

ALASKA BOARD OF FISHERIES
March 20-24, 2012
STATEWIDE DUNGENESS CRAB, SHRIMP & MISCELLANEOUS SHELLFISH

PROPOSAL SUMMARY OF ACTIONS

(This board summary is for informational purposes only and the actions below will have legal affects in regulations that provide the sole legal action of the board)

C=Carried, F=Failed, C/A=Carried as Amended, N/A=No Action
(Vote Count)

42 Total Proposals

ACTION – PROPOSAL NUMBER – SUBJECT

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Westward Dungeness Crab (2)		
C/A (7-0)	345	Close Dungeness crab season December 31, rather than January 1, and update regulatory coordinates in fishing season regulation. <i>(Amended with substitute language reflected in RC #33.)</i>
C/A (7-0)	346	Amend regulatory description of registration area and districts. <i>(Amended with substitute language reflected in RC #53.)</i>
Kodiak Dungeness Crab (3)		
N/A	347	Change fishing season to June 15 through December 31. <i>(Author withdrew support for this proposal.)</i>
N/A	348	Implement 1,000 pot limit per vessel. (Proposer withdrew support.) <i>(Author withdrew support for this proposal.)</i>
C (6-1)	349	Designate Kodiak District a superexclusive registration district.
Statewide Scallop (1)		
C/A (7-0)	350	Allow scallop harvest from multiple registration areas when an observer is aboard. <i>(Amended with substitute language reflected in RC #45.)</i>
Prince William Sound Scallop (1)		
C (7-0)	351	Establish new management district subsections for scallops in PWS.
Westward Scallop (3)		
N/A	352	Open specified waters currently closed in Registration Area M to scallop fishing. <i>(Author withdrew support for this proposal.)</i>
C/A (7-0)	353	Open specified waters currently closed in Registration Area M to scallop fishing. <i>(Amended with substitute language reflected in RC #44.)</i>
C (7-0)	354	Amend regulatory description for Registration Area J in description of the area, fishing seasons and closed waters.
Westward Octopus (1)		
C (7-0)	355	Establish octopus management plan for Registration Area J.
Westward Shrimp (2)		
C (7-0)	356	Align pot shrimp season with guideline harvest range.

C/A (7-0)	357	Amend regulatory description of Registration Area J, districts, and sections. <i>(Amended with substitute language reflected in RC #56.)</i>
Prince William Sound Shrimp (10)		
C/A (6-1)	358	Close the commercial shrimp pot fishery in PWS. <i>(Amended with substitute language reflected in RC #63.) (A motion for reconsideration failed with a vote of 2-5.)</i>
N/A	359	Close the commercial shrimp pot fishery in PWS. <i>(No action based on actions taken on proposal #358.)</i>
N/A	360	Close the commercial shrimp pot fishery in PWS. <i>(No action based on actions taken on proposal #358.)</i>
N/A	361	Close the commercial shrimp pot fishery in PWS. <i>(No action based on actions taken on proposal #358.)</i>
F (0-7)	362	Amend regulatory fishing hours for commercial pot shrimp.
C (5-2)	363	Open Nellie Juan Fjord area to commercial shrimping.
F (0-7)	364	Amend gear marking requirements for commercial shrimp pot gear.
C (7-0)	365	Restrict operation of sport, personal use, and subsistence shrimp pot gear by persons or vessels participating in the commercial shrimp pot fishery.
C/A (7-0)	366	Amend shrimp pot fishery registration from superexclusive to exclusive. <i>(Amended with intent language to amend statewide regulation to reflect board intent.)</i>
C (7-0)	367	Include references to the noncommercial shrimp fishery management plan in subsistence and personal use regulations.
Prince William Sound Miscellaneous shellfish (except scallop) (3)		
C/A (7-0)	368	Allow retention of octopus only as bycatch to other directed groundfish and shellfish fisheries. <i>(Amended with the GHL range of 0-35,000 pounds and to allow bycatch in trawl fisheries.)</i>
C (7-0)	369	Repeal the reference to razor clam guideline harvest levels.
C (7-0)	370	Require a commissioner's permit for the commercial harvest of clams.
Cook Inlet Miscellaneous (3)		
C/A (6-1)	371	Extend the eastern boundary for the North Gulf Coast personal use shrimp fishery to Cape Fairfield. <i>(Amended with a friendly amendment to include Resurrection Bay.)</i>
C (7-0)	372	Reduce the bag limit for hardshell clams in Cook Inlet to 80 clams of any species.
N/A	373	Re-establish Tyonek subsistence clam harvest area. <i>(No board authority.)</i>
Statewide Shellfish (6)		
C (6-1)	374	Clarify restriction on use of sport, personal, or subsistence-caught shellfish by owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services.
C (7-0)	375	Require that commercial shellfish pots constructed of rigid mesh have a biodegradable escape mechanism identical to that required for subsistence, personal use, and sport shellfish pots.
C (7-0)	376	Clarify regulations regarding use of hook and line when taking octopus.
F (0-7)	377	Establish a sustainable Dungeness crab policy.

N/A	378	Establish a sustainable all-species shrimp policy. <i>(No action based on same rationale as on proposal #377.)</i>
N/A	379	Establish a sustainable miscellaneous shellfish policy. <i>(No action based on same rationale as on proposal #377.)</i>
Supplemental Proposals (7)		
F (3-3-1)	380	Establish a definition for “anchor roller”. <i>(Board member Jensen abstained.)</i>
C/A (7-0)	381	Amend the maximum allowable harvest in Norton Sound red king crab fishery to align with revised harvest rates based on recent population model. <i>(Amended with substitute language reflected in RC #59.)</i>
C/A (7-0)	382	Increase total allowable catch in the Aleutian Islands golden king crab fishery due to lack of adoption of new stock assessment model by crab plan team. <i>(Amended with substitute language reflected in RC #57.)</i>
C (7-0)	383	Amend registration requirements in Bristol Bay salmon fishery to include electronic submission of registration and reregistration via the web.
C (7-0)	384	Amend regulation to remove the minimum total allowable catch as no longer serves any purpose.
C/A (7-0)	385	This is a proposal based on a petition accepted by the Alaska Board of Fisheries at its Petersburg meeting in January 2012 requesting a revision to the management plan for Yukon River chum salmon. <i>(Amended with substitute language reflected in RC #42.)</i>
C (7-0)	386	A board-generated proposal to add marking requirements for ring nets in the subsistence, sport, and personal use shellfish fisheries.

Miscellaneous Business:

1. The department provided an update on the Pacific cod fisheries and informed the board that a separate Pacific cod meeting, originally scheduled in October 2012, was no longer needed as the Pacific cod issues can be addressed within the appropriate Board of Fisheries cycles.
2. Board Members Jensen, Jeffrey, and Smith provided a recap of the March 19, 2012 Joint Protocol Committee Meeting. The board recommends having discussions with the commissioner’s office to provide written justification requesting board attendance to necessary NPFMC meeting working groups. Executive Directors Chris Oliver and Monica Wellard will communicate to stay aware of issues that may constitute a full Joint Protocol Meeting. Final meeting minutes of the March 19, 2012 meeting will be finalized and posted on the Board of Fisheries’ website by the end of March.
3. The department provided an update on the Western Alaska Salmon Stock Identification Program (WASSIP). This is a large \$5-6 million program which is beneficial for the department and the board to be aware of the multiple issues involved. The department recommended scheduling a half-day presentation which would include several oral reports by department staff and the WASSIP advisory panel. The presentation would be scheduled in conjunction with the 2012 Board of Fisheries Work Session. Department staff will work together on the details and will provide written materials to the board prior to the Work Session.
4. Board Member Kluberton informed the board that the Board of Game also voted in favor of the proposed Joint Board Meeting timeline and that we will be moving forward with the October 2013 Joint Board Meeting schedule.
5. Chairman Johnstone and Director Regnart led a discussion on the “Recommendation on Kootznoowoo Petition for Extraterritorial Jurisdiction” (referenced in RC #64) received during the board meeting. Chairman Johnstone encouraged board members to review this document as it’s possible a board petition could be filed. The department will keep the board updated with any new analysis.

