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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, PERSONAL USE, SPORT, AND SUBSISTENCE
REGULATORY PROPOSALS
COMMITTEE OF THE WHOLE–GROUPS 1–5,
FOR

STATEWIDE DUNGENESS CRAB, SHRIMP,
MISCELLANEOUS SHELLFISH AND SUPPLEMENTAL ISSUES

ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA

March 17–20, 2015

Regional Information Report No. 2A15-01

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, March 17–20, 2015 in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Acronyms and Abbreviations

The following acronyms and abbreviations, and others approved for the Système International d'Unités (SI), are used without definition in the following reports by the Divisions of Commercial Fisheries, Sport Fish, and Subsistence: All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figure or figure captions.

Weights and measures (metric)

centimeter	cm
deciliter	dL
gram	g
hectare	ha
kilogram	kg
kilometer	km
liter	L
meter	m
milliliter	mL
millimeter	mm

Weights and measures (English)

cubic feet per second	ft^3/s
foot	ft
gallon	gal
inch	in
mile	mi
nautical mile	nmi
ounce	oz
pound	lb
quart	qt
yard	yd

Time and temperature

day	d
degrees Celsius	°C
degrees Fahrenheit	°F
degrees kelvin	K
hour	h
minute	min
second	s

Physics and chemistry

all atomic symbols	
alternating current	AC
ampere	A
calorie	cal
direct current	DC
hertz	Hz
horsepower	hp
hydrogen ion activity (negative log of)	pH
parts per million	ppm
parts per thousand	ppt, ‰
volts	V
watts	W

General

Alaska Administrative Code	AAC
all commonly accepted abbreviations	e.g., Mr., Mrs., AM, PM, etc.
all commonly accepted professional titles	e.g., Dr., Ph.D., R.N., etc.
at	@
compass directions:	
east	E
north	N
south	S
west	W
copyright	©
corporate suffixes:	
Company	Co.
Corporation	Corp.
Incorporated	Inc.
Limited	Ltd.
District of Columbia	D.C.
et alii (and others)	et al.
et cetera (and so forth)	etc.
exempli gratia (for example)	e.g.
Federal Information Code	FIC
id est (that is)	i.e.
latitude or longitude	lat or long
monetary symbols (U.S.)	$, ¢
months (tables and figures): first three letters	Jan,...,Dec
registered trademark	®
trademark	™
United States (adjective)	U.S.
United States of America (noun)	USA
U.S.C.	United States Code
U.S. state	use two-letter abbreviations (e.g., AK, WA)

Acronyms

Acceptable Biological Catch	ABC
Alaska Board of Fisheries	board
Alaska Department of Fish and Game	department
Alaska Department of Law	DOL
Amount Necessary for Subsistence	ANS
Alaska Wildlife Troopers	AWT
Biological Escapement Goal	BEG
Catch Per Unit Effort	CPUE
Central Gulf of Alaska	CGOA
Commercial Fisheries Entry Commission	CFEC
Customary and Traditional	C&T
Emergency Order	EO
Fishery Management Plan	FMP
Gulf of Alaska	GOA
Global Positioning System	GPS
Guideline Harvest Level	GHL
National Marine Fisheries Service	NMFS
No Data	ND
North Pacific Fishery Management Council	NPFMC
Optimal Escapement Goal	OEG
Prince William Sound	PWS
Prohibited Species Catch	PSC
Statewide Harvest Survey	SWHS
Sustainable Escapement Goal	SEG
Total Allowable Catch	TAC
Total Allowable Harvest	TAH

REGIONAL INFORMATION REPORT 2A15-01

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STAFF COMMENTS ON COMMERICAL, PERSONAL USE, SPORT, AND SUBSISTENCE REGULATORY PROPOSALS COMMITTEE OF THE WHOLE–GROUPS 1–5, FOR

STATEWIDE DUNGENESS CRAB, SHRIMP, MISCELLANEOUS SHELLFISH AND SUPPLEMENTAL ISSUES

ALASKA BOARD OF FISHERIES MEETING ANCHORAGE, ALASKA

MARCH 17–20, 2015

By
Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Commercial Fisheries
333 Raspberry Road
Anchorage, AK 99518-1565

February 2015

ABSTRACT

This document contains Alaska Department of Fish and Game staff comments on commercial, personal use, sport, and subsistence regulatory proposals for the Statewide Dungeness crab, shrimp, miscellaneous shellfish and supplemental issues. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, March 17–20, 2015 in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Key words: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department), staff comments, regulatory proposals, fisheries, commercial, personal use, sport, subsistence, statewide, Dungeness crab, shrimp, miscellaneous shellfish, supplemental issues.

This document should be cited as:

ADF&G (Alaska Department of Fish and Game). 2015. Alaska Department of Fish and Game staff comments on commercial, personal use, sport, and subsistence regulatory proposals, Committee of the Whole–Groups 1–5, for Statewide Dungeness crab, shrimp, miscellaneous shellfish and supplemental issues, Alaska Board of Fisheries meeting, Anchorage, Alaska, March 17–20, 2015. Alaska Department of Fish and Game, Regional Information Report No. 2A15–01, Anchorage.

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Summary of department positions on regulatory proposals for Statewide Dungeness crab, shrimp, miscellaneous shellfish and supplemental issues – Anchorage, March 17–20, 2015.

Proposal No.	Department Position	Issue
44	N/O	Create state-waters walleye pollock management plans for Cook Inlet, Kodiak, and Chignik management areas.
234	N	Establish weather criteria to delay opening of commercial fishing periods for sea cucumbers in the Kodiak District of Registration Area J.
235	N	Modify the Chignik District fishing season for sea cucumbers to open two weeks earlier than the remainder of Registration Area J.
236	S	Establish an earlier season closure for the Kodiak, Chignik, Alaska Peninsula, and Aleutian districts' commercial Dungeness crab fisheries.
237	S	Amend the customary and traditional (C&T) use finding for shellfish in the Kodiak Area by adding Tanner crab to the list of shellfish stocks customarily or traditionally taken for subsistence.
238	WS	Amend scallop closed waters description in Registration Area J.
239	O	Remove Registration Area A from the 72-hour Dungeness crab pot storage limitation requirement.
240	O	Reduce the personal use limit for razor clams in East Cook Inlet.
241	O	Reduce the personal use limit for razor clams in East Cook Inlet.
242	O	Reduce the sport limit for razor clams in East Cook Inlet.
243	O	Close east Cook Inlet beaches to all razor clam harvest.
244	O	Establish personal use bag limit for razor clams in West Cook Inlet.
245	N/O	Modify the PWS non-commercial shrimp fishery management plan.
246	N	Modify the Prince William Sound non-commercial shrimp fishery management plan.
247	O/N	Increase the maximum shrimp pot per vessel limit from 5 to 10.
248	O	Modify reporting requirements for sport and personal use shrimp fishing.
249	N/O	Create a subsistence permit for shrimp in the PWS management area.
250	S	Clarify that a person may only register one vessel each season for the Registration Area E shrimp pot fishery.
251	S	Amend the boundary between shrimp pot fishing areas in Registration Area E.
252	S	Add additional waters closed to the taking of shrimp with trawl gear and correct coordinates within the closed waters section.
253	N/S	Change Registration Area E shrimp pot commercial fishery from non-exclusive to superexclusive. Change the season dates from April 15–September 15 to April 15–August 1, reducing season length.
254	N	Increase the current 25% statistical area harvest restriction to 50% of the total commercial guideline harvest level (GHL).
255	S/O	Create a maximum longline length of 300 feet for use during the Prince William Sound shrimp pot fishery. Change the buoy requirement for commercial shrimp pots deployed on a longline in Registration Area E.

N = Neutral; S = Support; O = Oppose; NA = No Action, WS = Withdrawn Support

- continued -

Summary of department positions on regulatory proposals for Statewide Dungeness crab, shrimp, miscellaneous shellfish and supplemental issues – Anchorage, March 17–20, 2015.

Proposal No.	Department Position	Issue
256	S	Change buoy requirements for commercial shrimp pots deployed on a longline in Registration Area E.
257	S	Amend the reporting requirements for the shrimp pot fishery in Registration Area E.
258	N	Close the commercial shrimp pot fishery in Prince William Sound.
259	N	Close the commercial shrimp pot fishery in Prince William Sound.
260	N	Close the commercial shrimp pot fishery in Prince William Sound.
261	S	Modify regulatory language to specifically include the importation and release of amphibians in Alaska.
262	O	Modify regulatory language to specifically allow include the collection, transport, and possession of amphibians in Alaska.
263	NA	Reduce the length of drift gillnet gear.
264	NA	Modify length of drift and set gillnets based on preseason sockeye salmon forecast.
265	NA	Ban the use of live earthworms as bait in freshwater sport fishing.
266	NA	Modify procedure for assigning observer coverage in king and Tanner crab fisheries.
267	NA	Repeal exception for use of footgear with felt soles while sport fishing in fresh water.
268	N	Reduce the size of exploitable legal male Tanner crab, from 5.5 to 5.0 inches carapace width, for calculating total allowable catch in waters east of 166° W long. in the Bering Sea District.
269	N/S	Amend the Norton Sound Section red king crab harvest strategy to develop a guideline harvest level for the winter and summer commercial seasons.
270	S	Change the duration of the Norton Sound winter through-the-ice commercial king crab fishery.
271	S	Require four-inch mesh subsistence gillnets to be operated only as set gillnets in the Kuskokwim River during times of king salmon conservation.
272	N/S	Provide the Commissioner of the department emergency order authority to restrict gillnet length and other allowable gear during times necessary to conserve king salmon in the Kuskokwim River drainage.
273	S	Allow drift gillnet subsistence fishing after July 15 in the upper section of Yukon River Subdistrict 4-A for the harvest of summer chum salmon.
274	S	Allow subsistence fish wheel fishermen in the Yukon Area to retain king salmon when some harvest is justified based upon inseason run assessment.
275	S/N	Change the Naknek-Kvichak District boundary line at Graveyard Point as follows: 5 AAC 06.350(b)(1) would be amended to establish coordinates that correspond to the historical location of the upper Graveyard Point marker and factor in the significant shoreline erosion that is occurring.
276	S/N	Redefine the method used to determine maximum overall length of salmon purse seine vessels.
277	N	Board generated proposal to consider optimum escapement goals for Bristol Bay sockeye salmon.
278	N/S	Allow subsistence fishermen to operate fish wheels without a livebox during times necessary for king salmon conservation in the Kuskokwim drainage.

