

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS Agenda Change Requests

ALASKA BOARD OF FISHERIES MEETING ANCHORAGE, ALASKA

October 4-5, 2011



Regional Information Report No. 5J11-03

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, October 4-5, 2011 in Anchorage, 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.

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ACR 1 – Return Kodiak area bag limits for rockfish back to pre-2011 limits, of 10 rockfish daily with 20 in possession; no size limit. (5 AAC 65.022(7)).

PRESENT SITUATION: Kodiak area sport fishing regulations for rockfish include a bag limit of 5 per day, 10 in possession, of which only 2 per day, 4 in possession, may be nonpelagic rockfish and of which only 1 per day, 2 in possession, may be a yelloweye rockfish.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: It requests the board's reconsideration of the new Kodiak area sport rockfish bag limit. It is unclear if the agenda change request seeks to revert to the more liberal bag limit or apply new regulations only to Chiniak Bay.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: Current regulations were adopted by the board at its January 2011 Kodiak finfish board meeting. A proposal submitted by the Alaska Department of Fish and Game sought to reduce the Kodiak area sport rockfish bag and possession limit from 10 per day, 20 in possession, to 5 per day, 10 in possession. The department proposed the bag limit changes to maintain historic harvest levels and make them more consistent with rockfish bag limits in adjacent management areas. During its January 2011 meeting, the board amended the proposal to reflect the current, more restrictive, limits.

PROPOSED BY: Kodiak Association of Charterboat Operators.

ACR 2 – Close sport fishing for king salmon in the Black River and tributaries in the Yukon River drainage. (5 AAC 73.010).

PRESENT SITUATION: Sport fishing for king salmon on the Black River and its tributaries, including the Salmon Fork, is open year-round with a bag and possession limit for king salmon, 20 inches or greater in length, of three fish, of which only two fish may be 28 inches or greater in length. The bag and possession limit for king salmon less than 20 inches is 10 fish (statewide regulation). These bag and possession limits apply to the entire Yukon River drainage, except for the Tanana River drainage, which has a bag and possession limit for king salmon, 20 inches or greater in length, of one fish.

The Black River drainage is within Subdistrict 5-D for commercial and subsistence regulations. As a tributary of the Yukon River, the Black River (including the Salmon Fork) is closed to commercial fishing. Subdistrict 5-D is open to subsistence fishing seven days a week unless reduced by emergency order.

In three of the past four years (2008, 2009, and 2011) the sport fishing bag and possession limit for king salmon was restricted by emergency order. In 2008, the bag and possession limit was reduced to one fish in the mainstem Yukon River and tributaries of the Yukon River. In 2009 and 2011, sport fishing for king salmon in the mainstem Yukon River was closed, and the Yukon River tributary bag and possession limits were reduced to one king salmon. All actions were taken in conjunction with restrictions in the Yukon River commercial and subsistence fisheries to conserve king salmon.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Close the Black River and its tributaries, including the Salmon Fork, to sport fishing for king salmon.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No. There is no information that indicates an increase in sport fishing effort or harvest directed at king salmon in the Black River and its tributaries. King salmon in the Yukon River have been classified a stock of yield concern by the board since 2000. The Porcupine River drainage (including the Black River drainage) is excluded from the escapement objective of Canadian-origin king salmon in the Yukon River Salmon Agreement. The Porcupine River drainage king salmon stocks are referenced in the agreement, but only in limiting establishment of new fisheries to maximize spawning escapement.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The Black River drainage is extremely remote with negligible sport fishing activity. Freshwater sport fishing guides have been required to report effort, harvest, and fish released in logbooks since 2005. From 2006–2010, there has been no

reported guiding activity on the Salmon Fork, Black River, or elsewhere in the Porcupine River drainage. The Statewide Harvest Survey has reported sport fishing activity on the Black River in only five years since 1996 (1996–1998, 2000, and 2010). Sport fishing activity has only been reported on the Salmon Fork in 2004. No king salmon were reported caught or harvested in any of these years.

