# SUMMARY OF ACTIONS ALASKA BOARD OF FISHERIES Bristol Bay Finfish December 9-16, 2003

**DESIGNATED REPORTER: Joe Chythlook** 

This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the board's actions.

**SUBSISTENCE** 

PROPOSAL NO. 29 ACTION: Carried

**DESCRIPTION:** Remove trout and char from permit requirements.

**DISCUSSION:** The board agreed that there was no need to burden the state subsistence users with inclusion of trout and char in the salmon subsistence permit. In addition, the current federal permits do not require this.

PROPOSAL NO. 30 ACTION: Failed

**DESCRIPTION:** Remove East Side Wood River from subsistence fishing restrictions in July. **DISCUSSION:** The board took action to include this area in the last Bristol Bay cycle, and it was determined that there was no loss to subsistence opportunity because of this regulation.

PROPOSAL NO. 31 ACTION: Carried

**DESCRIPTION:** Provide a GPS description of Bristol Bay Area.

**DISCUSSION:** Deemed housekeeping in nature.

**COMMERCIAL HERRING** 

PROPOSAL NO. 32 ACTION: Failed

**DESCRIPTION:** Allocate leftover quota from Togiak to Dutch Harbor food and bait fishery.

**DISCUSSION:** The board believes this would further disenfranchise the Togiak herring fishermen by giving more control to the Dutch Harbor food and bait fishery over the longstanding Togiak sac roe herring fishery. Proposal 32 had to do with transferring any unused quota from the Togiak sac roe herring fishery to the Dutch Harbor Food and Bait fishery. None of the ACs out of the six that commented on it was in support. The board is concerned that, since in Dutch Harbor there are many different herring stocks present, small distinct stocks could be harvested to their detriment.

PROPOSAL NO. 33 ACTION: Carried

**DESCRIPTION:** Provide a GPS description of Bristol Bay Area.

**DISCUSSION:** Deemed housekeeping in nature.

PROPOSAL NO. 34 ACTION: Carried DESCRIPTION: Provide a GPS description of Bristol Bay herring districts.

**DISCUSSION:** Deemed housekeeping in nature.

PROPOSAL NO. 35 ACTION: Carried as amended

**DESCRIPTION:** Manage for a 50/50 gillnet/purse seine allocation.

**AMENDMENT:** After both gear groups have harvested at least 80 percent of the GHL, the department may allow either gear group to harvest its remaining allocation without further restrictions to achieve the above allocation percentages.

**DISCUSSION:** The board sees this as a good approach to ensure that one gear group is not jeopardized from harvesting its quota while waiting for the other gear group to get caught up on its allocation. The board also discussed whether this allowance it could be detrimental to the gillnet fishermen who are predominantly local people, but determined it would not be harmful overall.

PROPOSAL NO. 36 ACTION: Carried as amended

**DESCRIPTION:** Allow harvest of unused spawn-on-kelp allocation in sac roe fishery.

**AMENDMENT**: In the event that not all of the spawn-on-kelp GHL is harvested, the department may reallocate 50 percent of the unharvested spawn-on-kelp GHL to the Togiak District herring sac roe fishery.

**DISCUSSION:** This addresses the potential economic loss and opportunity to harvest some of the quota allocated to the spawn-on-kelp fishery if there is no market available to that fishery. The board also discussed whether this would discourage present markets from trying to provide a market for this fishery. The department was asked to work with processors to make sure there was no market for the spawn-on-kelp before this regulation is implemented.

PROPOSAL NO. 37 ACTION: Failed

**DESCRIPTION:** Allow harvest of herring for bait.

**DISCUSSION:** While it appreciated the idea of savings sought by the halibut fishermen, the board

believes the resource is already fully allocated.

PROPOSAL NO. 38 ACTION: Failed

**DESCRIPTION:** Close the Togiak herring commercial fishery for three years.

**DISCUSSION:** The board does not believe there is any biological support for taking such a big conservation move. The department indicated it plans to continue to work the Togiak village to further study the issue, form a working group similar to what was done for the Sitka herring fishery, and to report the board in some future meeting.