N = Neutral; S = Support; O = Oppose; NA = No Action, WS = Withdrawn Support

COMMITTEE OF THE WHOLE–GROUP 1 (11 PROPOSALS)

Kodiak, Chignik, Alaska Peninsula and Aleutian Islands Shellfish (5 Proposals): 234–238

PROPOSAL 234 – 5 AAC 38.411. Fishing seasons for sea cucumbers in Registration Area J.

PROPOSED BY: Brian Vitt/Kodiak Area Divers Marketing Association.

WHAT WOULD THE PROPOSAL DO? This proposal would establish criteria to delay opening of weekly Kodiak District sea cucumber fishing periods based on NWS marine forecasts. If the NWS marine forecast for Area 138 (Shelikof Strait; Figure 234-1) or Area 132 (Marmot Island to Sitkinak) issued at 4:00 a.m. on the day before the scheduled opening date contains a gale warning for the day before or the day of the scheduled opening, the season will be delayed for 24 hours. If after the initial delay, the next day's 4:00 a.m. forecast for the current day or the following day again contains a gale warning, the weekly fishing period opening will be delayed an additional 24 hours. Delays may continue on a rolling 24-hour basis until marine forecasts do not contain a gale warning for the day before or day of the scheduled opening.

WHAT ARE THE CURRENT REGULATIONS? The Kodiak District sea cucumber season is October 1 to April 30 (5 AAC 38.411). During the season, weekly fishing periods are established by emergency order based on fishery effort and sea cucumber guideline harvest level in each section. Sea cucumbers may only be harvested by hand aided by use of dive gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal may improve vessel safety and provide more opportunity for small vessels to transport divers to the fishing grounds. Additionally, water clarity and sea state generally improve during periods of calmer weather which may improve catch rates. The proposal would allow for indefinite weather delays if gale warnings persist which may result in seasons extending beyond the typical conclusion of the fishery by mid-November.

BACKGROUND: There are no regulatory provisions for delaying sea cucumber fishing periods based on weather. The Kodiak District is divided into eight separate sections for sea cucumber management (Figure 234-1); guideline harvest levels are established for each section. Since the 2007/08 season, the district-wide annual sea cucumber GHL has been 140,000 pounds. Weekly fishing periods are established by section and typically last from 24 to 48 hours. Generally sections are opened on the same day; however, the department occasionally staggers section openings. If this proposal was adopted staff would request regulatory guidance on how a weather delay would be implemented when section openings are staggered. The department would also seek regulatory clarification on whether both weather service areas 132 and 138 should be used in tandem to determine district-wide openings or whether individual sections should be tied to a specific NWS weather area.

From 2010–2014, an average of 23 divers and eight vessels participated each season. During that time, vessel size ranged from less than 40 feet to over 80 feet in length. Most sea cucumber fishing in Kodiak occurs during October through mid-November.

Most productive sea cucumber fishing grounds are located south and west of the City of Kodiak where processing occurs. Larger-sized vessels are more capable of traveling to fishing grounds in poor weather prior to a weekly fishery opening compared to smaller vessels. Weather delay criteria are used to open several other western Alaska shellfish and groundfish commercial fisheries; however, existing regulatory weather delays have a fixed duration and are not open-ended if weather delay criteria persists.

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

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

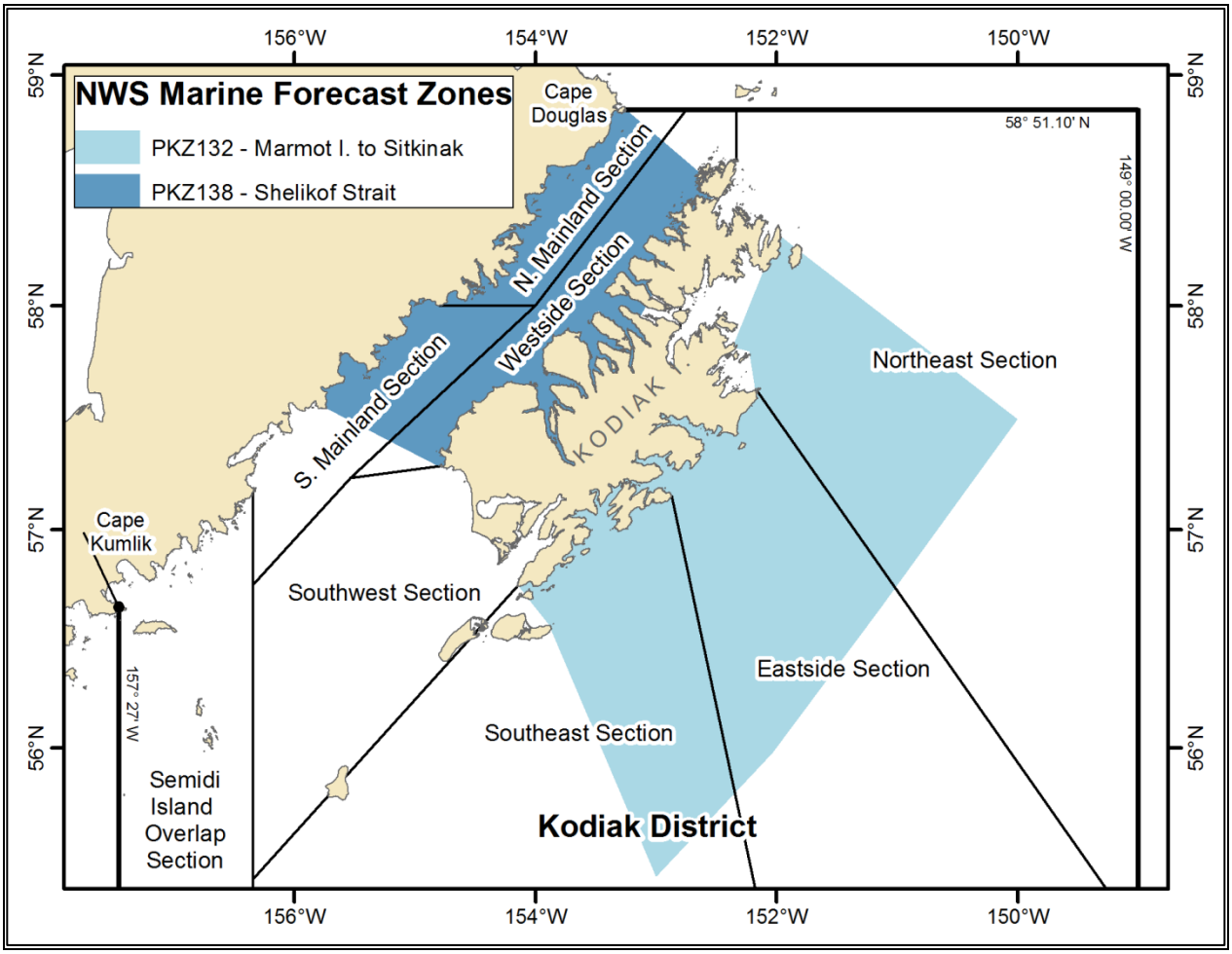

Figure 234-1.–Kodiak District sea cucumber sections and National Weather Service marine forecast areas 132 and 138.

PROPOSAL 235 – 5 AAC 38.411. Fishing seasons for sea cucumbers in Registration Area J.

PROPOSED BY: Brian Vitt/ Kodiak Area Divers Marketing Association.

WHAT WOULD THE PROPOSAL DO? This proposal would change the Chignik District sea cucumber regulatory season opening from October 1 to September 15.

WHAT ARE THE CURRENT REGULATIONS? The Chignik District commercial sea cucumber regulatory season is October 1 to April 30 (5 AAC 38.411). During the regulatory season, fishing periods are established by emergency order under 5 AAC 38.062.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Chignik District commercial sea cucumber divers would have earlier fishing opportunity, which may increase participation.

BACKGROUND: Historical sea cucumber effort and harvest in the Chignik District is low, partially due to distance to market. Sea cucumber fishery harvest rates in Chignik are lower than Kodiak which may indicate lower abundance; however, the department does not survey sea cucumbers in Chignik.

Exploratory fishing for sea cucumbers has occurred periodically since 1994. From 2010/11 to 2014/15 an average of three divers annually participated in the dive fishery. For the past three seasons, the Chignik District sea cucumber GHL was 15,000 pounds. Harvest information is confidential due to limited number of participants; however, GHLs were not achieved prior to the close of the regulatory season. Participants have historically targeted sea cucumbers in Chignik during November and December after most sections in the Kodiak District sea cucumber fishery close.

Sea cucumbers may only be harvested by hand aided by use of dive gear. In Washington state and British Columbia peak spawning occurs from June through August with potential for some spawning in British Columbia during September based on gonadal size.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on 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 236 – 5 AAC 32.410. Fishing seasons for Registration Area J.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change the commercial Dungeness crab season closure date for the Kodiak, Chignik, Alaska Peninsula and Aleutian districts from December 30 to November 1.

WHAT ARE THE CURRENT REGULATIONS? Dungeness crab may be taken in Kodiak, Chignik, Alaska Peninsula, and Aleutian districts from 12:00 noon May 1 until 11:59 pm December 30, except in the Kodiak District south of the latitude of the southernmost tip of Boot Point and south of the latitude of the southernmost tip of Cape Ikolik, Dungeness crab may only be taken from 12:00 noon June 15 until 12:00 noon December 30 (Figure 236-1).

The commercial fishery is managed by regulating sex, size, and season ('3-S' management); guideline harvest levels are not established. Under 3-S management, only male crab 6.5 inches carapace width or larger may be retained during the fishing season. There are no pot limits or vessel size restrictions for Dungeness crab fishing in the Kodiak, Chignik, Alaska Peninsula and Aleutian districts.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Commercial Dungeness crab seasons in the Kodiak, Chignik, Alaska Peninsula and Aleutian districts would close earlier by two months. Closing the commercial Dungeness crab fishery on November 1 may reduce pot gear loss.

Shorter seasons would result in minimal loss of fishing opportunity. From 2010 to 2014, an average of 0.6 percent (10,697 pounds) of the total Kodiak District Dungeness crab harvest occurred after November 1, while 3.3 percent (28,359 pounds) of the average annual harvest in the Chignik and South Peninsula districts combined occurred after the proposed closure date (Figure 236-2). All vessels reporting Dungeness crab landings during November and December also fished earlier in the season.

