was deleted 7/22/91 by the regulations attorney. This subject is not presently addressed in Alaska Administrative Code.

The 58' maximum seine vessel length is now established by: AS 16.05.835 Maximum length of salmon seine and certain hair crab vessels. (a) Unless the Board of Fisheries has provided by regulation for the use of a longer vessel in a salmon seine fishery, a salmon seine vessel may not be longer than 58 feet overall length except vessels that have fished for salmon with seines in water of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels.

The statute was modified in 2004 and became effective January 1, 2005 to allow the BOF to change this limit in specific fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In Southeastern Alaska permit holders would have the option of fishing vessels longer than 58 feet. The proposal indicates that the potential benefit of allowing vessels larger than 58 feet would be to improve efficiency, increase quality and to produce different products. The most obvious difference would be from increasing hold capacity beyond the 20 to 60 tons presently available under the 58-foot law. With increased hold capacity, depending on markets, permit holders may be able to continue fishing longer before making a delivery to a tender, floating processor or a shore-based plant. With increased deck or hold space a larger vessel might be able to conduct value-added processing on board to maximize quality of high value species or to produce ikura on board. Larger boats would have increased ability to target sockeye in off-shore waters of District 4. Other aspects of larger vessels, however, might include increased fuel costs, prolonged holding of catch between deliveries, or decreased maneuverability while fishing. In effect many of these characteristics would need to be considered by permit holders prior to increasing vessel size, and most are economic in their nature. The costs, and social consequences of departing from the 58' limit might be considered against the original intent of 16.05.835 when first adopted.

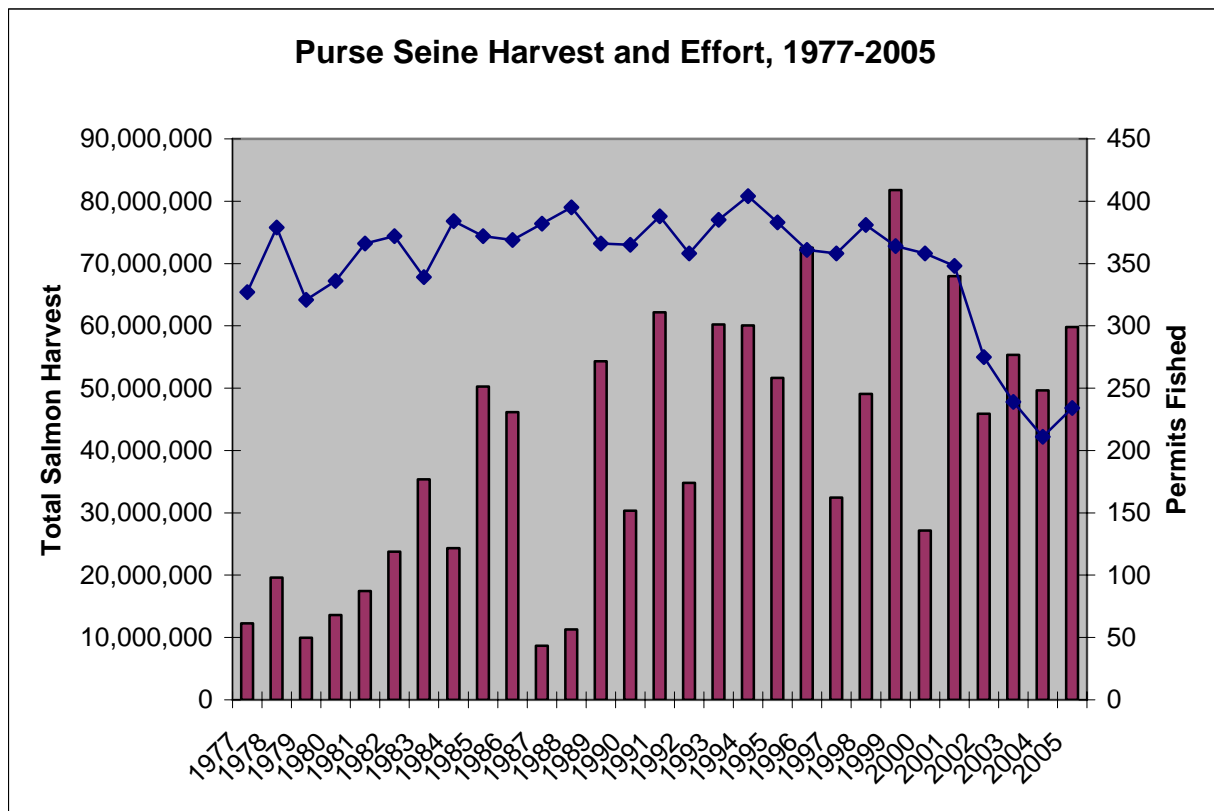
BACKGROUND:

Recent trends in the seine fishery indicate reduced prices, decreased numbers of boats, increased catch per boat, and decreased reliance on tenders. Altered fishing schedules (4-

on/1-off regime) have been in place during peak fishing periods since 2002 to increase fishing opportunities, to provide more continuous deliveries to buyers and to maximize quality of both fish and roe products. Figure 1 shows recent trends in participation levels along with pink salmon harvest.

**DEPARTMENT COMMENTS:** The department is NEUTRAL on this proposal. The department would continue to manage the seine fishery considering a greater range of fishing vessel sizes and deliveries. In District 4 a steady or persistent increase in the harvest of sockeye salmon by larger vessels might have Treaty implications or require management actions such as reductions in fishing time during July. Economic and social consequences of this proposal might merit a more comprehensive study.

**COST STATEMENT:** In order to remain competitive vessels participating in the fishery might need to purchase larger and better-equipped fishing vessels. These costs might be prohibitive for many existing permit holders who presently do not have markets for salmon and participate in other fisheries.



**Figure 168-1.**—Southeast Alaska purse seine fishery harvest and effort trends, 1977-2005.

**PROPOSAL 169. PAGE 126. 5 AAC 33.374 HIDDEN FALLS HATCHERY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN.**

PROPOSED BY: Floyd Kookesh

WHAT WOULD THE PROPOSAL DO? Proposal 169 would allocate the first 4,000 sockeye salmon harvested in the HF THA chum salmon purse seine fishery to the communities of Angoon and Kake. The proposal also suggests that a “Chatham Area Management Task Force” be formed to evaluate management of the purse seine fisheries in the Chatham Straits area.

**WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.374.**

5 AAC 01.015. Subsistence fishing permits and reports. (a) Salmon may be taken only under the authority of a subsistence fishing permit issued by the commissioner or his local representative, unless a permit is specifically not required in a particular area by the subsistence regulations in this chapter, or unless the fisherman is retaining salmon from his commercial catch consistent with 5 AAC 01.020.

5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan.

(a) The Hidden Falls Terminal Harvest Area for chum, king, and coho salmon consists of the waters of District 12 within two nautical miles of the Baranof Island shoreline south of the latitude of South Point and north of 57° 06.83' N. lat., excluding the waters of Kelp Bay.

(b) Purse seine and troll openings will be managed by emergency order to harvest king and chum salmon returning to the Hidden Falls Hatchery in excess of broodstock and cost recovery needs.

5 AAC 33.310. Fishing seasons and periods for net gear. a) Salmon may be taken with purse seines in the following locations only during fishing periods established by emergency order that will generally begin on Sundays:

(8) District 9;

(11) District 12; except that Section 12-A north of the latitude of Point Marsden and Section 12-B may open before August 1 only as provided in 5 AAC 33.366(a).

5 AAC 33.366. Northern Southeast seine salmon fishery management plans

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 sockeye salmon are taken; all sockeye salmon harvested by seine vessels that the department identifies as fishing north of Point Marsden during any July fishing period when other areas are open concurrently will be counted against the 15,000 sockeye salmon harvest limit under this paragraph; during the openings, the department will use aerial flyovers, on-the-ground sampling, and interviews to estimate the sockeye harvest north of Point Marsden.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The proposal would transfer ownership of harvested sockeye from purse seine permit holders to the communities of Kake and Angoon, or create a task force to study the issue of sockeye harvest in the Chatham Strait area.

## BACKGROUND:

There are six small systems within the confluence of Chatham Strait that support subsistence fisheries for sockeye salmon. Kook Lake and Sitkoh Lake on Chichagof Island, and Kanalku Lake on Admiralty Island are used primarily by Angoon residents. Falls Lake and Gut Bay Lake on Baranof Island and Kutlaku on Kuiu Island are used primarily by residents of Kake (Figure 169-1). The average annual harvest of sockeye salmon reported on the State Subsistence Salmon Permit by Angoon and Kake residents is 1,051 and 1,883 respectively (Table 169-1). The average total harvest from all six lake systems combined for the period 1984-2004 is 3,685 sockeye (Table 169-2). With the exception of Kanalku Lake, harvest data indicate stable and increasing harvest trends for these systems. On-site creel surveys conducted at Falls Lake from 2001 to 2004 indicates that the subsistence sockeye harvests were under-reported on the State Subsistence Salmon Permit by an average of 36%.

None of the Chatham Strait sockeye systems have a long time series of stock assessment information. Falls Lake had a weir operating in the early 1980's and more recently, through Federal subsistence funding, has had a partial weir operating to provide for mark/recapture estimates of total escapement. The only other system with more than a few years of escapement data is Sitkoh Lake which has mark/recapture estimates of escapement since 1996. Since 2001, Federal funding has allowed for some level of stock assessment work to be conducted on Kook Lake, Kanalku Lake, Falls Lake, Sitkoh Lake and Kutlaku Lake (Table 169-3).

Historical notes regarding Kanalku Lake from department files dating back to the 1960s suggest that the sockeye escapement fluctuates between several hundred to a couple thousand fish. During this time period sockeye have begun their escapement into Kanalku Creek in late June to early July. Reported participation and harvests in the Kanalku Bay subsistence fishery increased substantially in the mid 1990s and remained high through 2001. In 2002, the Fish and Game Advisory council in Angoon, in cooperation with ADF&G and the US Forest Service staff, promoted a voluntary moratorium on subsistence fishing in Kanalku Bay. (Although returns to this system were considered weak, residents had requested that the department not use emergency order to implement a closure of the system.) Very little subsistence fishing has occurred in Kanalku Bay since 2002 and the Kanalku Lake sockeye escapement has benefited from this reduced harvest. Escapement estimates by mark-recapture experiments, range from 229 fish to 1,630 fish between 2001-2005. Most of these sockeye are in Kanalku Bay before commercial purse seine fishing begins along the Admiralty Island shoreline. Hidden Falls THA openings are ongoing during this period. Over the past 20 years approximately 90% of the Kanalku sockeye salmon subsistence harvest has taken place by July 21, and 97% by the end of July. Purse Seine catches of Kanalku sockeye salmon are likely very low during the mid to late July openings due to the timing of the openings and the distance of the open areas from Kanalku Bay.

Subsistence permit harvest data indicates that the sockeye are present in peak numbers at the creek mouth by mid-July with the exception of Gut Bay which has an earlier run timing peaking in early July. For this reason, discussions regarding trends in harvest and

effort in the salmon purse seine fishery will be restricted to the time period prior Statistical Week 32, or August 1.

Chatham Strait falls within Districts 9 and 12 salmon management statistical areas. With the exception of the Hidden Falls Hatchery chum salmon fishery, the purse seine fisheries in District 12 are directed at the harvest of pink salmon, and Chinook, chum, sockeye, and coho salmon are harvested incidentally. Purse seine openings along the west Admiralty shoreline in early July are restricted north of Point Marsden (known as the Hawk Inlet shoreline) and generally consist of 8, 10, or 15-hour openings once or twice per week. These early openings are directed at north migrating pink salmon and occur in years of high pink salmon abundance. This Hawk Inlet fishery is managed under 5 AAC 33.366. Northern Southeast Seine Salmon Fishery Management Plan. The area from Point Marsden south to Point Hepburn is commonly opened beginning around the 20<sup>th</sup> of July. Southern boundaries for the fishery typically are extended south to Parker Point either the last week of July or in August. Commercial purse seiners have not fished between Parker Point and Point Samuel for many years, but may in future years depending on run strength of pink and chum salmon returns.

The Hawk Inlet fishery during the month of July is managed under 5 AAC 33.366 for a 15,000 sockeye salmon cap. The fishery has an average purse seine harvest of 11,500 sockeye, 58,000 chum and 500,000 pink salmon from 1989-2005 during the 9 years out of a 17-year period when the fishery was opened (Table 169-4). Since 1999, sockeye salmon returning to the Snettisham Hatchery have averaged 25% of the Hawk Inlet sockeye catch.

The False Bay/Freshwater Bay fishery (112-13) has only been open in three of the past 10 years. Early openings are very rare in this area and account for only a few hundred sockeye. The Chichagof Island shoreline south of Tenakee Inlet is known as the Basket Bay fishery (112-12). This area opens in late July to target returns of pink salmon to Tenakee Inlet, Peril Strait, and local area streams. A closed water area, approximately two miles north and two miles south of Basket Bay, has been in place for several years to manage for sockeye escapement to Kook Lake and for the Basket Bay subsistence fishery. This purse seine fishery averages 3,000 sockeye salmon per year or 5% of the District 12 sockeye harvest and is rarely open before the last week of July.

Hidden Falls (112-22) hatchery openings typically begin after the third week of June and continue through July. Through mid-July common property seine fisheries are typically restricted to one or two days per week with cost recovery harvest often occurring throughout the week. Cost recovery harvests have averaged approximately 200 sockeye each year. Overall, the trend has been decreasing effort in the Hidden Falls Hatchery purse seine fishery since the mid-1990's (Table 169-5). The decline in effort is due to both declining chum salmon returns and an overall reduction in number of seiners participating in the seine fishery. Annual harvests at Hidden Falls have averaged 6,454 sockeye and 1.58 million chum salmon. The Hidden Falls sockeye harvest represents about 8.5% of the total District 12 purse seine sockeye harvest.

The Point Augusta index Fishery (112-14) takes place along a one-mile stretch of the Chatham Strait shoreline on northeast Chichagof Island, and has been opened annually between late June and mid-July since 1992 to monitor incoming pink salmon run strength



in northern Chatham Strait. The average sockeye salmon harvest since 1992 is 4,400 fish and this accounts for approximately 8% of the total sockeye harvest in District 12 (Table 169-6).

Purse seine openings along the Red Bluff Bay shoreline of District 9 (Subdistrict 109-20) typically begin after the second or third week of July. During the July period the area open includes the Baranof Island shoreline south of the latitude of Point Gardner and north of the southern entrance to Redbluff Bay. Historically the area opened included the shoreline south to Hoggatt Bay but in more recent years the fishery has been restricted south of Red Bluff Bay and north to manage for Falls Lake sockeye. There is no apparent trend in effort in this fishery though effort has been below the long term average since 2001 (Table 169-7).

Recent trends in sockeye, pink, and chum salmon harvests in District 12 are presented in Table 169-8. Recent increases in sockeye salmon harvests since 1999 are in large part attributable to production by the Snettisham Hatchery, as well as increases in sockeye salmon returns to the Taku River and the Lynn Canal stocks. 55%-75% of the District 12 sockeye salmon harvested occurs along the west Admiralty shoreline (statistical area 112-16) north of Point Hepburn. Pink salmon harvests in District 12 have averaged 5.6 million over the past 16-year period from 1990-2005, with the highest harvest of 14.2 million in 2005.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The Department of law has advised The Department of Fish & Game that the BOF can only allocate the opportunity to harvest, and not the transfer of ownership of harvested sockeye. Further, the available data is not sufficient to indicate that Chatham Strait sockeye stocks are in need of conservation measures in addition to those already being taken. The department feels that any concerns regarding impacts the purse seine fishery might have on subsistence harvests can best be addressed through the existing Southeast Purse Seine Task Force instead of at a newly created task force. The department has discussed this issue at the 2005 Purse Seine Task Force meeting. The department is neutral on the allocative aspects of this proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 169-1.**—Reported subsistence sockeye harvest on ADF&G permits by residents of Angoon and Kake, 1985-2004.

| Year    | Angoon | Kake  | Total |
|---------|--------|-------|-------|
| 1985    | 732    | 1,026 | 1,758 |
| 1986    | 1,057  | 1,269 | 2,326 |
| 1987    | 646    | 1,503 | 2,149 |
| 1988    | 226    | 1,332 | 1,558 |
| 1989    | 429    | 1,425 | 1,854 |
| 1990    | 1,032  | 909   | 1,941 |
| 1991    | 696    | 1,208 | 1,904 |
| 1992    | 769    | 2,611 | 3,380 |
| 1993    | 901    | 2,188 | 3,089 |
| 1994    | 1,300  | 1,972 | 3,272 |
| 1995    | 936    | 1,606 | 2,542 |
| 1996    | 1,408  | 2,375 | 3,783 |
| 1997    | 1,495  | 1,891 | 3,386 |
| 1998    | 1,554  | 2,471 | 4,025 |
| 1999    | 1,620  | 2,318 | 3,938 |
| 2000    | 1,344  | 1,593 | 2,937 |
| 2001    | 1,147  | 2,036 | 3,183 |
| 2002    | 751    | 2,079 | 2,830 |
| 2003    | 1,496  | 2,926 | 4,422 |
| 2004    | 1,479  | 2,931 | 4,410 |
| Average | 1,051  | 1,883 | 2,934 |

**Table 169-2.**—Reported subsistence harvest on permits by year from six sockeye systems in Chatham Strait, 1985-2004.

| Year    | *Falls Lake | Gut Bay | Kutlaku Creek | Kanalku Bay | Kook Lake | Sitkoh Lake | Total |
|---------|-------------|---------|---------------|-------------|-----------|-------------|-------|
| 1985    | 17          | 339     | 812           | 473         | 450       | 313         | 2,404 |
| 1986    | 30          | 572     | 750           | 931         | 1,427     | 677         | 4,387 |
| 1987    | 30          | 211     | 1,312         | 645         | 1,233     | 636         | 4,067 |
| 1988    | 338         | 419     | 969           | 258         | 316       | 322         | 2,622 |
| 1989    | 350         | 572     | 634           | 425         | 493       | 248         | 2,722 |
| 1990    | 149         | 182     | 593           | 762         | 477       | 181         | 2,344 |
| 1991    | 122         | 128     | 813           | 556         | 406       | 0           | 2,025 |
| 1992    | 550         | 765     | 1,375         | 571         | 602       | 90          | 3,953 |
| 1993    | 1,002       | 795     | 516           | 901         | 475       | 0           | 3,689 |
| 1994    | 911         | 422     | 629           | 1,282       | 348       | 36          | 3,628 |
| 1995    | 976         | 490     | 238           | 936         | 387       | 10          | 3,037 |
| 1996    | 1,229       | 488     | 817           | 1,627       | 302       | 50          | 4,513 |
| 1997    | 987         | 297     | 628           | 1,538       | 187       | 60          | 3,697 |
| 1998    | 1,101       | 732     | 791           | 1,482       | 327       | 16          | 4,449 |
| 1999    | 1,020       | 272     | 984           | 1,666       | 418       | 36          | 4,396 |
| 2000    | 798         | 419     | 200           | 1,443       | 252       | 75          | 3,187 |
| 2001    | 1,290       | 577     | 130           | 951         | 279       | 276         | 3,503 |
| 2002    | 1,795       | 121     | 194           | 14          | 645       | 184         | 2,953 |
| 2003    | 2,434       | 245     | 366           | 90          | 941       | 647         | 4,723 |
| 2004    | 2,098       | 468     | 548           | 60          | 691       | 1,020       | 4,885 |
| Average | 861         | 426     | 665           | 831         | 533       | 244         | 3,559 |

\*Creel surveys of the Falls Lake subsistence fishery estimated sockeye harvests of 1,931 in 2001, 2,600 in 2002, 2,700 in 2003, and 2,900 in 2004.

**Table 169-3.**—Escapement estimates of sockeye salmon for five Chatham Strait sockeye systems based on method ( W=weir; M/R=mark/recapture; EI=expanded index).

| Year | Falls Lake | Type | Sitkoh Lake | Type | Kook Lake | Type | Kanalku Lake | Type | Kutlaku Lake | Type |
|------|------------|------|-------------|------|-----------|------|--------------|------|--------------|------|
| 1981 | 1,278      | W    |             |      |           |      |              |      |              |      |
| 1982 | 1,687      | W    | 7,228       | W    |           |      |              |      |              |      |
| 1983 | 1,658      | W    |             |      |           |      |              |      |              |      |
| 1984 | 3,622      | W    |             |      |           |      |              |      |              |      |
| 1985 | 2,612      | W    |             |      |           |      |              |      |              |      |
| 1987 | 5,789      | W    |             |      |           |      |              |      |              |      |
| 1988 | 1,114      | W    |             |      |           |      |              |      |              |      |
| 1989 | 2,055      | W    |             |      |           |      |              |      |              |      |
| 1994 |            |      |             |      | 1,812     | W    |              |      |              |      |
| 1995 |            |      |             |      | 5,817     | W    |              |      |              |      |
| 1996 |            |      | 16,300      | M/R  |           |      |              |      |              |      |
| 1997 |            |      | 5,984       | M/R  |           |      |              |      |              |      |
| 1998 |            |      | 6,649       | M/R  |           |      |              |      |              |      |
| 1999 |            |      | 10,499      | M/R  |           |      |              |      |              |      |
| 2000 |            |      | 17,040      | M/R  |           |      |              |      |              |      |
| 2001 | 2,600      | M/R  | 15,200      | M/R  |           |      | 229          | EI   |              |      |
| 2002 | 1,100      | M/R  | 11,900      | M/R  | 3,600     | M/R  | 1,630        | EI   | 10,000       | EI   |
| 2003 | 5,700      | M/R  | 8,500       | M/R  |           |      | 276          | EI   | 8,500        | EI   |
| 2004 | 3,100      | M/R  | 3,700       | M/R  |           |      | 1,154        | EI   | na           |      |
| 2005 | 3,400      | M/R  | 13,000      | M/R  | 1,994     | W    | 1,060        | EI   | 12,000       | EI   |
| Avg. | 2,700      |      | 10,500      |      | 3,300     |      | 870          |      | 10,200       |      |

**Table 169-4.**—July Hawk Inlet purse seine harvest of sockeye, enhanced sockeye, pink, and chum salmon, 1989-2005.

| Year    | Total Sockeye | Enhanced % Sockeye | Enhanced # Sockeye | Pink      | Chum    | Total Harvest |
|---------|---------------|--------------------|--------------------|-----------|---------|---------------|
| 1989    | 15,032        |                    |                    | 671,590   | 19,186  | 705,808       |
| 1992    | 12,529        |                    |                    | 218,873   | 18,673  | 250,075       |
| 1993    | 6,120         |                    |                    | 80,471    | 30,325  | 116,916       |
| 1994    | 10,323        |                    |                    | 408,913   | 52,912  | 472,148       |
| 1999    | 5,876         | 17.6%              | 1,035              | 597,674   | 46,365  | 649,915       |
| 2001    | 10,579        | 28.0%              | 2,962              | 194,624   | 16,508  | 221,711       |
| 2003    | 10,186        | 9.5%               | 970                | 178,219   | 38,693  | 227,098       |
| 2004    | 17,490        | 30.7%              | 5,374              | 625,243   | 173,633 | 816,366       |
| 2005    | 15,763        | 36.1%              | 5,690              | 1,708,714 | 123,181 | 1,847,658     |
| Average | 11,544        | 24%                | 3,206              | 520,480   | 57,720  | 589,744       |

**Table 169-5.**–Hidden Falls Hatchery THA (112-22) purse seine harvest and effort, 1990-2005.

| Year    | Sockeye | Chum      | Total Boat-days |
|---------|---------|-----------|-----------------|
| 1990    | 3,487   | 257,987   | 264             |
| 1991    | -       | -         | -               |
| 1992    | 8,235   | 734,129   | 507             |
| 1993    | 15,940  | 1,471,182 | 869             |
| 1994    | 13,081  | 2,842,059 | 1,256           |
| 1995    | 9,049   | 3,213,002 | 1,859           |
| 1996    | 9,106   | 3,375,359 | 1,230           |
| 1997    | 3,090   | 1,376,980 | 820             |
| 1998    | 5,428   | 1,851,116 | 1,089           |
| 1999    | 6,811   | 2,336,207 | 1,109           |
| 2000    | 7,391   | 2,742,107 | 1,137           |
| 2001    | 8,556   | 1,098,513 | 715             |
| 2002    | 3,095   | 1,225,544 | 757             |
| 2003    | 2,659   | 1,357,104 | 524             |
| 2004    | 6,225   | 1,156,394 | 319             |
| 2005    | 1,115   | 247,483   | 164             |
| Average | 6,885   | 1,685,678 | 841             |

**Table 169-6.**—Point Augusta (Statistical Area 112-14) purse seine harvest 1990-2005

| Year    | Pink      | Chum    | Sockeye |
|---------|-----------|---------|---------|
| 1992    | 41,433    | 10,650  | 1,067   |
| 1993    | 24,526    | 7,716   | 616     |
| 1994    | 173,469   | 35,573  | 2,543   |
| 1995    | 65,597    | 26,246  | 2,436   |
| 1996    | 208,357   | 116,372 | 5,159   |
| 1997    | 308,634   | 39,895  | 2,066   |
| 1998    | 42,217    | 16,132  | 1,616   |
| 1999    | 958,671   | 86,922  | 6,067   |
| 2000    | 92,877    | 72,559  | 4,895   |
| 2001    | 513,372   | 52,236  | 13,483  |
| 2002    | 271,908   | 27,434  | 3,517   |
| 2003    | 1,079,905 | 78,397  | 7,432   |
| 2004    | 208,260   | 44,781  | 4,461   |
| 2005    | 1,223,334 | 44,534  | 5,312   |
| Average | 372,326   | 47,103  | 4,334   |

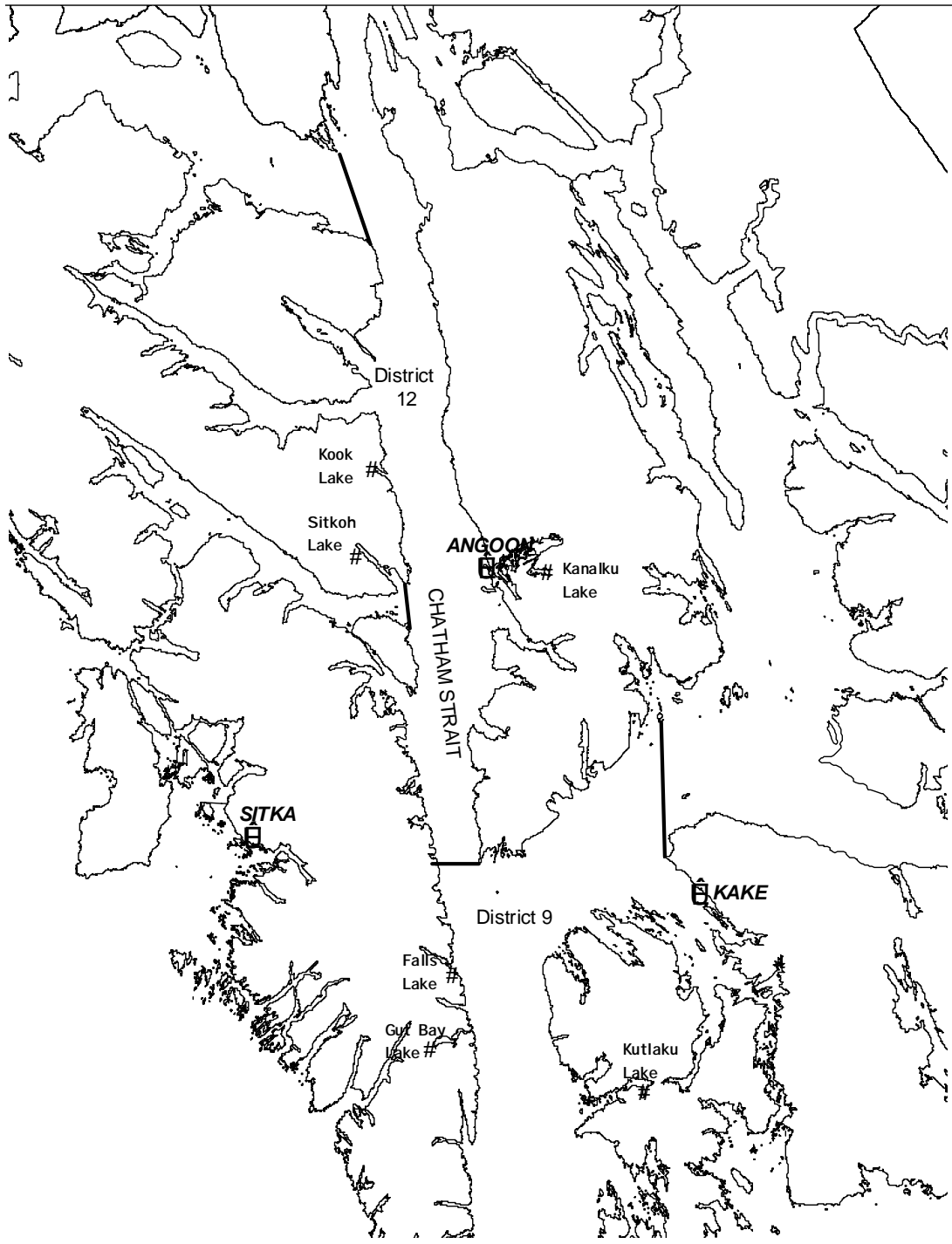
**Table 169-7.**—Red Bluff Bay (109-20) purse seine fishery harvest and effort, 1990-2005.

| Year    | Pink    | Sockeye | Boat- days |
|---------|---------|---------|------------|
| 1990    | 71,304  | 1,437   | 35         |
| 1991    | 205,055 | 1,408   | 36         |
| 1992    | 35,012  | 402     | 10         |
| 1993    | 210,774 | 4,836   | 51         |
| 1994    | 11,746  | 540     | 4          |
| 1995    | 0       | 0       | 0          |
| 1996    | 51,424  | 585     | 12         |
| 1997    | 310,269 | 3,194   | 54         |
| 1998    | 124,743 | 2,677   | 95         |
| 1999    | 457,222 | 2,874   | 82         |
| 2000    | 15,302  | 433     | 8          |
| 2001    | 10,704  | 358     | 3          |
| 2002    | 122,411 | 183     | 14         |
| 2003    | 73,506  | 72      | 12         |
| 2004    | 110,204 | 1,224   | 20         |
| 2005    | 138,600 | 72      | 25         |
| Average | 121,767 | 1,268   | 29         |



**Table 169-8.**—District 12 purse seine harvest of sockeye, pink, and chum salmon, 1990-2005.

| Year    | Sockeye | Pink       | Chum    |
|---------|---------|------------|---------|
| 1990    | 13,860  | 1,185,138  | 159,052 |
| 1991    | 36,072  | 7,209,332  | 252,238 |
| 1992    | 45,867  | 2,938,485  | 364,902 |
| 1993    | 64,623  | 6,905,856  | 531,633 |
| 1994    | 61,937  | 8,656,071  | 670,307 |
| 1995    | 10,215  | 566,958    | 193,386 |
| 1996    | 26,899  | 2,601,245  | 561,419 |
| 1997    | 22,100  | 4,640,262  | 335,490 |
| 1998    | 23,802  | 3,048,558  | 255,115 |
| 1999    | 47,221  | 13,120,338 | 480,518 |
| 2000    | 22,315  | 2,397,400  | 430,604 |
| 2001    | 52,294  | 3,070,909  | 213,368 |
| 2002    | 20,772  | 4,252,098  | 132,888 |
| 2003    | 63,899  | 6,440,299  | 322,979 |
| 2004    | 164,166 | 8,605,366  | 794,527 |
| 2005    | 108,920 | 14,212,838 | 508,583 |
| Average | 49,000  | 5,616,000  | 388,000 |



**Figure 169-1.**—Location of sockeye systems used for subsistence harvest of sockeye salmon in the Chatham Strait confluence.

**PROPOSAL 193. PAGE 141. 5 AAC 01.660(a). FISHING SEASONS AND PERIODS; and 5 AAC 30.310(a)(2)(C). FISHING SEASONS.**

PROPOSED BY: Dr. Terry Braden

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate subsistence fishing for coho salmon and steelhead trout and the commercial set gillnet fishery for coho salmon in the Situk-Ahrnklin Inlet during the month of October.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.660 (a) Unless restricted in this section or 5 AAC 30.365, or unless restricted under the terms of a subsistence permit, fish may be taken at any time in the Yakutat Area.