#### **SALMON**

Gear specifications and definitions

PROPOSAL NO. 39 ACTION: Failed

**DESCRIPTION:** Allow purse seine use for salmon with two permits.

**DISCUSSION:** The board agreed that allowing two permits would cause disruption to an already fully-allocated fishery and that it would be hard to implement.

PROPOSAL NO. 40 ACTION: Failed

**DESCRIPTION:** Eliminate requirement to mark corks every ten fathoms for set gillnets.

**DISCUSSION:** The board agreed with the FWP that the current regulation is an important enforcement tool to identify gear that was fishing illegally.

PROPOSAL NO. 41 ACTION: Carried as amended

**DESCRIPTION:** Prohibit grounding a drift gillnet.

**AMENDMENT:** A person may not operate a drift gillnet in the Wood River SHA, Egegik River SHA, Naknek River SHA, or Ugashik River SHA when the vessel to which it is attached is grounded, or when any part of the gillnet is grounded above the waterline.

**DISCUSSION:** The board believes this a good compromise to prohibit grounding in the SHAs versus baywide. The new regulation gives FWP the ability to cite those drifters who intentionally allow their vessels to go dry to maintain a position to catch fish and create a disadvantage for other drifters.

PROPOSAL NO. 42

**ACTION:** Failed

**DESCRIPTION:** Allow 34 to 36 foot vessels with previous participation to fish in Bristol Bay.

**DISCUSSION:** The board discussed various vessel lengths that could be allowed in the bay. This is a highly allocative issue and has come before the board in the past. The board noted that there is currently a Bristol Bay salmon study in progress and the participants of that group have not come forth with any recommendations to change things.

PROPOSAL NO. 43

**ACTION: Carried as amended** 

**DESCRIPTION:** Allow 200 fathoms of drift gear for vessels with two permits onboard.

**AMENDMENTS:** Allow up to 50 fathoms additional drift gillnet if two permit holders are onboard a vessel. Require both permit holders to register with the department by April 15. Require additional markings to identify the vessel as a dual permit vessel. This regulation will sunset on December 31, 2004.

**DISCUSSION:** The board agreed to allow an opportunity for fishermen to try this to save costs, and supports the attempt to make a change in the fishery because the status quo is not working for some. The high forecast for the 2004 return of sockeye was discussed. The board hopes this action will allow more latent permits to be used to help harvest the extra run of fish for at least one season

PROPOSAL NO. 44

**ACTION: Failed** 

**DESCRIPTION:** Allow permit holder to operate drift and set gear without 48-hour wait.

**DISCUSSION:** The board believes this would allow reallocation of fish between setnetters, and another result is that the quality of fish could suffer.

PROPOSAL NO. 45

**ACTION: Failed** 

**DESCRIPTION:** Define lettering requirement for setnet signs.

**DISCUSSION:** The board agreed that a regulation is already in place to address this concern.

**PROPOSAL NO. 46** 

**ACTION:** No action

**DESCRIPTION:** Add safety requirements for all vessels operating at night in Area T.

**DISCUSSION:** The board consented that this is a non-issue. The regulation is already in place.

PROPOSAL NO. 47

**ACTION: Failed** 

**DESCRIPTION:** Allow only one setnet to be offshore of another in Naknek River SHA.

**DISCUSSION:** The area in question is too small to allow more gear and works against quality.

PROPOSAL NO. 48

**ACTION: Failed** 

**DESCRIPTION:** Require minimum of 5 ½ inch mesh size for eastside of Bristol Bay (Sand Point to

Kvichak).

**DISCUSSION:** The board agreed with the summation of the department that passage of this proposal would result in size selectivity upon escapements, possibly affecting the age class and structure of future populations.

PROPOSAL NO. 49

**ACTION: Failed** 

**DESCRIPTION:** Require all setnet gear be pulled up to mean high tide mark during closed periods in Naknek River SHA.

**DISCUSSION:** The board agreed this would be impractical for the amount of time it would take setnet fishermen to comply with the regulation if adopted within the short time between openings and closures of the fishery in the area.

**PROPOSAL NO. 50** 

**ACTION: Carried as amended** 

**DESCRIPTION:** Require only set gillnets skiffs over 14 feet to display SN numbers.

**AMENDMENT:** Require at least one permit holder who operates that vessel to display the five digit CFEC permit serial number in permanent letters.

