

ALASKA BOARD OF FISHERIES

November 11-13, 2004

LOWER COOK INLET FINFISH

PROPOSAL 1 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Amend this regulation as follows:

Cook Inlet waters are shallower than the other three areas and kind of “behind” Kodiak. The fish come to inshore Cook Inlet later (or last)—so that about the time fishing begins to pick up in Cook Inlet the other areas catch the quota. When GHLS for state waters were set it seemed that Cook Inlet had fewer fish, thus a small GHL. This was a mistake. I propose Cook Inlet should have at least as large a GHL as Chignik: 5 to 6 percent. Perhaps some of the unused GHL of Price William Sound could apply. They appear to be the same fish.

PROBLEM: Small state waters quota percent for Cook Inlet.

WHAT WILL HAPPEN IF NOTHING IS DONE? We wind up with the smallest percent of the Central Gulf cod area quota--with the latest fish to spawn. We do not get a fair share of the Gulf cod at 2 ½ percent.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Because of the road system, a significant percentage of Cook Inlet fish are of fresh value.

WHO IS LIKELY TO BENEFIT? Cook Inlet state waters boats.

WHO IS LIKELY TO SUFFER? Federal gulf boats lose bycatch source.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Glen Carroll (SC-04-F-075)

PROPOSAL 2 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Amend this regulation as follows:

Limit vessel size to 58 feet or less.

PROBLEM: There is no 58-foot limit in state waters in Cook Inlet. The result is that Cook Inlet is the only area where larger Bering Sea boats can go to fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? This year increased effort in Cook Inlet shortened the season by two months for pots--with Cook Inlet the only place without a small boat protection, they can only fish here.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It helps extend the season which is what the fresh market needs.

WHO IS LIKELY TO BENEFIT? Smaller boats.

WHO IS LIKELY TO SUFFER? Boats over 58 feet.

OTHER SOLUTIONS CONSIDERED? This will probably only be a factor for a couple more years until Gulf rationalization occurs, then size will be irrelevant.

PROPOSED BY: Glen Carroll (SC-04-F-010)

PROPOSAL 3 - 5 AAC 28.332. Groundfish pot storage requirements for Cook Inlet. Amend this regulation as follows:

Make the state regulations like the federal regulation where it is only necessary to stop the gear from fishing by being unbaited.

PROBLEM: Having to have gear (pots) out of water within 24 hours of closure.

WHAT WILL HAPPEN IF NOTHING IS DONE? If it is unfavored then in winter months there will be violations because harsh weather prevents getting gear out of water.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, legal issue.

WHO IS LIKELY TO BENEFIT? All pot fishermen.

WHO IS LIKELY TO SUFFER? No one, unless enforcement does not like it.

OTHER SOLUTIONS CONSIDERED? The other option is to allow a five day closure time but that is not practical for fresh markets that want steady fish.

PROPOSED BY: Glen Carroll (SC-04-F-011)

PROPOSAL 4 - 5 AAC 28.367. Cook Inlet Pacific Cod Management Plan. Amend this regulation as follows:

Consider setting the jig percentage based on the average harvest over the years and harvest more with pots when the fish are catchable.

PROBLEM: The Cook Inlet management plan divides the harvest 50/50 between jig and pot boats. This appears to be unrealistic and may prevent us from catching the quota which is the only way it ratchets up.

WHAT WILL HAPPEN IF NOTHING IS DONE? We may never reach the anticipated full quota.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Pots seem to be able to harvest at a very steady rate in March and April, so fresh markets have a steady supply.

WHO IS LIKELY TO BENEFIT? Pot boats.

WHO IS LIKELY TO SUFFER? Jig boats, if they were able to catch their percentage, but this has never happened.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Glen Carroll (SC-04-F-076)

PROPOSAL 5 - 5 AAC 28.3XX. Cook Inlet shark fishery management plan; and 5 AAC 58.022(a)(8). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet—Resurrection Bay Saltwater Area. Amend these regulations as follows:

Directed hook-and-line shark fisheries, with sale of sharks as bycatch allowable in other commercial fisheries as well as liberalize bag limits in sport fisheries.

PROBLEM: Closed seasons on sharks (salmon and spring dogfish).

WHAT WILL HAPPEN IF NOTHING IS DONE? The shark resource is caught as bycatch and many other are not being utilized and sharks will continue to prey on salmon marine fish species.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Prey species, commercial and sport fishermen, as well as marine mammals.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Dyer VanDevere (SC-04-F-104)

PROPOSAL 6 - 5 AAC 28.350(c). Closed waters in Cook Inlet Area. Amend this regulation as follows:

Delete Resurrection Bay closure.

PROBLEM: Lingcod closure in Resurrection Bay.

WHAT WILL HAPPEN IF NOTHING IS DONE? Small boats push their limit to harvest lingcod and weather pushes boats back in to Resurrection Bay and ends fishing for them if a lingcod is aboard.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? More opportunity to harvest and current size limits protect the resource.

WHO IS LIKELY TO BENEFIT? Small boat fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Robert D. White (HQ-04-F-161)

PROPOSAL 7 - 5 AAC 28.310. Fishing seasons for Cook Inlet Area; 5 AAC 28.365. Cook Inlet Rockfish Management Plan. Limit the directed rockfish jig fishery to black rockfish and implement a logbook requirement as follows:

5 AAC 28.310. Fishing Seasons for Cook Inlet Area.

(d) **Black** rockfish *Sebastes melanops*, may be taken in a directed fishery from July 1 until closed by emergency order, except that...

5 AAC 28.365. Cook Inlet Rockfish Management Plan.

(e) a vessel participating in the Cook Inlet rockfish fishery shall maintain an accurate logbook, as supplied by the department, of all rockfish fishing operations.

PROBLEM: Although black rockfish have dominated recent commercial rockfish fishery harvests in Cook Inlet, the harvest and the number of landings composed entirely of yelloweye rockfish have steadily increased. The increased yelloweye harvest is cause for concern because: (1) existing management strategies were developed based on historical harvest primarily of black rockfish, and (2) yelloweye rockfish would require a much longer rebuilding period than black rockfish if overfished. The jig-only gear requirement and July 1 opening date for the Cook Inlet rockfish fishery are intended to provide for a fishery that targets on black rockfish and coincides with the lingcod fishery.

Rockfish harvest location is documented on department fish tickets at the statistical area level. Because black rockfish exhibit a low level of migratory behavior, specific harvest location is important, particularly to avoid localized depletion. Harvest reporting at the statistical area level is too coarse a resolution for black rockfish and logbook data with greater resolution is needed.

WHAT WILL HAPPEN IF NOTHING IS DONE? Yelloweye rockfish will make up an increasing proportion of the directed rockfish harvest. Risk of yelloweye overharvest and the potential for black rockfish localized depletion will increase.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED?

WHO IS LIKELY TO BENEFIT? Rockfish resource users benefit from both directing the fishery on black rockfish and greater resolution of rockfish harvest location data.

WHO IS LIKELY TO SUFFER? Individuals targeting yelloweye rockfish during the directed fishery will suffer.

OTHER SOLUTIONS CONSIDERED? Manage the directed rockfish fishery for the pelagic assemblage and allow bycatch of other rockfish assemblages. Because state management authority extends from shoreline to 200 miles only for black rockfish and not other pelagic species, managing for an assemblage such as pelagics would not work.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-220)

PROPOSAL 8 - 5 AAC 28.310(d). Fishing seasons for Cook Inlet Area. Require full retention of all rockfish bycatch to directed groundfish and halibut fisheries as follows:

(d) rockfish may be taken in a directed fishery from July 1 until closed by emergency order, except that **when fishing in a directed fishery, other than for rockfish, a CFEC permit holder must**

retain all rockfish and unless otherwise specified in this section or under 5 AAC 28.365, all rockfish in excess of 10 percent, round weight, of all directed species on board the vessel must be weighed and reported as bycatch overage on an department fish ticket; any proceeds from the sale of excess rockfish shall be surrendered to the state;

PROBLEM: Rockfish captured in longline fisheries are often discarded due to confusion over allowable bycatch retention rates. These discards result in undocumented rockfish mortality. Requiring full retention of rockfish will improve estimates of total rockfish removals and the department's ability to characterize harvested populations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Undocumented discards of rockfish bycatch in other directed fisheries will continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED?

