



**ALASKA DEPARTMENT OF FISH AND GAME**

**STAFF COMMENTS  
ON SUBSISTENCE, PERSONAL USE, SPORT AND COMMERCIAL  
FINFISH REGULATORY PROPOSALS**

**FOR THE KODIAK MANAGEMENT AREA**



**ALASKA BOARD OF FISHERIES MEETING  
KODIAK, ALASKA  
JANUARY 14-18, 2008**

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, January 14-18, 2008 in Anchorage, Alaska and are prepared to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final Department positions will be formulated after review of written and oral testimony presented to the Alaska Board of Fisheries.

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**Summary of Department Positions on Kodiak Management Area proposals**

<b>Committee and Proposal #</b>	<b>Dept Position *</b>	<b>Issue</b>	
Committee A	35	N/S	Revise incidental black rockfish registration.
	36	N	Revise application of incidental trip limit for black rockfish.
	37	N/O	Revise vessel hook limit definition in jig fisheries.
	38	N	Close Alitak Bay to pelagic trawl gear year-round.
	39	N	Close Alitak Bay to pelagic trawl gear March 1 – November 1.
	40	S	Require observer coverage on pelagic trawl vessels for fisheries in the Kodiak Area.
Committee B	41	S	Amend description of Kodiak Area districts and sections.
	42	N/O	Modify Kodiak herring management plan.
	43	N/O	Develop regulatory measures to improve commercial harvest.
	44	S	Restrict gillnets and seine gear from obstructing more than one half of any stream.
	45	S	Eliminate harvest limits on permits in parts of the Kodiak Management Area.
	46	S	Amend description of Duck Bay Section.
	47	S	Amend description of Inner Karluk Section.
	48	S	Amend regulation to create a closed water area in Izhut Bay.
	49	S	Change description of the closed water area in Pasagshak Bay.
	50	S	Amend regulation to make practice purse seine sets.
Committee C	58	N	Allow fishing of two set gillnet permits.
	59	N/O	Establish a Kodiak Area troll fishery to meet market demand.
	51	O	Delay opening Westside Kodiak salmon fishery until June 16.
	52	O	Delay opening Outer Karluk Section salmon fishery until June 16.
	53	N	Modify Cape Igvak salmon allocation formula.
	54	N	Modify North Shelikof Sockeye Salmon Management Plan.
	55	N/O	Link opening of Northern District Shelikof Strait sockeye season to Kenai River preseason sockeye forecast.
	56	N/O	Revise opening and closure times in Alitak District.
	57	N/O	Change allocation to Olga Bay fishery.
Committee D	60	S	Remove Buskin River closure
	61	S	Open Pillar Creek to salmon fishing
	62	S	Close portions of Pillar and Monashka creeks
	63	S	Simplify Kodiak Area king salmon sport fishing bag limits
	64	O	Modify bait restriction for Karluk River fishery
	65	N	Create an Ayakulik River King Salmon Management Plan
	66	N	Establish an OEG for king and/or sockeye on the Ayakulik River
	67	N	Establish an OEG for king and/or sockeye on the Ayakulik River and allow a catch and release fishery
	68	N	Establish an OEG for king and/or sockeye on the Ayakulik River and allow a catch and release fishery
	69	O	Establish an OEG for coho salmon on the Ayakulik River and allow a catch and release fishery
	70	O	Allow early season catch and release on Ayakulik River
	71	S	Review Kodiak Area Salt Water King Salmon Sport Fishery Management Plan
	72	N	Create an exclusive use area in Kodiak for salt water sport fishing charter operators

\* Position - N=Neutral, S=Support, O=Oppose, NA=No Action, N/S=Neutral on Allocation-but Support, N/O=Neutral on Allocation-but Oppose

**COMMITTEE A - Kodiak Management Area Groundfish  
(6 Proposals)**



**PROPOSAL 35 - 5 AAC 28.406 (e). Kodiak Area Registration.**

PROPOSED BY: Leonard Carpenter

WHAT WOULD THE PROPOSAL DO? This proposal specifies that a vessel registered for black rockfish under the incidental black rockfish fishery registration, would be registered in the Kodiak Area for the purposes of area registration under 5 AAC 28.020. Since the Kodiak Area is non-exclusive for black rockfish and the Chignik Area is superexclusive for black rockfish, vessels participating in the incidental black rockfish fishery in the Kodiak Area would be precluded from participating in the Chignik Area superexclusive black rockfish fishery in the same calendar year.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 28.406 (e) KODIAK AREA REGISTRATION specifies that vessel operators participating in a groundfish fishery other than the directed black rockfish fishery are required to register with Alaska Department of Fish and Game (ADF&G) for a specific black rockfish district prior to fishing.

5 AAC 28.472 (b) BLACK ROCKFISH POSSESSION AND LANDING REQUIREMENTS FOR KODIAK AREA specifies that vessel operators participating in a groundfish fishery, other than the directed black rockfish fishery, may retain up to 2,500 pounds of black rockfish per trip, and may not have onboard or sell more than 5,000 pounds of black rockfish within a five day period.

5 AAC 28.020 (b)(4)(A) and (B) GROUND FISH AREA REGISTRATION specifies that a vessel that registers to fish black rockfish in a superexclusive registration area may not be used to take black rockfish in any other registration area in the same calendar year; and a vessel that registers to take black rockfish in a nonexclusive registration area may not be used to take black rockfish in a superexclusive area in the same calendar year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels that participate in the Kodiak Area black rockfish fishery under 5 AAC 28.472 (b) would not be able to participate in a superexclusive area for black rockfish during the remainder of the calendar year. Conversely, a vessel that registered for a black rockfish fishery in a superexclusive area would be unable to participate in the Kodiak Area black rockfish fishery under 5 AAC 28.472 (b) within a calendar year.

Proposed regulatory language as follows: - - - - -

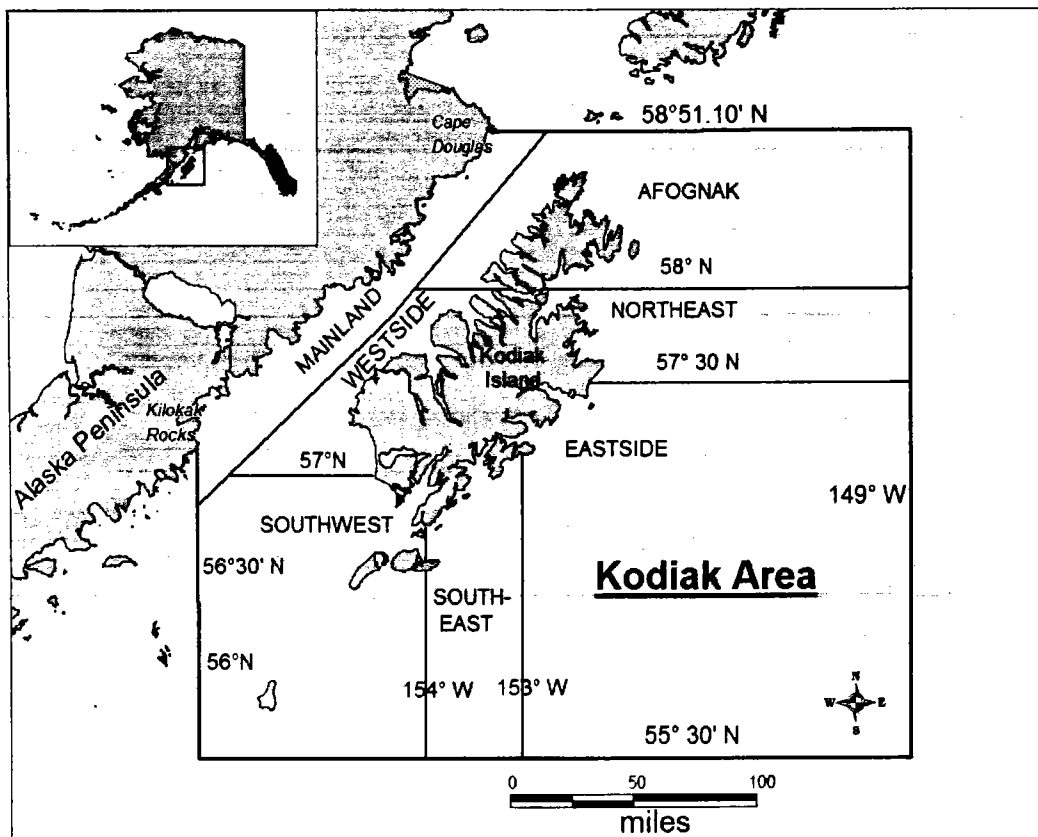
**5 AAC 28.406 Kodiak Area Registration.**

(e) In the Kodiak Area, before a person uses a vessel to operate mechanical jigging machines or hand troll gear in a commercial groundfish fishery, other than a directed black rockfish fishery, and retains black rockfish as bycatch that is greater than five percent of the gross round weight of all groundfish species taken in directed fisheries that are on board the vessel, the vessel owner or owner's agent shall register the vessel for a specific black rockfish [SECTION] district with the department. A vessel that is

**registered for a specific black rockfish district under 5 AAC 28.472 (b), also shall be considered registered for the Kodiak Area black rockfish fishery.**

**BACKGROUND:** In 2005, the Alaska Board of Fisheries (BOF) adopted a regulation that allowed vessels registered for a groundfish fishery in the Kodiak Area, other than the black rockfish fishery, to harvest up to 2,500 pounds of black rockfish per trip, with a 5,000 pound limit in a five day period. This allowed vessel operators targeting Pacific cod or dusky rockfish to keep more than 5% bycatch of black rockfish. This was to provide opportunities for fishermen to harvest black rockfish while fishing for other groundfish, mainly Pacific cod. Since the implementation of the 2,500 pound incidental harvest limit, only four of the seven district guideline harvest levels (GHLs) were attained in 2006 and 2007 (Table 1); although there was more effort and harvest from two of the remaining three districts (Southwest and Westside) than in the previous years before the incidental harvest trip limit regulation.

Directed black rockfish registration is nonexclusive in the Kodiak Area and superexclusive in the Chignik Area. ADF&G has interpreted the Kodiak Area incidental harvest regulation as bycatch, and not limiting participants from other superexclusive black rockfish fisheries.



**Figure 1.** 2007 Kodiak Area black rockfish districts.

**Table 1.** Kodiak Area black rockfish harvest, GHL and closure date, by district (Based on fish ticket data received by September 15, 2007).

Year	District	Harvest <sup>a</sup>	GHl <sup>a</sup>	Closure
2004	Afognak	36,909	35,000	24-Jun
	Northeast	16,573	20,000	28-Jun
	Eastside	30,748	30,000	10-Jul
	Southeast	27,820	30,000	10-Jul
	Southwest	0	20,000	31-Dec
	Westside	0	20,000	31-Dec
	Mainland	0	20,000	31-Dec
	Total	112,050	175,000	
2005	Afognak	32,555	35,000	2-Aug
	Northeast	16,217	20,000	25-May
	Eastside	34,092	30,000	5-Jul
	Southeast	28,030	30,000	2-Aug
	Southwest	0	20,000	31-Dec
	Westside	1,265	20,000	1-Jan
	Mainland	0	20,000	31-Dec
	Total	112,158	175,000	
2006	Afognak	31,233	35,000	1-Nov
	Northeast	27,016	20,000	18-Apr
	Eastside	26,675	30,000	25-Apr
	Southeast	24,839	30,000	30-Jun
	Southwest	9,704	20,000	31-Dec
	Westside	2,533	20,000	31-Dec
	Mainland	0	20,000	31-Dec
	Total	122,001	175,000	
2007	Afognak	39,621	35,000	4-Jun
	Northeast	23,082	20,000	25-Apr
	Eastside	30,357	30,000	16-May
	Southeast	33,364	30,000	30-Jun
	Southwest	5,819	20,000	31-Dec
	Westside	3,114	20,000	31-Dec
	Mainland	0	20,000	31-Dec
	Total	135,537	175,000	

<sup>a</sup> whole pounds

**DEPARTMENT COMMENTS:** ADF&G is **NEUTRAL** on the allocative aspects of this proposal, however **SUPPORTS** reexamining the registration issues.

When the incidental harvest regulation was adopted in 2005, the BOF did not specifically discuss registration requirements. Since 2006, several vessels have participated in the 2,500 pounds per trip Kodiak Area black rockfish harvest while registered for other Kodiak Area groundfish fisheries, and also participated in the Chignik Area superexclusive directed black rockfish fishery in the same calendar year. Several Kodiak Area jig vessel operators believe that participating in both the Kodiak and Chignik areas in the same year is a competitive advantage and is in violation of the superexclusive registration regulation 5 AAC 28.020 (b)(4)(A) which states that a vessel validly registered to take black rockfish in superexclusive registration area may not be used to take black rockfish in any other registration area in the same calendar year.

COST ANALYSIS: ADF&G does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

**PROPOSAL 36 - 5 AAC 28.406 (e). Kodiak Area Registration; and 5 AAC 28.472 (b). Black Rockfish Possession and Landing Requirements for Kodiak Area.**

PROPOSED BY: Leonard Carpenter

WHAT WOULD THE PROPOSAL DO? This proposal would annually determine which districts within the Kodiak Area (Figure 1) would be open to the 2,500 pound per trip incidental harvest of black rockfish. Districts where black rockfish harvest for the preceding two years was less than 70% of the GHL would open to the 2,500 pound incidental trip limit in addition to the directed black rockfish fishery and 5% bycatch in other groundfish fisheries. Districts where black rockfish harvest was 70% or greater of the GHL would only be open to directed black rockfish harvest, and 5% bycatch in other groundfish fisheries.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 28.406 (e) KODIAK AREA REGISTRATION specifies that vessel operators participating in a groundfish fishery other than the directed black rockfish fishery are required to register with the department for a specific black rockfish district prior to retaining black rockfish.

5 AAC 28.472 (b) BLACK ROCKFISH POSSESSION AND LANDING REQUIREMENTS FOR KODIAK AREA specifies that vessel operators participating in a groundfish fishery, other than the directed black rockfish fishery, may retain up to 2,500 pounds of black rockfish per trip, and may not have onboard or sell more than 5,000 pounds of black rockfish within a five day period.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Districts within the Kodiak Area black rockfish fishery (Figure 1) that attain 70% of the black rockfish GHL in the preceding two years would not be open to the 2,500 pounds per trip black rockfish harvest, as described in 5 AAC 28.472 (b). Those districts would only be open to directed black rockfish harvest of up to 5,000 pounds per trip and as 5% bycatch in other groundfish fisheries. Fishers participating in districts which did not attain at least 70% of the GHL during the previous two years (Table 1) could register for either a directed or incidental black rockfish harvest, or 5% bycatch in any other groundfish fishery.

Proposed regulatory language as follows:

**5 AAC 28.406 Kodiak Area Registration.**

(e) In the Kodiak Area, before a person uses a vessel to operate mechanical jigging machines or hand troll gear in a commercial groundfish fishery, other than a directed black rockfish fishery, and retains black rockfish as bycatch that is greater than five percent of the gross round weight of all groundfish species taken in directed fisheries that are on board the vessel, the vessel owner or owner's agent shall register the vessel with the department for a specific black rockfish district, that did not attain seventy percent or more of the guideline harvest level in the preceding two years [THE

VESSEL FOR A SPECIFIC BLACK ROCKFISH SECTION WITH THE DEPARTMENT].

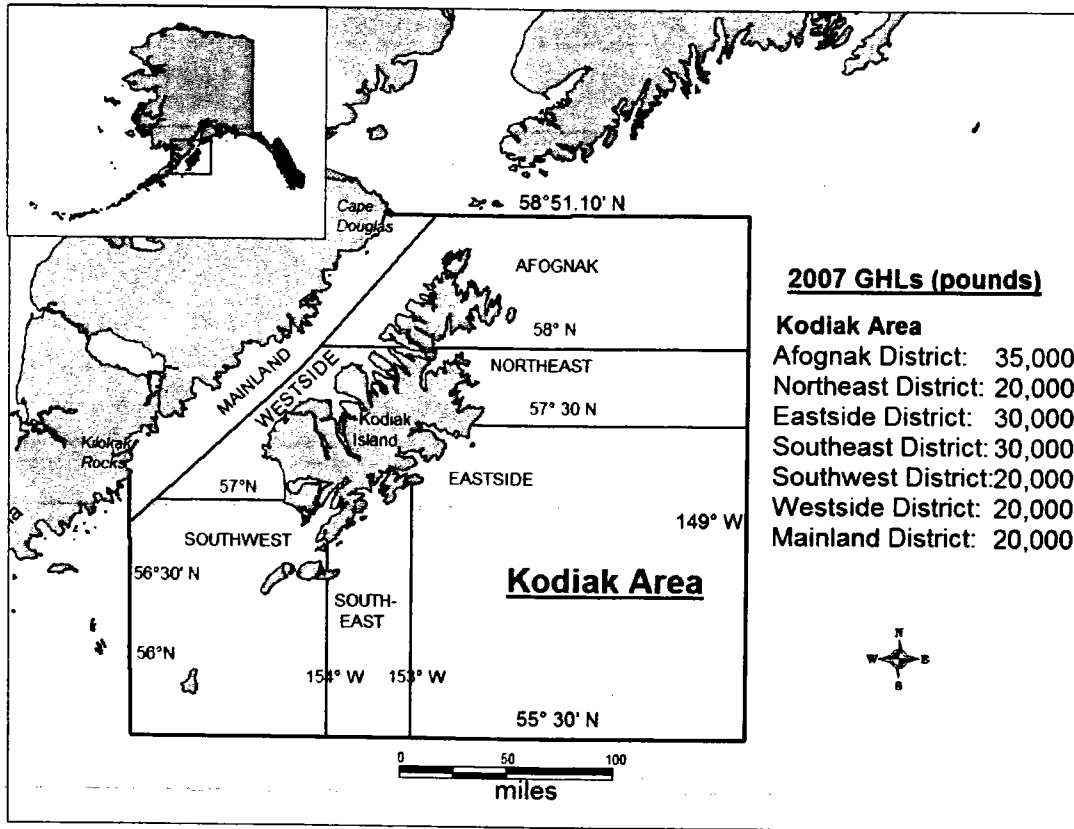
**5 AAC 28.472 Black Rockfish Possession and Landing Requirements for Kodiak Area.**

(b) In the Kodiak Area in a commercial groundfish fishery, other than a directed black rockfish fishery, a vessel operator using mechanical jigging machines or hand troll gear may not have on board the vessel or land more than 2,500 pounds (round weight) of black rockfish, including split fish ticket deliveries, from districts that did not attain seventy percent or more of the guideline harvest level in the preceding two years. All black rockfish taken in excess of 2,500 pounds (round weight) must be sold, weighed and reported on an ADF&G fish ticket. All proceeds from the sale of black rockfish in excess of 2,500 pounds (round weight) shall be surrendered to the state. A person operating a vessel under this subsection may not sell more than 5,000 pounds (round weight) of black rockfish within a five day period.

BACKGROUND: In 2005, the BOF adopted a regulation that allowed vessels registered for a groundfish fishery in the Kodiak Area, other than the directed black rockfish fishery, to harvest up to 2,500 pounds of black rockfish per trip, with a 5,000 pound limit in a five day period. This allowed vessel operators targeting Pacific cod or dusky rockfish to keep more than 5% bycatch of black rockfish. The 2,500 pound incidental harvest rule was an attempt to generate more harvest because black rockfish GHs were not being attained in several districts. However, following the implementation of the 2,500 pound incidental harvest limit, only four of the seven district GHs were attained in 2006 and 2007 (Table 1). Although there was more effort and harvest from two of the remaining three districts (Southwest and Mainland) than in the previous years before the incidental harvest trip limit registration.

Prior to 2007, it was difficult to track whether harvest of black rockfish was from directed (5,000 pounds per trip), incidental (2,500 pounds per trip), or bycatch (5% of target species weight), based on fish ticket data. An update to the fish ticket databases in late 2006 now makes it possible. In 2007, in the Kodiak Area black rockfish fishery, 82% of the black rockfish harvest by jig gear was by vessels registered for the state-waters Pacific cod fishery (2,500 pounds of black rockfish per trip limit); in three districts, Northeast, Eastside and Southwest, it was over 95% (Table 2). Approximately 15% of the total 2007 Kodiak Area jig harvest of black rockfish was by vessels registered for the directed black rockfish fishery (5,000 pound per trip limit), and 3% was bycatch (5% of target species weight) from other groundfish fisheries.

If this regulation had been in place between 2005 and 2007, it is likely that only the Southwest, Westside and Mainland districts would have been open to vessel operators to harvest up to 2,500 pounds per trip while fishing in a directed groundfish fishery, other than black rockfish. The Afognak, Northeast, Eastside and Southeast districts would likely have opened only to directed fishing, 5,000 pounds per trip limit, and bycatch of up to 5% while participating in other groundfish fisheries in all three years.



**Figure 1.** Kodiak Area black rockfish districts and GHGs for 2007.

**Table 1.** Kodiak Area black rockfish jig gear harvest, GHL, 70% of the GHL, and closure date by district, 2004-2007. (Based on fish ticket data received by September 15, 2007).

Year	District	Harvest <sup>a</sup>	GHL <sup>a</sup>	70% of GHL <sup>a</sup>	Closure
2004	Afognak	36,909	35,000	24,500	24-Jun
	Northeast	16,573	20,000	14,000	28-Jun
	Eastside	30,748	30,000	21,000	10-Jul
	Southeast	27,820	30,000	21,000	10-Jul
	Southwest	0	20,000	14,000	31-Dec
	Westside	0	20,000	14,000	31-Dec
	Mainland	0	20,000	14,000	31-Dec
	<b>Total</b>		<b>112,050</b>	<b>175,000</b>	<b>122,500</b>
2005	Afognak	32,555	35,000	24,500	2-Aug
	Northeast	16,217	20,000	14,000	25-May
	Eastside	34,092	30,000	21,000	5-Jul
	Southeast	28,030	30,000	21,000	2-Aug
	Southwest	0	20,000	14,000	31-Dec
	Westside	1,265	20,000	14,000	1-Jan
	Mainland	0	20,000	14,000	31-Dec
	<b>Total</b>		<b>112,158</b>	<b>175,000</b>	<b>122,500</b>
2006	Afognak	31,233	35,000	24,500	1-Nov
	Northeast	27,016	20,000	14,000	18-Apr
	Eastside	26,675	30,000	21,000	25-Apr
	Southeast	24,839	30,000	21,000	30-Jun
	Southwest	9,704	20,000	14,000	31-Dec
	Westside	2,533	20,000	14,000	31-Dec
	Mainland	0	20,000	14,000	31-Dec
	<b>Total</b>		<b>122,001</b>	<b>175,000</b>	<b>122,500</b>
2007	Afognak	39,621	35,000	24,500	4-Jun
	Northeast	23,082	20,000	14,000	25-Apr
	Eastside	30,357	30,000	21,000	16-May
	Southeast	33,364	30,000	21,000	30-Jun
	Southwest	5,819	20,000	14,000	31-Dec
	Westside	3,114	20,000	14,000	31-Dec
	Mainland	0	20,000	14,000	31-Dec
	<b>Total</b>		<b>135,537</b>	<b>175,000</b>	<b>122,500</b>

<sup>a</sup> whole pounds



**Table 2.** Percentage of harvest from the 2007 Kodiak Area black rockfish jig fishery by district and harvest program. (Based on fish ticket data received by September 15, 2007).

District	limit per trip (in pounds)		
	incidental <sup>a</sup>	directed <sup>b</sup>	bycatch <sup>c</sup>
Afognak	64.8%	26.9%	8.3%
Northeast	95.8%	4.2%	0.0%
Eastside	97.6%	0.0%	2.4%
Southeast	83.9%	16.1%	0.0%
Southwest	99.6%	0.0%	0.4%
Westside	14.1%	85.9%	0.0%
Mainland	0.0%	0.0%	0.0%
<b>Total</b>	<b>82.1%</b>	<b>14.8%</b>	<b>3.1%</b>

<sup>a</sup> Incidental = 2,500 pounds per trip limit.

<sup>b</sup> Directed = 5,000 pounds per trip limit.

<sup>c</sup> Bycatch = 5% of target species weight.

**DEPARTMENT COMMENTS:** ADF&G is **NEUTRAL** on this proposal. This proposal would potentially limit incidental trip limit harvest opportunities especially in the major harvesting areas near the port of Kodiak in the Northeast and Eastside districts of Kodiak Area. It would likely continue to allow for vessel operators fishing in more remote sections, that historically have not met the GHF, to harvest up to 2,500 pounds of black rockfish per trip while participating in other jig groundfish fisheries.

If this proposal is adopted, ADF&G would need clarification if “70% of the GHF” applies to each year separately or to an average of the two years.

**COST ANALYSIS:** ADF&G does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

**PROPOSAL 37 - 5 AAC 28.430 (g). Lawful Gear for Kodiak Area.**

PROPOSED BY: Leonard Carpenter

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit mechanical jig and hand troll vessels in a groundfish fishery in the Kodiak Area from having on board the vessel more than 250 hooks, that are or could be attached, permanently or temporarily snapped on to a mainline or groundline that meets the definition of longline gear. It would effectively remove the limit on the number of jigs or jig hooks that could be onboard the vessel. Of the hooks onboard the vessel, no more than 150 may be deployed in the water as described in 5 AAC 28.430 (f).

If an adequate definition of longline gear cannot be created, then the limit of 250 hooks, in aggregate, deployed in the water and on board the vessel would be repealed.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 28.430 (f) and (g) **LAWFUL GEAR FOR KODIAK AREA** specifies that a vessel operator using mechanical jigging machines may have up to five jigging machines with up to 30 hooks per machine operating in the water column. There may not be more than 250 total hooks on the vessel and in the water.

5 AAC 39.105 (d)(8), (13), and (25) **TYPES OF LEGAL GEAR** specifies that hand troll gear consists of lines with lures or baited hooks drawn through the water from a vessel which are retrieved by hand power or hand crank; longline is a stationary buoyed or anchored line or a floating, free-drifting line with lures or baited hooks attached; and a mechanical jigging machine is a device that deploys a line with hooks and retrieves that line and hooks with electrical, hydraulic, or mechanically powered assistance; a mechanical jigging machine allows the line with hooks to be fished only in the water column; a mechanical jigging machine must be attached to a vessel registered to fish with mechanical jigging machine and may not be anchored or operated off the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels registered to participate in a Kodiak Area mechanical jigging machine groundfish fishery could have no more than 250 hooks onboard the vessel that could be used as longline gear. The restriction on the number of jigs or jig hooks onboard the vessel would then be removed for those not fishing longline gear.

Proposed regulatory language as follows:

**5 AAC 28.430. Lawful Gear for Kodiak Area**

(g) In the Kodiak Area, a vessel using mechanical jigging machines and hand troll gear to take groundfish may have no more than 250 hooks, in the aggregate, deployed in the water and on board the vessel that are, or can be, attached permanently, or temporarily snapped on to a mainline or groundline that meets the definition of

**longline gear. In addition** [OF WHICH] no more than 150 hooks may be deployed in the water as described in (f) of this section.

or

Repeal 5 AAC 28.430 (g), if an adequate definition of longline gear cannot be found.

**BACKGROUND:** In 1999, the BOF adopted regulatory language to more clearly define mechanical jigging machines based on intended performance. At that time, suspicions that various configurations of illegal longline gear were in use in the fishery was the driving factor. Reports at the time were that vessel operators were using longlines but kept one end connected to the vessel while stringing the groundline along the bottom with large amounts of hooks deployed. Hence, the BOF adopted the regulation defining the use of jig gear in the water column and prohibiting the distal end of the line from being anchored on the bottom. In 2005 the BOF adopted a 250 hook limit, in the aggregate, deployed in the water and on board the vessel, for vessels using mechanical jigging machines in a groundfish fishery to further prevent illegal use of longline gear.

The current limit of 250 total hooks in aggregate on board the vessel and in the water is viewed as too restrictive by some jig fishermen. It leaves little room for gear loss or to experiment or develop variations in jig gear, such as color or hook patterns, leader sizes or hook spacing. Experimental gear development becomes stagnant, and as a result higher catch rates may not be attained.

**DEPARTMENT COMMENTS:** ADF&G is **NEUTRAL** on regulations dealing with jig hook limits. ADF&G believes the intent of this proposal is to remove the limit on the number of jig hooks that can be onboard a vessel, and the proposal is not asking to allow the use of a limited amount of longline gear. ADF&G **OPPOSES** allowing vessels registered for a jig fishery to deploy gear configured as a longline, due to concerns about bycatch. ADF&G has concerns about the enforceability of this regulation the way it is currently written. Concise definitions of “mainline”, “groundline” and “longline gear” along with “hooks that are, or can be, attached permanently, or temporarily snapped on to a mainline or groundline” would need to be created, with input from the Alaska Division of Wildlife Troopers.

**COST ANALYSIS:** ADF&G does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

**PROPOSAL 38 - 5 AAC 39.165. Trawl Gear Unlawful.**

Close Alitak Bay of the Kodiak Management Area to pelagic trawl gear year-round from Cape Trinity to Cape Alitak to protect crab stocks.

PROPOSED BY: Alexis Kwachka

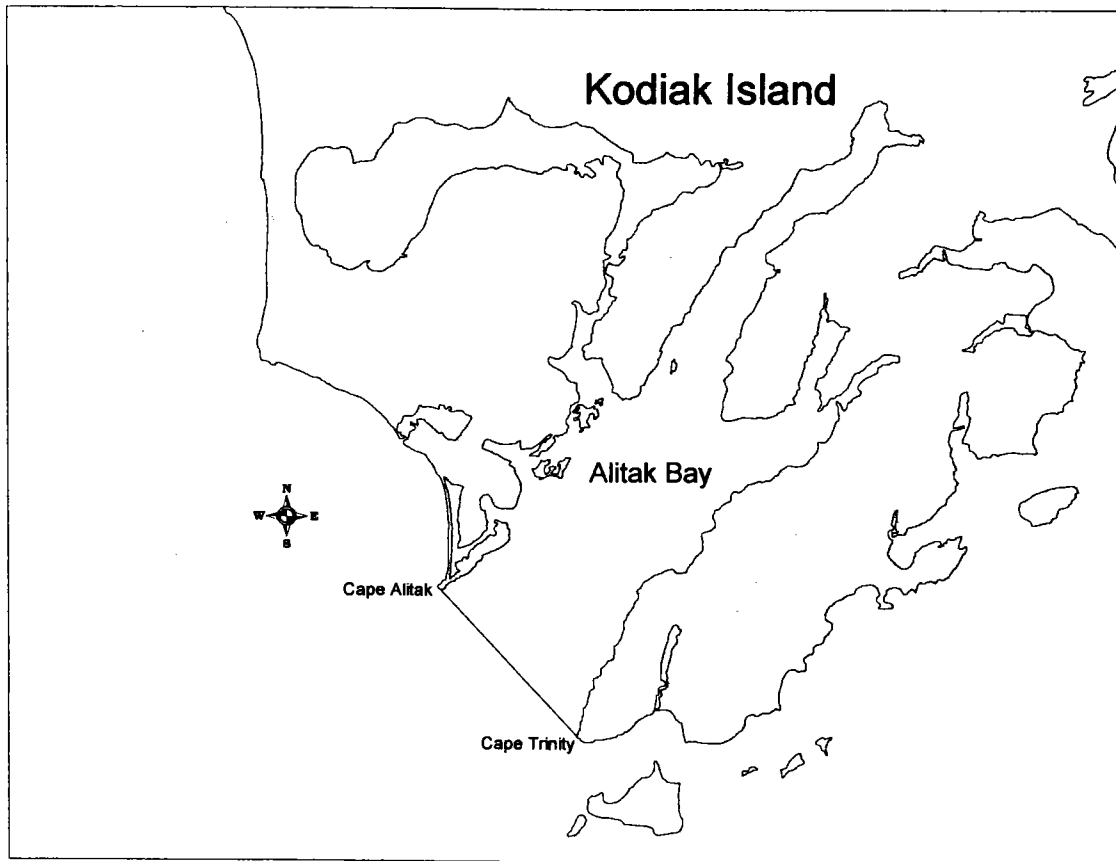
WHAT WOULD THE PROPOSAL DO? This proposal would close Alitak Bay to pelagic trawl gear. Pelagic trawl gear is used during the walleye pollock fishery inside Alitak Bay.