BACKGROUND: From 2010 to 2014, Kodiak District Dungeness crab vessels registered to fish an average total of 7,485 pots per year (610 pots per vessel per year). Vessels in the South Peninsula and Chignik districts combined, registered an average total of 3,137 pots per year (685 pots per vessel per year). Minimal Dungeness crab fishing occurs in the Aleutian District. Reports from fishery participants indicate Dungeness gear loss is higher in November and December compared to summer and early fall months due to weather and potential icing conditions. Lost or unretrievable pots may increase Dungeness, Tanner and king crab mortality through ghost fishing.

Studies from Southeast Alaska and the Pacific Northwest indicate up to 11 percent of all Dungeness crab pots fished are lost each year with the highest pot loss rates occurring along exposed coastlines. Estimated Dungeness crab mortality due to ghost fishing in these areas ranged from 2.2 to 7.0 percent of the total annual harvest and lost pots were observed ghost fishing up to seven years beyond the initial loss. A recent red king crab ghost fishing mortality study conducted by the National Marine Fisheries Service in Womens Bay near the City of Kodiak demonstrated over half

of lost pots observed in the study area were Dungeness crab pots. Sixty-six percent of those pots were intact and capable of ghost fishing. Overall, mortality estimates indicate between 16 and 37 percent of larger sized red king crab (> 60 mm) in Womens Bay are killed each year due to ghost fishing.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Closing the fishery at the end of a month (October 31), may be more logical than the first day of a month (November 1). If this proposal was to pass the board may wish to consider October 31 rather than November 1 as a season closing date.

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

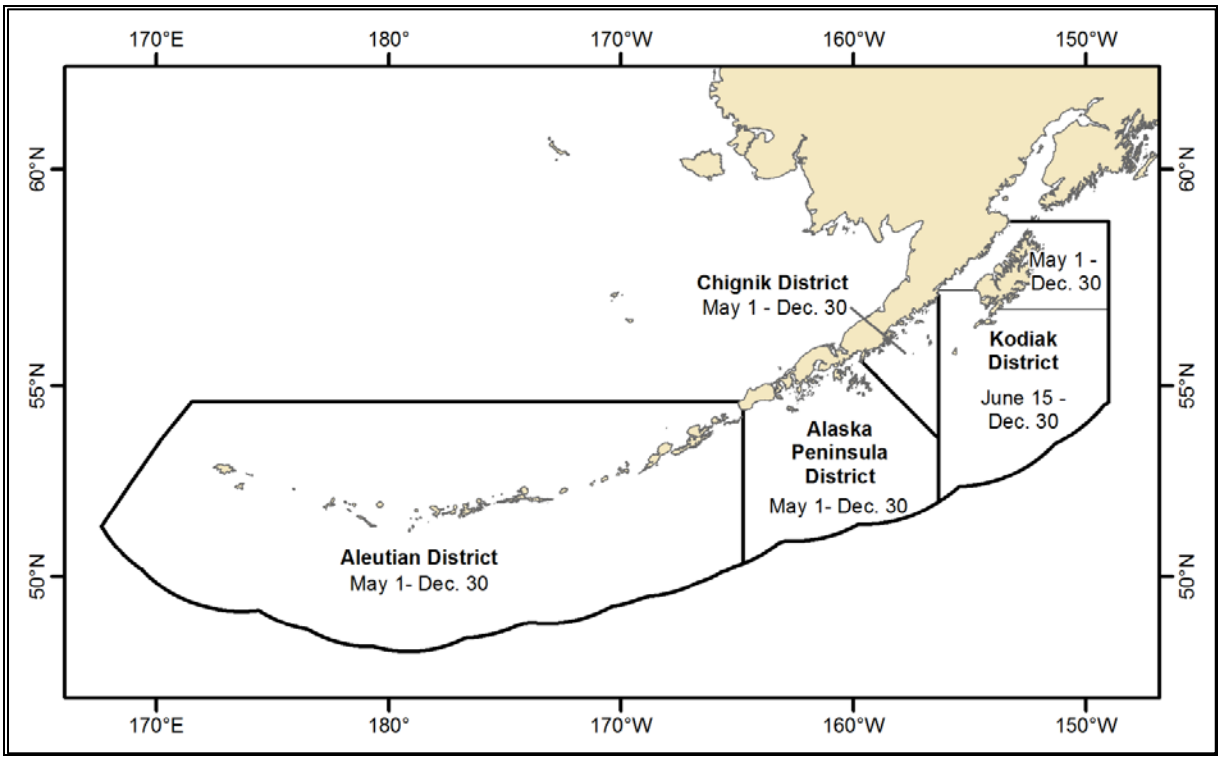

Figure 236-1.–Kodiak, Chignik, Alaska Peninsula, Dungeness crab management districts and current season dates.

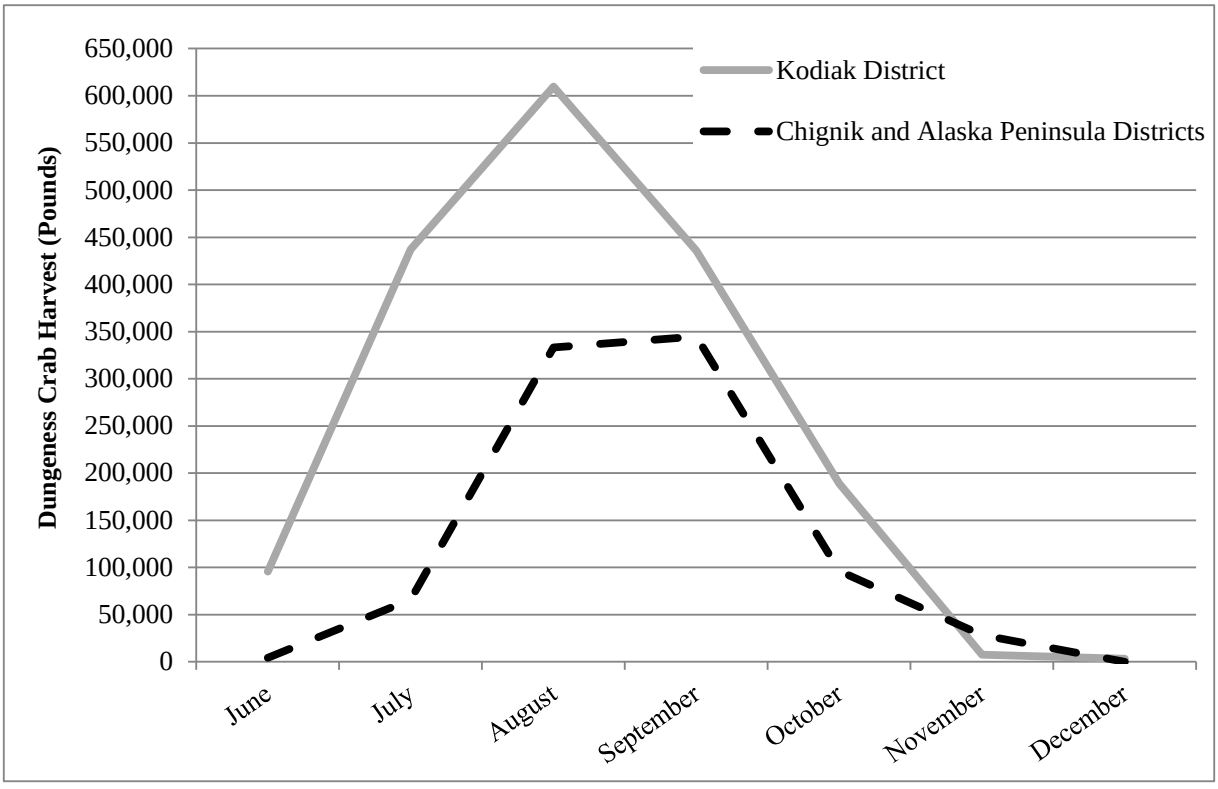

Figure 236-2.–Kodiak, Chignik, Alaska Peninsula, and Aleutian Islands average pounds of Dungeness crab harvested by month, 2010–2014.

PROPOSAL 237 - 5 AAC 02.466. Customary and traditional subsistence uses of shellfish stocks and amount necessary for subsistence uses.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the customary and traditional use (C&T) finding for shellfish in the Kodiak Area by adding Tanner crab to the list of shellfish stocks customarily or traditionally taken for subsistence.

WHAT ARE THE CURRENT REGULATIONS? Currently, Tanner crab are not listed as one of the stocks with a C&T use finding in the Kodiak Area, and the board has not made a finding of amounts reasonably necessary (ANS) for any shellfish stock in the Kodiak Area. The board has made a positive C&T finding for king crab in the Kodiak Area, except for the Semidi Island Overlap, the North Mainland, and the South Mainland sections. The board has also made a positive C&T finding for Dungeness crab and miscellaneous shellfish and provided an ANS for these stocks; however, these findings apply to the south side of the Alaska Peninsula, not the waters surrounding the Kodiak Archipelago. The board has provided for a Kodiak Area subsistence Tanner crab fishery at 5 AAC 02.425, with gear limits and marking requirements, season date restrictions, daily limits, and size limits.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, Tanner crab would be included in the listing of stocks with a positive C&T finding in an area where a subsistence fishery for that stock already occurs.

BACKGROUND: Following adoption of the first subsistence law in 1988, the board determined that there are customary and traditional uses of king crab (all species) in the Kodiak Management Area (except for the Semidi Island Overlap Section, the North Mainland Section, and the South Mainland Section). In 1993, following adoption of a revised subsistence law, the board reviewed available harvest and subsistence use information, as summarized in an eight criteria worksheet prepared by the department in accordance with subsistence procedures at 5 AAC 99.010. The board reconfirmed the positive C&T finding for king crab and readopted all regulations allowing subsistence harvests for all shellfish. However, due to time constraints, the board did not reaffirm positive C&T findings for other shellfish species at that time.

In 2000, the board included miscellaneous shellfish and Dungeness crab stocks within a portion of the Alaska Peninsula used by residents of the Kodiak Area (on the south side of the Alaska Peninsula) in a positive C&T finding, but again did not address stocks in the Kodiak Area. These findings are consistent with the positive C&T finding for the Alaska Peninsula-Aleutian Islands Area for king crab, Tanner crab, Dungeness crab, and miscellaneous shellfish found in 5 AAC 02.566.

