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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, SPORT, AND SUBSISTENCE FINFISH
REGULATORY PROPOSALS,
COMMITTEE OF THE WHOLE—GROUPS 1–8

FOR THE SOUTHEAST AND YAKUTAT FINFISH

ALASKA BOARD OF FISHERIES MEETING
SITKA, ALASKA

February 23–March 3, 2015

Regional Information Report No. 1J14-11

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, February 23–March 3, 2015 in Sitka, 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.

Acronyms and Abbreviations

The following acronyms and abbreviations are used without definition in this report by the Divisions of Commercial Fisheries, Sport Fish, and Subsistence. All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figures or figure captions.

Acceptable Biological Catch	ABC
Alaska Board of Fisheries	board
Alaska Department of Fish and Game	department
Alaska Department of Law	DOL
Alaska National Interest Lands Conservation Act	ANILCA
Alaska Wildlife Troopers	AWT
Amount Reasonably Necessary for Subsistence	ANS
Annual Harvest Objective	AHO
Average Unfished Biomass	AUB
Biological escapement goal	BEG
Catch per unit of effort	CPUE
Central Gulf of Alaska	CGOA
Central Southeast Outside Section	CSEO
Code of Federal Regulations	CFR
Commercial Fisheries Entry Commission	CFEC
Customary and Traditional	C&T
Deepwater Release Mechanism	DRM
Demersal Shelf Rockfish	DSR
Douglas Island Pink and Chum	DIPAC
Eastern Gulf of Alaska	EGOA
East Yakutat Section	EYKT
Emergency Order	EO
Equal Quota Share	EQS
Extraterritorial Jurisdiction	ETJ
Global Positioning System	GPS
Guideline Harvest Level	GHL
Gunnuk Creek Hatchery	GCH
Icy Bay Subdistrict	IBS
Individual Fishing Quota	IFQ
International Pacific Halibut Commission	IPHC
Joint Northern and Southern Southeast Regional Planning Team	JRPT
Kake Non-Profit Fisheries Corporation	KNPFC
Local Area Management Plan	LAMP
National Marine Fisheries Service	NMFS
No data	ND
Northern Chatham Strait	NCS
Northern Southeast Inside Subdistrict	NSEI
Northern Southeast Outside Section	NSEO
Northern Southeast Regional Aquaculture Association	NSRAA
Optimal escapement goal	OE
Pacific Salmon Treaty	PST
Prince of Wales Hatchery Association	POWHA
Regional Planning Team	RPT
Sitka Sound Special Use Area	SSSUA
Southern Southeast Inside Subdistrict	SSEI
Southern Southeast Internal Waters Sector	SSEIW
Southern Southeast Outside Section	SSEO
Southern Southeast Outer Coast Sector	SSEOC
Southern Southeast Regional Aquaculture Association	SSRAA
Special Harvest Area	SHA
Spawn on kelp	SOK
Sustainable escapement goal	SEG
Sustained escapement threshold	SET
Terminal Harvest Area	THA
United States Forest Service	USFS

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ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on commercial, sport, subsistence, and personal use finfish regulatory proposals for Southeast and Yakutat. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, February 23–March 3, 2015 in Sitka, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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

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COMMITTEE OF THE WHOLE–GROUP 8: COMMERCIAL SALMON (14 PROPOSALS)

Chair—Kluberton

Troll (14 proposals): 220–233

Summary of Department Positions, Southeast and Yakutat Board of Fisheries Meeting, February, 2015

Proposal No.	Dept. Position	Issue	Page No.
114	O	Establish a management plan for herring spawning aggregates that have been below threshold.	1
115	O	Establish a management plan for herring spawning aggregates that have been below threshold.	1
116	O	Require a fishery to occur when herring biomass is above minimum threshold.	1
117	O,N	Lower the amounts reasonably necessary for subsistence for Sitka sound herring.	3
118	N,O	Modify distribution of commercial harvest under the Sitka Sound herring management plan to provide additional subsistence opportunity.	6
119	N	Remove the area known as the core area from the closed waters of District 13 in Sitka Sound.	8
120	N	Remove the area known as the core area from the closed waters of District 13 in Sitka Sound.	8
121	N	Expand commercial herring fishery closed waters of District 13 in Sitka Sound.	8
122	N	Lower the spawning biomass threshold for Sitka Sound sac roe herring fishery from 25,000 to 20,000 tons.	12
123	N	Assign equal quota shares in the Sitka Sound commercial sac roe herring fishery.	14
124	N	Allow purse seine permit holders to vote on equal quota shares in the Sitka Sound commercial sac roe herring fishery.	14
125	N	Reduce the harvest rate and establish a maximum GHL for the Sitka Sound commercial sac roe herring fishery.	18
126	N	Establish an open pound herring spawn on kelp fishery in Sitka Sound.	21
127	N/S	Reduce kelp allocations in the spawn on kelp fishery.	24
128	O	Modify spawn on kelp pound configurations.	27
129	N	Allow permit holders to retain herring in a closed pound for seven days.	29
130	O	Create a dogfish pot fishery in Southeast Alaska.	30
131	N	Allow pots in commercial black cod fishery.	33
132	N	Add pot gear as a legal gear type for permits currently limited to longline gear for commercial sablefish harvest in SSEI fishery.	33
133	N	Add pot gear as a legal gear type for permits currently limited to longline gear for commercial sablefish harvest in SSEI fishery.	33
134	N	Add pot gear as a legal gear type for permits currently limited to longline gear for commercial sablefish harvest in SSEI fishery.	33
135	S	Update and clarify the areas where sablefish may be taken with longline gear in the Eastern Gulf of Alaska Area.	37
136	N	Establish 50 fish harvest limit for personal use sable fish fishery.	39
137	N	Establish 50 fish harvest limit for personal use sable fish fishery.	39
138	S	Modify groundfish logbook reporting requirements.	44
139	S	Clarify definition of mechanical jigging gear separate from dinglebar troll gear and establish limits on hooks to be used.	46
140	N	Increase minimum commercial ling cod size limit to 30".	48
141	N	Allow trollers in the Sitka LAMP to retain up to two lingcod per trip for personal use.	50

N = Neutral; S = Support; O = Oppose; NP = No position; W = Withdrawn support

Summary of Department Positions, Southeast and Yakutat Board of Fisheries Meeting, February, 2015 (page 2 of 4).

Proposal No.	Dept. Position	Issue	Page No.
142	S	Repeal unnecessary lingcod regulations for the Sitka Sound Special Use Area.	54
143	N	Require all anglers releasing nonpelagic rockfish to return them to depth with a deep water release mechanism.	55
144	O	Resend mandatory retention of nonpelagic rockfish until an anglers bag limit is reached.	57
145	S	Repeal unnecessary nonpelagic rockfish regulations for the Sitka Sound Special Use Area and Ketchikan Area.	59
113	O	Establish marine reserve in waters surrounding Cache Island.	60
146	N	Revise the amounts reasonably necessary for subsistence for salmon in Districts 12 and 14.	63
147	N	Reconsider amounts necessary for subsistence in the Angoon area.	63
148	N	Allow a community subsistence harvester for Hoonah residents.	69
149	N/O	Modify weekly subsistence fishing schedule for Klawock River.	75
150	S	Close portions of the Klawock River drainage to subsistence seines and gillnets in July and August.	78
151	N	Close Klawock River to subsistence fishing upstream of the bridge.	78
152	N/O	Repeal horsepower restriction for Klawock River.	81
153	O	Allow subsistence harvest of salmon with purse seine and gillnet gear in portions of districts 12 and 13.	83
154	S	Move gear specifications for Shipley Bay subsistence fishery from personal use to subsistence regulation section.	86
155	O	Allow anglers fishing from a vessel in the salt waters of the Southeast Alaska Area to party fish.	87
156	O	Allow the use of bow and arrow to take salmon in the Southeast Alaska Area by certified bow anglers.	88
157	O	Reduce the king salmon minimum size limit from 28 to 26 inches.	89
158	N	Modify the Southeast Alaska King Salmon Plan by eliminating reductions to the annual limit in season.	90
159	N/O	Establish nonresident annual limits for coho, sockeye, chum, and pink salmon in the salt waters of the Southeast Alaska area.	91
160	N/O	Establish nonresident annual limits for coho, sockeye, chum, and pink salmon in the fresh waters of the Southeast Alaska area.	91
161	O/N	Designate all fresh waters in the Yakutat Management Area as single hook waters only	93
162	O/N	Designate all fresh waters in the Yakutat Management Area as single barbless hook or up to two single barbless hooks with bait waters only.	93
163	S	Reduce the Yakutat Village Lagoon coho salmon bag and possession limits.	95
164	O/N	Designate the Village Lagoon and the Village Lagoon drainage as a 18 years or younger fishery.	96
165	O	Allow the use of bait in the Kaliakh River.	97
166	N/S	Establish an effective date of April 1 for the D-11 sport king fishery and rescind the sport closure in the upper end of Taku Inlet.	105
167	S	Eliminate the need for an annual emergency order by establishing a freshwater fishery, for hatchery-produced king salmon, along the Juneau road system.	98
168	S	Eliminate the need for an annual emergency order by establishing a freshwater fishery, for hatchery-produced king salmon, along the Juneau road system.	98
169	S	Repeal the Dolly Varden sport fishery closure for the Eagle River Beach area.	99
170	S/N	Allow the use of bait in the Klawock River.	101
171	S/N	Allow the use of bait in the Klawock River.	101

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Summary of Department Positions, Southeast and Yakutat Board of Fisheries Meeting, February, 2015 (page 3 of 4).

Proposal No.	Dept. Position	Issue	Page No.
172	S	Repeal Ketchikan Creek harvest regulations applying to adipose fin-clipped (hatchery-produced) steelhead.	104
173	O	Require the board to address habitat, conservation, and subsistence priority when considering regulations and policies.	66
174	N	Establish a Taku River king salmon management plan.	106
175	NP	Evaluate potential changes to enhanced salmon allocations.	109
176	N	Develop a harvest management plan for enhanced salmon to address allocation imbalances.	111
177	N	Close a portion of Mist Cove Special Harvest Area to allow hatchery operations.	113
178	N	Close a portion of Mist Cove Special Harvest Area to allow hatchery operations.	113
179	N	Close a portion of Kasnyku Bay Special Harvest Area to allow hatchery operations.	115
180	N	Close a portion of Kasnyku Bay Special Harvest Area to allow hatchery operations.	115
181	S	Establish a Neck Lake Special Harvest Area.	117
182	N	Address fishing ratios and sunset date in the Deep Inlet Terminal Harvest Area Salmon Management Plan.	119
183	N	Modify seine and gillnet fishing time ratios in the Deep Inlet Terminal Harvest Area.	119
184	N	Open Kendrick Bay THA to troll gear.	121
185	N	Address fishing ratios and sunset date in the Anita Bay Terminal Harvest Area Salmon Management Plan.	123
186	N	Modify seine and gillnet fishing time ratios in the Anita Bay Terminal Harvest Area.	124
187	N	Allow drift gillnet gear in Southeast Cove THA.	125
188	N	Modify seine and troll fishing schedules in Southeast Cove THA.	127
189	S	Clarify language in Hidden Falls THA Management Plan.	129
190	N	Modify accounting of sockeye salmon seine harvest limit in Amalga Harbor SHA.	130
191	N	Modify accounting of sockeye salmon seine harvest limit in Amalga Harbor SHA.	130
192	O	Require reporting of personal use sockeye salmon in districts 12 and 14 commercial purse seine fisheries.	135
193	N/O	Restrict and prohibit commercial salmon seining in portions of districts 12 and 14.	136
194	N/O	Close a portion of Lisianski Inlet to commercial purse seining.	144
195	N/O	Close a portion of Lisianski Inlet to commercial purse seining.	144
196	O	Establish new salmon statistical areas in District 13	147
197	O	Establish new salmon statistical areas in Lisianski Inlet	147
198	S	Clarify closed waters around sockeye salmon systems in the Angoon area.	148
199	N/O	Prohibit commercial purse seining within the possessory boundary of Angoon for five years.	150
200	N/O	Close waters within the Admiralty Monument proclamation boundary to commercial purse seining.	150
201	S	Close waters to commercial purse seining that are important for subsistence uses for Angoon residents.	148
202	N/S	Clarify measurement standards for the salmon seine vessel length limit.	155
203	O	Define a maximum speed at which a salmon seine may be towed.	157
204	N	Prohibit the use of spotter planes during salmon seine openings.	158
205	N	Prohibit the use of drone aircraft during salmon seine openings.	158
206	S	Clarify boundary between sections 15-A and 15-C.	159
207	N	Increase gillnet opportunity in Section 6-D.	161

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Summary of Department Positions, Southeast and Yakutat Board of Fisheries Meeting, February, 2015 (page 4 of 4).

Proposal No.	Dept. Position	Issue	Page No.
208	N/O	Establish a mesh size restriction in District 8 when the directed king salmon fishery is closed.	163
209	N/O	Allow gillnets with mesh size of 4 7/8" or less to have a depth of up to 120 meshes.	165
210	N/O	Allow the use of single filament mesh in a drift gillnet.	167
211	N	Remove the sunset clause from Yakutat Area set gillnet permit stacking regulation.	169
212	N	Allow the owner of two set gillnet permits to fish both permits throughout the Yakutat Area.	170
213	N	Allow multiple permit holders to jointly harvest and deliver fish.	172
214	O	Remove depth restrictions from set gillnet gear.	173
215	S	Allow set gillnets up to 60 meshes deep after July 1.	174
216	S	Clarify gillnet operations in the East River in September.	175
217	O	Establish an opening date for the Tsiu River fishery.	176
218	S	Clarify closed waters in the Lost River.	178
219	O	Establish new salmon statistical areas in Yakutat Bay.	179
220	N	Modify the winter troll boundary line.	180
221	N	Expand the winter salmon troll fishery in the Yakutat Area to the territorial sea line.	182
222	S	Clarify that the spring salmon troll fishery is based on Alaska hatchery produced salmon.	184
223	N	Change the king salmon harvest percentage for the initial opening in the summer salmon troll fishery from 70% to 60%.	185
224	O	Allow a trip limit for king salmon in the summer salmon troll fishery.	187
225	N/S	Address the sunset clause in the District 12 and 14 enhanced chum salmon troll fishery.	189
226	N/O	Remove sunset clause from District 12 and 14 enhanced chum salmon troll fishery.	189
227	N/S	Remove sunset clause from District 12 and 14 enhanced chum salmon troll fishery and allow fishing 7 days per week.	189
228	O/N	Close the troll fishery for coho salmon from August 1–10.	191
229	N	Allow salmon troll fishing in an area between North Chatham Strait and Homeshore.	193
230	N	Restrict salmon troll fishing in Section 15-C.	195
231	N/O	Reduce the area open to troll gear in Naha Bay during the summer.	197
232	S	Clarify power troll gear specifications regarding hand troll gurdies and fishing rods.	199
233	N	Allow downriggers as legal hand troll gear for the entire year.	200

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Notes

COMMITTEE OF THE WHOLE–GROUP 1: HERRING (16 PROPOSALS)

Regionwide Management Plans (3 proposals): 114–116

PROPOSALS 114, 115, and 116 – 5AAC 27.190. Herring Management Plan for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska (Proposal 114), Organized Village of Kasaan (Proposal 115), and Larry Demmert (Proposal 116).

WHAT WOULD THE PROPOSALS DO? Proposals 114 and 115 are identical and would only allow a commercial fishery on a herring stock when the spawning biomass has been above the minimum spawning biomass threshold for five consecutive years. Proposal 116 would require a commercial fishery to occur when spawning biomass is above the minimum spawning biomass threshold.

WHAT ARE THE CURRENT REGULATIONS? The *Herring Management Plan for Southeastern Alaska Area* directs the department to identify stocks of herring on a spawning-area basis, establish minimum spawning biomass thresholds below which fishing will not be allowed, assess abundance of mature herring for each stock before allowing fishing to occur, and may allow a harvest of herring at an exploitation rate between 10% and 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

Sitka Sound is the only spawning stock that has a specific threshold and harvest-rate formula established in *Quotas and guideline harvest levels for Southeastern Alaska Area* (5 AAC 27.160*).* The threshold is 25,000 tons and the sliding scale harvest rate is a minimum of 12% and a maximum of 20%.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would reduce the department's flexibility in the management of existing commercial herring fisheries when spawning biomass falls below and subsequently returns to a level above threshold, and/or when spawning biomass is near, but above, threshold.

Proposals 114 and 115 would reduce the department's flexibility to open fisheries on herring stocks that are above threshold. Requiring fishing to be suspended until a population has been above threshold for five years may unnecessarily deny fishing opportunity when a stock is healthy and at a level that can support harvests.

Proposal 116 would reduce the department's flexibility to take a precautionary approach to close fisheries in cases where spawning biomass is near, but above, threshold. A precautionary approach may be warranted when a herring stock rapidly returns to a level above spawning biomass threshold after a number of years below threshold rather than slowly rebuilding, or in consideration of biological factors such as population age structure, recruitment patterns, and longer term stock performance.

BACKGROUND: As required by the *Herring Management Plan for Southeastern Alaska Area*, the department conducts annual stock assessment surveys before setting harvest levels or allowing harvest to occur. The management plan specifies that commercial harvest may be allowed only when an area's minimum spawning biomass threshold is met or exceeded. The biomass threshold is the minimum herring biomass believed to allow sustained yield and maintain biological productivity.

Area-specific thresholds for Southeast Alaska stocks are either established based on: 1) a percent of average unfished biomass, as estimated through age-structured simulations, or 2) historical estimates of abundance, knowledge regarding the relative size and area of a stock, and the minimum size of harvest levels that can be managed and controlled. Thresholds for all Southeast Alaska stocks are used in tandem with a sliding scale harvest rate strategy of 10–20%, excep1t Sitka which is 12–20%. The goal of any harvest rate strategy is neither to keep populations at unfished levels, nor to allow maximum harvest, but to strike a balance between the two. The thresholds that are based on age-structured simulations are designed to balance average yield, variability in yield, and the frequency and duration of fishery closures. In doing so, these thresholds are selected to account for variations in biomass and to minimize recovery time should a population drop below threshold. Thresholds have been established with the recognition that the levels would be subject to change as new data and research became available.

Threshold-harvest rate strategies are used for herring, groundfish, and crab populations in the northeast Pacific Ocean and Bering Sea, and for other species throughout the world. The threshold-harvest rate strategy is flexible and can be adjusted to account for case-specific situations such as taking a precautionary approach when uncertainty is high. The degree of caution may depend on the amount of information available to set the threshold, the expected uncertainty in the estimate of population biomass, and how long a population has been below threshold.

DEPARTMENT COMMENTS: The department **OPPOSES** these proposals. The flexibility for the department to take precautionary actions, including fishery closures, is already inherent in the management plan. The department prefers to maintain flexibility in management, particularly when stocks are close to threshold, or suddenly above threshold after a longer period of being below threshold and a precautionary approach is prudent.

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

Sitka Sound (10 proposals): 117–126

PROPOSAL 117 – 5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? This proposal would revise the amount reasonably necessary for subsistence (ANS) for Sitka Sound herring as follows:

This proposal will lower the ANS to 60,000 to 120,000 pounds or recommend a program for further study to corroborate Southeast Herring Conservation Alliance (SHCA) harvest numbers.

WHAT ARE THE CURRENT REGULATIONS? State regulations allow the subsistence harvest of herring and herring spawn in sections 13-A and in 13-B north of the latitude of Aspid Cape (5 AAC 01.716(a)(7)). The ANS of herring spawn in this area has been found to be 136,000–227,000 pounds of herring spawn (5 AAC 01.716(b)). There is no permit required to harvest herring eggs on any substrate (except kelp) and there are no restrictions on the amount of herring eggs on any substrate (except kelp) that can be harvested. The harvest of herring eggs on kelp is limited to 32 pounds per individual or 158 pounds per household and requires a permit, though additional permits may be granted to individuals and households upon request.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WAS ADOPTED? If adopted, this proposal would establish a lower ANS range than is currently in regulation. The ANS range is a measure of reasonable opportunity for subsistence uses of that stock or population and does not affect subsistence opportunity with respect to methods, means, or limits allowed under regulations. There would be no change to the current herring spawn subsistence fishery.

BACKGROUND: The board made a positive customary and traditional use finding for herring and herring spawn in Sitka Sound in 1989. At its January 2002 meeting, the board made a determination that the ANS was 105,000–158,000 pounds of herring spawn harvested from Section 13-A and that portion of Section 13-B that is north of the latitude of Aspid Cape. This finding was based upon the best available harvest estimates of the department, which were a 1996 systematic household harvest survey and a 1989 herring spawn harvest estimate. At its January 2009 meeting, the board revised the ANS finding to 136,000–227,000 pounds of herring spawn, based on the mean harvest estimate from 2002–2008, as determined through a systematic annual herring spawn harvest survey administered in cooperation with the Sitka Tribe of Alaska. Table 117-1 shows the results of these surveys. In 2010, the methodology of this harvest monitoring program was revised to increase the accuracy in estimating subsistence harvests of herring spawn. The average harvest estimate over the 13 years of the program is 159,581 pounds of herring spawn with an average of 80 households attempting to harvest. Since 2010, the average harvest has been 107,988 with an average of 50 households attempting to harvest. The harvest of herring spawn in Sitka Sound has been below the low end of the ANS range in 6 of the last 10 years (Figure 117-1).

DEPARTMENT COMMENTS: The department **OPPOSES** the proposal and is **NEUTRAL** on the allocative aspects of this proposal. The department presents the board with the best available data so that it may act appropriately to provide a reasonable opportunity for subsistence and so it may allocate to subsistence and other uses, including adoption of amounts reasonably necessary for subsistence. An ANS is one way to measure if reasonable opportunity for subsistence uses is being provided through regulations: an ANS is not an in-season management tool. State law says reasonable opportunity is defined as "an opportunity, as determined by the appropriate board, that allows a subsistence user to participate in a subsistence hunt or fishery that provides a normally diligent participant with a reasonable expectation of success of taking of fish or game" (AS 16.05.258(f)).

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

SUBSISTENCE REGULATION REVIEW:

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

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(7) that herring and herring spawn in Section 13-A and Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken or used for subsistence.

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn reasonably necessary for subsistence uses (5 AAC 01.716(b)).

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

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

Table 117-1.–Estimated subsistence harvest of herring spawn from Sitka Sound, 2002–2013.

Year	Number of surveyed households	Estimated number of households attempting to harvest	Estimated number of households harvesting	Estimated harvest, all substrates, pounds	95% confidence interval (± %)	Range: low	Range: high
2002	86	n/a	77	151,717	23%	116,701	186,734
2003	118	117	116	278,799	19%	225,704	331,895
2004	144	120	118	381,226	18%	312,224	450,229
2005	159	111	95	79,064	9%	72,272	85,856
2006	127	93	88	219,356	20%	176,484	262,228
2007	126	92	81	87,211	22%	67,702	106,720
2008	128	59	54	71,936	6%	67,764	76,108
2009	150	91	91	213,712	9%	193,623	233,801
2010	132	40	40	154,620	10%	139,872	169,367
2011	109	57	53	83,443	5%	79,719	87,166
2012	75	50	47	115,799	12%	102,332	129,265
2013	59	52	50	78,090	10%	70,075	86,106
Historical average	118	80	76	159,581	14%	135,373	183,790
Average (2010–2013)	94	50	48	107,988	9%	98,000	117,976

Source CSIS; Sill and Lemons 2014

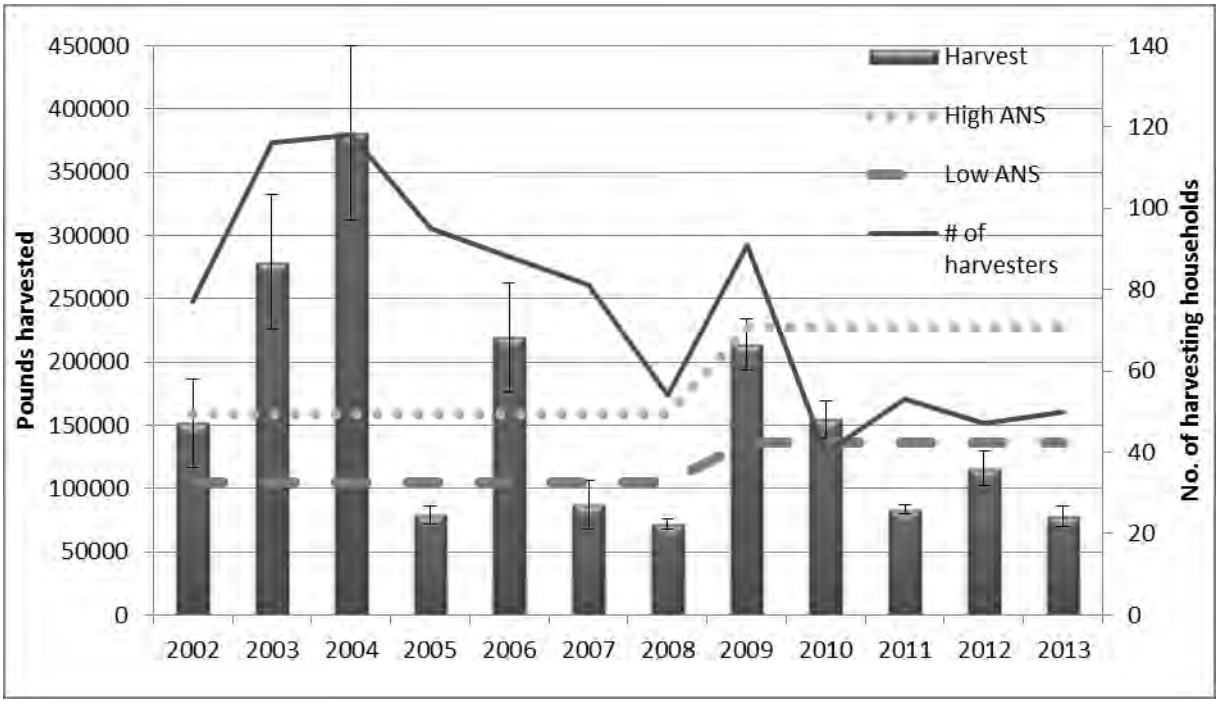


Figure 117-1.–Total pounds usable weight of herring spawn harvested, number of harvesting households, and amount reasonably necessary for subsistence (ANS), 2002–2013.

PROPOSAL 118 – 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

PROPOSED BY: Jeff Feldpausch.

WHAT WOULD THE PROPOSAL DO? This proposal would allow no more than 50% of the GHL to be harvested before 25% of the anticipated nautical miles of spawn is observed, after which the remaining GHL could be harvested.

WHAT ARE THE CURRENT REGULATIONS? *Waters closed to herring fishing in Southeastern Alaska Area* (5 AAC 27.150) provides for closed waters to the commercial harvest of herring for the purpose of protecting areas heavily used in the taking of herring eggs in the subsistence fishery. *Sitka Sound commercial sac roe herring fishery* provides for the department to distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adopting this proposal would likely result in not achieving the GHL in some years and may result in overall lower roe recovery, reducing the value of the fishery. Since younger age classes tend to spawn later than older age classes, adoption of this proposal may result in a larger proportion of young herring being harvested in the fishery. It is not clear if this proposal would increase subsistence opportunity since there are a number of factors that impact success in the subsistence herring egg harvest.

BACKGROUND: Herring sac roe fisheries target herring prior to spawning to maximize roe recovery and value. Once test sampling shows an acceptable level of mature roe, and sonar and aerial surveys indicate an appropriate volume of herring is present, the fishery is opened, targeting a specific body of herring. In order to remain within available processing capacity the area opened and duration of the fishery are restricted. Once spawning begins, areas adjacent to where spawning is occurring are generally avoided due to the likelihood of spawned out herring and reduced roe percentages.

In the Sitka Sound sac roe herring seine fishery, past experience has shown that once spawning begins it becomes increasingly difficult to find herring with acceptable roe content to harvest in a sac roe seine fishery. Spawned out herring quickly begin to mix with pre-spawning herring aggregations eventually reducing roe recovery to unmarketable levels.

Though subsistence harvest of herring eggs occurs over a broad area of Sitka Sound, department observations and harvest monitoring surveys show that the egg-on-branch harvest effort is heavily concentrated in an area that includes the shorelines of Kasiana Island and south Middle and Crow Islands, a small area relative to the spawn. These areas are considered ideal for setting branches since the subtidal shoreline where herring spawn tends to be rocky, free of sediment and pollution, protected from ocean surge, and is close to town. In 2012, the board established waters closed to commercial harvest that includes waters surrounding much of the high use subsistence areas. In 2009, the board modified the amount reasonably necessary for subsistence (ANS) for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring

spawn. Since 2002, harvest estimates for 2005, 2007, 2008, and 2011–2013 fell below the minimum ANS threshold; all other years were within or above the ANS range (Figure 117-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** losing management flexibility to provide fishing opportunity based on abundance, distribution, and spawn timing.

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

PROPOSALS 119, 120, and 121 – 5 AAC 27.150. Waters Closed To Herring Fishing In Southeastern Alaska Area.

PROPOSED BY: Southeast Herring Conservation Alliance (Proposals 119 and 120) Sitka Tribe of Alaska (121).

WHAT WOULD THE PROPOSALS DO? Proposals 119 and 120 are identical and would remove from regulation waters closed to the commercial sac roe herring fishery in Sitka Sound established by the board in 2012. Proposal 121 would expand the area closed to the commercial herring fishery in Sitka Sound (Figure 119-1).

WHAT ARE THE CURRENT REGULATIONS? *Waters closed to herring fishing in Southeastern Alaska Area* includes the waters north and west of Eliason Breakwater and Makhnati Island Causeway from the westernmost tip of Makhnati Island to the easternmost tip of Bieli Rock to the southernmost tip of Gagarin Island to a point on the eastern shore of Crow Island at 57°06. 43′ N. latitude, 135°28. 27′ W. longitude to a point of the western shore of Middle Island at 57°06. 41′ N. latitude, 135°28. 11′ W. longitude to a point on the southeastern shore of Middle Island at 57°05. 56′ N. latitude, 135°26. 23′ W. longitude to the green navigation marker northeast of Kasiana Island to the Baranof Island shore at 57°05. 26′ N. latitude, 135°22. 95′ W. longitude (Figure 119-1).

Sitka Sound commercial sac roe herring fishery (5 AAC 27.195(a)(2)) provides for the department to distribute the harvest by time and area if the department determines that it is necessary to ensure subsistence herring egg harvest opportunity.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If Proposals 119 and 120 were adopted, the removal of closed waters would increase the opportunity for the commercial sac roe fishery to harvest high quality herring and to harvest the guideline harvest level.

If Proposal 121 were adopted, the additional closed waters and reduced fishing area would likely result in not achieving the commercial sac roe GHL some years and lowering the quality of harvest.

The effect either proposal would have on the subsistence harvest is not clear since a number of factors unrelated to the commercial harvest affect the success of the subsistence harvest. Factors that impact the success in the subsistence herring egg harvest include natural variability in spawn distribution and timing, wind and weather during the herring spawn, and the number of harvesters. Since much of the subsistence effort is focused in a limited area, natural changes in spawn distribution may affect harvesting success.

BACKGROUND: In 2012, the board established closed waters in Sitka Sound in regulation for the purpose of reducing conflict between commercial and subsistence users. The area closed is considered a key staging area for pre-spawning herring with a large portion of the biomass often staging in this area prior to dispersing to the beaches to spawn. The closed area has been

important for providing commercial harvesting opportunity as well as being a high use subsistence area (Figure 119-2).

In 2009, the board modified the ANS for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring spawn. Since 2002, harvest estimates for 2005, 2007, 2008, and 2011–2013 fell below the ANS range; all other years were within or above the ANS range (Figure 117-1).

Herring sac roe fisheries target herring prior to spawning to maximize roe recovery and value. Once test sampling shows an acceptable level of mature roe, and sonar and aerial surveys indicate an appropriate volume of herring is present, the fishery is opened, targeting a specific body of herring. In order to remain within available processing capacity, the area opened and duration of the fishery are restricted. Once spawning begins, areas adjacent to where spawning is occurring are generally avoided due to the likelihood of spawned out herring and reduced roe percentages.

In the Sitka Sound sac roe herring seine fishery, past experience has shown that once spawning begins it becomes increasingly difficult to find herring with acceptable roe content to harvest in a sac roe seine fishery. Spawned out herring quickly begin to mix with pre-spawning herring aggregations eventually reducing roe recovery to unmarketable levels.

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

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

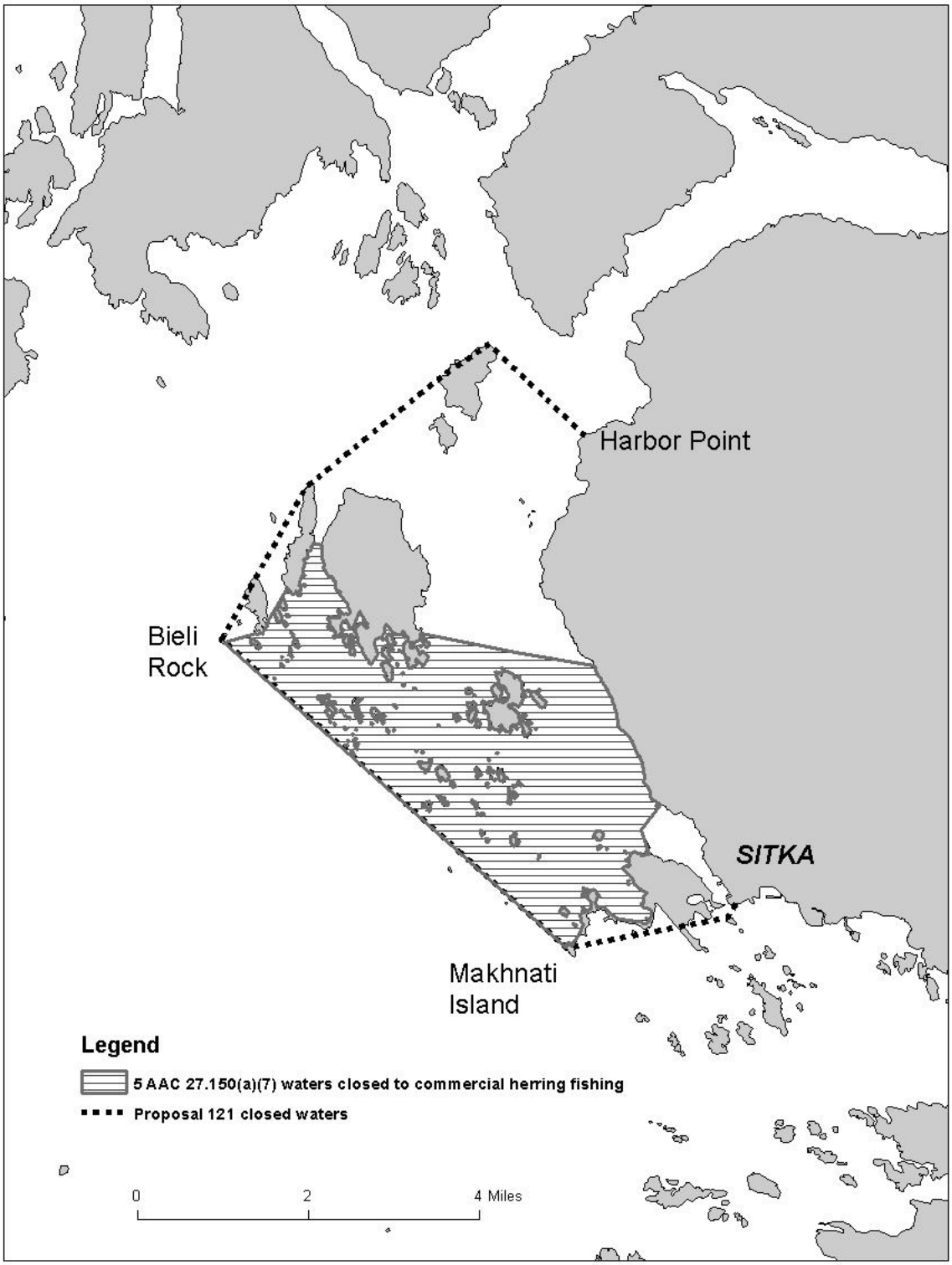


Figure 119-1.–Existing closed waters and proposed closed waters to commercial herring fishing in Sitka Sound.

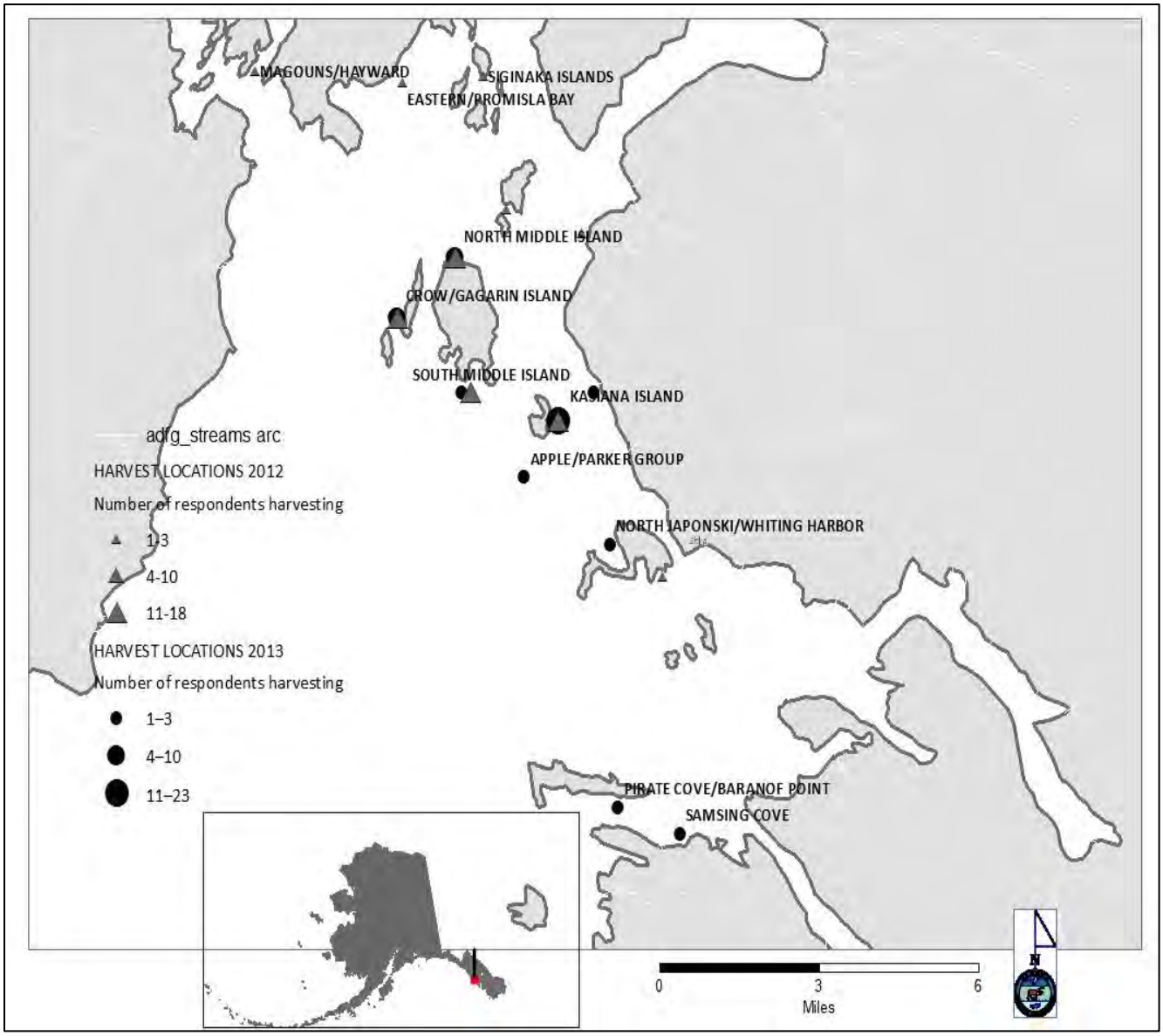


Figure 119-2.–Number of respondents harvesting herring spawn by location, 2012 and 2013.

PROPOSAL 122 – 5AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? The proposal would lower the herring minimum biomass threshold for commercial herring fisheries in Sections 13-A and 13-B from 25,000 tons to 20,000 tons. The proposal would allow commercial fishing to occur if spawning biomass is greater than 20,000 tons. There would be no commercial fishery if the spawning biomass is less than 20,000 tons.

WHAT ARE THE CURRENT REGULATIONS? *Quotas and guideline harvest levels for Southeastern Alaska Area* provides for the taking of herring sac roe in Sections 13-A and 13-B, and permits the harvest rate percentage to vary between 12% and 20% of the biomass according to the formula:

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

Herring Management Plan for Southeastern Alaska (5 AAC 27.190) directs the department to establish minimum spawning biomass thresholds and allows an exploitation rate between 10 and 20 percent of estimated spawning biomass when it is above minimum threshold.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A threshold of 20,000 tons would allow an additional potential harvest of up to 500–600 tons of herring at spawning biomass levels approaching threshold, depending on the harvest rate. The current harvest rate formula would produce a harvest rate of 10% at a spawning biomass of 20,000 tons.

BACKGROUND: In accordance with the *Herring Management Plan for Southeastern Alaska Area*, the department conducts annual stock assessment surveys before setting harvest levels or allowing harvest to occur. The management plan specifies that commercial harvest may be allowed only when an area's minimum spawning biomass threshold is met or exceeded. The biomass threshold is the minimum herring biomass believed to allow sustained yield and maintain biological productivity. In 1977, a 6,000-ton threshold was established by the department for the Sitka Sound herring stock. In 1982, the department increased the threshold to 7,500 tons based on an increase of population size. In 1994, the board adopted the department's proposed management plan for Southeast Alaska herring fisheries. Threshold levels were excluded from the management plan to ensure the department had the flexibility to modify spawning thresholds for conservation and development purposes based on new information. In 1997, the department conducted a threshold/harvest rate analysis for Sitka Sound herring, which provided alternatives for calculating the harvest rate and setting the threshold. The analysis determined that 16,759 tons was an appropriate threshold level for Sitka Sound herring. This was based on a calculation of 25% of the estimated AUB, which has been generally accepted as an appropriate method to determine thresholds for herring and groundfish. A threshold based on 25% of AUB was selected to protect a portion of the spawning biomass, to reduce the risk of population collapse, to increase the likelihood of quick recovery if population biomass falls

below threshold, and to enhance long-term yield while reducing the likelihood of fishery closure. Based on this analysis, the board adopted into regulation a threshold of 20,000 tons along with a sliding scale harvest rate formula. In 2009, the board approved an increase of the threshold to 25,000 tons in response to a proposal that expressed concerns about subsistence harvest needs, and simultaneously modified the allowable harvest rate range from 10–20% to 12–20%.

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

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

PROPOSALS 123 and 124 – 5 AAC 27.195. Sitka Sound Commercial Sac Roe Herring Fishery Management Plan.

PROPOSED BY: Larry Demmert (Proposals 123 and 124).

WHAT WOULD THE PROPOSALS DO: Proposal 123 would allocate an equal portion of the Sitka Sound (Section 13-B) herring sac roe fishery GHL to each permit holder and also specifies a maximum of three permit holders to fish from a vessel. Proposal 124 would allow, by a supermajority vote of 70% of the permit holders, the establishment of an equal quota share fishery to harvest all or portions of a GHL. This proposal also specifies that no more than three permit holders may harvest from the same vessel.

WHAT ARE THE CURRENT REGULATIONS: All Southeastern Alaska herring sac roe fisheries are limited entry. Commercial herring sac roe purse seine fisheries are currently allowed in Sections 11-A, 13-A, 13-B, 15-B and 15-C. The Sitka Sound (Sections 13-A and 13-B) herring sac roe purse seine fishery is managed as a competitive fishery during seasons established by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS ARE ADOPTED: Permit holders would likely consolidate on fewer vessels and the resulting fleet size could be as few as 16 vessels. Fewer people would share in the economic benefits derived from the fishery as this would substantially reduce the number of crewmembers, spotter aircraft, and tenders used in the fishery. There would be greater opportunity to release sets containing marginal roe content or smaller herring, increasing overall quality and value of fish harvested. Industry would have more control over the pace of the harvest likely resulting in less time herring are held in tenders before processing, increasing overall quality. There might be competition for herring in areas determined to have high roe percentages, but there would not be competition to maximize individual share of the harvest. The fishery could occur in a larger, less restricted area. The department's responsibility for making critical time and area decisions that affect the quality of the herring harvest would be reduced. Also, industry would bear more of the responsibility of controlling harvests in consideration of processing capacities. If adopted, this proposal may disadvantage fishermen who historically have harvested more than average or who may have invested in their boats and gear to be able to harvest a greater than average amount.

The department's inseason management practices of monitoring herring quality and distribution would not significantly change and the department would continue to exercise time and area authority to minimize high grading and excessive test setting to achieve desired herring quality. Increased monitoring of fishery activities may be necessary to ensure compliance with regulations and harvest limits. This would include monitoring of harvesting and transferring of herring to tenders and possibly dockside verification to ensure adequate enforcement of catch limits.

BACKGROUND: The sac roe herring purse seine fishery in Southeast Alaska has been under the limited entry program since 1977 and there are 47 limited entry permits and one interim use permit. All permit holders usually participate each year in the Sitka fishery. Since 1980, the

average fishery harvest in Sitka has been 8,710 tons. The recent ten-year average is 13,500 tons with an average harvest per permit holder of 275 tons (Table 123-1).

The Sitka Sound purse seine sac roe fishery is managed as a competitive fishery. After test fishing has demonstrated good quality roe herring in a specific area and vessel and aerial surveys have been conducted to evaluate herring abundance and distribution, the department may open the fishery. Fishing periods are opened for set time periods or are managed inseason by monitoring catch on the fishing grounds and closing the fishery when estimated catch is approaching harvest goals. The latter style of management is used more frequently.

Cooperative, equal share fisheries have been used as a management tool in Sitka Sound in cases when roe quality standards would have been difficult or impossible to achieve and to control the harvest when smaller amounts of GHL remain to be harvested in order to remain within the established seasonal GHL. There are no regulations that address how a cooperative fishery should be managed. The department has agreed to open the fishery under a cooperative style (equal share) fishery in Sitka Sound under strict guidelines with permit holders and processors. Since the department's emergency order authority includes only time and area, the fishery is opened only after all permit holders have unanimously agreed to abide by the guidelines. Cooperative style fisheries have been used in 10 seasons since 1980 (Table 123-1) with equal share fisheries accounting for 100% of the herring harvested in four of those years. For all other years the GHL was completely harvested in competitive fisheries.

Past experiences with cooperative style fisheries in Sitka Sound have shown that harvest limits are likely to be exceeded. Fishermen working in cooperatives using fewer harvesting vessels would substantially reduce the overall overage compared to each permit holder using their own vessel.

Considerations for an equal share fishery management plan for the Sitka sac roe herring fishery include:

- Develop specific registration requirements to ensure adequate tracking of permit holders, vessels and processors.
- Establish a standard minimum roe content (e.g. 10%). If sampling indicates the minimum roe content exists the set must be retained. This is to avoid excessive handling and sorting of herring to maximize roe content.
- Allow the department to close the fishery if excessive catch and release is occurring.
- Prohibit the making of a set unless roe samplers are immediately available. This is intended to minimize the amount of time herring are held prior to deciding whether to pump or release the set.
- Quota shares will be based on the guideline harvest level divided by the total number of active CFEC limited entry and interim use permits.
- Mandatory presence of permit holders during harvesting should be defined. Will the permit holder need to be on a harvesting vessel at the time their share is harvested? On a nearby tender? In the town of Sitka?

- Mandatory call-in to the department immediately prior to making a set and to report the results of each set. This will allow the department to monitor the effort and effectively manage the fishery.
- Once a pump or brailing device intended to offload herring has been placed in a set with herring, all herring in that set must be retained and sold.
- Fishing should be allowed only during daylight hours. This will allow the department to monitor and implement changes to the fishery in an effective manner.
- Company pool sharing of fish from a set and sharing between companies should be allowed and encouraged.
- Reporting of harvest on fish tickets should be made by each permit holder and not by the boat that actually caught the fish.
- A mechanism should be developed so that permit holders or company pools that exceed their shared quota cannot benefit and may be penalized for excess harvest. All revenues from overages shall be payable to the state, and any overages 5% or more above shared quota amounts will be submitted to Alaska Wildlife Troopers for possible citation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. A quota share system would allocate harvest to each permit holder equally. The department has demonstrated the ability to manage either competitive or shared quota fisheries. Department success with equal share quota fisheries in Sitka Sound is in part related to management in accordance with the terms of cooperative agreements between permit holders, processors, and the department.

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

Table 123-1.–Summary of Sitka Sound herring purse seine sac roe fishery, 1980–2014.

Year	Guideline Harvest Level (tons)	Sac Roe Harvest (tons)	Percent of GHL Harvested	Number of Permits	Average Harvest/ Permit (tons)	Roe Percent	Tons Taken Coop	Percent Harvest Coop
1980	4,000	4,445	111%	50	89	10. 8		
1981	3,000	3,506	117%	51	69	11		
1982	3,000	4,363	145%	51	86	11. 7		
1983	5,500	5,416	98%	51	106	11. 1		
1984	5,000	5,830	117%	50	117	11. 1		
1985	7,700	7,475	97%	52	144	11. 3		
1986	5,029	5,443	108%	52	105	11. 9		
1987	3,600	4,216	117%	52	81	9. 9		
1988	9,200	9,390	102%	52	181	9. 5	9,390	100%
1989	11,700	11,831	101%	51	232	9. 4	11,831	100%
1990	4,150	3,804	92%	52	73	10. 6		
1991	3,200	1,838	57%	22	84	8. 9	1,838	100%
1992	3,356	5,368	160%	52	103	9. 4		
1993	9,700	10,186	105%	50	204	10. 7	10,186	100%
1994	4,432	4,758	107%	51	93	11		
1995	2,609	2,908	111%	51	57	11. 8		
1996	8,144	8,144	100%	51	160	9. 6	3,976	49%
1997	10,900	11,147	102%	51	219	11. 5		
1998	6,900	6,638	96%	51	130	10. 2		
1999	8,476	9,217	109%	51	181	10. 7	873	9%
2000	5,120	4,630	90%	51	91	9. 9		
2001	10,597	11,974	113%	51	235	11. 3		
2002	11,042	9,788	89%	51	192	10. 9	1,462	15%
2003	6,969	7,051	101%	51	138	10. 7		
2004	10,618	10,490	99%	51	206	10. 8		
2005	11,192	11,366	102%	51	223	11. 5	1,102	10%
2006	10,412	9,967	96%	50	199	10. 5	879	9%
2007	11,904	11,571	97%	50	231	11. 4		
2008	14,723	14,386	98%	50	286	11. 5		
2009	14,508	14,776	102%	50	296	11. 8		
2010	18,293	17,624	96%	49	360	12. 5		
2011	19,490	19,429	100%	48	405	13. 3		
2012	28,829	13,231	46%	48	276	11. 9		
2013	11,549	5,688	49%	48	119	13. 0	211	4%
2014	16,333	16,957	104%	48	353	12. 4		
1980–2014 Average	9,176	8,710	95%	50	175	11. 0		
2005–2014 Average	15,723	13,500	86%	49	275	12. 0		

PROPOSAL 125 - 5 AAC 27.160. Quotas and GHLS for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the maximum harvest rate for the Sitka Sound commercial herring fishery to 10% of the estimated biomass when the forecast spawning biomass is greater than threshold. This proposal also caps the harvest at a maximum of 10,000 tons regardless of the size of the stock.