WHAT ARE THE CURRENT REGULATIONS? Walleye pollock fisheries in state waters target the same stocks harvested under federal regulations in adjacent waters of the Exclusive Economic Zone (EEZ). Alitak Bay is part of the federal Central Gulf of Alaska Management Area. ADF&G manages the state waters portion of the walleye pollock fishery as a parallel fishery. During the parallel walleye pollock fishery the state adopts the seasons, bycatch limits, allowable gear types, observer coverage, and closed waters as promulgated by the federal government in adjacent waters of the EEZ. In addition, the state has adopted the federal Steller sea lion restrictions, including VMS, for the parallel walleye pollock fishery.

Walleye pollock are currently taken as directed fishery catch and as bycatch. Directed fishing for walleye pollock is conducted with pelagic trawl gear. Pelagic trawl gear is defined under 5 AAC 39.105 (10)(c). Directed fishery quotas are released four times per year in January, March, August and October. Guiding Principles For Groundfish Fishery, 5 AAC 28.089, contains guiding principles for the BOF to consider when adopting groundfish regulations. Observer coverage requirements are referenced in 5 AAC 28.053.

Commercial fishing for red king crab in the Kodiak Management Area has been closed since 1983. Harvest of red king crab is currently limited to subsistence use (3 per household per year). Commercial fishing for Tanner crab in Alitak Bay occurred in 2004/05 and 2005/06, but has been closed the last two years due to low abundance of mature male Tanner crab.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Alitak Bay (Figure 1) would be closed to pelagic trawling. Participants that would normally fish walleye pollock in these waters would have to find alternate fishing areas.



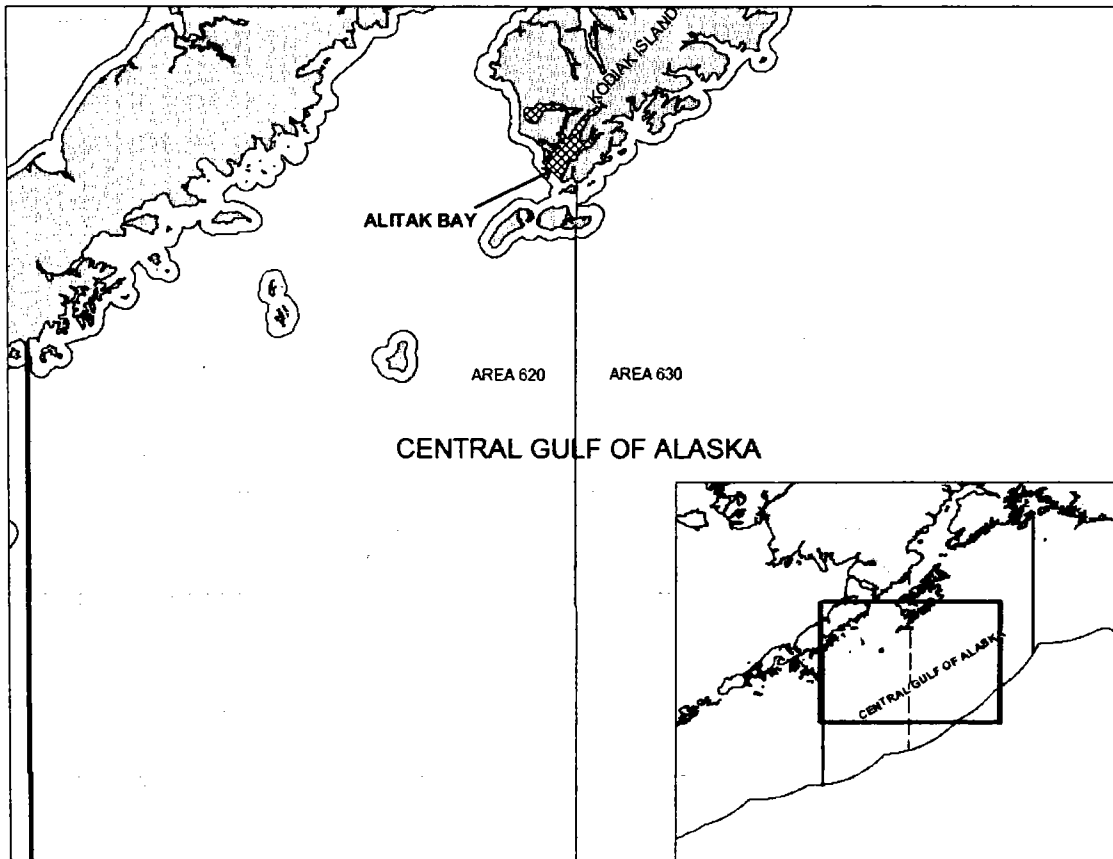
**Figure 1.** Alitak Bay.

**BACKGROUND:** Pelagic trawl gear is allowed in state waters. As with most bays on Kodiak Island, Alitak Bay contains several commercially important resources: halibut, salmon, herring, Pacific cod, walleye pollock, and Tanner crab. While not abundant enough for commercial exploitation, there is also a red king crab population inside Alitak Bay that supports a subsistence fishery.

There is concern among some fishers that pelagic trawl gear negatively impacts the salmon, eulachon, herring, king crab, and Tanner crab resources in Alitak Bay. This proposal specifically addresses the concern over the crab stocks.

#### *Walleye Pollock Fishery*

Walleye pollock is a semi-pelagic schooling fish. Walleye pollock harvests from the Central Gulf of Alaska (CGOA; Figure 2) have averaged 90 million pounds the last four years (2004 – 2007) with 6.7 percent from Alitak Bay (ranging from 1.8% to 13.5%; Table 1). On average, 47 vessels per year have directly fished for walleye pollock in the CGOA the last five years, and 22 vessels, on average, per year have fished inside Alitak Bay.



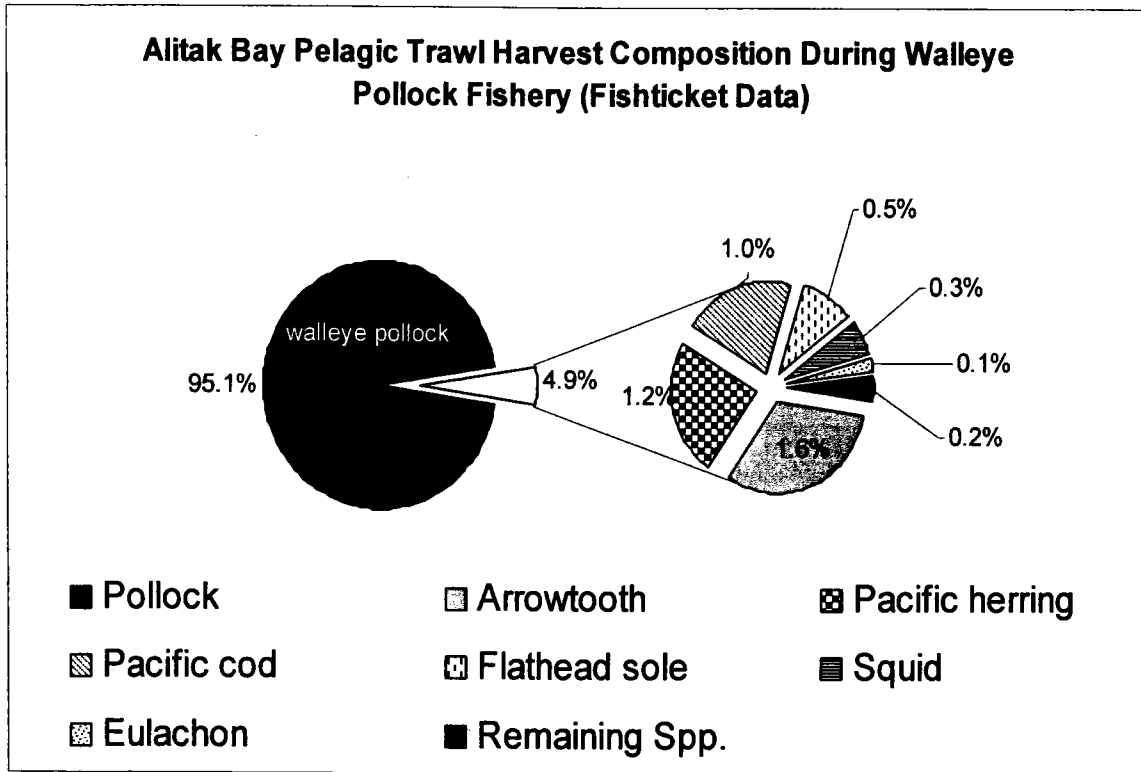
**Figure 2.** Central Gulf of Alaska (federal management area) and the location of Alitak Bay.

**Table 1.** Total walleye pollock harvest from the Central Gulf of Alaska (CGOA), harvest from Alitak Bay, and percent of Alitak Bay harvest to total, 2004 – 2007.

Year	Total CGOA Harvest (pounds)	Alitak Bay Harvest (pounds)	Alitak Bay Harvest (%)
2004	87,041,989	11,772,024	13.5
2005	103,228,128	1,848,352	1.8
2006	97,076,273	5,684,998	5.9
2007	72,836,668	4,996,445	6.9

*Walleye Pollock Discard Bycatch (Fishticket Records)*

Fishticket records from 2004 through 2007 were queried to examine reported bycatch. The average bycatch was approximately 5% of the total harvest (Figure 3). The majority of reported bycatch in all years was arrowtooth flounder. Pacific herring made up approximately 1.2% of the total harvest (average value 2004-2007).



**Figure 3.** Fish ticket records of average bycatch during the walleye pollock fishery in Alitak Bay, 2004-2007.

All Pacific salmon, Pacific herring, Tanner crab, and king crab, are considered prohibited species in the pelagic trawl fishery. In the Gulf of Alaska, these species are required to be returned to the water and reported on fishticket records as discarded at sea. Unlike the Bering Sea, there are no harvest caps on the prohibited species that affect the management of pelagic trawl gear. A better estimate of prohibited species discarded bycatch can be obtained through the observer data.

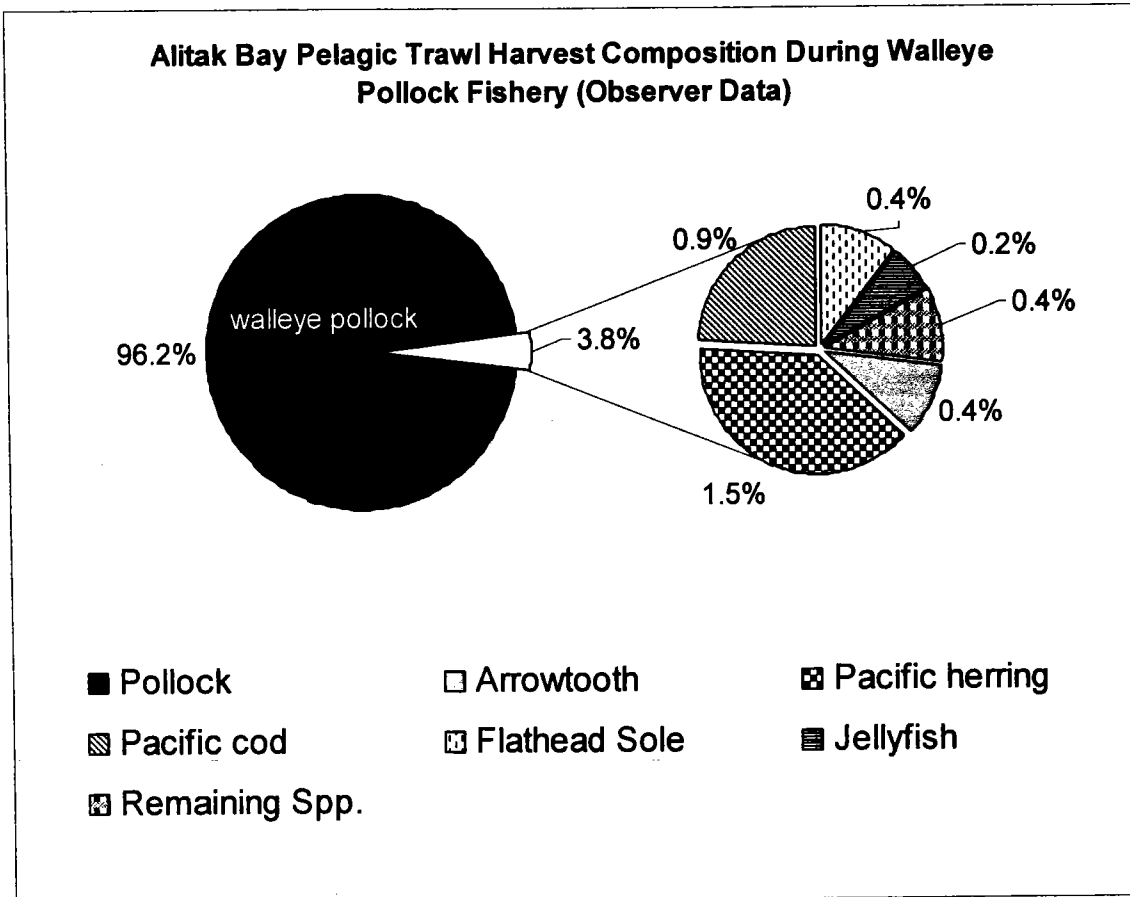
*Walleye Pollock Observer Data*

Trawl vessels less than 60 feet are not required to carry observers, but in most years vessels in this size class do not participate in the walleye pollock fishery in state waters in the CGOA. No vessels less than 60 feet participated in Alitak Bay in 2004 or 2005 and only one vessel less than 60 feet participated in 2006 and 2007. Trawl vessels between 60 feet and 125 feet are required to have observer coverage 30% of their fishing time regardless of where they fish. No vessels over 125 feet participated in state waters in the CGOA during the period of time investigated. In contrast to the National Marine Fisheries Service (NMFS) observer requirement for 30% of the vessel fishing time, the following table shows the proportion of walleye pollock harvested from Alitak Bay with an observer onboard (Table 2). Observer data from 2004 through 2007 were obtained from the NMFS.

**Table 2.** Total walleye pollock harvest (all vessel sizes), observed walleye Pollock harvest, and percent of harvest observed in Alitak Bay, 2004 – 2007.

Year	Alitak Bay Pollock Harvest	Pollock Harvest w/ Observer Onboard	Percent Harvest w/ Observer Onboard
2004	11,772,024	9,070,901	77
2005	1,848,352	884,819	48
2006	5,684,998	4,010,369	71
2007	4,996,445	1,299,661	26

Total annual bycatch in Alitak Bay was estimated by extrapolating harvest by species from observed pelagic trawl vessels to the remainder of the fleet in Alitak Bay. In Alitak Bay from 2004 through 2007, the estimated proportion of harvest that was bycatch (in pounds) using observer data was less than reported bycatch (fishticket records). The greatest difference was that a greater proportion of the bycatch was jellyfish and Pacific herring. A smaller proportion of the bycatch was arrowtooth flounder (Figure 4).



**Figure 4.** Observer data records of average harvest composition during the pelagic trawl walleye pollock fishery in Alitak Bay, 2004-2007.



In some cases, observer bycatch data was influenced by an individual year. For example, from 2005 through 2007 average bycatch of Pacific herring extrapolated from observer data in Alitak Bay was approximately 52,000 pounds; however, in 2004 over 300,000 pounds (150 tons) of Pacific herring were estimated to have been caught in the commercial walleye pollock harvest based on the extrapolated observer data. In order to capture the common bycatch levels, median values were calculated, and in order to capture the potential extremes in bycatch, minimum and maximum values estimated for the year are also reported (Table 3). Also for comparison, average values and the percent composition of bycatch based on the average values are also presented.

**Table 3.** Alitak Bay median, average, minimum, and maximum bycatch estimated from observed pelagic trawl vessels, 2004 – 2007.

Species	Median (pounds)	Average (pounds)	% of Total Annual Bycatch using Average	Minimum (pounds)	Maximum (pounds)
Red king crab	0	59	0.0	0	237
Tanner crab	0	179	0.1	0	715
Arrowtooth fl.	16,041	24,901	10.1	7,252	60,267
Flathead sole	26,986	25,941	10.5	1,275	48,518
Jellyfish	14,159	15,365	6.2	0	33,141
Pacific herring	29,089	95,254	38.5	14,690	308,308
Pacific cod	36,253	60,020	24.2	0	167,573
Chinook	892	1,064	0.4	517	1,956
Chum salmon	0	8	0.0	0	31
Pink salmon	0	5	0.0	0	20
Coho salmon	0	4	0.0	0	14
Other spp.	21,385	<u>24,695</u>	<u>10.0</u>	4,510	51,502
Avg. bycatch		247,495	100.0		

#### *Tanner Crab Stock Status*

The Kodiak District Tanner crab fishery began in 1967 and peaked in the late 1970s. The fishery was closed due to low stock abundance for the 1994/95 season and remained closed until the 2000/01 season. Alitak Bay is part of the Southwest Section of the Kodiak Management District for Tanner crab. While historically an important Tanner crab fishing area, the Southwest Section has only opened to commercial Tanner crab fishing twice (2004/05 and 2005/06) since the 2000/01 season. The Tanner crab population in the entire Southwest Section has averaged 6.6 million crabs over the last 10-years (1997-2006). The population of legal Tanner crab in the Southwest Section has averaged 411,193 crabs over the last 10-years (1997-2006).

*Red King Crab Stock Status*

The Kodiak Area red king crab fishery has been closed since the 1982/83 season. Historically, over 26 million pounds were harvested on average per year (1960/61 – 1982/83).

From 1997 - 2006, approximately 60% of the total Kodiak District red king crab population has been estimated in the Southwest District. The red king crab population in the Southwest District has averaged 128,234 crabs of all sizes and both sexes over the last 10-years (1997-2006).

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. ADF&G recognizes that different gear types and different fisheries may impact populations other than the directed fishery through bycatch or habitat interactions. The effect of these interactions, particularly the effect on the habitat is unknown. There are no crab bycatch caps in the Gulf of Alaska, and observer coverage is limited preventing a full account of crab bycatch. Based on the information available from fish ticket records and NMFS observer program data, the current bycatch of red king crab represents less than 1% of the recent 10-year average population of red king crab in Alitak Bay.

COST ANALYSIS: ADF&G does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

## **PROPOSAL 39 - 5 AAC 28.450. Closed Waters In Kodiak Area**

Close Alitak Bay to pelagic trawl gear year from March 1 – November 1.

PROPOSED BY: Peter Hannah

WHAT WOULD THE PROPOSAL DO? This proposal would close Alitak Bay to pelagic trawl gear from March 1 through November 1. Pelagic trawl gear is used during the walleye pollock fishery inside Alitak Bay.

WHAT ARE THE CURRENT REGULATIONS? Walleye pollock fisheries in state waters target the same stocks harvested under federal regulations in adjacent waters of the Exclusive Economic Zone (EEZ). Alitak Bay is part of the federal Central Gulf of Alaska Management Area. ADF&G manages the state waters portion of the walleye pollock fishery as a parallel fishery. During the parallel walleye pollock fishery the state adopts the seasons, bycatch limits, allowable gear types, observer coverage, and closed waters as promulgated by the federal government in adjacent waters of the EEZ. In addition, the state has adopted the federal Steller sea lion restrictions, including VMS, for the parallel walleye pollock fishery.

Walleye pollock are currently taken as directed fishery catch and as bycatch. Directed fishing for walleye pollock is conducted with pelagic trawl gear. Pelagic trawl gear is defined under 5 AAC 39.105 (10)(c). Directed fishery quotas are released four times per year in January, March, August and October. Guiding Principles For Groundfish Fishery, 5 AAC 28.089, contains guiding principles for the BOF to consider when adopting groundfish regulations. Observer coverage requirements are referenced in 5 AAC 28.053.

Commercial fishing for red king crab in the Kodiak Management Area has been closed since 1983. Harvest of red king crab is currently limited to subsistence use (3 per household per year). Commercial fishing for Tanner crab in Alitak Bay occurred in 2004/05 and 2005/06, but has been closed the last two years due to low abundance of mature male Tanner crab.

Commercial salmon fishing occurs annually from approximately June 1 to mid-September although the season is officially open through October 31. Salmon are known to enter Alitak Bay from mid-May through October.

Commercial herring fishing occurs annually from April 15 through mid May although the season is officially open through June 30. Pacific herring are known to be in Alitak Bay year round and the population is believed to be increasing.

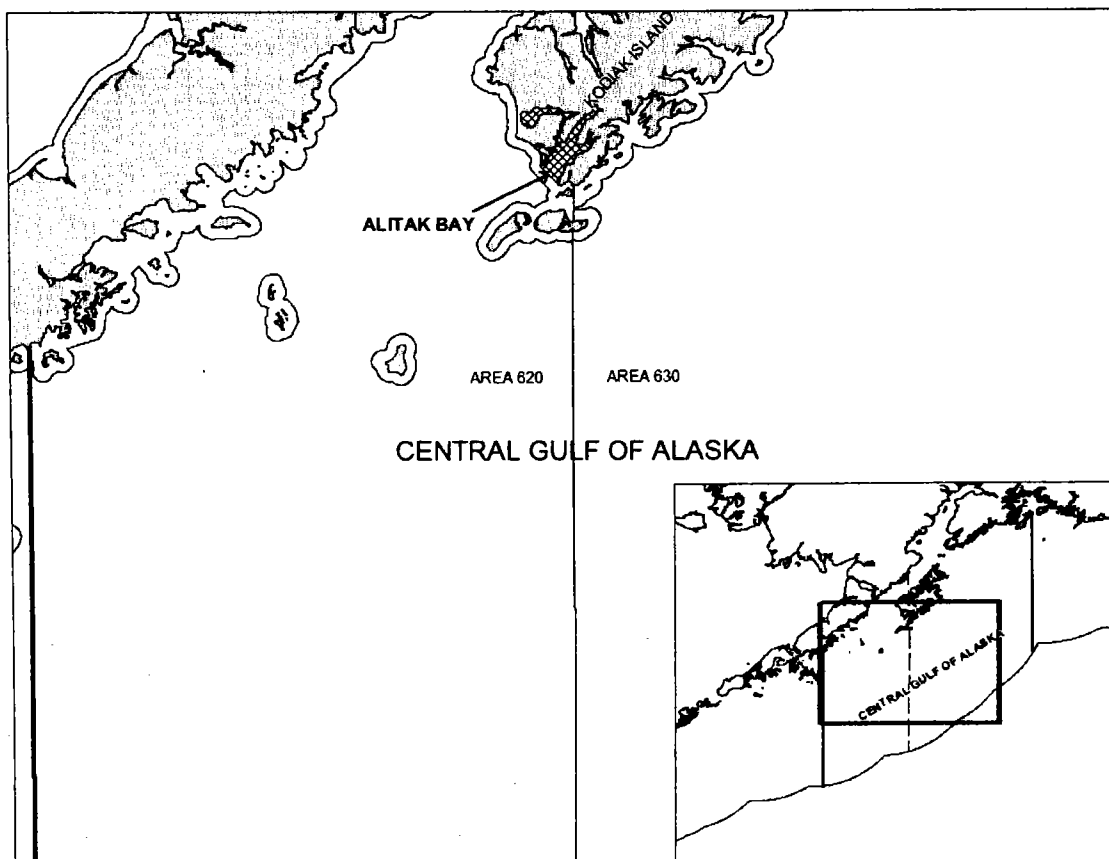
WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Alitak Bay would be closed for pelagic trawling from March 1 through November 1; the only open period would be January. Participants that would normally fish walleye pollock in these waters would have to find alternate fishing areas.

**BACKGROUND:** Pelagic trawl gear is allowed in state waters. As with most bays on Kodiak Island, Alitak Bay contains several commercially important resources: halibut, salmon, herring, Pacific cod, walleye pollock, and Tanner crab. While not abundant enough for commercial exploitation, there is also a red king crab population inside Alitak Bay that supports a subsistence fishery.

There is concern among some fishers that pelagic trawl gear negatively impacts the salmon, eulachon, herring, king crab, and Tanner crab resources in Alitak Bay. This proposal specifically addresses the concern over salmon and herring stocks.

#### *Walleye Pollock Fishery*

Walleye pollock is a semi-pelagic schooling fish. Walleye pollock harvests from the Central Gulf of Alaska (CGOA; Figure 1) have averaged 90 million pounds the last four years (2004 – 2007) with 6.7 percent from Alitak Bay (ranging from 1.8% to 13.5%; Table 1). On average, 47 vessels per year have directly fished for walleye pollock in the CGOA the last five years, and 22 vessels, on average, per year have fished inside Alitak Bay.



**Figure 1.** Central Gulf of Alaska (federal management area) and the location of Alitak Bay.

**Table 1.** Walleye pollock harvest from Alitak Bay by time period, 2004-2007.

Year	March 1 through November 1		Remainder of Year	
	(Pounds)	(%)	(Pounds)	(%)
2004	11,772,024	100	0	0
2005	299,394	16	1,548,958	84
2006	5,371,160	94	313,838	6
2007	4,966,932	99	29,513	1
2004 – 2007 Average	5,602,378	92	473,077	8

On average, 92% of the walleye pollock harvested from Alitak Bay is harvested during the period of time this proposal intends to close (March 1 through November 1; Table 1).

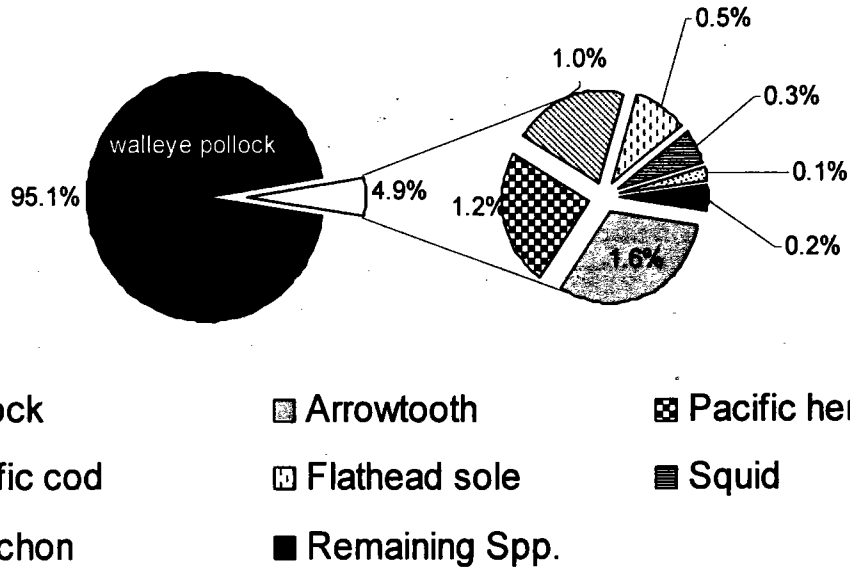
**Table 2.** Total walleye pollock harvest from the Central Gulf of Alaska (CGOA), harvest from Alitak Bay, and percent of Alitak Bay harvest to total, 2004 – 2007.

Year	Total CGOA Harvest (pounds)	Alitak Bay Harvest (pounds)	Alitak Bay Harvest (%)
2004	87,041,989	11,772,024	13.5
2005	103,228,128	1,848,352	1.8
2006	97,076,273	5,684,998	5.9
2007	72,836,668	4,996,445	6.9

*Walleye Pollock Discard Bycatch (Fishticket Records)*

Fishticket records from 2004 through 2007 were queried to examine reported bycatch. The average bycatch was approximately 5% of the total harvest (Figure 2). The majority of reported bycatch in all years was arrowtooth flounder. Pacific herring made up approximately 1.2% of the total harvest (average value 2004-2007).

