

Submitted by the Alaska Department of Fish and Game

RC 29

(at the request of Board Member Webster)

December 4, 2011

Proposal 80

5 AAC 24.331. Gillnet specifications and operations

(a) Copper River and Bering River Districts

(1) each drift gillnet vessel may operate not more than one gillnet; no drift gillnet may exceed 150 fathoms in length, hung measure; [NO MORE THAN TWO VESSELS MAY OPERATE TOGETHER, AND WHILE OPERATING TOGETHER MAY NOT HAVE ON BOARD EACH VESSEL GILLNETS OF MORE THAN 150 FATHOMS IN LENGTH, HUNG MEASURE;] **not more than one vessel may be used to operate a drift gillnet;**

Proposal 81

5 AAC 24.331. Gillnet specifications and operations

(c) [FOR THE PURPOSE OF THIS REGULATION, A GILLNET SHALL BE CONSIDERED TO BE A DRIFT GILLNET UNLESS IT HAS BEEN INTENTIONALLY SET, STAKED, ANCHORED OR OTHERWISE FIXED.]

(f) Notwithstanding 5 AAC 39.105(d) (3), in the Prince William Sound Area, a person may not operate a drift gillnet when the vessel to which it is attached is grounded, or when any part of the gillnet is grounded above the waterline.

(s) In the Prince William Sound Area, a person may not use mechanical power to hold a vessel in substantially the same geographical location while attached to a drift gillnet.

Proposal 83

5 AAC 24.332. Seine specifications and operations

(a) Except for the first five fathoms in length of the purse seine, a purse seine may not be less than 200 meshes or more than 325 meshes in depth, or less than 125 fathoms or more than 150 fathoms in length, hung measure, or with mesh size greater than four inches **stretched measure[.], except that the first 25 meshes immediately above the lead line may be a "chafing strip" with a mesh size no larger than seven and one-half inches stretched measure. In addition to the 325 mesh depth maximum a cork line border strip not to exceed five meshes with a mesh size not greater than 4 inches stretched measure may be used.** Leads deeper than the seine, exceeding 75 fathoms in length, or with mesh size less than seven inches may not be used, except as specified in 5 AAC 39.260(f) .

Sign-up List for Public Panel

RC 30

COMMITTEE A Commercial Fishing

Board committee members: Vince Webster (chair), Sue Jeffrey, Tom Kluberton

(36 proposals: 43-50, 77-100, 113, 117-119)

<u>Name</u>	<u>Organization representing</u>	<u>User group</u>
Joe Reuter	Self	Gillnet
Bill Youmans	Native Village of Eyak	Fish biologist
Thane Miller	Self	Longliner & salmon
Curt Herschleb	CDFU	Commercial longliner
Anthony Matveev	Self	PWS drift gillnet
Steve Aberle	Whittier AC	
Thea Thomas	Self	Gillnet
George Covell	PWS Aquaculture Corp	Gillnet
Gloria Stickwan	Self	
Ray Heuer	Fairbanks AC	
Nick Jackson	Ahtna	Subsistence
Dimitry Kuzmin	Self	Commercial
Richard Collins	CDFU	Seiner
Kenneth Jones	Self	Seiner/Gillnet
Scott Thomas	Setnet Assoc.	Setnet
Jason Koontz	Inlet Fish Producers	Commercial
Mike Michelson	CDFU	Drift gillnet
Ian Lindsey	Self	Gillnet
John Bocci	Self	Gillnet
Mike Bowen	Self	Gillnet
John Renner	CR/PWS AC	
Ken Larson	Self	Valdez Charter
Johnny Kerr	Valdez AC	
Mel Grove	Mat Valley AC	
Bill Lindow	Self	Driftnet Longline halibut
Tim Moore	Self	Seine
Robin Dexter	Self	Seine
Leroy Cabana	Self	Seine
Beaver Nelson	Self	Seine
Jamie Ross	Self	Purse Seine
Greg Gabriel	NASA, Inc	Seine

Sign-up List for Public Panel

RC 31

COMMITTEE B

Subsistence, Sport and Personal Use

Board committee members: Bill Brown (chair), John Jensen, Mike Smith

(39 proposals: 56-76, 126-130, 132-138)