WHO IS LIKELY TO BENEFIT? Rockfish resource users benefit from requiring full retention of rockfish bycatch.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-221)

PROPOSAL 9 - 5 AAC 28.306. Cook Inlet Area Registration; 5 AAC 28.3XX. Cook Inlet Area Sablefish Management Plan. Adopt a management plan a July 1 registration deadline, logbook requirement, and GHL divided equally among registered participants as follows:

5 AAC 28.306. Cook Inlet Area Registration.

(b) The registration deadline for the Cook Inlet sablefish fishery is 10:00 July 1. A vessel that is not registered for the Cook Inlet sablefish fishery by this time may not participate in the fishery.

5 AAC 28.3XX. Cook Inlet Area Sablefish Management Plan. (a) Sablefish may be retained in the Cook Inlet Area only during the open directed sablefish fishery, only by vessels registered to participate in the Cook Inlet sablefish fishery and under the following conditions:

(1) a vessel participating in the Cook Inlet sablefish fishery must have aboard a completed sablefish logbook supplied by the department and

(2) submit the completed logbook pages with each sablefish fish ticket.

(b) The annual sablefish GHL will be allocated equally among sablefish permitholders that have met the requirements outlined in 5 AAC 28.306(b).

PROBLEM: Despite a reduced season of 48 hours, the Cook Inlet Management Area sablefish fishery has exceeded the guideline harvest level (GHL) annually since 1999. This resulted from a combination of increased effort, a relatively small GHL, and increased catch rates in the fishery since the season opening date was moved to July 15.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BY IMPROVED?

WHAT WILL HAPPEN IF NOTHING IS DONE? The sablefish season length will continue to decrease resulting in increases in discards and gear conflicts. The GHL will likely continue to be exceeded.

WHO IS LIKELY TO BENEFIT? Some fishermen will benefit through reduced competition for the resource.

WHO IS LIKELY TO SUFFER? Fishermen with superior ability to compete for the sablefish resource in a derby style fishery, may have reduced catches under a fixed allocation system.

OTHER SOLUTIONS CONSIDERED? Status quo, including continued reduction in season length was considered unworkable because it will be more difficult to manage the fishery for lower GHLS.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-222)

PROPOSAL 10 - 5 AAC 28.370. Possession requirements for Cook Inlet Area. Allow the commissioner to require that lingcod be delivered with the head on and other requirements by emergency order for biological sampling purposes as follows:

(c) If the commissioner determines it necessary for biological sampling purposes, the commissioner may close, by emergency order, a fishing season for lingcod and immediately reopen the season with a requirement that all lingcod be delivered with the head on and with the vent and external area one inch forward of the vent unmutilated, as evidence of gender.

PROBLEM: Present regulations specify lingcod may be delivered with their head removed, provided they measure 28 inches from the front of the dorsal fin to the tip of the tail. When lingcod are delivered without heads, the department is precluded from gathering otoliths from the heads of the fish for the purposes of determining their age. Adoption of this proposal allows the department to require lingcod be delivered with the head on to achieve an adequate sample size for aging purposes, and to remove this requirement when it is not needed. It is a common practice in the industry to remove the head on board the fishing vessels, because it comprises such a large proportion of the fish, yields no economic value, and takes up space on the vessel.

WHAT WILL HAPPEN IF NOTHING IS DONE? Age and length data from headed fish will continued to be lost and sample data will not accurately characterize the harvested portion of the stock.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Complete and accurate sample data are essential to monitoring the harvest of this resource.

WHO IS LIKELY TO SUFFER? Carrying less salable product may compromise fishermen with limited hold capacities.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-223)

PROPOSAL 11 - 5 AAC 28.3XX. Cook Inlet Spiny Dogfish Management Plan. Create a new regulation to provide the following:

Open a directed longline fishery in Cook Inlet with a harvest guideline.

PROBLEM: No directed fishery for Spiny dogfish in Cook Inlet waters.

WHAT WILL HAPPEN IF NOTHING IS DONE? Underutilized resource will not be harvested. Commercial fisheries will not be able to diversify. New markets will not be developed. High concentrations of *Squalus Acanthias* will continue to take large amounts of food and forage fish from the ecosystem causing a reduction in yields in many other fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, new product for international market.

WHO IS LIKELY TO BENEFIT? All resource users.

WHO IS LIKELY TO SUFFER? The dogfish.

OTHER SOLUTIONS CONSIDERED? Increase the bycatch allowance for Cook Inlet.

PROPOSED BY: Kenai Peninsula Fishermen’s Association (HQ-04-F-338)

PROPOSAL 12 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet—Resurrection Bay Saltwater Area. Amend the lingcod minimum size limit of 28 inches with the head removed as follows:

(a)(7) lingcod: may be taken from July 1 – December 31; bag and possession limit of two fish; minimum size is 35 inches in length with the head attached or, **if the head is removed**, 28 inches in length **from the front of the dorsal fin to the tip of the tail** [WITH THE HEAD REMOVED.], and

(b)(3)(B)(iii) lingcod: may be taken only from July 1 – December 31; bag and possession limit of one fish; minimum size is 35 inches in length with the head attached or, **if the head is removed**, 28 inches in length **from the front of the dorsal fin to the tip of the tail** [WITH THE HEAD REMOVED.]

PROBLEM: Current regulations do not define the head of a lingcod. This omission has allowed some anglers to retain undersize fish by cutting off the head as necessary in order to retain a legal 28-inch fish. The minimum size limit was enacted to optimize reproduction of lingcod; and length data from the harvest are used to monitor population status. Adopting a head-off minimum length requirement of 28 inches from the front of the dorsal fin to the tip of the tail (similar to the commercial regulations found in 5 AAC 28.370(a)) will provide a consistent, measurable reference point for determining if a fish meets the legal minimum length.

WHAT WILL HAPPEN IF NOTHING IS DONE? If nothing is done, regulations will continue to provide an opportunity for anglers to remove the head of lingcod in order to land undersize fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All users will benefit from simplified, consistent regulations and from the availability of better biological information. The lingcod population will benefit from any increased compliance with the minimum size limit.

WHO IS LIKELY TO SUFFER? Those anglers who remove the head of sublegal lingcod before they bring them to shore are likely to suffer.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-324)

PROPOSAL 13 - 5 AAC 21.310(3). Fishing seasons. Amend this regulation for the Southern District as follows:

When the seine fleet starts fishing, the Halibut Cove subdistrict five days a week, the setnet fisherman in Halibut Cove will also be open to five days a week.

PROBLEM: When the seine fleet starts fishing the Halibut Cove subdistrict in June, they are open five days a week. The Halibut Cove setnetters are on two 48-hour openings until after July 4. This creates a gear conflict as the seiners are already fishing when we go to set our gear on Thursdays.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gear conflicts and heated arguments will continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The setnetters have a cooperative for fresh marketing, this helps stabilize our daily markets.

WHO IS LIKELY TO BENEFIT? Halibut Cove setnetters.

WHO IS LIKELY TO SUFFER? Seiners might not like it, but it will not hurt them as they are mobile in a large area.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Seldovia Advisory Committee (SC-04-F-015)

PROPOSAL 14 - 5 AAC 21.310(3)(B). Fishing seasons. Amend this regulation in the Southern District as follows:

We are asking the board to stabilize our opening date by changing the present regulation of first Monday in June to read June 1 provided that day is a regular fishing day or the first Monday at 6 a.m. or Thursday at 6 a.m. proceeding the June 1.