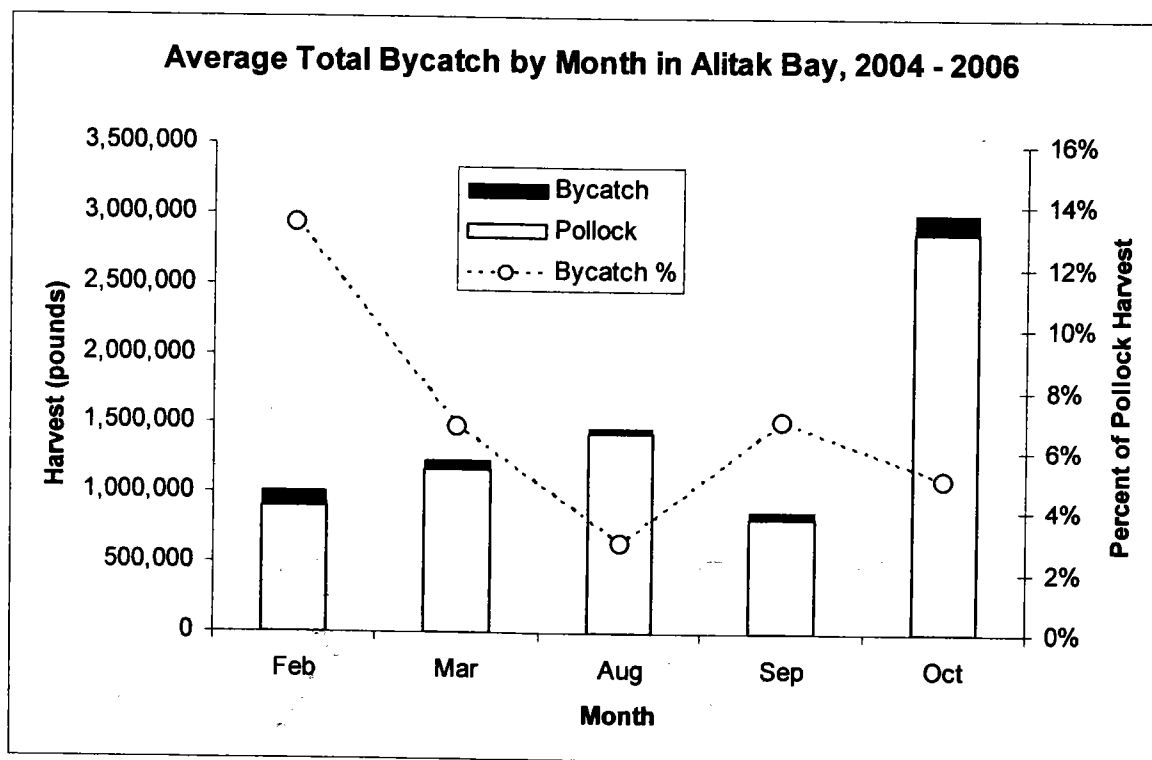
**Alitak Bay Pelagic Trawl Harvest Composition During Walleye Pollock Fishery (Fishticket Data)**



**Figure 2.** Fish ticket records of average bycatch during the walleye pollock fishery in Alitak Bay, 2004-2007.

All Pacific salmon, Pacific herring, Tanner crab, and king crab, are considered prohibited species in the pelagic trawl fishery. In the Gulf of Alaska, these species are required to be returned to the water and reported on fishticket records as discarded at sea. Unlike the Bering Sea, there are not harvest caps on the prohibited species that affect the management of pelagic trawl gear. A better estimate of prohibited species discarded bycatch can be obtained through the observer data.

The highest average total monthly bycatch in the Alitak Bay walleye pollock fishery occurs in October; however, the highest monthly proportion of bycatch relative to walleye pollock harvest occurs in February.



**Figure 3.** Average bycatch by month to the pelagic trawl walleye pollock fishery in Alitak Bay, 2004-2006.

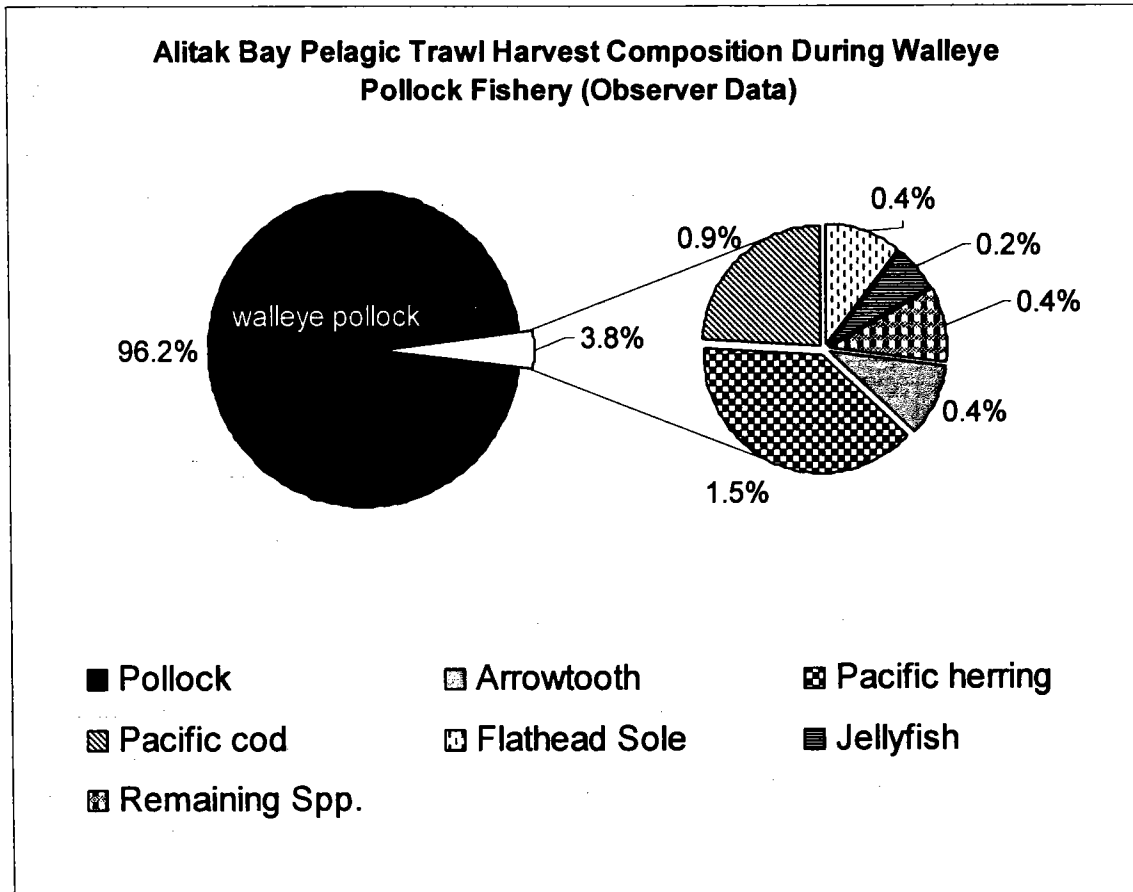
*Walleye Pollock Observer Data*

Trawl vessels less than 60 feet are not required to carry observers, but in most years vessels in this size class do not participate in the walleye pollock fishery in state waters in the CGOA. No vessels less than 60 feet participated in Alitak Bay in 2004 or 2005 and only one vessel less than 60 feet participated in 2006 and 2007. Trawl vessels between 60 feet and 125 feet are required to have observer coverage 30% of their fishing time regardless of where they fish. No vessels over 125 feet participated in state waters in the CGOA during the period of time investigated. In contrast to the National Marine Fisheries Service (NMFS) observer requirement for 30% of the vessel fishing time, the following table shows the proportion of walleye pollock harvested from Alitak Bay with an observer onboard (Table 3). Observer data from 2004 through 2007 were obtained from the NMFS.

**Table 3.** Total walleye pollock harvest (all vessel sizes), observed walleye pollock harvest, and percent of harvest observed in Alitak Bay, 2004 – 2007.

Year	Alitak Bay Pollock Harvest	Pollock Harvest w/ Observer Onboard	Percent Harvest w/ Observer Onboard
2004	11,772,024	9,070,901	77
2005	1,848,352	884,819	48
2006	5,684,998	4,010,369	71
2007	4,996,445	1,299,661	26

Total annual bycatch in Alitak Bay was estimated by extrapolating harvest by species from observed pelagic trawl vessels to the remainder of the fleet in Alitak Bay. In Alitak Bay from 2004 through 2007, the estimated proportion of harvest that was bycatch (in pounds) using observer data was less than reported bycatch (fishticket records). The greatest difference was that a greater proportion of the bycatch was jellyfish and Pacific herring. A smaller proportion of the bycatch was arrowtooth flounder (Figure 4).



**Figure 4.** Observer data records of average bycatch during the walleye pollock fishery in Alitak Bay, 2004-2007.

In some cases, observer bycatch data was influenced by an individual year. For example, from 2005 through 2007 average bycatch of Pacific herring extrapolated from observer data in Alitak Bay was approximately 52,000 pounds; however, in 2004 over 300,000 pounds (150 tons) of Pacific herring were estimated caught in the commercial walleye pollock harvest based on the extrapolated observer data. In order to capture the common bycatch levels, median values were calculated, and in order to capture the potential extremes in bycatch, minimum and maximum values estimated for the year are also reported (Table 3). Also for comparison, average values and the percent composition of bycatch based on the average values are also presented.



**Table 3.** Alitak Bay median, average, minimum, and maximum bycatch estimated from observed pelagic trawl vessels, 2004 – 2007.

Species	Median (pounds)	Average (pounds)	Percent of Total Annual Bycatch using Average	Minimum (pounds)	Maximum (pounds)
Red king crab	0	59	0.0	0	237
Tanner crab	0	179	0.1	0	715
Arrowtooth fl.	16,041	24,901	10.1	7,252	60,267
Flathead sole	26,986	25,941	10.5	1,275	48,518
Jellyfish	14,159	15,365	6.2	0	33,141
Pacific herring	29,089	95,254	38.5	14,690	308,308
Pacific cod	36,253	60,020	24.2	0	167,573
Chinook	892	1,064	0.4	517	1,956
Chum salmon	0	8	0.0	0	31
Pink salmon	0	5	0.0	0	20
Coho salmon	0	4	0.0	0	14
Other spp.	21,385	<u>24,695</u>	<u>10.0</u>	4,510	51,502
Avg. bycatch		247,495	100.0		

#### *Tanner Crab Stock Status*

The Kodiak District Tanner crab fishery began in 1967 and peaked in the late 1970s. The fishery was closed due to low stock abundance for the 1994/95 season and remained closed until the 2000/01 season. Alitak Bay is part of the Southwest Section of the Kodiak Management District for Tanner crab. While historically an important Tanner crab fishing area, the Southwest Section has only opened to commercial Tanner crab fishing twice (2004/05 and 2005/06) since the 2000/01 season. The Tanner crab population in the entire Southwest Section has averaged 6.6 million crabs over the last 10-years (1997-2006). The population of legal Tanner crab in the Southwest Section has averaged 411,193 crabs over the last 10-years (1997-2006).

#### *Red King Crab Stock Status*

The Kodiak Area red king crab fishery has been closed since the 1982/83 season. Historically, over 26 million pounds were harvested on average per year (1960/61 – 1982/83).

From 1997 - 2006, approximately 60% of the total Kodiak District red king crab population has been estimated in the Southwest District. The total red king crab population in the Southwest District has averaged 128,234 crabs over the last 10-years (1997-2006).

#### *Herring and Salmon Stock Status*

Herring stocks declined in the Alitak District throughout the 1990s and by 1998 only three of ten sections remained open as test fisheries. By 2002, herring stocks began to show improvement and by 2005 most sections were reopened that had not been fished

since 1998. In the Alitak District, 319 tons of herring were harvested in 2005, 216 tons in 2006, and 350 tons in 2007 (average = 295 tons).

There are currently no salmon stocks of concern in Alitak Bay. The recent 10-year (1998-2007) average salmon harvest consisted of 515 Chinook, 511,946 sockeye, 9,934 coho, 1,527,774 pink, and 43,732 chum salmon. During the past two years, the annual harvest of Chinook, coho and sockeye salmon has been substantially below that average and the 2007 pink salmon harvest was also substantially below that average. Despite this, escapement of all salmon species has generally been adequate in Alitak Bay streams and has with very few exceptions, met or exceeded escapement goals.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. ADF&G recognizes that different gear types and different fisheries may impact populations other than the directed fishery through bycatch or habitat interactions. The effect of these interactions is unknown. There are no salmon or Pacific herring bycatch caps in the Gulf of Alaska, and observer coverage is limited preventing a full account of bycatch of these species.

Based on the information available from fish ticket records and NMFS observer program data, the current bycatch of Pacific herring in the pelagic trawl fishery is approximately 4% of the recent 3-year average total harvest of Pacific herring in Alitak Bay. Bycatch of all salmon species in the pelagic trawl fishery is less than 0.5% of the median annual total harvest in Alitak Bay with the exception of Chinook salmon. Median bycatch of Chinook salmon (892 pounds) is approximately 8% of the 10-year average harvest of Chinook salmon (10,054 pounds) in Alitak Bay.

There are no crab bycatch caps in the Gulf of Alaska, and observer coverage is limited preventing a full account of crab bycatch. Based on the information available from fish ticket records and NMFS observer program data, the current bycatch of red king crab represents less than 1% of the recent 10-year average population of red king crab in Alitak Bay.

If the BOF accepts this proposal ADF&G requests that the closure extend through October 31, rather than November 1 for management and enforcement clarity.

COST ANALYSIS: ADF&G does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

**PROPOSAL 40 - 5 AAC 28.XXX. New Section**

Require observer coverage on pelagic trawl vessels for fisheries in the Kodiak Area as follows: Increase observer coverage to 100% for vessels pelagic trawling for walleye pollock within the inside waters between Cape Trinity to Cape Alitak.

PROPOSED BY: Peter Hannah

WHAT WOULD THE PROPOSAL DO? Require 100% observer coverage on vessels using pelagic trawl gear inside state waters between Cape Trinity and Cape Alitak.

WHAT ARE THE CURRENT REGULATIONS? The groundfish observer program is conducted by the National Marine Fisheries Service (NMFS; 5 AAC 28.053). Walleye pollock fisheries in state waters target the same stocks harvested under federal regulations in adjacent waters of the Exclusive Economic Zone (EEZ). Alitak Bay is part of the federal Central Gulf of Alaska Management Area. ADF&G manages the state waters portion of the walleye pollock fishery as a parallel fishery. During the parallel walleye pollock fishery the state adopts the seasons, bycatch limits, allowable gear types, observer coverage, and closed waters as promulgated by the federal government in adjacent waters of the EEZ. In addition, the state has adopted the federal Steller sea lion restrictions, including VMS, for the parallel walleye pollock fishery.

Walleye pollock are currently taken as directed fishery catch and as bycatch. Directed fishing for walleye pollock is conducted with pelagic trawl gear. Pelagic trawl gear is defined under 5 AAC 39.105 (10)(c). Walleye pollock directed fishery quotas are released four times per year in January, March, August and October. Guiding Principles For Groundfish Fishery, 5 AAC 28.089, contains guiding principles for the BOF to consider when adopting groundfish regulations. Observer coverage requirements are referenced in 5 AAC 28.053.

Commercial fishing for red king crab in the Kodiak Management Area has been closed since 1983. Harvest of red king crab is currently limited to subsistence use (3 per household per year). Commercial fishing for Tanner crab in Alitak Bay occurred in 2004/05 and 2005/06, but has been closed the last two years due to low abundance of mature male Tanner crab.

Commercial salmon fishing occurs annually from approximately June 1 to mid-September although the season is officially open through October 31. Salmon are known to enter Alitak Bay from mid-May through October.

Commercial herring fishing occurs annually from April 15 through mid May although the season is officially open through June 30. Pacific herring are known to be in Alitak Bay year round and the population is believed to be increasing.

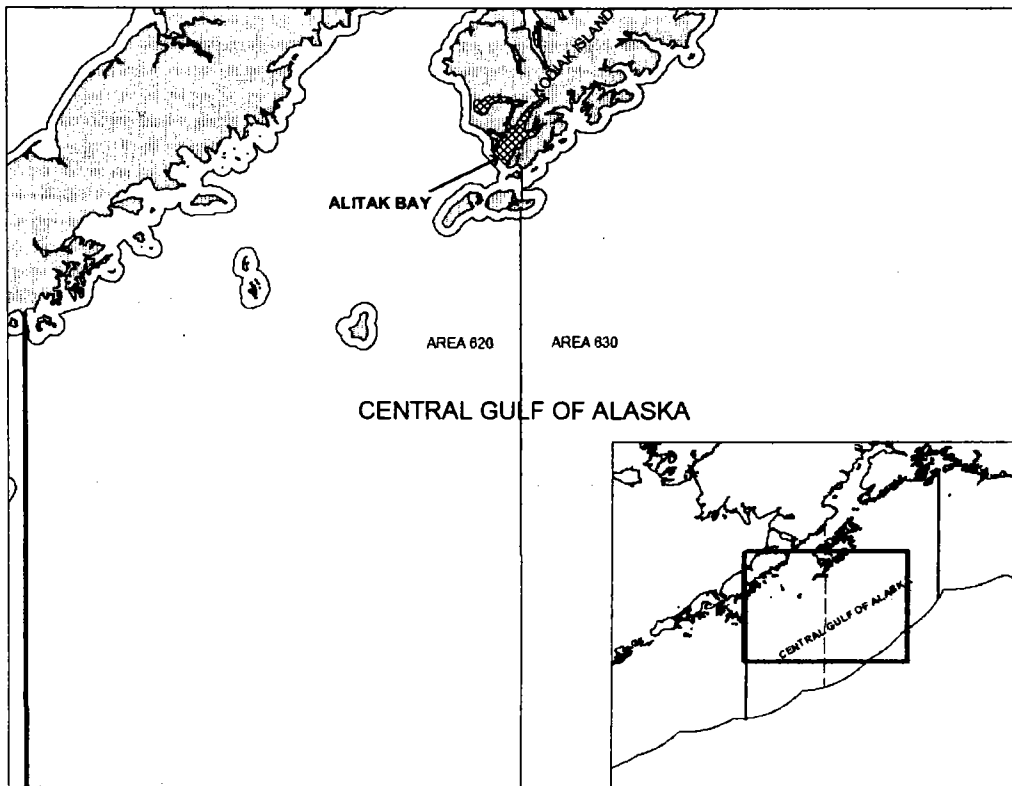
WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The BOF would require 100% observer coverage on vessels using pelagic trawl gear within Alitak Bay.

BACKGROUND: Pelagic trawl gear is allowed in state waters. As with most bays on Kodiak Island, Alitak Bay contains several commercially important resources: halibut, salmon, herring, Pacific cod, walleye pollock, and Tanner crab. While not abundant enough for commercial exploitation, there is also a red king crab population inside Alitak Bay that supports a subsistence fishery.

There is concern among some fishers that pelagic trawl gear negatively impacts the salmon, herring, king crab, and Tanner crab resources in Alitak Bay. This proposal specifically addresses the concern over the salmon, herring, and crab stocks.

#### *Walleye Pollock Fishery*

Walleye pollock is a semi-pelagic schooling fish. Walleye pollock harvests from the Central Gulf of Alaska (CGOA; Figure 1) have averaged 90 million pounds the last four years (2004 – 2007) with 6.7 percent from Alitak Bay (ranging from 1.8% to 13.5%; Table 1). On average, 47 vessels per year have directly fished for walleye pollock in the CGOA the last five years, and 22 vessels, on average, per year have fished inside Alitak Bay.



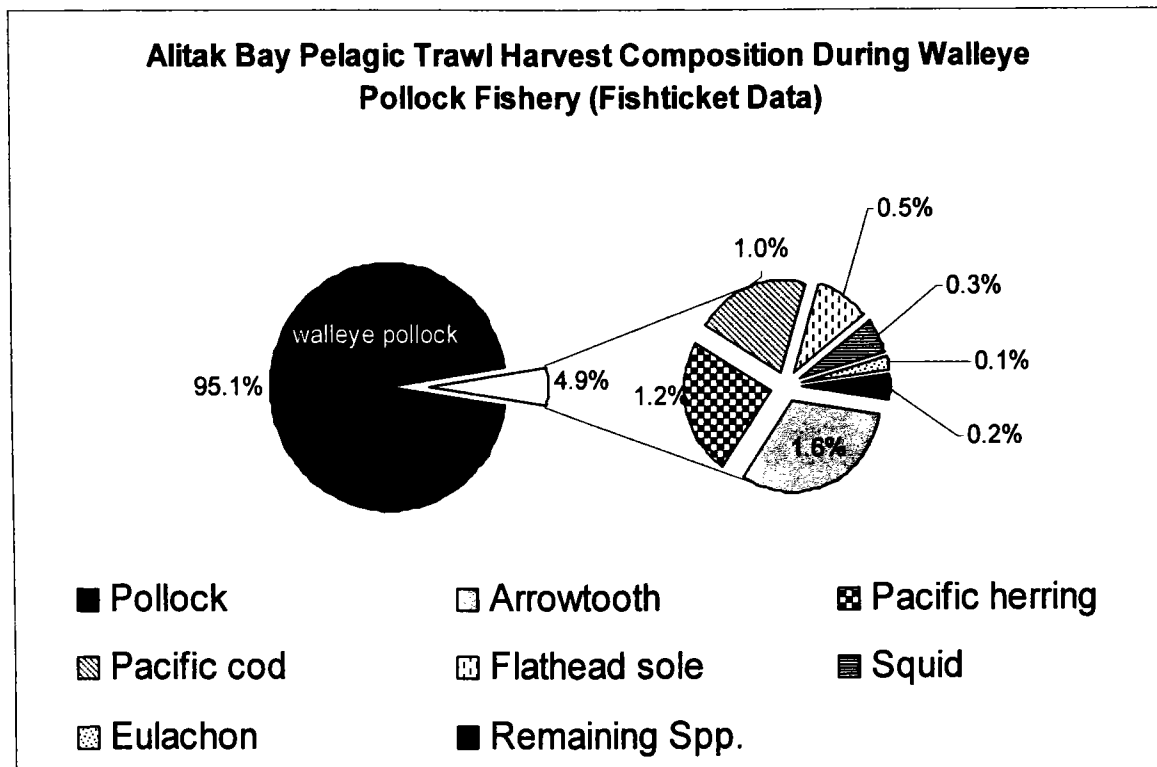
**Figure 1.** Central Gulf of Alaska (federal management area) and the location of Alitak Bay.

**Table 1.** Total walleye pollock harvest from the Central Gulf of Alaska (CGOA), harvest from Alitak Bay, and percent of Alitak Bay harvest to total, 2004 – 2007

Year	Total CGOA Harvest (pounds)	Alitak Bay Harvest (pounds)	Alitak Bay Harvest (%)
2004	87,041,989	11,772,024	13.5
2005	103,228,128	1,848,352	1.8
2006	97,076,273	5,684,998	5.9
2007	72,836,668	4,996,445	6.9

*Walleye Pollock Discard Bycatch (Fishticket Records)*

Fishticket records from 2004 through 2007 were queried to examine reported bycatch. The average bycatch was approximately 5% of the total harvest (Figure 2). The majority of reported bycatch in all years was arrowtooth flounder. Pacific herring made up on approximately 1.2% of the total harvest (average value 2004-2007).



**Figure 1.** Fish ticket records of average bycatch during the walleye pollock fishery in Alitak Bay, 2004-2007.

All Pacific salmon, Pacific herring, Tanner crab, and king crab are considered prohibited species in the pelagic trawl fishery. In the Gulf of Alaska, these species are required to be returned to the water and reported on fishticket records as discarded at sea. Unlike the Bering Sea, there are not harvest caps on the prohibited species that affect the

management of pelagic trawl gear. A better estimate of prohibited species discard bycatch can be obtained through the observer data.

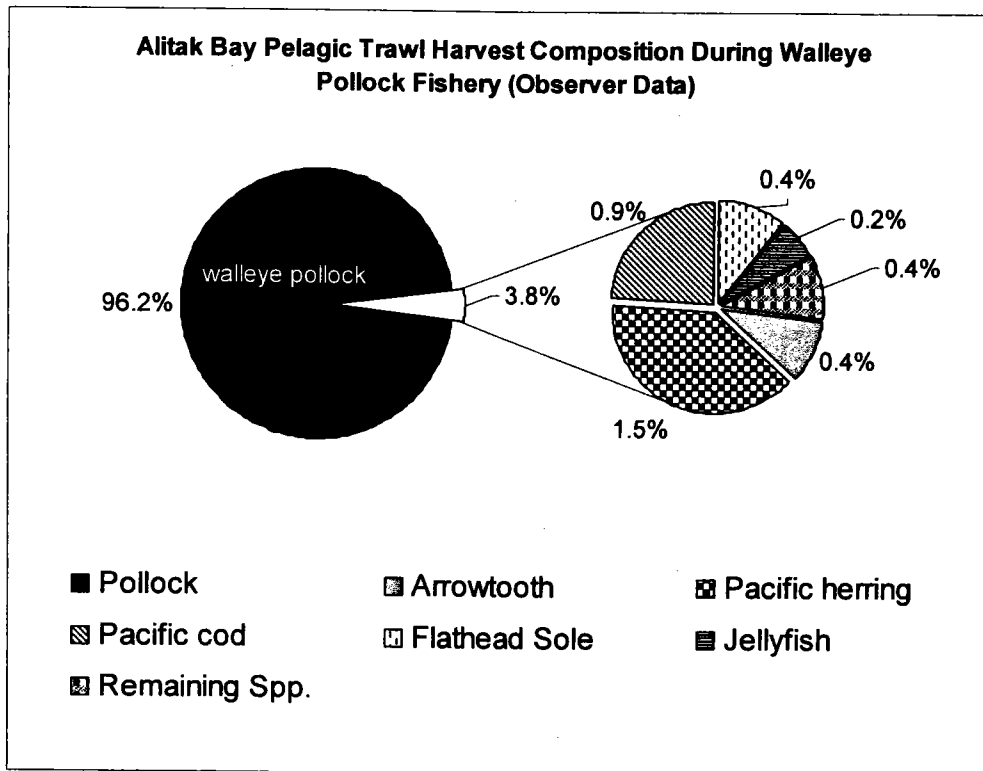
*Walleye Pollock Observer Data*

Trawl vessels less than 60 feet are not required to carry observers, but in most years vessels in this size class do not participate in the walleye pollock fishery in state waters in the CGOA. No vessels less than 60 feet participated in Alitak Bay in 2004 or 2005 and only one vessel less than 60 feet participated in 2006 and 2007. Trawl vessels between 60 feet and 125 feet are required to have observer coverage 30% of their fishing time regardless of where they fish. No vessels over 125 feet participated in state waters in the CGOA during the period of time investigated. In contrast to the National Marine Fisheries Service (NMFS) observer requirement for 30% of the vessel fishing time, the following table shows the proportion of walleye pollock harvested from Alitak Bay with an observer onboard (Table 2). Observer data from 2004 through 2007 were obtained from the NMFS.

**Table 2.** Total walleye pollock harvest (all vessel sizes), observed walleye pollock harvest, and percent of harvest observed in Alitak Bay, 2004 – 2007.

Year	Alitak Bay Pollock Harvest	Pollock Harvest w/ Observer Onboard	Percent Harvest w/ Observer Onboard
2004	11,772,024	9,070,901	77
2005	1,848,352	884,819	48
2006	5,684,998	4,010,369	71
2007	4,996,445	1,299,661	26

Total annual bycatch in Alitak Bay was estimated by extrapolating harvest by species from observed pelagic trawl vessels to the remainder of the fleet in Alitak Bay. In Alitak Bay from 2004 through 2007, the estimated proportion of harvest that was bycatch (in pounds) using observer data was less than reported bycatch (fishticket records). The greatest difference was that a greater proportion of the bycatch was jellyfish and Pacific herring. A smaller proportion of the bycatch was arrowtooth flounder (Figure 3).



**Figure 2.** Observer data records of average harvest composition during the pelagic trawl walleye pollock fishery in Alitak Bay, 2004-2007.

In some cases, observer bycatch data was influenced by an individual year. For example, from 2005 through 2007 average bycatch of Pacific herring extrapolated from observer data in Alitak Bay was approximately 52,000 pounds; however, in 2004 over 300,000 pounds (150 tons) of Pacific herring were estimated caught in the commercial walleye pollock harvest based on the extrapolated observer data. In order to capture the common bycatch levels, median values were calculated, and in order to capture the potential extremes in bycatch, minimum and maximum values estimated for the year are also reported (Table 3). Also for comparison, average values and the percent composition of bycatch based on the average values are also presented.

**Table 3.** Alitak Bay median, average, minimum, and maximum bycatch estimated from observed pelagic trawl vessels, 2004 – 2007.

Species	Median (pounds)	Average (pounds)	Percent of Total Annual Bycatch using Average	Minimum (pounds)	Maximum (pounds)
Red king crab	0	59	0.0	0	237
Tanner crab	0	179	0.1	0	715
Arrowtooth fl.	16,041	24,901	10.1	7,252	60,267
Flathead sole	26,986	25,941	10.5	1,275	48,518
Jellyfish	14,159	15,365	6.2	0	33,141
Pacific herring	29,089	95,254	38.5	14,690	308,308
Pacific cod	36,253	60,020	24.2	0	167,573
Chinook	892	1,064	0.4	517	1,956
Chum salmon	0	8	0.0	0	31
Pink salmon	0	5	0.0	0	20
Coho salmon	0	4	0.0	0	14
Other <i>spp.</i>	21,385	<u>24,695</u>	<u>10.0</u>	4,510	51,502
Avg. bycatch		247,495	100.0		

#### *Tanner Crab Stock Status*

The Kodiak District Tanner crab fishery began in 1967 and peaked in the late 1970s. The fishery was closed due to low stock abundance for the 1994/95 season and remained closed until the 2000/01 season. Alitak Bay is part of the Southwest Section of the Kodiak Management District for Tanner crab. While historically an important Tanner crab fishing area, the Southwest Section has only opened to commercial Tanner crab fishing twice (2004/05 and 2005/06) since the 2000/01 season. The Tanner crab population in the entire Southwest Section has averaged 6.6 million crabs over the last 10-years (1997-2006). The population of legal Tanner crab in the Southwest Section has averaged 411,193 crabs over the last 10-years (1997-2006).

#### *Red King Crab Stock Status*

The Kodiak Area red king crab fishery has been closed since the 1982/83 season. Historically, over 26 million pounds were harvested on average per year (1960/61 – 1982/83).

From 1997 - 2006, approximately 60% of the total Kodiak District red king crab population has been estimated in the Southwest District. The red king crab population in the Southwest District has averaged 128,234 total crabs over the last 10-years (1997-2006).

#### *Herring and Salmon Stock Status*

Herring stocks declined in the Alitak District throughout the 1990s and by 1998 only three of ten sections remained open as test fisheries. By 2002, herring stocks began to show improvement and by 2005 most sections were reopened that had not been fished



since 1998. In the Alitak District, 319 tons of herring were harvested in 2005, 216 tons in 2006, and 350 tons in 2007.

There are currently no salmon stocks of concern in Alitak Bay. The recent 10-year (1998-2007) average salmon harvest consisted of 515 Chinook, 511,946 sockeye, 9,934 coho, 1,527,774 pink, and 43,732 chum salmon. During the past two years, the annual harvest of Chinook, coho and sockeye salmon has been substantially below that average and the 2007 pink salmon harvest was also substantially below that average. Despite this, escapement of all salmon species has generally been adequate in Alitak Bay streams and has with very few exceptions, met or exceeded escapement goals.

DEPARTMENT COMMENTS: ADF&G **SUPPORTS** the collection of more observer data.

The Office of Law Enforcement for NMFS indicates that fishing behavior of the pelagic trawl fleet is different when vessels have observer coverage. This agency also **SUPPORTS** more observer coverage in Alitak Bay.

There are no crab bycatch caps in the Gulf of Alaska, and observer coverage is limited preventing a full account of crab bycatch. Based on the information available from fish ticket records and NMFS observer program data, the current bycatch of red king crab represents less than 1% of the recent 10-year average population of red king crab in Alitak Bay.