Similarly, there are subsistence fishing regulations for shrimp and Dungeness crab in the Kodiak Area, and statewide regulations allowing subsistence harvests of miscellaneous shellfish, but these stocks are not included in the listing of Kodiak Area stocks with positive C&T findings; the findings only apply to the south side of the Alaska Peninsula.

A permit for crab is required for any resident wishing to harvest crab in the Kodiak Area. The permit collects harvest data illustrating the user's harvest date, location and number of individual crabs. Permit harvest data exists for every year since 1995 for Dungeness, king, and Tanner crab. Shrimp permits are required for operators of commercially licensed and registered shrimp fishing vessels who wish to harvest shrimp for subsistence in the Kodiak Area. Subsistence permits are not required for residents who wish to harvest shrimp and/or miscellaneous shellfish in the Kodiak Area.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Subsistence fisheries for Tanner crab occur in the Kodiak Area, as well as for king crab, Dungeness crab, miscellaneous shellfish, and shrimp.

The board may wish to consider also including Dungeness crab, miscellaneous shellfish, and shrimp to the list of stocks in the Kodiak Area with a positive C&T finding.

The department has prepared a C&T worksheet for board and public review. The report includes ANS options for Dungeness and Tanner crab, shrimp and miscellaneous shellfish.
COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

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

2. **Is this stock customarily and traditionally taken or used for subsistence?** Tanner crab, Dungeness crab, shrimp, and miscellaneous shellfish are not included in the listing of stocks with a positive C&T finding for the Kodiak Area.

   There is a positive C&T finding at 5 AAC 02.466 for king crab in the Kodiak Area, as it is described in 5 AAC 02.400, except for the Semidi Island Overlap, the North Mainland, and the South Mainland Sections, as described in 5 AAC 35.505(a). The board has also found there are customary and traditional uses of Dungeness crab and miscellaneous shellfish on the south side of the Alaska Peninsula between Kilokak Rocks 156° 19' W. long. and Cape Kumlik 157° 27' W. long (5 AAC 02.466 (a) (2)).

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

4. **What amount is reasonably necessary for subsistence uses?** For Dungeness crab and miscellaneous shellfish in that portion of the Alaska Peninsula described under (2) above, the board has found that 22,000–68,000 pounds of usable weight of Dungeness crab and miscellaneous shellfish are reasonably necessary for subsistence. The board has not made any other findings of the amount reasonably necessary for subsistence for any other shellfish species in any other part of the Kodiak Area.

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

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

PROPOSAL 238 – 5 AAC 38.425. Closed waters for scallops in Registration Area J.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would correct an error in regulation by reestablishing regulatory closed waters inside Chiniak and Marmot bays for the Kodiak District commercial weathervane scallop fishery.

WHAT ARE THE CURRENT REGULATIONS? Scallop fishing is permitted by regulation inside the historical closure area from Cape Chiniak to Marmot Island (Figure 238-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The regulatory description of closed waters in Chiniak and Marmot bays would be consistent with the historical description of closed waters.

There would be no effect on the commercial fishery because this area was historically closed to scallop fishing. Prior to the start of the 2013/14 and 2014/15 scallop fisheries, the department issued an emergency order to close waters inside a line from Cape Chiniak to Marmot Island to scallop dredging consistent with the pre-2012 regulation.

BACKGROUND: During the March 2012 board meeting the board adopted a proposal submitted by the department to update and standardize scallop closed waters boundary descriptions in the Kodiak Area. At that time, the closed-waters boundary line from Cape Chiniak to Marmot Island was inadvertently modified reversing a longstanding bottom trawl and dredge gear closure area.

DEPARTMENT COMMENTS: The department submitted this proposal, but is withdrawing support for it. Since its submission, the error identified in this proposal has been corrected by administrative delegation.

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

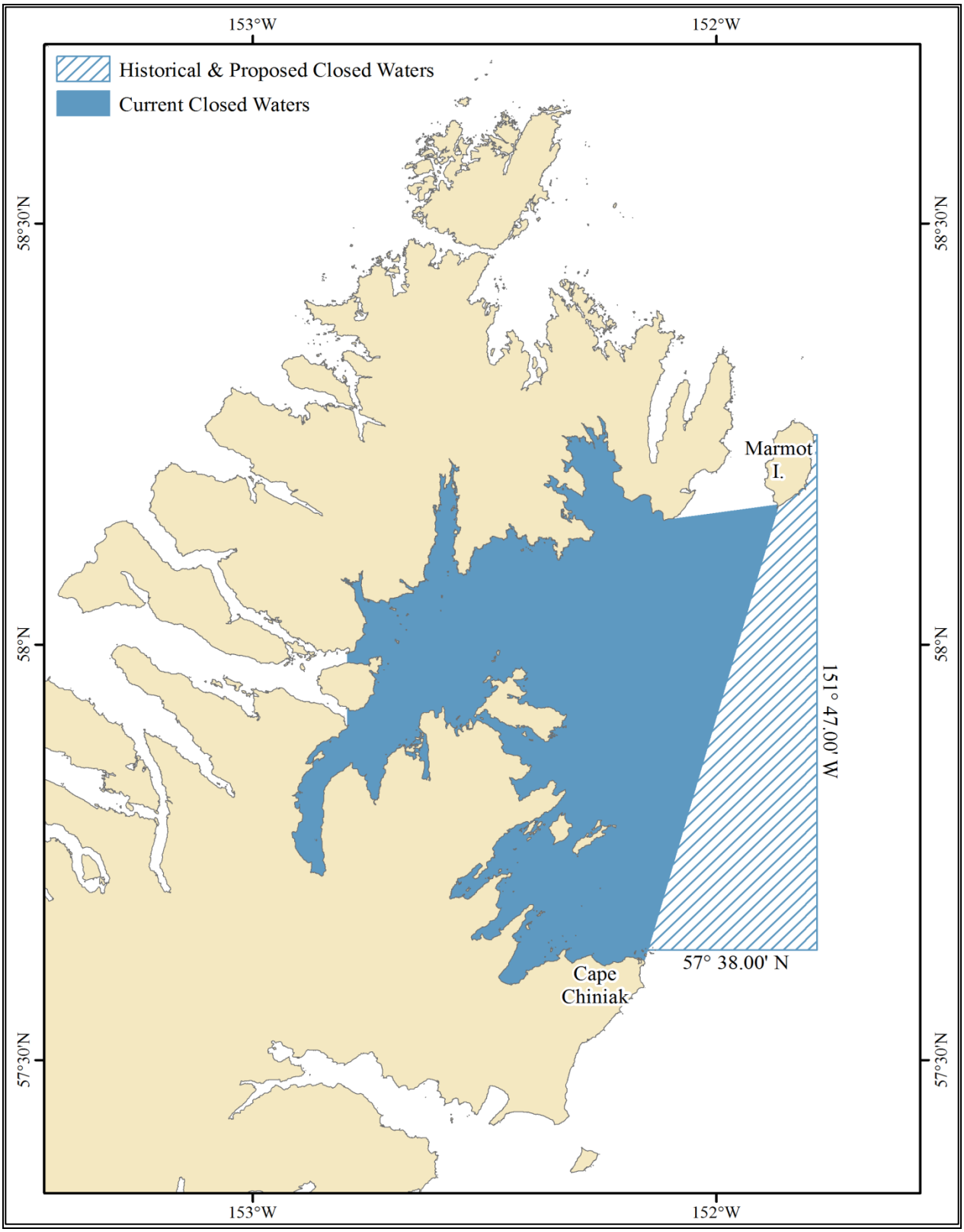

Figure 238-1.–Current and proposed closed waters for scallop fishing in the Kodiak Area.

Statewide Dungeness Crab (1 Proposal): 239

PROPOSAL 239 – 5AAC 32.052. Dungeness Crab Pot Gear Storage Requirements.

PROPOSED BY: Peter Roddy.

WHAT WOULD THE PROPOSAL DO? This proposal would drop the 72-hour time period to remove stored Dungeness crab pot gear from the water after a portion of Registration Area A closes during the Dungeness crab season.

WHAT ARE THE CURRENT REGULATIONS? In Registration Area A, commercial Dungeness crab gear may be left in the water in storage condition for seven days after the entire registration area closes and for three days after a portion of the area closes and some areas are still open. This means that gear may be left in storage condition for seven days after the summer fishery and winter fishery closes and for three days after the fall season closes in portions of the area.

The operator of a vessel fishing for Dungeness crab may obtain an extension to keep gear in stored condition past the removal deadline if, due to a major vessel breakdown or extreme weather conditions, the vessel operator is unable to remove the pots from the waters before the deadline.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would eliminate Registration Area A from removing stored gear within 72 hours after a portion of the area closes to fishing and revert back to 5 AAC 32.052(b)(1), that allows gear storage for seven days after the closure of fishing.

This proposal could also be interpreted that, instead of the 72 hours currently allowed, participants in the Southeast Alaska commercial Dungeness crab fishery would have three months plus seven days to remove stored Dungeness pots from the water after a portion of Registration Area A closes on November 30, but Districts 1 and 2, and a portion of Section 13-B of Registration Area A remain open through February 28. This could inflict an undue burden on enforcement to monitor large amounts of stored gear for up to three months.

BACKGROUND: The majority of Southeast Alaska closes to commercial Dungeness crab fishing on November 30 each year, while a smaller portion of the region remains open until February 28. Under the existing regulation, after a portion of Registration Area A closes stored Dungeness pots must be removed from the water within 72 hours. This regulation went into effect in 1979.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The proposal could allow an inordinate amount of time for in-water gear storage when the majority of the registration area closes to commercial Dungeness crab fishing. If adopted the department requests clarification of 5 AAC 32.052(b)(1) so that gear would not be allowed to be stored more than seven days after a portion of Registration Area A closes. The only time that a portion of Registration area A closes is on November 30 when all areas except District 1, District 2, and a portion of Section 13-B close to fishing. November can be notorious for bad weather in

Registration Area A. The department does provide fishermen the opportunity to request a gear storage extension due to a major vessel breakdown or extreme weather conditions. The department would not be opposed if the Dungeness crab gear storage regulation for Registration Area A was changed to be consistent with the king and Tanner crab storage regulations. Commercial pot gear storage requirements for king and Tanner crab fisheries were modified in 2005 and 2009 respectively for reasons similar to those stated in this proposal. For those fisheries, gear storage is allowed for five days after a portion of Registration Area A closes and for seven days after the season closure for the registration area.