Staff discussions with Chalkyitsik area residents indicate that king salmon runs to the Salmon Fork were large until approximately 1927. The decline in the king salmon run was attributed to overfishing and/or changes in the river morphology reducing spawning habitat. A radiotelemetry study to identify king salmon spawning distribution in the Yukon River drainage from 2002–2004 observed radio-tagged king salmon in the Salmon Fork each year of the study and found an average of nearly two tags annually. There are many similar, relatively small spawning aggregates within the immense Yukon River drainage. During this same study, the Tolovana and Chatanika rivers averaged four radio-tagged king salmon annually. The Chatanika River is road-accessible from Fairbanks and is currently open to sport fishing for king salmon with a bag and possession limit of one fish greater than 20 inches.

PROPOSED BY: Black River Working Group.

ACR 3 – Request Board to adopt statewide definition of anchor rollers into regulation. (5 AAC 39.105(x)).

PRESENT SITUATION: During summer months of 2011, reports were received by the Alaska Department of Public Safety that commercial purse seine fishing vessels longer than the allowable overall length were being used to take salmon. It was found that two vessels of more than 58 feet in overall length had been modified by removing a section of the bow (in one case, several feet of vessel hull length), and then bolting the bow section back on. The owners considered the added hull section to be an “anchor roller”. The Alaska Department of Law considered this clearly unlawful, but, lacking a clear definition of “anchor roller” on a statewide basis, the dispute continues.

The purpose of this agenda change request (ACR) is to correct an error (omission) in regulation by providing a definition for the term “anchor roller”; this definition would apply to all vessels statewide for which a statutory or regulatory maximum length has been established and remove any dispute as to what an “anchor roller” is.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: The requested change is to add a statewide definition of “anchor roller”.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No
- 2) **Does the agenda change request correct an error in regulation?** Yes. Adoption of this ACR corrects an error in regulation by supplying a statewide definition of “anchor roller” essential to efficient enforcement of the statute and regulations limiting the length of commercial fishing vessels operating in Alaska.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. Adoption of this ACR corrects the unforeseen effect of the lack of regulatory definition of the term “anchor roller” and the unforeseen practice of persons removing the bow section from larger vessels, then bolting them back on and calling them “anchor rollers”.

ADDITIONAL INFORMATION: The Alaska Legislature has limited the allowable length of purse seine vessels in Alaska to 58 feet in overall length (AS 16.05.835). The Alaska Legislature defined “overall length” as the straight line length between the extremities of the vessel, excluding anchor rollers. The term “anchor roller” is not defined on a statewide basis. This was not a problem in the past since compliance with vessel length was universal and everyone understood what an “anchor roller” was.

A similar situation occurred in Bristol Bay several years ago when owners of drift gillnet vessels that exceeded the allowable 32 feet in length began to remove sections of bow, bolt them back on, and call them “anchor rollers”. The board responded by approving a sufficiently clear definition of “anchor roller” that applied to Bristol Bay [5AAC 06.341(b)(1)]. Enforcement then

proceeded in an orderly way since the public was well notified as to what an “anchor roller” really was.

This new interpretation by fishermen of bolt-on bow sections as “anchor rollers” occurred in the purse seine fleet for the first time in 2011. The board’s next consideration of statewide finfish proposals will occur in the 2012/2013 cycle, which would delay implementation during the 2012 fishing season. A clear definition of “anchor roller” is needed at this time to support enforcement.

A new definition of “anchor roller” would also apply to any vessel length restriction currently in regulation for all commercial fisheries. Many of the current vessel length restrictions contain the term “anchor roller” and, like purse seine vessels, do not have a definition needed to facilitate enforcement and clarify public understanding.

PROPOSED BY: Alaska Department of Public Safety.

ACR 4 – Close sport fishing for king salmon in the Salmon Fork of the Black River and tributaries in the Yukon River drainage. (5 AAC 73.010).