Based on the information available from fish ticket records and NMFS observer program data, the current bycatch of Pacific herring in the pelagic trawl fishery is approximately 4% of the recent 3-year average total harvest of Pacific herring in Alitak Bay. Bycatch of all salmon species in the pelagic trawl fishery is less than 0.5% of the median annual total harvest in Alitak Bay with the exception of Chinook salmon. Median bycatch of Chinook salmon (892 pounds) is approximately 8% of the 10-year average harvest of Chinook salmon (10,054 pounds) in Alitak Bay.

COST ANALYSIS: ADF&G believes that approval of this proposal would result in a direct cost for a private person to participate in this fishery. The additional cost would be for paying for contract observers.

**COMMITTEE B – Kodiak Management Area Herring,  
Subsistence and General Salmon  
(12 Proposals)**



**PROPOSAL 41 - 5 AAC 27.505. Description of Kodiak Area Districts and Sections.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would redefine several section lines within the KMA, in order to clarify and simplify regulations, reduce enforcement problems, and/or allow greater opportunity for fishermen to harvest herring when the section in question is open to fishing. This proposal also eliminates the Portage Bay Section, and recombines it with portions of the Sulua Bay and Inner Alitak sections.

WHAT ARE THE CURRENT REGULATIONS? Kodiak Area herring districts and sections are defined in 5 AAC 27.505.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would benefit fishermen, enforcement personnel, and ADF&G managers. This would create clearer more concise section lines that are easier to understand.

Proposed regulatory language as follows:

5AAC 27.505(g) Description of Kodiak Area District and Sections.(2,4-9)

(2) Inner Alitak Bay Section: all waters enclosed by a line from Cape Alitak to Cape Trinity, [AND] south of **a line across the Olga Narrows at 57° 03.38' N. lat., [AND A LINE FROM THE LATITUDE OF BUN POINT IN MOSER BAY,] south of 56° 58.02' N. lat. in Alitak Bay and west of 153° 57.90' W. long. at Portage Bay.** [FROM BUN POINT TO THE NORTHERN ENTRANCE OF SEABORG COVE (56° 53.83' N. LAT., 153° 58.72' W. LONG.)];

(4) Outer Deadman Bay Section: all waters north of **56° 58.02' N. lat. in Alitak Bay.** [A LINE FROM CAPE HEPBURN TO BUN POINT] and south of 57° 05.00' N. lat.;

(5) [PORTAGE BAY SECTION: ALL WATERS ENCLOSED BY A LINE FROM BUN POINT TO CAPE HEPBURN (56° 57.30' N. LAT., 154° 06.45' W. LONG.) TO A POINT IN PORTAGE BAY AT 56° 56.50' N. LAT., 153° 51.40' W. LONG.), AND NORTH OF A LINE FROM BUN POINT TO THE NORTHERN ENTRANCE OF SEABORG COVE (56° 53.83' N. LAT., 153° 58.72' W. LONG.);] **Repealed**

(6) Sulua Bay Section: all waters of Sulua **and Portage Bays** [AND THE NORTHERN PORTION OF PORTAGE BAY NORTH OF] **east of 153° 57.90' W. long.** [A LINE FROM CAPE HEPBURN TO A POINT IN PORTAGE BAY AT 56° 56.50' N. LAT., 153° 51.40' W. LONG.];

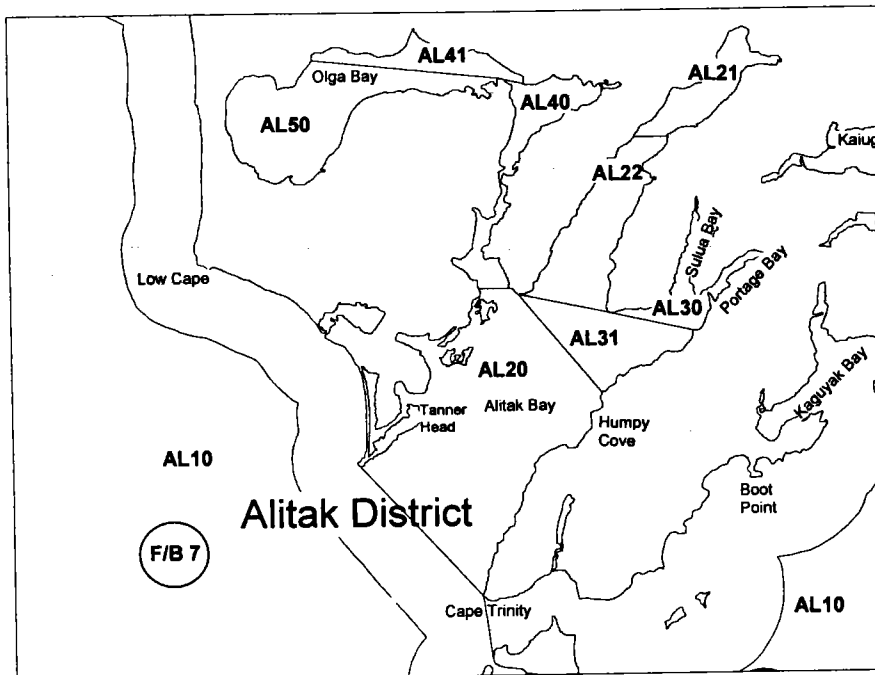
(7) Lower Olga [-MOSER] Bay Section: all waters of Lower Olga **Bay** [AND MOSER BAYS] south of a line **across the entrance of Upper Olga Bay at 57° 07.30' N lat.** [FROM STOCKHOLM POINT (57° 07.60' N. LAT., 154° 06.75' W. LONG.)], **and**

**north of a line across the Olga Narrows at 57° 03.38' N. lat.** [EAST TO A POINT AT 57° 07.47' N. LAT., 154° 04.90' W. LONG., AND NORTH OF THE LATITUDE OF BUN POINT;]

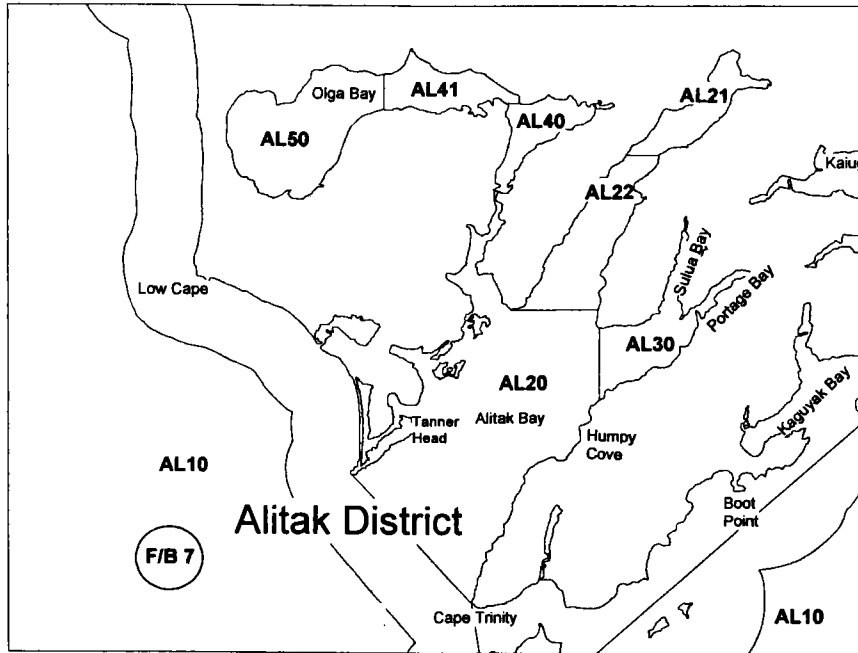
(8) **East Upper** [NORTH] Olga Bay Section: all waters of Olga Bay north of a line **across the entrance of Upper Olga Bay at 57° 07.30' N lat.**, [THAT EXTENDS FROM THE TERMINUS OF SILVER SALMON CREEK (NO. 257-303) TO STOCKHOLM POINT,] and east of a line **across upper Olga Bay at 154° 16.06' W. long.** [TO A POINT AT 57° 07.47' N. LAT., 154° 04.90' W. LONG];

(9) **West** Upper Olga Bay Section: all waters of Upper Olga Bay **west of a line across Upper Olga Bay at 154° 16.06' W. long.** [SOUTH OF A LINE FROM STOCKHOLM POINT TO THE TERMINUS OF SILVER SALMON CREEK];

**BACKGROUND:** In the early 1990s herring stocks began declining in the Alitak District. These stocks remained low through the 1990s and were not fished for several years; however, in 2002 stocks began to show improvement. Certain sections were opened in 2003 and 2004 as test fisheries. However, the section lines created confusion for fishermen and managers. Herring stocks continued to increase and more fishing opportunity was allowed from 2005 through 2007. In 2006 and 2007 new section lines were created by Emergency Order that better represented the stocks being harvested.



**Figure 1.** Current Herring Statistical Lines in the Alitak District.



**Figure 2.** Proposed Changes to Herring Statistical Lines in the Alitak District.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal.

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

**PROPOSAL 42 - 5 AAC 27.535. Harvest strategies for Kodiak Area.**

PROPOSED BY: Old Harbor Fishermen's Association.

WHAT WOULD THE PROPOSAL DO? This proposal would suspend the current management plan until more Kodiak herring gillnet fishermen participate in the fishery. This proposal encourages the formation of an industry workgroup that would work with ADF&G and determine which sections currently open to gillnet gear could be open to purse seine gear. The workgroup would discuss a default provision so that when a set number of herring gillnet landings are recorded, the current management plan of 25% allocation to herring gillnet fishermen would be reinstated. The new plan would have ADF&G determine which sections could open to the Kodiak herring seine fleet without reference to a specific percentage being reserved for the Kodiak herring gillnet fleet.

Absent the work of an industry workgroup, this proposal requests that until there are at least 20 herring gillnet landings by at least five distinct permit holders, the current management plan be suspended and a new plan be developed.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.535(e). ADF&G shall manage the herring sac roe fishery to provide opportunities for gillnet permit holders to harvest approximately 25 percent and purse seine permit holders to harvest approximately 75 percent of the total preseason GHF for the KMA.

5 AAC 27.535(e)1D.. Each district having more than one section that is open for fishing would have approximately 20 to 30 percent of the district GHF allocated to the gillnet permit holders and 70 to 80 percent allocated to the purse seine permit holders.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would eliminate the current management plan until at least five gillnet permit holders made at least 20 landings. ADF&G would then have to evaluate inseason harvests by section and district to determine if and where the current plan could be applied without exceeding GHFs. This has the potential to change several section gear assignments from gillnet to purse seine.

BACKGROUND: Prior to 1974 the sac roe fishery was unregulated with regard to harvest quotas, gear types, seasons, and fishing periods. From 1977 through 1982 the fishery went through a developmental phase that focused on gear efficiency, gear restrictions, and gear conflicts. Gear was limited to purse seines and gillnets and a relatively stable herring sac roe fishery occurred through 1991. Record harvests occurred from 1992 to 1995 when catches ranged between 4,283 (1992) to 5,893 tons (1994). This increase in herring abundance occurred during years of high prices and fishery participation grew. In 1997 herring prices declined followed by herring abundance throughout most of the KMA in 1998. Gillnet permit holders had little harvest opportunity when competing against purse seine permit holders and they promoted a change in fishery management.

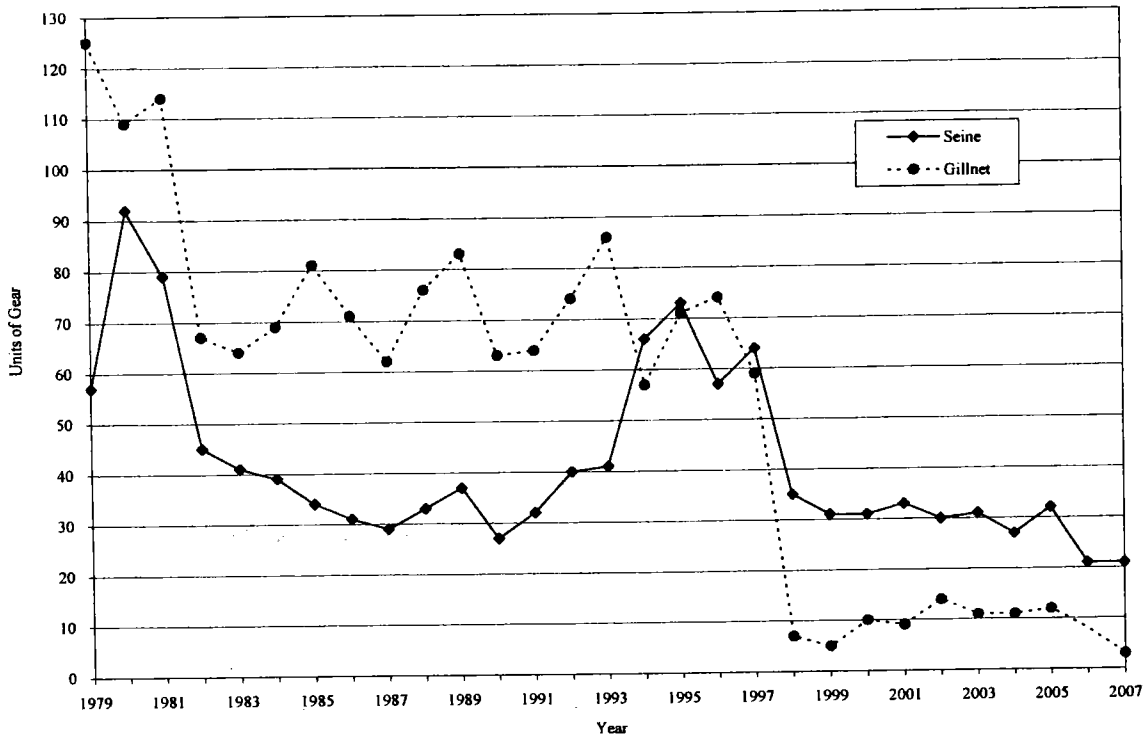
An allocative harvest strategy was developed through the efforts of an BOF Herring Task Force (established in 1999) that consisted of purse seine and gillnet permit holders, and Alaska Department of Fish and Game (ADF&G) staff. The task force developed a harvest strategy that provides opportunity for gillnet permit holders to harvest approximately 25% and purse seine permit holders to harvest approximately 75% of the total preseason GHL for the KMA.

The harvest strategy requires ADF&G to establish GHLs by section, based on historical harvest data, current and past fishery performance, commercial catch samples, and aerial biomass surveys. ADF&G is then required, for each district that has more than one section open to fishing, to assign, by section, 20% to 30% of the GHL to gillnet permit holders and 70% to 80% of the GHL to purse seine permit holders.

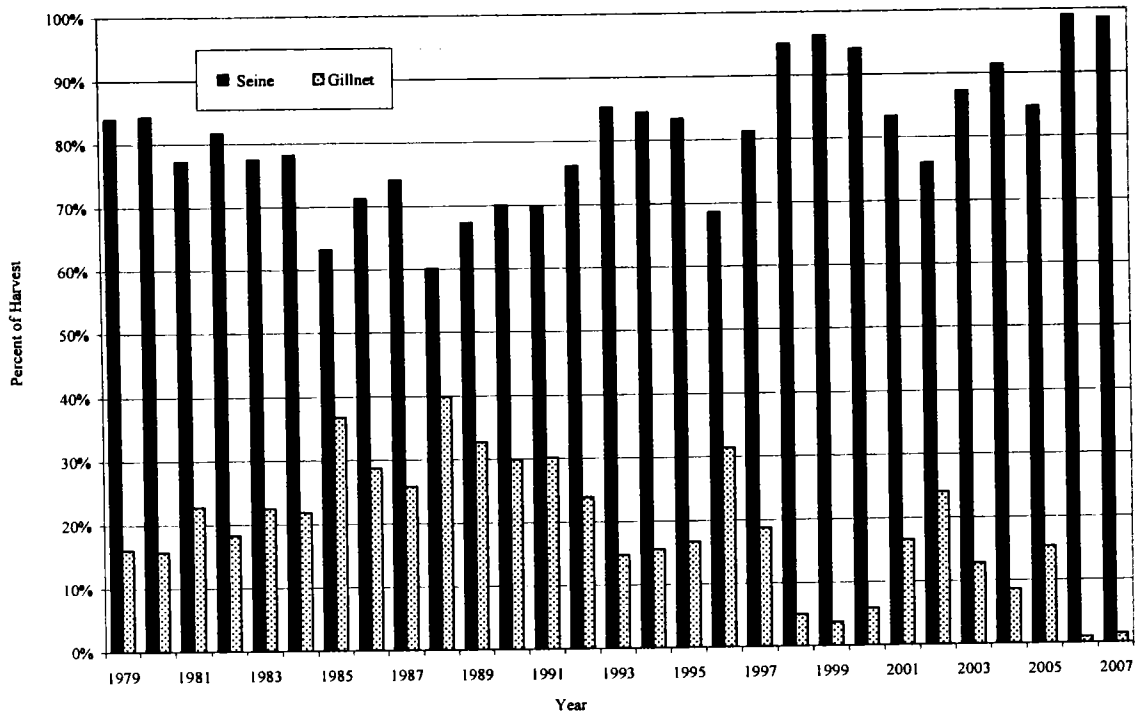
During the 2002 BOF meeting only one change was made to the allocative harvest strategy. That change combined the three Afognak Districts, treating them as one district, for allocation purposes.

During the 2005 BOF meeting several changes were made to the allocative harvest strategy. One allowed ADF&G to combine adjacent sections within a district and manage them as a single unit when information indicates that a single spawning stock of herring is being harvested. The plan was also modified to allow purse seine and gillnet gear to fish the same section in order to achieve the allocation percentages within a district.

Beginning in 1979, combined gear levels increased substantially, reaching a high of 201 units (92 seine and 109 gillnet) in 1980 and 193 units (79 seine and 114 gillnet) in 1981. With the implementation of limited entry following the 1981 sac roe season, entry into the fishery was restricted to past participants until permanent transferable permits could be awarded. From 1982 through 1993 gear levels were relatively constant with 29 to 45 seiners and 62 to 86 gillnetters participating. With an increase in herring abundance and prices, and the closure of the Prince William Sound herring fishery, seine participation increased abruptly during the 1994 through 1997 seasons, with 73 purse seine permit holders fishing in 1995. The escalation in seine gear participation resulted in increased competition among seiners and between seiners and gillnetters. In 1997 and 1998 herring prices declined. After 1997 seine participation fell over 50% (average 30 vessels). Gillnet participation took an even sharper drop, 59 permit holders fished in 1997 but only an average of 10 gillnet fishermen have participated annually since 2000. In 2007 only three gillnet permit holders recorded landings (Figure 1; Figure 2).



**Figure 1.** Seine and gillnet participation since 1979.



**Figure 2.** Percent of harvest taken by gear type 1979-2007.



DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. However, ADF&G is **OPPOSED** to creating unusually complicated and burdensome management plans.

It is unclear from this proposal when and where this workgroup would meet or who would organize the meeting. If adopted, ADF&G would need guidance from BOF on establishing criteria for the new management plan, the trigger for reinstating the current management plan, and how harvests up to the trigger should be handled when the current plan takes effect.

If the intent of this proposal is accepted, ADF&G requests a preseason herring sac roe gillnet registration requirement.

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

**PROPOSAL 43 - 5 AAC 27.525. Seine specifications and operations for Kodiak Area.**

PROPOSED BY: Old Harbor Fishermen's Association.

What would the proposal do? This proposal would permit ADF&G to specify seine gear length limitations of 75 fathoms and/or seine gear depth limitations of "3 strips" in situations when ADF&G believes that a "full fleet and capacity" opening may exceed the GHL.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.525. From April 1 through July 31, a purse seine may not exceed 18 fathoms stretch measure in depth or 100 fathoms in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted the regulation would reduce purse seine depth to "3 strips" and length to 75 fathoms in "small quota situations", thus reducing the efficiency of purse seines in these situations. The reduced efficiency may slow down the herring sac roe harvests.

BACKGROUND: From 1987 through 1995 herring sac roe purse seine gear was limited to 1,025 meshes in depth, with no mesh size restrictions. Standard herring web used in purse seines were 1.5 inches in stretch measure and these nets were approximately 125 feet in depth. In the early 1990s several permit holders started using larger mesh (including 3.5 inch salmon web) in their herring seines to increase the depth of their gear. These nets were approximately 160 to 180 feet deep, and were efficient at catching herring in the Kodiak Area. In 1996, to eliminate the advantage of the large web nets, purse seines were restricted to a maximum depth of 20 fathoms (120 feet), and the no mesh size regulation was maintained. In 2000, an allocative harvest strategy was developed by the Herring Task Force, which consisted of permit holders and department staff, and was approved by the BOF. The allocative plan provided approximately 25% of the sac roe GHL to gillnet gear and approximately 75% to purse seine gear. With an allocation plan in place, seine depths then could be addressed since any gear reductions would have no allocation effects between gear. ADF&G requested that the BOF reduce herring seines to 14.5 fathoms (87 feet) in depth, which equates to approximately 600 to 700 meshes of herring seine. However, disagreement between ADF&G and permit holders resulted in a compromise and a depth of 18 fathoms was approved by the Herring Task Force, and later by the BOF. The 18 fathom depth regulation has been in effect for the last eight herring sac roe seasons. Even with the 18 fathom restriction, several section GHLS are consistently exceeded.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on any allocative aspects of this proposal which request that ADF&G specify gear or length limitations in situations where a "full fleet and capacity" opening may exceed the GHL. ADF&G is **OPPOSED** to having two different seine net specifications in this fishery, which could become an enforcement issue. The herring fleet is extremely mobile and permit holders often move from section to section daily. This proposal could create situations where fishermen are

unable to fish in a section because they don't have the appropriate gear. It would be impossible to monitor all sections with small GHs where smaller nets would be required.

**COST ANALYSIS:** Adoption of this proposal would result in an additional direct cost for a private person to participate. Costs would be incurred by permit holders to purchase two different nets in order to fish in all sections open to purse seine gear.

**PROPOSAL 44 - 5 AAC 01.520. Lawful gear and gear specifications.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the legal use of a subsistence gillnet and seines; restricting subsistence nets to obstruct no more than one half the wetted width of any fish stream open to subsistence salmon fishing.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.520(a), Salmon may be taken by gillnet and seine.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal, if adopted, would prevent subsistence nets from spanning the entire width of small streams and tributaries while still allowing for subsistence fishing opportunities in these areas.

Proposed regulatory language is as follows:

(b) Salmon may only be taken by gillnet and seine. **Gillnets and seines may not obstruct more than one half the wetted width of any fish stream open to subsistence salmon fishing.**

Salmon returning to small streams and tributaries open to subsistence salmon fishing may be over exploited or prevented from reaching local spawning ground during specific times of the year under the current regulation. Over harvest of salmon stocks in local streams and tributaries may limit future subsistence fishing opportunities.

BACKGROUND: The current regulation specifies subsistence gear types and specifications but not the provisions under which that gear can be used. In the KMA subsistence gillnets are often long enough to span the entire width of small streams that may be opened to subsistence salmon fishing.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal.

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

Subsistence regulation review:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes. The BOF has found that salmon in the Kodiak Area, except that portion described in 5 AAC 18.200(g), are customarily and traditionally taken or used for subsistence (5 AAC 01.536(a)).

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

4. What amount is reasonably necessary for subsistence use? The BOF has found that 26,800 to 44,700 salmon are reasonably necessary for subsistence uses in the Kodiak Area (5 AAC 01.536(b)(1)).

5. Do the regulations provide a reasonable opportunity for subsistence use? This is a BOF determination.

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

**PROPOSAL 45 - 5 AAC 01.530. Subsistence Fishing Permits and 5 AAC 01.545. Subsistence Bag and Possession Limits.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the harvest limits on subsistence salmon permits in a portion of the KMA.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.530 (b) A subsistence salmon fishing permit allows the holder to take 25 salmon plus an additional 25 salmon for each member of the same household whose names are listed on the permit. An additional permit may be obtained if it can be shown that more fish are needed.

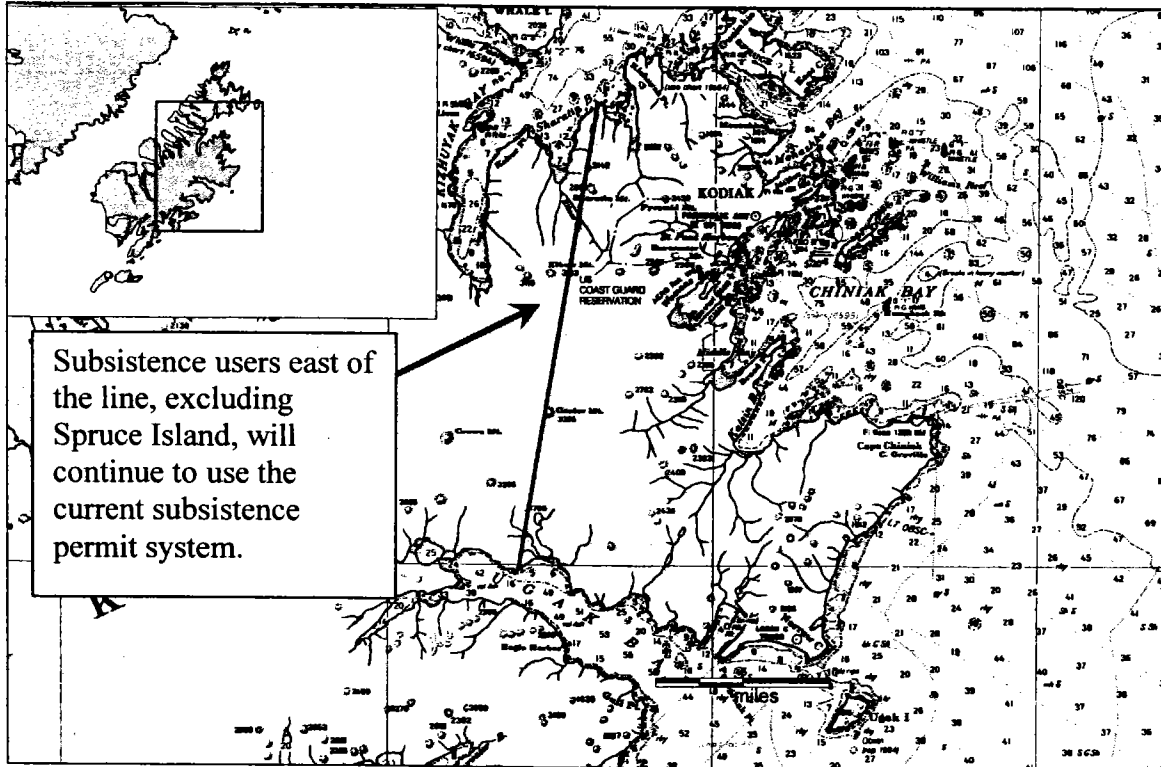
WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Subsistence users in more remote locations within the KMA could harvest all their salmon on a single permit. Subsistence users in less remote locations would continue using the current permit. ADF&G may benefit in having more accurate harvest data and more support for the subsistence salmon harvest monitoring program.

Proposed regulation language is as follows:

**5 AAC 01.545. Subsistence Bag and Possession Limits. (d) The total annual possession limit for each subsistence salmon fishing permit is as follows:**

**(1) For all fresh waters of Kodiak Island east of a line from Crag Point south to the westernmost point of Saltery Cove, including waters of Woody and Long islands, and all salt water bordering this area within 1 mile of Kodiak Island, excluding waters bordering Spruce Island, 25 salmon for the head of household plus an additional 25 salmon for each member of the same household whose names are listed on the permit. An additional permit may be obtained if it can be shown that more fish are needed.**

**(2) For the remainder of the Kodiak Area, no annual limit.**



**Figure 1.** Map showing area in which subsistence users would continue to use the current subsistence permit system.

**Background:** The current permit system may underestimate subsistence salmon harvests in the more remote portions of the KMA. In part, this is a consequence of the current permit limit of 25 salmon per household member. Although additional permits may be obtained if more fish are needed, few subsistence fishers in the remote communities appear to be aware of this provision, based on interviews conducted by department staff. As a result, some fishers who harvest more than 25 fish per household member for their household's use or for sharing with other community members, under report their harvests on their returned permits, fail to return the permits with a harvest report, or fail to obtain a permit at all. Passage of this proposal is unlikely to result in substantial increases in subsistence salmon harvests, but could result in more accurate harvest data and provide more support for ADF&G's subsistence salmon harvest monitoring program. Due to the large number of permits that fish in areas connected to the Kodiak road system, ADF&G recommends retaining the 25 salmon per person limit for permits fishing in this road accessible area. Families fishing in this area would still have the option of obtaining additional permits if more fish are needed.

**DEPARTMENT COMMENTS:** ADF&G submitted and **SUPPORTS** this proposal.

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

**Subsistence regulation review:**

1. Is this stock in a non-subsistence area? No.

2. Is the stock customarily and traditionally taken or used for subsistence? Yes. The BOF has found that salmon in the Kodiak Area, except that portion described in 5 AAC 18.200(g), are customarily and traditionally taken or used for subsistence (5 AAC 01.536(a)).

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

4. What amount is reasonably necessary for subsistence use? The BOF has found that 26,800 to 44,700 salmon are reasonably necessary for subsistence uses in the Kodiak Area (5 AAC 01.536(b)(1)).

5. Do the regulations provide a reasonable opportunity for subsistence use? This is a BOF determination.

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



**PROPOSAL 46 - 5 AAC 18.200 (a). Description of Districts and Sections.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the description of the Duck Bay Section.