RC 33

Department of Fish and Game
Submitted at the request of Karl Johnstone

3/20/2012

Substitute language for PROPOSAL 345



(a) In the Kodiak, Chignik, Alaska Peninsula, and Aleutian Districts, male Dungeness crab may be taken or possessed from 12:00 noon May 1 until **11:59 pm December 30** [12:00 NOON JANUARY 1], except in waters of the Kodiak District south of the latitude of Boot Point (56° 49.98' N. lat.) and east of longitude of Boot Point at 153° 46.10 W. long. and waters south of the latitude of Cape Ikolik at 57° 17.40' N. lat. and west of the longitude of Boot Point at 153° 46.10 W. long. [SOUTH OF THE LATITUDE OF THE SOUTHERNMOST TIP OF BOOT POINT AND SOUTH OF THE LATITUDE OF SOUTHERNMOST TIP OF CAPE IKOLIK], male Dungeness crab may be taken or possessed only from 12:00 noon June 15 until **11:59 pm December 30.** [12:00 NOON JANUARY 1].

Submitted by Department of Fish and Game at the request of Tom Kluberton

Substitute language for proposal 385

March 21, 2012

Proposed substitute language for proposal 385

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

5 AAC 05.362 is amended by adding a new subsection to read:

(j) In Subdistrict 4-A, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial set gillnet fishing season and immediately reopen the season during which a fish wheel may be used. The fish wheel shall be attended at all times while it is in operation; and all king salmon caught must be returned to the water alive immediately.

RC 44

Submitted by the
Alaska Department of Fish and Game
at the request of board member Webster



3/21/2012

PROPOSAL 353

5 AAC 38.425 (6): all waters on the south side of the Alaska Peninsula that are west of a line extending south from Seal Cape along 158° 26.00' W. long., east of a line extending south from Three Star Point along 159° 10.48' W. long., and north of 55° 33.98' N. lat., and all waters of Alaska on the south side of the Alaska Peninsula that are west of a line extending south from Cape Pankof along 163° 03.70' W. long. and east of a line extending south from Scotch Cap Light along 164° 44.72' W. long.; except that weathervane scallops may be taken in waters specified in 5AAC 38.420(c).

5 AAC 38.420(c) In scallop Registration Area (M) a person may take weathervane scallops only
(1) under the authority of a permit issued by the commissioner under 5 AAC 38.076(e); and
(2) in those waters of the Alaska Peninsula Registration Area M that are west of a line extending south from Cape Pankof along 163° 03.70' W. long. and east of a line extending south from Scotch Cap Light along 164° 44.72' W. long.

Submitted by: Alaska Department of Fish and Game at the request of board member Kluberton.

Date March 21, 2012

PROPOSAL 350

5 AAC 38.076 ALASKA SCALLOP FISHERY MANAGEMENT PLAN

(d) A vessel may be registered to take scallops in only one scallop registration area at a time[.] except that the department may permit a vessel to register for one additional registration area as follows:

1) Prior to entering or leaving a scallop registration area for which the vessel is validly registered, the vessel permit holder must contact the department office responsible for management of the registration area as specified in (l) or as specified on the area registration.

2.) A vessel, once checked out of a registration area may not check back into that area unless the observer has been rebriefed by the department.

3) A "certified" scallop observer, as defined in 5 AAC 39.143 must be on board the vessel. The certified observer must have been briefed by the department prior to leaving port for both the registered area and the additional registration area the vessel intends to fish.

4) Prior to checking out of, or in to, a registration area the scallop observer must verify the total pounds of processed or unprocessed scallops on board the vessel; a vessel changing registration areas may not have any unprocessed scallops on board.

5) In addition to (p) of this subsection, a CFEC permit holder will ensure that all harvest from a registration area is reported on an ADF&G fish ticket prior to checking out of a registration area and will provide, prior to leaving the registration area, the fish ticket number and harvest reported on each ticket to the department office responsible for management of the registration area.

Submitted by Department of Fish and Game at the request of board member Webster
 Substitute language for proposal 346
 March 22, 2012

Description of Registration Area J Districts. Amend Dungeness crab area and district boundaries as follows:

5 AAC 32.400. Description of Registration Area J. Registration Area J consists of the Pacific Ocean waters that are south of the latitude of Cape Douglas ($58^{\circ} 51.10' \text{ N. lat.}$) and west of $149^{\circ} \text{ W. long.}$ [THE LONGITUDE OF CAPE FAIRFIELD ($148^{\circ} 50.25' \text{ W. LONG.}$),] and the Bering Sea and Pacific Ocean waters that are east of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that Maritime Boundary Agreement Line is depicted on *NOAA Chart #513* (6th Edition, February 23, 1991) and *NOAA Chart #514* (6th Edition, February 16, 1991). These charts are adopted by reference.

5 AAC 32.405. Description of Registration Area J Districts.(a) Kodiak District: waters of Registration Area J that are south of the latitude of Cape Douglas ($58^{\circ} 51.10' \text{ N. lat.}$) [($58^{\circ} 51.85' \text{ N. LAT.}$)], west of $149^{\circ} \text{ W. long.}$ [THE LONGITUDE OF CAPE FAIRFIELD ($148^{\circ} 50.25' \text{ W. LONG.}$),] and east of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along $156^{\circ} 20.22' \text{ W. long.}$ [THE LONGITUDE OF KILOKAK ROCKS ($156^{\circ} 19' \text{ W. LONG.}$)];

(b) [(e)] Chignik District: waters of Registration Area J that are west of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along $156^{\circ} 20.22' \text{ W. long.}$ [THE LONGITUDE OF KILOKAK ROCKS ($156^{\circ} 19' \text{ W. LONG.}$)], and east of a line extending 135° southeast from Kupreanof Point ($55^{\circ} 33.98' \text{ N. lat.}$, $159^{\circ} 35.88' \text{ W. long.}$).

(c) [(b)] Alaska Peninsula District: waters of Registration Area J that are west of a line extending 135° southeast from Kupreanof Point ($55^{\circ} 33.98' \text{ N. lat.}$, $159^{\circ} 35.88' \text{ W. long.}$), and east of the longitude of Scotch Cap Light ($164^{\circ} 44.72' \text{ W. long.}$) [($164^{\circ} 44' \text{ W. LONG.}$)] and south of $54^{\circ} 51.30' \text{ N. lat.}$ [$54^{\circ} 51.50' \text{ N. LAT.}$,] in Isanotski Strait.

(d) [(c)] North Peninsula District: Bering Sea waters of Registration Area J that are north of the latitude of Cape Sarichef Light ($54^{\circ} 35.89' \text{ N. lat.}$) [($54^{\circ} 36' \text{ N. LAT.}$)] and north of $54^{\circ} 51.30' \text{ N. lat.}$ [$54^{\circ} 51.50' \text{ N. LAT.}$,] in Isanotski Strait.