PROBLEM: The irregularity of the Southern District's Lower Cook Inlet setnet fishery opening date of the first Monday in June. A fixed date would bring us in line with the other Area H salmon fisheries that all have a definitive time already in place. As it stands with the present regulation our opening can vary by as much as seven days in some years, and in today's fresh market situation where changes happen with the tide it is an unworkable condition for our group.

WHAT WILL HAPPEN IF NOTHING IS DONE? Loss of our fresh market base. Our group of 16 permit holders are engaged in direct marketing on a fresh domestic market and it is very disruptive in this highly competitive environment to have no set date that will ensure our client base that they can be competitive in the arena year after year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Our fish are of the highest quality already; bleeding, icing and daily deliveries to our custom processor have always been a part of our program. This measure would only ensure our cooperative that we will be able to continue supplying a fresh market on a date they can count on year after year.

WHO IS LIKELY TO BENEFIT? Our market base, their market base, the consumer, our tender, our custom processor and the people employed by them, the trucking company moving our fish, the expeditor in Anchorage, the airlines transporting our product to the lower 48, the local restaurants servicing the tourist industry from Homer to Anchorage that already rely on our fresh fish and our group of 16 permit holders and their deck-hands. The area we fish is not connected to a road system and has little to no economic base whatsoever and anything that would shore up what we have developed in direct marketing would benefit a large segment of the resident population on the south side of Kachemak Bay.

WHO IS LIKELY TO SUFFER? No one. Port Graham and Nanwalek subsistence fisheries fish simultaneously with its commercial fishery so there are no conflicts in this area. Seldovia subsistence fishing ends May 31 therefore the commercial opening on June 1 would be of no consequence. Due to the fact that what we are asking for is already a circumstance that occurs periodically in this fishery and that there is no biological reason for this opening as it stands it goes to say that we would not put any undue stress on other subdistricts by stabilizing our subdistrict's opening date to reflect one that is in step with the current market condition.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Kachemak Bay Salmon Producers (HQ-04-F-055)

PROPOSAL 15 - 5 AAC 21.375. Bear Lake Management Plan. Amend this regulation as follows:

(X) The purpose of the following strategies set forth in this section is to provide an equitable distribution of the harvest of enhanced sockeye salmon between the commercial seine fleet and the Trail Lakes Hatchery operators in waters of Resurrection Bay.

(1) The Cook Inlet Aquaculture Association Resurrection Bay Saltwater Special Harvest Area (SHA) shall consist of all marine waters of Resurrection Bay in the Eastern District enclosed by a line drawn from Aialik Cape and approximately 149°31.50'W. longitude, 59°42.33'N. latitude, to a point one mile due south of Aialik Cape at approximately 149°31.50'W. longitude, 59°41.33'N. latitude, then northeast to a point one mile due south of Cape Resurrection at approximately 149°17'W. longitude, 59°51.03'N. latitude, then north to Cape Resurrection at approximately 149°17'W. longitude, 59°52.03'N. latitude. These waters are described as Resurrection Bay North Subdistrict (231-30), Renard Island Subdistrict (231-25) and the Rugged Island Subdistrict (231-35). The freshwater SHA shall consist of all freshwaters of Bear Creek, Salmon Creek, and Resurrection River downstream (south) of and including the Bear Creek weir, located at approximately 60°11.36'N. latitude, 149°21.99'W. longitude.

- (2) Notwithstanding 5 AAC 31.320 and 5 AAC 31.330, and except as provided by emergency order issued under AS 16.05.060, a person holding a permit under AS 16.10.400 for the Trail lakes Hatchery, and an agent, contractor, or employee of that person who is authorized under 5 AAC 40.005(g), may harvest salmon within the CIAA Resurrection Bay Saltwater SHA from May 15 through July 15 using purse seines five days per week from 6 a.m. Monday to 10 p.m. Friday or during periods established by emergency order.
- (3) The conditions set forth in 5 AAC 21.375(c) will terminate on December 31, 2007.

PROBLEM: The Cook Inlet Aquaculture Association (CIAA) has established an early-run adult sockeye return in Resurrection Bay deliberately sized to support operation of CIAA's non-Tutka Bay Hatchery salmon enhancement programs. To avoid conflicts with the commercial harvest of these fish when they return, CIAA requests the board establish a saltwater special harvest area (SHA) in Resurrection Bay which 1) allows CIAA to harvest fish for cost recovery at their maximum grade; and 2) allows the commercial seine fleet to harvest adult sockeye from the current Bear Lake salmon enhancement project.

The current Bear Lake enhancement project involves the release of early-run sockeye and late-run coho fry to the lake and the release of coho smolt to Bear Creek. Lake rearing conditions are enhanced through nutrient enrichment. CIAA monitors lake-rearing conditions through limnological sampling and enumerates the smolt and adult migrations in Bear Creek. Returning adult sockeye are harvested in the commercial fishery and returning adult coho are harvested in the Resurrection Bay sports fishery. Surplus adult sockeye and coho are harvested for cost recovery from fresh water.

Under the current sockeye enhancement project, CIAA collects 3,000,000 eggs from Bear Lake and release 2,400,000 fry annually. Based on observed survival rates, the sockeye fry release should produce 542,000 smolt and 108,400 adults. The lake escapement goal is 12,000 fish. CIAA considers a 66 percent harvest rate an acceptable standard for contribution to the fishery. The projected annual commercial harvest is 64,600 fish. Surplus fish are harvested for cost recovery from fresh water.

Under the current coho enhancement project, CIAA collects 950,000 eggs from Bear Creek and release 450,000 fry and 250,000 smolts annually. Based on observed survival rates, the coho fry release should produce 60,000 smolts and, with the hatchery smolt release, the project should produce a total adult coho return of 21,700 adults. These fish are all available to the Resurrection Bay recreational fishery. The minimum lake escapement goal is 300 fish; and, CIAA and the department require 600 fish for hatchery broodstock. Surplus fish are harvested for cost recovery from freshwater.

The Resurrection Bay late-run sockeye salmon cost recovery project began in 1994. This project was sized to provide revenue to operate Crooked Creek Hatchery and other CIAA projects. Although operations at Crooked Creek have been terminated, Crooked Creek Hatchery projects have been transferred to other CIAA operated facilities and the original project objectives remain.

CIAA began the Resurrection Bay cost recovery project by releasing sockeye smolt to Grouse Lake. To avoid conflicts with the Resurrection Bay recreational harvest, CIAA cost recovery harvests were restricted to the freshwaters of the Grouse Lake drainage system.

Late-run sockeye salmon returning to Grouse Lake were available to recreational fishermen as they passed through Resurrection Bay, but are not harvested in any Resurrection Bay commercial

fishery. CIAA harvested the entire return, less any taken in the recreational fishery, in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Adult returns began in 1996 and were harvested by CIAA annually.

In 1996, the total adult sockeye return was estimated at 800 fish. No adult sockeye salmon were harvested. The small return in 1996 was believed to be due to the poor release conditions. The fish were released in July of 1996 without being held for imprinting.

In 1997, the total adult sockeye return was 16,382 and 12,472 were harvested for sale. 48.2 percent of the harvested fish were rejected by the processor and CIAA received an average price of \$0.389/lb. The small return in 1997 was also believed to be due to poor release conditions. The release of most of the returning fish was compromised by unexpected flood conditions in the Grouse Creek system immediately after the fish were released.

In 1998, the total adult sockeye return was 21,654 and 18,484 were harvested for sale. 38.6 percent of the harvested fish were rejected and CIAA received an average price of \$0.386/lb. The small return in 1998 was due to the low number of smolt released in 1996.