Name	Organization representing	User group
Keith van den Broek	Native Village of Eyak	Subsistence
John Renner	Copper River/PWS AC	
Eric Lian	CDFU	GD
Mel Grove	Mat Valley AC	
Johnny Kerr	Valdez AC	
Thea Thomas	Self	Gillnet
Jason Koontz	Inlet Fish, Inc	Gillnet/seine
Shawn Gilman	Comm Fish/Sport Fish	Sport user
George Covell	PWS Aquaculture Corp	
Ray Heuer	Fairbanks AC	
Mike Mahoney	Self	Drift Gillnetter & Subsistence
John Delaquito	Self	Prop 68
Jennifer Ehmann	Self	Prop 68
Jerry McCune	CDFU	
Rod Arno	AK Outdoor Council	AK Residents
Elmer Marshall	Self	Subsistence Prop 76
Karen Linnell	Self	Subsistence
Christopher Gene	Self	Subsistence
Linda Tyone	Self	Subsistence
Angela Vermillion	Self	Subsistence
Kory Blake	Self	Seine/Gillnet

Alaska Board of Fisheries Committee Summary

COMMITTEE A

Commercial
December 04, 2011

Board Committee Members:

1. Vince Webster, *Chair
2. Sue Jeffrey
3. Tom Kluberton

Alaska Department of Fish and Game Staff Members:

1. Jeremy Botz– FBIII, Commercial Fisheries
2. Rich Brenner– FBII, Commercial Fisheries
3. Dan Gray– FBIV, Commercial Fisheries
4. Steve Moffitt– FBIII, Commercial Fisheries
5. Heather Scannell– FBII, Commercial Fisheries
6. Charlie Trowbridge– FBIII, Commercial Fisheries
7. Maria Wessel– FBII, Commercial Fisheries
8. Al Cain– Criminal Justice Planner
9. Tracy Lingnau– Regional Supervisor, Commercial Fisheries
10. Kerry Tonkin– Regulation Specialist
11. Sue Aspelund– Deputy Director, Commercial Fisheries
12. Jeff Regnart– Director, Commercial Fisheries
13. Kelly Hepler– Assistant Commissioner

Alaska Department of Public Safety

1. Trooper Tony Beck– Alaska Wildlife Trooper

Advisory Committee Members:

1. Steve Aberle – Whittier AC
2. Ray Heuer – Fairbanks AC
3. John Renner – CR/PWS AC
4. Johnny Kerr – Valdez AC
5. Mel Grove – Mat Valley AC

Public Panel Members:

1.	Joe Reuter	Self	Gillnet
2.	Bill Youmans	Native Village of Eyak (NVE)	Fish biologist
3.	Thane Miller	Self	Longliner & salmon
4.	Curt Herschleb	Cordova District Fishermen United(CDFU)	Commercial longliner
5.	Anthony Matveev	Self	PWS drift gillnet
6.	Thea Thomas	Self	Gillnet
7.	George Covell	Prince William Sound Aquaculture Corp (PWSAC)	Gillnet
8.	Gloria Stickwan	Self	
9.	Nick Jackson	Ahtna	Subsistence
10.	Dimitry Kuzmin	Self	Commercial
11.	Richard Collins	CDFU	Seiner
12.	Kenneth Jones	Self	Seiner/Gillnet
13.	Scott Thomas	Setnet Assoc.	Setnet
14.	Jason Koontz	Inlet Fish Producers	Commercial
15.	Mike Mickelson	CDFU	Drift gillnet
16.	Ian Lindsey	Self	Gillnet
17.	John Bocci	Self	Gillnet
18.	Mike Bowen	Self	Gillnet
19.	John Renner	CR/PWS AC	
20.	Ken Larson	Self	Valdez Charter
21.	Bill Lindow	Self	Driftnet Longline halibut
22.	Tim Moore	Self	Seine
23.	Robin Dexter	Self	Seine
24.	Leroy Cabana	Self	Seine
25.	Beaver Nelson	Self	Seine
26.	Jamie Ross	Self	Purse Seine
27.	Greg Gabriel	Northwest and Alaska Seiners Assoc. , Inc (NASA)	Seine

Federal Subsistence Representative:

1. Molly McCormick – NPS/Wrangell St. Elias National Park and Preserve

The Committee met December 04, 2011 at 1:00 p.m. and adjourned at 6:11 p.m.

