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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, SPORT, SUBSISTENCE, AND PERSONAL USE FINFISH
REGULATORY PROPOSALS,
COMMITTEE OF THE WHOLE, GROUPS 1 AND 2, COMMITTEES A AND B,

FOR THE PRINCE WILLIAM SOUND AND UPPER COPPER/UPPER SUSITNA MANAGEMENT AREAS

ALASKA BOARD OF FISHERIES MEETING,
VALDEZ, ALASKA

December 2nd – 7th, 2011

Regional Information Report No. 2A11-02

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, December 2–7, 2011 in Valdez, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

ABSTRACT

This document contains Alaska Department of Fish and Game staff comments on commercial, sport, subsistence, and personal use finfish regulatory proposals for the Prince William Sound and Upper Copper/Upper Susitna Management Areas. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, December 2–7, in Valdez, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Key words: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department) staff comments, Prince William Sound, Upper Copper/Upper Susitna, finfish, management, management plan, regulatory proposals, inriver, subsistence, personal use, sport, guided sport, commercial fisheries, biological escapement goal (BEG), sustainable escapement goal (SEG), optimal escapement goal (OEG).

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Summary of Department Positions, Prince William Sound – Upper Copper/Upper Susitna Board of Fish Meeting, 2011

Proposal No.	Dept. Position	Issue
43	**O/N**	Restrict summer use of commercial bottom gear within three miles of shore.
44	**O**	Increase rockfish bycatch allowance to sidestripe shrimp and sablefish to 30 percent
45	**S**	Repeal one definition of mechanical jigging gear
46	**N**	Revise groundfish regulations to include Eastern Gulf and PWS.
47	**O**	Amend dates of skate fishery in Eastern Gulf and PWS
48	**O**	Allow for retention of spiny dogfish in Eastern Gulf and PWS
49	**S**	Accurately reflect management lines and remove the reference to trawl gear for herring.
50	**O/N**	Clarify thresholds needed to open herring fishery in Prince William Sound
51	**N**	Review the Copper River District salmon subsistence fishery C&T
52	**N**	Specify open periods in the Copper River District subsistence fishery
53	**O/N**	Amend regulation to combine subsistence areas in PWS
54	**N**	Establish a positive customary and traditional finding for the Chitina dipnet fishery
55	**N**	Reclassify the Chitina Dipnet Fishery a subsistence fishery
56	**S**	Amend the Copper River King Salmon Management Plan
57	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes
58	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes
59	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes
60	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes
61	**O**	Prohibit netting of whitefish and lake trout in Lake Louise, Susitna and Tyone lakes
62	**O**	Prohibit netting of whitefish and lake trout in Lake Louise, Susitna and Tyone lakes
63	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes.
64	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes
65	**O**	Prohibit netting of fish in Lake Louise, Susitna and Tyone lakes
66	**O**	Prohibit bycatch, require ADF&G notification, and set season in the whitefish fishery
67	**O**	Require ADF&G notification, set season, and limit bycatch in the whitefish fishery
68	**O**	Establish closed areas and seasons, and prohibit bycatch in the whitefish fishery
69	**O**	Establish closed area and set season dates in the whitefish fishery
70	**O**	Restrict netting of whitefish in Lake Louise, Susitna and Tyone lakes
71	**O**	Establish lake trout spawning closures in Tyone Lakes complex
72	**N**	Rescind allocation reduction in the Chitina personal use fishery
73	**N**	Increase harvest limit of king salmon in the personal use fishery
74	**O/N**	Allow for retention of king salmon in the personal use fishery as follows
75	**O/N**	Increase limit for sockeye salmon in the Chitina Personal Use Fishery.
76	**O**	Delay opening of Chitina personal use dipnet fishery
77	**N**	Amend the regulation to allow use of two set gillnet permits in Eshamy District
78	**N**	Amend gear restrictions in PWS Salmon Purse Seine Fishery
79	**O**	Ban use of deep gillnets in Montague District prior to Coghill, Eshamy, and Unakwik districts opening to deep gear
80	**S**	Further define keg or buoy as non-motorized
81	**S**	Remove intent language and clarify anchoring and towing of drift gillnet gear
82	**O**	Revise purse seine mesh restrictions for commercial seining in PWS
83	**N**	Allow a purse seine chafing and border strip for the PWS salmon purse seine fishery

N = Neutral; S= Support; O = Oppose; NA = No Action, O/N = Oppose, neutral on allocative aspects

continued

Summary of Department Positions, Prince William Sound – Upper Copper/Upper Susitna Board of Fish Meeting, 2011 (page 2 of 3)

Proposal No.	Dept. Position	Issue
84	**N**	Amend gear restrictions for PWS salmon purse seine fishery
85	**N**	Reduce gear limits for the PWS salmon purse seine fishery
86	**N**	Revise lead mesh size for commercial seining in PWS
87	**O**	Revise lead mesh size for PWS salmon purse seine fishery
88	**S**	Create a subdistrict in the Coghill District for commercial salmon fishing
89	**N**	Amend boundaries for the Northwest, Eshamy, Coghill districts and Esther Subdistrict
90	**S**	Correct regulatory boundary descriptions in Eshamy District
91	**S**	Correct regulatory boundary descriptions in Coghill and Northwestern districts
92	**O**	Revise season description for the purse seine fishery in the Eastern, Northern, Northwestern, Southwestern, Montague, and Southeastern districts
93	**N**	Close designated areas to commercial fishing in PWS
94	**S**	Correct geographic description of closed waters in PWS Area districts
95	**S**	Expand closed waters in Sheep Bay of the Eastern District
96	**N**	Close commercial salmon fisheries in Main Bay, PWS to avoid the 4th of July
97	**S**	Correct regulatory boundary descriptions in Main Bay Alternating Gear Zone
98	**N**	Amend regulation regarding the Wally Noerenberg Hatchery Plan
99	**S**	Change south end marker in the Armin F. Koernig Hatchery Terminal Harvest Area
100	**O/N**	Adopt closures for sockeye salmon in Eshamy Lagoon
101	**N**	Revise gillnet and seine allocation plans
102	**N**	Amend allocation plan for the Eshamay District set gillnet group
103	**N**	Amend allocation plan for the Eshamay District set gillnet group
104	**N**	Designate area in the Coghill District for drift gillnet and purse seine gear
105	**N**	Remove the gillnet fleet from the Coghill District on established dates
106	**N**	Redefine the Coghill District boundary and open the district on an alternating gear type basis
107	**N**	Allow Drift gillnet group exclusive access to AFK chum salmon
108	**N**	Reallocate chum for the seine fleet in Port Chalmers
109	**N**	Discontinue remote release of chum salmon at Port Chalmers and release them at Wally Noerenberg Hatchery
110	**O/N**	Eliminate the mandatory closure prior to July 18 and amend fishing time and area provisions for the Southwestern District as follows
111	**N**	Modify the cost-recovery salmon harvest in PWS as follows.
112	**N**	Increase period of time used in calculation of allocation in PWS allocation plan
113	**O**	Amend regulation regarding use of aircraft in PWS commercial fishery
114	**N**	Reduce hatchery production of chum salmon in PWS
115	**N**	Reduce hatchery production of chum salmon in PWS
116	**N**	Add restrictions on homepack from commercial fishing
117	**N**	Establish an optimal escapement goal for Copper River Chinook salmon
118	**O/N**	Restrict commercial fishing inside barrier islands prior to June 15
119	**S**	Correct regulatory boundary descriptions in Copper River District
120	**N**	Increase sockeye salmon bag limit and allow snagging in Eshamay Bay
N = Neutral; S= Support; O = Oppose; NA = No Action, O/N = Oppose, neutral on allocative aspects		

continued

Summary of Department Positions, Prince William Sound – Upper Copper/Upper Susitna Board of Fish Meeting, 2011 (page 3 of 3).

Proposal No.	Dept. Position	Issue
121	**O**	Reduce sockeye salmon bag and possession limit in PWS
122	**O/N**	Establish coho salmon limit for non residents in Hells Hole Freshwater fishery
123	**O**	Close Ibec Creek to sport fishing above the Copper River Highway
124	**O**	Close 18 Mile Creek to sport fishing for coho
125	**S**	Amend Prince William Sound trout size regulations
126	**O**	Allow king salmon fishing on Gulkana River five days per week June 10 - August 10
127	**O**	Restrict guided sport fishery when commercial fishery is restricted
128	**O**	Establish a limit for shipping of fish out of state for nonresident sport fishermen
129	**S**	Modify lake trout regulations in Crosswind, Louise, Susitna, and Tyone lakes
130	**O**	Establish a maximum size limit for lake trout in Lake Louise and Crosswind Lake
71	**O**	Establish lake trout spawning closures in Tyone Lakes complex
132	**O**	Close Paxson and Summit lakes to lake trout fishing September 1 – October 1
133	**O**	Allow the use of bait October 1 – July 31 in Paxson and Summit lakes
134	**N**	Restrict guided sport fishery on Lake Louise, and Susitna and Tyone lakes
135	**N**	Restrict guided sport fishery on Lake Louise, and Susitna and Tyone lakes
136	**S**	Modify rainbow trout regulations in Summit Lake
137	**S**	Align the Wild Arctic Grayling Management Plan with area regulations
138	**S**	Open Tolsona Lake to sport fishing for burbot
N = Neutral; S= Support; O = Oppose; NA = No Action, O/N = Oppose, neutral on allocative aspects		

COMMITTEE OF THE WHOLE, GROUP 1: SUBSISTENCE AND PERSONAL USE SALMON (6 PROPOSALS)

51 - Review the Copper River District salmon subsistence fishery C&T finding.....1
53 - Amend regulation to combine subsistence areas in PWS.....3
52 - Specify open periods in the Copper River District subsistence fishery 8
54 - Establish a positive C&T finding for the Chitina dipnet fishery.....12
55 - Reclassify the Chitina dipnet fishery a subsistence fishery.....12
116 - Add restrictions on homepack from commercial fishing 15

PROPOSAL 51 – 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.

PROPOSED BY: Howard Delo.

WHAT WOULD THE PROPOSAL DO? This proposal seeks a review of the positive customary and traditional use determination (C&T) for the salmon stocks of the Copper River District.

WHAT ARE THE CURRENT REGULATIONS? The Board of Fisheries (board) has made a positive C&T use finding for the salmon stocks of the Copper River District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A review of the current positive C&T finding could result in either a reaffirmation of that positive finding, or a negative C&T finding. If a negative finding were made, the current subsistence regulations for the salmon stocks of the district would be invalid. The board would have the option of creating personal use regulations to replace the subsistence regulations.

BACKGROUND: Under AS 16.05.258, the board is required to identify the fish stocks, or portions of stocks, that are customarily and traditionally taken or used for subsistence. The board applies 5 AAC 99.010, the *Joint Boards of Fisheries and Game Subsistence Procedures*, also known as "the eight criteria," in making these determinations. In 1996, the board reviewed the available information, as summarized in an "Eight Criteria Worksheet" prepared by ADF&G and concluded that the stocks of the Copper River District support customary and traditional uses, and the fishery, therefore, continued to be managed as a subsistence fishery (as it had since statehood). In 2003, the board determined the amount of the harvestable surplus of these stocks that is reasonably necessary for subsistence uses (ANS finding). In the Copper River District the board has established a range of 3,000-5,000 salmon reasonably necessary for subsistence purposes in a year when there is a harvestable surplus that allows for a commercial fishery, and 19,000-32,000 in a year when there is no commercial fishery (5 AAC 01.616(b)).

In March 2010, in response to the decision and order from the state superior court in Fairbanks in *Alaska Fish and Wildlife Conservation Fund v. State of Alaska*, *Board of Fisheries*, Case No. 4FA-09-1515 Civil (Alaska Super. Ct. December 31, 2009), the board adopted a definition of a "subsistence way of life" as "a way of life that is based on consistent, long-term reliance upon fish and game resources for the basic necessities of life" (5 AAC 99.006). The court ruled that the board should reapply 5 AAC 99.010(b) (the eight criteria) to the C&T analysis of salmon stocks of the Chitina Subdistrict under a definition of "subsistence way of life" that uses an objective standard supported by law when evaluating Criterion 8. "A pattern that includes taking, use, and reliance for subsistence purposes upon a wide diversity of fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life."

The Department of Law has advised the board that before reconsidering a C&T finding, it must first determine if significant new information is available or if such a reconsideration is required by a court ruling. The board's adoption of the "subsistence way of life" definition may meet this second requirement.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If the board makes a negative C&T finding, the department recommends that the board consider adopting personal use regulations to replace the subsistence regulations currently providing harvest opportunities on these stocks.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery, as long no changes in allowable gear types occur.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? The board has determined under 5AAC 01.616 (4) that salmon in the Copper River District, as described in 5AAC 24.200(a), are customarily and traditional taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? In the Copper River District the board has established a range of 3,000-5,000 salmon reasonably necessary for subsistence purposes in a year when there is a harvestable surplus that allows for a commercial fishery, and 19,000-32,000 in a year when there is no commercial fishery (5 AAC 01.616(b)).
5. Do the regulations provide a reasonable opportunity for subsistence use? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 53 – 5 AAC 01.648. Prince William Sound Subsistence Salmon Fisheries Management Plan and 5 AAC 01.645. Subsistence bag, possession, and size limits.

PROPOSED BY: Glen Dune Lankard.

WHAT WOULD THE PROPOSAL DO? The proposal would combine most subsistence gear types, and all bag and possession limits for the subsistence fishery in Prince William Sound (PWS). The Copper River District, Tatitlek, Chenega, and PWS general area would be combined to allow for one permit and set of regulations, including bag limits and gear type.

This proposal would disallow seines and allow salmon to be harvested only with gillnets. This proposal does not specify if these would be setnet or drift net. The harvest limit would follow the limits currently allowed for the Copper River District and PWS General area of 15 salmon per household, 30 salmon for a household of two persons, and 10 salmon for each additional person in a household. No more than five king salmon could be harvested per permit. Upon request, a household could be issued a permit to allow for 50 additional salmon for a household of one person, or 100 salmon for a household of two or more persons, of which no more than five may be king salmon. Currently there are no bag or possession limits for the Tatitlek and Chenega subsistence fisheries.

WHAT ARE THE CURRENT REGULATIONS? The current regulations divide PWS into four areas for subsistence fishing: the Southwestern District, including the waters near Green Island (Chenega); the waters north of a line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point (Tatitlek); the Copper River District; and the remainder of PWS, including the Coghill, Northwestern, Eshamy, Unakwik, Southeastern, and Bering River districts and those portions of the Northern, Montague, and Eastern districts not included in the Chenega or Tatitlek areas (PWS General; Figure 53-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effect of this proposal would be to make subsistence regulations consistent across Prince PWS. This proposal would be a reduction of subsistence opportunity for Alaska residents who participate in the subsistence fishery in the Chenega and Tatitlek areas, and for residents who use seines. Currently, both areas allow for setnet, drift net, and purse seine to be used to harvest salmon. There are no harvest limits in these fisheries.

BACKGROUND: Currently, there are three fisheries for which the department issues permits (Table 53-1). There are two subsistence fisheries that allow for setnet, drift net, and purse seine, and have no bag limits. These are located in the area near the communities of Tatitlek in northeastern PWS and Chenega Bay in Southwestern PWS The third fishery includes the Copper River District, as well as the PWS General area (Table 53-1). Salmon can be taken by gillnet or seine, and permit holders are limited to 15 salmon for a household of one or 30 salmon for a household of two, plus 10 salmon

for each additional household member. No more than five of the salmon in either limit can be king salmon.

As shown in Table 53-2, 323 permits were returned for the Copper River District in 2009 and one permit for the PWS General fishery. The table also lists the 5-year, 10-year, and 20-year average harvests for each fishery. A separate permit is issued for the Chenega fishery, for which there were five permits returned in 2009; however, the average over the past 20 years is 11 permits returned for this fishery. Another permit is issued for the Tatitlek fishery, for which there were 12 permits returned in 2009; this number of permits has been fairly consistent across time. Table 53-2 shows the 5-year, 10-year, and 20-year average harvest of salmon for each fishery, including the number of permits returned.

As shown in Table 53-2, in 2009, the average harvest per returned permit in the Chenega subsistence fishery was 71 salmon, and the 20-year average is 97 salmon. In the Tatitlek fishery, the average permit holder in 2009 harvested 75 salmon and the 20-year average was 119 salmon. This proposal would also reduce opportunity in some areas of the PWS General area since seine gear is allowed in the Coghill, Montague, Eastern, Northern, Southeast, and Northwestern districts.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal, but is **OPPOSED** to a reduction in subsistence opportunity as it would place bag limits on harvests in the Chenega and Tatitlek subsistence fisheries. It would also disallow seines and allow salmon to be harvested only with gillnets.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined, under 5 AAC 01.610, that salmon are customarily and traditionally taken or used for subsistence (1) in the Southwestern District and the waters along the northwestern shore of Green Island; (2) waters north of the line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point; (3) the Copper River District; and (4) Coghill, Northwestern, Eshamy, Unakwik, Southeastern, and Bering River districts and those portions of the Northern, Montague, and Eastern districts not included in (2).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? In the Southwestern District and those waters adjacent to Green Island, the board has established an amount necessary for subsistence (ANS) of 2,100–3,500 salmon. In the waters

north of a line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point, the board has established an ANS of 1,800 – 3,,000 salmon. The board has established a ANS range of 3,000–5,000 salmon in a year when there is a harvestable surplus that allows for a commercial fishery and 19,000–32,000 in a year when there is no commercial fishery (5 AAC 01.616(b).

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 53-1. Summary of subsistence regulations for salmon in the Prince William Sound Management area.

Permits	Positive C&T	ANS	District	Gear Type	Harvest Limits	Open Periods
Copper River/Bering River/ Prince William Sound general	1996	3,000–5,000 19,000–32,000 when no commercial fishery	Copper River District	Drift Net Only	15 salmon per household of 1, 30 for a 2 person household, and 10 for each additional household resident. No more than 5 salmon harvested may be king salmon.	May 15 until 2 days prior to commercial opener, (7) days a week. During commercial salmon season, subsistence harvest of salmon may only take place during commercial fishing periods. From two days after closure of commercial salmon season, (7) days per week until Oct. 31
	2008	115–200	Prince William Sound General			
			Bering River District	Drift Net Only		
			Coghill District	Drift net to 7/21, then drift & purse seine for pink salmon with some exceptions		
			Unakwik District	Drift net and purse seine		
			Eshamy District	Drift net and setnet		
			Portion of Montague	Purse seine only with some		
			Portions of Eastern and Northern, Southeast, and Northwestern districts	Purse seine only		
Tatitlek Area	1987	1,800–3,000	Northern portions of Eastern & Northern districts	Set net, drift net and purse seine. Dip net for pink salmon in fresh water.	No harvest Limits	
Chenega Area		2,100–3,500	Southwestern District, portion of Montague near Green Island			

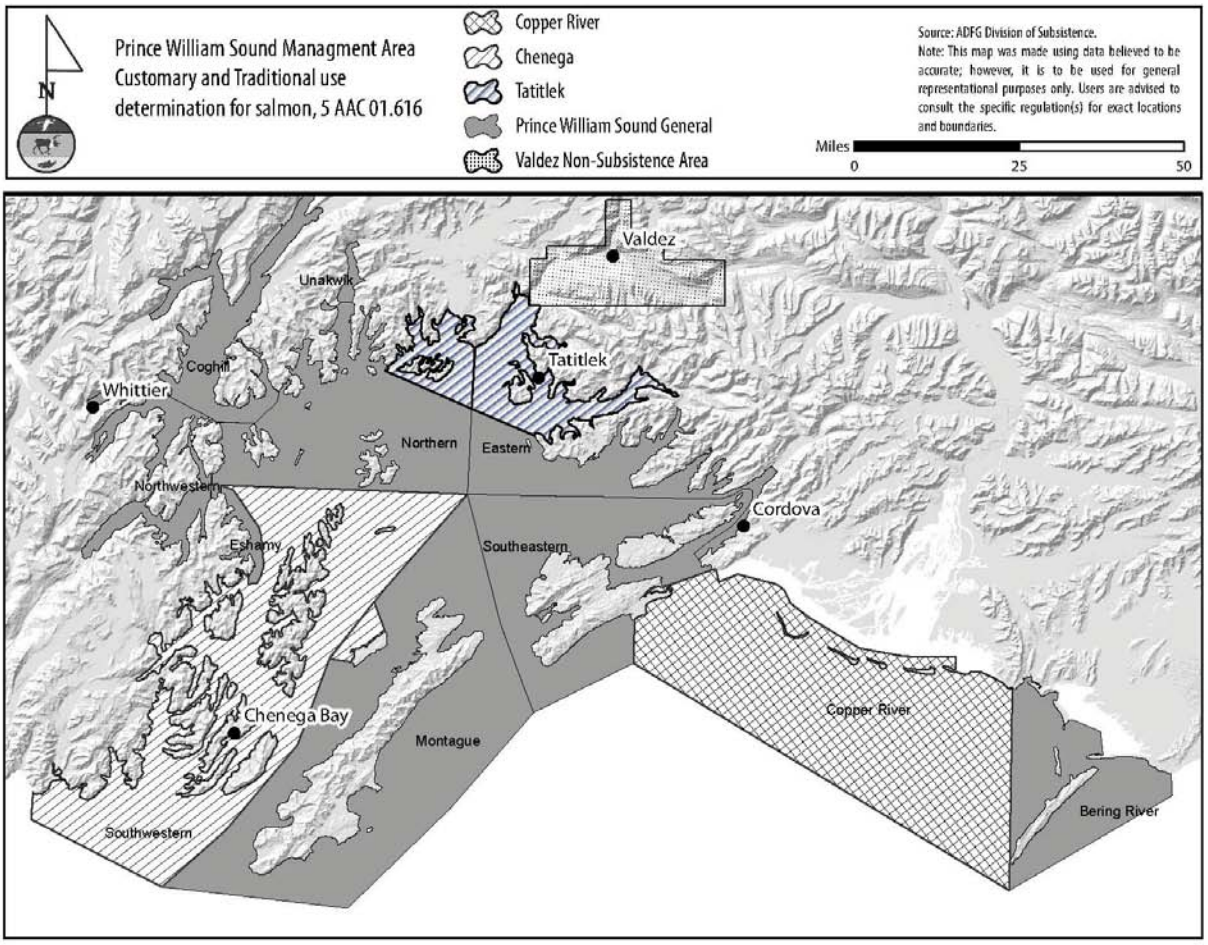
Table 53-2. Harvest of salmon, subsistence salmon permit returns, Prince William Sound Management area.

	Chenega			Tatitlek		
	returned permits	salmon harvest	average harvest per permit	returned permits	salmon harvest	average harvest per permit
2009	4	285	71	4	301	75
5-year average (2005–2009)	5	430	90	2	261	145
10-year average (2000–2009)	6	507	87	5	478	98
20-year average (1990–2009)	6	564	97	4	530	119

	Copper River District			Prince William Sound General		
	returned permits	salmon harvest	average harvest per permit	returned permits	salmon harvest	average harvest per permit
2009	293	2,173	7	1	0	0
5-year average (2005–2009)	407	4,359	11	7	24	3
10-year average (2000–2009)	385	4,022	10	7	24	3
20-year average (1990–2009)	257	2,640	10	6	20	3

Source: Division of Subsistence, ADF&G, ASFDB 2011

Figure 53-1. Prince William Sound Management Area and subsistence areas.



PROPOSAL 52 – 5 AAC 01.610. Fishing Seasons.

PROPOSED BY: Copper River/Prince William Sound Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would add to subsistence regulations an opening for a 24-hour period beginning each Saturday at 0700 throughout the season and when regularly scheduled commercial periods are suspended.

WHAT ARE THE CURRENT REGULATIONS? Salmon may be taken only from May 15 through October 31 during fishing periods as follows: 1) from May 15 until two days before the commercial opening of that salmon district, seven days per week; 2) during the commercial salmon season, only during open commercial salmon fishing periods in that district; and 3) from two days following the closure of the commercial salmon fishing season in that district through October 31, seven days a week (5 AAC 01.610(g)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Participants in the subsistence fishery in the Copper River District would have additional opportunity to harvest salmon. Residents of Prince William Sound who fish in the commercial fishery would have an opportunity to harvest salmon in the subsistence fishery outside of commercial openings. This proposal could shift salmon harvest from the removal from the commercial fishery to increased participation in the subsistence fishery for households to meet their subsistence needs. This may increase the overall harvest of salmon in the Copper River District since those commercially caught salmon that were previously removed from the commercial harvest for subsistence use would now be caught in the subsistence fishery, increasing both subsistence and commercial harvests.

BACKGROUND:

In 2003, the most recent year a harvest survey was conducted in Cordova, residents harvested 8,993 salmon in the subsistence fishery for an average of 70 lb per household. Residents also harvested 11,013 salmon through rod and reel harvest (73 lb per household) and removed 9,148 salmon (63 lb per household) from their commercial harvests (Table 52-1). Salmon harvested in the subsistence fishery represented 34% of the overall harvest by Cordova residents, while rod and reel and commercial removal represented 35% and 31%, respectively (rod and reel harvests in 2003 could have been harvested in a state sport fishery or in a federal subsistence fishery).

Table 52-2 shows the harvest of salmon in the subsistence fishery as recorded by permit for the Copper River District. The overall average (1965-2009) harvest estimate is 1,386 salmon, while the 10-year average harvest is 4,022 salmon, and the 5-year average harvest of salmon is 4,359 salmon. Cordova residents represented 82% of permits issued for the Copper River District subsistence fishery in 2009, while 18% were issued to residents of other Alaska communities.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. However, fishers may choose to more fully utilize the subsistence fishery, which could add additional costs through more trips to participate in the subsistence fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.616(4) that salmon in the Copper River District, as described in 5 AAC 24.200(a), are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 3,000–5,000 salmon reasonably necessary for subsistence purposes in a year when there is a harvestable surplus that allows for a commercial fishery, and 19,000–32,000 in a year when there is no commercial fishery (5 AAC 01.616(b)(2)).

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 52-1. Estimated salmon harvest by gear type, household surveys, Cordova (all households), 2003.

Resource	Removed From Commercial Catch			Subsistence Methods								
				Setnet			Seine			Drift Gillnet		
	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean
Salmon	9,148	56,890	63	7,071	50,693	56	304	2,130	2	1,237	8,310	9
Chum Salmon	100	474	1	292	1,380	2	0	0	0	0	0	0
Coho Salmon	1,644	10,340	11	1,448	9,110	10	0	0	0	94	590	1
King Salmon	1,119	18,356	20	1,387	22,764	25	64	1,049	1	216	3,539	4
Pink Salmon	339	901	1	188	499	1	0	0	0	0	0	0
Sockeye Salmon	5,947	26,819	29	3,756	16,939	19	240	1,081	1	927	4,181	5
Landlocked Salmon	0	0	0	0	0	0	0	0	0	0	0	0
Unknown Salmon	0	0	0	0	0	0	0	0	0	0	0	0

Resource	Subsistence Methods (continued)						Rod & Reel			Any Method		
	Other			Any Method								
	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean
Salmon	381	2,811	3	8,993	63,944	70	11,013	66,076	73	29,154	186,910	205
Chum Salmon	0	0	0	292	1,380	2	221	1,043	1	614	2,896	3
Coho Salmon	0	0	0	1,542	9,700	11	8,695	54,691	60	11,881	74,731	82
King Salmon	88	1,442	2	1,755	28,795	32	193	3,169	3	3,066	50,320	55
Pink Salmon	0	0	0	188	499	1	726	1,932	2	1,252	3,331	4
Sockeye Salmon	271	1,223	1	5,194	23,425	26	1,154	5,206	6	12,295	55,450	61
Landlocked Salmon	0	0	0	0	0	0	24	36	0	24	36	0
Unknown Salmon	22	146	0	22	146	0	0	0	0	22	146	0

Table 52-2. Historical subsistence salmon harvests, permit returns, Copper River District, 1965–2009.

	Permits		Estimated Salmon Harvest					
Year	Issued	Returned	Chinook	Sockeye	Coho	Chum	Pink	Total
1965	31	20	19	711	132	0	0	862
1966	45	31	68	254	0	0	0	322
1967	61	56	90	167	0	0	0	257
1968	17	15	12	41	0	0	0	53
1969	49	33	24	94	126	0	0	244
1970	32	27	78	212	0	0	0	290
1971	29	26	11	36	4	0	0	51
1972	104	79	196	749	70	0	0	1,015
1973	94	89	162	344	190	0	0	696
1974	9	5	9	7	4	0	0	20
1975	2	2	0	5	0	0	0	5
1976	27	14	2	19	0	0	0	21
1977	23	22	10	74	0	0	0	85
1978	34	28	45	22	15	0	0	81
1979	49	41	54	31	20	0	0	105
1980	39	35	21	30	19	0	0	70
1981	72	51	68	205	147	0	0	419
1982	108	90	72	761	127	0	0	960
1983	87	73	94	128	68	0	0	290
1984	118	104	77	368	153	0	0	598
1985	94	94	88	261	83	0	0	432
1986	88	85	89	360	49	0	0	498
1987	95	89	52	383	15	0	0	450
1988	114	97	69	266	49	0	0	384
1989	75	64	66	397	60	0	0	523
1990	88	76	69	543	95	0	0	707
1991	129	115	153	931	43	0	0	1,126
1992	126	113	158	875	47	0	0	1,080
1993	111	93	143	511	35	0	0	689
1994	101	97	171	494	70	0	0	734
1995	126	112	173	779	35	0	0	987
1996	176	157	309	1,086	53	0	0	1,448
1997	269	243	223	1,144	1,967	0	0	3,333
1998	245	230	314	905	724	0	0	1,944
1999	294	275	377	1,422	729	0	0	2,528
2000	416	400	717	4,534	46	18	3	5,318
2001	468	439	881	3,275	75	2	0	4,232
2002	355	331	589	3,289	30	2	0	3,910
2003	384	367	730	1,655	37	0	16	2,439
2004	511	487	1,163	1,910	48	5	3	3,129
2005	237	224	260	830	15	0	1	1,106
2006	421	399	779	4,355	1	0	0	5,135
2007	469	445	1,211	6,458	16	2	6	7,694
2008	506	482	495	4,161	55	0	21	4,732
2009	323	293	232	1,916	23	1	0	2,173
5-year average (2004-2008)	429	407	782	3,543	27	1	6	4,359
10-year average (1999-2008)	406	385	720	3,189	105	3	5	4,022
Historical average (1965-2008)	157	144	236	1,025	124	1	1	1,386

Source ADF&G Division of Subsistence, ASFDB 2010 (ADF&G 2010).

PROPOSALS 54 and 55 – 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.

PROPOSED BY: Fairbanks Advisory Committee (Proposal 54) and Eastern Interior Alaska Subsistence Regional Advisory Council (Proposal 55).

WHAT WOULD THE PROPOSALS DO? These proposals would make a positive customary and traditional use determination (C&T) for salmon stocks of the Chitina Subdistrict and reclassify the Chitina Subdistrict dip net fishery from a personal use fishery to a subsistence fishery.

WHAT ARE THE CURRENT REGULATIONS? The Board of Fisheries (board) has made a negative C&T use finding for salmon stocks of the Chitina Subdistrict. Therefore, the dip net fishery in the subdistrict is classified as a personal use fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? There would be a positive C&T use finding for salmon stocks of the Chitina Subdistrict, and the board, under AS 16.05.258(b)(1), should identify the amount of the harvestable portion of these stocks that is reasonably necessary for subsistence uses and adopt regulations providing a reasonable opportunity for subsistence uses of these stocks. The present Chitina Subdistrict dip net fishery would be reclassified as a subsistence fishery.

BACKGROUND: Under AS 16.05.258, the board is required to identify the fish stocks, or portions of stocks, that are customarily and traditionally taken or used for subsistence. The board applies 5 AAC 99.010, the *Joint Boards of Fisheries and Game Subsistence Procedures*, also known as "the eight criteria," in making these determinations. Since 1984, the board has reviewed the C&T status of the salmon stocks of the Chitina Subdistrict, or the availability of new information, nine times: 1984, 1986, 1992, 1996, 1999, 2003, 2005, 2008, and 2010. In eight of the nine previous considerations, the board determined that these stocks do not support C&T uses (a negative C&T finding) (four times) or that no new information was available to warrant a review (four times). One deliberation (December 1999) resulted in a positive C&T finding.

The most recent board C&T use determination for Chitina Subdistrict salmon stocks took place in March 2010, in response to the decision and order from the state superior court in Fairbanks in *Alaska Fish and Wildlife Conservation Fund v. State of Alaska*, *Board of Fisheries*, Case No. 4FA-09-1515 Civil (Alaska Super. Ct. December 31, 2009). The case involved a challenge to the board's 2003 negative C&T finding for Chitina Subdistrict salmon stocks. The court ruled that the board should reapply 5 AAC 99.010(b) to the C&T analysis of these stocks under a definition of "subsistence way of life" that uses an objective standard, supported by law, when evaluating Criterion 8, "A pattern that includes taking, use, and reliance for subsistence purposes upon a wide diversity of fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life." The court also ruled that the board should provide plaintiffs with an opportunity to supplement the record in light

of the definition of a subsistence way of life and take this supplemented record into account when reapplying the eight criteria.

In response, the board generated two supplemental proposals (200 and 201) for public comment and deliberation during its March 2010 Statewide Finfish meeting in Anchorage. The board heard staff reports and took public testimony on both proposals. It first acted on Proposal 200, adopting a definition of a "subsistence way of life" as "a way of life that is based on consistent, long-term reliance upon fish and game resources for the basic necessities of life" (5 AAC 99.006). The board then considered Proposal 201 to find a C&T use of salmon stocks in the Chitina Subdistrict and establish amounts necessary for subsistence. The board based its deliberations on the supplemented record (from the public testimony and written submissions) and ADF&G reports. The proposal failed, 0-6 (with one member absent). The negative C&T finding remained in place and the Chitina Subdistrict dipnet fishery remained a personal use fishery.

The Department of Law has advised the board that before reconsidering a C&T finding, it should first determine if significant new information is available or if there was an error in its previous finding. The department has no new information relevant to the eight criteria as they apply to these stocks and no errors in the board's 2010 action have been identified. Department permit data indicate that the use patterns of the Chitina Subdistrict have not changed significantly since the last board reviews in 2003, 2005, 2008, and 2010.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. The department recommends that the board first determine if significant new information is available in terms of the eight criteria as they apply to the salmon stocks of the Chitina Subdistrict. If the board finds that significant new information is available, the board should apply the eight criteria using all available information to determine if these stocks support C&T uses. If the board makes a positive C&T finding, the board should then determine the portion of the harvestable surplus of these stocks that is reasonably necessary for subsistence uses, and adopt regulations that provide a reasonable opportunity for subsistence uses of these stocks.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Under the current regulation (5 ACC 01.616), no.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? If the board determines that these stocks support C&T uses, it should establish this amount based upon documented harvest levels.

5. Do the regulations provide a reasonable opportunity for subsistence use? If the board changes the status of the C&T use finding for these stocks to positive, it will need to make this determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? If the board changes the status of the C&T use finding for these stocks to positive, it will need to make this determination.

PROPOSAL 116 – 5 AAC 24.XXX. New Regulation. (*This proposal also affects 5 AAC 39.010(a). Retention of fish taken in a commercial fishery.)*

PROPOSED BY: Fairbanks Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would set a limit on homepack salmon for commercial fishermen to match the sport fishing possession limit and prohibit any homepack for commercial fishermen who engage in the Copper River Delta subsistence salmon fishery.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 39.010. *Retention of fish taken in a commercial fishery.* A person engaged in commercial fishing may retain finfish from lawfully taken commercial catch for that person's own use, including for use as bait in a commercial fishery. Commercial fishermen are required to report on fish tickets all fish harvested, but not sold (5 AAC 39.130(c)(10). *Reports required of fishermen, processors, buyers, exporters, and operators of certain commercial fishing vessels; transporting requirements.*).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would limit the number of salmon legally taken for a person's own use in Prince William Sound (PWS) commercial salmon fisheries to the sport fish possession limit for each salmon species. A commercial fisherman participating in the Copper River District subsistence salmon fishery would not be able to retain any commercially-harvested salmon for his/her own use. Limiting homepack does not necessarily equate to additional salmon escaping the commercial fishery as those fish would likely be taken and sold.

BACKGROUND: The total king salmon run to the Copper River, including commercial homepack, 2000–2011, by end user or destination is shown in Table 116-1.

When the Board of Fisheries (board) established the amount necessary for subsistence (ANS) for salmon stocks of the Copper River District, it recognized the contribution that retention of salmon from commercial harvests made to the supply of salmon for home use in Cordova and established a two-level ANS finding: a lower ANS range when a salmon commercial fishery is open, and a higher range when there is no commercial fishery (5 AAC 01.616.(b)(2). *Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses*). There is no two-level ANS finding for other areas in PWS.

In 2003, the most recent year a harvest survey was conducted in Cordova, households removed an average of 63 lb (31%) of their total household harvest of salmon from their commercial catch (see Table 116-2). This harvest is just under their average harvest in the subsistence fishery of 70 lb (34%) per household, as well as their harvest in the sport fishery (rod and reel) of 73 lb (35%) (Figure 116-1). For king salmon, the average household obtained 20 lb (37%) of its total harvest through removal from its commercial catch. Households harvested an average of 32 lb (57%) in the subsistence fishery and 3 lb (6%) in the sport fishery (Table 116-2).

Cordova is not unique in its reliance on salmon harvested in the commercial fishery for household consumption. Table 116-3 shows that residents of other communities with active participation in the commercial fishery retain salmon from their commercial harvests for home use. For example, commercial removals accounted from 6% of the overall harvest of salmon in Emmonak in 2008 to 36% of salmon in Chignik Lagoon in 2003.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal, but note that it would cause a reduction of subsistence opportunity without any biological or management justification.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 116-1.–Total estimated king salmon run to the Copper River by end user or destination, with previous 10-year average, 2000–2010.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	10-year Average	2010
Commercial harvest[a]	31,259	39,524	38,734	47,721	38,191	34,624	30,278	39,095	11,437	9,457	**32,032**	9,645
Commercial, homepack[a]	740	935	773	1,073	539	760	779	1,019	537	876	**803**	906
Commercial, donated[a]	6	0	4	3	5	11	3	0	4	0	**4**	0
Educational drift gillnet permit[a]	0	0	25	0	0	92	11	70	47	50	**30**	31
Subsistence (Cordova, drift gillnet)[b]	689	826	549	710	1,106	260	779	1,145	470	212	**675**	276
Subsistence (Batzulnetas, dipnet, fish wheel or spear)[b]	0	0	0	0	0	0	0	0	0	0	**0**	0
Subsistence (Glennallen Subdistrict, dipnet, fish wheel or spear)[b]	4,782	3,254	3,424	2,395	3,166	2,080	2,444	3,106	2,238	2,330	**2,922**	1,970
Federal Subsistence (Glennallen subdistrict, dipnet, fish wheel or spear)	0	0	564	554	636	345	430	569	705	494	**430**	299
Personal Use harvests (Chitina Subdistrict, dipnet)[b]	3,007	2,803	1,745	1,644	2,108	1,773	2,071	2,388	1,690	199	**1,943**	589
Federal Subsistence (Chitina subdistrict, dipnet)	0	0	33	18	7	22	13	26	22	8	**15**	17
Sport harvest[c]	5,531	4,904	5,098	5,717	3,435	4,093	3,425	5,123	3,618	1,355	**4,230**	2,500
Upriver spawning escapement[d]	24,727	28,817	22,009	34,436	31,212	22,020	59,406	35,137	33,070	28,015	**31,885**	16,948
Total estimated Chinook salmon run size	**70,741**	**81,063**	**72,958**	**94,271**	**80,405**	**66,080**	**99,639**	**87,678**	**53,838**	**42,996**	**74,967**	**33,181**

Table 116-2.–Estimated salmon harvest by gear type, Cordova (all households), 2003.

Resource	Removed From Commercial Catch			Subsistence Methods								
				Setnet			Seine			Drift Gillnet		
	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean
Salmon	9,148.03	56,889.93	62.52	7,071.39	50,692.67	55.71	303.59	2,129.74	2.34	1,236.53	8,310.20	9.13
Chum Salmon	100.35	473.67	0.52	292.39	1,380.09	1.52	0.00	0.00	0.00	0.00	0.00	0.00
Coho Salmon	1,643.87	10,339.95	11.36	1,448.37	9,110.24	10.01	0.00	0.00	0.00	93.75	589.69	0.65
King Salmon	1,118.61	18,356.41	20.17	1,387.23	22,764.48	25.02	63.91	1,048.81	1.15	215.68	3,539.30	3.89
Pink Salmon	338.56	900.57	0.99	187.50	498.75	0.55	0.00	0.00	0.00	0.00	0.00	0.00
Sockeye Salmon	5,946.64	26,819.33	29.47	3,755.90	16,939.11	18.61	239.67	1,080.93	1.19	927.10	4,181.22	4.59
Landlocked Salmon	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Unknown Salmon	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Resource	Subsistence Methods (continued)						Rod & Reel			Any Method		
	Other			Any Method								
	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean	Amount	Pounds	HH Mean
Salmon	381.03	2,811.33	3.09	8,992.54	63,943.94	70.27	11,013.37	66,075.65	72.61	29,153.94	186,909.51	205.40
Chum Salmon	0.00	0.00	0.00	292.39	1,380.09	1.52	220.87	1,042.50	1.15	613.61	2,896.26	3.18
Coho Salmon	0.00	0.00	0.00	1,542.12	9,699.93	10.66	8,694.89	54,690.87	60.10	11,880.88	74,730.75	82.12
King Salmon	87.88	1,442.12	1.58	1,754.70	28,794.71	31.64	193.10	3,168.74	3.48	3,066.41	50,319.85	55.30
Pink Salmon	0.00	0.00	0.00	187.50	498.75	0.55	726.30	1,931.97	2.12	1,252.36	3,331.29	3.66
Sockeye Salmon	271.28	1,223.46	1.34	5,193.95	23,424.71	25.74	1,154.24	5,205.62	5.72	12,294.83	55,449.67	60.93
Landlocked Salmon	0.00	0.00	0.00	0.00	0.00	0.00	23.97	35.95	0.04	23.97	35.95	0.04
Unknown Salmon	21.88	145.75	0.16	21.88	145.75	0.16	0.00	0.00	0.00	21.88	145.75	0.16

Table 116-3.–Estimated percentage of harvest, by gear type, coastal communities in Alaska.

Study Year	Community	Commercial Removal	Subsistence Fishery	Sport Fishery
2008	Togiak	29%	62%	9%
2008	Emmonak	6%	94%	0%
2003	Chignik Bay	25%	59%	17%
2003	Chignik Lagoon	36%	60%	4%
2003	Chignik Lake	16%	79%	5%
2003	Larsen Bay	23%	54%	23%
2003	Old Harbor	11%	47%	42%
2003	Perryville	15%	77%	9%

Source: ASFDB 2011, ADF&G

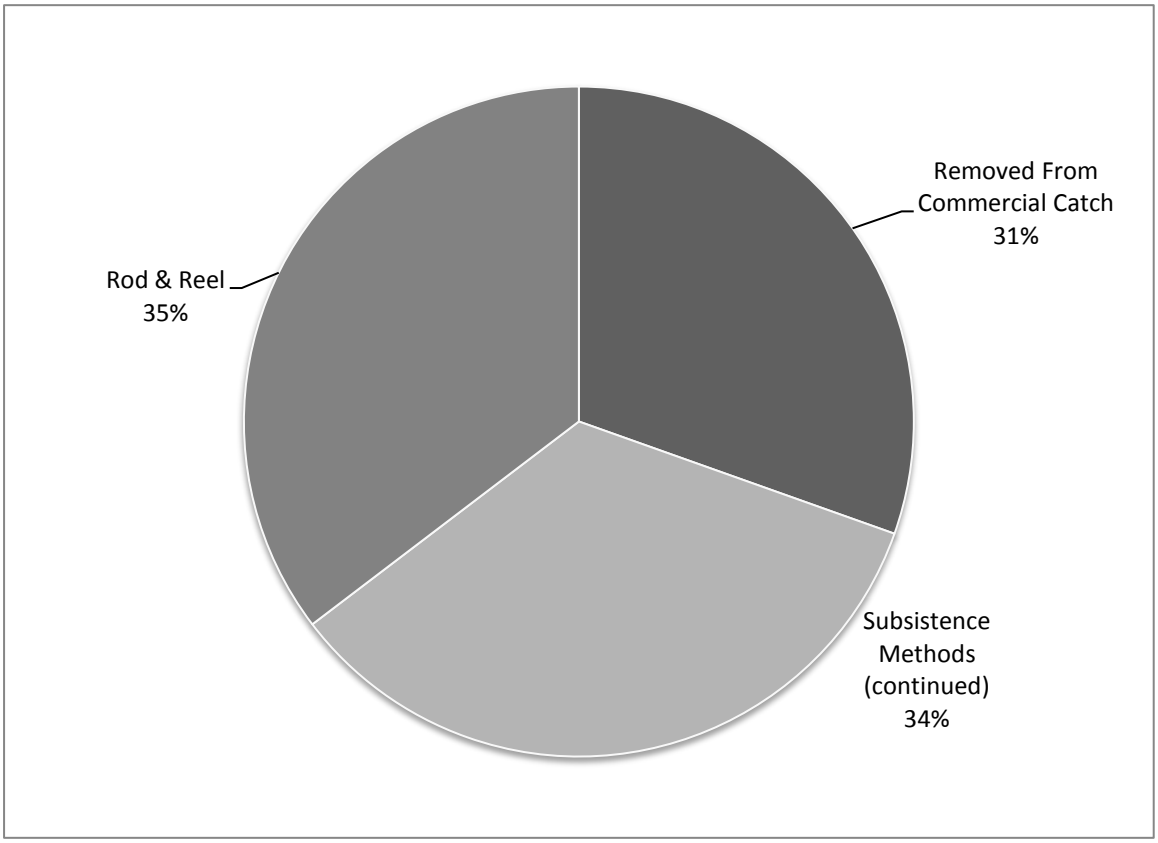


Figure 116-1.–Harvest of salmon by fishery, Cordova, 2003.

COMMITTEE OF THE WHOLE, GROUP 2: PRINCE WILLIAM SOUND COMMERCIAL FISHERIES MANAGEMENT PLANS AND ALLOCATION (14 PROPOSALS)

101 - Revise the gillnet/seine allocation plan 19
102 - Amend the allocation plan for Eshamy District set gillnet group 20
103 - Amend the allocation plan for Eshamy District set gillnet group 22
104 - Designate area in the Coghill District for drift gillnet and purse seine gear 23
105 - Remove the gillnet fleet from the Coghill District on established dates 26
106 - Redefine the Coghill District boundary and open the district on an alternating gear type basis 29
107 – Allow drift gillnet group exclusive access to AFK chum salmon 32
108 - Reallocate chum salmon for the seine fleet in Port Chalmers 33
109 - Discontinue remote release of chum salmon at Port Chalmers and release them at Wally Noerenberg Hatchery 35
110 - Eliminate the mandatory closure prior to July 18 and amend fishing time and area provisions for the Southwestern District 36
111 - Modify the cost-recovery salmon harvest in PWS 38
112 - Increase period of time used in calculation of allocation in PWS allocation plan 39
114 - Reduce hatchery production of chum salmon in PWS 40
115 - Reduce hatchery production of chum salmon in PWS 40

PROPOSAL 101 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The proposal would allow purse seine and drift gillnet gear groups to fish in areas already defined in regulation, with no harvest allocation guidelines.

WHAT ARE THE CURRENT REGULATIONS? The exvessel value allocation of Prince William Sound Aquaculture Corporation (PWSAC) enhanced salmon stocks for the set gillnet gear group is 4% of the total allocation. The remaining exvessel value allocation is split evenly between the purse seine and drift gillnet gear groups. There are trigger points and corrective measures for each gear group if they harvest more than their allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would eliminate the current economic allocation of PWSAC enhanced salmon stocks among gear groups. Each gear group would, thus, fish in areas already designated in regulation based on strength of wild and enhanced returns, with no consideration or consequence for allocation imbalances.

BACKGROUND: Start and stop dates for purse seine and drift gillnet gear in Southwestern and Coghill districts and Perry Island Subdistrict were included in the *Prince William Sound Management and Salmon Enhancement Allocation Plan* in order to partition opportunity for the gear groups and to allow migration corridors for wild and hatchery salmon stocks.

At the 1996 Board of Fisheries (board) meeting, the "piggy bank" concept was introduced as a remedy to correct allocation imbalances. Currently, the "piggy bank" for the seine fleet is exclusive access to the enhanced Wally Noerenberg Hatchery chum salmon return in the Esther Subdistrict. The "piggy bank" for the drift gillnet fleet is exclusive access to the enhanced chum salmon return in the Port Chalmers Subdistrict of the Montague District.