In 1999, the total adult sockeye return was 107,258 and 104,020 were harvested for sale. 49.6 percent of the harvested fish were rejected and CIAA received an average price of \$0.378/lb. CIAA harvested these fish close to saltwater and in the best condition possible. However, all fish harvested were of low grade.

In 2000, the total adult sockeye return was 44,008 and 42,907 were harvested for sale. Four segregated harvest areas, including an experimental salt water special harvest area, were used in an effort to maximize the value of the cost recovery efforts. The fish generated revenues totaling \$121,089.54, with an average price of \$0.592/lb. By using multiply harvesting sites and working in cooperation with the department's management objectives, the average price per pound increased by 37 percent during a declining market.

In 2001, the total adult sockeye return was 10,976 and 10,876 were harvested. 66 percent of the fish were donated to statewide dog mushers, since the grade of the fish were not acceptable to the commercial market. All fish were harvested from the weir site. No salt water special harvest area was used in 2001, which was the deciding factor for the absence of a cost recovery commodity.

Since 1996, CIAA has grossed \$333,804 for the fish harvested. Based on the average Upper Cook Inlet sockeye price of \$1.15/lb in 1997 and 1998, \$1.40/lb in 1999, \$0.85/lb in 2000, and \$0.65/lb in 2001, these fish, if harvested in bright condition, were worth \$909,182. This represents a significant loss of income to CIAA and the waste of a valuable resource.

CIAA reviewed the difficulties of conducting the late-run Resurrection Bay cost recovery project and proposed 1) the Grouse Lake late-run sockeye smolt release be discontinued, 2) Bear Lake early-run sockeye be further enhanced to provide fish for CIAA cost recovery, 3) a saltwater special harvest area in Resurrection Bay be established and 4) a management plan be developed that allows CIAA to harvest fish for cost recovery at their maximum grade and allows the commercial seine fleet to participate in the harvest.

The following management plan has been reviewed by the Lower Cook Inlet seine fleet and the CIAA Board of Directors. These conditions will be included in the Trail Lakes Hatchery Annual Management Plan.

- (1) Prior to May 1 of each year, CIAA will contact all members of the Lower Cook Inlet seine fleet (harvesters), notify them of the projected return and request their participation in the Resurrection Bay saltwater cost recovery harvest. Those seine fleet members wishing to participate in the saltwater cost recovery harvest as an agent of CIAA will register with CIAA prior to entering the Resurrection Bay saltwater SHA and will notify CIAA of their buyer prior to the delivery of fish.
- (2) Saltwater SHA harvesters will deliver all harvested fish to their buyer and will be compensated at a rate equal to 50 percent of the dollar value of the fish delivered, minus any taxes due. The dollar value does not include icing, RSW or other delivery bonuses.
- (3) 50 percent of the value of the fish harvested by CIAA in the Resurrection Bay freshwater SHA will be split among the participating harvesters in proportion to the value of the fish delivered during the season, minus any taxes due.
- (4) 50 percent of the value of retroactive payments received by CIAA for the Resurrection Bay saltwater harvest will be split among the participating harvesters in proportion to the value of the fish delivered during the season, minus any taxes due.
- (5) If excessive numbers of nontarget species are captured by CIAA's saltwater cost recovery harvest and the saltwater cost recovery harvest area is closed by the area management biologist, all harvest operations will be completed by CIAA in the freshwater SHA. When the saltwater cost recovery harvest area is closed by the area management biologist, 50 percent of the value of the fish harvested in the freshwater SHA within 14 days of the saltwater closure will be split among the participating saltwater harvesters in proportion to the value of the fish delivered during the season, minus any taxes due.
- (6) The Saltwater Special Harvest Area and the management plan will be reviewed after three years.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is not being asked to resolve an existing conflict, but is being asked to address a potential problem before it occurs.

CIAA has established an early-run adult sockeye return in Resurrection Bay deliberately sized to support operation of CIAA's non-Tutka Bay Hatchery salmon enhancement programs. To avoid conflicts with the commercial harvest of these fish when they return, CIAA requests the board establish a saltwater special harvest area in Resurrection Bay that 1) allows CIAA to harvest fish for cost recovery at their maximum grade and 2) allows the commercial seine fleet to participate in the harvest.

Without the establishment of a special harvest area, commercial and cost recovery harvest activities will conflict resulting in the harvest of low grade fish and the loss of harvest opportunities by both CIAA and the commercial fleet. The cost recovery harvest of returning sockeye salmon provides the funding necessary to continue the Bear Lake project and other CIAA enhancement activities. A reduction in the value of the sockeye harvested in Resurrection Bay for cost recovery would result in the loss of these programs, which provide fish to one or more segments of the common property fishery throughout Area H.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Adult sockeye salmon returning to the Bear Lake system for cost recovery harvest are harvested in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Fish harvested in the freshwater system have been of very low grade with over 37 percent of the late-run fish returning to Grouse Lake rejected for sale. This represents a significant loss of income to CIAA and the waste of a valuable resource.

Discontinuing the late-run smolt releases at Grouse Lake, further enhancing the Bear Lake system with early-run fall presmolt and spring smolt releases; and, in securing a saltwater special harvest area will improve the grade and quality of fish harvested and allow all returning fish to be fully utilized.

WHO IS LIKELY TO BENEFIT? All users (subsistence, personal use, recreation, and commercial) of CIAA enhancement programs will benefit from the proposed solution. Moving the late-run Resurrection Bay sockeye cost recovery project from Grouse Lake to an early-run Bear Lake project is expected to increase the grade, quality and value of the sockeye harvested by CIAA. CIAA and all user groups served by CIAA projects throughout the Cook Inlet drainage will benefit.

WHO IS LIKELY TO SUFFER? No one. More fish will be available for harvest by CIAA and the seine fleet. All commercial seine fleet permit holders will be eligible to participate in the Resurrection Bay sockeye harvest. The coho salmon enhancement project will not be changed.

OTHER SOLUTIONS CONSIDERED? A sockeye salmon enhancement project for CIAA cost recovery harvest at Spring Creek: This project was submitted to the board in 1998, but was withdrawn because of conflicts with a previously enhanced chum salmon stock.

CIAA evaluated six other sites in the Resurrection Bay area for the development of a cost recovery harvest: Spruce Creek, Lowell Creek, the Seward Lagoon, two unnamed sites near the airport, and Sawmill Creek. These sites were rejected because of frequent flood conditions, conflicts with other department enhancement projects, poor access, or the need to complete extensive site development.

In 2001 CIAA submitted a proposal to allow for a CIAA cost recovery harvest by capping the commercial harvest at 66,000 fish. This proposal was rejected by the board.

PROPOSED BY: Cook Inlet Aquaculture Association (HQ-04-F-109)

PROPOSAL 16 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area. Amend this regulation as follows:

Close all salt waters of the Cook Inlet north of the Kenai River to all sport fishing the entire year.

PROBLEM: Sport fishing for game fish bound for their spawning beds.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continue decline of sport fishing due to unneeded harm of game fish bound for their spawning beds.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By allowing more game fish to spawn, we will have more game fish, which will mean larger bag and size limits, and longer open seasons.

WHO IS LIKELY TO BENEFIT? All users of the resource will benefit.

WHO IS LIKELY TO SUFFER? None.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Jacob Joseph Dahlen (SC-04-F-004)

PROPOSAL 17 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area. Amend this regulation as follows:

Chinook salmon measuring 44 inches or greater and less than 55 inches in length may not be retained from May 1 to June 24 in all eastside Cook Inlet areas open to chinook salmon fishing south of the mouth of the Kenai River. Chinook salmon within this non-retention slot may not be removed from the water and must be released unharmed.