(e) [(d)] Aleutian District: waters of Registration Area J that are west of the longitude of Scotch Cap Light ($164^{\circ} 44.72' \text{ W. long.}$) [($164^{\circ} 44' \text{ W. LONG.}$)] and south of the latitude of Cape Sarichef Light ($54^{\circ} 35.89' \text{ N. lat.}$) [($54^{\circ} 36' \text{ N. LAT.}$)].

Proposal 346 will amend the regulatory description of the eastern boundary of the Kodiak Management Area for Dungeness crab. If adopted, this would create a mismatch with the shared portion of the Prince William Sound Management Area boundary. The substitute language below will ensure that the boundaries continue to match. There should be no management effect resulting from this change.

5 AAC 32.200. Description of Registration Area E

Registration Area E has as its western boundary the longitude of Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long** and as its eastern boundary the longitude of Cape Suckling (144° W. long.)

5 AAC 32.205 Description of Registration Area E districts and sections

(b) Outside District: all waters in the Prince William Sound Area that are seaward of the Inside District and between the longitude of Cape Fairfield (148° 50.25' W. long.) **south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long** and the longitude of Cape Suckling (144° W. long.). The Outside District sections are as follows:

Submitted by the Department of Fish and Game at the request of board member Webster
 Substitute language for proposal 357
 March 22, 2012

PROPOSAL 357

PROPOSAL 357 - 5 AAC 31.500. Description of Registration Area J; and 5 AAC 31.505. Description of Registration Area J District and Sections. Amend regulatory description of Registration Area J, districts, and sections as follows:

5 AAC 31.500. Description of Registration Area J. Registration Area J consists of the Pacific Ocean waters that are south of the latitude of Cape Douglas (58° 51.10' N. lat.), and west of 149° W. long. [THE LONGITUDE OF CAPE FAIRFIELD (148° 50.25' W. LONG.)], and the Bering Sea and Pacific Ocean waters that are east of the Maritime Boundary Agreement Line as that line is described in the text of and depicted in the annex to the Maritime Boundary Agreement between the United States and the Union of Soviet Socialist Republics signed in Washington, June 1, 1990, and as that Maritime Boundary Agreement Line is depicted on *NOAA Chart #513* (6th Edition, February 23, 1991) and *NOAA Chart #514* (6th Edition, February 16, 1991). These charts are adopted by reference.

5 AAC 31.505. Description of Registration Area J District and Sections. (a) Kodiak District: waters of Registration Area J that are east of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long. [RUNNING SOUTH FROM KILOKAK ROCKS].

(1) Inner Marmot Bay Section: all waters enclosed by a line between Inner Point and Afognak Point along 152° 47.75' W. long., and by a line from Cape Izhut at 58° 06.03' N. lat., 152° 20.40' W. long. to Miller Point at 57° 50.25' N. lat., 152° 21.12' W. long. [EAST OF A LINE FROM THE EASTERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT AND WEST OF A LINE FROM THE SOUTHERNMOST TIP OF CAPE IZHUT TO THE NORTHERNMOST TIP OF MILLER POINT];

(2) Ugak Bay Section: all waters enclosed by a line from Narrow Cape at 57° 25.95' N. lat., 152° 19.13' W. long., to the northernmost point of Ugak Island at 57° 23.63' N. lat., 152° 17.47' W. long., by a line from the westernmost point of Ugak Island at 57° 21.88' N. lat., 152° 18.76' W. long., to a location offshore at 57° 10.09' N. lat., 152° 18.76' N. long., to a location offshore at 57° 02.84' N. lat., 152° 37.69' W. long., and by a line extending south from Kodiak Island along 152° 37.69' W. long. [WEST OF A LINE FROM NARROW CAPE TO THE NORTHERNMOST POINT OF UGAK ISLAND, TO 57° 10' N. LAT., 152° 19' W. LONG., TO 57° 03' N. LAT., 152° 37.92' W. LONG., AND EAST OF 152° 37.92' W. LONG., INCLUDING ALL OF UGAK BAY];

(3) Kiliuda Bay Section: all waters enclosed by a line across Sitkalidak Strait along 153° 16.00' W. long., by a line extending south from Kodiak Island along 152° 37.69' W. long., and by a line extending east from Sitkalidak Island along 57° 02.84' N. lat. [ALL WATERS OF SITKALIDAK STRAIT WEST OF 152° 37.92' W. LONG., AND NORTH OF

57° 03' N. LAT., INCLUDING THE WATERS OF SITKALIDAK STRAIT EAST OF A LINE FROM BUSH POINT TO A POINT ON SITKALIDAK ISLAND AT 57° 12.92' N. LAT., 153° 13.08' W. LONG.];

(4) Two Headed Island Section: all waters enclosed by a line across Sitkalidak Strait along 153° 16.00' W. long., by a line extending east from Sitkalidak Island along 57° 02.84' N. lat., by a line from a location offshore at 57° 02.84' N. lat., 152° 37.69' W. long. to Sitkinak Island at 56° 33.88' N. lat., 153° 52.66' W. long., and by a line from Whirlpool Point Light at 56° 36.99' N. lat., 154° 05.60' W. long. to Aliulik Peninsula at 56° 46.01' N. lat., 153° 54.21' W. long. [WEST OF A LINE FROM THE SOUTHERNMOST TIP OF BUSH POINT TO A POINT ON SITKALIDAK ISLAND AT 57° 12.92' N. LAT., 153 13.08' W. LONG., AND SOUTH OF A LINE FROM 57° 03' N. LAT., 153° 11' W. LONG., TO 57° 03' N. LAT., 152 37.08' W. LONG., TO THE NORTHERNMOST TIP OF CAPE SITKINAK AND EAST OF A LINE FROM A POINT ON THE ALIULIK PENINSULA AT 56° 4.17' N. LAT., 153° 54' W. LONG., TO THE NORTHERNMOST TIP OF WHIRLPOOL POINT];

(5) Alitak Bay Section: all waters of Alitak Bay and adjacent bays enclosed by a line from Aliulik Peninsula at 56° 46.01' N. lat., 153° 54.21' W. long. to Whirlpool Point Light at 56° 36.99' N. lat., 154° 05.60' W. long., by a line from Dolina Point at 56° 36.86' N. lat., 154° 13.40' W. long.) to Cape Alitak Light at 56° 50.59' N. lat., 154° 18.42' W. long., excluding the waters of the Olga Bay Section [ALL WATERS WEST OF A LINE FROM A POINT OF THE ALIULIK PENINSULA AT 56° 46.17' N. LAT., 153° 54' W. LONG, TO THE NORTHERNMOST TIP OF WHIRLPOOL POINT AND EAST OF A LINE FROM THE NORTHERNMOST TIP OF DOLINA POINT TO CAPE ALITAK LIGHT AND SOUTH OF OLGA NARROWS AT 57° 03' N. LAT.];

(6) Olga Bay Section: all waters of Olga Bay enclosed by a line across Olga Narrows along 57° 03.00' N. lat. [NORTH OF OLGA NARROWS AT 57° 03' N. LAT., AND INCLUDING ALL OF OLGA BAY];

(7) Uyak Bay Section: all waters of Uyak Bay and adjacent bays enclosed by a line from Cape Uyak at 57° 38.33' N. lat., 154° 20.83' W. long. to Cape Kuliuk at 57° 48.25' N. lat., 153° 55.98' W. long. [EAST OF A LINE FROM CAPE UYAK TO CAPE KULIUK, INCLUDING ALL OF UYAK BAY];