PROPOSALS BEFORE THE COMMITTEE WERE: (36 total) Copper River Salmon (117 – 119), PWS Salmon (77 – 100, 113), and Groundfish/Herring (43 – 50).

PROPOSAL 117 – 5 AAC 24.361. Copper River King Salmon Management Plan. Establish an optimal escapement goal (OEG) for Copper River king salmon.

Comment Summary:

Department:

- Additional inside closures may occur to manage for OEG.
- Would require commensurate adjustments in managing PU and sport fisheries to achieve additional escapement

Department of Law:

None.

Federal Subsistence Representative:

- Deferred to ADF&G on escapement goals.

Public Panel Comments:

- Mat Valley AC – should allow more escapement and allow more fish up the river. As a conservation measure, should limit total PU and sport catch of king salmon to a combined 4 fish total.
- Department determined SEG should be 24,000 and has done a good job of adjusting commercial openers to meet escapement.
- Opposed to OEG based on SEG being adequate and scientifically accurate. Wonders what the switch in management practices would be if OEG were implemented. Last 4 years, escapement was under 30K, suggests that OEG would bring about closures and management changes.
- CR/PWS AC – opposed because restrictions would be placed on all fisheries to achieve goal. King salmon are in a low productivity cycle and putting restrictions in at the bottom of the cycle would be a mistake.
- Fairbanks AC – Understands restrictions will impact many user groups. Believes that low runs are impacting stock. Wants to protect fish.

Public Panel Recommendation:

No consensus.

PROPOSAL 118 – 5 AAC 24.350. Closed waters. Restrict commercial fishing inside barrier islands prior to June 15.

Comment Summary:

Department:

- There are currently restrictions during the last two weeks of May, which require one inside closure during each of these two weeks.
- EO authority has gone well beyond mandatory 2 periods of inside closures and is based on anticipated run size.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Fairbanks AC – Intended to protect the king salmon. There is a developing problem with the cycle at the “lowest of the low”, wants more opportunity for king salmon to get upriver. Commercial fishers have adapted to inside closures and done quite well on outside waters harvesting king salmon. The PU user has taken a hit, does not believe commercial side has taken conservation measures. Stated ADF&G doesn’t know what it is doing. Wonders how PU user can get more of the resource.
- ADF&G has EO authority and has used it quite often to meet escapement.
- Locking into inside closures could allow lots of red salmon upriver.
- This would be a dramatic change to the fishery and would impact king and sockeye salmon harvest. ADF&G already has authority to make inside closures and making it mandatory would lock fishers into closures, possibly causing overescapement.
- Concerned when board changes escapement for a highly studied stream. Sockeye are important economic opportunity which could be lost if proposal implemented.
- ADF&G should not depart from abundance- based management.
- Restrictions could cripple processing business. Same process has hurt processors in Cook Inlet.
- CR/PWS AC – Current inside closures have done enough for conservation measures. Concerned that inside closures cause dangerous conditions for smaller boats.
- Commercial fishery has traditionally caught most of the fish and is taking the brunt of the conservation measures.
- Opposed based on discrimination against smaller boats and subsistence users. Backs ADF&G stance on this issue. Believes that measures would be overly restrictive.
- Restrictions will cease when abundance of king salmon increases.
- Drift gillnetters are concerned about the resource and want resource sustained for the future and believes ADF&G has done a good job of monitoring productivity.

Public Panel Recommendation:

No consensus.

PROPOSAL 119 – 5 AAC 24.350. Closed waters. Correct regulatory boundary descriptions in Copper River District.

Comment Summary:

Department:

None.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Concern among users that this would eliminate markers and increase enforcement actions. Requested physical markers be present, but not opposed to new coordinates.
- Not opposed to line, but would like to maintain plywood markers.

Public Panel Recommendation:

Consensus to support with caveat that physical markers would be utilized.

PROPOSAL 77 – 5 AAC 24.331. Gillnet specifications and operations. Amend the regulation to allow use of two set gillnets in Eshamy District.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- None of the panel members supported the proposal.

Public Panel Recommendation:

Consensus to oppose.

PROPOSAL 78 – 5 AAC 24.332. Seine specifications and operations. Amend gear restrictions in PWS purse seine fishery.