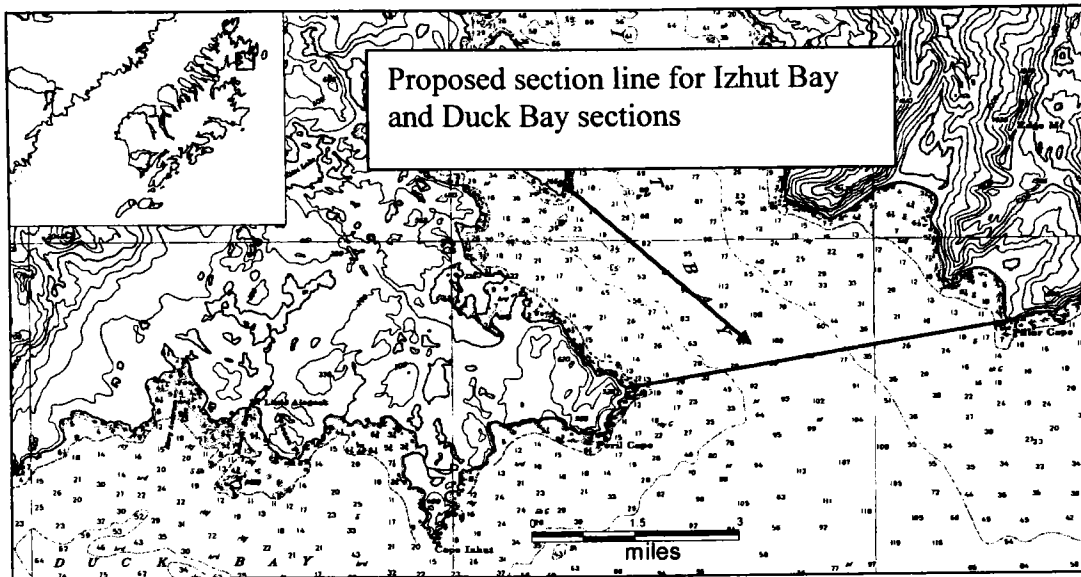
WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.200. (a) (10), Duck Bay Section: all waters of Duck Bay bounded by the latitude of Pillar Cape, by a line from Pillar Cape at 56° 08.90' N. lat., 152° 06.77' W. long., to Peril Cape at 58° 08.06' N. lat., 152° 15.77' W. long, and by a line along 152° 33.40' W. long. from Cape Kostromitinof to the latitude of Dolphin Point on Whale Island (57° 59.17' N. lat., 152° 43.45' W. long.), and by the latitude of Dolphin Point on Whale Island;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would correct an error in regulation.

Proposed substitute language as follows:

**5 AAC 18.200. (a) Description of districts and sections. (7) Izhut Bay Section:** all waters of Izhut Bay, excluding the Inner and Outer Kitoi Bay sections, bounded by a line from Pillar Cape, by a line from Pillar Cape at **58° [56°] 08.90' N. lat., 152° 06.77' W. long.** to Peril Cape at 58° 08.06' N. lat., 152° 15.77' W. long;

(10) Duck Bay Section: all waters of Duck Bay bounded by the latitude of Pillar Cape, by a line from Pillar Cape at **58° [56°] 08.90' N. lat., 152° 06.77' W. long.,** to Peril Cape at 58° 08.06' N. lat., 152° 15.77' W. long, and by a line along 152° 33.40' W. long. from Cape Kostromitinof to the latitude of Dolphin Point on Whale Island (57° 59.17' N. lat., 152° 43.45' W. long.), and by the latitude of Dolphin Point on Whale Island;



**Figure 1.** Map showing the proposed section line for Izhut Bay and Duck Bay sections.

**BACKGROUND:** During the KMA BOF meeting in 2005, several section line and closed water line descriptions were put into regulation; an error was discovered after these changes were made.

**DEPARTMENT COMMENTS:** ADF&G submitted and **SUPPORTS** this proposal. ADF&G considers this proposal a housekeeping measure to correct an error in regulation.

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

**PROPOSAL 47 - 5 AAC 18.200 (c). Description of Districts and Sections.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the description of the Inner Karluk Section.

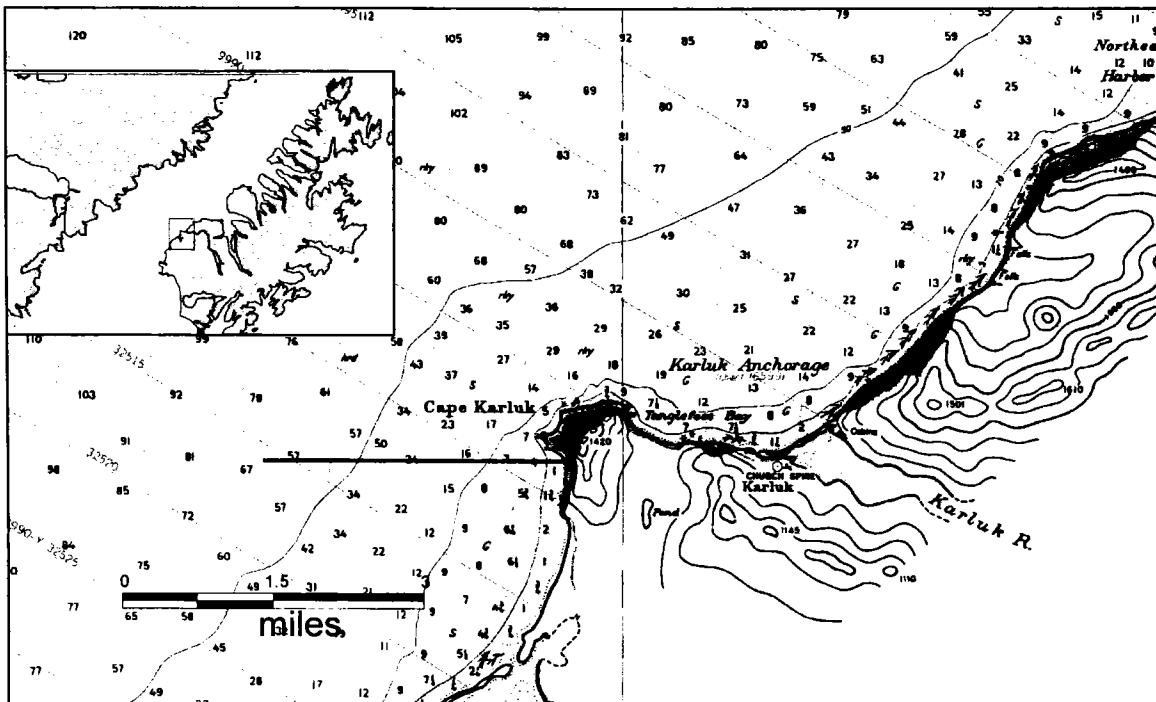
WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.200 (c) (2), Inner Karluk Section: all waters west of Kodiak Island bounded by the latitude of Pafco Point, the latitude of Cape Karluk, (57° 24.60' N. lat.) and by midstream Shelikof Strait;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal corrects a section line discrepancy in regulation for the Inner Karluk Section.

Proposed regulatory language as follows:

**5 AAC 18.200. (c) Description of districts and sections.**

(2) Inner Karluk Section: all waters west of Kodiak Island bounded by the latitude of Pafco Point, the latitude of Cape Karluk, (57° 34.20' N lat.) [(57° 24.60' N. lat.)] and by midstream Shelikof Strait;



**Figure 1.** Map showing the proposed section line for the Inner Karluk and Sturgeon sections.

**BACKGROUND:** During the KMA BOF meeting in 2005, several section line and closed water line descriptions were put into regulation; an error was discovered after these changes were made.

**DEPARTMENT COMMENTS:** ADF&G submitted and **SUPPORTS** this proposal. ADF&G considers this proposal a housekeeping measure to correct an error in regulation.

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

**PROPOSAL 48 - 5 AAC 18.350 (a). Closed waters.**

**PROPOSED BY:** Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation to create a closed water area in Izhut Bay.

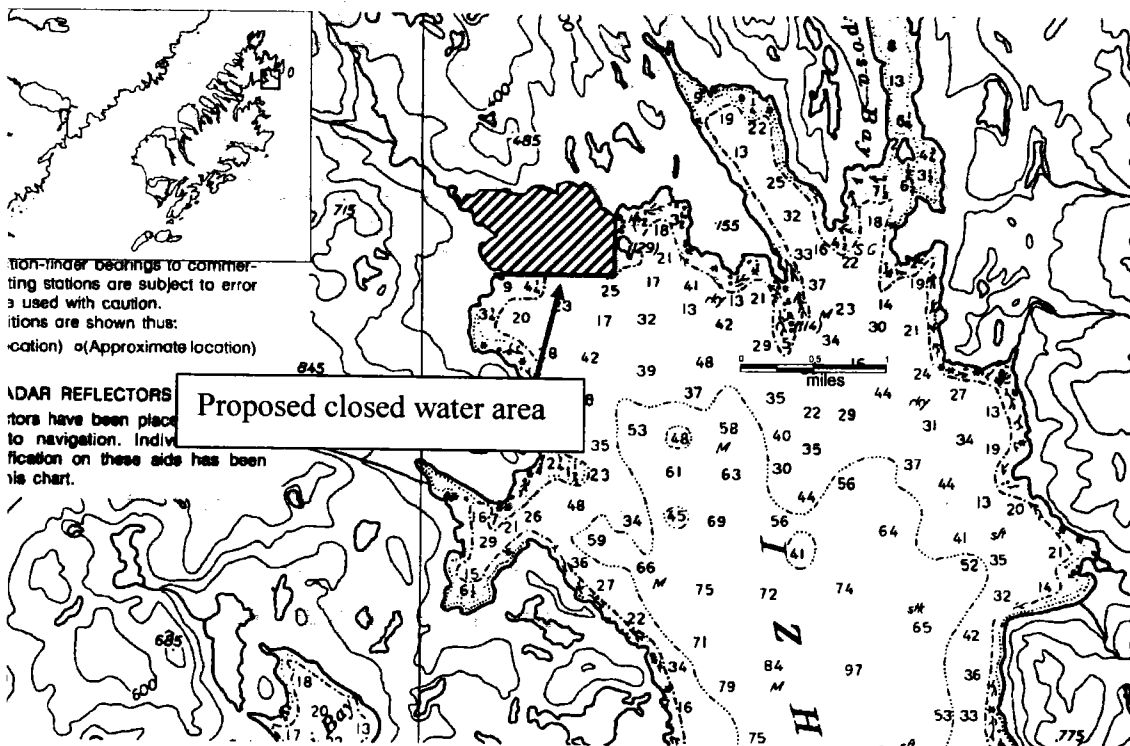
WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.350 (b), Where regulatory markers have been deployed by ADF&G to aid fishermen in determining closed waters locations listed in this section, the markers would be placed either as close as possible to the described locations or in a location deemed necessary by ADF&G. If the location of a regulatory marker is in conflict with the closed waters listed in this section, it is illegal to fish on the streamward side of that marker.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would codify historical closed water lines in Izhut Bay at stream number 252-302.

Proposed regulatory language as follows:

**5 AAC 18.350. (a) Closed waters.**

**Izhut Bay: All waters near the terminus of stream number 252-302: north of 58° 14.36' N. lat. and west of 152° 17.73' W. long.**



**Figure 1. Map showing the proposed closed water area in Izhut Bay.**

**BACKGROUND:** The described closed waters have been on the KMA statistical chart as early as 1975 and closed waters were designated by regulatory markers, but not put into regulation.

**DEPARTMENT COMMENTS:** ADF&G submitted and **SUPPORTS** this proposal. ADF&G considers this a housekeeping measure.

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

**PROPOSAL 49 - 5 AAC 18.350. (a)(5)(A)(v). Closed waters.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal would amend the description of closed waters in the Pasagshak Section.

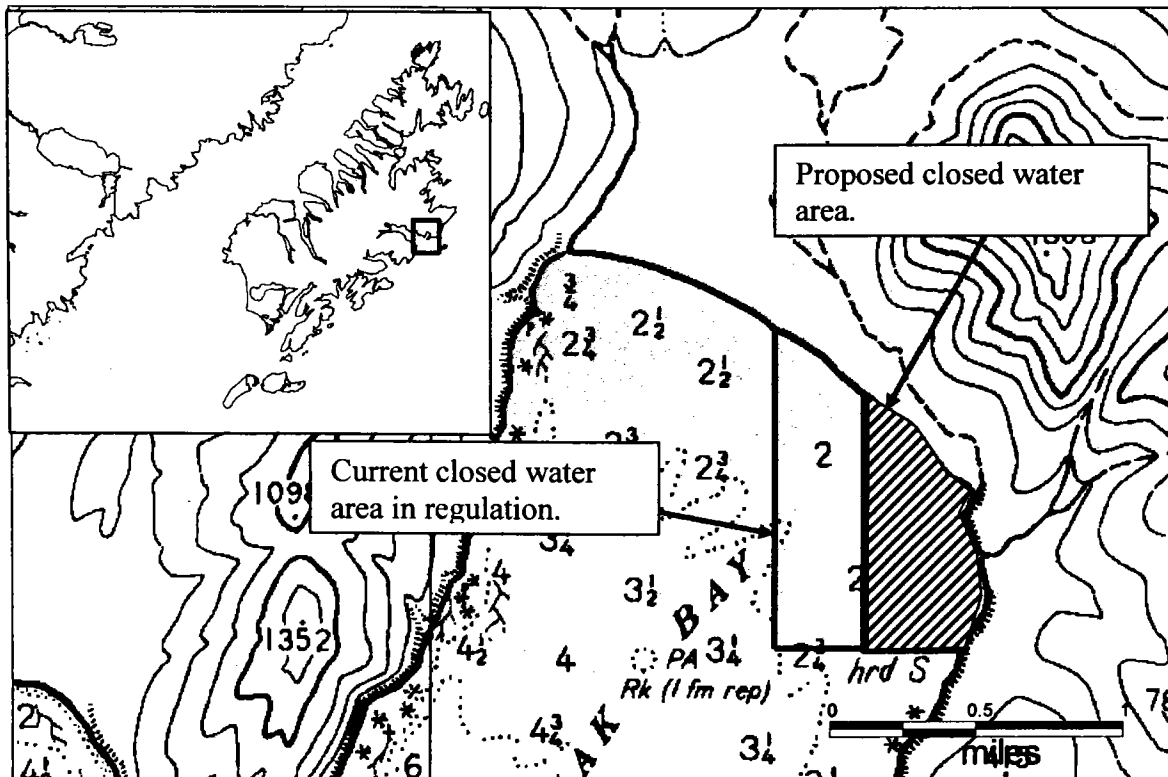
**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 18.350, Salmon may not be taken in (a)(5)(A)(v) Pasagshak Bay: north of 57° 27.00' N. lat. and east of 152° 28.00' W. long.;

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would provide a more accurate description of the closed water marker placement in Pasagshak Bay.

Proposed regulatory language as follows:

**5 AAC 18.350. (a) Closed waters.**

**(5)(A)(v) Pasagshak Bay:** north of 57° 27.00' N. lat. and east of 152° 27.60' [28.00] W. long.;



**Figure 1.** Map showing proposed closed water area in Pasagshak Bay.

**BACKGROUND:** Current closed water markers in Pasagshak Bay represent the historical closed water area. There may be some confusion due to the discrepancy with the placement of the markers and the current regulatory description of the closed water area.

**DEPARTMENT COMMENTS:** ADF&G submitted and **SUPPORTS** this proposal. ADF&G considers this proposal a housekeeping measure.

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



**PROPOSAL 50 - 5 AAC 18.337. (a). Purse Seine Practice Sets.**

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would amend the regulation allowing practice purse seine sets.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.337 (a), From June 1 through October 31, purse seine vessels may make practice purse seine sets. The sets may be made only during daylight hours. All fish caught shall be returned to the water without further harm.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow purse seine permit holders to practice sets prior to the KMA opening date of June 1.

Proposed regulatory language as follows:

**5 AAC 18.337. (a) Purse Seine Practice Sets.**

(a) From May 25 [JUNE 1] through October 31, purse seine vessels may make practice purse seine sets. The sets may be made only during daylight hours. All fish caught shall be returned to the water without further harm.

BACKGROUND: The BOF changed the opening date for salmon fishing in the KMA in 2005 to June 1. However, the date for allowing practice sets was not changed. Practice sets have been allowed since 2005 using EO authority.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal. ADF&G considers this proposal a housekeeping measure.

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

**PROPOSAL 58 - 5 AAC 18.331. Gillnet specifications and operation; and 5 AAC 39.280 Identification of stationary fishing gear.**

PROPOSED BY: Richard G. Blanc.

WHAT WOULD THE PROPOSAL DO? This proposal, if adopted, would allow a set gillnet fisherman to own and operate two CFEC permits.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.331 (a), Except as provided in (e) of this section, a CFEC permit holder may operate no more than 150 fathoms of set gillnet in the aggregate, nor more than two set gillnets.

5 AAC 39.280 (a), The owner or operator of a set gillnet or fish wheel in operation shall place in a conspicuous place on or near the set gillnet or fish wheel the name of the fisherman operating it, together with the fisherman's five-digit CFEC permit serial number. Numbers must be at least six inches in height with lines at least one inch wide and of a color contrasting with the background. The identification name and numbers for fish wheels must be placed on the side of the fish wheel facing midstream of the river.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Proposed regulation language as follows:

**5 AAC 18.331. Gillnet specification and operations (a).** Except as provided in (e) of this section, **a fisherman owning two CFEC permits may operate no more than two 150 fathom set gillnet, 300 fathoms in the aggregate, no more than four set gillnets.** [A CFEC PERMIT HOLDER MAY OPERATE NO MORE THAN 150 FATHOMS OF SET GILLNET IN AGGREGATE, NO MORE THAN TWO SET GILLNETS.]

**5 AAC 39.280. Identification of stationary fishing gear (a)** The owner or operator of a set gillnet or fish wheel in operation shall place in a conspicuous place on or near the set gillnet or fish wheel the name of the fisherman operating it, together with the fisherman's five-digit CFEC permit serial number, **followed by the letter "D" to identify the gillnet as a dual permit set gillnet.** Numbers must be at least six inches in height with lines at least one inch wide and of a color contrasting with the background. The identification name and numbers for fish wheels must be placed on the side of the fish wheel facing midstream of the river.

BACKGROUND: During the 2006 legislative cycle, HB 251 was passed that gave the BOF the authority to allow one person the ability to own and operate more than one CFEC permit within the same fishery. Specific language of the current statute is as follows:

Section 1. AS 16.05.251

(i) Notwithstanding AS 16.43.140.(c)(5), the board may adopt, at a regularly scheduled meeting at which the board considers regulatory proposals for management of a specific

salmon fishery, a regulation to allow a person who holds two entry permits for that salmon fishery an additional fishing opportunity appropriate for that particular fishery.

However, under Article 2 Entry Permit System Sec. 16.43.140. Permit required.

(c) A person may hold more than one interim-use or entry permit issued or transferred under this chapter only for the following purposes:

- (1) fishing more than one type of gear;
- (2) fishing in more than one administrative area;
- (3) harvesting particular species for which separate interim-use or entry permits are issued;

(4) if authorized by regulations of the commission, fishing an entire unit of gear in a fishery in which the commission has issued entry permits for less than a unit of gear under AS 16.43.270 (d); under this paragraph, a person may not hold more than two entry permits for a fishery; however, the person may not

(A) fish more than one unit of gear in the fishery; or

(B) acquire a second entry permit for the fishery after the person has acquired an entry permit that authorizes the use of an entire unit of gear in the fishery;

(5) consolidation of the fishing fleet for a salmon fishery; however, a person may hold not more than two entry permits for a salmon fishery under this paragraph, but the person who holds two entry permits for a salmon fishery may not engage in fishing under the second entry permit.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** to this proposal. However, this proposal removes regulatory language referencing permit holders with a single permit. If the BOF chooses to adopt this proposal, ADF&G requests the retention of the current language pertaining to one permit holder in gear specifications and operations.

COST ANALYSIS: Adoption of this proposal could result in an additional cost for a private person to participate, should a commercial salmon permit holder choose purchase an additional permit and operate multiple gillnet sites.

**PROPOSAL 59 - 5 AAC 18.330. Gear.**

PROPOSED BY: Old Harbor Fisherman's Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of power and/or hand trolls as legal commercial salmon gear in the KMA. The proposal suggests that any Kodiak salmon CFEC permit holder could switch to troll gear. The Kodiak troll season would open on August 1 each year, in state waters only, and continue through September 30, targeting coho salmon.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.010, Description of area for Salmon Troll fishing, unless specified, a person may only operate troll gear in the waters of the Southeastern Alaska – Yakutat Area east of the longitude of Cape Suckling (144° W. long.) and north of the International Boundary at Dixon Entrance.

5 AAC 18.330 Gear. (a-g), salmon may be taken only by purse seine, beach seine, and set gillnet gear in the Kodiak Area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, power and/or hand trolling gear would be a legal gear type used to commercially harvest salmon in the Kodiak Area from August 1 to September 30. As written the intent of the proposal is to limit this fishery to coho salmon, although other salmon species would likely be harvested. It is unknown how many Kodiak Area salmon permit holders would take advantage of this opportunity, so the effect on salmon resources is uncertain. However, there are over 600 seine and gillnet permits in the Kodiak fishery. In recent years, nearly half of KMA salmon permit holders have not been active.

The Commercial Fisheries Entry Commission (CFEC) issues fishing permits for Alaska's commercial salmon fisheries. Additional regulation changes would need to be proposed and adopted. Current CFEC troll permits are statewide permits, which could potentially be active in this fishery. Although the exact effects cannot be determined, it is likely that fishing pressure on local and non-local coho and Chinook salmon stocks would increase.

On a larger scale, instituting a commercial troll fishery west of Cape Suckling would have far reaching effects. The United States and Canada formed the Pacific Salmon Commission (PSC) in 1985. While much of their concern is directed at Chinook salmon stocks that migrate through northern Gulf of Alaska waters, there is also concern for other salmon species. Representatives of the United States and Canada signed a Pacific Salmon Treaty. Chapter 7, General Obligations, states that neither party shall initiate new intercepting fisheries nor conduct or redirect fisheries in a manner that intentionally increases interceptions. The North Pacific Fishery Management Council (NPFMC) and the National Marine Fisheries Service (NMFS) salmon fisheries management plan for the Gulf of Alaska recognizes that regulations for Alaska salmon fisheries are made by the BOF, but also states that regulations should be consistent with State and Federal laws and with negotiated agreements of the PSC. Further, the federal salmon fisheries management plan defers management of commercial troll fisheries to the State and the PSC.

The KMA is directly in the path of Pacific salmon that seasonally migrate through the Gulf of Alaska. Non-local stocks of Chinook and coho salmon are likely present, but their origin, migratory timing, abundance, and residence time are not known with any degree of certainty. It is likely that the initiation of a troll fishery in the Kodiak Area would be considered as a possible new or redirected fishery that could lead to increased interceptions.

**BACKGROUND:** Trolling once was a legal method of commercially harvesting salmon in Kodiak fisheries, but since 1965 only purse seines, beach seines, and set gillnets have been legal gear. Kodiak salmon fisheries became limited entry in 1975, and only these gear types were institutionalized at that time. Kodiak Area salmon harvest strategies and management plans have been developed around gear types and gear levels put in place at that time.

There are approximately 175 streams in the Kodiak Area that are known to produce coho salmon. Escapement objectives have been established for only a few systems, and the ability of ADF&G to monitor coho salmon escapements is limited. Many systems are small, and most are remote, and escapements are primarily estimated by aerial survey. Salmon counting weirs are present in the Kodiak Area, but the weirs are typically removed before peak escapement of coho salmon (coho may still be migrating into area streams in November, or later). Escapement objectives are considered management objectives which, representing some unknown fraction of the total escapement.

The potential production of wild coho salmon stock in the Kodiak Area is minimally estimated at almost 400,000 fish annually. The Kitoi Bay Hatchery also produces coho salmon, with an average annual contribution to commercial fisheries of about 147,000 (1998 to 2007). The annual Kodiak Area commercial harvest of coho salmon averages approximately 409,308 fish (1998 to 2007). Local coho salmon are present in the Kodiak Area during the time period of interest as this proposal (August 1 to September 30). Currently, coho salmon are taken incidentally in directed pink salmon and late-run sockeye fisheries, and are targeted in late season fisheries (beginning August 1, but primarily occurring after September 5).

There are 3 streams in the Kodiak Area that are known to produce Chinook salmon. Escapement objectives have been established for both the Karluk and Ayakulik systems. Frazer Lake also has a small introduced run of Chinook salmon stock however, there are no goals attached to this run. All three systems have salmon counting weirs. Chinook salmon do not have a directed fishery and harvest is considered incidental.

The potential production of wild Chinook salmon stock in the Kodiak Area is minimally estimated at almost 23,000 fish annually. The Pillar Creek Hatchery also produces Chinook salmon in cooperation with the Sportfish Division in order to annually stock local road system stream for sport fishing opportunity. There is likely some annual contribution to commercial fishery; however, it is an unknown amount. The annual Kodiak Area commercial harvest of Chinook salmon averages approximately 20,000 fish

(1998 to 2007). Local Chinook salmon are likely present in the Kodiak Area during the time period of interest as this proposal (August 1 to September 30). Currently, Chinook salmon are taken incidentally in directed sockeye and pink salmon fisheries.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. ADF&G is **OPPOSED** to this proposal, until such time as the potential increase in gear and effort, the uncertainty of effects of such a fishery on local and non-local stocks are more fully explored and addressed, and the complexity of the effects of this proposal with regard to the Pacific Salmon Treaty is addressed.

If approved, ADF&G would need significant direction from the BOF, CFEC, and other relevant stakeholders to develop regulations with regard to a commercial troll fishery in the KMA.

COST ANALYSIS: Adoption of this proposal could result in an additional cost for a private person to participate, should a commercial salmon permit holder choose to switch to troll gear.

**COMMITTEE C – Kodiak Management Area Commercial  
Salmon- Westside, Shelikof and Alitak Management  
(7 Proposals)**

**PROPOSAL 51 - 5 AAC 18.362. Westside Kodiak Salmon Management Plan.**

PROPOSED BY: Karluk IRA Tribal Council.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would delay the opening the Inner and Outer Karluk sections until June 16.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.362. (e)(1), The Inner and Outer Karluk Sections must be managed from June 1 through July 15, based on early-run sockeye salmon returning to the Karluk system; the commissioner may open, by emergency order, fishing periods in the Inner Karluk Section only if ADF&G determines that the desired early-run escapement goal would be exceeded; in the Outer Karluk Section, from June 16 through approximately July 15, the commissioner shall open fishing periods to occur at the same time as open fishing periods in the Central Section;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted this proposal would not allow commercial salmon fishing in the Inner and Outer Karluk sections of the Southwest Kodiak District until June 16.

Proposed regulatory language as follows:

**5 AAC 18.362. Westside Kodiak Salmon Management Plan.**

(a) The Inner and Outer Karluk Sections must be managed

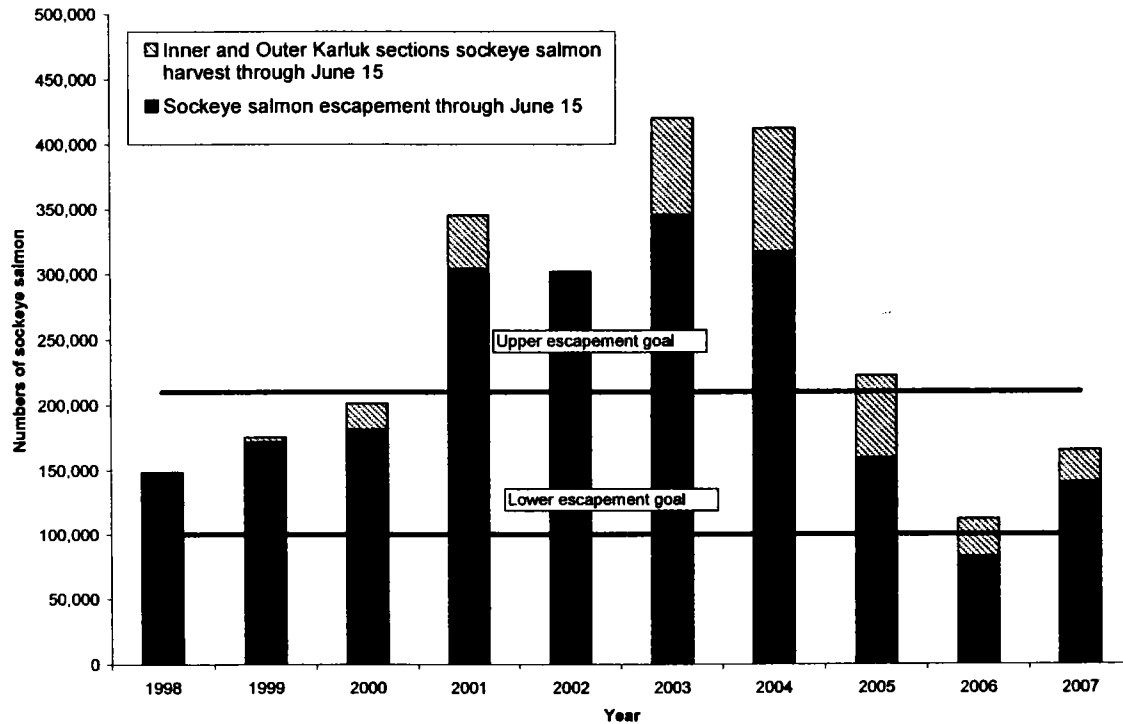
From June 16 [1] through July 15, based on early-run sockeye salmon returning to the Karluk system; the commissioner may open, by emergency order, fishing periods in the Inner Karluk Section only if ADF&G determines that the desired early-run escapement goal will be exceeded.

Note: The current Inner and Outer Karluk management strategy is designated by (e)(1) in the current Westside Kodiak Salmon Management Plan.

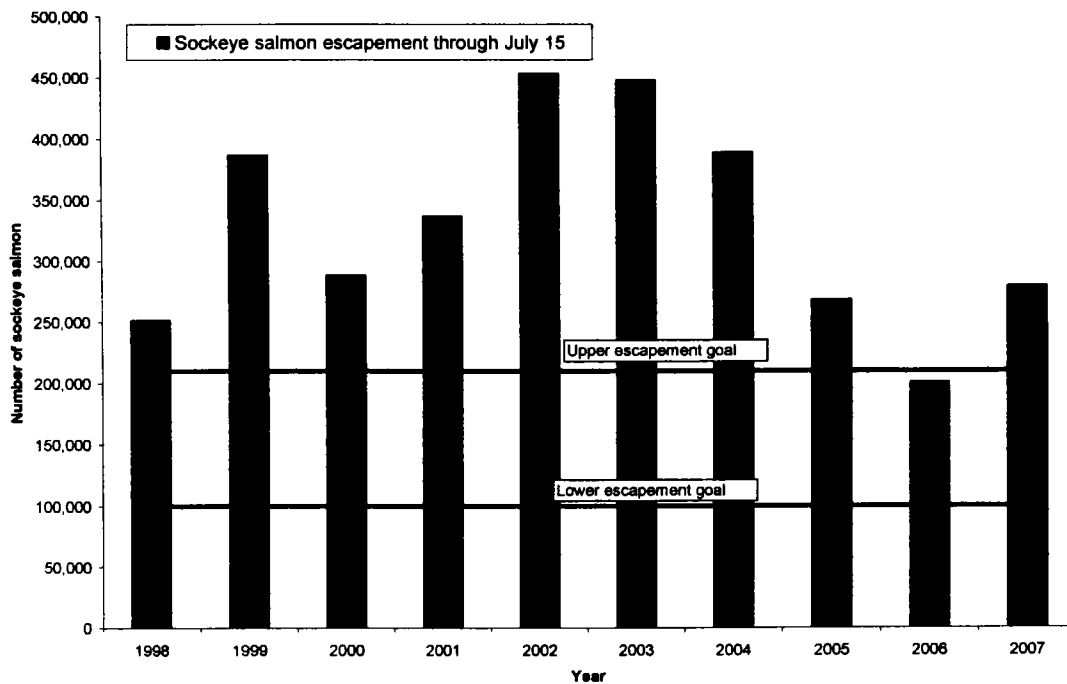
This proposal seeks to ensure a greater number of sockeye salmon into the Karluk system prior to a commercial opening. It is uncertain how many more fish would be harvested for subsistence use; however, it is likely there would be an increase to Karluk early-run sockeye salmon escapement.