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

Cook Inlet Razor Clams (5 Proposals): 240–244

PROPOSAL 240 – 5 AAC 77.518. Personal use clam fishery.

PROPOSED BY: Ivan Z. Encelewski.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the personal use bag and possession limits for razor clams in eastern Cook Inlet from the mouth of the Kenai River to the southernmost tip of the Homer Spit to a 15 clam bag and possession limit.

WHAT ARE THE CURRENT REGULATIONS? From the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first 60 harvested and the possession limit is 120 clams.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would restrict bag and possession limits of the personal use fishery and not affect the sport fishery. Currently, regulations governing the personal use and sport fisheries are identical, including bag and possession limits, and the requirement of holding a valid sport fishing license to participate in these fisheries.

BACKGROUND: The sport and personal use razor clam fisheries on the east side of Cook Inlet are confined primarily to 50 mi of beach between the Anchor River and Kasilof River. East side Cook Inlet razor clams have been monitored primarily with: 1) periodic estimates of density and abundance of juvenile (<80 mm) and mature (≥80 mm) razor clams at Clam Gulch and Ninilchik; 2) age and length composition of the razor clam harvest; and 3) overall and beach specific razor clam harvest and effort. Historically, creel surveys have been used to estimate razor clam harvest and assess CPUE measured in number of clams per digger per day. Since 1977, the SWHS has produced overall annual estimates of razor clam harvest and effort for the East Cook Inlet beaches. Aerial surveys have been conducted annually to assess digger distribution between beaches and to apportion the SWHS razor clam harvest and effort to specific beaches.

In 2011, a record high abundance of mature razor clams was detected on the Ninilchik South Beach. Most of the abundance was composed of a single age-class and dropped drastically in 2013 and 2014. The decline is attributed to poor spawning and/or settling success. In 2013 the department issued an emergency order reducing the bag and possession limit from 60 razor clams, 120 in possession to a 25 razor clam bag and possession limit for East Side Cook Inlet beaches. Despite the reduced limit, exploitation increased on the Ninilchik South Beach. In 2014, the department closed the Ninilchik beaches to the harvest of clams and continued the bag and possession limit reduction to 25 on all other East Cook Inlet beaches. The 2014 harvest estimates will not be available until fall of 2015.

In 2014, abundance and density of juvenile and mature size clams were estimated at Ninilchik and Clam Gulch. The abundance estimate of mature sized razor clams was ~80% below the 1990-2012 average at Ninilchik South and 94% below the 1989-2012 average at Clam Gulch. Additionally, the estimate abundance of juvenile sized razor clams was ~54% below the average

at Ninilchik South and 89% below average abundance at Clam Gulch. In 2014, both juvenile and mature sized razor clams densities fell to 0.2 clams/m² at both beaches. Assessment of the length and age of the juvenile sized razor clams in the 2014 surveys suggests poor recruitment to the mature size class for the next two to three years.

Assessment of age and length composition of the harvest found similar trends at most East Cook Inlet beaches. In recent years (2009–2014), the harvest has been comprised of fewer age classes, with predominate and average age shifting toward younger clams. This has been coupled with a decline in mean length of the razor clam harvest and with decrease in the percentage of large clams (≥120 mm) in the harvest.

Based on SWHS data, the East Cook Inlet razor clam harvest and effort have been in decline in recent years.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department supports restrictions to east side Cook Inlet razor clam fisheries to allow stocks to rebuild, and will continue to use EO authority to restrict those fisheries as needed until assessments indicate stronger recruitment of mature clams to the beaches. Beaches are likely to remain closed to clamming for the next few years. As recruitment improves, department assessments will provide data to determine appropriate bag and possession limits. The Cook Inlet personal use and sport razor clam fisheries are managed together and any meaningful management action should include them both.

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

PROPOSALS 241 and 242 – 5 AAC 77.518. Personal use clam fishery and 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet-Resurrection Bay Saltwater Area.

PROPOSED BY: Homer Fish and Game Advisory Committee

WHAT WOULD THESE PROPOSALS DO? These proposals would reduce the personal use (Proposal 241) and sport (Proposal 242) bag and possession limits for razor clams in eastern Cook Inlet to 25 clams per day, 25 in possession.

WHAT ARE THE CURRENT REGULATIONS? From the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first 60 harvested with a possession limit of 120 clams.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? Reducing the razor clam bag limit for the sport and personal use clam fisheries would reduce the harvest in years of normal or high abundance, but likely have little impact in years of low abundance. The exploitation rate appears to be more dependent on abundance levels than on bag limits. Harvest and effort would likely increase on beaches on the west side of Cook Inlet by an unknown amount. Action on either of these fisheries separately would not likely result in a noticeable decrease in harvest.

BACKGROUND: The sport and personal use razor clam fisheries on the east side of Cook Inlet are confined primarily to 50 mi of beach between the Anchor River and Kasilof River (Figure 241-1). East side Cook Inlet razor clams have been monitored primarily with: 1) periodic estimates of density and abundance of juvenile (<80 mm) and mature (≥80 mm) razor clams at Clam Gulch and Ninilchik; 2) age and length composition of the razor clam harvest; and 3) overall and beach specific razor clam harvest and effort. Historically, creel surveys have been used to estimate razor clam harvest and assess CPUE measured in number of clams per digger per day. Since 1977, the SWHS has produced overall annual estimates of razor clam harvest and effort for the East Cook Inlet beaches. Aerial surveys have been conducted annually to assess digger distribution between beaches and to apportion the SWHS razor clam harvest and effort to specific beaches.

In 2011, a record high abundance of mature razor clams was detected on the Ninilchik South Beach (Table 241-1). Most of the abundance was composed of a single age-class and dropped drastically in 2013 and 2014. The decline is attributed to poor spawning and/or settling success. In 2013, the department issued an emergency order reducing the bag and possession limit from 60 razor clams, 120 in possession to a 25 razor clam bag and possession limit for East side Cook Inlet beaches. Despite the reduced limit, exploitation increased on the Ninilchik South Beach. In 2014, the department closed the Ninilchik beaches to the harvest of clams and continued the bag and possession limit reduction to 25 on all other East Cook Inlet beaches. The 2014 harvest estimates will not be available until fall of 2015.

In 2014, abundance and density of juvenile and mature size clams were estimated at Ninilchik and Clam Gulch (Table 241-1). The estimated abundance of mature sized razor clams was ~82%

below the 1991–2012 average at Ninilchik South and 89% below the 1989–2008 average at Clam Gulch. Additionally, the abundance estimate of juvenile sized razor clams was ~36% below the average at Ninilchik South and 86% below average abundance at Clam Gulch. In 2014, both juvenile and mature sized razor clams densities were low at both beaches (figures 241-2 and 241-3). Assessment of the length and age of the juvenile sized razor clams in the 2014 surveys suggests poor recruitment to the mature size class for the next two to three years.

Assessment of age and length composition of the harvest found similar trends at most East Cook Inlet beaches. In recent years (2009–2014), the harvest has been comprised of fewer age classes, with predominate and average age shifting toward younger clams. This has been coupled with a decline in mean length of the razor clam harvest and a decrease in the percentage of large clams (≥120 mm) in the harvest.

Based on SWHS data, the East Cook Inlet razor clam harvest and effort have declined in recent years.

DEPARTMENT COMMENTS: The department **OPPOSES** action on these proposals. The department supports restrictions to east side Cook Inlet razor clam fisheries to allow stocks to rebuild, and will continue to use EO authority to restrict those fisheries as needed until assessments indicate stronger recruitment of mature clams to the beaches. Beaches are likely to remain closed to clamming for the next few years. As recruitment improves, department assessments will provide data to determine appropriate bag and possession limits. The Cook Inlet personal use and sport razor clam fisheries are managed together and any meaningful management action should include both fisheries.

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

Table 241-1.–Estimated number of mature size razor clams ≥80 mm (abundance), harvest, and exploitation at Clam Gulch and Ninilchik south and north beaches, 1988–2014.

	Clam Gulch			Ninilchik								
	Combined South and North			South			North			Combined		
			%			%			%			%
Year	Abundance	Harvest	Exploitaion [a]	Abundance	Harvest	Exploitaion [a]	Abundance	Harvest	Exploitaion [a]	Abundance	Harvest	Exploitaion [a]
1989	4,261,265	177,623	4.2				421,675				324,469	
1990	2,873,188	280,859	9.8				573,810				321,745	
1991				251,601			1,821,120			2,072,721	335,518	16.2
1992				237,755			3,336,073			3,573,828	562,810	15.7
1998				308,129			597,993			906,122	287,581	31.7
1999	10,176,511	188,224	1.8									
2001				275,475	93,930	34.1	540,652	122,427	22.6	816,127	216,356	26.5
2003				241,475	73,864	30.6	1,249,055	136,578	10.9	1,490,530	210,441	14.1
2005				440,851	78,800	17.9	857,322	136,578	15.9	1,298,173	215,378	16.6
2008	1,251,909	66,241	5.3									
2011				1,621,765	98,475	6.1	1,212,311	198,585	16.4	2,834,076	297,060	10.5
2012				624,992	59,846	9.6						
2013				65,688	37,573	57.2						
2014	502,003			90,344	0			0				
Average 89-12	4,640,718	178,237	5.3	500,255	80,982.7	19.6	1,178,890	148,542	16.5	1,855,940	307,929	18.8