PRESENT SITUATION: Sport fishing for king salmon on the Salmon Fork of the Black River is open year-round with a bag and possession limit for king salmon, 20 inches or greater in length, of three fish, of which only two fish may be 28 inches or greater in length. The bag and possession limit for king salmon less than 20 inches is 10 fish (statewide regulation). These bag and possession limits apply to the entire Yukon River drainage, except for the Tanana River drainage, which has a bag and possession limit for king salmon, 20 inches or greater in length, of one fish.

The Salmon Fork of the Black River is within Subdistrict 5-D for commercial and subsistence regulations. As a tributary of the Yukon River, the Black River (including the Salmon Fork) is closed to commercial fishing. Subdistrict 5-D is open to subsistence fishing seven days a week unless reduced by emergency order.

In three of the past four years (2008, 2009, and 2011), the sport fishing bag and possession limit for king salmon was restricted by emergency order. In 2008, the bag and possession limit was reduced to one fish in the mainstem Yukon River and tributaries of the Yukon River. In 2009 and 2011, sport fishing for king salmon in the mainstem Yukon River was closed, and the Yukon River tributary bag and possession limits were reduced to one king salmon. All actions were taken in conjunction with restrictions in the Yukon River commercial and subsistence fisheries to conserve king salmon.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: Close the Salmon Fork of the Black River to sport fishing for king salmon.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No. There is no information that indicates an increase in sport fishing effort or harvest directed at king salmon in the Salmon Fork of the Black River. King salmon in the Yukon River have been classified a stock of yield concern by the board since 2000. The Porcupine River drainage (including the Salmon Fork of the Black River) is excluded from the escapement objective of Canadian-origin king salmon in the Yukon River Salmon Agreement. The Porcupine River drainage king salmon stocks are referenced in the agreement, but only in limiting establishment of new fisheries to maximize spawning escapement.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The Salmon Fork of the Black River is extremely remote with negligible sport fishing activity. Freshwater sport fishing guides have been required to report effort, harvest, and fish released in logbooks since 2005. From 2006–2010, there has been

no reported guiding activity on the Salmon Fork, Black River, or elsewhere in the Porcupine River drainage. The Statewide Harvest Survey has reported sport fishing activity on the Black River in only five years since 1996 (1996–1998, 2000, and 2010). Sport fishing activity has only been reported on the Salmon Fork in 2004. No king salmon were reported caught or harvested in any of these years.

Staff discussions with Chalkyitsik area residents indicate that king salmon runs to the Salmon Fork were large until approximately 1927. The decline in the king salmon run was attributed to overfishing and/or changes in the river morphology reducing spawning habitat. A radiotelemetry study to identify king salmon spawning distribution in the Yukon River drainage from 2002–2004 observed radio-tagged king salmon in the Salmon Fork each year of the study and found an average of nearly two tags annually. There are many similar, relatively small spawning aggregates within the immense Yukon River drainage. During this same study, the Tolovana and Chatanika rivers averaged four radio-tagged king salmon annually. The Chatanika River is road-accessible from Fairbanks and is currently open to sport fishing for king salmon with a bag and possession limit of one fish greater than 20 inches.

PROPOSED BY: Eastern Interior Regional Advisory Council.

ACR 5 – Correct errors in regulation from 2011 Upper Cook Inlet meeting (5 AAC 21.353).

The board addressed the issues raised in ACR 5 at its August 8, 2011 meeting where it delegated authority to the commissioner to adopt regulatory changes to 5 AAC 21.353 in accordance with the language of emergency regulations the board had earlier adopted on June 30, 2011, but which were later enjoined from implementation by the State Superior Court, Third Judicial District (Case No. 3AN-11-9043 CI).

ACR 6 – Amend the maximum allowable harvest in Norton Sound red king crab fishery to align with revised harvest rates based on recent population model (5 AAC 34.915).

PRESENT SITUATION: The federal *Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP) establishes a cooperative structure deferring management of Bering Sea and Aleutian Islands king and Tanner crab fisheries to the State of Alaska, with federal oversight. Harvest levels or total allowable catch (TAC) are designated as an FMP category 2 management measure, meaning that harvest levels may be set by the state within constraints of certain federal laws and regulations.