Comment Summary:

Department:

- Would be nice to have regulatory language to assist enforcement. Proposal would definitely need additional regulatory language.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Capability to catch fish has increased dramatically. Would like permit stacking as a means to reduce the fleet growth, or at least reduce the rate of fleet growth. Proposal would allow more participation by younger generation due to cost of entering fishery.
- Doesn't like to see buyback programs or permit stacking when conditions are good. Doesn't want to restrict entry into the fishery by younger generation. Doesn't want to see consolidation.
- Concerned about congestion in the fishery. Might be more appropriate for statewide proposal rather than allow this proposal to go through.
- Wanted to see all permits used not see permits go away or not be used.
- Opposed proposal due to increased efficiency, which might not make it fair for other users fishing in the area.
- Opposed due to decreased opportunity to other users and possibly increase in price of seine permit.

Public Panel Recommendation:

No consensus.

PROPOSAL 79 – 5 AAC 24.331. Gillnet specifications and operations. Ban the use of deep gillnets in Montague District prior to Coghill, Eshamy, and Unakwik Districts opening to deep gear.

Comment Summary:

Department:

- Changed position to “Neutral”.
- Due to recent experience of drift gillnets fishing Port Chalmers, now believes fishing can be effective with shallow gear.
- Unknown if adopting proposal will decrease gear violations, but supports consistent regulations to improve compliance.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Supported because it will decrease cheating in other districts.
- Believed would reduce congestion and help seine time and area.
- Supported due to enforcement reasons. Would provide consistent regulations which will simplify fishing to drift gillnetters.
- Opposed because deep gear is needed to catch fish in Port Chalmers. Lack of fish in Port Chalmers district requires deep gear in the terminal fishery.
- No opinion but allowing deep gear has spread out the fleet.
- Proposal would reduce temptation to illegally fish deep gear in districts where it is prohibited.

Public Panel Recommendation:

No consensus.

PROPOSAL 80 – 5 AAC 24.331. Gillnet specifications and operations. Further define keg or buoy.

Comment Summary:

Department:

- New language was proposed (RC 29), after discussion with users and the public. However, new language does not address running the net in a skiff. Substitute language clarifies that only one boat can be used to fish the net.
- Suggest language should apply to entire PWS as suggested by public panel members.
- Operation of gear does not apply to emergencies. Hopes that common sense would apply to emergency situations and that enforcement would take that into account.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Seine skiffs recently used to tow nets and use them to fish in better position.
- Supported the idea to outlaw the skiff on the gillnet.
- Substitute language needs to cover PWS, it currently only addresses Bering and Copper River Districts.
- Other public members agree that PWS needs to be included in the provision.
- Some drift gillnetters tow gear out of the way of a seine.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 81 – 5 AAC 24.331. Gillnet specifications and operations. Remove intent language and clarify anchoring and towing of drift gillnet gear.

Comment Summary:

Department:

- New language was proposed (RC 29).
- A number of complaints arose from drift gillnetters holding nets in substantially the same location or holding sets on points, or holding the line for extended periods of time. New language applies and clarifies definitions. Would prevent boats from intentionally grounding themselves or nets being fixed. Proposal would not prohibit towing, just gillnets staying in substantially the same location. Proposal would not prohibit lead line from coming into contact with the bottom. Proposal would simply prohibit net from going dry.
- “Rocking down” nets is the number one complaint to Alaska Wildlife Troopers. Most complaints not in Port Chalmers District, but in other districts. Biggest issue is nets being tied to points and rocking down on preferred points. Complaints are from fishermen fishing legally who cannot access choice points. The word “intentionally” makes it very difficult to enforce.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- No problem with majority of proposal 80 and 81, just with section on towing. Wanted the ability to tow the net. Believed that an orderly fishery requires towing net in substantially the same position and therefore objects to this proposal.
- CR/PWS AC – Practice on Copper River is to hold the net on the line until the tide turns to prevent net from going up on the beach or going astray.
- No problem with section (f) but not in favor of section (g) of RC 29.
- Believed that Port Chalmers is being fished as a setnet fishery instead of a drift gillnet fishery.
- Practice of holding a line has not been a problem. Regulation for towing the gear is not needed.
- Proposal needs to separate “rocking down” from towing on a point.