PROBLEM: Inadequate protection of the depleted five-ocean substock of early-run chinook salmon returning to the Kenai River.

WHAT WILL HAPPEN IF NOTHING IS DONE? Further depletion of this depressed substock with unknown negative consequences to the long-term productivity of the entire stock as a whole.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By reducing exploitation on this substock, the totality of the stock shall be restored to its historic natural age-class composition. This measure will help to preserve the full spectrum of stock's genetic diversity and ensure its natural long-term productivity for generations to come.

WHO IS LIKELY TO BENEFIT? 1) The fish, particularly the depressed five-ocean age class. 2) The recreational fishermen who can once again look forward to increased opportunity to catch these fish in greater numbers over time.

WHO IS LIKELY TO SUFFER? The recreational fishermen who wish to continue harvesting the large 44 to 55 inch salmon which make up the vast majority of the depressed early-run five-ocean age class. Their forgone harvest opportunity is expected to be very small. Although very few salmon of this size are harvested in this fishery, each of them is exceedingly likely to be of Kenai River origin.

OTHER SOLUTIONS CONSIDERED? Keep the current nonretention slot rules confined to the mainstem Kenai River: This option fails to protect early-run five-ocean chinook salmon as they migrate through the recreational troll fishery in Cook Inlet. All other eastside Cook Inlet drainages which contribute chinook salmon to this fishery during this timeframe are exceedingly unlikely to produce chinook salmon measuring 44 to 55 inches with the singular exception of the Kenai River. This option requires inriver users to bear 100 percent of the conservation burden of restoring early-run five-ocean fish while their saltwater counterparts can continue to legally harvest these "protected" fish in Cook Inlet.

PROPOSED BY: Francis V. Estalilla, M.D. (HQ-04-F-038)

PROPOSAL 18 - 5 AAC 58.030. Methods, means, and general provisions—finfish. Amend this regulation as follows:

Anchoring above the latitude of 46.12 Anchor Point, more than two miles offshore, during drift gillnet opening, is prohibited.

PROBLEM: Safety and the conflicts that result when sport fishing vessels anchor in the path of a drift gillnet.

WHAT WILL HAPPEN IF NOTHING IS DONE? Injury, loss of life, gear, and conflicts.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Safety.

WHO IS LIKELY TO BENEFIT? All users benefit from a safer fishery.

WHO IS LIKELY TO SUFFER? Anchored vessels.

OTHER SOLUTIONS CONSIDERED? The board has avoided this simple fix.

PROPOSED BY: Dan Thompson (SC-04-F-129)

PROPOSAL 19 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet—Resurrection Bay Saltwater Area. Amend this regulation as follows:

Halibut charter vessels will not be allowed to anchor north of 59°45.00 when the drift gillnet fishery is open.

PROBLEM: Halibut charter vessels anchoring in seaway.

WHAT WILL HAPPEN IF NOTHING IS DONE? An accident resulting in injury or death.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The board under methods and means can solve a safety problem.

WHO IS LIKELY TO BENEFIT? A safe fishery will benefit everyone.

WHO IS LIKELY TO SUFFER? The restriction will impact less than eight days a year.

OTHER SOLUTIONS CONSIDERED? The board took no action; submitted four times.

PROPOSED BY: John McCombs (HQ-04-F-172)

PROPOSAL 20 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet—Resurrection Bay Saltwater Area. Amend this regulation to provide the following:

There is no anchoring corridor south of the Kalgin buoy from June 25 to August 9 when salmon drift boats are present. The coordinates of the corridor are 1) 60°04'N; 152°15'W. 2) 60°04'N; 151°57'W; 3) 59°46' 12"N; 152°10'W; and 4) 59°46' 12"N; 152°30'W.

PROBLEM: Sport fishermen anchoring where salmon drift nets are operating.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued conflict between sport and commercial fishermen. Entanglement and death in a gillnet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? This is a safety issue. Everyone will benefit.

WHO IS LIKELY TO SUFFER? No one. There are still many places to anchor and fish on those days.

OTHER SOLUTIONS CONSIDERED? No anchoring anywhere during commercial fishing openings. This is not necessary.

PROPOSED BY: Steve Vanek (SC-04-F-073)

PROPOSAL 21 - 5 AAC 58.030. Methods, means, and general provisions—finfish; and 5 AAC 61.030. Methods, means, and general provisions—finfish. Amend these regulations as follows:

No anchoring of a sport fishing boat shall be allowed, in any area of Cook Inlet, within 660 feet of a drift gillnet vessel that has its nets in the water.

PROBLEM: There is a major safety hazard that exists. Commercial halibut charter boats have recently adopted the practice of anchoring in heavily congested areas where a commercial drift fishery is in progress.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be more continued property damage. There is also a high potential for injury or loss of life.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? All users benefit. A potential hazard is avoided.

WHO IS LIKELY TO SUFFER? Halibut fishermen that are anchored in the path of a drift gillnet.

OTHER SOLUTIONS CONSIDERED? Prohibit anchoring on days that the commercial salmon fishery is open. It is only those vessels that are anchored in the immediate vicinity of drift nets that are dangerous.

PROPOSED BY: Chris Garcia (SC-04-F-100)

PROPOSAL 22 - 5 AAC 58.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet—Resurrection Bay Saltwater Area. Amend this regulation as follows:

Create exclusive “Youth Fishery Days” at the Homer Spit Fishery Enhancement Lagoon during the general peak return periods of the early-run king, early-run coho, and late-run coho salmon returns. Propose the following exclusive days:

Early run king salmon-Second Friday in June.

Early run coho salmon-Second Friday in July.

Late run coho salmon-Third Friday in August.

Fridays will allow families from out of town to schedule their trips for the weekend to allow parents to fish with their children on the subsequent Saturday and Sundays. Dates selected should not coincide with snagging season. Area considered: Within the confines of the Homer Spit Lagoon, as

determined and marked by ADF&G signage. Estimate of the shoreline area included would only encompass approximately 30 to 50 percent of the lagoon, allowing adult anglers ample opportunity to fish during the exclusive “Youth Fishery Days.” Length of Day: Periods considered include 24 hour calendar day or 5 a.m. to 9 p.m. The period selected should be based on enforcement and safety considerations which may indicate the 5 a.m. to 9 p.m. period.

PROBLEM: Recent legislation has afforded the opportunity to create exclusive “Youth Fishery Days” throughout Alaska. This provides a unique opportunity to encourage families with children under 16 years of age to participate in popular sport fisheries that otherwise would be competitive and crowded with adult anglers. This opportunity may not only create new lifetime anglers for the future but also provide a positive influence in many families and children’s lives.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the “Youth Fishery Days” are not utilized, children will continue to compete unfairly in popular crowded fisheries. This often discouraging situation does not lend itself to converting children into future anglers.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Proposal addresses peak run periods which generally coincides with excellent quality fish.

WHO IS LIKELY TO BENEFIT? Families with children less than 16 years of age will have the opportunity to have a quality experience while participating in a popular, effective sport fishery, subsequently creating future lifetime anglers.

WHO IS LIKELY TO SUFFER? Adult anglers will have less effective area to fish during the proposed three “Youth Sport Fishing Days.” However they would still have available to fish up to half of the shoreline’s area.

OTHER SOLUTIONS CONSIDERED? Considered the Anchor River. However, access, young children’s safety and enforcement would be more difficult that the Homer Spit Lagoon.

PROPOSED BY: South Peninsula Sportsmen Association (HQ-04-F-065)

PROPOSAL 23 - 5 AAC 21.357(c). Kenai River Coho Salmon Conservation Management Plan; 5 AAC 56.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage); 5 AAC 52.023. Seasons; bag, possession, and size limits; and special provisions for the Kenai River drainage; 5 AAC 56.070. Kenai River and Kasilof River early-run king salmon conservation management plan; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area; 5 AAC 61.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Susitna—West Cook Inlet Area; and 5 AAC 61.030. Methods, means, and general provisions—finfish. Amend these regulations as follows:

When there is a conservation concern, the department cannot revert to a catch-and-release fishery. The fishery is closed on that particular stock until it is deemed that there is sufficient harvestable surplus to reopen the fishery on the stock of concern.