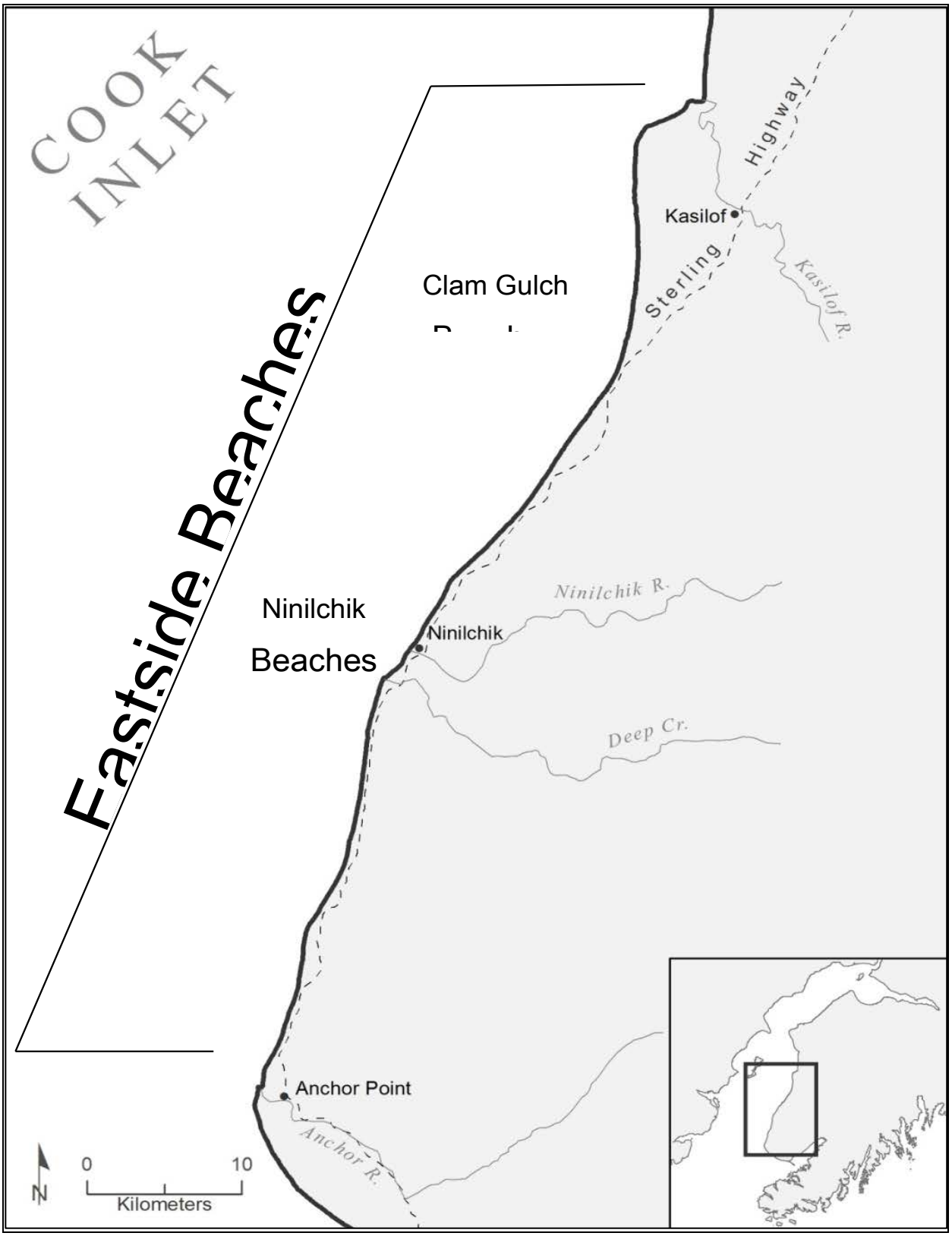

Figure 241-1.–Eastside beaches, Cook Inlet, Alaska.

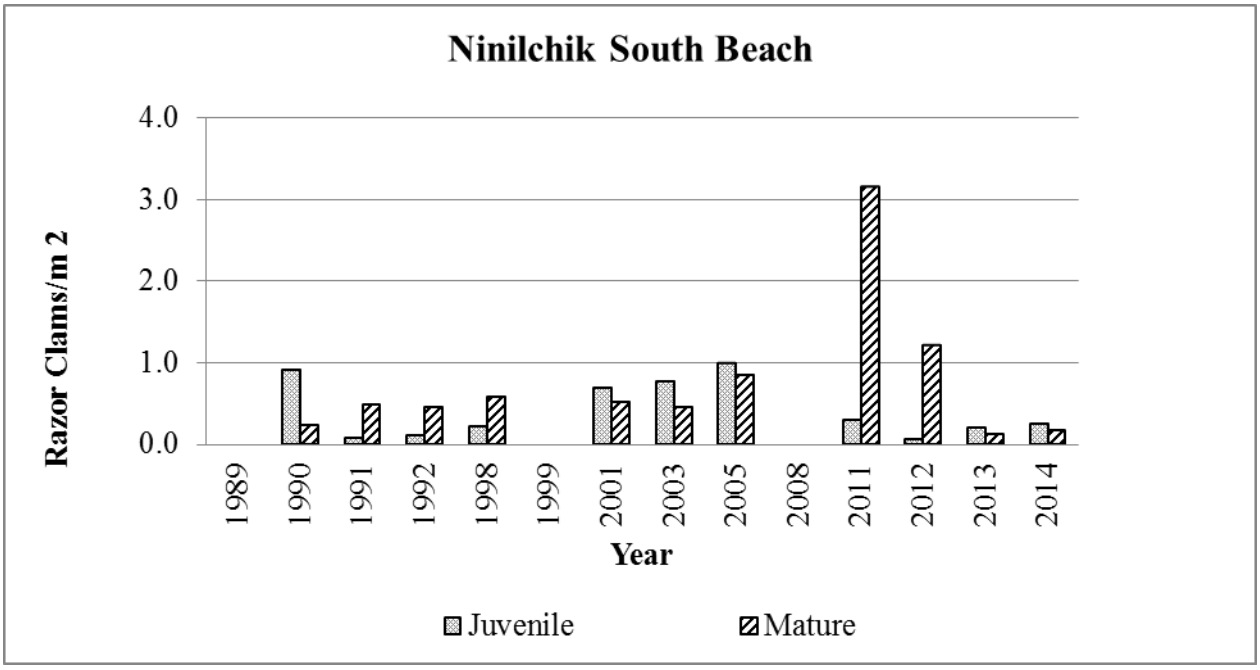

Figure 241-2.–Density (clams/m^2) of juvenile and mature sized razor clams at Ninilchik South Beach, 1990–2014.

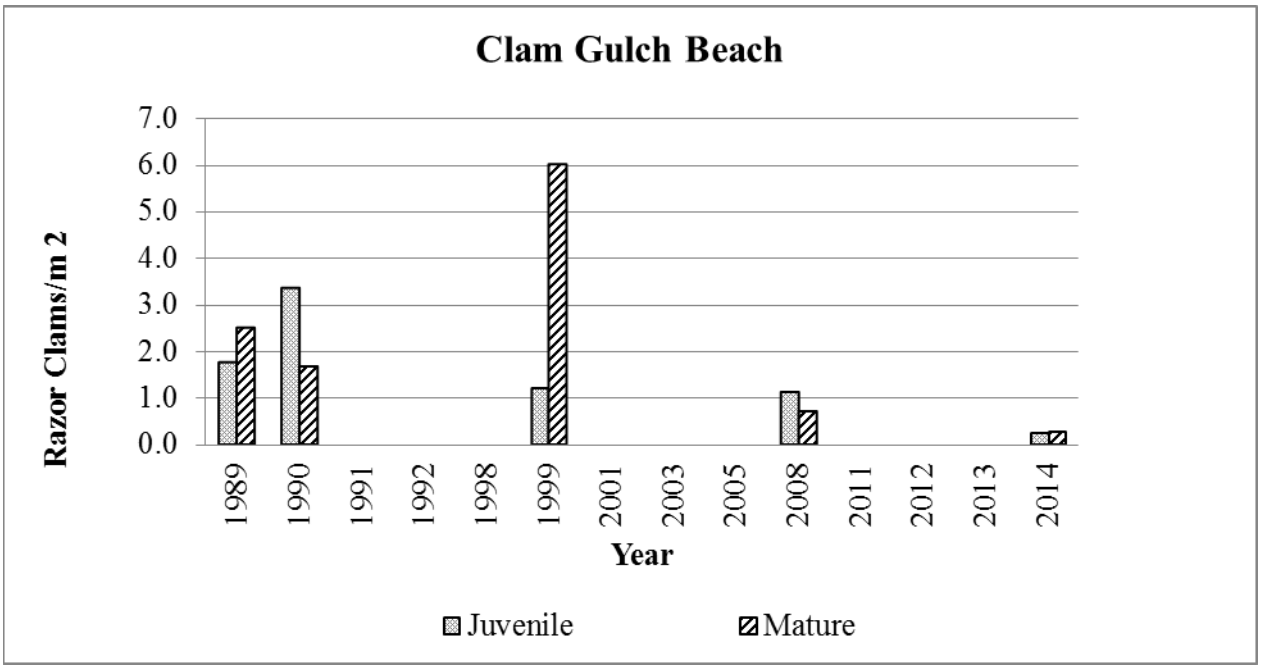

Figure 241-3.–Density (clams/m^2) of juvenile and mature sized razor clams at Clam Gulch Beach, 1990–2014.

PROPOSAL 243 – 5 AAC 77.518. Personal use clam fishery and 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet-Resurrection Bay Saltwater Area.

PROPOSED BY: Jim St. Peter.

WHAT WOULD THE PROPOSAL DO? This proposal would close the sport and personal razor clam fisheries in east Cook Inlet from the mouth of the Kenai River to the southernmost tip of the Homer Spit.

WHAT ARE THE CURRENT REGULATIONS? From the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first 60 harvested and the possession limit is 120 clams.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Closing east Cook Inlet razor clam fisheries would deny the opportunity to harvest razor clams when there is a harvestable surplus. It is likely effort and harvest will increase on beaches on the west side of Cook Inlet by an unknown amount.

BACKGROUND: The sport and personal use razor clam fisheries on the east side of Cook Inlet are confined primarily to 50 mi of beach between the Anchor River and Kasilof River. East side Cook Inlet razor clams have been monitored primarily with: 1) periodic estimates of density and abundance of juvenile (<80 mm) and mature (≥80 mm) razor clams at Clam Gulch and Ninilchik; 2) age and length composition of the razor clam harvest; and 3) overall and beach specific razor clam harvest and effort. Historically, creel surveys have been used to estimate razor clam harvest and assess CPUE measured in number of clams per digger per day. Since 1977, the SWHS has produced overall annual estimates of razor clam harvest and effort for the East Cook Inlet beaches. Aerial surveys have been conducted annually to assess digger distribution between beaches and to apportion the SWHS razor clam harvest and effort to specific beaches.