In May 2011, the Crab Plan Team (CPT) revised the stock assessment model for estimating the legal male biomass of Norton Sound red king crab. The CPT determined the previous stock assessment model used to predict the Norton Sound legal male biomass was overestimating “actual” abundance by an average of 40%. Thus, the updated stock assessment model predicts a lower population estimate when compared to the former model.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request seeks to maintain harvest levels of the last several years by raising the allowable regulatory exploitation rate and reducing the male red king crab biomass threshold levels in response to the revised stock assessment model that has lowered the population estimate.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. A retrospective analysis estimated that the Norton Sound commercial red king crab fishery was allowing removal of 12–16% of the legal male biomass, rather than the maximum of 10% in regulation.

ADDITIONAL INFORMATION: The department is analyzing data from the 2011 summer commercial red king crab fishery in Norton Sound. Despite fishing at a higher exploitation rate the past decade than was allowed at the 10% maximum legal male harvest rate limit in the harvest strategy regulation (5 AAC 34.915. *Norton Sound Section red king crab harvest strategy*), the crab stock has been stable, suggesting that the historical harvest rate above 10% has been sustainable. The new stock assessment model reduces the population estimate and amount of crab available for harvest. This request attempts to align harvest rates with those observed in recent years while mitigating expected decreases in annual guideline harvest levels from the new stock assessment model. The board would need to take action adopting this harvest strategy into regulation prior to next fishing season before it could be implemented.

PROPOSED BY: Charlie Lean.

ACR 7 – Amend pot limits based on new guideline harvest levels in Registration Area J Tanner crab fishery.(5 AAC 35.525(c)(1)).

PRESENT SITUATION: The Kodiak District Tanner crab pot limit is based on a sliding scale, ranging from 20 to 60 pots per vessel, depending on the annual Tanner crab guideline harvest level (GHL). During years when the Kodiak District Tanner crab fishery GHL is low, fewer pots are permitted to ensure orderly fisheries. During years the Tanner crab GHL is high, vessels may use a greater number of pots to maximize opportunity.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request (ACR) seeks to modify the Kodiak District Tanner crab pot limit such that the annual Tanner crab GHL must reach 4 million pounds in order to increase the pot limit from the base level of 20 pots per vessel to the next pot limit level of 30 pots per vessel. Criteria for increasing the pot limit to 40 and 60 pots per vessel are also addressed in the ACR.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No.

ADDITIONAL INFORMATION: The Board of Fisheries (board) adopted a comprehensive harvest strategy in 1999 for management of Tanner crab in Kodiak District (5 AAC 35.507). The Kodiak District is subdivided into eight sections: Northeast, Eastside, Southeast, Southwest, Semidi Island Overlap, Westside, North Mainland, and South Mainland. Criteria within the harvest strategy specify a Kodiak District commercial Tanner crab fishery may only occur when (1) preseason trawl survey abundance estimates meet or exceed minimum population thresholds; (2) crab abundance must allow for a commercial fishery to occur in at least two sections; (3) the corresponding section GHL must be 100,000 pounds or more in any section eligible to be opened; and (4) abundance is sufficient to provide a total district harvest of at least 400,000 pounds.

The Kodiak District is a limited entry, superexclusive registration district for Tanner crab. Crab pots may only be set or retrieved during a 10-hour daily fishing period (8:00 a.m. to 5:59 p.m.). The department has the authority to announce fishery closures before the season starts if effort is expected to be high or unmanageable (5 AAC 35.527 (6)).

During the 2010/11 season, the Northeast, Eastside, Southeast, and Southwest sections met criteria specified in the harvest strategy for a commercial fishery opening. The combined Kodiak District GHL was 1.49 million pounds. Each section was assigned a unique GHL and managed independently of the other sections. Section GHLs were as follows: Northeast Section – 100,000 pounds; Eastside Section – 1,000,000 pounds; Southeast Section – 240,000 pounds; and Southwest Section – 150,000 pounds.