PROBLEM: Mortality rate of hook-and-released fish in the Cook Inlet basin. Worldwide mortality rate for hook-and-released fish ranges from an average of 10 to 30 percent, but with larger fish the mortality rate exceeds this average.

WHAT WILL HAPPEN IF NOTHING IS DONE? We will continue to wastefully kill more and more fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? All users that are concerned about maintaining the resource.

WHO IS LIKELY TO SUFFER? Any industry that is unconcerned about the health of the resource.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Chris Garcia (SC-04-F-096)

PROPOSAL 24 - 5 AAC 56.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Amend this regulation as follows:

Guides on the Anchor River and Deep Creek can have no more than two clients.

PROBLEM: Guided activity on the Anchor River and Deep Creek is beginning to be a problem and should be addressed before it gets any worse. The problem is that guides are taking four or five clients at a time to these streams. These streams are too small to accommodate this without seriously degrading the quality of the fishing experience.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercialization of the streams will increase to a level that those who enjoy fishing on these streams for kings, silver and steelhead will have to look elsewhere.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The fishing public.

WHO IS LIKELY TO SUFFER? Guides that are intent on making money at the expense of the fishing public.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Dick Marshall (HQ-04-F-014)

PROPOSAL 25 - 5 AAC 56.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Amend this regulation as follows:

Add another weekend to the king salmon season prior to existing Memorial Day opening.

PROBLEM: Fishing time for king salmon on Anchor River was reduced to four weekends.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing opportunity is lost unnecessarily.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Increases opportunity with little impact on resource.

WHO IS LIKELY TO BENEFIT? Fishermen wanting more opportunity.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Add weekend after the existing four weekends. More fish are deeply hooked later due to bait fishermen in clear water.

PROPOSED BY: Homer Advisory Committee (HQ-04-F-036)

PROPOSAL 26 - 5 AAC 56.022(b). Waters; seasons; and bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Allow fishing for hatchery king salmon in the Ninilchik River seven days per week as follows:

(b)(5) Deep Creek [AND THE NINILCHIK RIVER] drainage:

(C) [ARE] **is** open to sport fishing from the mouth to ADF&G regulatory marker located **approximately** two miles upstream, on Memorial Day weekend and the following two weekends and the Monday following each of those weekends, and from July 1–December 31.

(E) upstream of ADF&G regulatory markers located **approximately** two miles upstream from the mouth, from August 1 – December 31, [ARE] **is** open to sport fishing except for salmon.

(X) Ninilchik River drainage

(A) from September 1 – December 31, in flowing waters, only one unbaited, single-hook artificial lure may be used;

(B) rainbow/steelhead trout may not be possessed or retained; rainbow/steelhead trout caught must be released immediately’ a person may not remove rainbow/steelhead trout from the water;

(C) is open to sport fishing from the mouth upstream to ADF&G regulatory markers located approximately two miles upstream beginning Memorial Day weekend through December 31

(D) is open to sport fishing for king salmon from its mouth upstream to ADF&G regulatory markers located approximately two miles upstream beginning Memorial Day weekend through December 31;

(i) naturally produced king salmon may be retained only on Memorial Day weekend and the following two weekends and the Monday following each of those weekends; for the purposes of this paragraph, “naturally produced” king salmon is a king salmon with an intact adipose fin; a king salmon 20 inches or greater in length that is removed from the water must be retained and becomes a part of the bag limit of the person originally hooking it; a person may not remove a king salmon from the water before releasing the fish; bag and possession limit one fish;

(ii) a person may not possess a king salmon that has been filleted, mutilated, or otherwise disfigured in a manner that prevents the determination that the fish is a hatchery king salmon, until the fish is permanently outside the Ninilchik River drainage and “hatchery king salmon” is a king salmon with a clipped

adipose fin as evidenced by a healed fin clip scar where the adipose fin is normally located;

(E) upstream of ADF&G regulatory markers located approximately two miles upstream from the mouth from August 1 – December 31, is open to sport fishing except for salmon;

PROBLEM: The harvest opportunity for surplus hatchery fish in the Ninilchik River sport fishery is currently underutilized by the angling public within the present bag and possession limit regulation. King salmon are stocked in the Ninilchik River to provide additional harvest opportunity for sport anglers. An average of 630 hatchery produced king salmon have migrated through the sport fishery on the Ninilchik River since 1999. Less than 10 percent annually, were broodstock for other terminal harvest enhancement projects in Kachemak Bay and the remainder spawned in the Ninilchik River. Additional opportunity is available to harvest stocked fish in the Ninilchik River without negatively impacting the wild king salmon run or salmon spawning and rearing habitat.

WHAT WILL HAPPEN IF NOTHING IS DONE? Significant numbers of stocked king salmon will continue to escape the sport fishery in the Ninilchik.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Anglers that fish in the Ninilchik River.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Fishery extensions following the last regulatory weekend occurred by emergency order in 2002 and 2003 but significant numbers of hatchery produced kings still escaped past the fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-317)

PROPOSAL 27 - 5 AAC 56.022(a). Waters; seasons; and bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Amend this language to provide the following:

(a)(1) king salmon...

(B) [LESS THAN 20 INCHES IN LENGTH MAY BE TAKEN FROM JANUARY 1 — DECEMBER 31; BAG AND POSSESSION LIMIT OF 10 FISH;]

(b)(2) in the Anchor River drainage, except the Bridge Creek reservoir,

(D)upstream from the junction of the North and South Forks sport fishing is open from August 1 – December 31 except for [KING] salmon [20 INCHES OR GREATER IN LENGTH AND OTHER SALMON 16 INCHES OR GREATER IN LENGTH];

(E) sport fishing is open for king salmon [20 INCHES OR GREATER IN LENGTH] from its mouth upstream to the junction of the North and South Forks only on Memorial Day weekend and the following three weekends and the Monday following each of those weekends; **for king salmon 20 inches or greater in length**, bag and possession limit of one fish; a person may not retain more than two king salmon 20 inches or greater in length each year from the Anchor River and Deep Creek combined; a person who takes and retains a king salmon 20 inches or greater in length from either Deep Creek or the Anchor River may not sport fish in either drainage for the rest of that day; a king salmon 20 inches or greater in length that is removed from the water must be retained and becomes a part of the

bag limit of the person originally hooking it; a person may not remove a king salmon from the water before releasing the fish;

(3) Bishop Creek drainage (including Daniels Creek):

(B) is closed to sport fishing for [KING] salmon [20 INCHES OR GREATER IN LENGTH AND FOR SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

(5) Deep Creek drainage and Ninilchik River drainage:

(D) are open to sport fishing for king salmon [20 INCHES OR GREATER IN LENGTH] from the mouth upstream to ADG&G regulatory markers located approximately two miles upstream only on Memorial Day weekend and the following two weekends and the Monday following each of those weekends; for king salmon 20 inches or greater in length, bag and possession limit of one fish; a person may not retain more than two king salmon 20 inches or greater in length each year from the Anchor River and Deep Creek [RIVER] combined;...