WHAT ARE THE CURRENT REGULATIONS? Sitka Sound herring is the only stock that has a sliding harvest rate formula in regulation. The guideline harvest level shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

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

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

For all other herring fisheries in Southeast Alaska, regulations provide that the department shall establish minimum spawning biomass thresholds below which fishing will not be allowed and may allow a harvest of herring at an exploitation rate between 10% and 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would substantially reduce the guideline harvest levels in the Sitka Sound herring sac roe fishery (Table 125-1).

Markets for sac roe herring are volatile and generally sensitive to overall supply. Given the multitude of economic variables as well as unpredictable changes in supply of sac roe herring from the various fisheries along the west coast of North America, it is difficult to determine what effect a reduced harvest in the Sitka Sound fishery would have on the economics of the fishery.

The effect of the commercial sac roe harvest on subsistence herring egg opportunity is not known. Factors that impact the success in the subsistence herring egg harvest include natural variability in spawn distribution and timing, wind and weather during the herring spawn, and the number of participants. Since much of the subsistence effort is focused in a limited area, natural changes in spawn distribution may affect harvesting success.

BACKGROUND: As required by the *Herring Management Plan for Southeast Alaska* (5 AAC 27. 195), the department conducts annual stock assessment surveys before setting harvest levels or allowing harvest to occur. The management plan specifies that commercial harvest may be allowed only when the forecasted spawning biomass exceeds the minimum threshold. The threshold is the minimum herring biomass calculated to allow sustained yield and maintain biological productivity. The harvest rate for Sitka Sound herring is between 12% and 20% when the biomass is above the minimum threshold.

The maximum exploitation rate used for Sitka Sound herring is 20% of the exploitable or mature biomass. This maximum harvest rate is consistent with other herring fisheries in Alaska and along the west coast of North America. The 20% exploitation rate is considered conservative since it is lower than commonly-used biological reference points for other species. This conservative maximum exploitation rate was accepted by the board with the intent to allow for adequate harvest of herring in subsistence fisheries and to allow for the important ecological niche occupied by herring in marine food chains.

In 2009, the board modified the ANS for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring spawn. Since 2002, harvest estimates for 2005, 2007, 2008, and 2011–2013 fell below the ANS range. For all other years during that time period, the estimated harvests were within or above the ANS range (Figure 117-1).

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

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

Table 125-1.–Established GHLs compared to proposed GHLs, with estimated exvessel values, 2004–2014.

Year	Forecast Biomass	Actual GHL (tons)	Actual Harvest (tons)	*Price/ton	Potential Exvessel Value Based on Actual GHL	GHL with 10% HR & 10,000 ton maximum	Exvessel Value Using actual Price/ton
2004	53,088	10,618	10,490	$492	$5,222,963	5,309	$ 2,611,383
2005	55,962	11,192	11,366	$538	$6,026,151	5,596	$ 3,013,183
2006	52,059	10,412	9,967	$265	$2,757,869	5,206	$ 1,378,908
2007	59,519	11,904	11,571	$493	$5,863,903	5,952	$ 2,931,902
2008	87,715	14,723	14,386	$747	$10,998,081	8,772	$ 6,552,311
2009	72,521	14,508	14,776	$852	$12,360,816	7,252	$ 6,178,789
2010	91,467	18,293	17,624	$720	$13,170,960	9,147	$ 6,585,624
2011	97,449	19,490	19,429	$204	$3,975,960	9,745	$ 1,987,960
2012	144,143	28,829	13,231	$670	$19,315,430	10,000	$ 6,700,000
2013	76,988	11,549	5,688	$780	$9,008,220	7,699	$ 6,005,064
2014	81,663	16,333	16,957	$186	$3,154,002	8,166	$ 1,518,876
Average	81,949	15,259	13,226	$541	$8,350,396	7,753	$ 4,285,262

*Price/ton from CFEC fishery statistic data except for 2014 which is a preliminary estimate of exvessel value.

PROPOSAL 126 – 5 AAC 27.XXX. New Section.

PROPOSED BY: Darrell Kapp.

WHAT WOULD THE PROPOSAL DO: This proposal would allow limited entry permit holders in Sitka Sound the choice of fishing open harvest platform gear to produce herring SOK in lieu of using purse seine gear to harvest herring in the Sitka Sound sac roe fishery.

WHAT ARE THE CURRENT REGULATIONS: *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) allows a sac roe herring purse seine fishery during seasons established by emergency order in Section 13-A, south of the latitude of Point Kakul and in Section 13-B, north of the latitude of Aspid Cape…except for Whale and Necker Bays. *Lawful gear for Southeastern Alaska Area* (5 AAC 27.130.(e)(2)) defines an open pound as a single, floating, rectangular structure with suspended kelp and no webbing or lead that is used for the production of SOK; the inside surface area may not exceed 2,400 square feet and no one side may be longer than 60 feet. A "lead" is a length of net employed for guiding herring to a pound.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED: Each season limited entry permit holders would have the option of fishing open platforms (open pounds) for SOK in lieu of purse seines for sac roe herring in the Sitka Sound herring fishery. Herring sac roe and SOK markets are generally limited to the Japanese market and pricing is often volatile and sensitive to supply. Having this option may provide greater economic return to individual permit holders since they would have the option to choose what product to harvest based on market conditions. Given the multitude of economic variables as well as unpredictable changes in supply of sac roe herring from the various fisheries along the west coast of North America, it is difficult to determine what effect a reduced sac roe harvest in the Sitka Sound fishery would have on the economics of the fishery. The increase of SOK production would likely have a negative effect on SOK prices and overall economic return for the existing SOK fisheries both in and outside Alaska. The increased demand for *Macrocystis* kelp would not be expected to cause a biological concern with the overall health of kelp populations in Southeastern Alaska but could affect the availability of acceptable quality kelp for the existing SOK fisheries.

Assuming the intent is to reduce the sac roe herring guideline harvest level by an amount equal to the herring utilized in the SOK fishery, this would reduce the mortality of herring associated with the harvest of sac roe herring. The only impact of the SOK open platform fishery would be the removal of potential egg deposition; however, this removal would likely be less than the removal of potential egg deposition in the sac roe fishery.

The presence of pound structures on the grounds could compete for the same area and shoreline as the subsistence herring egg on branch fishery causing conflict between these users.

BACKGROUND: This proposal was first presented to the board in 1997. Discussions at that time indicated there were numerous legal, policy, fishery management, and socioeconomic questions regarding this proposal. The board directed the department to conduct an experimental test fishery to help resolve some of the unanswered questions.

The department completed two experimental herring SOK test fisheries in Sitka Sound during the 1998 and 1999 seasons. Test fishery contracts were awarded to an association of 13 limited entry permit holders and their crewmembers in the Sitka herring fishery. Platform gear consisted of four 40' x 60' aluminum frames, initially built for use in the San Francisco SOK fishery. Kelp for the fisheries was harvested from Sea Otter Sound in District 3. Five tons of kelp was harvested and deployed in 1998 and 4.5 tons in 1999. Production in 1998 amounted to 27 tons of SOK (drained, unsalted weight), which sold for $311,538 at an average price of $5.46/lb. Production in 1999 was 20.6 tons; it sold for $227,965 at an average price of $5.29/lb. No conflicts were reported either year with the subsistence fishery or the sac roe herring fishery.

During the 1998 fishery, the department applied a random sampling design to determine a conversion rate for the amount of herring utilized by the fishery per product produced based on current year fecundity samples. The department estimate determined that eggs from 100 tons of herring were required to produce 27.2 tons of SOK product.

During the 1999 season, the department also carried out field studies of *Macrocystis* kelp distribution, productivity, and abundance (Regional Information Report 1J99-22). This study indicated a standing *Macrocystis* biomass in Southeast Alaska of around 225,225 tons. Considering 45% lower availability in March for the Sitka fishery and selectivity of blades suitable for SOK, 14,698 tons would be available. Given that the peak historical harvest in Southeast Alaska was only 45 tons and even considering projected needs for various fisheries, kelp supply should not be considered as a limiting factor for fishery development.

In 2003, the board considered various issues associated with the establishment of an open platform SOK option for the Sitka Sound herring fishery and the board formed the Sitka Spawn-on-Kelp Open Platform Fishery Working Group (2003-224-FB) with 11 specific issues identified for discussions. A meeting was held in November 2004 and it was recommended to not move forward with further discussions in the proposed fishery. Reasons cited included: 1) markets were at that time oversupplied with spawn-on-kelp and there was no room for a new SOK fishery; 2) Sitka Tribe of Alaska testified against the fishery because of the likelihood of conflict with subsistence users. It was highly likely that the preferred area to place open platforms would be the same areas in the core spawning area heavily used by the subsistence fishery; 3) all input submitted concerning this fishery was negative except for the idea that herring mortality would be reduced. In January 2005, the board agreed that the working group had finished its assignment and determined there was no need to continue discussions at that time.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The proposal doesn't present sustainability concerns for either the herring or kelp resources needed to support the fishery. If the board decides to proceed, the department is confident that a regulatory program can be adapted to adequately monitor and manage the fishery. Once basic parameters are determined to define the scope of the fishery, the department could then utilize a permit to manage the fishery during initial developmental stages. Basic parameters would include gear type and amount, a kelp harvest management plan, fishery registration, a GHL allocation strategy, and reporting requirements. There would be additional costs to monitor, manage, and enforce this fishery.

During the SOK test fisheries in 1998 and 1999, in both years, three of the four platforms were fished in the core spawning area that the board subsequently adopted in 2012. The closed waters of the core area substantially reduces the options of where open platforms can effectively be fished.

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

Spawn on Kelp (3 proposals): 127–129

PROPOSAL 127 – 5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

PROPOSED BY: Larry Demmert.

WHAT WOULD THE PROPOSAL DO? This proposal would place a cap of no more than 1,000 kelp blades allocated for each permit holder in the SOK fisheries regardless of the quota or number of permits per pound.

WHAT ARE THE CURRENT REGULATIONS? The regulation contains three different kelp allocation tables for Southeast Alaska. Tenakee Inlet (Section 12-A) and Ernest Sound (District 7) have the same kelp allocation table, Hoonah Sound (Section 13-C) has a second allocation table, and Craig (Section 3-B) has a third allocation table. Kelp allocation tables list the amount of blades a permit holder can use based on the herring GHL. In general, as the GHL increases, a permit holder is allocated additional kelp blades. Kelp allocations are also designed to give incentives for permit holders to combine blades in double, triple, and open pounds. Current kelp allocations exceed 1,000 blades in all three allocation tables.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would likely reduce production of SOK in Southeast Alaska when GHLs are at higher levels for the four SOK fisheries. The Craig SOK fishery would be least affected since all allocations, except for triple permit pounds, are less than 1,000 blades except at the maximum kelp allocation. Ernest Sound (District 7) and Tenakee Inlet (Section 12-A) would only be marginally affected since it would only change double-permit pounds at the highest GHL tier. The Hoonah Sound (Section 13-C) SOK fishery would be most affected since kelp allocations would be decreased at higher GHL tiers for all pound types.

This proposal would have little effect on the amount of herring or kelp utilized in the Southeast SOK fisheries as it does not provide additional incentive for using multiple permit pounds and only affects top tiers in kelp allocation except in Hoonah Sound. This proposal would require modifications of all three kelp allocation tables.

BACKGROUND: Southeast herring SOK fisheries were managed under the terms of a commissioner's permit from 1990 to 2000. The initial management intent of the fishery was to evenly allocate herring and kelp blades among the permit holders. This proved to be unworkable from legal and management standpoints. In 1997, the department stopped allocating herring and began managing the fishery by allocating the number of kelp blades a permit holder may use and by standardizing the size of the pound. In 2000, the sliding scale kelp allocation was adopted in regulation and included allocations for two defined types of structures: single and multiple permit pounds. Depending on the GHL, permit holders would select a kelp allocation of either single or multiple permit pounds. Kelp allocations were designed to provide incentive for multiple permit holders to combine their kelp into single pounds at lower GHLs, thereby reducing the number of pounds on the grounds and the amount of herring utilized.

The kelp allocation tables were modified during the 2003 board meeting to remove the multiple permit group and create separate allocations for double and triple closed pounds (i.e. two or three permit holders sharing one pound) in Sections 3-B and 13-C. In addition, two new SOK fisheries were adopted into regulation: Ernest Sound in District 7 and Tenakee Inlet in Section 12-A. A third set of kelp allocations was adopted for these fisheries. Open pounding is allowed in all four areas but attempts to use open pounds in these fisheries have not been successful.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Adjusting kelp blades allocates herring within the fishery between single, double, and multiple permit pounds. The department **SUPPORTS** modifications of the current kelp allocations for the SOK fisheries in Southeast Alaska to help ensure that harvest can be maintained within GHLs.

Current kelp allocations were based on 7–10 tons of herring used per pound, based on the results of weighing herring pumped or brailed from four pounds between 1992 and 2002. In recent years, the fishery has become more competitive and fishermen are more successful at both filling and holding fish in their pounds. Because herring are not landed and cannot be retained or measured in the SOK fisheries, the department has very little data to estimate the amount of herring captured and impounded. Based on department observations of transfers of herring from seines to pounds during the fisheries, observations after diving on pounds post-fishery, and reports from SOK fishermen, it is likely that greater amounts of herring are used now than when the kelp allocation tables were created.

During the 2014 fishery, the department estimates that the amount of herring utilized in Ernest Sound exceeded the available GHL. Ernest Sound and Craig SOK fisheries are open to Southern Southeast Alaska SOK limited-entry permit holders, which total 167 active permits. The kelp allocations along with the large number of permits likely allow too many pounds to control the level of herring impoundment within the GHL. The Tenakee Inlet SOK fishery is under the same set of kelp allocations but, as part of the Northern Southeast Alaska fishery, has fewer permits (111 permits). Depending on how much herring is placed into pounds and how many pounds are on the grounds, there is still potential for overharvest in Tenakee Inlet. The Craig SOK fishery is under a more conservative set of kelp allocations which results in greater incentive to use multiple permit pounds than the other Southeast Alaska SOK fisheries. Even though the Craig herring stock is typically the largest of the four spawning stocks and has larger GHLs, overharvest could occur if large numbers of pound structures are fished.

A Prince William Sound study in 1990 and 1991 determined that 12.5 tons of herring were required to generate 1 ton of SOK product. Using this ratio, 2014 estimates of harvest exceed the GHLs in some areas (Table 127-1). However, results from the PWS study may not be directly comparable to Southeast Alaska fisheries as the pound structures in PWS were nearly four times the volume of Southeast Alaska pound structures though similar amounts of kelp were stocked into individual pounds. This suggests a potential for substantially more herring stocked in PWS herring pounds to produce similar amounts of spawn on kelp product on a per pound basis. Nevertheless, the resulting ratio from the PWS study is currently the most scientifically defensible estimate and is considered to provide an estimate of the upper end of harvest impoundment for the SOK fisheries in Southeast Alaska. It is the use of this ratio that has generated the department's concern with the level of harvest in these fisheries.

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

Table 127-1.–Estimates of herring tons utilized in pounds in Southeast Alaska SOK fisheries based on the 7 tons/pound assumption and the Prince William Sound study, 2009–2014.

	SOK Fishery	Number of structures	SOK product (tons)	Est. Herring Used (7 tons/pound)	Est. Herring Used (PWS study)	SOK GHL (tons)
2009	Hoonah Sound	103	235	721	2,934	2,238
	Ernest Sound	2	3	14	31	300–499[a]
	Tenakee	45	64	315	801	621
	Craig	96	137	672	1,716	1,802
2010	Hoonah Sound	99	290	693	3,630	3,182
	Craig	63	117	441	1,459	1,953
2011	Hoonah Sound	89	194	623	2,421	3,015
	Craig	34	70	238	875	2,710
2012	Hoonah Sound	87	187	609	2,331	2,139
	Craig	35	98	245	1,226	6,847
2013	Ernest Sound	29	64	203	804	379
	Craig	80	138	560	1,721	4,060
2014	Ernest Sound	76	***	532	>2,000	>700[a]
	Tenakee	33	84	231	1,050	300–499[a]
	Craig	75	***	525	>2,000	>4,000[a]

PROPOSAL 128 – 5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, And District 7.

PROPOSED BY: Mike Svenson.

WHAT WOULD THE PROPOSAL DO? This proposal would allow herring to be added to two joined pound structures at any kelp allocation.

WHAT ARE THE CURRENT REGULATIONS? The regulation allows, at any level of kelp allocation, two closed pounds to be joined together and the shared walls between them to be lowered so herring may swim freely between the two pounds (5 AAC 27.185(r)). However, once the pounds are joined, no more herring can be introduced into the pounds. 5 AAC 27.185(cc) allows two closed pounds to be combined into a single larger pound structure operated by multiple permits only when kelp is at maximum allocation. Herring may be introduced into the combined pound structure, the same as allowed in regulation for single closed pound structures. There is a maximum total surface area of 800 square feet and a maximum depth of 30 feet for a combined pound.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal may increase the amount of herring utilized in joined pound structures when kelp allocations are below maximum levels.

BACKGROUND: The joining of two closed pounds initially came before the board in 2000, the same year the SOK management plan was adopted into regulation. The department indicated this would fundamentally change the unit of gear and the proposal failed. To gather more information the department issued experimental gear permits to test the viability and success of allowing the transfer of additional herring to a joined pound structure. During the 2000 fishery, in Hoonah Sound, closed pounds were allowed to share a common wall with the top of the nets sewn together and dropped below the water's surface to allow herring to swim freely between the joined pounds. The joining of the pounds was not allowed until after introduction of herring into those pounds was complete. The group reported that the product quality had increased as evidenced by increased layers of eggs on the kelp. They also reported that the mortality of impounded herring was minimal. It is unclear whether the increased product quality was a result of the joining of the pounds. Using fish ticket information, the group's overall production as well as product quality was below the average for the fishery in 2000.

In 2003, the board adopted regulations that allowed permit holders to join two closed pounds by dropping the webbing below the surface of the water on one shared wall. Once the webbing was dropped, no additional herring could be added to the joined pound structure.

In 2012, a proposal with substitute language was adopted by the board allowing permit holders to join pounds into a single structure and continue to add herring when kelp allocations were at the maximum allowed for each fishery. A maximum size limit for the surface area of the structure was also adopted.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Allowing the addition of herring into joined pound structures at lower GHLs when kelp allocations are below the maximum may be detrimental to the overall health of the herring population, especially for fisheries on smaller herring stocks, such as Ernest Sound.

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

PROPOSAL 129 – 5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

PROPOSED BY: Larry Demmert.

WHAT WOULD THE PROPOSAL DO? This proposal would allow SOK fisherman to hold herring in their impoundments an additional 12 hours.

WHAT ARE THE CURRENT REGULATIONS? The regulation limits the amount of time SOK fisherman can hold herring in pounds to six days; the deadline for release is 11:59 p.m. on the sixth day from when they are first introduced into the pound.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal could result in additional spawn deposition on kelp product and the increased time herring are impounded may cause greater stress to the herring. Fishermen who choose to hold fish the maximum time will be able to release herring during daylight hours.

BACKGROUND: Initial regulations for the SOK fisheries in Southeast Alaska utilized a variety of release strategies. In 1997, fishermen were required to release impounded herring after a period of no more than 8 days. In 1998, fishermen were required to release fish after a period of 7 days. With the adoption of the current management plan in 2000, herring were allowed to be retained in a closed pound for no more than six days and must be released by 11:59 p.m. on the sixth day from the day they are first introduced into the pound. The department estimated that the six-day holding period is a good compromise between minimizing stress on herring from impoundment while still allowing adequate time for herring to spawn.

Excessive scale loss, suffocation from overcrowding, stress during capture and stress during transfer can all result in the increased mortality of herring. There is also some evidence that the increased stress by impounding herring can cause disease outbreaks.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department has concerns with mortality when herring are impounded for any length of time but the risk to the overall stock health if the herring were to be held an additional 12 hours is likely minimal. While current regulations require herring to be released by 11:59 p.m. on the sixth day of holding, fishermen can release during daylight hours on the sixth day if a midnight release is problematic.

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

COMMITTEE OF THE WHOLE–GROUP 2: GROUNDFISH (17 PROPOSALS)

Dogfish (1 proposal): 130

PROPOSAL 130 – 5 AAC 28.1XX. Spiny dogfish pot fishery in Eastern Gulf of Alaska Area; and 5 AAC 28.174. Spiny dogfish (*Squalus acanthias*) possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Don Westlund and Larry McQuarrie.

WHAT WOULD THE PROPOSAL DO? This proposal would create a directed fishery for spiny dogfish in the inside waters in Southeast Alaska. The state does not have management authority for spiny dogfish in federal waters in the EGOA; these fish are managed under the federal management plan. Consequently, this proposal only addresses a possible spiny dogfish fishery in state waters.

WHAT ARE THE CURRENT REGULATIONS? In the EGOA, spiny dogfish may be taken and retained only as follows: (1) in the Southeast District, a longline vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all target species taken in the directed fishery on the vessel; (2) in the Southeast District, a power troll or hand troll vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all salmon on board the vessel; (3) in the EYKT and the IBS Subdistricts, a salmon set gillnet CFEC permit holder may retain all spiny dogfish taken as bycatch during salmon set gillnet operations; all spiny dogfish taken must be recorded on an ADF&G salmon fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department does not have a stock assessment or biomass estimate for spiny dogfish therefore; the impact of a directed fishery on spiny dogfish stocks in these areas is unknown. Commissioner's permits for spiny dogfish in Southeast Alaska have been available from the department and no fishermen have applied for them. It is unknown if fishermen would participate in a spiny dogfish fishery if this proposal is adopted.

BACKGROUND: Spiny dogfish sharks are a long-lived, slow to mature species with low reproductive rates; life history characteristics suggest the species is highly susceptible to overexploitation. Spiny dogfish are highly migratory and are often found in dense aggregations. The species is highly migratory and may have large temporal shifts in its distribution; thus, area-based management for spiny dogfish is problematic. Spiny dogfish tend to segregate spatially by sex and by size, and directed fisheries for spiny dogfish are often selective for larger individuals, i.e., mature females. Because of this tendency to target mature females, spiny dogfish fisheries have the potential to significantly impact recruitment.

Prior to 1998, there were no harvest limits for commercial or recreational fisheries for dogfish in Alaska state waters. In 1998, concerns about overharvest of shark species caused the board to implement bag and annual limits of one shark per day, two per year, in the recreational fisheries and by regulation prohibit directed commercial fishing for spiny dogfish. In 2010, the board

liberalized recreational spiny dogfish bag and possession limits to five daily with no annual limit however, shark and spiny dogfish bag and possession limits were and are rarely utilized.

Although there has never been a directed commercial fishery for spiny dogfish in state or federal waters in the GOA, spiny dogfish are caught incidentally in commercial longline fisheries for sablefish, halibut, rockfish, and Pacific cod. In the EGOA Subdistricts of NSEI and SSEI, a total of 124,648 round pounds of spiny dogfish have been recorded on fish tickets (discarded at-sea or at-port) since 1998. However, shark discards are often unreported and incidental mortality is likely high for dogfish sharks. In 2013, an increase occurred in the estimated dogfish catch for NMFS area 659 which corresponds to SSEI and NSEI management areas; it is unknown if the increase in catch is a result of a change in fishing behavior or due to the restructuring of the federal observer program. The 2013 observer program restructuring included an increase in observer coverage in the commercial halibut IFQ fleet, which may have led to an increase in reporting of incidental shark catch.

Few dogfish are sold commercially despite efforts by the board to encourage utilization of bycatch. In 1999, the board increased the bycatch rate for dogfish taken on longline gear to 35% given the high mortality associated with fishing practices. No spiny dogfish have been sold commercially since 2003 in Southeast Alaska NSEI and SSEI management areas; prior to 2003, only 200 lbs. of spiny dogfish may have been sold commercially in this area.

Fishery-independent catch data for spiny dogfish in Southeast Alaska are collected during the annual state and federal GOA longline surveys, the federal GOA biennial trawl survey, and the IPHC annual longline halibut survey (Figure 130-1). IPHC survey CPUE for dogfish is relatively stable in the NSEI and SSEI areas (NMFS Area 659), but has declined between 2006 and 2013 in NMFS Area 650, which encompasses EYKT, CSEO, SSEO, and NSEO state management areas. Few spiny dogfish are caught on the state sablefish longline survey in NSEI management area however, in SSEI management area, dogfish are captured regularly on the longline survey. The state longline survey CPUE estimates of dogfish in SSEI have been lower in the last five years compared to previous years (Figure 130-1).

The federal GOA ABC for spiny dogfish was 5,600 tons for 2014.

Since 1998, the board has failed to adopt several proposals to establish directed commercial shark fisheries in Prince William Sound, Yakutat, Ketchikan area, and statewide. The proposals to establish spiny dogfish fisheries near Yakutat resulted in the board taking action to allow full retention of spiny dogfish sharks in the gillnet fisheries and an increase to 35% in the maximum allowable bycatch for groundfish longline and salmon troll fisheries.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department does not have a stock assessment program for spiny dogfish in EGOA and does not support establishing a spiny dogfish fishery prior to development of a biologically-sound management plan. In addition, a directed fishery would result in incidental bycatch of other species, including, but not limited to, halibut, rockfish, sablefish, lingcod, and Pacific cod.

Commissioner's permits for spiny dogfish in Southeast Alaska could be issued by the department but no fishermen have applied for them.

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

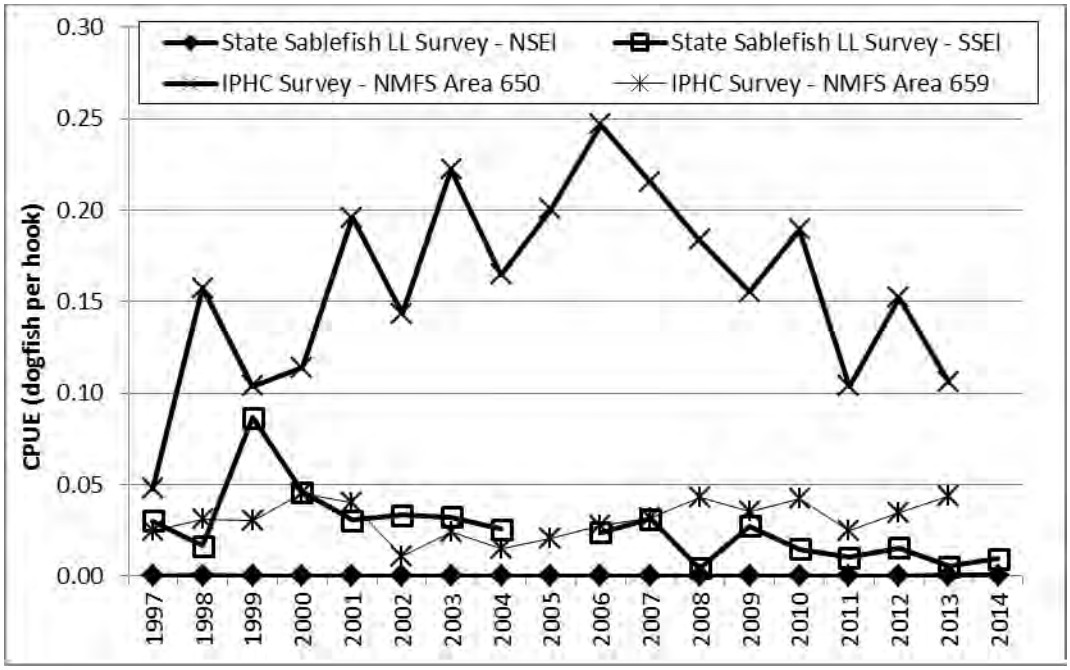


Figure 130-1.–Spiny dogfish CPUE (number of dogfish sharks per hook) based on IPHC halibut and state sablefish longline surveys. NMFS Area 659 corresponds to the SSEI and NSEI groundfish management areas; NMFS Area 650 includes Region I state managed groundfish water in the Southeast Outside Subdistrict (EYKT, CSEO, NSEO, and SSEO) and extends out to the 200 nm exclusive economic zone limit.

Sablefish (7 proposals): 131–137

PROPOSALS 131, 132, 133, 134 – 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Proposal 131 by John and Cindy Johanson. Proposals 132 and 133 by John Johanson. Proposal 134 by Bill Connor.

WHAT WOULD THE PROPOSALS DO? These proposals seek to allow pot gear for Southeast Alaska sablefish fisheries currently limited to only longline gear. Proposal 131 also references separate fishing areas or times to avoid gear conflicts. Proposal 131 does not specify a particular fishery and proposals 132-134 are specific to the SSEI Subdistrict (Clarence Strait).

WHAT ARE THE CURRENT REGULATIONS? There are currently two sablefish fishing management areas in State waters in Southeast Alaska (Figure 131-1). The NSEI Subdistrict (Chatham Strait) is limited to longline gear only (5 AAC 28.130 (a)) with a season from 8:00 a.m., August 15, until 12:00 noon, November 15 (5 AAC 28.110 (a)(1)).

In the SSEI Subdistrict, sablefish may be taken only by longline and pots (5 AAC 28.130 (a)). The SSEI fishery has two separate fishing seasons in regulation (5 AAC 28.110 (a)(2)). The first season is open for longline gear only from 8:00 a.m., June 1, until 12:00 noon, August 15. The second season is open for pot gear only from 8:00 a.m., September 1, until 12:00 noon, November 15.

Both sablefish fisheries in Southeast Alaska are managed on an EQS basis. The department determines an AHO for each management area and those fisheries are prosecuted as described in 5 AAC 28.170.

All three of these fisheries are limited entry fisheries; the NSEI longline fishery (C61A) had a total of 78 permits issued in 2014, the SSEI longline fishery (C61C) had a total of 20 issued permits in 2014 and the SSEI pot fishery (C91C) had 3 issued permits in 2014.

Proposal 134 suggests pots would allow for the delivery of live product, this is prohibited by regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If pot gear use increased in lieu of longline gear, there are a host of possible effects. Harvest of immature fish could be increased due to gear selectivity (Table 131-1). Fishermen may sort through their catch and retain larger fish captured in pot gear with less incidental gear induced mortality which could offset this gear selectivity. If the proportion of immature sablefish harvested increases growth, overfishing could occur. Mortality of target and non-target species could increase due to lost or derelict pot gear. This mortality would be mitigated by the statewide requirement for pot gear to have an escape mechanism. Whale depredation and harvest of non-target species may be reduced.

BACKGROUND: Pot gear was first allowed in 1970 in the NSEI and SSEI areas and the pot fishery accounted for 33% of the total harvest in the early 1970s. Beginning in 1982, the NSEI fishery was restricted to longline gear only, but pot gear was still allowed in the SSEI area. The SSEI sablefish fishery was designated as an EQS fishery in 1997 and five of the 35 permits were issued for pot gear. Since 1997, several temporary interim permits have been decommissioned and the current fishery status is 20 longline permits and three pot permits as described above. In 1997, separate seasons were established for longline and pot gear in SSEI to resolve the gear entanglement issues between the longline and pot fishermen.

The department currently establishes guideline harvest levels (GHL) for the NSEI and SSEI sablefish fisheries using the best available information. For the NSEI fishery, this information includes a biomass estimate derived from a mark-recapture project implemented since 1997, annual department longline surveys conducted just prior to the commercial season, commercial fishery performance data, and biological information (age, weight, length, sex, and maturity). For the SSEI fishery, the AHO is determined based on an annual department longline survey CPUE, commercial fishery performance data, and biological information (age, weight, length, sex, and maturity).

The department conducts longline and pot surveys in NSEI as part of its stock assessment program. Data from those surveys indicates bycatch in pot gear is lower than for longline gear (Table 131-2). Primary incidental catch in the NSEI longline surveys include arrowtooth flounder, dover sole, halibut, Pacific cod, ratfish, rockfishes, and skates. For the NSEI pot survey, the most common incidental catch species are arrowtooth flounder, halibut, dover sole, thornyhead rockfish, and small macroinvertebrates (primarily sea stars entangled in pot webbing). It is apparent from direct observation by department staff during these surveys that released sablefish are less obviously injured when captured by pot gear than by longline gear. Data collected during the NSEI pot survey indicates that a minimum of 2% of the sablefish captures are subject to significant sand flea damage. Current data collection methods cannot capture the total impact of sand flea damage on longline surveys.

Pot gear is a legal gear type for directed harvest of sablefish in federally managed fisheries in the Bering Sea-Aleutian Islands (BSAI) but is not legal in the Gulf of Alaska (GOA). There is interest in legalizing pot gear in the GOA due to problems associated with whale depredation on longline gear. Whale interactions result in unreported mortality of sablefish, increase uncertainty in stock assessments, and a reduction in the profitability of fishing operations. Input from the North Pacific Fishery Management Council (council) Gear Committee was used to formulate an expanded discussion paper for review at that meeting. The council heard mixed public testimony on the issue of pot fishing gear in the GOA, citing likely gear conflicts and a competitive disadvantage for those that cannot transition to pots. The council initiated an analysis, which includes a provision that requires retention of incidentally caught halibut if the sablefish IFQ holder holds sufficient halibut IFQ. Final regulations would also require IPHC approval. Initial council review is scheduled for December 2014 and final action is scheduled for February 2015.

While the department does not have specific data to document differences in whale depredation between the two gear types, it is generally understood that the impact of whale depredation is greater on longline gear than pot gear.

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

If the board adopts pot gear for NSEI and/or liberalizes the current pot gear regulations for the SSEI sablefish fishery there are related issues that should be considered. CFEC would need to be petitioned to amend NSEI C61A and SSEI C61C permit limited entry regulations as these permits are currently limited to longline gear. The board may wish to consider pot gear storage requirements, allowing longlined pot gear, pot gear marking requirements, and limits to the number of pots deployed. The board has considered these issues for the Prince William Sound (PWS) sablefish fishery in the past. Regulations specific to pot gear marking and storage have been adopted for PWS (5 AAC 28.230 and 5 AAC 28.232).

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery if they chose to use pot gear.

Table 131-1.–Size (fork length) and percent immaturity, by sex, of sablefish harvest from the SSEI commercial longline and pot fisheries, 2006–2013.

Year	Fork length (mm) Longline	Fork length (mm) Pot	SSEI LL fishery % females immature	SSEI LL fishery % males immature	SSEI Pot fishery % females immature	SSEI Pot fishery % males immature
2006	660	610	30%	45%	75%	42%
2007	630	610	40%	62%	69%	45%
2008	660	630	29%	59%	54%	41%
2009	650	620	30%	41%	64%	51%
2010	640	610	50%	55%	73%	51%
2011	630	580	60%	66%	89%	80%
2012	630	580	61%	58%	96%	66%
2013	630	590	73%	67%	76%	59%
Average	640	600	47%	57%	75%	54%

Table 131-2.–Comparison of percentage of bycatch (out of total catch in numbers of fish) in department longline and pot surveys in NSEI, 2010–2013.

Year	Pot Survey Sablefish catch	Pot Survey Bycatch (all species)	Longline Survey Sablefish catch	Longline Survey Bycatch (all species)
2010	83.6%	16.4%	82.2%	17.8%
2012	94.4%	5.6%	80.0%	20.0%
2013	94.3%	5.7%	77.7%	22.3%
Average	90.8%	9.2%	80.0%	20.0%

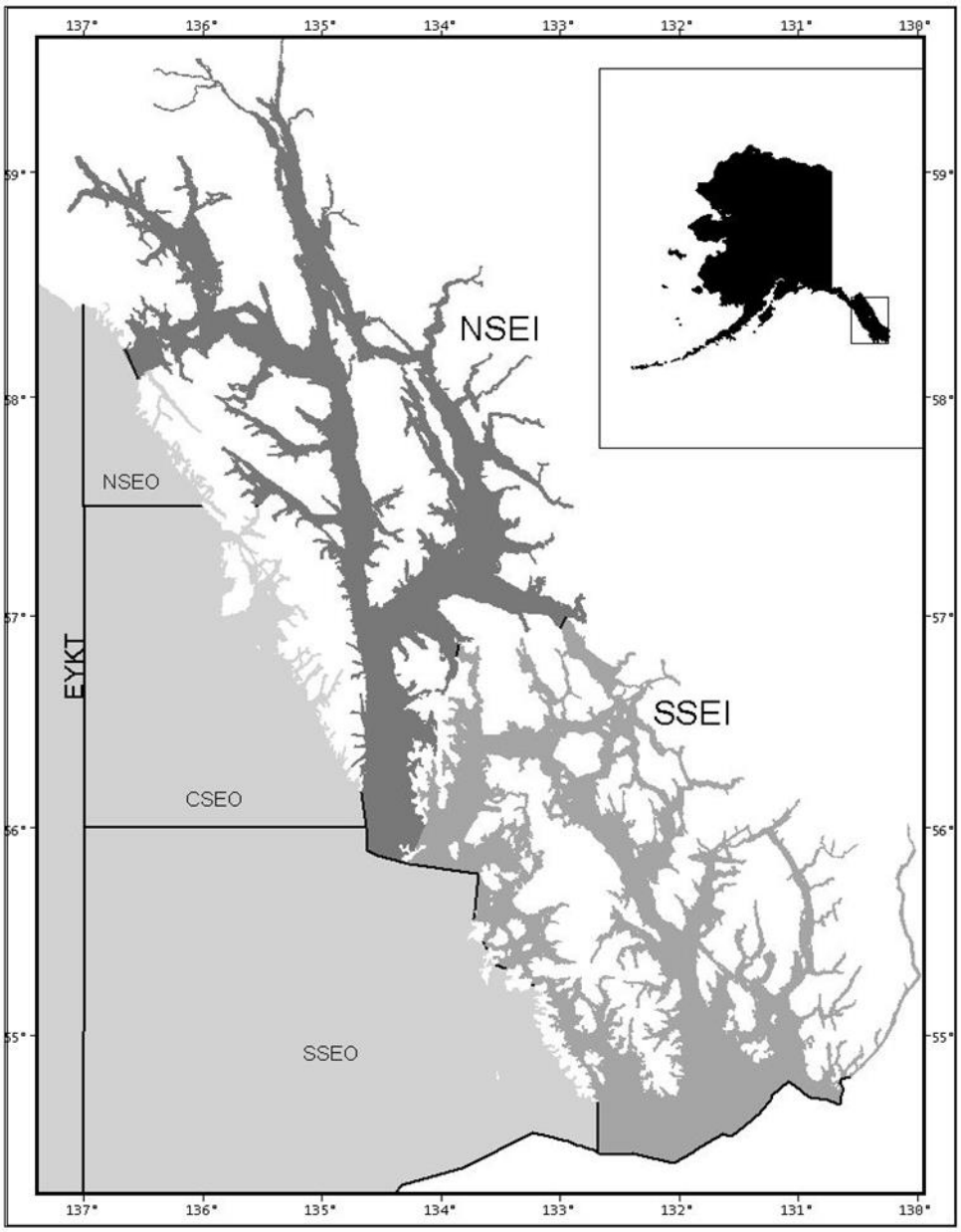


Figure 131-1.–Groundfish management areas in Southeast Alaska.

PROPOSAL 135 – 5AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to eliminate regulatory reference to sablefish fishing in the SEO Subdistrict and EYKT.

WHAT ARE THE CURRENT REGULATIONS? State managed sablefish fisheries in the Eastern Gulf of Alaska Area are conducted in waters of the NSEI and SSEI Subdistricts only (Figure 135-1). In the NSEI Subdistrict, sablefish may be taken only with longline gear. SSEI sablefish may be taken with longline and pot gear.

Retention of sablefish is prohibited in the state waters portion (0–3 nautical miles) of the Southeast Outside Subdistrict, except as allowed for sablefish bearing a government agency tag.

Current regulations define the waters of the Southeast Outside Subdistrict between 137° and 140° W. longitude as the East Yakutat Section, not East Yakutat District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would clarify regulations and eliminate confusion over the possibility of sablefish fishing opportunities in state waters of the Southeast Outside Subdistrict and EYKT.

BACKGROUND: Due to changes associated with the implementation of the federal sablefish IFQ program, the board closed state waters of the Southeast Outside Subdistrict and West Yakutat Section to sablefish fishing in 1997. The board determined that a separate state-waters fishery was not viable in this area given the small amount of sablefish habitat and low historical reported catch.

The East Yakutat District is no longer described in regulation. The area was designated as the East Yakutat Section in 1994 and included as part of the Southeast Outside Subdistrict during that board cycle.

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

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

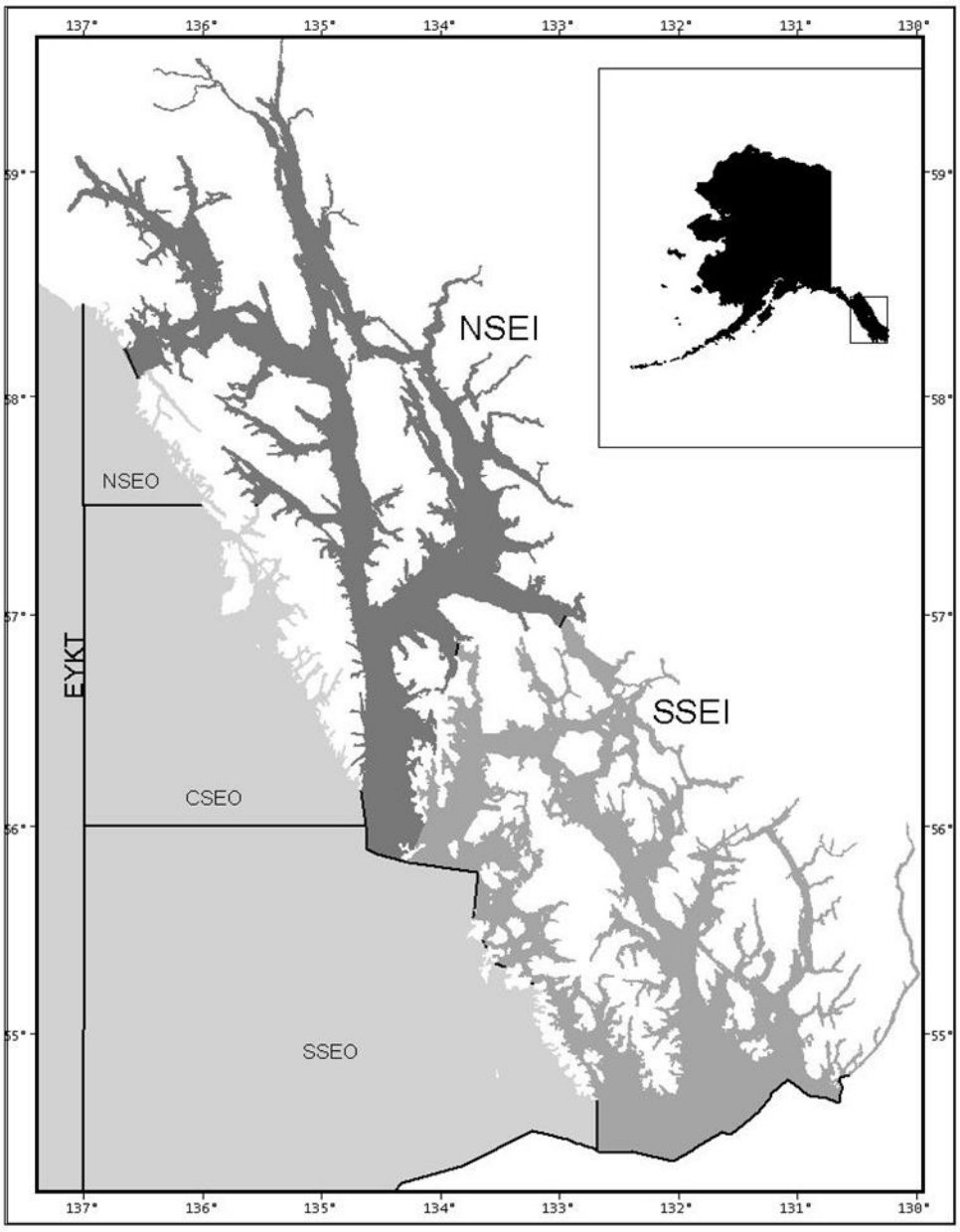


Figure 135-1.–Groundfish management areas in Southeast Alaska.

PROPOSALS 136 and 137 – 5 AAC 77.674. Personal use bottomfish fishery and 5 AAC 01.730. Subsistence fishing permits.

PROPOSED BY: Proposal 136 was submitted by the Alaska Longline Fishermen's Association. Proposal 137 was submitted by Richard Curran.

WHAT WOULD THE PROPOSALS DO? Proposal 136 seeks to establish an annual harvest limit in the personal use fishery of 50 sablefish per household and limit the number of permits that may be fished from one vessel at a given time to four permits. Proposal 137 seeks to establish an annual harvest limit in the personal use fishery of 50 sablefish per household and establish a hook and line gear only restriction with a maximum of 350 hooks per permit.

WHAT ARE THE CURRENT REGULATIONS? A Southeast Alaska Subsistence and Personal Use Sablefish Fishing Permit is required for harvest of subsistence and personal use sablefish by Alaska residents. One permit for both fisheries is issued per household and the permit holder or a designated household member listed on the permit must be present when fishing. Sablefish harvest information is required to be reported on harvest forms provided by the department.

Subsistence fishing for sablefish is allowed for sablefish stocks in ten areas of the Southeast Alaska Area recognized by the board as having C&T uses of bottomfish (Figure 136-1). Personal use bottomfish regulations apply outside of those areas. Bottomfish is defined as any marine finfish except halibut, smelt, herring, and salmonids.

Allowable gear for personal use bottomfish is restricted to longline or hand held line. Allowable gear for subsistence bottomfish fishing includes longline, pots, and mechanical jigging machines, as well as other gear types described in regulation. There are no restrictions on the amount of gear that may be used in either fishery nor are there sablefish bag or possession limits currently in place. Any resident of the state is eligible to participate in both fisheries. A valid Alaska sport fishing license is required for personal use fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Any reduction in personal use/subsistence sablefish harvest in the NSEI Subdistrict would result in a reciprocal increase to commercial sablefish AHO in that management area; personal use/subsistence harvest is deducted from the ABC in advance of setting the commercial AHO. Proposal 136 would also restrict the number of permits that can be fished from one vessel which could result in reduced harvests for a given trip. Proposal 137 would limit the number of hooks that could be deployed from a vessel engaged in personal use sablefish fishing which could limit the effectiveness of a vessel engaged in personal use sablefish fishing. A hook limit could have the effect of reducing the amount of sablefish retained or discarded by some permit holders that would have chosen to deploy a larger amount of hooks.

Proposal 136 would not affect the sablefish subsistence fishery and sablefish harvest would remain unrestricted in areas that have stocks with positive C&T findings for bottomfish. If there were harvest limits adopted for the personal use sablefish fishery and not the subsistence

sablefish fishery, the personal use limit would be difficult to enforce and differential limits could result in a shift in effort to those areas where harvest limits would not apply.

BACKGROUND: Personal use fishing for bottomfish was authorized in the Southeastern Alaska Area in 1989. Since that time, personal use sablefish fishing has been largely unrestricted except that NSEI and SSEI subdistricts commercial sablefish vessels were prohibited from operating longline gear in these areas during the periods immediately prior to the start of a sablefish opening and following the closure of the fishery.

In 2012, the board adopted a regulation which required residents of Alaska to obtain a permit prior to participating in subsistence/personal use fisheries for sablefish in the Southeastern Alaska Area. The permit was designed to provide managers with sablefish effort and harvest information in order to more accurately estimate total sablefish removals from these fisheries.

Due to the fact that sablefish permit regulations did not go into effect until July 2012 and that 2014 permits are not due until January 2015, the best available information on personal use and subsistence sablefish harvest is reported from the 2013 season. In that year, 267 (96%, Table 136-1) of the 279 issued permits were returned to the department of which an estimated 48% reported at least one day of fishing effort. A total of 4,242 sablefish were retained (estimated 29,270 lb based on survey average weight of sablefish). Twenty-two permits out of 267 permits reported 1,253 sablefish (8,646 lb) in excess of the proposed 50 fish limit.

Sablefish stocks in NSEI and SSEI subdistricts have experienced declines in recent history, resulting in reductions to the AHO for the directed commercial sablefish fishery in both fishing areas. The department has a mark-recapture biomass-based stock assessment for NSEI; management decisions for SSEI are based on department longline survey relative abundance indices and fishery performance. The long-term trend for the NSEI mark-recapture estimate has been decreasing since 2003 and no evidence of strong recruitment has been observed in the NSEI longline survey since 2000. In SSEI, there has been a declining trend in CPUE for the department longline survey since 2006; also the high proportion of immature fish in the survey and fishery are concerning for the future spawning potential of the stocks.

For the NSEI directed sablefish fishery, the AHO is released after decrements for non-directed fishery mortality are deducted from the ABC. These decrements include sport harvest, test fish harvest, sablefish deadloss in halibut fisheries, and subsistence and personal use harvest.

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

Implementation of the sablefish permit requirement has allowed the department to more accurately estimate personal use and subsistence harvest and account for those removals when setting the AHO for the NSEI commercial fishery.

Proposal 136 requests a restriction to the number of permits (four) that may be fished from a vessel at one time. Though it is not specified, the department assumes the intention is to limit the total vessel harvest rather than the number of permit holders that could participate. Should that

be the case, the board may wish to consider an individual sablefish possession limit of 50 sablefish and a vessel trip limit of 200 sablefish, the equivalent of four possession limits.

Should the board choose to adopt proposal 137 and adopt some limit on the number of hooks allowed, the department believes the most enforceable approach would be to require permit holders to make separate sets labeled with their individual buoy markings. To provide for an enforceable hook limit and meet gear marking requirements, the department believes multiple permit holders aboard a vessel would not be allowed to combine hooks in excess of the proposed hook limit.

If these proposals are adopted, the board should consider whether regulations continue to provide reasonable opportunity for subsistence uses of the sablefish populations with positive C&Ts.