5 AAC 30.310(a)(2)(C) Situk-Ahrnklin Inlet, Lost River and Yakutat Bay north of 59°40' N. lat., from the third Monday in June until closed by emergency order;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted subsistence users would not be allowed harvest opportunity for coho salmon and steelhead trout in the Situk-Ahrnklin Inlet during the month of October. Commercial set gillnetters in the Inlet would not be allowed harvest opportunity for coho salmon in October.

BACKGROUND: Situk-Ahrnklin Inlet subsistence users are currently allowed to harvest both salmon and steelhead trout during any month of the year. 5 AAC 01.680(d) specifically allows for subsistence permits in the Inlet for the directed taking of steelhead trout, and establishes an annual guideline harvest level of 300 steelhead trout. Situk Weir steelhead trout counts have ranged from a low of 5,800 in 1998 to a high of 12,500 in 2004, and it was determined an annual subsistence harvest of 300 fish would not have a negative impact on the run.

Historically, the commercial set gillnet fishery targeting coho salmon in the Inlet closed at the end of the second week in October. Steelhead trout are not a targeted species, but may be retained and sold as bycatch. Only four times has the fishery gone later than the second week of October, all four since 2000. In 2002 and 2003 the fishery remained open through the third week in October, and in 2001 and 2004 it remained open through the end of the month. This was in response to very strong coho salmon returns, with a resultant extension of coho salmon run timing. This four-year period also coincided with the proliferation of small catcher/processors with niche markets who were able to market coho salmon later in the month than traditional processors had been able to do. The coho salmon return in 2005 was below average, and the fishery closed at the end of the second week in October.

DEPARTMENT COMMENTS: The department OPPOSES this proposal since data do not support the need for conservation or to sustain the sport harvest.

Steelhead trout in the Situk/Ahrnklin Inlet have a positive customary and traditional use finding under both state and federal law. Limiting subsistence harvest opportunities to eleven months a year, with October being the exception, would be inconsistent with regulation 5 AAC 01.660 which provides for harvest at any time. There is no biological evidence to suggest October steelhead trout are more important to the population than, say, November, April, or May steelhead trout. In practice few subsistence steelhead permits have been issued and there is no reported record of harvest on permits.

Harvest data from the Situk-Ahrnklin Inlet commercial fishery does not indicate significant net mortality on steelhead trout during the month of October. The 1994-2005 average yearly steelhead trout interception for the fishery is 119 fish, and ranges from a low of 16 in 2002 to a high of 235 steelhead trout in 1996. These figures include steelhead trout intercepted in June through September as well as October. During the four-year period 2001-2004, when the fishery remained open during most of October, each year the major fish processor in Yakutat ceased fish buying operations at the end of the second week of October. In 2004, for example, Select Fish, the only major buyer/processor in Yakutat, ceased buying operations on October 9. One small processor with a niche market continued to buy fish as his market allowed. The loss of a major buyer prompted a decline in effort in the fishery. A peak count of 75 permits fished during the first week of September. By October 10, effort had dropped to nine permits. Eleven permits fished the third week in October, five permits fished the fourth week, and only one permit fished the last week of the season. Lack of effort and the fact the nets were only in the water as the limited market allowed insured that interception of steelhead trout was kept to a minimum.

Steelhead trout returns to the Situk River have been very healthy in recent years. In both 2004 and 2005 over 12,000 steelhead trout were counted through the Situk weir; these were the two highest counts in the history of the weir. The 2004 count included the fall, 2003 component of the run, and the 2005 count included the fall, 2004 component. Both 2003 and 2004 were years in which the Situk-Ahrnklin set gillnet fishery remained open until late in October.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 193-1.**—Harvest of steelhead trout in the Situk-Ahrnklin Inlet set gillnet fishery and steelhead trout weir counts, 1994-2005.

| Year | Closing Date | Total SH | Oct SH | Weir   |
|------|--------------|----------|--------|--------|
| 1994 | 16-Oct       | 163      |        | 7,854  |
| 1995 | 12-Oct       | 152      |        | 6,688  |
| 1996 | 4-Oct        | 235      |        | 8,510  |
| 1997 | 9-Oct        | 104      |        | 7,328  |
| 1998 | 8-Oct        | 128      |        | 5,786  |
| 1999 | 14-Oct       | 206      |        | 9,204  |
| 2000 | 5-Oct        | 161      | 2      | 6,709  |
| 2001 | 31-Oct       | 39       | 2      | 6,400  |
| 2002 | 25-Oct       | 16       | 8      | 6,113  |
| 2003 | 24-Oct       | 43       | 7      | 7,964  |
| 2004 | 3-Nov        | 139      | 85     | 12,462 |
| 2005 | 13-Oct       | 39       | 0      | 12,265 |

The Situk weir is installed in early May each year to enumerate emigrating steelhead trout. The count includes the spring run of the current year and the fall run of the previous year. Thus, the 2005 weir count of 12,265 steelhead trout includes the 2005 spring run and the 2004 fall run fish

**PROPOSAL 194, 195. PAGES 141-143. 5 AAC 30.10(a)(2)(A)(B)(C)(E). FISHING SEASONS, and 5 AAC 30.320(1)(2)(A) (i)(ii)(B). FISHING PERIODS.**

PROPOSED BY: Yakutat Advisory Committee

WHAT WOULD THE PROPOSAL DO? These companion proposals would amend the current fishing seasons and fishing periods for the Yakutat Area to reflect a Sunday, as opposed to a Monday opening, for the set gillnet fisheries.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 30.310. (a)Salmon may be taken by set gillnets only as follows: (2) in the Yakutat District (A) in the Alsek River and waters three-quarters of a mile on either side of the river mouth seaward to the outermost bar at mean low tide, from the first Monday in June until closed by emergency order; (B) in the Dangerous River and in Yakutat Bay south of 59° 40' N. lat., from the second Monday in June until closed by emergency order; (C) Situk-Ahrnklin Inlet, Lost River, and Yakutat Bay north of 59° 40' N. lat., from the third Monday in June until closed by emergency order; (E) in the East River and waters two miles on either side of the river mouth seaward for a distance of 500 yards, and in the remainder of the district, from the fourth Monday in June until closed by emergency order.

5 AAC 30.320. Salmon may be taken by set gillnets during the open season only as follows: (1) in the Yakataga District, from 9:00 a.m. Monday through 9:00 a.m. Thursday, except in the Tsiu River salmon may be taken only from 9:00 a.m. Monday to 9:00 a.m. Tuesday and from 9:00 a.m. Wednesday to 9:00 a.m. Thursday; (2) in the Yakutat District (A) from the season opening through the first Sunday in August, salmon may be taken only from 6:00 a.m. Monday through 6:00 p.m. Wednesday, except that (i) in the Alsek River and adjacent open ocean waters, salmon may be taken only from 12:01 p.m. Monday through 12:00 noon Friday, and (ii) in the East River and adjacent open ocean waters, salmon may be taken only from 12:01 p.m. Monday through 12:00 noon Thursday; (B) from the first Monday in August until the closing date salmon may be taken from 12:01 p.m. through 12:00 noon Thursday;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In the regulations cited above, each “Monday” would become “Sunday.” The Alsek River would open on the first Sunday in June, the Dangerous River and Yakutat Bay would open on the second Sunday in June, and so forth. All fishing periods would open and close each week one day earlier, i.e., those fisheries open from Monday through Wednesday would open from Sunday through Tuesday, those opening from Monday through Thursday would open from Sunday through Wednesday, and so forth. The change in the opening day for the Alsek River in the proposal, from the first Monday in June to the second Sunday in May, is in accordance with Proposal 197, which would

create the regulatory language to allow a directed fishery for Chinook salmon in May on the Alsek River.

BACKGROUND: Prior to any openings in the spring of 2004 the department was asked by representatives of the fishing industry to open weekly set gillnet fishing periods in the Yakutat Area on Sunday as opposed to Monday. At issue was the quality and freshness of product being delivered to markets in the lower 48 and the price paid to the fishermen for the product. Again, before the first opening, public meetings were held in each of the two Yakutat fish processing plants and fishermen were given an opportunity to express their views on the change from a Monday to a Sunday opening. Little opposition was expressed, and the department changed the fishing seasons and fishing periods to Sunday by emergency order in both 2004 and 2005.

DEPARTMENT COMMENTS: The department SUPPORTS proposals that could improve fish quality and the economics of the fishery without jeopardizing the sustainability of the resource. Adoption of this proposal will not affect management strategies for the Yakutat set gillnet fishery. Fishing time would not be increased with this proposal. The department is neutral on any allocations that may result from this proposal and recognizes that not all permit holders are in agreement on a start time for the Yakutat Area set gillnet fishery.

If this proposal might allow the department to determine start time by emergency order (as Proposal 166 would do for the Southeast Alaska drift gillnet fishery), then the department would work through the Yakutat Fish and Game Advisory Committee to consider and determine the appropriate start day each season.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 196. PAGE 143. 5 AAC 30.365(5). SITUK-AHRNKLIN INLET AND LOST RIVER KING SALMON FISHERIES MANAGEMENT PLAN.**

PROPOSED BY: Yakutat Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would provide guidance to the department on management strategies for the set gillnet fishery in the Situk-Ahrnklin Inlet when the projected inriver run of king salmon to the Situk River weir is greater than 1,050 three ocean age and older fish.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 30.365(5) the current regulations do not address the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries. Only two management strategies, (A) and (B) are listed, and both of them address the sport fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the projected inriver run of king salmon to the Situk River weir is greater than 1,050 three-ocean age and older fish, this proposal would allow the department to manage the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries based on sockeye salmon run strength and increase allowable gear in those fisheries to include one net of large (not less than 7 ½ inch) mesh during periods both open and closed to the retention of sockeye salmon.

BACKGROUND: The original Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan was revised during the 2003 Board of Fish meeting. That revision did not address the issue of how the department was to manage the Situk-Ahrnklin and Lost River set gillnet fisheries during years of high king salmon abundance. There are five abundance scenarios addressed by the management plan. The first three involve conservation measures to be taken in all fisheries during low abundance years, and the fourth involves management strategies to be taken when the BEG has been achieved. The fifth scenario is intended to direct the department on management strategies if the king salmon return exceeds the upper end of the BEG range.

In 2003 the king salmon projection for the Situk River was above 1,050 fish. The department did increase allowable gear to include the use of a large-mesh gillnet to assist in holding escapement numbers down within the BEG range while at the same time allowing sockeye salmon to go through the gear. There has not been a directed fishery on king salmon in the Situk-Ahrnklin Inlet in many years, and only one permit holder had the required gear. The permit holder was interviewed by department staff while on the gear, and he stated that he had caught “17 or 18” king salmon, and had seen “7 or 8” sockeye salmon swim through the net. There was not enough information available on the strength of one interview to determine the effectiveness of the extra “king gear” as a management tool.



DEPARTMENT COMMENTS: The department SUPPORTS this proposal. The lack of regulatory language in the management plan directing the department on management strategies during periods of high king salmon abundance is an oversight, and needs to be addressed. The plan says the department shall manage the commercial, sport, and subsistence fisheries as necessary to harvest large king salmon in excess of the BEG range, but then does not give direction on how to accomplish that within the commercial fisheries. It is felt that the addition of one large-mesh net to harvest king salmon while allowing sockeye salmon to escape may be one effective management tool under this scenario. If the proposal is adopted and the high abundance scenario occurs in the future, the department will conduct further evaluation of the effectiveness of this extra gear as a management tool.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 197. PAGE 144-145. 5 AAC 30.310. Fishing Seasons.**

**PROPOSED BY:** Alaska Department of Fish and Game

**WHAT WOULD THE PROPOSAL DO?** This proposal would create the regulatory language to allow a directed set gillnet fishery for Chinook salmon in the Alsek River starting the second Sunday in May, pending bilateral agreement of the Pacific Salmon Commission (PSC) allowing this fishery.

**WHAT ARE THE CURRENT REGULATIONS?**

5 AAC 30-.310(2)(A) in the Alsek River and waters three-quarters of a mile on either side of the river mouth seaward to the outermost bar at mean low tide, from the first Monday in June until closed by emergency order.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** Yakutat set gillnet permit holders would be able to partake in a directed fishery for Chinook salmon in the Alsek River beginning in early May if the PSC reaches bilateral agreement on this fishery.

**BACKGROUND:** In February, 2005 the Transboundary Panel of the PSC reached bilateral agreement to open a directed commercial fishery for Chinook salmon returning to both the Taku and Stikine Rivers. In anticipation of this, the Board of Fish in 2003 adopted regulatory language to open Taku Inlet in Section 11-B for a drift gillnet fishery(5 AAC 33.310 (4)(A)(i)(ii)(iii)(iv). Bilateral agreement was not reached concerning a Chinook fishery on the Alsek River due to poor abundance projections for 2005, but the department was directed to conduct a Chinook salmon test fishery to gather catch per unit effort data (CPUE) and information regarding stock composition as an indicator of Chinook salmon abundance in the Alsek River. It is anticipated that bilateral agreement on an Alsek River Chinook salmon set gillnet fishery will be reached at some point in the future.

**DEPARTMENT COMMENTS:** The department submitted and SUPPORTS this proposal. Having the regulatory language in place would facilitate the opening of a directed set gillnet fishery for Chinook salmon in the Alsek river when the PSC reaches bilateral agreement to conduct such a fishery, and when appropriate based on forecast abundance.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 198, PAGE 145. 5 AAC 33.394. Landing of Steelhead; 5 AAC 30.XXX**  
**Landing of Steelhead.** Amend this regulation to include the following:

The department may by emergency order require that CFEC permit holders shall report on an ADF&G fish ticket the number of steelhead trout taken but not sold in Southeast Alaska and Yakutat areas.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would provide the department emergency order authority to require CFEC permit holders to report on an ADF&G fish ticket the number of steelhead trout taken incidentally in Southeast Alaska and Yakutat area commercial fisheries.

WHAT ARE THE CURRENT REGULATIONS? There is no regulation prohibiting the retention, landing, or sale of steelhead trout in the Southeast Alaska troll and Yakutat area set gillnet fisheries. As provided in 5 AAC 39.130 (c)(8)(C) all fishermen must record the pounds of other fish or shellfish by species that are sold on fish tickets. Within both the Southeast Alaska purse seine and drift gillnet fisheries CFEC permit holders may take but may not sell steelhead trout [5 AAC 33.394]. Additionally, 5 AAC 39.010 states that a person engaged in commercial fishing may retain finfish from lawfully taken commercial catch for that person's own use; however there are no mandatory reporting requirements to report this take on an ADF&G fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Currently harvest of steelhead trout in most Alaska commercial fisheries is essentially unreported although some sporadic reporting does occur. This proposal would provide emergency order authority to the department for requiring incidental harvests of steelhead trout be recorded on ADF&G fish tickets during certain times and within certain fisheries in Southeast Alaska and Yakutat. The department envisions collecting this information for new fisheries, during times and areas where sustainability concerns exist, or when basic biological data is lacking. Harvest reporting of incidentally caught steelhead trout may also be implemented for strengthening the department's steelhead trout stock assessment and life history projects.

BACKGROUND: The harvests of all commercially caught fish that are sold must be reported to the department on ADF&G fish tickets. There are no specific reporting requirements for fish taken but not sold in Southeast Alaska and Yakutat commercial fisheries.

The department has emergency order authority to require full retention and reporting of salmon caught in net fisheries [5 AAC 39.265]. The department prefers to require reporting of steelhead trout without requiring that they be retained because some steelhead trout caught in troll and net fisheries can be released unharmed.

The sale of steelhead trout caught in commercial gillnet and purse seine fisheries has been prohibited since 1994. The harvest of steelhead trout reported in all commercial salmon fisheries has declined from an average of about 4,000 fish from 1980-1993 to 295 fish per year since as reported on ADF&G fish tickets.

DEPARTMENT COMMENTS: The department submitted and continues to SUPPORT this proposal. The department considers this to be a housekeeping regulation needed to provide information on new or developing fisheries.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

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**Methods and Means:**

**PROPOSAL 207, PAGE 153. - 5 AAC 47.023(b)(6) Special provisions for seasons, bag, possession, and size limits, and methods and means for the freshwaters of the Southeast Alaska Area.** Amend this regulation to include the following:

Sport fishing gear on the Situk River will be restricted to single hook only.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict sport fishing terminal gear on the Situk River to a single hook.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 75.020. Sport Fishing gear. (a) Unless otherwise provided in 5 AAC 47 – 5 AAC 75, sport fishing may only be conducted by the use of a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. 5AAC 75.022(a) Unless otherwise provided in 5AAC 47-5AAC 75, a person may not fish in fresh water with (1) fixed or weighted hooks and lures, except those of standard manufacture; (2) multiple hooks with a gap between point and shank larger than one-half inch.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Sport anglers would be prohibited from using double or treble hooks or lures in the Situk River. This proposal addresses a concern with illegal harvest by snagging and with wounding and mortality of released fish. There is anecdotal evidence suggesting that adopting this proposal would reduce foul hooking related injuries, however the extent is unknown. Adoption of this proposal would result in a reduction in fishing opportunity for anglers who use multiple hooks in the Situk River

BACKGROUND: The Situk River is a small drainage with high seasonal abundance of steelhead trout and king, sockeye, pink and coho salmon. All Situk River fish stocks are healthy and established escapement goals are being met. The Situk River has experienced two consecutive years of record steelhead runs. During 20004, 7% of steelhead trout randomly sampled were wounded or scarred owing to hooks. The department issued emergency orders in 2004 (closing the upper river to sport fishing) and 2005 restricting the sockeye and king salmon fisheries due to low water flows. The department was concerned that fishing and non-targeted foul hooking would cause fish to be stressed and potentially reduce spawning success. Studies of hook and release mortality generally indicate that survival of steelhead trout and salmon caught with treble hooks is similar to survival with fish caught on single hooks. There are no known studies that have evaluated the increased proportion of fish unintentionally snagged using treble hooks versus a single hook, however it is suspected that snagging would be more common with use of treble hooks.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. The hook and release mortality of fish caught in the mouth is not expected to be diminished by adoption of this proposal. There may be some reduction in snagging and mortality of snagged and released fish if double or treble hooks are eliminated from use.

COST STATEMENT: The department believes that adoption of this proposal will result in a minor increase in additional direct costs for a private person to participate in this fishery.

**PROPOSAL 210, PAGE 155. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the saltwaters of the Southeast Alaska Area; and 5 AAC 47.023 Special provisions for seasons, bag, possession, and size limits, and methods and means for the freshwaters of Southeast Alaska.** Amend this regulation to include the following:

Sport fishing for all species within Peterson Creek is catch and release only and in the salt waters within 150 yards of the mouth. The harvest of chum salmon while sport fishing in salt water within 150 yards of the mouth would be allowed.

PROPOSED BY: Tony Soltys.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a catch and release fishery for all species in Peterson Creek, and in the salt waters within 150 yards of the mouth; however anglers would be allowed to harvest chum salmon in the salt waters within 150 yards of the creek mouth during the time period that enhanced chum salmon are present.

WHAT ARE THE CURRENT REGULATIONS? The following sport fishery bag and possession limits apply at Peterson Creek sport fishing:

- Coho salmon: 2 daily, 2 in possession for fish 16 inches or longer (Juneau road system regulation)
- Pink and chum salmon: 6 daily, 6 in possession 16 inches for fish 16 inches or longer. (Region wide regulation)
- Cutthroat trout and rainbow trout (in combination): 2 daily, 2 in possession, 14-inch minimum and 22 inch maximum size limit. (Juneau road system regulation)
- Steelhead – 1 daily, 1 in possession, annual limit of 2 fish, minimum size limit of 36 inches. (Region wide regulation)

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Harvest of all species would be eliminated. Coho salmon escapement would likely increase by a small amount. The harvestable surplus would not be utilized in years when a surplus exists. The effect on steelhead, cutthroat and rainbow trout stocks would be small given low harvests and restrictive harvest regulations.

BACKGROUND: Peterson Creek is a small but productive stream located on the Juneau road system approximately 25 miles north of Juneau. Anglers target coho salmon, chum salmon, steelhead, cutthroat trout and Dolly Varden. Fishing occurs throughout the stream as well as in a saltwater area at the creek mouth. Anglers fishing at the mouth



primarily target hatchery chum salmon returning to Amalga Harbor, but also target steelhead and coho salmon.

The average annual sport fishing effort at Peterson Creek during the past 5 years was approximately 1,300 angler days, or about one-half the effort that occurs at either of Juneau's two most popular streams, Montana Creek and Cowee Creek. Annual coho salmon counts over the past 10 years have ranged from 102 to 284 fish. Although these counts have trended lower since the early 1990's, all counts have been within or above the escapement goal range of 100-250 fish. The average annual coho salmon harvest at Peterson Creek over the past five years was approximately 84 fish.

Peterson Creek provides one of the few opportunities to fish for steelhead in the Juneau area. Weir counts of steelhead escapement to Peterson Creek in 1989, 1990 and 1991 were 222, 179 and 218 respectively. Snorkel survey counts of spawning steelhead ranged from 13 to 41 fish between 1997 and 2005. These counts have been relatively stable although the two lowest counts occurred in 2002 and 2005. Cutthroat trout in Peterson Creek have not been evaluated.

Regulations for special management in Southeast Alaska have been adopted only in Montana Creek where bait is prohibited year round; and in 13 "trophy" cutthroat trout lakes of which twelve have minimum size limits of 25 inches and one is catch and release only for trout. There are no catch and release only special management regulations in any SE waters.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal as it is a request for special management and there are no known conservation or biological concerns for Peterson Creek stocks.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 211, PAGE 156. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.** Amend the regulations to include the following:

Snagging and the use of bait would be prohibited within 150 yards of Peterson Creek; snagging would be allowed when chum salmon are present and steelhead and coho salmon are absent.

PROPOSED BY: Tony Soltys.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit snagging and the use of bait in a saltwater area within 150 yards of the mouth of Peterson Creek. Snagging would be allowed only when chum salmon are present and steelhead or coho salmon are not present.

WHAT ARE THE CURRENT REGULATIONS? Current regulations prohibit snagging year round in freshwater. Bait is allowed in Peterson Creek from September 15-November 15, but is prohibited year round in the Peterson Creek lagoon. Snagging and the use of bait are allowed in saltwater, including the salt waters near the mouth of Peterson Creek.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Sport fishing effort at Peterson Creek is relatively low compared to other streams on the Juneau road system. Fishing occurs throughout the creek, but the proportion of activity that occurs in salt water at the creek mouth is not known. Therefore, the level of harvest that would be curtailed as a result of this proposal is also not known, but it would be small relative to the total harvest for the Juneau road system.

BACKGROUND: Peterson Creek is a small but productive stream located on the Juneau road system approximately 25 miles north of downtown Juneau. Before draining into Amalga Harbor, the stream enters a small lagoon that receives reverse flow during the highest of tidal stages. Anglers target coho salmon, chum salmon, steelhead, cutthroat trout and Dolly Varden throughout the stream, the lagoon and the saltwater area near the creek mouth

Amalga Harbor is a chum salmon hatchery release and cost recovery site for Douglas Island Pink and Chum (DIPAC) Inc. In mid-summer, large numbers of chum salmon return and are harvested at the head of the bay where Peterson Creek empties into salt water. Sport fishing effort at the creek mouth increases during the mid-summer months when chum salmon are present, and snagging is a common harvest method. Anglers target steelhead prior to the arrival of chum salmon. It is not known if coho salmon are harvested by sport anglers while chum salmon are present. However they are taken as

bycatch during the chum salmon cost recovery fishery, thereby indicating their run timing overlaps that of the hatchery chum salmon.

This proposal identifies snagging at the mouth of Peterson Creek as a problem, citing interference with traditional sport fishing methods and safety issues, as well as concern over the creek's small size, small run of steelhead and declining runs of coho salmon.

Annual index surveys of escapement for coho salmon, conducted since 1981 have trended lower over the past 10 years, although all counts have been within or above the escapement goal range. Weir counts of steelhead escapement averaged 206 fish in 1989, 1990 and 1991. Annual stream survey counts for steelhead conducted since 1997 appear relatively stable although the two lowest counts occurred in 2002 and 2005.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal; presently there are no conservation or biological concerns for Peterson Creek stocks.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 212, PAGE 157. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the saltwaters of the Southeast Alaska Area; and 5 AAC 47.023 Special provisions for seasons, bag, possession, and size limits, and methods and means for the freshwaters of Southeast Alaska.** Amend this regulation to include the following:

In the intertidal area at the mouth of Fish Creek, Douglas Island, snagging, attempting to snag and the use of gear intended for snagging is prohibited.

PROPOSED BY: Brad Elfers, David McKenna, Chris Zimmer.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit snagging, attempting to snag, and the use of gear intended for snagging, in an intertidal area at the mouth of Fish Creek on Douglas Island.

WHAT ARE THE CURRENT REGULATIONS? Snagging or attempting to snag fish in freshwater is prohibited statewide. Snagging is legal in saltwater. The regulatory boundary for freshwater at the mouth of a creek is defined as a line between extremities of the latter's banks at a mean low tide or at a point to be determined and adequately marked by the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would prohibit snagging and retention of unintentionally snagged fish in an intertidal area at the mouth of Fish Creek. A reduction in harvest may occur, but it is not quantifiable since the proportion of the harvest caught at the creek mouth and the amount of snagging activity is not known.

BACKGROUND: Fish Creek is one of three remote release sites for the department funded king salmon enhancement program in the Juneau area. The creek receives high levels of effort from anglers targeting the hatchery king salmon that return there. The most popular fishing sites are a gravel pit pond (Fish Creek Pond) located adjacent to the creek at the head of the estuary and the site where hatchery smolt are released, and a roughly 100 yard reach further downstream at the entrance to the estuary. All king salmon returning to Fish Creek are of hatchery origin. During the last five years, anglers fishing at Fish Creek have expended an average of roughly 2,300 angler days of effort and harvested an average of 843 king salmon.

The department has issued various emergency orders to liberalize sport fishing methods and means at Fish Creek to increase harvest opportunity on these hatchery fish. In 1994, the use of bait was allowed in Fish Creek Pond, and the fresh water regulatory boundary was placed upstream from salt water at a point immediately below the pond outlet. In

1997 snagging was also permitted, with the pond and all waters downstream under saltwater regulations.

During 2004 and 2005 the department received requests from anglers fishing at the mouth of the estuary for a snag-free zone, claiming snagging activity along the short reach of shoreline was interfering with their traditional sport fishing methods. As a result of these requests, in 2005, the department defined the freshwater boundary at a point 200 yards downstream of the mouth of the estuary and therefore snagging was prohibited in this area. The use of bait and snagging in Fish Creek Pond were maintained.

DEPARTMENT COMMENTS: The department SUPPORTS the intent of this proposal. The department has, in the past, allowed snagging in the lower portion of Fish Creek by EO in an effort to harvest surplus hatchery fish. The department does not plan to open this area to snagging in the future. Therefore, this proposal is unnecessary since the desired regulatory action (no snagging) will already be in effect.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 213, PAGE 158. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area; and 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.**  
Amend this regulation to include the following:

Snagging in the area around the mouth of Salmon Creek within Gastineau Channel is prohibited.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit snagging in an area at the mouth of Salmon Creek in Gastineau Channel.

WHAT ARE THE CURRENT REGULATIONS? Current statewide regulations allow snagging in salt water. Statewide freshwater regulations prohibit snagging, and the use of fixed or weighted hooks and lures, multiple hooks with gap between point and shank larger than one-half inch. The regulatory boundary for fresh water at a creek mouth, is defined as a line between extremities of the creek's banks at mean low tide or at a point to be determined and adequately marked by the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Prohibiting snagging in this area may result in a reduction of harvest. However the amount of sport fishing activity that occurs in this small portion of Gastineau Channel is not known, and therefore the reduction in harvest cannot be quantified.

BACKGROUND: Salmon Creek is a small stream that flows into Gastineau Channel roughly one-half mile from Macaulay Hatchery operated by Douglas Island Pink and Chum Inc. A waterfall located just over ¼ mile upstream from saltwater is a barrier to all anadromous fish species. Salmon returning to Macaulay Hatchery stray into the creek and mill in Gastineau Channel near the creek mouth. In recent years, roughly 170,000 chum salmon, 2,000 king salmon, and 35,000 coho salmon have returned annually to the terminal area surrounding Macaulay Hatchery. Anglers fishing at the creek mouth and in the channel target these fish. The area identified in this proposal includes, by regulatory definition, both fresh and salt water.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal as it is designating a special management area. The snagging and retaining of fish hooked other than in the mouth is permitted in salt water statewide.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 218, PAGE 162. 5 AAC 47.023(h)(1)(A-B). Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to include the following:

From June 21 through July 15, except during periods established by emergency order, a person may not intentionally snag, attempt to snag, or retain a salmon hooked other than in the mouth.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would make it illegal to snag in Blind Slough during the time when king salmon are returning to Crystal Lake Hatchery. This will help ensure that brood stock needs are met. During years with no concern for the brood stock, the department will open Blind Slough to snagging by emergency order. This proposal would also increase the time period during which it is legal to fish with bait in Blind Slough.

WHAT ARE THE CURRENT REGULATIONS? In Blind Slough, upstream of a line between Blind Point and Anchor Point, it is legal to retain salmon that are not hooked in the mouth. Snagging is prohibited in all other freshwaters of SE Alaska, except when allowed by emergency order to harvest excess hatchery fish. The use of bait is allowed in Blind Slough from June 16 to October 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The primary reason for this proposal is to ensure that the king salmon egg take goals for Crystal Lake Hatchery are met. The department would utilize improved management tools to achieve annual brood stock goals and anglers would be provided clear regulations about legal methods and means. The effects would include providing anglers efficient means for harvesting king salmon when they are in bright condition and attaining brood stock goals by reducing the levels of snagging injuries and unwanted mortalities on pre-spawning fish.

BACKGROUND: Snagging is prohibited in freshwater throughout Southeast Alaska, with the single exception of Blind Slough. The Blind Slough exception was originally put into regulation in 1989 to provide harvest opportunity for increasing returns of Crystal Lake hatchery king salmon that were surplus to hatchery brood stock needs

However, during years of smaller king salmon returns and/or when warm weather and water conditions lead to die-offs (as occurred in 2003 and 2004), the hatchery could not meet its egg take goals. The practice of snagging and releasing king salmon, which is a common occurrence later in the run, contributes to mortality and brood stock shortages.

DEPARTMENT COMMENTS: The department submitted this proposal and continues to SUPPORT it. The modification of regulations providing anglers the opportunity to efficiently harvest surplus king salmon, and ensure the ability of Crystal Lake Hatchery to meet brood stock goals are concepts fully endorsed by the department.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**PROPOSAL 221, PAGE 164. 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to include the following:

The use of bait while sport fishing in the Harris River is prohibited.

PROPOSED BY: Dan Arrant.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of bait on the Harris River.

WHAT ARE THE CURRENT REGULATIONS? The use of bait is allowed on the Harris River from September 15 through November 15 and prohibited for the remainder of the year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The proposed regulations would reduce harvest opportunity for, and likely reduce the harvest of, Harris River coho salmon. This proposal may cause fishing effort to shift from the Harris River to streams with more liberal methods and bag limits.

BACKGROUND: The Harris River, located on Prince of Wales Island near the community of Hollis, is easily accessible by paved road at several locations. The Harris River is a very popular stream for anglers. SWHS estimates of fishing effort and harvest of coho salmon have increased over the last 15 years. The Harris River is thought to produce a few thousand adult coho salmon annually. The Department and the U.S. Forest Service (USFS) have conducted coho escapement surveys on the Harris River since 1990. Annual survey counts exhibit a variable trend. Bait is not allowed in most Southeast streams during the majority of the year as a measure to protect trout and steelhead. The “bait window” in the fall was specifically implemented on many Southeast stream by the Board to improve sport fishing opportunity for coho salmon.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There are no known conservation concerns for coho salmon in the Harris River. Fishing effort and coho salmon harvests on the Harris River are increasing. However, annual survey counts on the Harris River indicate that coho spawning levels are variable – not increasing or decreasing – and exhibit a trend similar to other systems surveyed on POW. Trends in SWHS angler effort and coho salmon harvest on the Harris River are also similar to trends for the entire POW area, although the percentage of the freshwater coho harvest in the POW area that comes from the Harris River has increased.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

## Chilkoot River

**PROPOSAL 208, PAGE 154. 5 AAC 47.023(c)(1). Special provisions for seasons, bag, possession, and size limits, and methods and means for freshwaters of the Southeast Alaska Area.** Amend the regulations to include the following:

Sport fishing within the Chilkoot River drainage is permitted from 6:00AM through 9:00PM from June 1 through August 31 and from 7:00AM to 7:00PM from September 1 through October 31.