**DISCUSSION:** FWP pointed out this would give clarification to present practice of more than one permit holders using the same vessel and would clarify the need for having at least one CFEC number on the vessel.

PROPOSAL NO. 51

**ACTION: Carried as amended** 

**DESCRIPTION:** Prohibit towing or drift gillnets to hold geographic location.

**AMENDMENT:** A person may not use mechanical power to hold a vessel attached to a drift gillnet in substantially the same geographical location.

**DISCUSSION:** The board agreed that this gives FWP an important tool, allows a more orderly fishery and result in a better quality of fish.

Naknek River Special Harvest Area (NRSHA) and Egegik River Special Harvest Area (ERSHA)

PROPOSAL NO. 52

**ACTION: No action** 

**DESCRIPTION:** Require running lines be removed in NRSHA during drift openings.

**DISCUSSION:** No action was taken due to action taken on proposal 49.

PROPOSAL NO. 53

**ACTION: No action** 

**DESCRIPTION:** Require setnet gear be removed during drift periods in NRSHA.

**DISCUSSION:** No action was taken due to action taken on proposal 49.

PROPOSAL NO. 54

**ACTION: Failed** 

**DESCRIPTION:** Reimpose the 500-foot limit from the 18-foot tidemark for setnets in NRSHA.

**DISCUSSION:** See comments on proposal 49.

PROPOSAL NO. 55

**ACTION: Failed** 

**DESCRIPTION:** Allow drift permit holders to fish 75 fathoms of gear in NRSHA.

**DISCUSSION:** The board agreed the NRSHA is too small of an area to allow 75 fathoms of gear.

PROPOSAL NO. 56 ACTION: Failed

**DESCRIPTION:** Allow switching of gear types for dual permit holders in the NRSHA without 48-

nour wait.

**DISCUSSION:** The board referenced the comments about the small area and that there were too many latent permits that could lead to more problems with the allocative implications of the proposal.

PROPOSAL NO. 57 ACTION: Carried as amended

**DESCRIPTION:** Add unharvested allocation to next year's allocation for a gear group.

**AMENDMENTS:** The harvestable surplus of sockeye salmon taken from the NRSHA when it is open and the Naknek-Kvichak District is closed will be distributed as follows: (A) drift gillnet 84 percent; and (B) set gillnet 16 percent. The drift gillnet and set gill net fisheries will open separately and managed based on the allocation in 5 AAC 06.364(3)(A) and (B).

**DISCUSSION:** The board believes this gives better guidance to the department to adhere to managing for the established allocation percentages.

PROPOSAL NO. 58 ACTION: No action

**DESCRIPTION:** Hold "noncurrent" openings in NRSHA instead of "alternating."

**DISCUSSION:** No action was taken due to action taken on proposal 62.

PROPOSAL NO. 59 ACTION: No action

**DESCRIPTION:** Apply allocation percentages to NRSHA openings. **DISCUSSION:** No action was taken due to action taken on proposal 57.

PROPOSAL NO. 60 ACTION: No action

**DESCRIPTION:** Require shoreward end of set gillnet to go dry at low tide in NRSHA.

**DISCUSSION:** No action was taken due to action taken on proposal 54.

PROPOSAL NO. 61 ACTION: Failed

**DESCRIPTION:** Restrict eastside districts to SHAs until Naknek-Kvichak District is opened.

**DISCUSSION:** The board believes this restriction would limit the department's ability to effectively manage these fisheries in the absence of any biological data supporting the reduction of these districts. The board also was concerned this could cause reallocation of the fishery, could work against the orderly prosecution of the fishery and against quality.

PROPOSAL NO. 62 ACTION: Failed

**DESCRIPTION:** Allow Kvichak Section set gillnets to fish concurrently with Naknek periods.

**DISCUSSION:** The board agreed that it should not make a regulation based on unpredictable and uncertain Kvichak River sockeye run forecasts.

PROPOSAL NO. 63 ACTION: Failed

**DESCRIPTION:** Delete the special harvest area management plan for Egegik. **DISCUSSION:** The board agreed that the current management plan is working well.