(8) Uganik Bay Section: all waters of Uganik Bay enclosed by a line from Miners Point at 57° 54.00' N. lat., 153° 43.58' W. long. to Cape Uganik at 57° 58.00' N. lat., 153° 30.28' W. long., and by a line across Uganik Passage along 153° 12.33' W. long. [EAST OF A LINE FROM THE NORTHERNMOST TIP OF MINERS POINT TO THE WESTERNMOST TIP OF CAPE UGANIK AND WEST OF 153° 12.33' W. LONG. IN UGANIK PASSAGE];

(9) West Afognak Section: all waters enclosed by a line from Cape Uganik at 57° 58.00' N. lat., 153° 30.28' W. long., to Raspberry Cape at 58° 03.58' N. lat., 153° 25.25' W. long., to Black Cape at 58° 24.50' N. lat., 152° 53.30' W. long., to Eagle Cape at 58° 32.57' N. lat., 152° 40.07' W. long., by a line across Cape Current Narrows along 152° 30.00' W. long., by a line between Inner Point and Afognak Point along 152° 47.75' W. long., and by a line across Uganik Passage along 153° 12.33' W. long. [EAST OF A LINE FROM THE WESTERNMOST TIP OF CAPE UGANIK THROUGH THE WESTERNMOST TIPS OF RASPBERRY, BLACK AND EAGLE CAPES, SOUTH OF THE LATITUDE OF THE WESTERNMOST TIP OF EAGLE CAPE AND WEST OF THE LONGITUDE OF THE EASTERNMOST TIP OF CAPE CURRENT NARROWS AND WEST OF A LINE FROM THE EASTERNMOST TIP OF INNER POINT TO THE SOUTHERNMOST TIP OF AFOGNAK POINT AND EAST OF A 153 12.33' W. LONG. IN UGANIK PASSAGE];

(10) North Afognak Section: all waters enclosed by a line from Shuyak Island at 58° 37.77' N. lat., 152° 19.65' W. long., to a location offshore at 58° 26.00' N. lat., 151° 59.20' W. long., to Tonki Cape at 58° 21.13' N. lat., 151° 59.20' W. long., and by a line across Cape Current Narrows along 152° 30.00' W. long. [ALL WATERS SHOREWARD OF A LINE FROM TONKI CAPE TO 58° 26' N. LAT., 151° 59' W. LONG., TO POINT BANKS AND EAST OF CAPE CURRENT NARROWS INCLUDING THE WATERS OF TONKI BAY];

(11) Mainland Section: all state waters of Alaska adjacent to the Alaska Peninsula that are south of 58° 51.10' N. lat. (the latitude of Cape Douglas), and east of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long. [ALL WATERS SOUTH OF THE LATITUDE OF CAPE DOUGLAS (58° 52' N. LAT.), WEST OF A LINE FROM 58° 52' N. LAT., 153° W. LONG., TO 57° N. LAT., 156° 19' W. LONG., AND NORTHEAST OF THE LONGITUDE OF CAPE KILOKAK (156° 19' W. LONG.)];

(12) Marmot Island Section: all waters of the Kodiak District enclosed by a line extending east from Tonki Cape along 58° 21.13' N. lat., by a line from Cape Izhut at 58° 06.03' N. lat., 152° 20.40' N. long. to Miller Point at 57° 50.25' N. lat., 152° 21.12' W. long., and by a line extending east from Kodiak Island along 57° 47.90' N. lat. [ALL WATERS SOUTH OF THE LATITUDE OF TONKI CAPE (58° 21' N. LAT.), EXCLUDING THE WATERS OF TONKI BAY, AND ALL WATERS NORTH OF THE NORTHERNMOST POINT OF LONG ISLAND AT 57° 47.50' N. LAT., AND EAST OF A LINE FROM CAPE IZHUT TO MILLER POINT];

(13) Chiniak Bay Section: all waters of Chiniak Bay enclosed by a line extending east from Kodiak Island along 57° 47.90' N. lat., and by a line from Cape Chiniak at 57° 37.20' N. lat., 152° 09.37' W. long., to 57° 47.90' N. lat., 152° 3.73' W. long. [SOUTH OF 57 47.50' N. LAT., AND WEST OF A LINE FROM CAPE CHINIAK TO 57° 47.50' N. LAT., 152° 04.50' W. LONG.];

(14) Repealed 7/25/82;

(15) Repealed 7/25/82;

(16) Alitak Flats Section: all waters enclosed by a line from Cape Alitak Light at 56° 50.59' N. lat., 154° 18.42' W. long. to Dolina Point at 56° 36.86' N. lat., 154° 13.40' W. long., by a line extending west from Dolina Point along 56 36.86' N. lat., by 154° 47.40' W. long. (the longitude of Cape Ikolik), and by a line extending west from Low Cape along 57° 00.00' N. lat. [WEST OF A LINE FROM THE NORTHERNMOST TIP OF DOLINA POINT TO CAPE ALITAK LIGHT, NORTH OF THE LATITUDE OF DOLINA POINT (56° 37' N. LAT.), EAST OF THE LONGITUDE OF CAPE IKOLIK (154° 47' W. LONG.) AND SOUTH OF THE LATITUDE OF LOW CAPE (56° 59.50' N. LAT.)];

(17) General Section: all remaining waters of the district.

(b) Chignik District: all waters of Registration Area J on the south side of the Alaska Peninsula west of a line extending south from the Alaska Peninsula (near Kilokak Rocks) along 156° 20.22' W. long., east of a line from Kupreanof Point at 55° 33.98' N. lat., 159 35.88' W. long. to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long. and extending 135° southeast from Castle Rock [ALL WATERS WEST OF A LINE EXTENDING SOUTH FROM KILOKAK ROCKS AND EAST OF A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND EAST OF A LINE EXTENDING 135° SOUTHEAST FROM THE EASTERNMOST POINT OF CASTLE ROCK].

(1) Kujulik Bay Section: all waters enclosed by a line from Cape Kumlik at 56° 38.45' N. lat., 157° 27.00' W. long., to the westernmost point of Sutwik Island at 56°

32.40' N. lat., 157° 19.90' W. long., by a line from Foggy Cape at 56° 32.21' N. lat., 156° 58.40' W. long., to the southernmost point of Nakchamik Island at 56° 18.57' N. lat., 157° 49.57' W. long., and by a line from the northernmost point of Nakchamik Island at 56° 22.15' N. lat., 157° 49.85' W. long. to Cape Kumliun at 56° 28.58' N. lat., 157° 51.55' W. long. [ALL WATERS WEST OF A LINE FROM CAPE KUMLIK TO THE WESTERNMOST POINT OF SUTWIK ISLAND, NORTH OF A LINE FROM FOGGY CAPE TO THE SOUTHERNMOST POINT OF NAKCHAMIK ISLAND, AND EAST OF A LINE FROM THE NORTHERNMOST POINT OF NAKCHAMIK ISLAND TO CAPE KUMLIUN];

(2) Chignik Bay Section: all waters enclosed by a line from Cape Kumliun at 56° 28.58' N. lat., 157° 51.55' W. long. to the northernmost point of Nakchamik Island at 56° 22.15' N. lat., 157° 49.85' W. long., and by a line from the southernmost point of Nakchamik Island at 56° 18.57' N. lat., 157° 49.57' W. long. to Castle Cape at 56° 14.44' N. lat., 158° 06.94' W. long. [ALL WATERS WEST OF A LINE FROM CAPE KUMLIUN TO THE NORTHERNMOST POINT OF NAKCHAMIK ISLAND, AND NORTH OF A LINE FROM THE SOUTHERNMOST POINT OF NAKCHAMIK ISLAND TO CASTLE CAPE];