At the 2005 board meeting, the allocation calculation was adapted to generate a comparison of the preceding five-year average exvessel value of common property enhanced harvest. The trigger point was modified to a two-tier allocation adjustment scheme. The first tier is a 47-percent trigger established to allow PWSAC to make proportional adjustments to cost recovery in applicable years. A 45-percent trigger was established to provide access to the "piggy banks" as the second-tier allocation remedy in applicable years.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 102 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Prince William Sound Setnet Association

WHAT WOULD THE PROPOSAL DO? The proposal would change the set gillnet allocation penalty from a limit of no more than 36 hours per week starting July 10 to a 50% reduction in fishing time from that assigned to the drift gillnet gear group. The proposal also specifies that both set and drift gillnet openings shall commence concurrently.

WHAT ARE THE CURRENT REGULATIONS? When the set gillnet gear group catches five percent or more of the previous five-year average exvessel value of the total common property fishery for enhanced salmon, then in the following year, set gillnet fishing periods after July 10 shall total no more than 36 hours per week.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In years when its allocation is exceeded, the proposal would likely allow the set gillnet gear group more fishing time after July 10 than is currently allowed.

BACKGROUND: Over the most recent 10 years, the drift gillnet fleet has fished an average of 720 hours after July 10. Thirty-six hours of set gillnet fishing time per statistical week after July 10, allows an average annual fishing time of 310 hours. If the set gillnet group were limited to 50% of drift gillnet fishing time, the annual average fishing time after July 10 would be 360 hours. The average gain in annual fishing time for the set gillnet group would be 50 hours (range of 72 fewer hours to 152 more hours). In three out of the most recent 10 years, there would have been a reduction in fishing time for the set gillnet group using the 50% fishing time scenario.

Drift and set gillnet gear groups have operated with concurrent periods since before 1950. Prior to the first return of Main Bay Hatchery sockeye salmon in 1991, annual harvests for drift and set gillnet averaged 10,491 and 14,605 salmon, respectively, from 1969–1990 during years when a fishery occurred. Since 1990, average harvests of sockeye salmon have increased to 342,000 and 142,000 for drift and set gillnets, respectively.

Wild and enhanced salmon harvest values by gear type from 1992 through 2004 are shown in Table 102-1. PWSAC enhanced salmon harvest values by gear type from 2005 through 2010 are shown in Table 102-2. The five-year averages for the three gear types since the 2005 board meeting are shown in Table 102-3.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 102-1.–Exvessel percentage of total common property wild and enhanced salmon harvest based on exvessel values. Harvest values are from processor polling postseason.

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Purse seine	12.0	8.2	39.5	24.8	15.8	27.0	34.9	31.9	50.5	68.3	65.0	44.3	71.0
Drift gillnet	88.0	91.8	60.5	75.2	84.2	73.0	65.1	68.1	53.6	29.4	32.2	52.1	27.0
Set gillnet	5.1	3.2	2.3	0.7	2.1	3.2	0.7	1.0	2.8	7.3	7.9	6.4	6.8

Table 102-2.–Exvessel percentage of total common property enhanced salmon harvest based on exvessel values. Harvest values are from the Commercial Operator's Annual Report.

	2005	2006	2007	2008	2009	2010
Purse seine	34.5	54.5	33.8	66.8	38.5	64.0
Drift gillnet	63.4	42.9	62.9	33.2	61.5	36.0
Set gillnet	3.3	5.7	4.9	2.3	5.9	3.2

Table 102-3.–Five-year exvessel percentages of total common property enhanced salmon harvest based on exvessel values for fishing seasons, 2006–2011.

	2006 (avg yrs 00–04)	2007 (avg yrs 01–05)	2008 (avg yrs 02–06)	2009 (avg yrs 03–07)	2010 (avg yrs 04–08)	2011 (avg yrs 05–09)
Purse seine	44.3%	45.4%	47.6%	57.1%	62.1%	59.0%
Drift gillnet	55.7%	54.6%	52.4%	42.9%	37.9%	41.0%
Set gillnet	6.9%	6.3%	6.0%	5.3%	3.7%	4.0%

PROPOSAL 103 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Shawn Gilman.

WHAT WOULD THE PROPOSAL DO? The proposal would decrease the set gillnet trigger in the *Prince William Sound Management and Salmon Enhancement Allocation Plan* from five percent to four percent, and would change the start date for the 36-hour per week limit on set gillnet fishing periods from July 10 to July 7.

WHAT ARE THE CURRENT REGULATIONS? When the set gillnet group harvests five percent or more of the previous five-year average exvessel value of the total common property fishery for enhanced salmon in Prince William Sound (PWS), the set gillnet group is reduced to a maximum of 36 hours per week beginning on July 10 in the year following the calculation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would decrease the trigger point at which the set gillnet group would be penalized for exceeding its allocation, from five percent to four percent.

BACKGROUND: The five-year average exvessel values of enhanced salmon harvested by the set gillnet group have been above the five-percent trigger point in four of six years since 2005, when the current plan was adopted (Table 103-1).

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 103-1.–Five-year exvessel percentages of total common property enhanced salmon harvest based on exvessel values for fishing seasons, 2006–2011.

	2006	2007	2008	2009	2010	2011
	(avg yrs 00–04)	(avg yrs 01–05)	(avg yrs 02–06)	(avg yrs 03–07)	(avg yrs 04–08)	(avg yrs 05–09)
Purse seine	44.3%	45.4%	47.6%	57.1%	62.1%	59.0%
Drift gillnet	55.7%	54.6%	52.4%	42.9%	37.9%	41.0%
Set gillnet	6.9%	6.3%	6.0%	5.3%	3.7%	4.0%

PROPOSAL 104 – 5 AAC 24.330. Gear.

PROPOSED BY: Tom Nelson.

WHAT WOULD THE PROPOSAL DO? The proposal would designate an area in the Coghill District north of Pt. Packenham at 61° 00.429' N. lat, 148° 04.363' W. long to a point on the east side of College Fiord at 61° 58.900' N. lat, 147° 59.750' W. long that would be opened to both drift gillnet and purse seine gear by emergency order (EO) (Figure 104-1).

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that Coghill District is only open to drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominately pink salmon. By EO, purse seine gear may be used prior to July 21 if the harvestable surplus of enhanced chum salmon or wild stock salmon is not being adequately harvested by the drift gillnet fleet. Additionally, if the purse seine gear group's harvest value of enhanced salmon is 45 percent or less of the previous five-year average exvessel value comparison of common property enhanced salmon harvest, then in the year following the calculation, the purse seine gear group will have exclusive access to the Esther Subdistrict from June 1 through July 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would reallocate some portion of the Coghill District wild and enhanced salmon currently harvested by the drift gillnet fleet between June 1 until July 21 to the purse seine fleet. The purse seine fleet would be allowed to fish concurrently with the drift gillnet fleet in the designated portion of the Coghill District during any open fishing period. In addition to current allowances for pink salmon harvest, the proposal would allow the purse seine fleet to fish in the Coghill District during the Coghill River sockeye salmon run and enhanced chum salmon run to Wally Noerenberg Hatchery (WNH). The drift gillnet fleet currently has exclusive access to the district during the majority of these runs. WNH chum salmon run timing is from early June to the end of July, as is the run timing of wild stock sockeye salmon returning to Coghill Lake. Allowing purse seine gear into the Coghill District prior to July 21 may increase overall harvest of wild salmon in the proposed area. Considering the spatial separation of the proposed area from WNH and from enhanced chum salmon migratory corridors, enhanced chum salmon harvest would likely be minimal. Wild salmon stock management actions may be needed to accommodate the possible increased harvest in order to achieve wild stock escapement goals.

BACKGROUND: 5 AAC 24.370. *Prince William Sound Management and Salmon Enhancement Allocation Plan* outlines time and area allowances for gear usage in the Coghill District based on intended allocation of enhanced salmon stocks. The following is a historical synopsis of gear usage in the Coghill District:

1960 – The legal gear types in Prince William Sound (PWS) were purse seine and troll gear. The only defined district within PWS was Eshamy District, with all other area defined as General District.

1961 – Fishing districts were defined (same as present). Drift gillnet gear was allowed in the Coghill District, with purse seining being closed prior to an announced purse seine season. Drift gillnets limited to a maximum length of 150 fathoms.

1962 – Purse seines not allowed in the Coghill District prior to July 9, or an announced purse seine season.

1963 – Purse seines not allowed in the Coghill District prior to July 1, or an announced purse seine season.

1964 – Drift gillnets and purse seines were allowed in the Coghill and Unakwik districts with drift gillnets only allowed in the Unakwik District prior to a purse seine season (July 13 in 1964).

1965–1980 – Purse seines were allowed in all PWS districts, except Eshamy District, upon announcement.

> 1979 – Before July 1, in the Coghill District and at all times in the Eshamy and Unakwik districts, gillnets with mesh size less than eight inches and no more than 60 meshes in depth, and gillnets with mesh size eight inches or larger and no more than 40 meshes in depth were allowed.

1981–1984 – Purse seines were prohibited in the Coghill District before the first Monday in July or until another district was opened for the use of purse seines.

> 1981 – Before the first Monday in July, in the Coghill, Eshamy, and Unakwik districts, gillnets with mesh size less than eight inches and no more than 60 meshes in depth, and gillnets with mesh size eight inches or larger and no more than 40 meshes in depth were allowed.

1985–1990 – Purse seines were prohibited in the Coghill District before July 6.

> 1988 – Purse seine maximum depth specifications changed from 500 to 325 meshes in depth.

1991–present – The *Prince William Sound Management and Salmon Enhancement Allocation Plan* restricts purse seining in the Coghill District and Perry Island Subdistrict prior to July 21.

Regulations restricting gillnet mesh size and depth in the Coghill District (5AAC 24.331(b)(6),(8)) are currently in place to protect Coghill River sockeye salmon and other salmon stocks.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

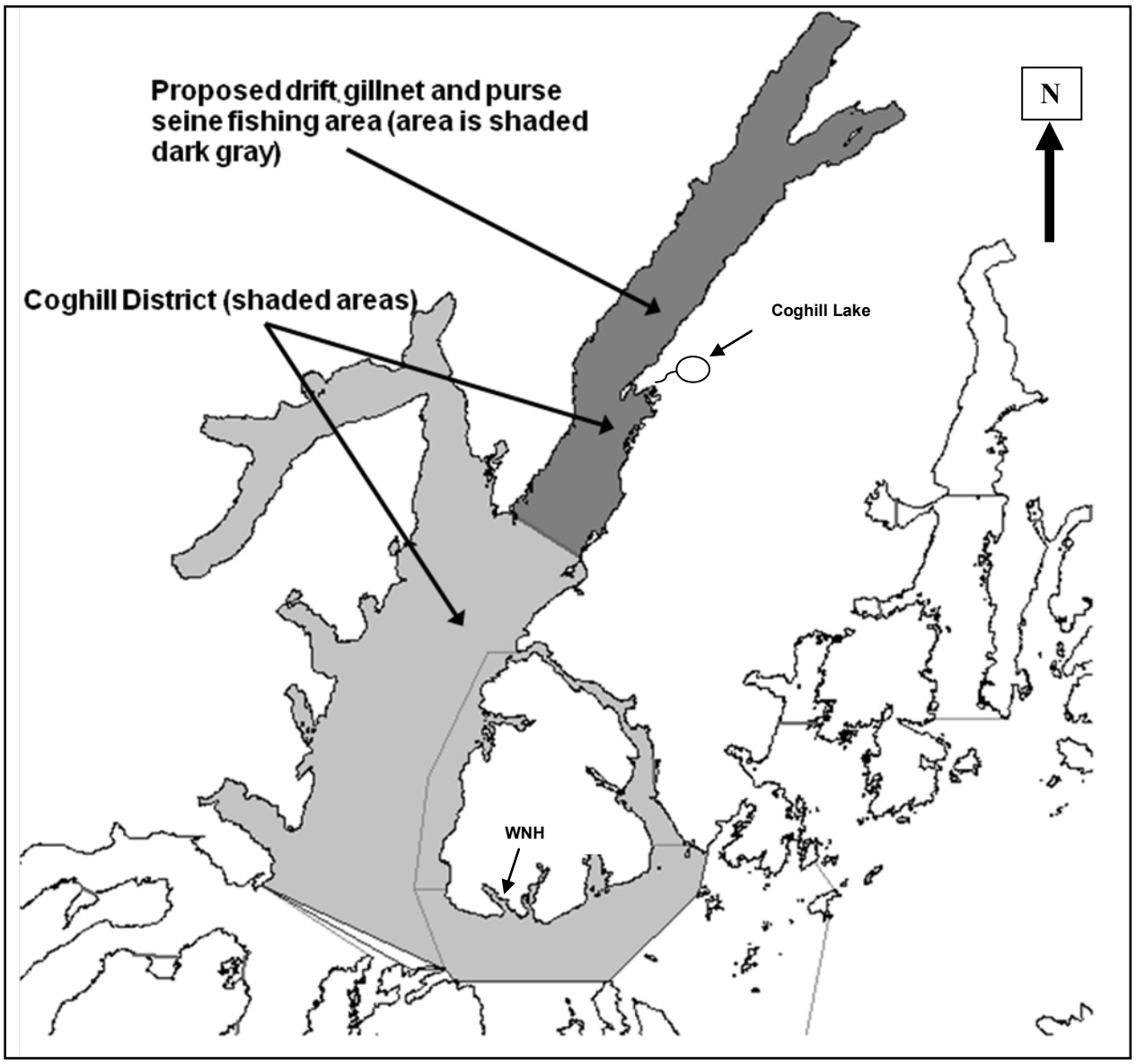


Figure 104-1.–Proposed Coghill District purse seine and drift gillnet area.

PROPOSAL 105 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The proposal would set exclusive calendar start and end dates for both the drift gillnet and purse seine fisheries in the Coghill District. Drift gillnet gear would be allowed to operate throughout the district during periods established by emergency order (EO) from May 1 until July 10, and beginning the day after Labor Day until the close of the season; purse seine gear would be allowed to operate beginning July 10 until Labor Day. The proposal also eliminates regulatory provisions related to the closure and EO management of the Granite Bay Subdistrict in years when the purse seine fleet is allowed to harvest enhanced pink salmon in the Esther Subdistrict prior to July 21.

WHAT ARE THE CURRENT REGULATIONS? The Coghill District is open only to drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominately pink salmon. If the purse seine gear group's harvest value of enhanced salmon is 45 percent or less of the previous five-year average exvessel value comparison of common property enhanced salmon harvest, then in the year following the calculation, the purse seine gear group will have exclusive access to the Esther Subdistrict from June 1 through July 20, and the Granite Bay Subdistrict is closed. During such closure of Granite Bay Subdistrict, purse seine gear may be used in the subdistrict by EO to prevent fish quality deterioration of enhanced salmon stocks as a result of milling behavior.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would reallocate some portion of the Coghill District wild and enhanced salmon harvest currently harvested by the drift gillnet gear group between July 10 and Labor Day to the purse seine gear group. In addition to current allowances for pink salmon harvest, the proposal would allow the purse seine fleet to fish in the Coghill District during portions of the enhanced chum and coho salmon runs to Wally Noerenberg Hatchery (WNH). The drift gillnet fleet currently has exclusive access to the district during the majority of these runs. WNH chum salmon run timing is from early June to the end of July, as is the run timing of wild stock sockeye salmon returning to Coghill Lake. Allowing purse seine gear in the Coghill District on July 10 may increase harvest of these stocks. Management strategies may need to accommodate the increased harvest potential in order to achieve wild stock escapement and Prince William Sound Aquaculture Corporation broodstock and cost recovery goals.

BACKGROUND: 5 AAC 24.370. *Prince William Sound Management and Salmon Enhancement Allocation Plan* outlines time and area allowances for gear usage in the Coghill District based on intended allocation of enhanced salmon stocks. The following is a historical synopsis of gear usage in the Coghill District:

1960 – The legal gear types in Prince William Sound (PWS) were purse seine and troll gear. The only defined district within PWS was Eshamy District, with all other area defined as General District.

1961 – Fishing districts were defined (same as present). Drift gillnet gear was allowed in the Coghill District, with purse seining being closed prior to an announced purse seine season. Drift gillnets limited to a maximum length of 150 fathoms.

1962 – Purse seines not allowed in the Coghill District prior to July 9, or an announced purse seine season.

1963 – Purse seines not allowed in the Coghill District prior to July 1, or an announced purse seine season.

1964 – Drift gillnets and purse seines were allowed in the Coghill and Unakwik districts, with drift gillnets only allowed in the Unakwik District prior to a purse seine season (July 13 in 1964).

1965–1980 – Purse seines were allowed in all PWS districts, except Eshamy District, upon announcement.

> 1979 – Before July 1, in the Coghill District and at all times in the Eshamy and Unakwik districts, gillnets with mesh size less than eight inches and no more than 60 meshes in depth, and gillnets with mesh size eight inches or larger and no more than 40 meshes in depth were allowed.

1981–1984 – Purse seines were prohibited in the Coghill District before the first Monday in July or until another district was opened for the use of purse seines.

> 1981 – Before the first Monday in July, in the Coghill, Eshamy, and Unakwik districts, gillnets with mesh size less than eight inches and no more than 60 meshes in depth, and gillnets with mesh size eight inches or larger and no more than 40 meshes in depth were allowed.

1985–1990 – Purse seines were prohibited in the Coghill District before July 6.

> 1988 – Purse seine maximum depth specifications changed from 500 to 325 meshes in depth.

1991–present – The *Prince William Sound Management and Salmon Enhancement Allocation Plan* restricts purse seining in the Coghill District and Perry Island Subdistrict prior to July 21.

Regulations restricting gillnet mesh size and depth in the Coghill District (5AAC 24.331 (b)(6),(8)) are currently in place to protect Coghill River sockeye salmon and other salmon stocks.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 106 – 5 AAC 24.200. Fishing districts, subdistricts, and sections and 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The proposal would redefine the area encompassed by the Coghill District and open that area to purse seine or drift gillnet gear on an alternating basis (Figure 106-1).

WHAT ARE THE CURRENT REGULATIONS? The Coghill District is defined as follows: waters north and east of a line from Point Pigot (60° 48.21' N. lat., 148° 20.90' W. long.) to a point west of Point Culross at 60° 45.45' N. lat., 148° 11.07' W. long. and from Point Culross (60° 45.58' N. lat., 148° 08.74' W. long.) to a point west of Culross Light at 60° 45.16' N. lat., 148° 07.87' W. long. to Point Perry (60° 45.05' N. lat., 147° 57.62' W. long.) to the west island of the Bald Head Chris Islands at 60° 47.97' N. lat., 147° 51.62' W. long. to a point on the mainland at 60° 49.33' N. lat., 147° 51.12' W. long.

Current regulations specify that the Coghill District is open to only drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominately pink salmon. By emergency order (EO), purse seine gear may be used prior to July 21 if the harvestable surplus of enhanced chum salmon or wild stock salmon is not being adequately harvested by the drift gillnet fleet. If the purse seine gear group's harvest value of enhanced salmon is 45 percent or less of the previous five-year average exvessel value comparison of common property enhanced salmon harvest, then in the year following the calculation, the purse seine gear group will have exclusive access to the Esther Subdistrict from June 1 through July 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would reduce the area of the Coghill District and alternate periods between purse seine and drift gillnet gear. The redefined Coghill District would likely focus fishing effort on Coghill River sockeye salmon and other local wild salmon stocks, and reduce fishing effort on enhanced pink and chum salmon by being isolated from most traditional enhanced salmon fishing locations in the current Coghill District. This proposal would also reallocate some portion of wild and enhanced salmon to the purse seine fleet that is currently harvested by the drift gillnet fleet between June 1 and July 20.

BACKGROUND: The *Prince William Sound Management and Salmon Enhancement Allocation Plan* outlines time and area allowances for gear usage in the Coghill District based on intended allocation of enhanced salmon stocks. The following is a historical synopsis of gear usage in the Coghill District:

1960 – The legal gear types in Prince William Sound (PWS) were purse seine and troll gear. The only defined district within PWS was Eshamy District, with all other area defined as General District.

1961 – Fishing districts were defined (same as present). Drift gillnet gear was allowed in the Coghill District, with purse seining being closed prior to an announced purse seine season. Drift gillnets limited to a maximum length of 150 fathoms.

1962 – Purse seines not allowed in the Coghill District prior to July 9, or an announced purse seine season.

1963 – Purse seines not allowed in the Coghill District prior to July 1, or an announced purse seine season.

1964 – Drift gillnets and purse seines were allowed in the Coghill and Unakwik districts, with drift gillnets only allowed in the Unakwik District prior to a purse seine season (July 13 in 1964).

1965–1980 – Purse seines were allowed in all PWS districts, except Eshamy District, upon announcement.

> 1979 – Before July 1, in the Coghill District and at all times in the Eshamy and Unakwik districts, gillnets with mesh size less than eight inches and no more than 60 meshes in depth, and gillnets with mesh size eight inches or larger and no more than 40 meshes in depth were allowed.

1981–1984 – Purse seines were prohibited in the Coghill District before the first Monday in July, or until another district was opened for the use of purse seines.

> 1981 – Before the first Monday in July, in the Coghill, Eshamy, and Unakwik districts, gillnets with mesh size less than eight inches and no more than 60 meshes in depth, and gillnets with mesh size eight inches or larger and no more than 40 meshes in depth were allowed.

1985–1990 – Purse seines were prohibited in the Coghill District before July 6.

> 1988 – Purse seine maximum depth specifications changed from 500 to 325 meshes in depth.

1991–present – The *Prince William Sound Management and Salmon Enhancement Allocation Plan* restricts purse seining in the Coghill District and Perry Island Subdistrict prior to July 21.

Regulations restricting gillnet mesh size and depth in the Coghill District (5AAC 24.331 (b)(6),(8)) are currently in place to protect Coghill River sockeye salmon and other salmon stocks.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The proposal does not define or address regulations to govern the remainder of the current Coghill District.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

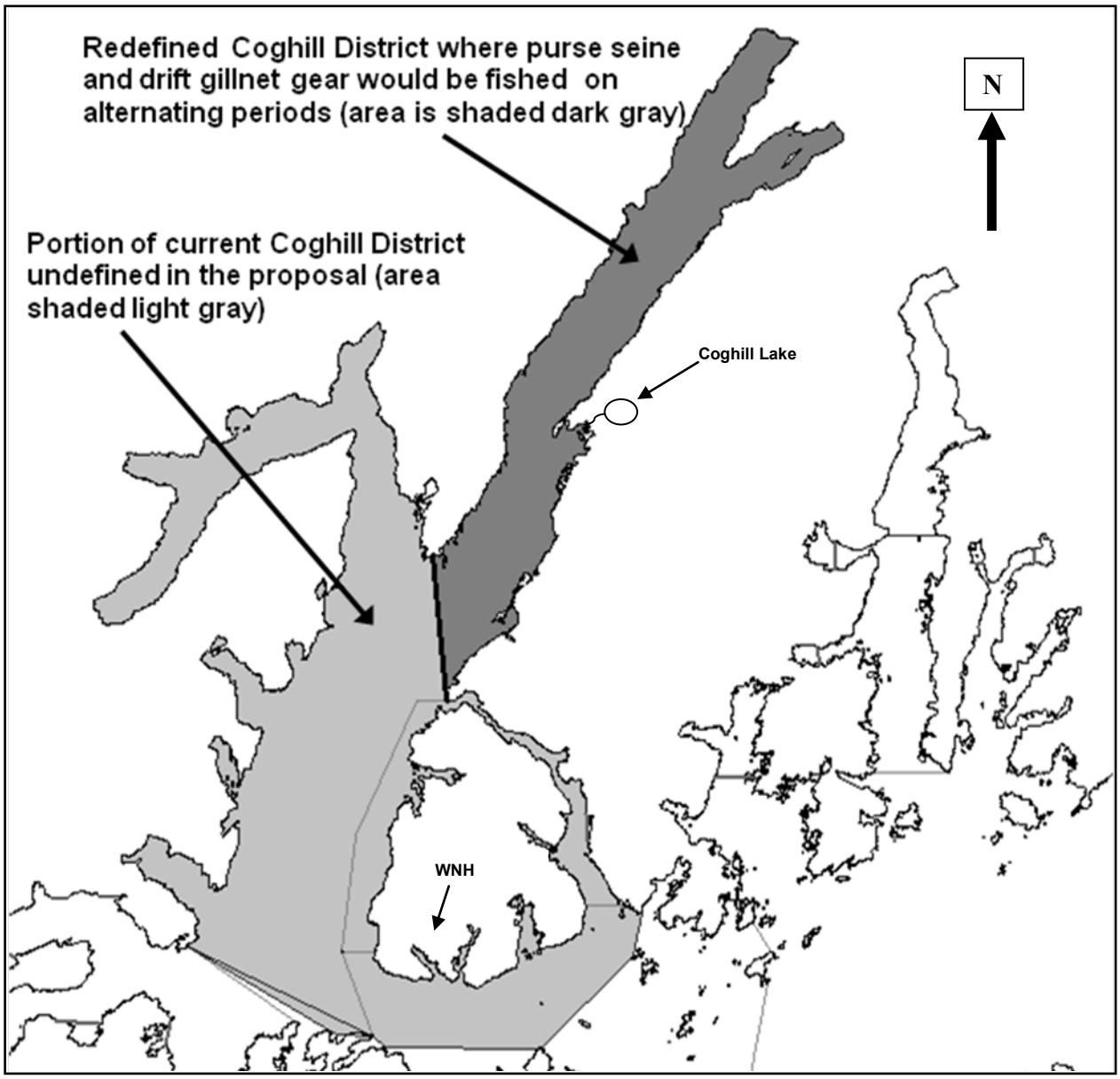


Figure 106-1.–Proposed Coghill District purse seine and drift gillnet area, and existing Coghill District area not addressed by the proposal.

PROPOSAL 107 – 5AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: John Lorentzen.

WHAT WOULD THE PROPOSAL DO? The proposal would give the drift gillnet gear group exclusive access to the Armin F. Koernig (AFK) Hatchery enhanced chum salmon run. The fishery would be operated on the same schedule as the Coghill District.

WHAT ARE THE CURRENT REGULATIONS? The Southwestern District is a purse seine-only area under current regulation. The Southwestern District is closed to commercial fishing before July 18 and the AFK enhanced chum salmon fishery is operated by opening and closing fishing periods in the AFK Hatchery Terminal (THA) and Special Harvest Areas (SHA) by emergency order (EO) during that regulatory closure.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would reallocate the AFK Hatchery enhanced chum salmon run from the purse seine gear group to the drift gillnet gear group. It would also alter traditional fishing patterns by allowing drift gillnet gear in the Southwestern District.

BACKGROUND: Start and stop dates for purse seine and drift gillnet gear were included in the *Prince William Sound Management and Salmon Enhancement Allocation Plan* in order to partition opportunity for the gear groups and to manage migration corridors for wild and hatchery salmon stocks. The AFK enhanced chum salmon fishery in the Southwestern District is opened the first week of June by EO and operated seven days per week with a short closure to facilitate reporting. That fishery is limited to an area within the AFK Hatchery THA and SHA in the Southwestern District. Effort has steadily increased in the fishery over the past several years since it is frequently the only area open to purse seine gear during June. The area is limited to the THA/SHA in an effort to limit the harvest of stocks migrating through the area. This area is a primary migration corridor for salmon returning to Prince William Sound.

Enhanced chum salmon production at AFK was doubled in 2010 from 470,000 to 940,000 fish annually.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 108 – 5AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The Port Chalmers enhanced chum salmon run would no longer be used to correct allocation imbalances when the drift gillnet fleet allocation is below 45 percent of the five-year rolling exvessel harvest value average under the *Prince William Sound Management and Salmon Enhancement Allocation Plan*, and would return the area to purse seine use only.

WHAT ARE THE CURRENT REGULATIONS? The Montague District is traditionally a purse seine district. The Port Chalmers Subdistrict in the Montague District is managed such that if the drift gillnet gear group five-year average exvessel harvest value is 45 percent or less of the common property enhanced salmon stocks, then in the year following the current calculations, the drift gillnet gear group shall have exclusive access to the Port Chalmers Subdistrict to harvest enhanced salmon from June 1 through July 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would eliminate the Port Chalmers enhanced chum salmon fishery as an allocation "piggy bank" for the drift gillnet gear group. There would be no means of balancing allocation when the drift gillnet gear group harvests less than 45 percent of the exvessel value of Prince William Sound Aquaculture Corporation (PWSAC) enhanced salmon over a five-year period.

BACKGROUND: At the 1996 Board of Fisheries (board) meeting, the "piggy bank" concept was introduced as a remedy to either the drift gillnet or purse seine fleet should they experience a significant allocation shortfall. Currently, the piggy bank for the purse seine gear group is exclusive access to the enhanced Wally Noerenberg Hatchery chum salmon run in the Esther Subdistrict. The piggy bank for the drift gillnet fleet is exclusive access to the enhanced chum salmon in the Port Chalmers Subdistrict of the Montague District.

The allocation calculation is based on the preceding five-year average exvessel value of PWSAC-only fish. The trigger point was modified to a two-tier allocation adjustment scheme. The first tier is a 47 percent trigger established to allow PWSAC to make proportional adjustments to cost recovery in applicable years. For the second tier, a 45-percent trigger was established to provide access to the "piggy banks" in applicable years.

The Port Chalmers Subdistrict opened to drift gillnet fishing for the first time in 2009, when the drift gillnet gear group fell below the 45 percent average exvessel harvest value trigger point over the previous five-year period. Prior to 2009, it had been a purse seine fishery. The fishery is opened by emergency order and operated seven days per week, with a short closure to facilitate reporting from June 1 through mid July. Based on the

current allocation imbalance, it may be several years before the Port Chalmers enhanced chum salmon fishery returns to purse seine access.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 109 – 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery Management Plan.

PROPOSED BY: John Lorentzen.

WHAT WOULD THE PROPOSAL DO? The proposal would discontinue Prince William Sound Aquaculture Corporation's (PWSAC's) remote release of chum salmon at Port Chalmers and release those fish instead at Wally Noerenberg Hatchery (WNH). The goal of this proposal is to centralize chum salmon releases in an effort to capitalize on higher average survival rates at WNH, promoting higher economic return.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not specify release locations for enhanced fish. Release locations are currently determined by the commissioner's authority through the regional planning team, are described in annual hatchery management plans, and require fish transport permits to move fish from hatcheries to remote release locations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would require that the *Prince William Sound Management and Salmon Enhancement Allocation Plan* be amended to account for loss of the Port Chalmers remote release, both as a traditional fishery for the purse seine gear group and a "piggy bank" allocative measure for the drift gillnet gear group. The drift gillnet fleet would gain access to returns from these enhanced chum salmon released at Wally Noerenberg Hatchery (WNH). PWSAC operating costs would decrease by not having to transport, feed, and release chum salmon smolt remotely. This proposal would also return the Port Chalmers Subdistrict to a purse seine-only subdistrict in the absence of an enhanced chum salmon fishery.

BACKGROUND: The survival rate of chum salmon released remotely in Port Chalmers may appear lower than releases conducted at WNH. However because marks used to identify release locations were mixed in multiple brood years, survival data is invalid.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 110 – 5AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The proposal would delete section 5AAC 24.370(e)(2)(A). *Prince William Sound Management and Salmon Enhancement Allocation Plan,* which closes salmon fishing in the Southwestern District before July 18. The proposal would also amend 5AAC 24.370(e)(2)(B) to include regularly-scheduled biweekly openings in the Southwestern District starting on June 1 based on the strength of chum and pink salmon stocks. In addition, Port San Juan Subdistrict would be opened by emergency order (EO) to harvest the Armin F. Koernig (AFK) enhanced chum salmon run.

WHAT ARE THE CURRENT REGULATIONS? The Southwestern District is closed to commercial fishing before July 18, after which commercial fishing periods are allowed by EO based on wild and enhanced salmon escapement requirements. The AFK chum salmon fishery is operated in the AFK Hatchery Terminal Harvest Area/Special Harvest Area (THA/SHA) by opening and closing salmon seasons by EO during the regulatory closure of the Southwestern District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would establish twice-weekly fishing periods in the Southwestern District and fishing periods in Port San Juan Subdistrict by EO starting on June 1. Southwestern District is currently closed by regulation until July 18 because of concerns about early-season harvest in migration corridors. The proposal may allow the purse seine gear group to increase the harvest of wild and enhanced salmon stocks potentially bound for other districts and/or intended for other gear groups.

BACKGROUND: The Southwestern District is a primary migration route for salmon returning to Prince William Sound. Multiple stocks of wild and enhanced pink, chum, sockeye, and coho salmon pass through this area and are vulnerable to harvest. The AFK Hatchery enhanced chum salmon fishery is limited to the THA and SHA because of these concerns. The July 18 opening date for the Southwestern District limits harvest of early wild sockeye, pink, and chum salmon, as well as enhanced stocks bound for other districts.

The department operates a Southwestern District test fishery in July to monitor stock composition of fish in the area and to determine when fishing may occur that would minimize harvest of wild salmon. Data from this test fishery typically show the proportion of wild stock pink salmon decreases markedly in the latter days of July. There are no data to indicate that this might happen before July 18. Expanded commercial fishing in the Southwestern District would normally not occur until the stock composition reflects the dominance of enhanced fish. The harvest of wild pink salmon is less of a concern during years of high abundance.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Regularly-scheduled Southwestern District fishing periods may compromise the department's ability to manage for wild and enhanced salmon escapements in this and other districts. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery

PROPOSAL 111 – 5AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: John Lorentzen.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate Prince William Sound Aquaculture Corporation (PWSAC) cost recovery on all fish except pink salmon at times when the drift gillnet gear group is more than five percent below its 50% allocation as calculated under the current allocation plan.

WHAT ARE THE CURRENT REGULATIONS? There are no provisions regarding what species of fish are harvested for PWSAC cost recovery. 5AAC 24.370(g). *Prince William Sound Management and Salmon Enhancement Allocation Plan* states the department will consult with the hatchery operator to address making proportional adjustments in cost recovery during the applicable year to correct the exvessel value allocation percentages to the drift and purse seine gear groups.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would require all PWSAC cost recovery to come from enhanced pink salmon to correct an allocation imbalance when the drift gillnet fleet is more than five percent below the 50% five-year rolling average. This proposal would increase the number of PWSAC pink salmon required for cost recovery and may delay opening commercial purse seine fisheries because of the time required to harvest the increased cost recovery goal. The drift gillnet gear group would harvest all Wally Noerenberg Hatchery (WNH) chum salmon and Main Bay Hatchery (MBH) sockeye salmon (except broodstock) because there would be no cost recovery harvest from those stocks.

BACKGROUND: PWSAC produces salmon in different areas of Prince William Sound intended for specific gear groups. For example, MBH sockeye salmon are intended for the drift and set gillnet gear groups, while Cannery Creek Hatchery pink salmon are intended for the purse seine gear group. Production costs for each gear group are paid for by harvesting and selling fish intended for that group. The drift gillnet gear group is funded by cost recovery conducted primarily on WNH chum salmon or, if necessary, on MBH sockeye salmon. The production costs of fish intended for the purse seine gear group are covered solely by pink salmon cost recovery harvests.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 112 – 5AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

PROPOSED BY: John Lorentzen.

WHAT WOULD THE PROPOSAL DO? The proposal would change how allocation between seine and drift gillnet groups is calculated from a five-year rolling average to an eight-year rolling average.

WHAT ARE THE CURRENT REGULATIONS? The current regulation calculates allocation based on a five-year rolling average.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, the allocation percentage calculation would be less responsive to fluctuations in annual harvest values. Large and small runs, relative to the average, would tend to have less influence on the average, with an eight-year data set rather than with a five-year data set. The eight-year rolling average would likely give the drift gillnet gear group access to Port Chalmers for more years than the five-year rolling average because the large purse seine annual harvest values from 2007, 2008, and 2010 would remain part of the rolling average calculation for a longer time period.

BACKGROUND: The five-year rolling average calculation was adopted to reduce the potential large swings in allocation percentages and associated access to fishing areas when it was calculated on an annual basis. When calculated on an annual basis, the allocation reflected short-term fluctuations, such as salmon runs significantly greater or less than anticipated.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSALS 114 and 115 – 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan and 5 AAC 24.XXX. New Regulation.

PROPOSED BY: Eastern Interior Alaska Subsistence Regional Advisory Council (Proposal 114) and Fairbanks Advisory Committee (Proposal 115).

WHAT WOULD THE PROPOSALS DO? These proposals would reduce hatchery chum salmon production to 24% of the production level that occurred in 2000. The intent of these proposals is unclear since production levels in the year 2000 could be defined as fry released, adult returns, or permitted capacity. For this review adult returns were used in calculating 24% of the five-year (1997–2001) average adult run of 3.3 million fish to be approximately 800,000 adult fish.

WHAT ARE THE CURRENT REGULATIONS? Current regulations have no provision specifying what the production levels are for given hatcheries. Production levels are currently proposed by hatchery operators, reviewed and recommended for approval by regional planning teams, and approved by the commissioner. Additionally, each area has a comprehensive salmon enhancement plan that outlines production goals for species and areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? The effect of an enhanced chum salmon reduction would not be apparent in the commercial fishery until 2016 because of the lag time from egg-take to adult return. The proposed reduction from 3.3 million fish to 800,000 fish would impact allocation among gear groups. This scale of reduction would financially impact permit holders that target enhanced chum salmon and associated local economies.

Because the proposed production decrease would not affect the commercial fishery until 2016, it is not possible to determine which gear group will have access to Port Chalmers or Esther subdistricts at that time. Assuming that neither purse seine nor drift gillnet gear groups are experiencing an allocation shortfall at that time, and assuming an even distribution of the proposed reduction among all enhanced chum salmon fisheries, both gear groups would bear the loss proportionately. If either gear group is entitled to a "piggy bank" area as a result of an allocation shortfall, then that gear group would bear a disproportionate share of the loss. The proposed reduction may result in the elimination of one or both of the remote release chum salmon fisheries. Additionally, a reduction of this scale may render the *Prince William Sound Management and Salmon Enhancement Allocation Plan* obsolete as the drift gillnet gear group derives a higher proportion of its allocation from enhanced chum salmon than the purse seine gear group.

Fisheries management considerations would include wild and hatchery stock issues related to effort. Currently, hatchery chum salmon attract a large proportion of purse seine and drift gillnet fishing effort. This serves to reduce effort on other hatchery and wild stocks, and to spread the fleets. A reduction of hatchery chum salmon could increase effort on other wild and enhanced salmon stocks, and possibly result in more

conservative management of those fisheries. An additional effect would be a potential increase in the proportion of the total run required for cost recovery.

BACKGROUND: Hatchery production was originally started in Prince William Sound (PWS) to mitigate the natural high and low return rates of wild salmon stocks. Production levels were selected to allow for an economically-viable fishery during years of poor natural runs. Hatchery production levels are specified in the operating permit written for each hatchery. The current production levels are based on criteria in the *Prince William Sound/Copper River Phase 3 Comprehensive Salmon Plan*. The purpose of the Phase 3 Plan is to achieve optimum production of wild and enhanced salmon stocks on a sustained yield basis. The plan establishes three fishery goals: 1) increase fishing opportunities for salmon resource users, 2) achieve equitable allocation of the harvestable surplus of wild and enhanced salmon while minimizing impacts to historical wild stock fisheries, and 3) achieve an economically self-sustaining fishery. Additionally, the Phase 3 Plan recommends that five biological and economic criteria be employed to achieve an optimum production level: 1) wild stock escapement goals must be achieved over the long term, 2) the proportion of hatchery salmon straying into wild-stock streams must remain below 2% of the wild-stock escapement over the long term, 3) the growth rates of juvenile salmon during the early marine period must be density independent over the long term, 4) the abundance of juvenile salmon predators must be independent of juvenile salmon abundance over the long term, and 5) the long-term average cost of hatchery operation, management, and evaluation must remain below 50% of the value of hatchery production.

PWSAC chum salmon permitted capacity and reported egg take from 1975 - 2010 is shown in Figure 114-1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

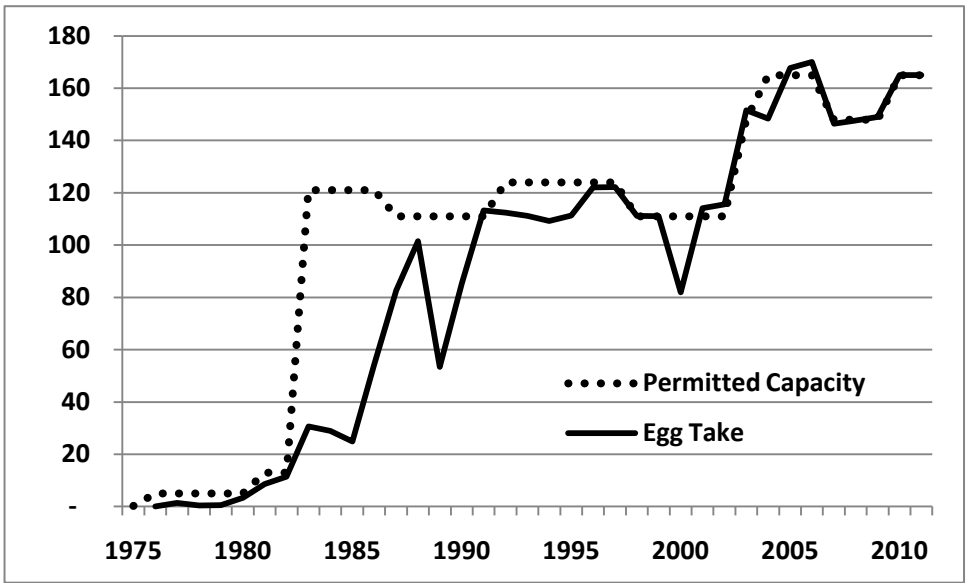


Figure 114-1.–PWSAC chum salmon permitted capacity and reported egg take, in millions, by year.

COMMITTEE A – COMMERCIAL FISHERIES: (36 PROPOSALS)

Copper River Salmon (3)

117 - Establish an optimal escapement goal (OEG) for Copper River king salmon 43
118 - Restrict commercial fishing inside barrier islands prior to June 15 46
119 - Correct regulatory boundary descriptions in Copper River District 48

Prince William Sound Salmon (25)

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79 - Ban use of deep gillnets in Montague District prior to Coghill, Eshamy, and Unakwik districts opening to deep gear 53
80 - Further define keg or buoy as non-motorized 54
81 - Remove intent language and clarify anchoring and towing of drift gillnet gear 55
82 - Revise purse seine mesh restrictions for commercial seining in PWS 56
83 - Allow a chafing and border strip for the PWS salmon purse seine fishery 58
84 - Amend gear restrictions for PWS salmon purse seine fishery 59
85 - Reduce gear limits for PWS salmon purse seine fishery 61
86 - Revise lead mesh size for commercial seining in PWS 62
87 - Revise lead mesh size for PWS salmon purse seine fishery 63
88 - Create a subdistrict in the Coghill District for commercial salmon fishing 64
89 - Amend boundaries for the Northwest, Eshamy, and Coghill districts and Esther Subdistrict 66
90 - Correct regulatory boundary descriptions in Eshamy District 69
91 - Correct regulatory boundary descriptions in Coghill and Northwestern districts 71
92 - Revise season description for the purse seine fishery in the Eastern, Northern, Northwestern, Southwestern, Montague, and Southeastern districts 72
93 - Close designated areas to commercial fishing in PWS 74
94 - Correct geographic description of closed waters in PWS Area districts 76
95 - Expand closed waters in Sheep Bay of the Eastern District 78
96 - Close commercial salmon fisheries in Main Bay, PWS, to avoid the 4th of July 80
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98 - Amend regulation regarding the Wally Noerenberg hatchery plan 82
99 - Change the south end marker in the Armin F. Koernig Hatchery THA 84
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44 - Increase the rockfish bycatch allowance to sidestripe shrimp and sablefish from 10 to 30 percent 90
45 - Repeal one definition of mechanical jigging gear 92

46 - Revise regulations to include Eastern Gulf and PWS 93
47 - Amend dates of skate fishery in Eastern Gulf and PWS 94
48 - Allow for retention of spiny dogfish in Eastern Gulf and PWS 98
49 - Amend the current regulation to accurately reflect management lines and remove the reference to trawl gear for herring.....100
50 - Clarify thresholds needed to open herring fishery in PWS 101

PROPOSAL 117 – 5 AAC 24.361. Copper River King Salmon Management Plan.

PROPOSED BY: Fairbanks Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would establish an optimum escapement goal (OEG) of 30,000 king salmon for the Copper River based on average escapement from 1999–2008.

WHAT ARE THE CURRENT REGULATIONS? The current sustainable escapement goal (SEG) for Copper River king salmon is 24,000 or more. There is currently no OEG for Copper River king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would require the department to manage for an OEG of 30,000 king salmon, rather than the SEG of 24,000 or more. Approval of this proposal may result in more conservative early-season management and may be disruptive to subsistence, commercial, personal use, and sport fisheries because managers will need to allow for additional escapement.

BACKGROUND: At its 1996 Board of Fisheries (board) meeting, the board adopted 5 AAC 24.361. *Copper River Chinook Salmon Fisheries Management Plan*, directing the department to reduce harvest potential of king salmon by five percent for the commercial, sport, and personal use user groups. The board specified use of area closures inside the barrier islands at the mouth of the Copper River as a possible tool for commercial fishery managers to use to accomplish this in the commercial fishery. Three years later, at its 1999 meeting, the board added a spawning escapement goal of 28,000–55,000 king salmon to the *Copper River King Salmon Fisheries Management Plan*. At the 2002 board meeting, the spawning escapement goal of 28,000–55,000 was changed to an SEG of 24,000 or more king salmon. In the 2005 escapement goal report, the evaluation team noted that the average escapement between 1980 and 2004, from a catch-age model, was approximately 26,000 king salmon and produced an average annual yield of about 48,000 fish. In 2002 and 2005, the escapement goal review team recommended the fisheries be managed to achieve the historical average escapement of approximately 26,000 king salmon. Historical escapements have covered a fairly narrow range. The review team recommended setting the lower escapement goal threshold at 24,000, slightly below the long-term average escapement, and removing the upper bound. This would keep the escapement near the historical average, and, because there is not an upper bound, it would not limit the possibility of future large runs providing information on larger escapements. Harvest levels by affected user groups are shown in Figure 117-1.

The current king salmon escapement goal was reviewed in 2011 and the escapement goal committee concluded that the escapement goal should be left at its current level. Table 117-1 shows estimated king salmon spawning escapement relative to the spawning escapement goal range. Since the king salmon escapement goal threshold of 24,000 was established in 2002, the goal has been met in six out of eight years, and the average annual escapement is approximately 32,000 fish.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

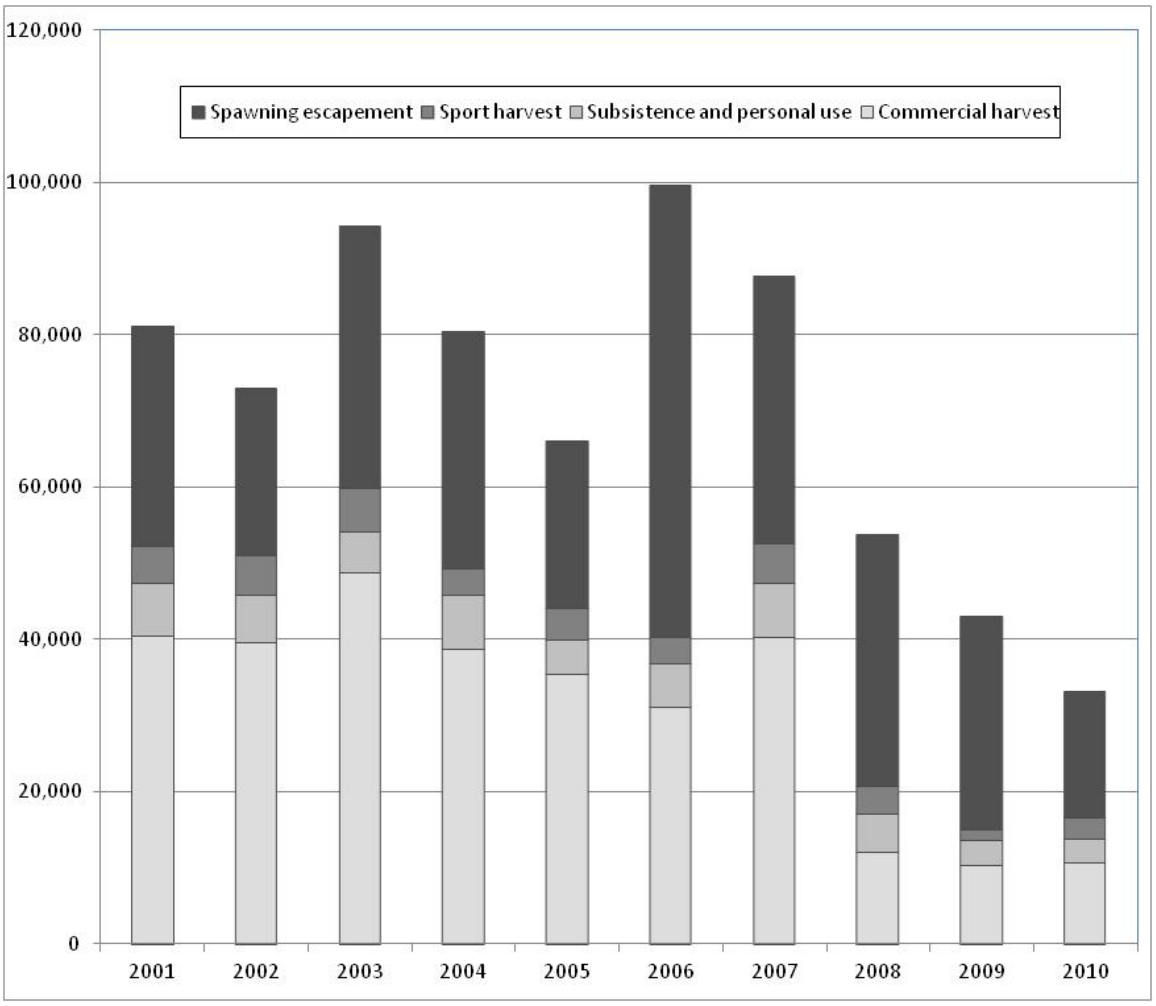

Figure 117-1.–King salmon escapement and harvest, 2001–2010.