PROPOSAL NO. 64 ACTION: Failed

**DESCRIPTION:** Amend the Egegik Special Harvest Area management plan.

**DISCUSSION:** Adoption of this proposal would reduce the manager's flexibility and take away the option to manage as the department presently does.

Wood River Special Harvest Area

PROPOSAL NO. 65 ACTION: No action

**DESCRIPTION:** Prohibit towing in the Wood River Special Harvest Area (WRSHA).

**DISCUSSION:** No action was taken due to action taken on proposal 51.

PROPOSAL NO. 66 ACTION: No action

**DESCRIPTION:** Establish a drawing to assign first ten setnet sites in WRSHA.

**DISCUSSION:** The board has no authority to take this action. The responsible entity is Department of Natural Resources. In addition, the department has no financial means or staff to conduct such a lottery.

PROPOSAL NO. 67 ACTION: No action

**DESCRIPTION:** Prohibit towing of drift gillnets to hold geographic location in WRSHA.

**DISCUSSION:** No action was taken due to action taken on proposal 51.

PROPOSAL NO. 68 ACTION: No action

**DESCRIPTION:** Prohibit grounding of drift gillnets in WRSHA.

**DISCUSSION:** No action was taken due to action taken on proposal 41.

PROPOSAL NO. 69 ACTION: Failed

**DESCRIPTION:** Manage Nushagak River for minimum of 175,000 sockeye into Nuyakuk River. **DISCUSSION:** The department does not have funds to operate the Nuyakuk tower projects.

PROPOSAL NO. 70 ACTION: Failed

**DESCRIPTION:** Lengthen fishing periods to minimum of 12-hour drift openings.

DISCUSSION: The board agreed this would lessen the flexibility of the department to manage the

fishery.

**Boundaries** 

PROPOSAL NO. 71 ACTION: Failed

**DESCRIPTION:** Move the western boundary east in NRSHA.

**DISCUSSION:** The board noted there was no public support for this proposal.

PROPOSAL NO. 72 ACTION: Failed

**DESCRIPTION:** Redefine Naknek Section north line.

**DISCUSSION:** The board agreed with the department's position that the best means to reduce Kvichak-bound sockeye is minimizing the amount of fishing time in the Naknek Section versus moving the line.

PROPOSAL NO. 73 ACTION: Failed

**DESCRIPTION:** Include NRSHA in Naknek Section description.

**DISCUSSION:** The board agreed this would work against the application of the current allocation

plan.

PROPOSAL NO. 74 ACTION: Carried

**DESCRIPTION:** Provide a GPS description of Bristol Bay management area.

**DISCUSSION:** Deemed housekeeping in nature.

PROPOSAL NO. 75 ACTION: Carried

**DESCRIPTION:** Provide a GPS description of Togiak District and five sections.

**DISCUSSION:** Deemed housekeeping in nature.

PROPOSAL NO. 76 ACTION: Carried

**DESCRIPTION:** Provide a GPS description of closed waters in Bristol Bay.

**DISCUSSION:** Deemed housekeeping in nature.

PROPOSAL NO. 77 ACTION: Carried

**DESCRIPTION:** Correct the closed area description for Egegik Special Harvest Area.

**DISCUSSION:** Deemed housekeeping in nature.

PROPOSAL NO. 78 ACTION: No action

**DESCRIPTION:** Provide a GPS description for Wood River SHA marker locations.

**DISCUSSION:** The regulation is already in place.

PROPOSAL NO. 79 ACTION: Failed

**DESCRIPTION:** Redefine boundaries of Naknek/Kvichak, Egegik and Ugashik districts with latitudes and longitudes.

**DISCUSSION:** Department pointed out there was no biological reason to change existing boundaries.

# PROPOSAL NO. 80 ACTION: Carried as amended

**DESCRIPTION:** Redefine southern boundary for directed chinook openings.

**AMENDMENTS:** The department may close the drift or set gillnet fishery if the harvest in the directed commercial chinook salmon fishery for that gear type that exceeds a ratio of 2 to 1 chinook salmon to sockeye salmon.

**DISCUSSION:** The board views this as an aid to improving the quality of fish. The board also discussed concerns that there may be interception of Kvichak-bound sockeye.