PROPOSED BY: Tim McDonough.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the hours that sport fishing is allowed in the Chilkoot River drainage as follows:

From June 1 through August 31, 6:00 AM through 9:00 PM

From September 1 through October 31, 7:00 AM through 7:00 PM.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Chilkat River drainage are open to sport fishing 24 hour a day, seven days a week, with one exception. There is a department weir operated on the river primarily to count sockeye salmon from June 1 through approximately September 10. Anglers may not fish within 300 feet of the weir when it is operating.

WHAT WOULD THE EFFECT BE IF THE PROPOSAL WERE ADOPTED? If adopted, effort, catch and harvest would be reduced by some undetermined amount. Angling opportunity would be reduced by approximately 40%.

BACKGROUND: Chilkoot Lake is located 10 miles north of Haines and is easily accessed by road. Sockeye salmon returning to Chilkoot Lake support local commercial, sport, and subsistence fisheries. The lake outlet (Chilkoot River) drains 1 mile into Lutak Inlet and is closely paralleled by road. Because of the accessibility of the system and its proximity to Whitehorse, YT, this drainage supports the second largest freshwater sport fishery in Southeast Alaska.

The intent of this proposal is to reduce bear-human conflicts along the Chilkoot River. However, as written, the proposal would limit sport fishing in the entire drainage including Chilkoot Lake, which is only accessible by boat. During the past 10 years, the number of bears feeding along the Chilkoot River has increased. As a result, there has

been a dramatic increase in the number of visitors (both independent and commercial tours) coming to the area to view bears. Since 1995 there have been 3-5 bears killed in defense of life and property in the Chilkoot River area. Hunting is closed within ¼ mile of Lutak Road and the Chilkoot River bridge. This effectively closes hunting along the Chilkoot River.

The Chilkoot River Corridor Working Group was formed in 2000 to develop strategies to reduce negative bear-human interactions. The group is comprised of staff from multiple resource agencies as well as local government, residential, business, conservation, and native organizations. The group developed a list of voluntary guidelines to reduce negative bear-human interactions that includes a recommendation to “avoid fishing early in the morning or late at night, because this is when bears are most active and difficult to see”. In addition, a “bear monitor” position, supervised by Alaska State Parks and partially funded by the department, has been stationed along the Chilkoot River during the peak of the season since 2002. The purpose of the monitor is to educate and manage bear viewing and sport fishing activities to reduce negative bear-human incidents.

The only sport fisheries in Alaska that have nighttime closures are in the Anchorage and Matanuska/Susitna valley areas. These closures were implemented for enforcement purposes and/or to slow/reduce the harvest of salmon.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department recognizes that fishing in Alaska poses an inherent risk of encountering wildlife. The department supports the actions taken by the Chilkoot River Corridor Working Group and the Alaska State Parks to reduce bear-human interactions on the Chilkoot River. Closing all or a portion of the Chilkoot River drainage during the season to anglers is not necessary to ensure that Chilkoot River spawning escapement goals are achieved.

COST ANALYSIS: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

## Possession Limits

**PROPOSAL 201, PAGE 147. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits and methods and means for the salt waters of the Southeast Alaska Area, and 5AAC 47.023 Special provisions for the seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.**  
Amend the regulations to include the following:

Possession limits in Southeast Alaska waters are defined as the maximum number of fish a person may possess until returning to their domicile.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? Define possession limits in Southeast Alaska as the maximum number of fish a person may have in their possession until returning to their domicile.

WHAT ARE THE CURRENT REGULATIONS? Possession limit is defined as the maximum number of unpreserved fish that a person may have in possession [5 AAC 75.995 (20)]. Preserved fish must be prepared in a manner as to be fit for human consumption after a 15-day period [5 AAC 75.995 (21)].

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would reduce the number of fish harvested by recreational anglers who freeze or otherwise preserve fish before they return to their domicile. The proposed definition of possession would apply to Alaska resident, nonresident, guided and unguided anglers. The department has no way to assess the magnitude of the potential harvest reduction, however, it is expected that nonresident anglers would sustain the largest reduction.

BACKGROUND: The issue being addressed by this proposal is the perception that sport harvest is not counted accurately, especially the harvest of guided and nonresident anglers. The submitters of this proposal, are concerned that this could cause stock declines especially in years of low fish abundance. Currently, freshwater fishing guides and saltwater charter operators are required to record fishing effort, fish harvest, and catch data in logbooks on a daily basis. Logbook data for charter trips through September 30 of each year must be submitted by October 15. In 2006, logbook reporting standards will be changed to require weekly submittal of logbooks as well as recording of catch by individual anglers that will be identified by name and fishing license number. The department also conducts on-site creel surveys in all the major ports of SE Alaska. During creel surveys, the size and species composition of the catch is sampled, and

estimates of effort, harvest, and catch are obtained for guided and unguided anglers. In addition, the department conducts an annual postal survey of a portion of all license holders to estimate catch, harvest and effort for resident and nonresident anglers in all areas of the state.

DEPARTMENT COMMENTS: The Department is OPPOSED to this proposal because we are unable to determine how such a regulation could be successfully monitored and enforced. Harvest in sport fisheries is controlled by bag, possession, and annual limits, methods and means, and time and area closures that are established either in regulation or by emergency order. Where and how fish are transported, and in what quantity does not affect the department's ability to achieve escapement objectives or manage for sustained yield. The best data available indicates that salmon escapements are being met in the Southeast Alaska Area, we have no stocks of concern in the region, and this proposal addresses no specific conservation issue. In addition, this proposal seeks to change the statewide definition of "possession" only for Southeast Alaska (5 AAC 75.995). The department believes that any change of a statewide definition is more appropriately made at the Statewide Board meeting. If the objective of this proposal is to allocate fish between sport and other gear groups, the department requests that the board consider doing so under existing sport fishing regulations such as differential annual limits or bag and possession limits.

COST STATEMENT: Approval of this proposal may result in additional costs for these private persons to participate in this fishery. Resident and non-resident anglers who fish away from their domicile may find it necessary to make multiple trips to their domicile or ship their catch to their domicile for the purpose of preserving the catch under the proposed definition of possession.

## Salmon

**PROPOSAL 202, PAGE 148. 5 AAC 47.030. Methods, means, and general provisions – finfish.** Amend this regulation to include the following:

Retention of all salmon that are mortally injured is required.

PROPOSED BY: Monte Mitchell.

WHAT WOULD THE PROPOSAL DO?: This proposal would require sport anglers to keep all salmon that are mortally injured. Once an angler reaches their limit, they may continue fishing if they have a bycatch tag in their possession. The proposal appears to be directed toward all salmon sport fishing in Southeast Alaska but the proposal specifically cites the high mortality of undersized king salmon in Taiya Inlet.

WHAT ARE THE CURRENT REGULATIONS?: King salmon must be 28 inches or greater in length. The 28 inch minimum length limit has been in place in Southeast Alaska since 1977. King salmon bag, possession, and annual limits are established each year by emergency order as specified in the Southeast Alaska king salmon management plan 5 AAC 47.055. In addition, special regulations are implemented by emergency order in terminal hatchery areas to increase bag, possession, and annual limits and allow retention of king salmon less than 28 inches in length under provisions in 5AAC 47.055 (h) and 5AAC 75.003 (2) (B).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? : This regulation as written would increase the harvest of salmon in Southeast Alaska. The magnitude of the harvest increase is difficult to predict but would probably be a small proportion of the number of fish released each year. An average of 33,000 large and 59,800 small Chinook are released each year. In the Skagway area, 300 large and 1,400 small king salmon are released each year.

BACKGROUND: The CPUE of undersized king salmon in Taiya Inlet is much higher than the regional average. The stock composition of undersized king salmon caught in Taiya Inlet is primarily comprised of local hatchery fish, wild Chilkat River fish, and other Southeast Alaskan hatchery stocks. King salmon regulations are typically liberalized (including retention of fish less than 28 inches in length) by emergency order in the Taiya Inlet terminal hatchery area (THA) and other terminal hatchery areas during June and July each year to harvest surplus hatchery fish.

This proposal also has Pacific Salmon Treaty implications because it would result in an increased harvest of treaty fish. The increase would be large if the regulation applied to all of Southeast Alaska. The Chinook Technical Committee of the Pacific Salmon Commission currently assumes a 12.3% mortality rate for king salmon caught and released in Southeast Alaska by sport fishery. Under this proposal the number of fish released would decrease and the number of fish harvested increased.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The regulation would be difficult to enforce because an enforcement officer would have to determine whether a released or retained undersized fish was mortally injured. Additionally, the Board of Fisheries does not have the authority to implement a fee for a “bycatch” tag; this requires legislative action

COST STATEMENT: This regulation would require anglers to purchase a bycatch tag to fish in Southeast Alaska.

**PROPOSALS 203 and 204, PAGES 149 and 150. 5 AAC 47.030. Methods, means, and general provisions – finfish; and 5 AAC 75.026. Use of sport-caught fish as bait.** Amend the regulations to allow the following:

Allow the use of sport caught pink and chum salmon for bait.

PROPOSED BY: Monte Mitchell, Sitka Charter Boat Operators Association, and the Petersburg Charter Boat Association.

WHAT WOULD THE PROPOSAL DO?: These proposals would allow the use of sport caught pink and chum salmon as bait.

WHAT ARE THE CURRENT REGULATIONS?: 5 AAC.75.026 (a) states “Unless provided in this section, sport-caught fish taken under 5AAC 47–5AAC 75, may not used as bait.” 5 AAC 75.026(b) further states that “Whitefish, herring, and other species of fish for which no seasonal or harvest limits are specified under sport-caught fish taken under 5 AAC 47 –5AAC 75, as well as the head, tail fins, and viscera of any legally taken sport-caught fish taken under 5 AAC 47 –5 AAC 75, may be used for bait or other purposes.” Because bag limits are provided for salmon, sport caught pink and chum salmon may not be used for bait. In addition, 5 AAC 93.310 (a) disallows the waste of salmon unless specifically allowed in 5 AAC 93.310 – 5 AAC 93.390. 5AAC 93.350 The specifically allows salmon taken in a hatchery cost recovery fishery, or in commercial, personal use, or subsistence fishery (but not a sport fishery) to be used as bait.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? : These regulations would probably increase the harvest of pink and chum salmon. The magnitude of the increased harvest is impossible to predict.

BACKGROUND: Regulations since statehood have prohibited waste of sport caught fish. For at least the last 25 years, using sport caught fish as bait (other than non-edible portions of the fish) has been considered to be waste.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. Waste of salmon is prohibited in statute, and statewide regulations disallow the use of sport caught species as bait. However, the statute on waste of salmon (AS 16.05.831) authorizes the commissioner, rather than the Board, to authorize other uses of salmon that would be consistent with maximum and wise use of the resource. The commissioner has provided exceptions to the regulations on waste in 5AAC 93.310 and 5 AAC 93.350. One of these exceptions specifically allows salmon caught in commercial, subsistence,



and personal use fisheries to be used as bait – but not sport fisheries. 5 AAC 93.350(a). In the opinion of the Department of Law, the Board could only adopt this proposed regulation if the Commissioner first adopted regulations, through the Administrative Procedures Act, to allow sport-caught pink and chum salmon to be used as bait. If the Board wishes to proceed with this regulation, the Department recommends that the Board make this request of the Commissioner, and then take action to establish specific area or species restrictions, or to make the adoption of any such regulation contingent on future regulatory action by the Commissioner.

In Southeast Alaska, the use of pink and chum salmon caught in sport fisheries as bait will not cause any conservation concerns. If a conservation issue arises, the department could reduce bag limits or close the fishery by emergency order.

COST STATEMENT: The department does not believe that approval of these proposals will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 199, PAGE 146. 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of Southeast Alaska Area.** Amend the regulations to allow the following:

The bag limit for coho salmon in salt waters is 10 per day.

PROPOSED BY: Jim Roesch.

WHAT WOULD THE PROPOSAL DO?: This proposed regulation would increase the bag limit for coho salmon in salt waters to ten per day.

WHAT ARE THE CURRENT REGULATIONS?: Unless otherwise specified, all salmon, other than king salmon; may be taken from January 1 – December 31; no annual limit; bag and possession limits, as follows:

- (A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;
- (B) less than 16 inches in length; bag limit and possession limit of 10 fish in combination.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? : By evaluating the proportion of fishing parties that currently catch their 6-fish bag limit, we estimate that this proposal could potentially increase the sport harvest of coho salmon by about 4-8%.

BACKGROUND: There are currently no conservation concerns with coho salmon in Southeast Alaska. In recent years, coho salmon runs in the region have been high and escapement goals have generally been met or exceeded. The marine sport harvest of coho salmon has averaged about 250,000 coho salmon over the past five years.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal due to its allocative nature.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 206, PAGE 153. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.** Amend the regulations to allow the following:

The bag and possession limit for coho salmon 16 inches or greater in length is 6 fish.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Repeal 5 AAC 47.021 (2). The bag and possession limits for coho salmon 16 inches or greater in length in Yakutat Bay would be 6 fish.

WHAT ARE THE CURRENT REGULATIONS? The existing regulations for coho salmon in Yakutat Bay allow a bag and possession limit of two coho salmon greater than 16 inches in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The bag and possession limit for coho greater than 16 inches in length would be six fish, consistent with region wide regulations. No increase in harvest is expected because the bag limit listed in the regulation booklets has been 6 fish. No stock conservation issues are expected as a result of this regulation.

BACKGROUND: The 2-fish bag and possession limit for coho salmon in Yakutat Bay is in error. The regulation appeared about 1988 as an unintended administrative error and has continued unnoticed until recently. The regionwide 6 fish bag limit has always been listed in the department's Sport Fishery regulation booklet.

DEPARTMENT COMMENTS: This is a department proposal and we continue to SUPPORT it. This proposal was submitted as a housekeeping proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 220, PAGE 163. 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

The bag limit for coho salmon in the Harris River is three fish.

**PROPOSED BY: Dan Arrant.**

**WHAT WOULD THE PROPOSAL DO?** This proposal would lower the daily bag and possession limits for sport caught coho salmon on the Harris River to 3 per day, 6 in possession.

**WHAT ARE THE CURRENT REGULATIONS?** Current bag and possession limits for coho salmon in the Harris River are the region wide limits of 6 per day greater than 16 inches, 12 in possession.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** The proposed regulations would reduce harvest opportunity for, and likely reduce the harvest, of Harris River coho salmon. This proposal may cause fishing effort to shift from the Harris River to streams with more liberal methods and bag limits.

**BACKGROUND:** The Harris River, located on Prince of Wales Island near the community of Hollis, is easily accessible by paved road at several locations. The Harris River is a very popular stream for anglers. SWHS estimates of fishing effort and harvest of coho salmon have increased over the last 15 years. The Harris River is thought to produce a few thousand adult coho salmon annually. The Department and the U.S. Forest Service (USFS) have conducted coho escapement surveys on the Harris River since 1990. Annual survey counts exhibit a variable trend.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal. There are no known conservation or biological concerns for coho salmon in the Harris River. Fishing effort and coho salmon harvest on the Harris River are increasing. However, annual survey counts on the Harris River indicate that coho spawning levels are variable – not increasing or decreasing – and exhibit a trend similar to other systems surveyed on POW. Trends in SWHS angler effort and coho salmon harvest on the Harris River are also similar to trends for the entire POW area, although the percentage of the freshwater coho harvest in the POW area that comes from the Harris River has increased.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 219, PAGE 163. 5 AAC 47.023. . Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

The bag and possession limit for sockeye salmon in the Sweetwater Lake drainage is three per day, six in possession. From June 1 through July 31 a 300 yard sport fishing closure will be imposed near the partial barrier falls.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Lower the bag and possession limits for sport caught sockeye salmon in the Sweetwater Lake drainage to 3 per day, 6 in possession, and close a small section (approximately 850 feet) of Hatchery Creek near a partial barrier falls to all sport fishing from June 1 through July 31.

WHAT ARE THE CURRENT REGULATIONS? Current bag and possession limits for sockeye salmon are the regionwide limits of 6 per day greater than 16 inches, 12 in possession. There are no special exceptions to regionwide regulations for salmon in Sweetwater Lake drainage, including Hatchery Creek. There are no areas closed to sport fishing near the barrier falls.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The proposed regulation would reduce the harvest and mortality of sockeye salmon in the Sweetwater Lake drainage, including Hatchery Creek, and increase escapements to the upper Hatchery Creek watershed. This proposal may cause angler effort to shift to watersheds with more liberal limits.

BACKGROUND: The Sweetwater Lake drainage, located on Prince of Wales Island (POW) flows into Clarence Strait near the community of Coffman Cove. Hatchery Creek, one of two main tributaries to Sweetwater Lake, contains three anadromous lakes in its upper watershed and is an important producer of sockeye salmon. A set of two falls on Hatchery Creek, located about one mile upstream of Sweetwater Lake, pose a partial barrier to fish accessing the upper watershed. In 1981, the U.S. Forest Service constructed a gabion fish ladder at the upper falls, modifying the falls in the process. The ladder failed in the first year of operation and the falls remain an obstacle to upstream migration, likely delaying fish passage for days.

Hatchery Creek sockeye are popular with both personal use (dip net) and sport anglers. Effort and harvest by both user groups has increased on this stock of sockeye in recent years and coincides with improved access from road construction and a Forest Service boardwalk built across a muskeg to the base of the falls. The majority of sport and personal use effort and harvest occurs at the base of the falls.

Observations of sockeye at the base of the falls during June and July provide the best indicator of run strength available; sporadic surveys of Hatchery Creek conducted in the past do not provide a reliable index of spawning escapement. Hatchery Creek sockeye enter freshwater as early as May (likely the earliest returning sockeye run on the island) and usually appear in large numbers in June at the falls. By the end of July the migration past the falls is usually complete. Coho salmon begin to arrive at the falls in late July and there is usually some overlap with the sockeye run. Observations by ADF&G staff have indicated a reduction in the number of sockeye present at the falls in June and July since the late 1990s. Reports from POW residents support staff observations, and suggest that sockeye runs in Hatchery Creek have declined since the 1980s.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to SUPPORT it. Concerns over increasing effort and harvest, combined with observations of declining numbers of sockeye salmon in Hatchery Creek, prompted in-stream closures at the Hatchery Creek falls and bag limit reductions in the Sweetwater drainage, as proposed, by emergency order in 2003, 2004, and 2005. This closure at the falls appeared to be very effective at reducing harvest, mortality and stress on migrating sockeye salmon yet did not preclude opportunity in the remainder of the watershed for sport anglers targeting other species. The department also recommends that the area be closed to personal use dip netting.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 214, PAGE 159. 5 AAC 47.021(g)(4). Special provisions for seasons, bag, possession, and size limits and methods and means for the salt waters of the Southeast Alaska Area, and 5AAC 47.023 Special provisions for the seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.**  
Amend the regulations to include the following:

Allow sport fishing for sockeye salmon in the Sitkoh Lake drainage.

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would rescind the closure of the sockeye sport fishery in the Sitkoh Lake drainage and Sitkoh Bay.

WHAT ARE THE CURRENT REGULATIONS? Sitkoh Lake drainage and Sitkoh Bay are both closed to sport fishing for sockeye salmon.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would restore angling opportunity in the Sitkoh Lake area. The regionwide bag limit of 6 sockeye salmon greater than 16 inches and possession limit of 12 would apply in these waters. There will be an unknown increase in harvest, but department data indicate that there is a harvestable surplus available.

BACKGROUND: Aerial and foot counts in the mid 1980s indicated a low number of escaping sockeye. This, in conjunction with anecdotal information from the public, led to concern over the sustainability of the Sitkoh sockeye population. Regulations adopted in 1989 closed the Sitkoh Lake drainage and Sitkoh Bay to sport fishing for sockeye salmon and prompted an administrative closure of the Sitkoh subsistence fishery. In 1995, the department began conducting annual mark recapture experiments to estimate the Sitkoh Lake sockeye escapement. These estimates of escapement indicate that the Sitkoh Lake sockeye population is healthy and a harvestable surplus is available. In 2001, the subsistence fishery was reopened administratively.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal due to allocative aspects relative to subsistence use. The department at this time can not determine the amount of harvest that might occur with the sport fishery.

COST ANALYSIS: The department does not believe that approval of this proposal would result in no additional direct cost for a private person to participate in this fishery.

**PROPOSAL 215, PAGE 160. 5 AAC 47.023(g)(4). Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

Allow sport fishing for pink salmon in Starrigavan Creek.

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the pink salmon fishing closure in Starrigavan Creek.

WHAT ARE THE CURRENT REGULATIONS? Starrigavan Creek is closed to sport fishing for all salmon species. All salmon caught by sport anglers must be released immediately.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would increase fresh water angling opportunity on the Sitka road system. The region wide bag limit of 6 pink salmon greater than 16 inches and possession limit of 12 pink salmon would apply in Starrigavan Creek. Pink salmon harvest would be increased by an unknown amount, but the department has no conservation concerns for this stock.

BACKGROUND: In 1969, salmon fishing was closed in Starrigavan Creek due to concern over low salmon escapement counts. Peak pink salmon escapement counts averaged less than 2,100 fish from 1960 to 1968. Since 1994, pink salmon escapement counts have averaged 100,000 in Starrigavan Creek (low of 42,000 in 2000). These minimum estimates of escapement indicate that the Starrigavan pink salmon population is healthy and a harvestable surplus is available. In 2005, the department administratively opened a pink salmon subsistence/personal use pink salmon fishery in Starrigavan Creek.

DEPARTMENT COMMENTS: The department SUPPORTS reopening Starrigavan Creek to sport fishing for pink salmon. There is no biological reason to continue the sport fishing closure for pink salmon.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.



**PROPOSAL 217, PAGE 161. 5 AAC 47.023(g). Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

The bag limit for king salmon 28 inches or greater in length is five fish and the bag limit for king salmon less than 28 inches in length is five fish for all freshwaters draining into the Sitka Sound Special Use Area.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a bag limit of five king salmon 28 inches or greater in length, and five king salmon less than 28 inches in length, for all fresh water systems draining into the Sitka Sound Special Use Area as described in 5AAC 47.021(g)(1).

WHAT ARE THE CURRENT REGULATIONS? King salmon fishing is closed in all fresh waters between Cape Fairweather and Dixon Entrance.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would increase fresh water angling opportunity and harvest of king salmon in the Sitka area and provide access to stray hatchery kings in Sitka area freshwater systems. It would also provide a stable regulatory framework for the public under which these fish may be harvested.

BACKGROUND: The fresh water systems that drain into the Sitka Sound Special Use Area do not support indigenous populations of king salmon. However, hatchery-produced king salmon stray into these systems from their production areas. Since 1995, ADF&G has opened Sawmill Creek and Salmon Lake drainage to king salmon fishing by emergency order when king salmon have been observed in these systems. For the last three years the emergency order for these two systems has established a bag and possession limit of ten king salmon of any size, and the nonresident annual limit for king salmon did not apply. The delay in establishing and publicizing emergency orders does not always provide maximum access to these fish as they enter fresh water.

DEPARTMENT COMMENTS: The department SUPPORTS this proposal as it would establish a stable regulatory framework as opposed to emergency orders which are issued annually. The department also suggests that king salmon harvested in these waters not count toward the nonresident annual limit. There would be no effect on Alaska's king salmon quota since these are all Alaska hatchery fish.

COST STATEMENT: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

**PROPOSAL 216, PAGE 160. 5 AAC 47.023(g)(4). ). Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

Open sport fishing for pink salmon within the Indian River upstream of the Sawmill Creek Road Bridge.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the pink salmon fishing closure in Indian River, upstream of the Sawmill Creek Road Bridge. Fishing for salmon in Indian River downstream of the Sawmill Creek Road Bridge will remain closed.

WHAT ARE THE CURRENT REGULATIONS? Indian River is closed to sport fishing for all salmon species. All salmon caught by sport anglers must be released immediately.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would increase angling opportunity for and harvest of pink salmon on the Sitka road system. The region wide bag limit of 6 pink salmon greater than 16 inches and possession limit of 12 pink salmon would apply in Indian River upstream of the Sawmill Creek Road Bridge.

BACKGROUND: In 1962, sport fishing for salmon was closed in Indian River due to low salmon escapements. From 1962 to 1993, peak escapement counts of Indian River pink salmon averaged 4,800 fish. In 1992 pink salmon passage was improved through a fish pass above Sheldon Jackson College Dam. Since 1994, peak counts have averaged 140,000 (low of 14,000 in 1995). These minimum estimates of escapement indicate that the Indian River pink salmon population is healthy and a harvestable surplus is available. In 2005, the department administratively opened a pink salmon subsistence/personal use pink salmon fishery upstream of the Sawmill Creek Road Bridge.

During the development of this proposal the Sitka Advisory Committee work group received a request from the Sitka National Historical Park that the area below the Sawmill Creek bridge remain closed to salmon fishing to minimize potential habitat damage and facilitate non-consumptive wildlife viewing opportunities within the Sitka National Historical Park. The Sitka Advisory Committee supported this request.

DEPARTMENT COMMENTS: The department SUPPORTS reopening Indian River to sport fishing for pink salmon. There is no biological reason to continue the sport fishing closure for pink salmon.

COST ANALYSIS: The department does not believe that approval of this proposal would result in additional direct cost for a private person to participate in this fishery.

## Trout and Char

**PROPOSAL 200, PAGE 146. 5 AAC 47.022. General provisions for seasons and bag, possession, annual and size limits for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

All steelhead trout fishing in freshwaters of Southeast Alaska are catch-and-release only.

**PROPOSED BY: Tongass Sportfish Assoc. Chapter of Trout Unlimited.**

**WHAT WOULD THE PROPOSAL DO?** This proposal would restrict all anglers to catch-and-release only for steelhead throughout Southeast Alaska.

**WHAT ARE THE CURRENT REGULATIONS?** Southeast Alaska sport fishing regulations (5 AAC 47.022) allow for the harvest of one steelhead per day and two in possession, 36-inch minimum size limit. There is a 2-fish annual limit. Any retained steelhead must be recorded immediately in ink on the back of the angler's license or harvest record. In Klawock and Ketchikan Creeks, the bag limit is two fish if at least one has a clipped adipose fin that designates the fish as hatchery stock. There is no size limit for steelhead with clipped adipose fins and their harvest does not apply to the annual limit.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** The recreational harvest opportunity of steelhead 36 inches or greater would be eliminated. Sport harvests, which averaged 142 in 2000-2004, would be reduced to zero. This proposal would eliminate the only directed harvest opportunity for steelhead under state regulations except as currently allowed in the Situk and Ahrnklin River subsistence fishery.

**BACKGROUND:** In 1994, the Board restricted sport fishery regulations in an effort to conserve steelhead. The Board restricted the bag and possession limits for all trout, including steelhead, increased the size limit for steelhead from 16 to 36 inches, and implemented the annual limit and harvest reporting requirements now in place. The 1994 regulations were structured to prevent harvest of steelhead smolt prior to leaving freshwater and to decrease harvest of adult steelhead. Based on analyses of steelhead length data available in Southeast, 95% of adult steelhead fall below the 36-inch minimum size, so very few steelhead are currently available for sport harvest.

Weirs on three rivers and a snorkel survey program in 12 index streams provides limited data on steelhead populations in the approximately 271 steelhead stream systems in Southeast Alaska. Situk River weir counts from 1994-2005 indicate steelhead stock abundance in the Yakutat area is high. In the remainder of Southeast Alaska, snorkel

surveys conducted since 1997 and weir counts on Sitkoh Creek and Karta River indicate that steelhead abundance has been generally stable.

In October 1999, the Federal subsistence management program expanded to include subsistence fisheries on waters within and adjacent to Federal lands. Prior to the Federal management expansion, all steelhead harvest in Southeast Alaska occurred under State of Alaska regulations, which allow only for incidental harvest of steelhead except in the Situk and Ahrnklin Rivers, where a directed subsistence fishery is allowed, and in the sport fishery, for which regulations allow for a limited harvest.

In March 2005, the Federal Subsistence Board implemented new regulations allowing the harvest of steelhead throughout Southeast Alaska with regulations that are much more liberal than the in the sport fishery. The most liberal federal subsistence fisheries for steelhead are in the Yakutat Area and on Prince of Wales and Kosciusko Islands, where each household may harvest up to seven steelhead per year. The number of federal subsistence permits issued in 2005 and the number of steelhead reported harvested in 2003-2005 by federal permit holders has been small.

DEPARTMENT COMMENTS: The Department is NEUTRAL on this proposal. Regionally, the steelhead harvest reductions and resulting effects to steelhead populations would be small. There is no adequate biological or conservation reason for imposing catch and release region-wide. Regulations implemented in 1994, including the existing size limit, appear to have effectively reduced recreational harvests of steelhead in Southeast Alaska while continuing to allow participation by anglers. The Department is concerned that the level of steelhead harvest allowed under the recently-implemented federal subsistence fishing permits is not sustainable. The department has notified the federal managers that, for a sustainable subsistence steelhead harvest opportunity to occur, they need to identify subsistence need, obtain site-specific biological information on steelhead runs, establish appropriate regulations to meet the subsistence need, and monitor the harvest closely to ensure that stock declines do not occur.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

**PROPOSAL 205, PAGE 152. 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

The bag and possession limit in remote trophy cutthroat trout lakes is two fish, minimum length of nine inches, only one fish 25 inches or greater in length.

PROPOSED BY: Melvin C. Seibel.

WHAT WOULD THE PROPOSAL DO? Increase the bag and possession limits in remote trophy cutthroat trout lakes (excluding Turner Lake) to two fish, with a nine-inch minimum length, only one of which may be 25-inches in length or greater.

WHAT ARE THE CURRENT REGULATIONS? The daily bag and possession limit for cutthroat trout in the 12 trophy cutthroat trout lakes in Southeast Alaska is one trout which must be 25 inches or greater in length. Only unbaited, artificial lures may be used year-round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This regulation would apply to all 12 of the trophy cutthroat trout lakes because their primary means of access is by aircraft. The harvest of cutthroat trout would increase in these lakes by an unknown amount. Most of the cutthroat trout in these lakes would be available to harvest before they spawn, creating the potential for declines in abundance in these populations. Large fish (18 inches in length or more) make up a small proportion of these populations, yet anglers successfully target them by using methods such as trolling. The increased harvest of large fish may decrease the genetic potential for large fish in future generations.

BACKGROUND: Populations of wild cutthroat trout occur in approximately 5,000 streams and lakes throughout Southeast Alaska. However, less than 20 lakes are known to produce trophy-sized (3 lbs or greater) cutthroat trout.

The Board adopted the current cutthroat trout regulations for Southeast Alaska in 1994 with minor changes in 1997, based on conservation concerns and an extensive public process. By the early 1990s, ADF&G was concerned that cutthroat trout were being over-harvested. As a result, the department conducted an extensive series of public meetings throughout Southeast Alaska in 1993, to discuss concerns and to solicit information on trout populations. In addition, the public was encouraged to fill out questionnaires to gather information on their concerns and management preferences. Of the 192 questionnaires returned, nearly 60% favored catch and release regulations for 13 lakes (12 “trophy lakes” and Turner Lake) in Southeast Alaska. The Board subsequently adopted the trophy lakes regulations, including the provision to keep one cutthroat over

25 inches in length, primarily based upon the Board's desire to provide a diversity of opportunity for anglers (opportunity to catch a "once in a life-time" trophy-sized fish).