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

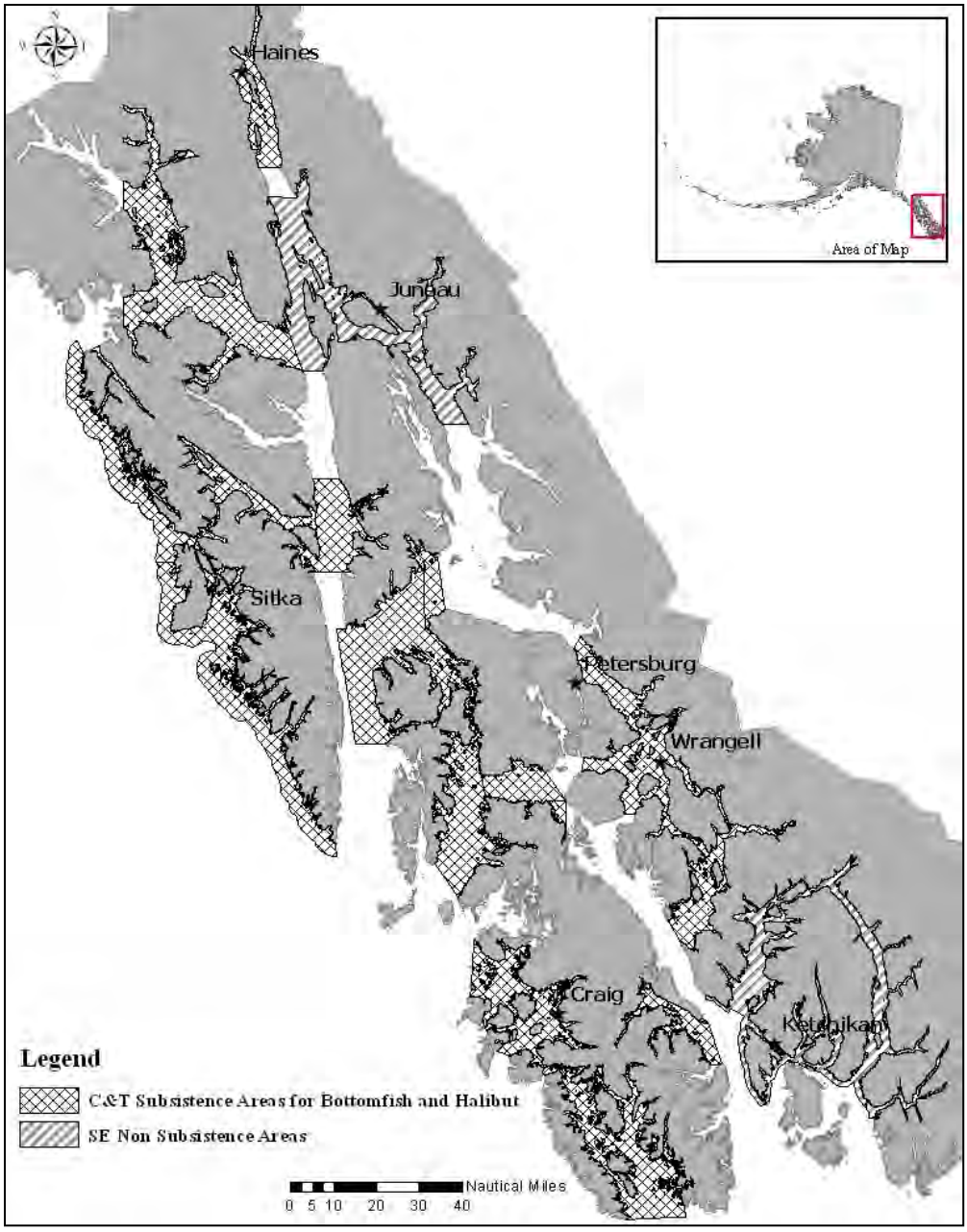


Figure 136-1.–Areas in Southeast Alaska with positive C&T findings for bottomfish and halibut.

Table 136-1.–Subsistence and Personal Use Permit Summary 2012–2014.

Permit Summary Information	2012[a]	2013	2014
Number permits issued	158	279	288
Number permits returned/reported	154	267	
Percentage of permits returned	97%	96%	
Number permits fished	78	129	
Percentage of reported permits fished	51%	48%	
Range (in numbers) of hooks fished for all efforts	11–4,200	12–2,800	
Average number of hooks fished per permit effort	235	160	
Number sablefish retained	2,389	4,242	
Range (in numbers) of sablefish harvest reported by permit	0–350	0–500	
Number sablefish discarded	327	233	
Sablefish avg weight lb/fish (from NSEI longline survey)	6.9	6.9	
Pounds (lb) of sablefish retained	16,484	29,270	
Pounds (lb) of sablefish discarded	2,256	1,608	
Number of permits reporting > 50 sablefish	8	22	
Number sablefish retained in excess of proposed 50 fish limit	547	1,253	
Pounds (lb) sablefish retained in excess of 50 fish limit	3,774	8,646	

[a] Sablefish permit requirements did not become effective until July 13, 2012; the data displayed are incomplete for that year.

Commercial Gear/Logbook (2 proposal): 138 & 139

PROPOSAL 138 – 5 AAC 28.175. Logbooks for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would require groundfish fishermen to report on a jig fishery logbook their catch and effort information by specific location (latitude and longitude) for each unique geographic area fished and also clarify to fishermen to record the "total number" of hooks used for each unique geographic area fished.

WHAT ARE THE CURRENT REGULATIONS? Current regulation requires fishermen to record on a logbook their fishing location by statistical area and nearest headland and the number of lines and number of hooks used per line.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide staff with information to accurately assign groundfish catch and effort data to the proper location and provide consistency in regulation with effort information collected on jig fishery logbooks. This clarification in the number of hooks fished allows staff to correctly assign fishing effort in order to calculate CPUE. CPUE data are the only information available to the department for monitoring general trends in abundance for lingcod. Adopting this proposal would improve the quality of information available for managing lingcod fisheries.

The proposed amendment would provide department staff with more detailed catch and effort information which would assist in future management of lingcod fisheries.

In jig fisheries that allow the use of multiple lines, reporting is inconsistent and it is often difficult to determine whether fishermen are reporting the number of hooks per line or the total number of hooks used. In order to avoid this confusion, the lingcod logbook form has been updated to request the total number of hooks used. The proposed regulation amendment will provide consistency with the current fishery logbook and allow staff to accurately calculate CPUE.

BACKGROUND: The current logbook reporting requirements, consisting of a six-digit statistical area and the nearest headland, do not always provide staff with enough detailed information to accurately assign groundfish catch and effort data to the proper area. Logbooks are often submitted without statistical area information or adequate headland descriptions for staff to make an accurate area assignment. For example, there have been instances where fishermen fishing offshore in the Fairweather Grounds have not provided a statistical area and have recorded Lituya Bay as the nearest headland. This level of harvest location detail is not useful because Lituya Bay is approximately 50 miles from the nearest point on the Fairweather grounds.

Even when accurately recorded, statistical area and/or headland do not provide location information to the resolution needed to conduct some research activities. Over the years, the department has utilized the latitude and longitude information reported in longline logbooks for a variety of research activities. For example, staff uses CPUE information by location for the directed demersal shelf

rockfish fishery to delineate yelloweye rockfish habitat. Current jig fishery logbook location data can only be summarized to the statistical area level.

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

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

PROPOSAL 139 – 5AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to update the definition of mechanical jig gear to provide for a clear distinction from dinglebar troll gear. The updated language would specifically prohibit mechanical jig gear from being trolled through the water and clarify the gear may not to be anchored to the seafloor.

This proposal also seeks to limit vessels to the operation of no more than five mechanical jigging machines and 30 hooks per line; standardizing Eastern Gulf of Alaska mechanical jig gear limits with other areas of the state.

WHAT ARE THE CURRENT REGULATIONS? A mechanical jigging machine is defined as a device that deploys a line with hooks and retrieves that line and hooks with electrical, hydraulic, or mechanically powered assistance. Regulation specifies that hooks are to be fished only in the water column and that mechanical jigging machines must be attached to a vessel registered to fish with these machines and may not be anchored or operated off the vessel.

Dinglebar troll gear consists of a single line that is retrieved and set with a troll gurdy or hand troll gurdy with a terminally attached weight from which one or more leaders with one or more lures or baited hooks are pulled through the water while a vessel is making way. This single line is attached to the gurdy line and is oriented horizontal to the sea floor as the gear is pulled through the water. Only one troll gurdy line or hand troll gurdy line may be deployed in the water at any time.

A person may not operate a vessel that is using dinglebar troll gear and mechanical jigging machine at the same time. A vessel must display a "D" or "M" at all times when fishing for or transporting groundfish taken with either of these gear types. A vessel may not display more than one of these letters at any time.

There are no limits on the amount of gear that may be used in mechanical jig fisheries in the Eastern Gulf of Alaska Area; mechanical jig gear is limited to 5 lines and 30 hooks per line in the Prince William Sound, Cook Inlet, Kodiak, Chignik, and South Alaska Peninsula Areas. Regulations for the Bering Sea-Aleutian Islands Area restrict the number of mechanical jigging machines to five, but do not limit the number of hooks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide the public with clear guidelines on the operation and definition of mechanical jig gear and reduce the likelihood of unintended increases in harvest rates in the directed lingcod fishery. The annual directed lingcod allocation for the EYKT, i.e. Fairweather Grounds, has been harvested in three or four days in recent years. Any significant increase in catch rates due to changes in traditional fishing practices could further reduce season length and complicate management of this fishery.

BACKGROUND: Mechanical jig and dinglebar troll are legal gear for state managed directed rockfish, lingcod, and Pacific cod fisheries in the EGOA. Jig fishery permits were historically issued as mechanical jig permits, however in 1994 a new jig permit was established to recognize the use of dinglebar troll gear in the directed lingcod fishery. At the same time, the board instituted regulations to limit dinglebar gear to the operation of a single line so that an orderly fishery could be prosecuted.

The statewide definition of mechanical jigging machine specifies that gear must be fished within the water column but does not dictate the orientation of hooks or prohibit that gear from being trolled through the water while the vessel is making way. Mechanical jig machines traditionally have been fished with multiple hooks deployed from a vertical line in the water column while the vessel is drifting. Dinglebar gear incorporates a single line to which multiple leaders with hooks are attached, referred to as a "train". The train is attached to the gurdy line and is trolled in a manner so the train is fishing horizontal to the sea floor. This method of fishing has proven to be very effective at targeting lingcod. Without a clear distinction between mechanical jig and dinglebar troll gears, fishermen can operate more than one train of gear under the auspices of a mechanical jig permit and avoid the single line dinglebar restriction. This could result in significant increases in catch rates within the fleet.

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

Mechanical jig gear is utilized in the directed lingcod fishery by only a small percentage of lingcod permit holders. During the past 10 years, an average of two mechanical jig permit holders have participated in the directed lingcod fishery. Annual participation has ranged between zero and five permits per year. The number of dinglebar permits reporting directed lingcod landings during this same period ranged between 23 and 40 and averaged 31. The department is concerned that current regulatory language does not adequately distinguish these two gear types and dinglebar permits will increasingly be exchanged for mechanical jig permits as individuals realize they can operate additional lingcod gear under the auspices of a mechanical jig permit. Although this is currently a concern in the directed lingcod fishery, a clarification of the mechanical jigging machine definition is needed for the other fisheries where this is a legal gear type.

Mechanical jig logbook records for the period of 1992 through 2014 report that vessels used a maximum of 100 hooks at a time. The proposed hook limit does not appear that it would impact common fishing practices in the Eastern Gulf of Alaska.

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

Lingcod (3 proposals): 140–142

PROPOSAL 140 – 5 AAC 28.173. Lingcod possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Don Westlund and Larry McQuarrie.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to increase the minimum size limit for lingcod in commercial fisheries to 30 inches in length from tip of snout to tip of tail, or 22.75 inches from the front of the dorsal fin to the tip of the tail.

WHAT ARE THE CURRENT REGULATIONS? In the Eastern Gulf of Alaska, lingcod retained in commercial fisheries must measure at least 27 inches from the tip of the snout to the tip of the tail, or 20.5 inches from the front of the dorsal fin to the tip of the tail. Undersized lingcod must be returned to the water immediately without further harm. The commercial directed lingcod fishery and salmon troll and groundfish bycatch fisheries are open May 16 through November 30 or until fishery allocations are taken. Lingcod bycatch in longline fisheries is open year round or until area allocations are taken.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would potentially enhance spawning biomass of lingcod populations in Southeast Alaska however, in the absence of a fecundity study specific to lingcod in this geographic area, the extent of this increased spawning biomass is unknown. An increase to the minimum length limit would decrease commercial lingcod harvest to some degree, more so in the directed and troll bycatch fisheries which are more likely to catch and land lingcod in this size range. Lingcod do not have a closed swim bladder and therefore experience minimal barotrauma relative to rockfish however, discard of undersized lingcod likely will lead to some amount of mortality.

BACKGROUND: The board adopted the 27 inch minimum size limit for lingcod caught in the commercial fisheries in southeast Alaska in 1989 in order to protect sexually immature females and nest guarding males. The size limit was based on the size of 50% sexual maturity for females from British Columbia fishery data.

Department biological data collected from 5,807 lingcod sampled from demersal shelf rockfish and halibut longline fisheries between 1995 and 2005 indicate that approximately 1% of fish sampled were within the 27 to 30 inch total length range. The low incidence of lingcod in this size range in the longline catch may be related to longliners fishing deeper depths that are inhabited by larger female lingcod and because longline fishermen are limited to a bycatch percentage and may tend to retain bigger fish as they fill their allowance.

Data collected from directed lingcod fishery samples show 20% of the 14,207 lingcod sampled between 1995 and 2014 were within the 27 to 30 inch size range. This fishery is generally prosecuted in shallower water and encounters a higher percentage of smaller fish when compared to longline fisheries. Additionally, directed fishery participants are not limited to a bycatch allowance so there is more incentive to retain all legal size lingcod.

The minimum size and slot limits in effect for nonresident anglers are designed to ensure that the sport harvest of lingcod remains within the sport fishery allocation established by the board. The minimum size on the slot limit protects sexually immature females and nest guarding males. The slot provides an almost equal harvest of both males and females.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department does not have a lingcod stock assessment program to provide for reliable estimates of lingcod biomass or abundance however, based on commercial fishery data, we believe lingcod stocks are healthy throughout the region.

The proposal requests a three inch increase to the minimum total length measurement but only requests a 2.25 inch increase to the dorsal fin/tip of tail measurement. The department does not collect data to substantiate whether there is a difference in growth rates between these reference points or whether the changes to the minimum length should be proportionate for each length type.

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

PROPOSAL 141 – 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to allow commercial salmon trollers to retain a limited amount of lingcod bycatch while fishing in the waters of the Sitka Sound Local Area Management Plan (LAMP) Area (Figure 141-1).

WHAT ARE THE CURRENT REGULATIONS? Retention of lingcod taken as bycatch while commercial trolling for salmon is prohibited in the waters of Sitka Sound as described in 5 AAC 28.150(a). Commercial salmon trollers are also prohibited from fishing in waters of Sitka Sound if they have lingcod from outside that area on board the vessel. In the remainder of CSEO Section, lingcod bycatch allowances are set by EO and commercial salmon trollers may retain lingcod bycatch during the period May 16 through November 30; up to 70% of the round weight of salmon on board the vessel.

Halibut longline fisherman operating vessels 35 feet or less in length are allowed to fish in the LAMP during the IFQ season, except for the months of June, July, and August. Fishermen are restricted to a 2,000 pound halibut trip limit and a 20% lingcod bycatch allowance.

All lingcod retained in commercial fisheries must measure a minimum of 27 inches in length from the tip of the snout to the tip of the tail. Annual lingcod GHLs are set by management area and allocated between the commercial directed lingcod fishery, salmon troll, longline and groundfish jig bycatch fisheries and the sport fishery. Commercial fisheries are closed when the annual fishery allocation is taken.

A commercial fisherman may retain finfish from lawfully taken commercial catch for their own use. Lingcod are not legally taken in the troll fishery in Sitka Sound, therefore catch from this area may not be retained for personal use.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Lingcod harvest in Sitka Sound would increase if this proposal were adopted; the effect of increased harvest on local lingcod populations in the Sitka Sound area is unknown. However, any lingcod landed as personal use by salmon trollers fishing in Sitka Sound would be deducted off the commercial salmon troll lingcod allocation for CSEO.

BACKGROUND: In 1997, the board adopted a regulation that limited commercial lingcod retention in Sitka Sound. The proposal was part of a larger plan presented by the Sitka Halibut Task Force to reduce Sitka Sound groundfish harvest in commercial and sport charter fisheries. The new regulation permitted lingcod bycatch in the commercial halibut fishery, but prohibited directed lingcod fishing and retention of lingcod as bycatch in all other commercial fisheries. In a related action at that time, guided and nonresident sport bag limits in Sitka Sound were reduced from two lingcod per day to one per day.

Lingcod bycatch in the commercial halibut fishery was limited to 5% in all areas of the Eastern Gulf between 1994 and 2008. In 2009, the board adopted a proposal that allowed the department

to increase lingcod bycatch in the halibut fishery in areas where the annual lingcod longline allocation was underutilized. The CSEO lingcod bycatch allowance was increased to 15% in 2009 and 20% for the period of 2010 through 2014. Reported lingcod harvest in the halibut fishery in Sitka Sound for 2001–2014 has ranged between 451 to 2,766 round lbs and averages 1,645 round lbs.

A proposal to allow retention of lingcod bycatch in the commercial salmon troll fishery in the Sitka Sound LAMP was considered by the board in 2012. This proposal failed due to concerns over the possible impacts to the local lingcod stock.

The Sitka Sound LAMP area is a Federal management area. The area identified is also the state Sitka Sound Special Use Area.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal but does have some concerns about potential negative impacts on the lingcod stock in Sitka Sound. There is a high volume of troll effort that occurs within Sitka Sound but due to statistical area boundaries, it is difficult to determine the actual number of deliveries that occur within the LAMP. In 2013, there were 1,345 troll landings reported from within the Sitka Sound area during the open lingcod season. An additional 1,876 troll landings were reported from three salmon statistical areas (113-31, 113-41, and 113-62) that contain waters that occur both inside and outside of the LAMP.

If the board adopts this proposal, the department would recommend that lingcod taken under these terms be marked by removal of the caudal (tail) fin immediately upon landing to distinguish that these fish are not to be sold. Removal of the caudal (tail) fin is required for salmon taken in the personal use salmon fishery and would provide for a highly visible mark for lingcod as well. The department would also recommend mandatory reporting of lingcod on a fish ticket at the time of landing.

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

Table 141-1.–Lingcod harvest estimates (round lbs) in Sitka Sound Local Area Management Plan Area, by fishery (commercial halibut, sport, and subsistence halibut). Subsistence halibut program initiated in 2003.

Year	Commercial Halibut	Sport	Subsistence Halibut [a]	Total harvest
2001	1,742	15,449	ND	ND
2002	2,209	7,146	ND	ND
2003	2,611	9,638	15,888	28,137
2004	832	10,032	17,344	28,208
2005	1,369	10,400	10,272	22,041
2006	1,380	13,166	15,968	30,514
2007	1,856	8,282	18,608	28,746
2008	451	9,209	21,648	31,308
2009	708	3,691	16,592	20,991
2010	2,766	3,525	14,720	21,011
2011	2,019	2,562	12,128	16,709
2012	2,117	7,240	10,821	20,178
2013	1,911	8,001	ND	ND
2014	982	5,323	ND	ND
Average	1,640	8119	15,399	25,157

[a] These data do not include lingcod taken in other subsistence groundfish fisheries.

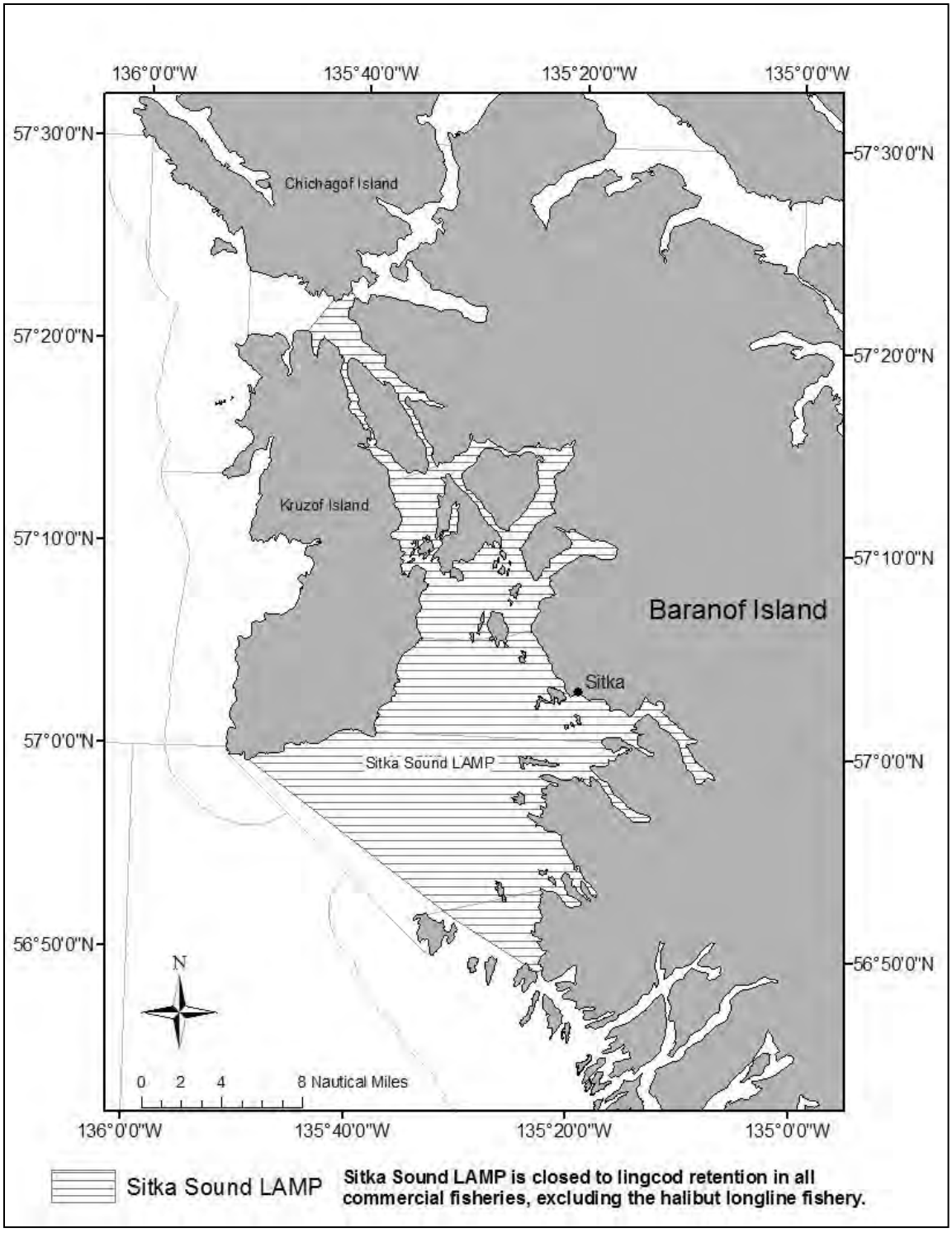


Figure 141-1.–Sitka Sound Local Area Management Plan Area.

PROPOSAL 142 – 5AAC 47.021. Special Provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal unnecessary lingcod regulations for the SSSUA.

WHAT ARE THE CURRENT REGULATIONS? Regionwide, lingcod may be taken only from May 16 through November 30. The bag limit is two and the possession limit is four fish. In the SSSUA, the nonresident harvest limits are one per day, two fish in possession.

However, 5 AAC 47.060 *Lingcod delegation of authority and provision for management* directs the department to establish, by EO, size and annual limits as needed to attain harvest allocations for seven management areas in Southeast Alaska. As a result, Southeast Alaska lingcod regulations are established annually by EO, making the current lingcod regulations for the SSSUA unnecessary.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would simplify regulations. There would be no effect to the fishery or to lingcod.

BACKGROUND: Lingcod harvest allocations for the sport fishery, and regulations delegating the department the authority to manage for the allocations, were adopted in 2000. Since 2000, the department has annually implemented superseding regulations that are more conservative than the current SSSUA regulations.

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

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

Sport Rockfish (3 proposals): 143–145

PROPOSAL 143 – 5 AAC 47.030. Methods, means, and general provisions - Finfish.

PROPOSED BY: Don Westlund and Larry McQuarrie.

WHAT WOULD THE PROPOSAL DO? This proposal would require all anglers in Southeast Alaska to use a DRM when releasing nonpelagic rockfish so that released nonpelagic rockfish are re-submerged to the depth of capture or 100 feet, whichever is shallower. All anglers fishing in salt water would also be required to have an operable DRM on board their vessel.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require chartered anglers in Southeast Alaska to use a DRM when releasing a nonpelagic rockfish. All charter boat operators must have an operable DRM on board readily available for use. Nonpelagic rockfish released from chartered vessels must be re-submerged to the depth of capture or at least 100 feet. Non-chartered anglers may use a DRM to release rockfish, but are not required by regulation to do so.

Regulations also list management measures, including mandatory retention requirements for resident and nonresident anglers that the department may use to keep the sport fishery within its allocation. Since 2006, the department has required, by EO issued under the direction of current regulations, resident and nonresident anglers to retain all nonpelagic rockfish until their bag limit has been reached.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase the survival of nonpelagic rockfish released by non-guided anglers. Assuming a survival rate of 50%–80% for released fish, total mortality would be reduced by approximately two to four percent and a 10% to 6% decrease for non-guided total removals. This proposal would also increase regulatory complexity in the Southeast Alaska marine fishery.

BACKGROUND: Nonpelagic rockfish, including those in the DSR assemblage, live in deep water, high-pressure environments. Often these fish are not able to return to depth by swimming if released at the surface due to increased buoyancy as a result of trapped and expanded gasses inside their body cavities. Pelagic species also incur these injuries, but to a lesser extent, due to physiological and behavioral differences in depth regulation and their preference for shallower water.

Studies in Oregon and Alaska indicate that some portion of rockfish released at the surface are able to submerge on their own but that this ability varies by species and depth of capture. Recent research has focused on ways to reduce the effects of barotrauma by lowering the fish back to deep water quickly after capture. Various recompression devices have been marketed to release fish at the depth of capture as quickly as possible. Department research suggests survival of released yelloweye rockfish is increased from about 20% to over 95% by using these simple devices. Survival of other rockfish species released in the sport fishery in Alaska has not been estimated, but other studies in the scientific literature demonstrate substantial increases in survival following deep water release for numerous rockfish species. Based in part on this

information, DRM requirements were established in regulation in Southeast Alaska for chartered anglers in 2012. The AWTs have reported good compliance with the required use of the DRMs in chartered angler fisheries and data from the department port sampling program has shown that use of DMRs are being used by non-chartered anglers. The percentage of non-chartered anglers using DMRs to release rockfish has ranged from 0 to 23% by port and has averaged 9% regionally the past three years.

In 2013, the nonpelagic rockfish harvest and catch by non-guided anglers represented approximately half (50%) of the harvest and catch of non-pelagic rockfish in the SEAK sport fishery in numbers of fish and mts. The number of released nonpelagic rockfish by non-guided anglers in 2013 was approximately 2,300 fish that totaled just over 4.0 mts. If non-guided anglers would have released these fish at depth and incurred a 20% to 50% mortality rate, the total mortality (i.e., harvest plus release mortality) of nonpelagic rockfish in the SEAK sport fishery would decrease by 1.3 mts to 0.8 mts in the Southeast Outside Area—this represents a decrease of 4% to 2% for combined guided and non-guided total removals and a 10% to 6% decrease for non-guided total removals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department supports the use of DRM as a means to reduce release mortality of nonpelagic rockfish in the sport fishery and promotes effective release of nonpelagic rockfish through outreach efforts. However, this proposal would complicate regulations and could either unnecessarily burden anglers fishing in saltwater for species other than nonpelagic rockfish or pose enforcement difficulties if applied only to some anglers, e.g. those fishing for bottomfish. Non-chartered anglers are using DRMs voluntarily. For these reasons, the department prefers to continue promoting the use of DRMs by non-chartered anglers through outreach rather than require their use by regulation.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. All anglers would need to purchase or manufacture a deep water release mechanism if they are angling in salt waters of Southeast Alaska regardless of their target species.

PROPOSAL 144 – 5AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management. .

PROPOSED BY: Don Westlund and Larry McQuarrie.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal mandatory retention requirements for nonpelagic rockfish.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allocate 16 percent of the annual allowable catch of demersal shelf rockfish in the Southeast Outside District to the sport fishery. Regulations also list management measures, including mandatory retention requirements for resident and nonresident anglers, the department may use to keep the sport fishery within its allocation. Since 2006, the department has required, by EO issued under the direction of current regulations, anglers to retain all caught nonpelagic rockfish until their bag limit has been reached.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Mortality of nonpelagic rockfish due to mandatory retention would decrease since anglers would have the option to release them if they did not intend to retain any; harvest would likely decrease. Conversely, mortality of fish released may increase by some amount.

BACKGROUND: Since 2006, when the sport fishery allocation was set, the department has implemented most of the management measures provided under its delegation of authority including the retention of nonpelagic rockfish until an angler's bag limit is reached. Sport harvests have remained under the allocation since 2011 (Table 144-1). The department will consider not implementing the mandatory retention requirement when the sport fishery can be managed for its allocation with the other management tools provided under its delegation of authority.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The option to implement mandatory retention has been used to manage nonpelagic rockfish mortality in the sport fishery to within the regulatory allocation since 2006.

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

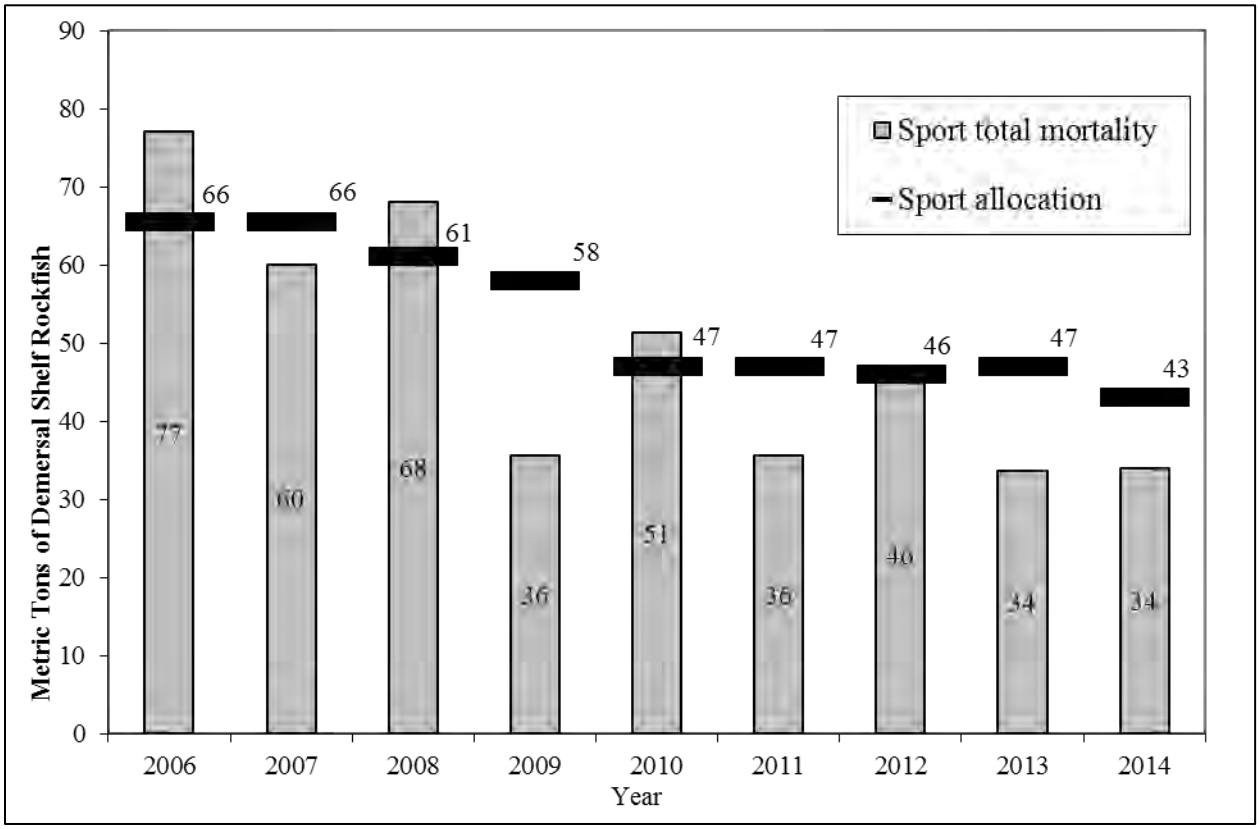


Figure 144–1.–Demersal shelf rockfish allocation and mortality in the sport fishery from the Southeast Outside Subdistrict during 2006–2014. *2014 Sport mortality estimate is preliminary.

PROPOSAL 145 – 5AAC 47.021. Special Provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal SSSUA and Ketchikan Area nonpelagic rockfish regulations.

WHAT ARE THE CURRENT REGULATIONS? In Southeast Alaska, nonpelagic rockfish may be taken from January 1 — December 31. The bag limit is five fish, with a possession limit of 10 fish, of which only two per day and four in possession may be yelloweye. In the SSSUA and for a portion of the Ketchikan Area, the bag and possession limit for nonpelagic rockfish is three fish, of which no more than one may be a yelloweye rockfish.

However, 5 AAC 47.065 *Demersal shelf rockfish delegation of authority and provision for management* directs the department to establish, by EO, regulations needed to attain sport allocation for the Southeast Outside Subdistrict. As a result, Southeast Alaska nonpelagic rockfish regulations are established annually by EO, making specific nonpelagic rockfish regulations in the Sitka and Ketchikan Areas unnecessary.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would simplify regulation with no change in the sustainable management of the nonpelagic rockfish sport fishery.

BACKGROUND: Since the allocation of Outside Subdistrict nonpelagic rockfish in 2006 and the delegation of authority to manage for this allocation, conservative regional nonpelagic rockfish sport regulations have been set annually requiring the less conservative nonpelagic rockfish regulations in the vicinity of Sitka and Ketchikan to be superseded.

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

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

Closed Area (1 proposal): 113

PROPOSAL 113 – 5 AAC 02.15X. Closed waters in Southeastern Alaska–Yakutat Area. 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area. 5 AAC 31.136. Closed waters in Registration Area A. 5 AAC 32.150. Closed waters in Registration Area A. 5 AAC 34.15X. Closed waters in Registration Area A. 5 AAC 35.15X. Closed waters in Registration Area A. 5 AAC 38.1XX. Closed waters in Registration Area A. 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeastern Alaska Area. 5 AAC 77.6XX. Closed waters in the Southeastern Alaska Area.

PROPOSED BY: Naha Conservation.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a Marine Conservation Zone and prohibit commercial, sport, and personal use bottomfish, crab, and shrimp fisheries within 300 feet of Cache Island (Figure 113–1).

WHAT ARE THE CURRENT REGULATIONS? Under AS 16.05.251, the board may adopt regulations it considers advisable for setting apart fish reserve areas, subject to approval of the legislature.

Current regulations provide for a variety of bottomfish, crab, and shrimp fisheries near Cache Island. These include directed commercial fisheries for sablefish and Pacific cod; also, groundfish may be taken as bycatch in the salmon troll fishery. Directed commercial fishing for demersal shelf rockfish is prohibited by regulation. Commercial shrimp and Dungeness crab fisheries are also closed in this area. The area around Cache Island is open to commercial harvest of sea cucumbers.

The proposed closed area is within the Ketchikan Nonsubsistence Use Area. Current regulations provide for sport and personal use fisheries that harvest bottomfish, crab, and shrimp in the area near Cache Island. Sport and personal use fisheries in this area are generally provided for under regional regulations, with several local exceptions. Local regulations specify reduced rockfish harvest limits for both fisheries. They also specify reduced harvest limits for lingcod in the sport fishery and close the sport fishery for shrimp.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would eliminate harvest opportunity and possibly decrease harvest in commercial, personal use, and sport fisheries by some unknown, but likely small, amount. By creating new exceptions to commercial, personal use, and sport regulations it would also add regulatory complexity to each of these fisheries.

BACKGROUND: Cache Island is located about 25 miles northeast of Ketchikan in Naha Bay. The proposed Marine Conservation Zone around Cache Island is small, representing approximately 0.04 square miles (Figure 113–1). This area lies within larger commercial, sport, and personal use fishery statistical reporting areas ranging in size from approximately 100 to 345 square miles.

Cache Island is located in the SSEI subdistrict and falls within groundfish Statistical Area 315531. Groundfish fisheries in this area are managed by the State of Alaska. Groundfish harvest reported as bycatch from the commercial halibut fishery in groundfish Statistical Area 315531 for the most recent 5–year period included: seven species of rockfish (1,095 round lbs), Pacific cod (78 lbs), and lingcod (64 lbs). The total exvessel value of these landings was $251. Groundfish harvest reported in the commercial troll fishery from salmon Statistical Area 101–90 was limited to rockfish (53 lbs) and lingcod (8 lbs). It is not possible to determine if any of these harvests occurred within the proposed closure area around Cache Island. Logbook data from the directed sablefish and Pacific cod fisheries indicate that there was not any directed effort from these fisheries in the proposed closure area during the past five years.

The department collects sport and personal use effort and harvest information on lingcod, rockfish, and Dungeness crab via the Statewide Harvest Survey (SWHS). Cache Island lies within a larger sport fishery reporting area, East and West Behm canals, which encompass approximately 345 square miles. The department also collects sport effort and harvest information on lingcod and rockfish via saltwater charter logbooks within a logbook reporting area encompassing approximately 100 square miles. It is not possible to determine what proportion of harvest from these reporting areas occurs within 300 feet of Cache Island, which includes 0.04 square miles.

In general, sport fishing effort has remained stable in East and West Behm canals over the last 10 years. SWHS estimates for rockfish indicate that harvest has remained stable over the last 10 years while the most recent 5–year average is 2,900 fish. Saltwater charter logbook information shows that harvest of lingcod and rockfish in 101–90 has remained stable over the last ten years averaging 10 lingcod and 160 rockfish.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There are no known conservation or biological concerns for bottomfish or shellfish populations in the area around Cache Island or the larger statistical areas. This proposal would also add unnecessary regulatory complexity.

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

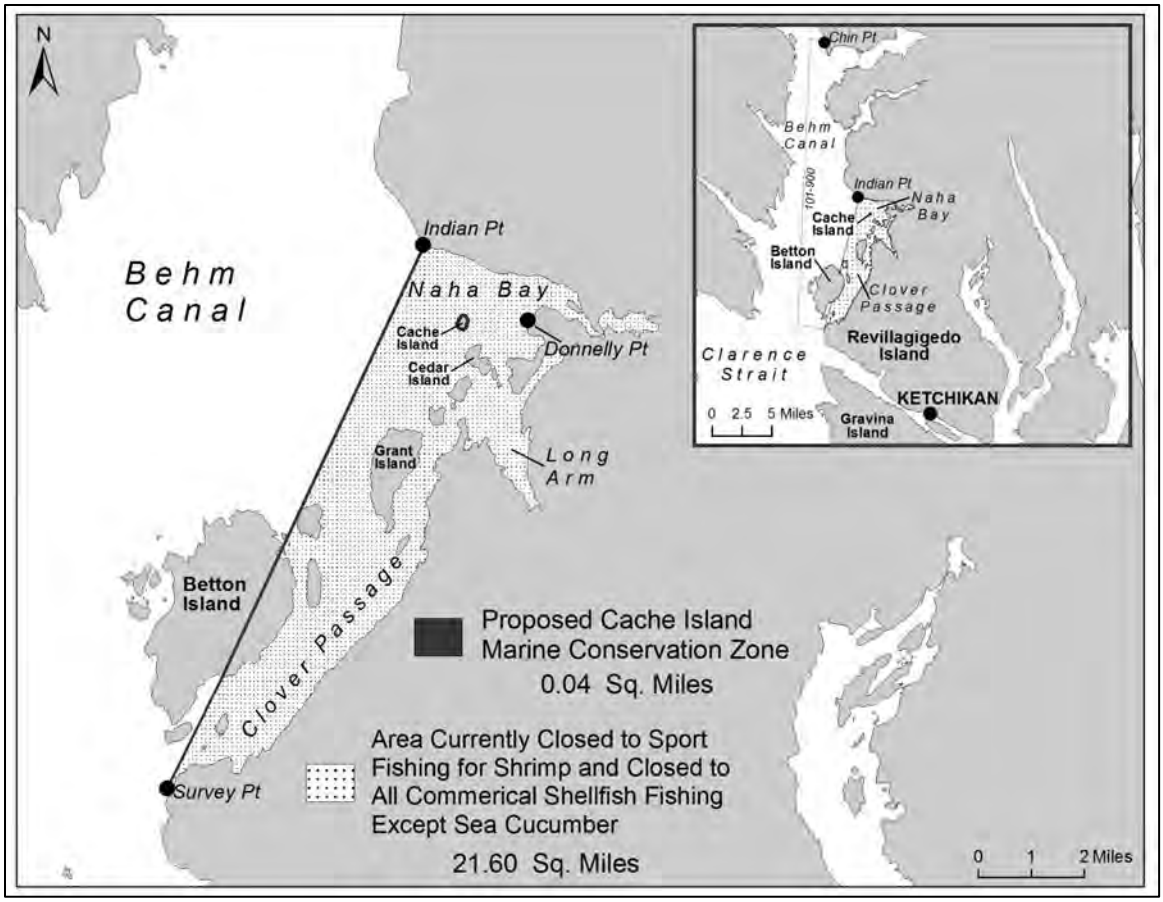


Figure 113–1.–Location of Naha Bay and the proposed Cache Island marine conservation zone.

COMMITTEE OF THE WHOLE–GROUP 3: SUBSISTENCE SALMON (10 PROPOSALS)

Subsistence ANS and other considerations (3 proposals): 146, 147 and 173

PROPOSALS 146 and 147 - 5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.

PROPOSED BY: Alaska Department of Fish and Game (Proposal 146) and Southeast Subsistence Regional Advisory Council (Proposal 147).

WHAT WOULD THE PROPOSALS DO? Proposal 146 would revise the finding for ANS for salmon stocks in districts 11, 12, 14, and 16 by creating separate ANS findings for salmon in districts 12 and 14 and eliminating the ANS finding for salmon in districts 11 and 16 where no customary and traditional use finding occurs.

5 AAC 01.716(c)(4) would be amended to read:

(c) The board finds that the following numbers of salmon are reasonably necessary for subsistence uses in the Southeastern Alaska Area:

…

(4) Districts **12 and 14** [11, 12, 14, AND 16]: **x,xxx–xx,xxx** [4,178 - 10,133];

Proposal 147 would adopt amounts reasonably necessary for subsistence for salmon stocks specific to the Angoon Area based on the best available information provided by the department household use studies.

WHAT ARE THE CURRENT REGULATIONS? The board finds that 4,178–10,133 salmon are reasonably necessary for subsistence in districts 11, 12, 14, and 16 (5 AAC 01.716(c)(4)).

All marine waters of sections 11-A and 11-B and of Section 12-B, as well as portions of Section 12-A, are within the Juneau Nonsubsistence Area as adopted by the Joint Boards of Fisheries and Game and described at 5 AAC 99.015(a)(2).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, the proposals would modify the ANS finding for salmon in districts 11, 12, 14, and 16.

BACKGROUND: Districts 11, 12, 14, and 16 are within the Juneau Management Area. The ANS finding for salmon in this area was made by the board in 2006. The range was defined by the lowest and highest annual estimated subsistence harvest of salmon based on annual subsistence/personal use permit data from within the permit area from 1996–2003.

Subsistence fisheries in Southeast Alaska are managed under a subsistence/personal use permit program that includes an annual harvest assessment component. The department retains discretionary permit authority to modify open dates, salmon species allowed to be harvested, open areas, legal gear types, and possession and annual limits in each management area; permit

conditions may change from year to year in order to respond to management and conservation strategies.

Figure 146-1 shows the fishing districts, areas where salmon stocks have positive customary and traditional use findings, and the area where salmon stocks have an ANS finding. The department's written report in RC 2 provides harvest assessment and location data based on permit returns and household surveys. Recent household surveys were conducted in Hoonah and Angoon in 2013 for the 2012 study year. The report also provides options for revising the ANS that the board may wish to consider.

DEPARTMENT COMMENTS: The department submitted Proposal 146 and is **NEUTRAL** on an ANS amount as proposed in both Proposal 146 and Proposal 147. An ANS finding that reflects traditional uses of particular salmon stocks within District 12 and District 14, may be a more useful tool for the board when evaluating reasonable opportunities for subsistence success for Alaskans fishing within those two districts. Additionally, as noted above, the districts that comprise the geographic scope of the current ANS range include two districts (11 and 16) with no customary and traditional use determinations; therefore, they should not be included in an ANS finding.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? The ANS finding includes salmon in districts 11 and 12, portions of which are located in the waters of the Juneau Nonsubsistence Area.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716 that salmon, smelt, and Dolly Varden char in the waters of sections 14-B and 14-C, and salmon and Dolly Varden char in waters of district 12 south of a line from Fishery Point to South Passage Point and north of the latitude of Point Caution, are customarily and traditionally taken or used for subsistence.

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 4,178–10,133 salmon are reasonably necessary for subsistence uses in districts 11, 12, 14, and 16 (5 AAC 01.715(c)).

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

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

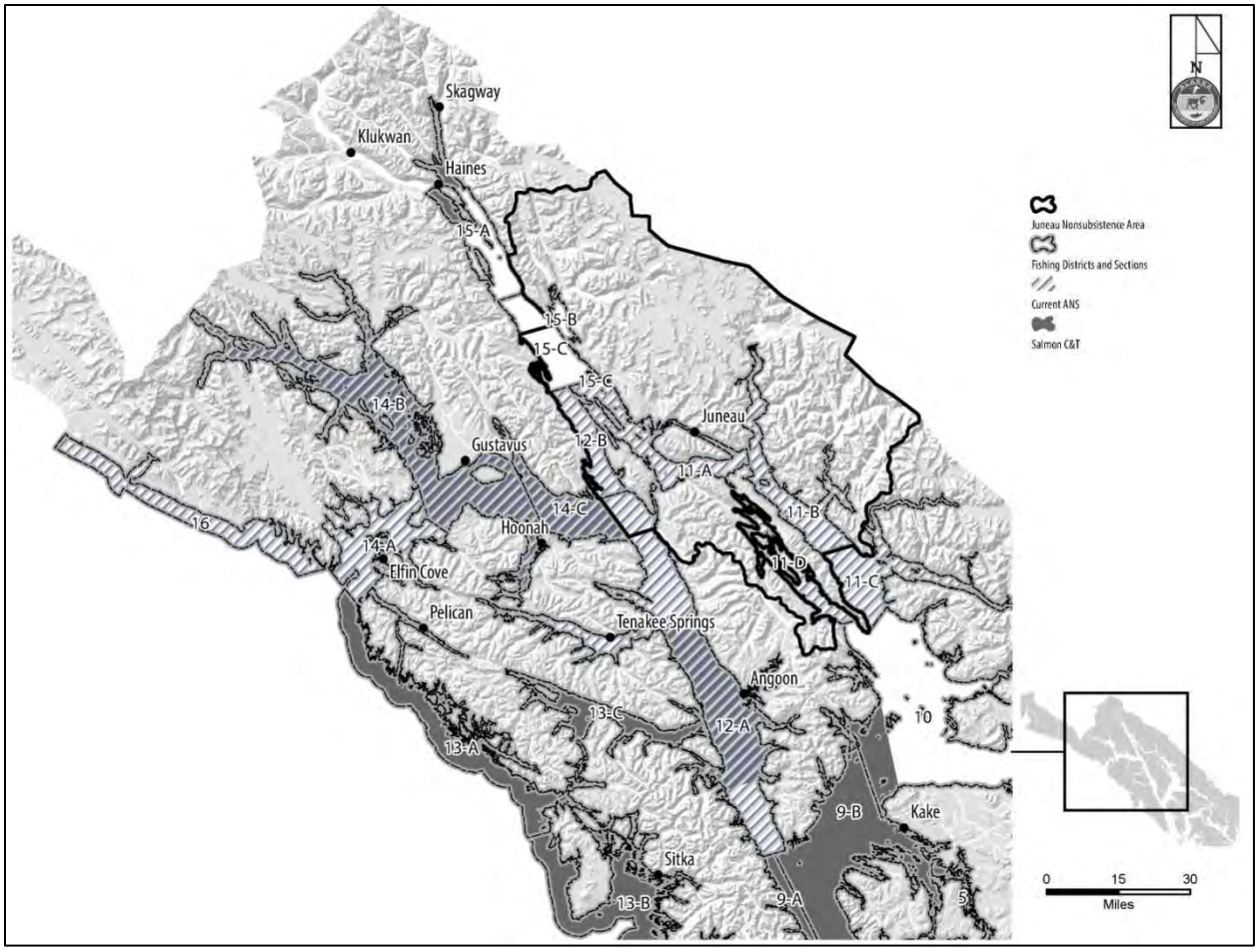


Figure 146-1.–Map of Southeast Alaska fishing districts, areas where salmon stocks have positive C&T findings, and areas where the board has made an ANS determination on salmon stocks.

PROPOSAL 173 – **5AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses.**

PROPOSED BY: Kootznoowoo Corp. Inc.

WHAT WOULD THE PROPOSAL DO? There are three parts to this proposal. The first part would require the board to assess the impact that management actions on wild and hatchery salmon have regarding a community's ability to meet cultural and traditional subsistence uses. The second part would require the board to specifically address habitat, conservation, and subsistence priority obligations when crafting regulations and policies in commercial, sport, and personal use fisheries and in hatchery programs. Finally, if there is a potential impact to customary and traditional uses of salmon, the board would have to consult the potentially affected communities, which would be defined by a 1946 federal government report.

WHAT ARE THE CURRENT REGULATIONS? There are several statutes, regulations, and policies currently in place that provide board guidance.

5 AAC 39.220. *Policy for the management of mixed stock salmon fisheries* states the board must place conservation, consistent with sustained yield, as the highest priority, and that allocation of salmon must be made consistent with the subsistence preference and other allocation criteria.

5 AAC 39.222. *Policy for the management of sustainable salmon fisheries* states the goals of the policy are to conserve salmon and salmon habitat in both marine and fresh waters, and to protect customary and traditional subsistence uses.

There are no regulations that require the board to consult with communities, although the Joint Board of Fisheries and Game has established a local fish and game advisory committee system to provide a local forum for collection and expression of opinions and recommendations on matters relating to the management of fish and wildlife resources (5 AAC 96.010).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? When adopting regulations, the board is already guided by regulations and statutes, as well as board-adopted guidelines, to take into account management impacts, habitat, conservation, and sustained yield concerns, and subsistence uses of fish stocks. The proposer does not state how community consultation by the board would occur. Depending on how this provision was implemented, it could slow the current process and increase costs to the board.