Table 117-1.–Copper River king salmon mark-recapture summary, 2001–2010.

Run Year	Estimator [a]	Inriver Abundance	SE	Inriver Harvest [b]	Estimated Spawning Esc.	Spawning Esc. Goal Range	Spawning Esc. vs. goal
2001	ADF&G	39,778	8,262	10,961	28,817	28,000–55,000	Within
2002	ADF&G	32,873	8,863	10,864	22,009	28,000–55,000	Below
2003	NVE	44,764	12,506	10,328	34,436	24,000 or greater	Within
2004	NVE	40,564	4,650	9,352	31,212	24,000 or greater	Within
2005	NVE	30,333	1,529	8,313	22,020	24,000 or greater	Below
2006	NVE	67,789	4,779	8,383	59,406	24,000 or greater	Within
2007	NVE	46,349	3,283	11,212	35,137	24,000 or greater	Within
2008	NVE	41,343	2,166	8,273	33,070	24,000 or greater	Within
2009	NVE	32,400	2,365	4,385	28,015	24,000 or greater	Within
2010	NVE	22,323	2,492	5,624	16,699	24,000 or greater	Below

PROPOSAL 118 – 5 AAC 24.350. Closed Waters.

PROPOSED BY: Fairbanks Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would eliminate commercial fishing in the inside closure area of Copper River District (described in 5 AAC 24.350(1)(B)) prior to June 15.

WHAT ARE THE CURRENT REGULATIONS? Commercial fishing in the inside closure area of Copper River District is restricted to a single fishing period during statistical weeks 20 and 21 (typically the third and fourth weeks of May).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal may result in fewer king salmon harvested by the commercial fleet prior to June 15 and more sockeye salmon harvested as commercial fishermen that would otherwise be targeting king salmon focused their efforts on sockeye salmon in outside waters.

BACKGROUND: Since 1999, the department has used inside closures as a tool to minimize king salmon harvest in Copper River District in the early season. This strategy was developed based on catch data that show the majority of king salmon are harvested in the inside areas. Inside closures are thought to be effective at reducing the numbers of king salmon harvested because these fish tend to travel deeper in the water column than sockeye salmon. In the shallow waters in the inside closure area, where nets ideally rest on the bottom, king salmon that encounter the nets are unable to swim beneath the leadline and instead become tangled and bagged in the six-inch mesh. King salmon are not easily gilled in six-inch mesh gillnet, like the smaller sockeye salmon. When commercial drift gillnets are fished in deeper waters outside of the barrier islands, king salmon are more likely to escape harvest than they would if targeted in the shallow waters inside the barrier islands. In general, harvests from fishing periods with an inside closure are believed to result in a reduced harvest of king salmon.

King salmon harvests between 2001 and 2007, for all user groups, have remained essentially steady. During this time, king salmon spawning escapement has ranged from 22,000 to 59,000, with an average escapement of 33,000 (Table 118-1). The larger king salmon escapement in 2006 was at least, in part, the result of late and compressed runs coinciding with commercial fishing closures. In addition, the 2006 king salmon total run was substantially larger than those of the previous six years.

From 2008 to 2010, average Copper River District king salmon harvest was approximately 27% of the 2001–2007 harvest average, and average combined upper Copper River harvests were 61% of the 2001–2007 harvest average (Table 118-1). In spite of low king salmon abundance, spawning escapement remained above the escapement goal threshold in two out of three of these years.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because the loss of management flexibility may result in lost harvest opportunity and an

inability to control sockeye salmon escapement in some years. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 118-1.–Copper River king salmon mark-recapture summary, 1999–2010.

Run Year	Estimator [a]	Inriver Abundance	SE	Inriver Harvest [b]	Estimated Spawning Esc.	Spawning Esc. Goal Range	Spawning Esc. vs. goal
2001	ADF&G	39,778	8,262	10,961	28,817	28,000–55,000	Within
2002	ADF&G	32,873	8,863	10,864	22,009	28,000–55,000	Below
2003	NVE	44,764	12,506	10,328	34,436	24,000 or greater	Within
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2007	NVE	46,349	3,283	11,212	35,137	24,000 or greater	Within
2008	NVE	41,343	2,166	8,273	33,070	24,000 or greater	Within
2009	NVE	32,400	2,365	4,385	28,015	24,000 or greater	Within
2010	NVE	22,323	2,492	5,624	16,699	24,000 or greater	Below

PROPOSAL 119 – 5 AAC 24.350. Closed waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would define closed waters in the Copper River District with latitude and longitude coordinates, replacing geographic place name and marker references that are no longer accurate (Figure 119-1). Proposed coordinates match the coordinates used to define these closed water areas during the 2010 and 2011 fishing seasons.

WHAT ARE THE CURRENT REGULATIONS? Geographic points and older marker locations are used to define Copper River District closed waters.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would replace the geographic place name and marker reference points in 5 AAC 24.350(1)(A) and (B) with latitude and longitude coordinates.

BACKGROUND: The lines referred to in 5 AAC 24.350(1)(A) and (B) contain points on sandbars or within a certain distance of geographic features. Some of these sandbars and geographic features have remained in position, while others have shifted and require an adjustment of their GPS coordinates in order for these coordinates to accurately reflect regulatory intent.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

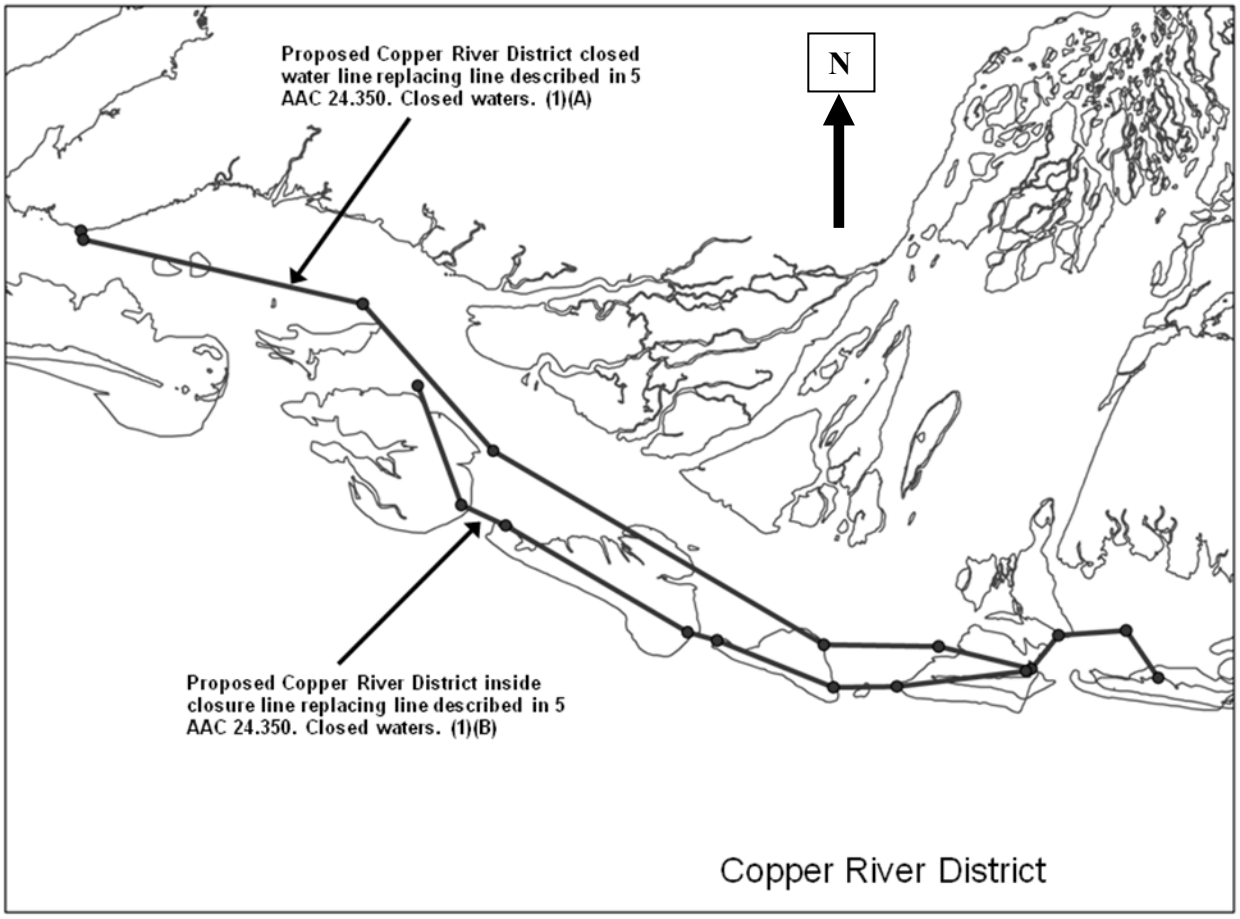


Figure 119-1.–Copper River District showing proposed regulatory closed water areas

PROPOSAL 77 – 5AAC 24.331(b). Gillnet specifications and operations.

PROPOSED BY: Michael E. Brown.

WHAT WOULD THE PROPOSAL DO? The proposal would allow no more than two set gillnet Commercial Fisheries Entry Commission interim-use or limited entry permit holders to operate together.

WHAT ARE THE CURRENT REGULATIONS? The current regulation does not allow set gillnet permit holders to operate, or have on board, more than 150 fathoms of set gillnet in the aggregate. Permit holders in the Area E set gillnet fishery are not allowed to assist each other in the operation of fishing gear or to sell fish that were caught by another permit holder.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow one permit holder to work and tend the other's gear when that permit holder leaves the grounds to return to camp, deliver catch to a tender, or take a break from fishing and travel outside of Area E (or Alaska). This would also allow permit holders with children to purchase a permit for their child and work this gear as if it were their own, essentially doubling the parent's legal quantity of gear. Permit stacking may increase the efficiency of the set gillnet gear group and affect allocation.

BACKGROUND: Historically, permit holders have been directly responsible for operating their own gear. Permit holders are allowed a specific quantity of gear for their own deployment so that no one has an advantage over other permit holders.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 78 – 5AAC 24.332. Seine specifications and operations.

PROPOSED BY: Leroy L. Cabana.

WHAT WOULD THE PROPOSAL DO? The proposal would allow two purse seine permits to operate on one vessel in the Prince William Sound (PWS) area. A vessel with two permit holders on board would be allowed to use less than seven-inch mesh in the body of their purse seine lead.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow one permit holder to fish one legal complement of gear per vessel, with a minimum mesh size of seven inches for the lead.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal may reduce the number of purse seine boats fishing in PWS and thereby decrease congestion in the fishery. The elimination of the seven-inch mesh restriction in the lead would effectively give vessels operating with two permits the advantage of a 225-fathom purse seine rather than a 150-fathom purse seine with a 75-fathom lead, which is current practice. Purse seine vessels with two permits on board using smaller mesh in the lead may be more efficient at catching salmon. The increased harvest efficiency associated with smaller mesh gear may affect allocation because of potential increased harvest of fish intended for other gear groups.

BACKGROUND: Several changes affecting the purse seine fishery have occurred in PWS since the last board cycle. First, salmon market conditions have improved, especially for pink salmon. Pink salmon is the primary species harvested in the purse seine fishery in PWS and prices have risen from a low of $0.07/lb in 2003 to approximately $0.43/lb this year. Secondly, hatchery production increases have been approved at the Armin F. Koernig (AFK) and Cannery Creek hatcheries that will benefit the purse seine gear group.

Congestion on the fishing grounds has increased in recent years because the number of active purse seine permits has steadily increased. Production increases, combined with improved markets, have, and may continue to, increase participation in the fishery. The number of active purse seine permits increased from 105 in 2004 to 183 in 2011. Fisheries targeting hatchery pink salmon are frequently confined to hatchery subdistricts and terminal areas in order to manage for wild salmon escapement. Congestion, associated with an increasing number of boats and confined harvest areas, continues to be problematic in PWS.

Since the last Board of Fisheries cycle, AFK hatchery chum salmon production has been doubled, for a projected annual run of 940,000 adults. This fishery is the focus of most of the purse seine effort during June because few other areas are open. As production increases, it is expected that effort, congestion, and harvest of fish intended for other gear groups and districts, may also increase.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery

PROPOSAL 79 – 5AAC 24.331. Gillnet specifications and operations.

PROPOSED BY: James Mykland.

WHAT WOULD THE PROPOSAL DO? The proposal would limit the use of drift gillnets with a mesh size of less than eight inches to no more than 60 meshes in depth, and gillnets with a mesh size of eight inches or greater to no more than 40 meshes in depth in the Port Chalmers Subdistrict prior to the first Monday in July, unless modified by emergency order.

WHAT ARE THE CURRENT REGULATIONS? Gillnet depth is limited to 60 meshes of less than eight-inch mesh or 40 meshes of greater than eight-inch mesh before the first Monday in July, unless modified by emergency order, in the Coghill, Unakwik, and Eshamy districts.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would apply the same start date and drift gillnet depth restrictions utilized in the Coghill, Unakwik, and Eshamy districts to the Montague District drift gillnet fishery. Limiting gillnet depth during the majority of the fishery will reduce harvest efficiency, requiring more time than deeper gear to harvest comparable numbers of fish. The proposal would set a precedent by reducing gear efficiency from current standards in order to prevent illegal gear from being fished in other fishing districts, not because of concerns regarding wild salmon management.

BACKGROUND: The current regulation, 5 AAC 24.331(b)(6), was adopted in 1979 in response to concerns over sockeye salmon harvest levels. According to the *1979 Prince William Sound Area Annual Finfish Management Report*, sockeye salmon harvest was predominately by drift gillnet in the Coghill District, and, in the year preceding the regulatory change, 1978, harvest was high in spite of reductions in fishing time.

The Port Chalmers remote release chum salmon fishery was initiated in 1993 and serves to diversify and supplement salmon returns to Prince William Sound. There are no broodstock or cost recovery requirements on this remote release fishery and the department manages for 100% harvest to limit straying of enhanced chum salmon. The Port Chalmers fishery was a purse seine fishery through 2008 and, in an attempt to balance enhanced salmon allocation, as specified in 5 AAC 24.370. *Prince William Sound Management and Enhancement Salmon Allocation Plan*, has been a drift gillnet fishery from 2009–2011.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because it limits gear efficiency in the Port Chalmers remote release enhanced chum salmon fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 80 – 5AAC 24.331. Gillnet specifications and operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify commercial drift gillnet keg or buoy standards. Further definition of keg or buoy is required to clarify an ambiguous definition allowing motorized vessels to be used as a keg or buoy.

WHAT ARE THE CURRENT REGULATIONS? There are no keg or buoy standards in 5 AAC 24.331. A description of keg or buoy color and marking standards can be found in 5 AAC 24.334. *Identification of Gear*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would eliminate the use of a motorized vessel as a keg or buoy.

BACKGROUND: Recently, commercial drift gillnet permit holders in Area E have been using motorized vessels as kegs or buoys when drift gillnet fishing. Other permit holders, as well as Alaska Wildlife Troopers, have reported numerous incidents of drift gillnet gear being operated in a nontraditional manner. This includes vessels towing perpendicularly on the deployed drift gillnet and vessels having the powered "keg" tow the far end of the gillnet to the vessel while the gear is being hauled in shallow water, thus effectively pursing the gear.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 81 – 5AAC 24.331. Gillnet specifications and operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would remove the word "intentionally" from 5 AAC 24.331(c). Drift gillnet fishermen would be prohibited from operating a drift gillnet vessel that is grounded or when any portion of the drift gillnet is grounded above the water line. The proposal would prohibit use of mechanical power to hold a vessel in substantially the same geographical location while attached to a drift gillnet.

WHAT ARE THE CURRENT REGULATIONS? Currently, the only applicable regulations are 5 AAC 39.105(d)(3) and 5 AAC 24.331(c), which both indicate that a drift gillnet cannot be intentionally set, staked, anchored, or otherwise fixed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would remove ambiguity from the drift gillnet definition that makes the regulation difficult to enforce. Having to show intent puts the burden of proof on enforcement and not on the person out of compliance with regulation. The proposal would require fishermen to retrieve a gillnet when the vessel is grounded or when any portion of the net has gone dry above the water line. Additionally, drift gillnet fishermen would no longer be able to tow their nets, under power, to remain in substantially the same position along a closure line or other desirable fishing location.

BACKGROUND: Some drift gillnet permit holders allow their nets to become anchored or otherwise made fast to the bottom. This is done either by piling leadline on the beach or in shallow water and then setting the net, or by setting across submerged boulders that secure the net. Currently, when drift gillnet boats "rock down" or allow their gear to stop drifting, either by grounding or use of mechanical power, they are preventing access to the fishery resource by those fishermen who are using gillnets legally.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 82 - 5 AAC 24.332. Seine specifications and operations.

PROPOSED BY: CDFU – Seine Division.

WHAT WOULD THE PROPOSAL DO? The proposal updates the specifications of purse seines to compliment recent changes to statewide purse seine lead specifications. Primarily, this proposal adds language that describes border strips on cork and leadlines to be included under purse seine specifications as follows:

1) increase the maximum depth of a purse seine from 325 to 330 meshes,
2) decrease the allowable web mesh size from less than four inches to less than three and one-half inches,
3) add a chafing strip above or below the leadline not to exceed 25 meshes of more than five-inches stretch measure, and
4) add a corkline border strip not to exceed five meshes of more than four-inches stretch measure.

WHAT ARE THE CURRENT REGULATIONS? Currently, no purse seine may be more than 325 meshes in depth with a mesh size greater than four inches; no leadline chafing strip is described for the main body of the seine and no corkline border strip is described for the main body of the seine.

In 2010, the Board of Fisheries (board) amended 5AAC 39.260(f) to include specifications for prefabricated border strips to address a similar issue with purse seine leads. These border strip specifications for leads were not addressed in 5 AAC 24.332 to apply to the main body of the purse seine.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow prefabricated net building materials to be used without modification. The proposal would change the maximum allowable mesh size from four inches to less than three and one-half inches which may render some purse seines in PWS illegal. The incremental changes to purse seine specifications (maximum depth and mesh size) are unlikely to change harvest efficiency or influence allocation.

BACKGROUND: With the development of the Prince William Sound (PWS) hatcheries, the purse seine fishery has evolved toward harvesting large numbers of enhanced fish in small hatchery terminal areas. In these fisheries, it is not unusual to have single purse seine sets that exceed 50,000 lb of fish. Recent innovations in purse seine construction include lead and corklines with preattached extra-strength border strips. The extra-strength border strips are more practical for this fishery because of the increased pressure and wear associated with these large sets. The prefabricated border strips also facilitate easier fabrication, repair, and replacement because they are laced on to the body web instead of being hung onto individual meshes.

As previously mentioned, in 2010, the board amended 5AAC 39.260(f) to include specifications for prefabricated border strips for use in purse seine leads to address a similar issue. Prior to this change, purse seine leads in PWS could not legally be built

with mesh size less than seven inches, precluding the use of prehung corkline border strips which used webbing less than seven inches. Purse seines constructed for the PWS salmon fishery use one 200-mesh and one 100-mesh strip of prefabricated body webbing, and one 25-mesh strip of heavy-duty polypropylene webbing attached to the leadline to act as chafing gear. Adding a corkline with a prehung border strip to existing nets of 325 meshes in depth or to nets being built with standardized webbing strips would require trimming of a commensurate amount of webbing from either the body web or the chafing strip web.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Changing the allowable mesh size from four inches to less than three and one-half inches may render some existing purse seine gear in PWS illegal. Proposals 82, 83, and 84 address the issues of purse seine depth and border strips with different solutions. The department **SUPPORTS** defining cork and leadline border strips in regulation to facilitate use of these prefabricated materials.

COST ANALYSIS: Approval of this proposal may result in additional direct costs for a private person to participate in this fishery. If three and one-half inch mesh is approved as the maximum mesh size for the body of a purse seine, fishermen currently operating a purse seine with four-inch mesh may need to replace web.

PROPOSAL 83 - 5 AAC 24.332. Seine specifications and operations.

PROPOSED BY: Alan Kapp.

WHAT WOULD THE PROPOSAL DO? The proposal would modify purse seine net specifications so that up to five and one-half meshes of web, with no defined mesh size, would be legal, could be legally used as a corkline border strip and would not be included in the current 325-mesh depth restriction.

WHAT ARE THE CURRENT REGULATIONS? Currently, no purse seine may be more than 325 meshes in depth or have a mesh size greater than four inches. There is no regulation defining corkline or leadline border strips on the body of the purse seine.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow prefabricated net building materials to be used without modification. The incremental changes to purse seine specifications (maximum depth and mesh size) are unlikely to change harvest efficiency or influence allocation.

BACKGROUND: With the development of the Prince William Sound (PWS) hatcheries, the purse seine fishery has evolved toward harvesting large numbers of enhanced fish in small hatchery terminal areas. In these fisheries, it is not unusual to have single purse seine sets that exceed 50,000 lb of fish. Recent innovations in purse seine construction include lead and corklines with preattached extra-strength border strips. The extra-strength border strips are more appropriate for this fishery because of the increased pressure and wear associated with these large sets. The prefabricated border strips also facilitate easier fabrication, repair and replacement because they are laced on to the body web instead of being hung onto individual meshes.

In 2010, the Board of Fisheries amended 5AAC 39.260(f) to include specifications for prefabricated border strips for use in purse seine leads to address a similar issue. Prior to this change, purse seine leads in PWS could not legally be built with mesh size less than seven inches, precluding the use of prehung corkline border strips which use webbing less than seven inches. Purse seines constructed for the PWS salmon fishery generally use one 200-mesh and one 100-mesh strip of prefabricated body webbing, and one 25-mesh strip of heavy-duty polypropylene webbing attached to the leadline to act as chafing gear. Adding a corkline with a prehung border strip to existing nets of 325 meshes in depth or to nets being built with standardized webbing strips would require trimming of a commensurate amount of webbing from either the body web or the chafing strip web.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal as the proposed changes will likely have little to no effect on gear efficiency. Proposals 82, 83, and 84 address the issues of purse seine depth and border strips with different solutions. The department **SUPPORTS** defining cork and leadline border strips in regulation to facilitate use of these prefabricated materials.

COST ANALYSIS: Approval of this proposal is not expected to result in additional direct costs for a private person to participate in this fishery.

PROPOSAL 84 - 5 AAC 24.332. Seine specifications and operations.

PROPOSED BY: Jamie Ross.

WHAT WOULD THE PROPOSAL DO? The proposal would redefine the length of a purse seine to a total aggregate length of 225 fathoms, including any lead. It would also specify that the leadline of the body of the purse seine may have a 25-mesh border strip with mesh no larger than seven and one-half inches, and that the net may include a border strip on the corkline with no defined number of meshes or mesh size.

WHAT ARE THE CURRENT REGULATIONS? No purse seine may be more than 150 fathoms in length and leads exceeding 75 fathoms in length may not be used. Purse seine mesh may not be greater than four inches. There is no regulation specifying corkline or leadline border strips on the body of the purse seine for the Prince William Sound (PWS) Area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow current prefabricated cork and leadlines with border strips to be used without modification. The addition of a cork and leadline border strip, and any changes to associated mesh size, will have little effect on harvest efficiency. The change to an aggregate length of 225 fathoms would increase harvest efficiency by replacing the 75 fathom, seven-inch mesh lead with four-inch purse seine body web. The increase in harvest efficiency associated with proposed smaller mesh may affect allocation because of the potential increase in harvest of fish intended for other gear groups.

BACKGROUND: With the development of the PWS hatcheries, the purse seine fishery has evolved toward harvesting large numbers of enhanced fish in small hatchery terminal areas. In these fisheries, it is not unusual to have single purse seine sets that exceed 50,000 lb of fish. Recent innovations in purse seine construction include lead and corklines with preattached extra-strength border strips. The extra-strength border strips are more appropriate for this fishery because of the increased pressure and wear associated with these large sets. The prefabricated border strips also facilitate easier repair and replacement because they are laced on to the body web instead of being hung onto individual meshes.

Since the last Board of Fisheries cycle, Armin F. Koernig (AFK) Hatchery chum salmon production has been doubled for a projected annual run of 940,000 adults. The AFK Hatchery is located in a primary migration corridor for salmon returning to PWS. Because of this proximity, an increase in harvest efficiency may increase harvest of migrating salmon, which may include enhanced fish intended for other gear groups. This fishery is the focus of most of the purse seine effort during June because few other areas are open.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Proposals 82, 83, and 84 address the issues of purse seine depth and border

strips with different solutions. The department **SUPPORTS** defining cork and leadline border strips in regulation to facilitate use of these prefabricated materials.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 85 - 5 AAC 24.332. Seine specifications and operations.

PROPOSED BY: Leroy Cabana.

WHAT WOULD THE PROPOSAL DO? The proposal would eliminate the use of purse seine leads in Prince William Sound (PWS).

WHAT ARE THE CURRENT REGULATIONS? Currently, purse seines may not be less than 125 fathoms or more than 150 fathoms long, and leads exceeding 75 fathoms in length may not be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would eliminate the use of purse seine leads in PWS. The reduction in gear length may ease some congestion issues because there would be less gear in the water. Harvest efficiency may decrease without purse seine leads. A decrease in harvest efficiency may affect allocation among user groups.

BACKGROUND: Several changes that affect the purse seine fishery have occurred in PWS since the last Board of Fisheries (board) cycle. First, salmon market conditions have improved, especially for pink salmon. Pink salmon are the primary species harvested in the purse seine fishery in PWS and prices have risen from a low of $0.07/lb in 2003 to approximately $0.43/lb this year. Secondly, hatchery production increases have been approved at the Armin F. Koernig and Cannery Creek hatcheries that will benefit the purse seine gear group.

Congestion on the fishing grounds has increased in recent years because the number of active purse seine permits has steadily increased. Production increases, combined with improved markets, have, and may continue to, increase participation in the fishery. The number of active purse seine permits increased from 105 in 2004 to 174 in 2010. Large fisheries targeting hatchery pink salmon are frequently confined to hatchery subdistricts and terminal areas in order to manage for wild salmon escapement. Congestion, associated with an increasing number of boats and confined harvest areas, has been, and continues to be, an area of concern in PWS.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery

PROPOSAL 86 - 5 AAC 24.332. Seine specifications and operations. *(This proposal also addresses changes to be made to* 5 AAC 39.260. Seine specifications and operations*.)*

PROPOSED BY: Rob Nelson.

WHAT WOULD THE PROPOSAL DO? The proposal would delete mesh size restrictions for purse seine leads in 5AAC 24.332 and 39.260(f).

WHAT ARE THE CURRENT REGULATIONS? A purse seine lead with mesh size less than seven inches may not be used under the statewide general provisions (5 AAC 39.260). Under seine specifications and operations (5 AAC 39.260(f)), lead specifications include a minimum mesh size of seven inches, with allowances for a corkline border strip not to exceed five meshes of less than seven-inch mesh (stretch measure) and a leadline chafing strip not to exceed 25 meshes of less than seven-inch (stretch measure).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Allowing smaller mesh in purse seine leads would extend the effective length of a 150 fathom purse seine with a 75 fathom lead to 225 fathoms, thus increasing harvest efficiency of the gear.

BACKGROUND: Leads were primarily developed to access shallow water and to allow small boats to carry a full 225 fathoms of aggregate length purse seine and lead net, since an entire 225 fathom seine net could not fit on their decks. The seven-inch mesh lead channels fish toward the body of the purse seine, but is not a fish barrier and is not counted toward the maximum 150 fathom purse seine length. If that currently fish-porous mesh in the lead becomes a fish barrier, it will increase the harvest efficiency of the net. The increased harvest efficiency associated with proposed smaller mesh may affect allocation because of the increased harvest of fish intended for other gear groups.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 87 - 5 AAC 39.260. Seine specifications and operations.

PROPOSED BY: Timothy Moore.

WHAT WOULD THE PROPOSAL DO? The proposal would decrease the minimum mesh size for purse seine leads from seven inches to six inches, except for border strips on cork and leadlines, which would remain seven inches.

WHAT ARE THE CURRENT REGULATIONS? Under the statewide general provisions (5 AAC 39.260(f)), lead specifications include a minimum mesh size of seven inches, except for a five-mesh corkline border strip and 25-mesh leadline chafing strip that may be less than seven-inch stretch measure.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow purse seine leads to be built with six-inch mesh. Most purse seine lead mesh shrinks with use over time, thus the perceived problem would be perpetuated as new seine leads built with six-inch mesh shrink to something less than six inches.

BACKGROUND: Web in purse seine leads tends to shrink over time. Leads built with seven-inch mesh, may shrink to a mesh size less than the original seven inches after some period of use rendering that mesh illegal according to current regulations.

Leads were primarily developed to access shallow water and secondarily, as a means for small boats to carry a full 225 fathom purse seine net even though the entire net could not fit on their decks. The seven-inch lead mesh size was adopted into regulation so that the mesh would not be small enough to gill fish. Such a lead is not an active fishing barrier and is not counted toward the total length of the purse seine.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Regardless of the mesh size restriction, shrinkage of the web over time will result in illegal mesh.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 88 – 5 AAC 24.200. Fishing districts, subdistricts and sections.

PROPOSED BY: Tom Nelson.

WHAT WOULD THE PROPOSAL DO? The proposal would create a subdistrict in the Coghill District to be managed for wild stock escapement.

WHAT ARE THE CURRENT REGULATIONS? Current regulations describe the area of the proposed subdistrict in general waters of the Coghill District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would make it unnecessary to list complicated and lengthy latitude and longitude coordinates in fishery announcements in order to close the described area. Management of the fishery in this district would be unchanged.

BACKGROUND: Wild pink and chum salmon management is tied to anticipated escapement in area streams. Fishing periods outside of hatchery subdistricts and terminal areas are based on the strength of wild salmon runs. Due to the late run timing of wild pink and chum salmon in the Coghill District, early-season fisheries are generally focused on the eastern side of the district to harvest wild sockeye salmon and enhanced chum salmon. Recently, area restrictions (waters west of a line from Pt. Pigot to Pt. Pakenham) have been utilized by the department to protect wild salmon stocks on the western side of Port Wells during wild stock run overlap with enhanced stocks. The proposed subdistrict has similar management intent to the area closures the department has been utilizing.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The proposed subdistrict would eliminate this complex area description in fishery announcements.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

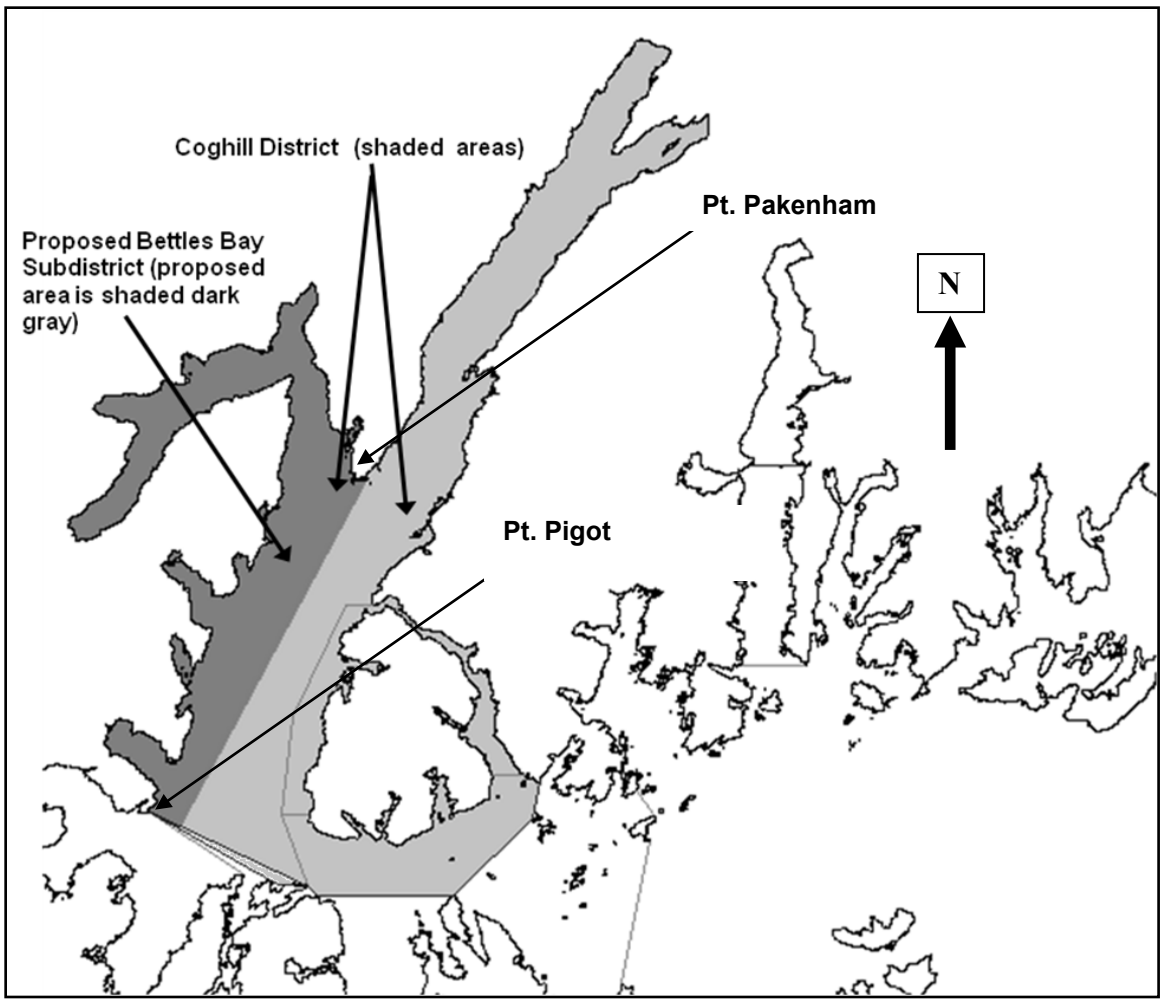


Figure 88-1.–Proposed Bettles Bay Subdistrict wild stock management area.

PROPOSAL 89 – 5 AAC 24.200. Fishing districts, subdistricts, and sections.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The proposal would redraw the boundaries for the Northwestern, Eshamy, and Coghill districts and the Esther Subdistrict (figures 89-1 and 89-2). The proposal would restrict the area open to drift gillnetting in the Eshamy District to a terminal fishery, and if wild stock escapements warrant expanded fishing opportunity in the Eshamy District, the Northwestern District would be opened to the purse seine fleet.

WHAT ARE THE CURRENT REGULATIONS? The Northwestern, Eshamy, and Coghill districts and Esther Subdistrict are described in 5 AAC 24.200. *Fishing districts, subdistricts, and sections*.

There are no provisions in 5 AAC 24.370. *Prince William Sound Management and Salmon Enhancement Allocation Plan* that restrict drift gillnet fishing in the Eshamy District to terminal areas or that link Eshamy and Northwestern district openings together based on levels of wild stock escapement.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would enlarge the Northwestern District and reduce the areas of the Coghill District and Esther Subdistrict.

The proposal would restrict the area open to drift gillnetting in the Eshamy District to a smaller area, with input from the department as to what would be most practical and efficient, in order to provide the highest priority to wild salmon stocks. If wild stock escapements warrant expanded fishing opportunity in the Eshamy District, the proposal would require the department to open the newly-expanded Northwestern District to the seine fleet.

The proposal would likely increase the harvest of wild and enhanced salmon by the purse seine fleet and therefore, affect allocation.

BACKGROUND: Current management practices incorporate time and area adjustments in commercial fisheries within existing Coghill, Northwestern, and Eshamy districts and Esther Subdistrict boundaries that limit wild salmon harvest based on species-specific escapement goals. The department has management tools and guidance from *Prince William Sound Management and Salmon Enhancement Allocation Plan* (5 AAC 24.370) that provide a framework for managing fisheries in these districts and subdistricts.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

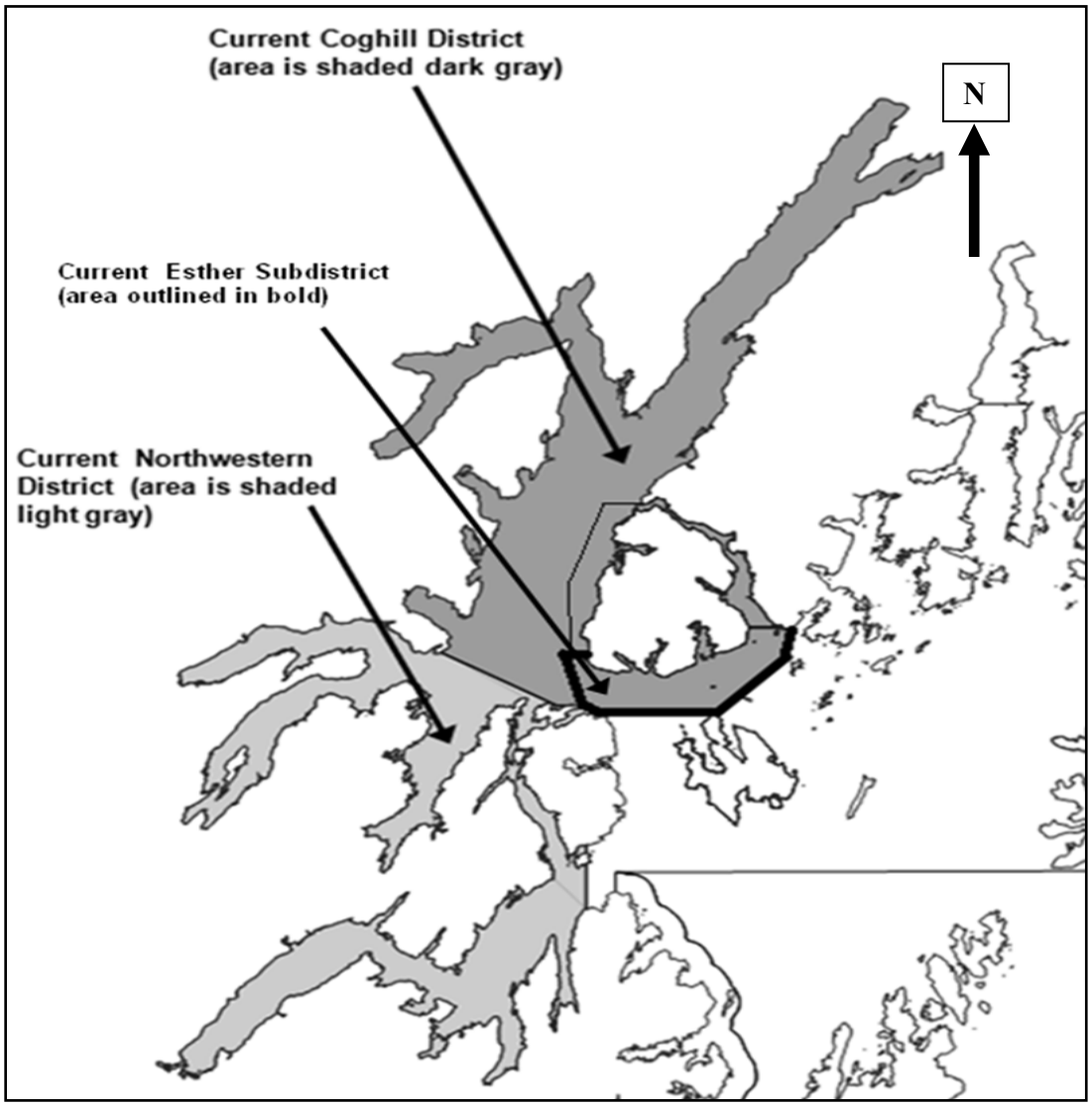


Figure 89-1.–Current Coghill and Northwestern districts and Esther Subdistrict boundaries.

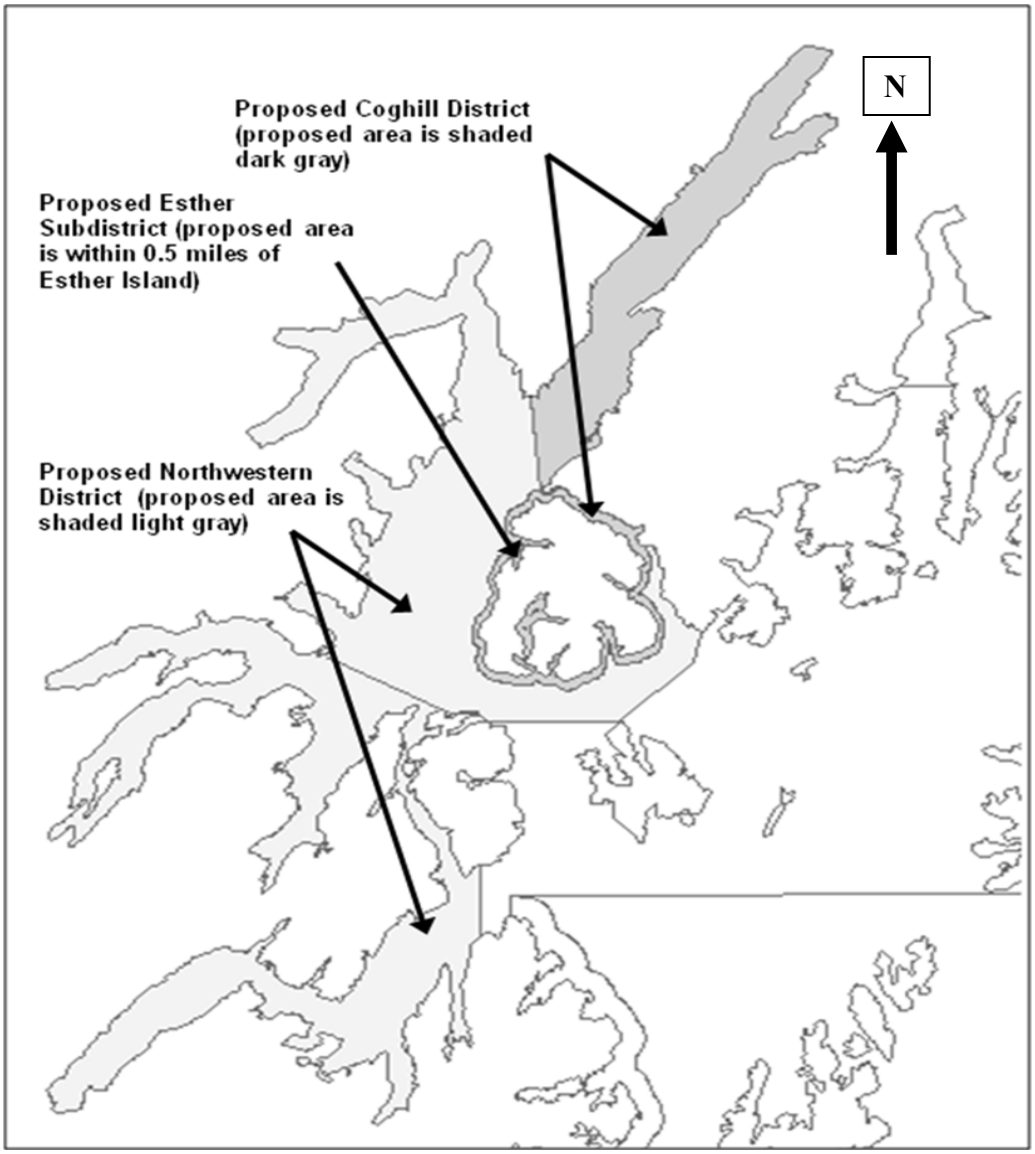


Figure 89-2.–Proposed Coghill and Northwestern district, and Esther Subdistrict modifications.

PROPOSAL 90 – 5 AAC 24.200. Fishing districts, subdistricts, and sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would create a line defining the Eshamy District; the line would be approximately one nautical mile offshore and defined by 10 sets of latitude and longitude coordinates (Figure 90-1). The first point, starting from the north, would be near the light on the south shore of the entrance to Port Nellie Juan and the last southernmost point would be at the historical location of the plywood markers.

WHAT ARE THE CURRENT REGULATIONS? The Eshamy District is described as waters within one nautical mile of the mainland shore from the longitude of the outer point on the north shore of Granite Bay to the longitude of the light on the south shore of the entrance to Port Nellie Juan. This creates a convoluted boundary that is difficult for stakeholders to identify and for Alaska Wildlife Troopers to enforce.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would result in a gain of 0.03 square nautical miles over the existing district area. The area gained in the redrawn Eshamy District would result in a commensurate loss of area in the Southwestern District, but biological and allocative effects would likely be minimal. Stakeholders in the Eshamy District fishery and Alaska Wildlife Troopers will benefit from having well defined boundaries that are more easily enforced.

BACKGROUND: District and subdistrict boundaries that are comprised of a line or line segments defined by GPS coordinates are easier for stakeholders to identify and remain within. The current boundary of the Eshamy District is highly convoluted, difficult to identify, and problematic for Alaska Wildlife Troopers to monitor and enforce.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

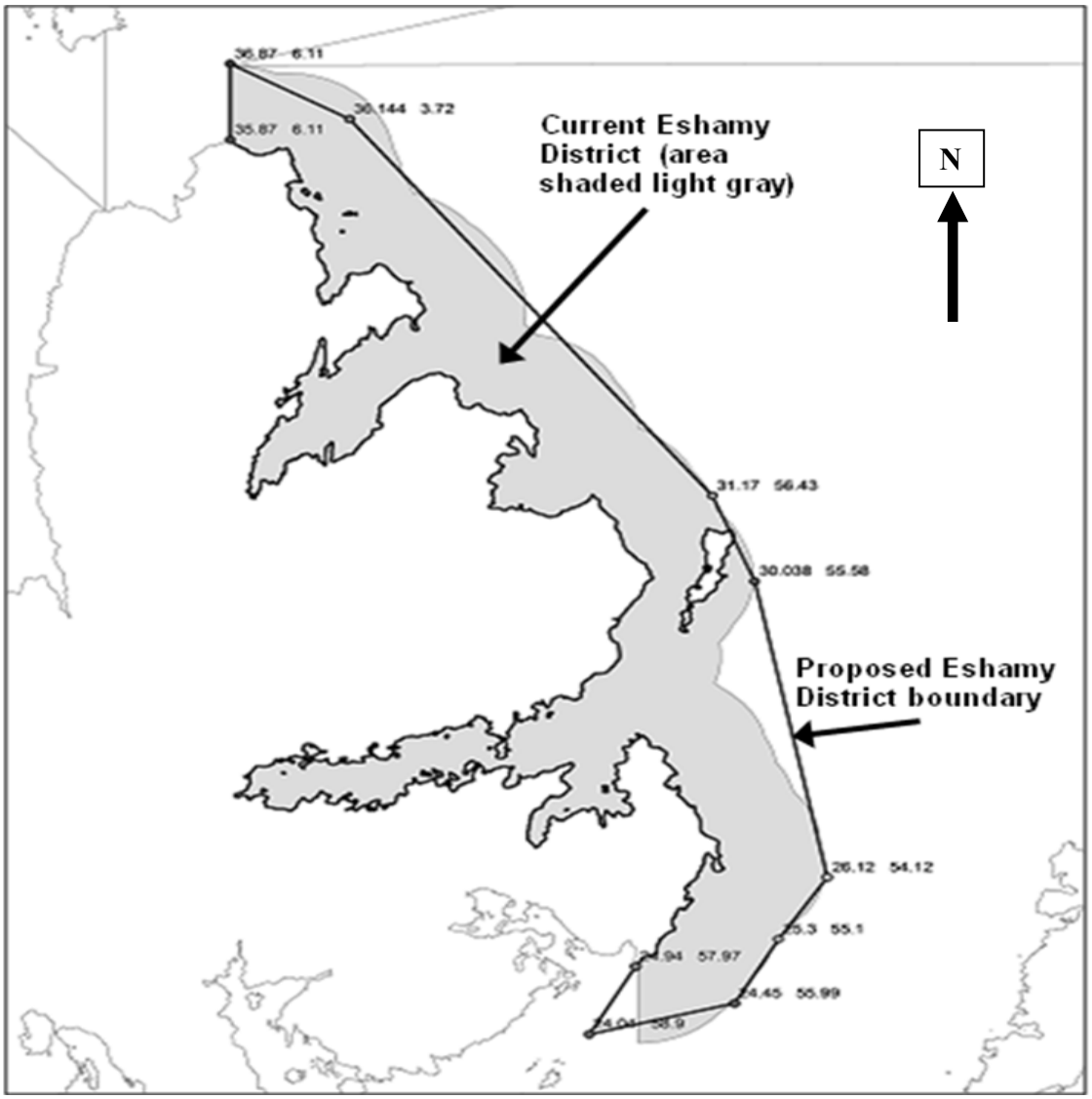


Figure 90-1.–Current and proposed Eshamy District boundary (numbers associated with the points are decimal minutes from the proposed coordinates).