Since 1998, the early-run sockeye salmon escapement has met or exceeded the minimum escapement goal 9 out of 10 years by June 15 and in four of the last 10 years the upper goal was exceeded by June 15 (Figure 1). By July 15, the designated ending date for the early-run sockeye salmon, the upper escapement goal has been exceeded 9 out of 10 years (Figure 2).





**Figure 1.** Graph showing early-run sockeye salmon escapement to the Karluk system and the Inner and Outer Karluk sockeye salmon harvest through June 15 from 1998-2007.



**Figure 2.** Graph showing early-run sockeye salmon escapement to the Karluk system through July 15 from 1998-2007.

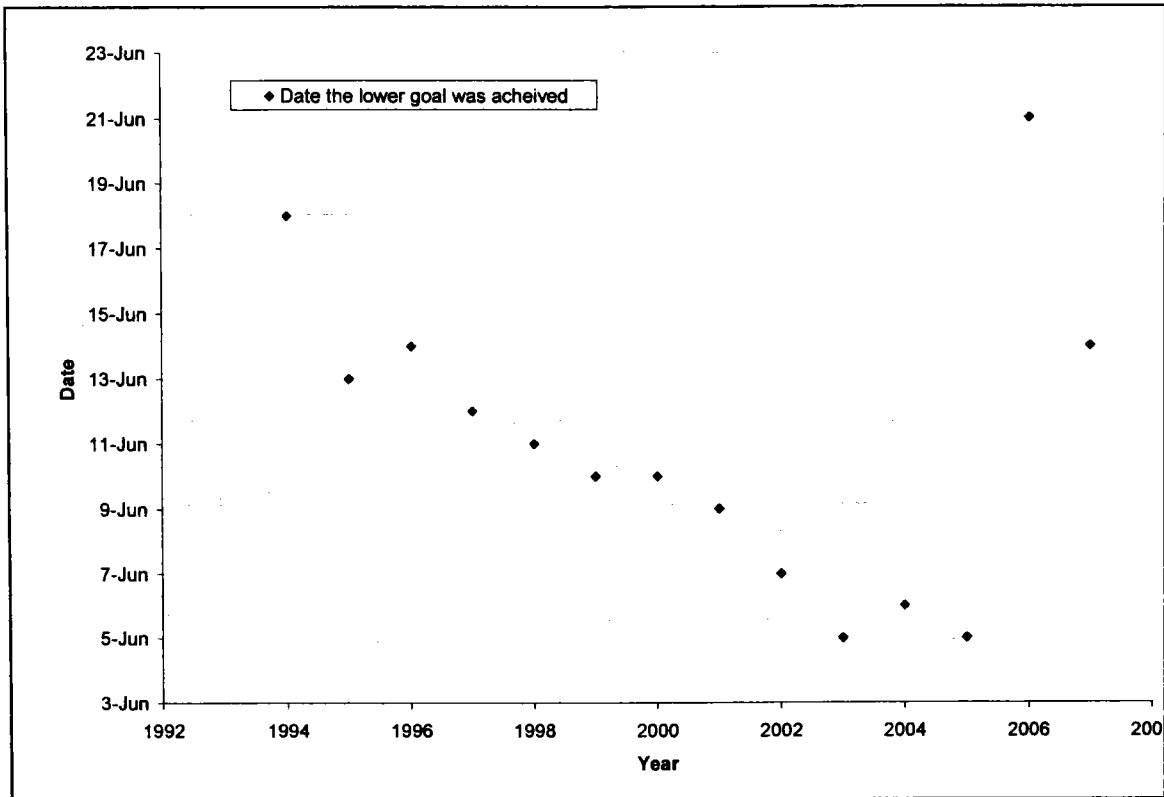
**BACKGROUND:** Management of westside Kodiak fisheries is very complex due to the mixing of various local salmon stocks during inshore migration. Harvest strategies evolved until 1990, when a specific management plan governing fisheries along the west side of Kodiak Island and southwest Afognak Island was adopted into regulation by the BOF. Placing management plans in regulation clarified the management strategy and helped maintain the biological integrity of local salmon stocks and alleviate allocative concerns of local fishermen.

The intent of the Westside Kodiak Management Plan is to harvest salmon bound to local systems in traditional fisheries located in the westside sections. This management plan is effective for the entire salmon season, and covers the Southwest Kodiak and Northwest Kodiak districts, and the Southwest Afognak Section of the Afognak District.

This management plan guides early-run and late-run sockeye salmon fisheries, including those targeting the major systems of Ayakulik and Karluk, and the minor systems of Little River, Uganik, and Malina. The Westside Kodiak Management Plan also guides local pink, chum, and coho salmon fisheries of the Southwest Afognak Section and the Northwest and Southwest Kodiak districts. These fisheries take place from early July through early October.

Salmon run strength and timing varies annually for the early-run sockeye salmon run to Karluk and can change dramatically. Commercial fishing effort has declined, and commercial fisheries are now less effective at controlling escapement.

At the January 2005 BOF meeting, the commercial salmon fishing opening date for the KMA was changed from June 5 to June 1. The greatest impetus for this change was the early-run sockeye salmon to the Karluk system. From 1994 to 2005, the run timing into the Karluk system had been increasingly earlier. In 1994 the early-run sockeye salmon lower goal was achieved by June 18 and by 2005 the early-run sockeye salmon lower goal was achieved by June 5. In 2006 the early-run lower escapement goal was achieved by June 21 and in 2007 the lower goal was achieved by June 14 (Figure 3).



**Figure 3.** Graph showing the date the early-run sockeye salmon lower escapement goal was achieved through the Karluk River weir.

Fishing periods for the Inner and Outer Karluk sections are based on escapement objectives and announced inseason by emergency order. In years of low Karluk salmon abundance, the Inner and Outer Karluk sections provide less fishing time and in years of high abundance, more and longer commercial salmon fishing periods occur.

According to the federal decennial census, the community of Karluk had a population of 27 in 2000; the Alaska Department of Labor and Workforce Development estimate for Karluk for 2006 was also 27. Based on permit returns, subsistence salmon harvests for Karluk were as follows: 1999, 1 permit returned, reported harvest of 77 salmon; 2000, no permits returned; 2001, 9 permits issued, reported harvest of 565 salmon; 2002, 5 permits returned, reported harvest of 317 salmon; 2003, 5 permits returned, reported harvest of 88 salmon; 2004, 3 permits returned, no reported harvest; 2005, 1 permit returned, no reported harvest.

**DEPARTMENT COMMENTS:** ADF&G is **OPPOSED** to this proposal based on biological concerns for sockeye salmon overescapement into the Karluk watershed. The current management plan does not allow ADF&G to open the Inner Karluk Section until ADF&G determines the early-run sockeye salmon desired escapement goal (100,000-210,000 sockeye salmon) would be exceeded. If sockeye salmon returns are strong, with current management and current commercial fishing effort levels, overescapement can be significantly over the upper goal. This proposal would further limit management flexibility with the early-run sockeye salmon run fishery. The ability to harvest sockeye salmon in

excess of escapement needs is an important tool for ADF&G to prevent overescapement into the Karluk system.

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

**PROPOSAL 52 - 5 AAC 18.310. Fishing Seasons.**

PROPOSED BY: Karluk IRA Tribal Council.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would delay the opening the Inner and Outer Karluk sections until June 16.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.310. (a), Salmon may be taken only from June 1 through October 31.

5 AAC 18.362. (e) (1), The Inner and Outer Karluk Sections must be managed from June 1 through July 15, based on early-run sockeye salmon returning to the Karluk system; the commissioner may open, by emergency order, fishing periods in the Inner Karluk Section only if ADF&G determines that the desired early-run escapement goal would be exceeded; in the Outer Karluk Section, from June 16 through approximately July 15, the commissioner shall open fishing periods to occur at the same time as open fishing periods in the Central Section;

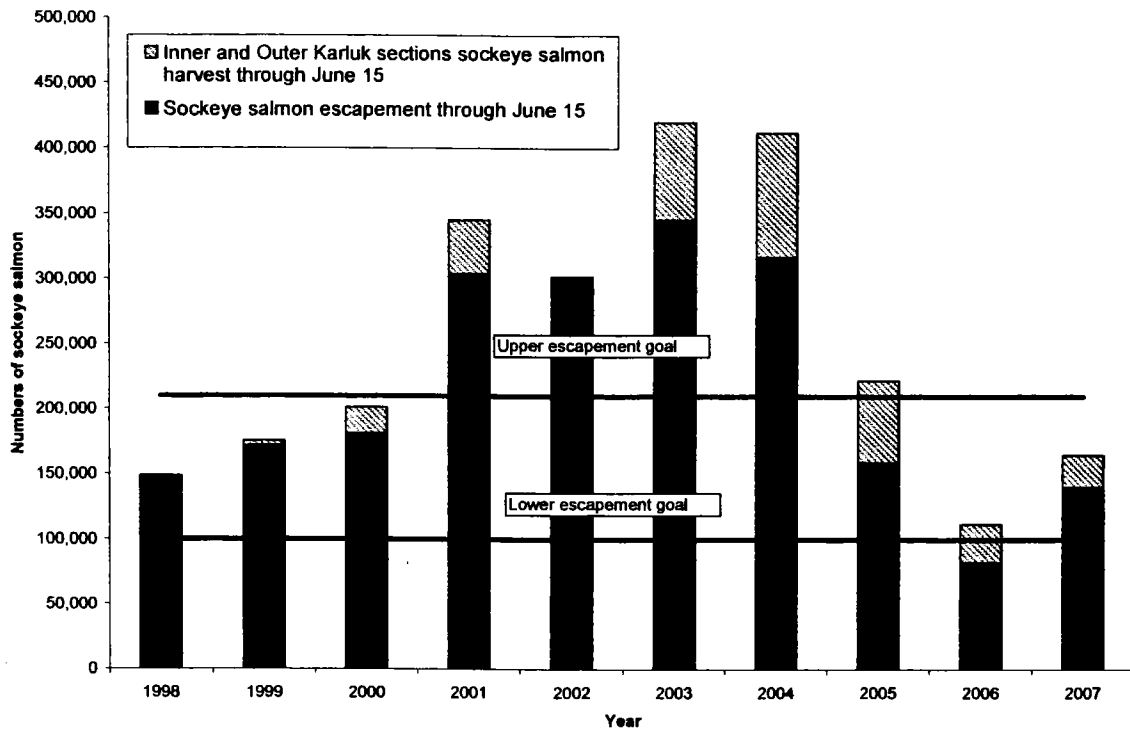
What would be the effect if the proposal were adopted? If adopted, this proposal would not allow commercial salmon fishing in the Inner and Outer Karluk sections of the Southwest Kodiak District until June 16 and would change the season ending date for the KMA from October 31 to October 3. This proposal seeks to ensure a greater number of sockeye salmon into Karluk system prior to a commercial opening. It is uncertain how many more fish would be harvested for subsistence use; however, it is likely there would be an increase to Karluk early-run sockeye salmon and fall coho salmon escapement.

Proposed substitute language as follows:

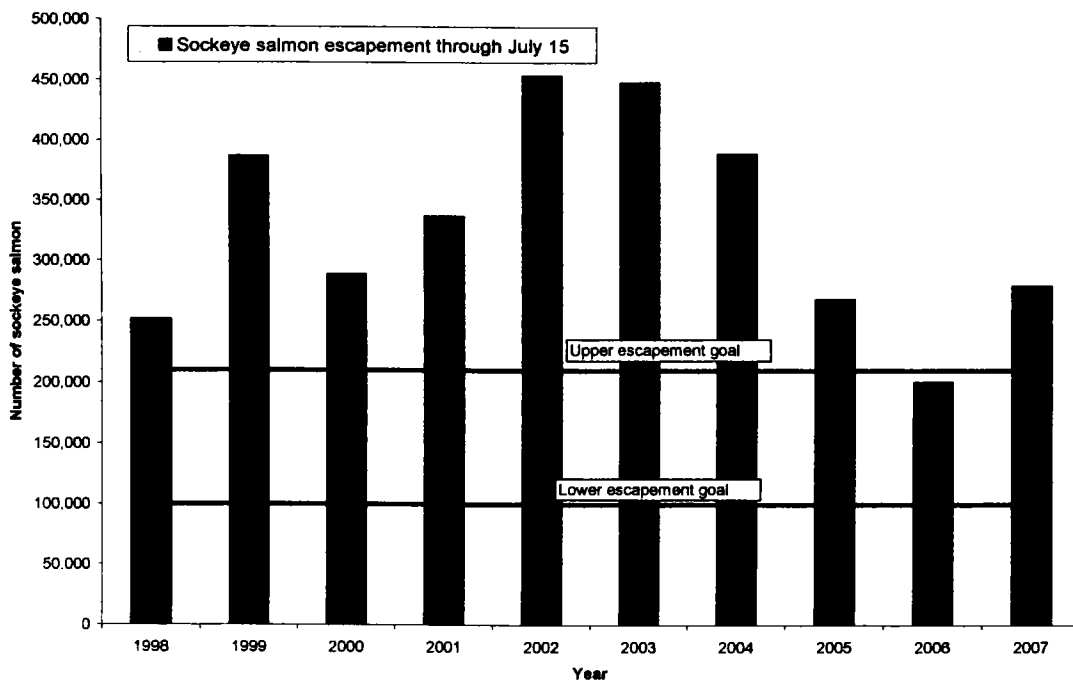
**5 AAC 18.310. Fishing Season.**

Salmon may be taken only from June 1 through October 31; **except in the Inner and Outer Karluk Sections, salmon may be taken only from June 16 through October 3.**

Since 1998, the early-run sockeye salmon escapement has met or exceeded the minimum escapement goal 9 out of 10 years by June 15 and in four of the last 10 years the upper goal was exceeded by June 15 (Figure 1). By July 15, the designated ending date for the early-run sockeye salmon, the upper escapement goal has been exceeded 9 out of 10 years (Figure 2).



**Figure 1.** Graph showing early-run sockeye salmon escapement to the Karluk system and the Inner and Outer Karluk sockeye salmon harvest through June 15 from 1998-2007.



**Figure 2.** Graph showing early-run sockeye salmon escapement to the Karluk system through July 15 from 1998-2007.

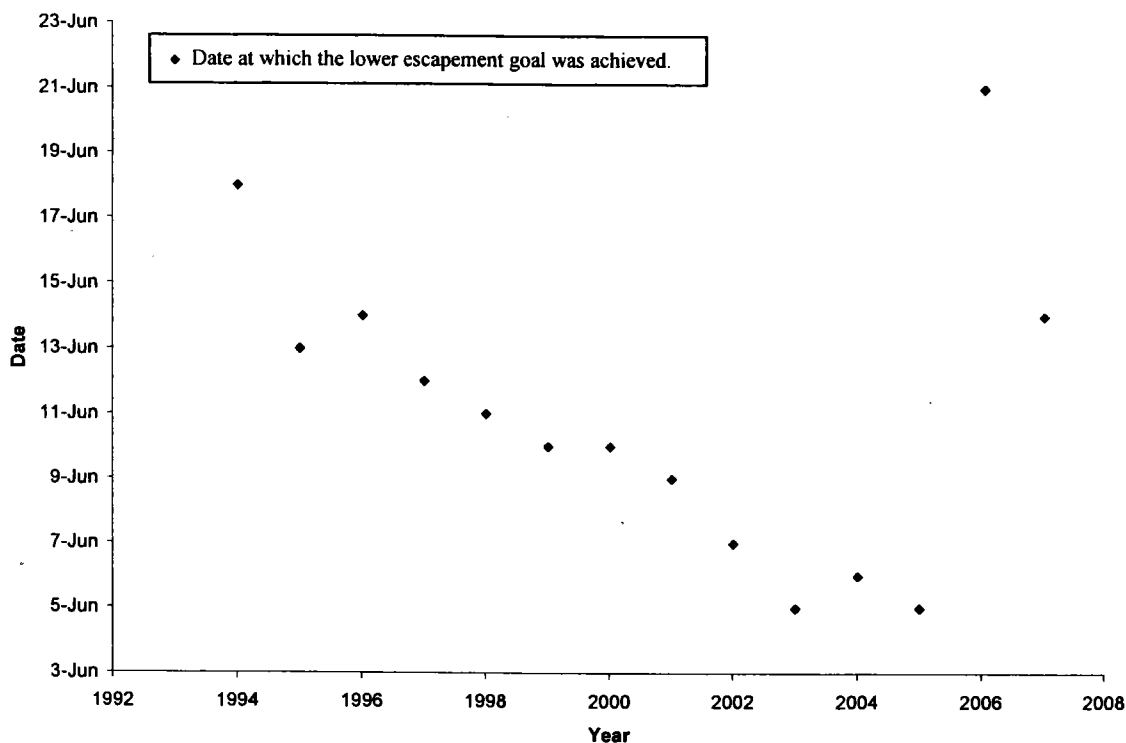
**BACKGROUND:** Management of westside Kodiak fisheries is very complex due to the mixing of various local salmon stocks during inshore migration. Harvest strategies evolved until 1990, when a specific management plan governing fisheries along the westside of Kodiak Island and southwest Afognak Island was adopted into regulation by the BOF. Placing management plans in regulation clarified the management strategy and helped maintain the biological integrity of local salmon stocks and alleviate allocative concerns of local fishermen.

The intent of the Westside Kodiak Management Plan is to harvest salmon bound to local systems in traditional fisheries located in the westside sections. This management plan is effective for the entire salmon season, and covers the Southwest Kodiak and Northwest Kodiak districts, and the Southwest Afognak Section of the Afognak District.

This management plan guides early-run and late-run sockeye salmon fisheries, including those targeting the major systems of Ayakulik and Karluk, and the minor systems of Little River, Uganik, and Malina. The Westside Kodiak management plan also guides local pink, chum, and coho salmon fisheries of the Southwest Afognak Section and the Northwest and Southwest Kodiak Districts. These fisheries take place from early July through early October.

Salmon run strength and timing varies annually for the early-run sockeye salmon run to Karluk and can change dramatically. Commercial fishing effort has declined, and commercial fisheries are now less effective at controlling escapement.

At the January 2005 BOF meeting, the commercial salmon fishing opening date for the KMA was changed from June 5 to June 1. The greatest impetus for this change was the early-run sockeye salmon to the Karluk system. From 1994 to 2005, the run timing into the Karluk system had been increasingly earlier. In 1994 the early-run sockeye salmon lower goal was achieved by June 18 and by 2005 the early-run sockeye salmon lower goal was achieved by June 5. In 2006 the early-run lower escapement goal was achieved by June 21 and in 2007 the lower goal was achieved by June 14 (Figure 3).



**Figure 3.** Graph showing the date the early-run sockeye salmon lower escapement goal was achieved through the Karluk River weir.

Fishing periods for the Inner and Outer Karluk sections are based on escapement objectives and announced inseason by emergency order. In years of low Karluk salmon abundance, the Inner and Outer Karluk sections provide less fishing time and in years of high abundance, more and longer commercial salmon fishing periods occur.

According to the federal decennial census, the community of Karluk had a population of 27 in 2000; the Alaska Department of Labor and Workforce Development estimate for Karluk for 2006 was also 27. Based on permit returns, subsistence salmon harvests for Karluk were as follows: 1999, 1 permit returned, reported harvest of 77 salmon; 2000, no permits returned; 2001, 9 permits issued, reported harvest of 565 salmon; 2002, 5 permits returned, reported harvest of 317 salmon; 2003, 5 permits returned, reported harvest of 88 salmon; 2004, 3 permits returned, no reported harvest; 2005, 1 permit returned, no reported harvest.

Department comments: ADF&G is **OPPOSED** to this proposal based on biological concerns for sockeye salmon overescapement into the Karluk watershed. The current management plan does not allow ADF&G to open the Inner Karluk Section until ADF&G determines the early-run sockeye salmon desired escapement goal (100,000-210,000 sockeye salmon) would be exceeded. If sockeye salmon returns are strong, with current management and current commercial fishing effort levels, overescapement can be significantly over the upper goal. This proposal would further limit management flexibility with the early-run sockeye salmon run fishery. The ability to harvest sockeye salmon in



excess of escapement needs is an important tool for ADF&G to prevent overescapement into the Karluk system. If adopted, this proposal would also close the Inner and Outer Karluk sections on October 3. ADF&G is **OPPOSED** to modifying the season ending date because, although ADF&G does not have coho salmon escapement objectives for the Karluk watershed, ADF&G considers this coho salmon run healthy.

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

**PROPOSAL 53 - 5 AAC 09.360. Cape Igvak Salmon Management Plan.**

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal, if adopted, would reconfigure the Cape Igvak Salmon Management Plan (CISMP) sockeye salmon allocation from 15% of the total Chignik harvest (i.e. 80% of most of the Southeast District Mainland (SEDM) + 90% Igvak + Chignik Area sockeye salmon harvest), to 19.0% of just the Chignik Area sockeye salmon harvest (no 90% Igvak or 80% SEDM, added into the calculation). The proposals intent is to retain all other provisions of the management plan, changing only how the Cape Igvak Section allocation is calculated by removing any influence of the SEDM fishing from the Cape Igvak fishery.

WHAT ARE THE CURRENT REGULATIONS? The current regulations state that ADF&G shall manage the Cape Igvak Section fishery so that the number of sockeye salmon harvested in the Cape Igvak Section, approximate 15% of the total Chignik Area bound sockeye salmon harvest. Further, the management plan addresses gear, local and non-local stocks, Chignik sockeye salmon run timing through the Cape Igvak Section, and other biological and harvest criteria for Cape Igvak Section fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal recommends changing the Cape Igvak Sections 15% allocation of the total Chignik Area bound sockeye salmon harvest to a 19.0% allocation of the Chignik Area sockeye salmon harvest.

Proposed regulatory language is as follows:

The department will manage the Cape Igvak Section whereby the number of sockeye salmon taken **will approach as near as possible 19% of the total sockeye salmon catch in the Chignik Management Area.**

The mathematical adjustment could be derived in the following manner:

$$T = C + I + S \quad (1)$$

Where;

T = the total Chignik sockeye salmon harvest before July 26,

C = the Chignik Area sockeye salmon harvest before July 26,

I = the Igvak Section sockeye salmon harvest bound for Chignik (90% of the Igvak total harvest) before July 26,

S = the SEDM Section sockeye salmon harvest bound for Chignik (80% of the SEDM total harvest) before July 26.

by current regulation

$$I = 0.15T \quad (2)$$

and

$$S = 0.06T \quad (3)$$

In other words, 15% of the total Chignik sockeye salmon harvest can be taken in the Igvak Section, and 6% in the SEDM Section. Therefore equation (1) can be re-written as:

$$T = C + 0.15T + 0.06T \quad (4)$$

Rearranging and simplifying we get:

$$C = 0.79T \quad (5)$$

In other words, approximately 21% of the total Chignik sockeye salmon harvest can be harvested outside the Chignik Area, so 79% is harvested within the Chignik Area.

Equation (5) can be rewritten as:

$$T = C/0.79 \quad (6)$$

Combining equations (2) and (6) we get:

$$I = 0.15(C/0.79) = 0.18987C \text{ or about } 0.19C \quad (7)$$

Thus, instead of the Igvak harvest being estimated from 15% of the total Chignik Area bound sockeye salmon harvest, the Igvak harvest would be calculated using 19% of only the Chignik Area sockeye salmon harvest. Managers would then divide the number by 90% to reach the actual Igvak harvest of Chignik bound sockeye salmon.

The current calculation of the Igvak allocation depends upon the total Chignik bound harvest (Chignik, Cape Igvak, and SEDM). In years when either Cape Igvak or SEDM exceeds their allocation (e.g. SEDM in 2003 and 2006) results in a larger value for the total Chignik Area bound harvest, thus an increased harvest in Cape Igvak Section. Likewise in years when either Cape Igvak or SEDM does not obtain their allocation results in a smaller value for the total Chignik Area bound harvest, thus a decreased harvest in Cape Igvak Section.

**BACKGROUND:** Beginning in 1964, a purse seine fishery developed along the capes in the Cape Igvak Section of the Mainland District. Tagging studies and stock identification studies using average weight and age composition conducted in 1968 and 1969 concluded that up to 80 percent of the sockeye salmon harvested in the Cape Igvak Section were of Chignik origin. The issue of interception of Chignik-bound sockeye salmon in the Cape Igvak Section came before the BOF several times over the next ten years, and management of this section was modified many times. From 1974 through 1977, this area was managed for "day for day" equal fishing time with the Chignik Bay District of the Chignik Management Area (CMA).

In 1978, a specific management plan for the Cape Igvak Section was adopted by the BOF. The Cape Igvak Salmon Management Plan (CISMP; 5 AAC 18.360) covers the time period from June 5 through July 25 for fishing activity in the Cape Igvak Section of the Mainland District. This management plan stipulated that 80% of the sockeye salmon harvest from the Cape Igvak Section during the June 5 to July 25 period would be considered Chignik-bound. In 2002, the BOF modified the CISMP such that 90% of the Cape Igvak Section sockeye salmon catch was now considered to be Chignik-bound. The CISMP allows the KMA fleet to harvest up to 15% of the Chignik-bound sockeye salmon harvest. The CISMP also stipulates strict allocative and biological requirements. From June 5 through July 25 in Chignik, a minimum harvest of 600,000 sockeye must be expected (300,000 for both the early and late run), and sockeye salmon escapement must be at desired levels. Commercial fisheries must begin in the CMA before fisheries are allowed in the Cape Igvak Section.

Since this plan was adopted in 1978, the catch of Chignik-bound sockeye salmon from the Cape Igvak Section has ranged from 0% to 17.9% of the total Chignik sockeye salmon harvest and has averaged 10.7%, of the total CMA sockeye salmon harvest. The Cape Igvak harvest has met or exceeded the 15% allocation level 7 times (1983, 1987, 1993, 1999, 2001, 2004 and 2005). The Cape Igvak harvest has been below the 15% allocation level 20 times and there were 3 seasons where a Cape Igvak fishery did not occur due to not meeting biological or allocative criteria.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative nature of this proposal. If adopted, this proposal would somewhat simplify the Cape Igvak Management Plan by removing the 80% Chignik Area bound sockeye salmon harvest in the SEDM fishery from the Cape Igvak allocation calculation. If this proposal is adopted, the Cape Igvak harvest of Chignik Area bound sockeye salmon would still vary above or below the annual allocation and all harvest and biological criteria that trigger the Cape Igvak fishery would still be in effect. However, the harvest at SEDM would not influence the overall Cape Igvak Section harvest percentage.

If adopted ADF&G would like guidance from the BOF on how to calculate the Chignik Area harvest when excess escapements occur due to an inability of Chignik fishermen to harvest excess salmon (Chignik fleet may have harvest limits due to processor capacity or the Chignik fleet has had harvest slow downs and work stoppages when disagreements with both the processors and ADF&G occurred and these have led to excess escapements).

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

**PROPOSAL 54 - 5 AAC 18.363. North Shelikof Strait Sockeye Salmon Management Plan.**

PROPOSED BY: Ouzinkie Native Corporation.

WHAT WOULD THE PROPOSAL DO? This proposal offers two alternatives for amendment of the North Shelikof Strait Sockeye Salmon Management Plan, as follows:

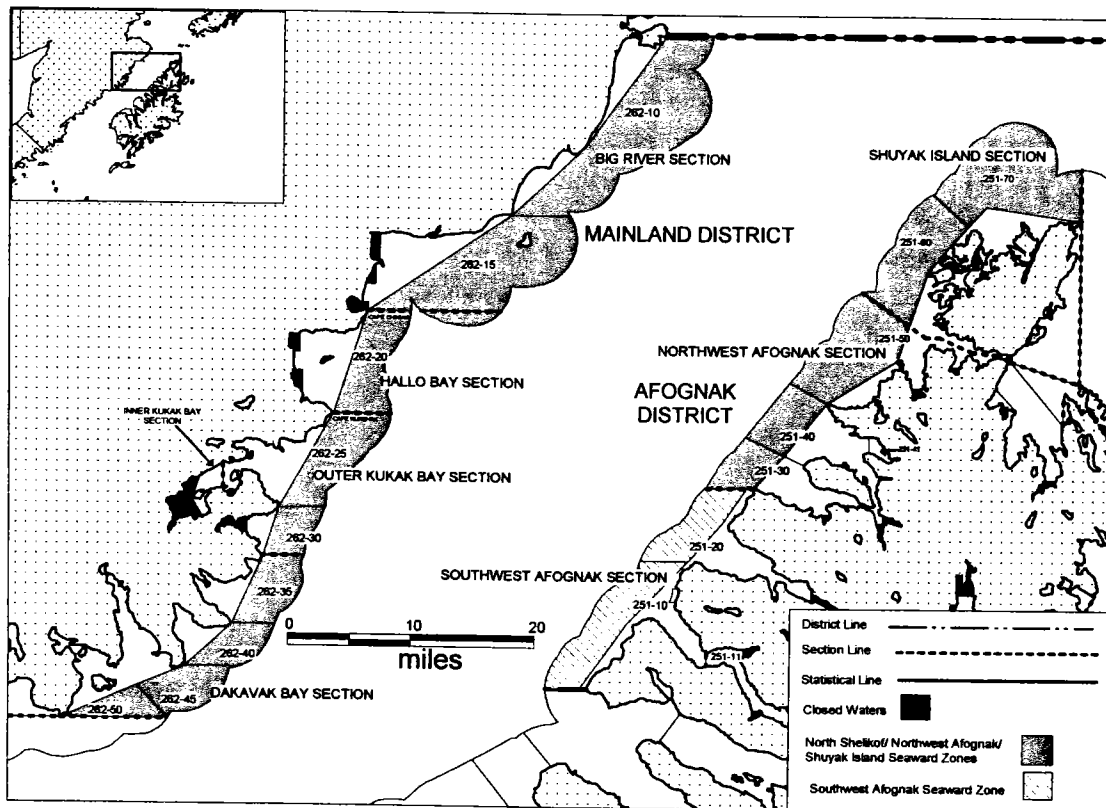
- 1) Revise the timeframe that this plan is in effect. The beginning date for this management plan would remain as July 6, but the plan would end on July 20, 5 days sooner than the current end date of July 25.
- 2) Increase the Shoreward Zones in the Dakavak Bay, Outer Kukak Bay, Hallo Bay and Big River sections of the Mainland District to include those waters within one-half mile off the outer points when the current cap is triggered and a reduction of the available fishing area within the sections along the North Shelikof that are affected by the management plan (Figure 1).