(3) Kuiukta Bay Section: all waters of Kuiukta Bay enclosed by a line from Cape Ikta at 55° 58.78' N. lat., 158° 30.55' W. long. to the southern entrance of Herring Lagoon at 55° 57.50' N. lat., 158° 39.20' W. long. [NORTH OF A LINE FROM CAPE IKTI TO THE SOUTHERN ENTRANCE OF HERRING LAGOON AT 55° 57.50' N. LAT., 158° 38.75' W. LONG.];

(4) Mitrofanina Island Section: all waters enclosed by a line extending south from Seal Cape along 158° 26.00' W. long., by 55° 33.98' N. lat. (the latitude of Kupreanof Point), by a line from Three Star Point at 55° 53.35' N. lat., 159° 10.48' W. long. to the northernmost point of Chiachi Island at 55° 52.66' N. lat., 159° 08.85' W. long., and by a line extending south from the southernmost point of Chiachi Island along 159° 07.00' W. long. [WEST OF THE LONGITUDE OF SEAL CAPE (158° 26' W. LONG.), AND NORTH OF THE LATITUDE OF KUPREANOF POINT (55° 33.98' N. LAT.), EAST OF THE LONGITUDE OF THE SOUTHERNMOST POINT OF CHIACHI ISLAND (159° 07' W. LONG.) AND EAST OF A LINE FROM STAR POINT TO THE NORTHERNMOST POINT OF CHIACHI ISLAND], excluding the waters of the Kuiukta Bay Section;

(5) Ivanof Bay Section: all waters enclosed by a line from Three Star Point at 55° 53.35' N. lat., 159° 10.48' W. long. to the northernmost point of Chiachi Island at 55° 52.66' N. lat., 159° 08.85' W. long., by a line extending south from the southernmost point of Chiachi Island along 159° 07.00' W. long., and by a line extending east from Kupreanof Point along 55° 33.98' N. lat. [WEST OF A LINE FROM STAR POINT TO THE NORTHERNMOST POINT OF CHIACHI ISLAND, WEST OF THE LONGITUDE OF THE SOUTHERNMOST POINT OF CHIACHI ISLAND (159° 07' W. LONG.), AND NORTH OF THE LATITUDE OF KUPREANOF POINT (55° 33.98' N. LAT.)];

(6) Chiginagak Bay Section: all waters enclosed by a line from Cape Providence at 56° 58.67' N. lat., 156° 33.47' W. long. to Aiugnak Columns at 56° 53.08' N. lat., 156° 34.12' W. long., to the easternmost point of Ugaiushak Island at 56° 47.10' N. lat., 156° 50.45' W. long., to Cape Kuyuyukak at 56° 53.85' N. lat., 156° 49.72' W. long. [THE SOUTHERNMOST TIP OF CAPE PROVIDENCE TO AIUGNAK COLUMNS (56° 53.08' N. LAT., 156° 34.12' W. LONG.) TO THE EASTERNMOST TIP OF UGAIUSHAK ISLAND TO CAPE KUYUYUKAK (56° 54.37' N. LAT., 156° 48.75' W. LONG.)];

(7) Seal Cape Section: all waters enclosed by a line from Castle Cape at 56° 14.44' N. lat., 158° 06.94' W. long. to the northernmost point of Chankliut Island at 56° 09.39' N. lat., 158° 05.55' W. long. and by a line from the southernmost point of Chankliut

09.39' N. lat., 158° 05.55' W. long. and by a line from the southernmost point of Chankliut Island at 56° 07.98' N. lat., 158° 06.87' W. long., to Seal Cape at 55° 59.57' N. lat., 158° 26.00' W. long. [WEST OF A LINE FROM CASTLE CAPE TO THE NORTHERNMOST POINT OF CHANKLIUT ISLAND, AND FROM THE SOUTHERNMOST POINT OF CHANKLIUT ISLAND TO SEAL CAPE];

(8) Nakalilok Bay Section: all waters enclosed by a line from Cape Kuyuyukak at 56° 53.85' N. lat., 156° 49.72' W. long., to the easternmost point of Ugaiushak Island at 56° 47.10' N. lat., 156° 50.45' N. long., to Foggy Cape at 56° 32.21' N. lat., 156° 58.40' W. long., to Cape Kunmik at 56° 46.63' N. lat., 157° 10' W. long. [(56° 54.37' N. LAT., 156° 48.75' W. LONG.), TO THE EASTERNMOST TIP OF UGAIUGHAK ISLAND TO THE EASTERNMOST TIP OF FOGGY CAPE TO CAPE KUNMIK (56° 46.63' N. LAT., 157° 10' W. LONG.)];

(9) Aniakchak Bay Section: all waters enclosed by a line from Cape Kunmik at 56° 46.63' N. lat., 157° 10' W. long. to Foggy Cape at 56° 32.21' N. lat., 156° 58.40' W. long., and by a line from the westernmost point of Sutwik Island at 56° 32.40' N. lat., 157° 19.90' W. long., to Cape Kumlik at 56° 38.45' N. lat., 157° 27.00' W. long. [LINES FROM CAPE KUNMIK (56° 46.63' N. LAT., 157° 10' W. LONG.) TO THE EASTERNMOST TIP OF FOGGY CAPE AND FROM THE WESTERNMOST TIP OF SUTWIK ISLAND TO THE EASTERNMOST TIP OF CAPE KUMLIK].

(c) South Peninsula District: all waters of Registration Area J on the south side of the Alaska Peninsula that are west of a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long. to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long. and extending 135° southeast from Castle Rock, and that are east of a line extending south from Scotch Cap Light along 164° 44.72' W. long. [ALL WATERS WEST OF A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK, AND WEST OF A LINE EXTENDING 135° SOUTHEAST FROM THE EASTERNMOST POINT OF CASTLE ROCK AND PACIFIC OCEAN WATERS EAST OF THE LONGITUDE OF CAPE SARICHEF].

(1) Stepovak Bay Section: all waters enclosed by a line from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long., to Castle Rock at 55° 16.80' N. lat., 159° 29.11' W. long., to Cape Thompson at 55° 15.21' N. lat., 159° 31.23' W. long., by a line from Big Koniuji Island at 55° 13.13' N. lat., 159° 34.45' W. long. to Nagai Island at 55° 10.75' N. lat., 159° 48.75' W. long., by a line from Nagai Island at 55° 15.07' N. lat., 159° 56.50' W. long. to Cape Devine at 55° 22.65' N. lat., 160° 08.95' W. long., to Karpa Island at 55° 30.06' N. lat., 160° 03.85' W. long., to the Alaska Peninsula (near San Diego Bay Lagoon) at 55° 33.93' N. lat., 160° 26.80' W. long. [BOUNDED BY A LINE FROM KUPREANOF POINT TO THE EASTERNMOST POINT OF CASTLE ROCK TO CAPE THOMPSON ON BIG KONIUJI ISLAND, THEN FROM A POINT ON BIG KONIUJI ISLAND AT 55° 13.25' N. LAT., 159° 34.50' W. LONG., TO A POINT ON NAGAI ISLAND AT 55° 10.83' N. LAT., 159° 48.67' W. LONG., AND FROM A POINT ON NAGAI ISLAND AT 55° 15.25' N. LAT., 159° 56.50' W. LONG., TO CAPE DEVINE ON KOROVIN ISLAND, TO THE SOUTHERNMOST POINT OF KARPA ISLAND, AND FROM THE WESTERNMOST POINT OF KARPA ISLAND TO THE ENTRANCE OF SAN DIEGO BAY LAGOON];