The policy for the management of sustainable wild trout fisheries (5 AAC 75.222), adopted by the Board in 2003, provides guidance on how the Board and department should manage wild trout populations. This policy states that unless otherwise directed, the department shall manage Alaska's wild trout populations to "maintain desired size compositions and stock levels". Further, the policy states, "wild trout should be managed in a manner to maintain genetic and phenotypic characteristics of the stock". Although the current trophy lakes regulations were implemented by the Board primarily to provide a trophy fishing opportunity for trout in SE Alaska, the trophy lake regulations also comply with the intent of the Board's Sustainable Wild Trout Policy.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal as written. A 9-inch limit is more liberal than the regional (background) 11-inch minimum size limit, and would likely be insufficient to protect most spawning female cutthroat trout from harvest. Therefore, the populations in these lakes would likely decline, and the numbers of large trout would be reduced. These outcomes are inconsistent with the Sustainable Wild Trout Policy. The Department is NEUTRAL regarding the need for the special management "Trophy Lakes" category. If the Board decides to modify the existing bag and length limits for Trophy Lakes, we will provide information on the biological effects of the proposed regulations.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 209, PAGE 155. 5 AAC 47.023. . Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

Impose special management: bag and possession of four Dolly Varden less than 20 inches in length, and unbaited single hook only for the freshwaters of Mud Bay Creek, Chicken Creek, Freshwater Creek on Chichagof Island and Teardrop Creek on the Chilkat Peninsula.

PROPOSED BY: Andrew Audap.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of bait and require the use of single hooks, reduce the bag limit from ten to four fish, and establish a maximum size limit of 20 inches for Dolly Varden in Mud Bay Creek, Chicken Creek and Freshwater Creek on Chichagof Island and Teardrop Creek on the Chilkat Peninsula.

WHAT ARE THE CURRENT REGULATIONS? Regionwide regulations specific to Dolly Varden were established in 1980 and have remained unchanged at 10 fish per day with no size limit. Regionwide regulations also allow the use of bait between September 15 and November 15 in most freshwaters. Statewide regulations for freshwater allow the use of multiple (treble) hooks, but not those with a gap between the point and shank that is larger than one-half inch.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would establish special management restrictions for Dolly Varden in the above named streams. A reduction in harvest and conservation of large fish may occur, however this is not quantifiable with out site-specific information on harvest, effort and stock status . A department study of hook and release mortality on northern Dolly Varden stocks found overall mortality to be very low and no significant difference was found between different gear types (single vs. treble hooks).

BACKGROUND: Mud Bay and Chicken Creeks are located on northern Chichagof Island and flow into Icy Strait. Freshwater Creek flows in to Freshwater Bay on the east side of Chichagof Island. Teardrop Creek flows into southern Lynn Canal from the east side of Chilkat Peninsula. All of these streams require the use of a plane or boat for access. The streams are used by guided shoreline fishing businesses and are included among areas in northern Southeast Alaska that are regulated for commercial recreational use by the U. S. Forest Service. Responses to the Statewide Harvest Survey indicate sport fishing effort is too low to estimate catch, and harvest.

The department has collected length composition information for anadromous Dolly Varden populations in Southeast Alaska at several weir sites. Less than one percent of the fish sampled in these populations were greater than 20 inches in length. No length

composition information is available for the streams listed in this proposal. However, department surveys conducted in the Mud Bay Creek drainage in the 1970's documented the presence of numerous large Dolly Varden.

Sport fishing regulations for special management of Dolly Varden have not been established in Southeast Alaska. Regulations for special management not specific to Dolly Varden were adopted at Montana Creek near Juneau, where bait is prohibited year round, and in 13 "trophy" cutthroat trout lakes.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal as it requests special management in designated locations where there are no known biological or conservation concerns for Dolly Varden stocks. The department is in favor of maintaining historical length compositions, and maintaining the opportunity to catch large fish. However, without specific information on the streams identified in this proposal, the department is unable to determine if the proposed 20 inch minimum size limit would have the intended effect.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**PROPOSAL 222, PAGE 164. 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.** Amend the regulations to allow the following:

Remove the special provisions for One Duck Lake.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Remove unnecessary special provisions for One Duck Lake.

WHAT ARE THE CURRENT REGULATIONS? Region wide regulations allow a bag and possession limit of two rainbow and cutthroat trout, in combination, which must be no less than 11 inches and no greater than 22 inches in length. Region wide regulations also allow the use of bait only from September 15 to November 15. Special provision in place for One Duck Lake allow a bag and possession limit for rainbow and cutthroat trout, in combination, of five fish, no size limit, and bait may be used year round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The proposal would simplify regulations by repealing the special provision in place for One Duck Lake. There would be no effect on the fishery because One Duck Lake no longer contains fish.

BACKGROUND: One Duck Lake was last stocked in 1997 with hatchery rainbow trout for Kid's Fishing Day. There is no spawning habitat in the lake and it no longer contains fish. There are no plans to stock the lake in the future. The lake sits on a saddle between the Harris River and Trocadero Creek drainages, and outlet streams flow into both drainages. The Department would have concerns about stocking hatchery trout into One Duck Lake in the future as both the Harris River and Trocadero Creeks contain native populations of steelhead trout that could be impacted from downstream migrants from One Duck Lake.

DEPARTMENT COMMENTS: This is a department proposal and we continue to SUPPORT it. The department submitted this proposal as a housekeeping proposal. The proposal will simplify regulations by removing special provisions that are no longer necessary.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



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**PROPOSAL 157. PAGE 115. 5 AAC29.0XX. SOUTHEAST ALASKA SOCKEYE AND CHUM SALMON ALLOCATION.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO? This proposal would establish guidelines for allocation of sockeye and chum salmon between the troll and net fishery gear groups based on historical harvest records from 1960-2004. The department would be directed not to disrupt traditional commercial fisheries, but to make inseason adjustments while managing fisheries in order to maintain the Board-established allocation percentages for these two species.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 29.065. ALLOCATION OF COHO SALMON. The historical harvest allocation (1969-1988) of coho salmon in the Southeastern Alaska and Yakutat commercial salmon fisheries is 19 percent purse seine, 13 percent drift gillnet, seven percent set gillnet, and 61 percent troll. While these percentages may vary from season to season, given fluctuations in salmon abundance and the distribution and limitations of fisheries management, the department shall manage the fishery to maintain these allocation guidelines over the long-term. In that management the department

- 1) may not disrupt any of the traditional commercial fisheries upon which this historical allocation is founded;
- 2) may make inseason adjustments to attempt to achieve these historical harvest allocation guidelines.

5AAC 33.363 MANAGEMENT GUIDELINES FOR ALLOCATING SOUTHEAST ALASKA PINK, CHUM, AND SOCKEYE SALMON BETWEEN COMMERCIAL NET FISHERIES. h) Consistent with management guidelines for allocating pink, sockeye, and chum salmon between the commercial net fisheries, the following allocations between the purse seine and gillnet fleets have historically occurred for the period 1960-1988, based on the total catches of the Southeast Area net fisheries minus the Annette Island Reserve catches, and will be considered by the board in future allocation decisions:

- 1) pink salmon: 95 percent purse seine and five percent gillnet;
- 2) sockeye salmon: 51 percent purse seine and 49 percent gillnet;
- 3) chum salmon: 73 percent purse seine and 27 percent gillnet.

5AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN. a) The purpose of the management plan contained in this section is to provide a fair and equitable distribution of the harvest of

salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce the conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations:

- 1) seine –44 percent -- 49 percent
  - 2) hand and power troll – 27 percent –32 percent
  - 3) drift gillnet – 24 percent – 29 percent.
- b)...The evaluation of allocation percentages shall be based on five-year increments...
- c)...the board will, in its discretion, adjust fisheries within special harvest areas...
- d) The department may not make inseason adjustments in or out of the special harvest areas...

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The department would continue to manage traditional seine, troll, drift gillnet and set gillnet fisheries as they have been managed over the historic base period. In situations where harvest of sockeye or chum appears to be varying substantially from the allocation percentages established, and in a way that would change long-term allocation of these species, the department would make inseason adjustments to fisheries in order to maintain the allocation percentages. This regulation is patterned after 5AAC 29.065. for allocation of coho amongst troll and net gears which requires the department to make inseason adjustment. This regulation differs from 5AAC 33.363 and 5 AAC 33.364, which state or imply that the department should not make inseason adjustments.

BACKGROUND: The historic harvest of sockeye salmon for net and troll gear groups is shown in Table 157-1. The historic harvest of chum salmon for net and troll gear is shown in Table 157-2. Since statehood the average harvest percentage of sockeye salmon has been 48% seine, 40% drift gillnet, 12% set gillnet, and 1% troll. Since statehood the average harvest percentage of chum salmon has been 74% seine, 24% drift gillnet, 0% set gillnet, and 3% troll. Increased harvest of chum salmon by troll gear beginning around 1988, that peaked in 1993 and has continued during recent years is attributable to troll fishers targeting of enhanced chum salmon returns in milling areas outside of hatchery terminal harvest areas. No similar phenomenon has yet to develop in association with sockeye enhancement programs, which are few at present.

The department analysis of catch was applied to the years 1960-2004 since those years were suggested in Proposal 157. The department would point out that troll-net allocations of coho salmon in 5AAC 29.065 were based on the years 1969-1988, and that seine-drift gillnet allocations of pink, sockeye, and chum salmon were based on the years 1960-1988.

It was not clear from the proposal what “net” gear should be included, so the inclusion of data showing set gillnet harvest of sockeye and chum salmon in the Yakutat Area in Tables 157-1 and 157-2 is based on gear groups included in 5 AAC 29.065 which allocates coho salmon.

Since 33.363 requires that the board consider purse seine and gillnet allocations of pink, sockeye and chum salmon from 1960-1988 when making future allocation decisions, and the proponents of proposal 157 state that this proposal would not change that allocation Table 157-3 presents allocation between purse seine and drift gillnet gear prior to and following the 1989 season, compared with the regulatory allocation percentages in 33.363.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

Direction for the department from the proposal has been duplicated from 5 AAC 29.065. The department would point out that from a management perspective (1) non-disruption of traditional commercial fisheries in order to maintain historic allocations is simply to carry out status quo, but (2) making inseason adjustments to maintain allocations does place the department in a difficult role. Any inseason adjustment taken to restore a sockeye or chum salmon allocation balance could be interpreted as disadvantaging individual affected permit holders and disrupting their fishery. If the board adopts this proposal, the department will need clear guidelines specifying when and where the department should take inseason action to maintain allocations. Furthermore, since traditional fisheries are not to be adjusted inseason, the proposal implies that new fisheries or fisheries on hatchery production should be adjusted when criteria are met. In that regard 5 AAC 33.365 already addresses value allocations for enhanced salmon between purse seine, drift gillnet, and troll for enhanced fish. Since the proposal suggests taking action to maintain historic catch percentages based on numbers of fish by species, it is conceivable that the proposal could run counter to 5 AAC 33.365 which works to balance enhanced production between gear groups according to value criteria. Status of enhanced fish allocations are being provided in an oral and written report to the board.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 157-1.**—Southeast Alaska and Yakutat Historic Commercial Sockeye Salmon Harvest by Gear in Numbers and Percent, 1960-2005 and showing the 1960-2004 average number and average percent.

| Year         | Seine     |              | Driftnet  |              | Setnet  |              | Troll  |             | Total     |
|--------------|-----------|--------------|-----------|--------------|---------|--------------|--------|-------------|-----------|
| 1960         | 358,697   | (68%)        | 127,058   | (24%)        | 44,671  | (8%)         | 939    | (0%)        | 531,365   |
| 1961         | 418,952   | (62%)        | 169,724   | (25%)        | 82,403  | (12%)        | 1,264  | (0%)        | 672,343   |
| 1962         | 411,748   | (57%)        | 233,082   | (32%)        | 73,937  | (10%)        | 1,181  | (0%)        | 719,948   |
| 1963         | 422,605   | (63%)        | 194,420   | (29%)        | 52,517  | (8%)         | 2,014  | (0%)        | 671,556   |
| 1964         | 570,250   | (63%)        | 246,250   | (27%)        | 90,175  | (10%)        | 1,004  | (0%)        | 907,679   |
| 1965         | 672,001   | (63%)        | 279,349   | (26%)        | 120,417 | (11%)        | 1,872  | (0%)        | 1,073,639 |
| 1966         | 480,024   | (48%)        | 334,702   | (33%)        | 185,360 | (19%)        | 679    | (0%)        | 1,000,765 |
| 1967         | 600,602   | (62%)        | 274,038   | (28%)        | 88,431  | (9%)         | 157    | (0%)        | 963,228   |
| 1968         | 494,851   | (60%)        | 245,865   | (30%)        | 80,776  | (10%)        | 574    | (0%)        | 822,066   |
| 1969         | 338,357   | (42%)        | 348,350   | (43%)        | 123,540 | (15%)        | 437    | (0%)        | 810,684   |
| 1970         | 308,198   | (46%)        | 240,538   | (36%)        | 115,795 | (17%)        | 485    | (0%)        | 665,016   |
| 1971         | 162,253   | (26%)        | 329,017   | (53%)        | 130,547 | (21%)        | 929    | (0%)        | 622,746   |
| 1972         | 324,893   | (36%)        | 450,148   | (49%)        | 134,617 | (15%)        | 1,068  | (0%)        | 910,726   |
| 1973         | 342,336   | (34%)        | 532,485   | (53%)        | 128,466 | (13%)        | 1,204  | (0%)        | 1,004,491 |
| 1974         | 236,064   | (34%)        | 364,312   | (53%)        | 82,418  | (12%)        | 2,215  | (0%)        | 685,009   |
| 1975         | 61,784    | (25%)        | 108,574   | (44%)        | 73,291  | (30%)        | 584    | (0%)        | 244,233   |
| 1976         | 135,192   | (23%)        | 322,017   | (55%)        | 130,603 | (22%)        | 1,241  | (0%)        | 589,053   |
| 1977         | 328,932   | (31%)        | 541,443   | (51%)        | 186,001 | (18%)        | 5,713  | (1%)        | 1,062,089 |
| 1978         | 272,197   | (36%)        | 358,917   | (47%)        | 130,681 | (17%)        | 2,804  | (0%)        | 764,599   |
| 1979         | 397,137   | (38%)        | 472,610   | (45%)        | 164,813 | (16%)        | 7,018  | (1%)        | 1,041,578 |
| 1980         | 510,956   | (47%)        | 408,296   | (38%)        | 159,564 | (15%)        | 2,921  | (0%)        | 1,081,737 |
| 1981         | 438,921   | (42%)        | 438,824   | (42%)        | 149,273 | (14%)        | 7,476  | (1%)        | 1,034,494 |
| 1982         | 445,385   | (32%)        | 749,348   | (53%)        | 212,882 | (15%)        | 2,459  | (0%)        | 1,410,074 |
| 1983         | 776,695   | (51%)        | 586,574   | (38%)        | 152,571 | (10%)        | 7,973  | (1%)        | 1,523,813 |
| 1984         | 457,206   | (39%)        | 593,901   | (51%)        | 102,565 | (9%)         | 9,654  | (1%)        | 1,163,326 |
| 1985         | 716,342   | (40%)        | 830,238   | (46%)        | 234,896 | (13%)        | 7,713  | (0%)        | 1,789,189 |
| 1986         | 587,730   | (42%)        | 658,611   | (47%)        | 150,770 | (11%)        | 6,883  | (0%)        | 1,403,994 |
| 1987         | 310,282   | (24%)        | 736,200   | (56%)        | 259,989 | (20%)        | 9,722  | (1%)        | 1,316,193 |
| 1988         | 654,748   | (46%)        | 600,925   | (42%)        | 162,168 | (11%)        | 9,341  | (1%)        | 1,427,182 |
| 1989         | 823,178   | (40%)        | 893,976   | (43%)        | 329,454 | (16%)        | 20,171 | (1%)        | 2,066,779 |
| 1990         | 965,918   | (46%)        | 767,492   | (37%)        | 344,606 | (17%)        | 9,176  | (0%)        | 2,087,192 |
| 1991         | 1,051,269 | (52%)        | 711,874   | (36%)        | 229,903 | (11%)        | 9,805  | (0%)        | 2,002,851 |
| 1992         | 1,336,889 | (51%)        | 922,069   | (36%)        | 314,175 | (12%)        | 22,854 | (1%)        | 2,595,987 |
| 1993         | 1,690,471 | (55%)        | 1,021,899 | (33%)        | 345,887 | (11%)        | 25,337 | (1%)        | 3,083,594 |
| 1994         | 1,430,610 | (61%)        | 686,792   | (29%)        | 206,683 | (9%)         | 21,777 | (1%)        | 2,345,862 |
| 1995         | 907,120   | (52%)        | 640,971   | (37%)        | 153,723 | (9%)         | 27,323 | (2%)        | 1,729,137 |
| 1996         | 1,514,523 | (55%)        | 1,026,591 | (37%)        | 209,029 | (8%)         | 11,024 | (0%)        | 2,761,167 |
| 1997         | 1,578,041 | (66%)        | 645,516   | (27%)        | 110,078 | (5%)         | 39,430 | (2%)        | 2,373,065 |
| 1998         | 732,790   | (56%)        | 501,291   | (38%)        | 77,189  | (6%)         | 6,474  | (0%)        | 1,317,744 |
| 1999         | 425,298   | (38%)        | 545,681   | (49%)        | 128,751 | (12%)        | 5,730  | (1%)        | 1,105,460 |
| 2000         | 489,221   | (45%)        | 496,564   | (46%)        | 99,182  | (9%)         | 4,467  | (0%)        | 1,089,434 |
| 2001         | 1,013,151 | (55%)        | 686,533   | (37%)        | 141,449 | (8%)         | 8,992  | (0%)        | 1,850,125 |
| 2002         | 154,478   | (21%)        | 464,138   | (63%)        | 112,656 | (15%)        | 1,247  | (0%)        | 732,519   |
| 2003         | 681,418   | (47%)        | 598,679   | (42%)        | 154,384 | (11%)        | 4,596  | (0%)        | 1,439,077 |
| 2004         | 900,557   | (50%)        | 797,969   | (45%)        | 88,282  | (5%)         | 5,009  | (0%)        | 1,791,817 |
| Average      |           |              |           |              |         |              |        |             |           |
| 1960 to 2004 | 620,673   | <b>(48%)</b> | 515,197   | <b>(40%)</b> | 152,213 | <b>(12%)</b> | 7,132  | <b>(1%)</b> | 1,295,214 |
| 2005         | 898,490   | (62%)        | 462,196   | (32%)        | 79,221  | (5%)         | 13,277 | (1%)        | 1,453,184 |



**Table 157-2.**—Southeast Alaska and Yakutat Historic Commercial Chum Salmon Harvest by Gear in Numbers and Percent, 1960-2005, and showing the 1960-2004 average number and average percent.

| Year         | Seine     |              | Driftnet  |              | Setnet |             | Troll   |             | Total      |
|--------------|-----------|--------------|-----------|--------------|--------|-------------|---------|-------------|------------|
| 1960         | 726,017   | (78%)        | 199,887   | (22%)        | 277    | (0%)        | 2,453   | (0%)        | 928,634    |
| 1961         | 2,172,066 | (89%)        | 251,900   | (10%)        | 11,038 | (0%)        | 2,679   | (0%)        | 2,437,683  |
| 1962         | 1,593,386 | (87%)        | 233,421   | (13%)        | 616    | (0%)        | 2,676   | (0%)        | 1,830,099  |
| 1963         | 1,186,182 | (81%)        | 265,251   | (18%)        | 10,294 | (1%)        | 6,230   | (0%)        | 1,467,957  |
| 1964         | 1,661,431 | (87%)        | 250,045   | (13%)        | 1,481  | (0%)        | 2,576   | (0%)        | 1,915,533  |
| 1965         | 1,185,569 | (81%)        | 269,986   | (18%)        | 4,094  | (0%)        | 6,359   | (0%)        | 1,466,008  |
| 1966         | 2,846,425 | (88%)        | 365,070   | (11%)        | 3,396  | (0%)        | 5,203   | (0%)        | 3,220,094  |
| 1967         | 1,545,057 | (86%)        | 250,050   | (14%)        | 4,459  | (0%)        | 7,051   | (0%)        | 1,806,617  |
| 1968         | 2,251,556 | (86%)        | 363,713   | (14%)        | 13,866 | (1%)        | 2,791   | (0%)        | 2,631,926  |
| 1969         | 332,514   | (59%)        | 208,918   | (37%)        | 17,203 | (3%)        | 1,708   | (0%)        | 560,343    |
| 1970         | 1,919,378 | (79%)        | 494,294   | (20%)        | 10,147 | (0%)        | 3,235   | (0%)        | 2,427,054  |
| 1971         | 1,495,755 | (77%)        | 435,924   | (22%)        | 6,306  | (0%)        | 7,602   | (0%)        | 1,945,587  |
| 1972         | 2,168,632 | (74%)        | 744,933   | (25%)        | 12,887 | (0%)        | 11,634  | (0%)        | 2,938,086  |
| 1973         | 1,221,201 | (69%)        | 524,199   | (30%)        | 8,995  | (1%)        | 10,460  | (1%)        | 1,764,855  |
| 1974         | 988,297   | (59%)        | 666,313   | (40%)        | 4,185  | (0%)        | 13,818  | (1%)        | 1,672,613  |
| 1975         | 381,540   | (56%)        | 298,296   | (43%)        | 3,761  | (1%)        | 2,784   | (0%)        | 686,381    |
| 1976         | 511,827   | (50%)        | 503,230   | (49%)        | 7,462  | (1%)        | 4,251   | (0%)        | 1,026,770  |
| 1977         | 336,408   | (47%)        | 364,164   | (51%)        | 8,623  | (1%)        | 11,621  | (2%)        | 720,816    |
| 1978         | 521,880   | (62%)        | 288,959   | (34%)        | 6,181  | (1%)        | 26,193  | (3%)        | 843,213    |
| 1979         | 438,175   | (50%)        | 401,161   | (46%)        | 7,399  | (1%)        | 24,661  | (3%)        | 871,396    |
| 1980         | 1,002,478 | (63%)        | 548,674   | (35%)        | 20,151 | (1%)        | 12,168  | (1%)        | 1,583,471  |
| 1981         | 517,002   | (64%)        | 270,231   | (34%)        | 10,655 | (1%)        | 8,680   | (1%)        | 806,568    |
| 1982         | 828,476   | (64%)        | 448,362   | (35%)        | 6,320  | (0%)        | 5,639   | (0%)        | 1,288,797  |
| 1983         | 579,168   | (51%)        | 516,639   | (46%)        | 11,195 | (1%)        | 20,308  | (2%)        | 1,127,310  |
| 1984         | 2,434,053 | (69%)        | 1,030,527 | (29%)        | 32,230 | (1%)        | 28,053  | (1%)        | 3,524,863  |
| 1985         | 1,849,523 | (61%)        | 1,134,446 | (37%)        | 12,468 | (0%)        | 52,767  | (2%)        | 3,049,204  |
| 1986         | 2,198,907 | (71%)        | 815,813   | (26%)        | 16,616 | (1%)        | 51,390  | (2%)        | 3,082,726  |
| 1987         | 1,234,558 | (61%)        | 747,357   | (37%)        | 14,555 | (1%)        | 12,846  | (1%)        | 2,009,316  |
| 1988         | 1,625,841 | (56%)        | 1,144,450 | (40%)        | 29,256 | (1%)        | 88,264  | (3%)        | 2,887,811  |
| 1989         | 1,079,555 | (63%)        | 542,846   | (32%)        | 16,259 | (1%)        | 68,986  | (4%)        | 1,707,646  |
| 1990         | 1,062,522 | (61%)        | 616,226   | (35%)        | 5,825  | (0%)        | 62,817  | (4%)        | 1,747,390  |
| 1991         | 2,125,308 | (74%)        | 707,277   | (25%)        | 2,984  | (0%)        | 28,437  | (1%)        | 2,864,006  |
| 1992         | 3,193,433 | (77%)        | 845,176   | (20%)        | 7,604  | (0%)        | 85,030  | (2%)        | 4,131,243  |
| 1993         | 4,606,463 | (70%)        | 1,401,186 | (21%)        | 4,065  | (0%)        | 525,160 | (8%)        | 6,536,874  |
| 1994         | 6,376,472 | (75%)        | 1,823,497 | (21%)        | 4,229  | (0%)        | 330,375 | (4%)        | 8,534,573  |
| 1995         | 6,600,529 | (71%)        | 2,478,672 | (26%)        | 2,585  | (0%)        | 277,453 | (3%)        | 9,359,239  |
| 1996         | 8,918,577 | (79%)        | 2,033,267 | (18%)        | 1,803  | (0%)        | 406,240 | (4%)        | 11,359,887 |
| 1997         | 5,863,690 | (75%)        | 1,689,474 | (21%)        | 808    | (0%)        | 312,042 | (4%)        | 7,866,014  |
| 1998         | 9,406,979 | (82%)        | 1,923,764 | (17%)        | 1,351  | (0%)        | 117,642 | (1%)        | 11,449,736 |
| 1999         | 8,944,189 | (80%)        | 2,166,218 | (19%)        | 928    | (0%)        | 74,704  | (1%)        | 11,186,039 |
| 2000         | 8,306,381 | (73%)        | 2,559,879 | (23%)        | 1,185  | (0%)        | 478,144 | (4%)        | 11,345,589 |
| 2001         | 4,436,178 | (69%)        | 1,564,210 | (24%)        | 406    | (0%)        | 467,830 | (7%)        | 6,468,624  |
| 2002         | 3,110,189 | (67%)        | 1,410,100 | (30%)        | 204    | (0%)        | 117,528 | (3%)        | 4,638,021  |
| 2003         | 4,336,128 | (70%)        | 1,528,070 | (25%)        | 542    | (0%)        | 286,410 | (5%)        | 6,151,150  |
| 2004         | 5,684,447 | (74%)        | 1,830,083 | (24%)        | 1,555  | (0%)        | 171,182 | (2%)        | 7,687,267  |
| Average      |           |              |           |              |        |             |         |             |            |
| 1960 to 2004 | 2,706,763 | <b>(74%)</b> | 870,137   | <b>(24%)</b> | 7,743  | <b>(0%)</b> | 94,357  | <b>(3%)</b> | 3,679,001  |
| 2005         | 2,814,511 | (63%)        | 1,511,570 | (34%)        | 525    | (0%)        | 174,596 | (4%)        | 4,501,202  |

**Table 157-3.**—Southeast Alaska Purse Seine and Drift Gillnet Harvest and Allocation Percentages. 5AAC 33.363 Allocation includes harvest from 1960-1988.

| <b>Pink Salmon</b>    |               |            |                |            |             |
|-----------------------|---------------|------------|----------------|------------|-------------|
|                       | Total Seine   | % seine    | Total Driftnet | % driftnet | Total       |
| Allocation from       |               |            |                |            |             |
| 5AAC 33.363           | 415,988,615   | <b>95%</b> | 22,318,705     | <b>5%</b>  | <b>100%</b> |
| Total Harvest         |               |            |                |            |             |
| 1960-2004             | 1,144,104,215 | <b>96%</b> | 42,052,543     | <b>4%</b>  | <b>100%</b> |
| 2005                  | 55,726,935    | 97%        | 1,530,243      | 3%         | 100%        |
| <b>Sockeye Salmon</b> |               |            |                |            |             |
|                       | Total Seine   | % seine    | Total Driftnet | % driftnet | Total       |
| Allocation from       |               |            |                |            |             |
| 5AAC 33.363           | 12,235,338    | <b>51%</b> | 11,775,816     | <b>49%</b> | <b>100%</b> |
| Total Harvest         |               |            |                |            |             |
| 1960-2004             | 27,930,270    | <b>55%</b> | 23,183,851     | <b>45%</b> | <b>100%</b> |
| 2005                  | 898,490       | 66%        | 462,196        | 34%        | 100%        |
| <b>Chum Salmon</b>    |               |            |                |            |             |
|                       | Total Seine   | % seine    | Total Driftnet | % driftnet | Total       |
| Allocation from       |               |            |                |            |             |
| 5AAC 33.363           | 37,753,302    | <b>73%</b> | 14,036,213     | <b>27%</b> | <b>100%</b> |
| Total Harvest         |               |            |                |            |             |
| 1960-2004             | 121,804,342   | <b>76%</b> | 39,156,158     | <b>24%</b> | <b>100%</b> |
| 2005                  | 2,814,511     | 65%        | 1,511,570      | 35%        | 100%        |

**PROPOSAL 158. PAGE 115. 5 AAC 33.310(c) FISHING SEASONS AND PERIODS FOR NET GEAR.**

PROPOSED BY: United Southeast Alaska Gillnetters

WHAT WOULD THE PROPOSAL DO?

This proposal would allow equal time and areas for gillnetting in District 8 whenever trolling is allowed under the Spring Fishery Management Plan during years when a directed fishery targeting Stikine River king salmon is not allowed.

WHAT ARE THE CURRENT REGULATIONS?

5AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR (c).

(3)

District 8 opens on the second Sunday of June.

5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS

(b) The department shall manage the king salmon troll fishery to provide for

(1) a

winter fishery during the period beginning October 11 through April 30 or until the guideline harvest level is reached, as specified in 5 AAC 29.080, whichever occurs first;

(2)

spring fisheries during the period beginning after the winter fishery is closed under (1) of this subsection, but no later than May 1, through June 30, as specified in 5 AAC 29.090.

5 AAC 29.090.MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(d) In its management of the spring fisheries under this section, the department shall

(1) first consider changes in the previous years' spring fisheries; the department shall open the fisheries if they meet the following requirements:

(D) the department shall manage each spring salmon troll fishery as follows:

(i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of

Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the king salmon taken in that fishery;

- (ii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the king salmon taken in that fishery;
- (iii) no more than 5,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the king salmon taken in that fishery;
- (iv) there is no limit on the number of non-Alaska hatchery salmon that may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is 66 percent or more

5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF KING SALMON. (b) (2) drift gillnet fishery: 7,600 king salmon;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, during years when a directed fishery for Stikine River king salmon is not allowed, during spring troll fishery management periods allowed under 5 AAC 29.090 in District 8, gillnetting would be allowed in the same areas for time periods equal to trolling.

Allowing gillnetting in spring fishery areas would add an additional commercial gear type in a fishery that is currently limited to commercial trolling. Greater numbers of king salmon would be harvested by drift gillnet and lesser numbers of king salmon would be harvested by troll gear. Presently both gears may overlap in time and area during spring troll fishery openings, from the Second Sunday in June when all of District 8 may open to the gillnet fishery. Allowing both gear types in relatively smaller areas where spring troll fisheries occur from May 1 to the second Sunday in June may lead to gear conflicts.

Opening the gillnet fishery for directed harvest of hatchery Chinook would have implications managing the gillnet gear group for the annual harvest ceiling of 7,600 king salmon. King salmon harvested during this fishery other than Alaska hatchery produced fish will be counted toward this ceiling under the Pacific Salmon Treaty and 5 AAC 29.060. In the event that the ceiling is reached then restrictions of time or area or night fishing closures may need to be implemented in the Districts 1, 6, 11, and 15 traditional fisheries. Drift gillnet harvest of king salmon in the region has averaged 5,841 from 1985-2004 (Table 135-1). Drift gillnet harvest of king salmon in District 8 during the traditional season from the second Sunday in June has averaged 1,468, 39% of which are Alaska hatchery fish (Table 158-2). Additional targeting of Chinook in District 8 in May

and June poses a significant risk that the 7,600 annual harvest ceiling will be reached and the traditional gillnet fisheries will be disrupted.

BACKGROUND: Spring troll fisheries directed at the harvest of Alaska hatchery-produced king salmon have occurred in District 8 since 1993 (Table 158-1).

The number of spring troll areas in District 8 have varied from one to three in each of the years 1993-2005, with three (Baht Harbor, Craig Point and Chichagof Pass) in place for the past two years. The total District 8 spring troll fishery king salmon catches have averaged 774 fish and ranged from 14 in 1998 to approximately 5,000 in 2005 (Table 158-1). The Alaska hatchery component of these fisheries has averaged 29% and ranged from 0% in 1995 to 100% in 1996. The Alaska hatchery component was 9% in 2005. Spring troll areas in district 8 were managed under emergency regulation and open continuously in 2005.

The spring troll areas that were in effect in 2004 and 2005 are presented in Figure 158-1.

The drift gillnet king salmon catches during statistical weeks 24-27 (Prior to July 1) for 1993-2005 are presented in Table 2. The average gillnet king salmon catch during that time period was 1,468 fish and ranged from 248 in 1998 to over 11,000 in 2005 (no gillnet fisheries occurred prior to July 1 during the years 2001-2003). The Alaska hatchery component of the gillnet catches averaged 39% and ranged from 7% in 2005 to 82% in 2000 (Table 158-2).

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

If this proposal is approved, the gillnet treaty king salmon allocation could be reached or nearly reached prior to or during the ongoing traditional gillnet fisheries for sockeye salmon or other species. Significant time and area reductions might then be necessary in existing traditional gillnet fisheries in all districts in order to avoid exceeding that allocation.