(E) upstream of ADF&G regulatory markers located two miles upstream from the mouth, from August 1 – December 31, are open to sport fishing except for [KING] salmon [20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

(6) English Bay River drainage:

(B) upstream of the outlet of Lower English Bay Lake, the drainage, including flowing water, lakes, and ponds, from January 1 – December 31, are open to sport fishing, except for [KING] salmon [20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

(8) Resurrection Bay drainages:

(B) closed to sport fishing for [KING] salmon [20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

(9) Stariski Creek drainage:

(C) from its mouth upstream to the Sterling Highway Bridge, from July 1 – December 31, is open to sport fishing, except for king salmon [20 INCHES OR GREATER IN LENGTH];

(D) upstream from the Sterling Highway Bridge, from August 1 – December 31 is open to sport fishing, except for [KING] salmon [20 INCHES OR GREATER IN LENGTH AND SALMON, OTHER THAN KING SALMON, 16 INCHES OR GREATER IN LENGTH];

PROBLEM: Allowing anglers to target jack salmon in areas closed to fishing for larger salmon causes regulatory inconsistency and renders salmon closures unenforceable because anglers target large king salmon for catch and release and claim they are fishing for jacks. Enforcement personnel can do little to protect these fish unless clear evidence of poaching exists (e.g., a fish on a stringer).

WHAT WILL HAPPEN IF NOTHING IS DONE? Salmon protected by closures will continue to be harassed by anglers under the guise of fishing for jack salmon. Enforcement of closed waters for king salmon 20 inches and other salmon 16 inches or greater will be ineffective.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Anglers interested in increasing brood stock to area systems so that fisheries will be possible in the future. Personnel enforcing closed waters regulations.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-316)

PROPOSAL 28 - 5 AAC 56.022(b)(8). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Amend this regulation to provide the following:

Salmon fishing, single hook-artificial lure, open on Resurrection River drainages, downstream from the Seward Highway and downstream from Nash Road. Bag limits same as Resurrection Bay.

PROBLEM: Fresh water salmon fishing in Resurrection Bay drainages.

WHAT WILL HAPPEN IF NOTHING IS DONE? Status quo.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Improve quality of resource as this area is within three miles of saltwater.

WHO IS LIKELY TO BENEFIT? The community at large.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? Opening larger areas of drainages to salmon sport fishing. Rejected for enforcement and property ownership issues.

PROPOSED BY: Seward Advisory Committee (HQ-04-F-058)

PROPOSAL 29 - 5 AAC 56.022(b)(8). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Amend this regulation to provide the following:

First Lake, located in Seward, will be designated as “kids only fishing” from the Thursday prior to the third Saturday in May through the Sunday after Saturday in May.

PROBLEM: There is a lack of educational fishing opportunities in the Seward Area for children. The most accessible fishery for children in the Seward area are salmon fisheries located along the Seward beaches. The Seward Advisory Committee last year started to sponsor a children’s fishing day at First Lake, a small stocked lake in Seward, use this day to teach children about the importance of fish habitat, and about the proper care and handling of fish if they are to be released or kept as harvest.

WHAT WILL HAPPEN IF NOTHING IS DONE? The loss of an educational opportunity and understanding of fishery issues for children 5 to 15 years old.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. This educational opportunity seeks to teach children the importance of healthy fish habitat and the importance of the proper handling of fish when caught.

WHO IS LIKELY TO BENEFIT? Future sport fishers and our fishery resources.

WHO IS LIKELY TO SUFFER? Some adults will be unable to fish for stocked rainbows in First Lake for several days.

OTHER SOLUTIONS CONSIDERED? Since a youth-only fishery will be a new law, if signed by the governor, we have not at this time considered other solutions.

PROPOSED BY: Seward Advisory Committee (HQ-04-F-107)

PROPOSAL 30 - 5 AAC 56.022(a)(4)(B), (b)(2)(B), (b)(5)(B), (b)(9)(B). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage); and 5 AAC 58.022(a)(3). Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area. Amend existing wild trout regulations in the Lower Cook Inlet Management Area to conform to the statewide management standards for wild trout as follows:

This proposal is intended to serve as a placeholder, providing the board an opportunity to review and, if practical, modify existing wild trout regulations in the Lower Cook Inlet Management Area to conform to the newly adopted Statewide Management Standards for Wild Trout as described in 5 AAC 75.220.

PROBLEM: In March 2003 the board adopted a Statewide Wild Trout Fishery Management Plan. A conservative daily harvest limit of two trout per day, only one 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length were recommended in the plan as a statewide provision unless the board had adopted provisions of a regional trout management plan as regulations or, circumstances exist where harvest limits can be increased or should be decreased. Current bag, possession, and size limits for wild rainbow/steelhead trout in the Lower Cook Inlet Management Area are not wholly consistent with the conservative harvest limits outlined in the statewide management standards described in 5 AAC 75.220. The current rainbow/steelhead trout regulations for the Lower Cook Inlet Management Area are as follows:

The areawide regulations for rainbow/steelhead trout in salt water are: no open season; rainbow/steelhead trout may not be retained or possessed; all rainbow/steelhead trout caught must be released immediately; a person may not remove a rainbow/steelhead trout from the water.

In flowing waters, the current regulations are consistent with the statewide management standard. The general bag limit and possession limit is two fish per day, of which only one may be over 20 inches in length. There is an annual limit of two fish 20 inches or greater in length, and a harvest record is required. Flowing waters are open from January 1 to December 31.

In lakes and ponds, the current regulations are inconsistent with the statewide management standard. The general bag limit and possession limit is five fish per day, of which only one may be over 20 inches in length. There is an annual limit of two fish 20 inches or greater in length, and a harvest record is required. Lakes and ponds are open from January 1 to December 31.

Exceptions to the general season, bag and possession limits for rainbow/steelhead trout include the following:

1) The Anchor River, Deep Creek, Ninilchik River and Stariski Creek drainages are open to catch and release rainbow/steelhead fishing. All rainbow/steelhead trout caught must be released immediately; a person may not remove a rainbow/steelhead trout from the water.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport fishing regulations for rainbow/steelhead, which are not specified under a management plan for the Lower Cook Inlet Management Area, will remain inconsistent with statewide management standards for wild trout.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Sport anglers.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None. This proposal provides the opportunity for the board to review sport fishing regulations for wild rainbow/steelhead trout in the Lower Cook Inlet Management Area that are not consistent with harvest limits recently recommended in the Statewide Wild Trout Fishery Management Plan.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-318)

PROPOSAL 31 - 5 AAC 56.022(b)(2). Waters; seasons; bag, possession, and size limits; and special provisions for the Kenai Peninsula Area (excluding the Kenai River drainage). Amend this regulation in the Anchor River drainage as follows:

The new regulation would open the fishery on July 15 and would restrict the area above the confluence of the north and south forks to single, barbless hooks no larger than three inches. (This regulation should be considered regarding impacts to other Lower Peninsula streams and their opening dates.)

PROBLEM: We have lost fishing opportunity for Dolly Varden trout on the Anchor River because of a regulatory change set into place to protect spawning king salmon from a local guide who was targeting them with clients. The opening date is now August 1 and in prior years was July 1.

WHAT WILL HAPPEN IF NOTHING IS DONE? Opportunity will continue to be lost if this changing fishery is not reconsidered.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the hook restrictions should reduce mortality and go a long way toward protecting any kings accidentally hooked.

WHO IS LIKELY TO BENEFIT? Those who want increased opportunity to fish light gear in uncrowded conditions.

WHO IS LIKELY TO SUFFER? No one who fishes legally.

OTHER SOLUTIONS CONSIDERED? Moving the opening date back to July 1--too many king would be still migrating through the system and could be accidentally hooked prior to turning color. Also fly-fishing only, but not sure the board and public are ready for that yet.