A total of 80 vessels participated in the 2010/11 Kodiak Tanner crab season. Harvest, including deadloss and personal use, totaled 1.53 million pounds, which exceeded the GHL of 1.49 million pounds by less than 3%. Depending on the section, the 2010/11 fishery was open from 2 to 14 days, although the majority of the total Kodiak District GHL was harvested in less than 5 days. Catch per unit effort (CPUE), as measured by the number of crabs retained per pot pulled, averaged 57 crab per pot, which was the highest CPUE in recent years.

The Kodiak District Tanner crab pot limit regulation was implemented prior to the 2002/03 season. Since that time, the 2005/06 season was the only season when the pot limit exceeded the lowest pot limit level of 20 pots per vessel. At this time, it is unknown how many vessels will participate in the 2011/12 fishery; however, total participation is capped at 182 vessels as determined by the maximum number of active limited entry permits for the Kodiak District Tanner crab fishery.

PROPOSED BY: Stosh Anderson.

ACR 8 – Amend various aspects of the management plan for Kenai River late-run king salmon to achieve the biological escapement goal. (5 AAC 21.359).

PRESENT SITUATION: The language under 5 AAC 21.359. *Kenai River Late-Run King Salmon Management Plan*, states that the purposes of this management plan are to ensure an adequate escapement of late-run king salmon into the Kenai River and to provide management guidelines to the department. The department manages late-run Kenai River king salmon stocks primarily for sport and guided sport uses in order to provide a reasonable harvest opportunity over the entire run, as measured by the frequency of inriver restrictions.

The management plan specifies the department shall manage to achieve a sustainable escapement goal of 17,800–35,700 late-run king salmon and provides specific management actions (liberalizations and restrictions) to take on sport and commercial fisheries in order to achieve the escapement goal. If the escapement goal is projected to be exceeded, the sport fishing season may be extended up to seven days during the first week of August. If the projected inriver return of late-run king salmon is less than 40,000 fish and the inriver sport fishery harvest is projected to result in an escapement below 17,800 king salmon, the department may restrict the inriver sport fishery (for example; prohibit bait, catch-and-release). If the projected inriver return is less than 17,800 king salmon, the department shall close the inriver sport fishery, the marine sport fishery north of Bluff Point, the commercial set gillnet fishery, and the commercial drift gillnet fishery within one mile of the Kenai Peninsula shoreline north of the Kenai River and one and one-half miles of the Kenai Peninsula shoreline south of the Kenai River.

In 2011, five different indices were used to assess late-run king salmon run strength: echo length standard deviation (ELSD) sonar estimates, net-apportioned sonar estimates, test net catch-per-unit-effort (CPUE) estimates, sport fish CPUE, and commercial eastside setnet harvest. Taken individually, each index of abundance produces a different estimate, but used in combination they provide a practical assessment for determining inseason management actions. Based on these indices of abundance, the 2011 inriver run strength was well below the recent 9-year average and was most similar to the runs of 2009 and 2010.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This request seeks to maintain the sustained yield of Kenai River late-run king salmon at acceptably healthy levels by not articulating very specific numerical trigger points and sharing the burden of conservation more equitably between sport, personal use, and commercial set gillnet fisheries during times when yields are estimated to be low or when achievement of the escapement goal is in doubt.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** The department and the board recently reviewed the status of Upper Cook Inlet salmon stocks at the February 2011 board meeting. The information presented on Kenai River late-run king salmon was for the years 2008 through 2010, whereby the escapement goal was met in 2008, not met in 2009 and, in 2010, the escapement was at or near the lower end of the escapement goal.

The 2009 Kenai River late-run king salmon escapement has been reported as below the escapement goal range. Preliminary postseason analysis of the 2010 late-run king salmon assessment data, including Statewide Harvest Survey (SWHS) estimates, indicates the 2010 escapement goal was attained. The same is true for preliminary analysis of the 2011 late-run king salmon escapement. The 2011 analysis could take place because it did not require SWHS data; the fishery was closed upstream of the Soldotna bridge, and creel survey data provides for the estimate of harvest below the bridge. It should be noted that uncertainty in the assessment data, as described at the February 2011 board meeting, means there is some probability the escapement was below the goal.