(2) Unga Straits Section: all waters enclosed by a line from the Alaska Peninsula (near San Diego Bay Lagoon) at 55° 33.93' N. lat., 160° 26.80' W. long. to Karpa Island at 55° 30.06' N. lat., 160° 03.85' W. long., to Cape Devine at 55° 22.65' N. lat., 160° 08.95' W. long., by a line from Korovin Island at 55° 23.75' N. lat., 160° 19.25' W. long. to Popof Island at 55° 21.42' N. lat., 160° 20.00' W. long., by a line from East Head at 55°

21.47' N. lat., 160° 29.55' W. long. to West Head at 55° 22.72' N. lat., 160° 31.17' W. long., and by a line from Unga Spit to the Alaska Peninsula along 160° 43.50' W. long. [BOUNDED BY A LINE FROM THE ENTRANCE OF SAN DIEGO BAY LAGOON TO THE WESTERNMOST POINT OF KARPA ISLAND, THEN FROM THE SOUTHERNMOST POINT OF KARPA ISLAND TO CAPE DEVINE ON KOROVIN ISLAND, THEN FROM A POINT ON KOROVIN ISLAND AT 55° 23.75' N. LAT., 160° 19.25' W. LONG, TO A POINT ON POPOF ISLAND AT 55° 21.42' N. LAT., 160° 20' W. LONG., THEN FROM EAST HEAD ON POPOF ISLAND TO WEST HEAD ON UNGA ISLAND, THEN FROM UNGA SPIT (160° 43.50' W. LONG.) NORTH TO THE MAINLAND];

(3) West Nagai Section: all waters enclosed by a line from West Head at 55° 22.72' N. lat., 160° 31.17' W. long. to East Head at 55° 21.47' N. lat., 160° 29.55' W. long., by a line from Popof Island at 55° 21.42' N. lat., 160° 20.00' W. long. to Korovin Island at 55° 23.75' N. lat., 160° 19.25' W. long., by a line from Cape Devine at 55° 22.65' N. lat., 160° 08.95' W. long. to Nagai Island at 55° 15.07' N. lat., 159° 56.50' W. long., by a line extending south from Mountain Point along 160° 13.38' W. long., by 54° 41.35' N. lat., and by a line extending south from Acheredin Point along 160° 49.25' W. long. [BOUNDED BY A LINE FROM MOUNTAIN POINT ON NAGAI ISLAND SOUTH TO A POINT AT 54° 43.33' N. LAT., 160° 13.25' W. LONG., THEN WEST TO A POINT AT 54° 43.42' N. LAT., 160° 49.25' W. LONG., THEN NORTH TO ACHEREDIN POINT ON UNGA ISLAND, THEN FROM WEST HEAD ON UNGA ISLAND TO EAST HEAD ON POPOF ISLAND THEN FROM A POINT ON POPOF ISLAND AT 55° 21.75' N. LAT., 160° 20' W. LONG., TO A POINT ON KOROVIN ISLAND AT 55° 23.75' N. LAT., 160° 19.25' W. LONG., AND FROM CAPE DEVINE ON KOROVIN ISLAND TO A POINT ON NAGAI ISLAND AT 55° 15.25' N. LAT., 159° 56.50' W. LONG.];

(4) Beaver Bay Section: all waters enclosed by a line from Unga Spit to the Alaska Peninsula along 160° 43.50' W. long., and by a line from Pinnacle Point at 55° 16.44' N. lat., 160° 51.60' W. long. to Seal Cape at 55° 21.59' N. lat., 161° 19.71' W. long. [BOUNDED BY A LINE FROM PINNACLE POINT ON UNGA ISLAND TO SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG., AND FROM UNGA SPIT (160° 43.50' W. LONG.), NORTH TO THE MAINLAND];

(5) Kenoys Island Section: all waters enclosed by a line extending south from Acheredin Point along 160° 49.25' W. long., by 54° 41.35' N. lat., by a line from Goose Island at 54° 41.35' N. lat., 162° 13.24' W. long. to the easternmost point of Poperechnoi Island at 55° 04.00' N. lat., 161° 32.65' W. long., to the southernmost point on Wosnesenski Island at 55° 09.55' N. lat., 161° 20.36' W. long., and by a line from the northeasternmost point of Wosnesenski Island at 55° 13.14' N. lat., 161° 19.71' W. long. to Seal Cape at 55° 21.59' N. lat., 161° 19.71' W. long., to Pinnacle Point at 55° 16.44' N. lat., 160° 51.60' W. long. [BOUNDED BY A LINE FROM SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG., TO PINNACLE POINT ON UNGA ISLAND, THEN FROM ACHEREDIN POINT ON UNGA ISLAND TO A POINT AT 54° 43.42' N. LAT., 160° 49.25' W. LONG., THEN WEST TO THE NORTHERNMOST POINT ON GOOSE ISLAND, THEN TO THE EASTERNMOST POINT ON POPERECHNOI ISLAND, THEN TO THE SOUTHERNMOST POINT ON WOSNESENSKI ISLAND, AND THEN FROM THE NORTHEASTERNMOST POINT ON WOSNESENSKI ISLAND TO SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG.];

(6) Pavlof Bay Section: all waters enclosed by a line from Seal Cape at 55° 21.59' N. lat., 161° 19.71' W. long. to the northeasternmost point of Wosnesenski Island at 55° 13.14' N. lat., 161° 19.71' W. long., and from the southernmost point of Wosnesenski

Island at 55° 04.00' N. lat., 161° 32.65' W. long., to a location offshore at 54° 55.28' N. lat., 161° 48.33' W. long., to the Alaska Peninsula at 55° 05.90' N. lat., 161° 59.00' W. long. [BOUNDED BY A LINE FROM SEAL CAPE AT 55° 21.75' N. LAT., 161° 19.50' W. LONG., TO THE NORTHERNMOST POINT OF WOSNESENSKI ISLAND AND FROM THE SOUTHERNMOST POINT OF WOSNESENSKI ISLAND TO THE EASTERNMOST POINT OF POPERECHNOI ISLAND TO BELKOFSKI POINT];

(7) Belkofski Bay Section: all waters enclosed by a line from the Alaska Peninsula at 55° 05.90' N. lat., 161° 59.00' W. long., to a location offshore at 54° 55.28' N. lat., 161° 48.33' W. long., to Goose Island at 55° 41.35' N. lat., 162° 13.24' W. long., to Fawn Point at 54° 49.66' N. lat., 162° 19.05' W. long., and by a line from West Cape at 54 55.66' N. lat., 162 26.19' W. long. to Thin Point at 54° 57.32' N. lat., 162° 33.50' W. long. [BOUNDED BY A LINE FROM BELKOFSKI POINT TO THE SOUTHERNMOST POINT OF POPERECHNOI ISLAND TO THE NORTHERNMOST POINT ON GOOSE ISLAND TO FAWN POINT ON DEER ISLAND TO THIN POINT ON THE ALASKA PENINSULA];

(8) Morzhovoi Bay Section: all waters enclosed by a line from Thin Point at 54° 57.32' N. lat., 162° 33.50' W. long. to Cape Pankof at 54° 39.60' N. lat., 160° 03.70' W. long., and by a line across Isanotski Strait along 54° 51.30' N. lat. [BOUNDED BY A LINE FROM THIN POINT ON THE ALASKA PENINSULA TO CAPE PANKOF OF UNIMAK ISLAND AND FROM THE FALSE PASS CANNERY DOCK TO NICHOLS POINT].