PROPOSAL 91 – 5 AAC 24.200. Fishing districts, subdistricts, and sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would change inaccurate and unclear regulatory boundary descriptions in the Coghill and Northwestern districts.

WHAT ARE THE CURRENT REGULATIONS? The northeastern boundary of the Northwestern District overlaps the southwestern boundary of the Coghill District. Coordinates describing the southern point of the eastern boundary to the Whittier Subdistrict are approximately six miles south of the intended location. Current latitude and longitude coordinates that define the eastern boundary of the Coghill District describe a point approximately 160 feet east of Squaw Point and approximately 300 feet into Squaw Bay. The current northwest boundary of the Esther Subdistrict is a line that is approximately 120 feet south of the Granite Bay Subdistrict boundary. Coordinates for Culross Point and Culross Light are not listed in the Esther Subdistrict regulatory description.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would change inaccurate and unclear regulatory boundary descriptions in Coghill and Northwestern districts, providing clear regulatory boundary descriptions.

BACKGROUND: Coordinates describing the southern point of the eastern boundary to the Whittier Subdistrict will be adjusted to correct a typographical error. Current latitude and longitude coordinates in regulation that define the eastern boundary of the Coghill District describe a point approximately 160 feet east of Squaw Point and approximately 300 feet into Squaw Bay. This deviation is due to LORAN C imprecision when this point was adopted into regulation in the 1960s. This point will be placed on Squaw Point. In addition, the current northwest boundary of the Esther Subdistrict is a line that is approximately 120 feet south of the Granite Bay Subdistrict boundary. These boundary lines will be brought together to form a common boundary line. Coordinates for Culross Point and at Culross Light will be added to the Esther Subdistrict regulatory description.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 92 - 5 AAC 24.310 (e). Fishing seasons.

PROPOSED BY: Northwest and Alaska Seiners Association, Inc.

WHAT WOULD THE PROPOSAL DO? The proposal would implement regularly scheduled biweekly 12-hour fishing periods beginning June 1 for Eastern, Northern, Northwestern, Southwestern, Montague, and Southeastern districts based on catch rates and other data.

WHAT ARE THE CURRENT REGULATIONS? Currently in the Eastern, Northern, Northwestern, Southwestern, Montague, and Southeastern districts, salmon may be taken only during seasons established by emergency order (EO). Additionally, the Southwestern District is closed before July 18 and the Perry Island Subdistrict of the Northern District is closed before July 21.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would establish twice-weekly fishing periods starting on June 1 in areas that are currently opened by EO or are closed by regulation until later in the season because of harvest concerns in migration corridors. The purse seine gear group may increase the harvest of enhanced salmon stocks intended for other gear groups. Wild salmon stock management may be compromised as fish bound for other districts are harvested in migration corridors.

BACKGROUND: The establishment of fishing seasons and EO fishing periods in Prince William Sound (PWS) partitions opportunity for the gear groups and allows the department to manage migration corridors for wild and hatchery salmon stocks. Commercial purse seine fishing seasons in PWS are managed based on strength of wild and enhanced salmon stocks. Aerial survey escapement index estimates and hatchery escapement (brood and cost recovery) requirements are used to determine time and area of fishing periods. As run entry meets or exceeds anticipated escapement levels, areas are opened to harvest fish surplus to escapement requirements. This management system provides an effective method of monitoring run entry and ensuring that escapement goals are met. The system also provides the department the ability to identify areas that have fish surplus to escapement goals and selectively open those areas. This strategy allows a fine scale of fisheries management that has proven effective in meeting escapement goals while harvesting surplus fish.

Regularly-scheduled fishing in the Southwestern District may be particularly problematic. The Southwestern District is a primary migration route for salmon returning to PWS. For the entire season, multiple stocks of wild and enhanced pink, chum, sockeye, and coho salmon pass through this area on their way to hatcheries and natal streams in other parts of PWS. Other districts affected by this proposal also have more localized migratory corridors for fish destined for those or other districts. Regularly-scheduled openings have the potential to affect allocation and escapement management because of the uncertainty of stock composition (hatchery or wild), run strength, and lack

of ability to control harvest. Because of these issues, establishing fishing seasons by EO based on inseason escapement estimates remains the best available management strategy.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because regularly-scheduled fishing periods in Eastern, Northern, Northwestern, Southwestern, Montague, and Southeastern districts may compromise the department's ability to manage for wild and enhanced salmon escapements. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 93 - 5 AAC 24.350. Closed waters.

PROPOSED BY: David Pinquoch.

WHAT WOULD THE PROPOSAL DO? The proposal would close areas (Figure 93-1) to commercial fishing from July 1–August 31 in an effort to decrease commercial harvest of coho salmon during pink salmon fisheries and to increase availability of coho salmon for sport fishing opportunity.

The locations identified in this proposal are unclear because latitude and longitude coordinates are written without degree and minute format. For this review, the department has interpreted the decimal in the proposal text as designating minutes, so *The area east of 148.02* is interpreted as 148 degrees and 2 minutes.

WHAT ARE THE CURRENT REGULATIONS? Under 5AAC 24.370(e). *Prince William Sound Management and Salmon Enhancement Allocation Plan*, the Southwestern District and Perry Island Subdistrict are closed before July 18 and 21, respectively. After those dates, both areas are opened by emergency order (EO) to purse seine fishing based on the strength of pink salmon stocks. Also under 5AAC 24.370(e), the Coghill District is open to drift gillnet gear during periods established by EO until July 21, after which time, if the harvestable surplus is predominately pink salmon, purse seine gear may be operated. After July 21, both purse seine and drift gillnet gear may be operated in the district. In late August or early September, when the harvest is no longer predominantly pink salmon (and is dominated by coho salmon), the district is open to drift gillnet gear only.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would close some areas now currently available to purse seine and drift gillnet gear to commercial fishing from July 1–August 31. This proposal would close areas to commercial fishing in favor of sport fishing opportunity. The harvest in the proposed closed areas cannot be determined because they do not correspond with statistical areas.

BACKGROUND: The closed area locations map (Figure 93-1) in this review may be different than what the proposer intended because of different possible interpretations of coordinates. The proposal is further complicated because proposed closed areas are located across district and subdistrict boundaries.

The establishment of fishing seasons and EO fishing periods for these areas partition opportunity for gear groups and allows the department to manage migration corridors for wild and hatchery salmon stocks. Commercial fishing seasons in the proposed areas are managed based on strength of wild and enhanced salmon stocks.

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

COST ANALYSIS: Adoption of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

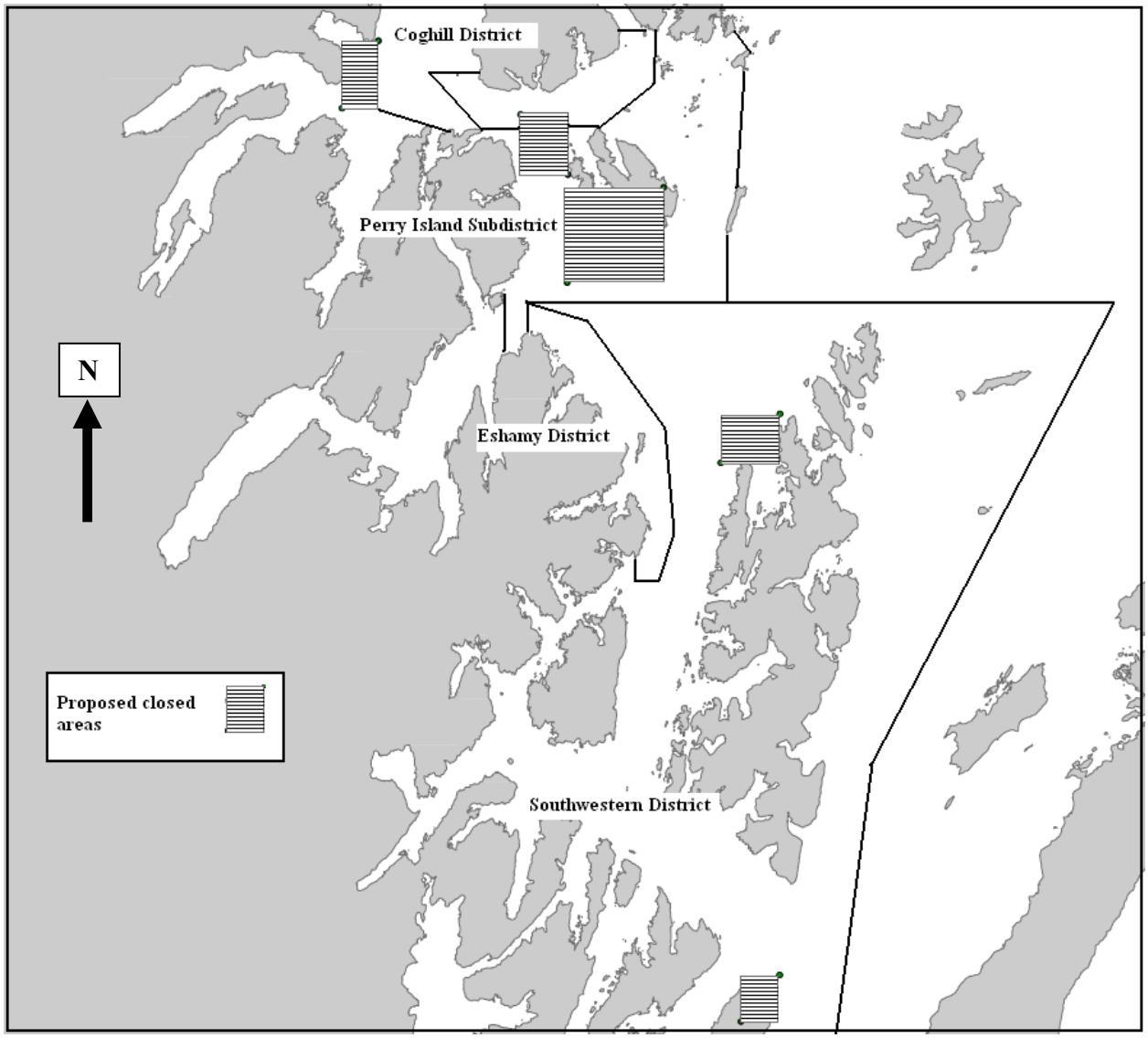


Figure 93-1.–Proposed closure areas in Prince William Sound.

PROPOSAL 94 – 5 AAC 24.350. Closed Waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would correct errors in the regulatory description of geographic coordinates describing closed waters in Prince William Sound (PWS) fishing districts (Figure 94-1).

WHAT ARE THE CURRENT REGULATIONS? Current PWS regulatory closed water areas are in place to promote conservation, development, and utilization of wild salmon stocks, consistent with sustained yield.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would correct and update closed waters regulations and maintain the historical intent of the closed water areas currently in use. Alaska Wildlife Troopers will have better defined closed water areas to enforce and area fishermen will have clearer lines for staying in compliance with closed water regulations.

BACKGROUND: The department relied on marker locations plotted on U.S.Geological Survey topographical maps utilized during PWS marker maintenance trips to create the original closed waters descriptions. The department has reviewed and identified inconsistencies and errors in the descriptions of geographic coordinates describing closed waters in regulation. The department plotted regulatory coordinates to closely match existing regulatory coordinates or traditional marker locations, while conforming to current geospatial coastline standards.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

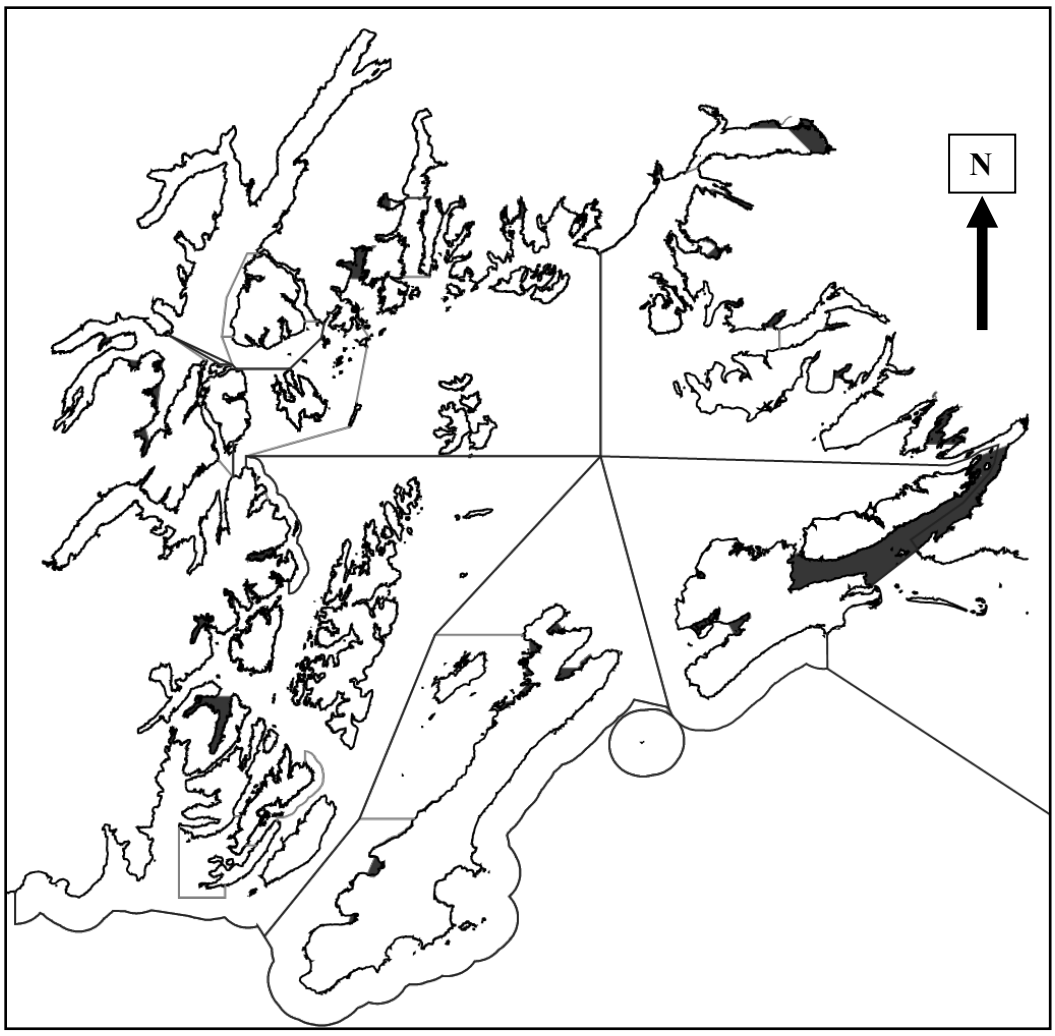


Figure 94-1.–Prince William Sound regulatory closed water areas as amended in the proposal (shaded black).

PROPOSAL 95 – 5 AAC 24.350. Closed Waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would expand the closed waters area at the head of Sheep Bay in the Eastern District (Figure 95-1).

WHAT ARE THE CURRENT REGULATIONS? The closed water area within Sheep Bay is currently defined as waters north of a line from 60° 41.97' N. lat., 145° 55.27' W. long., to 60° 41.66' N. lat., 145° 55.52' W. long., and encompasses shallow waters close to the terminuses of Sheep and Koppen creeks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow for timely harvest near the terminuses of Sheep and Koppen creeks when a harvestable surplus of salmon is available. Fish quality may be improved with increased fishing opportunity throughout the salmon run.

BACKGROUND: The closed water area within Sheep Bay is in shallow water and is close to the terminuses of Sheep and Koppen creeks. During large negative tides, salmon stocks from these two systems, depending on the stage of the run, are forced out of the closed water area and are, thus, available to harvest during open fishing periods. The risk of commercially harvesting fish necessary for escapement would be reduced if the closed water area were expanded to include deeper water adjacent to the shallow delta formed by these two creeks.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

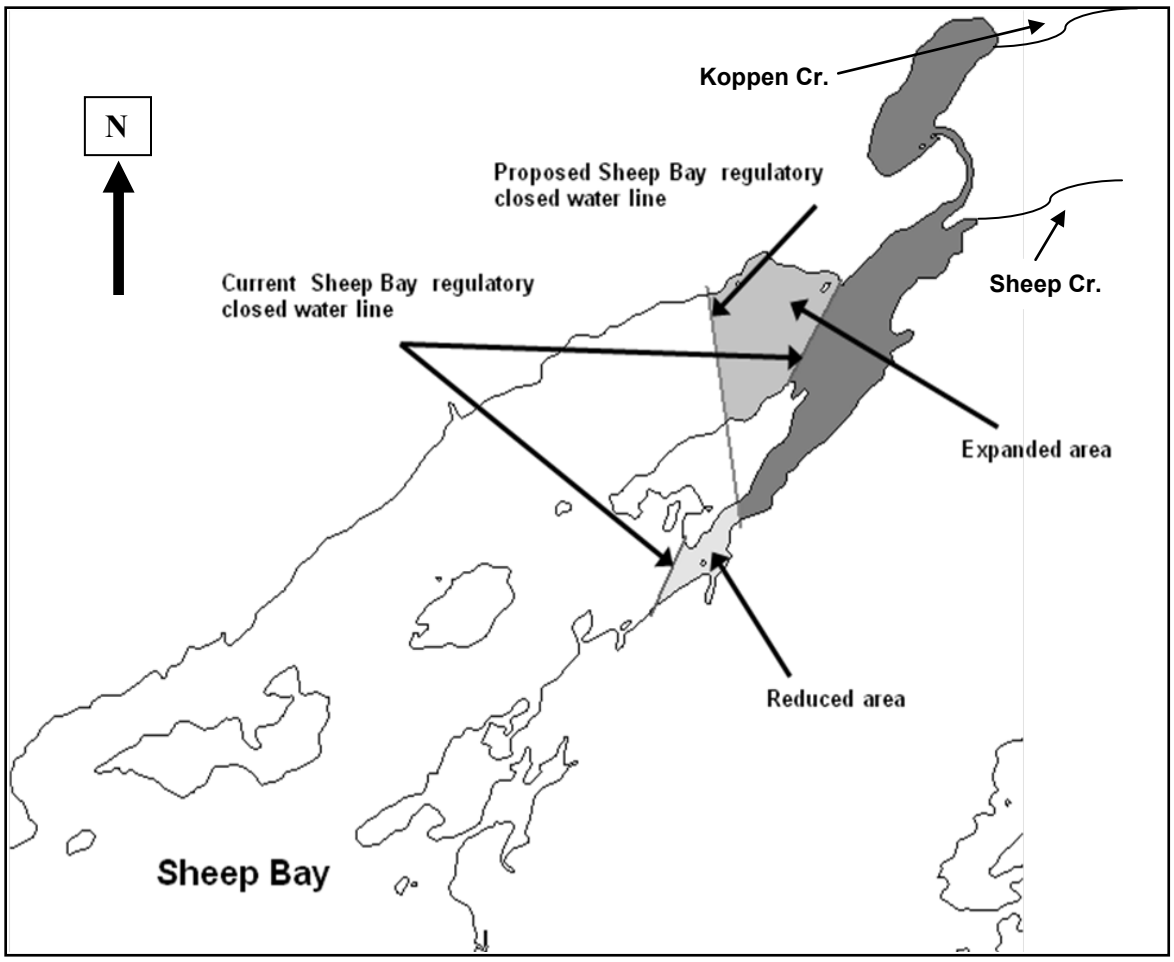


Figure 95-1.–Existing and proposed closed waters areas in Sheep Bay.

PROPOSAL 96 – 5 AAC 24.350. Closed waters.

PROPOSED BY: David Lofland.

WHAT WOULD THE PROPOSAL DO? The proposal would close Main Bay to commercial salmon fishing, affecting the Main Bay Hatchery (MBH) Subdistrict, Terminal Harvest Area, Special Harvest Area, and Alternating Gear Zone, on or near the Fourth of July holiday. Main Bay would remain open to sport fishing during this closure of the commercial fishery.

WHAT ARE THE CURRENT REGULATIONS? The Main Bay enhanced sockeye salmon fishery in the Eshamy District is opened and closed by emergency order (EO) based on indices of wild and enhanced salmon abundance and broodstock acquisition.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposed closure date would occur when the MBH sockeye salmon run is approximately 75% complete and when average commercial harvest is anticipated to be approximately 30,000 sockeye salmon per period. A commercial fishery closure outside of the normal schedule may impact the operations of 200–300 drift gillnet permit holders, approximately 25 set gillnet permit holders, and tender fleets and processing plants for approximately nine fish buyers. Conflict between sport and commercial fisheries would be eliminated during the proposed closed period.

BACKGROUND: Recent management practice in the Eshamy District has been to open commercial fishing periods on Monday and Thursday on a weekly basis. Commercial fishing period duration has trended towards longer periods: a single 60-hour and a single 84-hour period in a given statistical week, early in the season, barring hatchery escapement and wild stock concerns. In early July, as the MBH sockeye salmon run declines and wild stock pink, chum, and sockeye salmon harvest increases, fishing period duration is typically reduced, while still maintaining two periods per week with Monday and Thursday opening dates.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 97 – 5 AAC 24.367. Main Bay Salmon Hatchery Harvest Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would correct the regulatory boundary description for the Main Bay Hatchery (MBH) Alternating Gear Zone (AGZ).

WHAT ARE THE CURRENT REGULATIONS? The current boundary description of the MBH AGZ is defined by a set of latitude and longitude points that result in the boundary line terminating offshore.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would maintain the historical boundary line, but extend the line to shore on both the east and west ends.

BACKGROUND: This proposal corrects the boundary description to extend the boundary to the shore.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 98 – 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery Management Plan.

PROPOSED BY: Prince William Sound Aquaculture Corporation (PWSAC).

WHAT WOULD THE PROPOSAL DO? This proposal would add the Granite Bay Subdistrict to the *Wally Noerenberg (Esther Island) Hatchery Management Plan*, requiring the department to manage the subdistrict in consultation with PWSAC to achieve the corporation's escapement goal (Figure 98-1).

WHAT ARE THE CURRENT REGULATIONS? The purpose and use of the Granite Bay Subdistrict is described in 5 AAC 24.370(C). *Prince William Sound Management and Salmon Enhancement Allocation Plan* as follows:

(C) during a year when the purse seine fleet is allowed to harvest enhanced salmon in the Esther Subdistrict before July 21 under (h)(2) of this section, from June 1 through July 20,

(i) the Granite Bay Subdistrict will be closed;

(ii) if the commissioner determines that an emergency opening is necessary in the Granite Bay Subdistrict to prevent fish quality deterioration of enhanced salmon stocks returning to the Wally Noerenberg Hatchery, purse seine and drift gillnet gear groups will be allowed to harvest the surplus salmon in an area within the Granite Bay Subdistrict as specified by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal may limit the ability of the drift gillnet fleet to harvest a portion of the enhanced chum salmon return outside of the Esther Subdistrict (Figure 98-1). The proposal may also complicate management of Coghill Lake sockeye salmon harvest by potentially restricting fishing effort in portions of the Granite Bay Subdistrict where this stock is harvested. Enhanced chum salmon appear to mill in the Granite Bay Subdistrict for extended periods of time and there may be a need to open the subdistrict for cleanup fisheries during extended closures.

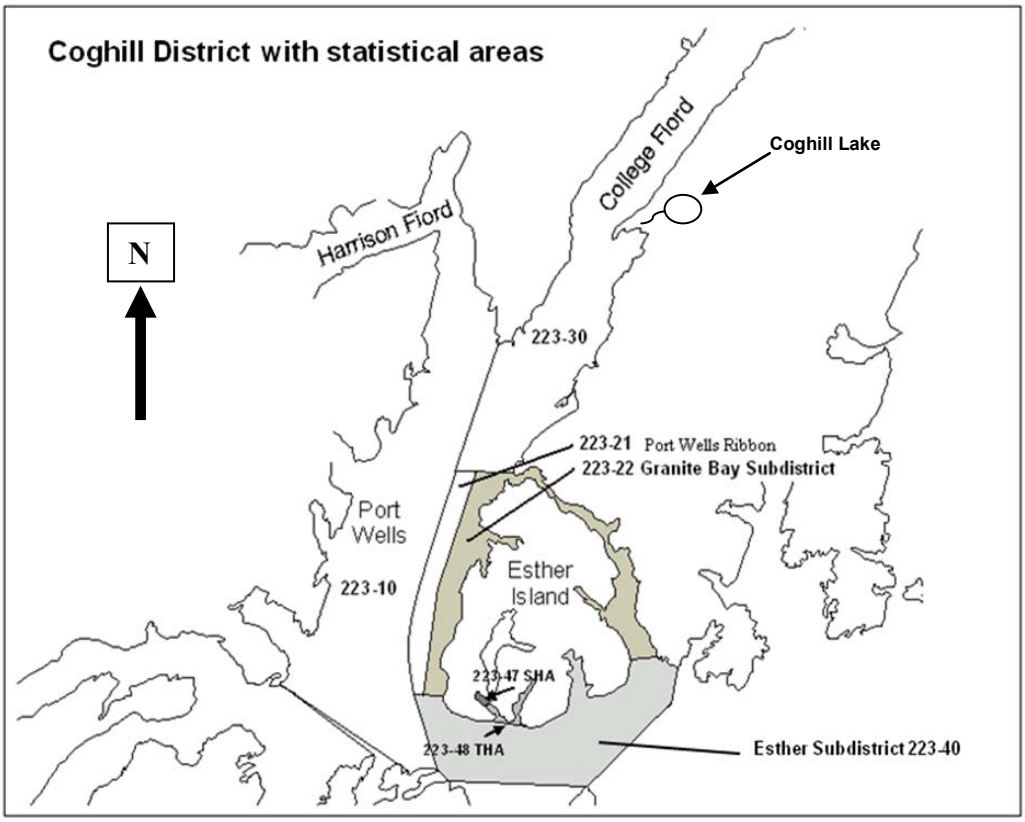
BACKGROUND: Prior to July 21, management in the Coghill District is driven primarily by the wild sockeye salmon run to Coghill Lake, with openings determined by cumulative escapement at the Coghill River weir. In the Coghill District, outside of the Esther Subdistrict, permit holders largely focus on returning enhanced stocks. That effort is either in the southern portion of the Coghill District targeting Main Bay Hatchery sockeye salmon at Culross Point, or in Granite Bay Subdistrict along the west shore of Esther Island and in Esther Passage targeting Wally Noerenberg Hatchery enhanced chum salmon.

The Granite Bay Subdistrict was created at the 2005 Board of Fisheries (board) meeting as a means of allowing enhanced chum salmon to be harvested by the purse seine fleet in Esther Subdistrict during years when seiners had access to Esther Subdistrict. In years

when the purse seine gear group has access to the Esther Subdistrict prior to July 21, as a result of an allocation imbalance, the Granite Bay Subdistrict is closed. This closure is to prevent harvest of enhanced chum salmon by the drift gillnet fleet that are intended for the purse seine fleet. The board also recognized that enhanced chum salmon tend to mill in the Granite Bay Subdistrict and gave the department authority to exercise a cleanup fishery in that situation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department recognizes that closing the Granite Bay Subdistrict may be beneficial in some limited instances for achieving PWSAC escapement goals more quickly.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.



Proposal, Figure 98-1.–Coghill District statistical area map.

PROPOSAL 99 - 5AAC 24.365. Armin F. Koernig Salmon Hatchery Management Plan.

PROPOSED BY: CDFU - Seine Division.

WHAT WOULD THE PROPOSAL DO? The proposal would change the line that defines the Armin F. Koernig (AFK) Hatchery Terminal Harvest Area (THA) to a slightly expanded three-point line (Figure 99-1).

WHAT ARE THE CURRENT REGULATIONS? The current regulation defines the AFK Hatchery THA as the waters of Sawmill Bay (Evans Island) north and west of a line from 60 03.63' N. lat. 147 59.45' W. long. to 60 02.63' N. lat., 148 01.70' W. long., excluding the AFK Hatchery Special Harvest Area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would facilitate safer and more efficient fishing, while providing clarity for enforcement. A similar line has regularly been employed by emergency order (EO) during the AFK Hatchery chum salmon fishery.

BACKGROUND: The current line is located adjacent to an underwater reef that is a hazard to fishing and the line forms a pinch-point hemmed by closed waters. A boundary line similar to what is proposed will make fishing in this area safer by avoiding the reef and making the area more practical to make a legal set. The orientation of the three-point line is also easier to enforce.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal, with modification. The department would prefer to use the three-point line that has been employed by EO since 2010.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

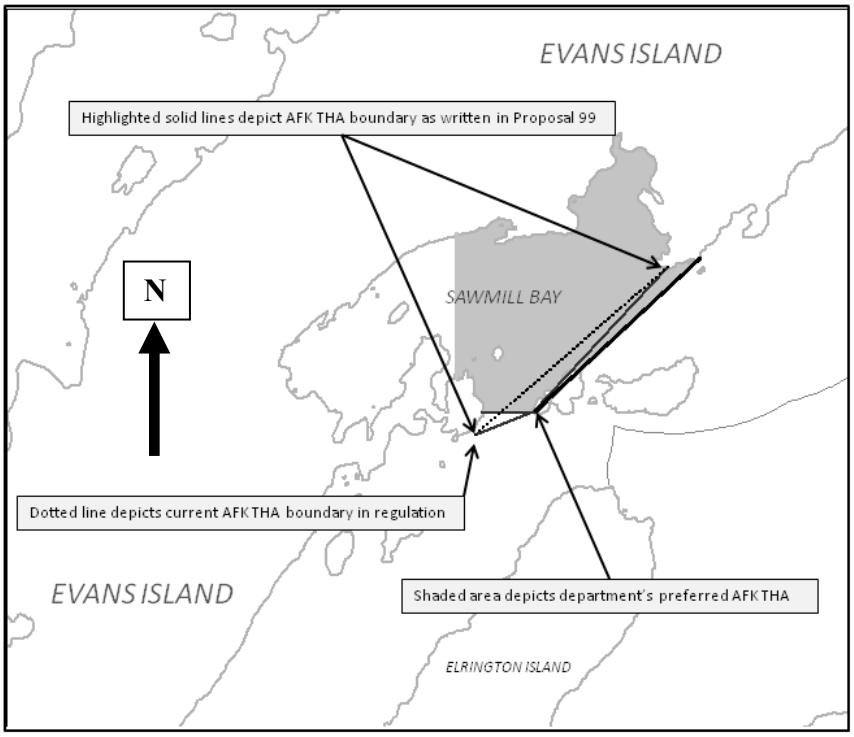


Figure 99-1.–Existing and proposed boundaries for AFK Hatchery Terminal Harvest Area.

PROPOSAL 100 – 5 AAC 24.350. Closed waters.

PROPOSED BY: David Pinquoch.

WHAT WOULD THE PROPOSAL DO? The proposal would require the department to maintain anadromous stream closures in Eshamy Lagoon closed waters inside Alaska Department of Fish and Game (ADF&G) regulatory markers located 0.5 miles from the ADF&G cabin, unless the maximum escapement goal will be exceeded.

WHAT ARE THE CURRENT REGULATIONS? Current statutes and regulations allow for the opening of regulatory closed waters in Eshamy Lagoon by emergency order (EO) based on wild stock escapement levels (Sec. 16.05.060. *Emergency orders* and 5 AAC 39.222. *Policy for the management of sustainable salmon fisheries*).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would limit the department's ability to control and manage sockeye salmon escapement and harvest in the Eshamy Lagoon at escapement levels below the upper end of the biological escapement goal. If management were constrained to opening closed waters in Eshamy Lagoon only when it could be determined that the maximum escapement goal would be exceeded, harvest opportunity may be lost and escapement may increase within the escapement goal range and may be more likely to exceed the escapement goal range.

BACKGROUND: The department opens fishing area when it is determined that a harvestable surplus of salmon is available. In the case of Eshamy River sockeye salmon escapement, a harvestable surplus of salmon may exist at any stage of the run. The management of the Eshamy Lake sockeye salmon fishery incorporates inseason indices of actual and anticipated escapement relative to the escapement goal to project and determine when a harvestable surplus of salmon may be available. The escapement goal for Eshamy Lake sockeye salmon has been met in all years when the Eshamy Lagoon has been open to commercial fishing, indicating that fishing opportunity has been provided on salmon surplus to escapement needs.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The limitation of management flexibility would likely result in Eshamy River escapements near to or exceeding the upper end of the BEG range rather than distributed throughout the range. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 113 – 5AAC 24.378. Use of aircraft unlawful.

PROPOSED BY: Ken Jones.

WHAT WOULD THE PROPOSAL DO? This proposal would make the use of aircraft to locate and direct commercial salmon harvests legal.

WHAT ARE THE CURRENT REGULATIONS? During open commercial salmon fishing periods, no person may use an aircraft to locate salmon for the commercial taking of those fish, or to direct commercial fishing operations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would allow those commercial salmon permit holders working with spotter pilots to be more efficient at harvesting salmon. The use of aircraft to locate and direct commercial fisheries may create a safety hazard for enforcement and the public.

BACKGROUND: The current regulation was adopted at the 1993 Board of Fisheries meeting because fishermen using aircraft had an advantage over those not using aircraft.

DEPARTMENT COMMENTS: The department is **OPPOSED** to the proposal because of concern that when enhanced salmon are not available for harvest, spotter pilots would be used to direct fishing efforts on wild salmon stocks that may not be able to sustain this increase in harvest efficiency.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 43 – 5AAC 28.230. Lawful gear for Prince William Sound Area.

PROPOSED BY: Prince William Sound Charter Boat Association.

WHAT WOULD THE PROPOSAL DO? The proposal would prohibit use of "commercial bottom gear" within three miles of any shoreline in Prince William Sound (PWS) between May 15 and September 1 (Figure 43-1). It is unclear whether the proposal refers solely to longline gear or includes trawl gear as well.

WHAT ARE THE CURRENT REGULATIONS? During the proposed closure period, longline gear may be legally used to target, among other species, lingcod and sablefish in PWS. Lingcod season dates are July 1–December 31 and for sablefish, April 15–August 15. Other species that may be retained as bycatch include Pacific cod, rockfish, skates, pollock, and other species. There are no restrictions on where longline gear may be deployed. There are areas in eastern and central PWS in which use of trawl gear is prohibited.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close areas throughout PWS historically open to commercial groundfish fishing, reduce overall harvest of some groundfish resources, and be difficult to enforce. The proposal would also create areas within PWS in which only sport, personal use, and subsistence uses could occur from May 15 through September 1. Although the department does not manage halibut, closing the proposed waters to longline gear would also close fishing for halibut with longline gear, which is almost exclusively the gear used to harvest halibut.

BACKGROUND: Commercial longline groundfish fisheries in PWS annually harvest sablefish, rockfish, Pacific cod, lingcod, skates, pollock, and other species. During the summer months, most groundfish are taken as bycatch to the directed sablefish and the halibut fisheries, with some trips targeting lingcod as well. The sablefish fishery is restricted to the Inside District of PWS and has a guideline harvest level of 242,000 pounds. Historically, most sablefish harvest occurs in the deeper waters of PWS. Within PWS, these deeper waters occur within three miles of shore and closing them will displace fishermen from traditional grounds and greatly restrict the area available to achieve the harvestable surplus of sablefish. Although directed lingcod harvest is low (6,000–8,000 lb annually), it occurs exclusively over bottom structure in nearshore habitats.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of the proposal and is **OPPOSED** to closing areas to commercial fishing without biological justification.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery by requiring purchase of additional gear in order to fish in deeper waters and by increasing fuel costs to travel further offshore.

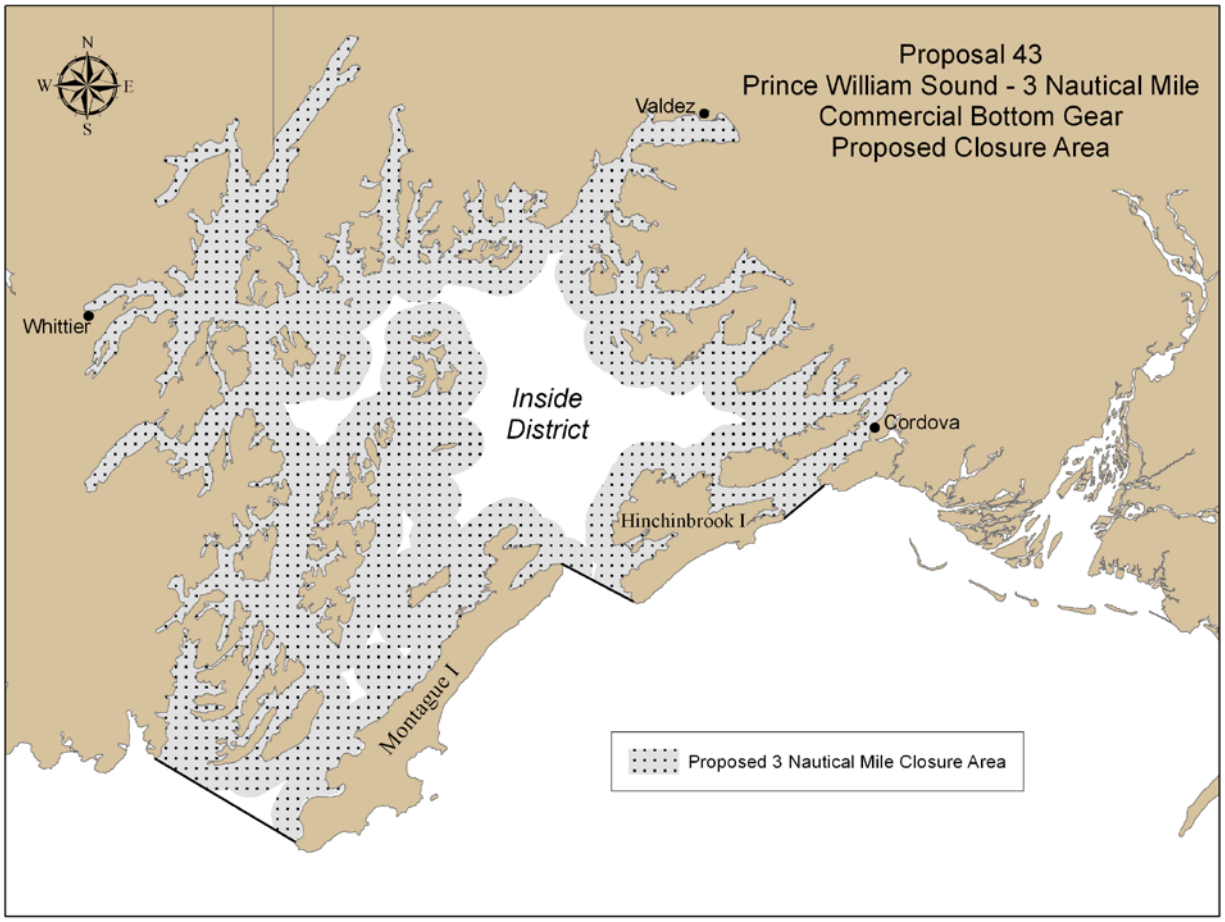


Figure 43-1.–Map showing waters approximately three nautical miles from shore that would be closed to commercial bottom gear by Proposal 43.

PROPOSAL 44 – 5AAC 28.265. Prince William Sound Rockfish Management Plan.

PROPOSED BY: Jon Van Hyning.

WHAT WOULD THE PROPOSAL DO? The proposal would increase to 30 percent the amount of rockfish bycatch that may be sold by sidestripe shrimp and sablefish fishermen.

WHAT ARE THE CURRENT REGULATIONS? Rockfish in Prince William Sound (PWS) may only be retained as bycatch and all rockfish captured must be retained. The commercial guideline harvest level for all species of rockfish combined is 150,000 pounds and no more than 3,000 pounds may be retained within a five-day period. Statewide regulation 5 AAC 28.070 restricts to 20% the total amount of bycatch that may be retained. Current PWS regulations establish allowances, specific to the target species, of rockfish that may be sold by a fisherman: rockfish in excess of 20% to directed sablefish, 5% to directed state-waters Pacific cod, and 10% to all other directed species, must be reported as a bycatch overage. Proceeds from any overage are surrendered to the state. Legal gear is restricted to longlines, longlined pots, and a single permit for net gear (bottom trawl). Sidestripe shrimp are also targeted by trawl gear. Regulation 5 AAC 28.330(f) and (g) allow the operator of a shrimp trawl who possesses a sablefish limited entry permit to take sablefish and to retain groundfish bycatch up to 10% of the gross weight of shrimp on board. A shrimp trawl must employ a finfish excluder device (FED) consisting of a grate with parallel bars not more than two and one-half inches apart, although a four inch bar spacing is allowed for a vessel targeting sablefish. Additionally, the trawl cod end must be composed of one and seven-eighths inch mesh hung square to the mouth of the trawl.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal is not expected to increase the landed weight of rockfish. It would increase the amount of rockfish that may be sold as bycatch to sablefish from 20% to 30% and to sidestripe shrimp from 10% to 30%.

BACKGROUND: The department does not assess rockfish abundance in PWS. The current 150,000 lb guideline harvest level (GHL) dates to 1992 when rockfish could be commercially targeted. Commercial rockfish harvest in PWS since 2000, when the fishery was restricted to bycatch-only, has ranged from 47,990 lb in 2003 to 121,919 lb in 2000, and the recent five-year (2006–2010) average harvest is 97,511 lb (Table 44-1). Most commercial harvest is bycatch to longline harvest of commercial halibut, sablefish, and Pacific cod; the balance is taken by pelagic trawl gear during the pollock fishery and by jig gear. Slope species dominate commercial rockfish harvests, at approximately 80% of the total, and are composed predominately of shortraker and rougheye and, to a lesser extent, thornyhead rockfish.

The Commercial Fisheries Entry Commission (CFEC) launched a limited entry program for PWS sablefish in 1996. There are 61 longline/pot permits and a single net (trawl) permit in the fishery. Rockfish harvest reported as bycatch in the longline sablefish

fishery totaled approximately 34,156 lb in 2011 (Table 44-1). The recent five-year average proportion of rockfish bycatch to sablefish harvest is 17%, and preliminary data for 2011 indicate 15.5%. Fishing for sidestripe shrimp in PWS is open-access; in recent years, a single permit has participated and harvest data are confidential. Both sablefish and sidestripe shrimp are harvested in the deeper waters of PWS where slope rockfish species predominate.

Available harvest data indicate that although individual landings may exceed the 20% rockfish bycatch allowance to sablefish, at the fishery level, the allowance is seldom exceeded. Although specific shrimp harvest data are confidential, the proportion of rockfish bycatch to shrimp harvest has remained well below the 10% allowance.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current levels of rockfish bycatch are less than the amount provided by regulation and increasing the rockfish bycatch allowance is unwarranted.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 44-1.–Sablefish harvest, total bycatch allowance, and rockfish bycatch as a proportion of longline sablefish harvest from the Prince William Sound sablefish fishery, 2006–2011.

Year	Sablefish Harvest (lb)	Total Bycatch Allowance (20%)	Rockfish Bycatch	Rockfish Bycatch %
2006	167,535	33,507	20,781	12.4%
2007	198,818	39,764	25,179	12.7%
2008	206,012	41,202	35,348	17.2%
2009	216,198	43,240	40,495	18.7%
2010	208,221	41,644	51,126	24.6%
2011[a]	220,037	44,007	34,156	15.5%

[a] Preliminary data through September 2011.

PROPOSAL 45 – 5AAC 28.230.(h)(2). Lawful Gear for Prince William Sound Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would repeal the mechanical jigging gear definition that provides for a single continuous line with not more than 150 hooks in the Prince William Sound Area.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 28.230(h)(2). *Lawful Gear for Prince William Sound Area* allows mechanical jigging machines to have either five lines with a maximum of 30 hooks per line or a single continuous line with a maximum of 150 hooks.

5 AAC 39.105(25). *Types of Legal Gear* defines mechanical jigging machines as a device that deploys a line with lures or baited hooks and retrieves that line with electrical, hydraulic, or mechanically-powered assistance; a mechanical jigging machine allows the line to be fished only in the water column; a mechanical jigging machine must be attached to a vessel registered to fish with a mechanical jigging machine; and the mechanical jigging machine may not be anchored or operated unattached from the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would prohibit jig gear that is defined as a single continuous line with 150 hooks.

BACKGROUND: The definition of jig gear was amended in response to a user whose testimony described a continuous loop of line with 150 hooks that was fished across the deck and under the hull amidships. The gear has not been adopted into use by jig fishermen and the definition has proven misleading based on reports that a single line with 150 hooks has been used in the same fashion as longline gear. Identical proposals were passed by the board during the October 2011 Pacific cod and November 2010 Cook Inlet Board of Fisheries meetings.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 46 – 5AAC 28.089. Guiding principles for groundfish fisheries regulations.

PROPOSED BY: Robert A. Smith.

WHAT WOULD THE PROPOSAL DO? This proposal would apply the guiding principles for groundfish fishery regulations to the groundfish fisheries in the Prince William Sound (PWS) area.

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 28.089(a). *Guiding principles for groundfish fishery regulations*. specifies in part, the Board of Fisheries (board), to the extent practical, will consider the guiding principles when taking actions associated with the adoption, amendment, or repeal of regulations regarding groundfish fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would re-establish the list of considerations the board applies when evaluating the merits of groundfish proposals for PWS area fisheries.

BACKGROUND: The groundfish guiding principles were developed in 1997 by the board to guide consideration of groundfish proposals and fisheries. At its 2008 Copper River/PWS meeting, the board adopted a proposal excluding PWS regulations from consideration under these guiding principles. The board took similar action for Southeast, Kodiak, Chignik, and Alaska Peninsula.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Although the department supports the conservation elements of the guiding principles, it is principally a policy statement adopted by the board for its own use.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 47 – 5AAC 28.083. Permit requirements for skates and rays.

PROPOSED BY: Robert A. Smith.

WHAT WOULD THE PROPOSAL DO? The proposal would open directed fishing for skates in the Prince William Sound (PWS) area, concurrent with the commercial halibut season, to anyone possessing a miscellaneous saltwater finfish permit from the Commercial Fisheries Entry Commission (CFEC).

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 28.083 specifies that skates may be retained as bycatch to other directed fisheries and may be targeted only under the terms of a commissioner's permit which may stipulate fishing depth, seasons, fishing area, size limits, gear, logbooks, and other conditions necessary for conservation and management.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would establish a directed commercial fishery for skates in the PWS area, resulting in increased harvest of longnose and big skates, the two most commonly harvested commercial species. However, the magnitude of the increase in harvest that may result is unknown.

BACKGROUND: Historically, skates were harvested as bycatch to other open directed longline groundfish fisheries. Although open to directed fishing until the 1998 adoption of the bycatch restriction and permit requirement, harvest levels remained low. Directed fisheries for big and longnose skates occurred in PWS during 2009 and 2010 following the department's receipt of a capital budget increment. The fisheries were managed under a commissioner's permit described in regulation 5 AAC 28.083 which stipulated, among other things, species, season, fishing area, logbooks, catch reporting, prior notice of departure and landing, and accommodation of a department observer. In 2010, the permit also stipulated a big skate trip limit of 2,500 lb per two-day period to slow the pace of harvest due to exceeding the guideline harvest level (GHL) for that species in 2009.

Harvest rates for the directed fishery were set for the PWS Inside and Outside districts using estimates of skate abundance derived from PWS Inside District trawl survey data and applying an exploitation rate for longnose skate of 0.034% and 0.045% in 2009 and 2010, respectively. (Exploitation rates were taken from the federal Bering Sea/Aleutian Islands model and were the most recent five-year average.) For big skate, the lower 0.034% harvest rate from 2009 was used for both years, due to exceeding the guideline harvest level (GHL) in 2009. This approach resulted in Inside District GHLs of 20,000 lb and 100,000 lb (110,000 lb in 2010) for big and longnose skates, respectively. Since survey data were lacking for the Outside District, big and longnose skate GHLs were set based upon Inside District survey data expanded to account for an Outside District fishing area that was 50% larger than the Inside District fishing area. Resulting GHLs were 30,000 lb and 150,000 (155,000 lb in 2010).