BACKGROUND: The first provision in this proposal would require the board to assess the impact of management actions on a community's ability to meet cultural and traditional subsistence uses. The board is required to adopt customary and traditional use findings (C&T) for any fish stock that is customarily and traditionally used for subsistence (AS 16.05.258), based on procedures specified in 5 AAC 99.010. For each of these stocks, the board must determine the amount of the harvestable portion of the stock that is reasonably necessary for subsistence (ANS) (AS 16.05.258). C&T and ANS findings are listed in 5 AAC 01.716 for each stock. If the harvestable surplus is not sufficient to provide for all uses, the board must provide a preference for subsistence uses. When the sustained yield of a fish stock may be jeopardized, the board is

directed to exercise all practical options for restricting nonsubsistence uses of the stock and may address other limiting factors before subsistence uses are restricted. When adopting regulations that affect mixed stock fisheries in particular, the board is directed to accord the conservation of wild salmon stocks consistent with sustained yield the highest priority, but allocation of mixed stock salmon resources are to be consistent with the subsistence preference specified in AS 16.05.258 (5 AAC 39.220).

The second provision of the proposal would require the board to specifically address habitat, conservation, and subsistence priority obligations when crafting regulations and policies in commercial, sport, and personal use fisheries and in hatchery programs. Subsistence priority obligations are already addressed in regulation by the boards of fisheries and game subsistence procedures (5 AAC 99.010) and the policy for the management of sustainable salmon fisheries (5 AAC 39.222) as well as in statute under the subsistence use and allocation of fish and game (AS 16.05.258) and the regulations of the Board of Fisheries (AS 16.05.251). Conservation obligations are specified in regulation under 5 AAC 39.222, the policy for the management of mixed stock salmon fisheries (5 AAC 39.220), and in statute under AS 16.05.251, among others. Salmon habitat is specifically addressed in the policy for the management of sustainable salmon fisheries (5 AAC 39.222). In addition to the regulations and statutes listed here, the board is guided by two relevant documents when adopting regulations: the Alaska Board of Fisheries and Game Steps When Considering Regulations that Affect Subsistence Uses and the Sustainable Salmon Fisheries Policy (SSSP) Checklist. The board addresses each proposal as it relates to the SSFP, allocation criteria, and subsistence. The Department of Law representative ensures that all of the statutory and regulatory considerations are met by the board before a vote is taken to adopt a proposal.

Finally, under the provisions of this proposal, if there was a potential impact to customary and traditional uses of salmon, the board would have to consult the potentially affected communities, which would be defined by a 1946 federal government report. Currently, there is no requirement that the board explicitly seek out communities that may be affected by its regulatory action. However, public notice of meetings of the Board of Fisheries, consistent with the Administrative Procedures Act (AS 44.62) is provided. The Joint Board of Fisheries and Game has established a local fish and game advisory committee system to provide a local forum for collection and expression of opinions and recommendations on matters relating to the management of fish and wildlife resources (5 AAC 96.010). In addition, prior to and during the board meetings, there is a process in place for consultation that provides for the public to provide written and oral testimony to the board.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No, although subsistence uses are on wild stocks, per AS 16.05.940(33).

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716 that salmon are customarily and traditionally taken or used for subsistence in many sections of Southeast Alaska.

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

4. What amount is reasonably necessary for subsistence uses? The board has established five ranges of salmon reasonably necessary for subsistence uses in different districts of Southeast Alaska (5 AAC 01.716(c)).

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

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

Community Harvest (1 proposal): 148

PROPOSAL 148 – 5 AAC 01.XXX. New Section.

PROPOSED BY: Hoonah Indian Association.

WHAT WOULD THE PROPOSAL DO? This proposal would create a new regulation to provide community harvester opportunities in the Icy Strait area subsistence salmon fisheries. If adopted, this proposal would allow a designated community harvester to harvest subsistence salmon for multiple household permits at the same time.

WHAT ARE THE CURRENT REGULATIONS? *Taking fish and game by proxy,* (AS 16.05.405(e)) allows a resident to take fish for another resident who is elderly, blind, or disabled.

Subsistence fishing permits and report, (5 AAC 01.015(a)) requires a subsistence/personal use household permit to take salmon for household use.

Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses, (5 AAC 01.716) describes salmon stocks the board has determined have customary and traditional subsistence use findings, and describes the numbers of salmon reasonably necessary for subsistence uses in specified areas.

An example of a regulation describing a community harvester opportunity can be found in *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan,* (5 AAC 01.760.(e)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal could increase subsistence salmon harvest at specific locations because individuals who do not currently fish may have salmon harvested for them. The potential for increased harvest may require increased management oversight and possibly lower household limits to ensure adequate escapement levels to important sockeye salmon systems are achieved.

BACKGROUND: The proposer is seeking community harvester opportunities for sockeye salmon for the community of Hoonah to provide households who are economically unable to reach subsistence salmon harvesting locations. The areas that have salmon stocks with a positive customary and traditional use finding near the community of Hoonah in Icy Strait are sections 14-B and 14-C, District 13 near Yakobi Island, and in District 12 in Basket Bay; the communities of Gustavus, Excursion Inlet, and Elfin Cove are also nearby. Sockeye salmon systems in this area, in order of importance to area resident's subsistence harvests, include Hoktaheen Cove, Neva Creek, Surge Bay, Basket Bay, and the Berg River (Figure 148-1).

Subsistence salmon harvest reported on returned subsistence permits by Icy Strait communities has been variable since reporting began in 1985 (Figure 148-2). The proportion of sockeye salmon in the harvest has been increasing, replacing chum salmon as the preferred species for subsistence uses (Figure 148-3). There are incomplete escapement data for some of these systems due to their remoteness and distance from regular aerial survey routes. In 2002, based on requests from communities such as Hoonah, Kake, and Angoon, the department increased daily

and possession limits at a number of sockeye salmon systems including Hoktaheen Cove and Surge Bay to increase efficiency of traveling the long distances to harvest sockeye salmon, and to encourage greater sharing of fish to those that do not have the means to participate in harvesting. It is common in rural communities in Alaska that 30% of households in a community provide 70% of the resources. This sharing is based on extended family networks in a community. Reported subsistence harvest from these communities and available sockeye escapement information are shown in Table 148-1. Although variable from season to season, the subsistence sockeye salmon harvests from systems in this area have consistently contributed salmon for local community's household use suggesting current rates of harvest are sustainable.

Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan, (5 AAC 01.760(e)) provides a community harvest permit opportunity where a designated community harvester may harvest the limits for several household permits in their possession. The management plan is an escapement based allocation plan that provides for varying subsistence, sport, and commercial fishing opportunities depending on inseason projections of escapement levels. Implementation of the management plan requires inseason enumeration of sockeye salmon though a weir. Only at higher projected escapement levels does the management plan allow the issuance of community harvest permits. Allowed gear and fishing area for this opportunity was developed by a stakeholder taskforce and permit limitations addressing stakeholder concerns has resulted in little use of this regulation.

Across the Southeast Region, there has been a range of participation and success with community subsistence permits issued by local area management biologists under discretionary permit authority to augment household subsistence permits for a community's subsistence salmon needs. These permits are issued to a specific group and identify an individual or individuals to be responsible for the oversight and reporting of harvests. In the majority of cases sockeye salmon is the target species, although permits for chum salmon are occasionally requested. Harvests are restricted to consistently productive systems. In some cases community permits have not been reissued in subsequent seasons when permit stipulations and reporting requirements have not been followed.

In the last 10 years, reported subsistence salmon harvests in Section 9A and District 13 have been within the ANS range, and reported subsistence salmon harvests in districts 11, 12, 14, and 16 have been generally below the ANS range.

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

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

SUBSISTENCE REGULATION REVIEW:

7. Is this stock in a nonsubsistence area? No, the proposed regulation would provide opportunities in areas with stocks that have positive findings for customary and traditional uses.

8. Is this stock customarily and traditionally taken or used for subsistence? The board has determined that salmon, smelt, and Dolly Varden char in the waters of Sections 14-B, 14-C, in District 13 in waters along the western shore of Yakobi Island east of a line from Cape Spencer Light to Surge Bay light, and in District 12 in the waters of Basket Bay, are customarily and traditional taken and used for subsistence 5 AAC 01.716(a)(4), and (a)(6)).

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

10. What amount is reasonably necessary for subsistence uses? The board has established a range of 4,178–10,133 salmon are reasonably necessary for subsistence uses in Districts 11, 12, 14, and 16, and a range of 10,487 – 20,225 salmon for Section 9A and District 13 (5 AAC 01.716(c)).

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

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

Table 148-1. Reported subsistence sockeye salmon harvests from Icy Strait communities and available escapement data for selected sockeye salmon systems with positive C&T findings in the Icy Strait area.

	Hoktaheen Cove		Neva Creek		Surge Bay		Basket Bay		Berg River	
Year	Harvest	Escapement[a]	Harvest	Escapement[b]	Harvest	Escapement	Harvest	Escapement[b]	Harvest	Escapement[a]
2005	450	n/a	173	5,212	49	n/a	0	1,999	0	n/a
2006	196	n/a	18	n/a	35	n/a	0	9,867	37	n/a
2007	203	n/a	152	4,455	2	n/a	0	2,973	2	2,000
2008	137	n/a	250	2,657	11	n/a	0	n/a	51	n/a
2009	701	n/a	575	7,789	72	n/a	0	n/a	6	1,000
2010	368	n/a	198	5,217	246	n/a	45	6,563	0	1,200
2011	629	n/a	251	7,160	173	n/a	39	2,703	0	1,200
2012	474	n/a	394	4,723	102	n/a	20	7,630	0	450
2013	440	n/a	140	n/a	31	n/a	0	1,130	39	1,800
2014[c]	627	n/a	162	3,353	214	n/a	0	7,621	24	150
Average	423	n/a	231	5,071	94	n/a	35	5,061	23	1,114

[a] Peak aerial survey count.
[b] USFS weir.
[c] Preliminary data: 91 of 129 permits.

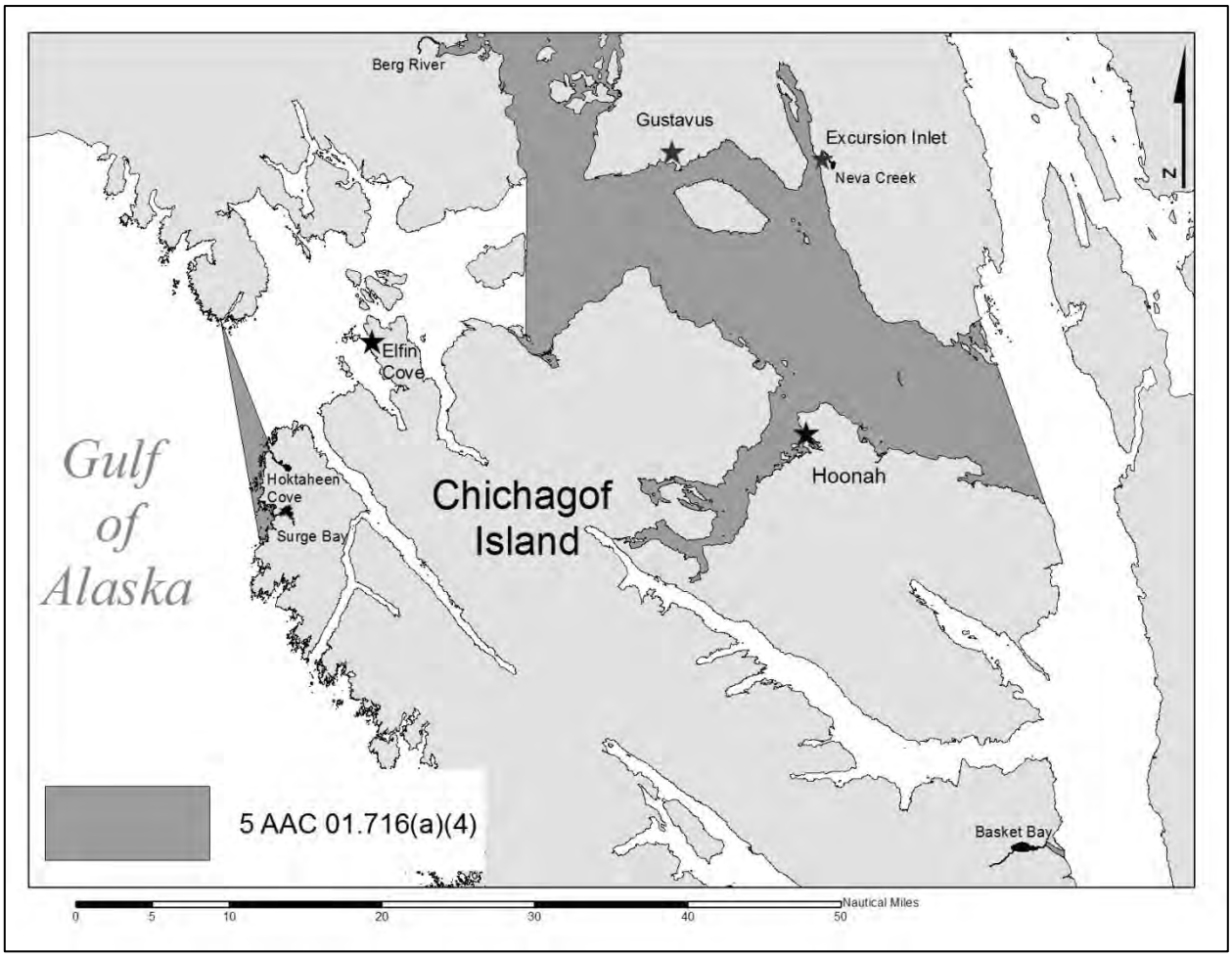


Figure 148-1. Customary and Traditional area described in 5 AAC 01.716(a)(4).

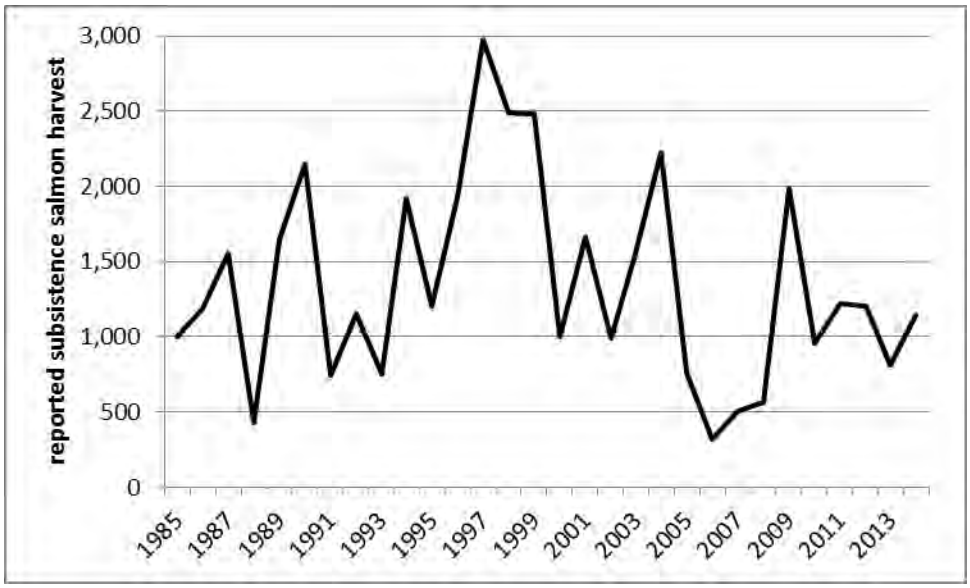


Figure 148-2. Total reported subsistence salmon harvest from Icy Strait communities.

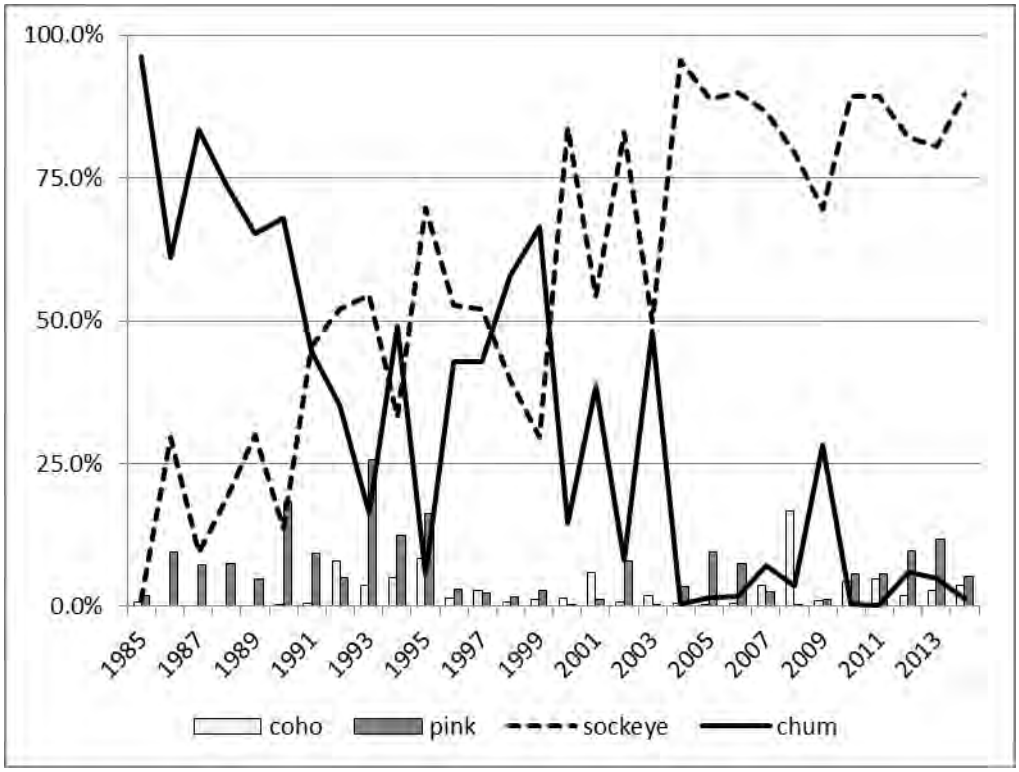


Figure 148-3. Proportions of salmon species in reported subsistence harvests from Icy Strait communities.

Subsistence Closed Waters (4 proposals): 149–152

PROPOSAL 149 - 5 AAC 01.710. Fishing seasons.

PROPOSED BY: Craig Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the weekly fishing schedule for the Klawock subsistence salmon fishery by changing the days of the week that fishing is allowed. Fishing would start at 8:00 a.m., Tuesday and continue until 5:00 p.m., Saturday weekly. The fishery would be closed from 5:01 p.m., Saturday to 7:59 a.m., Tuesday.

WHAT ARE THE CURRENT REGULATIONS? *Fishing seasons* (5 AAC 01.710)(e)) allows subsistence fishing for sockeye salmon in Klawock Inlet, the Klawock River, and Klawock Lake from 8:00 a.m., Monday until 5:00 p.m., Friday each week from July 7 to August 7. Pink salmon can be fished from July 1 to Sept 30 and coho and chum salmon can be fished from July 1 to October 31.

Personal use salmon fishery (5 AAC 77.682) also allows personal use fishing under the same guidelines.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? This proposal may increase the harvest of subsistence sockeye salmon on the Klawock River. Fishermen that work during the standard 5-day work week could participate in the Klawock sockeye salmon subsistence fishery on Saturday. There would be little or no effect on other species of salmon. If adopted, the personal use fishery would not be aligned with the subsistence weekly openings.

BACKGROUND: Klawock River sockeye salmon have always been an important food resource to the residents of Craig and Klawock and have been under a department permit system since 1969. Although pink, coho, and chum salmon return to the Klawock River, sockeye salmon are the preferred subsistence food fish and compose the majority of the subsistence harvest. In 1986, the board established regulations that closed fishing on weekend days due to a combination of poor runs and concerns that access to the area increased as a result of improvements to the Prince of Wales road system and increased ferry service from Ketchikan. In 2010, the last day of the fishing season was extended from July 31 to August 7 by the board to provide additional opportunity on years with later runs.

Although some Klawock River sockeye salmon are harvested by the purse seine fleet, by the time purse seine openings typically occur in eastern portions of District 3, the majority of sockeye salmon have moved into the Klawock estuary. If the trend of lower escapements continues, the department may further limit commercial purse seine openings in District 3 and reduce possession limits on subsistence permits to minimize the harvest of Klawock River sockeye salmon.

Escapements of sockeye salmon to the Klawock River have been estimated by a variety of methods. Although a weir has been maintained annually at the Klawock River Hatchery since 1978, counts were often incomplete due to high water events, hatchery operator priorities, and yearly variation in dates of weir installation. Weir counts often represent minimum estimates at best.

Estimated sockeye salmon escapements from 2001 to 2010 averaged 16,900 fish based primarily on a monitoring project conducted by the department. From 2011 to 2013, escapements averaged only 2,976 sockeye salmon, based solely on minimum weir counts. Although reliable exploitation rates cannot be estimated from the available information, they are thought to be very high in some years. In 2014, the USFS assisted the Prince of Wales Hatchery Association (POWHA) with funds to install the Klawock River weir earlier than normal and to count fish with a video camera in an attempt to obtain a more accurate escapement count. The count of 6,000 sockeye for 2014 may be one of the most accurate in recent years. The department does not have the ability to manage this fishery inseason because escapement counts through the Klawock River weir peak in the middle of August, after the subsistence fishery has closed.

From 1970 to 2013, the number of subsistence permits that reported harvest averaged 106 while the recent 5-year average is 85 permits and the 10-year average is 73. In 2013, salmon harvests were reported on only 53 permits, with a reported harvest of 1,071 sockeye salmon. Reported harvest in the fishery has declined in recent years from a historical harvest of 3,135 sockeye salmon to a recent 5-year average reported harvest of 2,607 sockeye salmon. Based on department studies, it is estimated that reported harvest represents about 60% of the actual subsistence harvest.

In addition to a state subsistence fishery on this stock, harvest has also occurred in federal waters by federally qualified users since 2002. Although the harvest in federal waters is much smaller, this additional harvest is outside of the state's control. In January of 2011, the Federal Subsistence Board voted to remove the defined season in federal regulations and open the fishery in federal waters for the entire year.

At various meetings throughout the years, three main issues have been identified that may be contributing to the recent depressed nature of this stock. These include habitat concerns related to past logging practices in the Klawock watershed, both commercial and subsistence harvest management, and hatchery practices.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and is **OPPOSED** to any actions that would lead to increased harvest or harvest opportunity of Klawock River sockeye salmon and may result in a further decline in escapement. No formal escapement goal has been established for Klawock River sockeye salmon.

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

SUBSISTENCE REGULATION REVIEW:

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

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden char, and steelhead trout in Section 3-B in waters east of a line from Point Ildenfonso to Tranquil Point are customarily and traditionally taken for subsistence uses.

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 9,068 – 17,503 salmon that are reasonably necessary for subsistence purposes for Districts 1–4 (5 AAC 01.716(c)(1)).

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

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

PROPOSAL 150 & 151 - 5 AAC 01.720. Lawful gear and gear specifications; and 5 AAC 01.725. Waters closed to subsistence fishing.

PROPOSED BY: Southeast Subsistence Regional Advisory Council (Proposal 150) and Craig Fish and Game Advisory Committee (Proposal 151).

WHAT WOULD THE PROPOSALS DO? Proposal 150 would close all waters of the Klawock River upstream of the mouth of the river to the use of seine gear for subsistence fishing. Proposal 151 would close all waters of the Klawock River and all waters of the Klawock River estuary upstream of the Klawock River Bridge to subsistence fishing.

WHAT ARE THE CURRENT REGULATIONS? Current regulation allows subsistence and personal use fishing for salmon in Klawock Inlet, Klawock Estuary, Klawock River, and Klawock Lake with purse seine gear (but not gillnet gear).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Proposal 150 would have little or no effect on the overall harvest of sockeye salmon in the Klawock River since there is little harvest with beach seines in the river and gillnets are not legal gear under state regulations. Proposal 151 may increase harvest in some years when fish congregate in the estuary but would not greatly affect the overall harvest of sockeye salmon in most years.

BACKGROUND: Klawock River sockeye salmon have always been an important food resource to the residents of Craig and Klawock and have been harvested under a department permit system since 1969 (see Proposal 149 for more background information). The board made a customary and traditional use determination for salmon stocks in this area in 1989 which includes the proposed closed waters. The department estimates that in most years more than 90% of the harvest occurs below the Klawock River Bridge. The gear restriction in Proposal 150 mirrors a proposal that is currently before the Federal Subsistence Board to be applied to federal waters. The area described in Proposal 150 includes waters that are also managed by the federal government that allow a federal subsistence fishery.

DEPARTMENT COMMENTS: The department **SUPPORTS** Proposal 150. Eliminating beach seines as an allowable gear for the Klawock River subsistence fishery will not make a significant change to current harvests of sockeye salmon in most years. There is concern that the use of beach seines in the mouth of the river could be disruptive to fish passage and increase harvest in an area where fish are extremely vulnerable, particularly in years of low abundance. Regulations with similar gear allowance for both the state and federal fisheries will simplify regulations and enforcement for these two fisheries which occur in the same area and on the same stock of sockeye salmon.

The department is **NEUTRAL** on Proposal 151. The department is concerned by the recent trend in Klawock River sockeye salmon escapement levels, but this proposal will not make a significant change to current harvests of sockeye salmon in the subsistence fishery in most years. Although sockeye salmon can be vulnerable in the shallow estuary

waters upstream of the Klawock River Bridge, the majority of the harvest of sockeye salmon occurs below the bridge in most years.

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

SUBSISTENCE REGULATION REVIEW:

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

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden char, and steelhead trout in Section 3-B in waters east of a line from Point Ildenfonso to Tranquil Point are customarily and traditionally taken for subsistence uses.

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 9,068 – 17,503 salmon that are reasonably necessary for subsistence purposes for Districts 1–4 (5 AAC 01.716(c)(1)).

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

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

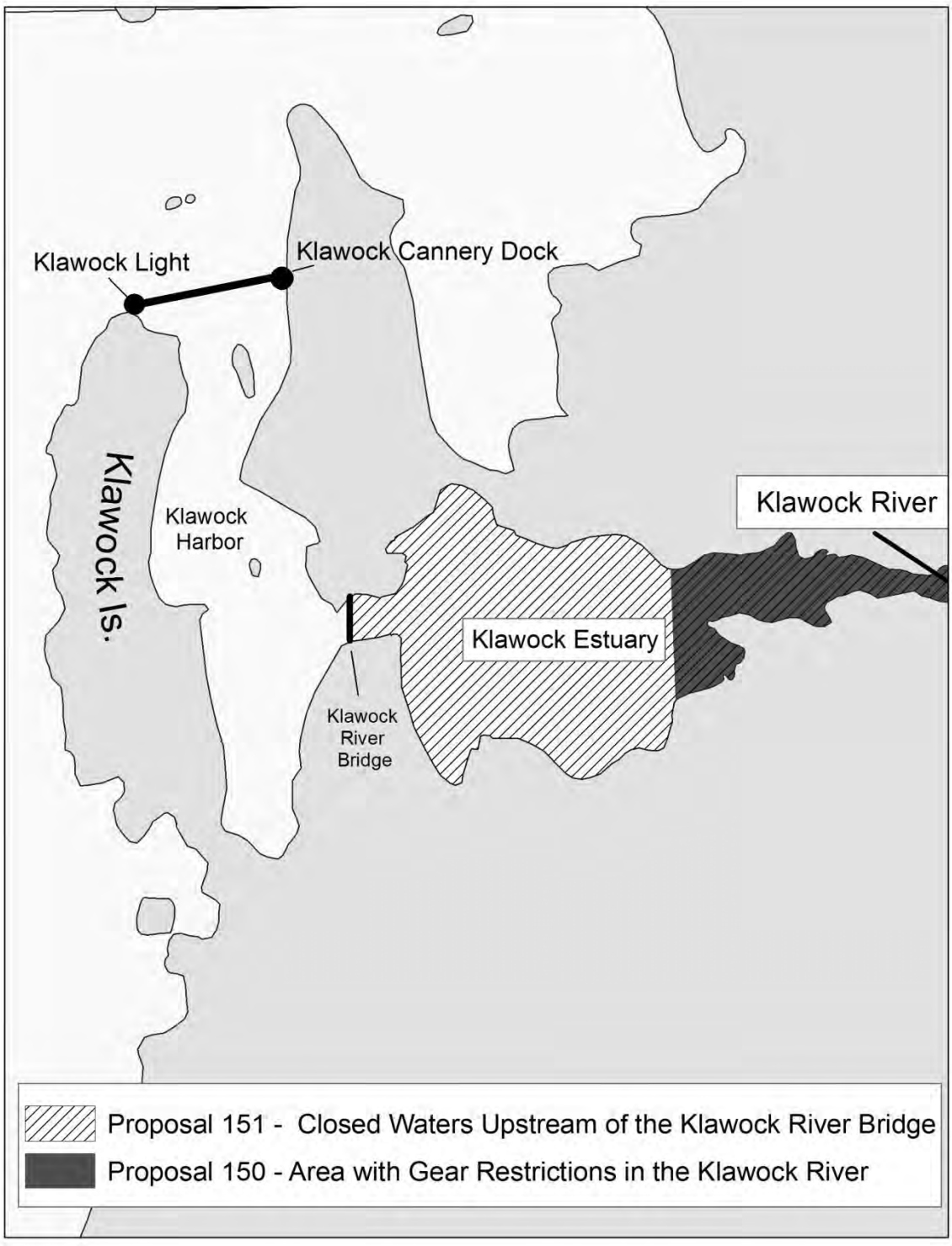


Figure 150-1.–Map of the Klawock fishery area.

PROPOSAL 152 - 5 AAC 01.750. Vessel specifications and operations.

PROPOSED BY: Craig Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the horsepower restriction on the Klawock River salmon subsistence fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulation allows fishing from a vessel that is powered by hand or an outboard motor of no greater than 50 horsepower in both the subsistence and personal use fisheries on the Klawock River.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? This proposal could result in increased harvest of all species of salmon in the subsistence fishery.

BACKGROUND: Klawock River sockeye salmon have always been an important food resource to the residents of Craig and Klawock and have been harvested under a department permit system since 1969 (see Proposal 149 for more background information). A horsepower limitation regulation has been in place since 1987 and was initially created to keep large purse seine skiffs from participating in the fishery. At the time, there was a large commercial purse seine fleet operating out of Craig and local subsistence fishermen felt that purse seine skiffs would be more successful than small skiffs at towing subsistence seines. The initial limitation was 35 horsepower. In 2012, the board adopted a 50 horsepower limit as a compromise to a proposal to remove the limit from regulations. The board determined that modern engines are of greater horsepower than those that were in use when the original restriction came into effect in 1987.

The department does not have the ability to manage this fishery inseason because escapement counts through the Klawock River weir peak in the middle of August, after the subsistence fishery has closed.

Although there are fewer commercial purse seine skiffs that would potentially participate, the number of recreational boats that operate in the Craig and Klawock area has increased in past years. Larger boats and engines may be more effective at harvesting sockeye salmon using seine nets. If the trend of lower escapements continues, and if harvest potential increased, the department would consider reduced household limits on subsistence permits.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and is **OPPOSED** to any actions that would lead to increased harvest or harvest opportunity of Klawock River sockeye salmon that may result in a further decline in escapement. No formal escapement goal has been established for Klawock River sockeye salmon.

An alternative to removing this restriction entirely would be to remove the 50 horsepower limit once the subsistence fishery for sockeye salmon is over and sockeye salmon are no longer present in the estuary. Removing the horsepower restriction on September 1 may

promote coho salmon harvest during the latter part of the season, supplementing subsistence needs in poor sockeye salmon years.

An increase in coho salmon harvest could affect cost recovery and broodstock harvest of the Prince of Wales Hatchery, located on the Klawock River, but its effect would likely be minimal.

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

SUBSISTENCE REGULATION REVIEW:

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

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden char, and steelhead trout in Section 3-B in waters east of a line from Point Ildenfonso to Tranquil Point are customarily and traditionally taken for subsistence uses.

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 9,068 – 17,503 salmon that are reasonably necessary for subsistence purposes for Districts 1–4 [5 AAC 01.716(c)(1)].

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

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

Subsistence Gear (2 proposals): 153 & 154

PROPOSAL 153 – 5 AAC 01.720. Lawful gear and gear specifications.

PROPOSED BY: Southeast Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of purse seine and gillnet gear for the harvest of salmon within the area described in *Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses,* (5 AAC 01.716 (a)(6)).

WHAT ARE THE CURRENT REGULATIONS? Purse seine gear is an allowed gear type that can be specified on a subsistence permit through the department's discretionary permit authority. Existing regulation allows 50 fathoms of gillnet gear for subsistence fishing. Under 5 AAC 01.730 *Subsistence fishing permits*, the department has latitude to allow more efficient gear types as long as it provides for an orderly harvest and does not jeopardize sustained yield.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal were adopted, there would be no effect because purse seine and gillnet gear already may be used to harvest salmon for subsistence purposes.

BACKGROUND: Requests for the gear and activities outlined in this proposal to be provided for on the subsistence permit have not been received in recent years but can be provided under existing department authority to indicate subsistence salmon permit conditions. If requested, a subsistence permit may be issued to an individual to utilize purse seine gear or allow the linking of multiple subsistence gillnets in specific waters by writing in appropriate stipulations on the permit. For example, for many years a permit has been requested by a resident purse seiner of Hoonah for chum salmon from Excursion Inlet. The permit is issued with the stipulation that the Juneau Area Management Biologist be notified when fishing will occur in order to ensure adequate escapement to the target system and to inform the AWT that this is an allowed activity. The harvest is distributed to the community and the permit is returned to the department indicating when, where, and how many salmon were harvested.

In the last 10 years, reported subsistence salmon harvests in Section 9A and District 13 have been within the ANS range, and reported subsistence salmon harvests in districts 11, 12, 14, and 16 have been generally below the ANS range.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The fishing practices described in this proposal can already be allowed under current regulations at the discretion of Area Managers. The department would have few concerns if multiple permit holders desired to link their 50 fathom gillnets together or use of purse seine gear in the waters of Chatham Strait or Peril Strait in order to increase efficiency. However, use of this more efficient gear may not be supported in the confined waters of a bay near a stream mouth due to over harvest concerns for specific stocks of salmon.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No, the proposed regulation would provide opportunities in areas with salmon stocks that have positive customary and traditional use findings.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined that salmon and Dolly Varden char in waters of district 12 south of a line from Fishery Point to South Passage Point and north of the latitude of Point Caution and Section 13-C east of the longitude of Point Elizabeth are customarily and traditionally taken or used for subsistence. (5 AAC 01.716(a)(6)).

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

4. What amount is reasonably necessary for subsistence uses? The board has found a range of 10,487–20,225 salmon from Section 9-A and District 13, and a range of 4,178–10,133 salmon from Districts 11, 12, 14, and 16 are reasonably necessary for subsistence purposes. (5 AAC 01.716(c)(3) and (c)(4)).

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

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

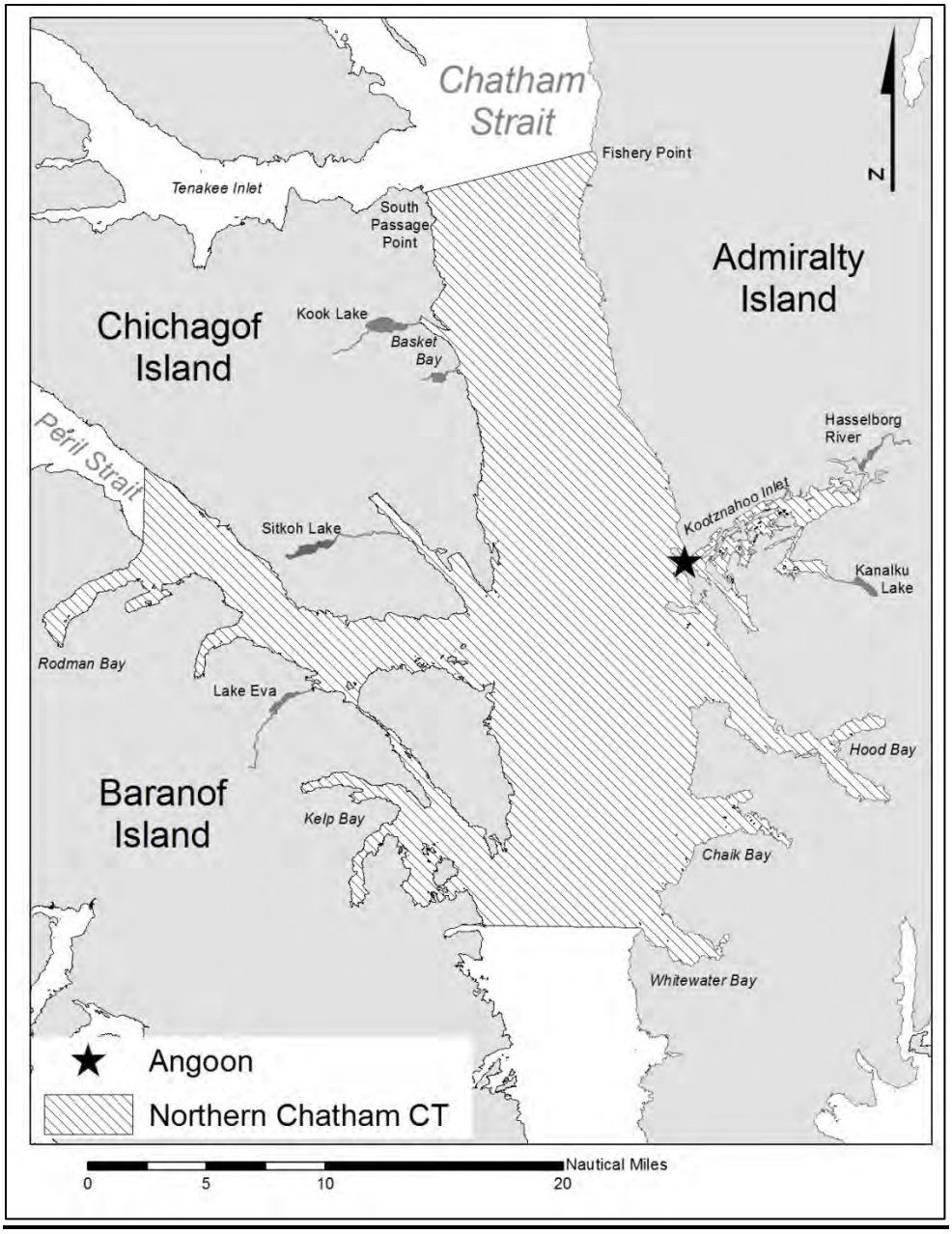


Figure 153-1.–Northern Chatham area with salmon stocks that have customary and traditional use findings.

PROPOSAL 154 – 5AAC 01.720. Lawful gear and gear specifications; and 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal moves regulations concerning the Shipley Bay subsistence salmon fishery from the personal use section to the subsistence section of the Alaska Administrative Code.

WHAT ARE THE CURRENT REGULATIONS? Under personal use regulations, set gillnets are allowed gear for use in Shipley Bay. There are no provisions for the use of set gillnets in Shipley Bay under subsistence regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Regulations concerning the Shipley Bay subsistence salmon fishery would be more easily found in the regulation book, enabling users to determine allowable gear more readily.

BACKGROUND: Prior to 1996, the Shipley Bay sockeye salmon fishery was conducted under personal use regulations. In 1996, the board added waters north of a line from Point St. Albans to Cape Pole in District 5 to waters with stocks that have a customary and traditional use finding. This expansion of waters in District 5 included the waters of Shipley Bay and changed the fishery from a personal use to a subsistence fishery.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal since it clarifies and simplifies the Shipley Bay subsistence gear regulations.

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

COMMITTEE OF THE WHOLE–GROUP 4: SPORT SALMON AND RESIDENT SPECIES (17 PROPOSALS)

Sport Regional (6 proposals): 155–160

PROPOSAL 155 – 5AAC 47.030. Methods, means and general provisions – Finfish.

PROPOSED BY: Jim Faro.

WHAT WOULD THE PROPOSAL DO? This proposal would establish vessel-based harvest limits in Southeast Alaska saltwater fisheries. This would allow an angler to retain fish until all anglers bag limits on board the vessel are filled, regardless if the anglers' bag limit has been reached.

WHAT ARE THE CURRENT REGULATIONS? Under statewide regulation, a fish when landed and killed becomes part of the bag limit of the person originally hooking it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would create a regionwide exception to statewide individual-based bag limits. Based on recent Statewide Harvest Survey data (2009–2013), this proposal could affect an estimated 100,000 anglers that participate in Southeast Alaska saltwater fisheries in a given year. The proposal would also create inconsistent harvest rules by species because current individual-based harvest limits are set by federal regulation for halibut.

This proposal would increase harvest by anglers fishing from a vessel in saltwater. The resulting increase in harvest may need to be addressed through other management measures if harvest were to exceed the current allocations in the king salmon, lingcod, and demersal shelf rockfish fisheries.

BACKGROUND: Vessel-based harvest limits have not been implemented at any time since before statehood. The definition of "bag limit" is consistent across the state and requires individual anglers to be responsible for their harvests and bag limits. Anglers may aid others requiring assistance by helping to land fish, but the fish is part of the bag limit of the angler who originally hooked it.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The definition of bag limit is consistent across the state. The intended and legal definition of bag limit has always applied to an individual's harvest. The department continues to support statewide individual based harvest limits.

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

PROPOSAL 156 – 5AAC 47.030. Methods, means, and general provisions – Finfish.

PROPOSED BY: Eddie E. Carte.

WHAT WOULD THE PROPOSAL DO? This proposal would allow archers, certified through the International Bow Hunter Education Program, to use bow and arrow to take salmon in Southeast Alaska sport fisheries.

WHAT ARE THE CURRENT REGULATIONS? Archery equipment is not legal sport fishing gear in the Southeast Alaska area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide a new means of take for salmon in the sport fishery regionwide, likely increasing the harvest of salmon. This proposal could also create safety concerns in areas where anglers are concentrated.

BACKGROUND: The use of bow and arrow in Alaska has been allowed only for species with no bag limits or with liberal harvest limits (i.e., whitefish, suckers, burbot, or northern pike). The use of archery equipment for salmon has not been allowed in Alaska.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department has concerns that the use of archery gear for salmon will lead to safety concerns in locations where salmon concentrations attract groups of people in relatively small or confined areas. The department is also concerned with the unknown effects of allowing a new sport fish gear type over such a large area.

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

PROPOSAL 157 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of Southeast Alaska Area; 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area; 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area; and 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Richard Yamada.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the king salmon size limit from 28 inches or greater in length to 26 inches or greater in length in the Southeast Alaska Area.

WHAT ARE THE CURRENT REGULATIONS? The minimum length limit for king salmon in Southeast Alaska is 28 inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A reduction in the minimum length from 28 to 26 inches would increase the harvest capacity of the sport fishery. The department is unable to estimate the magnitude of the potential harvest increase because data is not available on the size distribution of released undersized king salmon. However, increased harvest efficiency would require that other restrictions be implemented, particularly in years of moderate or low abundance, to ensure that the sport fishery does not exceed its 20 percent allocation as directed by the *Southeast Alaska King Salmon Management Plan*.

BACKGROUND: The 28 inch minimum length limit has been in place for the sport fishery since 1977. From 1992 through 1999, the management plan allowed for increases or decreases in the minimum size as a management tool to reduce or increase harvests. However, the length limit options were not implemented because of concerns for maintaining stable fishery regimes as required by the PST. The option to change the minimum length limit from 28 inches was removed from the management plan by the board in 2000.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Decreasing the minimum length limit would increase king salmon harvest requiring other restrictions to offset the increase in harvest. In addition, management of the Southeast Alaska king salmon fishery would be jeopardized because the PST king salmon abundance model requires stable fishery regulations, including stable length limit regulations, to accurately estimate king salmon abundance.

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

PROPOSAL 158 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Don Westland and Larry McQuarrie.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to eliminate inseason changes to nonresident king salmon bag and annual limits.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* directs the department to implement certain management measures at specified levels of abundance. When the king salmon abundance index is less than or equal to 1.2, the plan directs the department to implement a nonresident king salmon annual limit of three king salmon, 28 inches or greater in length, from January 1 through June 30, two from July 1 through July 15, and one from July 16 through December 31. At abundance levels above 1.51 to 2.0, the nonresident bag and possession limit is two king salmon in May and one king salmon for the remainder of the year. When abundance levels are above 2.0, the nonresident king salmon bag and possession limit is two fish in May and June and one for the remainder of the year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effect on harvest and fishery performance would depend on what nonresident bag, possession, and annual limits are set for the season. At abundance levels of 1.2 or less, an annual limit of three or two king salmon would likely cause harvest to increase by 2% to 23%, based on past fishery performance. This level of increase would, without some additional restrictions, result in the sport fishery exceeding its allocation. At abundance levels above 1.51, a nonresident bag limit of two king salmon would also cause the sport allocation to be exceeded. At abundance levels of 1.51 to 2.0, a nonresident bag limit of one king salmon would decrease harvest by approximately 2% to 5% (700 to 3,000 fish). At abundance levels above 2.0, a nonresident bag limit of one king salmon would be expected to decrease harvest by 15% to 29% (or 8,000 to 15,000 fish).

BACKGROUND: Providing stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes, is one of the four stated objectives of the *Southeast Alaska King Salmon Management Plan*. The current management prescription that reduces the nonresident annual limits from three to two and then one fish inseason was added to the plan in 2003. This strategy of reducing annual limits inseason allowed increased nonresident opportunity for king salmon early in the season when other species are less abundant. Then, as abundance of other species increases, such as coho salmon, the nonresident opportunity for king salmon is curtailed. Since 2003, the nonresident annual limit decreased inseason twice; in 2008 and 2013.

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

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

PROPOSALS 159 and 160 – 5AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area; 5AAC 47.022. General provisions for the seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Southeast Subsistence Regional Advisory Council.

WHAT WOULD THESE PROPOSALS DO? These proposals would establish nonresident annual limits for coho, sockeye, chum, and pink salmon in the salt (proposal 159) and fresh (proposal 160) waters of the Southeast Alaska Area.

WHAT ARE THE CURRENT REGULATIONS? Annual limits have not been established for coho, sockeye, chum and pink salmon. The Southeast Alaska bag and possession limits for salmon, other than king salmon, 16 inches or greater in length, are six and 12 fish, with the exception of the Yakutat area fresh waters where the coho bag and possession limits are four and 8 fish.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? These proposals would reduce sport harvest opportunity and harvest of coho, sockeye, pink, and chum salmon by nonresident anglers in Southeast Alaska. Immediately after landing a salmon, nonresident anglers would be required to record the date and location of harvest, in ink, on their harvest record. These proposals would not affect or improve estimates of sport harvest.

BACKGROUND: The department does not have conservation concerns for coho, sockeye, chum, or pink salmon within Southeast Alaska. The department has a long history of utilizing EO authority in near-shore and fresh waters with terminal salmon runs in response to indications of poor return strength, or when combined with high levels of effort or harvest relative to run sizes.

Annual limits have been established for specific fisheries in addition to bag and possession limits to further restrict harvests, particularly if, after other measures are taken, harvest cannot be contained to necessary levels. This can occur when bag limits have been reduced to very low levels but angling success and/or levels of effort lead to unsustainable harvests or otherwise result in the sport fishery exceeding its allocation.

The guided nonresident sport harvest of coho, sockeye, pink, and chum are recorded within charter logbooks where guides are required to record fishing effort, catch, and harvest on a daily basis for each client. The Statewide Harvest Survey estimates harvest by sport anglers through a mail out survey and this data can be stratified by residency. Establishing an annual limit would not result in better estimates of sport harvest. While anglers are required to record the harvest of all species with an annual limit, these records are not submitted to the department but used solely for enforcement of annual limits in the field.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals. The department is **OPPOSED** to establishing annual limits in the absence of a conservation concern or management need.

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

Sport Special Provisions (11 proposals): 161–165 and 167–172

PROPOSALS 161 & 162 – 5AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of Southeast Alaska Area.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THESE PROPOSALS DO? Proposals 161 and 162 would prohibit the use of multiple hooks in all Yakutat Management Area (Cape Fairweather to Cape Suckling) fresh waters. Proposal 162 would prohibit barbed hooks in addition to multiple hooks in the same area but would allow the use of two single barbless hooks if bait is used.

WHAT ARE THE CURRENT REGULATIONS? Under statewide regulations, anglers may use a single line having attached to it not more than 1 plug, spoon, spinner, or series of spinners, or two flies or two hooks; statewide regulations allow the use of common multiple and barbed hooks. In Southeast Alaska, including the Yakutat Management Area, only unbaited, artificial lures may be used in fresh water from November 16 through September 14. In freshwater drainages in the Yakutat vicinity crossed by the Yakutat road system and all streams draining into Yakutat Bay between Ocean Cape and Point Latouche, only unbaited, artificial lures may be used year round. In the Situk River drainage, only single hooks may be used.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? These proposals would affect all anglers that fish in the Yakutat Management Area. Based on Statewide Harvest Survey data, approximately 5,200 anglers fished in the Yakutat Management Area on average for the past five years. Requiring the use of single hooks may reduce release mortality by an unknown but likely low amount. Prohibiting the use of barbed hooks would not reduce mortality of released fish by a measurable amount but would add regulatory complexity.

BACKGROUND: Studies have documented mortality of released fish is largely dependent on hook placement, fish handling, and angler experience. Studies indicate bait use influences the ingestion and deeper hook placement causing a higher mortality rate than hook type choices, such as treble, single, circle, and or barbless. To reduce release mortality in Southeast Alaska freshwater fisheries, the use of bait is prohibited for 10 months allowing for a two month bait window during the fall coho season.

The largest single proportion of angler effort per drainage in the Yakutat area is focused on the Situk River drainage (30%). On the Situk River, only single hooks have been allowed since 2006. No conservation concerns exist for any fish species in the Yakutat area.

DEPARTMENT COMMENTS: The department **OPPOSES** these proposed gear restrictions over a large area without a biological or conservation need. The department is **NEUTRAL** on allocative aspects of these proposals.

The department promotes best practices for releasing fish, including the potential to minimize handling time by various means, through education and outreach. The department uses EO authority to significantly reduce mortality when necessary to achieve escapement goals and address sustainability concerns. It does so primarily through harvest limit reductions, but also by method/means restrictions that significantly affect handling of released fish, such as prohibiting the use of bait and multiple hooks.

COST ANALYSIS: Approval of this proposal may result in a small additional direct cost for a private person to participate in this fishery. Treble hook, and double hook lures would require a single hook to be purchased and attached.

PROPOSAL 163 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would lower the coho salmon bag and possession limit in the Yakutat Village Lagoon to two fish per day and two in possession.