#### Allocation Plan

PROPOSAL NO. 81 ACTION: Failed

**DESCRIPTION:** Eliminate Bristol Bay sockeye allocation plan.

**DISCUSSION:** The board viewed allocation plans as valuable management tools and that the plans are working.

PROPOSAL NO. 82 ACTION: Failed

**DESCRIPTION:** Eliminate Nushagak allocation plan. **DISCUSSION:** See comments on proposal 81.

PROPOSAL NO. 83 ACTION: Failed DESCRIPTION: Adjust Bristol Bay allocation plan for fleet dynamics, etc.

**DISCUSSION:** The board agreed that this would restrict the department's flexibility to manage the fishery for escapement.

# PROPOSAL NO. 84

**DESCRIPTION:** Include language that would ensure the manager meets allocation percentages. **DISCUSSION:** The board agreed with the department that management is based on escapement goals.

**ACTION: Failed** 

PROPOSAL NO. 85 ACTION: Failed

**DESCRIPTION:** Eliminate Egegik District allocation plan when fewer than 600 drift boats are in Egegik.

**AMENDMENTS:** Change from 600 to 300 boats.

**DISCUSSION:** The board agreed this would essentially throw the allocation plan out and that there was no way to control the number of boats that registered to any district. The board viewed allocation plans as valuable management tools and that the plans are working.

# PROPOSAL NO. 86 ACTION: Failed

**DESCRIPTION:** Recalculate gear percentages for allocation plans.

**DISCUSSION:** The board viewed allocation plans as valuable management tools and that the plans are working; there is no advantage to changing it at this point. In addition, both gear groups have been reaching their respective allocations. The board noted no support from local advisory committees.

PROPOSAL NO. 87 ACTION: No action

**DESCRIPTION:** Add unharvested allocation to next year's allocation for a gear group. **DISCUSSION:** The board honored the request of the proposer to withdrawal the proposal.

PROPOSAL NO. 88 ACTION: Failed

**DESCRIPTION:** Delete the allocation plan for the Egegik District.

**DISCUSSION:** See comments on proposal 81.

PROPOSAL NO. 89 ACTION: Failed

**DESCRIPTION:** Return to regulations in effect in the 1970s.

**DISCUSSION:** The board noted the department opposed to this for it could tie its hands to manage

properly.

PROPOSAL NO. 90 ACTION: No action

**DESCRIPTION:** Use an IFQ approach for Bristol Bay; IFQs set by manager.

**DISCUSSION:** The board has no authority to implement IFQ system.

PROPOSAL NO. 91 ACTION: No action

**DESCRIPTION:** Create an IFQ program for Bristol Bay.

**DISCUSSION:** See comments on proposal 90.

Sport Fish

PROPOSAL NO. 92 ACTION: Carried as amended

**DESCRIPTION:** Change bag limit for jack king salmon in Nushagak/Mulchatna drainage.

**AMENDMENTS:** Insert: 20 inches or more in length; ...five per day, five in possession, under 20

inches in length (jack salmon),...for fish 20 inches or more in length.

**DISCUSSION:** This action aligns the language in regards to jack salmon with the rest of the state.

PROPOSAL NO. 93 ACTION: Failed

**DESCRIPTION:** Restrict fishing to shoreline and drifting in Bristol Bay area.

**DISCUSSION:** There is no biological reason or support for adoption of this proposal.

PROPOSAL NO. 94 ACTION: Failed

**DESCRIPTION:** Ban motorized boat use from the Tazimina River.

**DISCUSSION:** The board stated that the information provided is not solid enough to disallow the use of motorized boats in the Tazimina River for the study results indicate that few, if any, sockeye are being adversely impacted by jet boat use in the area.

PROPOSAL NO. 95 ACTION: Failed

**DESCRIPTION:** Create upper boundary line at Grassy Point.

**DISCUSSION:** The department pointed out that there is currently no management or conservation concern and the current sport fish spawning closure adequately protects spawning chinook salmon in this area.

PROPOSAL NO. 96 ACTION: Failed

**DESCRIPTION:** Eliminate guided angling on the Agulukpak River from 7:00 p.m. to 6:00 a.m.

**DISCUSSION:** The board agreed there was no conservation concern for the rainbow stocks at this time and there was question raised on whether the board has authority to deal with the guide issue presented in this proposal.