Public Panel Recommendation:

No consensus on towing of nets, but general support to eliminate “rocking down” by drift gillnets.

PROPOSAL 82 – 5 AAC 24.332. Seine specifications and operations. Revise purse seine mesh restrictions for commercial seining in PWS.

Comment Summary:

Department:

- Proposals 82 and 83 are similar. Proposal 83 accommodates corkline border strip. Does anyone use greater than 4 inch border strip? Nobody does. Substitute language accommodates the common practice of a hydraulic gripper and allows for a chafing strip at the bottom of the net.
- Only discussion with staff was for corkline, not for leadline. He is worried that this will increase efficiency of the net. Will have to confer with the department.
- Another few meshes has crept into the industry, which would make the total net 326 or more meshes. If the Board does not agree to these changes, seiners will have to cut some meshes from their nets. Current technology is out of compliance with the regulation.
- Current seine specifications stem from industry gear standards. Used to be 50 or 100 mesh strips with 25 mesh chafing gear and corkline hung directly on body web. New technique makes many seines out of compliance but changes in gear efficiency as proposed not a concern due to small overall changes in gear depth.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- CDFU Seine Division – Decreasing mesh size not a concern. If ADF&G objects to decreased mesh CDFU will be happy to delete this from proposal. CDFU wants a chafing strip above or below the leadline to improve the net mending efficiency.
- A seine prop was demonstrated which showed a hanging/border strip, which facilitates the re-hanging of a net. Old style was to hang web directly to cork line. The hanging/border strip allows corkline to be used for long periods of time and for web to easily be replaced.
- Gripper wheel blocks now used, which destroy corkline and would destroy webbing. Border strip protects the webbing. Border collar could be no more than 5.5 meshes and still protect the webbing. Some statewide regulations define chafing gear, other areas do not. Chafing gear typically comes in 25 meshes, size is 5.5 to 3.5 inches. Doesn't advocate any mesh size requirements. This is not an attempt to obtain extra depth. Proposal helps the ease and cost of re-hanging.
- Supported because border strip on leadline is used in fishery.
- Adding border strip does not come close to depth changes associated with larger body web size of many nets. The same issues come from chafing gear. Border and chafing gear will not increase fishing efficiency, just reduce cost of building and repairing nets.

- Focus on maximum number of meshes in a net and not specifications of border and chafing strips.
- Small addition to the overall net size would not increase efficiency.

Public Panel Recommendation:

No consensus. Supports working toward agreement and likely to find language that everyone will agree on.

PROPOSAL 83 – 5 AAC 24.332. Seine specifications and operations. Allow a purse seine chafing and border strip for the PWS salmon purse seine fishery.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:
• See comments on Proposal 82.

Public Panel Recommendation:
See comments on Proposal 82

PROPOSAL 84 – 5 AAC 24.332. Seine specifications and operations. Amend gear restrictions for PWS purse seine fishery.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- Issue is that many areas no longer use leads, making PWS one of very few regions allowing leads. Wanted standardization of language addressing leads. Leads were “forced inefficiency” to increase escapement. Many fish go through leads. Many PWS fishermen “double pin” whereby lead is split between jitney and boat, which is good for shallow water fishing. Allocation would not be impacted by this proposal; instead, the allocation plan accounts for that.
- Issue in Esther fishery where seiners and drift gillnetters compete.
- Opposed to proposal, even though certain aspects of this were appreciated. Happy with the current situation. Everyone has same built-in inefficiency, which impacts everyone. There could be many modifications to increase efficiency.
- Opposed due to several thousand dollars of additional cost. Current regulations are more equitable to everyone.
- Supported due to increased efficiency but concerned about cost of upgrading.
- PWS AC – Entire fleet will be more efficient.

Public Panel Recommendation:

No consensus.

PROPOSAL 85 – 5 AAC 24.332. Seine specifications and operations. Reduce gear limits for PWS salmon purse seine fishery.