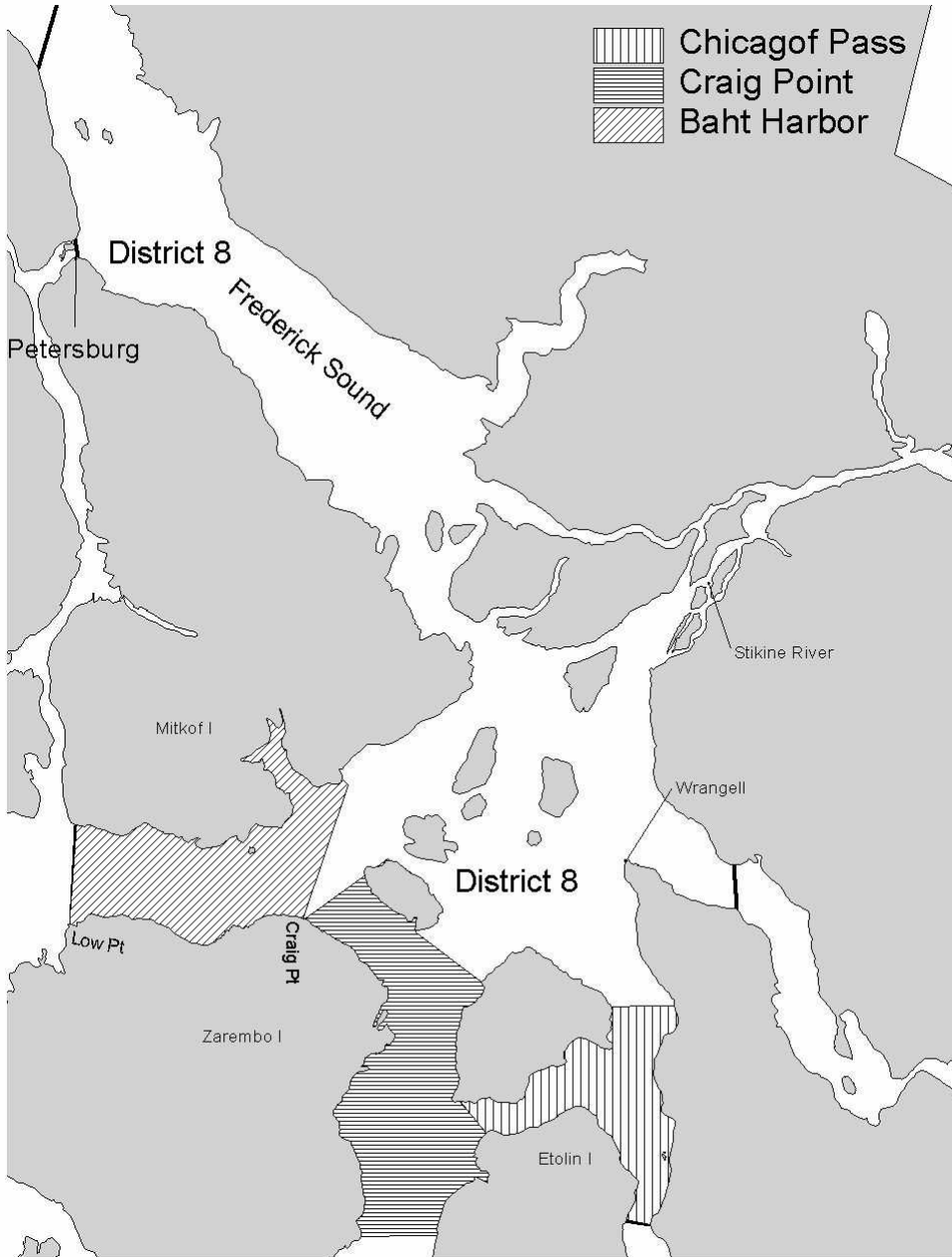
COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table 158-1.**—District 8 spring troll fishery king salmon catches, effort and Alaska hatchery composition, 1993-2005.

|         | Permits<br>Fished | Total Catch | Alaska<br>Hatchery Catch | Alaska<br>Hatchery<br>Composition |
|---------|-------------------|-------------|--------------------------|-----------------------------------|
| 1993    | 7                 | 43          | 17                       | 40%                               |
| 1994    | 8                 | 107         | 27                       | 25%                               |
| 1995    | 6                 | 18          | 0                        | 0%                                |
| 1996    | 6                 | 58          | 58                       | 100%                              |
| 1997    | 10                | 135         | 0                        | 0%                                |
| 1998    | 4                 | 14          | 0                        | 0%                                |
| 1999    | 10                | 450         | 275                      | 61%                               |
| 2000    | 20                | 428         | 81                       | 19%                               |
| 2001    | 15                | 585         | 345                      | 59%                               |
| 2002    | 24                | 602         | 101                      | 17%                               |
| 2003    | 28                | 741         | 178                      | 24%                               |
| 2004    | 50                | 1,912       | 412                      | 22%                               |
| 2005    | 89                | 4,995       | 459                      | 9%                                |
| Average | 21                | 776         | 150                      | 29%                               |

**Table 158-2.**—District 8 drift gillnet king salmon catches, effort and Alaska hatchery composition, 1993-2005.

|         | Permits<br>Fished | Total Catch | Alaska<br>Hatchery Catch | Alaska<br>Hatchery<br>Composition |
|---------|-------------------|-------------|--------------------------|-----------------------------------|
| 1993    | 63                | 952         | 506                      | 53%                               |
| 1994    | 69                | 644         | 148                      | 23%                               |
| 1995    | 110               | 1,090       | 381                      | 35%                               |
| 1996    | 118               | 1,374       | 631                      | 46%                               |
| 1997    | 128               | 2,126       | 618                      | 29%                               |
| 1998    | 30                | 248         | 120                      | 48%                               |
| 1999    | 71                | 815         | 319                      | 39%                               |
| 2000    | 31                | 795         | 651                      | 82%                               |
| 2001    | Not Open          |             |                          |                                   |
| 2002    | Not Open          |             |                          |                                   |
| 2003    | Not Open          |             |                          |                                   |
| 2004    | 78                | 5,172       | 1200                     | 23%                               |
| 2005    | 122               | 11,258      | 817                      | 7%                                |
| Average | 82                | 1,468       | 539                      | 39%                               |



**Figure 158-1.**—2005 District 8 Spring troll fishery areas. Drift gillnetting was allowed throughout District 8.



**PROPOSAL 171, 172, 173, 174. PAGES 126–129. 5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS.**

PROPOSED BY: Floyd C. Peterson (171), Jerry L. Fulkerson (172), Jerry Fulkerson and 19 Hoonah Residents (173), Ronald D. McIrvin (174)

WHAT WOULD THE PROPOSAL DO? These proposals would allow the use of a hand troll gurdy or hand-powered downrigger in conjunction with a fishing rod on salmon hand troll vessels. Proposals 171, 172 and 173 would allow more than four fishing rods to be on board a salmon hand troll vessel. Proposal 174 would allow the use of a hand-powered downrigger or hand troll gurdy in conjunction with two fishing rods on a salmon hand-troll vessel, thus allowing four lines to be operated at the same time.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.120. (b) The maximum number of trolling lines that may be operated from a salmon troll vessel are as follows: (B)(2) from a hand troll vessel:

- (A) from each hand troll gurdy: only one line to which multiple leaders and hooks may be attached;
  - (B) from each fishing rod; only one line with no more than one leader and one lure or two baited hooks per leader;
  - (C) an aggregate of four fishing rods or an aggregate of two hand troll gurdies may be operated;
- (e) No more than two troll gurdies and four fishing rods may be on board any salmon hand troll vessel. A downrigger may not be used in conjunction with a fishing rod.
- (g) For purposes of this section,
- (1) a troll gurdy is a spool-type device that is designed to deploy and retrieve troll lines, weights, and lures; the term “troll gurdy”
    - (A) includes a downrigger; and
    - (B) does not include a reel attached to a fishing rod;
  - (2) a hand troll gurdy is a troll gurdy powered by hand or hand crank that is not mounted on or used in conjunction with a fishing rod and is not considered power troll gear;
  - (3) a fishing rod is a tapering, often jointed, rod equipped with a hand grip and line guides, upon which is mounted a hand-powered reel used to deploy and retrieve the trolling line;
  - (4) a downrigger is a device designed to be used with a fishing rod to deploy a troll line to a selected depth and retrieve the downrigger line and weight.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Hand trollers could use a hand-powered gurdy or downrigger to control the depth at which they fish more precisely, which is likely to increase the number of fish harvested, decrease the amount of gear lost and improve efficiency in general. Though hand trollers may currently operate up to four fishing rods at one time, adding the option to use two downriggers in conjunction with four rods would improve efficiency. It is likely that these gear changes would result in an increase in the number of salmon harvested by hand trollers as well as the number of hand troll permits actively fished. Hand trollers would probably harvest a higher percentage of the troll king salmon quota. Proposals 171, 172 and 173 would allow a variety of fishing rods to be stored onboard a vessel for various species of fish, and would allow for a one fishing rod to be used with each downriggers or gurdy. Proposal 174 would allow for two rods with each of two downriggers or gurdies for a total of four rods.

BACKGROUND: In the late 1970s, limited entry for the hand troll fleet was under consideration by the Commercial Fisheries Entry Commission (CFEC), and the number of hand troll permits fished doubled from 1,100 permits in 1975 to a high of 2,644 permits in 1978. That year, 3,700 hand troll permits were renewed, compared to 976 power troll permits. Due to this increased effort, the CFEC initiated a selective limited entry regime for the hand troll fishery in 1980. Of the 2,163 permits issued that year, 1,346 were non-transferable. The board originally restricted hand trollers to two lines as a means of maintaining an 80% power troll/20% hand troll salmon harvest allocation. However, the 80/20 split was eliminated from the management plan in 1995, because the hand troll fleet was harvesting less than 20% of the troll harvest.

As of 2005, 1,050 hand troll permits had been revoked due to non-renewal. The number of hand troll permits fished declined steadily since 1978. Both power troll and hand troll participation have increased slightly since 2002. In 2005, 349 hand troll vessels harvested 166,000 fish and 720 power troll vessels harvested 2.5 million fish. The number of hand and power troll permits renewed increased slightly from 2004, as did the number of permits fished. From 1996-2005, hand troll gear harvested an average of 6 % of total troll salmon harvest and made up an average of 31% of the troll permits fished. (Tables 171-1 and 171-2).

DEPARTMENT COMMENTS: The department is NEUTRAL on these allocative proposals.

In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Increasing the efficiency of this fleet and the number of salmon harvested by hand trollers could reduce the time it would take to harvest each year's allowable king salmon harvest. Depending upon how many permits are fished, such a reduction in the time needed to harvest the annual king salmon harvest limit could lead to an increase in the number of days the troll fishery would be catching and releasing king

salmon and thus increase the incidental mortality of both legal and sublegal fish. If the PSC implements a total mortality regime and if this proposal was adopted, downward adjustments in incidental mortality would have to be made in other aspects of the troll fishery management plan to compensate for this increase.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table. 171-1.**—Southeast Alaska commercial troll permits renewed and fished by calendar year for 1975-1978, from January 1 to September 30 for 1979, and by troll season (October 1 to September 30) for 1980 to 2005.

| Year       | Hand Troll Permits |        | Power Troll Permits |        | Total Fished | Percent Hand Troll Fished |
|------------|--------------------|--------|---------------------|--------|--------------|---------------------------|
|            | renewed            | fished | renewed             | fished |              |                           |
| 1975       | 2,087              | 1,100  | 1,078               | 760    | 1,860        | 59%                       |
| 1976       | 2,082              | 1,242  | 998                 | 742    | 1,984        | 63%                       |
| 1977       | 2,951              | 1,852  | 970                 | 746    | 2,598        | 71%                       |
| 1978       | 3,922              | 2,644  | 976                 | 817    | 3,461        | 76%                       |
| 1979       | 3,700              | 2,195  | 978                 | 813    | 3,008        | 73%                       |
| 1980       | 2,436              | 1,713  | 973                 | 848    | 2,561        | 67%                       |
| 1981       | 2,048              | 1,172  | 969                 | 797    | 1,969        | 60%                       |
| 1982       | 1,906              | 1,185  | 967                 | 819    | 2,004        | 59%                       |
| 1983       | 2,031              | 1,016  | 967                 | 820    | 1,836        | 55%                       |
| 1984       | 1,983              | 875    | 961                 | 799    | 1,674        | 52%                       |
| 1985       | 1,952              | 930    | 959                 | 840    | 1,770        | 53%                       |
| 1986       | 1,887              | 820    | 957                 | 834    | 1,654        | 50%                       |
| 1987       | 1,820              | 777    | 956                 | 832    | 1,609        | 48%                       |
| 1988       | 1,783              | 801    | 956                 | 844    | 1,645        | 49%                       |
| 1989       | 1,747              | 725    | 955                 | 853    | 1,578        | 46%                       |
| 1990       | 1,699              | 708    | 956                 | 841    | 1,549        | 46%                       |
| 1991       | 1,643              | 703    | 958                 | 855    | 1,558        | 45%                       |
| 1992       | 1,595              | 660    | 957                 | 848    | 1,508        | 44%                       |
| 1993       | 1,550              | 605    | 956                 | 842    | 1,447        | 42%                       |
| 1994       | 1,513              | 551    | 954                 | 809    | 1,360        | 41%                       |
| 1995       | 1,479              | 461    | 954                 | 820    | 1,281        | 36%                       |
| 1996       | 1,420              | 414    | 965                 | 739    | 1,153        | 36%                       |
| 1997       | 1,380              | 387    | 964                 | 748    | 1,135        | 34%                       |
| 1998       | 1,331              | 305    | 962                 | 737    | 1,042        | 29%                       |
| 1999       | 1,155              | 332    | 927                 | 724    | 1,056        | 31%                       |
| 2000       | 1,006              | 318    | 899                 | 717    | 1,035        | 31%                       |
| 2001       | 1,039              | 329    | 927                 | 737    | 1,066        | 31%                       |
| 2002       | 1,017              | 251    | 915                 | 671    | 922          | 27%                       |
| 2003       | 909                | 257    | 883                 | 639    | 896          | 29%                       |
| 2004       | 934                | 319    | 905                 | 693    | 1,012        | 32%                       |
| 2005       | 937                | 349    | 922                 | 720    | 1,069        | 33%                       |
| 96-05 ave. | 1,113              | 326    | 927                 | 713    | 1,039        | 31%                       |

**Table 171-2.**—Southeast Alaska annual commercial hand troll salmon harvest in numbers of fish by calendar year from 1975 to 1978, from Jan.1 to Sept. 30 September 30 for 1979, and by troll season (Oct. 1 - Sept. 30) from 1980 to 2005.<sup>a</sup>

| Year       | Hand Troll Harvest | Total Troll Harvest | Percent Hand Troll |
|------------|--------------------|---------------------|--------------------|
| 1975       | 98,407             | 582,276             | 17%                |
| 1976       | 161,658            | 955,304             | 17%                |
| 1977       | 311,648            | 1,077,142           | 29%                |
| 1978       | 687,507            | 2,122,965           | 32%                |
| 1979       | 594,394            | 1,913,968           | 31%                |
| 1980       | 348,484            | 1,281,888           | 27%                |
| 1981       | 393,584            | 1,705,254           | 23%                |
| 1982       | 431,259            | 2,069,700           | 21%                |
| 1983       | 415,327            | 2,072,756           | 20%                |
| 1984       | 370,801            | 1,978,455           | 19%                |
| 1985       | 556,816            | 2,839,930           | 20%                |
| 1986       | 415,398            | 2,604,994           | 16%                |
| 1987       | 352,695            | 1,793,327           | 20%                |
| 1988       | 289,472            | 1,348,572           | 21%                |
| 1989       | 559,362            | 3,511,643           | 16%                |
| 1990       | 475,070            | 2,963,990           | 16%                |
| 1991       | 355,698            | 2,447,994           | 15%                |
| 1992       | 378,443            | 2,894,420           | 13%                |
| 1993       | 477,277            | 4,075,603           | 12%                |
| 1994       | 541,717            | 4,942,822           | 11%                |
| 1995       | 245,487            | 2,907,329           | 8%                 |
| 1996       | 299,049            | 3,278,309           | 9%                 |
| 1997       | 175,730            | 2,313,649           | 8%                 |
| 1998       | 142,694            | 2,213,767           | 6%                 |
| 1999       | 199,165            | 3,039,905           | 7%                 |
| 2000       | 88,116             | 1,953,546           | 5%                 |
| 2001       | 139,918            | 2,733,039           | 5%                 |
| 2002       | 92,635             | 1,840,686           | 5%                 |
| 2003       | 101,183            | 2,001,850           | 5%                 |
| 2004       | 130,900            | 2,493,038           | 5%                 |
| 2005       | 165,994            | 2,660,240           | 6%                 |
| 96-05 ave. | 153,538            | 2,452,803           | 6%                 |

<sup>a</sup> Prior to 1975, hand and power troll harvests were not reported separately.

**PROPOSAL 175, 177. PAGE 130–131. 5 AAC X29.120 (e). GEAR SPECIFICATIONS AND OPERATIONS.**

PROPOSED BY: Yakutat Advisory Committee (175), Geoffrey W. Widdows (177)

WHAT WOULD THE PROPOSAL DO? Both proposals would allow four hand troll gurdies to be on board and operated on a commercial hand troll vessel. Proposal 175 would limit the use of four gurdies to outside waters west of Cape Spencer from August 1 through the closure of the general summer troll fishery. Proposal 177 has no area or time limitations.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS.

(e) No more than two troll gurdies and four fishing rods may be on board any salmon hand troll vessel. A downrigger may not be used in conjunction with a fishing rod.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Both proposals would allow hand trollers to use two additional gurdies and lines. If Proposal 175 were adopted, hand trollers fishing outside of state waters north of Cape Spencer would likely increase their harvest of salmon during August and September. Since this time period would include the second king salmon opening of the summer, increasing the efficiency and harvest of the hand troll fleet could reduce the time it would take to harvest the annual troll Treaty king salmon allocation. This could result in a greater number of king salmon non-retention days and therefore may increase incidental king salmon mortality. Proposal 177 would allow hand trollers to operate four hand troll gurdies wherever and whenever trolling is allowed in the Southeast/Yakutat region.

BACKGROUND: In the late 1970s, limited entry for the hand troll fleet was under consideration by the Commercial Fisheries Entry Commission (CFEC), and the number of hand troll permits fished doubled from 1,100 permits in 1975 to a high of 2,644 permits in 1978. That year, 3,700 hand troll permits were renewed, compared to 976 power troll permits. Due to this increased effort, the CFEC initiated a selective limited entry regime for the hand troll fishery in 1980. Of the 2,163 permits issued that year, 1,346 were non-transferable. The board originally restricted hand trollers to two lines in 1979 as a means of maintaining an 80% power troll/20% hand troll salmon harvest allocation. The 20% functioned as a “cap” which the hand troll harvest was to stay under. The 80/20 split was eliminated from the management plan in 1995, because the hand troll fleet was harvesting less than 20% of the troll harvest.

As of 2005, 1,050 hand troll permits had been revoked due to non-renewal. The number of hand troll permits fished declined steadily since 1978. Both power troll and hand troll participation have increased slightly since 2002. In 2005, 349 hand troll vessels harvested 166,000 fish and 720 power troll vessels harvested 2.5 million fish. The number of hand and power troll permits renewed increased slightly from 2004, as did the number of permits fished. For the period 1996-2005, hand troll gear harvested an average of 6 % of total troll salmon harvest and made up an average of 31% of the troll fleet (Tables 1 and 2).

DEPARTMENT COMMENTS: The Department is NEUTRAL on these allocative proposals.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**Table. 175-1.**—Southeast Alaska commercial troll permits renewed and fished by calendar year for 1975-1978, from January 1 to September 30 for 1979, and by troll season (October 1 to September 30) for 1980 to 2005.

| Year       | Hand Troll Permits |        | Power Troll Permits |        | Total Fished | Percent Hand Troll Fished |
|------------|--------------------|--------|---------------------|--------|--------------|---------------------------|
|            | renewed            | fished | Renewed             | fished |              |                           |
| 1975       | 2,087              | 1,100  | 1,078               | 760    | 1,860        | 59%                       |
| 1976       | 2,082              | 1,242  | 998                 | 742    | 1,984        | 63%                       |
| 1977       | 2,951              | 1,852  | 970                 | 746    | 2,598        | 71%                       |
| 1978       | 3,922              | 2,644  | 976                 | 817    | 3,461        | 76%                       |
| 1979       | 3,700              | 2,195  | 978                 | 813    | 3,008        | 73%                       |
| 1980       | 2,436              | 1,713  | 973                 | 848    | 2,561        | 67%                       |
| 1981       | 2,048              | 1,172  | 969                 | 797    | 1,969        | 60%                       |
| 1982       | 1,906              | 1,185  | 967                 | 819    | 2,004        | 59%                       |
| 1983       | 2,031              | 1,016  | 967                 | 820    | 1,836        | 55%                       |
| 1984       | 1,983              | 875    | 961                 | 799    | 1,674        | 52%                       |
| 1985       | 1,952              | 930    | 959                 | 840    | 1,770        | 53%                       |
| 1986       | 1,887              | 820    | 957                 | 834    | 1,654        | 50%                       |
| 1987       | 1,820              | 777    | 956                 | 832    | 1,609        | 48%                       |
| 1988       | 1,783              | 801    | 956                 | 844    | 1,645        | 49%                       |
| 1989       | 1,747              | 725    | 955                 | 853    | 1,578        | 46%                       |
| 1990       | 1,699              | 708    | 956                 | 841    | 1,549        | 46%                       |
| 1991       | 1,643              | 703    | 958                 | 855    | 1,558        | 45%                       |
| 1992       | 1,595              | 660    | 957                 | 848    | 1,508        | 44%                       |
| 1993       | 1,550              | 605    | 956                 | 842    | 1,447        | 42%                       |
| 1994       | 1,513              | 551    | 954                 | 809    | 1,360        | 41%                       |
| 1995       | 1,479              | 461    | 954                 | 820    | 1,281        | 36%                       |
| 1996       | 1,420              | 414    | 965                 | 739    | 1,153        | 36%                       |
| 1997       | 1,380              | 387    | 964                 | 748    | 1,135        | 34%                       |
| 1998       | 1,331              | 305    | 962                 | 737    | 1,042        | 29%                       |
| 1999       | 1,155              | 332    | 927                 | 724    | 1,056        | 31%                       |
| 2000       | 1,006              | 318    | 899                 | 717    | 1,035        | 31%                       |
| 2001       | 1,039              | 329    | 927                 | 737    | 1,066        | 31%                       |
| 2002       | 1,017              | 251    | 915                 | 671    | 922          | 27%                       |
| 2003       | 909                | 257    | 883                 | 639    | 896          | 29%                       |
| 2004       | 934                | 319    | 905                 | 693    | 1,012        | 32%                       |
| 2005       | 937                | 349    | 922                 | 720    | 1,069        | 33%                       |
| 96-05 ave. | 1,113              | 326    | 927                 | 713    | 1,039        | 31%                       |



**Table 175-2.**—Southeast Alaska annual commercial hand troll salmon harvest in numbers of fish by calendar year from 1975 to 1978, from Jan. 1 to Sept. 30 September 30 for 1979, and by troll season (Oct. 1 - Sept. 30) from 1980 to 2005.<sup>a</sup>

| Year       | Hand Troll Harvest | Total Troll Harvest | Percent Hand Troll |
|------------|--------------------|---------------------|--------------------|
| 1975       | 98,407             | 582,276             | 17%                |
| 1976       | 161,658            | 955,304             | 17%                |
| 1977       | 311,648            | 1,077,142           | 29%                |
| 1978       | 687,507            | 2,122,965           | 32%                |
| 1979       | 594,394            | 1,913,968           | 31%                |
| 1980       | 348,484            | 1,281,888           | 27%                |
| 1981       | 393,584            | 1,705,254           | 23%                |
| 1982       | 431,259            | 2,069,700           | 21%                |
| 1983       | 415,327            | 2,072,756           | 20%                |
| 1984       | 370,801            | 1,978,455           | 19%                |
| 1985       | 556,816            | 2,839,930           | 20%                |
| 1986       | 415,398            | 2,604,994           | 16%                |
| 1987       | 352,695            | 1,793,327           | 20%                |
| 1988       | 289,472            | 1,348,572           | 21%                |
| 1989       | 559,362            | 3,511,643           | 16%                |
| 1990       | 475,070            | 2,963,990           | 16%                |
| 1991       | 355,698            | 2,447,994           | 15%                |
| 1992       | 378,443            | 2,894,420           | 13%                |
| 1993       | 477,277            | 4,075,603           | 12%                |
| 1994       | 541,717            | 4,942,822           | 11%                |
| 1995       | 245,487            | 2,907,329           | 8%                 |
| 1996       | 299,049            | 3,278,309           | 9%                 |
| 1997       | 175,730            | 2,313,649           | 8%                 |
| 1998       | 142,694            | 2,213,767           | 6%                 |
| 1999       | 199,165            | 3,039,905           | 7%                 |
| 2000       | 88,116             | 1,953,546           | 5%                 |
| 2001       | 139,918            | 2,733,039           | 5%                 |
| 2002       | 92,635             | 1,840,686           | 5%                 |
| 2003       | 101,183            | 2,001,850           | 5%                 |
| 2004       | 130,900            | 2,493,038           | 5%                 |
| 2005       | 165,994            | 2,660,240           | 6%                 |
| 96-05 ave. | 153,538            | 2,452,803           | 6%                 |

<sup>a</sup> Prior to 1975, hand and power troll harvests were not reported separately.

**PROPOSAL 176, PAGE 130. 5 AAC 29.100 (c)(3). MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.**

PROPOSED BY: Jim Roesch

WHAT WOULD THE PROPOSAL DO? This proposal would require trollers to use barbless hooks during king salmon non-retention periods.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.100 MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

(c). The department shall manage the summer king salmon troll fishery as follows:

(3) following the closure of the summer salmon troll fishery to the taking of king salmon, the salmon troll fishery will remain open to the taking of other salmon species; however, the department may close the waters of frequent high king salmon abundance described in 5 AAC 29.025 to the taking of other salmon species in order to further minimize the incidental hook and release of king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Incidental mortality (IM) in king salmon that are hooked and intentionally released would be reduced to some degree. Any increase in survival would be beneficial to the resource. The drop-off rate would also likely increase, meaning that a greater number of fish would be hooked and then escape from the gear. Some of these fish would not survive and would be an additional factor to consider when calculating the total mortality in a fishery and would offset some of IM reductions from the change to barbless hooks. During king non-retention periods, trollers target mainly coho salmon. Coho salmon catch rates would be adversely affected by the use of barbless hooks, since a greater number of fish would drop off the gear as trollers attempt to bring them on board their vessel. The same concerns apply to chum salmon and other species taken incidentally.

BACKGROUND: The Chinook Technical Committee uses approximately 3% lower mortality rates for the commercial troll fishery when barbless hooks are used rather than barbed hooks. In 1997, the CTC decided not to consider barbed/barbless hook differences for estimating hook-and-release mortality in recreational fisheries because the available data are not conclusive or consistent on the effect of hook type. The drop-off IM rate used by the Chinook Technical Committee (CTC) for the Southeast Alaska troll fishery is 3.6% (CTC 1997).

Similar proposals submitted to the Board in the past were not adopted and available data was said to be inconclusive. In 1994, the Board noted studies indicating that barbless hooks may actually increase mortality as they may tend to sink deeper into the fish. The Board also noted that many trollers have recently been using smaller barbs in an attempt

to reduce mortality. In 2003, a proposal to require sport anglers to use only single, barbless hooks in all fresh and marine waters from April 1 through September 15 was not adopted. Though studies do indicate a reduction in mortality when barbless hooks are used, there has been a lack of agreement on a specific percentage.

DEPARTMENT COMMENTS:

The department is NEUTRAL on the allocative aspects of this proposal.

Incidental hook-and-release mortality is not unique to the commercial troll fishery and causes and solutions should be examined for all gear types. The CTC continues to look at incidental mortality rates in all fisheries. Findings indicate that mortality rates may be higher for the recreational fishery than what was previously thought and lower than previously thought for the commercial troll fishery. Sport fishers intentionally catch and release king salmon once the bag limit is reached, in contrast to commercial trollers, who avoid catching and releasing kings out of season. Mortality rates vary according to fishing techniques such as mooching and trolling.

COST STATEMENT: The department does believe that approval of this proposal will result in an additional direct cost for a private person to participate in this fishery due to the necessity of having to purchase barbless hooks in addition to hooks normally used.

## LITERATURE CITED

CTC (Chinook Technical Committee). 1997. Incidental fishing mortality of King salmon: Mortality rates applicable to Pacific Salmon Commission fisheries. Pacific Salmon Commission Report TCCHINOOK (97)-1. Vancouver, British Columbia.

**PROPOSAL 178. PAGE 131. 5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY; AND 5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.**

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would require that salmon harvested during the winter troll fishery be offloaded prior to participating in the spring troll fishery and that salmon harvested in the summer troll fishery be offloaded prior to participating in the winter troll fishery.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES. (g) A person that participates in a spring salmon troll fishery must offload all fish from the person's vessel before participating in the summer salmon troll fishery. There are no similar regulations for the winter and summer troll fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The same requirements that currently exist for the spring troll fishery would be in place for the winter and summer troll fisheries. Any potential for misreporting of troll harvest into the wrong fishery (or season) would be eliminated.

BACKGROUND: The need for these proposed regulations may not have been so apparent in the past as it is now. Prior to 1994, the summer troll fishery closed by regulation on September 20. The summer troll fishery has been extended through September 30 in 8 of the past 12 years.

Since 1992, the winter troll fishery has begun on October 11, leaving as little as 10 days between the summer and winter fisheries in some years.

Prior to 2003, the winter troll fishery closed by regulation on April 14. The harvest cap of 45,000 fish had not been reached since it was put into effect in 1994. Since 2003, the winter troll season can potentially remain open through April 30, though the fishery was closed prior to that date each year from 2003-2005. In each of those years, the cap of 45,000 fish was harvested before April 30. The spring fishery may be opened by emergency order soon after the closure of the winter fishery, so the winter and spring seasons may now be separated by only one day.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 179. PAGE 132. 5 AAC 29.070(b). GENERAL FISHING SEASONS AND PERIODS.**

PROPOSED BY: Sitka Charter Boat Operators Association

*The regulation that this proposal would actually affect would be 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.*

WHAT WOULD THE PROPOSAL DO? The proposal would require that local task forces be appointed “to resolve and minimize potential user conflicts.” if new or expanded spring fisheries are contemplated beyond those in place in 2002 (Figure 179-1).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.070. DESCRIPTION OF AREA FOR SALMON TROLL FISHING.

- (b) The department shall manage the king salmon troll fishery to provide for
- (1) a winter fishery during the period beginning October 11 through April 30 or until the guideline harvest level is reached, as specified in 5 AAC 29.080, whichever occurs first;
  - (2) spring fisheries during the period beginning after the winter fishery is closed under (1) of this subsection, but no later than May 1, through June 30, as specified in 5 AAC 29.090;
  - (3) a summer fishery during the period beginning July 1 through September 30, as specified in 5 AAC 29.100.

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(b) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced king salmon while maintaining an historical pink and chum salmon troll fishery in Cross Sound.

(c) The department shall conduct the spring salmon troll fisheries each year before the opening of the general summer salmon troll season.

- (d) In its management of the spring fisheries under this section, the department shall
- (1) first consider changes in the previous year’s spring fisheries; the department shall open the fisheries if they meet the following requirements:
    - (A) a directed fishery may occur only if an Alaska hatchery return is expected to exceed brood stock requirements;
    - (B) at least one spring fishery shall be conducted annually, targeting the king salmon returning to each Alaska hatchery that meets its brood stock requirements;

- (C) in order to continue the fishery each year without modification of areas previously established, the contribution rate of hatchery stocks to the directed fishery harvest must exceed 20 percent;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The proposal would require the department or local advisory committees to appoint task forces to examine potential user conflicts resulting from increases in the number of spring fisheries above the 2002 level (Table 179-1). Spring meetings are and have been conducted each year since the mid-1980's, from mid-March to early April throughout SE Alaska to discuss plans for that year's spring and summer fisheries and review the winter and prior year's fisheries. These meetings are planned and scheduled by the troll fishery management biologists and are announced via department News Releases and on local radio stations where possible, and are open to the public. Creating task forces and holding task force meetings would not necessarily eliminate the need to hold the traditional spring meetings. The additional meetings would significantly increase the both department's workload and operating expenses.