In 2011, a record high abundance of mature razor clams was detected on the Ninilchik South Beach. Most of the abundance was composed of a single age-class and dropped drastically in 2013 and 2014. The decline is attributed to poor spawning and/or settling success. In 2013, the department issued an emergency order reducing the bag and possession limit from 60 razor clams, 120 in possession to a 25 razor clam bag and possession limit for East side Cook Inlet beaches. Despite the reduced limit, exploitation increased on the Ninilchik South Beach. In 2014, the department closed the Ninilchik beaches to the harvest of clams and continued the bag and possession limit reduction to 25 on all other East Cook Inlet beaches. The 2014 harvest estimates will not be available until fall of 2015.

In 2014, abundance and density of juvenile and mature size clams were estimated at Ninilchik and Clam Gulch. The estimated abundance of mature sized razor clams was ~82% below the 1991–2012 average at Ninilchik South and 89% below the 1989–2008 average at Clam Gulch. Additionally, the abundance estimate of juvenile sized razor clams was ~36% below the average at Ninilchik South and 86% below average abundance at Clam Gulch. In 2014, both juvenile and

mature sized razor clams densities were low at both beaches. Assessment of the length and age of the juvenile sized razor clams in the 2014 surveys suggests poor recruitment to the mature size class for the next two to three years.

Assessment of age and length composition of the harvest found similar trends at most East Cook Inlet beaches. In recent years (2009-2014) the harvest has been comprised of fewer age classes, with predominate and average age shifting toward younger clams. This has been coupled with a decline in mean length of the razor clam harvest and with decrease in the percentage of large clams (≥120 mm) in the harvest.

Based on SWHS data, the East Cook Inlet razor clam harvest and effort have been in decline in recent years.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since it would result in low harvest opportunity during periods of medium to high production. The department supports restrictions to east side Cook Inlet razor clam fisheries to allow stocks to rebuild, and will continue to use emergency order authority to restrict those fisheries as needed. Beaches are likely to remain closed to clamming for the next few years until assessments indicate stronger recruitment of younger clams to the beaches.

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 244 – 5 AAC 77.518. Personal use clam fishery.

PROPOSED BY: Ivan Z. Encelewksi

WHAT WOULD THE PROPOSAL DO? This would establish a bag limit of 60 razor clams and a possession limit of 120 razor clams for the West Cook Inlet personal use fishery.

WHAT ARE THE CURRENT REGULATIONS? There is no closed season, bag, possession, or size limit for razor clams in West Cook Inlet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would create bag and possession limits for the personal use fishery and not affect the sport fishery. Currently the regulations governing the personal use and sport fisheries in West Cook Inlet are identical, including bag and possession limits, and the requirement of holding a valid sport fishing license to participate in these fisheries. Establishing a personal use bag limit of 60 razor clams for West Cook Inlet beaches would not likely decrease total clam removals by a measureable amount since the noncommercial fisheries account for less than 10% of the recent total razor clam harvest (Table 244-1) and data from permits indicate few anglers harvested 60 or more razor clams.

BACKGROUND: Razor clams are found in the intertidal areas on beaches throughout West Cook Inlet (Figure 244-1). Commercial and sport/personal use razor clam fisheries occur on these beaches. Access to these fisheries occurs via boat or aircraft from Homer, Ninilchik or the Soldotna area. This area is within the Anchorage–Matsu–Kenai Peninsula nonsubsistence area.

SWHS has produced estimates of razor clam harvest and effort in West Cook Inlet since 1986 (Table 244-1). Historically, the West Cook Inlet has accounted for ~1% of the total Cook Inlet noncommercial razor clam harvest. Through the mid-2000s, the noncommercial razor clam harvest and effort gradually increased in West Cook Inlet. In 2013, the West Cook Inlet noncommercial harvest was over 37% of the total Cook Inlet razor clam noncommercial harvest. The shift in harvest to West Cook Inlet is likely due to declines in abundance, lack of large sized clams and emergency order restrictions on East Cook Inlet beaches.

The West Cook Inlet commercial razor clam fishery is open at the Polly Creek certified beach or from Redoubt Creek south to Crescent River with an annual harvest limit of 400,000 lb of whole weight razor clams. The commercial fishery is prosecuted under the guidelines of a commissioner's permit where annual limit and individual size limits (clams must be 4.5 inches or larger) are established. Since 1980, the commercial harvest has averaged roughly 330,000 lb of razor clams. Since 1996, ~96% of the total razor clam harvest from western Cook Inlet beaches has been from the commercial fishery (Table 244-1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. It would create bag and possession limits for the personal use fisheries that are more restrictive than those for the sport fisheries. The regulations used to manage the sport and personal use fisheries are identical. There are no biological concerns with West Cook Inlet razor clam stocks.

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

Figure 244-1.–West side of Cook Inlet razor clam beaches.

Table 244-1.–West side of Cook Inlet razor clam sport, personal use, and commercial harvest, 1977-2014.

Year	Western Cook Inlet						
	SWHS razor clam sport/personal use harvest					Commercial razor clam harvest (2 clams per pound)	Percentage of commercial harvest
	Polly Creek/ Cresent	North of Chinitna	South of Chinitna	Other	Total	Polly Creek/ Cresent River	Polly Creek/ Cresent River
1977						3,524	
1978						91,862	
1979						288,716	
1980						280,840	
1981						883,898	
1982						921,278	
1983						539,236	
1984						523,484	
1985						638,068	
1986			6,132		6,132	517,264	
1987						624,698	
1988			8,684		8,684	798,752	
1989			8,321		8,321	445,494	
1990			421		421	647,204	
1991			1,070		1,070	402,640	
1992			4,327		4,327	593,454	
1993			6,313		6,313	620,962	
1994			5,232		5,232	710,330	
1995			3,319		3,319	496,716	
1996	13,815		4,052		17,867	710,896	98
1997	13,490		1,903		15,393	733,064	98
1998	5,951		2,611		8,562	743,754	99
1999	13,814		2,179		15,993	705,820	98
2000	21,000		7,276		28,276	738,794	96
2001	7,621	2,411	4,868		14,900	697,834	98
2002	6,228		2,900		9,128	677,876	99
2003	10,326		2,887		13,213	822,806	98
2004	17,639		2,544	4,093	24,276	839,394	97
2005	17,471		2,280		19,751	742,790	97
2006	15,696	8,098	229		24,023	737,906	97
2007	26,617	6,114	548		33,279	566,170	94
2008	25,948	14,755	444	906	42,053	781,998	95
2009	19,541	20,632	4,113	3,749	48,035	722,776	94
2010	9,390	6,838	4,944	455	21,627	759,094	97
2011	18,390	7,680	864	620	27,554	378,344	93
2012	42,559	9,816			52,375	614,818	92
2013	87,910	17,189	156	3,210	108,465	761,824	88
2014						696,588	

COMMITTEE OF THE WHOLE – GROUP 2 (16 PROPOSALS)

Prince William Sound Shrimp (16 Proposals): 245–260

Noncommercial (5 Proposals): 245–249

PROPOSALS 245 and 249 – 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan; and 5 AAC 02.210. Subsistence shrimp fishery.

PROPOSED BY: Mike Crawford (Proposal 245), and Wynn Gilbertson (Proposal 249).

WHAT WOULD THE PROPOSALS DO? Proposal 245 would change harvest guidelines for commercial, sport, and subsistence shrimp fisheries in PWS. The subsistence harvest would be allocated from the total allowable harvest (TAH) prior to the sport/personal use and commercial fishery allocations.

Proposal 249 would create a separate subsistence permit from a sport/personal use permit, and a separate subsistence allocation. The subsistence harvest would be allocated from the TAH prior to the sport/personal use and commercial fishery allocations

WHAT ARE THE CURRENT REGULATIONS? Currently, the GHL for the noncommercial shrimp fishery is calculated as 60% of the TAH for PWS. The noncommercial fishery includes subsistence, sport, and personal use. The commercial shrimp pot fishery is allocated the remaining 40% of the TAH, if the TAH is more than the 110,000 pound threshold established by current regulations.

All noncommercial users are required to have a PWS shrimp permit. Any angler with a valid Alaska sport fishing license and a PWS pot shrimp permit, both resident and non-resident, can participate in the sport pot shrimp fishery. Only residents of Alaska can participate in the personal use or subsistence pot shrimp fisheries. Subsistence users are not required to have a fishing license but may not set pots in non-subsistence use areas. All regulations are aligned for the subsistence, sport, and personal use fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Proposals 245 and 249 would reduce the GHLs for the commercial and sport/personal use fisheries by some amount that would be allocated to the subsistence fishery. The two current allocations for noncommercial and commercial fisheries would be replaced with three allocations, one for each of the subsistence, sport/personal use, and commercial fisheries.

Proposal 249 would also create a separate subsistence permit that would be used to track the subsistence harvest during the pot shrimp fishery. Alaska residents would have the option of obtaining a subsistence or sport/personal use permit for PWS.

BACKGROUND: In 2009, the board adopted pot shrimp management regulations designed to set fishery allocations and to describe conditions under which noncommercial and commercial shrimp fisheries would operate in PWS. Each year, the department determines the TAH for

shrimp in the PWS by incorporating survey results along with noncommercial and commercial harvest removals into a surplus production model. The regulations allocate 60% of the estimated TAH to noncommercial users. A commercial shrimp fishery can open in years when the TAH is more than 110,000 pounds and the commercial shrimp fishery is allocated 40% of the TAH. During the first year this plan was implemented, in 2009, the estimate of TAH did not meet the 110,000 pound threshold and no commercial shrimp fishery opened. However, the commercial shrimp pot fishery in PWS reopened in 2010 after being closed since 1991. Over the past five seasons (2010–2014), between 32 and 75 vessels have participated in the commercial fishery and overall harvest has ranged from 21,561 lb to 68,464 lb (Table 245-1).

The regulations originally delegated to the department emergency order authority to increase or decrease the number of pots used by noncommercial users in an effort to control harvests within the GHL. This authority was exercised in 2010, when the pot limit was increased from five pots per person, per vessel to eight pots per person and per vessel. Following a subsequent spike in harvest (Table 245-2, Figure 245-1), the board restructured the PWS shrimp regulations in March 2012; where the board removed authority of the department to adjust pot limits, and seasons, and set limits at 5 pots per person and 5 pots per vessel in an effort to stabilize this fishery.