WHAT ARE THE CURRENT REGULATIONS? The Westside Kodiak Management Plan (5 AAC 18.362), the North Afognak/Shuyak Island Salmon Management Plan (5 AAC 18.368), and the Mainland District Salmon Management Plan (5 AAC 18.369) govern the commercial salmon fisheries in sections of the Kodiak Area that border the northern portion of Shelikof Strait. These plans outline which salmon stocks are the target of management actions throughout the season.

The North Shelikof Strait Sockeye Salmon Management Plan, subsection (a), states "The purpose of the North Shelikof Strait Sockeye Salmon Management Plan is to allow traditional fisheries in the area to be conducted on Kodiak Area salmon stocks, while minimizing the directed harvest of Cook Inlet sockeye salmon stocks. The BOF recognizes that some incidental harvest of other stocks has and would occur in this area while the seine fishery is managed for Kodiak Area salmon stocks. The BOF intends, however, to prevent a repetition of the non-traditional harvest pattern which occurred during 1988".

This management plan restricts fishing opportunities by creating Shoreward Zones and Seaward Zones within the effected sections (basically divided by a line that runs from cape to cape). Should the sockeye salmon harvest exceed the established harvest caps in either the North Shelikof or Southwest Afognak units, then further fisheries in the effected sections must move inside the defined Shoreward Zones and Seaward Zones are closed through July 25. This eliminates most cape fishing and all offshore fishing within the north Shelikof Strait.

Subsections (b) and (c) specify that this plan is in effect from July 6 through July 25. Subsection (b) in part states that for the Dakavak Bay, Outer Kukak Bay, Inner Kukak Bay, Hallo Bay and Big River Sections of the Mainland District and the Shuyak Island and Northwest Afognak Sections of the Afognak District the harvest cap is 15,000 sockeye salmon. Subsection (c) in part states that for the Southwest Afognak Section the harvest cap is 50,000 sockeye salmon.



**Figure 1.** Map showing the North Shelikof Management Area as described in the North Shelikof Management Plan.

**The affected sections are designated as beach seine or purse seine only (5 AAC 18.330. Gear.).**

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the North Shelikof Strait Sockeye Salmon Management Plan would be amended and commercial salmon permit holders would have the opportunity fish offshore by July 21 (alternative 1) or commercial seine fishermen would have a larger area, to fish along the capes of the north Shelikof Strait (alternative 2). The harvest of sockeye salmon in sections along the north Shelikof Strait from July 6 to July 25 would increase by an unknown amount.

BACKGROUND: In 1988 there was a significant harvest of large (greater than 6 pound) sockeye salmon in management units bordering the northern portion of Shelikof Strait. In 1990 the BOF reviewed this fishery. Analysis of average weights, salmon ages (determined from scale analysis), review of past tagging studies, and estimates of migratory timing, led to the determination that the majority of these sockeye salmon were bound for Cook Inlet. Though the Cook Inlet sockeye salmon run was at record levels, the BOF determined that this was an expanding, nontraditional harvest.

Two different areas of concern were delineated: the Southwest Afognak Unit, and the North Shelikof Unit (all other sections bordering the northern portion of Shelikof Strait). There was long history of commercial fishing and sockeye salmon harvests in the Southwest Afognak Section, because this section is along the migratory route of local Kodiak salmon stocks, including sockeye salmon moving to the Karluk River. There was also a history of a much smaller number of sockeye salmon being taken in the North Shelikof management unit, but past fisheries in those sections had predominantly taken pink and chum salmon. To protect Cook Inlet bound sockeye salmon that migrate through the Shelikof Strait, while still allowing commercial fishing on local pink and chum salmon stocks, limits were set on the number of sockeye salmon that could be harvested before fisheries were restricted. Fisheries would not be completely closed, but the fleet would be moved inside the bays, by closing the outer waters if the harvest caps, were exceeded. The BOF set the harvest caps at levels that were approximately 3 times the harvest seen prior to 1988. Separate sockeye salmon harvest caps were set for each of the two identified areas of concern. The North Shelikof Strait Sockeye Salmon Management Plan (5AAC 18.363.) was adopted into regulation in 1990.

In 1993, the management plan was amended by the BOF to allow traditional harvest opportunities of pink salmon, the Shoreward/Seaward Zone boundary of the Southwest Afognak Unit. The boundary line was moved 1/2 mile offshore of the baseline running cape to cape. This management plan was discussed again at BOF meetings in 1995 and 1998, but no further changes were made.

The commercial fisheries in these areas are managed based on local stocks. Throughout the KMA, July 6 is the beginning of directed pink salmon management. A general pink salmon harvest strategy has been developed and has been used in Kodiak fisheries since the late 1970s. This pink salmon harvest strategy utilizes a fixed opening date (July 6), this begins the harvest of pink salmon when the run is beginning, before the fish begin to buildup inside the inner bays of Kodiak. This results in a high quality harvest of ocean bright pink salmon. Since directed pink salmon fisheries begin before the strength of the run is fully known, the length of the initial fishing periods are based on the pink salmon forecast. Also, this harvest strategy attempts to open multiple areas to fishing whenever possible, to disperse the purse seine fleet. This harvest strategy is recognized in the management plans that direct commercial fishery management in these areas throughout the season; the Westside Kodiak Management Plan (5 AAC 18.362), the North Afognak/Shuyak Island Salmon Management Plan (5 AAC 18.368), and the Mainland District Salmon Management Plan (5 AAC 18.369).

Since 1990 in the North Shelikof Unit, the 15,000 sockeye harvest cap was exceeded and triggered Seaward Zone closures in 1990, 1992 through 1999, and 2001 through 2007.

Since 1990 in the Southwest Afognak Unit, the 50,000 sockeye harvest cap was exceeded and triggered Seaward Zone closures in 1992, 1993, and 2003.

DEPARTMENT COMMENTS: ADF&G is NEUTRAL on the allocative aspects of this proposal. ADF&G does not have additional stock composition data.

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



**PROPOSAL 55 - 5 AAC 18.363. North Shelikof Strait Sockeye Salmon Management Plan.**

PROPOSED BY: United Cook Inlet Drift Association.

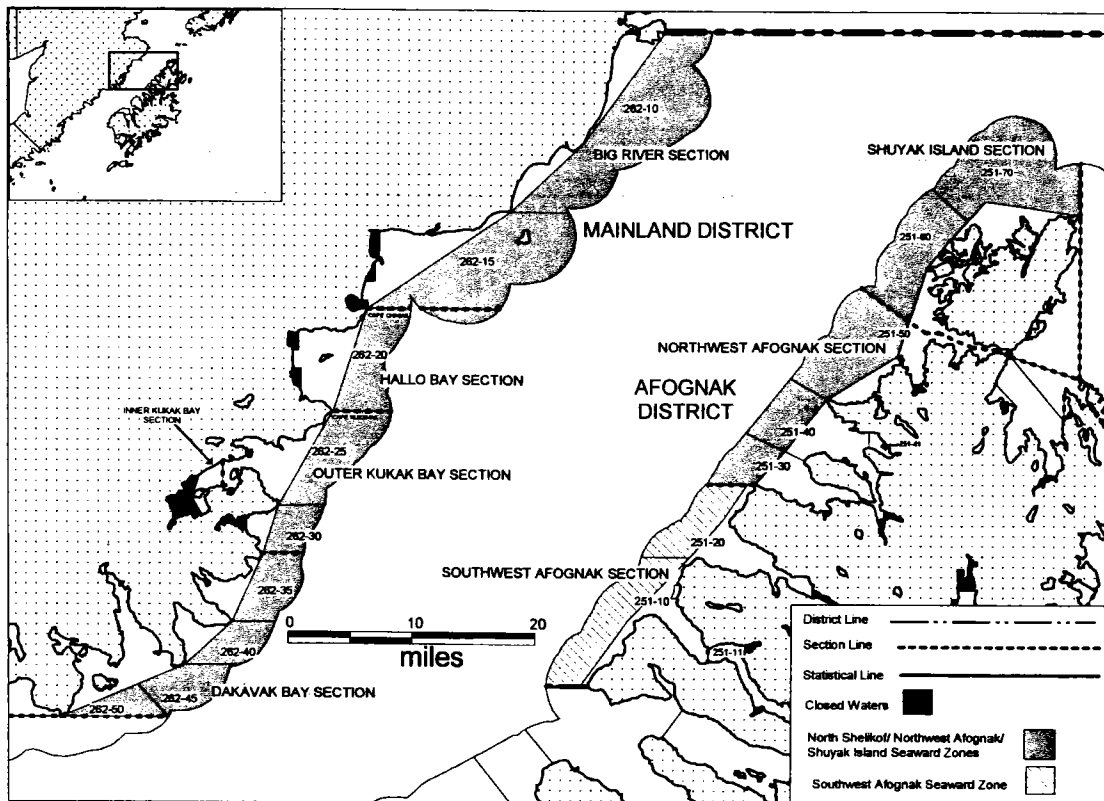
WHAT WOULD THE PROPOSAL DO? This proposal would amend the North Shelikof Strait Sockeye Salmon Management Plan to not allow commercial fishing in the North Shelikof Strait management areas (Figure 1) unless the preseason forecast or in-season estimate for the Kenai River is greater than 3,000,000 sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? The Westside Kodiak Management Plan (5 AAC 18.362), the North Afognak/Shuyak Island Salmon Management Plan (5 AAC 18.368), and the Mainland District Salmon Management Plan (5 AAC 18.369) govern the commercial salmon fisheries in sections of the Kodiak Area that border the northern portion of Shelikof Strait. These plans outline which salmon stocks are the target of management actions throughout the season.

The North Shelikof Strait Sockeye Salmon Management Plan, subsection (a), states “The purpose of the North Shelikof Strait Sockeye Salmon Management Plan is to allow traditional fisheries in the area to be conducted on Kodiak Area salmon stocks, while minimizing the directed harvest of Cook Inlet sockeye salmon stocks. The BOF recognizes that some incidental harvest of other stocks has and would occur in this area while the seine fishery is managed for Kodiak Area salmon stocks. The BOF intends, however, to prevent a repetition of the non-traditional harvest pattern which occurred during 1988”.

This management plan restricts fishing opportunities by creating Shoreward Zones and Seaward Zones within the effected sections (basically divided by a line that runs from cape to cape). Should the sockeye salmon harvest exceed the established harvest caps in either the North Shelikof or Southwest Afognak units, then further fisheries in the effected sections must move inside the defined Shoreward Zones and Seaward Zones are closed through July 25. This eliminates most cape fishing and all offshore fishing within the north Shelikof Strait.

Subsections (b) and (c) specify that this plan is in effect from July 6 through July 25. Subsection (b) in part states that for the Dakavak Bay, Outer Kukak Bay, Inner Kukak Bay, Hallo Bay and Big River Sections of the Mainland District and the Shuyak Island and Northwest Afognak Sections of the Afognak District the harvest cap is 15,000 sockeye salmon. Subsection (c) in part states that for the Southwest Afognak Section the harvest cap is 50,000 sockeye salmon.



**Figure 1.** Map showing the North Shelikof Management Area as described in the North Shelikof Management Plan.

The affected sections are designated as beach seine or purse seine only (5 AAC 18.330. Gear.).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the North Shelikof Strait Sockeye Salmon Management Plan would be amended and commercial fishing would not have an opportunity to commercially harvest salmon from July 6 – July 25 unless the preseason forecast for Kenai River sockeye salmon is in excess of 3,000,000 sockeye salmon or there is an inseason estimate greater than 3,000,000 sockeye salmon in the Kenai River. Since the North Shelikof Strait Sockeye Salmon Management Plan has been in effect (1991), the preseason forecast for Kenai River sockeye salmon has been over 3,000,000 sockeye salmon three out of 17 years.

This proposal would effectively halt commercial salmon fishing in the North Shelikof area of the North Shelikof Strait Sockeye Salmon Management Plan from July 6 – July 25 for most years. Since the beginning of this management plan in 1991, the Kenai River preseason run forecast has been over 3,000,000 sockeye salmon only three years out of the past seventeen. Inseason estimates of sockeye salmon returns to the Kenai River would also preclude commercial salmon harvest opportunity as the Kenai River run timing generally peaks between July 17 and July 25 and staff does not adjust the preseason forecast, inseason.

Proposed regulation as follows:

**5 AAC 18.363 (a)(2)** the fishery will not [MAY REMAIN] open during normal fishing periods until the Kenai River preseason forecast or in-season estimate is greater than 3,000,000 sockeyes. When this area is open there will be a harvest limit of 15,000 sockeye salmon. [HARVEST EXCEEDS 15,000 SOCKEYE SALMON];

The harvest of sockeye salmon in sections along the North Shelikof Strait from July 6 to July 25 would decrease by an unknown amount.

**BACKGROUND:** In 1988 there was a significant harvest of large (greater than 6 pound) sockeye salmon in management units bordering the northern portion of Shelikof Strait. In 1990 the BOF reviewed this fishery. Analysis of average weights, salmon ages (determined from scale analysis), review of past tagging studies, and estimates of migratory timing, led to the determination that the majority of these sockeye salmon were bound for Cook Inlet. Though the Cook Inlet sockeye salmon run was at record levels, the BOF determined that this was an expanding, nontraditional harvest.

Two different areas of concern were delineated: the Southwest Afognak Unit, and the North Shelikof Unit (all other sections bordering the northern portion of Shelikof Strait). There was long history of commercial fishing and sockeye salmon harvests in the Southwest Afognak Section, because this section is along the migratory route of local Kodiak salmon stocks, including sockeye salmon moving to the Karluk River. There was also a history of a much smaller number of sockeye salmon being taken in the North Shelikof management unit, but past fisheries in those sections had predominantly taken pink and chum salmon. To protect Cook Inlet bound sockeye salmon that migrate through the Shelikof Strait, while still allowing commercial fishing on local pink and chum salmon stocks, limits were set on the number of sockeye salmon that could be harvested before fisheries were restricted. Fisheries would not be completely closed, but the fleet would be moved inside the bays, by closing the outer waters if the harvest caps, were exceeded. The BOF set the harvest caps at levels that were approximately 3 times the harvest seen prior to 1988. Separate sockeye salmon harvest caps were set for each of the two identified areas of concern. The North Shelikof Strait Sockeye Salmon Management Plan (5AAC 18.363.) was adopted into regulation in 1990.

In 1993, the management plan was amended by the BOF to allow traditional harvest opportunities of pink salmon, the Shoreward/Seaward Zone boundary of the Southwest Afognak Unit. The boundary line was moved 1/2 mile offshore of the baseline running cape to cape. This management plan was discussed again at BOF meetings in 1995 and 1998, but no further changes were made.

The commercial fisheries in these areas are managed based on local stocks. Throughout the KMA, July 6 is the beginning of directed pink salmon management. A general pink salmon harvest strategy has been developed and has been used in Kodiak fisheries since the late 1970s. This pink salmon harvest strategy utilizes a fixed opening date (July 6), before the

fish begin to buildup inside the inner bays of Kodiak. This results in a high quality harvest of ocean bright pink salmon. Since directed pink salmon fisheries begin before the strength of the run is fully known, the length of the initial fishing periods are based on the pink salmon forecast. Also, this harvest strategy attempts to open multiple areas to fishing whenever possible, to disperse the purse seine fleet. This harvest strategy is recognized in the management plans that direct commercial fishery management in these areas throughout the season; the Westside Kodiak Management Plan (5 AAC 18.362), the North Afognak/Shuyak Island Salmon Management Plan (5 AAC 18.368), and the Mainland District Salmon Management Plan (5 AAC 18.369).

Since 1990 in the North Shelikof Unit, the 15,000 sockeye harvest cap was exceeded and triggered Seaward Zone closures in 1990, 1992 through 1999, and 2001 through 2007.

Since 1990 in the Southwest Afognak Unit, the 50,000 sockeye harvest cap was exceeded and triggered Seaward Zone closures in 1992, 1993, and 2003.

DEPARTMENT COMMENTS: ADF&G is NEUTRAL on the allocative aspects of this proposal. ADF&G is OPPOSED to unusually complicated or burdensome regulations, as this regulation would direct ADF&G to reevaluate the Kenai forecast inseason. ADF&G is OPPOSED to regulations based on preseason forecasts.

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

**PROPOSAL 56 - 5 AAC 18.361 (b)(c). Alitak District Salmon Management Plan.**

PROPOSED BY: Nina Burkholder.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the Alitak District Management Plan (ADMP) to eliminate differential fishing time by section and sockeye salmon harvest percentage guidelines for each section. The proposal requires that there be equal and concurrent fishing periods in the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay sections.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 18.361 (b), In the Cape Alitak, Humpy-Deadman, Alitak Bay, Moser Bay, and Olga Bay sections, from June 1 through June 13, the commissioner may open, by emergency order, a 33-hour commercial test fishing period beginning at 12:00 noon. From the conclusion of the commercial test fishing period through September 15, there shall be a minimum closure of 69 consecutive hours in every 10-day period, to apply to each section individually as each section closes, unless ADF&G determines that the sockeye salmon escapement goals would be achieved for the Frazer and Upper Station sockeye salmon runs.

(c) Except during the commercial test fishing period under (b) of this section, from June 1 through September 15, the commissioner shall open and close, by emergency order, fishing periods for the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay Sections at different times, as follows:

(1) in the Olga Bay Section, fishing periods shall open at 6:00 a.m., and shall close at 9:00 a.m. the following day;

(2) in the Moser Bay Section, fishing periods shall open at 12:00 noon the same day as the Olga Bay Section under this subsection, and shall close at 3:00 p.m. the following day;

(3) in the Alitak Bay Section, fishing periods shall open at 6:00 p.m. the same day as the Olga Bay and Moser Bay Sections under this subsection, and shall close at 9:00 p.m. the following day;

(4) in the Cape Alitak Section, fishing periods shall open at 6:00 a.m. the day following the opening of the Olga Bay, Moser Bay, and Alitak Bay Sections under this subsection, and shall close at 9:00 a.m. the following day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, ADF&G would manage the fishery based on the same biological criteria for Alitak District salmon stocks that are the basis of current fisheries management. If ADF&G determined that escapement objectives for target species would be met then commercial fishing time could be allowed. Fishery opening times and the length of fishing periods would be the same for the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay sections.

Proposed regulatory language as follows:

**5 AAC 18.361 (b)(c)**

(b) In the Cape Alitak, Humpy-Deadman, Alitak Bay, Moser Bay, and Olga Bay Sections, from June 1 through June 13, the commissioner may open, by emergency order, a 33-hour commercial test fishing period beginning at 12:00 noon. From the conclusion of the commercial test fishing period through September 15, there shall be a minimum closure of 63 [69] consecutive hours in every 10-day period, [TO APPLY TO EACH SECTION INDIVIDUALLY AS EACH SECTION CLOSES,] unless ADF&G determines that the sockeye salmon escapement goals will be achieved for the Frazer and Upper Station sockeye salmon runs.

(c) Except during the commercial test fishing period under (b) of this section, from June 1 through September 15, the commissioner shall open and close, by emergency order, fishing periods for the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay Sections at the same time [AT DIFFERENT TIMES], as follows:

**All sections in the Alitak District will open at 12:00 noon and close at 9:00 p.m. prior to August 15. At that time all sections will close a 6:00 p.m.**

[(1) IN THE OLGA BAY SECTION, FISHING PERIODS SHALL OPEN AT 6:00 A.M., AND SHALL CLOSE AT 9:00 A.M. THE FOLLOWING DAY;

(2) IN THE MOSER BAY SECTION, FISHING PERIODS SHALL OPEN AT 12:00 NOON THE SAME DAY AS THE OLGA BAY SECTION UNDER THIS SUBSECTION, AND SHALL CLOSE AT 3:00 P.M. THE FOLLOWING DAY;

(3) IN THE ALITAK BAY SECTION, FISHING PERIODS SHALL OPEN AT 6:00 P.M. THE SAME DAY AS THE OLGA BAY AND MOSER BAY SECTIONS UNDER THIS SUBSECTION, AND SHALL CLOSE AT 9:00 P.M. THE FOLLOWING DAY;

(4) IN THE CAPE ALITAK SECTION, FISHING PERIODS SHALL OPEN AT 6:00 A.M. THE DAY FOLLOWING THE OPENING OF THE OLGA BAY, MOSER BAY, AND ALITAK BAY SECTIONS UNDER THIS SUBSECTION, AND SHALL CLOSE AT 9:00 A.M. THE FOLLOWING DAY.]

**BACKGROUND:** The Alitak District has many salmon producing systems, including several minor and major sockeye salmon systems. Through much of the season, fishing time is based on sockeye runs to the major systems. The Upper Station (Olga Lakes) system has a natural sockeye salmon run, with a minor early-run (pre-July 15) component and a major late-run, which has been commercially harvested for almost 100 years. The Frazer Lake system has a successfully introduced sockeye salmon run that has become self-sustaining.

District and section boundaries, catch reporting statistical areas, legal gear, management strategies, allocation schemes, as well as permit ownership, use, and location of fishing sites, have changed a number of times since statehood. There have also been significant improvements in technology, gear and equipment, and gear efficiency. An entirely new sockeye salmon run was developed in this district during the 1970s and 1980s (Frazer). Limited opportunities to target this new Frazer sockeye salmon run were allowed for seine fisheries through 1983, when the BOF directed ADF&G to provide equal opportunity (fishing time) for seine and gillnet gear during fisheries directed at this new run. As the Frazer run developed, effort by set gillnet fishermen increased, as did interest in this fishery by KMA purse seine fishermen. Frazer is now a major, early-run sockeye producing system. The management plan used by ADF&G has also developed over time and was adopted into regulation as the Alitak District Management Plan in 1988.

The increased sockeye production in the early 1980s led to increased contention among area fishermen, and the Alitak District fisheries were a subject at almost every KMA BOF meeting. There were no changes to the management plan from 1988 through 1998, though there were changes to regulations concerning set net attachment points in 1990 and 1995 in an attempt to stabilize gear participation and define historically used attachment points. Proposals were submitted to the January 1999 BOF meeting to modify the management plan to protect the "genetic diversity" of the district salmon systems and increase the sockeye harvest for Olga Bay fishermen to historical percentages, through an allocation plan. Instead, the BOF amended the management plan to restrict the use of very long or continuous fishing periods. The BOF mandated that there be a minimum of 2.6 days of fishery closure during every 10-day period. It was hoped that the 2.6-day closure windows would allow for pulses of escapement to reach the major and minor systems in Olga Bay and perhaps increase the Olga Bay fishermen's sockeye harvest percentage without placing a strict allocative plan in regulation. The BOF appointed an Alitak Task Force comprised of selected members of four groups: Olga Bay gillnet, Moser Bay gillnet, Alitak Bay gillnet, and Cape Alitak purse seine fishermen. The task force was charged with reviewing the ADMP with regard to further changes in 1) time and area, 2) methods and means, and 3) allocation between gear groups and between areas. The Alitak Task Force discussed these issues several times, but could not reach consensus.

At the January 2002 BOF meeting, proposals were introduced seeking further changes to the management plan. These proposals asked for either a strict allocation plan or a modification of the length of mandatory closed periods and maximum continuous fishing periods. The three gillnet groups met during the initial days of the BOF meeting and presented a plan in committee. That plan requested that allocation levels be established for the sockeye fishery, and sought further changes related to methods and means, super-exclusive registration, and joint venture or cooperative fisheries. The BOF committee initially identified six options: status quo, expanded pulse fisheries (increase the length of mandatory closures), allocation percentages by fishing area, reduced set gillnet gear length in Alitak Bay, additional fishing time in Olga and Moser Bays, and establishment of a cooperative with changes of methods and means to allow use of any gear.

The BOF committee recommended to the full BOF a combination of allocation percentages with additional fishing time for Olga and Moser Bays. The gillnet-only Olga-Moser Bay Section was divided into the Alitak Bay, Moser Bay, and Olga Bay sections. Differential opening times for fishing periods were established for these three gillnet areas and the seine-only Cape Alitak Section. Allocation guidelines for the sockeye salmon harvest from these four areas through September 15 were specified in regulation for determining the effectiveness of the differential opening times in allocating harvest opportunities; these guidelines were expressly not an inseason management requirement. These allocation guidelines are presented as ranges for the season total harvest of early and late-run sockeye by each of the four groups: Olga Bay gillnet, Moser Bay gillnet, Alitak Bay gillnet, and Cape Alitak purse seine fishermen. Different fishery opening times for each section were placed in regulation to give additional fishing time to the Olga and Moser Bay gillnet fishermen.

This plan was in effect during the 2002 commercial salmon fishing season. However, due to extremely weak sockeye salmon runs to systems of the southwest end of Kodiak Island, including the Frazer and late Upper Station runs, there were virtually no fishing opportunities allowed for the Olga Bay, Moser Bay, Alitak Bay, and Cape Alitak sections.

Several Agenda Change Requests (ACRs) concerning Alitak District fisheries were submitted to the BOF at the October 2002 meeting. Three requested that the BOF revisit the issue and repeal or revise the newly adopted plan and two sought to create some type of cooperative fishery. The BOF accepted only a portion of one ACR concerning early morning opening times for the Alitak Bay Section and dangers to fishermen that would increase later in the fishing season when it is dark at that hour, and the disproportionate harm done to Alitak Bay Section fishermen by the standard reduction of fishing time that normally occurs after August 15 (fishery closure time switches from 9:00 p.m. to 6:00 p.m.).

At the March 2003 BOF meeting some modifications of the ADMP were adopted, which reduced the amount of additional fishing time given to Olga Bay and Moser Bay fishermen, and provided the Cape Alitak Section seine fisheries the same opening times as those for Alitak Bay Section set gillnet fisheries.

The ADMP was again visited in the January 2005 BOF meeting and further changes to the plan were implemented. The BOF rescinded the allocative objectives and reinstated equal fishing time between sections and gear type. Staggered opening between sections remained in effect except that the Cape Alitak Section (seine only area) now opened 24 hours after the Olga Bay Section. This version of the Alitak District Management Plan has been in effect for the 2005-2007 KMA commercial salmon fishing seasons.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. However, ADF&G is **OPPOSED** to creating unusually complicated or burdensome regulations.



ADF&G believes that a change in fishery opening or closing times, or in the relative lengths of fishing periods, would likely have no net effect on Alitak District sockeye escapements or the fulfillment of escapement objectives. Alitak District fisheries would still be opened by emergency order, when harvestable surpluses exist.

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

**PROPOSAL 57 - 5 AAC 18.361. Alitak District Salmon Management Plan.**

PROPOSED BY: James Pryor.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would require the BOF to allocate a percentage of the Alitak District sockeye salmon catch to be harvested in the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay sections. This proposal suggests that this allocation would be based on the number of permits registered to fish in these sections. ADF&G would be directed to manage the Alitak District fishery to achieve this harvest allocation.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 18.361. (b), In the Cape Alitak, Humpy-Deadman, Alitak Bay, Moser Bay, and Olga Bay Sections, from June 1 through June 13, the commissioner may open, by emergency order, a 33-hour commercial test fishing period beginning at 12:00 noon. From the conclusion of the commercial test fishing period through September 15, there shall be a minimum closure of 69 consecutive hours in every 10-day period, to apply to each section individually as each section closes, unless ADF&G determines that the sockeye salmon escapement goals will be achieved for the Frazer and Upper Station sockeye salmon runs.

(c) Except during the commercial test fishing period under (b) of this section, from June 1 through September 15, the commissioner shall open and close, by emergency order, fishing periods for the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay Sections at different times, as follows:

(1) in the Olga Bay Section, fishing periods shall open at 6:00 a.m., and shall close at 9:00 a.m. the following day;

(2) in the Moser Bay Section, fishing periods shall open at 12:00 noon the same day as the Olga Bay Section under this subsection, and shall close at 3:00 p.m. the following day;

(3) in the Alitak Bay Section, fishing periods shall open at 6:00 p.m. the same day as the Olga Bay and Moser Bay Sections under this subsection, and shall close at 9:00 p.m. the following day;

(4) in the Cape Alitak Section, fishing periods shall open at 6:00 a.m. the day following the opening of the Olga Bay, Moser Bay, and Alitak Bay Sections under this subsection, and shall close at 9:00 a.m. the following day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, set gillnet and seine permit holders would be required to register with ADF&G prior to the commercial salmon season and state their intended area of operation. ADF&G would then be required to allocate an equal percentage of fish based on inseason harvest and participation levels.

During commercial fishery openings in the Alitak District, only registered seine and gillnet permit holders could participate in fisheries within the Cape Alitak, Alitak Bay, Moser Bay, and Olga Bay sections. It is unclear whether the registered permit holders would also be allowed to fish in other areas of the KMA and whether the allocation to a permit holder would be split among all other registered permit holders, if a permit holder registered but failed to fish the Alitak District.

Fishing patterns would be disrupted. It is likely that ADF&G would have to use differential fishing periods by section in order to meet the allocation percentages. In some situations it might be necessary to allow only one area to fish. Staff time and effort normally used to determine stock status and escapement levels would be shifted to assessing harvest by section and adjusting fishing time to meet allocation percentages. Closing outside fisheries in order to allocate additional fish to the Moser and Olga Bay sections would increase the possibility of allowing "too many" fish to move into upper bay areas, bypassing traditional fishing areas. Increased use of terminal area fisheries may be necessary to prevent overescapement.

BACKGROUND: The Alitak District has several minor sockeye systems, however most fishing time is based on sockeye runs to the major systems. The Upper Station (Olga Lakes) system has a natural sockeye run, with a minor early-run (pre-July 15) component and a major late-run component, which has been commercially harvested for almost 100 years. The Frazer Lake system has a successfully introduced sockeye run that has become self-sustaining, and now is a major, early-run sockeye producing system. ADF&G manages the Alitak District salmon fisheries through July 15 to maximize the yield from Frazer Lake, while sustaining the minor early run to Upper Station.

From 1971 through 1977, the Alitak District was closed in June and early July, to achieve escapements into the newly developed Frazer Lake sockeye salmon run and the early Upper Station sockeye run. The Frazer sockeye run developed well. In 1975, ADF&G raised the Frazer Lake sockeye salmon escapement goal, from 120,000 to 400,000. Beginning in 1978 limited commercial fisheries were allowed in June with two 24-hour fishing periods planned, but limited to the gillnet only area (the Moser-Olga Bay Section). ADF&G believed that seine fisheries could only be allowed when the 400,000 escapement goal was assured. Despite good returns, severely restricted fisheries were needed to achieve the higher escapement goals. In some years large buildups occurred in the upper portion of the set gillnet section, and large sockeye catches were made by Olga Bay set gillnet fishermen. In 1982 the statistical reporting area was split in the gillnet-only section, in order to differentiate between Olga Bay and Moser Bay catches.