Despite the uncertainty of current assessment data, the department has sufficient information to manage both sport and commercial fisheries for sustained yield of late-run king salmon as evidenced by actions taken during the 2011 fishing season. The department prohibited use of bait and the retention of king salmon greater than 20 inches and less than 55 inches for the late-run sport fishery during the month of July between river miles 18.7 and 50 (Slikok Creek to Skilak Lake, about 63% of the area open to king salmon fishing). The department also prohibited retention of king salmon in the personal use fishery on July 24 and prohibited use of bait in the sport fishery on July 25 downstream of river mile 18.7. The commercial set gillnet fishery observed mid-week window closures that were not required on Tuesday, July 26 and Wednesday, August 3. Only the drift gillnet fleet was used these two closed periods. The commercial set gillnet fishery was also used more conservatively by fishing fewer hours than allowed in the management plan and not fishing through the night.

- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** No. At the February 2011 board meeting, the department informed the board and public that assessment of Kenai River king salmon is transitioning from the use of split-beam sonar technology to DIDSON sonar. The department described information that would be used to assess the run and upon which to base management decisions during this period of transition. There were no regulations adopted during the 2011 board meeting affecting the *Kenai River Late-Run King Salmon Management Plan*.

ADDITIONAL INFORMATION: DIDSON sonar is being developed to assess king salmon runs in the Kenai River. Currently, the relationships between the DIDSON sonar passage estimate and other tools used to estimate king salmon passage are being examined as part of the transition to use the DIDSON sonar for inseason management. Information about the relationship of DIDSON sonar estimates to companion estimates from other data sources is a necessary step toward developing a new king salmon escapement goal based on DIDSON sonar. The department is anticipating that it may take three or more years to develop a new escapement goal based on DIDSON sonar.

In addition to new DIDSON sonar estimates, the department is conducting a mark-recapture project to provide an estimate of Kenai River king salmon abundance independently of sonar data.

This estimate, termed the “stock-specific abundance and run time model” (SSART), uses genetic data collected from king salmon in the test-netting project and sport harvest, as well as king salmon counts from weirs located in the Kenai River drainage. This project does not provide an inseason estimate of king salmon passage; however, it provides an independent estimate with known error to use for assessing the accuracy and consistency of DIDSON sonar to index passage as an inseason management tool. Genetic samples collected in 2011 will be processed later this winter and used to provide an abundance estimate prior to next fishing season.

PROPOSED BY: Kenai River Sportfishing Association.

ACR 9 – Increase total allowable catch in the Aleutians Islands golden king crab fishery due to lack of adoption of new stock assessment model by crab plan team (5 AAC 34.612).

PRESENT SITUATION: The federal *Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP) establishes a cooperative structure deferring management of Bering Sea and Aleutian Islands king and Tanner crab fisheries to the State of Alaska with federal oversight. Harvest levels or total allowable catch (TAC) are designated as an FMP category 2 management measure, meaning that harvest levels may be set by the state within constraints of certain federal laws and regulations. The TAC may not exceed the annual catch limit (ACL) set by the North Pacific Fishery Management Council (council).

In March 2008, the Board of Fisheries (board) adopted a constant catch harvest strategy regulation for the Aleutian Islands golden king crab (AIG) fishery (5 AAC 34.612. *Harvest Levels for Golden King Crab in Registration Area O*). This regulation replaced a constant catch harvest policy originally developed by the department and was used to set harvest levels for the 1998/99 through the 2007/08 fishing seasons. Under 5 AAC 34.612, separate regulatory harvest levels are implemented for AIG east of 174° W longitude (3.15 million pounds) and west of 174° W longitude (2.835 million pounds). The regulation established harvest levels that are five percent greater than those derived from the department’s harvest policy. According to 5 AAC 34.612, regulatory harvest levels will remain fixed until a stock assessment model is established by the department.