WHAT ARE THE CURRENT REGULATIONS? Current regulations for the Yakutat Village Lagoon follow regional regulations for all salt waters of SE Alaska allowing six coho salmon per day and twelve in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would align the Village Lagoon's coho salmon angling limits with other lagoons along the Yakutat Road system, likely causing coho salmon harvest in Village Lagoon to decrease.

BACKGROUND: Currently the coho salmon bag and possession limits for the Yakutat Village Lagoon are the least conservative on the Yakutat road system causing angler effort to focus on this small, easily accessible system. Pike eradication efforts were completed in 2009 allowing coho salmon to recolonize this system.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Given the small size of this system, the accessibility from the Yakutat road system, and the recolonization by coho salmon, more conservative bag and possession limits are needed to protect the sustainability of this small coho salmon population.

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

PROPOSAL 164 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area; and 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would close sport fishing in the waters of the Yakutat Village Lagoon drainage to all anglers over 18 years of age.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow angling regardless of age of the angler from January 1 to December 31, in all waters of the Yakutat Village Lagoon system.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Angling effort and harvest would decrease by some unknown amount.

BACKGROUND: The department submitted proposal 163 requesting a lower coho salmon bag and possession limit in the Yakutat Village Lagoon by aligning the Village Lagoon's coho salmon limits with other lagoons along the Yakutat road system to allow this coho salmon stock to rebuild after pike eradication efforts. Lagoons along the Yakutat road system have a coho bag limit of two fish per day two in possession.

On the Situk River, a small section of the lower river that is easily accessible adjacent by a river access is restricted to anglers over 60 from June 15 to October 14. No youth fisheries have been established in the Yakutat Area.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal to limit angler opportunity by age in order to achieve a potential management goal. The department uses EO authority to reduce mortality when necessary to negate sustainability concerns. It does so primarily through harvest limit reductions, but also by mandating method/means restrictions that affect total harvest potential. The department is **NEUTRAL** on the allocative aspects of this proposal.

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

PROPOSAL 165 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Harold Perantie.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of bait in the Kaliakh River from January 1 to December 31.

WHAT ARE THE CURRENT REGULATIONS? Bait is allowed from September 15 to November 15 in the Kaliakh River under regionwide regulations for all fresh waters of Southeast Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The harvest of salmon from the Kaliakh River would likely be unaffected because most effort on this system is for coho salmon and regional regulations already provide for the use of bait during the coho salmon season. Mortality of trout and char could increase if anglers used bait outside the existing bait window. This proposal would add an exception to the regionwide regulation.

BACKGROUND: The Kaliakh River is located about 110 miles west of Yakutat and approximately 3 miles east of Tsiu River. It is a large glacial system with many tributaries, some of which are clear waters. The area can only be accessed by aircraft landing on remote undeveloped airstrips along the drainage, or by ATV trail from semi-developed airstrips in the Tsiu River area. All species of salmon, steelhead, cutthroat trout, and Dolly Varden are found in the Kaliakh River drainage.

The Kaliakh River is rarely fished by anglers as the turbid waters preclude effective angling. A large clear tributary on the lower Kaliakh River, the Chiuki River, is fished for cutthroat trout and coho by anglers traveling by ATV from the Tsiu River area on occasion.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The use of bait in fresh waters of Southeast Alaska is restricted to protect cutthroat trout and steelhead, both of which exist in the Kaliakh River drainage. The use of bait is currently allowed in the Kaliakh River from September 15 through November 15 during the coho salmon season.

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

PROPOSALS 167 & 168 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game, Juneau – Douglas Advisory Committee

WHAT WOULD THESE PROPOSALS DO? These proposals would open fresh waters along the Juneau road system to sport fishing for hatchery-produced king salmon by establishing a bag and possession limit of 4 fish of any size. Proposal 168 would also liberalize methods and means for king salmon in Fish Creek Pond from June 1 – August 31. These proposals would codify action taken by the department using its EO authority since 1993 to harvest hatchery-produced king salmon.

WHAT ARE THE CURRENT REGULATIONS? Sport fishing for king salmon in the fresh waters of Southeast Alaska (except the Yakutat area) is prohibited.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? This proposal would provide certainty for anglers as to when, where, and how they would be permitted to fish for hatchery-produced king salmon in Juneau roadside freshwater fisheries.

BACKGROUND: Although no indigenous king salmon stocks are found on the Juneau Road System, hatchery-produced king salmon return to three release locations along the road system. To provide sport fishing opportunity for these king salmon, the department has opened fresh waters on the Juneau road system to the taking of king salmon and allowed the use of bait and snagging in Fish Creek Pond June 1 – August 31. The department has used EO authority to provide this opportunity each year since 1993.

DEPARTMENT COMMENTS: The department **SUPPORTS** these proposals. The department submitted and prefers proposal 167 because it includes all management measures currently implemented by EO and because it provides additional opportunity for hatchery-produced king salmon that would otherwise go unutilized.

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

PROPOSAL 169 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Repeal the Eagle River Beach area Dolly Varden sport fishery closure from April 1–May 31.

WHAT ARE THE CURRENT REGULATIONS? Since 1980, the waters of Eagle River Beach area from the Boy Scout camp north to an ADF&G marker located on the mainland shore at the latitude of Sentinel Island light and in all salt waters within ¼ mile of Eagle Beach, have been closed to Dolly Varden fishing during April and May. All Dolly Varden caught April 1–May 31 must be released immediately.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow additional fishing opportunity for Dolly Varden on the Juneau road system shoreline and may result in increased Dolly Varden harvest. If the proposal were to be adopted, the Eagle River Beach area (within ¼ mile of shore) would fall under the Juneau roadside regulations which have a bag and possession limit of two Dolly Varden, with no size restrictions. Current regulations allow a bag limit of 10 Dolly Varden char outside of the ¼ mile shoreline closure.

BACKGROUND: In the Juneau area, Dolly Varden bag limits for both fresh- and salt water areas were reduced from 10 to 5 fish per day in 1978. In 1980, bag limits were further reduced to 2 per day and closures were implemented in all fresh waters during September–May and in salt waters within ¼ mile of the shoreline during April–May.

The board took these actions following a 20-year decline in sport fishing catch-per-angler trip. The action was based on results from multi-year Dolly Varden tagging research at Auke Creek, Lake Eva, and Saook Creek, as well as prior Juneau roadside creel interviews. Results from the tagging studies indicated that Dolly Varden in the Juneau area had late age-at-maturity and a declining average size. These trends, combined with the popularity of springtime fishing for Dolly Varden, prior to salmon enhancement in the Juneau area in the early 1980s, prompted the regulatory action.

In 1983, the seasonal closures for most Juneau roadside areas were lifted, but the April–May saltwater shoreline closure was left in place along Eagle River Beach.

Historical survey data and technical reports for the Juneau roadside fishery conveyed that angler preferences around 1980 were changing dramatically due to increasing numbers of returning enhanced fish (initially pink salmon, and later, king and coho salmon). Those reports also showed that only 27% of the Dolly Varden harvest occurred during the spring fishery (April–June) compared to 52% occurring during July alone prior to the new restrictions.

Emigrant Dolly Varden weir counts were collected at Auke Creek near Juneau from 1970 through 2013. Annual counts at Auke Creek indicate annual fluctuations ranging from

3,052 to 11,732, with an average count of about 5,800 for 1970–2013 and approximately 4,600 for the recent 10-year average (2004–2013)(Table 169-1).

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

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

Table 169–1.–Dolly Varden emigrant weir counts for Auke Creek Weir, 1980–2014.

Year	Dolly Varden count
1980	3,110
1981	6,461
1982	4,136
1983	3,718
1984	4,512
1985	3,052
1986	4,358
1987	6,443
1988	6,770
1989	7,230
1990	6,425
1991	5,579
1992	6,839
1993	5,074
1994	7,600
1995	11,732
1996	11,323
1997	10,506
1998	7,532
1999	6,393
2000	5,254
2001	7,356
2002	4,858
2003	5,067
2004	3,955
2005	3,544
2006	4,977
2007	4,300
2008	5,364
2009	5,319
2010	4,625
2011	4,054
2012	3,472
2013	6,405
2014	3,648
1980–2014 average	5,743
2005–2014 average	4,571

PROPOSALS 170 & 171 – 5 AAC 47.023 (k)(5). Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Jerald E. Ogburn and Tom Fortner.

WHAT WOULD THESE PROPOSALS DO? Allow the use of bait from September 15 through October 15 (proposal 170) or after September 15 (proposal 171) when sport fishing in the Klawock River.

WHAT ARE THE CURRENT REGULATIONS? In the Klawock River drainage, only unbaited, artificial lures may be used.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? These proposals may result in an increase of coho salmon sport harvest in the Klawock River. Effort on the Klawock River may increase by anglers who prefer to use bait while fishing for coho salmon.

BACKGROUND: In 1994, the board prohibited the use of bait in all Southeast Alaska streams known to contain populations of fall steelhead, which included the Klawock River. In 2000, at the department's request, the board designated the Klawock River drainage a "high-use" cutthroat trout system, which increased the cutthroat trout minimum size limit from 12 to 14 inches. During the same meeting, the board considered a competing public proposal requesting the use of bait while fishing for Klawock River coho salmon. The board informally requested the department to monitor the fishery and use its EO authority to allow bait during the coho salmon season as long as the use of bait did not jeopardize the sustainability of trout and steelhead stocks and there was sufficient coho salmon to meet escapement and broodstock needs.

In seven of twelve years between 2000 and 2011 the department allowed, by EO, the use of bait from September 15 to October 15 or November 15, downstream from the Klawock River hatchery weir. Annual sport harvests during this and subsequent time periods are presented in Table 170-1 and Figure 170-1.

In 2012, the board received two proposals concerning the use of bait on the Klawock River. One proposal sought to prohibit the use of bait while the other sought to allow bait use from September 15 to October 15. After consideration of both proposals, the board took no action, affirming that the use of bait is prohibited in the Klawock River. As a result, the department no longer issues EOs allowing the use of bait in the Klawock River.

Factors that affect the sport harvest of coho salmon in the lower Klawock River are bag limits (six per day), fishing effort, number of fish returning to the stream, and stream conditions. There does not appear to be a strong correlation between the use of bait and the harvest of coho salmon in this sport fishery. The coho salmon harvest averaged

approximately 1,500 fish during years when bait was allowed and averaged approximately 1,800 fish during years when bait was prohibited.

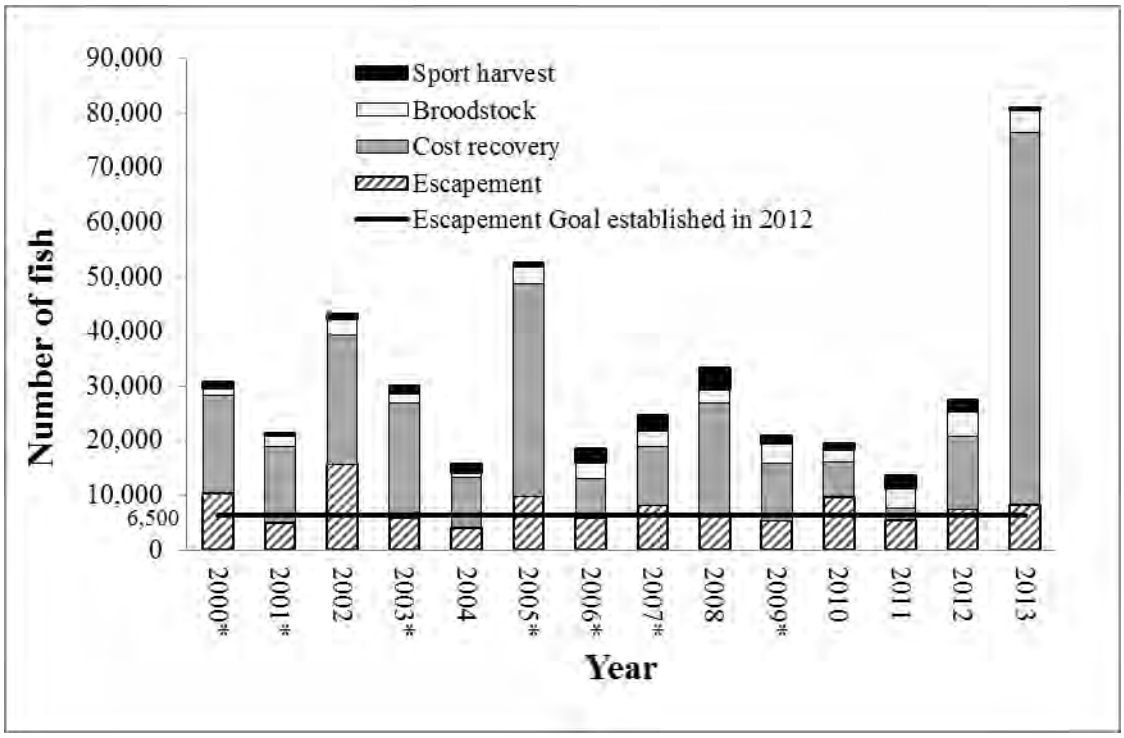
DEPARTMENT COMMENTS: The department **SUPPORTS** the use of bait in the Klawock River only from September 15 through October 15 to avoid the incidental catch of fall steelhead returning in late October and early November. Additionally, the department suggests that bait only be allowed below the hatchery weir where anglers are targeting coho and trout harvest is low. The department is **NEUTRAL** on the allocative aspects of this proposal.

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

Table 170-1.–Statewide Harvest Survey estimates of coho salmon, steelhead, cutthroat, and rainbow trout sport harvest in Klawock River, 2000–2013.

Year	Coho salmon	Steelhead	Cutthroat trout	Rainbow trout
2000*	1,194	0	130	106
2001*	367	0	48	8
2002	961	0	108	42
2003*	1,246	15	65	32
2004	1,687	8	0	0
2005*	717	0	74	22
2006*	2,540	0	0	11
2007*	2,792	0	15	12
2008	3,997	0	0	0
2009*	1,500	0	20	13
2010	1,148	9	14	0
2011	2,383	0	0	0
2012	2,135	6	0	0
2013	548	0	0	23
2000–2013 Average	1,658	3	34	19

*indicates years that bait was allowed.



*indicates years that bait was allowed.

Figure 170–1. –Klawock River coho salmon cost recovery, broodstock, sport harvest, escapement and escapement goal, 2000–2013. *Bait was allowed in 2000, 2001, 2003, 2005 – 2007 and 2009.

PROPOSAL 172 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal a regulation that allows harvest of hatchery-produced steelhead in the Ketchikan Creek drainage.

WHAT ARE THE CURRENT REGULATIONS? In Southeast Alaska, the steelhead bag limit is one fish, the possession limit is two fish, the minimum size limit is 36 inches or greater in length, and there is an annual limit of two.

In the Ketchikan Creek drainage, the bag and possession limit for steelhead is two fish if one of the fish has a clipped adipose fin, as evidenced by a healed scar. There is no annual or size limit for a steelhead with a clipped adipose fin.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would apply regional steelhead regulations to the Ketchikan Creek drainage and thereby simplify regulations. No change in opportunity or harvest would occur since hatchery steelhead are no longer released into this drainage.

BACKGROUND: Hatchery-produced steelhead, identified by the absence of an adipose fin, are no longer released into the Ketchikan Creek drainage, making this regulation unnecessary.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The current regulation is unnecessary and can be confusing to the public.

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

COMMITTEE OF THE WHOLE–GROUP 5: COMMERCIAL SALMON (16 PROPOSALS)

New Management Plans (3 proposals): 166 & 174–176

PROPOSAL 166 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Juneau–Douglas Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would establish an effective date of April 1 for District 11 sport fishery for king salmon and rescind the closure in the upper Taku Inlet.

WHAT ARE THE CURRENT REGULATIONS? Current regulations direct the department to liberalize sport fishing regulations in District 11 in years when the preseason forecast for Taku River king salmon provides for an allowable catch. In those years, anglers may use two rods while fishing for king salmon in District 11 from April 25 through June 30. The resident bag and possession limit is three king salmon 28 inches or greater length. The non-resident bag and possession limit is two king salmon 28 inches or greater in length with an annual limit of five king salmon. In years with no allowable catch, the regionwide regulations apply and the waters of upper Taku Inlet are closed to king salmon retention April 16 – June 14.

Regulations to increase harvest opportunity of hatchery produced king salmon returning to the immediate Juneau terminal harvest area are established by EO annually. These regulations liberalize bag, possession, and size limits for all anglers and rescind the nonresident annual limit in the THA.

The remainder of the Juneau area is under the regional king salmon regulations established under the *Southeast Alaska King Salmon Management Plan*, which direct the department to establish specific regionwide limits for resident and nonresident anglers and annual limits for nonresidents anglers at various levels of king salmon abundance (as measured under the PST).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The existing regulations would be simplified thereby reducing confusion and potential citations to the angling public. Changing the effective date to April 1 from April 25 could lead to an increase in sport harvest of king salmon in District 11 as would opening Taku Inlet to king salmon fishing year-round.

BACKGROUND: Regulations for the king salmon sport fishery near Juneau are complex. Three separate regulatory plans lead to significant changes in allowable gear and harvest limits on different dates throughout the season and in overlapping areas. The location and dates of the closed area at the head of Taku Inlet and whether or not the

closure is in effect for the current year, presents one source of confusion. Rescinding the closed area will eliminate this confusion.

When and where two rods are, or are not, allowed, is another source of confusion. Currently, anglers are allowed the use of two rods in Southeast Alaska when targeting winter king salmon through March 31 under regionwide regulations. Gear is reduced by regionwide regulation to one rod on April 1. An additional rod is again allowed, by EO, in District 11 (only) beginning April 25 during years when there is an allowable catch for the Taku River. Moving the effective date to April 1 would provide continuity in the use of two rods in District 11 during years when an allowable catch is forecast. Regulations to harvest hatchery king salmon returning to the immediate Juneau THA would still need to be issued under EO annually.

Charter logbook information from 2006 to 2013 shows a combined total harvest of 21 king salmon in the entire Taku Inlet, of which the closed area is a portion. Creel data from 2005 to 2011 indicates liberalized regulations during years of an allowable catch increased king salmon harvest in District 11 by an average of approximately 14%. The average annual harvest (2005–2013) of Taku River king salmon in the District 11 sport fishery is approximately 1,000.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and on implementing regulations that would increase harvest of Taku king salmon. However, the department **SUPPORTS** simplifying king salmon sport fishing regulations in the Juneau area. Anglers and the department would benefit from reduced complexity and reduced confusion currently caused by the frequent changes in bag limits, annual limits, and methods and means.

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

PROPOSAL 174 - 5 AAC XX.XXX. New Section.

PROPOSED BY: Territorial Sportsmen Inc.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to establish a Taku River King Salmon Management Plan. This plan would implement a one king salmon bag limit in the sport fishery near Juneau (Districts 11, 12 and 14) and close king salmon retention in the commercial spring troll fisheries in District 14 when the preseason forecast falls below the midpoint (27,500 large fish) of the Taku River king salmon escapement goal range.

WHAT ARE THE CURRENT REGULATIONS? The *United States-Canada Salmon Management Plan* (5 AAC 33.361.) directs the department to manage king salmon fisheries in District 11 in accordance with the Pacific Salmon Treaty, which contains provisions for directed fisheries when there is an identified surplus of large Taku River

king salmon above escapement needs. Directed king salmon gillnet fisheries may occur in a portion of District 11 from the first Monday in May through the third Saturday in June, with a minimum mesh size of 7 inches.

The *District 11 King salmon Management Plan (*5AAC 29.097.) allows directed king salmon troll fisheries in portions of District 11 for three days or five days per week, depending on whether the gillnet fishery is allowed 24 hours, or more than 24 hours.

The *Management of the Spring Troll Fisheries* (5 AAC 29.090.) and The *District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan (*5 AAC 29.114.) direct the department to manage spring troll fisheries in District 14. Neither management plan has any relationship to Taku River king salmon escapement forecasts.

Sport fishery regulations (5 AAC 47.021.) direct the department to liberalize sport fishing regulations in District 11 in years when the preseason forecast for Taku River king salmon provides for an allowable catch. In those years, anglers may use two rods while fishing for king salmon in District 11 from April 25 through June 30. The resident bag and possession limit is three king salmon 28 inches or greater length. The non-resident bag and possession limit is two king salmon 28 inches or greater in length with an annual limit of five king salmon. In years with no allowable catch, the regionwide regulations apply and the waters of upper Taku Inlet are closed to king salmon retention April 16 – June 14. Additionally sport fishery regulations to increase harvest opportunity of hatchery produced king salmon returning to the immediate Juneau terminal harvest area are established by emergency order annually. These regulations liberalize bag, possession, and size limits for all anglers and rescind the nonresident annual limit in the THA.

The remainder of the Juneau area is under the regional king salmon regulations established under the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055.) which directs the department to establish specific regionwide limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance (as measured under by the preseason abundance index calculated by the CTC of the PSC).

BACKGROUND: The Taku River has a BEG range of 19,000 to 36,000 large king salmon, with a point goal of 25,500 fish. Escapement estimates are generated through a stock assessment program using both inriver mark-recapture methods and aerial spawning grounds surveys. Since 2009, (the year the current BEG was established) the king salmon escapement to the Taku has fallen within the specified goal range five of six years with an average escapement (2009–2014) of 23,354 large king salmon. The only year in which escapement was below the BEG was 2013, with an estimate of 18,000 large king salmon.

Based on GSI analyses, an average of less than 4,700 Taku River king salmon have been harvested annually in the Southeast Alaska sport, troll and gillnet fisheries during 2010–2013 (Table 174-1).

Table 174-1. Annual harvest of Taku River origin king salmon based on GSI and CWT recoveries, 2005–2013.

Year	D11 Sport	D12 Sport	D14 Sport	D14 Troll [b]	Total Regional Taku King Salmon Harvest
2005 [a]	2,476	317	76	1,054	23,030
2006 [a]	2,048	0	0	1,160	16,248
2007	1,034	0	99	1,214	5,492
2008	632	0	134	269	4,077
2009 [a]	673	0	62	886	8,701
2010	984	0	0	2,277	5,591
2011	573	0	0	1,256	4,861
2012	671	0	0	na	5,573
2013	257	0	0	na	2,491

[a] Years where an allowable catch was forecast and directed fishing was allowed.

[b] District 14 troll harvest is based on GSI information. Information is considered preliminary.

Taku River king salmon are an outside-rearing stock (Gulf of Alaska and Bering Sea) and are therefore typically not subject to harvest during their rearing years (sublegals) within SEAK. Taku River king salmon are primarily harvested while migrating through northern SEAK as mature (legal) adults on their way to spawn during April, May, and June.

Since 2005, sport anglers fishing in District 11 have fished under 1, 2, and 3 fish bag limit scenarios. The average sport harvest estimate of Taku River king salmon caught in District 11 from 2005to 2013was 1,039 with a range of 257 (2013) to 2,476 (2005).

The District 14 spring troll fisheries are managed to target enhanced king and chum salmon. District 14 is a migratory corridor for both enhanced king and chum salmon stocks returning to several hatcheries and remote release sites on the inside waters. Spring fishery areas are closely monitored on a weekly basis to assess the harvest of PST king salmon. Harvest in that fishery is limited according to the percentage of Alaska hatchery fish taken in a fishery area as directed by the Spring Troll Fishery Management Plan (5 AAC 29.090). Taku River king salmon harvest data in the commercial spring troll fisheries within District 14 averaged 1,160 fish from 2005–2011. However, catches in 2012–2013 were few and insufficient to generate a meaningful estimate of harvest which is in line with poor returns.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department currently has the ability, through EO authority, to restrict Juneau area fisheries as needed to help achieve the Taku River escapement goal.

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

PROPOSAL 175 – 5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan.

PROPOSED BY: Donald Churchill.

WHAT WOULD THE PROPOSAL DO? This proposal requests that the board establish a task force to review the effectiveness of *Southeastern Alaska Area Enhanced Salmon Allocation Management Plan* (plan).

WHAT ARE THE CURRENT REGULATIONS? The purpose of the plan is to provide a fair and reasonable distribution of the harvest of enhanced salmon among the seine (44–49%), hand and power troll (27–32%), and drift gillnet (24–29%) gear groups, and to reduce conflicts among these users. The department evaluates the annual harvest of enhanced salmon to determine whether the allocations are met. The evaluation of allocation percentages is based on five-year increments, beginning with 1985, based on data from CFEC. If the value of the harvest of enhanced salmon stocks by a gear group is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries in SHAs to bring the gear group within its allocation percentage. The department may not make inseason adjustments or changes in management in or out of the SHAs to achieve the allocation percentages. The regulation went into effect in 1994.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department is unable to evaluate the effect of this proposal because it does not request a regulatory change.

BACKGROUND: The plan was adopted in 1994 based on work completed by the Southeast Allocation Task Force (SATF) at the request of the board. The regulation was based on a report completed by the SATF and adopted by the board as finding 94-148-FB.

According to 5 AAC 40.345, and in accordance with the plan, harvest values are annually reviewed by the Joint RPT and recommendations are made to the commissioner on production changes. The Joint RPT is a nine member team made up of three members appointed by SSRAA, three members appointed by NSRAA, and three members are department personnel appointed by the commissioner. During the past three board cycles, the Joint RPT has submitted board proposals meant to address allocation of enhanced salmon imbalance. The Joint RPT has also adopted and submitted to the board an "Industry Consensus" letter the last two board cycles (if a letter is adopted by the Joint RPT this cycle, it will be adopted after the deadline for submitting this document). These letters are agreements between the user groups concerning board proposals as well as suggested production changes that may help to address allocation imbalances.

DEPARTMENT COMMENTS: The department does not have a position on this proposal because it does not seek a regulatory change.

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

PROPOSAL 176 – 5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan.

PROPOSED BY: Chum Trollers Association.

WHAT WOULD THE PROPOSAL DO? The Northern Regional Planning Team, NSRAA, and DIPAC would be directed by the board to recommend modifications to the *Southeastern Alaska Area Enhanced Salmon Allocation Management Plan* (plan). The modified plan would include an annual evaluation, giving consideration to allocation results of the previous year, forecast returns of enhanced salmon for the upcoming year, and expected prices of the upcoming year. The annual evaluation would include target harvest levels for each gear group by species and release site. The plan would be submitted to the board by the 2016/17 board cycle and would reduce the troll allocation imbalance by half by 2019. The entity responsible for conducting the annual review is not specified.

WHAT ARE THE CURRENT REGULATIONS? The purpose of the plan is to provide a fair and reasonable distribution of the harvest of enhanced salmon among the seine (44–49%), hand and power troll (27–32%), and drift gillnet (24–29%) gear groups, and to reduce conflicts among these users. The department evaluates the annual harvest of enhanced salmon to determine whether the allocations are met. The evaluation of allocation percentages is based on five-year increments, beginning with 1985, based on data from the CFEC. If the value of the harvest of enhanced salmon stocks by a gear group is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries with SHAs to bring the gear group within its allocation percentage. The department may not make inseason adjustments or changes in management in or out of the SHAs to achieve the allocation percentages. The regulation went into effect in 1994.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The immediate effect of the proposal would be to give advantage to the troll gear group in the harvest of enhanced salmon within hatchery terminal fisheries. Adjusting harvest targets annually based on harvest levels from the previous year, may result in widely fluctuating annual harvest percentages for the gear groups in hatchery terminal fisheries.

The proposal is unclear but may remove the RPT from the allocation of enhanced salmon review process. The Northern Southeast RPT is a six member team made up of three members appointed by NSRAA and three department members appointed by the Commissioner. Department personnel are neutral on allocation issues and abstain from voting on proposals that have a direct effect on allocation. Therefore, any Northern RPT recommendation on harvest rates per release site would come directly from NSRAA.

BACKGROUND: The plan was adopted in 1994 based on work completed by the Southeast Allocation Task Force (SATF) at the request of the board. It was based on a report completed by the SATF and adopted by the board as finding 94-148-FB. .

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

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

SHA/THA Allocation (12 proposals): 177–188

PROPOSALS 177 & 178 – 5AAC 33.385. Mist Cove Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (NSRAA).

WHAT WOULD THE PROPOSALS DO? These proposals are identical and would close common property commercial and sport salmon fisheries in a portion of the Mist Cove SHA during the summer.

WHAT ARE THE CURRENT REGULATIONS? *Mist Cove Terminal Harvest Area Salmon Management Plan* (*5 AAC 33.385*(c)) describes the Mist Cove SHA and closes it to commercial fishing, other than for hatchery cost recovery, from 12:01 a.m., July 31, until 11:59 p.m., September 30. Sport fisheries are open in this area.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would create a permanently closed area to common property commercial and sport fisheries within the SHA (Figure 177-1), while still allowing these fisheries to continue in the portion of the SHA outside of the proposed closure area. Closing these waters is likely to reduce both the commercial and sport harvest of coho salmon returning to Mist Cove. The department would lose the ability to manage this area inseason by emergency order. It is also likely that this closure would help provide safety to hatchery staff, protect floats, barrier nets, and net pens within this portion of the SHA. NSRAA's cost recovery operations may benefit from the proposed closure. The proposed closed area is too small and shallow to allow larger power troll vessels to fish, so the closure would affect hand troll and sport fisheries only.

BACKGROUND: NSRAA's Mist Cove release site is located on the southeastern shore of Baranof Island. The annual returns of coho salmon draw both commercial troll and sport fishermen to the area. The department did not open the waters specified in this proposal to commercial fishing, at the request of NSRAA, when the rest of the SHA was opened to trolling during the 2013 and 2014 seasons by EO. Sizable coho returns in recent years have increased commercial harvest and effort in the area. Sport anglers are permitted to fish in this area under regional regulations.

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

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

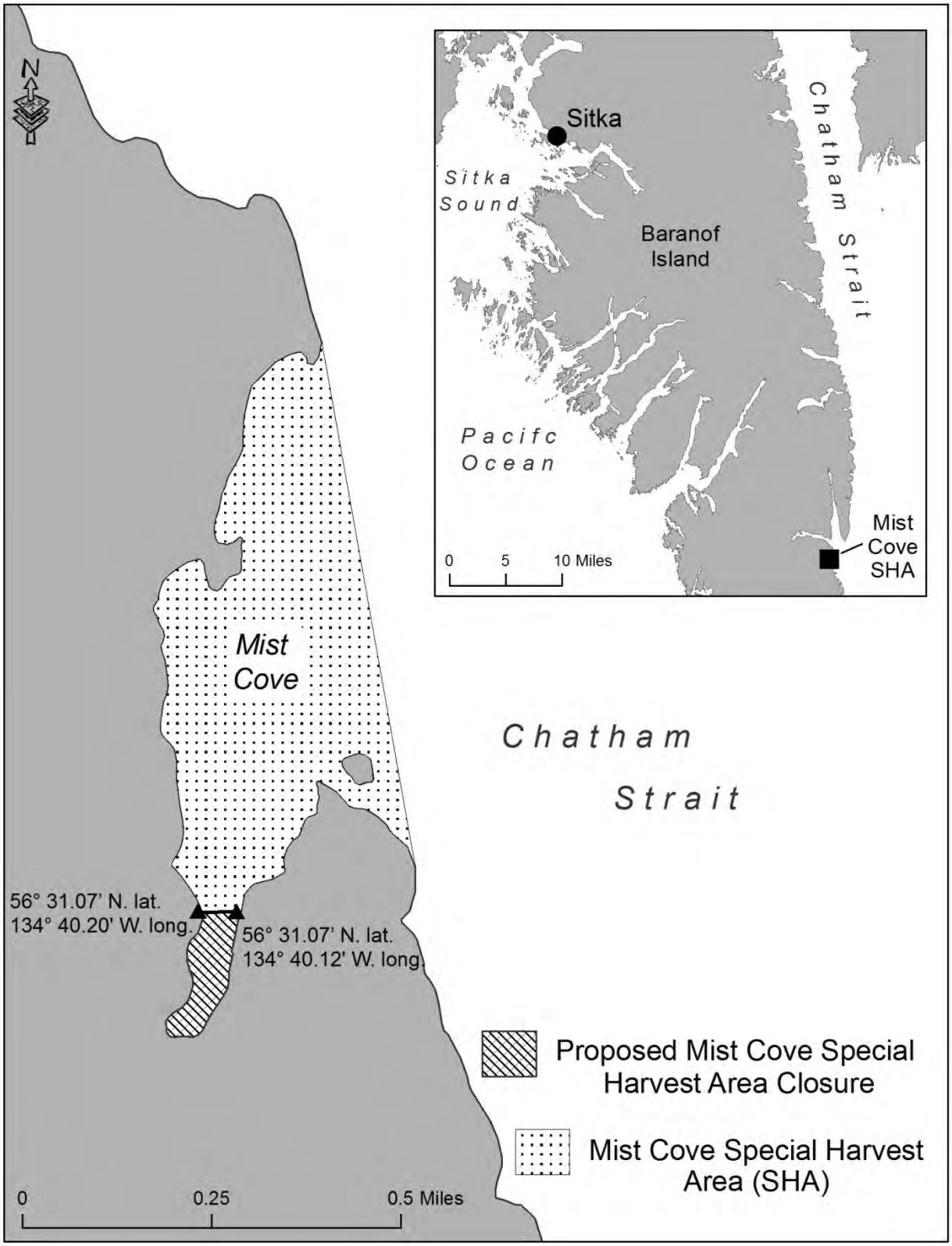


Figure 177-1.–Proposed Mist Cove SHA closure area.

PROPOSALS 179 & 180 – 5AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: NSRAA.

WHAT WOULD THE PROPOSALS DO? These proposals are similar and would close a small portion of the Kasnyku Bay Special Harvest Area SHA, within the Hidden Falls THA, to common property commercial and sport salmon fisheries during the summer.

WHAT ARE THE CURRENT REGULATIONS? The *Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan* provides for both purse seine and troll openings to harvest king, chum, and coho salmon returning to the Hidden Falls Hatchery in excess of broodstock and cost recovery needs. Under current regulations, this portion of the SHA (Figure 179-1) is open concurrently with the THA, and is managed by EO. The THA is opened to sport fisheries, but the sport fishery in the approximate proposed area is marked closed by department markers.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would reduce the commercial harvest of hatchery-produced king, chum, and coho salmon within the Hidden Falls SHA. NSRAA's cost recovery and broodstock operations may benefit from the proposed closure. The department would lose the ability to manage this area inseason by emergency order in response to whether broodstock needs are met. The proposed closed area is too small and shallow to allow larger power troll vessels to fish, so the closure would affect hand troll and sport fishery only.

BACKGROUND: NSRAA's Hidden Falls Hatchery is located on the northeastern shore of Baranof Island. The annual returns of chum, king, and coho salmon attract purse seine, troll, and sport effort to the area. NSRAA annually places a seasonal barrier net or cork line at the approximate location of the proposed closed area, however, in recent years, commercial hand trollers and sport fish anglers have harvested king and coho salmon within this area by passing beyond this cork line. This small area concentrates fish prior to entering the hatchery raceway making hand troll gear with casting rods effective at harvesting these fish. Recently, conflicts have arisen between NSRAA staff and user groups and NSRAA has expressed concern for meeting their broodstock needs. At the request of NSRAA, the department closed these waters to commercial trolling by emergency order and to sport fishing under 5 AAC 47.030(f) (fishing near a fish ladder). The department requested that NSRAA submit a proposal to the board regarding this area for a review and decision on a permanent closure.

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

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

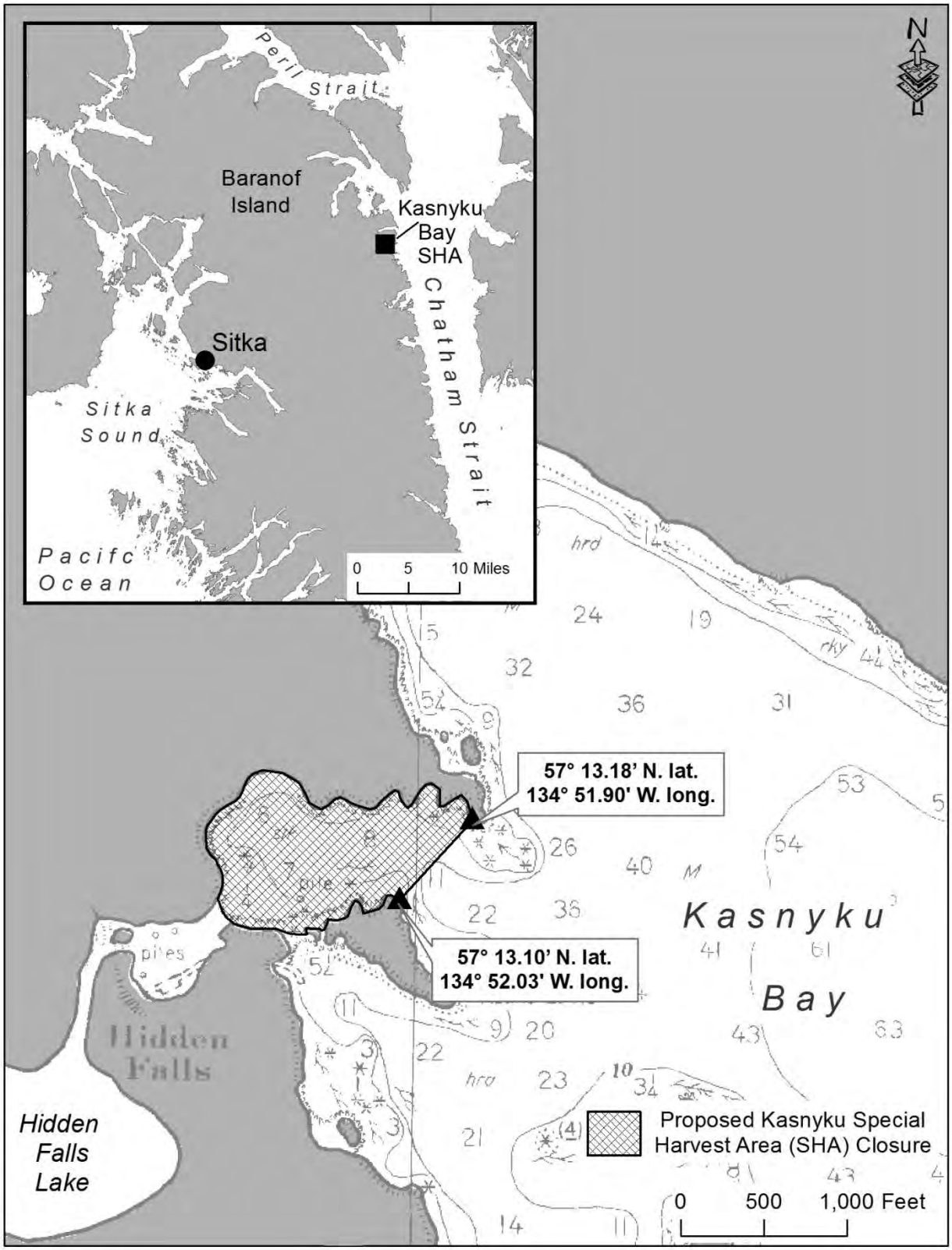


Figure 179-1.–Proposed Hidden Falls SHA closure area.

PROPOSAL 181 – 5AAC 5 AAC 40.XXX. District 6: Neck Lake Special Harvest Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal establishes an SHA (Figure 181-1) for the harvest of hatchery produced salmon by SSRAA in the waters of Whale Pass on northeastern Prince of Wales Island. It also establishes a fishing season and legal gear to be used by the hatchery permit holder.

WHAT ARE THE CURRENT REGULATIONS? The Neck Lake SHA fishing times and legal gear are currently established on an annual basis by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be no effect on the fishery.

BACKGROUND: In 1996, SSRAA began rearing coho salmon in net pens located in Neck Lake on Prince of Wales Island. Cost recovery harvest operations have occurred annually since 1998 by harvesting coho salmon from the Neck Creek raceway. Cost recovery harvests have been allowed under EO authority. The Neck Lake cost recovery program has been very successful and is expected to continue for the foreseeable future.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This proposal would place into regulation a long-standing practice that is currently done annually by EO.

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

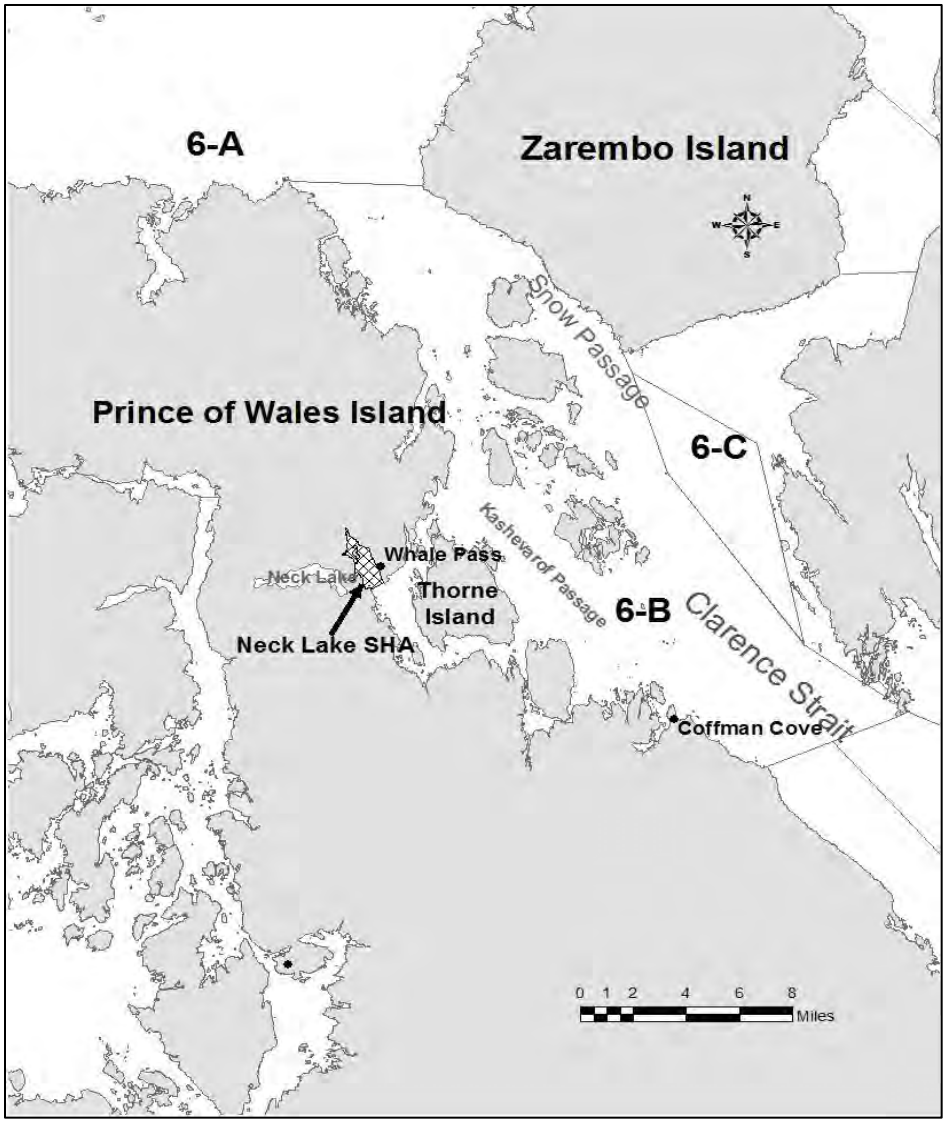


Figure 181-1.–Neck Lake SHA.

PROPOSALS 182 & 183 – 5AAC 5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southeast Joint Regional Planning Team (Proposal 182); United Southeast Alaska Gillnetters (USAG)/Southeast Alaska Seiners (SEAS) (Proposal 183).

WHAT WOULD THE PROPOSALS DO? These proposals would allow the board to set the time ratio of gillnet to seine openings in the Deep Inlet THA which will sunset at the end of the 2014 season. Proposal 182 does not recommend a time ratio for gillnet to seine in the Deep Inlet THA. The Southeast Joint RPT will meet in the fall of 2014 to develop specific recommendations for the board's consideration at the 2015 board meeting.

Proposal 183 would set the time ratio of gillnet to seine openings in the Deep Inlet THA, beginning with the 2015 season through the 2017 season, at one to one beginning the third Sunday in June through statistical week 30, and two to one beginning statistical week 31. Following the 2015 season, if the postseason preliminary enhanced salmon harvest indicates the seine fleet is within their enhanced salmon allocation range, based on the 5-year rolling average, the gillnet to seine ratio will be two to one.

WHAT ARE THE CURRENT REGULATIONS? In the Deep Inlet THA the time ratio for gillnet openings to seine openings is two to one, except that beginning with the first emergency order of the 2012 season through the last emergency order of the 2014 season, the time ratio for gillnet openings to seine openings is one to one after the third Sunday in June. *Southeastern Alaska Area Enhanced Salmon Allocation Management Plan* (plan) (5 AAC 33.364) established percentage ranges based on value for allocation of enhanced stocks to seine, troll, and drift gillnet. If the value of the enhanced salmon stocks by gear group is outside its allocation percentage for three consecutive years the board will, in its discretion, adjust fisheries within SHAs to bring the gear group within its allocation percentage range.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Since proposal 182 does not provide a specific recommendation the effects are unknown. Proposal 183 would potentially increase gillnet fishing time and reduce seine fishing time if the seine fleet is within its allocation range following the 2015 season.

BACKGROUND: Since 1993, the *Deep Inlet Terminal Harvest Area salmon Management Plan* provided for a two to one ratio of gillnet to seine fishing time until the board changed the time ratio to one to one in 2009 to address allocation imbalances in accordance with the plan. This rotational schedule sunsetted after the 2011 season and the board adopted the same rotational schedule in 2012 to sunset after the 2014 season. The change to the Deep Inlet rotational schedule was one of several recommended by the JRPT to help rectify imbalances in the plan. From 2003–2008, gillnetters harvested 31% of the common property harvest of chum salmon returning to the Deep Inlet THA compared to 27% during the period 2009–2014 (Table 183-1). From 2003–2008, seiners harvested 54% of the total common property harvest of chum salmon returning to Deep Inlet THA compared to 61% during the period 2009–2014.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals, but supports the salmon gear groups and hatchery operators working together to align enhanced salmon allocations with fishing time adjustments in hatchery THAs.

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

Table 182-1.–Deep Inlet THA chum salmon harvest showing total harvest by gear in numbers of chum and percent harvest by gear, 1993–2014. Includes hatchery chum salmon harvested outside the THA by troll and seine gear (Source: NSRAA)

Return Year	Seine	Gillnet	Troll	Total Common Property Harvest	Percent Seine	Percent Gillnet	Percent Troll
1993	457,148	373,306	449,660	1,280,114	36%	29%	35%
1994	527,822	159,913	271,369	959,104	55%	17%	28%
1995	523,373	408,643	190,790	1,122,806	47%	36%	17%
1996	1,834,025	188,586	321,331	2,343,942	78%	8%	14%
1997	1,613,687	361,350	290,216	2,265,253	71%	16%	13%
1998	2,044,829	493,744	100,894	2,639,467	77%	19%	4%
1999	2,602,058	608,452	67,348	3,277,858	79%	19%	2%
2000	2,159,519	619,501	449,625	3,228,645	67%	19%	14%
2001	388,975	267,158	188,700	844,833	46%	32%	22%
2002	285,345	186,584	80,585	552,514	52%	34%	15%
2003	528,146	210,948	87,582	826,676	64%	26%	11%
2004	1,023,757	421,070	145,858	1,590,685	64%	26%	9%
2005	564,171	430,655	165,046	1,159,872	49%	37%	14%
2006	1,120,211	651,689	141,145	1,913,045	59%	34%	7%
2007	112,850	113,091	179,084	405,025	28%	28%	44%
2008	362,862	209,727	54,718	627,307	58%	33%	9%
2009	348,854	119,852	109,028	577,734	60%	21%	19%
2010	953,962	295,478	117,838	1,367,278	70%	22%	9%
2011	163,251	82,546	28,598	274,395	59%	30%	10%
2012	382,404	183,309	24,428	590,141	65%	31%	4%
2013	1,106,630	600,085	455,487	2,162,202	51%	28%	21%
2014*	628,561	278,138	16,722	923,421	68%	30%	2%
Average	896,929	330,174	178,911	1,406,014	59%	26%	15%
Avg. 2003–08	618,666	339,530	128,906	1,087,102	54%	31%	16%
Avg. 2009–14	597,277	259,901	125,350	982,529	62%	27%	11%

* Preliminary Harvest Information

PROPOSAL 184 – 5AAC 33.377. District 2: Kendrick Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: John Burke for SSRAA Board of Directors.

WHAT WOULD THE PROPOSAL DO? The proposal would open the Kendrick Bay THA (Figure 184-1) to troll gear from June 15 to September 30.

WHAT ARE THE CURRENT REGULATIONS? The current regulation allows harvest of hatchery-produced chum salmon in the Kendrick Bay THA by the purse seine fleet. The area is also open for personal use fishing under the terms of a permit issued by the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would make the Kendrick Bay THA consistent with management plans for other SSRAA THAs. Allowing trollers to fish in the Kendrick Bay THA from June 15 to September 30 may result in a small increase in the troll harvest of king and chum salmon. If the THA were open to troll gear and the harvest of enhanced salmon increased, the enhanced salmon allocation imbalance for the troll fleet may improve. There is a potential for gear conflicts when two gear types fish the same area concurrently. Troll effort within the THA is likely to be low during seine openings and the effect on seine harvest is also likely to be small.

BACKGROUND: The Kendrick Bay THA was created by the board in 1994 from a proposal drafted by SSRAA that specified a purse seine harvest area only. Troll gear was excluded because, at the time, troll fishermen did not target chum salmon, especially in terminal areas. The Kendrick Bay THA opens by regulation beginning on June 15 each year to harvest returning enhanced chum salmon from an annual release of approximately 20 million chum salmon smolts. Since the creation of the THA, chum troll fisheries have developed in various locations throughout Southeast Alaska. Trollers target Alaska hatchery-produced king salmon between May and June in the Kendrick Bay Spring Troll Area. Kendrick Bay THA waters are included within the Kendrick Bay Spring Troll Area (Figure 184-1), and are closed each year to troll when the THA opens to purse seine gear on June 15. Trollers seeking safe anchorage in the THA during periods of bad weather troll to and from that anchorage but are excluded once the closure takes place.

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

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

Figure 184-1.–Kendrick Bay spring troll and THA fishing areas.

PROPOSAL 185 – 5AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Joint Southeast Regional Planning Team.

WHAT WOULD THE PROPOSAL DO? The proposal is a placeholder to address the sunset clause and the time ratio for drift gillnet to purse seine openings to address an enhanced salmon allocation imbalance in the Anita Bay Terminal Harvest Area (THA). Specific sunset date and fishing time ratio are not addressed.

WHAT ARE THE CURRENT REGULATIONS? The current regulation established the time ratio for drift gillnet to purse seine openings at 2:1. Beginning with the 2012 season, if the allocation between gear groups is not approximately equal, the time ratio is 1:1. This provision expired with the last EO in 2014.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide a rotational fishing plan to address current enhanced salmon allocation imbalances. Enhanced salmon allocation imbalances may be alleviated as a result.