Comment Summary:

Department:

- Recommended the board add language for chafing strips; otherwise everyone will need to remove border strips or would be out of compliance.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Proposal submitted because seiner has a lead that is currently illegal. Strongly supports proposal because it eliminates many issues with border strips, etc. Reducing some efficiency is OK. Reductions in gear throughout the state have resulted in a more manageable and better fishery.
- Strongly opposed. Congestion usually due to wild stock concerns, which puts the burden on seine fleet by being forced into terminal hatchery areas. Does not want traditional gear changed.
- Many fishermen want to keep leads.
- Seven inch leads shrink by about ½ inch in five years. Need to amend 7-inch lead requirements to 6.25. Have all body and lead web match in size.
- New and shrunk web were shown to the board committee.
- Opposed to Proposal 85. Removing leads would damage seine web and prohibit shallow fishing. Opposed to Proposal 86 and thinks it would be too expensive to the fleet. Supports proposal 87.
- The department suggests a sunset clause would allow the fleet to be in compliance.
- Urged board to support 6.25 or 6.5-inch mesh.
- Believed smaller mesh in leads will increase fishing efficiency. Shrinkage rate on nylon has been known for a long time and is not a surprise. Sunset clause would need to be a minimum of three years.
- For Proposal 87, more in favor of 6.25 or 6.5-inch lead mesh rather than the sunset clause.
- One person is against 6.25-inch lead mesh, everyone else supports it.

Public Panel Recommendation:

No consensus.

PROPOSAL 86 – 4 AAC 24.332. Seine specifications and operations. Revise lead mesh size for commercial seining in PWS.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:
• See Proposal 85.

Public Panel Recommendation:
No consensus.

PROPOSAL 87 – 5 AAC 39.260. Seine specifications and operations. Revise lead mesh size for PWS salmon purse seine fishery.

Comment Summary:

Department:

- Statewide standard is seven inch mesh. Concerned about precedent allowing a new standard just because mesh shrank. Wildlife troopers know about lead mesh shrinkage. Sunset clause would accommodate the fleet to put in new mesh. It is a difficult issue because net technology may produce nets that do not shrink.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- See previous comments on Proposals 85 and 86.

Public Panel Recommendation:

No consensus.

PROPOSAL 88 – 5 AAC 24.200. Fishing districts, subdistricts, and sections. Create a subdistrict in the Coghill District for commercial salmon fishing.

Comment Summary:

Department:

- Proposed boundaries are slight modification of the current Pigot-Packenham line.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Area used to be very productive prior to enhancement efforts.
- Wild stock escapement mandate already exists and is not necessary for this area. Wild stock escapements are generally a bit later than this.
- Strongly support because seiners would no longer be forced into terminal areas for conservation reasons.
- Opposed because there is currently very little gillnet fishing in this area.
- Would support proposal if line went to Point Pigot.
- Opposed due to change in allocation.

Public Panel Recommendation:

No consensus.

PROPOSAL 89 – 5 AAC 24.200. Fishing districts, subdistricts, and sections. Amend boundaries for the Northwestern, Eshamy, and Coghill districts and Esther Subdistrict.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- Opposed because proposal is related to allocation.
- This proposal addresses interception of wild stocks. It is believed the gillnet fleet is fishing on enhanced salmon and questions why there needs to be so much area for drift gillnetters but not for seiners.
- Opposed because proposal is highly allocative and would allow seiners to intercept huge amounts of enhanced fish.

Public Panel Recommendation:

No consensus.

PROPOSAL 90 – 5 AAC 24.200. Fishing districts, subdistricts, and sections. Correct regulatory boundary descriptions in Eshamy District.

Comment Summary:

Department:

- Proposal submitted to simplify enforcement; a well defined boundary would be more easily enforced. Recommend redrawing boundaries to allow setnetters in northern part of the districts.
- GPS coordinates are much easier to enforce than a one mile line. Adding more points complicates the issue for everyone. A fewer number of coordinates would assist enforcement and the fleet.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- It was suggested to move third point up to same latitude as second point so that it represents the same shaded area.
- There is a lot of gear at the northern and southern lines and would like to see shaded areas in northern and southern areas included in this new line.
- Wondered if the points could be changed to encompass the original boundary.
- The biggest problem with this proposal is cutting off the NW corner. Points could be added without complicating the issue substantially.
- Adjustments need to be made to the points in the north.
- Points need to be squared off.

Public Panel Recommendation:

Consensus to simplify the current boundaries. Department will work with board and public to develop new boundaries.