PROPOSED BY: Lynn Whitmore

(HQ-04-F-073)

**This proposal was inadvertently left out and replaces proposal 32 as originally published in the hard copy of the 2004/2005 Board of Fisheries proposal book*

PROPOSAL 32A - Setting apart fish reserve areas, refuges, and sanctuaries in southcentral Alaska. Make a recommendation to the legislature as follows:

That the Board of Fisheries use its authority at AS 16.05.251(a)(1) to recommend to the legislature that the waters, and that the board then work in conjunction with the Board of Game using its authority at AS 16.05.255(a)(1) to recommend to the legislature that the lands and waters, in the six-to-eight sections of public land on each side of the North Fork of the Kashwitna River north of its confluence with the Kashwitna River (such land and water totaling approximately six to eight square miles) be added to the Willow Mountain Critical Habitat Area. Doing so would not affect harvest or methods and means regulations but would secure retention of land and water in public ownership.

PROBLEM: Assure high quality fishing, hunting and habitat in the lower North Fork Kashwitna River drainage.

WHAT WILL HAPPEN IF NOTHING IS DONE? Land could leave state ownership or even if retained could lose its quality fishing and hunting.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, by assuring that habitat important for fish, moose and brown and black bear remains in public ownership and that it will be managed primarily to maintain the habitat and the fishing and hunting in the area. These lands and waters are apparently some of the more important fish and wildlife habitat left in public ownership proximate to the Parks Highway because much of the lower reaches of the stream basins south of Talkeetna and proximate to the Parks Highway are no longer in public ownership.

WHO IS LIKELY TO BENEFIT? The public in general.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Trout Unlimited and Anchorage Advisory Committee

(SC-04-F-136)

PROPOSAL 33 - 5 AAC 06.333(f). Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay. Repeal the sunset date thereby making the regulation permanent as follows:

(f) Repealed. [the provisions of this section do not apply after december 31, 2004.]

PROBLEM: During the Bristol Bay Board meeting in December 2003, the board approved a proposal allowing a vessel with two permit holders onboard to fish an additional 50 fathoms of drift gillnet gear over the legal compliment for a vessel with a single permit holder onboard.

This regulation included a sunset clause that repeals the regulation allowing extra fishing gear on December 31, 2004. The board requested the department to submit a proposal that allows this issue to be considered again during the 2004/2005 meeting cycle.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be no incentive to increase efficiency and reduce the high cost of harvesting Bristol Bay sockeye. The fishery will continue to diminish in economic viability.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, just reducing the cost of harvesting the product.

WHO IS LIKELY TO BENEFIT? People that have access to a second permit or permit holder.

WHO IS LIKELY TO SUFFER? People that have only one permit available to fish.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game at request of the board (HQ-04-F-219)

(This proposal was formerly Agenda Change Request 23)

PROPOSAL 452 - 5 AAC 75.075. Sport fishing services and sport fishing guide services; license requirements; regulation of activities; 5 AAC 75.076. Sport fishing services and sport fishing guide reporting requirements; and 5 AAC 75.XXX. Sport fishing guide vessel registration requirements. Amend these regulations as follows:

5 AAC 75.075. Sport fishing services and sport fishing guide services; license requirements; regulation of activities

(a) An owner of a business intending to conduct sport fishing services shall obtain a current annual sport fishing operator license annually from the department before the business conducts sport fishing services. To meet the licensing requirement of this subsection, the owner shall complete a sport fishing operator license application form provided by the department. The following information must be provided on the sport fishing operator license application form at the time of licensing:

(1) the name, permanent residence address, local residence address, and mailing address of the owner of the business conducting the sport fishing service;

(2) the name of the business, Alaska Business license number and expiration date, the insurance company name, policy number, and expiration date of an insurance policy that meets the requirements of AS 16.40.260;

(3) the areas in which the sport fishing services will be provided; and

(4) other information required by the department on the license application form.

(b) Before providing sport fishing guide services, a person shall obtain a current annual sport fishing guide license from the department, by completing the sport fishing guide license application form provided by the department. The following information must be provided on the sport fishing guide license form at the time of licensing:

(1) the name, permanent residence address, and mailing address of the person who will provide sport fishing guide services;

(2) a declaration of citizenship, first aid card information, current Alaska sport fish license number, and, if operating a vessel, U.S. Coast Guard license information.

(3) other information required by the department on the license form.

(c) While engaged in providing sport fishing guide services, a sport fishing guide shall have readily available for inspection, and display upon request of an employee of the department or peace officer of the state:

(1) a current sport fishing guide license;

(2) a copy of the current sport fishing operator owner license of the sport fishing guide's employer or, if the sport fishing guide is also a sport fishing operator, the guide's current sport fishing operator license;

(3) current sport fishing licenses, tags, stamps or permits that are required to engage in the sport fishery for which the sport fishing guide services are being provided; and

(4) an identification card issued to the sport fishing guide by a state or federal agency which bears a photograph of the sport fishing guide.

5 AAC 75.076. Sport fishing services and sport fishing guide reporting requirements

(a) A sport fishing guide shall obtain and complete a State of Alaska, Department of Fish and Game, Division of Sport Fish, 2005 Saltwater Charter Logbook, herein adopted by reference, if operating in salt waters, or a State of Alaska, Department of Fish and Game, Division of Sport Fish, 2005 Freshwater Charter Logbook, herein adopted by reference, if operating in fresh waters. Logbooks shall require the following information:

(1) the State of Alaska boat registration number or U.S. Coast Guard documentation number of the vessels that are used during the provision of sport fishing guide services in fresh or salt waters;

(2) the locations of sport fishing;

(3) the effort, catch, and harvest of sport fish by persons who are clients, owners, and employees of a business that conducts sport fishing services or of a person who provides sport fishing guide services; and

(4) other information the department deems necessary for the management and conservation of fishery resources or the regulation of the guided sport fishing industry.

(b) A sport fishing guide shall complete a logbook in the manner specified in the logbook and present the person's logbook for inspection upon request from a local representative of the department or a peace officer of the state.

(c) A person may not make a false entry in the logbook required in (a) of this section.

(d) The sport fishing operator is responsible for reporting logbook information and returning the completed logbooks of sport fishing guides it employs to the department, in the manner and time frame specified in the logbook.

Editor's note: The logbooks adopted by reference in 5 AAC 75.076(a) are available from Department of Fish and Game offices, or by writing to the Alaska Department of Fish and Game, Division of Sport Fish, 333 Raspberry Road, Anchorage, Alaska 99518. In addition, the logbook is available for inspection at the Lieutenant Governor's Office, Juneau, Alaska.

5 AAC 75.XXX. Sport fishing guide vessel registration requirements.

(a) A vessel used to provide sport fishing guide services must be registered annually with the department prior to being used in sport fishing guide services. A currently licensed sport fish business owner or authorized agent shall register individual vessels operated by the business by completing the form provided by the department. At the time of registration, the business owner or authorized agent must furnish the current State of Alaska Boat Registration Number, obtained from the Alaska Department of Administration, Division of Motor Vehicles, or the current U.S. Coast Guard Vessel Documentation Number of each vessel being registered.

(b) A person may not engage in sport fishing guide services from a powered or unpowered vessel unless the vessel is registered under (a) of this section and displays sport fishing guide vessel decals with current annual stickers, issued by the department, as follows:

(1) upon initial registration of a vessel, two sport fishing guide vessel decals will be issued by the department for that vessel; one decal must be securely affixed on each side of the vessel and must be displayed in plain view at all times the vessel is engaged in sport fishing guide services;

(2) during subsequent year registration of a vessel, two current year renewal stickers will be issued by the department for each vessel; one current year renewal sticker must be securely affixed on each decal over the previous year renewal sticker and must be displayed in plain view at all times the vessel is engaged in sport fishing guide services.

(c) If a decal or current year renewal sticker is lost or damaged, a replacement must be obtained from the department and affixed and displayed as required in this section prior to engaging in sport fishing guide services with the vessel.

PROBLEM:

WHAT WILL HAPPEN IF NOTHING IS DONE?

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED
BE IMPROVED?**

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Department of Fish and Game

(HQ-04-F-349)