BACKGROUND: The board adopted the 1:1 fishing time ratio provision for the Anita Bay THA in 2009 to address an imbalance in the enhanced salmon allocation. The imbalance has improved slightly since that time but the drift gillnet fleet is still above, while the purse seine and troll fleets are below their respective allocations.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports the salmon gear groups and hatchery operators working together to align enhanced salmon allocations with fishing time adjustments in hatchery THAs.

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

PROPOSAL 186 – 5AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: United Southeast Alaska Gillnetters Association and Southeast Alaska Seiners.

WHAT WOULD THE PROPOSAL DO? This proposal would extend the effective date of the *Anita Bay Terminal Harvest Area Management Plan* through the 2017 season and would establish a fishing rotation based on enhanced salmon allocation imbalances. The proposal would establish a 1:1 fishing time ratio for drift gillnet to purse seine openings through statistical week 30, and a 2:1 time ratio for the remainder of the rotational fishing period. Based on the previous 5-year rolling average, if purse seine harvest is within the enhanced allocation range, the fishing time ratio will be 2:1, drift gillnet to purse seine, for the entire season.

WHAT ARE THE CURRENT REGULATIONS? The current regulation established the time ratio for drift gillnet to purse seine openings at 2:1. Beginning with the 2012 season, if the allocation between gear groups is not approximately equal, the time ratio is 1:1. This provision expired with the last EO in 2014.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide a rotational fishing plan to address current enhanced salmon allocation imbalances. Enhanced salmon allocation imbalances may improve as a result.

BACKGROUND: The board adopted the 1:1 fishing time ratio provision for the Anita Bay THA in 2009 to address imbalances in the enhanced salmon allocation. The imbalance has improved slightly since that time but the drift gillnet fleet is still above, while the purse seine and troll fleets are below their respective allocations.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports the salmon gear groups and hatchery operators working together to try to align enhanced salmon allocations with fishing time adjustments in hatchery THAs.

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

PROPOSAL 187 – 5AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan.

PROPOSED BY: United Southeast Alaska Gillnetters and Southeast Alaska Seiners.

WHAT WOULD THE PROPOSAL DO? This proposal would include drift gillnet gear in the rotational fishery in the Southeast Cove THA when there are salmon in excess of broodstock and cost recovery needs. The gear group that is furthest below their enhanced salmon allocation would fish first. Gillnet openings in the THA would be limited to a maximum of two days per week.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Cove Terminal Harvest Area Management Plan* (plan) defines the THA and sets the framework for fishing time between the troll and purse seine gear groups when there are hatchery-produced chum salmon in excess of broodstock and cost recovery needs. Fishing time is determined by EO and occurs between the third Sunday in June and the first Saturday in August. Seine openings are a maximum of two days per week and troll openings are a maximum of five days per week. The gear group that is furthest from its enhanced salmon allocation begins the rotation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase drift gillnet harvest of hatchery-produced chum salmon in the Southeast Cove THA in years when returns were in excess of broodstock and cost recovery needs.

BACKGROUND: Southeast Cove started as a remote release site for the GCH operated by the KNPFC in 1994 with an initial release of 8.2 million chum salmon. In 2013, NSRAA released 4.5 million chum salmon at Southeast Cove to augment releases by GCH. The 2014 releases from GCH were the last as the hatchery was closed in the spring of 2014 due to ongoing financial issues. NSRAA released about 9 million chum salmon in 2014 and plans to increase releases in future years. In 2012, the board adopted the current plan. To date, no common property fisheries have been conducted in the Southeast Cove THA because there have not been hatchery-produced salmon in excess of broodstock and cost recovery needs.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports the different salmon gear groups and hatchery operators working together to try to align enhanced salmon allocations by making fishing time adjustments in THAs.

The department notes that there is an inconsistency in 5 ACC 33.387(c) which directs the department to consult with the KNPFC for common property openings in the Southeast Cove THA. Since the GCH is no longer in operation and NSRAA will be releasing all the salmon at Southeast Cove, the department recommends that KNPFC be changed to hatchery operator.

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

PROPOSAL 188 – 5AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan.

PROPOSED BY: Chum Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow purse seining in the Southeast Cove THA from the third Sunday in June to July 8 and from July 31 to the first Saturday in August and allow only trolling in the THA from July 9 through July 30.

WHAT ARE THE CURRENT REGULATIONS? The *District 9: Southeast Cove Terminal Harvest Area Management Plan* (plan) defines the THA and sets the framework for fishing time between the troll and purse seine gear groups when there are hatchery-produced chum salmon in excess of broodstock and cost recovery needs. Fishing time is determined by EO and occurs between the third Sunday in June and the first Saturday in August. Seine openings are a maximum of two days per week and troll openings are a maximum of five days per week. The gear group that is furthest from its enhanced salmon allocation begins the rotation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the THA were opened, it is likely that the troll harvest would increase and the seine harvest and fish quality would decrease due to the change in timing of seine openings. The enhanced salmon allocation imbalance for the troll fleet may decrease and the imbalance for the seine fleet may increase.

BACKGROUND: Southeast Cove started as a remote release site for the GCH operated by the KNPFC in 1994 with an initial release of 8.2 million chum salmon. In 2013, NSRAA released 4.5 million chum salmon at Southeast Cove to augment releases by GCH. The 2014 releases from GCH were the last as the hatchery was closed in the spring of 2014 due to ongoing financial issues. NSRAA released about 9 million fry in 2014 and plans to increase releases in future years. In 2012, the board adopted the current plan. To date, no common property fisheries have been conducted in the Southeast Cove THA because there have not been hatchery-produced salmon in excess of broodstock and cost recovery needs.

Statistical area 109-42, the area surrounding the THA, and statistical area 109-41, the Southeast Cove THA, have been open to troll gear as part of the general summer troll fishery. The total troll harvest of chum salmon in statistical areas 109-41 and -42 was one fish during the month of July from 2001 through 2014. The area surrounding the THA can also be opened to traditional common property purse seine fisheries. However, the last common property seine opening in this area in July and August was prior to 1999. Both the seine and troll fleets harvest some hatchery-produced chum salmon returning to Southeast Cove in traditional common property fisheries in Chatham Strait.

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

The department notes that there is an inconsistency in 5 ACC 33.387(c) which directs the department to consult with the KNPFC for common property openings in the Southeast Cove THA. Since the GCH is no longer in operation and NSRAA will be releasing all the salmon at Southeast Cove, the department recommends that KNPFC be changed to hatchery operator.

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

COMMITTEE OF THE WHOLE–GROUP 6: COMMERCIAL SALMON (17 PROPOSALS)

Purse Seine (17 proposals): 189–205

PROPOSAL 189 - 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal removes an incorrect reference to the *Northern Southeast seine salmon fishery management plans* in the *Hidden Falls Terminal Harvest Area Salmon Management Plan* (plan) and clarifies language regarding fishing openings.

WHAT ARE THE CURRENT REGULATIONS? The plan provides that from April 15 through June 30, chum and king salmon may be taken by troll and purse seine gear. The management plan also provides that if weekly or midweek seine openings do not occur due to cost recovery or broodstock concerns then the troll fishery for chum salmon will close; if more than seven days remain before July 1, troll fisheries for king salmon may continue however chum salmon may not be retained.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would correct an error in regulatory language and reduce confusion among users regarding fishery openings. This proposal would not change how the Hidden Falls THA is currently managed.

BACKGROUND: The plan incorrectly references the *Northern Southeast seine salmon fishery management plans.* Prior to July 1, seine openings at the Hidden Falls Hatchery THA occur on Sundays and during "mid-week", so reference to "weekly" instead of "Sunday" openings may cause confusion.

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

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

PROPOSALS 190 & 191 - 5AAC 33.366. Northern Southeast seine salmon fishery management plans.

PROPOSED BY: United Southeast Alaska Gillnetters and Southeast Alaska Seiners (Proposal 190); Ryan Cook (Proposal 191).

WHAT WOULD THE PROPOSALS DO? These proposals would apply common property harvests of wild sockeye salmon from the District 11 Amalga Harbor SHA purse seine fisheries to the harvest limit of 15,000 wild sockeye salmon described in *Northern Southeast seine salmon fishery management plans*, (plan; 5 AAC 33.366 (a)(2)). These proposals differ only to the extent of the Amalga Harbor SHA wild sockeye harvest that would apply to the July harvest limit for District 12, north of Point Marsden (Hawk Inlet shoreline).

Proposal 190 would apply the first 2,000 wild sockeye salmon harvested in the common property Amalga Harbor SHA purse seine fisheries to the Hawk Inlet shoreline harvest limit, only if the entire common property fishery area in the Amalga Harbor SHA is open. If a reduced area is opened (Figure 190-1), then none of the common property Amalga Harbor SHA wild sockeye salmon harvest would be included. Proposal 191 would include the entire harvest of wild sockeye salmon from the common property Amalga Harbor SHA purse seine fisheries in the Hawk Inlet shoreline harvest limit regardless of the fishing area.

WHAT ARE THE CURRENT REGULATIONS? The plan describes conditions under which the Hawk Inlet shoreline may be opened to seine fishing in July. The fishery may open when surplus pink salmon are observed with considerations for the conservation of other wild salmon stocks transiting the area. The July fisheries are limited to a cumulative harvest of 15,000 wild sockeye salmon. The fishery is closed for the remainder of July if 15,000 wild sockeye salmon are harvested.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals could reduce purse seine harvest opportunity along the Hawk Inlet shoreline.

BACKGROUND: In 1989, the board adopted the plan allowing commercial purse seine fisheries on the Hawk Inlet shoreline during the month of July to improve utilization of pink salmon returning to Lynn Canal and Taku River. The area had been closed by regulation prior to August 1 since 1984. Openings in this area depend on the general abundance of pink salmon in the Hawk Inlet shoreline area and the strengths of other stocks migrating through the area. Indicators of pink salmon abundance are: District 11 and District 15 drift gillnet fishery performance, Taku River fish wheel catches, test fishing results along the Hawk Inlet shoreline, and aerial observations of abundance throughout the Juneau Area. Conservation of other salmon species, primarily sockeye salmon bound for the Chilkat, Chilkoot, and Taku Rivers are to be considered prior to opening the Hawk Inlet shoreline, and a maximum cumulative harvest of 15,000 sockeye is allowed during the month of July. At the 2003 board meeting, clarifying language was

adopted into the plan consistent with procedures used by the department to account for the sockeye salmon harvest limit in Hawk Inlet shoreline fisheries. At the 2006 board meeting, it was further clarified that the harvest limit pertains to wild sockeye salmon only, as Snettisham Hatchery enhanced sockeye salmon were not present when the original harvest limit was adopted.

In the 25 years since 1989, the Hawk Inlet shoreline has been opened to purse seining in thirteen seasons. The 15,000 total sockeye harvest limit was exceeded in 1989, 2004, and 2005, and the 15,000 wild sockeye harvest limit was exceeded in 2011 (Figure 190-2).

The Amalga Harbor SHA common property purse seine fisheries in District 11 began in 2012. With the increase in price of chum salmon in recent years, DIPAC's successful enhanced chum salmon program generated sufficient income to allow the PNP hatchery to retire their outstanding debt. This created a surplus of chum salmon returning to the Amalga Harbor SHA remote release site where cost-recovery fisheries have been occurring since 1994. The seine fishery was developed to provide additional fish to the common property fisheries. These fisheries are dependent on progress towards DIPAC's cost recovery goals, limited to portions of the Amalga Harbor SHA, have a maximum opening length of six hours, and may occur only on Thursdays in July when other nearby seine areas are open.

Amalga Harbor SHA common property seine fisheries occurred in 2012, 2013, and 2014. The Hawk Inlet shoreline was also fished in July 2013. In an effort to minimize sockeye salmon harvest in the Amalga SHA enhanced chum fishery, the department reduced the size of the open area for the July 18, 2013 fishery. Figure 190-1 shows the normal and reduced common property area used in the 2013 Amalga Harbor SHA fisheries and the Hawk Inlet shoreline fishery area north of Point Marsden. Figure 190-2 shows the wild and hatchery-produced sockeye harvested in the Hawk Inlet shoreline fisheries and the Amalga Harbor SHA fisheries. The Hawk Inlet shoreline sockeye salmon harvest is determined by documenting any seine boats that fish along the shoreline north of Point Marsden when it is open, and applying all sockeye harvests from those boats for that opening to the Hawk Inlet fishery. Hatchery-produced sockeye are distinguished from wild sockeye salmon in both the Hawk Inlet shoreline and Amalga SHA fisheries by otolith analysis of fishery samples. Table 190-1 shows wild and enhanced sockeye and chum salmon harvests for the Amalga Harbor SHA common property seine fisheries in 2012–2014.

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

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

Table 190-1.–Annual wild and hatchery sockeye and enhanced chum salmon harvests in the Amalga Harbor SHA common property seine fisheries.

	Sockeye Harvest			
Year	**Wild**	**Hatchery**	**Total**	**Chum Harvest**
2012	2,760	1,255	4,015	411,397
2013	3,192	1,237	4,429	1,081,913
2014	840	600	1,440	226,768

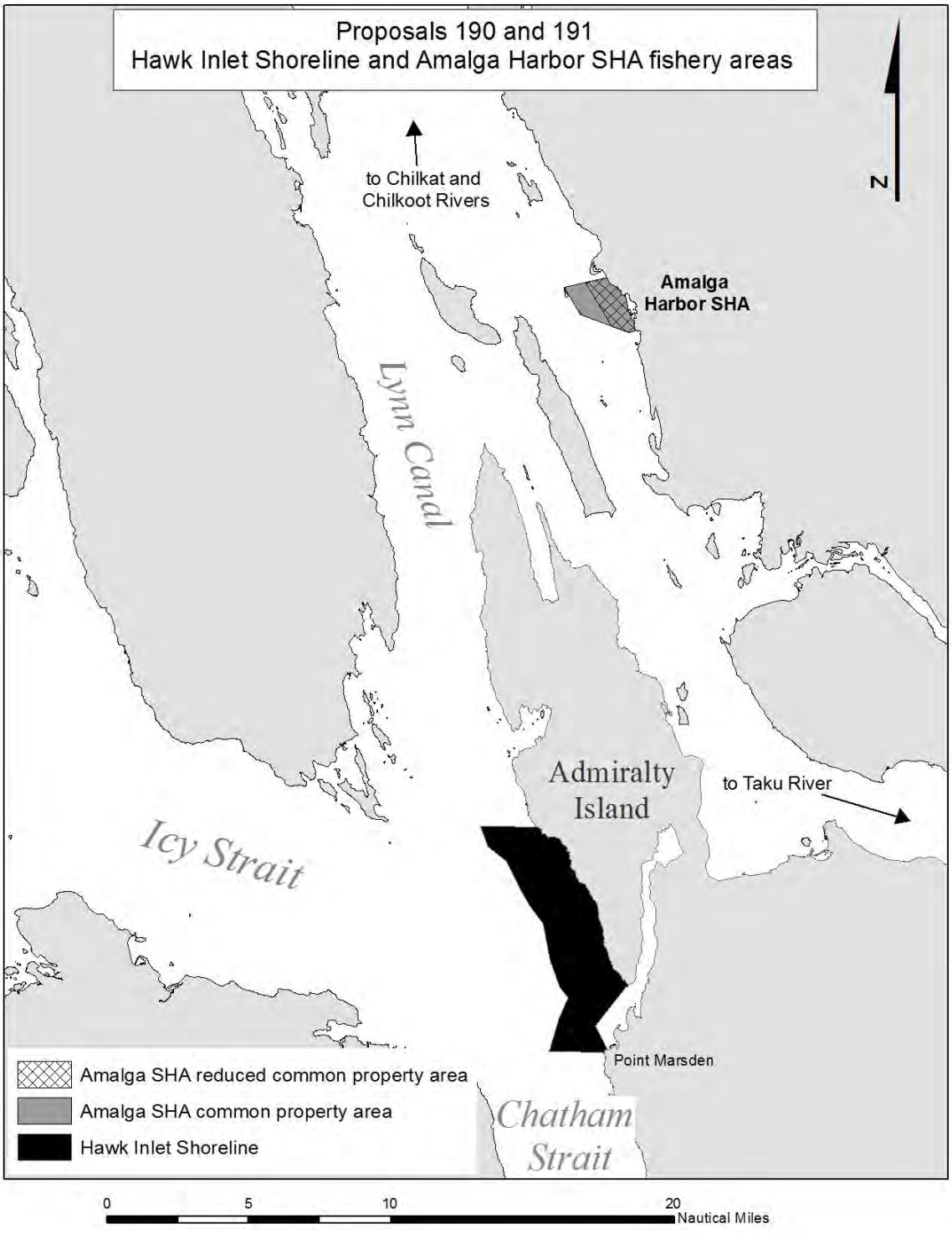


Figure 190-1.–Amalga Harbor SHA common property seine areas and the Hawk Inlet shoreline fishery area.

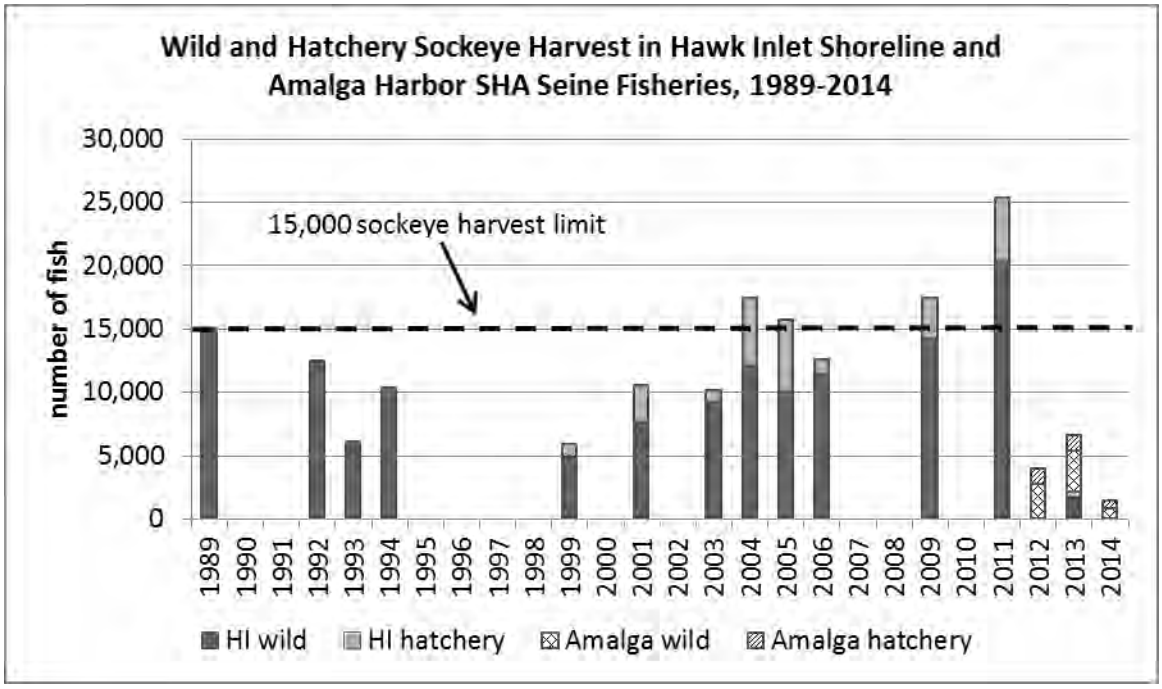


Figure 190-2.–Hawk Inlet shoreline and Amalga Harbor SHA wild and hatchery sockeye salmon common property seine harvests, 1989–2014.

PROPOSAL 192 – 5 AAC 33.366. Northern Southeast seine salmon fishery management plans.

PROPOSED BY: Kootznawoo Inc.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to strengthen the reporting requirement regarding retention of finfish caught during commercial fishing for personal use in 5 AAC 39.010, by adding a section to *Northern Southeast seine salmon fishery management plans* (plan), requiring that all sockeye salmon retained for personal use caught during commercial purse seine fishing activities in Districts 12 and 14 be reported on fish tickets.

WHAT ARE THE CURRENT REGULATIONS? The plan guides the department in managing purse seine fisheries in Icy and Chatham Straits.

Finfish legally taken during commercial fishing operations may be retained by a commercial fisherman for their own use. These fish must be reported on a department fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would have no effect since commercial fishermen are already required to report fish of any species retained and not sold on fish tickets.

BACKGROUND: The number of fish of any species retained by a commercial fisherman for that person's own use must be reported on a fish ticket. This is a statewide regulation that applies to Districts 12 and 14 in the Southeast Alaska Area.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Commercial fishermen are currently required to report finfish of any species retained for that person's own use. Since this reporting requirement is statewide for all finfish retained from legal commercial harvests it is unnecessary to include this provision in the plan.

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

PROPOSAL 193 – 5 AAC 33.366. Northern Southeast seine fishery management plans.

PROPOSED BY: Kootznoowoo, Inc.

WHAT WOULD THE PROPOSAL DO? This proposal would place regulatory constraints on the Icy Strait and upper Chatham Strait mixed stock corridor salmon seine fishery, reducing harvest opportunity in order to ensure the subsistence priority for residents of Angoon. In addition, this proposal seeks regulatory closure of waters in District 12 that the department has not opened to purse seine fishing since 1987 and waters in District 14 that the department has not opened to purse seine fishing since 1983. The proposal ties this issue to the Kootznoowoo Incorporated petition to the secretaries of the U.S. departments of Agriculture and Interior to impose ETJ in state waters.

WHAT ARE THE CURRENT REGULATIONS? Management of the purse seine fisheries in District 12 and District 14 is accomplished by emergency order, opening specific areas for a specific amount of time concurrent with the regionwide purse seine fishery (5 AAC 33.310. *Fishing seasons and periods for net gear*). Open areas and times are determined by progress towards terminal area goals (escapement and subsistence needs), historical run timing, and observed fishery effort and salmon abundance following the *Policy for the management of mixed stock salmon fisheries* (5 AAC 39.220). 5 AAC 33.366. *Northern Southeast seine salmon fishery management plans*, describes specific considerations and limitations for purse seine openings in District 12 north of Point Marsden and Section 14-C north of the Porpoise Islands.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would limit the department's flexibility to manage commercial purse seine fisheries in the Icy Strait and Northern Chatham Strait mixed stock corridor area. There would be lost opportunity to commercial purse seine permit holders during years of high pink salmon abundance in the NSEI area. It is uncertain if these restrictions will result in improvements to the subsistence harvest of salmon for the community of Angoon.

BACKGROUND: Based on reported harvests from returned subsistence salmon permits, sockeye salmon are the preferred salmon for subsistence uses in the community of Angoon. The northern Chatham Strait sockeye salmon systems of greatest significance to traditional subsistence uses by Angoon residents in order of importance are Kanalku Lake, Kook Lake, Sitkoh Lake, Hasselborg River, and, to a lesser extent, Lake Eva (Figure 193-1).

In the late 1990s, with increasing subsistence harvest pressure on Kanalku and reduced sockeye salmon escapements, the department determined there was an immediate need for conservation of Kanalku sockeye salmon. This concern was shared by the residents of Angoon and a plan was developed and put in place in 2002 that involved a voluntary closure: an agreement by Angoon residents to forgo harvests at Kanalku in order to rebuild the run; the Kanalku season and harvest limit would remain on the permit (under department discretionary authority). In order to provide alternative opportunities for

Angoon residents, the department liberalized subsistence permit limits for sockeye salmon at other traditionally used systems, including Sitkoh Lake and Lake Eva, and sockeye salmon harvest allowances for Hasselborg/Salt Lake were added to the permit. In 2006, the department and the community agreed to end the voluntary closure at Kanalku and the annual limit for Kanalku was reduced from the original 25 sockeye salmon to 15 sockeye per household to allow for some harvest while rebuilding the run. The annual limit at Kanalku has since been raised to 20 fish. The total number of sockeye salmon annually allowed under the provisions of the subsistence salmon permit from the sockeye salmon systems traditionally utilized by Angoon is currently 170 fish per household. The annual household limits of other salmon species stipulated on the subsistence salmon permit are 40 coho, 50 chum, and 150 pink salmon.

Returned subsistence salmon permit harvest records begin in 1985. For Angoon, there have been periods of low reported harvests in the late 1980s and again in the mid-2000s with the peak period of reported harvests in the late 1990s. There has been a 25% decline in Angoon's population from 638 in 1990 to 479 in 2010 according to U.S. Census data (Figure 193-2). The proportion of sockeye salmon in the reported harvests from Angoon has increased, indicating a growing preference for the generally less abundant sockeye salmon, and decreasing utilization of other more abundant species (Figure 193-3).

The department conducted a study in 2013 using door to door household surveys to determine the source and amounts of salmon utilized by Angoon households in 2012. In that year, 44% of the estimated harvest of salmon for home use was obtained under the subsistence salmon permit (primarily sockeye salmon) and 56% was obtained under sport regulations (primarily coho salmon). No salmon were reported retained from commercial harvests.

In the 1980s, there were over 160 valid CFEC permits owned by Angoon residents and higher participation in a variety of commercial fisheries. Commercial fishing was an important source of fish for personal consumption as well as access to vessels traveling to subsistence harvesting areas. In 2014, there were fewer than 5 valid CFEC permits and few registered CFEC vessels owned by Angoon residents and there was minimal participation in commercial fishing.

Commercial purse seine effort in the Icy Strait and Chatham Strait corridor is highly variable from year to year and is directly related to the run strength of pink salmon returning to NSEI waters. In recent years, this variation has become exaggerated with extremely poor even year returns and good to excellent odd years. In even years since 2008, purse seine effort, expressed as boat days, is at the lowest levels since 1986. Purse seine effort in boat days during odd years has been average to well above average in response to good pink salmon returns, including the 2011 record effort and pink salmon harvest for this area. Table 193-1 shows recent commercial purse seine boat days and sockeye salmon harvests by subdistrict for this area and Table 193-2 shows reported Angoon subsistence sockeye salmon harvests and available escapement estimates for the systems important to Angoon.

Many stocks of salmon return to NSEI waters through Icy Strait, migrating to their natal streams north through Lynn Canal or south through Chatham Strait. The combined total of northerly migrating runs of sockeye to the Taku, Chilkat, and Chilkoot Rivers and Snettisham Hatchery average approximately 650,000 sockeye salmon annually and constitute the majority of the purse seine sockeye salmon harvests in subdistricts 112-14, 112-16, and 114-27 (purse seine opportunity has not been provided in Subdistrict 112-15 since 1987). Migrating salmon travelling south through Chatham Strait are bound for many smaller systems, including those important to Angoon. Since 2008, no purse seine opportunity has been available in even years in the Icy Strait/Chatham Strait corridor except for the Point Augusta Index Area, a small portion of Subdistrict 112-14 that is opened to common property seine fishing for a limited time each week as a means to gauge returning pink salmon run strength to NSEI waters (Figure 193-1). *Northern Southeast seine fishery management plans* (5 AAC 33.366(a)) imposes a cumulative sockeye salmon harvest limit during July in seine fisheries that may occur in the portion of 112-16 north of Point Marsden. The purse seine fishery in districts 12 and 14 is thought to have minimal impact on Kanalku sockeye salmon based on the early run timing of this system. The majority of reported subsistence harvest of sockeye salmon at Kanalku is completed before the majority of purse seine effort occurs in the waters of Northern Chatham Strait. Genetic stock identification (GSI) analysis of the sockeye salmon from District 12 and District 14 commercial purse seine fisheries from 2012 to 2014 is being analyzed and will be published prior to this board meeting. This will provide more detailed information on the stock composition of the purse seine sockeye harvest in the area.

A secondary issue in this proposal is the ETJ petition submitted by Kootsnoowoo Incorporated to the secretaries of the U.S. departments of Agriculture and Interior in May 2010. The ETJ petition requests "Acknowledgement of Kootznoowoo Property Rights and Interests, Federal Intervention in Fisheries Management and Assertion of Extra-Territorial Jurisdiction over Marine Waters surrounding Angoon, Alaska consistent with Title V of ANILCA in order to assure a Subsistence Preference and Priority in accordance with Title VIII of ANILCA and 50 CFR 100.10(a)". The Federal Subsistence Board reviewed the petition and provided a confidential recommendation to the secretaries. In the spring of 2012, the secretaries deferred action on the petition to allow concerned parties to develop solutions at the local level, and gave a three-year time period for resolution, coincidental with the 2015 Southeast Alaska finfish board meeting. The secretaries directed the Federal Subsistence Board, through the U.S. Forest Service, to engage professional mediators to assist the parties in working together. The mediator's recommendation was for the state to convene a multi-stakeholder working group to develop recommendations for the department's annual Southeast Alaska Purse Seine Fisheries Management Plan since the perceived problem was with the commercial purse seine fishery. The annual purse seine management plan outlines the basic management strategy the department intends to employ during the upcoming season, based on anticipated run strengths and other considerations. Once the season starts however, management of the fishery is based on observed run strength, timing, and fishing effort. Inseason management decisions regarding the time and area for purse seine fisheries may not necessarily follow strategies outlined in the plan. For this reason, the department

believes an annual management plan developed through multi-stakeholder input is not a practical solution.

In order to address concerns presented in the petition, the department approached the leadership entities of Angoon to assist with identifying issues and help with the technicalities of crafting proposals for the 2015 board meeting. Those efforts resulted in several meetings in both Angoon and Juneau where proposal ideas were discussed.

Since the 2012 board meeting, the department has had frequent communication and meetings with Angoon community representatives. Major themes consistently expressed at these meetings include the economy of Angoon and loss of commercial fishing permits and vessels, diminishing access to boats by local people, high cost of fuel required to travel to distant sockeye salmon systems, and the inadequacy of the current proxy system with respect to the culturally traditional harvesting and sharing practiced among households.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** losing the management flexibility to provide purse seine opportunity in the Icy Strait/Chatham Strait corridor in years of high pink salmon abundance. The department does not intend to allow purse seine fisheries in subdistricts 112-15, 114-21, and 114-23 that have not been opened since the 1980s.

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

Table 193-1.–Districts 12 and 14 commercial purse seine effort in boat days and sockeye salmon harvests by subdistrict, 2005–2014.

	Subdistrict											
	112-12		112-13		112-14		112-16		112-17		114-27	
Year	Boat Days	Sockeye Harvest	Boat Days	Sockeye Harvest	Boat Days	Sockeye Harvest	Boat Days	Sockeye Harvest	Boat Days	Sockeye Harvest	Boat Days	Sockeye Harvest
2005	42	2,021	31	958	104	5,481	481	74,111	56	6,440	202	12,141
2006	25	1,131	0	0	79	3,112	114	17,074	0	0	70	7,005
2007	29	1,237	0	0	99	7,737	217	31,925	7	441	125	16,609
2008	0	0	0	0	36	2,594	0	0	0	0	0	0
2009	20	580	7	271	58	2,212	299	31,836	72	3,108	103	5,824
2010	0	0	0	0	75	2,640	0	0	0	0	0	0
2011	129	7,317	101	5,221	167	6,526	716	60,946	181	11,984	492	27,394
2012	0	0	0	0	64	5,977	0	0	0	0	0	0
2013	53	2,203	55	2,486	128	5,083	240	23,480	2	17	338	10,967
2014	0	0	0	0	52	3,604	0	0	0	0	0	0
Average	30	1,449	19	894	86	4,497	207	23,937	32	2,199	133	7,994

Table 193-2.–Reported Angoon subsistence sockeye harvests and available escapement estimates for northern Chatham Strait sockeye systems, 2005–2014.

	Kanalku		Kook		Sitkoh		Hasselborg		Eva	
	Harvest	Escapement[a]	Harvest	Escapement[b]	Harvest	Escapement[c]	Harvest	Escapement[d]	Harvest	Escapement[d]
2005	50	1,100	64	1,999	123	10,400	24	no data	0	no data
2006	51	1,300	371	10,165	216	14,800	20	no data	0	no data
2007	5	457	16	2,958	0	no data	5	no data	0	no data
2008	571	967	26	no data	0	no data	0	3,000	0	no data
2009	585	2,664	60	no data	226	no data	50	no data	0	no data
2010	581	2,555	330	6,565	126	15,324	180	500	20	no data
2011	389	728	311	2,701	104	3,374	0	3,000	139	no data
2012	716	1,123	60	7,630	202	10,441	25	600	0	no data
2013	479	1,427	85	1,130	220	no data	123	3,000	0	6,500
2014	397	1,398	187	7,621	216	9,450	25	3,000	0	300
average	382	1,372	151	5,096	143	10,632	45	2,183	16	3,400

[a] ADF&G weir (2007–2014).

[b] USFS weir.

[c] USFS mark-recapture.

[d] peak aerial survey count

[e] 2014 preliminary data: 46 of 98 permits.

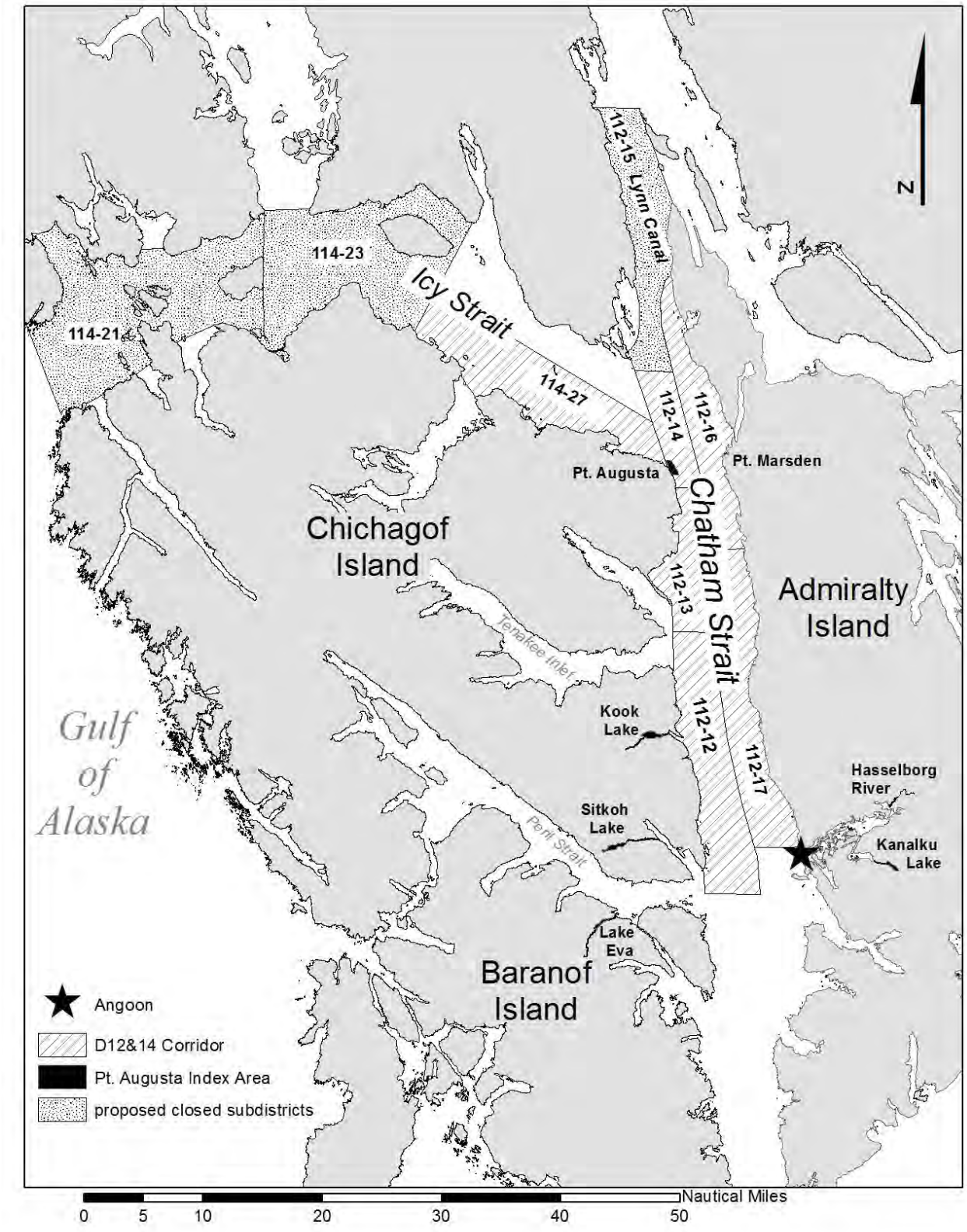


Figure 193-1.–Icy Strait and Chatham Strait mixed stock fishery area, showing subdistricts referenced in Proposal 193, and location of sockeye salmon systems important to Angoon.

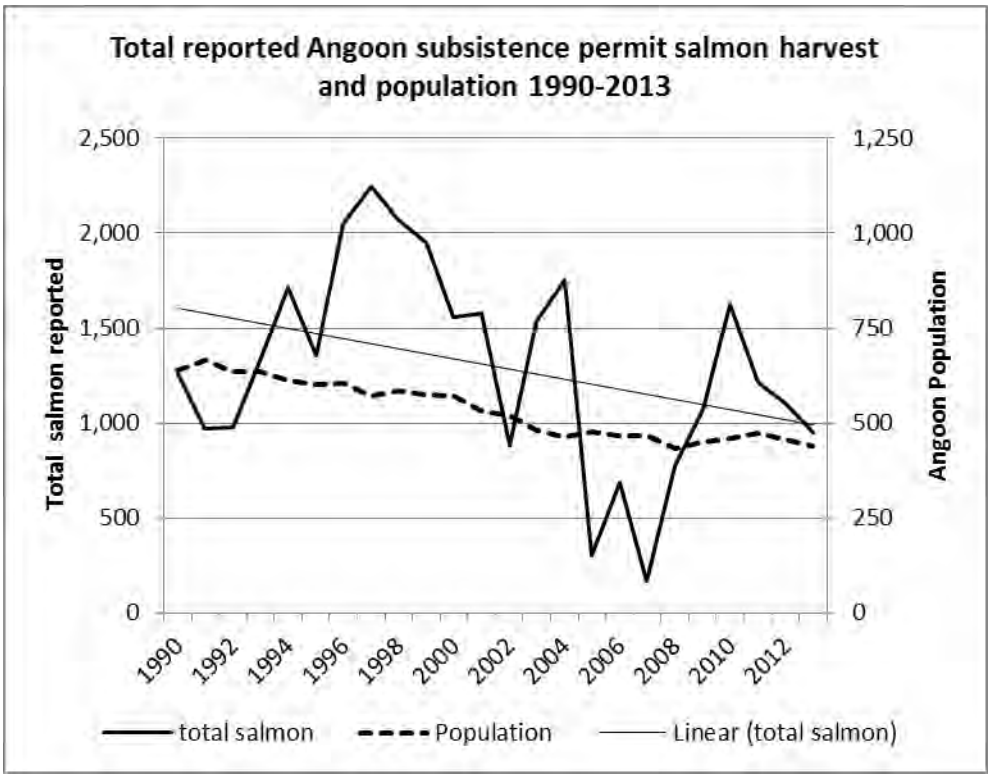


Figure 193-2. Trends in reported subsistence salmon harvest and population in Angoon.

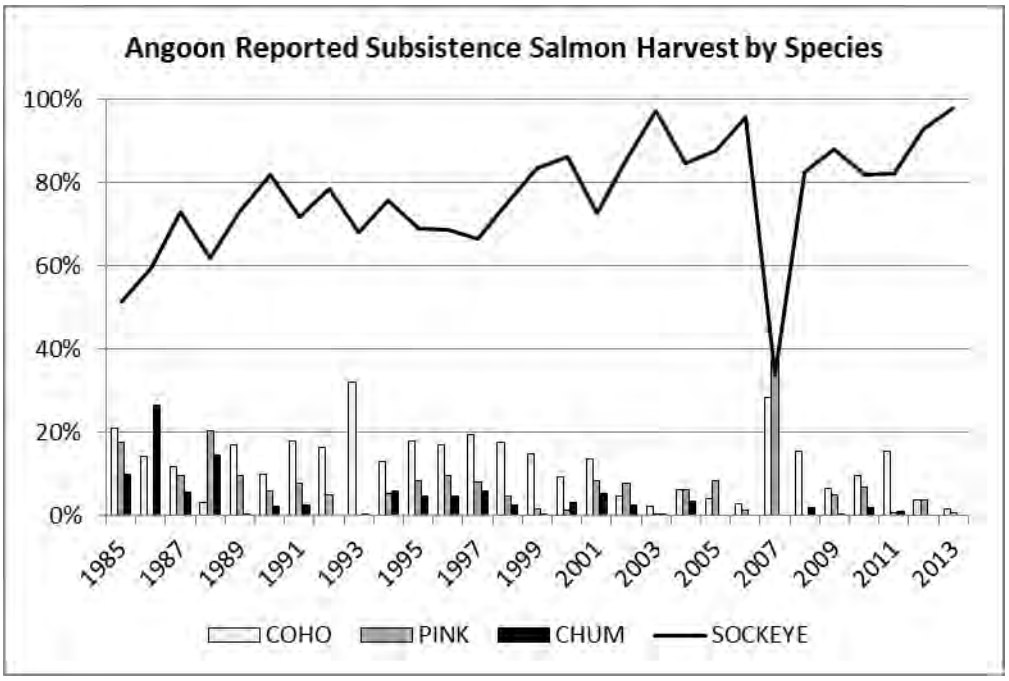


Figure 193-3. Proportion of sockeye salmon in reported Angoon subsistence harvest.

PROPOSALS 194 & 195 - 5 AAC 33.350. Closed Waters.

PROPOSED BY: Patricia Phillips.

WHAT WOULD THE PROPOSALS DO? These proposals would close portions of Lisianski Inlet to the commercial purse seine salmon fishery.

WHAT ARE THE CURRENT REGULATIONS? Fishing seasons and area for seine gear in Lisianski Inlet are established by emergency order. Waters of Lisianski Inlet are closed south of a line from 57°56.77′ N. lat., 136°14.17′ W. long. to 57°57.25′ N. lat., 136°12.88′ W. long., by regulation. During the August troll closure, Lisianski Inlet is closed north of a line from Ewe Ledge to Dace Rock. This closes the outer portion of Lisianski Inlet adjacent to Cross Sound.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Proposal 194 does not substantially change the closed waters currently described in regulation (Figure 194-1). Proposal 195 would reduce commercial purse seine opportunity in Lisianski Inlet. Adoption of either proposal would preclude harvest of salmon surplus to escapement needs.

BACKGROUND: Lisianski Inlet contains several productive pink salmon streams. Since statehood, pink salmon runs have been relatively weak during even years and relatively strong in odd years. Since 2001, in five of seven odd years, harvests in Lisianski Inlet have exceeded 500,000 with a harvest of 2,400,000 in 2013, the largest on record (Table 194-1). Because of the remoteness of Lisianski Inlet and Lisianski Strait, in order to attract seine effort, the department has opened this area to seining for extended periods outside of the normal Southeast seine fishery schedule. Also, large surpluses of pink salmon have accumulated in terminal areas in Lisianski Inlet and the department has used time and area authority to open areas in waters closed in 5 AAC 33.350 (n)(10)(A). Pink salmon escapements have exceeded the upper management target in all odd years since 2001.

The average coho harvest in the Lisianski purse seine fishery is 2,616 during odd years since 2001. It is unknown what portion of the coho salmon harvest is bound for local streams. Seine fisheries are typically closed before September when coho salmon normally move to the streams. Based on observations during aerial surveys, seine effort is generally light in the proposed closure areas. There are no coho salmon conservation issues associated with management of the seine fishery in Lisianski Inlet.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and **OPPOSES** losing management flexibility to provide purse seine opportunity in Lisianski Inlet.

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

Table 194-1.–Lisianski Inlet (113-95) purse seine fishery harvest, 2001–2014.

Year	Sockeye	Coho	Pink	Chum	Escapement Index[a]
2001	2,436	784	529,181	7,460	652,000
2002	-	-	-	-	147,432
2003	206	-	9,615	817	335,790
2004	-	-	-	-	87,000
2005	958	628	136,330	4,923	539,000
2006	55	55	113,049	2,660	233,000
2007	1,643	1,927	706,743	14,045	428,000
2008	25	203	81,489	2,298	248,000
2009	1,732	1,265	597,973	8,138	343,000
2010	14	10	11,531	522	249,000
2011	4,368	3,331	1,650,084	18,573	397,000
2012	3	22	6,407	945	273,000
2013	6,711	10,379	2,226,343	92,638	789,000
2014	-	-	-	-	268,000
Average	1,297	1,329	433,482	10,930	356,373
Even-yr average	14	41	30,354	918	215,062
Odd-yr average	2,579	2,616	836,610	20,942	497,684

[a] Pink salmon escapement index management target range for the Lisianski stock group is 80,000–270,000.

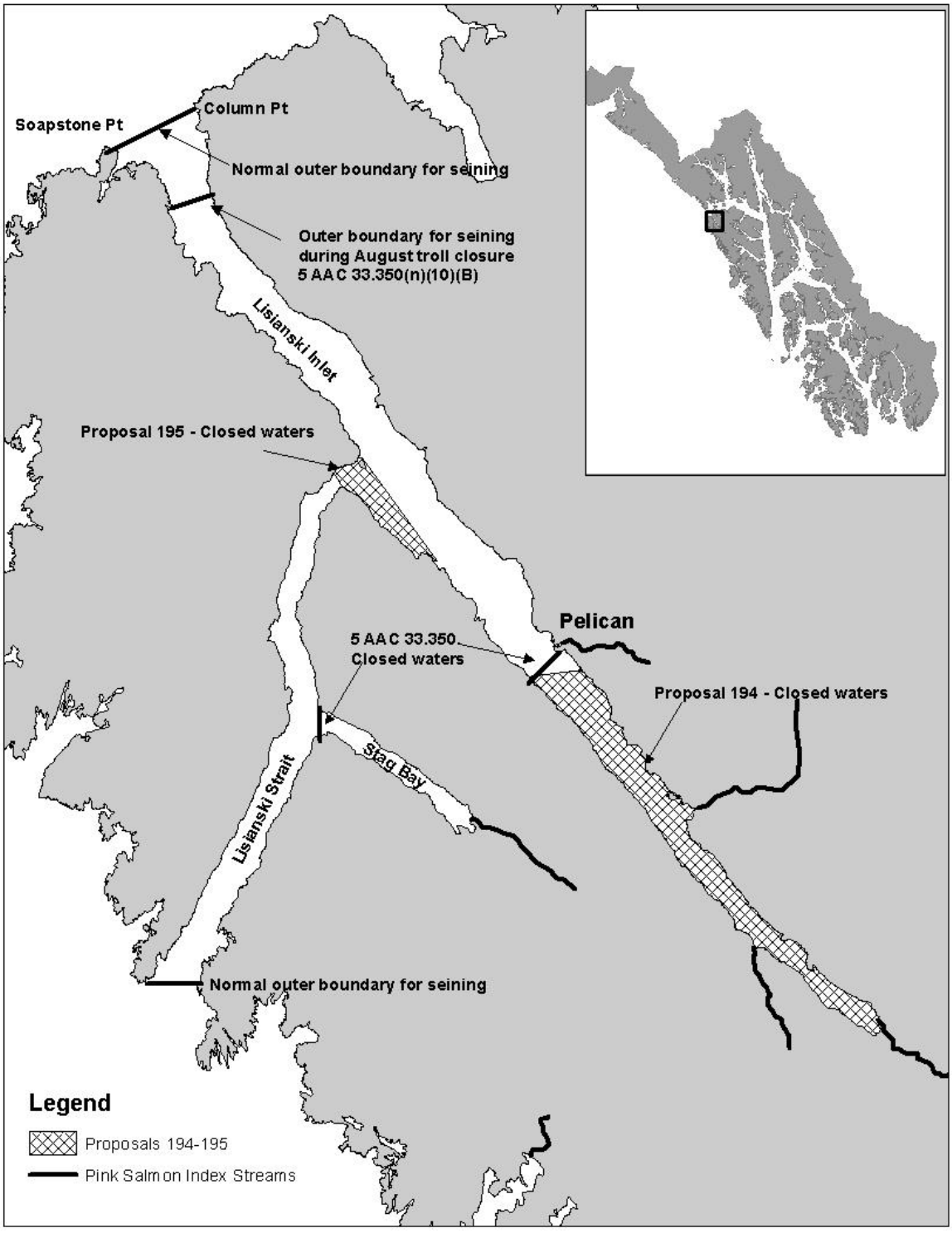


Figure 194-1.–Map showing proposed seine closure lines and boundaries typically used in the seine fishery in Lisianski Inlet.

PROPOSALS 196 & 197 - 5 AAC 33.XXX. New Section.

PROPOSED BY: Patricia Phillips.

WHAT WOULD THE PROPOSALS DO? Lisianski Inlet is currently one statistical area (113-95). These proposals would divide Lisianski Inlet into more than one statistical area.

WHAT ARE THE CURRENT REGULATIONS? Statistical areas are established by the department for reporting requirements in salmon and shellfish fisheries. Statistical area boundaries are not defined in regulation for Southeast Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If these proposals were adopted there would not be any effect on how fisheries are managed.

BACKGROUND: Statistical areas have been established based on the need of obtaining specific area catch information to help managers and researchers understand harvest patterns and determine area specific harvest levels. The size of a statistical area is generally established to be small enough to provide reasonable area specific information but not so small that accurate reporting of a statistical area is compromised. The department uses a petition process allowing department managers and researchers the opportunity for altering or adding statistical areas which are then reviewed by a "committee" made up of department staff for approval. The petition requires either a biological or administrative justification for the change. If approved, it may require changing historical harvest data sets to be consistent with the change. It also requires changing anadromous stream number designations which are associated with statistical area numbers.

The department does not monitor coho salmon escapements in Lisianski Inlet.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The proposed changes to statistical areas in Lisianski Inlet would not provide any additional information regarding coho stocks harvested in the Lisianski Inlet seine fishery.

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

PROPOSALS 198 & 201 – 5 AAC 33.350. Closed waters.

PROPOSED BY: Alaska Department of Fish and Game (Proposal 198) and the Southeast Subsistence Regional Advisory Council (Proposal 201).

WHAT WOULD THE PROPOSALS DO? These proposals are identical and would include in regulatory closed waters, portions of Chatham Strait. These waters have not been opened to commercial purse seine fishing since the late 1990s in order to conserve sockeye salmon returning to Kook and Kanalku lakes; important subsistence sockeye systems for the community of Angoon.

WHAT ARE THE CURRENT REGULATIONS? *Closed waters* (5 AAC 33.350(m)(1) and (10)) describe the closed waters of Basket Bay and Kootznahoo Inlet.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? There would be no change to current management practices. The department would no longer need to close these areas by emergency order when District 12 is open for common property purse seine fishing.

BACKGROUND: These areas have not been opened to commercial purse seine fisheries since 1998 to conserve Kook Lake and Kanalku Lake sockeye salmon (Figure 198-1).