(d) North Peninsula District: all Bering Sea waters east of the longitude of Cape Sarichef.

(e) Aleutian District: all waters west of 164° 44.72' W. long. (the longitude of Scotch Cap Light), excluding the waters of the North Peninsula District [THE LONGITUDE OF CAPE SARICHEF].

Proposal 357 will amend the regulatory description of the eastern boundary of the Kodiak Management Area for shrimp. If adopted, this would create a mismatch with the shared portion of the Prince William Sound Management Area boundary. The substitute language below will ensure that the boundaries continue to match. There should be no management effect resulting from this change.

5 AAC 31.200. Description of Registration Area E

Registration Area E has as its western boundary the longitude of Cape Fairfield (148° 50.25' W. long.) south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long and as its eastern boundary the longitude of Cape Suckling (144° W. long.).

5 AAC 31.205. Description of Registration Area E districts and sections

(b) Outside District: all waters in the Prince William Sound Area that are seaward of the Inside District and between the longitude of Cape Fairfield (148° 50.25' W. long.) south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long and the longitude of Cape Suckling (144° W. long.). The Outside District sections are as follows:

RC 57

Submitted by the Department of Fish and Game
at the request of board member Webster

3/22/2012



PROPOSAL 382

5 AAC 34.612 Harvest Levels for Golden King Crab in Registration Area O.

(a) Until the Aleutian Islands golden king crab stock assessment model and a state regulatory harvest strategy are established, the harvest levels for the Registration Area O golden king crab fishery are as follows:

- (1) east of 174° W long.: 3.31 million pounds; and
- (2) west of 174° W long.: 2.98 million pounds;

(b) The department may reduce the harvest levels based on the best scientific information available and considering the reliability of estimates and performance measures, sources of uncertainty as necessary to avoid overfishing, and any other factors necessary to be consistent with sustained yield principles.

RC 59

Submitted by the Alaska Department of Fish & Game (ADF&G)

Date: March 22, 2012

Board of Fisheries Meeting: Statewide Dungeness Crab, Shrimp, Miscellaneous Shellfish -
March 20-24, 2012

Re: Possible substitute regulatory language for alternative version of Proposal 381 as described
in RC 46

Below is possible substitute language to address changes to threshold abundance levels and
harvest rates proposed in RC 46.

5 AAC 34.915. Norton Sound Section red king crab harvest strategy

(a) The department shall manage the Norton Sound Section summer season red king crab fishery
in accordance with 5 AAC 34.080, as follows:

(1) the threshold level of abundance of legal male red king crab biomass is 1.25 [1.5] million
pounds; the Norton Sound red king crab season may open only if analysis of preseason survey
data indicates that the population of legal male red king crab exceeds this level;

(2) if the Norton Sound red king crab season is open under (1) of this subsection and the legal
male red king crab biomass is less than 2 [2.5] million pounds, the number of legal male red king
crab available for harvest will be no more than seven [FIVE] percent of the legal male red king
crab abundance;

(3) if the Norton Sound red king crab season is open under (1) of this subsection and the legal
male red king crab biomass is **between 2 and 3** [2.5] million pounds [OR MORE], the number
of legal male red king crab available for harvest will be no more than 13 [10] percent of the legal
male red king crab abundance;

**(4) if the Norton Sound red king crab season is open under (1) of this subsection and the
legal male red king crab biomass is 3.0 million pounds or more, the number of legal male
red king crab available for harvest will be no more than 15 percent of the legal male red
king crab abundance;**

READOPT 4 as **(5)** when applying this harvest strategy, the department shall consider the
reliability of the estimates of abundance of red king crab, other factors necessary to be consistent
with sustained yield principles, and the best scientific information available.

(b) Notwithstanding 5 AAC 39.690(e) (7), the commissioner may, by emergency order, open a CDQ fishery in Norton Sound, with an allocation of 7.5 percent of the forecasted guideline harvest level for male red king crab.

Submitted by Department of Fish and Game at the request of board member Webster

Substitute language for proposal 358

March 23, 2012

5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan. (a) The department shall manage the sport and other noncommercial shrimp fisheries in the Prince William Sound Area as follows:

(1) the guideline harvest level for shrimp taken by pot gear in [ALLOCATED TO THE SPORT AND OTHER] noncommercial fisheries is calculated as 60 percent of the total allowable harvest for the area;

(2) a harvest recording form is required as specified in 5 AAC 75.016;

(3) shrimp may be taken with pots as follows:

(A) only from April 15 through September 15;

(B) no bag, possession, or size limit;

(C) no more than five pots per vessel may be used to take shrimp.

(b) **Repealed:** [IF THE NONCOMMERCIAL FISHERIES ARE PROJECTED BY THE DEPARTMENT TO EXCEED THE GUIDELINE HARVEST LEVEL FOR NONCOMMERCIAL FISHERIES, THE COMMISSIONER MAY, BY EMERGENCY ORDER, RESTRICT THE NONCOMMERCIAL FISHERIES. THE RESTRICTIONS MAY BE IMPLEMENTED BEFORE THE SEASON BASED ON THE MOST RECENT HARVEST ESTIMATES FOR THE NONCOMMERCIAL FISHERIES AND THE GUIDELINE HARVEST LEVEL ESTABLISHED FOR THAT YEAR. RESTRICTIONS MAY INCLUDE A REDUCTION IN THE NUMBER OF ALLOWABLE POT GEAR, AND TIME AND AREA.

(c) **Repealed:** IF THE NONCOMMERCIAL FISHERIES ARE PROJECTED BY THE DEPARTMENT TO NOT EXCEED THE GUIDELINE HARVEST LEVEL FOR NONCOMMERCIAL FISHERIES, THE COMMISSIONER MAY, BY EMERGENCY ORDER, LIBERALIZE THE NONCOMMERCIAL FISHERIES. THE LIBERALIZATIONS MAY BE IMPLEMENTED BEFORE THE SEASON BASED ON THE MOST RECENT HARVEST ESTIMATES FOR THE NONCOMMERCIAL FISHERIES AND THE GUIDELINE HARVEST LEVEL ESTABLISHED FOR THAT YEAR. LIBERALIZATIONS

MAY INCLUDE AN INCREASE IN THE NUMBER OF POT GEAR, AND TIME AND AREA.] (Eff. 8/23/2009, Register 191)

Authority: AS 16.05.060 AS 16.05.251

5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E. The estimated total allowable harvest for the waters described in 5 AAC 31.210(a) must be more than 110,000 pounds of spot shrimp by round weight before a commercial shrimp pot fishery may be opened. The guideline harvest level for the commercial pot gear fishery in the waters described in 5 AAC 31.210(a) is 40 percent of the total allowable harvest for the area; the department will, to the extent practicable manage so that no more than 25 percent of the guideline harvest level will be taken from any one statistical area, using emergency order authority to adjust pot limits, time, or area to achieve the 25 percent statistical area harvest target. (Eff. 8/23/2009, Register 191)

Authority: AS 16.05.251

RC 64

Recommendation on Kootznoowoo Petition for Extraterritorial Jurisdiction

Southeast Alaska Subsistence Regional Advisory Council
March 22, 2012

Introduction:

The Council met in concurrent session with the Federal Subsistence Board to hear the staff analysis and public testimony regarding the Kootznoowoo Inc. Petition for extraterritorial jurisdiction into Chatham Strait. The petitioner contends that management of commercial fisheries by the State of Alaska has interfered with sockeye salmon escapements and subsistence harvests in systems fished by residents of the City of Angoon, including the Eva, Hasselborg, Kanalku, Kook, and Sitkoh drainages, to such an extent as to result in a failure of the subsistence priority.