BACKGROUND: In 1980, the Alaska Board of Fisheries (BOF) adopted a king salmon management plan to be effective in 1981 that was recommended by the department to rebuild king salmon stocks in Southeast Alaska. A primary feature of the plan was the closure of region-wide spring troll fisheries that harvested those stocks. Annual guideline harvests levels were adopted, and the starting date of the general summer fishery was delayed. At about the same time as the rebuilding plan was implemented, Alaskan hatcheries began producing king salmon and releasing hatchery fish from 15 different hatcheries and 17 different sites.

In successive years, the overall king salmon harvest level continued to be restricted with the most restrictive king salmon quota being imposed in 1985 by the Pacific Salmon Commission under the Pacific Salmon Treaty (PST). All stocks caught at the time, including about 5,000 fish produced by Alaska hatcheries were counted towards the quota. However, new Alaska hatchery production was not counted towards the quota and Alaska could increase their harvest of king salmon through increased hatchery production. The Hatchery Access and Experimental Fisheries were implemented in the late 80's in an effort to access the increased hatchery production during the general spring troll closure while minimizing the harvest of wild king salmon stocks.

The purpose of the Spring Fishery is to maximize the troll harvest rate on king salmon produced in Alaskan hatcheries while continuing the southeast Alaska natural king salmon rebuilding program. The Spring Fishery is made up of several Fishery Areas within known or suspected hatchery king salmon migration corridors. The department is directed by the BOF to continue to allow openings in the existing fishery areas provided they meet specific guidelines on the percentage of Alaskan hatchery and number of non-Alaskan hatchery king salmon harvested and to consider new fisheries based on the best scientific data and with input from experienced trollers.

The spring fisheries that have been established since the spring experimental fisheries were adopted are in traditional troll areas that were fished prior to the implementation of the chinook rebuilding plan and elimination of the general spring fisheries in 1981. The Alaska hatchery king salmon that are targeted in the spring fisheries were originally produced by hatcheries funded by by state and federal funds set aside to mitigate the losses of fishing opportunities due to the king salmon rebuilding plan and implementation of the PST. Currently the majority of the Alaska hatchery king salmon harvested are produced by the regional aquaculture associations.

In 2002 a total of 28 Spring Fishery areas were open, two of which were closed in subsequent years (West Rock and Felice Strait). In 2003, 26 Spring Fishery areas were open including one new area (West Clarence Strait). In 2004, 32 Spring Fishery areas were open including two areas that were open prior to 2002 (Ernest Sound and Deer Island), one area that was closed in 2003 (Craig Point) and two new areas (Zimovia Strait and Chichagof Pass). The additional areas open in 2004 were established to target fish returning to the SSRAA remote release site at Anita Bay. In 2005, 31 Spring Fishery areas were open with the Shelikof Bay area being the only fishery eliminated that was in place in 2004.

DEPARTMENT COMMENTS: The department OPPOSES the implementation of the additional task forces to discuss new or modified spring fishery areas due to the increased workload and cost to the department. Subsistence, personal use, sport fishermen, sport guides and others are already able to attend and participate in publicly advertised Spring troll meetings to voice their concerns.

The department is neutral on the allocative aspects of this proposal. Returning to spring areas as they were in 2002 is not consistent with provisions of 5 AAC 29.090 which seeks to maximize the troll harvest of king salmon produced by Alaskan hatcheries while continuing the king salmon rebuilding plan.

COST STATEMENT: The department believes that approval of this proposal may result in additional direct cost for a private person to participate in this fishery.

Table 179-1. Spring fisheries that were open in 2002 and/or in subsequent years.

| Stat Area | Fishing Area                | Year | Permits | Total Catch  | Alaska Hatchery % |
|-----------|-----------------------------|------|---------|--------------|-------------------|
| (101-29)  | <b>Gravina Island</b>       | 2002 | 47      | 4,010        | 63%               |
|           |                             | 2003 | 38      | 2,712        | 50%               |
|           |                             | 2004 | 44      | 5,584        | 51%               |
|           |                             | 2005 | 54      | 2,927        | 50%               |
| (101-21)  | <b>West Rock</b>            | 2002 | 11      | 923          | 19%               |
|           |                             | 2003 |         | Closed       |                   |
|           |                             | 2004 |         | Closed       |                   |
|           |                             | 2005 |         | Closed       |                   |
| (101-23)  | <b>Felice Strait</b>        | 2002 |         | Confidential |                   |
|           |                             | 2003 |         | Closed       |                   |
|           |                             | 2004 |         | Closed       |                   |
|           |                             | 2005 |         | Closed       |                   |
| (101-45)  | <b>Mountain Point</b>       | 2002 | 24      | 876          | 62%               |
|           |                             | 2003 | 23      | 1,693        | 77%               |
|           |                             | 2004 | 20      | 1,579        | 67%               |
|           |                             | 2005 | 34      | 2,133        | 79%               |
| (101-90)  | <b>West Behm</b>            | 2002 | 6       | 157          | 37%               |
|           |                             | 2003 | 3       | 9            | 0%                |
|           |                             | 2004 | 3       | 158          | 26%               |
|           |                             | 2005 |         | Confidential |                   |
| (102-50)  | <b>West Clarence Strait</b> | 2003 | 11      | 697          | 33%               |
|           |                             | 2004 | 13      | 645          | 63%               |
|           |                             | 2005 | 24      | 1,963        | 28%               |
| (105-41)  | <b>Sumner St.</b>           | 2002 | 24      | 843          | 13%               |
|           |                             | 2003 | 19      | 867          | 9%                |
|           |                             | 2004 | 15      | 971          | 14%               |
|           |                             | 2005 | 23      | 1,214        | 7%                |
| (106-30)  | <b>Steamer Point</b>        | 2002 | 8       | 284          | 18%               |
|           |                             | 2003 | 11      | 344          | 45%               |
|           |                             | 2004 | 14      | 504          | 33%               |
|           |                             | 2005 | 13      | 248          | 42%               |
| (106-41)  | <b>Snow Passage</b>         | 2002 |         | Confidential |                   |
|           |                             | 2003 |         | Closed       |                   |
|           |                             | 2004 |         | Closed       |                   |
|           |                             | 2005 |         | Closed       |                   |
| (107-10)  | <b>Ernest Sound</b>         | 2004 | 3       | 96           | 19%               |
|           |                             | 2005 |         | Confidential |                   |
| (107-20)  | <b>Deer Island</b>          | 2004 | 4       | 48           | 0%                |
|           |                             | 2005 |         | Confidential |                   |
| (107-30)  | <b>Zimovia Strait</b>       | 2004 | 4       | 110          | 6%                |
|           |                             | 2005 |         | Confidential |                   |
| (108-10)  | <b>Chichagof Pass</b>       | 2004 | 25      | 969          | 39%               |
|           |                             | 2005 | 22      | 728          | 7%                |

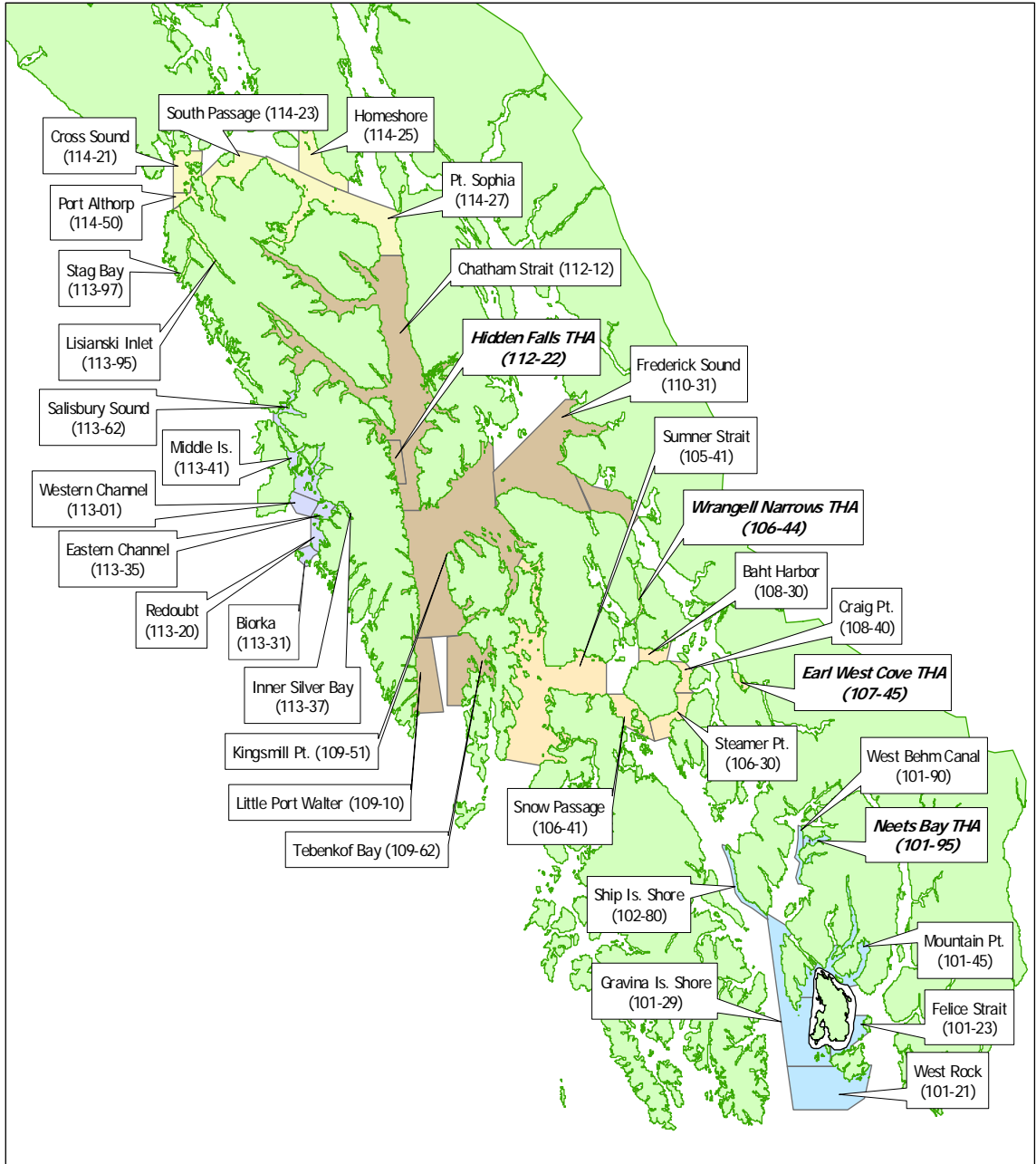


Table 179-1. Spring fisheries that were open in 2002 and/or in subsequent years (Cont.)

| <b>Stat Area</b> | <b>Fishing Area</b>       | <b>Year</b> | <b>Permits</b> | <b>Total Catch</b> | <b>Alaska Hatchery %</b> |
|------------------|---------------------------|-------------|----------------|--------------------|--------------------------|
| (108-30)         | <b>Baht Harbor</b>        | 2002        | 16             | 323                | 27%                      |
|                  |                           | 2003        | 28             | 741                | 24%                      |
|                  |                           | 2004        | 27             | 600                | 4%                       |
|                  |                           | 2005        | 59             | 2,138              | 10%                      |
| (108-40)         | <b>Craig Point</b>        | 2002        | 10             | 279                | 5%                       |
|                  |                           | 2004        | 15             | 343                | 3%                       |
|                  |                           | 2005        | 43             | 2,129              | 8%                       |
| (109-10)         | <b>Little Port Walter</b> | 2002        | 4              | 31                 | 0%                       |
|                  |                           | 2003        | 7              | 143                | 21%                      |
|                  |                           | 2004        | 3              | 24                 | 0%                       |
|                  |                           | 2005        | 6              | 40                 | 0%                       |
| (109-51)         | <b>Kingsmill Point</b>    | 2002        | 40             | 2,376              | 41%                      |
|                  |                           | 2003        | 42             | 2,210              | 21%                      |
|                  |                           | 2004        | 46             | 2,020              | 38%                      |
|                  |                           | 2005        | 71             | 8,184              | 39%                      |
| (109-62)         | <b>Tebenkof Bay</b>       | 2002        | 8              | 125                | 25%                      |
|                  |                           | 2003        | 46             | 5,044              | 27%                      |
|                  |                           | 2004        | 57             | 5,710              | 33%                      |
|                  |                           | 2005        | 55             | 3,575              | 21%                      |
| (110-31)         | <b>Frederick Sound</b>    | 2002        | 12             | 216                | 24%                      |
|                  |                           | 2003        | 11             | 130                | 2%                       |
|                  |                           | 2004        | 18             | 413                | 14%                      |
|                  |                           | 2005        | 23             | 505                | 35%                      |
| (112-12)         | <b>Chatham Strait</b>     | 2002        | 47             | 1,435              | 45%                      |
|                  |                           | 2003        | 29             | 1,598              | 61%                      |
|                  |                           | 2004        | 20             | 1,315              | 54%                      |
|                  |                           | 2005        | 37             | 1,374              | 42%                      |
| (113-01)         | <b>Western Channel</b>    | 2002        | 77             | 4,299              | 38%                      |
|                  |                           | 2003        | 74             | 2,460              | 25%                      |
|                  |                           | 2004        | 60             | 1,692              | 17%                      |
|                  |                           | 2005        | 59             | 1,335              | 25%                      |
| (113-31)         | <b>Biorka Island</b>      | 2002        | 34             | 1,323              | 29%                      |
|                  |                           | 2003        | 54             | 1,645              | 17%                      |
|                  |                           | 2004        | 56             | 2,147              | 8%                       |
|                  |                           | 2005        | 72             | 5,260              | 22%                      |
| (113-35)         | <b>Eastern Channel</b>    | 2002        | 119            | 7,914              | 63%                      |
|                  |                           | 2003        | 98             | 4,756              | 40%                      |
|                  |                           | 2004        | 151            | 10,253             | 50%                      |
|                  |                           | 2005        | 132            | 4,680              | 31%                      |
| (113-37)         | <b>Inner Silver Bay</b>   | 2002        | 56             | 3,129              | 76%                      |
|                  |                           | 2003        | 17             | 1,013              | 62%                      |
|                  |                           | 2004        | 26             | 1,164              | 54%                      |
|                  |                           | 2005        | 24             | 583                | 45%                      |

Table 179-1. Spring fisheries that were open in 2002 and/or in subsequent years (Cont.)

| <b>Stat Area</b> | <b>Fishing Area</b>    | <b>Year</b> | <b>Permits</b> | <b>Total Catch</b> | <b>Alaska Hatchery %</b> |
|------------------|------------------------|-------------|----------------|--------------------|--------------------------|
| (113-41)         | <b>Middle Island</b>   | 2002        | 79             | 2,282              | 35%                      |
|                  |                        | 2003        | 63             | 2,892              | 53%                      |
|                  |                        | 2004        | 106            | 5,596              | 39%                      |
|                  |                        | 2005        | 132            | 4,535              | 36%                      |
| (113-45)         | <b>Shelikof Bay</b>    | 2003        | 47             | 1,377              | 6%                       |
|                  |                        | 2004        | 45             | 2,643              | 13%                      |
|                  |                        | 2005        | Closed         |                    |                          |
| (113-62)         | <b>Salisbury Sound</b> | 2002        | 35             | 1,095              | 76%                      |
|                  |                        | 2003        | 27             | 882                | 76%                      |
|                  |                        | 2004        | 65             | 4,302              | 19%                      |
|                  |                        | 2005        | 97             | 7,448              | 25%                      |
| (113-90)         | <b>Lisianski Inlet</b> | 2002        | 30             | 1,484              | 19%                      |
|                  |                        | 2003        | 23             | 1,119              | 13%                      |
|                  |                        | 2004        | 31             | 1,641              | 11%                      |
|                  |                        | 2005        | 27             | 1,037              | 13%                      |
| (113-97)         | <b>Stag Bay</b>        | 2002        | 9              | 159                | 0%                       |
|                  |                        | 2003        | 11             | 351                | 5%                       |
|                  |                        | 2004        | 8              | 385                | 63%                      |
|                  |                        | 2005        | 12             | 676                | 25%                      |
| (114-21)         | <b>Cross Sound</b>     | 2002        | 10             | 71                 | 2%                       |
|                  |                        | 2003        | 13             | 146                | 21%                      |
|                  |                        | 2004        | 4              | 21                 | 93%                      |
|                  |                        | 2005        | 5              | 12                 | 18%                      |
| (114-23)         | <b>South Passage</b>   | 2002        | 5              | 59                 | 73%                      |
|                  |                        | 2003        | 7              | 132                | 1%                       |
|                  |                        | 2004        | 12             | 296                | 57%                      |
|                  |                        | 2005        | 9              | 134                | 0%                       |
| (114-25)         | <b>Homeshore</b>       | 2002        | 36             | 824                | 43%                      |
|                  |                        | 2003        | 28             | 456                | 20%                      |
|                  |                        | 2004        | 41             | 1,396              | 31%                      |
|                  |                        | 2005        | 44             | 1,250              | 29%                      |
| (114-27)         | <b>Point Sophia</b>    | 2002        | 28             | 513                | 49%                      |
|                  |                        | 2003        | 23             | 314                | 71%                      |
|                  |                        | 2004        | 32             | 784                | 42%                      |
|                  |                        | 2005        | 26             | 489                | 44%                      |
| (114-50)         | <b>Port Althorp</b>    | 2002        | 38             | 2,463              | 22%                      |
|                  |                        | 2003        | 28             | 1,488              | 18%                      |
|                  |                        | 2004        | 37             | 1,753              | 17%                      |
|                  |                        | 2005        | 30             | 1,118              | 15%                      |



**Figure 179-1.**—Spring areas open in 2002.

**PROPOSAL 180. PAGE 132. 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.**

PROPOSED BY: Yakutat Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would allow a spring fishery to occur during May and June in the Yakutat area during one-day per week openings. A maximum catch of 1,000 king salmon would be allowed.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

5 AAC 30.365. SITUK-ARNKLIN INLET AND LOST RIVER KING SALMON FISHERIES MANAGEMENT PLAN.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The harvest of king salmon by the commercial troll fleet would be allowed in the Yakutat area during the Spring troll fishery. The total Southeast Alaska/Yakutat spring king salmon catch of both hatchery and wild stock would likely increase above current levels. The catch of wild stocks, currently managed under provisions of 5 AAC 30.365. SITUK-ARNKLIN INLET AND LOST RIVER KING SALMON FISHERIES MANAGEMENT PLAN would likely increase. The proposed spring fishery would be allowed only when the projected inriver run of Situk River king salmon is greater than 1,050 fish, the upper end of the Biological Escapement Goal for the Situk River.

BACKGROUND: In 2004, the department was contacted by Yakutat area trollers and were requested to allow a spring troll fishery. The department was willing to conduct an experimental one-day per week fishery but, because trollers in the Yakutat area currently do not pay the Salmon Enhancement Tax that is assessed on other SEAK trollers, the department was reluctant to allow the fishery to occur without the concept being discussed and pertinent regulations being passed by the Alaska Board of Fisheries.

The Yakutat area has never been considered to be a migration corridor area for returning Alaska hatchery-produced king salmon because no hatcheries or remote release sites for enhanced king salmon are located in the Yakutat area. Coded-wire tag sampling in Yakutat during the winter fishery has been very limited. However, winter sampling that was done in 2004 and 2005 during the second half of the fishery yielded a contribution of only 210 Alaska hatchery-produced fish in a catch of 8,444 fish landed or 2.5% of the catch (Table 180-1). As a result, no spring fisheries have yet been allowed in the Yakutat area.

The Alaska hatchery king salmon proportion in the Yakutat area winter fishery has historically been below 20%. However, because no troll fishery for king salmon has been allowed in the Yakutat area since the spring fisheries were established in 1986, the actual proportion of Alaska hatchery-produced king salmon after May 1 is not known.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal.

In order to prevent over harvest of Situk River king salmon, a spring troll fishery would be allowed in Yakutat Bay only during years when the projected inriver run to the Situk River is greater than 1,050 three ocean and older fish. This is the escapement level where the most liberal fishing seasons, areas and methods and means are allowed under 5 AAC 30.365. SITUK-AHRNKLIN INLET AND LOST RIVER KING SALMON FISHERIES MANAGEMENT PLAN(b)(5). It is likely that Situk River king salmon are already fully utilized below this escapement level.

Action on this proposal may also have implications with proposal 197 which would create regulations to allow abundance-based king salmon harvest consistent with Pacific Salmon Treaty on returns to the Alsek River.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

Table 180-1. Total catch and known Alaska hatchery catch and percent composition in the late winter (stat weeks 1-16) Yakutat Bay (district 183) winter troll fishery, 1999-2005.

|      | Total Catch | Alaska Hatchery |         |
|------|-------------|-----------------|---------|
|      |             | Catch           | Percent |
| 1999 | 284         | Not Sampled     |         |
| 2000 | 620         | Not Sampled     |         |
| 2001 | 1,548       | Not Sampled     |         |
| 2002 | 1,959       | Not Sampled     |         |
| 2003 | 4,447       | Not Sampled     |         |
| 2004 | 5,190       | 93              | 1.8%    |
| 2005 | 3,254       | 116             | 3.6%    |

**PROPOSAL 181, PAGE 133. 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.**

PROPOSED BY: Alaska Trollers Association

WHAT WOULD THE PROPOSAL DO? This proposal would establish criteria for combining two or more spring fishery areas while not reducing the total allowable catch of non-Alaska hatchery-produced king salmon.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(d) In its management of the spring fisheries under this section, the department shall

(1) first consider changes in the previous year's spring fisheries; the department shall open the fisheries if they meet the following requirements:

(D) the department shall manage each spring salmon troll fishery as follows:

- (i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the king salmon taken in that fishery;
- (ii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the king salmon taken in that fishery;
- (iii) no more than 5,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the king salmon taken in that fishery;
- (iv) there is no limit on the number of non-Alaska hatchery-produced salmon that may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is 66 percent or more of the king salmon taken in that fishery;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If this proposal is adopted, the department would be allowed to combine two or more adjacent spring areas and also combine the non-Alaska hatchery-produced caps, or some portion of the caps, from each of the areas.

Combining areas and caps would reduce the total number of spring fisheries that are currently established, and individually managed by the department (thirty-one in 2005), while not reducing the total allowable catch of non-Alaska hatchery-produced king salmon. For example, if two spring areas were combined, then the non-Alaska hatchery-produced king salmon caps for the new, larger area may then be 2,000 fish when the Alaska hatchery-produced component was less than 33 percent, 6,000 fish at 33%-50%, 10,000 fish at 50%-66% and unlimited catch at greater than 66%.

It is possible that passage of this proposal could result in larger catches of non-Alaska hatchery-produced king salmon and reduce the number of Treaty kings available for harvest during the summer fishery. However, the department does not believe the Treaty king salmon catch will increase by a magnitude that would result in a reduction in the number of king salmon retention days during the summer fishery. Any catch increase would also include larger catches of Alaska hatchery-produced fish, which is the goal of the spring fisheries.

BACKGROUND: In 1980, the Alaska Board of Fisheries (BOF) adopted a king salmon management plan to be effective in 1981 that was recommended by the department to rebuild king salmon stocks in Southeast Alaska. A primary feature of the plan was the closure of region-wide spring troll fisheries that harvested those stocks. Annual guideline harvests levels were adopted, and the starting date of the general summer fishery was delayed. At about the same time as the rebuilding plan was implemented, Alaskan hatcheries began producing king salmon and releasing hatchery fish from 15 different hatcheries and 17 different sites.

In successive years, the overall king salmon harvest level continued to be restricted with the most restrictive king salmon quota being imposed in 1985 by the Pacific Salmon Commission under the Pacific Salmon Treaty (PST). All stocks caught at the time, including about 5,000 fish produced by Alaska hatcheries were counted towards the quota. However, new Alaska hatchery production was not counted towards the quota and Alaska could increase their harvest of king salmon through increased hatchery production. The Hatchery Access and Experimental Fisheries were implemented in the late 80's in an effort to access the increased hatchery production during the general spring troll closure while minimizing the harvest of wild king salmon stocks.

Since 1986, fifty-two individual "experimental" and spring areas have been implemented. Many of those areas were eliminated due to low Alaska hatchery catches, but many were also combined to form larger areas. There were thirty-one individual spring fisheries open during the 2005 season. Up to the present time, whenever two or more spring fisheries were combined, there have been no regulations in place that would allow the non-Alaska hatchery catch caps to also be combined to avoid a reduction in total allowable catch. As a result, the department is now reluctant to combine spring areas.

DEPARTMENT COMMENTS: The department SUPPORTS this proposal.

Passage of this proposal would reduce the number of spring fisheries, and would reduce the complexity of managing the large number of separate spring fisheries currently in place. The concept of reducing the number of “experimental” spring fisheries, and establishing large, permanent corridors where Alaska hatchery-produced king salmon could be targeted by the troll fishery was a primary goal when the spring “experimental” fisheries were first conceived in the mid-1980’s.

If Proposal 182 is adopted, and 29.090(1)(D,) is revised to establish an additional tier of Alaska hatchery percentages and new Treaty fish caps in spring troll fishery management, then those new levels would apply to this proposal.

The department is neutral on any allocative aspects of this proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**PROPOSAL 182. PAGE 134. 5 AAC 29.090(d)(1)(D). MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.**

PROPOSED BY: Alaska Trollers Association

WHAT WOULD THE PROPOSAL DO? This proposal would establish an additional level of hatchery percentage criteria and Treaty fish caps used for the management of the spring fisheries.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

- (d) In its management of the spring fisheries under this section, the department shall
- (2) first consider changes in the previous year's spring fisheries; the department shall open the fisheries if they meet the following requirements:
    - (D) the department shall manage each spring salmon troll fishery as follows:
      - (i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the king salmon taken in that fishery;
      - (ii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the king salmon taken in that fishery;
      - (iii) no more than 5,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the king salmon taken in that fishery;
      - (iv) there is no limit on the number of non-Alaska hatchery-produced salmon that may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is 66 percent or more of the king salmon taken in that fishery;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If this proposal is adopted, the current Alaska hatchery criteria and the associated non-Alaska hatchery-produced (Treaty) king salmon allowable catch caps as presented in this proposal would change and an additional level would be added as follows:

| <b>Proposed Hatchery Percentage</b> | <b>Proposed Treaty Fish Cap</b> | <b>Current Hatchery Percentage</b> | <b>Current Treaty Fish Cap</b> |
|-------------------------------------|---------------------------------|------------------------------------|--------------------------------|
| <25%                                | 1,000                           | <33%                               | 1,000                          |
| 25-35%                              | 2,000                           | 33-50%                             | 3,000                          |
| 36-50%                              | 3,000                           | 51-66%                             | 5,000                          |
| 51-66%                              | 5,000                           | >66%                               | Unlimited                      |
| >66%                                | Unlimited                       |                                    |                                |

It is possible that in some years, passage of this proposal could result in slightly larger harvests of non-Alaska hatchery-produced king salmon and reduce the number of Treaty kings available for harvest during the summer fishery. However, the department does not believe the Treaty king salmon harvest will increase by a magnitude that would result in a reduction in the number of king salmon retention days during the summer fishery. Any harvest increase would also include larger catches of Alaska hatchery-produced fish, which is the goal of the spring fisheries.

**BACKGROUND:** In 1980, the Alaska Board of Fisheries (BOF) adopted a king salmon management plan to be effective in 1981 that was recommended by the department to rebuild king salmon stocks in Southeast Alaska. A primary feature of the plan was the closure of region-wide spring troll fisheries that harvested those stocks. Annual guideline harvests levels were adopted, and the starting date of the general summer fishery was delayed. At about the same time as the rebuilding plan was implemented, Alaskan hatcheries began producing king salmon and releasing hatchery fish from 15 different hatcheries and 17 different sites.

In 2003 the BOF adopted a proposal that increased the the allowable Treaty caps by 1,000 fish when the Alaska hatchery percentage is between 33% and 50% and by 2,000 fish when the Alaska hatchery percentage is between 50% and 66%. That regulation change had resulted in one spring area (Tebenkof Bay) to remain open in 2004 longer than would have been allowed under the previous regulations.

Since 1998 there are three spring areas where this proposal would have potentially allowed the areas to stay open longer, Tebenkof Bay, Biorka Island and Western Channel (Table 182-1). The Tebenkof Bay spring fishery would have been allowed to remain open longer during each season from 2000-2003, (under this proposal the Tebenkof Bay area likely would have also closed earlier in 2004 because the proposed percentages/Treaty caps are at levels that would have reduced the allowable Treaty catch during that year). The Biorka Island area would have likely remained open longer in

2002, Western Channel area would have likely been allowed to remain open longer in 2003 and 2005. All of these spring fisheries are among the larger producers during the Spring season.

DEPARTMENT COMMENTS: The department SUPPORTS this proposal. By adding new, “intermediate” levels in the hatchery percent/Treaty cap provisions of 5 AAC 29.090, the department would actually have more flexibility for making decisions concerning the length of spring fishery openings. The risk of exceeding the Treaty caps would be reduced.

If the board adopts this proposal, proposal 181 would also be affected.

The department is neutral on any allocative aspects of this proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

Table 182-1. Fishing history for the Tebenkof Bay, Western Channel and Biorka Island spring fisheries, 1998-2005

| Stat Area | Fishing Area    | Year | Permits | Total Catch | Alaska Hatchery % | Non-Alaska Hatchery Catch | Non-Alaska Hatchery Limit |
|-----------|-----------------|------|---------|-------------|-------------------|---------------------------|---------------------------|
| (109-62)  | Tebenkof Bay    | 1998 | 12      | 283         | 20%               | 226                       | 1,000                     |
|           |                 | 1999 | 33      | 1,941       | 24%               | 1,475                     | 1,000                     |
|           |                 | 2000 | 21      | 975         | 29%               | 692                       | 1,000                     |
|           |                 | 2001 | 32      | 1,352       | 25%               | 1,014                     | 1,000                     |
|           |                 | 2002 | 8       | 125         | 25%               | 94                        | 1,000                     |
|           |                 | 2003 | 46      | 5,044       | 27%               | 3,682                     | 1,000                     |
|           |                 | 2004 | 57      | 5,710       | 33%               | 3,826                     | 3,000                     |
|           |                 | 2005 | 55      | 3,575       | 21%               | 2,824                     | 1,000                     |
| (113-01)  | Western Channel | 1998 | 56      | 1,157       | 8%                | 1,064                     | 1,000                     |
|           |                 | 2002 | 77      | 4,299       | 38%               | 2,665                     | 3,000                     |
|           |                 | 2003 | 74      | 2,460       | 25%               | 1,845                     | 1,000                     |
|           |                 | 2004 | 60      | 1,692       | 17%               | 1,404                     | 1,000                     |
|           |                 | 2005 | 59      | 1,335       | 25%               | 1,001                     | 1,000                     |
| (113-31)  | Biorka Island   | 2002 | 34      | 1,323       | 29%               | 939                       | 1,000                     |
|           |                 | 2003 | 54      | 1,645       | 17%               | 1,365                     | 1,000                     |
|           |                 | 2004 | 56      | 2,147       | 8%                | 1,975                     | 1,000                     |
|           |                 | 2005 | 72      | 5,260       | 22%               | 4,103                     | 1,000                     |

**PROPOSAL 183. PAGE 135. 5 AAC 29.090. MANAGEMENT OF THE SPRING TROLL FISHERIES.**

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal would allow the Cross Sound Pink and Chum fishery to be open through June 30 rather than June 29.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING TROLL FISHERIES. (f) In Cross Sound, in the waters of Section 14-A west of the longitude of Point Dundas, south of the latitude of Point Dundas and east of the longitude of the southern tip of Taylor Island to 58°10'N. lat., then east to Althorp Light, then north to the light at the entrance to Elfin Cove, pink and chum salmon may be taken from Monday through Friday each week beginning on the second Monday in June through June 29 or until 50 king salmon are taken, whichever occurs first.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This is a housekeeping proposal that would update the regulation to reflect the current management practice of allowing spring fisheries to remain open through June 30 if the number of Chinook salmon harvested has not met or exceeded the harvest limit for a particular fishery.