PROPOSAL 91 – 5 AAC 24.200. Fishing districts, subdistricts, and sections. Correct regulatory boundary descriptions in Coghill and Northwestern districts.

Comment Summary:

Department:

- Proposal cleans up regulatory issues with district descriptions.
- Additional boundary descriptions would not change district lines.

Department of Law:

- None.

Federal Subsistence Representative:

- None.

Public Panel Comments:

- Supported ADF&G's proposal.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 92 – 5 AAC 24.310. Fishing seasons. Revise season description for the purse seine fishery in the Eastern, Northern, Northwestern, Southwestern, Montague, and Southeastern districts.

Comment Summary:

Department:

None.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Recognized conflict over this issue. Concerned ADF&G is not using a tool to assess early season chum salmon runs. Would like to use the seine fleet to gauge chum salmon returns to AFK.
- Opposed because proposal is highly allocative.

Public Panel Recommendation:

No consensus.

PROPOSAL 93 – 5 AAC 24.350. Closed waters. Close designated areas to commercial fishing in PWS.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- Whittier AC – Opposed to proposal.
- CR/PWS AC – Opposed to proposal.

Public Panel Recommendation:

Consensus to oppose.

PROPOSAL 94 – 5 AAC 24.350. Closed waters. Correct geographic description of closed waters in PWS Area districts.

Comment Summary:

Department:

- Merely clarifies coordinates and “clean things up”.
- Proposal does not change anadromous stream closures.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

None.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 95 – 5 AAC 24.350. Closed waters. Expand closed waters in Sheep Bay of the Eastern District.

Comment Summary:

Department:

- Clarified that proposal will protect wild stocks while allowing fishing opportunity. Proposal not submitted for enforcement reasons.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- CR/PWS AC – Opposed because this area regularly has large escapements and a change to the area is not needed.
- Neutral to proposal but appreciates that the proposal may provide more fishing time.

Public Panel Recommendation:

No consensus.

PROPOSAL 96 – 5 AAC 24.350. Closed waters. Close commercial salmon fisheries in Main Bay, PWS, to avoid the 4th of July.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- Area in proposal is close to the hatcheries and managed in consultation with the hatchery. This proposal could conflict with cost-recovery and broodstock collection.

Public Panel Recommendation:

Consensus to oppose.

PROPOSAL 97 – 5 AAC 24.367. Main Bay Salmon Hatchery Harvest Management Plan.
Correct regulatory boundary descriptions in Main Bay Alternating Gear Zone.

Comment Summary:

Department:

- Merely clarifies coordinates and “cleans things up”.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

None.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 98 – 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery Management Plan. Amend regulation regarding the Wally Noerenberg Hatchery plan.

Comment Summary:

Department:

- Staff talked with PWSAC representatives about a compromise. The Board would need to change the language of WNH Management Plan to include the Granite Bay Subdistrict. Granite Bay Subdistrict would be used if Esther Subdistrict does not provide adequate hatchery escapement.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Agreed to work out an agreement with ADF&G.
- Concerned that allocation trigger could go the other way and wanted to make sure that Granite Bay Subdistrict would still be used as a buffer.

Public Panel Recommendation:

No consensus as written. However, possibility for compromise language. To be submitted as an RC.

PROPOSAL 99 – 5 AAC 24.365. Armin F. Koernig Salmon Hatchery Management Plan.
Change the south end marker in the Armin F. Koernig Hatchery THA.

Comment Summary:

Department:

- Proposal simplifies closed lines and enforcement.
- The modified proposal would reflect the way the fishery has been managed for the past two seasons.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Supported the proposal with modification.

Public Panel Recommendation:

Consensus to support, if modified as discussed.

PROPOSAL 100 – 5 AAC 24.350. Closed waters. Adopt closures for sockeye salmon in Eshamy Lagoon.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- Whittier AC – Supported because Eshamy Lagoon is generally closed to gillnetting. Proposal would reduce user conflict.
- All others opposed to this proposal.

Public Panel Recommendation:

No consensus.

PROPOSAL 113 – 5 AAC 24.378. Use of aircraft unlawful. Amend regulation regarding use of aircraft in PWS commercial fishery.