Although the observed abundance of each skate species was within approximately 200 animals, the biomass of big skates was greater. As a result, big skate GHLs in 2009 and trip limits in 2010 were quickly attained, which resulted in high discards of big skate while trying to target longnose skates. Although skate discard mortality rates are unknown, there were observations of skate and halibut jaws being cut to release fish. Among observed longline sets in both years, halibut bycatch abundance exceeded the catch of either skate species and the catch ratio of halibut to both skate species combined was 0.7 (Table 47-1).

The 2010 Outside District big skate GHL was not achieved due to other skate harvest opportunities. Vessels permitted to target Pacific cod in the federal Eastern Gulf of Alaska opted to do so and with a skate bycatch allowance of 20%, were able to retain more big skates than could be retained under trip limits in the directed state-waters fishery.

The department did not issue skate permits in 2011 for several reasons, including the lack of comprehensive stock assessment data, relative catch and composition of skate species, bycatch in the directed skate fishery, other skate harvest opportunities, and cost of management. Stock assessment limitations were two-fold. The trawl survey, designed to assess Tanner crab, occurred only in PWS Inside District waters deeper than 50 fathoms. Big skates are known to inhabit waters shallower than 50 fathoms. The disparate GHLs for big and longnose skates were attributable to the lack of survey data from shallower waters in the Inside District and the absence of survey data from the Outside District. Catch per unit effort declined slightly between years for big skate from 0.99 lb/hook to 0.79 lb/hook and for longnose skate from 0.66 lb/hook to 0.58 lb/hook. Catch composition differed between skate species, with big skate catches composed predominately of immature females and longnose skate catches composed mostly of mature males and females.

Skates are also taken as bycatch to other open directed fisheries in PWS (Table 47-2). Overall, harvests have increased in recent years due both to the directed skate fisheries in 2009 and 2010 and increased bycatch in the state-waters Pacific cod fishery since the adoption of longline gear.

Skate management in adjacent federal waters changed in recent years following a steep increase in harvest during 2004 and 2005. In 2005, big and longnose skates were separated from the "other groundfish" category and separate harvest levels adopted for big and longnose skates. Skates in federal waters have since been managed on a bycatch-only status since 2005. In 2010, the federal Central Gulf of Alaska (CGOA) big skate total allowable catch (TAC) was achieved under the bycatch-only management program.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal due to the lack of comprehensive stock assessment data, the relative catch and composition of skate species, bycatch, and other skate harvest opportunities. Results of the pilot fishery for skates in 2009 and 2010, and achievement of the federal CGOA TAC, strongly suggest

that the current regulatory structure provides adequate opportunity to harvest skates at sustainable levels, even under bycatch-only restrictions.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 47-1.–Catch abundance and results of selected species and species groups from observed longline sets during the Prince William Sound pilot program directed skate fishery.

Year	District	Skate						Halibut		Rockfish		Other species	
		Big		Longnose		Other							
		Ret	Disc	Ret	Disc	Ret	Disc	Ret	Disc	Ret	Disc	Ret	Disc
2009	Inside	0	567	777	7	0	182	0	598	49	0	1,012	319
	Outside	138	3	34	0	0	135	0	361	0	0	86	60
2009 Total		138	570	811	7	0	317	0	959	49	0	1,098	379
2010	Inside	295	623	1,340	27	0	785	203	1,653	241	1	1,770	1,345
	Outside	194	391	382	6	0	93	0	572	0	0	500	398
2010 Total		489	1,014	1,722	33	0	878	203	2,225	241	1	2,270	1,743
Fishery Totals		627	1,584	2,533	40	0	1,195	203	3,184	290	1	3,368	2,122

Note: Ret=Retained; Disc=Discarded

Table 47-2. –Prince William Sound reported skate harvest from both directed and bycatch longline fisheries during 2000–2011.

	Skate Bycatch to Other Directed Fisheries					Directed	
		Pacific cod					
Year	Halibut	Parallel	State-waters	Sablefish	Pollock	Skate	Total
2000	[a]	0		0	571		571[b]
2001	3,500	0		0	243		3,743
2002	4,598	1,563		0	241		6,402
2003	4,425	0		3,038	971		8,434
2004	3,770	0		3,015	213		6,998
2005	2,281	83,375		388	250		86,294
2006	0	0		0	[a]		[a]
2007	0	0		0	[a]		[a]
2008	5,274	1,175		3,000	0		9,449
2009	4,436	2,368	89,653	3,235	[a]	228,856	328,548[b]
2010	4,355	3,428	101,619	333	[a]	102,516	212,251[b]
2011[c]	900	23,613	169,232	1,417	129		195,291

[a] Confidential data.

[b] Totals do not contain confidential data.

[c] Preliminary data through September 2011.

PROPOSAL 48 – 5AAC 28.084. Fishing season, landing requirements, and utilization for sharks.

PROPOSED BY: Robert A. Smith.

WHAT WOULD THE PROPOSAL DO? This proposal would allow year-round, full retention of spiny dogfish by individuals operating longline gear and possessing a Commercial Fisheries Entry Commission (CFEC) for Miscellaneous Saltwater Finfish in the Prince William Sound (PWS) area.

WHAT ARE THE CURRENT REGULATIONS? Current regulations prohibit directed fishing for sharks but provide for their retention as bycatch at the 20% level. Retained sharks must possess the head, fins, and tail, and the flesh must be utilized. Utilization of retained sharks is defined as use of the flesh for human consumption, animal food, or bait, or for scientific, display, or educational purposes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow directed fishing on a year-round basis for spiny dogfish. However, the proposal was unclear with regard to areas. If spiny dogfish are available and markets exist, adoption of the proposal would likely result in increased harvests from state waters areas.

BACKGROUND: Spiny dogfish are a long-lived, late-maturing species with low reproductive potential. In areas throughout their range where commercial fisheries have been established, spiny dogfish stocks are often depleted or collapsed. One exception is the British Columbia spiny dogfish fishery, which was recently certified by the Marine Stewardship Council. In 1998, the Board of Fisheries (board) adopted statewide regulations closing directed commercial shark fishing, citing concerns for the potential for rapid development of a shark fishery, the lack of abundance information on sharks in Alaska, and the undocumented mortality of sharks in other commercial fisheries. The board also recommended full reporting of sharks incidentally caught in other fisheries. In 2000, the board increased the allowable bycatch retention of spiny dogfish by longline and troll vessels operating in the state's Eastern Gulf of Alaska Registration Area to 35% (5 AAC 28.174) and allowed full retention of spiny dogfish bycatch in the Yakutat and Icy Bay salmon set gillnet fisheries. Despite liberalization of the bycatch limits, no viable shark fisheries or markets have emerged. In 2004, the board allowed directed fishing for spiny dogfish in the Cook Inlet Area under a commissioner's permit. A single permit request resulted in a very short fishery with no subsequent activity. Longline is the practical gear type for targeting spiny dogfish and bycatch in the varied habitats of the PWS Area would likely include halibut, rockfish, and lingcod. In March 2006, the board rejected an identical proposal after an industry representative in the committee indicated the average size of dogfish sampled from the PWS Area were not of sufficient size to be marketable. Similarly, in December 2008, the board also rejected an identical proposal. The market favors large dogfish, which are typically females and which causes concerns for the potential of reducing recruitment to the population.

In adjacent federal exclusive economic zone (EEZ) waters, the North Pacific Fishery Management Council (NPFMC) has prohibited directed fishing for spiny dogfish but, similar to state regulation, provided for their retention as bycatch. This is due to extant bycatch levels and the potential need for long term rebuilding if overharvest occurs.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The concerns prompting the board to close directed shark fishing are still valid and this proposal's provision for full retention to longline gear could result in unsustainable harvest if dogfish aggregated in PWS waters. It is likely that the estimated value of bycatch discard mortality (halibut, rockfish, and lingcod) in this fishery could exceed the value of the spiny dogfish harvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 49 – 5AAC 39.165(1). Trawl gear unlawful.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would 1) correct the description of the trawl closure area in the waters of Prince William Sound (PWS) in subsection (1) of 5 AAC 39.165 to coincide with that in regulation 5 AAC 31.235(a)(1), which is the correct description, and 2) remove the reference to trawl gear for herring.

WHAT ARE THE CURRENT REGULATIONS? Current regulations are in conflict due to missing location (latitude and longitude) references in 5 AAC 39.165(1). The regulation's intent is to close waters of eastern and central PWS to trawl gear. While 5 AAC 39.165 identifies this as an area in which herring may be taken with trawl gear during the commercial food and bait season, 5 AAC 27.330 does not permit the use of trawl gear to harvest herring.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would correct an error in regulation and coordinate ADF&G groundfish and shrimp trawl closure area regulations by amending the erroneous description in 5AAC 39.165(1) with the correct description found in 5AAC 31.235(a)(1). It would also remove the reference to trawl gear for herring found in 5AAC 39.165(1). The department does not anticipate any changes with respect to management of PWS Area groundfish fisheries.

BACKGROUND: Descriptions of trawl closure areas appear in both 5 AAC 39.165 and 5 AAC 31.235. These closure areas were intended to be identical and efforts to update references using a new mapping datum resulted in incorrect references in one of the closure areas. Use of trawls to harvest PWS herring was repealed in 1994; however, the current regulation was not updated.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Regulatory consistency and clarity benefit department staff and the public.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 50 – 5 AAC 27.365. Prince William Sound Herring Management Plan and 5 AAC 39.210. Management plan for high impact emerging fisheries.

PROPOSED BY: Vince Patrick.

WHAT WOULD THE PROPOSAL DO? The proposal would clarify thresholds needed to open the herring fishery in Prince William Sound (PWS) and seeks to provide opportunity for a below-productivity threshold fishery. The proposal would also give the commissioner the ability to delegate authority to a community board to develop a management procedure for reopening the PWS herring fishery.

WHAT ARE THE CURRENT REGULATIONS? The *Prince William Sound Herring Management Plan* objectives are to provide for optimum sustained yield and provide an equitable allocation among all commercial user groups. The fishery is managed for a minimum spawning biomass of 22,000 tons (20,020 metric tons); no fisheries will open if stock assessments indicate the predicted biomass will be below this threshold. The management plan allows for exploitation rates from 0 to 20% when the predicted biomass is between 22,000 and 42,500 tons (38,220 metric tons). The exploitation rate can be adjusted based on anticipated age class strength. The department may allow a maximum exploitation rate of 20% when the projected spawning biomass exceeds 42,500 tons. For management purposes, herring in all locations of PWS are assumed to be one stock.

The projected prefishery run biomass is based on the final spawning biomass estimate from the previous year, cohort analysis, and projected recruitment. The plan allocates the projected available herring surplus among the five herring fisheries (Table 50-1).

The spawn-on-kelp fisheries are not harvesting fish, so quota percentages are adjusted to spawn-on-kelp product from the actual fish biomass. For the spawn-on-kelp not in pounds fishery (wild roe-on-kelp fishery), one ton of spawn-on-kelp product may be harvested for every eight tons of herring allocated to the fishery. The spawn-on-kelp in pounds fishery harvests an estimated one ton of product for every 12.5 tons of herring allocated to the fishery. The herring allocation for this fishery is divided among the number of permit holders and the department establishes the maximum number of blades of kelp a permitee may maintain in the pound.

Of the four spring fisheries in PWS, only the wild spawn-on-kelp harvest is open entry. For the remaining spring fisheries, there are 104 permanent and two interim purse seine sac roe permits, 24 drift gillnet sac roe permits, and 128 herring pound permits in PWS. The fall/winter food and bait fishery is open entry; however, there are vessel restrictions. A vessel used to harvest herring in registration Area E (PWS) between July 1 and February 28 may not harvest herring in any other registration area during the same time period. Additionally, any vessel used to harvest herring in any other registration area from 1 July to 28 February may not harvest herring in registration Area E during the same time period.

The fall/winter food and bait fishery allows purse seine gear with no length limit or mesh size restriction. Additionally, trawl gear is allowed and gillnets with an aggregate length of less than 150 fathoms may also be used.

Currently, the management plan for high impact emerging fisheries has no provision allowing the commissioner to delegate authority to a community board to develop a management procedure for reopening a fishery that has been closed according to an existing management plan.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would make explicit the intended meaning of "threshold" by replacing spawning biomass threshold with spawning biomass productivity threshold. The proposal would provide options for allocating the herring fishery below the proposed spawning biomass productivity threshold. At the beginning of a second year of projected spawning biomass less than the productivity threshold, the commissioner would announce whether applications will be received from individuals or groups of permit holders for one-time, one-year allocations for the exclusive purpose of development, testing, and demonstration of new and restored higher-value, higher-benefit uses of the resource.

The proposal would also adapt 5AAC 39.210 to meet the intent of the below-threshold fishery. The proposal would provide the commissioner the option of delegating to a community board for direction on fishery development.

BACKGROUND: The management objectives are similar for all of the PWS herring fisheries and include conservation and economic objectives. The management objectives for herring fisheries in PWS are to 1) keep the harvest within the preseason guideline harvest level (GHL), 2) avoid fishing on recruit aged fish (ages 3 and 4), 3) provide a quality product, and 4) conduct an orderly fishery. Overall, the department would like to maximize the economic value of the fisheries without taking unnecessary risks with long-term conservation of the herring stocks.

The current ADF&G management plan considers all herring in PWS as one stock (5 AAC 27.365). Although the management plan states that PWS herring will be managed as a single stock, ADF&G uses a precautionary approach to management decisions that hinge on possible local stock structure. For example, in 1997, the department had a 3,277 ton GHL for the purse seine fishery, but decided against a purse seine fishery in northeastern PWS when aerial surveys indicated that only 2,000 to 3,000 tons were available.

Currently, the department uses an age structured analysis (ASA) model to forecast the size of the prefishery run biomass. The 2010 model output for the historical time series of abundance and biomass estimates that the total biomass and abundance are at their lowest level since 1980, even without any commercial fishing harvest since 1999 (Figure 50-1).

The estimated total prefishery run biomass for 2011 was 22,400 tons. The minimum spawning biomass threshold for PWS is 22,000 tons (5AAC 27.365). Recruit-age fish

(ages 3 and 4) were projected to be 50% by weight, or 65% by number, of the 2011 biomass. The forecast is slightly above the regulatory threshold of 22,000 tons. However, because a majority of the biomass was projected to be recruit-age fish, and due to uncertainty in the forecast point estimate, all herring fisheries between 1 July 2010 and 30 June 2011 were closed. These fisheries included the fall food/bait, spring purse seine and gillnet sac roe, spawn on kelp not in pounds. and spawn on kelp in pounds fisheries.

Another aspect of current management is the threshold spawning biomass level and sliding scale exploitation rate policy (5 AAC 27.365). The fishery is managed for a minimum spawning biomass of 22,000 tons and no fisheries will open if the ASA model forecast indicates the projected biomass will be below this threshold. If the projected biomass is greater than the threshold level, the exploitation rate can be set on a sliding scale from 0% to 20%. This threshold and maximum exploitation rate policy was established and placed into regulation in 1994. Prior to 1986, the fishery was managed for guideline harvest levels (7,500 to 8,500 tons for five fisheries) that were considered conservative (fixed harvest policy). Beginning in 1986, a threshold was set at 8,500 tons and a maximum exploitation rate of 20% if the estimated biomass was above the threshold ("threshold and fixed exploitation rate policy"). A threshold and maximum exploitation rate policy is a compromise between maximizing yield and providing stable yields through time. The threshold is set at 25% of the average unfished biomass and should allow fairly quick recoveries from perturbations. The 20% exploitation rate, when the biomass is above the threshold, while not maximizing yield, would provide good yields that would be more stable than at the maximum sustained yield exploitation rate level.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Establishing herring fisheries on stocks in which a majority of the biomass is projected to be recruit-age fish, and/or there is great uncertainty in the forecast point estimate is opposed by the department. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 50-1.–Percentage of the guideline harvest level allocated to each of the five commercial fisheries for Pacific herring in Prince William Sound.

Fishery	Percentage of the guideline harvest level
Purse seine sac roe fishery (spring)	58.1%
Gillnet sac roe fishery (spring)	3.4%
Food and bait fishery (fall/winter)	16.3%
Spawn on kelp not in pounds (spring)	8.0%
Spawn on kelp in pounds (spring)	14.2%

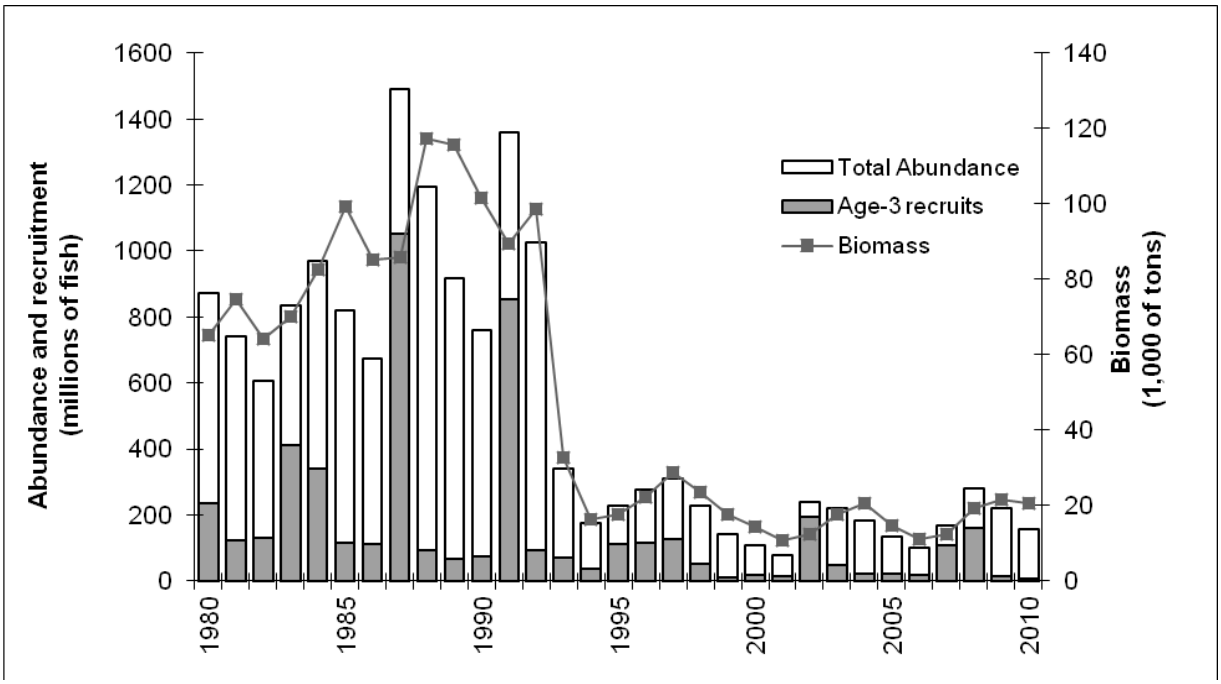


Figure 50-1. Total abundance, age 3 recruitment and estimated prefishery run biomass from the 2010 version of the ASA model for Prince William Sound herring.

COMMITTEE B – SUBSISTENCE, SPORT, AND PERSONAL USE FISHERIES: (39 PROPOSALS)

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PROPOSALS 57, 58, 59, and 60 – 5 AAC 01.620. Lawful gear and gear specifications. *(These proposals were erroneously cited as 5 AAC 01.625. Waters closed to subsistence fishing and 5 AAC 77.570. Waters closed to personal use fishing.*)

PROPOSED BY: Karl Moe (Proposal 57), Tom and Ellen Frohlich (Proposal 58), Jake and Brynn Moe (Proposal 59), and Danai Williams (Proposal 60).

WHAT WOULD THE PROPOSALS DO? These proposals would prohibit the use of all net gear as a legal method to harvest fish in Lake Louise, Susitna Lake, and Tyone Lake subsistence freshwater finfish fisheries.

WHAT ARE THE CURRENT REGULATIONS? Fish may be taken by gear listed in 5 AAC 01.010(a) unless restricted in this section or under the terms of a subsistence fishing permit. Net gear currently allowed for whitefish under permit stipulations include set gillnets, fyke nets, and dip nets.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would prohibit the subsistence whitefish gillnet fishery on Lake Louise, Susitna Lake, and Tyone Lake. Subsistence opportunity and harvest would be reduced and due to the limited incidental catch benefit to the populations of incidentally caught species would be negligible.

BACKGROUND: Since statehood, the department has issued permits for a subsistence fishery in this area using gillnets to target whitefish. On average, 70% of all freshwater subsistence permits issued were for gillnets targeting whitefish at Lake Louise, Susitna Lake, and Tyone Lake. From 2000–2009, a reported harvest of 139 to 1,070 whitefish by 5 to 11 permit holders were taken annually with gillnets from the Tyone River drainage (Table 57-1). In 2010, 1,133 whitefish were harvested by 18 permit holders. Lake trout have also been incidentally harvested in this fishery (all species caught are required to be reported on the permit).

Permit stipulations allow gillnets to be fished from October 1 through March 31. Subsistence whitefish gillnets are fished in open water through October and into November. Thereafter, nets are fished under the ice through the end of March. Subsistence whitefish are used for human consumption, dog food, and as bait.

At its December 2008 meeting, the Board of Fisheries (board) adopted a positive customary and traditional use finding for freshwater finfish, other than salmon, for the Prince William Sound (PWS) Area. The board also adopted an amount necessary for subsistence (ANS) of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area. The board maintained the department's discretionary permit authority on legal gear and harvest limits within the stipulations of the freshwater finfish subsistence permits.

DEPARTMENT COMMENTS: The department is **OPPOSED** to these proposals due to the reduction of subsistence opportunity by eliminating the most commonly used gear.

Current harvest levels of whitefish in the subsistence fishery are sustainable and incidental mortality of lake trout is minimal. The lake trout sport fishery is managed for sustainable harvest levels and to provide sport fishing opportunity.

COST ANALYSIS: Approval of these proposals may result in an additional direct cost for a private person to participate in this fishery due to purchasing alternate legal subsistence gear or traveling to other locations where subsistence gillnets are allowed.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained discretionary permit authority on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fishery to the department when it determined a positive customary and traditional use finding for freshwater finfish in the PWS Area.

4. What amount is reasonably necessary for subsistence uses? The board has established an ANS of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 57-1. Subsistence permits issued and reported harvest of whitefish and lake trout from the Tyone River drainage, 2000–2010.

Year	Permits			Whitefish harvest					Total lake trout harvest
	Total issued	Tyone drainage issued	Tyone drainage fished	Lake Louise	Susitna Lake	Not specified [a]	Other Tyone drainage lakes	Total	
2000	9	6	6	128	457	0	179	764	0
2001	8	5	5	72	277	0	188	537	0
2002	12	9	6	70	372	0	0	442	0
2003	13	6	5	139	0	0	0	139	0
2004	11	7	7	329	410	0	0	739	14
2005	17	14	11	970	21	0	29	1,020	12
2006	13	9	8	461	53	0	0	514	5
2007	18	12	7	294	28	0	0	322	4
2008	16	15	10	447	138	0	0	585	9
2009	28	17	10	765	59	246	0	1,070	26
2010	27	22	18	458	76	593	6	1,133	30
Average 2000–2009	15	10	8	368	182	25	40	613	7

[a] Permits issued for fishing more than one lake within the Tyone River drainage and did not specify from which lake fish were harvested.

PROPOSALS 61 and 62 – 5 AAC 01.620. Lawful gear and gear specifications. *(These proposals were erroneously cited as 5 AAC 01.625. Waters closed to subsistence fishing and 5 AAC 77.570. Waters closed to personal use fishing.)*

PROPOSED BY: Gene Moe (Proposal 61), and Jane Newby and Susitna Group (Proposal 62).

WHAT WOULD THE PROPOSALS DO? These proposals would prohibit the use of all net gear as a legal method to harvest whitefish or lake trout in Lake Louise, Susitna Lake, and Tyone Lake.

WHAT ARE THE CURRENT REGULATIONS? Fish may be taken by gear listed in 5 AAC 01.010(a) unless restricted in this section or under the terms of a subsistence fishing permit. Net gear currently allowed for whitefish under permit stipulations include set gillnets, fyke nets, and dip nets.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would prohibit the current subsistence whitefish gillnet fishery on Lake Louise, Susitna Lake, and Tyone Lake. Subsistence opportunity and harvest would be reduced and due to the limited incidental catch benefit to the populations of incidentally caught species would be negligible.

BACKGROUND: Since statehood, the department has issued permits for a subsistence fishery in this area using gillnets to target whitefish. On average, 70% of all freshwater subsistence permits issued were for gillnets targeting whitefish at Lake Louise, Susitna Lake, and Tyone Lake. From 2000–2009, a reported harvest of 139 to 1,070 whitefish by 5 to 11 permit holders were taken annually with gillnets from the Tyone River drainage (Table 61-1). In 2010, 1,133 whitefish were harvested by 18 permit holders. Lake trout have also been incidentally harvested in this fishery (all species caught are required to be reported on the permit).

Although still low, the total number of freshwater subsistence gillnet permits issued for whitefish in the Tyone River drainage has quadrupled from 2000 to 2010. During this time, the reported number of lake trout harvested in this fishery has also increased, but still remains very low. Reports from residents living around Lake Louise and photographs of some of the harvest indicate that the incidental catch of lake trout in the whitefish fishery has increased and may be underreported. In response, the department altered permit stipulations during the 2010–2011 season to prohibit retention of all species other than whitefish and required that a net be moved if more than five lake trout were caught in a particular location. The department currently has discretionary authority within the freshwater finfish subsistence permit to limit harvest, gear type, area, and fishing time by species and water body.

DEPARTMENT COMMENTS: The department is **OPPOSED** to these proposals. The retention of lake trout is already prohibited in permit stipulations and there is

currently no biological concern regarding the whitefish populations in these lakes. Current harvest levels of whitefish in the subsistence fishery are sustainable and incidental mortality of lake trout is minimal. The lake trout sport fishery is managed for sustainable harvest levels and to provide sport fishing opportunity.

COST ANALYSIS: Approval of these proposals may result in an additional direct cost for a private person to participate in this fishery due to purchasing alternate legal subsistence gear or traveling to other locations where subsistence gillnets are allowed.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the Prince William Sound (PWS) Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained discretionary permit authority on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fishery to the department when it determined a positive customary and traditional use finding for freshwater finfish in the PWS Area. Retention of lake trout is already prohibited in permit stipulations and there is currently no biological concern regarding the whitefish populations in these lakes.

4. What amount is reasonably necessary for subsistence uses? The board has established an ANS of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 61-1. Subsistence permits issued and reported harvest of whitefish and lake trout from the Tyone River drainage, 2000–2010.

Year	Permits			Whitefish harvest					Total lake trout harvest
	Total issued	Tyone drainage issued	Tyone drainage fished	Lake Louise	Susitna Lake	Not specified[a]	Other Tyone drainage lakes	Total	
2000	9	6	6	128	457	0	179	764	0
2001	8	5	5	72	277	0	188	537	0
2002	12	9	6	70	372	0	0	442	0
2003	13	6	5	139	0	0	0	139	0
2004	11	7	7	329	410	0	0	739	14
2005	17	14	11	970	21	0	29	1,020	12
2006	13	9	8	461	53	0	0	514	5
2007	18	12	7	294	28	0	0	322	4
2008	16	15	10	447	138	0	0	585	9
2009	28	17	10	765	59	246	0	1,070	26
2010	27	22	18	458	76	593	6	1,133	30
Average 2000–2009	15	10	8	368	182	25	40	613	7

[a] Permits issued for fishing more than one lake within the Tyone River drainage and did not specify which lake was actually fished.

PROPOSALS 63, 64, and 65 – 5 AAC 01.620. Lawful gear and gear specifications. *(These proposals were erroneously cited as 5 AAC 01.625. Waters closed to subsistence fishing and 5 AAC 77.570. Waters closed to personal use fishing.)*

PROPOSED BY: Jenna Kroll (Proposal 63), Dorothy Tideman (Proposal 64), and Larry Roberts (Proposal 65).

WHAT WOULD THE PROPOSALS DO? These proposals would prohibit the use of all net gear as a legal method to harvest whitefish in Lake Louise, and Susitna and Tyone lakes.

WHAT ARE THE CURRENT REGULATIONS? Fish may be taken by gear listed in 5 AAC 01.010(a) unless restricted in this section or under the terms of a subsistence fishing permit. Net gear currently allowed for whitefish under permit stipulations include set gillnets, fyke nets, and dip nets.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would prohibit the current subsistence whitefish gillnet fishery on Lake Louise, Susitna Lake, and Tyone Lake. Subsistence opportunity and harvest would be reduced and due to the limited incidental catch benefit to the populations of incidentally caught species would be negligible.

BACKGROUND: Since statehood, the department has issued permits for a subsistence fishery in this area using gillnets to target whitefish. On average, 70% of all freshwater subsistence permits issued were for gillnets targeting whitefish at Lake Louise, Susitna Lake, and Tyone Lake. From 2000–2009, a reported harvest of 139 to 1,070 whitefish were taken annually from the Tyone River drainage, with gillnets averaging 613 whitefish per year (Table 63-1). A total of 1,133 whitefish were harvested in 2010.

Based on historical harvest and information from other northern latitude populations of whitefish, the department considers current harvest levels of whitefish from the Tyone River drainage to be sustainable. In addition, a significant sport harvest of lake trout and burbot from these lakes reduces the overall natural predation rate on whitefish in the drainage. Prior to 2009, the household limit for whitefish in the Tyone River drainage was 1,500 fish. This limit was reduced to 500 whitefish per household in 2009 in response to an increase in permits and increasing harvest potential.

DEPARTMENT COMMENTS: The department is **OPPOSED** to these proposals. There are currently no biological concerns regarding the whitefish populations in these lakes.

COST ANALYSIS: Approval of these proposals may result in an additional direct cost for a private person to participate in this fishery due to purchasing alternate legal subsistence gear or traveling to other locations where subsistence gillnets are allowed.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the Prince William Sound (PWS) Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. There are currently no biological concerns regarding the whitefish populations in these lakes.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the (PWS) Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 63-1. Subsistence permits issued and reported harvest of whitefish from the Tyone River drainage, 1990–2010.

Year	Permits			Whitefish harvest				
	Total issued	Tyone drainage issued	Tyone drainage fished	Lake Louise	Susitna Lake	Not specified[a]	Other Tyone drainage lakes	Total
1990	7	5	3	0	0	146	0	146
1991	9	6	3	0	0	344	0	344
1992	10	8	5	128	99	239	0	466
1993	7	5	3	87	0	369	11	467
1994	5	3	3	47	0	344	0	391
1995	6	5	5	341	0	254	0	595
1996	8	2	2	0	0	305	0	305
1997	10	4	3	48	0	358	0	406
1998	6	4	4	251	0	0	0	251
1999	9	5	5	524	0	0	0	524
2000	9	6	6	128	457	0	179	764
2001	8	5	5	72	277	0	188	537
2002	12	9	6	70	372	0	0	442
2003	13	6	5	139	0	0	0	139
2004	11	7	7	329	410	0	0	739
2005	17	14	11	970	21	0	29	1,020
2006	13	9	8	461	53	0	0	514
2007	18	12	7	294	28	0	0	322
2008	16	15	10	447	138	0	0	585
2009	28	17	10	765	59	246	0	1,070
2010	27	22	18	458	76	593	6	1,133
Average 1990–1999	8	5	4	143	10	236	1	390
Average 2000–2009	15	10	8	368	182	25	40	613

[a] Permits issued for fishing more than one lake within the Tyone River drainage and did not specify which lake was actually fished.

PROPOSAL 66 - 5 AAC 01.610. Fishing seasons and 5 AAC 01.620. Lawful gear and gear specifications.

PROPOSED BY: Copper Basin Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit retention of fish species not specified as allowed for harvest on the freshwater finfish subsistence permit, require subsistence gillnetters to provide 24-hour notice prior to fishing their nets as well as provide net location, prohibit fishing gillnets in open water, and require nets to be moved at least 500 feet when four or more lake trout are caught in a net.

WHAT ARE THE CURRENT REGULATIONS? Freshwater fish, other than rainbow trout and steelhead trout, may be taken at any time in the Prince William Sound (PWS) Area, unless restricted under the terms of a subsistence fishing permit.

Under current permit stipulations, the subsistence gillnet fishery for whitefish is open October 1 through March 31. Since November 2010, permit holders are required to provide 24-hour notification prior to setting their gillnets and if five or more lake trout are caught in a net, the net is required to be moved at least ¼ mile from the previous fishing site. Only species for which the permit is issued may be retained; other incidentally caught species must be released.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close the freshwater subsistence fishery during the open-water period, when over 50% of the whitefish harvest occurs. This proposal would also place in regulation restrictions currently implemented within permit stipulations. Subsistence opportunity and harvest would be reduced and due to the limited incidental catch benefit to the populations of incidentally caught species would be negligible.

BACKGROUND: From 2000–2009, a total of 8 to 28 freshwater finfish subsistence permits have been issued for the Upper Copper-Upper Susitna drainage waters annually (Table 66-1). Of these permits, 7 to 16 were actively fished. The number of permits issued has risen from 8 in 2001 to 28 in 2009. Total annual harvest of whitefish from these waters ranged from 585 to 3,094 fish from 2000–2009, and averaged 1,733 fish. Total annual incidental catch of nontarget species ranged from 6 to 60 fish and averaged 25 fish from 2000–2009. In 2010, 27 permits were issued, 19 were fished, and a total of 2,088 whitefish and an incidental catch of 59 fish were reported.

The department has regulatory authority in the freshwater finfish subsistence fishery to manage the fishery through permit stipulations. Stipulations are used to limit methods and means to ensure fisheries for each species are sustainable. Currently, the use of gillnet gear is limited to the directed harvest of whitefish or longnose suckers. Subsistence whitefish netting has been limited by permit stipulations to occur between October 1 and March 31. Since 2000, over half of the annual harvest occurs during the open-water period and 50% is generally achieved by October 20 each year (Figure 66-1).

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There is currently no biological reason to reduce the current open season for the subsistence whitefish fishery. The department is **NEUTRAL** on incidental catch restriction, notification, and relocation of gear since these items are already included in the permit stipulations. Current harvest levels of whitefish in the subsistence fishery are sustainable and incidental mortality of lake trout and other incidentally caught species is minimal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. There are currently no biological concerns regarding the whitefish populations in these lakes.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 66-1. Freshwater finfish subsistence permits issued, number of permitted water bodies, and reported harvest in Upper Copper-Upper Susitna drainage waters from 2000–2010.

Year	Permits				Harvest				
	Total issued	Total fished	Water bodies permitted	Water bodies fished	Whitefish	Lake trout	Burbot	Other	Total
2000	9	8	6	6	1,974	4	0	9	1,987
2001	8	7	5	5	1,670	2	2	36	1,710
2002	12	7	5	3	1,321	4	1	1	1,327
2003	13	7	6	3	1,143	2	8	13	1,166
2004	11	9	5	4	2,125	15	0	25	2,165
2005	17	13	7	5	1,643	13	1	19	1,676
2006	13	10	6	4	1,070	6	3	2	1,081
2007	18	12	5	3	3,094	6	3	6	3,109
2008	16	10	3	2	585	9	2	1	597
2009	28	16	5	3	2,708	28	21	11	2,768
2010	27	19	7	4	2,088	33	13	13	2,147
Average 2000–2009	15	10	5	4	1,733	9	4	12	1,759

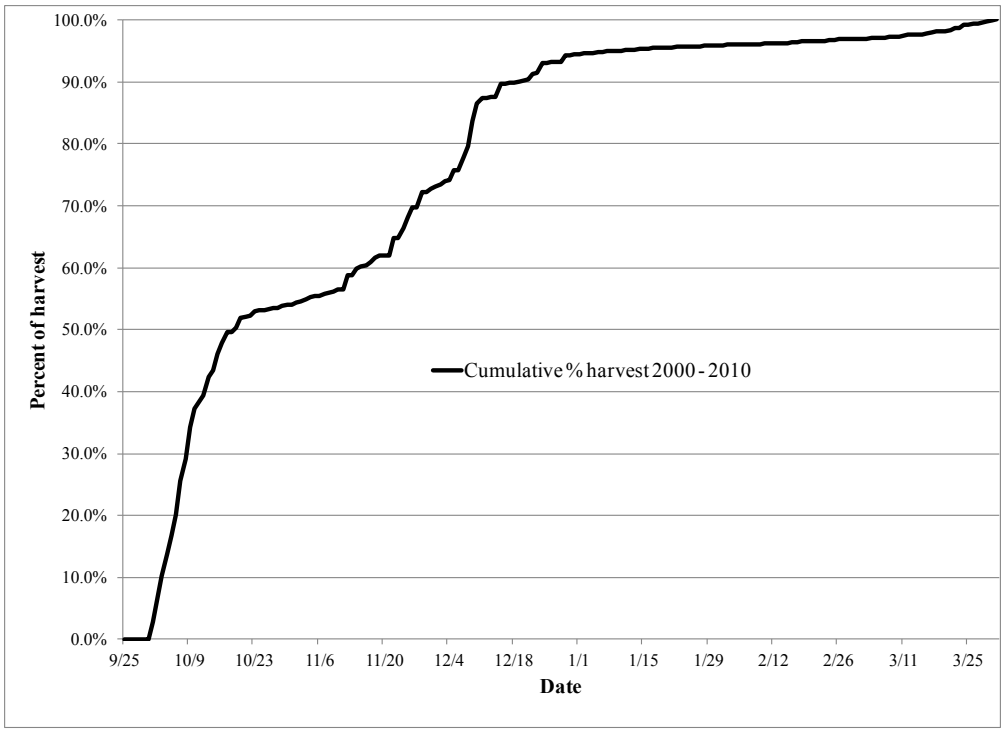


Figure 66-1. Average cumulative percentage of harvest, by date, of whitefish from Upper Copper-Upper Susitna drainage waters in the freshwater finfish subsistence fishery from 2000–2010.

PROPOSAL 67 - 5 AAC 01.610. Fishing seasons; 5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 01.645. Subsistence bag, possession, and size limits. *(This proposal was erroneously cited as 5 AAC 01.610(e). Fishing seasons Rainbow trout and steelhead and 5 AAC 01.630. Subsistence fishing permits.)*

PROPOSED BY: Paxson Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would require subsistence whitefish permit holders to provide 24-hour notice prior to fishing their gill nets, limit the subsistence season for whitefish to November 10–March 31, and incidental catch cannot exceed 5% of the total whitefish harvest.

WHAT ARE THE CURRENT REGULATIONS? Freshwater fish, other than rainbow trout and steelhead trout, may be taken at any time in the Prince William Sound (PWS) Area, unless restricted under the terms of a subsistence fishing permit.

Under current permit stipulations, the subsistence gillnet fishery for whitefish is open October 1 through March 31. Since November 2010, permit holders are required to provide 24-hour notification prior to setting their gillnets and if five or more lake trout are caught in a net, the net is required to be moved at least ¼ mile from the previous fishing site. Only species for which the permit is issued may be retained; other incidentally caught species must be released.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would delay the start of the subsistence whitefish gillnet season by 41 days and limit the allowable incidental catch from unrestricted to 5% of the total whitefish harvest. This proposal would also place in regulation restrictions currently implemented within permit stipulations. Subsistence opportunity and harvest would be reduced and due to the limited incidental catch benefit to the populations of incidentally caught species would be negligible.

BACKGROUND: From 2000–2009, a total of 8 to 28 freshwater finfish subsistence permits have been issued for Upper Copper-Upper Susitna drainage waters annually (Table 67-1). Of these permits, 7 to 16 were actively fished. The number of permits issued has risen from 8 in 2001 to 28 in 2009. Total annual harvest of whitefish from these waters ranged from 585 to 3,094 fish from 2000–2009 and averaged 1,733 fish. Total annual incidental catch of nontarget species ranged from 6 to 60 fish and averaged 25 fish from 2000–2009. In 2010, 27 permits were issued, 19 were fished, and a total of 2,088 whitefish and an incidental catch of 59 fish were reported.

The department has regulatory authority in the freshwater finfish subsistence fishery to manage the fishery through permit stipulations. Stipulations are used to limit methods and means to ensure fisheries for each species are sustainable. Currently, the use of gillnet gear is limited to the directed harvest of whitefish or longnose suckers. Subsistence whitefish netting has been limited by permit stipulations to occur between October 1 and March 31.

Since 2000, over half of the annual harvest occurs during the open-water period and 56% is generally achieved by November 10 each year (Figure 67-1).

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There is no biological reason to limit the whitefish season, and the 5% bycatch limitation would be difficult to measure and enforce. In addition, current harvest levels of whitefish in the subsistence fishery are sustainable and incidental mortality of lake trout and other incidentally caught species is minimal. The department is **NEUTRAL** on the 24-hr notification, since it is already included in the permit stipulations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. There is no biological reason to limit the whitefish season, and the 5% bycatch limitation would be difficult to measure and enforce.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 67-1. Freshwater finfish subsistence permits issued, number of permitted water bodies, and reported harvest in Upper Copper-Upper Susitna drainage waters from 2000–2010.

Year	Permits				Harvest				
	Total issued	Total fished	Water bodies permitted	Water bodies fished	Whitefish	Lake trout	Burbot	Other	Total
2000	9	8	6	6	1,974	4	0	9	1,987
2001	8	7	5	5	1,670	2	2	36	1,710
2002	12	7	5	3	1,321	4	1	1	1,327
2003	13	7	6	3	1,143	2	8	13	1,166
2004	11	9	5	4	2,125	15	0	25	2,165
2005	17	13	7	5	1,643	13	1	19	1,676
2006	13	10	6	4	1,070	6	3	2	1,081
2007	18	12	5	3	3,094	6	3	6	3,109
2008	16	10	3	2	585	9	2	1	597
2009	28	16	5	3	2,708	28	21	11	2,768
2010	27	19	7	4	2,088	33	13	13	2,147
Average 2000–2009	15	10	5	4	1,733	9	4	12	1,759

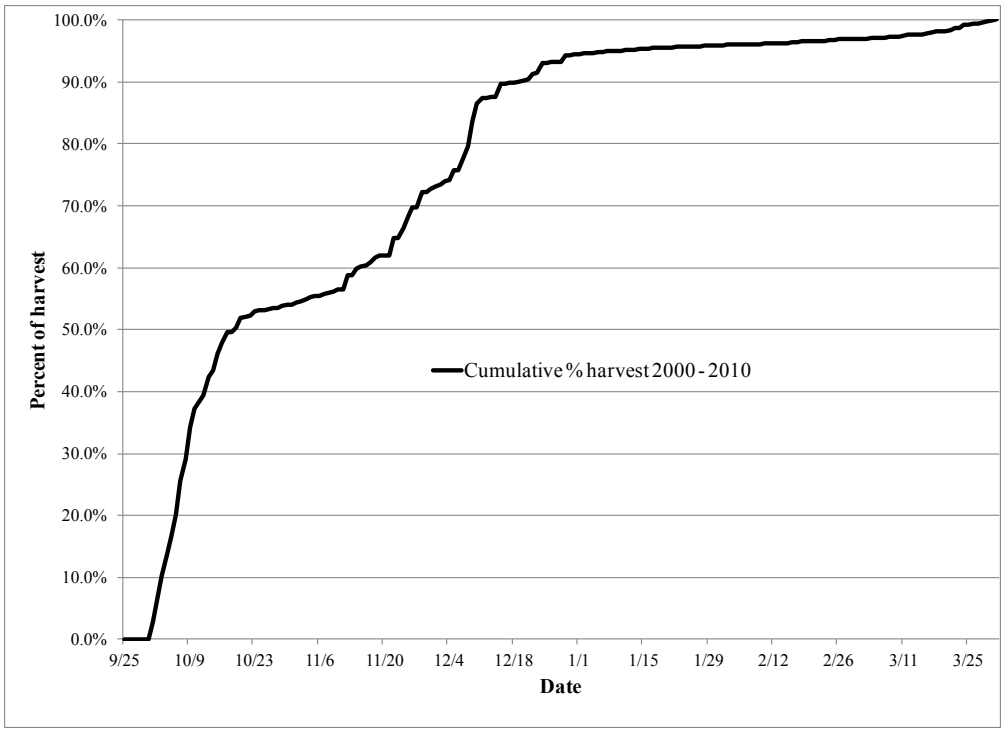


Figure 67-1. Average cumulative percentage of harvest, by date, of whitefish from Upper Copper-Upper Susitna drainage waters in the freshwater finfish subsistence fishery from 2000–2010.

PROPOSAL 68 - 5 AAC 01.610. Fishing seasons and 5 AAC 01.625. Waters closed to subsistence fishing. *(This proposal erroneously cited only as 5 AAC 01.625. Waters closed to subsistence fishing.)*

PROPOSED BY: John and Yvette Delaquito.

WHAT WOULD THE PROPOSAL DO? This proposal would close two areas in the Lake Louise, Susitna Lake, and Tyone Lake area to subsistence whitefish netting (Figures 68-1, 68-2, and 68-3), close the subsistence whitefish fishery in the Prince William Sound (PWS) Area through November 14, and prohibit retention of nonpermitted species in the subsistence fishery.

WHAT ARE THE CURRENT REGULATIONS? There are currently no areas closed to freshwater subsistence fishing in the PWS Area (for nonsalmon species), except for the Valdez Nonsubsistence Area (5 AAC 99.015).

Freshwater fish, other than rainbow and steelhead trout, may be taken at any time in the PWS Area, unless restricted under the terms of a subsistence fishing permit.

Under current permit stipulations, the subsistence gillnet fishery for whitefish is open October 1 through March 31. Since November 2010, permit holders are required to provide 24-hour notification prior to setting their gillnets and if five or more lake trout are caught in a net, the net is required to be moved at least ¼ mile from the previous fishing site. Only species for which the permit is issued may be retained; other incidentally caught species must be released. The channel between Lake Louise and Susitna Lake is closed to the use of gillnets and fyke nets from October 1 through November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close the channel between Lake Louise and Susitna Lake, close the channel between Susitna and Tyone lakes, and delay the start of the season by 45 days. These actions would reduce subsistence fishing opportunity and likely reduce subsistence whitefish harvest. This proposal would also place into regulation restrictions currently included in permit stipulations.

BACKGROUND: From 2000–2009, a total of 8 to 28 freshwater finfish subsistence permits have been issued for Upper Copper-Upper Susitna drainage waters annually (Table 68-1). Of these permits, 7 to 16 were actively fished. The number of permits issued has risen from 8 in 2001 to 28 in 2009. Total annual harvest of whitefish from these waters ranged from 585 to 3,094 fish from 2000–2009, and averaged 1,733 fish. Total annual incidental catch of nontarget species ranged from 6 to 60 fish, and averaged 25 fish from 2000–2009. In 2010, 27 permits were issued, 19 were fished, and a total of 2,088 whitefish and an incidental catch of 59 fish were reported.

Based on historical harvest and information from other northern latitude populations of whitefish, the department considers current harvest levels of whitefish from the Tyone

River drainage to be sustainable. In addition, a significant sport harvest of lake trout and burbot from these lakes reduces the overall natural predation rate on whitefish in the drainage. Prior to 2009, the household limit for whitefish in the Tyone River drainage was 1,500 fish. This limit was reduced to 500 whitefish per household in 2009 in response to an increase in permits and increasing harvest potential.