As the Frazer run continued to develop, effort by set gillnet fishermen increased, as did interest in this fishery by KMA purse seine fishermen. In 1983 the BOF adopted regulations that directed ADF&G to open the Cape Alitak Section (seine only) concurrently with the Moser-Olga Bay Section (set gillnet only). The seine percentage of the Alitak District sockeye harvest increased from 14% in 1982 to 41% in 1983. The management of the fisheries became more intensive, and in 1984 a June 9 commercial test fishery was initiated. Based on the harvest results, this one-day fishing period could trigger additional fishing

time, to begin as early as June 12. In 1985, the first mop-up fishery was conducted on Dog Salmon Flats.

Poor Frazer sockeye runs began to occur in 1986, and ADF&G eventually determined that overescapement was the cause. In 1987, ADF&G lowered the Frazer sockeye escapement goal to 200,000 to 275,000. In 1988, after further analysis the Frazer sockeye escapement goal was again lowered to 140,000 to 200,000, and the Alitak District Salmon Management Plan was placed into regulation.

The increased sockeye production in the early 1980s lead to increased contention among area fishermen. There was an increase in effort in the Alitak District, with set gillnet fishermen establishing fishing sites and expanding existing sites. The Alitak District fisheries were a subject at almost every Kodiak BOF meeting. There were no changes to the management plan from 1988 through 1998, though there were changes to regulations concerning set net attachment points in 1990 and 1995 in an attempt to stabilize gear participation and define historically used attachment points. Proposals were submitted to the January 1999 BOF meeting to modify the management plan to protect the "genetic diversity" of the district salmon systems and increase the sockeye harvest for Olga Bay fishermen to historical percentages, through an allocation plan. Instead, the BOF amended the management plan to restrict the use of very long or continuous fishing periods. The BOF mandated that there be a minimum of 2.6 days of fishery closure during every 10-day period. It was hoped that the 2.6-day closure windows would allow for pulses of escapement to reach the major and minor systems in Olga Bay and perhaps increase the Olga Bay fishermen's sockeye harvest percentage without placing a strict allocative plan in regulation. The BOF appointed an Alitak Task Force comprised of selected members of four groups: Olga Bay gillnet, Moser Bay gillnet, Alitak Bay gillnet, and Cape Alitak purse seine fishermen. The task force was charged with reviewing the Alitak District Salmon Management Plan, with regard to further changes in 1) time and area, 2) methods and means, and 3) allocation between gear groups and between areas. The Alitak Task Force discussed these issues several times, but could not reach consensus.

At the January 2002 BOF meeting, proposals were introduced seeking further changes to the management plan. These proposals asked for either a strict allocation plan or a modification of the length of mandatory closed periods and maximum continuous fishing periods. The three gillnet groups met during the initial days of the BOF meeting and presented a plan in committee. That plan requested that allocation levels be established for the sockeye fishery, and sought further changes related to methods and means, super-exclusive registration, and joint venture or cooperative fisheries. The BOF committee initially identified six options: status quo, expanded pulse fisheries (increase the length of mandatory closures), allocation percentages by fishing area, reduced set gillnet gear length in Alitak Bay, additional fishing time in Olga and Moser Bays, and establishment of a cooperative with changes of methods and means to allow use of any gear.

The committee recommended to the BOF a combination of allocation percentages with additional fishing time for Olga and Moser Bays. The gillnet-only Olga-Moser Bay Section was divided into the Alitak Bay, Moser Bay, and Olga Bay sections. Differential

opening times for fishing periods were established for these three gillnet areas and the seine-only Cape Alitak Section. Four allocation guidelines were specified in regulation for the sockeye salmon harvest from these four areas through September 15, for determining the effectiveness of the differential opening times in allocating harvest opportunities; the guidelines were expressly not an inseason management requirement. These allocation guidelines are presented as ranges for the final total harvest of early and late-run sockeye by each of the four groups: Olga Bay gillnet, Moser Bay gillnet, Alitak Bay gillnet, and Cape Alitak purse seine fishermen. Different fishery opening times for each section were placed in regulation to give additional fishing time to the Olga and Moser Bay gillnet fishermen.

This plan was in effect during the 2002 commercial salmon fishing season. However, due to extremely weak sockeye salmon runs to systems of the southwest end of Kodiak Island, including the Frazer and late Upper Station runs, there were virtually no fishing opportunities allowed for the Olga Bay, Moser Bay, Alitak Bay, and Cape Alitak Sections.

Several ACRs concerning Alitak District fisheries were submitted to the BOF at the October 2002 meeting. Three requested that the BOF revisit the issue and repeal or revise the newly adopted allocation plan and two sought to create some type of cooperative fishery schemes for the district. The BOF chose to accept only a portion of one ACR concerning early morning opening times for the Alitak Bay Section and dangers to fishermen that would increase later in the fishing season when it is dark at that hour, and the disproportionate harm done to Alitak Bay Section fishermen by the standard reduction of fishing time that normally occurs after August 15 (fishery closure time switches from 9:00 PM to 6:00 PM).

At the March 2003 BOF meeting some modifications of the Alitak District Salmon Management Plan were adopted, which reduced the amount of additional fishing time given to Olga Bay and Moser Bay fishermen, and provided the Cape Alitak Section seine fisheries to the same opening times as those for Alitak Bay Section set gillnet fisheries.

The ADMP was again visited in the January 2005 BOF meeting and further changes to the plan were implemented. The BOF rescinded the allocative objectives and reinstated equal fishing time between sections and gear type. Staggered opening between sections remained in effect except that the Cape Alitak Section (seine only area) now opened 24 hours after the Olga Bay Section. This version of the Alitak District Management Plan has been in effect for the 2005-2007 KMA commercial salmon fishing season.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. However, ADF&G is **OPPOSED** to creating unusually complicated or burdensome regulations and supports regulations that stabilize management and promote orderly fisheries. ADF&G believes implementation of the proposed allocation plan would require a significant amount of staff time and/or extra personnel to administer.

The proposal did not provide allocation percentages. If this proposal is adopted, ADF&G requests that the BOF specify the methods to which an allocation would be calculated and provide management guidance for those allocations. ADF&G believes that a change to an

allocative fishery management plan would create some uncertainty for managers, but would likely have no net effect on Alitak District sockeye escapements or the fulfillment of escapement objectives. Alitak District fisheries would still be opened by emergency order, when harvestable surpluses exist. Increased use of terminal area fisheries may be necessary to prevent overescapement.

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

**COMMITTEE D – Kodiak Management Area Sportfish  
(13 Proposals)**

**AL 60 - 5 AAC 64.022(b)(1)(B).** Waters; season; bag, possession, and size and special provisions for the Kodiak Area

PROPOSED BY: The Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would remove the sport fishing salmon closure for the Buskin River drainage upstream of Bridge 1 from August 1 – September 30.

WHAT ARE THE CURRENT REGULATIONS? The Buskin River drainage upstream of Bridge 1 is closed to sport fishing for salmon from August 1 – September 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would open this section of the Buskin River and increase opportunity and harvest on surplus coho salmon in the Buskin River.

BACKGROUND: The Buskin River closure to sport fishing for salmon was implemented in the 1970s to reduce harvest of pink and coho salmon stocks. ADF&G has operated a weir in the Buskin River since 1985 and has documented strong salmon returns. The recent 10 year average (1997-2006) pink salmon escapement has averaged 118,000 fish and 9,000 coho salmon. The current spawning escapement goal for Buskin River coho salmon is 3,200 to 7,200 fish. ADF&G issued emergency orders in 2006 and 2007 removing the August 1– September 15 upriver closure to provide additional sport fishing harvest opportunity for coho salmon.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal because it would provide additional angling opportunity on a harvestable surplus of salmon without jeopardizing sustainability of the resources.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.



**PROPOSAL 61 - 5 AAC 64.022 (b)(1)(C). Waters; seasons; bag, possession, and size limits; and special provisions for the Kodiak Area.**

PROPOSED BY: The Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would remove Pillar Creek from the list of streams that are closed to salmon sport fishing.

WHAT ARE THE CURRENT REGULATIONS? Pillar Creek is currently closed to sport fishing for salmon year round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would provide opportunity for a fishery that was closed in 1973 and has been rebuilt to a level that can sustain a recreational harvest.

BACKGROUND: The upper Pillar Creek drainage is a source of drinking water for the community of Kodiak. In the early 1970's, the creek was de-watered when an outflow valve from the reservoir malfunctioned. The de-watering caused catastrophic mortality of rearing salmon fingerlings and developing eggs, and Pillar Creek was closed to sport fishing for salmon by the BOF in 1973 in order to rebuild the salmon runs. Beginning in 1974, AD&G stocked the creek on three occasions with coho salmon fingerlings from the Buskin River to help rebuild the stock.

Over the past 10 years (1997-2006), annual escapement counts in Pillar Creek have averaged 9,000 pink salmon and 150 coho salmon. Beginning in 2003, Pillar Creek began to receive a small number of king salmon that are likely strays from an enhancement project in nearby Monashka Creek. To provide anglers access to these surplus king salmon, Pillar Creek has been opened by emergency order to sport fishing for king salmon since 2005.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal because it would provide additional angling opportunity in a drainage where returns have been enhanced and can support a recreational fishery without jeopardizing sustainability of the resources.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 62 - 5 AAC 64.051(1) Waters closed to sport fishing in the Kodiak Area; and 5 AAC 64.022 (b)(1)(C). Waters; seasons; bag, possession, and size limits; and special provisions for the Kodiak Area.**

PROPOSED BY: The Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would close the Pillar Creek and Monashka Creek drainages to all sport fishing all year above the highway.

WHAT ARE THE CURRENT REGULATIONS? All waters of Pillar Creek are closed to sport fishing for salmon year round, but open to sport fishing for species other than salmon. Monashka Creek, above Monashka Highway, is closed to all sport fishing from May 1 – September 15; waters below the highway are open to all sport fishing year round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would close sport fishing in Pillar and Monashka creeks above the highway bringing more regulatory consistency to these two streams. The impact on fishing effort would be minimal since the streams are small and very little fishing effort is currently expended above the highway.

BACKGROUND: Regulations have developed over the years resulting in a patchwork of sport fishing regulations for these two similar drainages. Pillar Creek was closed to all sport fishing in 1973 due to dewatering of the creek. These salmon stocks have rebuilt to a level that can support a recreational fishery. Monashka Creek currently has a seasonal spawning closure above the Monashka Highway to protect king salmon brood stock. The salmon hatchery and municipal water supply facilities upstream of the highway on Monashka and Pillar Creeks create a potential for conflict with facility operations and angler activity. Accessibility to good fishing sites is limited above the highway in both streams so very little angling opportunity would be foregone by a closure.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal because it would provide angling opportunity on a harvestable surplus, develop orderly fisheries by separating anglers from industrial facilities, and provide regulatory consistency between two similar drainages on the Kodiak road system.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 63 - 5 AAC 64.022 (1)(A)(i) Waters; season; bag, possession, and size limits; and special provisions for the Kodiak Area.**

PROPOSED BY: The Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would change the freshwater king salmon daily bag and possession limit for king salmon that are 20 inches or greater in length to 2 fish.

WHAT ARE THE CURRENT REGULATIONS? The freshwater king salmon daily bag and possession limit for salmon 20 inches and greater is three fish, only two of which may be 28 inches or greater in length. The salt water regulations for king salmon include a daily bag and possession limit of two king salmon, regardless of size.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would simplify the freshwater king salmon regulations. It may reduce harvest by some unknown, but likely insignificant amount since most anglers don't currently take their maximum bag limit of three fish per day.

BACKGROUND: The current freshwater king salmon daily bag and possession limit regulations are complex and potentially confusing while providing relatively little additional harvest opportunity. Bag limit analysis indicates that less than 7% of Kodiak freshwater anglers harvest three king salmon per day 20 inches or greater in length, one of which by regulation must be between 20 and 28 inches.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal because it simplifies regulations without significantly impacting harvest opportunity. Reducing the freshwater daily bag and possession limit for king salmon 20 inches or greater in length to two fish with no further size restrictions would simplify the freshwater regulations, and bring them into alignment with area saltwater bag limits.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 64 - 5 AAC 64.022 Waters; season; bag, possession, and size limits; and special provisions for the Kodiak Area.**

PROPOSED BY: Karluk IRA Tribal Council

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would prohibit the use of bait in the Karluk River drainage downstream of Karluk Lake from June 1 through July 25.

WHAT ARE THE CURRENT REGULATIONS? Bait is allowed in the Karluk River drainage.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Prohibiting the use of bait from June 1 through July 25 would lower the catch of king salmon and potentially reduce angler effort by some unknown amount. The bait restriction would put the Karluk River drainage out of alignment with area regulations.

BACKGROUND: Weir counts on the Karluk River during the 1990s averaged 12,350 king salmon with an estimated upriver sport harvest of 1,375. From 2001 to 2007, weir counts dropped significantly averaging only 5,300 with an estimated annual sport harvest of 720 king salmon. The spawning escapement goal for king salmon in the Karluk River, measured by subtracting the sport fish removal above the weir from the weir count, is 3,600 to 7,300 king salmon. That goal has been met four of the past seven years and pushed the upper end of the range from 2002 through 2004. The lower end of the goal was missed by 320 and 370 fish in 2001 and 2006, respectively, and by 1,900 in 2007. Since the lower returns in 2001, daily bag limits were reduced by emergency order six times, and complete fishery closures were instituted four of those years. In 2003 and 2005 the season was reopened following a closure as weir counts improved late in the season and the escapement goal was met. Each time the king salmon sport fishery was closed by emergency order, the use of bait was prohibited in the river below Karluk Lake.

DEPARTMENT COMMENTS: ADF&G **OPPOSES** this proposal. ADF&G already has the authority to restrict the king salmon fishery, including prohibiting the use of bait, by emergency order and has used this tool in the past to achieve escapement goals.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

## **PROPOSAL 65 - 5 AAC 64.XXX Ayakulik River King Salmon Management Plan**

PROPOSED BY: James "David" Jones

WHAT WOULD THE PROPOSAL DO? This proposal seeks to create a management plan for the Ayakulik River king salmon sport fishery. The plan would contain an optimal escapement goal (OEG), and set numerous inseason weir count goals.

WHAT ARE THE CURRENT REGULATIONS? For king salmon 20" or greater in length, the daily bag and possession limit is 3, only 2 of which may be over 28" in length; annual limit of 5, harvest record required. The daily bag and possession limit for king salmon less than 20" in length is 10; no annual limit. The king salmon season is January 1- July 25 and bait is allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adopting this management plan would diminish ADF&G's ability to react to fishery conditions inseason by establishing numerous date-based goals and associated restrictions to the recreational fishery. Removing flexibility of inseason management would likely result in less angler opportunity. In years when low water or other conditions delay run timing, the proposed plan would require that provisions be followed regardless of how the run developed and regardless of whether total escapement objectives were projected or achieved. Establishing an OEG to allow a conservation catch and release fishery when the BEG would not be achieved would allow a fishery to proceed during poor returns. This would benefit some anglers, but could potentially lower the reproductive potential of the stock due to catch and release associated mortality.

BACKGROUND: The current BEG for Ayakulik king salmon is 4,800 – 9,600 and is designed to produce at least 90% of the maximum sustainable yield for this stock. Since 1976 the goal has been achieved or exceeded every year except 2006. From 1997-2006 the average annual reported catch is 5,400 king salmon with 500 of those harvested. Since 2005 the Ayakulik River has experienced a decrease in king salmon returns. Weir counts for the 10 year period from 1995-2004 averaged 16,000 king salmon. Counts through the weir dropped to an average annual estimate of 5,850 king salmon from 2005-2007.

In response to low returns, ADF&G managers used their emergency order authority to respond to inseason conditions and implement restrictions on the king salmon fishery. The escapement goal was achieved and fishing opportunity preserved in 2005 when the bag limit was reduced to one king salmon over 20 inches a day. In 2006, the bag limit was reduced to one king per day on June 15 and in response to continued poor returns, the fishery was completely closed on July 1, 2006. The final weir count in 2006 was 3,106 king salmon and the escapement goal was not achieved. In 2007, the daily bag limit was reduced preseason to one fish. Low weir counts closed the king salmon sport fishery on June 27, but managers re-opened 5 days later due to a late surge in escapement. The final weir count in 2007 was 6,635 king salmon and the escapement goal was achieved.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on this proposal since it requests the creation of a management plan and an OEG which can be allocative in nature. Although this plan would only restrict recreational users, management plans are typically allocative in nature addressing issues affecting multiple user groups. The decision to create an OEG is a BOF function and takes into account biological and allocative factors.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 66 - 5 AAC 64.xxx New Section. Establish an optimal escapement goal (OEG) for king and/or sockeye salmon on the Ayakulik River.**

PROPOSED BY: Amy Fredette

WHAT WOULD THE PROPOSAL DO? This proposal requests that an OEG be established for king and sockeye runs in the Ayakulik River. An OEG set at some level below the biological escapement goal (BEG) would allow for a catch and release fishery to occur even if it has been determined that the BEG would not be achieved.

WHAT ARE THE CURRENT REGULATIONS? There is no OEG for any Ayakulik River stock.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In years when the escapement goal is not projected to be achieved, catch and release would still be allowed. Effort and opportunity would be preserved for Ayakulik king and sockeye salmon fisheries, and mortality would be reduced to catch and release associated losses. The hooking mortality associated with a conservation catch and release fishery in a remote area would likely be low.

BACKGROUND: The current BEG for Ayakulik king salmon is 4,800 – 9,600. Since 1976 the goal has been achieved or exceeded every year except 2006 when only 3,100 kings were counted through the weir. The ten year (1997-2006) average catch is 5,900 king salmon annually, with an average annual harvest of 500. Since 1997 management actions have restricted the Ayakulik king salmon fishery three years. Beginning in 2005, the Ayakulik River experienced a decrease in king salmon returns. Weir counts for the 10 year period from 1995-2004 averaged 16,000 king salmon but dropped to 5,850 for the recent three years (2005-2007).

The current SEG for sockeye salmon is 200,000 – 500,000. Over the past 20 years, the goal has been achieved or exceeded every year except 2003 and 2006. The first inseason management actions for the sockeye sport fishery occurred in 2006, when despite closing the sport fishery, the escapement goal was not achieved. In 2007, the season was closed in June and reopened in late July once the lower end of the goal was achieved. Since 1997 the estimated annual average sport catch of sockeye salmon is 3,350 fish with an average harvest of 750.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** due to the allocative nature of this proposal. ADF&G has established spawning escapement goals designed to produce 90% of maximum sustained yield for sockeye and king salmon in the Ayakulik River, and defers to the BOF's authority to create OEGs to consider social and economic factors.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 67 - 5 AAC 64.xxx New Section. Establish an optimal escapement goal (OEG) for king and/or sockeye salmon on the Ayakulik River.**

PROPOSED BY: Dennis Harms

WHAT WOULD THE PROPOSAL DO? This proposal requests that an OEG be established for king and sockeye runs in the Ayakulik River. An OEG set at some level below the biological escapement goal (BEG) would allow for a catch and release fishery to occur even if it has been determined that the BEG would not be achieved.

WHAT ARE THE CURRENT REGULATIONS? There is no OEG for any Ayakulik River stock.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In years when the escapement goal is not projected to be achieved a catch and release fishery would still be allowed. Effort and opportunity would be preserved for Ayakulik king and sockeye salmon fisheries, and mortality would be reduced to catch and release associated losses. The hooking mortality associated with a conservation catch and release fishery in a remote area would likely be low.

BACKGROUND: The current BEG for Ayakulik king salmon is 4,800 – 9,600. Since 1976 the goal has been achieved or exceeded every year except 2006 when only 3,100 kings were counted through the weir. The ten year (1997-2006) average catch is 5,900 king salmon annually, with an average annual harvest of 500. Since 1997 management actions have restricted the Ayakulik king salmon fishery three years. Beginning in 2005, the Ayakulik River experienced a decrease in king salmon returns. Weir counts for the 10 year period from 1995-2004 averaged 16,000 king salmon but dropped to 5,850 for the recent three years (2005-2007).

The current SEG for sockeye salmon is 200,000 – 500,000. Over the past 20 years, the goal has been achieved or exceeded every year except 2003 and 2006. The first inseason management actions for the sockeye sport fishery occurred in 2006, when despite closing the sport fishery, the escapement goal was not achieved. In 2007, the season was closed in June and reopened in late July once the lower end of the goal was achieved. Since 1997 the estimated annual average sport catch of sockeye salmon is 3,350 fish with an average harvest of 750.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** due to the allocative nature of this proposal. ADF&G has established spawning escapement goals designed to produce 90% of maximum sustained yield for sockeye and king salmon in the Ayakulik River, and defers to the BOF's authority to create OEGs to consider social and economic factors.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.



**PROPOSAL 68 - 5 AAC 64.xxx New Section. Establish an optimal escapement goal (OEG) for king and sockeye salmon on the Ayakulik River.**

PROPOSED BY: Ayakulik Inc.

WHAT WOULD THE PROPOSAL DO? This proposal requests that an OEG be established for king and sockeye runs in the Ayakulik River. An OEG set at some level below the biological escapement goal (BEG) would allow for a catch and release fishery to occur even if it has been determined that the BEG would not be achieved.

WHAT ARE THE CURRENT REGULATIONS? There is no OEG for any Ayakulik River stock.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In years when the escapement goal is not projected to be achieved, a catch and release fishery would still be allowed. Effort and opportunity would be preserved for Ayakulik king and sockeye salmon fisheries, and mortality would be reduced to catch and release associated losses. The hooking mortality associated with a conservation catch and release fishery in a remote area would likely be low.

BACKGROUND: The current BEG for Ayakulik king salmon is 4,800 – 9,600. Since 1976 the goal has been achieved or exceeded every year except 2006 when only 3,100 kings were counted through the weir. The ten year (1997-2006) average catch is 5,900 king salmon annually, with an average annual harvest of 500. Since 1997 management actions have restricted the Ayakulik king salmon fishery three years. Beginning in 2005, the Ayakulik River experienced a decrease in king salmon returns. Weir counts for the 10 year period from 1995-2004 averaged 16,000 king salmon but dropped to 5,850 for the recent three years (2005-2007).

The current SEG for sockeye salmon is 200,000 – 500,000. Over the past 20 years, the goal has been achieved or exceeded every year except 2003 and 2006. The first inseason management actions for the sockeye sport fishery occurred in 2006, when despite closing the sport fishery, the escapement goal was not achieved. In 2007, the season was closed in June and reopened in late July once the lower end of the goal was achieved. Since 1997 the estimated annual average sport catch of sockeye salmon is 3,350 fish with an average harvest of 750.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** due to the allocative nature of this proposal. ADF&G has established spawning escapement goals designed to produce 90% of maximum sustained yield for sockeye and king salmon in the Ayakulik River, and defers to the BOF's authority to create OEGs to consider social and economic factors.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 69 - 5 AAC 64. New section. Establish a biological and optimum escapement goal (OEG) for coho salmon on the Ayakulik River and allow a catch and release fishery.**

PROPOSED BY: Dennis Harms

WHAT WOULD THE PROPOSAL DO? This proposal requests that a BEG and an OEG be established for Ayakulik River coho returns. It would require that ADF&G assess stock status and create a BEG so that the BOF could create an OEG for Ayakulik River coho salmon.

WHAT ARE THE CURRENT REGULATIONS? There is no biological escapement goal (BEG) for Ayakulik River coho salmon. An OEG can not be established without an escapement goal. The daily bag and possession limit for salmon other than king salmon, less than 20" in length is 10 per day 10 in possession, 20" or greater in length 5 per day 10 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? An OEG would likely have little effect on the Ayakulik River coho salmon sport fishery. Available data for coho salmon indicate strong runs with little angler effort and harvest.

BACKGROUND: ADF&G has not been able to consistently operate a weir to enumerate coho salmon on the Ayakulik River because of funding and high water problems. The lack of data prevents ADF&G from developing escapement goals. In 1985, 1994 and 2002 the ADF&G weir was operated until September 7 and counts ranging between 26,000 to 34,000 coho salmon were documented. These counts were obtained with partial run data and indicate that the Ayakulik River supports the largest coho return in the Kodiak area. Sport catches of coho salmon in this remote fishery average 3,500 fish with an average harvest of 500.

DEPARTMENT COMMENTS: ADF&G is **OPPOSED** to the biological aspects of this proposal because it lacks the ability to accurately enumerate Ayakulik coho salmon run strength and therefore can't establish a BEG. The large return of coho salmon documented in this remote fishery does not require the creation of escapement goals in order to assure sustainability. ADF&G is **NEUTRAL** to the allocative aspects of establishing an OEG.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery

**PROPOSAL 70 - 5 AAC 64. 022. Waters; seasons; bag, possession, and size limits; and special provisions for the Kodiak Area.**

PROPOSED BY: Richard Young

WHAT WOULD THE PROPOSAL DO? This proposal would require ADF&G to restrict Ayakulik River fisheries to catch and release when returns are low.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit for king salmon 20" or greater in length is 3 per day and in possession, only two of which may be 28" or greater in length. The annual limit for king salmon is 5 fish per year 20 inches or greater in length. Limits for king salmon less than 20 inches in length is 10 per day and 10 in possession. The king salmon season is January 1 – July 25, and bait is allowed.

For salmon other than king salmon less than 20 inches in length limits are 10 per day and in possession. For salmon other than king salmon 20 inches or greater in length limits are 5 per day and 10 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? In years when returns were projected to be below the escapement goal, ADF&G would be required to forego use of management tools such as restrictions to the bag limit and use of bait, and immediately prohibit the retention of fish on the Ayakulik River.

BACKGROUND: The current biological escapement goal for Ayakulik king salmon is 4,800 – 9,600. Since 1976 the goal has been achieved or exceeded every year except 2006 when only 3,100 kings were counted through the weir. The ten year (1997-2006) average catch is 5,900 king salmon annually, with an average annual harvest of 500. Since 1997 management actions have restricted the Ayakulik king salmon fishery three years. Beginning in 2005, the Ayakulik River experienced a decrease in king salmon returns. Weir counts for the 10 year period from 1995-2004 averaged 16,000 king salmon but dropped to 5,850 for the recent three years (2005-2007).

The current SEG for sockeye salmon is 200,000 – 500,000. Over the past 20 years, the goal has been achieved or exceeded every year except 2003 and 2006. The first inseason management actions for the sockeye sport fishery occurred in 2006, when despite closing the sport fishery, the escapement goal was not achieved. In 2007, the season was closed in June and reopened in late July once the lower end of the goal was achieved. Since 1997 the estimated annual average sport catch of sockeye salmon is 3,350 fish with an average harvest of 750.

DEPARTMENT COMMENTS: ADF&G **OPPOSES** this proposal because it is vague and unclear in whether the proponent's intent is to include a specific salmon species or all fish species; and if the catch and release restriction is meant to be issued prior to a closure, or in place of one.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 71 - 5 AAC 64.060 Kodiak Area Saltwater King Salmon Sport Fishery management Plan.**

PROPOSED BY: The Alaska Department of Fish and Game

WHAT WOULD THE PROPOSAL DO? This proposal was submitted to provide the BOF and the public the opportunity to review the status of the Kodiak saltwater king salmon sport fishery and consider adjustments to the management plan.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit for king salmon in salt water is 2 fish with no size limit.

The saltwater king salmon sport fishery management plan establishes a GHF of 8,000 king salmon. If the GHF is exceeded, the BOF would consider restrictions that may be necessary to avoid exceeding the GHF at a regularly scheduled meeting for the Kodiak area. If the BOF finds that restrictions are necessary, the BOF would adopt one or more of the following restrictions in the following order:

- (1) reduce the nonresident bag and possession limit for king salmon in salt water to one fish;
- (2) prohibit a sport fishing guide from taking a king salmon while a client is present
- (3) allow only king salmon 28 inches or greater in length to be retained;
- (4) reduce the resident bag and possession limit for king salmon in salt water to one fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal was submitted so the BOF could review the status of the Kodiak saltwater king salmon sport fishery. This proposal does not recommend that any action be taken, so it is not possible to determine an effect. The BOF could implement any of the provisions of the plan, modify the current plan, or make no changes.

BACKGROUND: The management plan for the Kodiak saltwater king salmon sport fishery was established in 2003 to stabilize harvest in place of an annual limit. Since the management plan with the 8,000 fish harvest guideline became effective, annual harvests (2003-2006) have been ranged from 8,024 to 10,185 king salmon.

DEPARTMENT COMMENTS: ADF&G **SUPPORTS** providing the opportunity for the BOF and public to review the Kodiak saltwater king salmon sport fishery management plan. ADF&G is **NEUTRAL** on the allocative aspects.

COST ANALYSIS: ADF&G does not believe that adoption of this proposal may result in an additional direct cost for a private person to participate in the fishery.

**PROPOSAL 72 - 5 AAC 64.XXX. Create an exclusive use area for saltwater sport fishing charter operations in the Kodiak area.**

PROPOSED BY: Larry Shaker, Charles Glagolich, Tim Tripp, John Witteveen, Gary Salter, Chris Fiala, David Olsen, and John T. Parker.

WHAT WOULD THE PROPOSAL DO? This proposal requests that an exclusive use area be established for saltwater sport fishing charter operations for the Kodiak area. The exclusive use area would prohibit saltwater charters from operating in the Kodiak area and any other area in the same year.

WHAT ARE THE CURRENT REGULATIONS? Charter operators and vessels are permitted to operate in multiple management areas during a calendar year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal could reduce the number of operators in Kodiak saltwater fisheries limiting effort by eliminating operators who fish more than one sport fish management area. Opportunity for anglers would be restricted and harvest would be reduced. Overall the number of angler days a specific charter boat fished would likely stay the same, the days would just be put in one area instead of split between two or more.

BACKGROUND: Licensing requirements for saltwater guides became effective in 2005. Data from the saltwater logbooks indicates 128 vessels operated in the marine waters of the Kodiak management area (KMA) in 2006. Of those vessels, 21 operated in both Kodiak and Cook Inlet waters. Angler days of effort reported in the logbooks was 14,272 in 2006. Clients harvested an average of 5,000 kings and 11,800 coho salmon. The guided halibut harvest in 2006 was estimated at 14,220 by the statewide harvest survey.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on this proposal due to its allocative nature.

COST ANALYSIS: ADF&G does not believe that approval of this proposal may result in an additional direct cost for a private person to participate in the fishery.