The following comments are the Council's interpretation, summary and recommendations for action by the Secretaries.

Petition Requests:

The Kootznoowoo petition of May 10, 2010, requests Federal assertion of extraterritorial jurisdiction to restrict or close commercial fishing in marine waters of:

- 1) reserved Federal waters within and immediately surrounding Admiralty Island within the boundaries of Admiralty Island National Monument and Kootznoowoo Wilderness Area
- 2) reserved Federal waters three miles distant from the continental mainland and islands of Admiralty, Chichagof and Baranof
- 3) all marine waters and lands encompassed by "Angoon Territory," the defined boundaries of which are based on past use and current ownership

The petition supplement of June 15, 2011, requests:

- 1) reducing the harvest area adjacent to Hidden Falls Hatchery
- 2) closing all fishing districts in Chatham, Icy, and Peril Straits during June, July and the first two weeks of August
- 3) that "Kootznoowoo's rights, interests and quiet enjoyment of Federal lands and waters within Admiralty Island" be acknowledged, maintained and protected and that any current and continued enforcement efforts contrary to these be dismissed and discontinued.

Office of Subsistence Management Identification of Issues

Has State management of the commercial purse seine fishery interfered with subsistence fishing on Federal public lands and associated waters to such an extent as to result in a failure to provide

the subsistence priority to Angoon residents. This issue can be separated into three distinct questions:

1. Is there a Federal subsistence priority for Angoon residents?
2. Does State management of the commercial purse seine fishery interfere with subsistence fishing on Federal public lands and associated waters?
3. If there is interference, does it occur to such an extent as to result in failure to provide the subsistence priority to Angoon residents?

Council Findings:

There is no doubt that some sockeye salmon bound for streams used by residents of Angoon are intercepted by the commercial seine fishery operating in Chatham Strait. That is a reasonable conclusion because commercial fishery openings occur at the same time and in the same area where sockeye salmon of local origin are expected to migrate.

The total number or proportional contribution of sockeye salmon from these stocks to the Chatham Straits commercial fishery harvest is unknown. While the genetic stock database is generally complete, the commercial catch is not sampled for wild stock contributions.

The sockeye salmon streams in the local area are generally small in size with limited potential to provide for subsistence needs. In recent years, escapements in each of these five streams have likely been less than required to allow for returns within the natural range of sockeye production. Low estimates of sockeye fry densities and high estimates of prey species in the lakes support additional adult escapements. It is also likely that the demand for a 250 sockeye salmon per household annual limit for subsistence users will remain unfulfilled when adequate escapements are attained.

The geographic distribution of these streams force residents of Angoon to travel long distances over open waters to access the terminal areas of the five sockeye systems in question.

Subsistence fishing at these five systems occurs primarily in marine and intertidal waters near the mouths of these streams. There is little evidence of significant harvest in streams above the high tide mark. It appears that in addition to vagaries in natural production, management of the State mixed stock commercial seine fishery has the greatest effect on the State managed subsistence fishery in the terminal areas.

Critical habitat needs to be identified and addressed. Streams should be monitored each season, prior to sockeye returns to ensure that any blockages are removed. The Council supports the planning process currently in place to modify the natural barrier at Kanalku Lake. The falls will be altered to facilitate passage of sockeye salmon into the lake. Spawning areas need to be evaluated for quantity and quality. Some spawning areas are in need of rehabilitation.

Response to Questions Posed by the Office of Subsistence Management:

Question 1:

The Federal Subsistence Board has determined that residents of Angoon have a positive customary and direct dependence upon salmon returning to the five lakes under consideration (Eva, Hasselborg, Kanalku, Kook, and Sitkoh) as a mainstay of livelihood and have a subsistence priority.

Question 2:

The commercial purse seine fishery in Chatham Strait is a mixed-stock fishery; sockeye salmon system specific harvest data is limited, but based on Kanalku Lake and Kook Lake sockeye salmon escapements and seine harvest diagrams (Figures 4A, 4B, 5A, 5B, 5C from the staff analysis) the staff report summary states, "It appears more likely than not that the commercial purse seine fishery is reducing the number of sockeye salmon returning to Federally managed waters". The Council supports this conclusion.

Question 3:

Sockeye salmon migrate to spawn within the exterior boundaries of the Tongass National Forest. Federal nexus extends into the marine waters of Southeast Alaska. Sockeye salmon subsistence fisheries at Eva, Hasselborg, Kanalku, Kook, and Sitkoh Lakes have historically occurred primarily in State waters and these fisheries are managed by the State. Subsistence sockeye salmon fisheries occur adjacent to Federal public land and on Federal public land. Sockeye salmon rear and return to spawn on Federal public land. Although there is interference, the proportion of fish harvested on Federal public land and the extent of this interference to the Federal fishery has yet to be determined. Based on public testimony, subsistence needs by the residents of Angoon are not being met at Kanalku Lake and this condition has failed to provide for the subsistence priority of Angoon residents.

Conclusion:

The Council suggests that the resolution of ownership of marine waters is not a requirement to address the question of whether there is a meaningful subsistence priority for the harvest of sockeye salmon on Federal public land by the residents of Angoon.

The Council feels strongly that the resolution of the questions and concerns contained within the petition is not a Secretarial responsibility alone. The ultimate solution will require cooperation between the State of Alaska, the Federal Subsistence Program and local communities.

Recommendation:

Defer extending Federal jurisdiction into waters of Chatham Straits, as recommended by the petition, for three years. Deferring action by the Secretaries to extend Federal jurisdiction into the marine waters of Chatham Strait will provide an opportunity for the State of Alaska, the Federal subsistence management program, and local residents and organizations to achieve the following milestones and management actions. The Council believes these actions will address the issues raised by Kootznوو Inc. and facilitate a solution developed at the local level.

Amend the Northern Southeast Alaska Seine Fishery Management Plan and the Hidden Falls Hatchery Management Plan to include accommodations for the State and Federal subsistence fisheries.

Close the commercial seine fishery areas in regulation that have been closed by State Emergency Order near Basket Bay and Kootznoowoo Inlet.

The Federal subsistence program and the Alaska Department of Fish and Game will assist the community of Angoon in developing a regulatory proposal for the State Board of Fish at the next regular cycle to change the Amounts Necessary for Subsistence finding to a community level rather than a Juneau management area designation.

It is advantageous for evaluation of the success of the management plan if escapement goals for Kanalku, Kook, Sitkoh, Hasselborg, and Eva Lakes are developed. Genetic stock identification programs and escapement goal studies by the State of Alaska in cooperation with the Federal subsistence management program will be implemented within three years.

The Federal subsistence program contact and cooperate with Kootznoowoo Inc. concerning the application of ANILCA.

The Council requests the Secretary provide annual progress reports to the Council and the Subsistence Board regarding these recommendations.