Subsistence whitefish netting has been limited by permit stipulations to occur between October 1 and March 31. Since 2000, over half of the annual harvest occurs during the open-water period and 60% is generally achieved by November 15 each year (Figure 68-4).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on proposed closure areas and release of incidental catch, since the Lake Louise-Susitna Lake channel closure and release of incidental catch are currently in permit stipulations. The department is **OPPOSED** to reducing the season dates because there is no biological reason to limit whitefish harvest and lake trout spawning is generally complete by the end of September. The department has regulatory authority in the freshwater finfish subsistence fishery to manage the fishery through permit stipulations. The current permit stipulation requiring the release of incidentally caught species should also provide lake trout protection by removing incentive to harvest lake trout.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. A reduction in the season would lead to reduced opportunity for subsistence.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

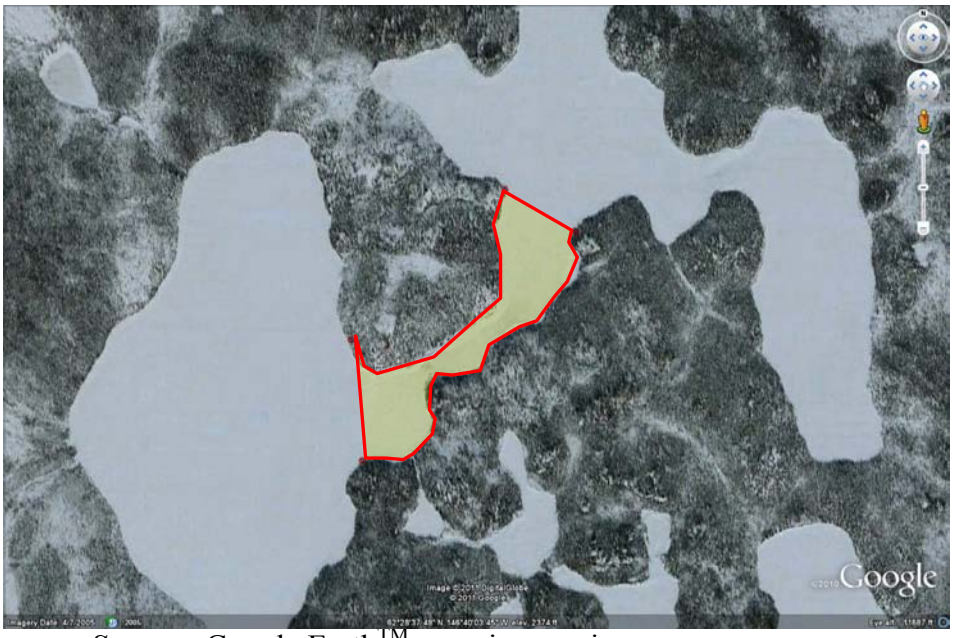
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Source: Google Earth™ mapping service

Figure 68-1. Location of proposed subsistence whitefish closure areas (areas within circles) on Lake Louise and Susitna Lake.

Source: Google Earth™ mapping service

Figure 68-2. Proposed subsistence whitefish fishing closed area in the Lake Louise/Susitna Lake channel.



Source: Google Earth™ mapping service

Figure 68-3. Proposed subsistence whitefish fishing closed area in the Susitna Lake/Tyone Lake channel.

Table 68-1. Freshwater finfish subsistence permits issued, number of permitted water bodies, and reported harvest in Upper Copper-Upper Susitna drainage waters from 2000–2010.

Year	Permits				Harvest				
	Total issued	Total fished	Water bodies permitted	Water bodies fished	Whitefish	Lake trout	Burbot	Other	Total
2000	9	8	6	6	1,974	4	0	9	1,987
2001	8	7	5	5	1,670	2	2	36	1,710
2002	12	7	5	3	1,321	4	1	1	1,327
2003	13	7	6	3	1,143	2	8	13	1,166
2004	11	9	5	4	2,125	15	0	25	2,165
2005	17	13	7	5	1,643	13	1	19	1,676
2006	13	10	6	4	1,070	6	3	2	1,081
2007	18	12	5	3	3,094	6	3	6	3,109
2008	16	10	3	2	585	9	2	1	597
2009	28	16	5	3	2,708	28	21	11	2,768
2010	27	19	7	4	2,088	33	13	13	2,147
Average 2000–2009	15	10	5	4	1,733	9	4	12	1,759

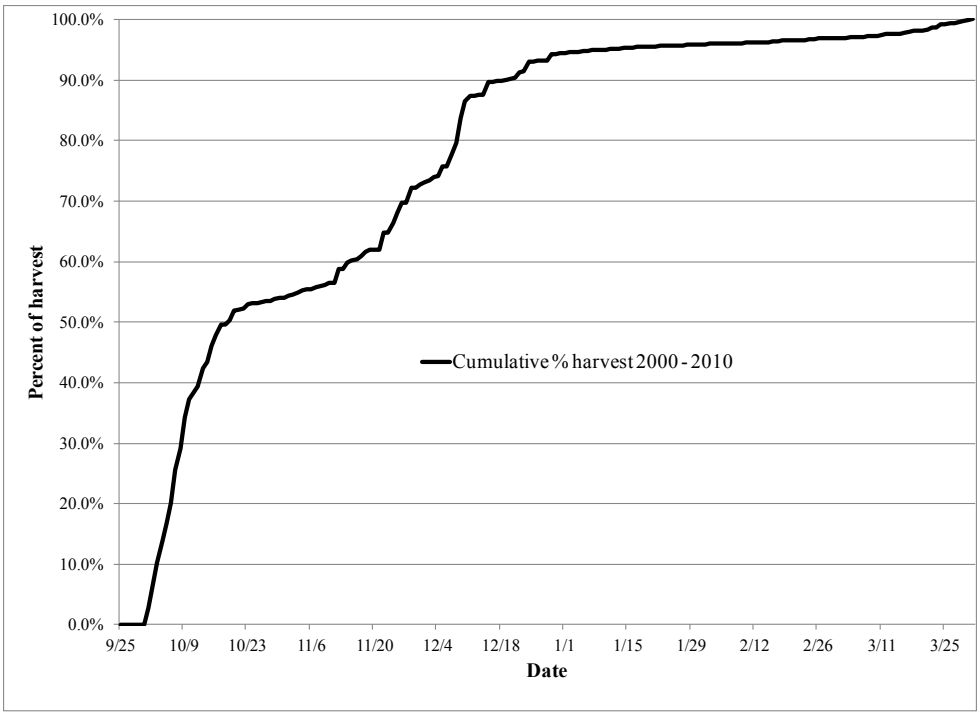


Figure 68-4. Average cumulative percentage of harvest of whitefish, by date, from Upper Copper-Upper Susitna drainage waters in the freshwater finfish subsistence fishery from 2000–2010.

PROPOSAL 69 - 5 AAC 01.610. Fishing seasons; 5 AAC 01.625. Waters closed to subsistence fishing; and 5 AAC 01.630. Subsistence fishing permits. *(This proposal erroneously cited only as 5 AAC 01.625. Waters closed to subsistence fishing.)*

PROPOSED BY: Wayne Simmons.

WHAT WOULD THE PROPOSAL DO? This proposal would close the channel between Lake Louise and Susitna Lake to subsistence whitefish gillnetting and close the entire freshwater finfish subsistence fishery in the Prince William Sound (PWS) Area through November 30.

WHAT ARE THE CURRENT REGULATIONS? There are currently no areas closed to freshwater subsistence fishing in the PWS Area (for nonsalmon species), with the exception of the Valdez Nonsubsistence Area (5 AAC 99.015).

Freshwater fish, other than rainbow trout and steelhead trout, may be taken at any time in the PWS Area, unless restricted under the terms of a subsistence fishing permit. Under current permit stipulations, the subsistence gillnet fishery for whitefish is open October 1 through March 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close the passage between Lake Louise and Susitna Lake (Figure 69-1) only to subsistence fishing with gillnets and would limit the season for all freshwater finfish subsistence fishing in the Upper Copper-Upper Susitna drainage waters to December 1 through March 31. These actions would reduce subsistence fishing opportunity and likely reduce subsistence whitefish harvest.

BACKGROUND: From 2000–2009, a total of 8 to 28 freshwater finfish subsistence permits have been issued for Upper Copper-Upper Susitna drainage waters annually (Table 69-1). Of these permits, 7 to 16 were actively fished. The number of permits issued has risen from 8 in 2001 to 28 in 2009. Total annual harvest of whitefish from these waters ranged from 585 to 3,094 fish from 2000–2009 and averaged 1,733 fish. Total annual incidental catch of nontarget species ranged from 6 to 60 fish and averaged 25 fish from 2000–2009. In 2010, 27 permits were issued, 19 were fished, and a total of 2,088 whitefish and an incidental catch of 59 fish were reported.

Based on historical harvest and information from other northern latitude populations of whitefish, the department considers current harvest levels of whitefish from the Tyone River drainage to be sustainable. In addition, a significant sport harvest of lake trout and burbot from these lakes reduces the overall natural predation rate on whitefish in the drainage. Prior to 2009, the household limit for whitefish in the Tyone River drainage was 1,500 fish. This limit was reduced to 500 whitefish per household in 2009 in response to an increase in permits and increasing harvest potential.

The department has regulatory authority in the freshwater finfish subsistence fishery to manage the fishery through permit stipulations. Stipulations are used to limit methods and

means to ensure fisheries for each species are sustainable. Freshwater subsistence permits issued for the Upper Copper-Upper Susitna drainage waters may be issued for any freshwater finfish, any waters, and with a variety of gear types. Currently, the use of gillnet gear is limited to the harvest of whitefish or longnose suckers. Subsistence whitefish netting has been limited by permit stipulations to occur between October 1 and March 31. Since 2000, over half of the annual harvest occurs during the open-water period and 73% is generally achieved by November 30 each year (Figure 69-2). In addition, under current permit stipulations, the channel between Lake Louise and Susitna Lake is closed to the use of gillnets and fyke nets from October 1 through November 15.

DEPARTMENT COMMENTS: The department is **OPPOSED** to the proposal. The specific closure area is not easily identified and would require signage or coordinates. In addition, there is no biological reason to limit the freshwater finfish subsistence fishery open season to start December 1.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

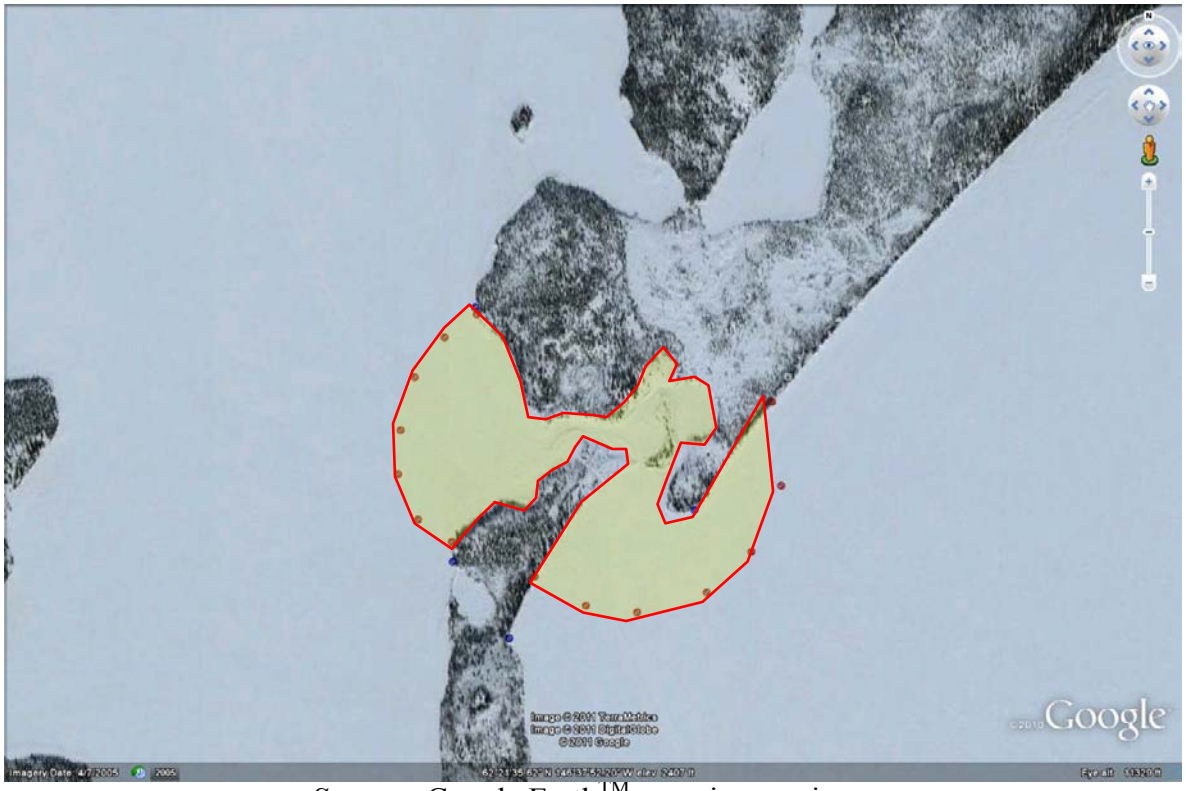
2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fishery. There is no biological reason to limit the freshwater finfish subsistence fishery and this proposal would be a reduction of subsistence opportunity.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.



Source: Google Earth™ mapping service

Figure 69-1. Proposed subsistence fishing closed area in the Lake Louise/Susitna Lake channel.

Table 69-1. Freshwater finfish subsistence permits issued, number of permitted water bodies, and reported harvest in Upper Copper-Upper Susitna drainage waters from 2000–2010.

Year	Permits				Harvest				
	Total issued	Total fished	Water bodies permitted	Water bodies fished	Whitefish	Lake trout	Burbot	Other	Total
2000	9	8	6	6	1,974	4	0	9	1,987
2001	8	7	5	5	1,670	2	2	36	1,710
2002	12	7	5	3	1,321	4	1	1	1,327
2003	13	7	6	3	1,143	2	8	13	1,166
2004	11	9	5	4	2,125	15	0	25	2,165
2005	17	13	7	5	1,643	13	1	19	1,676
2006	13	10	6	4	1,070	6	3	2	1,081
2007	18	12	5	3	3,094	6	3	6	3,109
2008	16	10	3	2	585	9	2	1	597
2009	28	16	5	3	2,708	28	21	11	2,768
2010	27	19	7	4	2,088	33	13	13	2,147
Average 2000–2009	15	10	5	4	1,733	9	4	12	1,759

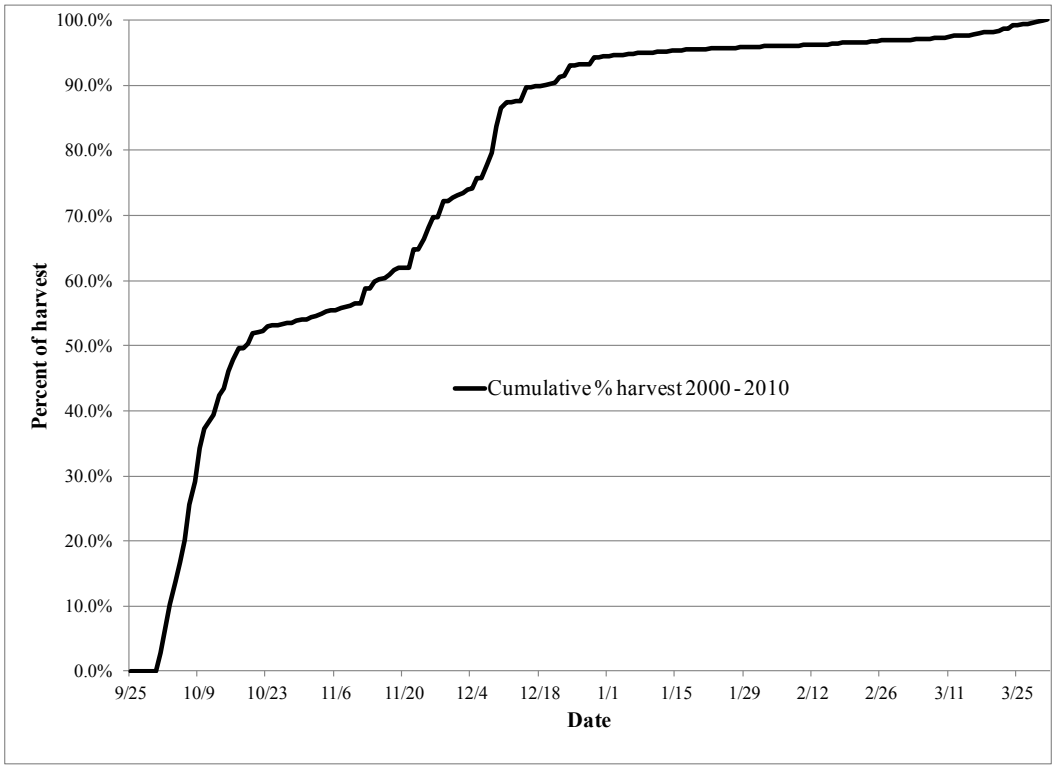


Figure 69-2. Average cumulative percentage of harvest of whitefish, by date, from Upper Copper-Upper Susitna drainage waters in the freshwater finfish subsistence fishery from 2000–2010.

PROPOSAL 70 - 5 AAC 01.610. Fishing seasons and 5 AAC 01.630. Subsistence fishing permits. *(This proposal was erroneously cited as 5 AAC 01.625. Waters closed to subsistence fishing and 5 AAC 77.570. Waters closed to personal use fishing.)*

PROPOSED BY: Jesse Moe and Bridget Moe.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the amount of subsistence whitefish harvested from Lake Louise, Susitna Lake, and Tyone Lake by some unknown amount and prohibit bycatch of lake trout in subsistence whitefish gillnets. The proposal does not specify how the whitefish harvest would be reduced.

WHAT ARE THE CURRENT REGULATIONS? Freshwater fish, other than rainbow and steelhead trout, may be taken at any time in the Prince William Sound (PWS) Area, unless restricted under the terms of a subsistence fishing permit. Under current permit stipulations, the subsistence gillnet fishery for whitefish is open October 1 through March 31. Since November 2010, permit holders are required to move their net at least ¼ mile from the fishing site if five or more lake trout are caught. Only species for which the permit is issued may be retained; other bycatch species must be released.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce the amount of whitefish harvested in the subsistence gillnet fishery and prohibit retention of lake trout caught in subsistence gillnets, likely reducing the total mortality of lake trout in this fishery. To achieve these actions, subsistence harvest opportunity would likely be reduced.

BACKGROUND: From 2000–2009, a total of 5 to 17 freshwater finfish subsistence permits were issued for the Tyone River drainage each year. The number of permits issued each year has risen from 5 in 2001 to 17 in 2009. Harvest levels have fluctuated greatly during that time and averaged 613 whitefish (Table 70-1). In 2010, 22 Tyone River drainage permits were issued, 18 were fished, and a total of 1,133 whitefish and a bycatch of 30 lake trout were reported harvested from the Tyone River drainage.

The department has regulatory authority in the freshwater finfish subsistence fishery to manage the fishery through permit stipulations. Stipulations are used to limit methods and means to ensure fisheries for each species are sustainable. Currently, the use of gillnet gear is limited to the harvest of whitefish or longnose suckers and retention of incidentally caught species is prohibited.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There is currently no biological reason to reduce the current open season for the subsistence whitefish fishery. The department is **NEUTRAL** on prohibiting retention of lake trout, because the department already has the authority to limit the retention of incidentally caught species and currently prohibits lake trout retention with permit stipulations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. There is no biological reason to limit the freshwater finfish subsistence fishery and this proposal would be a reduction of subsistence opportunity.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 70-1. Subsistence permits issued and reported harvest of whitefish and lake trout from the Tyone River drainage 2000–2010.

Year	Permits			Whitefish harvest					Total lake trout harvest
	Total issued	Tyone drainage issued	Tyone drainage fished	Lake Louise	Susitna Lake	Not specified[a]	Other Tyone drainage lakes	Total	
2000	9	6	6	128	457	0	179	764	0
2001	8	5	5	72	277	0	188	537	0
2002	12	9	6	70	372	0	0	442	0
2003	13	6	5	139	0	0	0	139	0
2004	11	7	7	329	410	0	0	739	14
2005	17	14	11	970	21	0	29	1,020	12
2006	13	9	8	461	53	0	0	514	5
2007	18	12	7	294	28	0	0	322	4
2008	16	15	10	447	138	0	0	585	9
2009	28	17	10	765	59	246	0	1,070	26
2010	27	22	18	458	76	593	6	1,133	30
Average 2000–2009	15	10	8	368	182	25	40	613	7

[a] Permits issued for fishing more than one lake within the Tyone River drainage did not specify which lake was actually fished.

PROPOSAL 71 - 5 AAC 01.610. Fishing seasons and 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper and Upper Susitna River Area. *(This proposal erroneously cited as 5 AAC 01.625. Waters closed to subsistence fishing.)*

PROPOSED BY: Wayne Simmons.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a spawning closure in the sport and subsistence fisheries in Lake Louise as well as in Susitna and Tyone lakes; the closure would prohibit fishing for lake trout from September 1 through October 14.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations limiting subsistence fishing time for nonsalmon freshwater fish species, unless restricted in stipulations within a freshwater subsistence fishing permit. Current permit stipulations limit subsistence gillnetting for whitefish to October 1 through March 31.

The sport fishing season for lake trout in Lake Louise, Susitna and Tyone lakes is open year-round with bag limit of one fish, 24 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add a special provision to close the sport fishery for lake trout for 44 days and would reduce the current open season of the subsistence whitefish gillnet fishery by 14 days, from October 1–14. Subsistence whitefish fishing opportunity and harvest, and lake trout sport harvest, would likely be reduced.

BACKGROUND: Management of lake trout populations in the Upper Copper-Upper Susitna Management Area (UCUSMA) is directed by the *Wild Lake Trout Management Plan* (5 AAC 52.060). The department uses a Lake Area (LA) model to estimate yield as a conservative guideline for sustainable harvests of lake trout from area lakes. Sport harvest of lake trout has exceeded the yield estimate for Lake Louise for the past several years despite a one-fish bag limit and minimum size restriction of 24 inches (Table 71-1). However, sport angler effort during September and early October is minimal compared to sport fishing effort during summer months and through the ice.

Total estimated harvest of lake trout from Lake Louise, Susitna Lake, and Tyone Lake has averaged 906 fish from 2000–2009 and totaled 1,431 fish in 2010 (Table 71-1). Reported harvest of lake trout in the subsistence whitefish gillnet fishery accounted for less than 1% of the average harvest from these lakes from 2000–2009, and 2.2% of the 2010 harvest. Currently, retention of incidentally caught nontarget species is prohibited through permit stipulations in the subsistence whitefish gillnet fishery.

Extensive sampling of lake trout in Lake Louise and Susitna Lake in the early 1990s indicated that lake trout spawning occurs primarily during September each year.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The subsistence fishery currently begins October 1 (generally after lake trout spawning) and current permit stipulations prohibit targeting and retention of lake trout. The department has submitted Proposal 129 to address the potentially unsustainable sport fish harvest of lake trout in Lake Louise.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. There is no biological reason to limit the freshwater finfish subsistence fishery and this proposal would be a reduction of subsistence opportunity.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 71-1. Harvest of lake trout from Lake Louise and Susitna and Tyone lakes, 1990–2010.

	Effort		Lake trout harvest[a]							Regulations	
Year	Sport fishery angler-days	Subsistence permits issued	Lake Louise sport	Susitna Lake sport	Tyone Lake sport	Tyone River drainage subsistence	Total	Lake Louise yield estimate[b]	Susitna Lake yield estimate[b]	Lake trout bag limit	Lake trout minimum size
1990	7,990	5	1,230	270	19	0	1,518			2	18"
1991	8,038	6	1,412	353	7	0	1,772			2	18"
1992	9,923	8	1,241	393	84	0	1,717			2	18"
1993	13,975	5	1,882	807	248	0	2,937			2	18"
1994	15,548	3	1,825	514	122	0	2,461			1	24"
1995	15,811	5	1,131	265	73	0	1,469			1	24"
1996	8,183	2	898	553	33	0	1,484			1	24"
1997	4,613	4	816	94	25	0	935			1	24"
1998	4,598	4	814	156	17	1	989			1	24"
1999	10,557	5	862	257	28	0	1,148			1	24"
2000	8,703	6	817	215	0	0	1,032			1	24"
2001	4,425	5	383	187	17	0	586			1	24"
2002	4,826	9	711	208	0	0	919			1	24"
2003	7,698	6	668	156	23	0	847			1	24"
2004	5,966	7	1,092	106	0	14	1,212			1	24"
2005	3,443	14	590	487	0	12	1,089	540	321	1	24"
2006	3,955	9	327	212	0	5	544	540	321	1	24"
2007	7,529	12	540	104	1	4	650	540	321	1	24"
2008	6,352	15	727	325	0	9	1,061	540	321	1	24"
2009	7,125	17	801	288	4	26	1,118	540	321	1	24"
2010	9,584	22	1,266	133	2	30	1,431	540	321	1	24"
Average 2000–2009	6,002	10	666	229	4	7	906				

[a] Harvest includes estimated sport harvest, plus 10% of the fish caught and released to incorporate hooking mortality and reported subsistence harvest.
[b] The Lake Area model yield estimate has only been used for management purposes since 2005.

PROPOSAL 56 – 5 AAC 24.361. Copper River King Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would add language to the *Copper River King Salmon Management Plan* (CRKSMP; 5 AAC 24.361) that provides management guidance for king salmon in the Chitina Subdistrict personal use dip net fishery and the Glennallen Subdistrict subsistence fishery.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations specific to the Chitina Subdistrict personal use dip net fishery and the Glennallen Subdistrict subsistence fishery within the CRKSMP.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide management options for the Chitina Subdistrict personal use dip net fishery and the Glennallen Subdistrict subsistence fishery similar to those guidelines provided to restrict the sport and commercial fisheries. It would provide consistent management and clarify for the board and public what actions the department may take for conservation of king salmon.

BACKGROUND: The Board of Fisheries (board) adopted the CRKSMP at its December 1996 meeting. This management plan specifically addressed management of the commercial, personal use, and sport fisheries of the Copper River. The CRKSMP was updated and modified during subsequent board meetings in 1999, 2002, and 2005. Modifications included establishing and updating the sustainable escapement goal (SEG) in 2002 and 2005, and removal of the personal use fishery reference when the Chitina Subdistrict was classified subsistence in 1999. Reference to the personal use fishery was inadvertently left out of the CRKSMP when the Chitina Subdistrict was reclassified as personal use in 2003 and has remained absent from the management plan.

Regulatory restrictions on the harvest of king salmon have been implemented in the Chitina Subdistrict personal use fishery in 2009, 2010, and 2011 (Table 56-1). The Upper Copper River king salmon sport fisheries were restricted by emergency order in 2000, 2005, 2009, 2010, and 2011. These actions in the personal use and sport fisheries were taken to ensure achievement of the overall escapement goal for king salmon in the Copper River drainage (Table 56-2). No actions have been implemented in the Glennallen Subdistrict subsistence fishery to reduce the harvest of king salmon.

The historical average harvest (1989 – 2010) of king salmon in the Glennallen Subdistrict subsistence fishery is 2,585, with a low harvest of 647 in 1990 and a high harvest of 4,856 in 2000 (Table 56-3). The historical average harvest of all salmon species in the Glennallen Subdistrict subsistence fishery is 63,894, with a reported low harvest of 29,216 in 1989 and a high harvest of 89,099 salmon in 2005.

DEPARTMENT COMMENTS: The department submitted this proposal and **SUPPORTS** it. This proposal provides management options for all the Copper River

fisheries and clarity for the board and users on what actions the department may take for conservation of king salmon.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.616 (a)(1) that salmon stocks in the Glennallen Subdistrict of the Upper Copper River District described in 5 AAC 01.605 (2) and the waters of the Copper River described in 5 AAC 01.647 (i)(3) are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? As noted above, regulatory restrictions on the harvest of king salmon have been implemented in the Upper Copper River king salmon sport fisheries in 2000, 2005, 2009, 2010, and 2011.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence (ANS) for the Glennallen Subdistrict of the Upper Copper River District in that portion from the southern boundary of the subdistrict at the downstream edge of the Chitina-McCarthy Road Bridge to the mouth of the Tonsina River an amount of 25,500–39,000 salmon; in that portion from the mouth of the Tonsina River upstream to the mouth of the Gakona River an amount of 25,500–31,000 salmon; and in that portion of the Copper River from the mouth of the Gakona River upstream to the mouth of the Slana River, and the waters of the Copper River as described in 5 AAC 01.647(i)(3) an amount of 12,000–12,500 salmon (5 AAC 01.616 (b)(1)). The total ANS for the Glennallen Subdistrict is 62,000–82,500 salmon. There is no ANS specific to king salmon.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 56-1. Regulatory action history for Upper Copper River king salmon fisheries, 2000–2011.

Year	Date	Chitina Subdistrict	Sport fishery
2000	26-Jun		Reduced annual limit for king salmon in the Upper Copper River drainage from four to two.
2001	No Action		
2002	1-Jun		Removed bait and hook restrictions in Copper River mainstem.
2003	No Action		
2004	No Action		
2005	2-Jul		Reduced annual limit for king salmon in the Gulkana River drainage from four to one.
2006	No Action		
2007	No Action		
2008	No Action		
2009	8-Jun	Closed the personal use dip net fishery to the retention of king salmon.	
	16-Jun		Reduced annual limit for king salmon in the Upper Copper River drainage from four to two, with only one of the two king salmon allowed from any tributary of the Copper River mainstem.
	29-Jun		Closed the Gulkana River drainage to king salmon fishing.
	27-Jul		Prohibited retention of king salmon from the Klutina River and prohibited the use of bait and treble hooks.
2010	21-Jun	Closed the personal use dip net fishery to the retention of king salmon.	Reduced annual limit for king salmon in the Upper Copper River drainage from four to two, with only one of the two king salmon allowed from any tributary of the Copper River mainstem.
2011	25-Jun		Reduced annual limit for king salmon in the Upper Copper River drainage from four to two, with only one of the two king salmon allowed from any tributary of the Copper River mainstem and prohibited the retention of king salmon in the Copper River drainage upstream of the Klutina River (including the Gulkana River).
	27-Jun	Closed the personal use dip net fishery to the retention of king salmon.	

Table 56-2. Summary of king salmon harvests and upriver escapement in the Copper River, 2000–2010.

Year	Commercial harvest[a]	CRD subsistence harvest[b]	Sport harvest[c]	Glennallen Subdistrict harvest[d]	Chitina Subdistrict harvest[d]	Total harvest	Estimated total return	Spawning escapement	Escapement goal
2000	32,005	689	5,531	4,856	3,168	46,249	70,741	24,492	28,000-55,000
2001	40,459	826	4,904	3,553	3,113	52,855	81,063	28,208	28,000-55,000
2002	39,536	549	5,098	4,217	2,056	51,456	72,958	21,502	28,000-55,000
2003	48,797	710	5,717	3,092	1,921	60,237	94,271	34,034	≥ 24,000
2004	38,735	1,106	3,435	3,982	2,502	49,760	80,405	30,645	≥ 24,000
2005	35,487	260	4,093	2,618	2,094	44,552	66,080	21,528	≥ 24,000
2006	31,071	779	3,425	3,229	2,681	41,185	99,639	58,454	≥ 24,000
2007	40,184	1,145	5,123	3,939	2,722	53,113	87,678	34,565	≥ 24,000
2008	12,025	470	3,616	3,218	2,022	21,351	53,838	32,487	≥ 24,000
2009	9,951	212	1,355	3,036	223	14,777	42,564	27,787	≥ 24,000
2010	10,591	276	2,419	2,425	718	16,429	33,053	16,624	≥ 24,000
Average 2006–2010	20,764	576	3,188	3,169	1,673	29,371	63,354	33,983	
Average 2001–2010	30,684	633	3,919	3,331	2,005	40,572	71,155	30,583	

[a] Includes commercial harvest, homepack, donated, and educational harvests.
[b] Includes state and federal subsistence harvests in the Copper River District.
[c] Includes sport harvest in the Copper River Delta and the upper Copper River upstream of Haley Creek.
[d] These data are expanded to reflect unreported state harvest and include reported federal subsistence harvest (2002–2004) and expanded federal subsistence harvest beginning in 2005.

Table 56-3. Historical subsistence salmon harvests, Glennallen Subdistrict, 1989–2010.

Year	Permits[a]		Estimated salmon harvests[b]				
	Issued	Returned	King	Sockeye	Coho	Unidentified salmon	Total
1989	386	360	787	28,360	69	0	29,216
1990	406	377	647	31,765	92	0	32,504
1991	711	639	1,328	39,599	232	0	41,159
1992	655	609	1,449	45,232	350	0	47,031
1993	772	690	1,434	53,252	77	0	54,763
1994	970	873	1,989	68,278	60	0	70,327
1995	858	785	1,892	52,516	882	0	55,290
1996	850	788	1,482	52,052	557	0	54,091
1997	1,133	1,054	2,583	82,807	187	0	85,577
1998	1,010	947	1,842	64,463	533	0	66,838
1999	1,101	1,007	3,278	77,369	1,121	0	81,768
2000	1,251	1,179	4,856	59,497	532	5	64,890
2001	1,239	1,176	3,553	83,787	1,144	20	88,504
2002	1,322	1,172	4,217	58,800	611	1	63,629
2003	1,233	1,107	3,092	60,623	619	0	64,334
2004	1,218	1,062	3,982	73,214	729	0	77,925
2005	1,236	1,084	2,618	86,140	341	0	89,099
2006	1,238	1,098	3,229	76,056	240	0	79,525
2007	1,455	1,275	3,939	83,338	295	0	87,572
2008	1,456	1,266	3,218	57,632	722	0	61,572
2009	1,367	1,193	3,036	60,517	262	0	63,815
2010	1,591	1,393	2,425	84,856	374	0	87,655
2006–2010	1,421	1,245	3,169	72,480	379	0	76,028
2001–2010	1,336	1,183	3,331	72,496	534	2	76,363
1989–2010	1,066	961	2,585	62,734	456	1	65,777

[a] Number of permits for state fishery, including federal subsistence fishery permits after 2001.
[b] Expanded state harvest data, plus federal reported harvest from 2002–2004. Includes expanded federal harvest after 2004.

PROPOSAL 72 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

PROPOSED BY: Chitina Dipnetters Association.

WHAT WOULD THE PROPOSAL DO? This proposal would disconnect management of the Copper River District commercial salmon fishery and the Chitina Subdistrict personal use fishery.

WHAT ARE THE CURRENT REGULATIONS? If the Copper River District commercial salmon fishery is closed for 13 or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would allow personal use salmon fishing in the Chitina Subdistrict to be based only on the number of salmon passing the Miles Lake sonar and would place no additional restrictions on the personal use fishery if the commercial fishery were closed for 13 or more days.

BACKGROUND: During its 1996 meeting, the Board of Fisheries (board) designated a maximum harvest level for the Chitina Subdistrict personal use salmon fishery of 100,000 salmon, not including any salmon in excess of the inriver goal or salmon taken after August 31. The board amended the regulation in 1998 by adding, "If the Copper River District commercial salmon fishery is closed for 13 or more consecutive days, the maximum harvest level in the Chitina Subdistrict is reduced to 50,000 salmon." In 1999, the board adopted a positive customary and traditional (C&T) use finding for the salmon stocks of the Chitina Subdistrict. Regulation 5 AAC 77.590 was repealed and re-adopted as 5 AAC 01.647(k)(3) of the *Copper River Subsistence Salmon Fisheries Management Plans,* excluding the 13-day commercial fishery closure trigger to reduce the maximum harvest to 50,000 salmon in the Chitina Subdistrict. In 2003, the board made a negative C&T determination for the Chitina Subdistrict and reinstated the *Copper River Personal Use Dip Net Salmon Fishery Management Plan* as 5 AAC 77.591, including section (f) as amended in 1998.

The 13-day commercial closure trigger to reduce the maximum harvest in the Chitina Subdistrict to 50,000 was implemented one time since its adoption in 1998 (excluding the 2000–2002 seasons when the Chitina Subdistrict was a subsistence fishery). During the 2008 season, the Copper River District commercial fishery was closed for longer than 13 days, from June 19–July 4. The Chitina Subdistrict personal use fishery was managed under a 50,000 salmon harvest level from July 2 through the remainder of the season. As a result, fishing time in the personal use fishery was reduced by nearly eight days (188 hours), between July 14 and August 31. If the maximum harvest level had not been reduced, there would have been no reduction in fishing time during this period.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 73 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

PROPOSED BY: Chitina Dipnetters Association.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the annual limit of king salmon from one to five for a household of two or more in the Chitina Subdistrict personal use dip net fishery.

WHAT ARE THE CURRENT REGULATIONS? The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will increase the annual harvest of king salmon in the Chitina Subdistrict personal use dip net fishery.

BACKGROUND: The 1991–1996 average harvest of king salmon was 3,724 fish in the Chitina Subdistrict personal use fishery, when the limit was five (Table 73-1). The average harvest from 1997–1999 was 6,028 king salmon, when the limit was four fish, and from 2000–2008, when the limit was one king salmon, harvests averaged 2,456 fish. Since 2009, the personal use dip net fishery has been closed to retention of king salmon on the following dates of each consecutive year: June 8, June 21, and June 27; therefore, harvests during these years are not reflective of an average harvest.

An annual limit of five king salmon was established in 1989 for the Chitina Subdistrict personal use fishery. In response to high king salmon harvests, the Board of Fisheries (board) adopted the *Copper River Chinook Salmon Management Plan* (5 AAC 24.360) at its 1996 meeting. This management plan attempted to reduce the harvest potential of king salmon in the Copper River by 5% and, as part of this goal, the annual limit in the Chitina Subdistrict personal use fishery was reduced from five to four king salmon. In 1999, the board adopted a positive customary and traditional (C&T) use finding for salmon stocks in the Chitina Subdistrict. Along with classifying the Chitina Subdistrict as a subsistence use area, the annual limit of king salmon was reduced from four to one fish based on a review of the historical average king salmon harvest in this fishery prior to 1997. In 2003, the board reversed its positive C&T determination for the Chitina Subdistrict and reinstated the *Copper River Personal Use Dip Net Salmon Fishery Management Plan*. The board viewed this as a change in name and allocation priority only. Management of the fishery continued as it had prior to the 1999 ruling, based upon the number of fish passing the Miles Lake sonar. The king salmon annual limit for the fishery was left at one fish.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 73-1. Number of permits issued and king salmon harvests for the Chitina Subdistrict personal use dip net fishery in the Copper River, 1991–2010.

Year	Number of permits	Permits fished	Bag limit	King salmon harvest[b]	Harvest/permit fished
1991	6,222	n/a	5	4,056	n/a
1992	6,385	n/a	5	3,405	n/a
1993	7,914	n/a	5	2,846	n/a
1994	7,061	n/a	5	3,743	n/a
1995	6,760	6,266	5	4,707	0.75
1996	7,198	6,735	5	3,584	0.53
1997	9,086	8,689	4	5,447	0.63
1998	10,006	9,492	4	6,723	0.71
1999	9,943	9,271	4	5,913	0.64
2000	8,151	7,216	1	3,168	0.44
2001	9,458	6,644	1	3,113	0.47
2002	6,804	4,480	1	2,023	0.46
2003	6,441	4,257	1	1,903	0.45
2004	8,156	4,955	1	2,495	0.50
2005	8,230	5,330	1	2,043	0.39
2006	8,497	5,291	1	2,663	0.51
2007	8,377	5,549	1	2,694	0.49
2008	8,041	4,803	1	1,999	0.42
2009[a]	7,958	4,830	1	223	0.05
2010[a]	9,970	6,075	1	718	0.12
Average 1991–1996	6,923	6,501	5	3,724	0.64
Average 1997–1999	9,678	9,151	4	6,028	0.66
Average 2000–2008	8,017	5,392	1	2,456	0.46

[a] The Chitina Subdistrict was closed to retention of king salmon on June 8, 2009, and June 21, 2010.

[b] Expanded state harvest data, plus federal subsistence reported harvest from 2002–2004 and federal subsistence expanded harvest after 2004.

PROPOSAL 74 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

PROPOSED BY: Chitina Dipnetters Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow personal use dipnetters to retain king salmon two to three days per week, at the department's discretion, in the Chitina Subdistrict when the Copper River commercial and sport fisheries are allowed to fish for or retain king salmon.

WHAT ARE THE CURRENT REGULATIONS? The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow the harvest of king salmon in the Chitina Subdistrict unless a complete closure of the commercial and sport king salmon fisheries is implemented. This would increase king salmon harvest levels in years the department would normally close the personal use fishery to retention of king salmon for conservation and if sport and commercial fisheries were not closed to king salmon retention, it would increase effort during the days king salmon harvest is allowed. In addition, this action could cause confusion among participants of the personal use fishery regarding when king salmon retention would be allowed.

BACKGROUND: An annual limit of five king salmon was established in 1989 for the Chitina Subdistrict personal use fishery. In response to high king salmon harvests, the Board of Fisheries (board) adopted the *Copper River Chinook Salmon Management Plan* (5 AAC 24.360) at its 1996 meeting. This management plan attempted to reduce the harvest potential of king salmon in the Copper River by 5%, and, as part of this goal, the annual limit of king salmon in the Chitina Subdistrict personal use fishery was reduced from five to four king salmon, and the annual limit for king salmon 20 inches or greater in length was reduced from five to four king salmon in the Upper Copper River drainage sport fisheries. In 1999, the board adopted a positive customary and traditional (C&T) use finding for salmon stocks for the Chitina Subdistrict. Along with the C&T finding for the Chitina Subdistrict, the board reduced the annual limit of king salmon in that fishery from four to one fish. In 2003, the board reversed its positive C&T determination for the Chitina Subdistrict and reinstated the *Copper River Personal Use Dip Net Salmon Fishery Management Plan*. The king salmon annual limit for the fishery was left at one fish.

The harvest of king salmon averaged 2,456 from 2000 to 2008 in the Chitina Subdistrict dip net fishery (Table 74-1). In 2009, 2010, and 2011, this fishery was closed for part of the season to retention of king salmon and harvest levels were below average. King salmon sport fisheries in the Upper Copper River drainage were also restricted during 2009, 2010, and 2011, which resulted in below average harvests. From 2000–2008, total sport harvest of king salmon averaged 4,549 fish annually.

Inseason regulatory actions in the personal use and sport fisheries are made to ensure achievement of the overall escapement goal for king salmon in the Copper River drainage. The department depends on historical harvest and effort data to project potential inseason

harvests and the number of king salmon that will, on average, escape harvest due to proposed restrictions. The Chitina Subdistrict has been consistently managed on a Monday to Sunday schedule since 1989, with fishing time based on the abundance of salmon passing the Miles Lake sonar. The average weekly king salmon harvest rate in the Chitina Subdistrict ranges 0.1 to 15.8 percent of total weekly harvest depending on the week (Figure 74-1).

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal due to the proposed management restrictions that would result in regulatory complexity and confusion among users and potentially increase king salmon harvest in years the department would normally be trying to reduce harvest. The department has the authority to restrict the king salmon bag limit by emergency order for conservation. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

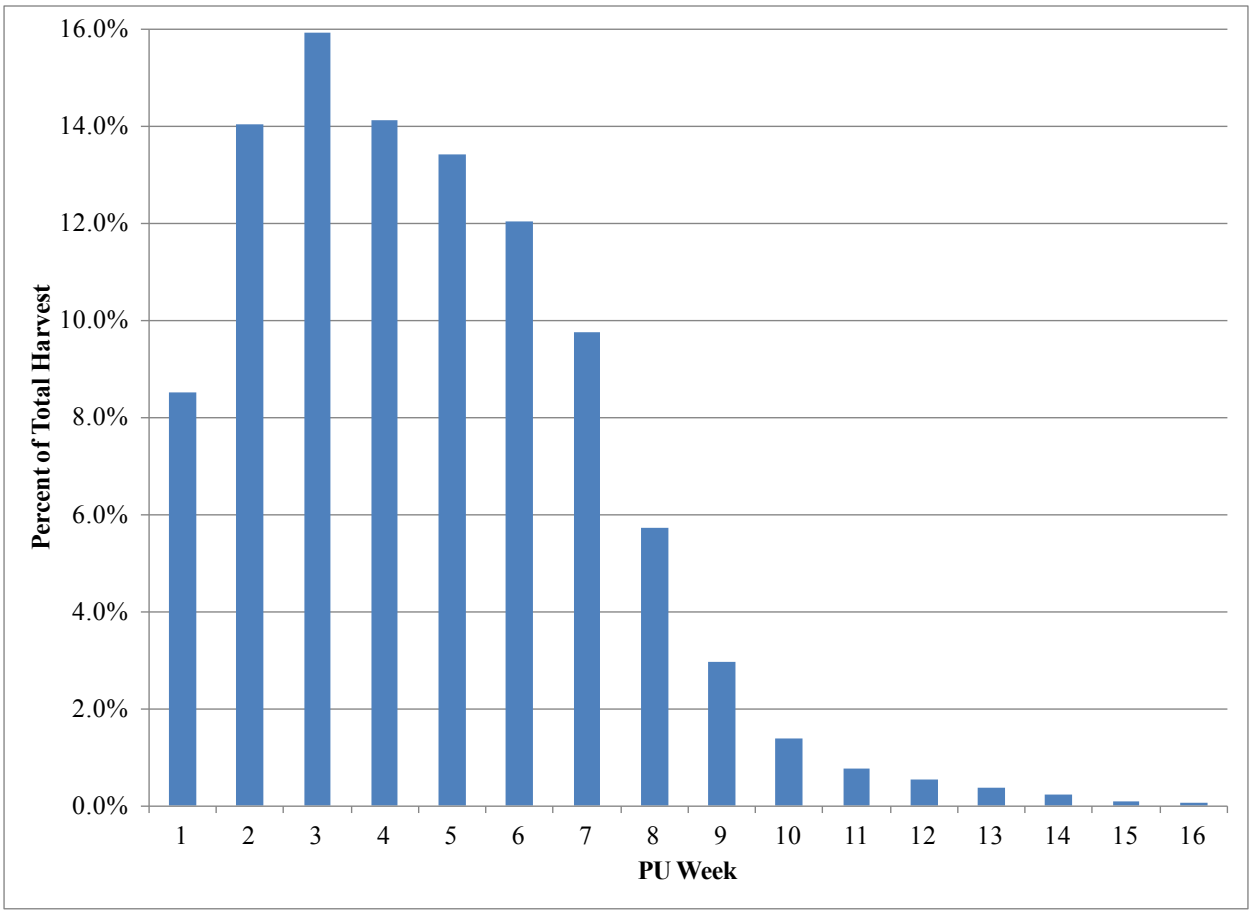


Figure 74-1. Average rate of weekly harvest for king salmon in the Chitina Subdistrict personal use dip net fishery from 2000–2008.

Table 74-1. King salmon harvest in the Chitina Subdistrict personal use dip net fishery and the Upper Copper River sport fisheries, 1991–2011.

Year	Chitina Subdistrict personal use fishery					Upper Copper River sport fisheries					
	No. of permits	King salmon harvest[a]	Bag limit	Inseason restrictions	Date	Sport harvest	Annual limit	Inseason restrictions	Date	King salmon Escapement	Escapement Goal
1991	6,222	4,056	5			4,884	5			ND	No goal
1992	6,385	3,405	5			4,412	5			ND	No goal
1993	7,914	2,846	5			8,217	5			ND	No goal
1994	7,061	3,743	5			6,431	5			ND	No goal
1995	6,760	4,707	5			6,709	5			ND	No goal
1996	7,198	3,584	5			9,116	5			ND	No goal
1997	9,086	5,447	4			8,346	4			ND	No goal
1998	10,006	6,723	4			8,245	4			ND	No goal
1999	9,943	5,913	4			6,742	4			16,294	No goal
2000	8,151	3,168	1			5,531	4	b	June 26	24,492	28-55,000
2001	9,458	3,113	1			4,904	4			28,208	28-55,000
2002	6,804	2,023	1			5,098	4			21,502	28-55,000
2003	6,441	1,903	1			5,717	4			34,034	>24,000
2004	8,156	2,495	1			3,435	4			30,645	>24,000
2005	8,230	2,043	1			4,093	4	c	July 2	21,528	>24,000
2006	8,497	2,663	1			3,425	4			58,454	>24,000
2007	8,377	2,694	1			5,123	4			34,565	>24,000
2008	8,041	1,999	1			3,616	4			32,487	>24,000
2009	7,958	223	1	No retention	June 8	1,355	4	d,e	June 16	27,787	>24,000
2010	9,970	718	1	No retention	June 21	2,419	4	d	June 21	16,624	>24,000
2011	ND	ND	1	No retention	June 27	ND	4	d,f	June 25	ND	>24,000
Average 2000–2008	8,017	2,456				4,549					

[a] Expanded state harvest, plus federal subsistence reported harvest from 2002–2004 and federal subsistence expanded harvest after 2004.
[b] Annual limit reduced from four to two.
[c] Annual limit reduced from four to two, with only one from the Gulkana River.
[d] Annual limit reduced from four to two, with only one king salmon allowed from any tributary of the Copper River mainstem.
[e] The Gulkana River was closed to king salmon fishing on June 29 and the Klutina River was closed to retention of king salmon on July 29.
[f] The Copper River drainage upstream of the Klutina River, and including the Gulkana River, was closed to retention of king salmon.

PROPOSAL 75 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

PROPOSED BY: Chitina Dipnetters Association.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the limit for sockeye salmon in the Chitina Subdistrict personal use salmon fishery when retention of king salmon is prohibited.

WHAT ARE THE CURRENT REGULATIONS? The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon. However, when the department determines that a weekly harvestable surplus of 50,000 or more salmon will be present in the Chitina Subdistrict, the commissioner shall establish, by emergency order, weekly periods during which the department shall issue a supplemental permit for 10 additional sockeye salmon to a permit applicant who has met the annual limit. King salmon may not be taken under the authority of a supplemental permit. A supplemental permit will be valid from Monday to the following Sunday of the week in which the surplus salmon are expected to be present in the Chitina Subdistrict. The department may specify other conditions in a supplemental permit. The department may issue an additional supplemental permit to a permittee who has met the limits of a previously-issued supplemental permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase the harvest potential of sockeye salmon in the Chitina Subdistrict personal use salmon fishery when retention of king salmon is prohibited, regardless of sockeye abundance indicators. Harvests of sockeye salmon may increase if participants harvest their entire limit.