BACKGROUND: In 1980, the Alaska Board of Fisheries (BOF) adopted a Chinook salmon management plan that was recommended by the department to rebuild Chinook salmon stocks in Southeast Alaska, effective 1981. A primary feature of the plan was the closure of regionwide spring troll fisheries that harvested those stocks. Annual guideline harvests levels were adopted, and the starting date of the general summer fishery was delayed. At about the same time as the rebuilding plan was implemented, Alaskan hatcheries began producing Chinook salmon and releasing hatchery fish from 15 different hatcheries and 17 different sites.

In successive years, the overall Chinook salmon harvest level continued to be restricted with the most restrictive Chinook salmon quota being imposed in 1985 by the Pacific Salmon Commission under the Pacific Salmon Treaty (PST). All stocks caught at the time, including about 5,000 fish produced by Alaska hatcheries were counted towards the quota. However, new Alaska hatchery production was not counted towards the quota and Alaska could increase their harvest of Chinook salmon through increased hatchery production. The Experimental and Terminal Troll Fisheries were implemented in the late 80's in an effort to access the increased hatchery production during the general spring troll closure while minimizing the harvest of wild Chinook salmon stocks.

The Cross Sound pink and chum fishery was established by the Board of Fisheries in 1988 to determine the feasibility of harvesting mature chum salmon returning to the Hidden Falls Hatchery and to determine if a troll fishery could be directed on pink salmon during the spring. A catch limit for the fishery was set at 500 Chinook salmon, excluding those of Alaska hatchery origin. The fishery was to be open Monday through Wednesday of each week from June 13

through June 29 in a portion of Icy Strait near Elfin Cove. Beginning in 1997, the fishery was opened Monday through Friday.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal. Trollers are required to offload all fish harvested in the Spring troll fishery before participating in the Summer troll fishery, so allowing the Cross Sound pink and chum fishery to stay open through June 30 will not introduce any enforcement problems.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

**PROPOSAL 184, PAGE 135. 5 AAC 29.025 (a). WATERS OF FREQUENT HIGH KING SALMON ABUNDANCE.**

PROPOSED BY: Katherine Warm

WHAT WOULD THE PROPOSAL DO? This proposal would change the northern boundary line of the closed waters area along Yakobi Island, resulting in a slightly smaller closed area. The boundary line would move south to the latitude of 58° 05 N. latitude.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.025. WATERS OF FREQUENT HIGH KING SALMON ABUNDANCE.

- (a) The following waters are identified as waters of frequent high abundance of king salmon:
  - (3) waters off the west coast of Yakobi Island between the latitude of Yakobi Rock at 58°05.17' N. latitude and the latitude of Cape Cross at 57°55' N. latitude, to a distance of one mile from the main shoreline of Yakobi Island.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal, if adopted, would move the northern boundary of the Yakobi Island high king salmon abundance area approximately 300 meters south of the existing boundary (Figure 184-1).

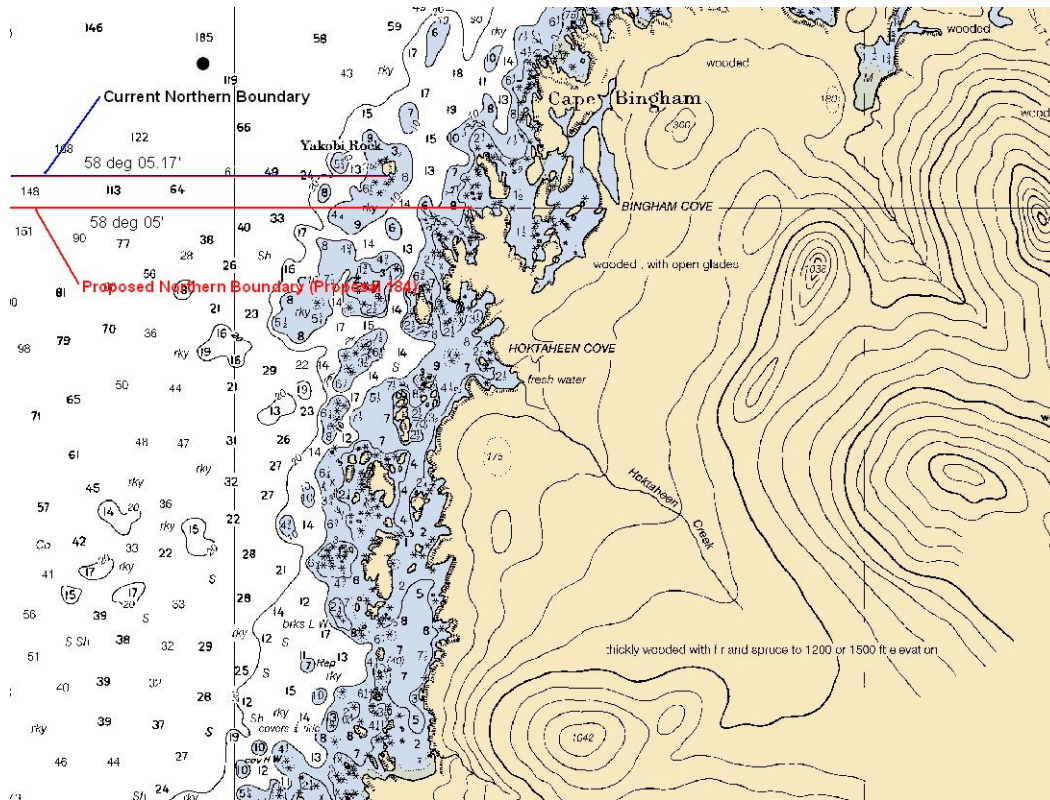
BACKGROUND: The waters of high king salmon abundance are closed to trolling following the first king salmon retention period of the summer troll fishery. The purpose for these closures is to slow down the king salmon harvest rate during the second king salmon retention fishery and to reduce the number of king salmon incidentally hooked and released during a king salmon non-retention fishery. These areas remain closed for the rest of the summer fishery, unless the department determines, after 10 days of a second king salmon opening, that the annual troll king salmon harvest allocation might not be reached by September 20 with those waters closed. If this is the case, the waters of high king salmon abundance can be reopened.

Coordinates in regulation used to be expressed in degrees, minutes and seconds until 2003, when the department began using decimal minutes. This change has confused some people as to what the true coordinates are for closed areas such as those mentioned in this proposal.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal.

This proposed line change will result in a small increase in area open to trolling during king salmon non-retention periods.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 184-1.**—Current and proposed northern boundary of the Yakobi Island king salmon high abundance area [5 AAC 29.025(a)(3)].

**PROPOSAL 185. PAGE 136. 5 AAC 29.100 MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.**

PROPOSED BY: Chris Carroll

WHAT WOULD THE PROPOSALS DO? The proposal would reduce the first troll king salmon summer season retention period target harvest from 70% to 60% of the remaining allowable king salmon harvest and the Waters of Frequent High King Salmon Abundance [5 AAC 29.025} would be closed unless the harvest ceiling may not be reached.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

(c) the department shall manage the summer king salmon troll fishery

(1) the

department shall manage the summer king salmon troll fishery

(A) to take 70 percent of the remaining king salmon harvest calculated as the annual troll harvest ceiling minus the winter and spring troll harvests of treaty king salmon in an initial opening beginning July 1

...

(2) in order to provide for the harvest of the remaining portion of the king salmon harvest following a coho salmon closure, the department shall manage the king salmon harvest as follows:

(A) if approximately 70 percent or more of the remaining troll king salmon harvest was taken during the initial opening under (1)(A) of this subsection, the commissioner shall close, by emergency order, the waters of frequent high king salmon abundance described in 5 AAC 29.025 for the remainder of the summer salmon troll season in order to slow down the harvest rate; however, if after 10 days, the department determines that the annual troll king salmon harvest ceiling might not be reached by September 20 with those waters closed, the commissioner shall reopen, by emergency order, the waters of frequent high king salmon abundance;

5 AAC 29.05. WATERS OF FREQUENT HIGH KING SALMON AUNDANCE.

(a) "The following waters are identified as water of frequent high abundance of king salmon:

(1) waters off the west coast of Baranof Island...



- (2) waters off the Kruzof island shore...
- (3) waters off the west coast of Yakobi Island between the latitude of Yakobi Rock at 58°05.17' N. lat. and the latitude of Cape Cross at 57°55' N. lat., to a distance of one mile from the main shoreline of Yakobi Island;
- (4) waters of Palma Bay, Dixon Harbor, Torch Bay, Murk Bay, and Graves Harbor...
- (5) the outer banks of the Fairweather Grounds...

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The harvest of king salmon during the first troll king salmon retention period would be reduced. More king salmon would be harvested during the August period and fewer would be harvested during July.

The value of the fishery would likely increase if the entire troll king salmon allocation could be harvested annually under the proposed target harvest percentages. The average king salmon ex-vessel price during the first retention period for the 5-year period 2001-2005 was \$1.25/lb. and for the second retention period the ex-vessel price averaged \$1.60/lb (ADFG salmon fish ticket database).

Although this proposal addresses value and quality, the department's main concern with changing any of the troll fishery management plans is the potential increase in king salmon incidental mortalities and any changes that would have to be made in other aspects of the troll fishery management plan to compensate for any increase. The overall number of king salmon non-retention (CNR) days would probably be reduced under this proposal because catch rates during August are normally lower than during July. However, the second opening catch rates for the 2004 and 2005 seasons were very similar to the first summer opening. If this continues to happen, the total number of CNR days may not be reduced by this proposal, which is not its purpose but is a significant issue in re-directing catches in the summer season

The waters of high king salmon abundance, as described in 5 AAC 29.025, could be reopened sooner if it was likely that the king salmon harvest ceiling might not be caught by September 20.

Based on the five-year period 2001-2005, the average harvest during the summer fishery was 212,031 fish. The 5-year average catch per fleet day during the first summer opening was 9,838 fish, and during the second opening was 6,862 fish. Under the current plan, 70% of the summer fishery catch ( $0.70 * 212,031 = 148,421$  fish) would be harvested during the first summer opening, and the fishery would last an average of  $148,421/9,838 = 15.1$  days. The remainder ( $212,031 - 148,421 = 63,609$  fish) would be harvested during the second opening, and the fishery would last an average of  $63,609 \text{ fish} / 6,862 \text{ fish per fleet per day} = 9.3$  days. This would provide for  $15.1 \text{ days} + 9.3 \text{ days} = 24.4$  days of summer king salmon fishing.

Under this proposal, 60% of the summer fishery catch ( $0.60 * 212,031 = 127,218$  fish) could be harvested during the first summer opening and using 2001-2005 data, the fishery would last an average of  $127,218 \text{ fish} / 9,838 = 12.9$  days. The remaining harvest would be ( $212,031 - 127,218 = 84,813$  fish) during the second opening, and the fishery would last an average of  $84,813 \text{ fish} /$

6,862 fish per fleet per day = 12.4 days. This would provide for 12.9 days + 12.4 days = 25.3 days of summer king salmon fishing, and a net decrease in king non-retention days of 1 day.

Using the CTC recommended SEAK hook and release mortality rate of 21.1% for legal king salmon the average daily mortality estimates during CNR periods for the 2000-2004 summer seasons (most recent period for which mortality estimates are available), the average estimated increase in legal king mortality under the proposed plan would have been 180 fish (180 mortalities/day \* 1 day) (Table 185-2).

**BACKGROUND:** After king salmon quotas were established for the troll fishery in the early 1980s, the number of days for the fleet to harvest the quotas became smaller and smaller. In 1994, the board adopted the current summer management plan developed by the board-appointed Chinook Troll Task Force (CTTF).

**DEPARTMENT COMMENTS:** The department is NEUTRAL on this allocative proposal.

In chapter 3, paragraph 3 (d)(I) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality

During years with large king salmon quotas combined with coho salmon conservation concerns, it may be problematic to catch the entire king salmon quota. August coho closures of ten or more days could limit the number of fishing days allowed for any salmon retention. Coho conservation concerns may also restrict the allowable fishing area. However, this scenario has rarely occurred.

**COST STATEMENT:** The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

Table 185-1. Estimated encounters and incidental mortalities associated with king salmon non-retention (CNR) days in the 2000-2005 summer troll fisheries.

| Year            | Summer Period        | Estimated Legal Encounters | CNR Days  | Estimated Total Legal CNR Encounters/Day | Estimated Total Legal Incidental Mortalities/Day |
|-----------------|----------------------|----------------------------|-----------|--|--|
| 2000            | Non-Retention Period | 39,618                     | 48        | 825                                      | 174  |
| 2001            | Non-Retention Period | 59,552                     | 62        | 961                                      | 203  |
| 2002            | Non-Retention Period | 42,164                     | 50        | 843                                      | 178  |
| 2003            | Non-Retention Period | 34,262                     | 53        | 646                                      | 136  |
| 2004            | Non-Retention Period | 70,781                     | 71        | 997                                      | 210  |
| <b>Averages</b> |                      | <b>49,275</b>              | <b>57</b> | <b>855</b>                               | <b>180</b>                                       |



**PROPOSAL 186. PAGE 136. 5 AAC 29.100(e). MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.**

PROPOSED BY: Wrangell Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would amend section 5 AAC 29.100(e). The amended regulation would allow trolling in Sub-District 108-10 continuously beginning July 1 to specifically target enhanced chum salmon returning to Anita Bay Terminal Harvest Area (THA) (Figure 186-1).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

(e) In District 8: the weekly fishing periods for trolling are the same as for drift gillnetting.

AS 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.

(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks and may be managed consistent with sustained yield of enhanced fish stocks.

5 AAC 33.383. DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

(a) ...

(b) The commissioner shall open and close, by emergency order, fishing seasons and periods to manage the common property fisheries to harvest excess salmon returning to the Anita Bay Terminal Harvest Area. The Terminal Harvest area will be closed to the harvest of salmon as follows:...

(c) This management plan distributes the harvest of hatchery-produced king, coho, and chum salmon among the purse seine, troll, and gillnet fisheries when there are excess fish not being harvested by the hatchery operator.

(d) ...

5 AAC 29.112. MANAGEMENT OF CHUM SALMON TROLL FISHERY.

(a) The commissioner may open, by emergency order, a hatchery chum salmon troll fishery only during the summer coho salmon troll fishery closure specified in 5 AAC 29.110(b)(2).

- (b) If the commissioner opens a season under (a) of this section, chum salmon fishing will occur only
- (1) in the waters of Sitka Sound and the Eastern Channel...
  - (2) in the waters of Neets Bay...

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The harvests of wild and enhanced salmon by the troll fleet would probably increase in District 8.

BACKGROUND: The current requirement that the fishing periods for trolling in District 8 be the same as for drift gillnetting has been in effect since statehood. The current regulation is allocative and was initially put in place to equalize fishing opportunities in District 8 between the large number of trollers and gillnetters who historically fished the area directly around Petersburg and Wrangell.

Under the provisions of 5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN, trollers are allowed to fish at any time within the THA during the period that the THA is being actively managed.

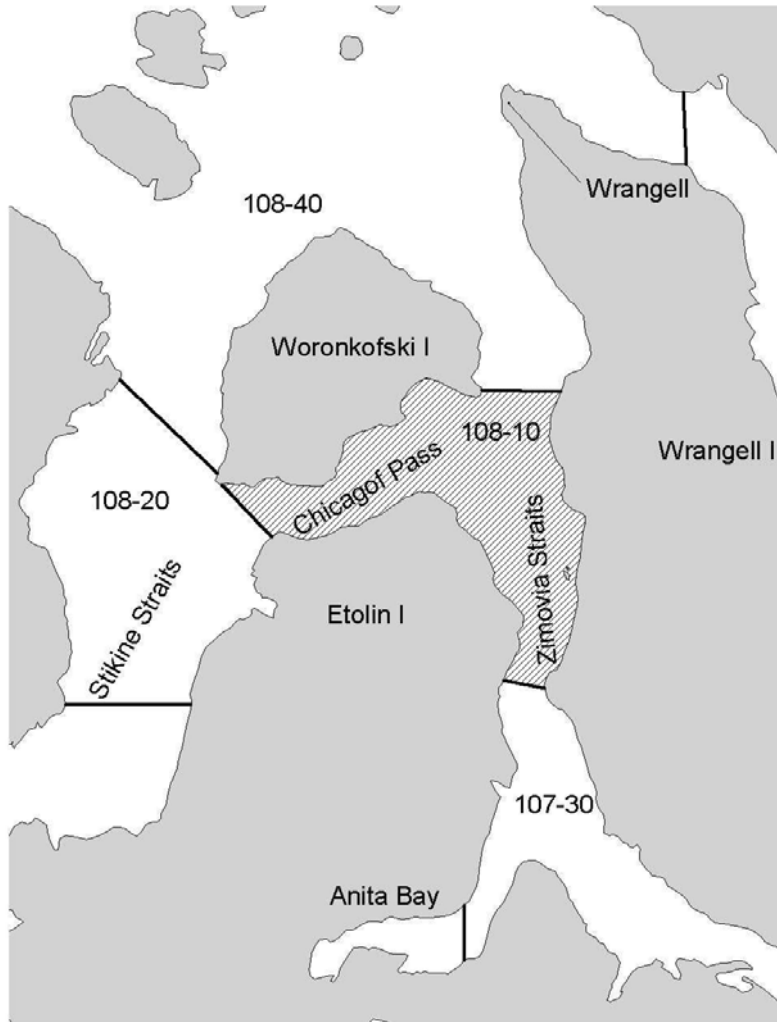
Trolling is currently allowed in the waters of District 7 during the summer season beginning on July 1 consistent with all region-wide open periods. The open area includes the waters of Zimovia Strait directly in front of and adjacent to the Anita Bay THA.

The information on wild chum salmon stock composition within this area is currently very limited. There are at least 31 streams in District 7 that have wild chum spawning stocks that may be harvested in the proposed fishery. In 2001 and 2002 the department implemented a test fishery with drift gillnet gear to evaluate the run timing, strength and incidence of natural returns of stocks adjacent to the Anita Bay THA. Results of those studies are presented in tables and figures associated with department comments on Proposal 156.

DEPARTMENT COMMENTS: The department OPPOSES the concept of allowing increased fishing time in regulation in a mixed stock fishing area based only upon the presence of hatchery fish. The department is neutral on the allocative aspects of this proposal.

Proposal 156 would establish a gillnet fishery targeting returning Anita Bay chum salmon outside of the THA in portions of District 8. The department is also opposed to that proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 186-1.**—Map showing Sub-district 108-10 near the Anita Bay Terminal Harvest Area.

**PROPOSAL 187. PAGE 137. 5 AAC 29.070(b)(3). GENERAL FISHING SEASONS AND PERIODS.**

PROPOSED BY: Sitka Charter Boat Operators Association

WHAT WOULD THE PROPOSAL DO? This proposal would delay the start of the summer troll season from the current July 1 to mid-July or August 1 for the purpose of reducing incidental mortality of king salmon during non-retention periods.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.070(b) GENERAL FISHING SEASONS AND PERIODS.

(b) The department shall manage the king salmon troll fishery to provide for

(3) a summer fishery during the period beginning July 1 through September 30, as specified in 5 AAC 29.100.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The first commercial summer troll king salmon opening would be delayed by 2 to 4 weeks, compared to the current schedule. The number of king salmon non-retention days (CNR days) in the summer fishery would be reduced, as would incidental mortality. This proposal suggests a total troll closure during one of the most productive parts of the summer season and would result in a significant loss of income to the troll fishery. Markets for troll-caught fish may be lost due to lack of supply. This delay would reduce the troll harvest of other salmon species, especially coho and chum salmon, and therefore would further increase the economic loss to the troll fishery.

If the commercial troll season was delayed, the sport and charter fleet would continue to harvest king salmon and may intercept a greater number of king salmon in the absence of commercial troll effort during this time. Their catch rates may be higher, bag limits may be reached sooner and more king salmon may be released. The end result may be an increase in the incidental mortality of king salmon in the sport/charter fleet if the commercial troll fleet is kept off the water for two to four weeks in July.

Delaying the start of the summer troll season would change stock composition, which could have Treaty implications, the magnitude of which is currently unknown.

BACKGROUND: Under the current management plan, once the commercial troll fleet harvests approximately 70% of the summer troll king salmon allocation, the fishery continues, though king salmon may not be retained. The second king salmon opening of the summer begins in mid-August, following a total troll closure for 2 to 10 days for coho salmon management reasons. King salmon openings vary in length and are usually

managed inseason. Coho season is open from June 15 through September 20, by regulation, but may be extended through September 30 in years of high coho salmon abundance.

DEPARTMENT COMMENTS:

The department is NEUTRAL on this allocative proposal.

This proposal includes a reference to the list of management objectives for the commercial summer troll king salmon fishery and states that opening the summer troll fishery on July 1 is inconsistent with objective number six, which is: “Minimize the incidental mortality of king salmon to the extent practicable.” It is not to the greatest extent practicable when there is a significant loss of income to the troll fishery. Allowing for fewer CNR days would reduce incidental mortality, but as presented in this proposal, it is not practicable.

If there is an interest on reducing incidental king salmon mortality, all gear groups should be included in the discussion. Recent studies show that the incidental encounters and mortalities in the recreational fisheries are actually much higher than previously thought, while the commercial troll fishery incidental mortalities are lower than assumed in the Coastwide Chinook Model ((CTC 2004).

In years when king salmon abundance and quotas are high, trollers may have difficulty harvesting their Treaty king salmon allocation if the summer season was delayed two to four weeks.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

## **LITERATURE CITED**

CTC (Chinook Technical Committee). 2004. Estimation and application of incidental fishing mortality in King salmon management under the 1999 agreement to Pacific Salmon Treaty. Pacific Salmon Commission Report TCCHINOOK (04)-1. Vancouver, British Columbia.



Table 187-1. Commercial troll salmon harvest and value in the month of July.

| Year | Species | Number    | Ave.Price | Ave.Wt. | Value          | Value all species |
|------|---------|-----------|-----------|---------|----------------|-------------------|
| 1999 | King    | 78,126    | \$ 1.50   | 15.8    | \$ 1,848,118   | \$ 8,208,568      |
|      | Chum    | 8,980     | \$ 0.22   | 8.8     | \$ 17,448      |                   |
|      | Coho    | 1,076,204 | \$ 1.17   | 4.8     | \$ 6,100,798   |                   |
|      | Pink    | 425,445   | \$ 0.17   | 3.0     | \$ 216,392     |                   |
|      | Sockeye | 3,549     | \$ 1.42   | 5.1     | \$ 25,813      |                   |
| 2000 | King    | 51,300    | \$ 2.00   | 16.8    | \$ 1,726,841   | \$ 5,285,085      |
|      | Chum    | 156,095   | \$ 0.20   | 8.7     | \$ 269,810     |                   |
|      | Coho    | 676,321   | \$ 0.78   | 6.0     | \$ 3,170,535   |                   |
|      | Pink    | 135,650   | \$ 0.19   | 3.7     | \$ 95,217      |                   |
|      | Sockeye | 3,316     | \$ 1.27   | 5.4     | \$ 22,681      |                   |
| 2001 | Chinook | 64,854    | \$ 1.74   | 16.5    | \$ 1,861,459   | \$ 7,272,023      |
|      | Chum    | 90,496    | \$ 0.30   | 7.7     | \$ 206,063     |                   |
|      | Coho    | 1,048,621 | \$ 0.83   | 5.8     | \$ 5,058,216   |                   |
|      | Pink    | 182,164   | \$ 0.17   | 3.6     | \$ 113,579     |                   |
|      | Sockeye | 6,106     | \$ 0.94   | 5.7     | \$ 32,705      |                   |
| 2002 | King    | 187,003   | \$ 1.00   | 16.6    | \$ 3,087,006   | \$ 4,393,053      |
|      | Chum    | 65,926    | \$ 0.18   | 8.8     | \$ 106,902     |                   |
|      | Coho    | 426,357   | \$ 0.44   | 6.3     | \$ 1,175,641   |                   |
|      | Pink    | 58,786    | \$ 0.10   | 3.4     | \$ 20,450      |                   |
|      | Sockeye | 792       | \$ 0.70   | 5.5     | \$ 3,054       |                   |
| 2003 | King    | 192,612   | \$ 0.75   | 15.3    | \$ 2,196,840   | \$ 3,968,858      |
|      | Chum    | 130,747   | \$ 0.20   | 7.8     | \$ 199,060     |                   |
|      | Coho    | 389,116   | \$ 0.68   | 5.7     | \$ 1,520,251   |                   |
|      | Pink    | 118,219   | \$ 0.09   | 3.6     | \$ 39,113      |                   |
|      | Sockeye | 2,920     | \$ 0.87   | 5.4     | \$ 13,594      |                   |
| 2004 | King    | 193,992   | \$ 1.63   | 15.4    | \$ 4,878,776   | \$ 9,026,367      |
|      | Chum    | 61,332    | \$ 0.22   | 7.5     | \$ 102,406     |                   |
|      | Coho    | 713,646   | \$ 0.93   | 6.1     | \$ 4,012,941   |                   |
|      | Pink    | 44,736    | \$ 0.13   | 3.6     | \$ 20,535      |                   |
|      | Sockeye | 2,627     | \$ 0.83   | 5.4     | \$ 11,710      |                   |
| 2005 | King    | 151,127   | \$ 1.85   | 13.5    | \$ 3,783,036   | \$ 8,078,838      |
|      | Chum    | 36,625    | \$ 0.31   | 7.4     | \$ 83,537      |                   |
|      | Coho    | 956,653   | \$ 0.84   | 5.2     | \$ 4,172,217   |                   |
|      | Pink    | 69,815    | \$ 0.12   | 3.8     | \$ 31,730      |                   |
|      | Sockeye | 1,920     | \$ 0.86   | 5.1     | \$ 8,318       |                   |
|      |         |           |           |         | 1999-2005 Ave. | \$ 6,604,685      |

Table 187–2. Commercial troll salmon harvest and value during first 2 weeks of July.

| Year | Species | Number  | Ave.Price | Ave.Wt. | Value          | Value all species |
|------|---------|---------|-----------|---------|----------------|-------------------|
| 1999 | King    | 78,126  | \$ 1.50   | 15.8    | \$ 1,848,118   | \$ 5,037,273      |
|      | Chum    | 4,641   | \$ 0.23   | 8.9     | \$ 9,415       |                   |
|      | Coho    | 561,543 | \$ 1.15   | 4.7     | \$ 3,016,947   |                   |
|      | Pink    | 277,629 | \$ 0.16   | 3.2     | \$ 144,088     |                   |
|      | Sockeye | 2,472   | \$ 1.47   | 5.2     | \$ 18,704      |                   |
| 2000 | King    | 50,996  | \$ 1.81   | 16.8    | \$ 1,554,943   | \$ 2,880,621      |
|      | Chum    | 38,338  | \$ 0.22   | 8.2     | \$ 67,401      |                   |
|      | Coho    | 291,710 | \$ 0.70   | 5.9     | \$ 1,208,970   |                   |
|      | Pink    | 54,915  | \$ 0.18   | 3.8     | \$ 37,133      |                   |
|      | Sockeye | 1,793   | \$ 1.23   | 5.5     | \$ 12,175      |                   |
| 2001 | King    | 64,841  | \$ 1.74   | 16.5    | \$ 1,861,086   | \$ 4,417,409      |
|      | Chum    | 8,588   | \$ 0.29   | 7.2     | \$ 18,198      |                   |
|      | Coho    | 536,118 | \$ 0.80   | 5.7     | \$ 2,463,868   |                   |
|      | Pink    | 83,200  | \$ 0.18   | 3.7     | \$ 54,507      |                   |
|      | Sockeye | 3,744   | \$ 0.93   | 5.7     | \$ 19,750      |                   |
| 2002 | King    | 187,003 | \$ 1.00   | 16.6    | \$ 3,087,006   | \$ 3,546,697      |
|      | Chum    | 6,572   | \$ 0.19   | 8.7     | \$ 10,716      |                   |
|      | Coho    | 173,651 | \$ 0.41   | 6.2     | \$ 441,863     |                   |
|      | Pink    | 14,672  | \$ 0.10   | 3.4     | \$ 4,941       |                   |
|      | Sockeye | 538     | \$ 0.71   | 5.6     | \$ 2,170       |                   |
| 2003 | King    | 128,013 | \$ 0.71   | 15.3    | \$ 1,400,861   | \$ 2,165,313      |
|      | Chum    | 45,998  | \$ 0.18   | 7.8     | \$ 64,611      |                   |
|      | Coho    | 188,896 | \$ 0.63   | 5.6     | \$ 666,726     |                   |
|      | Pink    | 70,988  | \$ 0.10   | 3.7     | \$ 25,213      |                   |
|      | Sockeye | 1,699   | \$ 0.85   | 5.4     | \$ 7,903       |                   |
| 2004 | King    | 193,992 | \$ 1.63   | 15.4    | \$ 4,878,776   | \$ 6,373,137      |
|      | Chum    | 8,436   | \$ 0.22   | 7.3     | \$ 13,311      |                   |
|      | Coho    | 274,353 | \$ 0.89   | 6.0     | \$ 1,468,248   |                   |
|      | Pink    | 16,330  | \$ 0.14   | 3.7     | \$ 8,361       |                   |
|      | Sockeye | 998     | \$ 0.85   | 5.3     | \$ 4,441       |                   |
| 2005 | King    | 135,998 | \$ 1.88   | 13.7    | \$ 3,504,200   | \$ 5,861,004      |
|      | Chum    | 1,804   | \$ 0.31   | 7.2     | \$ 4,073       |                   |
|      | Coho    | 549,811 | \$ 0.82   | 5.2     | \$ 2,338,147   |                   |
|      | Pink    | 20,394  | \$ 0.11   | 4.0     | \$ 9,235       |                   |
|      | Sockeye | 1,198   | \$ 0.85   | 5.3     | \$ 5,348       |                   |
|      |         |         |           |         | 1999-2005 ave. | \$ 4,325,922      |

**PROPOSAL 188. PAGE 137. 5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.**

PROPOSED BY: Juneau-Douglas Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would change the closure date of the troll fishery from September 20 to September 30.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.

- (a) Coho salmon may be taken from June 15 through September 20. However, the commissioner, in years of high coho salmon abundance, may extend, by emergency order, the coho salmon fishery in any portions of Districts 1-16 for up to 10 days after September 20.
- (b) The commissioner may close, by emergency order, the coho salmon troll fishery in the Southeastern Alaska-Yakutat Area for conservation of coho salmon stocks as follows:
  - (1) for up to seven days beginning on or after July 25 if the total projected commercial harvest of wild coho salmon is less than 1.1 million; or
  - (2) for up to 10 days, if the department makes an assessment and determines...
- (d) If the department determines that the strength of the coho salmon run in the inshore and terminal salmon fishing waters is less than required to provide a spawning escapement that will maintain the runs on a sustained-yield basis, the department may make additional closures of the salmon troll fishing seasons, periods, and areas.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The coho salmon troll fishery would continue through September 30 unless conservation or management concerns warranted a closure prior to that time. The management of the fishery would be driven by abundance rather than being closed by regulation on a specific date (September 20).

BACKGROUND: The September 20 troll coho closure date has been in effect since statehood and is largely allocative. This regulation was put in place to allow escapement to inside waters in order to provide sufficient numbers of coho for the gillnet fisheries and to ensure sufficient returns to the inside waters for spawning escapement needs.

Until recent years, few coho escapement assessment projects were in place or had not been in place long enough to provide reasonable spawning escapement estimates prior to the September 20 date. Generally, the only tools that managers had for assessing coho spawning strength were either foot surveys on coho spawning systems that were undertaken after the seasonal closures of both troll and gillnet fisheries or counts at newly established weirs. Few systems had fully developed long-term escapement assessment programs using mark-recapture, weirs or coded wire tag (CWT) recovery for assessing run strength. The department's in-season escapement assessment program is now much improved. CWT and mark-recapture assessment programs are in place on thirteen systems throughout the Southeastern Alaska-Yakutat Area and four of those systems are developed to the point where satisfactory in-season assessments of run strength can be made. The remainder of the programs continue to be operated and improved and provide valuable and timely additional in- and post-season run strength information. Timely information from counting weirs can be compared with extensive historical run timing information to provide additional in-season information on escapement. In addition to the Alaskan assessment programs, there are also coho assessment programs that have been established on seven Canadian systems in British Columbia.