DEPARTMENT COMMENTS: The department **SUPPORTS** these proposals since they would place in closed waters regulations waters that have been closed by EO since the late 1990s.

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

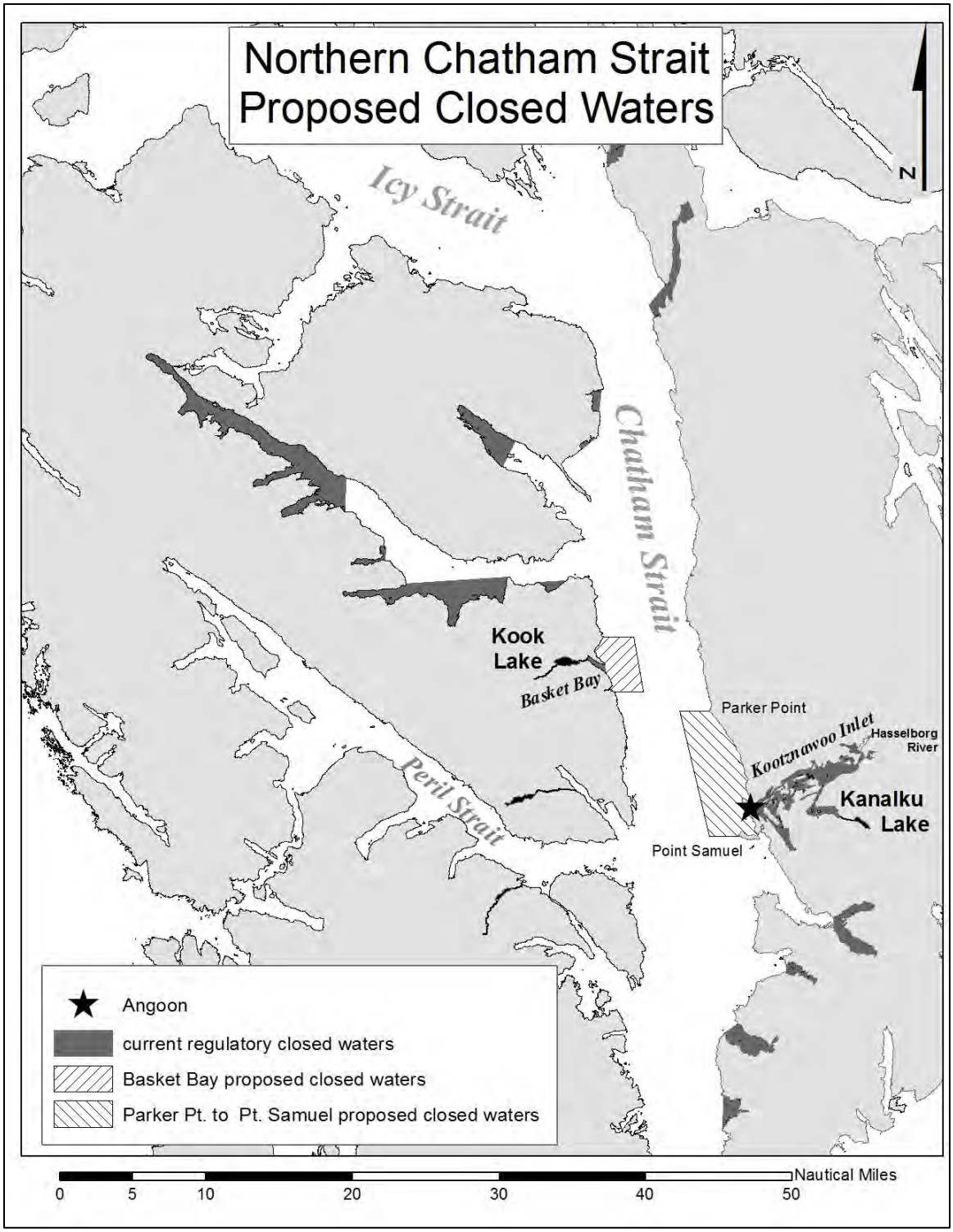


Figure 198-1.–Proposed closed waters.

PROPOSALS 199 & 200 – 5 AAC 33.350. Closed Waters.

PROPOSED BY: Angoon Community Association (Proposal 199); Kootznoowoo Inc. (Proposal 200).

WHAT WOULD THE PROPOSALS DO? Proposal 199 would close commercial purse seining in portions of districts 9, 12, 13, and 14 for five years, and Proposal 200 would close commercial purse seining in portions of districts 9, 10, 11, and 12 surrounding Admiralty Island permanently (figures 199-1 and 199-2). The proposals relate this issue to Kootznoowoo Inc.'s petition to the secretaries of the U.S departments of Agriculture and Interior to impose ETJ in state waters.

WHAT ARE THE CURRENT REGULATIONS? Management of the purse seine fisheries in District 12 and District 14 is accomplished by EO, opening specific areas for a specific amount of time concurrent with the regionwide purse seine fishery (5 AAC 33.310. *Fishing seasons and periods for net gear*). Open areas and times are determined by progress towards terminal area goals (escapement and subsistence needs), historical run timing, and observed fishery effort, and salmon abundance following 5 AAC 39.220. *Policy for the management of mixed stock salmon fisheries*. 5 AAC 33.366. *Northern Southeast seine salmon fishery management plans* describes specific considerations and limitations for purse seine openings in District 12 north of Point Marsden and Section 14-C north of the Porpoise Islands.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would reduce opportunity and harvest for commercial purse seine permit holders. Proposal 199 would also eliminate the Point Augusta Index Area fishery that occurs annually to determine incoming pink salmon run strength to NSEI waters and interfere with the commercial harvest of enhanced chum salmon returning to the Hidden Falls hatchery for five years.

Adoption of these proposals could impact the Southeast Alaska economy (Figure 199-3). Although no longer a significant contributor to the economy of Angoon, commercial fishing is a major component of the regional economy and the elimination of purse seine fisheries in these areas could have a negative impact on the incomes of purse seine permit holders and crew, seafood processors, and supporting businesses.

BACKGROUND: There are several proposals before the board related to Kootznoowoo Inc.'s ETJ petition for extension of federal subsistence jurisdiction into the marine waters surrounding Angoon, Alaska. Portions of the background information for Proposal 193 are relevant to proposals 199 and 200.

The "Goldschmidt and Haas traditional area" is described in an unpublished 1946 federal report, *Possessory Rights of the Natives of Southeast Alaska*, by Walter Goldschmidt and Theodore H. Haas. This report was edited and enhanced by Tom Thorton and co-published in 1998 by the Sealaska Heritage Institute and University of Washington Press under the title Haa Aani*, Our Land: Tlingit and Haida Land Rights and Use*.

In 1978 President Carter issued a proclamation establishing the Admiralty Island National Monument, including the marine waters within 3,000 feet of most of the shore of Admiralty Island (the proclamation boundary).

ANILCA established that public lands in the Tongass National Forest and the Admiralty Monument subject to federal subsistence priority exclude marine waters and apply above the mean high tide line (upheld in *State v. Estrada* 2010).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals. The department **OPPOSES** losing management flexibility to provide fishing opportunity based on abundance and to prevent excess escapement of pink salmon in these areas in years of high abundance.

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

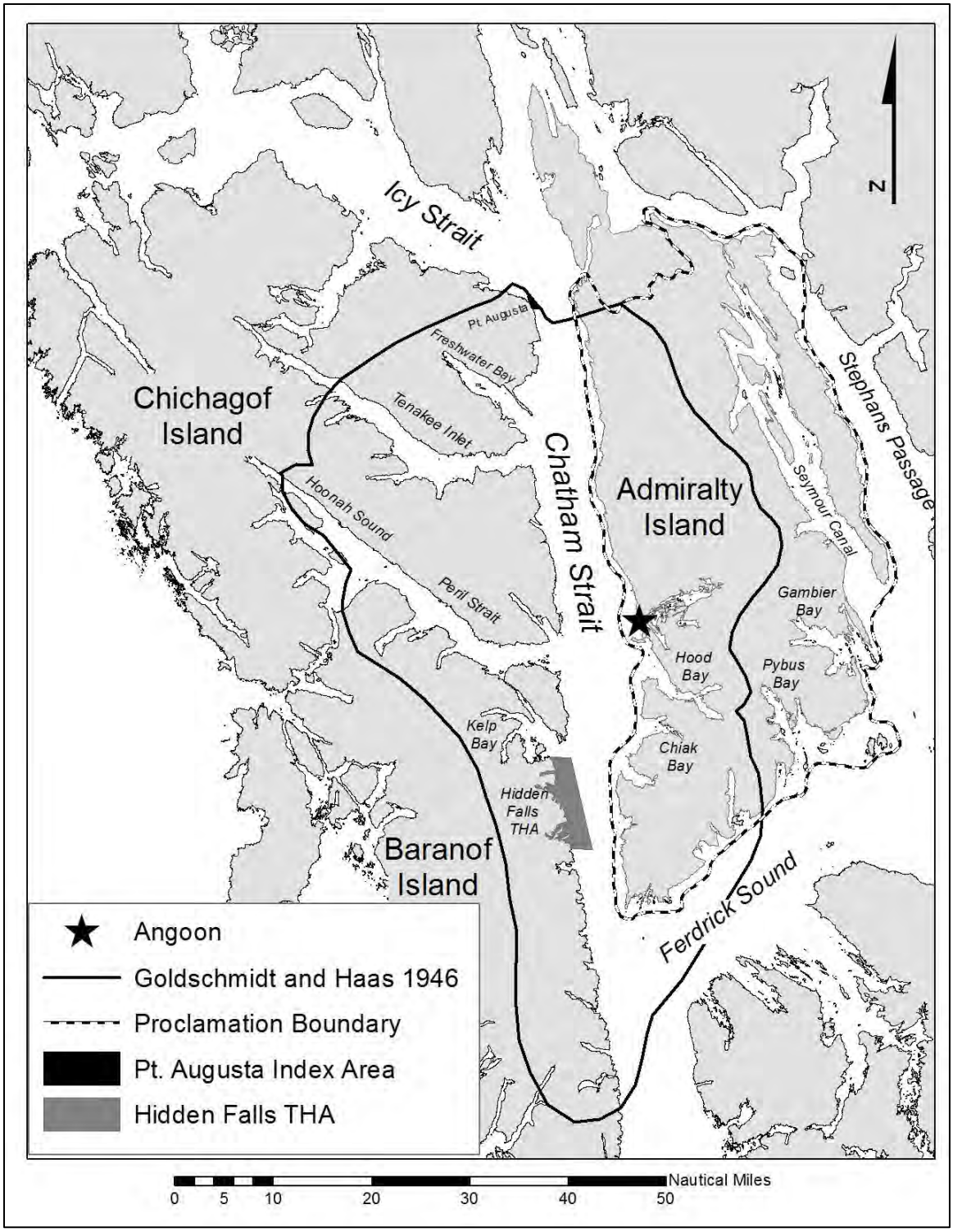


Figure 199-1.–Goldschmidt and Haas 1946 possessory boundary and Admiralty Monument proclamation boundary.

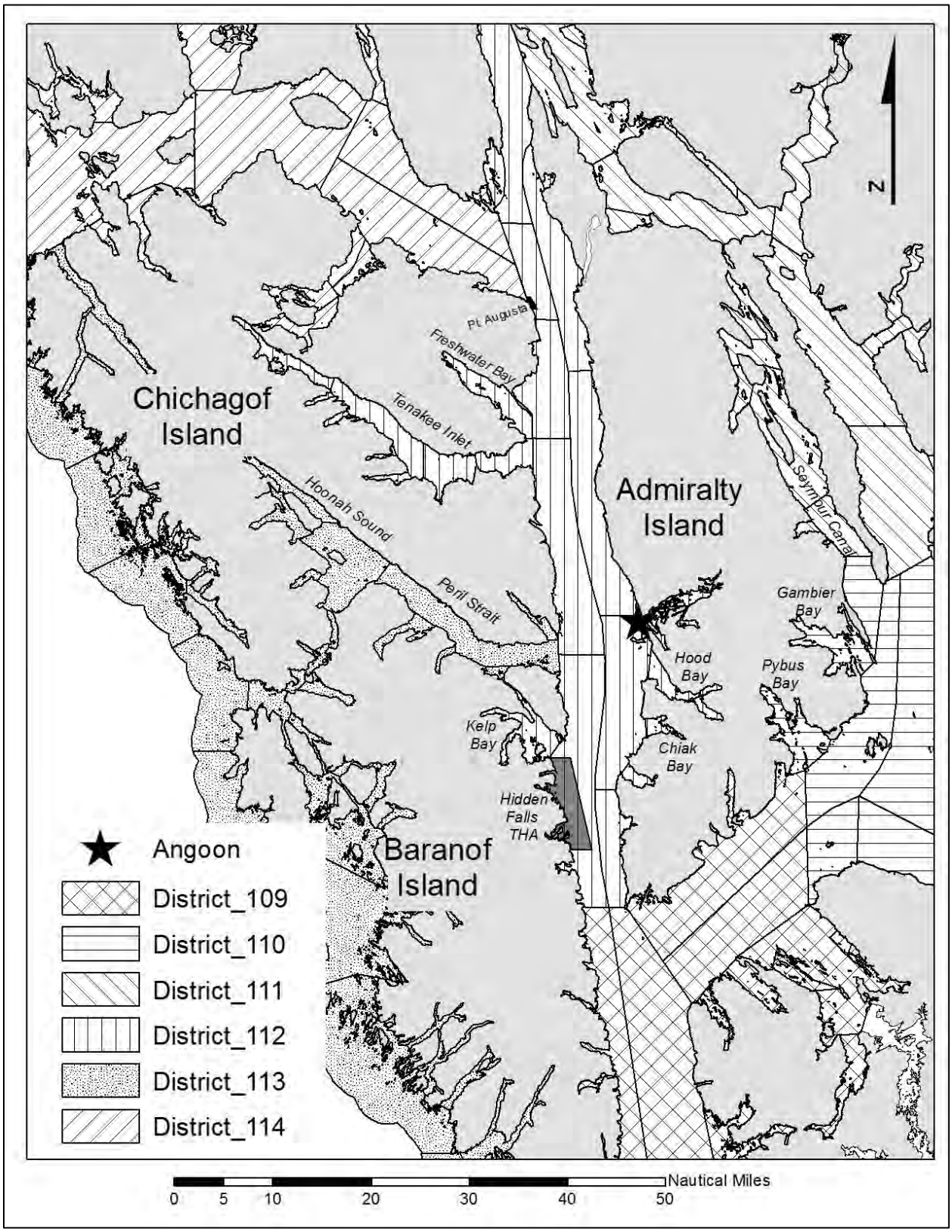


Figure 199-2.–Districts 109–114 boundaries.

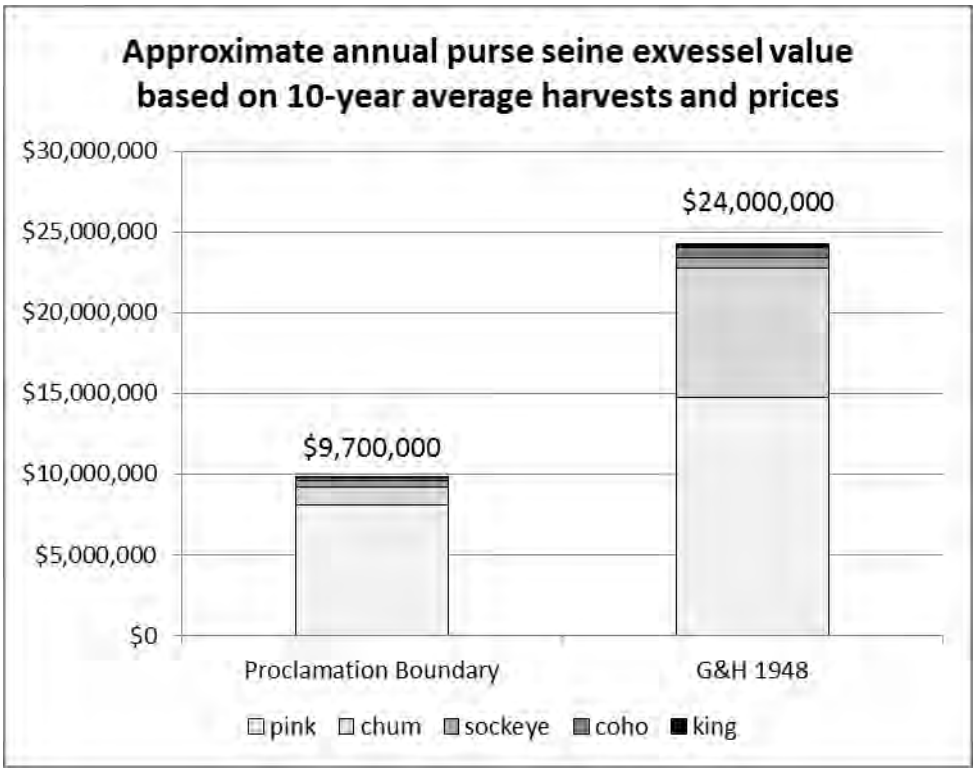


Figure 199-3.–Approximate annual purse seine exvessel value based on recent 10-year average harvest in pounds and price by species reported on ADF&G fish tickets for the areas described in proposals 199 and 200.

PROPOSAL 202 – 5AAC 33.XXX. Seine vessel length restriction for Southeastern Alaska.

PROPOSED BY: Thomas McAllister.

WHAT WOULD THE PROPOSAL DO? The proposal would create a regulation for salmon seine vessels in the Southeast Alaska Area clearly defining the hull and the anchor roller for purposes of overall length measurement. It would also require the measurement of every salmon seine vessel registered in the Southeastern Alaska Area and for CFEC to set up a vessel registry to record the overall lengths of those vessels.

A proposed alternative would require documentation certifying the overall length of each salmon seine vessel be submitted each year before the vessel license can be renewed and for CFEC to set up a vessel registry to record the overall lengths of those vessels.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations for salmon seine vessel length that are specific to Southeast Alaska, rather salmon seine vessel length is specified in a statewide statute.

Unless the board has provided for the use of a longer vessel in a salmon seine fishery, AS 16.05.835 restricts salmon seine vessels to a length not longer than 58 feet overall length except vessels that have fished for salmon with seines in waters of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels. The overall length is defined as the straight line length between the extremities of the vessel excluding anchor rollers. A bulbous bow may extend beyond the 58-foot vessel length limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The vessel owners that are out of compliance may have to modify their vessels to meet the 58-foot length limit.

BACKGROUND: The 58-foot seine vessel length limit statute was intended to prevent larger, out-of-state vessels, such as herring seiners, from moving into the salmon seine fishery and greatly increasing effort. The 1960 statute specified that no seiner could be longer than 50-feet registered length. In 1962, this was changed to 58-feet overall length, exempting vessels that had fished before 1962 as 50-feet registered length vessels. The statute was changed in January 2005, giving the board authority to allow the use of a longer vessel in a salmon seine fishery. In 2008, the board adopted a proposal allowing seine vessels fitted with a bulbous bow to exceed the overall length limitation if only the bulbous bow exceeds the limitation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, but **SUPPORTS** regulatory clarity that promotes enforcement of the 58 foot overall length limit on salmon purse seine vessels. The department recommends the board take no action on this proposal in favor of Proposal 276 which addresses purse seine vessel length at the statewide level.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Some vessel owners may be required to modify their vessels to comply with the 58-feet overall length limit.

PROPOSAL 203 – 5AAC 33.332. Seine specifications and operation.

PROPOSED BY: Jason Shull.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a maximum speed that a purse seine vessel could tow a purse seine net.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not define the manner in which a seine is operated to harvest fish. A purse seine is defined as a net that can be closed at the bottom by a free-running line through rings.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is unclear what the effects would be. The department has no information on current towing speeds and would not know how to establish or enforce a maximum speed limit. It is possible that a towing speed limit on seine gear would reduce the efficiency of purse seine fishing.

BACKGROUND: Purse seine vessels deploy their nets and then tow the nets until the ends are brought together into a closed configuration. Towing distances and speeds vary by fisherman and are modified each time the net is deployed based on conditions. Traditional methods were for a seine skiff to hold the net stationary on the beach until the purse seine vessel turns to meet the seine skiff and they meet to close the net. Technology has allowed increased efficiency of the purse seine fleet. Nets are stronger, web is thinner, and seine vessels are more powerful allowing for both the seine boat and the seine skiff to use the net as a trawl moving forward through the water.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department does not measure speeds at which purse seine vessels tow their nets. Measuring purse seine towing speeds would be very challenging and difficult to enforce.

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

PROPOSALS 204 & 205 – 5AAC 33.332. Use of aircraft unlawful.

PROPOSED BY: Larry Demmert.

WHAT WOULD THE PROPOSALS DO? Proposal 204 would prohibit the use of spotter planes and proposal 205 would prohibit the use of unmanned aircraft during commercial purse seine openings.

WHAT ARE THE CURRENT REGULATIONS? The use of aircraft in commercial fisheries is permitted in Southeast Alaska. Three areas prohibit aircraft use, Bristol Bay (5 AAC 06.379), Cook Inlet (5 AAC 21.379), and Prince William Sound (5 AAC 24.378).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Aircraft are currently used in Southeast Alaska commercial salmon fisheries and their prohibition may decrease salmon harvest. Prohibiting unmanned aircraft would have no effect on the current purse seine fishery as the department is unaware of any unmanned aircraft use. Use of unmanned aircraft might constitute a safety hazard in areas where conventional aircraft are present.

BACKGROUND: Aircraft have been traditionally used in Southeast Alaska salmon and herring fisheries. Small planes are used to locate salmon and herring, observe effort levels and fleet distribution, and direct group members to selected locations. Not all fishermen use aircraft due to the cost. The department does not know how many aircraft are utilized in Southeast Alaska fisheries.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals. Prohibiting aircraft use during commercial salmon fisheries would not impact the department's ability to manage for sustained yield and meet escapement goals.

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

COMMITTEE OF THE WHOLE–GROUP 7: COMMERCIAL SALMON (14 PROPOSALS)

Drift Gillnet (5 proposals): 206–210

PROPOSAL 206 – 5 AAC 33.200. Fishing Districts and Sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Provide a common boundary description where Sections 15-A and 15-C meet. Defining the northern boundary of Section 15-C as the latitude of Sherman Rock will clarify the shared boundary in regulation.

WHAT ARE THE CURRENT REGULATIONS? Sections 15-A and 15-C are adjacent sections sharing a boundary at the latitude of Sherman Rock. Regulations describe the southern boundary of Section 15-A as the latitude of Sherman Rock and the northern boundary of Section 15-C as the latitude of Sherman Rock Light. There is no fixed light at Sherman Rock. The nearest light is located approximately one half nautical mile north of Sherman Rock at Point Sherman (Figure 206-1). The current regulations might be misinterpreted, creating an overlap of sections 15-A and 15-C in the area between Sherman Rock and Point Sherman Light.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal clarifies the shared boundary between Sections 15-A and 15-C and minimizes confusion of where section boundaries are located.

BACKGROUND: Sections 15-A and 15-C are areas that encompass the majority of District 15. The existing department marker is located at the latitude of Sherman Rock. This change in regulation will clarify the northern boundary line reference point for Section 15-C.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to clarify the regulation.

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

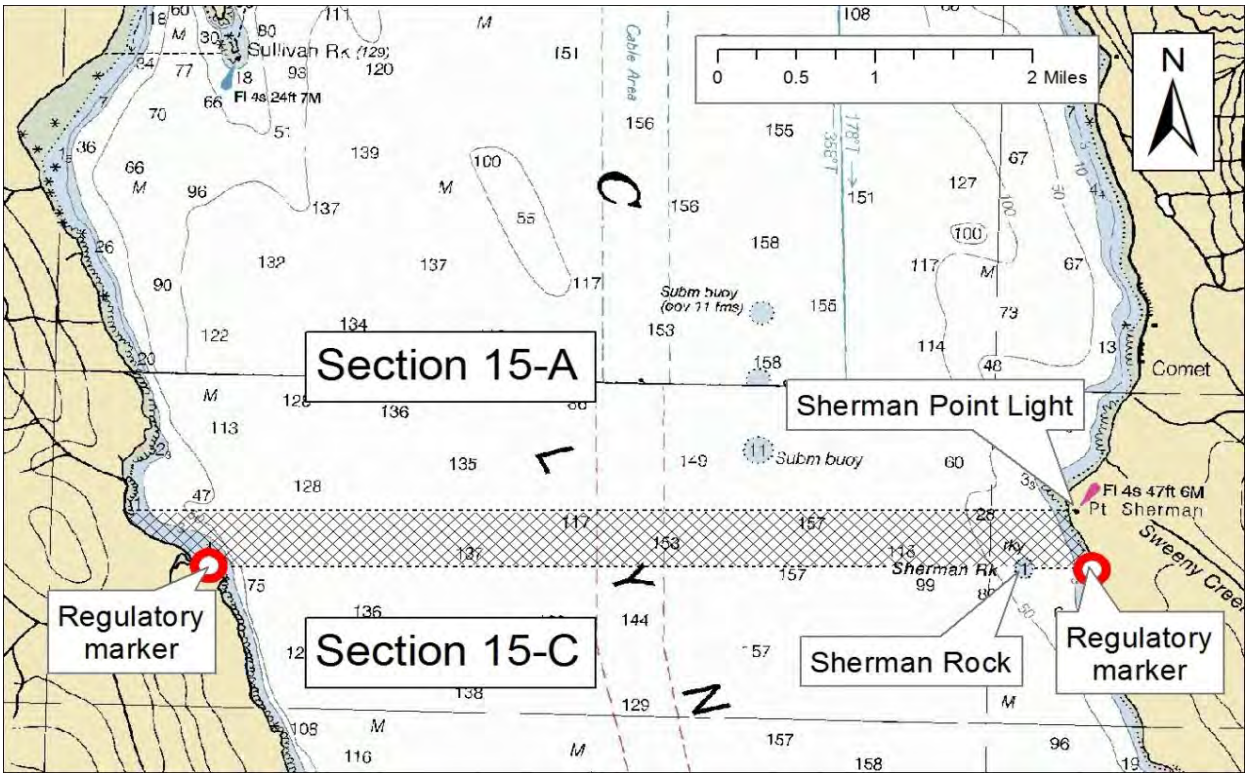


Figure 206-1.−Shared boundary area between sections 15-A and 15-C.

PROPOSAL 207 – 5AAC 33.310(c)(2)(B). Fishing seasons and periods for net gear.

PROPOSED BY: United Southeast Alaska Gillnetters Association and Southeast Alaska Seiners.

WHAT WOULD THE PROPOSAL DO? This proposal would allow drift gillnetting in a portion of Section 6-D from the first Sunday in August through the first Saturday in September when that area will be or has been open to purse seining. The area would not be open to purse seining and gillnetting concurrently during this time period. The regulation would sunset after the 2017 fishing season.

WHAT ARE THE CURRENT REGULATIONS? Salmon may be taken by gillnets in a portion of Section 6-D from the second Sunday in June through the first Saturday in August and from the first Sunday in September until the season is closed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase gillnet fishing area in District 6 for the month of August when that area has been, or will be open for purse seining. The complexity for gillnet fishermen to determine the District 6 gillnet open area would increase. The gillnet harvest of pink salmon as well as other salmon species may increase.

BACKGROUND: Districts in Southeast Alaska were first implemented for the 1963 season and are similar to districts currently in use. Sections were also established in 1963, but in many cases, are different from sections currently in use. Since 1963, District 6 has been split into gillnet and seine areas. Waters of current-day sections 6-A and 6-B are traditionally gillnet only. Waters of current-day Section 6-C were gillnet only from 1963 through 1968. In 1969, Section 6-C was open to seining and has remained open to both seining and gillnetting. The waters of present-day Section 6-D were purse seine only from 1963 through 1983. During the 1983/1984 board meeting, the current regulation was implemented allowing a portion of Section 6-D, commonly referred to as Screen Island, to open for gillnetting prior to the first Saturday in August and from the first Sunday in September to the end of the season (Figure 207-1). Seining can be opened any time in the waters of sections 6-C and 6-D making these waters the only areas in Southeast Alaska that can be open concurrently to both seining and gillnetting. Seine openings are based on observed run strengths to local streams, parent year escapement, harvest of pink salmon in the gillnet fishery, and returns of pink salmon in July to systems in nearby districts. If these indicators do not warrant an opening of the seine fishery, openings in the gillnet fishery are typically limited to two days per week until the directed coho salmon fishery begins. Occasionally, on large pink salmon runs, purse seining can begin before the first Saturday in August and/or be open after the first Sunday in September in the Screen Island portion of Section 6-D.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The potential increase of pink salmon harvest by the gillnet fleet fishing in the Screen Island area is not expected to be large enough to affect the management of either fishery when pink salmon runs are large enough to warrant the opening of the seine fishery in this area.

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

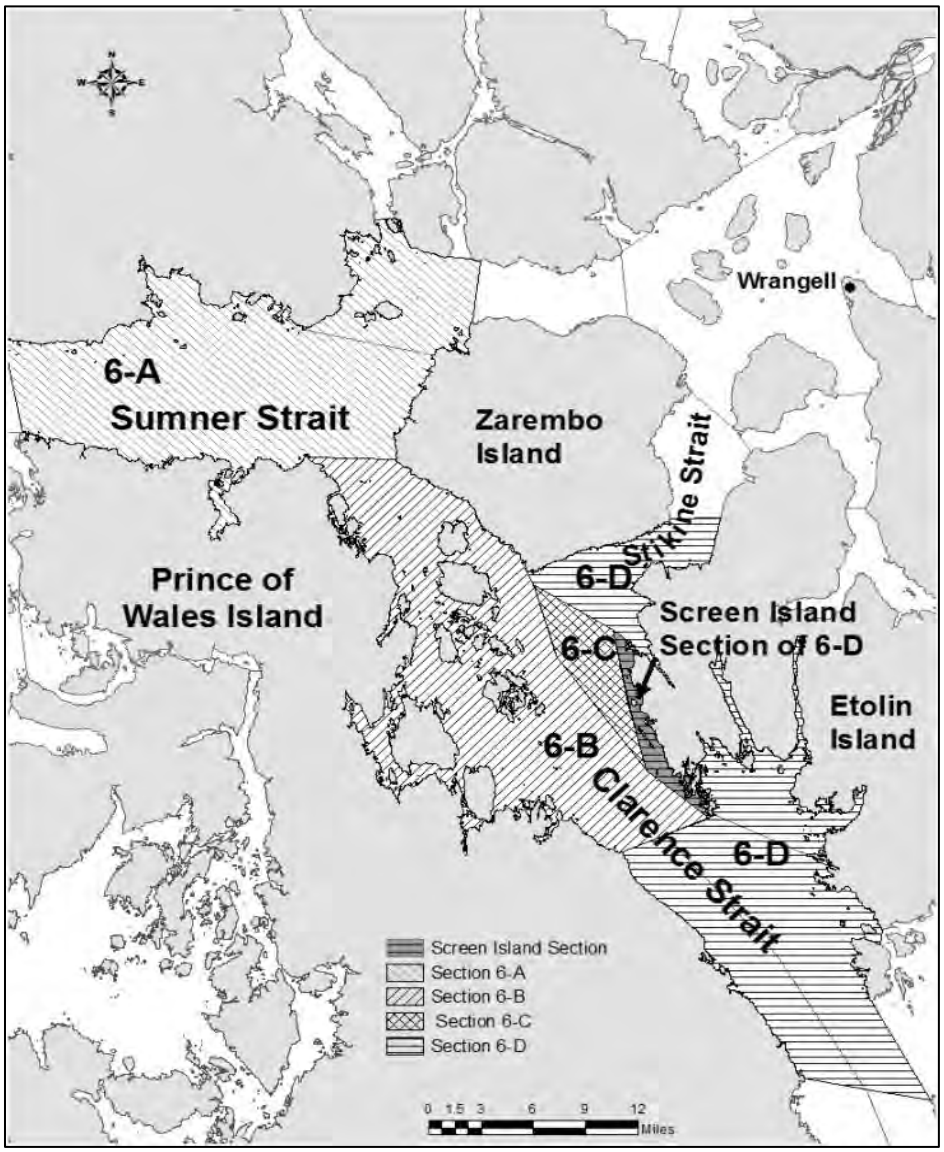


Figure 207-1.–District 6 fishing areas.

PROPOSAL 208 – **5AAC 33.331. Gillnet specifications and operation.**

PROPOSED BY: Stan Malcom.

WHAT WOULD THE PROPOSAL DO? In years when no directed Stikine River king salmon fishery occurs, the District 8 drift gillnet fishery would be limited to a gillnet mesh size of no more than 6 inches for the entire season.

WHAT ARE THE CURRENT REGULATIONS? In District 8, the department may establish a 6-inch minimum mesh size restriction and before the second Saturday in June, may establish a 7-inch minimum mesh size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The gillnet harvest of chum, coho, and Alaska hatchery-produced king salmon and Stikine River king salmon in District 8 would likely decrease. A maximum mesh size restriction would reduce the gillnet harvest of Alaska hatchery salmon and likely have very little effect on the harvest of Stikine River king salmon. The majority of king salmon harvested by the gillnet fleet in years with no directed Stikine River king salmon fishing are of Alaska hatchery origin. Reducing the salmon harvest of the District 8 gillnet fishery may increase salmon harvest by other user groups.

In addition, the proposal could adversely affect the harvest of coho and chum salmon in years when there are no directed king salmon fisheries since a portion of the fleet uses mesh sizes greater than 6 inches to target those species. The coho salmon fishery performance data essential for sustainable management would become inconsistent between years leading to management uncertainty.

BACKGROUND: The Stikine River king salmon escapement goal is 14,000–28,000 large fish. Escapements have exceeded the lower end of the escapement goal range every year since 1985, with the exception of 2009. The upper bound of the goal was exceeded from 2001 through 2005.

District 8 directed Stikine River king salmon fisheries were re-established in 2005 through emergency regulations and have since been managed under plans adopted by the board in 2006 (5 AAC 33.368, 29.095 and 47.057). Directed Stikine River king salmon fisheries are triggered by preseason and inseason estimates of Allowable Catch (AC), which is the harvestable surplus of king salmon available to U.S. and Canadian commercial fishermen. Preseason forecasts are typically produced well in advance of the run and more reliable inseason forecasts are typically produced just before the peak of the run in late May. In years when the preseason estimate indicates a U.S. AC, directed fisheries may begin May 1; the District 8 sport fishery may be liberalized and if the AC is large enough, directed commercial fisheries may occur. Since 2005, directed commercial fisheries occurred from 2005 through 2008 and in 2012. In 2012, directed commercial fisheries were allowed based on the preseason estimated AC and subsequently closed when inseason estimates indicated a decrease in AC that did not allow for continued directed commercial fishing. Liberalized sport fishing occurred from 2005 through 2009. In 2012, the sport fishery was liberalized between May 1 and June 4 and again between June 22 and July 15 as inseason estimates of AC increased and decreased. In 2013 and 2014, inseason forecasts developed in mid-June resulted in a U.S. AC, however, the District 8 sport fishery was

not liberalized and the District 8 sockeye salmon gillnet fishery had area restrictions imposed due to the uncertainty of the forecasts and the relatively low U.S. AC produced by the inseason estimates.

Management actions to reduce harvest of Stikine River king salmon were taken for District 8 commercial troll and gillnet fisheries from 2009 through 2014 due to low forecasts of run size. The spring troll fishing areas were reduced in time and area. Area restrictions were implemented for the first one to two weeks of the District 8 sockeye salmon gillnet fishery. In addition, the start of the sockeye salmon gillnet fishery in District 8 was delayed one week and did not open until the third Sunday in June, 2009–2012. More than 60% of the Stikine River king salmon run has passed through District 8 by the second Sunday in June, increasing to 80% by the third Sunday in June. The gillnet harvest in years of no directed fishing (2009–2011 and 2013–2014) averages 422 Stikine River king salmon, or about 25% of the total U.S. harvest (Table 208-1). The District 8 sport fishery has been managed in accordance with the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) under direction from the *Stikine River King Salmon Management Plan* (5 AAC 47.057) in years when a directed fishery did not occur. There are no biological or conservation concerns this proposal would address since the department has been effectively managing the gillnet fishery through time and area restrictions to ensure escapement and Treaty obligations have been met.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal but **OPPOSES** losing management flexibility to provide fishing opportunity based on abundance. The department would support having a mesh size restriction as a management tool to be implemented when the department determines it would be necessary for conservation of wild salmon stocks.

COST ANALYSIS: Approval of this proposal may result in additional cost for some fishermen to participate in this fishery who may not have nets with mesh size less than 6 inches.

Table 208-1.–U.S. harvest estimates* and escapement of Stikine River king salmon, 2005–2014.

Year	Subsistence	Sport	Gillnet	Troll	Total	Escapement
2005	15	3,665	21,233	2,969	27,882	39,806
2006	37	3,346	17,259	1,418	22,060	24,405
2007	36	2,218	7,057	1,574	10,885	14,506
2008	26	1,453	4,905	951	7,335	18,352
2009	31	887	244	188	1,350	12,803
2010	53	586	238	427	1,303	15,116
2011	61	650	970	463	2,145	14,482
2012	46	608	1,209	506	2,370	22,327
2013	41	636	455	434	1,566	16,783
2014	44	697	204	677	1,622	24,366

*Harvest estimates are for large king salmon above 659 mm MEF length. Sport, gillnet, and 2005–08 troll harvests are estimated by Genetic Stock Identification. The 2009–14 troll harvests are estimated by coded wire tag analysis.

PROPOSAL 209 – 5AAC 33.331. Gillnet specifications and operation.

PROPOSED BY: United Southeast Alaska Gillnetters.

WHAT WOULD THE PROPOSAL DO? This proposal would double the maximum allowed number of meshes for nets with mesh size of 4-7/8 inches or less, from 60 to 120 meshes.

WHAT ARE THE CURRENT REGULATIONS? The regulation allows gillnets with a maximum depth of 60 meshes regardless of mesh size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the depth of gillnets with a mesh size of 4-7/8 inches would increase from 24.4 feet to 48.8 feet. The harvest of pink salmon will increase. The harvest of other salmon species would likely increase as well since a 4-7/8 inch, 120 mesh gillnet would be fishing much deeper than 60 mesh nets typically used for sockeye, chum, coho, and even king salmon. An increase in harvests would lead to a change in the catch per unit effort, which is a fundamental tool that the department uses to determine weekly openings for some species.

BACKGROUND: The Southeast Alaska drift gillnet fleet utilizes four general gillnet types based on the target salmon species. King salmon nets are most often utilized in May and June and typically have a mesh size of 7-1/2 inches and fish to a depth of about 37.5 feet. Summer nets are typically utilized from mid-June until early August to target sockeye salmon and usually have a mesh size of around 5-1/4 inches that fish to a depth of about 26 feet. Fall nets are utilized for harvesting summer chum salmon in late June through early August and for coho and fall chum salmon in late August through mid-October and generally have a mesh size of around 6 inches that fish to depth of about 30 feet. The final net type is the pink salmon net. Pink salmon nets are utilized mainly in August, typically have a mesh size of around 4-3/4 inches, and fish to a depth of about 24 feet.

Generally, a larger mesh net will not readily catch a smaller salmon as they can swim through the net but a smaller mesh net will catch larger salmon. Larger salmon can become tangled in smaller mesh nets, especially if more web is hung "in." Smaller mesh gear (3-1/2 to 4-1/2 inch mesh), or tangle nets, have been shown to be as effective at catching larger salmon as have species-specific larger mesh gillnets.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** the use of deeper nets. Allowing nets of 4-7/8″ or less to be 120 meshes in depth would increase the maximum depth of the deepest net now in use by approximately 10 feet (about a 25% increase in depth). The increase over summer nets would be over 20 feet (about a 90% increase). The overall catch of all salmon species would likely increase, thus affecting the fishery performance data which is essential for sustainable management. Additionally, gillnet performance data is used for management of other salmon fisheries. Troll managers are required by regulation to consider gillnet coho salmon catch data for management decisions concerning the troll fishery (5 AAC 29.110). Changes in performance data may alter the management of areas that are subject to provisions of the Pacific Salmon

Treaty as the fishery performance data is used by both the United States and Canada in the management of their respective fisheries.

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

PROPOSAL 210 – 5AAC 33.331. Gillnet specifications and operations.

PROPOSED BY: Kathy's Net Loft and Gear Supplies (Kathy and Ed Hansen).

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of monofilament gillnets in Southeast Alaska commercial gillnet fisheries.

WHAT ARE THE CURRENT REGULATIONS? Gillnet web is restricted to multifilament web with at least 30 filaments of equal diameter or six filaments of at least 0.20 millimeters in diameter.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The use of monofilament web may cause catch rates of some species of salmon in some areas to increase. Management uncertainty may increase, especially in those areas that use fishery performance as the primary indicator of run timing and run strength. Fisheries may have to be managed more conservatively to account for management uncertainty.

BACKGROUND: Single filament web in gillnets has not been allowed since prior to statehood in salmon fisheries of Southeast Alaska. In 1978, the board adopted regulations that required gillnet web to be 30 or more strands. In 1988, the board adopted the current regulations that further defined gillnet web. In 2005, the board adopted regulations that allowed single filament mesh in the Cook Inlet gillnet fisheries with contingencies. In 2008, the board adopted regulations that allowed the unconditional use of single filament mesh in Cook Inlet, making Cook Inlet the only area that single filament gillnets are permitted outside of Oregon and Washington. The board considered and did not adopt a similar proposal for Prince William Sound gillnet fisheries in December 2014.

In 1987, the department evaluated effects of gillnet web types on catch rates, size selectivity, and sex composition in Southeast Alaska. The Sumner Strait portion of District 6 and the Taku Inlet/Snettisham portion of District 11 were used as study areas. District 11 is generally very turbid as it is highly influenced by the Taku River and other glacial systems. District 6 is a clear water area as it is removed from any large river systems and glacial outflow. The study indicated catch rates were not uniform between areas or species. For pink salmon, the catch rate increased as the number of mesh filaments decreased regardless of the area. For coho and chum salmon, there was no difference between mesh types in the turbid waters of District 11; however, in the clearer water of District 6, catch rates were higher with single filament mesh. For sockeye salmon there was no difference in catch rates between mesh types in either area.

There are five distinct drift gillnet fishing areas in Southeast Alaska. Districts 1 and 6 are primarily clear water areas with little influence from turbid glacial outflow that are characteristic of districts 8, 11, and 15. Each area has unique indicators used in the management of the fishery to ensure sustainability. These indicators may include: fishery performance data, weir data,aerial survey data, run forecasts from inriver stock assessment programs (fish wheels, test fisheries, mark and recapture, etc.), and forecast models that use an assortment of data including fishery performance data. The primary indicators used for management vary between different fishing areas and may vary between salmon species.

Interactions of seabirds with gillnets are well documented. Interaction levels are highly variable and dependent on the type of gillnet fishery, location, time of year, time of day, and types of gillnets used. Studies have shown that interactions with seabirds increase as the mesh visibility decreases.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** changing gillnet web standards. Allowing the use of monofilament mesh may alter gillnet fishery performance for some species in some areas. The department has long standing fishery performance data used in the management of gillnet fisheries. In some fisheries it is the primary data set used. Additionally, gillnet performance data is used for management of other salmon fisheries. Troll managers are required by regulation to consider gillnet coho salmon catch data for management decisions concerning the troll fishery (5 AAC 29.110). Pink salmon harvest in the gillnet fisheries may be used as an early indicator for purse seine openings. Finally, changes in performance data may alter the management of areas that are subject to provisions of the Pacific Salmon Treaty as fishery performance data may be used by both United States and Canada in the management of their respective fisheries. All Southeast Alaska gillnet fisheries with the exception of the District 15 gillnet fishery have salmon species that are subject to provisions of the Pacific Salmon Treaty.

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

Set Gillnet (9 proposals): 211–219

PROPOSAL 211 – 5 AAC 30.345. Requirements and specifications for operation of two units of set gillnet gear in Yakutat Area.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would remove the sunset clause from the regulation allowing operation of two units of set gillnet gear in the Yakutat Area to continue.

WHAT ARE THE CURRENT REGULATIONS? The regulation allowing operation of two units of set gillnet gear in the Yakutat Area no longer applies after December 31, 2014.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow the regulation permitting operation of two units of set gillnet gear in the Yakutat Area to remain in effect. There would be no effect on fisheries management. Over time, the regulation may result in fewer participants in the fishery if more permit holders acquire an additional permit in order to operate two units of gear.

BACKGROUND: Prior to the 2012 board meeting, a Yakutat set gillnet permit holder could legally own two set gillnet permits, but could only fish one of them at a time. The original 2012 proposal was to allow multiple permits to fish out of the same skiff and equally divide the fish caught on fish tickets. The board did not adopt that proposal. The board then generated another proposal to allow a permit holder to own and fish two permits at the same time with some area restrictions. The sunset clause was included to allow a trial period of three years. Very few CFEC permit holders owned two Yakutat set gillnet permits during this trial period, and area restrictions and Situk River Chinook salmon conservation measures effectively limited the use of two permits to the fall coho salmon season. Participation at that time was minimal.

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

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

PROPOSAL 212 – 5AAC 30.345. Requirements and specifications for operation of two units of set gillnet gear in Yakutat Area.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the holder of two Yakutat Area set gillnet permits to operate two units of gear in all waters of the Yakutat Area.

WHAT ARE THE CURRENT REGULATIONS? The operation of two units of gear by the holder of two Yakutat Area set gillnet permits is limited to the Situk-Ahrnklin Inlet, the waters of Yakutat Bay, and the Kaliakh River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may increase the amount of gear used in some Yakutat Area fisheries. Individual fisheries would need to be carefully monitored to determine whether an increase in gear warrants a change in management strategies. Decreases in allowable fishing time in some areas may be necessary to offset the effects of increased gear levels to ensure adequate escapement.

There are 176 CFEC set gillnet permits in Yakutat and it is unlikely that number will change significantly. In terms of overall effort, there is no difference between 176 permit holders fishing one legal unit of gear and 88 permit holders, each fishing two legal units of gear, but that does not address where the concentration of the gear could take place. For example, in the Alsek River, following the third Sunday in July, a CFEC permit holder may not operate more than 75 fathoms of gear in the aggregate, and no set gillnet may be less than 10 fathoms or more than 25 fathoms in length. If fourteen permits fish one legal unit of gear in the Alsek, they could potentially fish a total of 1,050 fathoms of gear. If, however, some permit holders legally fish a second unit of gear, the total fathoms of gear could increase. The same scenario could take place in the Dangerous River and Sudden Stream where multiple nets comprise one legal limit of gear. Very small fisheries, such as the Manby Shore inside waters fisheries, are never fished by more than one to four permits, and there is some potential for allowable gear to double in some of these fisheries over historical levels. Decreases in allowable fishing time may be necessary to offset the effects of increased gear to insure adequate escapement.

BACKGROUND: *Requirements and specifications for operation of two units of set gillnet gear in Yakutat Area* was adopted from a board generated proposal in 2012. At the time, the department expressed some concern given the potential to increase legal gear limits in some of the smaller Yakutat fisheries. The fishery did not change significantly following the adoption of the 2012 proposal. Very few fishermen owned and operated two set gillnet permits from 2012 through 2014. The use of two permits was limited to the Situk-Ahrnklin Inlet, Yakutat Bay, and the Kaliakh River, and was further limited to just the Kaliakh River if the projected Chinook salmon escapement to the Situk River was fewer than 750 fish. The projected Chinook salmon escapement remained fewer than 750 fish each year for the period 2012–2014 and the Kaliakh River was not fished at all during that period of time. The use of two permits was then limited to the fall coho salmon season and effort by the holders of two permits was minimal during that time.

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

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

PROPOSAL 213 – 5 AAC 33.XXX. New Section.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow multiple CFEC permit holders to fish from the same vessel in partnership and allow each permit holder to report a percentage of the total harvest on separate fish tickets.

WHAT ARE THE CURRENT REGULATIONS? More than one set gillnet fishermen may fish from the same vessel, but they cannot combine their fish. Current regulation requires commercial fisherman to furnish to the buyer factual catch data necessary for completion of reports required by the commissioner.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would not affect the management of the fishery provided total number of fish harvested is accurately reported. This proposal concerns a change in a reporting requirement, not a change in fishery management.

BACKGROUND: The concept of cooperative partnership has been around for many years and a very similar proposal was considered and not adopted during the 2012 board meeting. Partnering of Yakutat CFEC set gillnet permit holders may have advantages for safety, economic reasons, efficiency, and convenience. Jointly harvested fish might be pooled in one skiff and sold to a buyer with agreed upon percentages of fish reported on each fish ticket. Another variation might be a family pooling all fish harvested by multiple permit holders on one fish ticket then dividing the sale after the fact. Enforcement of this practice has been sporadic. Yakutat did not have an Alaska Wildlife Trooper for a number of years and there was little or no enforcement of this practice during those years. AWT reopened a post in Yakutat three years ago and citations are now being written for this practice.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal is an attempt to change a reporting requirement as it pertains to individual fish tickets. It does not pertain to the management of the fisheries and does not address a biological concern.

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

PROPOSAL 214 – 5AAC 5 AAC 30.331. Gillnet specifications and operations.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow unlimited mesh depth in salmon set gillnet fisheries in Yakutat.

WHAT ARE THE CURRENT REGULATIONS? Yakutat Area set gillnets with mesh sizes smaller than eight inches may not be deeper than 45 meshes and set gillnets with mesh size eight inches or larger may not be deeper than 35 meshes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would add vertical fathoms of gear in all Yakutat set gillnet fisheries increasing the harvest of all salmon species. The adoption of this proposal could also change the dynamics of the sockeye salmon fishery. Yakutat Bay, instead of the Situk-Ahrnklin Inlet, may become the dominant fishery in the area. Fish that may have avoided 45 mesh gear, allowing them to continue their migration down the coast to other fishing areas, including the Situk-Ahrnklin Inlet, might now be harvested in the Yakutat Bay fishery.

BACKGROUND: Mesh depth restrictions for both set and drift gillnets have been in place since before 1982.

2014 marked the fourth consecutive year of king salmon conservation measures in the Situk-Ahrnklin Inlet. In order to provide for a sockeye salmon fishery, the area of high king salmon abundance was closed, king salmon could not be retained, and dead king salmon were to be turned in for distribution to needy in the community. Had there been unlimited mesh depth to the gear, more king salmon may have been harvested, and it is possible the escapement goal for king salmon may not have been attained. Failure to meet the king salmon escapement goal has implications for the sockeye salmon fishery and further restrictions and closures could affect that fishery.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it would likely increase the harvest of king salmon.

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

PROPOSAL 215 – 5AAC AAC 30.331. Gillnet specifications and operations.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would change the mesh depth restriction for a Yakutat set gillnet from 45 meshes deep to 60 meshes deep after July 1 in the waters of Yakutat Bay.