BACKGROUND: Inseason management of the Chitina Subdistrict personal use dip net salmon fishery is guided by the *Copper River Personal Use Dip Net Salmon Fishery Management Plan*. The harvest is distributed throughout the season, based upon the fish counts from the Miles Lake sonar. A preseason schedule, based on projected inriver returns, establishes weekly fishing periods. Actual inriver returns are monitored inseason at the Miles Lake sonar and increases or decreases in fishing time are made to the preseason schedule based on the actual sonar counts. The maximum harvest level (based on historical harvest levels) for the Chitina Subdistrict is 100,000–150,000 salmon, not including salmon above the inriver goal or salmon harvested after August 31. The fishery is open by regulation for the month of September.

From 2000 to 2008, the king salmon harvest in the Chitina Subdistrict averaged 2.2% of the overall harvest in the Chitina Subdistrict, versus 95% for sockeye salmon (Table 75-1). The Miles Lake sonar does not currently distinguish between species and counts are considered the number of all salmon species passing the sonar. Management of the fisheries in order to achieve the Copper River drainage king salmon escapement goal has relied upon historical harvest data related to inseason proportional harvests within the

upriver fisheries. Management of sockeye salmon harvests has relied upon abundance of the return as determined at the Miles Lake sonar. Linking the management of these two species may lead to overharvest of sockeye salmon during years when sockeye salmon abundance does not warrant increased harvest.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal due to conservation concerns that an increase in harvest limit could increase sockeye salmon harvests when sockeye salmon abundance is low. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 75-1. Number of state permits issued and estimated state salmon harvests for the Chitina Subdistrict personal use dip net fishery in the Copper River, 1991–2010.

Year	Number of permits issued	Estimated salmon harvest[a]				Salmon per permit
		King	Sockeye	Coho	Total[b]	
1991	6,222	4,056	77,590	3,354	85,058	14
1992	6,385	3,405	86,724	1,517	91,682	14
1993	7,914	2,846	93,472	1,416	97,767	12
1994	7,061	3,743	94,024	1,981	99,823	14
1995	6,760	4,707	79,006	4,870	88,617	13
1996	7,198	3,584	95,007	3,381	102,108	14
1997	9,086	5,447	148,727	160	154,349	17
1998	10,006	6,723	137,161	2,145	146,075	15
1999	9,943	5,913	141,658	2,128	149,733	15
2000	8,151	3,168	107,856	3,657	114,884	14
2001	9,458	3,113	132,108	2,720	138,425	15
2002	6,804	2,023	85,968	1,934	90,242	13
2003	6,441	1,903	80,796	2,533	85,496	13
2004	8,156	2,495	107,312	2,860	113,176	14
2005	8,230	2,043	120,013	1,869	124,403	15
2006	8,497	2,663	123,261	2,715	129,103	15
2007	8,377	2,694	125,126	1,742	130,222	16
2008	8,041	1,999	81,359	2,711	86,476	11
2009	7,958	214	90,035	1,712	92,228	12
2010	9,970	700	138,487	2,013	141,565	14
Average 2000–2008	8,017	2,456	107,089	2,527	112,492	14

[a] Harvest data are state expanded figures and do not include federal subsistence harvest.
[b] Total harvest includes steelhead trout and other species.

PROPOSAL 76 – 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

PROPOSED BY: Elmer V. Marshall.

WHAT WOULD THE PROPOSAL DO? This proposal would delay the opening of the Chitina Subdistrict personal use dip net fishery by up to 14 days.

WHAT ARE THE CURRENT REGULATIONS? Salmon may be taken in the Chitina Subdistrict from June 1 through September 30. A preseason schedule is established, including fishing times, for the period June 1 through August 31 based on daily projected sonar counts at the sonar located near Miles Lake. This abundance-based preseason schedule will distribute the harvest throughout the season. The Chitina Subdistrict personal use salmon fishing season opens on or before June 11 depending on run strength and timing of the sockeye salmon run. Adjustments are made to the preseason schedule based on actual sonar counts compared to projected counts. If the actual sonar count at Miles Lake is more than the projected sonar count, fishing time is increased by a corresponding amount of time. If the actual sonar count at Miles Lake is less than the projected sonar count, fishing time is reduced by a corresponding amount of time.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would delay the opening of the Chitina Subdistrict personal use dip net fishery by an average of 10 days. King and sockeye salmon harvest in the Chitina Subdistrict personal use fishery would likely decrease with the adoption of this proposal.

BACKGROUND: From 2000–2009, an average of 119,232 sockeye and 2,302 king salmon have been harvested by an average of 9,008 permit holders in the Chitina Subdistrict. Approximately 12% of the annual king salmon harvest is completed by June 15 each year (Table 76-1).

Inseason management of the Chitina Subdistrict personal use dip net salmon fishery is guided by the *Copper River Personal Use Dip Net Salmon Fishery Management Plan*. The harvest is distributed throughout the season, based upon the fish counts from the Miles Lake sonar. A preseason schedule, based on projected inriver returns, establishes weekly fishing periods. Actual inriver returns are monitored inseason at the Miles Lake sonar and increases or decreases in fishing time are made to the preseason schedule based on the actual sonar counts. The maximum harvest level (based on historical harvest levels) for the Chitina Subdistrict is 100,000–150,000 salmon, not including salmon above the inriver goal or salmon harvested after August 31. The fishery is open by regulation for the month of September.

The purpose of this proposal is to allow more "native salmon" into the Glennallen Subdistrict of the Upper Copper River. Currently, the combined amount necessary for subsistence (ANS) for the Glennallen Subdistrict is 62,000–82,500 salmon. Table 76-2 shows that the historical average of 63,894 salmon, as well as the past 5-year average of

76,028 salmon, and 10-year average of 72,222 salmon are meeting the ANS for salmon in the Glennallen Subdistrict.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The proposed action is unnecessary for conservation since management of the Chitina Subdistrict personal use fishery is already abundance-based.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616(a)(1) that salmon stocks in the Glennallen Subdistrict of the Upper Copper River District, described in 5 AAC 01.605 (2), and the waters of the Copper River, described in 5 AAC 01.647(i)(3), are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has established a total ANS for the Glennallen Subdistrict of the Upper Copper River District of 62,000–82,500 salmon, broken out between portions as follows:
    - from the southern boundary of the subdistrict at the downstream edge of the Chitina-McCarthy Road Bridge to the mouth of the Tonsina River, an amount of 25,500–39,000 salmon;
    - from the mouth of the Tonsina River upstream to the mouth of the Gakona River, an amount of 25,500–31,000 salmon; and
    - from the mouth of the Gakona River upstream to the mouth of the Slana River and the waters of the Copper River, as described in 5 AAC 01.647(i)(3), an amount of 12,000–12,500 salmon (5 AAC 01.616 (b)(1))..

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 76-1. Reported salmon harvest in the Chitina Subdistrict personal use fishery from June 1–14, 2000–2010.

Year	June 1-14 salmon harvest	Percent of annual harvest	Hours open	Total annual harvest
2000	1,362	1	12	108,562
2001	22,919	19	252	123,270
2002	7,337	10	156	76,696
2003	8,467	11	256	75,100
2004	18,608	19	282	97,594
2005	16,924	15	320	110,589
2006	12,391	12	128	106,840
2007	13,169	11	132	118,746
2008	7,669	10	216	75,454
2009	7,652	9	324	83,336
2010	11,855	10	208	119,266
Average 2000–2009	11,650	12	208	97,619

Table 76-2. Historical subsistence salmon harvests, Glennallen Subdistrict, 1989–2010.

Year	Permits[a]		Estimated salmon harvests[b]				
	Issued	Returned	King	Sockeye	Coho	Unknown salmon	Total
1989	386	360	787	28,360	69	0	29,216
1990	406	377	647	31,765	92	0	32,504
1991	711	639	1,328	39,599	232	0	41,159
1992	655	609	1,449	45,232	350	0	47,031
1993	772	690	1,434	53,252	77	0	54,763
1994	970	873	1,989	68,278	60	0	70,327
1995	858	785	1,892	52,516	882	0	55,290
1996	850	783	1,482	52,052	557	0	54,091
1997	1,133	1,054	2,583	82,807	187	0	85,577
1998	1,010	947	1,842	64,463	533	0	66,838
1999	1,101	1,007	3,278	77,369	1,121	0	81,768
2000	1,251	1,179	4,856	59,497	532	5	64,890
2001	1,239	1,176	3,553	83,787	1,144	20	88,504
2002	1,322	1,172	3,653	50,850	530	1	55,034
2003	1,233	1,107	2,538	47,007	467	0	50,012
2004	1,218	1,062	3,346	55,510	577	0	59,433
2005	1,228	1,089	2,618	86,140	341	0	89,099
2006	1,238	1,100	3,229	76,056	240	0	79,525
2007	1,455	1,274	3,939	83,338	295	0	87,572
2008	1,456	1,266	3,218	57,632	722	0	61,572
2009	1,367	1,193	3,036	60,517	262	0	63,815
2010	1,591	1,393	2,425	84,856	374	0	87,655
2006–2010	1,421	1,245	3,169	72,480	379	0	76,028
2001–2010	1,335	1,183	3,156	68,569	495	2	72,222
1989–2010	1,066	961	2,506	60,949	438	1	63,894

[a] Number of permits for state fishery, including federal subsistence fishery permits after 2001.
[b] Expanded state harvest data, plus federal reported harvest from 2002–2004. Includes expanded federal harvest after 2004.

PROPOSAL 126 - 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area and 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper and Upper Susitna River Areas. *(This proposal erroneously cited only as 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper and Upper Susitna River Areas.)*

PROPOSED BY: Paxson Fish and Game Advisory Committee

WHAT WOULD THE PROPOSAL DO? This proposal would change the season dates for king salmon on the Gulkana River from January 1 through July 19 to June 10 through August 10. It would also prohibit fishing for king salmon on Sundays and Mondays each week during this season.

WHAT ARE THE CURRENT REGULATIONS? Under general provisions for the Upper Copper and Upper Susitna Rivers (including the Gulkana River), the fishing season for king salmon is January 1-July 19. Under special provisions, some areas of the Gulkana River drainage are closed to king salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add a special provision to delay the start of the king salmon fishery on the Gulkana River until June 10 and extend the season end date from July 19 to August 10. Sport fishing opportunity would be reduced by closing the fishery on Sundays and Mondays, and by reducing the total available fishing days from a minimum of 49 days to 43 days. The current season closure date of July 19 in general provisions was established to reduce sport fishing on spawning king salmon in the upper Copper River drainages. Extending the season by 22 days in the Gulkana River would increase the likelihood of anglers fishing and disturbing spawning king salmon or catching king salmon in near spawning condition. This proposal could potentially increase harvest of Gulkana River king salmon due to extending the season when the greatest number of king salmon are available.

BACKGROUND: The department has operated a counting tower on the Gulkana River upstream of the West Fork since 2002. No escapement goal has been set for Gulkana River king salmon. King salmon counts at the counting tower have ranged from 2,267 in 2010 to 6,355 in 2002 (Figure 126-1). Average passage over this period was 4,043 king salmon. Counts over the past four years (2008–2011) have all been below this average. From 2002–2011, an average of 83% of the king salmon run has passed the tower by July 19.

King salmon begin entering the Gulkana River in late May. Radiotelemetry data from 1999–2004 indicated that 96% of Gulkana River king salmon enter the river by July 19 (Table 126-1). King salmon spawn throughout the Gulkana River drainage. However, radiotelemetry studies from 2002–2004 indicated an average of 72% (range 50% to 86%) of the spawning in the Gulkana River occurs upriver of the counting tower. The Gulkana

River king salmon fishery has closed July 20 since 1994 to protect spawning king salmon.

Observations of the Gulkana River king salmon fishery indicate that angler effort is not equally distributed throughout the week and is driven more by water conditions than by day of week. Closing the river two days per week may have little effect in reducing harvest since effort may increase during the five days the fishery is open, particularly during favorable fishing conditions.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The suggested season could increase harvest since it would extend the fishery when more fish would be in the river. There would be a minimal reduction in fishing time, it would likely result in anglers fishing on spawning fish, and it would add regulatory complexity. The department is **NEUTRAL** to the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

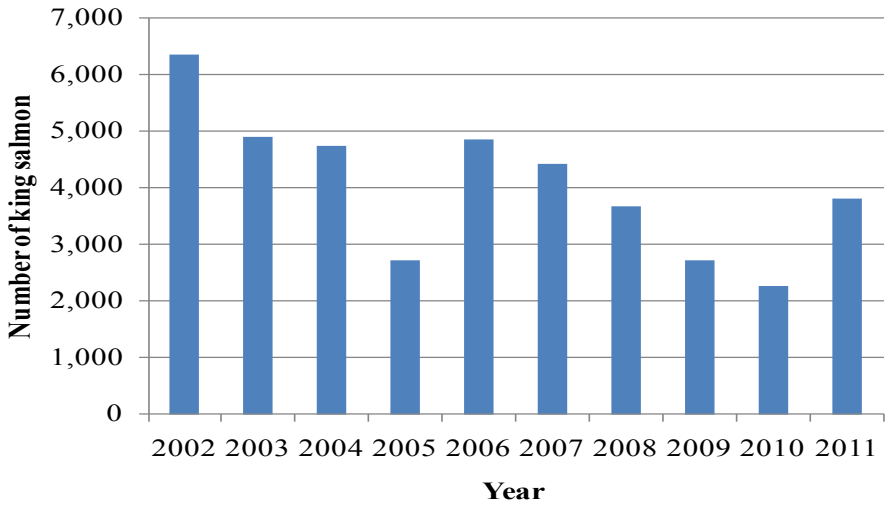


Figure 126-1. Final escapement counts of king salmon past the Gulkana River counting tower, 2002–2011.

Table 126-1. Run timing of king salmon in the Gulkana River, as determined through radiotelemetry, 1999–2004.

Percent of Radio Tags Entering River	Gulkana River run timing dates						
	1999	2000	2001	2002	2003	2004	Average
10	13-Jun	17-Jun	7-Jun	20-Jun	9-Jun	13-Jun	12-Jun
20	18-Jun	23-Jun	12-Jun	21-Jun	14-Jun	14-Jun	16-Jun
30	29-Jun	26-Jun	14-Jun	23-Jun	26-Jun	16-Jun	22-Jun
40	2-Jul	28-Jun	16-Jun	27-Jun	27-Jun	20-Jun	24-Jun
50	4-Jul	29-Jun	18-Jun	29-Jun	29-Jun	21-Jun	26-Jun
60	5-Jul	1-Jul	21-Jun	30-Jun	1-Jul	22-Jun	28-Jun
70	7-Jul	3-Jul	24-Jun	2-Jul	3-Jul	29-Jun	1-Jul
80	10-Jul	8-Jul	26-Jun	10-Jul	5-Jul	4-Jul	5-Jul
90	15-Jul	12-Jul	1-Jul	11-Jul	6-Jul	8-Jul	8-Jul
100	30-Jul	5-Aug	21-Jul	30-Jul	23-Jul	18-Jul	26-Jul
Percent after July 19[a]	5%	6%	7%	6%	1%	0%	4%

[a] Percentage of radio tags entering the Gulkana River after July 19.

PROPOSAL 127 - 5 AAC 24.361. Copper River King Salmon Management Plan and 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Areas. *(This proposal erroneously cited only as 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.)*

PROPOSED BY: Shawn Gilman.

WHAT WOULD THE PROPOSAL DO? This proposal would place some restriction (to be determined) on guided sport fisheries in the Upper Copper River drainage when the inside regulatory area of the Copper River District is closed to commercial drift gillnetting.

WHAT ARE THE CURRENT REGULATIONS? There are currently no restrictions on the guided sport fishery specifically tied to when the commercial fishery is closed for conservation measures. The sport fishery may be restricted when the king salmon run is poor, based on inseason assessment projects; closures are not necessarily triggered by restrictions in the commercial fishery. Management actions in the Copper River king salmon fisheries are directed by the *Copper River King Salmon Management Plan*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would restrict sport fishing guiding operations in the Upper Copper River based on closures made to the Copper River District commercial fishery, rather than on abundance-based management. In addition, it would reduce access to area rivers for sport anglers who do not own their own boats or anglers not familiar with Upper Copper-Upper Susitna Management Area (UCUSMA) rivers. Guided sport fishing opportunity and harvests would likely be reduced.

BACKGROUND: At its 1996 meeting, the Board of Fisheries (board) closed several Upper Copper River tributaries and small streams and lakes to sport fishing for king salmon. The board also shortened the fishing season on the Klutina River by 10 days. These actions were taken to protect spawning king salmon. In addition, the board adopted the *Copper River King Salmon Management Plan,* which was designed to reduce the harvest potential of the commercial, personal use, and sport fisheries by 5% to provide escapement levels at or above historical levels. This was achieved in the commercial fishery through possible closures of the inside statistical areas during statistical weeks 20 and 21, in the personal use fishery through reduction of the annual bag limit from five to four king salmon, and in the sport fishery through the prohibition of guiding in the flowing waters of the Copper River drainage on Tuesdays from May 15 to July 31. At the 1999 board meeting, the latter provision was deemed ineffective; as a result, the king salmon annual limit was reduced from five to four in the Copper River drainage to achieve the desired 5% harvest reduction, and the guide restriction was rescinded. Also at this meeting, the personal use annual limit was reduced from four to one king salmon to maintain harvest levels at historical levels when the fishery became a subsistence fishery; the annual bag limit remained at one fish when the Chitina

Subdistrict was reclassified personal use in 2003. At its 2005 meeting, the board adopted a proposal that allowed no more than one commercial fishing period per week during statistical weeks 20 and 21 within the inside closure area. The board adopted proposals at its 2008 meeting which closed several small tributaries in the Copper and Chitina river drainages to sport fishing for king salmon, modified the king salmon sport fishing season for the Copper River drainage from the Klutina River to Haley Creek from January 1 through July 19 (or July 31 for portions of the Klutina River) to July 1 through August 10 (with closing dates of July 19 and July 31 for the upper portions of the mainstem Klutina and Tonsina rivers), and prohibited removal from the water of any salmon before release.

Creel survey data indicate that guided king salmon anglers are more successful than unguided anglers on the Gulkana and Klutina rivers. Since 2005, ADF&G has required guides to log the harvest and number of fish released per client by trip and fishing site. From 2006 through 2009, 19–29 guides have operated annually on the Gulkana River, and 22–28 guides have operated on the Klutina River (Table 127-1). According to guide logbook data, from 2006 to 2010, guided anglers harvested 147–754 king salmon from the Gulkana River and 374–904 king salmon from the Klutina River.

The *Copper River King Salmon Management Plan* directs management actions restricting Upper Copper River king salmon fisheries and affects guided anglers the same as unguided anglers. Management actions restricting the sport king salmon fishery in the Upper Copper River drainage were taken in 2000, 2005, and 2009–2011.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal due to the potential reduction in the department's ability to manage the individual fisheries for Copper River king salmon escapement. In years when the commercial fishery is restricted due to a weak king salmon run, it may be unnecessary to restrict the sport fishery (or other upriver fisheries) as the commercial fishery restriction may be sufficient to achieve spawning escapement. The department currently has the tools within the *Copper River King Salmon Management Plan* to manage all Copper River fisheries to achieve the SEG in years when the king salmon run may be weak. Management actions in the Copper River king salmon fisheries are taken to achieve spawning escapement, and are independent of the actions taken in the individual fisheries. The department is NEUTRAL on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 127-1. Guided and unguided fishing effort and harvest of king salmon on the Gulkana and Klutina rivers, 2006–2010[a].

Site	Year	Number of guides	Guided angler-days	Guided trips	Guided sport harvest	Total sport angler-days	Total sport harvest
Gulkana River	2006	27	874	240	478	14,455	2,147
Gulkana River	2007	28	1,251	364	754	22,620	3,275
Gulkana River	2008	29	1,001	284	504	20,893	2,323
Gulkana River	2009	19	364	109	147	17,713	516
Gulkana River	2010	ND	452	139	197	16,708	1,452
Klutina River	2006	22	1,614	476	842	12,285	1,136
Klutina River	2007	28	1,657	500	904	16,512	1,687
Klutina River	2008	22	1,571	470	688	12,677	1,160
Klutina River	2009	28	1,203	359	374	15,665	733
Klutina River	2010	25	1,286	407	563	16,532	866

[a] Data on guided fishing and guided harvest are from sport fish guide logbooks. Sport angler-days and total sport harvest are from the Statewide Harvest Survey.

PROPOSAL 128 – 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area and 5 AAC 52.023. Special provisions for seasons, bag, possession and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

PROPOSED BY: Ralph Lohse.

WHAT WOULD THE PROPOSAL DO? This proposal would limit nonresident sport anglers to shipping only one bag limit of any species outside of Alaska annually. It would also require that the angler obtain an export shipping label signed by a department representative and complete a department export report and harvest survey.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations limiting the amount of sport-caught fish a nonresident can ship out of state or requiring nonresidents to report the number of fish they harvest in the state.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would likely reduce the overall sport harvest of most fish species by nonresidents. It would also require the department to print, issue, and track export labels and reports for nonresidents to complete who wish to ship their fish out of state.

BACKGROUND: One of the issues being addressed by this proposal is the perception that sport harvest is not counted accurately, especially the harvest of nonresident anglers. The submitters of this proposal are concerned that this could cause stock declines due to lack of information with which to make the appropriate management decisions.

Currently, sport fish harvest data are collected by several methods. Since 2005, freshwater fishing guides are required to record fishing effort, fish harvest, and catch data by individual anglers (who are identified by name and fishing license number) in logbooks on a trip-by-trip basis. Logbook data are required to be submitted weekly. The department also conducts an annual statewide 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 (this includes guided and unguided data). In addition, the department occasionally conducts on-site creel surveys on major freshwater salmon fisheries in the UCUSMA. During creel surveys, the size and species composition of the harvest is sampled, and estimates of effort, harvest, and catch are obtained for guided and unguided anglers.

Based on sport harvest data collected through sport fishing guide logbooks from 2006–2010, approximately 74% of guided anglers in the UCUSMA were nonresident; they harvested 72% of the guided sport harvest, or 6,784 fish (1,357 fish annually). King salmon were the predominant species harvested by guided nonresident anglers, representing 58% of all species harvested from 2006–2010; sockeye salmon were the second highest species harvested, representing 32% of all species harvested.

Based on the Statewide Harvest Survey (SWHS), approximately 52% of the annual salmon harvest and 14% of the resident species harvest in the UCUSMA from 2000–2009 were by nonresidents (Table 128-1). Nonresident harvest during this period averaged 9,597 fish annually (all species combined), with king and sockeye salmon the predominant species harvested.

From 2000–2009, average annual sport harvest of king salmon represented 10% of the total Copper River king salmon harvest, and average annual sockeye salmon sport harvests represented 1% of the total Copper River sockeye salmon harvest (commercial, sport, personal use, and subsistence).

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. This proposal would unduly reduce or restrict a large portion of the angling public from participating in sport fishing. It is likely that the harvest by nonresident anglers has had little impact on past management actions in the UCUSMA sport fisheries. There are currently no conservation concerns for the fish stocks in the UCUSMA. The department manages the sport fishery harvests by bag, possession, and annual limits; methods and means; and time and area closures that are established in regulation or by emergency order. Where and how fish are transported, and in what quantity, do not affect the department's ability to achieve escapement objectives or manage for sustained yield.

Extensive logistical concerns, a need for additional enforcement personnel, and the requirement to construct a new recordkeeping system integrating all shipping sources make this proposal virtually unenforceable. Additionally, legal loopholes exist with the present wording of the proposal; the loopholes would allow persons to circumvent the intended purpose with ease.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 128-1. Harvest by resident and nonresident anglers of the major sport species in the UCUSMA and percent of nonresident harvest.

Year	King salmon			Sockeye salmon			Coho salmon			Rainbow trout		
	NR	R	% NR	NR	R	% NR	NR	R	% NR	NR	R	% NR
2000	2,611	2,920	47	5,952	6,409	48	21	303	6	372	2,505	13
2001	2,744	2,160	56	4,773	3,396	58	92	0	100	289	2,127	12
2002	2,466	2,632	48	3,623	4,138	47	358	26	93	616	2,678	19
2003	2,237	3,480	39	3,300	3,808	46	266	11	96	171	3,590	5
2004	1,827	1,608	53	4,614	1,850	71	52	79	40	667	1,644	29
2005	2,419	1,674	59	4,452	3,683	55	0	72	0	361	1,546	19
2006	1,920	1,505	56	8,280	6,017	58	54	0	100	383	1,840	17
2007	3,114	1,999	61	10,735	12,274	47	0	0	0	103	532	16
2008	1,903	1,715	53	5,477	5,954	48	29	28	51	62	939	6
2009	789	566	58	6,506	6,909	48	0	36	0	45	1,209	4
Average	2,203	2,026	53	5,771	5,444	53	87	56	49	307	1,861	14

Year	Lake trout			Arctic grayling			Dolly Varden			Burbot		
	NR	R	% NR	NR	R	% NR	NR	R	% NR	NR	R	% NR
2000	177	1,512	10	882	5,197	15	50	941	5	0	2,290	0
2001	86	996	8	910	3,484	21	408	1,139	26	0	1,506	0
2002	241	1,814	12	2,344	5,454	30	306	1,082	22	9	2,215	0
2003	170	1,592	10	841	4,920	15	192	1,386	12	0	1,457	0
2004	130	1,763	7	1,000	3,115	24	303	1,863	14	0	1,117	0
2005	451	1,425	24	544	2,856	16	202	528	28	43	1,321	3
2006	309	386	44	586	2,520	19	136	630	18	45	530	8
2007	120	804	13	380	2,386	14	50	651	7	0	577	0
2008	43	1,262	3	387	3,605	10	133	264	34	16	1,201	1
2009	197	1,479	12	492	3,865	11	104	839	11	0	2,850	0
Average	192	1,303	14	837	3,740	17	188	932	18	11	1,506	1

PROPOSAL 129 - 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area and 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would remove the minimum length limit for lake trout in Lake Louise, as well as in Crosswind, Susitna, and Tyone lakes, and; would prohibit use of bait in these waters from April 16 to October 31.

WHAT ARE THE CURRENT REGULATIONS? In Crosswind, Susitna, and Tyone lakes, and in Lake Louise, there are no bait or hook restrictions. The bag and possession limit for lake trout is one fish 24 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would likely reduce harvest levels of lake trout from Lake Louise, as well as Crosswind, Susitna, and Tyone lakes, and likely ensure harvests are within the guidelines of the *Wild Lake Trout Management Plan*.

BACKGROUND: Management of lake trout populations in the Upper Copper-Upper Susitna Management Area (UCUSMA) is directed by the *Wild Lake Trout Management Plan* (5 AAC 52.060). The department uses the Lake Area (LA) model to estimate the total sustainable biomass (yield) of lake trout that can be removed from a lake based on the size of the lake. By sampling the size and weight distribution of the population, the department can determine the number of lake trout that can be harvested based on current length limits. These data are not collected for all lake trout lakes, but yield estimates for lakes not assessed can be generated based on data from assessed lakes of similar acreage and ecological structure.

Lake trout are a slow growing, late maturing fish that generally populate low productivity lakes. Management strategies used to regulate lake trout fisheries incorporate a minimum bag and/or size limit, maximum size limit, or no size limit. In the UCUSMA, anglers are limited to a general bag limit of two lake trout in most lakes or only one lake trout with or without a minimum size limit in the area's larger, popular lakes.

The average estimated lake trout harvest from 2005–2009 was 597 fish from Lake Louise, 283 from Susitna Lake, and 374 Crosswind Lake (Table 129-1). Harvest in 2010 was 1,266, 133, and 297 lake trout from these lakes, respectively. Total harvest of lake trout has averaged above the yield estimates for Lake Louise and Crosswind Lake from 2005–2009.

The estimated annual sustainable yield of lake trout from Lake Louise is 2,219 kg. With the current 24-inch minimum size limit and the estimated size distribution of lake trout in Lake Louise, the annual yield is estimated to be 540 fish. Under the proposed "no size"

limit, the sustainable yield would be 848 lake trout because fewer large fish would presumably be harvested. For Susitna Lake, the sustainable yield would increase from 321 to 431 lake trout. In Crosswind Lake, the sustainable yield would rise from 361 to 565 lake trout. It is assumed that anglers will harvest a greater size range of lake trout under the proposed regulation. In addition, the bait restriction would limit potential harvest.

DEPARTMENT COMMENTS: The department submitted this proposal and **SUPPORTS** it. This proposal provides management consistency in the major lake trout fisheries in the area and is in alignment with the *Wild Lake Trout Management Plan*. A similar management strategy has been employed in Paxson and Summit lakes for five years.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 129-1. Estimated total lake trout harvest[a] from Lake Louise, Susitna Lake, Tyone Lake, and Crosswind Lake, 1991–2010.

	Lake trout harvest			
Year	Crosswind Lake	Lake Louise	Susitna Lake	Tyone Lake
1991	532	1,412	353	70
1992	481	1,241	393	278
1993	411	1,882	807	450
1994	591	1,825	514	228
1995	180	1,131	265	189
1996	428	898	553	131
1997	132	816	94	70
1998	368	814	156	37
1999	732	862	257	201
2000	358	817	215	0
2001	99	383	187	30
2002	367	711	208	0
2003	507	668	156	226
2004	181	1,092	106	0
2005	693	590	487	0
2006	220	327	212	ND
2007	209	540	104	12
2008	215	727	325	ND
2009	531	801	288	35
2010	297	1,266	133	21
Average 2005–2009	374	597	283	NA
Yield estimate[b]	361	540	321	NA

[a] Total harvest represents estimated harvest, plus 10% of the estimated fish released to account for hooking mortality.
[b] Yield estimates are based on a 24" minimum length. The department has managed the UCUSMA lakes using the Lake Area model since 2005.

PROPOSAL 130 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

PROPOSED BY: Laurie Thorpe.

WHAT WOULD THE PROPOSAL DO? This proposal would replace the current 24-inch minimum length limit for lake trout in Lake Louise and Crosswind Lake with a 28-inch maximum length limit.

WHAT ARE THE CURRENT REGULATIONS? Under special provisions, in Crosswind Lake and Lake Louise, the bag and possession limit for lake trout is one fish 24 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would alter the management strategies for lake trout in Lake Louise and Crosswind Lake and would be inconsistent with management strategies employed on other large lakes in the Upper Copper-Upper Susitna Management Area (UCUSMA). Harvest of lake trout would likely increase in these lakes without any additional regulations limiting effectiveness of catching lake trout (i.e., no bait, single-hook, artificial lures).

BACKGROUND: Lake trout are a slow growing, late maturing fish. Management strategies used to regulate lake trout fisheries incorporate either a minimum bag and/or size limit, maximum size limit, or no size limit. Each strategy has potential long-term effects on lake trout populations and each is affected by angler effort, specific lake characteristics, and lake trout population.

The average estimated lake trout harvest from 2005–2009 was 597 fish from Lake Louise, 283 from Susitna Lake, and 374 Crosswind Lake (Table 130-1). Harvest in 2010 was 1,266 and 297 lake trout, respectively. Total estimated harvest of lake trout has averaged above the yield estimates for Lake Louise and Crosswind Lake from 2005–2009.

This proposal is specific to Lake Louise and Crosswind Lake. However, the department has documented that lake trout do move between Lake Louise and Susitna Lake; it is likely that they move into Tyone Lake as well. If adopted, this proposal should include Susitna and Tyone lakes.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department prefers the lake trout management options presented in department proposal 129.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 130-1. Angler effort and total lake trout harvest[a] from Crosswind Lake and Lake Louise, 1991–2010.

	Angler-days		Lake trout harvest	
Year	Crosswind Lake	Lake Louise	Crosswind Lake	Lake Louise
1991	1,228	5,910	532	1,412
1992	1,504	6,765	481	1,241
1993	1,358	10,316	411	1,882
1994	1,649	9,976	591	1,825
1995	1,719	9,352	180	1,131
1996	1,323	5,436	428	898
1997	865	3,544	132	816
1998	966	3,490	368	814
1999	2,309	6,654	732	862
2000	1,111	5,671	358	817
2001	1,914	3,048	99	383
2002	986	3,408	367	711
2003	2,328	5,934	507	668
2004	1,401	4,658	181	1,092
2005	2,392	2,396	693	590
2006	765	2,732	220	327
2007	759	4,487	209	540
2008	1,333	3,790	215	727
2009	2,056	4,666	531	801
2010	667	7,891	297	1,266
Average 2005–2009	1,461	3,614	374	597
Yield estimate[b]			361	540

[a] Total harvest represents estimated harvest, plus 10% of the estimated fish released to account for hooking mortality.

[b] Yield estimates are based on a 24" minimum length. The department has managed the UCUSMA lakes using the Lake Area model since 2005.

PROPOSAL 71 - 5 AAC 01.610. Fishing seasons and 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper and Upper Susitna River Area. *(This proposal erroneously cited as 5 AAC 01.625. Waters closed to subsistence fishing.)*

PROPOSED BY: Wayne Simmons.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a spawning closure in the sport and subsistence fisheries in Lake Louise as well as in Susitna and Tyone lakes; the closure would prohibit fishing for lake trout from September 1 through October 14.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations limiting subsistence fishing time for nonsalmon freshwater fish species, unless restricted in stipulations within a freshwater subsistence fishing permit. Current permit stipulations limit subsistence gillnetting for whitefish to October 1 through March 31.

The sport fishing season for lake trout in Lake Louise, Susitna and Tyone lakes is open year-round with bag limit of one fish, 24 inches or greater in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add a special provision to close the sport fishery for lake trout for 44 days and would reduce the current open season of the subsistence whitefish gillnet fishery by 14 days, from October 1–14. Subsistence whitefish fishing opportunity and harvest, and lake trout sport harvest, would likely be reduced.

BACKGROUND: Management of lake trout populations in the Upper Copper-Upper Susitna Management Area (UCUSMA) is directed by the *Wild Lake Trout Management Plan* (5 AAC 52.060). The department uses a Lake Area (LA) model to estimate yield as a conservative guideline for sustainable harvests of lake trout from area lakes. Sport harvest of lake trout has exceeded the yield estimate for Lake Louise for the past several years despite a one-fish bag limit and minimum size restriction of 24 inches (Table 71-1). However, sport angler effort during September and early October is minimal compared to sport fishing effort during summer months and through the ice.

Total estimated harvest of lake trout from Lake Louise, Susitna Lake, and Tyone Lake has averaged 906 fish from 2000–2009 and totaled 1,431 fish in 2010 (Table 71-1). Reported harvest of lake trout in the subsistence whitefish gillnet fishery accounted for less than 1% of the average harvest from these lakes from 2000–2009, and 2.2% of the 2010 harvest. Currently, retention of incidentally caught nontarget species is prohibited through permit stipulations in the subsistence whitefish gillnet fishery.

Extensive sampling of lake trout in Lake Louise and Susitna Lake in the early 1990s indicated that lake trout spawning occurs primarily during September each year.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The subsistence fishery currently begins October 1 (generally after lake trout spawning) and current permit stipulations prohibit targeting and retention of lake trout. The department has submitted Proposal 129 to address the potentially unsustainable sport fish harvest of lake trout in Lake Louise.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The Board of Fisheries (board) has determined under 5 AAC 01.616 (e) that freshwater fish, other than salmon, in the PWS Area are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? The board maintained departmental discretion on legal gear and harvest limits for the Lake Louise, Susitna Lake, and Tyone Lake subsistence fisheries. There is no biological reason to limit the freshwater finfish subsistence fishery and this proposal would be a reduction of subsistence opportunity.

4. What amount is reasonably necessary for subsistence uses? The board has established an amount necessary for subsistence of 25,000–42,000 usable pounds of freshwater finfish, other than salmon, for the PWS Area, which includes the Copper River Basin.

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 71-1. Harvest of lake trout from Lake Louise and Susitna and Tyone lakes, 1990–2010.

	Effort		Lake trout harvest[a]							Regulations	
Year	Sport fishery angler-days	Subsistence permits issued	Lake Louise sport	Susitna Lake sport	Tyone Lake sport	Tyone River drainage subsistence	Total	Lake Louise yield estimate[b]	Susitna Lake yield estimate[b]	Lake trout bag limit	Lake trout minimum size
1990	7,990	5	1,230	270	19	0	1,518			2	18"
1991	8,038	6	1,412	353	7	0	1,772			2	18"
1992	9,923	8	1,241	393	84	0	1,717			2	18"
1993	13,975	5	1,882	807	248	0	2,937			2	18"
1994	15,548	3	1,825	514	122	0	2,461			1	24"
1995	15,811	5	1,131	265	73	0	1,469			1	24"
1996	8,183	2	898	553	33	0	1,484			1	24"
1997	4,613	4	816	94	25	0	935			1	24"
1998	4,598	4	814	156	17	1	989			1	24"
1999	10,557	5	862	257	28	0	1,148			1	24"
2000	8,703	6	817	215	0	0	1,032			1	24"
2001	4,425	5	383	187	17	0	586			1	24"
2002	4,826	9	711	208	0	0	919			1	24"
2003	7,698	6	668	156	23	0	847			1	24"
2004	5,966	7	1,092	106	0	14	1,212			1	24"
2005	3,443	14	590	487	0	12	1,089	540	321	1	24"
2006	3,955	9	327	212	0	5	544	540	321	1	24"
2007	7,529	12	540	104	1	4	650	540	321	1	24"
2008	6,352	15	727	325	0	9	1,061	540	321	1	24"
2009	7,125	17	801	288	4	26	1,118	540	321	1	24"
2010	9,584	22	1,266	133	2	30	1,431	540	321	1	24"
Average 2000–2009	6,002	10	666	229	4	7	906				

[a] Harvest includes estimated sport harvest, plus 10% of the fish caught and released to incorporate hooking mortality and reported subsistence harvest.
[b] The Lake Area model yield estimate has only been used for management purposes since 2005.

PROPOSAL 132 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. *(This proposal was erroneously cited as 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.)*

PROPOSED BY: Paxson Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would close Paxson and Summit lakes to fishing for lake trout from September 1 to October 1.

WHAT ARE THE CURRENT REGULATIONS? Under general provisions for the Upper Copper and Upper Susitna River areas (including Paxson and Summit Lakes), the sport fishing season for lake trout is open year-round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would create a special provision and reduce fishing opportunity for lake trout in Paxson and Summit lakes. Harvest of lake trout would likely decrease.

BACKGROUND: From 2000–2005, under the 24-inch minimum size regulation, estimated lake trout harvest averaged 415 fish in Paxson Lake and 119 fish in Summit Lake (Table 132-1). Harvest from 2006–2010 under the no size limit regulation was 229 and 156 lake trout in these lakes, respectively. These recent harvest levels are below the estimated sustainable yield for Paxson Lake of 585 lake trout and 413 for Summit Lake (yield estimates for Paxson and Summit lakes under the 24" minimum size regulation were 306 and 246 fish, respectively).

Fishing effort averaged 2,390 angler-days on Paxson Lake and 739 angler-days on Summit Lake from 2000–2005. Fishing effort from 2006–2010 averaged 1,283 angler-days on Paxson Lake and 853 angler-days on Summit Lake. Although the Statewide Harvest Survey does not estimate effort by species or temporally, observations of the fishery indicate that fishing effort on Paxson and Summit lakes is concentrated during the summer and winter months, with little fishing effort during September and October.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The current management strategy has maintained harvests below the sustainable yield and these fisheries do not require further restrictions.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 132-1. Angler effort and total harvest[a] of lake trout from Paxson and Summit lakes, 2000–2010.

Year	Angler-days		Lake trout harvest		Regulations
	Paxson Lake	Summit Lake	Paxson Lake	Summit Lake	
2000	2,352	732	412	106	2 fish, 24" min, no bait
2001	3,101	973	456	130	2 fish, 24" min, no bait
2002	3,961	592	679	97	2 fish, 24" min, no bait
2003	2,442	1,214	703	156	2 fish, 24" min, no bait[b]
2004	1,080	392	60	124	2 fish, 24" min, no bait
2005	1,403	530	182	98	2 fish, 24" min, no bait
2006	1,077	483	84	22	1 fish, any size, bait 11/1-4/15
2007	1,543	849	134	64	1 fish, any size, bait 11/1-4/15
2008	1,412	1,195	253	177	1 fish, any size, bait 11/1-4/15
2009	1,227	946	240	203	1 fish, any size, bait 11/1-4/15
2010	1,154	794	432	316	1 fish, any size, bait 11/1-4/15
Average 2000–2005	2,390	739	415	119	
Average 2006–2010	1,283	853	229	156	
Yield estimate[c]			585	413	

[a] Total harvest represents estimated harvest, plus 10% of the estimated fish released to account for hooking mortality.

[b] The bait restriction in Paxson and Summit lakes was first included in the Sport Fishing Regulation Summary in 2003.

[c] Yield estimates are based on no size limit. The department has managed the UCUSMA lakes using the Lake Area model since 2005.

PROPOSAL 133 - 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

PROPOSED BY: Paxson Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow use of a single hook with bait in Paxson and Summit lakes from October 1 to July 31.

WHAT ARE THE CURRENT REGULATIONS? In Paxson and Summit lakes, a hook and bait may be used only as follows:

(A) from April 16–October 31, only unbaited, single-hook, artificial lures may be used;

(B) from November 1–April 15, only single hooks may be used; bait may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would extend the period when anglers could use bait in Paxson and Summit lakes by four and a half months and during a portion of the open-water season. Bait is currently allowed from November 1–April 15 (5.5 months); this proposal would nearly double the length of time the use of bait would be permitted, October 1–July 31 (10 months), likely increasing harvests above sustainable levels.

BACKGROUND: The Board of Fisheries (board) adopted the current one fish, no size limit regulation for lake trout in Paxson and Summit lakes at its December 2005 meeting. The changes in the bag and size limit (from two fish, 24" or greater), for lake trout, were made to bring the harvest level of lake trout to within sustainable levels. Also at this meeting, the board removed the bait restriction for Paxson and Summit lakes from November 1 through April 15 to accommodate the winter burbot fisheries on these lakes.

Under the current bag and size limit and winter bait allowance, total estimated harvest of lake trout from Paxson Lake has risen from 84 fish in 2006 to 432 fish in 2010 (Table 133-1). The estimated sustainable yield of lake trout from Paxson Lake is 585 fish. In Summit Lake, harvest of lake trout has risen from 22 fish to 316 fish from 2006 to 2010. The estimated sustainable yield for lake trout from Summit Lake is 413 fish. From 2000–2005, angler effort averaged 2,390 angler-days for Paxson Lake. From 2006–2010, angler effort has averaged 1,283 angler-days on Paxson Lake, but has declined annually since 2007. In contrast, angler effort for Summit Lake has remained relatively stable, averaging 739 angler-days from 2000–2005 and 853 angler-days from 2006–2010.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Lake trout harvests may exceed sustainable levels by nearly doubling the time period during which bait may be used. The current management strategy has maintained harvests below the estimated sustainable yield.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 133-1. Angler effort and total harvest[a] of lake trout from Paxson and Summit lakes, 2000–2010.

Year	Angler-days		Lake trout harvest		Regulations
	Paxson Lake	Summit Lake	Paxson Lake	Summit Lake	
2000	2,352	732	412	106	2 fish, 24" min, no bait
2001	3,101	973	456	130	2 fish, 24" min, no bait
2002	3,961	592	679	97	2 fish, 24" min, no bait
2003	2,442	1,214	703	156	2 fish, 24" min, no bait[b]
2004	1,080	392	60	124	2 fish, 24" min, no bait
2005	1,403	530	182	98	2 fish, 24" min, no bait
2006	1,077	483	84	22	1 fish, any size, bait 11/1-4/15
2007	1,543	849	134	64	1 fish, any size, bait 11/1-4/15
2008	1,412	1,195	253	177	1 fish, any size, bait 11/1-4/15
2009	1,227	946	240	203	1 fish, any size, bait 11/1-4/15
2010	1,154	794	432	316	1 fish, any size, bait 11/1-4/15
Average 2000–2005	2,390	739	415	119	
Average 2006–2010	1,283	853	229	156	
Yield estimate[c]			585	413	

[a] Total harvest represents estimated harvest, plus 10% of the estimated fish released to account for hooking mortality.
[b] The bait restriction in Paxson and Summit lakes was first included in the Sport Fishing Regulation Summary in 2003.
[c] Yield estimates are based on no size limit. The department has managed the UCUSMA lakes using the Lake Area model since 2005.

PROPOSALS 134 and 135 - 5 AAC 52.037. Freshwater guiding requirements.

PROPOSED BY: Philip Iverson (Proposal 134) and Gene Moe (Proposal 135).

WHAT WOULD THE PROPOSALS DO? These proposals would prohibit guided sport fishing on Lake Louise, Susitna Lake, and Tyone Lake.

WHAT ARE THE CURRENT REGULATIONS? There are currently no regulations prohibiting guiding activity on any waters in the Upper Copper-Upper Susitna Management Area (UCUSMA).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would reduce opportunity for anglers who do not own boats or are unfamiliar with fishing Lake Louise, Susitna Lake, and Tyone Lake.

BACKGROUND: Freshwater fishing guides have been required to report all fishing activity in guide logbooks since 2005. Guiding activity has been reported on Lake Louise only in 2007. No guiding activity has been reported on Susitna or Tyone lakes. Limited shore access is available on Lake Louise for anglers, but a boat or float plane is needed to access the vast majority of that fishery. Susitna and Tyone lakes are only accessible by boat or float plane during the open-water season.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 136 – 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the maximum size limit of rainbow trout in Summit Lake (Tebay River drainage) from 12 to 14 inches in length. It would also increase the open season for rainbow trout to the entire year by repealing the current spawning closure.

WHAT ARE THE CURRENT REGULATIONS? In Summit Lake, sport fishing is allowed from July 1–May 31. The bag and possession limit for rainbow/steelhead trout is 10 fish, 12 inches or less in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase harvest opportunity for rainbow trout at Summit Lake. It may also maintain the current size composition of the rainbow trout population in the lake.

BACKGROUND: Summit Lake (a remote, high alpine lake in Wrangell-St. Elias National Park) was barren of fish until rainbow trout were illegally stocked sometime around statehood. These fish grew exceptionally large in size (e.g., >32 in) and by the mid 1980s, the lake was well known for its trophy-sized fish. By 1999, the population had changed from a population dominated by larger-sized fish (e.g., >24 in) to a population composed of stunted, smaller individuals (e.g., <10 in). The Board of Fisheries (board) adopted a 10 fish bag limit, 12-inch maximum length, and spawning closure for rainbow trout in Summit Lake at its December 1999 meeting. In 2003, ADF&G initiated a long-term study to determine if a large-scale removal operation conducted over several years could change this population from its stunted state to a stable population composed of multiple size classes ranging up to 24 inches or greater. An average of 7,106 rainbow trout has been removed each year from Summit Lake since 2003. This project succeeded in creating a bimodal size distribution of smaller and larger rainbow trout (Figure 136-1). However, without continued mass removal of smaller fish, the population may eventually revert back to its stunted size distribution.

Summit Lake is accessible by float plane only. Historical harvest in the rainbow trout fishery has been low as a result. Summit Lake has appeared in the Statewide Harvest Survey in only 9 of the last 20 years and only once (2008) since 2003. Removing the spawning closure and allowing a larger size limit should increase harvest opportunity for anglers and allow for a high harvest per angler while minimizing removal of the larger rainbow trout.