In 1988 the Board of Fisheries established the coho allocation guidelines for commercial salmon fisheries now contained in 5 AAC 29.065. ALLOCATION OF COHO SALMON. These guidelines reflect the historical harvest (1969-1988) in the Southeastern Alaska and Yakutat commercial salmon fisheries and established the allocations at 19% purse seine, 13% drift gillnet, 7% set gillnet and 61% troll (Table 188-1). Table 188-2 provides a summary of the coho extension years and August closure dates and length.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal as it may affect allocations under 5 AAC 29.065 or allocations between other users.

Although the coho assessment programs and available data are much improved over past years, the run size information can still be difficult to assess. In 2005, the decision on extending the troll season, took a great deal of time and effort due to apparent behavioral changes due to abnormal water temperatures and currents. The season was not extended due to overall concerns that this was not a high coho abundance year, although escapements throughout the region were generally at or above goal. A decision to close the season based on the same data would be even more problematic because that decision would require an Emergency Order and even more justification than is now necessary to extend the season. Under the proposed regulation, a year when the run size is very difficult to assess, a closure may be warranted to avoid low escapements, but may not occur because the available data were not yet available.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

Table 188-1. Catch and percent of commercial coho harvest by gear type.

| Year                                  | --Commercial Troll-- |         | ---Purse Seine--- |         | ----Drift Gillnet---- |         | ----- Set Gillnet----- |         | Total     |         |
|---------------------------------------|----------------------|---------|-------------------|---------|-----------------------|---------|------------------------|---------|-----------|---------|
|                                       | Number               | Percent | Number            | Percent | Number                | Percent | Number                 | Percent | Number    | Percent |
| 1989                                  | 1,415,512            | 65%     | 331,684           | 15%     | 252,516               | 12%     | 176,816                | 8%      | 2,181,092 | 100%    |
| 1990                                  | 1,832,604            | 67%     | 377,844           | 14%     | 372,645               | 14%     | 148,891                | 5%      | 2,738,632 | 100%    |
| 1991                                  | 1,719,060            | 59%     | 408,872           | 14%     | 595,719               | 21%     | 166,731                | 6%      | 2,898,846 | 100%    |
| 1992                                  | 1,929,899            | 56%     | 499,792           | 15%     | 696,767               | 20%     | 290,149                | 8%      | 3,424,623 | 100%    |
| 1993                                  | 2,395,711            | 67%     | 464,524           | 13%     | 431,543               | 13%     | 237,446                | 7%      | 3,556,219 | 100%    |
| 1994                                  | 3,466,782            | 63%     | 954,415           | 18%     | 735,465               | 13%     | 343,903                | 6%      | 5,525,285 | 100%    |
| 1995                                  | 1,750,221            | 56%     | 595,039           | 20%     | 446,730               | 15%     | 295,030                | 9%      | 3,129,584 | 100%    |
| 1996                                  | 1,906,740            | 64%     | 440,235           | 15%     | 398,103               | 14%     | 227,802                | 8%      | 2,986,172 | 100%    |
| 1997                                  | 1,170,460            | 64%     | 184,729           | 10%     | 149,835               | 9%      | 322,776                | 18%     | 1,838,904 | 100%    |
| 1998                                  | 1,636,707            | 59%     | 460,885           | 17%     | 436,352               | 16%     | 197,669                | 7%      | 2,750,969 | 100%    |
| 1999                                  | 2,272,619            | 69%     | 403,597           | 13%     | 391,480               | 12%     | 187,186                | 6%      | 3,276,855 | 100%    |
| 2000                                  | 1,124,854            | 67%     | 206,601           | 12%     | 176,726               | 11%     | 170,948                | 10%     | 1,688,378 | 100%    |
| 2001                                  | 1,843,997            | 63%     | 549,730           | 19%     | 335,301               | 11%     | 205,344                | 7%      | 2,934,372 | 100%    |
| 2002                                  | 1,310,060            | 55%     | 423,903           | 18%     | 453,622               | 19%     | 200,888                | 8%      | 2,388,473 | 100%    |
| 2003                                  | 1,220,782            | 58%     | 384,425           | 18%     | 430,902               | 20%     | 74,343                 | 4%      | 2,110,452 | 100%    |
| 2004                                  | 1,915,007            | 68%     | 386,664           | 14%     | 316,589               | 11%     | 196,928                | 7%      | 2,815,188 | 100%    |
| 2005                                  | 2,058,829            | 75%     | 334,876           | 12%     | 257,329               | 9%      | 80,308                 | 3%      | 2,731,342 | 100%    |
| 1989-2005 Average:                    |                      |         |                   |         |                       |         |                        |         |           |         |
|                                       | 1,821,756            | 63%     | 435,754           | 15%     | 404,566               | 14%     | 207,245                | 8%      | 2,994,610 | 100%    |
| BOF Allocations<br>(Established 1989) |                      | 61%     |                   | 19%     |                       | 13%     |                        | 7%      |           | 100%    |

Table 188-2. Coho extension years and length of August coho closures.

| Year | Extension Dates | August Closure Dates and Length |
|------|-----------------|---------------------------------|
| 1994 | 9/21-30         | 8/13-17 = 5 days                |
| 1995 | 9/21-30         | 8/13-22 = 10 days               |
| 1998 | 9/21-30         | 8/12-19 = 8 days                |
| 1999 | 9/21-30         | 8/13-17 = 5 days                |
| 2001 | 9/25-30         | 8/13-17 = 5 days                |
| 2002 | 9/21-30         | 8/10-11 = 2 days                |
| 2003 | 9/21-30         | No Closure                      |
| 2004 | 9/21-30         | 8/10-11 = 2 days                |
| 2005 | No Extension    | 8/10-13 = 4 days                |

**PROPOSAL 189. PAGE 138. 5 AAC 29.110(a) MANAGEMENT OF COHO SALMON TROLL FISHERY.**

PROPOSED BY: Alaska Trollers Association

WHAT WOULD THE PROPOSAL DO? This proposal would establish a commercial troll fishery in Behm Canal targeting coho returning to the Neets Bay hatchery after the general troll fishery is closed in September through October 7. The fishery would occur in Behm Canal within one mile off the Revillagegado Island shoreline from Bushy Pt. to Indian Pt. This area is the same as is currently allowed during the spring troll season for the Behm Canal area (101-90).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.

(a) Coho salmon may be taken from June 15 through September 20. However, the commissioner, in years of high coho salmon abundance, may extend, by emergency order, the coho salmon fishery in any portions of Districts 1-16 for up to 10 days after September 20.

AS 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.

(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks and may be managed consistent with sustained yield of enhanced fish stocks.

5 AAC 33.370. DISTRICT1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN.

(a) The intent of the Board of Fisheries in adopting this management plan is to distribute the harvest of hatchery-produced fall chum and cohos almon in Neets Bay between the purse seine, troll, and gillnet fleets.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The harvest of enhanced coho salmon returning to Neets Bay by the troll fleet would increase. Some wild stocks would also likely be harvested and this fishery would be allowed only if there are no wild stock concerns in the Behm Canal area. This fishery would likely increase the proportion of coho harvested by the troll fishery compared to other gear groups (Figure 189-1)

BACKGROUND: The troll fishery closes by regulation on September 20 unless extended by ten days during years of high coho abundance. The proportion of hatchery

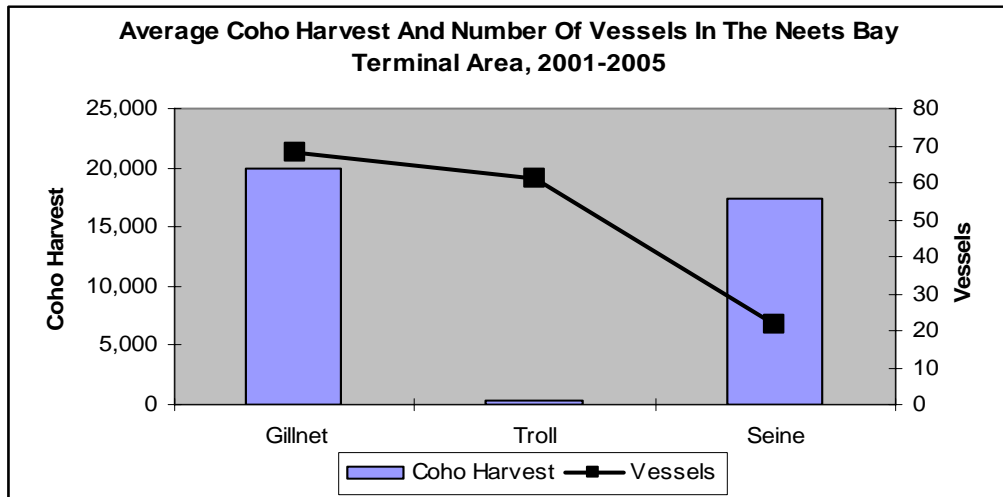
fish normally increases in the coho troll fishery as the season progresses (Figure 189-2). The later the seasons is allowed, more retuning hatchery fish are harvested. Except for the spring fishery targeting returning Alaska hatchery produced king salmon, extending or increasing fishing time in a mixed stock fishing area outside of a Terminal Harvest Area (THA) is not allowed.

Under the provisions of 5 AAC 33.370 DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN, trollers are allowed to fish at any time within the THA during periods established by emergency order through November 15.

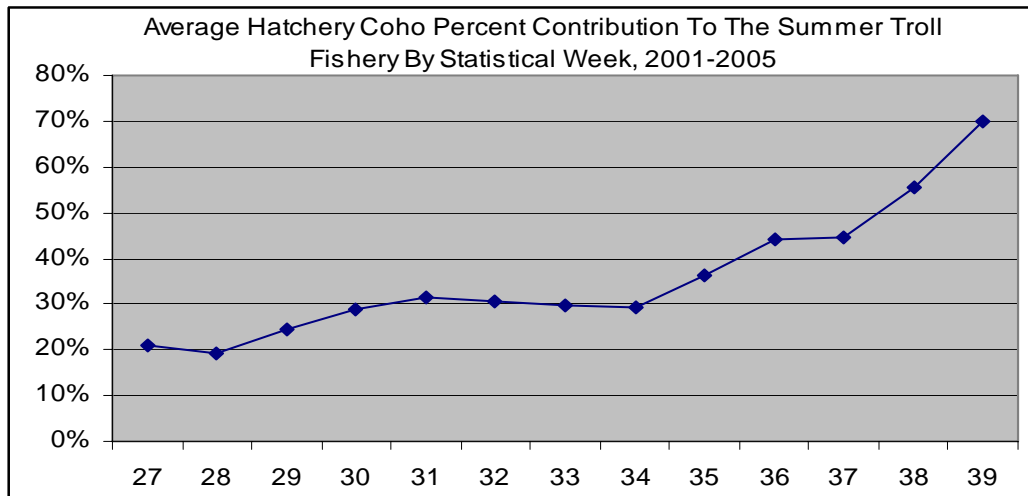
Trolling is currently allowed in all waters of Section 1-E during the summer season beginning on July 13 consistent with all region-wide open periods until the season closes in late September. The open area includes the waters of Behm Canal directly in front of and adjacent to the Neets Bay THA.

DEPARTMENT COMMENTS: The department OPPOSES the concept of allowing increased fishing time in regulation in a mixed stock fishing area outside of a THA based only upon the presence of hatchery fish. The department is neutral on the allocative aspects of this proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 189-1.**—Average coho harvest and number of vessels fishing in the Neets Bay Terminal Harvest Area by gear type, 2001-05.



**Figure 189-2.**—The average hatchery coho percent contribution to the summer troll fishery by statistical week, 2001-2005



**PROPOSAL 190. PAGE 139. 5 AAC 29.010. DESCRIPTION OF AREA FOR SALMON TROLL FISHING.**

PROPOSED BY: Roger Gregg

WHAT WOULD THE PROPOSAL DO? The proposal would reopen the waters west of Cape Suckling and east of Cape St. Elias to commercial trolling.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.010. DESCRIPTION OF AREA FOR SALMON TROLL FISHING. Unless otherwise specified in this chapter, a person may operate troll gear in the waters of the Southeastern Alaska-Yakutat Area east of the longitude of Cape Suckling (143° 53' W. long.) and north of the International Boundary at Dixon Entrance.

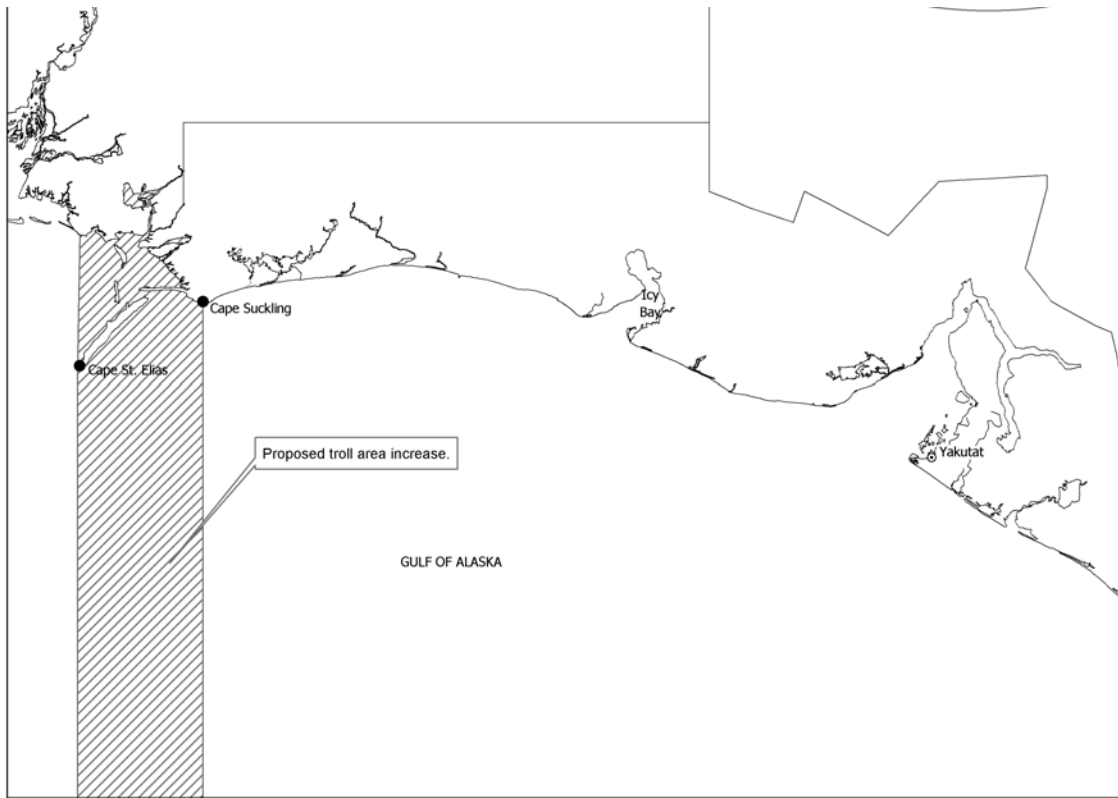
WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Troll vessels would be allowed to fish in waters west of the current boundary of Cape Suckling.

BACKGROUND: The salmon troll permit is a statewide permit. Trolling for salmon in the areas west of Cape Suckling has occurred to a small extent since 1948, according to statements by fishers who participated in the fishery or from others that knew fishers who participated in the fishery. There are no records of the effort and total amount of salmon harvested in this area. In 1959, when Alaska became a state, the areas opened to trolling were Bristol Bay, Prince William Sound, Yakutat, and Southeast Alaska. The Alaska Peninsula closed in 1941 and there were some closures in Cook Inlet. The remaining areas were open to trolling until March 9, 1974, when the board closed all waters west of Cape Suckling.

The Board closed the area west of Cape Suckling to trolling due to concerns for local stocks of king and coho salmon (e.g. Copper River and Cook Inlet stocks). Stocks in these areas have since rebounded but are now likely fully utilized. In addition to local king salmon stocks, far-north migrating stocks of king salmon that are regulated under terms of the Pacific Salmon Treaty (PST) are also known to transit the area. Of specific concern are Snake River Fall chinook (an ESA listed stock). If this proposal is adopted, Alaska's PST partners would likely push to have the king salmon harvest from this area counted against the Southeast Alaska all-gear king salmon harvest ceiling. Currently, the PST only affects king salmon harvest in those fisheries east of Cape Suckling.

DEPARTMENT COMMENTS: This proposal raises allocation issues between the commercial troll fishery and other user groups elsewhere in Alaska. The department is therefore NEUTRAL on this proposal.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.



**Figure 190-1.**—Proposed expanded waters for commercial salmon troll fishery.

**PROPOSAL 191, PAGE 139. 5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.**

PROPOSED BY: Chris Carroll and John Murray

WHAT WOULD THE PROPOSAL DO? Although the proposal is confusing as written due to the hatchery add-on provision, the department believes that the proposal is requesting that the 45,000 winter king salmon guideline harvest level (43,000 to 47,000 GHR) be the allowable catch of Treaty (non-Alaska hatchery-produced) king salmon rather than the total king salmon total catch.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.

(a) the department shall manage the winter salmon troll fishery so that the harvest of king salmon does not exceed a guideline harvest level of 45,000 fish with a guideline harvest range of 43,000 to 47,000 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The allowable guideline harvest of king salmon during the winter troll fishery would be changed from 45,000 total fish to 45,000 Treaty fish. The target catch of king salmon would be increased with increases in both the total catch and Treaty catch. This action would leave fewer fish to be caught during the summer fishery, if the total winter GHL were caught, because the king salmon catch during the spring fishery is not determined by the remaining allowable catch of Treaty fish as is the summer king salmon fishery. A reduction in king salmon available for the summer fishery may lead to an increase in chinook non-retention (CNR) days and the resultant incidental mortalities. In some years the increase in winter catch could have resulted in allowable catch reductions of a day or more in the summer fishery. Any summer reduction would need to be taken during the coho fishery and would likely be incorporated into any coho closure during August. Table 191-1 gives the average fleet/day catch rates for the July and August king salmon openings and the likely number of additional troll closure days that would have resulted had this proposal been in effect since 1989. In most years the additional winter catch would have added one day to the August troll closure.

BACKGROUND: The winter troll fishery king salmon harvest has averaged 37,800 fish since 1989 and has ranged from 9,400 fish in 1995 to 71,800 fish in 1992 (Table 191-2). The Alaska hatchery percent of kings caught in the winter fishery has averaged 11% during that time period and has ranged from 4% in 1994 to 24% in 1991. The number of Alaska hatchery fish caught in the winter fishery has ranged from 1,700 in 1996 and 1997 to 10,200 in 1991.

The current harvest cap was developed by the board-appointed Chinook Troll Task Force (CTTF) and was adopted by the board in 1994. The cap was implemented in an effort to reduce the CNR days and the resulting incidental catch and release mortalities in the summer fishery.

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal.

Any increase in winter harvest would result in a decrease in available fish for harvest during the summer fishery and would result in an increase in total closure days in order to avoid increasing incidental mortality.

The proposal asks that the winter guideline be set at 45,000 fish plus the Alaska hatchery catch plus the Alaska hatchery add-on. This cannot be done because the Add-on, which is the Alaska hatchery catch minus a statistical risk factor (90% lower confidence bound) minus the troll portion of the 5,000 pre-Treaty Alaska hatchery base catch, is calculated after the end of the summer troll season and is not known in-season. For management reasons, the total Alaska hatchery catch, or some percentage of that catch, would need to be used in-season.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

Table 191-1. The average fleet/day catch rates for the July and August king salmon openings and the likely number of additional troll closure days that would have resulted had this proposal 191 been in effect, 1989-2005.

| Year               | July Opening<br>Fleet Catch/Day | August Opening<br>Fleet Catch/Day | Potential Number<br>Of Additional<br>Closure Days |
|--------------------|---------------------------------|-----------------------------------|---|
| 1989               | 12,885                          |                                   |   |
| 1990               | 9,091                           | 5,950                             | 1   |
| 1991               | 20,533                          |                                   |   |
| 1992               | 18,743                          | 6,900                             | 1   |
| 1993               | 16,850                          | 4,980                             | 1   |
| 1994               | 14,043                          | 4,040                             | 0   |
| 1995               | 7,590                           | 3,043                             | 1   |
| 1996               | 7,640                           | 4,150                             | 0   |
| 1997               | 17,500                          | 7,086                             | 0   |
| 1998               | 9,345                           | 857                               | 1   |
| 1999               | 13,017                          | 3,280                             | 1   |
| 2000               | 10,154                          | 3,112                             | 1   |
| 2001               | 10,809                          | 1,606                             | 1   |
| 2002               | 10,389                          | 2,967                             | 1   |
| 2003               | 6,169                           | 6,169                             | 1   |
| 2004               | 12,933                          | 12,733                            | 1   |
| 2005               | 8,890                           | 10,834                            | 1   |
| 1989-2005 Averages | 12,152                          | 5,180                             |   |

Table 191-2. Winter troll king salmon catches, Alaska hatchery catch and Alaska Hatchery Addon, 1989-2005.

| Year               | Total Harvest | Alaska Hatchery Catch |         | Alaska Hatchery Addon |         |
|--------------------|---------------|-----------------------|---------|-----------------------|---------|
|                    |               | Number                | Percent | Number                | Percent |
| 1989               | 34,300        | 4,900                 | 14%     | 3,379                 | 10%     |
| 1990               | 33,100        | 4,400                 | 13%     | 3,627                 | 11%     |
| 1991               | 42,600        | 10,200                | 24%     | 8,561                 | 20%     |
| 1992               | 71,800        | 7,000                 | 10%     | 5,503                 | 8%      |
| 1993               | 62,700        | 3,900                 | 6%      | 2,931                 | 5%      |
| 1994               | 56,400        | 2,000                 | 4%      | 1,459                 | 3%      |
| 1995               | 17,900        | 2,100                 | 12%     | 1,790                 | 10%     |
| 1996               | 9,400         | 1,653                 | 18%     | 1,316                 | 14%     |
| 1997               | 21,000        | 1,743                 | 8%      | 1,358                 | 6%      |
| 1998               | 32,800        | 2,400                 | 7%      | 1,556                 | 5%      |
| 1999               | 31,000        | 2,200                 | 7%      | 1,659                 | 5%      |
| 2000               | 36,100        | 3,100                 | 9%      | 2,456                 | 7%      |
| 2001               | 22,600        | 2,800                 | 12%     | 2,299                 | 10%     |
| 2002               | 29,400        | 2,000                 | 7%      | 1,619                 | 6%      |
| 2003               | 50,854        | 4,380                 | 9%      | 3,591                 | 7%      |
| 2004               | 52,886        | 6,176                 | 12%     | 5,355                 | 10%     |
| 2005               | 50,464        | 5,474                 | 11%     |                       |         |
| 1989-2005 Averages | 37,803        | 3,907                 | 11%     | 3,029                 | 9%      |

**PROPOSAL 192. PAGE 140. 5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.**

PROPOSED BY: Roger Gregg

WHAT WOULD THE PROPOSAL DO? The proposal would allow trolling throughout District 11 during the winter troll fishery. Currently regulations allow trolling in a portion of Section 11-A only through April 14, and in a portion of Sections 11-B, and in Sections 11-C and 11-D only through March 31.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.

(b)(3) in District 11, king salmon may be taken only

(A) in Section 11-A west of a line from Outer Point to Point Louisa and south and east of a line from Salisbury Point to Point Tantallion from the opening of the winter fishery, specified in 5 AAC 29.070(B), through April 14;

(B) in Sections 11-B, 11-C, and 11-D, except that king salmon may be taken in Section 11-B north of the latitude of Graves Point Light only from the opening for the winter fishery, specified in 5 AAC 29.070(b), through March 31;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Trolling would be allowed throughout District 11 through the end of the winter troll fishery. It is likely that the impacts of adopting this proposal would be very minimal based on catches in District 11 during the second half of the winter fishery, the period that this proposal would affect (Table 192-1).

BACKGROUND: The current regulations were put in place in 1986 as a conservation measure to restrict the commercial troll fishery in District 11 from catching returning Taku River king salmon which were in rebuilding status and were then included in provisions of the new Pacific Salmon Treaty (1985). Taku River king salmon stocks are now considered to be rebuilt and a harvest sharing agreement between the United States and Canada was negotiated in February, 2005 that allowed for a fishery directed at harvesting Taku River king salmon.

During years when a directed fishery is allowed on Taku River king salmon, the current regulations are no longer necessary.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. Action on this proposal may be related to action on Proposals 123, 124, and 125 to develop an abundance-based management plan to harvest king salmon returns to the Taku River.

If this proposal is adopted the department recommends that the wording in 5 AAC 29.080(b)(3) be modified to include the following:

(b)(3) in District 11, during years when a directed king salmon fishery is not allowed based on the pre-season Taku River king salmon run-size forecast, king salmon may be taken only

(C) in Section 11-A west of a line from Outer Point to Point Louisa and south and east of a line from Salisbury Point to Point Tantallion from the opening of the winter fishery, specified in 5 AAC 29.070(B), through April 14;

(D) in Sections 11-B, 11-C, and 11-D, except that king salmon may be taken in Section 11-B north of the latitude of Graves Point Light only from the opening for the winter fishery, specified in 5 AAC 29.070(b), through March 31;

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.

Table 192-1. King salmon catches during the second half of the winter troll fishery in District 11, 1996-2005\*.

|                   | 1996 | 1997 | 1998         | 1999         | 2000         | 2001 | 2002         | 2003 | 2004 | 2005 | Totals |
|-------------------|------|------|--------------|--------------|--------------|------|--------------|------|------|------|--------|
| Vessels           | 3    | 0    | Confidential | Confidential | Confidential | 0    | Confidential | 0    | 3    | 5    | 16     |
| King Salmon Catch | 20   | 0    | Confidential | Confidential | Confidential | 0    | Confidential | 0    | 38   | 21   | 103    |

\*Periods where less than 3 vessels fished are confidential.



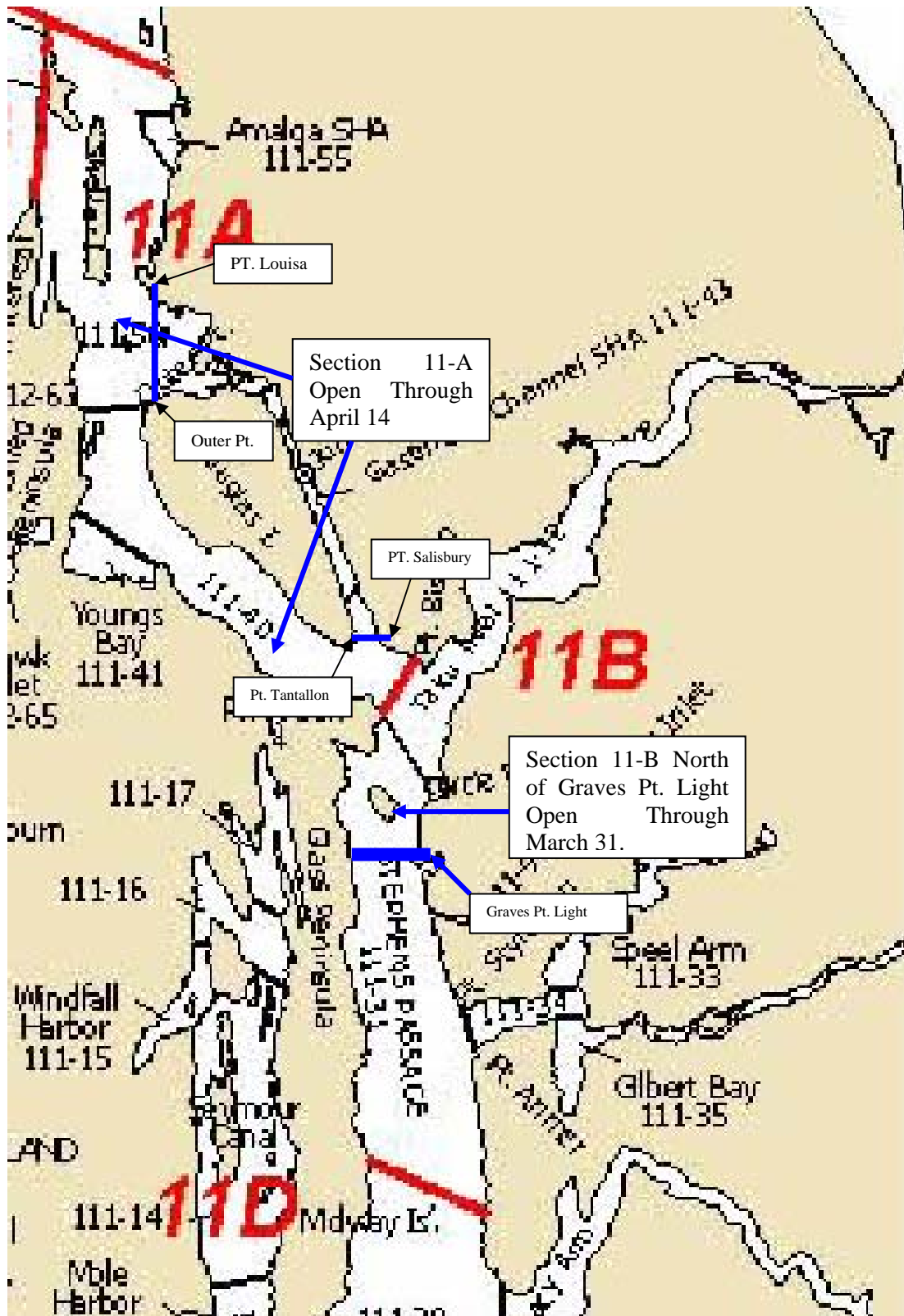


Figure 192-1.—District 11 winter troll season open areas.

**PROPOSAL 198, PAGE 145. 5 AAC 33.394. Landing of Steelhead; 5 AAC 30.XXX  
Landing of Steelhead.** Amend this regulation to include the following:

The department may by emergency order require that CFEC permit holders shall report on an ADF&G fish ticket the number of steelhead trout taken but not sold in Southeast Alaska and Yakutat areas.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would provide the department emergency order authority to require CFEC permit holders to report on an ADF&G fish ticket the number of steelhead trout taken incidentally in Southeast Alaska and Yakutat area commercial fisheries.

WHAT ARE THE CURRENT REGULATIONS? There is no regulation prohibiting the retention, landing, or sale of steelhead trout in the Southeast Alaska troll and Yakutat area set gillnet fisheries. As provided in 5 AAC 39.130 (c)(8)(C) all fishermen must record the pounds of other fish or shellfish by species that are sold on fish tickets. Within both the Southeast Alaska purse seine and drift gillnet fisheries CFEC permit holders may take but may not sell steelhead trout [5 AAC 33.394]. Additionally, 5 AAC 39.010 states that a person engaged in commercial fishing may retain finfish from lawfully taken commercial catch for that person's own use; however there are no mandatory reporting requirements to report this take on an ADF&G fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Currently harvest of steelhead trout in most Alaska commercial fisheries is essentially unreported although some sporadic reporting does occur. This proposal would provide emergency order authority to the department for requiring incidental harvests of steelhead trout be recorded on ADF&G fish tickets during certain times and within certain fisheries in Southeast Alaska and Yakutat. The department envisions collecting this information for new fisheries, during times and areas where sustainability concerns exist, or when basic biological data is lacking. Harvest reporting of incidentally caught steelhead trout may also be implemented for strengthening the department's steelhead trout stock assessment and life history projects.

BACKGROUND: The harvests of all commercially caught fish that are sold must be reported to the department on ADF&G fish tickets. There are no specific reporting requirements for fish taken but not sold in Southeast Alaska and Yakutat commercial fisheries.

The department has emergency order authority to require full retention and reporting of salmon caught in net fisheries [5 AAC 39.265]. The department prefers to require reporting of steelhead trout without requiring that they be retained because some steelhead trout caught in troll and net fisheries can be released unharmed.

The sale of steelhead trout caught in commercial gillnet and purse seine fisheries has been prohibited since 1994. The harvest of steelhead trout reported in all commercial salmon fisheries has declined from an average of about 4,000 fish from 1980-1993 to 295 fish per year since as reported on ADF&G fish tickets.

DEPARTMENT COMMENTS: The department submitted and continues to SUPPORT this proposal. The department considers this to be a housekeeping regulation needed to provide information on new or developing fisheries.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in this fishery.