WHAT ARE THE CURRENT REGULATIONS? Set gillnets with mesh size smaller than eight inches may not be deeper than 45 meshes and set gillnets with mesh size larger than eight inches may not be deeper than 35 meshes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase efficiency of set gillnet gear and harvest of pink salmon may increase. A small number of coho salmon may also be harvested, but Yakutat Bay is not a major producer of coho salmon. The recent 10-year average harvest of coho salmon in Yakutat Bay is 3,600 fish, and following the sockeye salmon season effort for coho salmon declines dramatically in Yakutat Bay.

BACKGROUND: Mesh depth restrictions for both set and drift gillnets have been in place since before 1982. For set gillnet gear in Yakutat, the mesh depth restriction is 45 meshes, while for drift gillnets in Southeast Alaska the depth restriction is 60 meshes. There is precedent for allowing deeper gear to target pink salmon. Set gillnet is the legal gear for the Eshamy District in Prince William Sound. In that district, before the first Monday in July, gillnets with mesh size less than eight inches cannot be more than 60 meshes in depth and gillnets with mesh size greater than eight inches cannot be more than 40 meshes in depth. After the first Monday in July, set gillnet depth is unlimited in the Eshamy District.

Shallow set gillnets are not efficient for harvesting pink salmon in marine waters because the fish can see the net and dive beneath it or go around it. 2011 was the largest return of pink salmon to the waters of Yakutat Bay in history. The set gillnet harvest of 63,000 pink salmon is a record harvest for Yakutat Bay but it is a fraction of the estimated 3.5 million pink salmon observed within the bay that year. Many permit holders complained of the inefficiency of the gear and their frustration when large schools of fish would simply dive beneath the gear.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. During large returns of pink salmon to Yakutat Bay, the resource has been under-utilized due to the inefficiency of the set gillnet gear. Chinook and sockeye salmon are harvested in the Yakutat Bay set gillnet fishery but they are not targeted by gillnets inside (north and east) of the islands in the Bay. Only pink salmon are targeted in this area and harvest of other salmon species would be minimal.

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

PROPOSAL 216 – 5 AAC 30.331. Gillnet Specifications and Operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change the day that allowable gear on the East River switches from one to two 20 fathom gillnets, from the first Monday in September to the first Sunday in September.

WHAT ARE THE CURRENT REGULATIONS? In the East River, one gillnet not to exceed 20 fathoms is allowed until the first Monday in September, when two gillnets not to exceed 20 fathoms each and an aggregate length not to exceed 40 fathoms are allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would align the East River regulation with the day of the week that all fishing periods and gear changes occur in the Yakutat Area.

BACKGROUND: At the 2003 Southeast Alaska board meeting, all opening days for fishing periods and changes in allowable gear were changed from Monday to Sunday. It remains an error of omission that the day was not changed from Monday to Sunday for the gear change in the East River fishery and this error should be addressed.

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

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

PROPOSAL 217 – **5AAC 30.310. Fishing Seasons.**

PROPOSED BY: John Vale.

WHAT WOULD THE PROPOSAL DO? The proposal would set an opening date of the third Sunday in August for the Tsiu River.

WHAT ARE THE CURRENT REGULATIONS? Opening and closing dates in the Yakataga District are made by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Even with a set opening date, conditions may prevail that cause the fishery to be delayed by emergency order. These conditions could include the absence of observed escapement, flood conditions, extremely inclement weather that could prevent airplane service to move product off the grounds, including the actual closure of the runway due to flood conditions. The establishment of a regulatory opening date for the Tsiu River will not change status quo management practices that include assessing coho salmon escapement, existing river conditions, and existing weather conditions to provide for fishing opportunities.

BACKGROUND: *Fishing Seasons* (5 AAC 30.310.(a)(1)) has been the regulation governing opening and closing dates in the Yakataga District, including the Tsiu River, since before 1982. Historically, the Yakataga District, with the exception of the Tsiu River, opens by emergency order on the first Monday in August, which coincides with the switch to fall fishing time in the entire Yakutat Area. Little or no effort has been expended in the Yakataga District this early, as the permit holders in the Yakutat District are still targeting sockeye salmon, and very few coho salmon have arrived in the Yakataga District. This opening does provide an opportunity for fishermen to prospect the Kaliakh River or other systems of the Yakataga District. The Tsiu River is by far the main coho salmon producer in the Yakataga District and is closely monitored to ensure some level of escapement has been observed prior to an initial opening by EO. In the past 15 years, the Tsiu River has not opened prior to August 20, and twice in that period conditions have not permitted an initial opening until the first week of September.

Historically, the Tsiu River has been opened by EO when coho salmon escapement has been observed. Typically, 2,500 to 4,000 coho salmon have been seen above the regulatory markers before the fishery is opened. The average dates for observing that level of escapement have been approximately August 20–24, and initial opening dates have not been limited to Sundays. If escapement is observed on a Monday, the fishery might be opened midweek, on a Tuesday or Wednesday, and this has frequently been the case. In 2014, the third Sunday in August was August 17. Rarely has the desired escapement level been observed by that date. In 2014, the fishery opened during the normal run timing on the fourth Sunday in August (August 24).

Conditions on the Tsiu River are highly variable and both weather and river conditions dictate fishery openings. The river is not fishable in flood stage. The fishery is not conducted when aircraft are unable to fly product from the grounds during inclement weather or when the runway

is flooded and there is no place for aircraft to land. There are no ice machines on the grounds, meaning fish left in totes waiting on aircraft are subject to wanton waste regulations.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. An opening date established in regulation would be unresponsive to run strength and timing, would not enhance the department's ability to manage for escapement goals and provide for sustained yield, and may create confusion if the date is postponed by EO.

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

PROPOSAL 218 – 5AAC 30.350. Closed waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The reference point for closed waters in the Lost River no longer exists due to geophysical changes in the Lost River system. This proposal would provide an updated description of closed waters in the Lost River.

WHAT ARE THE CURRENT REGULATIONS? Closed waters in Lost River are described as upstream from department regulatory markers located approximately 500 yards upstream from the most downstream tree line on the west bank at the terminus of the river.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would re-establish regulatory closed waters for the Lost River providing clarity and consistency for users.

BACKGROUND: The regulation describes physical landmarks that no longer exist. It was in place when the Lost River entered the Gulf of Alaska on its own and had a relatively stable course to its terminus. In 1997, the Lost River became a tributary of the Situk-Ahrnklin Inlet, and the new instability made the river seek new routes to the terminus. This included undercutting the west bank, causing the tree line referenced in this regulation to disappear. This proposal redefines the Lost River closed waters to reflect the new physical conditions.

The mouth of the Lost River is now approximately one mile inside the mouth of Situk-Ahrnklin Inlet. To provide protection for Lost River fish stocks in the intervening years, the department has established regulatory markers at the mouth of the Lost River where it flows into the Inlet. Run timing of Lost River salmon stocks is later than Situk River stocks and as Lost River stocks become available in the Inlet, the markers are moved out to protect them. Prior to and including the opening of the fishing period for the Situk-Ahrnklin Inlet during the second week of July, closed waters markers were set in the Inlet 100 yards downstream from the terminus of the Lost River. Following the closure of the fishing period for the Situk-Ahrnklin Inlet during the second week of July, these markers have been moved out to 500 yards downstream from the terminus of the Lost River.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Closed waters described in regulation for the Lost River are currently meaningless and are now described in the annual Yakutat set gillnet fishery management plan.

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

PROPOSAL 219 – 5AAC 30.XXX. New Section.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Yakutat Bay is currently one statistical area for salmon fisheries (183-10). This proposal would divide Yakutat Bay into more than one statistical area.

WHAT ARE THE CURRENT REGULATIONS? Statistical areas are established by the department for reporting requirements in salmon and shellfish fisheries. There are no specific definitions of statistical area boundaries in regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would not have any effect on how these fisheries are managed.

BACKGROUND: Statistical areas have been established based on the need of obtaining specific area catch information to help managers and researchers understand harvest patterns and determine area specific harvest levels. The department uses a petition process allowing department managers and researchers the opportunity for altering or adding statistical areas which are then reviewed by a "committee" made up of department staff for approval. The petition requires either a biological or administrative justification for the change.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Establishment of new statistical areas would not alter or improve management of the fisheries and the department has not determined that additional statistical areas in Yakutat Bay are required.

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

COMMITTEE OF THE WHOLE–GROUP 8: COMMERCIAL SALMON (14 PROPOSALS)

Troll (14 proposals): 220–233

PROPOSAL 220 – 5 AAC 29.020. Description of fishing districts and winter boundary line.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the winter troll fishery boundary line near Yakutat using Loran lines.

WHAT ARE THE CURRENT REGULATIONS? *Description of fishing districts and winter boundary line* defines the areas open during the winter troll fishery (Figure 220-1). *Management of the winter salmon troll fishery* includes provisions to manage the winter fishery so the harvest of king salmon doesn't exceed a guideline harvest level of 45,000 non-Alaska hatchery-produced fish, with a guideline harvest range of 43,000 to 47,000 non-Alaska hatchery-produced fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The winter troll boundary line in Yakutat Bay would be extended southwestward by approximately 1.2 nautical miles. This modification would increase the area of open water in Yakutat Bay during winter by approximately 26 square miles. With additional waters open, it is likely that king salmon harvest and effort would increase and a larger percentage of the regional winter troll harvest could be taken in Yakutat Bay. If king salmon harvest does increase (and that is obviously the intent of the proposal) then we could reach the winter quota more frequently resulting in the fishery being closed earlier than in the past.

BACKGROUND: Yakutat Bay opened to trolling in winter for the first time in 1973. From 1973 to 2003, the winter "surfline" was a line across Yakutat Bay from the easternmost tip of Ocean Cape to the southernmost tip of Point Manby. In 2003, the board adopted a proposal to move the winter troll line in Yakutat Bay southwestward by approximately 2.2 nautical miles, increasing open waters by 47 square miles.

Prior to the Yakutat winter line change adopted in 2003, the 10-year average harvest of winter troll king salmon taken in Yakutat Bay was 1,096 fish, or 4% of the regional harvest. Following the line modification from 2004–2014, the average annual harvest of winter king salmon from Yakutat Bay was 4,346, or 10% of the regional harvest, with a peak percentage of the regional harvest in 2013 when 17% (4,523 fish) was taken.

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

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

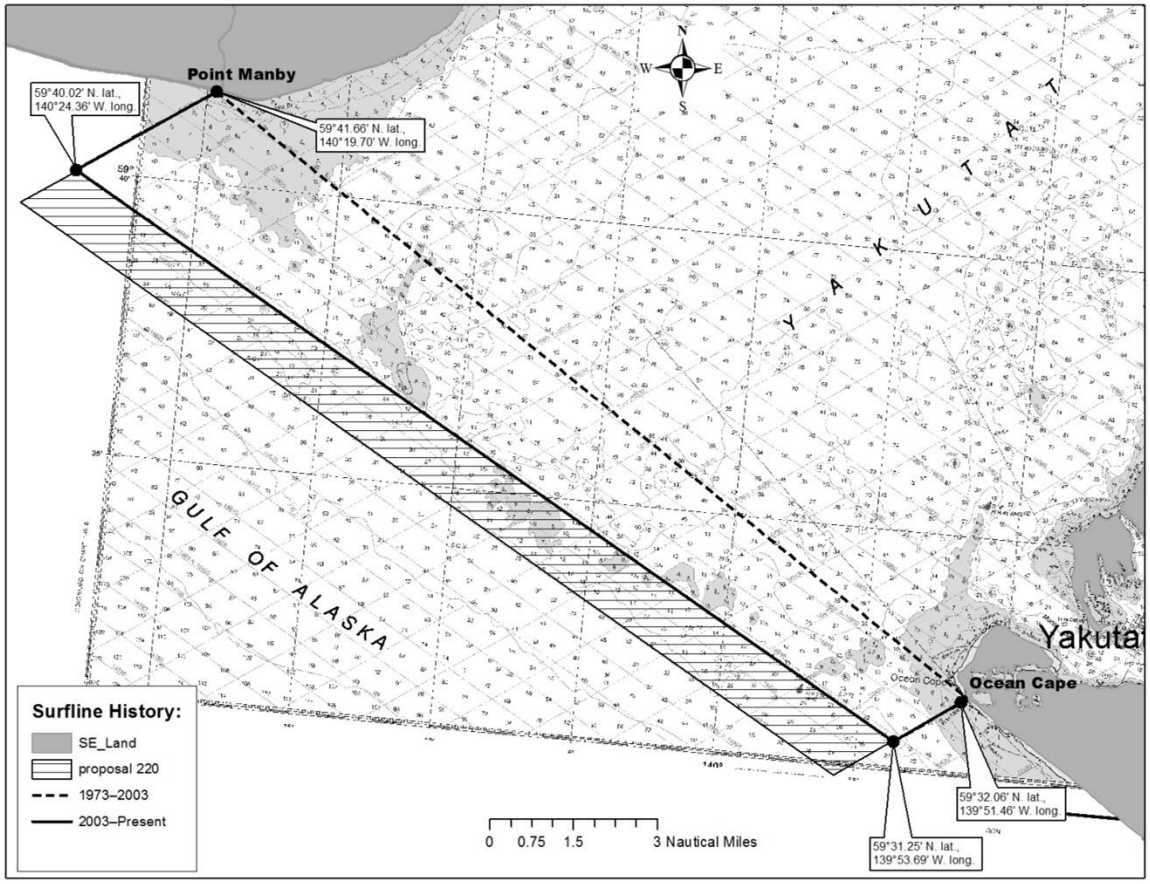


Figure 220-1.–Yakutat Bay winter "surfline", 1973 to present.

PROPOSAL 221 – 5 AAC 29.020. Description of fishing districts and winter boundary line.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the winter troll fishery boundary line to include the waters of Icy Bay, located northwest of Yakutat Bay.

WHAT ARE THE CURRENT REGULATIONS? *Description of fishing districts and winter boundary line* defines the areas open during the winter troll fishery. Waters northwest of Yakutat Bay are closed. *Management of the winter salmon troll fishery* includes provisions to manage the winter fishery so the harvest of king salmon doesn't exceed a guideline harvest level of 45,000 non-Alaska hatchery-produced fish, with a guideline harvest range of 43,000 to 47,000 non-Alaska hatchery-produced fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase the area open to trolling northwest of Yakutat Bay in winter which would increase opportunity for permit holders choosing to fish the area. With additional waters open to trolling, it is likely the winter harvest would increase to some extent, but due to the remote location, effort in Icy Bay is likely to be low.

BACKGROUND: The winter troll fishery has been confined to waters inside the winter boundary line since it was defined in 1969. The most northerly portion of the winter line, Yakutat Bay, opened to trolling in winter for the first time in 1973. Prior to 1973, Cape Spencer was the northernmost point of the winter boundary line.

Prior to the Yakutat winter line change adopted in 2003, the regional winter troll fishery had not closed early due to the GHL being reached before the season end date. Following the Yakutat Bay line change, from 2003–2014, the winter fishery has been managed inseason and closed early in six out of the twelve seasons. King salmon of Alaska hatchery origin harvested in winter do not count toward the 45,000 fish winter GHL (5 AAC 29.080(a)), which has the potential to help extend the duration of the fishery. The 10-yr average harvest of Alaska hatchery-origin king salmon during winter is 4,248 (11%) for the region. The 10-yr average harvest of Alaska hatchery-origin king salmon in Yakutat Bay is 142 (3%) for District 183.

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

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

Figure 221-1.–Current winter troll "surfline" and proposed Icy Bay area.

PROPOSAL 222 – 5AAC 29.090. Management of the spring salmon troll fisheries.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would correct an omission in spring troll regulatory language and would clarify that only contributions from Alaska hatchery-produced stocks are to be used in management decisions, excluding contributions from hatchery stocks originating outside of Alaska.

WHAT ARE THE CURRENT REGULATIONS? Spring troll fisheries target Alaska hatchery-produced king salmon and are managed according to the percentage of Alaska hatchery-produced stocks in individual spring fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would amend regulatory language to agree with spring troll management methods and objectives. There would be no change to the management of the fishery.

BACKGROUND: Spring troll fisheries begin following the closure of the winter troll fishery and are typically conducted between May 1 and June 30. In recent years, over 30 spring fishery areas are open for varying lengths of time and are managed individually on a weekly and inseason basis. Decisions on fishing time are based on the cumulative harvest and contribution of Alaska hatchery-produced stocks as well as the historical performance of a particular spring fishery area.

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

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

PROPOSAL 223 – 5AAC 29.100. Management of the summer salmon troll fishery.

PROPOSED BY: John Murray.

WHAT WOULD THE PROPOSAL DO? This proposal would change the way the summer troll king salmon fishery is managed, depending on the preseason AI. If the preseason AI is greater than 1.60, the July harvest target would be reduced by 10%. If at least 60% of the summer troll king salmon allocation was taken during the July opening, the Waters of Frequent High King Salmon Abundance (5 AAC 29.025) would close. If less than 40% of the summer troll king salmon allocation was taken during the July opening, the Waters of Frequent High King Salmon Abundance would reopen. If the preseason AI is 1.60 or less, current regulations would remain in effect.

WHAT ARE THE CURRENT REGULATIONS? The all-gear treaty king salmon quota is determined by the Chinook Technical Committee of the Pacific Salmon Commission and is allocated among user groups according to board regulations. The troll fishery is allocated 80% of the all-gear treaty quota after the net gear allocations are subtracted from the total. The subsequent total troll king salmon allocation is taken in three district fishing periods, the winter, spring, and summer fisheries. The winter fishery has a fixed allocation of 45,000 fish, with a range of 43,000–47,000 fish. The spring fishery has no specific allocation. The number of treaty king salmon remaining after the winter and spring harvests are subtracted from the total troll allocation is available for harvest in the summer troll fishery.

The summer troll fishery is managed to target 70% of the remaining troll treaty king salmon allocation during the July opening, leaving 30% to be taken during a second opening. If approximately 70% or more of the remaining king salmon allocation is taken during the initial opening, the Waters of Frequent High King Salmon Abundance will close for the rest of the summer season. If less than 30% of the July king salmon harvest target is taken, the Waters of Frequent High King Salmon Abundance will reopen. The majority of the king salmon produced by Alaska hatcheries do not count towards the harvest allocations in the winter, spring, or summer troll fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the preseason AI is greater than 1.60, the length of the initial summer king salmon opening and the number of king salmon harvested are likely to decrease. The length of the second king salmon opening and the number of fish harvested would probably increase. This proposal would shift harvest from the initial opening in July to the second opening in August. The preseason AI would also influence when and if the Waters of Frequent High King Salmon Abundance are open following the initial king salmon retention period.

The value of the fishery is likely to increase, since king salmon prices tend to be higher during the second opening compared to prices earlier in the season. The number of king salmon retention days is likely to increase slightly and incidental mortality rates may decrease during the summer season as a result. Increasing the percentage allocated to the second king salmon opening during years of low king salmon abundance may lead to difficulty in taking the entire troll allocation, since effort and catch rates typically decline during the late summer. It may also

be more difficult to harvest the troll king salmon allocation during years in which fishing time or area is reduced late in the season due to coho salmon conservation measures.

Shifting harvest from the first to the second king salmon opening would increase the likelihood that the second opening would be long enough to allow for inseason management, rather than setting a predetermined number of days. Inseason management allows the department to respond to factors affecting troll catch rates and effort which cannot be anticipated prior to the opening, such as weather and targeting of species other than king salmon.

BACKGROUND: The regulations addressed in this proposal originated as part of the Troll Task Force Plan adopted by the board in 1994. The provisions of that plan were intended to help ensure a summer troll king salmon season of at least 10 days, minimize incidental mortality, maximize the value of the troll product and recognize the historic composition of the troll fishery. Reserving 30% of summer troll king salmon allocation for the second opening in August was intended to increase the number of king salmon retention days, since lower catch rates and higher Alaska hatchery contributions were anticipated in August compared to July. The Waters of Frequent High King Salmon Abundance are open during July and usually closed for the remainder of the season. The preseason AI was above 1.60 seven times since 1999 when the abundance-based management regime was adopted under the PST.

A similar proposal to modify summer catch allocation percentage from 70-30 to 60-40 was submitted to the board in 2006. The board determined that the proposal was allocative in nature, since it favored trollers fishing in the northern part of the region, where catch rates tend to be more stable throughout the summer. King salmon catch rates in Southern Outside waters are usually better early in the season. The board also acknowledged the possibility that the fleet may not catch the entire king salmon quota in the second opening if king salmon abundance is low.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The proposal may benefit some portion of the troll fleet more than others. The majority of the summer troll king salmon harvest occurs in outer coastal waters. Catch rates during the first opening tend to be higher than those during the second opening, though the difference is usually more pronounced in northern waters than in southern waters. This is due mainly to the closure of the Waters of Frequent High King Salmon Abundance, which are located in the Northwest Quadrant of the region, following the initial king salmon opening. The percentage of regional king salmon harvest taken in SSEO waters has increased during both summer openings in recent years.

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

PROPOSAL 224– 5AAC 29.100. Management of the summer salmon troll fishery.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the department to establish a trip limit for king salmon in the summer troll fishery during years when the amount of fish remaining on the annual troll king salmon allocation is insufficient to allow a competitive fishery.

WHAT ARE THE CURRENT REGULATIONS? The summer management plan directs the department to take 70% of the summer king salmon troll quota in an initial opening, beginning July 1. The remainder of the king salmon quota is to be harvested following any closure for coho salmon conservation in August. If the department determines that the annual troll king salmon allocation will not be harvested prior to September 20, the summer king troll fishery may continue until the allocation is achieved, or until September 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Trollers would be able to retain a designated number of king salmon over a predetermined number of summer fishery days in order to harvest any remaining annual allocation that the department has determined insufficient to allow a competitive fishery.

A trip limit fishery would add complexity to enforcement. AWT and the department would need to verify compliance including the number of king salmon retained by a permit holder during the trip limit period, possession of a validated trip limit permit, and postseason crosschecks of permits with fish tickets.

BACKGROUND: The summer troll fishery targets the number of PST king salmon remaining on the annual troll allocation after winter and spring PST harvests are subtracted. During years when the summer king salmon quota is relatively large, opening lengths are estimated and a closing date is determined inseason. In years when the summer quota is relatively small, a pre-determined number of retention days and a closing date are announced prior to a king salmon opening.

Since 1999, when the current abundance-based management regime under the PST was implemented, a trip limit would have been put into effect in seven of the 16 years. During those seven years, the troll underage ranged from 2,633 to 9,816, with an average of 5,941 king salmon. Troll effort in September (which is when a trip limit fishery would likely occur) during those seven years ranged from 458 to 677 permits, with an average of 595 permits fished. Based on these averages, if trip limit fisheries were implemented during those seven years, an average limit of 10 king salmon per vessel, with a range of four to 20, would have been allocated.

In the directed lingcod fishery, 5 AAC 28.173(f) provides for a trip limit fishery, if a need is determined. To date, a trip limit lingcod fishery has not been implemented. When compared to the summer troll fishery, the average number of participants in the directed lingcod fishery is far fewer. With a much smaller number of permit holders participating in the directed lingcod

fishery, trip limits can be monitored much more effectively, making this type of permit fishery more easily enforceable than one for troll king salmon in summer.

DEPARTMENT COMMENTS: The department **OPPOSES** a trip limit troll fishery targeting the remaining annual allocation of summer king salmon, following either of the two summer retention periods. A trip limit fishery would be implemented only if the number of king salmon remaining on the troll allocation is too low to allow for a competitive fishery. Determining that "trigger point" would be challenging and would depend on knowing the cumulative harvest, as well as anticipated catch rates and effort. Cumulative king salmon harvest is required in order to estimate remaining king salmon allocation following summer retention periods. Harvest reporting can be delayed by two weeks or more after a fishery closing date and can account for substantial numbers of king salmon. Receiving late fish tickets subsequent to opening a trip limit troll fishery may result in increased incidents of PST harvest overages. Monitoring and enforcement of such a fishery would be challenging.

Variables to be considered in order to conduct a trip limit fishery would include: 1) when is the remaining quota small enough to trigger a trip limit fishery; 2) cumulative king salmon harvest; 3) estimated catch rate of king salmon; 4) the number of vessels intending to retain king salmon during the trip limit period, most likely requiring a permitting process similar to the Frozen At Sea exemption permit.

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

PROPOSALS 225, 226 and 227 – 5AAC 29.114. District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan.

PROPOSED BY: Joint Southeast Regional Planning Team (Proposal 225), Chum Trollers Association (Proposal 226), Kole Koski (Proposal 227).

WHAT WOULD THE PROPOSALS DO? Each of these proposals would change or remove the sunset date currently in regulation, which would maintain the status quo after December 31, 2014. Proposal 225 would change the sunset date. Proposal 226 would remove the sunset clause altogether and would specify that spring troll fisheries in District 14 may be closed to the retention of chum salmon based on wild chum salmon abundance. Proposal 227 would remove the sunset clause and allow the Northern Chatham Strait Fishery Area to open for up to seven days per week.

WHAT ARE THE CURRENT REGULATIONS? The *District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan* includes provisions for managing chum troll fisheries that target enhanced chum salmon in Cross Sound, Icy Strait, and Northern Chatham Strait, as well as a sunset clause, stating that provisions of the management plan do not apply after December 31, 2014. Spring troll fisheries in District 14 may be closed (for all species) based on wild chum salmon abundance. Openings in the Northern Chatham Strait Fishery Area may be open no more than four weekdays per week and only chum and pink salmon may be retained.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If Proposal 225 were adopted, a new, undefined sunset date would replace what is currently in regulation, so the management plan would sunset again in the future. If Proposal 226 were adopted, the sunset clause would be removed and spring troll fisheries could close to chum salmon retention while remaining open for retention of other species, if conservation measures for wild chum salmon were needed. In that situation, harvest of other salmon species would likely increase and chum salmon would be released with some incidental mortality. If Proposal 227 were adopted, the sunset clause would be removed, the Northern Chatham Strait Fishery Area could open for up to three additional days per week, and openings would no longer be limited to weekdays. Effort and harvest of chum and pink salmon would likely increase.

BACKGROUND: Trollers have targeted enhanced king salmon in some portions of Cross Sound and Icy Strait since 1999 under provisions of 5 AAC 29.090. Trollers have been targeting enhanced chum salmon in Icy Strait during June since 2010 using methods and gear developed specifically for chum salmon. In 2012, the board adopted the *District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan* to give the department direction as chum troll fisheries develop. At that time, the chum salmon troll fishery had occurred in District 14 during the previous two years and was considered to be a high impact emerging fishery. Little was known about the long term effects the new chum salmon troll fisheries would have on Northern Southeast Inside wild stocks at that time. A sunset clause was included to allow the option of modifying the plan once the fisheries had been open for three additional years. After five years, the annual chum salmon harvest has varied widely, with large harvests occurring during two of the five years (2011 and 2013). The stock composition has included approximately

80–85% enhanced chum salmon annually. NSEI wild summer-run chum salmon escapement indices were below the escapement goal from 2008 to 2010, above the escapement goal from 2010 to 2013, and below the escapement goal in 2014.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals but **SUPPORTS** continuation of the management plan to provide direction for managing this fishery. The department **OPPOSES** proposal 226, specifically the closing of chum salmon retention in a fishery area based on wild chum salmon abundance while allowing retention of other species in that fishery area.

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

PROPOSAL 228 – 5AAC 29.110. Management of coho salmon troll fishery.

PROPOSED BY: City of Angoon.

WHAT WOULD THE PROPOSAL DO? This proposal would require a regional 10-day closure of the troll fishery from August 1 through August 10.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for a closure of the coho salmon fishery lasting up to seven days in late July or up to ten days in August for coho salmon conservation or allocation reasons. The department is required to assess wild coho run strength in late July and again in early August. A minimum 2-day closure is required to provide a fair start prior to a second king salmon opening.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department's management flexibility would be reduced. The proposed closure could reallocate coho salmon among user groups. It is uncertain if these restrictions would result in improvements to the subsistence harvest of salmon for the community of Angoon.

BACKGROUND: From 1980 to 1992, 10-day troll closures occurred annually, though the closure dates varied from year to year. Since 1993, midseason closure lengths have averaged five days and closure lengths of fewer than 10 days have occurred in 19 of the past 22 years. Beginning in 1994, direct coho salmon assessments with biological escapement goals were established, providing more reliable indicators for management evaluations.

Only a small percentage of the coho salmon escapements in Southeast Alaska are enumerated or surveyed because of the extremely scattered distribution of stocks and difficult conditions for observation of spawners during the fall months. A total of 10 Southeast Alaska and 3 Yakutat systems have formal escapement goals in place. Of these 13, coded-wire-tag studies have been conducted for four of these coho salmon stocks since the early 1980s. Annual returns for these four systems (Auke Creek near Juneau, the Berners River in lower Lynn Canal, Ford Arm Lake on the outer coast north of Sitka, and Hugh Smith Lake on the mainland southeast of Ketchikan) are used as primary indicators for un-monitored stocks. The primary indicator stocks for the Northern Inside, Berners River, and Auke Creek, have met or exceeded escapement goals for the past 25 years. Though current escapement data for the Angoon area are not available, helicopter surveys were conducted on the Hasselborg River by the department during the 1990s. Survey results indicate a range of 2,205 to 8,370 coho salmon from 1994 to 1998.

In 2013, the department conducted a harvest assessment survey in Angoon for the 2012 study year. The study found that residents of Angoon harvested an estimated 314 coho salmon by rod and reel from a stationary boat or shore and 530 coho salmon while trolling using sport gear. This was out of an estimated total of 893 coho salmon harvested during the study year and an estimated 2,394 salmon harvested during the study year by all gear types (920 sockeye, 893 coho, 350 king, 163 pink, and 68 chum salmon). Figure 228-1 shows the location of coho salmon fishing activity. As shown, most harvesting activity occurs in the immediate vicinity of the community.

DEPARTMENT COMMENTS: The department **OPPOSES** the loss of escapement-based management flexibility embodied in long-standing, current regulations. The proposal suggests that the commercial troll fishery has a negative impact on coho salmon returns to Angoon. Troll and all-gear exploitation rates have been substantially lower for inside indicator stocks since 2000 when compared with the 1980s and 1990s, increasing escapement to most systems relative to total return. After abundance, exploitation rate is the major factor determining the number of fish reaching inside fisheries and streams of origin. This trend toward lower exploitation rates reduced the need for fishery restrictions and biological escapement goals have been achieved in the vast majority of cases. The department is **NEUTRAL** on the allocative aspects of this proposal.

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

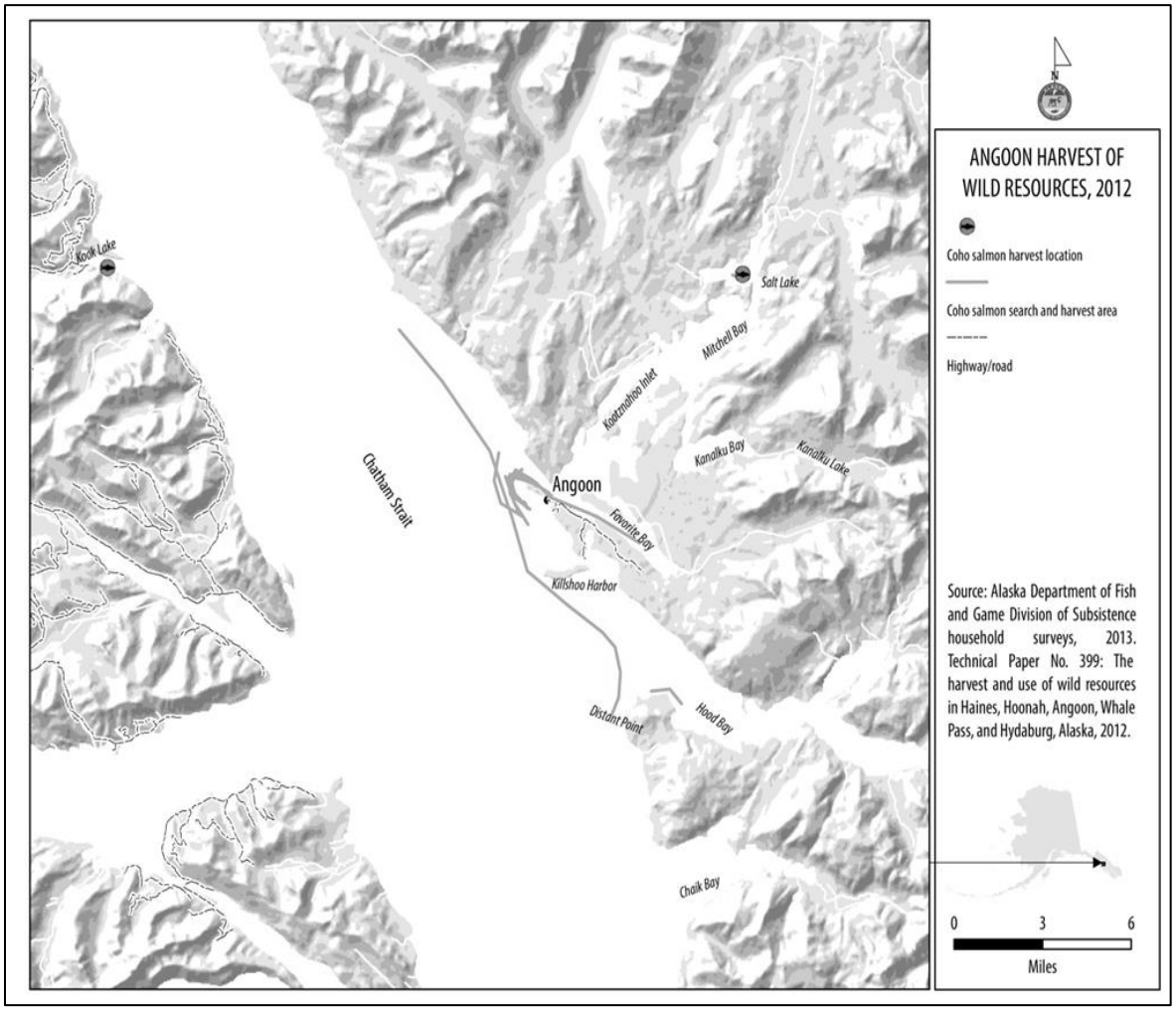


Figure 228-1.–Locations of coho salmon harvest in near Angoon.

PROPOSAL 229 – **5AAC 29.114. District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan.**

PROPOSED BY: Matthew Donohoe.

WHAT WOULD THE PROPOSAL DO? This proposal would add another spring troll fishery area to the enhanced chum salmon management plan for Districts 12 and 14. This additional fishery would allow trollers to fish a portion of the waters that are currently closed between the NCS fishery and the Homeshore fishery.

WHAT ARE THE CURRENT REGULATIONS? Spring troll fisheries in Districts 12 and 14 are managed under the *District 12 and District 14 Enhanced Chum Salmon Troll Fisheries Management Plan* which defines time and areas open for fisheries located in Cross Sound, Icy Strait, and north Chatham Strait. All regional spring troll fisheries are managed according to the *Spring Troll Fishery Management Plan*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase the area open to trolling during spring and allow trollers to keep gear in the water when passing between the Homeshore and NCS areas. With increased area available to fish, an increase in harvest and effort would likely result for the area proposed and adjacent fisheries.

BACKGROUND: Since 2012, when the board adopted the regulation to open NCS and manage the District 12 and District 14 spring fisheries under the new chum troll management regime, effort in NCS has been limited. The intent of the NCS fishery was to allow trollers to target hatchery-produced chum salmon migrating along the northern Admiralty Island shoreline. During the 2012 board meeting, boundaries for the NCS fishery were negotiated among industry representatives so that impacts to other gear groups would be reduced. These boundaries kept a four-nautical-mile stretch of water between Homeshore and NCS closed (Figure 229-1).

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

It is common practice to open new areas and modify existing areas during the spring troll fisheries, according to provisions of 5 AAC 29.090. The proposed fishery area between Homeshore and NCS has never been open during the spring troll fishery. With no harvest or stock composition data available for the proposed area during this time period, a conservative approach to initial opening lengths is standard procedure when opening new spring troll areas to ensure that guideline limits of treaty king salmon are not exceeded. If this proposal is adopted, the department would likely implement a more restrictive opening schedule than for Homeshore and the other District 14 fisheries opened seven days a week in spring.

The intent of this proposal is to add a spring troll fishery adjacent to the NCS and the Homeshore fisheries. The western boundary line coordinates listed in the proposal are not adjacent to the existing Homeshore fishery. Figure 229-1 shows both the coordinates from the proposal and the coordinates that were likely intended for the western boundary line.

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

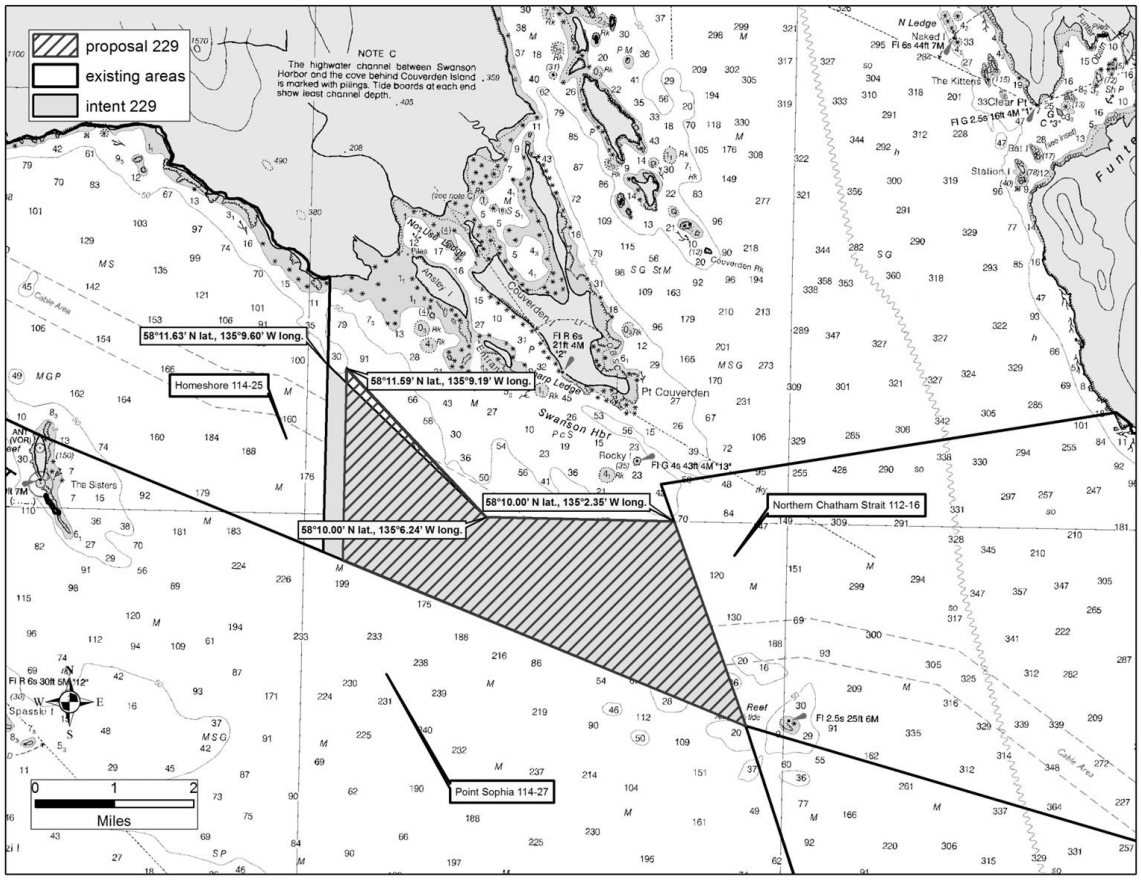


Figure 229-1.–Point Couverden area proposed and existing spring troll fisheries.

PROPOSAL 230– 5AAC 29.150. Closed Waters.

PROPOSED BY: United Southeast Alaska Gillnetters.

WHAT WOULD THE PROPOSAL DO? Summer troll openings in Section 15-C could only occur during drift gillnet periods in Section 15-C, excluding drift gillnet periods in the Boat Harbor THA. Section 15-C, excluding the Boat Harbor THA, would be open to troll and drift gillnet gear concurrently after July 1.

WHAT ARE THE CURRENT REGULATIONS? Sections 15-A and 15-C are open to troll gear during the summer fishery, July 1 through September 20 or 30, if the fishery is extended based on coho salmon abundance.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce troll fishing time in Section 15-C and would likely reduce troll catch rates and harvest since trollers would be limited to fishing during drift gillnet openings. Gear conflicts could occur when both gear types are fishing the same area at the same time and trollers are less likely to fish in Section 15-C. It is unlikely that a large fleet of trollers would choose to target chum salmon in Section 15-C during the summer, when the majority of the drift gillnet fleet is fishing. Chum trollers are more likely to target chum salmon in West Behm Canal/Neets Bay or Sitka Sound, where they have done well in the past.

BACKGROUND: Troll effort and harvest in Section 15-C has historically been minimal during the summer, when most troll effort is directed at king and coho salmon on the outer coast. During eight of the past 10 years, troll harvest and effort in Section 15-C is confidential, since less than three permits were fished. In 2011 and 2013, an average of seven trollers landed an average of 2,354 chum salmon (Table 230-1) during the summer fishery. Drift gillnet effort and harvest in Section 15-C during the summer is substantially greater than troll effort and harvest (Table 230-2). During the past five years, trollers targeted chum salmon in Icy Strait during June with varying degrees of success.

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

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

Table 230-1.–Section 15-C troll effort and chum salmon harvest, July–Sept., 2005–2014.

Year	Section	Unique Permits	Chum Harvest
2005	15-C	0	0
2006	15-C	*	*
2007	15-C	0	0
2008	15-C	*	*
2009	15-C	0	0
2010	15-C	*	*
2011	15-C	4	1,534
2012	15-C	0	0
2013	15-C	15	3,174
2014	15-C	0	0
Grand Total		**19**	**4,715**

* confidential data, less than 3 permits fished.

Table 230-2.–Section 15-C drift gillnet effort and chum salmon harvest, July–Sept., 2005–2014.

Year	Section	Unique Permits*	Chum Harvest*
2005	15-C	90	161,341
2006	15-C	107	496,750
2007	15-C	113	384,476
2008	15-C	129	396,642
2009	15-C	148	293,299
2010	15-C	175	373,818
2011	15-C	203	557,455
2012	15-C	234	1,073,717
2013	15-C	217	501,444
2014	15-C	239	700,073
Grand Total		**335**	**4,939,015**

*harvest and effort data for traditional fishery, terminal fishery (Boat Harbor) excluded.

PROPOSAL 231 – 5AAC 29.150. Closed waters.

PROPOSED BY: Lisa Grogan, Naha Conservation Society.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the area closed to commercial trolling in Naha Bay.

WHAT ARE THE CURRENT REGULATIONS? Waters of Naha Bay east of 131°38.30′ W. longitude are closed to the taking of salmon with troll gear during the summer fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This change would have little effect on wild salmon stocks as very little trolling occurs in the proposed closed waters in most years. Troll harvest in Naha Bay would decrease, especially in years of increased salmon abundance.

BACKGROUND: The current troll closure for Naha Bay listed in regulations has been in place since the development of the West Behm Canal troll fishery. Due to the lack of troll effort in this area, maintenance of the regulatory marker at 131°38.30′ W. longitude has been sporadic in past years. In 2012, large numbers of enhanced chum salmon destined for Neets Bay concentrated in both open and closed waters of Naha Bay. When the department noticed that troll effort was increasing in Naha Bay, it was also noticed that a regulatory marker was missing at the line that designated closed waters of Naha Bay. A regulatory marker was replaced on June 27, 2012 by department personnel. It is unknown how many years the marker had been missing in this location. The department is not aware of any other site where a regulatory marker would have been in the past except for sport fishery markers further into the bay. Since GPS technology allows more precise placement of regulatory markers, it is possible that the regulatory marker is in a slightly different location than was used in past years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** the loss of management flexibility that would result if this proposal were adopted. The area between the current closed waters boundary line and Cache Island has had limited commercial troll effort during most years. Hatchery-produced chum salmon occasionally congregate in this area, but most troll effort occurs during late summer targeting coho salmon.

The department is unaware of any conservation concerns in this area. Salmon returns to the Naha River system have met or exceeded escapement needs in most years. In 2012, the department documented a return of at least 50,000 pink salmon when troll effort in the proposed closed area was at a record level. Sockeye returns to the Naha River in 2014 were the highest seen in recent times based on subsistence harvests and limited stream surveys. Very little is known about chum returns to Loring Creek, but the 2014 documented return of 8,000 pink salmon to the system was the second highest on record. The department has limited information on chum salmon returning to the Naha River.

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

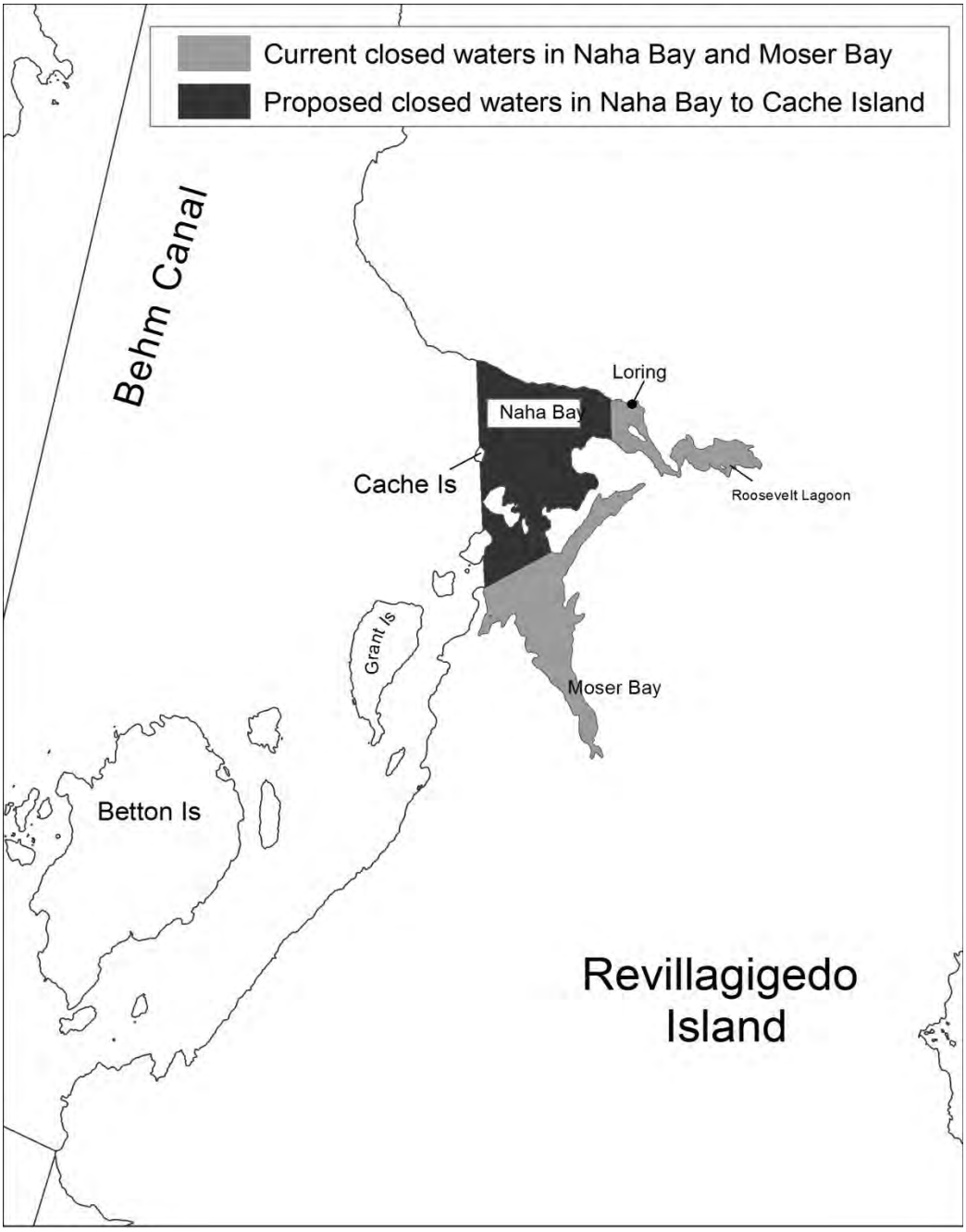


Figure 231-1.–Current closed waters and proposed area closure for Naha Bay.

PROPOSAL 232 – 5AAC 29.120. Gear specifications and operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would add more detail to power troll gear regulations by stating that fishing rods, in addition to hand troll gurdies, are not legal power troll gear.

WHAT ARE THE CURRENT REGULATIONS? Power troll gear specifications state that a person may not use a registered power troll vessel to take salmon with hand troll gear. Hand troll gear specifications include the use of two hand troll gurdies or four fishing rods to take salmon and state that a hand troll gurdy is not considered power troll gear. There is no statement that a fishing rod is not considered power troll gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce confusion among power troll fishermen regarding allowable gear.

BACKGROUND: Hand troll gear specifications are far more detailed than those for power troll gear. While it is possible to determine that the use of fishing rods by registered power trollers is not allowed by reading current regulations, the process is not straightforward and requires the review of both power and hand troll regulations. Some power trollers have expressed interest in using fishing rods, even though power troll gear is much more efficient.

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

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

PROPOSAL 233– 5AAC 29.120. Gear specifications and operations.

PROPOSED BY: Troy Bayne.

WHAT WOULD THE PROPOSAL DO? This proposal would allow hand troll registered vessels to use fishing rods with hand-operated downriggers during the spring and summer troll fisheries.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that from a hand troll vessel during spring and summer, a downrigger may not be used in conjunction with a fishing rod. Regulations also specify that during the winter season, a hand troll gurdy or hand-operated downrigger may be used in conjunction with a fishing rod. It is further defined for winter that an aggregate of only two rods connected to two downriggers or hand troll gurdies may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Allowing the use of hand-operated downriggers in spring and summer would likely increase efficiency for hand trollers opting to use fishing rods. The use of fishing rods in conjunction with downriggers allows for greater control over desired depth of gear operation compared to fishing without downriggers. It is likely that with improved efficiency and ease of gear operation versus hand troll gurdies the number of hand troll permits fished and consequently the total number of salmon harvested by hand trollers could increase.

BACKGROUND: In 2006, the board adopted regulations that allowed for the use of two fishing rods in conjunction with two downriggers for hand troll during the winter troll fishery. Limiting the use of downriggers to winter addressed several concerns regarding the possibilities of increased harvest, effort, and enforcement issues if this proposal were adopted for spring and summer.

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

Alaska Wildlife Troopers have enforcement concerns of decreasing the separation between legal gear for commercial hand troll and sport fishing. If this proposal is adopted, it would be nearly impossible to visually distinguish whether the vessel was engaged in commercial hand trolling or sport fishing. These concerns were addressed in both the 2006 and 2012 board meetings and still exist today.

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