DEPARTMENT COMMENTS: The department submitted this proposal and **SUPPORTS** it, but may suggest substitute language consistent with the intent of providing high harvest per angler and potentially maintaining or prolonging the presence of larger rainbow trout in the system.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

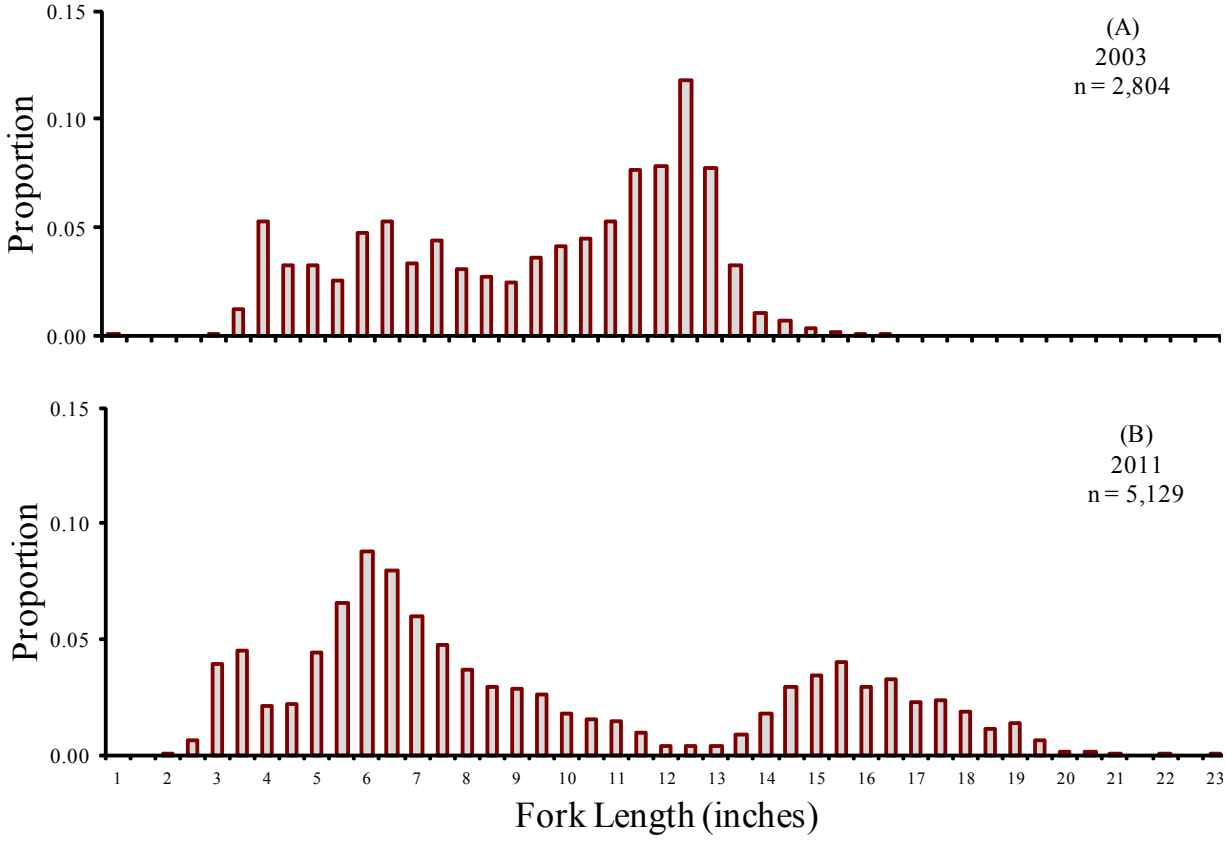


Figure 136-1. Length frequency of rainbow trout taken from Summit Lake in the Tebay River drainage during the 2003 (A) and 2011 (B) removal projects.

PROPOSAL 137 - 5 AAC 52.055. Wild Arctic Grayling Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change the spawning closure period for Arctic grayling in the Upper Copper-Upper Susitna Management Area (UCUSMA) from April 1–May 30 to April 1–May 31.

WHAT ARE THE CURRENT REGULATIONS? The Arctic grayling season in the UCUSMA is open year-round, with the exceptions of Mendeltna and Our creeks, and Moose Lake, all of which are closed to fishing for Arctic grayling during the spawning period from April 1 through May 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would correct an error in the regulations, add a single day to the spawning closure outlined in the *Wild Arctic Grayling Management Plan* (WAGMP), and align the plan with area regulations. This would also reduce confusion and provide clear guidance to the board, public, and the department.

BACKGROUND: The Board of Fisheries adopted the WAGMP at its January 2004 meeting. The intent of the plan was to provide protection to spawning Arctic grayling from April 1–May 31. Inadvertently, the date of May 30 instead of May 31 was included in the plan, while specific area regulations specify April 1 through May 31.

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

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 138 - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would open Tolsona Lake to sport fishing for burbot.

WHAT ARE THE CURRENT REGULATIONS? Tolsona Lake is closed to sport fishing for burbot under a special provision.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow anglers to fish for and retain up to two burbot each day from Tolsona Lake under the general provisions for the Upper Copper and Upper Susitna River areas. This would provide additional fishing opportunity in a lake that has been closed to burbot fishing for 13 years and simplify regulations.

BACKGROUND: The Board of Fisheries closed the Tolsona Lake burbot fishery at its January 2003 meeting. The population had declined due to environmental factors and had been closed since 1998 by emergency order. The department has conducted annual stock assessments of the burbot population in Tolsona Lake since 1986 that tracked the decline in the population and subsequent recovery (Figure 138-1). The department set a management objective requiring an estimated abundance of 1,500 burbot > 18 inches for two consecutive years to open the lake to sport fishing for burbot and ensure a sustainable fishery. Based on stock assessment, the population objective was achieved in 2008 and 2009.

DEPARTMENT COMMENTS: The department submitted this proposal and **SUPPORTS** it.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

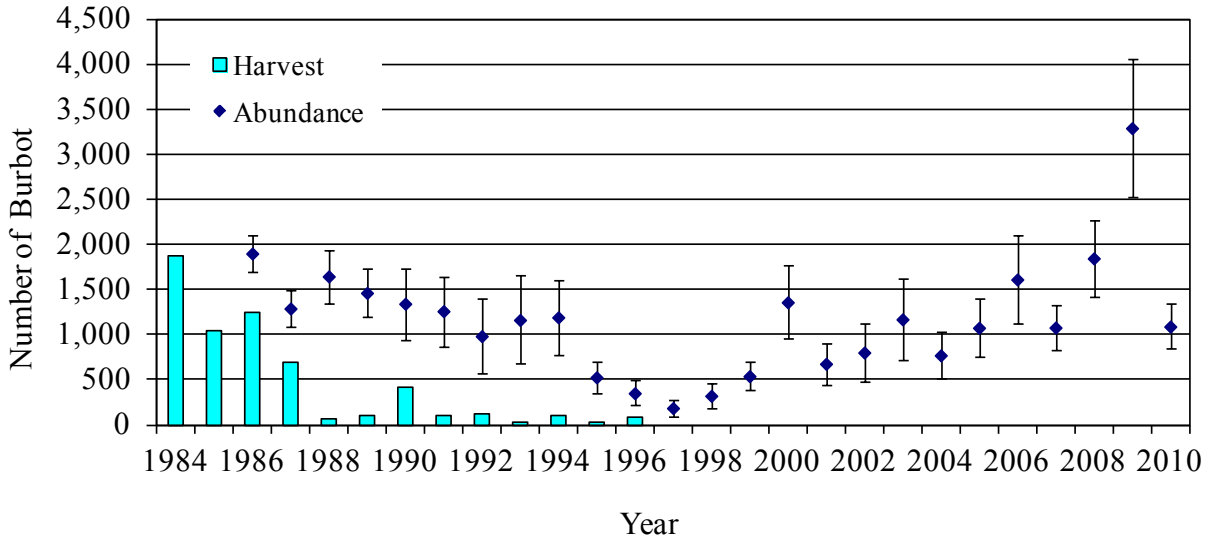


Figure 138-1. Estimated harvest and abundance, with 90% confidence intervals, of fully recruited (≥18 inches TL) burbot in Tolsona Lake, 1984–2010.

PROPOSAL 120 – 5AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for Prince William Sound Area.

PROPOSED BY: David Pinquoch.

WHAT WOULD THE PROPOSAL DO? The proposal would increase the sockeye salmon bag limit in Eshamy Lagoon from three per day, six in possession, to six per day, twelve in possession when the escapement of sockeye salmon at the Eshamy weir reaches 20,500 fish. It would also allow snagging in the salt waters of Eshamy Lagoon.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limits for sockeye salmon in Eshamy Lagoon of three per day, six in possession, are an exception to the Prince William Sound (PWS) general provision of six per day, twelve in possession. Under statewide provisions, bag and possession limits may be increased by emergency order (EO) if the department projects the upper end of the escapement goal will be exceeded. The escapement goal for Eshamy sockeye salmon is 13,000 to 28,000. Also under a special provision, Eshamy Lagoon is closed to snagging inside ADF&G markers located on the Lagoon shore about one-half mile from the ADF&G cabin (Figure 120-1) until ADF&G projects the upper end of the escapement goal will be exceeded.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The sockeye salmon bag and possession limits for Eshamy Lagoon would revert to the general PWS limits of six per day, twelve in possession once an escapement of 20,500 sockeye salmon (the midpoint of the goal) was achieved. Snagging would be allowed in all salt waters of Eshamy Lagoon unless the department determined the escapement goal would not be met. These actions would increase harvest opportunity and likely increase the harvest of sockeye salmon by sport anglers.

BACKGROUND: Sockeye salmon are enumerated through a weir on Eshamy Creek located between the Lagoon and Eshamy Lake (Figure 120-1). This sockeye run has been enumerated since before statehood. In 1980, an escapement goal was established (Table 120-1). From 1980 to 2009, the goal varied within the range of 20,000–40,000 sockeye salmon. Since 2009, the escapement goal has been 13,000–28,000. In the last ten years (2002–2011), the escapement goal has been met or exceeded seven times (Table 120-1).

In 1973, the fresh and saltwater limits for sockeye salmon in Eshamy were established at six per day, twelve in possession. In 1984, Eshamy Lagoon, inside department markers located approximately one-half mile from the department cabin, was closed to snagging until the department announced that the escapement goal had been met. In 1989, the sockeye salmon bag limit for Eshamy lake, creek, and lagoon was reduced to three per day, six in possession.

The SWHS reports saltwater boat trips by large geographic areas and port of landing, and does not provide estimates of effort, catch, and harvest for specific saltwater sites. In

2010, the estimated sockeye salmon sport harvest for all salt waters of western PWS was 3,918 fish. A large portion of this recreational sockeye salmon harvest is believed to be from anglers targeting hatchery salmon in Main Bay. Eshamy is a fairly remote sport fishing destination in western PWS, accessible only by floatplane or boat. Relatively few anglers fish this location, resulting in a low number of respondents in the Statewide Harvest Survey (SWHS) reporting they fished in the fresh waters of Eshamy drainage.

Sport and commercial fisheries are managed differently in Eshamy Lagoon. The commercial fishery is managed to ensure the sockeye salmon escapement goal is not exceeded; the sport fishery is liberalized after the escapement goal is projected to be exceeded. Since 2000, sport fishing in Eshamy lagoon and creek has been liberalized by EO in 2003 and 2006 because escapement was projected to exceed the upper limit of the escapement goal. Both years, the lagoon was opened to snagging and bag limits were increased to six sockeye per day, twelve in possession. In 2004 and 2007, the escapement of sockeye salmon into Eshamy Lake was projected to not meet the lower bound of the escapement range and sport angling for sockeye salmon was restricted in the lagoon and Eshamy Creek.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is allocative. There are no biological concerns associated with the proposal. However, adoption of the proposal would add complexity to management of the sport fishery in Eshamy Lagoon. Should the board consider liberalizing sport fishing opportunity in Eshamy Lagoon, the department would prefer a simpler approach, such as repealing the special provision(s) in place.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

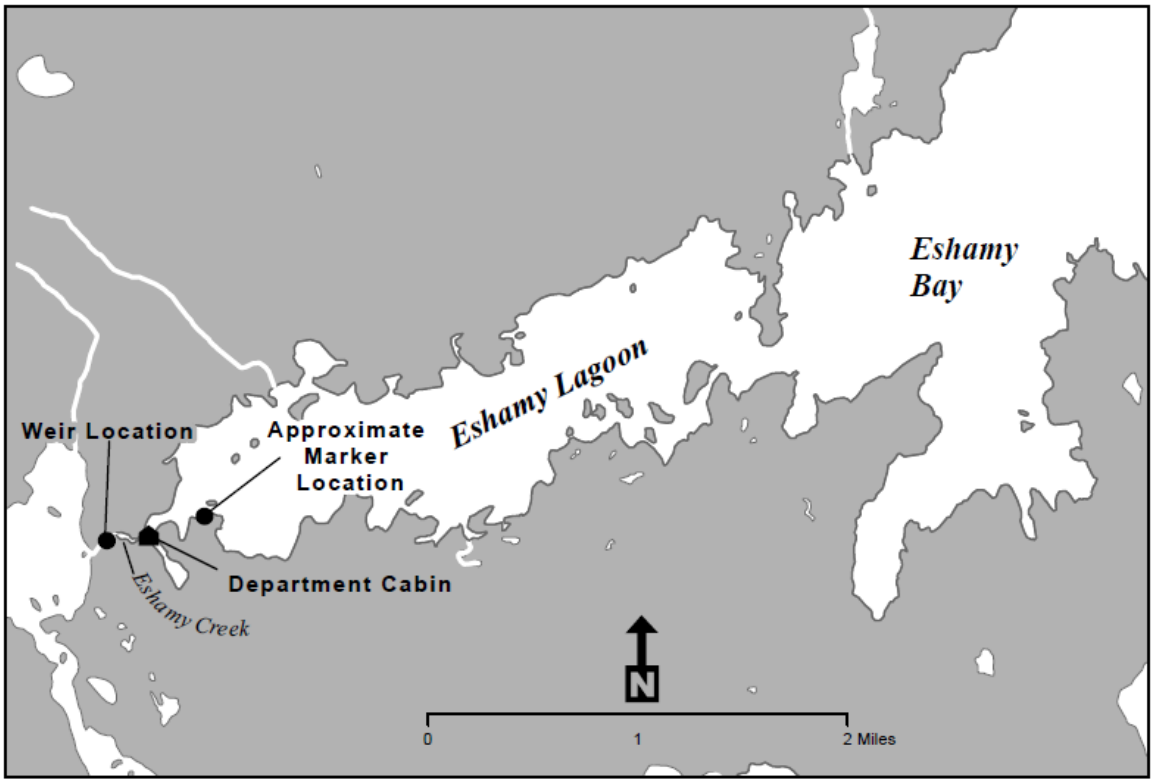


Figure 120-1. Eshamy bay and lagoon.

Table 120-1. Eshamy Sockeye Salmon
Escapement History:

Year	Cumulative Total	Escapement Goal Range			Within Range?
		Lower	-	Upper	
1980	44,263	20,000	-	30,000	Above
1981	23,048	20,000	-	30,000	Within
1982	6,782	20,000	-	30,000	Below
1983	10,348	20,000	-	30,000	Below
1984	36,121	20,000	-	30,000	Above
1985	26,178	20,000	-	30,000	Within
1986	6,949	20,000	-	30,000	Below
1987[a]	NA	30,000	-	40,000	NA
1988	31,747	30,000	-	40,000	Within
1989	57,106	30,000	-	40,000	Above
1990	14,191	30,000	-	40,000	Below
1991	45,814	30,000	-	40,000	Above
1992	30,627	30,000	-	40,000	Within
1993	34,657	30,000	-	40,000	Within
1994	23,910	30,000	-	40,000	Below
1995	15,292	30,000	-	40,000	Below
1996	5,271	30,000	-	40,000	Below
1997	41,299	30,000	-	40,000	Above
1998[a]	NA	30,000	-	40,000	NA
1999	27,057	30,000	-	40,000	Below
2000	22,153	30,000	-	40,000	Below
2001	55,187	30,000	-	40,000	Above
2002	40,478	30,000	-	40,000	Above
2003	39,845	20,000	-	40,000	Within
2004	13,443	20,000	-	40,000	Below
2005	23,523	20,000	-	40,000	Within
2006	42,473	20,000	-	40,000	Above
2007	17,196	20,000	-	40,000	Below
2008	18,495	20,000	-	40,000	Below
2009	24,025	13,000	-	28,000	Within
2010	16,291	13,000	-	28,000	Within
2011	NA				

a = No weir

PROPOSAL 121 – 5AAC 55.023. Special provisions for seasons, bag, possession, and size limits and methods and means for Prince William Sound Area.

PROPOSED BY: Brian West.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the bag and possession limit for sockeye salmon throughout Prince William Sound (PWS) (except for Coghill, Main Bay, and the Copper River Delta) from six per day, twelve in possession to three per day, six in possession.

WHAT ARE THE CURRENT REGULATIONS? Under general provisions, in both the fresh and salt waters of PWS, the bag limit for sockeye salmon is six per day, twelve in possession. Exceptions are Eshamy lagoon, creek, and lake (three per day, six in possession), Johnstone Bay fresh waters (three per day, three in possession), the freshwaters crossed by the Copper River Highway (three per day, three in possession), and the Robe River fly-fishing only designated waters (one per day, one in possession).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Reducing the bag and possession limit by half in fresh and salt waters of PWS would reduce harvest opportunity and likely reduce the harvest of sockeye salmon. This proposal may also concentrate anglers in areas where the bag limit remains at six sockeye salmon.

BACKGROUND: Prior to the opening of the Anton Anderson Memorial Tunnel in 2001, which improved access to PWS, the annual average annual saltwater harvest of sockeye salmon from western PWS was 2,600 fish. Since 2001, the annual average of sockeye salmon saltwater harvest has increased to 5,200 fish. A large percentage of the recreational sockeye salmon harvest is believed to be from anglers targeting hatchery salmon in Main Bay. In addition to hatchery runs, PWS supports many smaller runs of wild sockeye salmon (Figure 121-1). These systems include Jackpot lakes, Solf Lake, Billy's Hole, and Gun Boot lakes, most of which are located in western PWS.

The department relies on index streams monitored with weirs and aerial surveys to manage salmon fisheries. Department staff fly aerial surveys to estimate pink and chum salmon escapements in western PWS streams and opportunistically record other salmon on data sheets. From 2002–2011, sockeye salmon estimates in Jackpot Creek range from 300 to 3,000, with a ten year average peak escapement of 1,100 salmon.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department has the ability to protect sockeye salmon schooling at the mouths of streams, where they are vulnerable to snagging, using department markers to delineate freshwaters, where snagging is prohibited.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

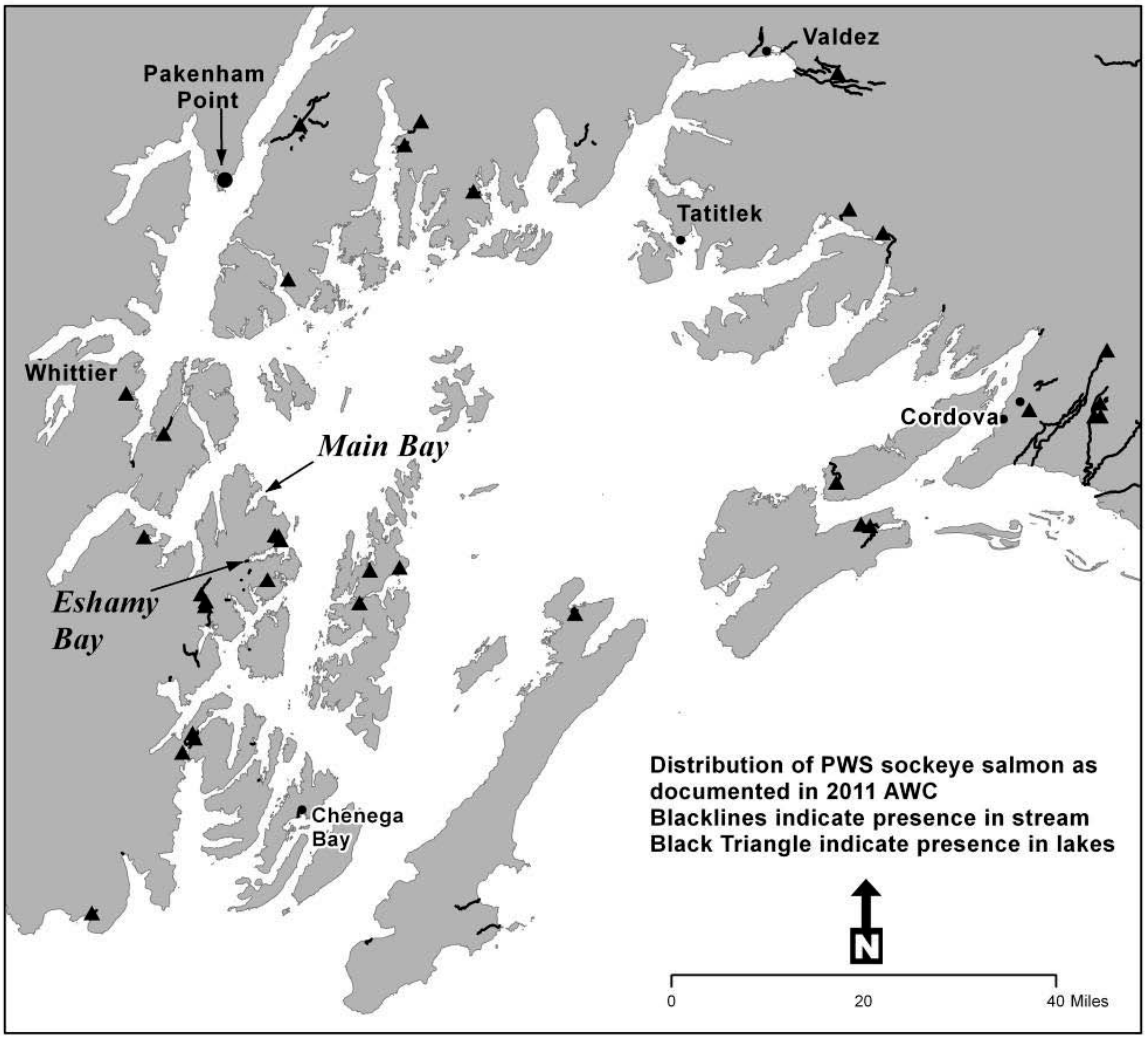


Figure 121- 1. Sockeye salmon stocks in Prince William Sound.

PROPOSAL 122 – 5AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for Prince William Sound Area.

PROPOSED BY: David Grinde.

WHAT WOULD THE PROPOSAL DO? This proposal would limit nonresident anglers to one coho salmon per day, one in possession in the fresh waters of Hell's Hole.

WHAT ARE THE CURRENT REGULATIONS? Under PWS general provisions, the bag limit for coho in fresh water is three per day, three in possession. The bag limit is the same for residents and nonresidents. Exceptions include Johnstone Bay fresh waters (two per day, three in possession), Shelter Bay (one per day, one in possession), and the Robe River fly-fishing only designated waters (one per day, one in possession).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add an exception for PWS, likely reduce harvest of coho salmon taken from the fresh waters of Hell's Hole, and increase the harvest of coho salmon in the adjacent fresh waters of Humphrey's Hole (Figure 122-1). Harvest opportunity would be reduced for nonresidents with an immeasurable effect to escapements.

BACKGROUND: Hell's Hole is located between Red Head and St. Mathews Bay in Prince William Sound. It supports anadromous runs of pink, chum, and coho salmon, and cutthroat trout. It can be accessed only by plane or boat. Humphrey's Hole is located just to the south of Hell's Hole and supports the same species of salmon and trout. Both systems are remote freshwater fishing destinations with minimal sport fishing effort and are not cited individually in the Statewide Harvest Survey. From 2005 through 2010, the average annual number of guided trips as reported in the guided freshwater logbooks was fewer than five. The average annual harvest of coho salmon by guided anglers was less than 30.

Coho salmon in Hell's Hole and Humphrey's Hole have late run timing. Salmon enter fresh water in late August and continue well into September. These fish stage in large schools in the extended estuaries of these systems before migrating upstream to spawn and are targeted by anglers at this time. There are no fishery specific management objectives, nor is there inseason monitoring, of escapement for Hell's Hole coho salmon.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because it would add regulatory complexity and reduce angler opportunity. The department does not have a biological concern for PWS coho salmon. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

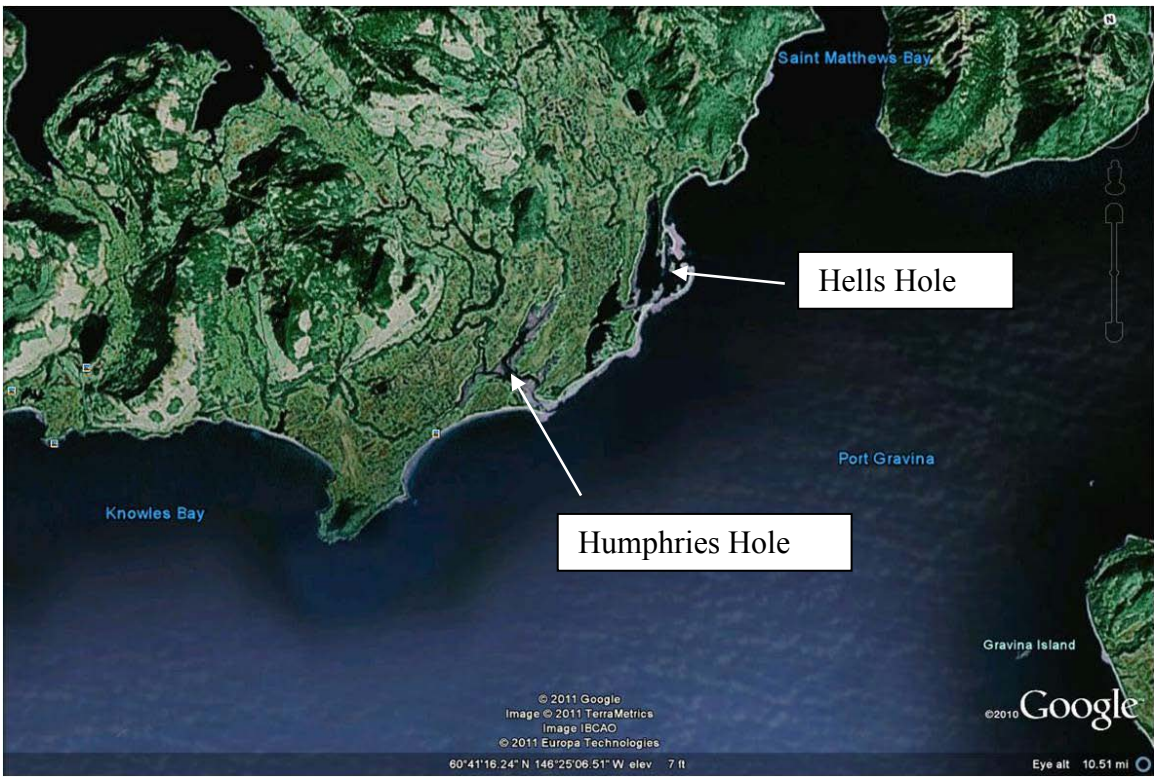


Figure 122-1. Hell's Hole and Humphrey's Hole in Port Gravina, northeastern Prince William Sound.

PROPOSAL 123 – 5AAC 55.050. Waters closed to sport fishing.

PROPOSED BY: Copper River/Prince William Sound Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Close Ibeck Creek to all sport fishing above a point three miles upstream from the Copper River Highway.

WHAT ARE THE CURRENT REGULATIONS? Under a special provision for all freshwater drainages crossed by the Copper River Highway from and including Eyak River to the Million Dollar Bridge, the bag and possession limit for salmon (other than king salmon) is three fish. A coho salmon removed from the water shall be retained and becomes part of the bag limit of the person originally hooking it; a person may not remove a coho salmon from the water before releasing it. Only unbaited, artificial lures are allowed April 15–June 14 to reduce catch of spawning trout.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would create an exception to the road system provision and reduce fishing opportunity for anglers. It would mainly affect the coho salmon sport fishery since few anglers target sockeye salmon on Ibeck Creek. It is unlikely to reduce the harvest of coho salmon from Ibeck Creek since anglers would likely fish the open waters downstream.

BACKGROUND: The bag and possession limit of three salmon per day (other than king salmon) and three in possession has been in effect on the road system since 1989, and is one of the most conservative limits for salmon in the Prince William Sound (PWS) Management Area.

Escapement goals for the Copper River Delta, as measured by department aerial surveys, have been met or exceeded for sockeye and coho salmon in each of the previous ten years. Coho salmon escapement surveys are flown weekly when weather permits. In 2010, the last year of complete data, aerial survey estimates were 41,077 coho salmon in drainages crossed by the Copper River Highway. The sustainable escapement goal range for the Copper River Delta is 32,000 to 67,000 coho salmon.

Department personnel conducting aerial surveys have documented angler effort on Ibeck Creek concentrated close to the Copper River Highway, the majority taking place within one mile. Anglers are rarely seen more than one and one-half miles upstream of the highway (figures 123-1, 123-2). Ibeck Creek was first cited in the Statewide Harvest Survey in 2001 (Table 123-1). The recent 10-year average (2001–2010) harvest of coho salmon from Ibeck Creek is 1,771 fish, and the average annual coho salmon escapement is 20,753 fish. While spawning coho salmon may be present throughout Ibeck Creek, the majority of coho salmon observed during surveys are upstream of this proposed closure.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal which would result in regulatory complexity and reduce angler opportunity. The department does not have a biological concern for Copper River Delta coho salmon stocks. In years

with poor returns, the department has the authority to restrict fisheries inseason in order to ensure Copper River Delta escapement goals are met.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 123-1. Copper River Delta coho salmon sport fishing data (SWHS).

	Eyak River		Alaganik Slough		Ibeck Creek		Other Sites[a]		Total	
Year	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest
1996	5,246	3,107	4,167	1,480	n/a	n/a	8,394	2,051	13,563	6,209
1997	2,222	1,549	1,939	789	n/a	n/a	14,542	977	6,001	3,102
1998	4,880	2,732	659	340	n/a	n/a	1,635	981	7,075	3,954
1999	6,806	4,914	3,592	1,240	n/a	n/a	5,114	1,584	11,974	7,161
2000	5,071	3,037	2,408	1,087	n/a	n/a	2,928	765	8,197	4,563
2001	17,477	10,025	3,188	1,565	726	462	12,100	1,295	33,491	13,347
2002	9,345	5,547	1,681	663	662	297	3,545	608	15,233	7,115
2003	15,604	8,473	4,655	1,708	11,857	3,318	11,080	1,253	43,196	14,752
2004	25,746	10,235	13,100	3,866	377	135	11,228	1,272	50,451	15,508
2005	10,639	5,228	4,064	1,792	4,120	2,437	8,167	807	26,990	10,264
2006	6,579	3,328	2,237	1,236	1,803	913	3,172	321	13,791	5,798
2007	8,141	4,677	1,641	1,052	2,260	927	5,160	1,245	17,202	7,901
2008	8,103	4,714	3,994	1,738	1,811	620	6,088	1,473	19,996	8,545
2009	13,065	8,464	2,425	1,379	7,925	3,780	3,751	292	27,166	13,915
2010	15,052	8,379	3,554	2,208	7,321	4,818	3,917	567	29,844	15,972
10-Year Avg.	12,975	6,907	4,054	1,721	3,886	1,771	6,821	913	27,736	11,312

[a] = includes data from 18-Mile Slough

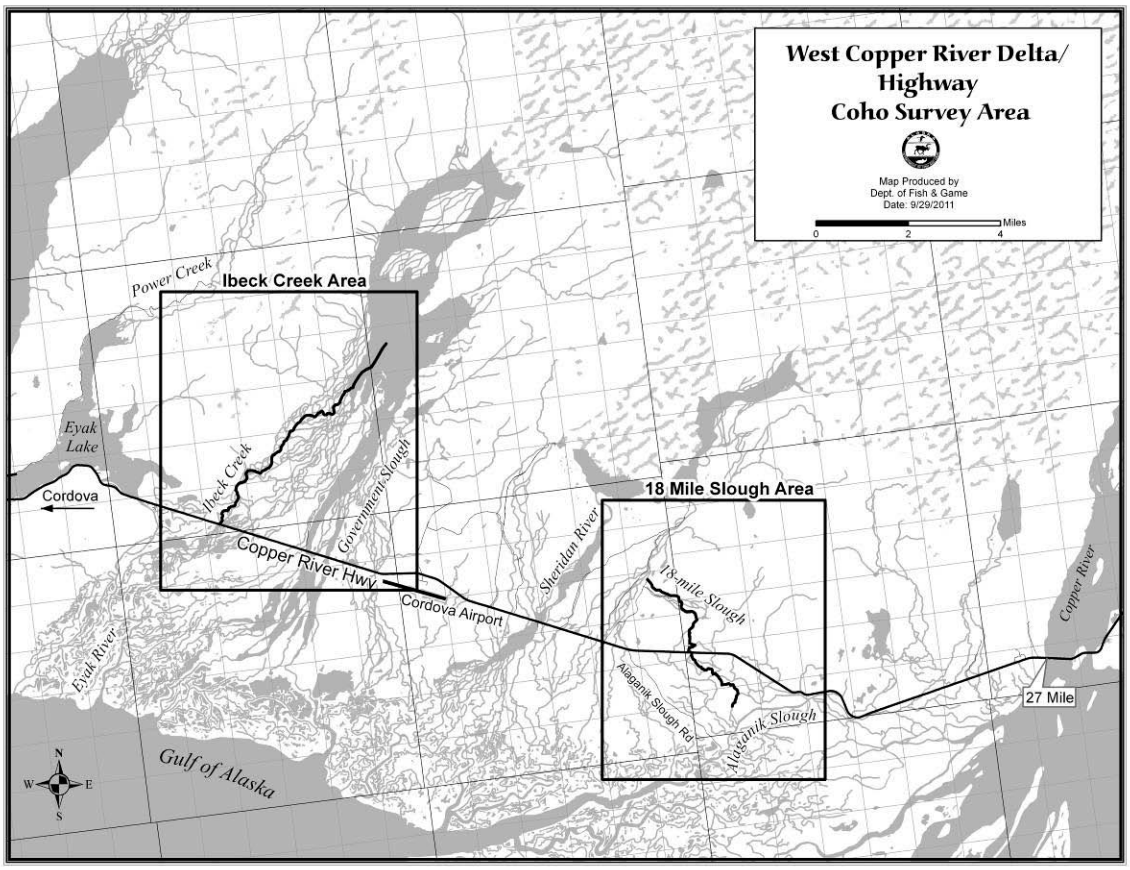


Figure 123-1. West Copper River Delta coho salmon aerial survey area.

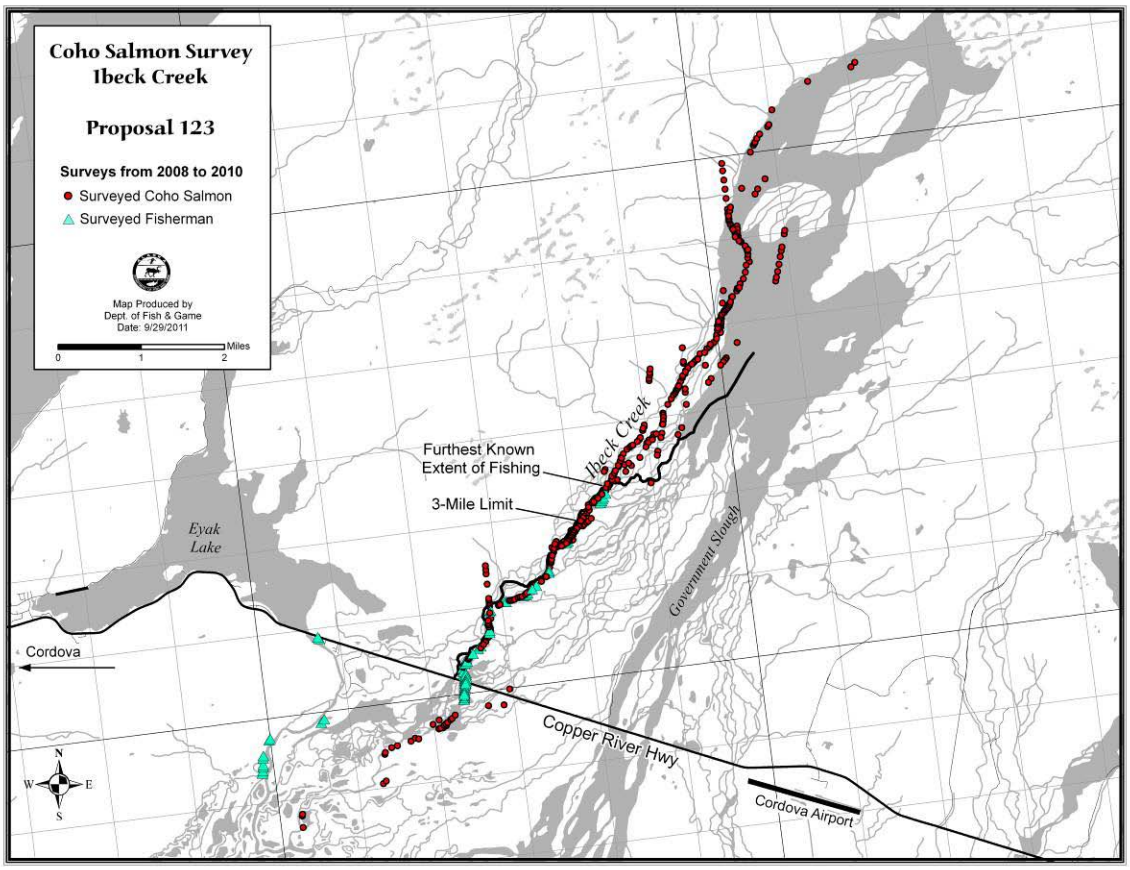


Figure 123-2. Distribution of coho salmon and anglers on Ibeck Creek, Copper River Delta (ADF&G aerial surveys).

PROPOSAL 124 – 5AAC 55.050. Waters Closed to Sport Fishing.

PROPOSED BY: Copper River/Prince William Sound Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would close most of the 18 Mile Creek drainage to sport fishing for coho salmon.

WHAT ARE THE CURRENT REGULATIONS? Under a special provision for all freshwater drainages crossed by the Copper River Highway from and including Eyak River to the Million Dollar Bridge, the bag and possession limit for salmon (other than king salmon) is three fish. A coho salmon removed from the water shall be retained and becomes part of the bag limit of the person originally hooking it; a person may not remove a coho salmon from the water before releasing it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would create an exception to the road system provision and prohibit coho salmon fishing in some of the more productive spots in 18 Mile Creek, likely moving angling effort downstream to waters not affected by this proposal.

BACKGROUND: The bag and possession limit of three salmon (other than king salmon), per day and in possession, has been in effect since 1989, and is one of the most conservative limits for salmon in the Prince William Sound (PWS) Management Area.

Escapement goals for the Copper River Delta, as measured by department aerial surveys, have been met or exceeded for sockeye and coho salmon in each of the previous ten years. Coho salmon escapement surveys are flown weekly when weather permits. In 2010, the last year of complete data, aerial survey estimates were 41,077 coho salmon in drainages crossed by the Copper River Highway. The sustainable escapement goal range for the Copper River Delta is 32,000 to 67,000 coho salmon.

Eighteen Mile Creek is a tributary of Alaganik Slough (Table 124-1), which crosses the Copper River Highway (figures 124-1 and 124-2). Anglers target trout, char, coho, and other salmon in Alaganik Slough and 18 Mile Creek. Eighteen Mile Creek is too small a fishery to be reported in the Statewide Harvest Survey, so the department has no estimates of catch or harvest of coho salmon from this tributary.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because it would add regulatory complexity and reduce angler opportunity. The department does not have a biological concern for coho salmon. In years with poor returns, the department has the authority to restrict fisheries inseason in order to ensure Copper River Delta escapement goals are met.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

	Eyak River		Alaganik Slough		Ibeck Creek		Other Sites[a]		Total	
Year	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest	Catch	Harvest
1996	5,246	3,107	4,167	1,480	n/a	n/a	8,394	2,051	13,563	6,209
1997	2,222	1,549	1,939	789	n/a	n/a	14,542	977	6,001	3,102
1998	4,880	2,732	659	340	n/a	n/a	1,635	981	7,075	3,954
1999	6,806	4,914	3,592	1,240	n/a	n/a	5,114	1,584	11,974	7,161
2000	5,071	3,037	2,408	1,087	n/a	n/a	2,928	765	8,197	4,563
2001	17,477	10,025	3,188	1,565	726	462	12,100	1,295	33,491	13,347
2002	9,345	5,547	1,681	663	662	297	3,545	608	15,233	7,115
2003	15,604	8,473	4,655	1,708	11,857	3,318	11,080	1,253	43,196	14,752
2004	25,746	10,235	13,100	3,866	377	135	11,228	1,272	50,451	15,508
2005	10,639	5,228	4,064	1,792	4,120	2,437	8,167	807	26,990	10,264
2006	6,579	3,328	2,237	1,236	1,803	913	3,172	321	13,791	5,798
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2009	13,065	8,464	2,425	1,379	7,925	3,780	3,751	292	27,166	13,915
2010	15,052	8,379	3,554	2,208	7,321	4,818	3,917	567	29,844	15,972
10-Year Avg.	12,975	6,907	4,054	1,721	3,886	1,771	6,821	913	27,736	11,312

[a] = includes data from 18-Mile Slough

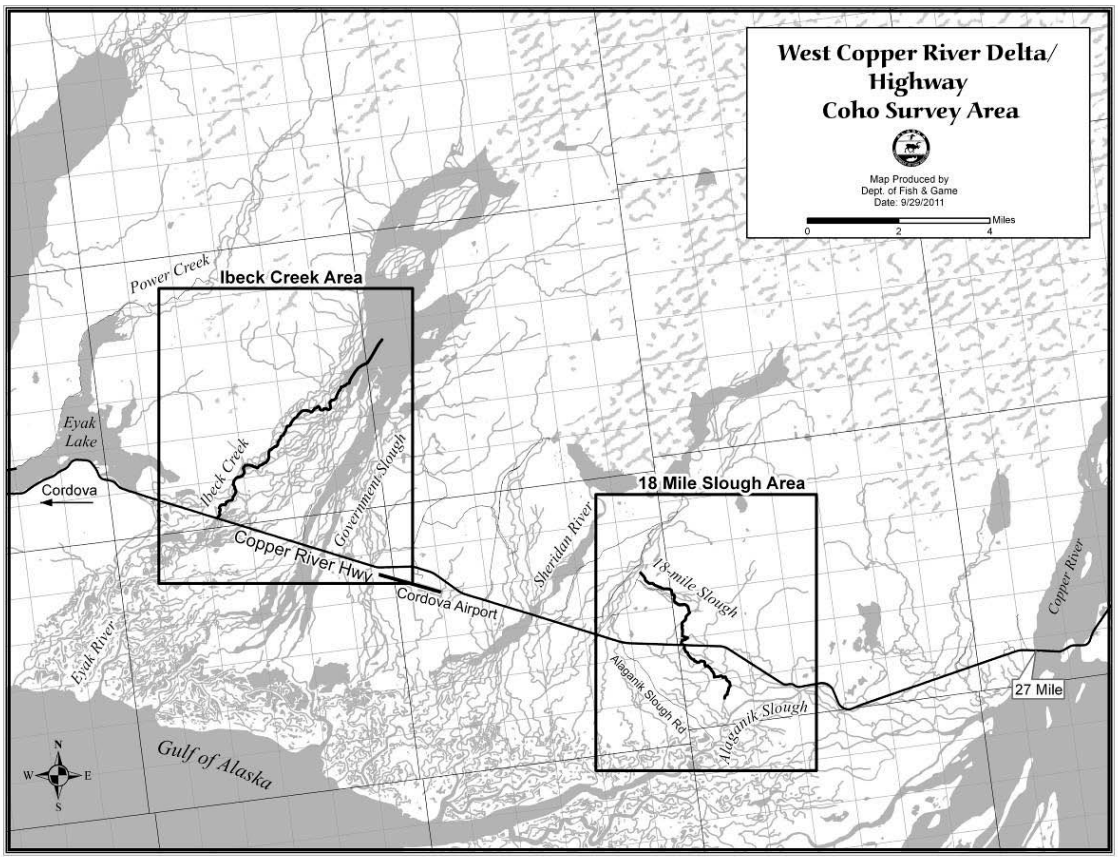

Figure 124-1. West Copper River Delta coho salmon aerial survey area.

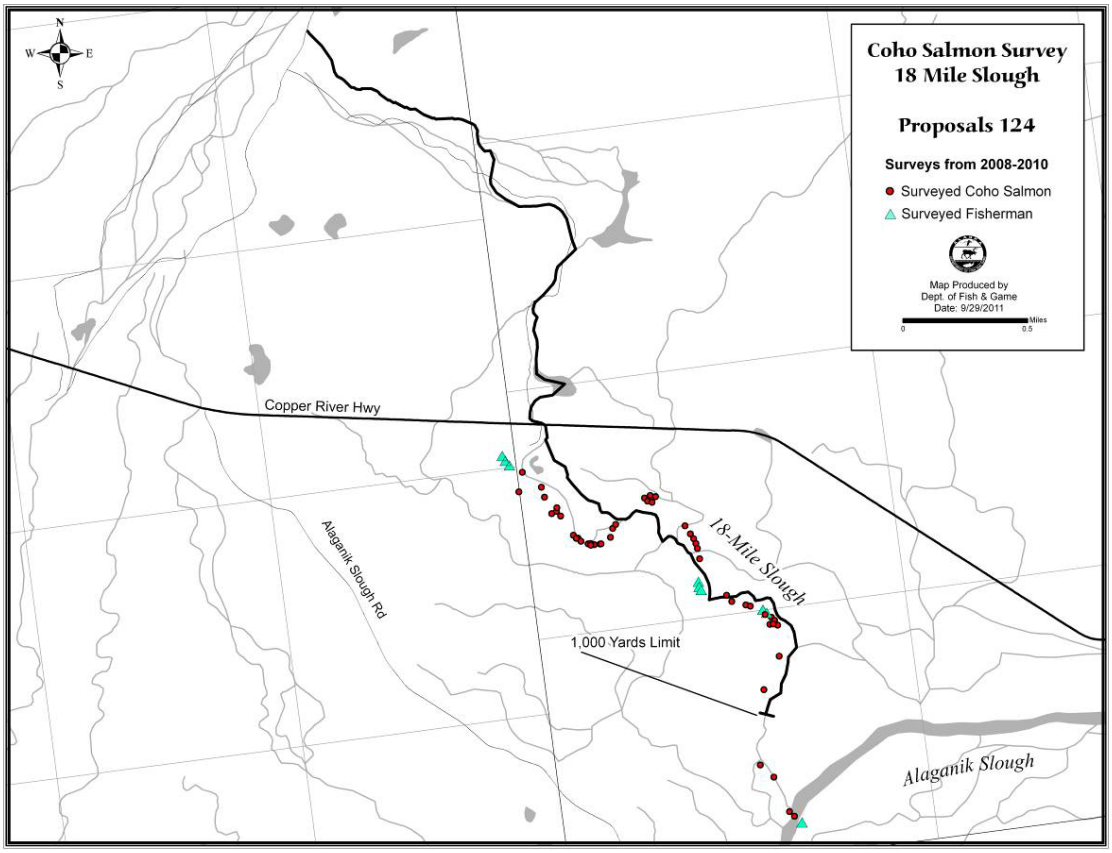

Figure 124-2. Distribution of coho salmon and anglers at 18-Mile Creek, Copper River Delta.

PROPOSAL 125 – 5AAC 55.022. General provisions for seasons, bag, possession and size limits, and methods and means for Prince William Sound Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? It establishes a slot size limit for wild rainbow trout/steelhead/cutthroat trout with a minimum length of 11 inches and a maximum length of 16 inches in Prince William Sound (PWS) waters, with the exception of the Copper River Delta Special Management Area specified in 5 AAC 55.033. The proposal would not affect the regulations for trout in stocked lakes.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limits for wild trout in all fresh waters and salt waters of the PWS Management Area (PWSMA) adhere to the *Statewide management standards for wild trout* (5 AAC 75.220) of two per day, two in possession, only one per day can be 20 inches or greater in length, with an annual limit of two rainbow/steelhead/cutthroat trout 20 inches or greater in length. In addition, only unbaited, artificial lures are allowed April 15–June 14 to reduce catch of spawning trout. Wild rainbow trout/steelhead and cutthroat trout may not be retained from April 15–June 14.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal is not expected to affect the overall catch of trout in the PWSMA, but might reduce harvest by a small amount. The minimum size limit in this proposal is based on data collected from cutthroat trout populations in PWS and is the size at first sexual maturity. By reducing harvest of immature trout, the proposal would allow individual trout the chance to reproduce at least once prior to recruiting to the fishery. The upper size limit of this proposal would protect the larger, more fecund individuals (greater than 16 inches in length) and could increase the number of large trout.

BACKGROUND: Wild trout regulations (applying to rainbow, cutthroat, and steelhead trout) are guided by the *Statewide management standards for wild trout* (5 AAC 75.220) which instruct the department to manage wild trout stocks for optimal sustained yield, based on management objectives that maximize benefits of the fisheries while maintaining genetic diversity, biologically desirable size composition, and abundance levels. The bag and possession limits for wild trout in all waters of the PWSMA adhere to statewide standards of two per day, two in possession, only one per day can be 20 inches or greater in length, with an annual limit of two rainbow/steelhead/cutthroat trout 20 inches or greater in length. Department studies conducted on cutthroat trout indicate PWS cutthroat trout typically reach sexual maturity at 11 inches and that only a small proportion exceeds a length of 16 inches. Using these data to manage PWS trout stocks is more appropriate than the more liberal size restrictions described in the *Statewide management standards for wild trout* and is consistent with the management objectives of that plan.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. A biologically-based wild trout management strategy will help ensure

sustainability of a resource on the northern and westernmost edge of its natural distribution.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.