Comment Summary:

Department:

- Proposal as submitted would make aerial spotting legal. Catching illegal aerial spotters is enforceable but difficult.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Proposer wanted to make aerial spotters illegal. Questions whether it is enforceable. Intent of the proposal was to make aerial spotting illegal during open and closed periods.
- Illegal activity of spotting fish has been quietly tolerated by seiners but likely will not be tolerated in future. Stated that planes spot boats, not fish. Keep the status quo of allowing flying during closed periods.

Public Panel Recommendation:

No consensus.

PROPOSAL 43 – 5 AAC 28.230. Lawful gear for Prince William Sound Area. Restrict summer use of commercial bottom gear within three miles of shore.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:

- North Pacific Fishery Management Council (NPFMC) – Proposal not included in a packet of proposals provided to the Council. Requested the Board not take any affirmative action until after the Joint Board/Council Protocol meeting in March 2012.
- Mat Valley AC – Proposal submitted to stimulate conversation. Constant pressure on halibut is causing localized depletion and want to limit it. Willing to discuss modifying proposed time period and area of closure.

Public Panel Recommendation:

No consensus.

PROPOSAL 44 – 5 AAC 28.265. Prince William Sound Rockfish Management Plan.

Increase the rockfish bycatch allowance to sidestripe shrimp and sablefish from 10 to 30 percent.

Comment Summary:

Department:

None.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Whittier AC – Supports. Proposer is an AC member, the only shrimp and sablefish trawl fisher in PWS, and believes there is no concern with rockfish bycatch.
- Opposed because it is unfair to individuals who do not target sablefish.

Public Panel Recommendation:

No consensus.

PROPOSAL 45 – 5 AAC 28.230. Lawful Gear for Prince William Sound Area. Repeal one definition of mechanical jigging gear.

Comment Summary:

Department:

- None.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Clarification that the mechanical jig definition allows hooks to be fished below a weight, provided that the weight and the hooks are not on the bottom.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 46 – 5 AAC 28.089. Guiding principles for groundfish fishery regulations.
Revise regulations to include Eastern Gulf and PWS.

Comment Summary:

Department:
None.

Department of Law:
None.

Federal Subsistence Representative:
None.

Public Panel Comments:
• None.

Public Panel Recommendation:
Consensus to oppose.

PROPOSAL 47 – 5 AAC 28.083. Permit requirements for skates and rays. Amend dates of skate fishery in Eastern Gulf and PWS.

Comment Summary:

Department:

- ADF&G instituted a pilot PWS skate fishery and found that bycatch was an issue. Skates can be retained as bycatch during other fisheries.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- PWS/CR AC – Supported because it might alleviate bycatch issues and for reasons of economy.

Public Panel Recommendation:

No consensus.

PROPOSAL 48 – 5 AAC 28.084. Fishing season, landing requirements, and utilization in the PWS EGOA Area with a miscellaneous finfish permit may retain spiny dogfish. Allow for retention of spiny dogfish in Eastern Gulf and PWS.

Comment Summary:

Department:

- Opposed because spiny dogfish biomass is not assessed and they are very slow to reproduce. Few dogfish in PWS are of a size that can be sold.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- CR/PWS AC – Supported the dogfish harvest and would like a market to be established.
- Mat Valley AC – Supported proposal.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 49 – 5 AAC 39.165. Trawl gear unlawful. Amend the current regulation to accurately reflect management lines and remove the reference to trawl gear for herring.

Comment Summary:

Department:

- This proposal clarifies regulation and deletes unnecessary language stating that trawl is a legal gear type for the food and bait herring trawl fishery.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- CR/PWS AC – Trawling was previously a legal gear for the herring food and bait fishery.

Public Panel Recommendation:

Consensus to support.

PROPOSAL 50 – 5 AAC 27.365. Prince William Sound Herring Management Plan; 5 AAC 39.210. Management plan for high impact emerging fisheries. Clarify thresholds needed to open herring fishery in PWS.

Comment Summary:

Department:

None.

Department of Law:

None.

Federal Subsistence Representative:

None.

Public Panel Comments:

- Threshold for herring is entirely too high. Previous threshold was 5-7 thousand tons and there is plenty of herring currently available to support a fishery.
- CR/PWS AC – Supported due to possibility that new products will be developed.

Public Panel Recommendation:

Consensus to oppose.