The department has been developing stock assessment models for the AIG golden king crab east and west stocks. The draft models have been reviewed several times by the council’s Crab Plan Team (CPT). The models primarily utilize fishery performance data because there is no comprehensive stock assessment survey. The lack of a stock assessment survey makes modeling the stocks for allowable harvest estimation more challenging. The CPT reviewed the draft stock assessment models for east and west in May 2011 and determined the models were not ready for acceptance. The models will be reviewed again by the CPT in September 2011.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request seeks to increase the AIG fishery TAC by an unspecified amount.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Possibly. The models will be presented to the CPT at its September 2011 meeting and to the council’s Scientific and Statistical Committee (SSC) at the September 2011 council meeting. If the AIG models are endorsed by the CPT and SSC, the models could be used to set the ACLs for the following season. Should the board accept this ACR, pending endorsement of the AIG models by the CPT and SSC, if time allows, the department could then develop a harvest

strategy based on the models for the board's consideration at a future regulatory meeting, if time allows this cycle. The board would need to take action adopting this harvest strategy into regulation before it could be implemented by the department.

ADDITIONAL INFORMATION: Department stock assessment models typically undergo a lengthy internal review, as well as an external review by the CPT. The review process may result in comments requiring substantial model revisions before the model is deemed adequate for use. When work began on the AIG model, no timeline for completion was established and the iterative nature of the review process makes it difficult to project a completion date.

PROPOSED BY: Linda Kozak.

ACR 10 – Amend registration requirements in Bristol Bay salmon fishery to include electronic submission of registration and reregistration via the Web (5 AAC 06.370).

PRESENT SITUATION: Initial district registration of a Bristol Bay commercial salmon Commercial Fisheries Entry Commission (CFEC) drift gillnet permit holder must be done by submitting a completed form to the department office in Dillingham or King Salmon. Transferring between districts (reregistration) electronically has been allowed since the December 2008 Board of Fisheries (board) meeting. In order to allow initial district registration to be completed electronically, 5 AAC 06.370. *Registration and reregistration*, must be amended.

WHAT THE AGENDA CHANGE REQUEST SEEKS TO CHANGE: This agenda change request seeks to allow Bristol Bay commercial salmon CFEC drift gillnet permit holders to complete initial district registration by registering electronically on the department’s website.

STAFF ASSESSMENT OF THE AGENDA CHANGE REQUEST:

- 1) **Is there a fishery conservation purpose or reason?** No.
- 2) **Does the agenda change request correct an error in regulation?** No.
- 3) **Does the agenda change request address an effect of a regulation on a fishery that was unforeseen when that regulation was adopted?** Yes. In 2008, when the regulation was last amended, this technology was untested for the purpose of initial Bristol Bay district registration. At the time, there were concerns regarding verification of identity of permit holders, as well as security concerns. After two years of using an electronic system for transferring drift gillnet permits between districts, the department believes that expanding the system to allow initial district registration would be secure and beneficial for industry and the department.

ADDITIONAL INFORMATION: At the December 2008 board meeting, 5 AAC 06.370. *Registration and reregistration*, was modified to allow Bristol Bay drift gillnet permit holders to transfer between districts electronically on the department’s website. Initial registration was not included as an electronic option at that time in order to determine how electronic reregistration would be received by industry and if it would be a viable option for the department.

The electronic reregistration system has been in place for two seasons and is widely accepted by fishermen and industry. The department has found the system to be secure and efficient and would like to add the option to allow commercial salmon CFEC drift gillnet permit holders to complete initial district registration electronically on the department’s website.

Electronic initial registration will provide more flexibility to permit holders and streamline the processing of district registration, allowing dissemination of that information to the public much faster than is currently possible with manual entering of registration forms. Electronic registration will reduce the burden of handling paper registration cards by department staff, reduce errors by permit holders, record every action pertaining to each permit, and provide

immediate feedback regarding each permit holder's legal status (e.g., vessel fees, permit fees, t-sticker, district registration).

PROPOSED BY: Alaska Department of Fish and Game.