PROPOSAL NO. 97 ACTION: Carried as amended

**DESCRIPTION:** Extend waters where it is illegal to remove a king salmon from the water prior to

release. **AMENDMENT**: Change from [CAPE CONSTANTINE] to Cape Newenham.

**DISCUSSION:** Extending the waters where it is illegal to remove a king salmon prior to release results in reduction of catch-and-release mortality and aligns this regulation with the rest of Bristol Bay.

PROPOSAL NO. 98

ACTION: Carried as amended

**DESCRIPTION:** Impose restrictions on the sport fishery below inriver goal projection.

**AMENDMENTS:** ...and sport fishery.... and (d)(2) 75,000.....and the guide harvest is not exceeded, a daily bag limit of one per day, one in possession for chinook salmon 20 inches or more in length is applied to the sport fishery....(3) including (A), (B), (C), (D), and (E) language.

**DISCUSSION:** The board noted broad support for this proposal for it provides tools for the department to manage the fishery when the inriver return is projected to be 55,000-75,000, allows the management plan to be fully implemented, and allows more harvest opportunity.

PROPOSAL NO. 99

**ACTION: No action** 

**DESCRIPTION:** Impose restrictions on the sport fishery below inriver goal projection.

**DISCUSSION:** No action was taken due to action taken on proposal 98.

**PROPOSAL NO. 100** 

**ACTION:** No action

**DESCRIPTION:** Allow pulses of chinook to not be exposed to commercial gear.

**DISCUSSION:** The board stated the proposal was too vague and if adopted could take away the flexibility to manage runs for escapement.

PROPOSAL A ACTION: Carried

**DESCRIPTION:** Clarify district transfer rules in Bristol Bay: Part 1: Insert a provision to specify that a gillnet vessel and a permit holder can be registered only in one district at a time. Part 2: Insert a provision to specify that a CFEC drift or setnet permit holder can fish as a crewmember in a new district without observing the 48-hour waiting period.

**DISCUSSION:** The registration regulation does not expressly forbid a drift gillnet vessel from being registered in two districts simultaneously. Consequently, prosecution could be difficult where two CFEC permit holders register in different districts with the same vessel and change districts without observing the 48-hour notification period. Also, the rule does not expressly specify whether a CFEC permit holder registered for one district may fish as a crewmember for another CFEC permit holder who is registered in another district. The board adopted this as a housekeeping measure.

PROPOSAL B ACTION: Carried

**DESCRIPTION:** Naknek River Sockeye Salmon Special Harvest Area Management Plan/action plan for Kvichak sockeye stock of concern. If the preseason forecast for the Kvichak River sockeye salmon run is less than 30 percent above the minimum BEG, the commissioner may open, by emergency order, the Naknek River SHA to drift gillnet and set gillnet fisheries.

**DISCUSSION:** The board found this applied to all the guiding principles and hoped it will help to improve the Kvichak sockeye stocks, which are a management stock of concern.

PROPOSAL C ACTION: Tabled to February 2004

**DESCRIPTION:** Bristol Bay General District. This proposal gives the department guidelines for conducting a fishery in an additional area of Bristol Bay to respond to an unusually high forecasted sockeye salmon return to Bristol Bay in 2004.

**DISCUSSION:** The board tabled this proposal to the February 2004 meeting in order to receive more public comment.

### **MISCELLANEOUS BUSINESS**

Stock of Concern ACTION: Carried

**Evaluation for Stock of Concern:** The board adopted the department's recommendation that Kvichak River sockeye salmon stock be elevated to a Stock of Management Concern (previously this stock was at a yield concern under the Sustainable Salmon Fisheries Policy). A stock of management concern is defined as "a concern arising from a chronic inability, despite use of specific management measures, to maintain escapements fro a salmon stock within the bounds of the SEG, BEG, OEG, or other specified management objectives for a fishery" under the policy.

#### Gulf of Alaska Groundfish Rationalization ACTION: Carried

The board moved to support the effort to seek moratorium in Gulf of Alaska state waters groundfish fishery through the legislature, in order to allow the state and federal programs the time to work toward rationalization of those fisheries.