The noncommercial fishery is comprised of subsistence, sport, and personal use fishermen and the same permit is used by each category of noncommercial user. These permits are available throughout Southcentral Alaska and PWS, including the villages of Tatitlek and Chenega Bay. There is no bag or annual limit on noncommercial shrimp.

The board has determined in 5 AAC 02.208 that 9,000–15,000 pounds of usable weight of shrimp are reasonably necessary for subsistence uses in PWS. This amount necessary for subsistence (ANS) was taken into account when establishing the current allocations for commercial and noncommercial users. Any resident of Alaska can harvest shrimp using pots in the PWS subsistence pot shrimp fishery, except in the Valdez nonsubsistence area, which is comprised of the Port of Valdez and the northern third of Valdez Arm.

Noncommercial effort and harvest in the PWS increased steadily since 2002, peaking in 2010, and stabilized since 2012. The most recent 5-year (2010–2014) average harvest of shrimp is 100,720 lb. This included 3 years (2010–2012) where conversions from gallons to pounds of shrimp were underestimated and before the board set limits at 5 pots per person and per vessel. In 2013, after re-evaluating this conversion factor of pounds/gallon of shrimp and since the 2012 board meeting, harvest has averaged 88,509 lb. and 98% of the GHL (Table 245-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals, and **OPPOSES** producing a separate subsistence permit since the current noncommercial permit is available throughout PWS and provides reliable annual harvest estimates of noncommercial harvests.

While a separate permit may assist the board in determining if the regulations provide a reasonable opportunity for subsistence uses of PWS shrimp during times of conservation

concern, a separate permit would be an added expense to the department, would entail creating a new permit, printing permits, entering permit data, and tracking permit returns.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? A portion of PWS is within the Valdez nonsubsistence area as described above.

2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has found that shrimp are customarily and traditionally used for subsistence in the Prince William Sound Area (5 AAC 02.208(a)).

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 9,000–15,000 pounds of usable weight of shrimp are reasonably necessary for subsistence uses in the Prince William Sound Area (5 AAC 02.208(b)).

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

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

Table 245-1.–PWS commercial pot shrimp fishery harvest and guideline harvest level (GHL), 2010-2014.

			Commercial Shrimp Harvest (lb)					
Year	Area	Vessels	GHL	Spot	Coonstripe	Other	Total	% GHL
2010	1	75	55,000	45,076	263	10	45,349	83
2011	2	45	52,760	51,446	1,204	44	52,694	100
2012	3	35	51,240	18,097	3,428	36	21,561	42
2013	1	45	66,300	59,376	2,266	2	61,644	93
2014	2	32	66,600	64,220	4,085	158	68,464	103

Table 245-2.–PWS noncommercial pot shrimp permit information.

			Estimates using conversion factor known at the time [a]		Estimates using current conversion factor (3.89lb./gal) [a]			
Year	Permits Issued	GHL [a]	Harvest (lb)[a]	% of GHL (known) [a]	Effort (pot days)	CPUE	Harvest (lb)	% of GHL
2002	717		9,288 [b]		19,387	0.78	15,054	
2003	1,061		13,965 [b]		24,094	0.94	22,635	
2004	1,649		25,694 [b]		30,694	1.36	41,645	
2005	2,112		31,950 [b]		37,271	1.39	51,785	
2009	2,733	57,900 [b]	56,120 [b]	97% [b]	47,631	1.91	90,961	
2010	3,181	82,200 [b]	87,699 [b]	107% [b]	78,083	1.82	142,146	
2011	3,309	79,200 [b]	59,182 [b]	75% [b]	56,543	1.70	95,924	
2012	3,098	76,860 [b]	55,765	73% [b]	52,620	1.72	90,385	
2013	3,101	99,500	85,988	86%	48,967	1.76	85,988	86%
2014	3,134	100,000	89,155	89%	48,283	1.85	89,155	89%
5 year average	3,165	87,552	75,558 [b]	86%	56,899	1.77	100,720	NA
Average (2012–2014)	3,111	92,120	76,969 [b]	83%	49,957	1.77	88,509	88% [c]

Note: For the year's 2006–2008, permits were not required for noncommercial shrimp harvests in PWS. Harvest data for these years are not comparable and therefore are not included here. CPUE is catch per unit of effort and GHL is guideline harvest level.

[a] From 2002 to 2012, a conversion factor of 2.4lb/gallon of shrimp was used to estimate harvest in pounds. In late 2012, this conversion factor was re-evaluated and set at 3.89 lb/gallon based on ADF&G study (Maria Wessel, Commercial Fisheries Biologist, ADF&G, Cordova; unpublished data.)

[b] Underlined numbers were produced with incorrect conversion factor of 2.4 lb/gallon.

[c] Represents the 2 years since the previous BOF meeting (2013 and 2014) under current regulations and where the updated conversion factor of 3.89 gal/lb were used.

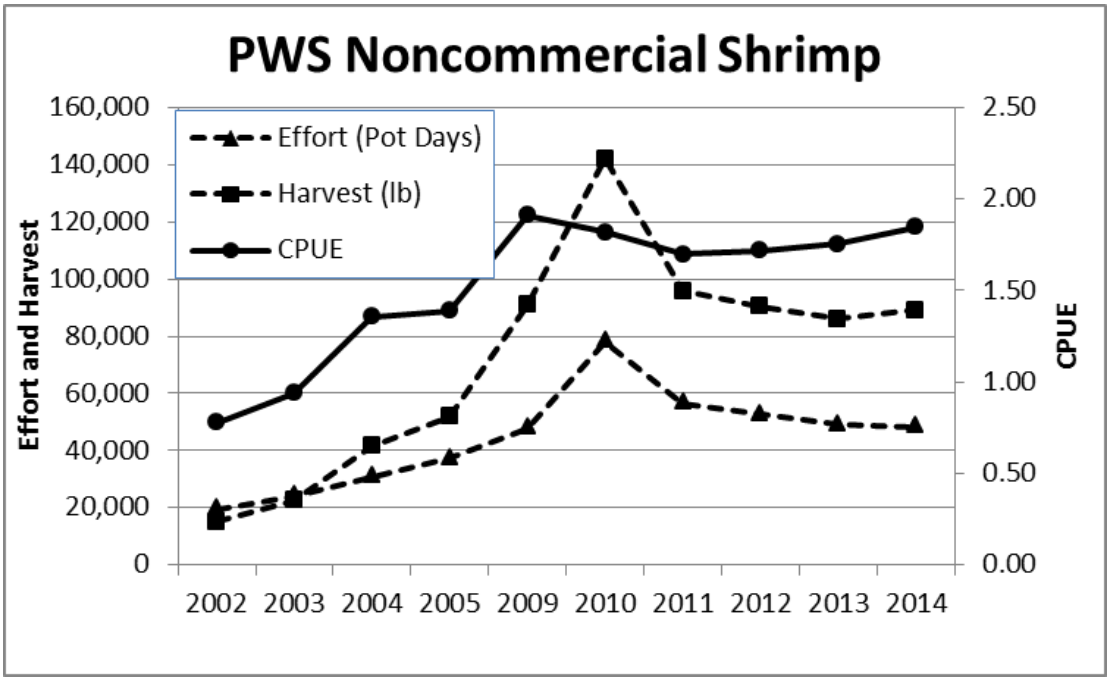

Figure 245-1.–PWS noncommercial pot shrimp effort and harvest from permit data.

PROPOSAL 246 – 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan.

PROPOSED BY: Joe Hanes

WHAT WOULD THE PROPOSAL DO? This proposal would restore sections of the PWS noncommercial shrimp fishery management plan that allows the department emergency order authority to restrict or liberalize the noncommercial pot shrimp fishery preseason based upon the most recent harvest estimates and the GHL established for that year. These restrictions or liberalizations include increasing or decreasing: number of pots allowed, time, and area fished.

WHAT ARE THE CURRENT REGULATIONS? Currently, the GHL for the noncommercial shrimp fishery is calculated as 60% of the TAH for PWS. The noncommercial fishery includes subsistence, sport, and personal use. The commercial shrimp pot fishery is allocated 40% of the TAH, if the TAH is more than the 110,000 lb threshold established in the current management plan.

All noncommercial users are required to have a PWS Shrimp permit. Any angler with a valid Alaska Sport Fishing License and a PWS pot shrimp permit, both resident and non-resident, can participate in the sport pot shrimp fishery. Only residents of Alaska can participate in the personal use or subsistence pot shrimp fishery. Subsistence users are not required to have a fishing license but may not set pots in non-subsistence use areas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? During times of low or high shrimp abundance, the department would be able to issue an emergency order to reduce or liberalize the pot shrimp fishery preseason dependent upon the TAH, the expected effort, and the noncommercial GHL. During times of low abundance the number of pots used to shrimp could be reduced, areas could be closed, and/or the season could be shortened. During times of high abundance, the number of shrimp pots could be increased to completely utilize the GHL.

BACKGROUND: In March 2009, the board adopted a pot shrimp management plan designed to set fishery allocations and to describe conditions under which noncommercial and commercial shrimp fisheries would operate in PWS. Each year, the department determines the TAH for shrimp in the PWS by incorporating survey results along with noncommercial and commercial harvest removals into a surplus production model. In the plan, regulations allocate 60% of the TAH to noncommercial users. A commercial shrimp fishery can open in years when the estimated TAH is more than 110,000 lb and the commercial fishery is allocated 40% of the TAH. During the first year this plan was implemented, in 2009, the estimate of TAH did not meet the 110,000 pound threshold and no commercial shrimp fishery opened. However, the commercial shrimp pot fishery in PWS reopened in 2010 after being closed since 1991. Over the past five seasons (2010–2014), between 32 and 75 vessels have participated in the commercial fishery and overall harvest has ranged from 21,561 lb to 68,464 lb (Table 246-1).

The plan originally allowed the department the emergency order authority to increase or decrease the number pots used by the noncommercial users in an effort to allow for the total harvest of their allocation. This authority was exercised in 2010, when the pot limit was increased from five

pots per person, per vessel to eight pots per person and per vessel. Following a subsequent spike in harvest (Table 246-2, Figure 246-1), the board restructured the PWS shrimp plan in March 2012 where they removed authority of the department to adjust limits, and set limits at 5 pot per person and 5 pots per vessel in an effort to stabilize this fishery.

The noncommercial fishery is comprised of subsistence, sport, and personal use fishermen and the same permit is used for each type of noncommercial user. These permits are available in towns throughout PWS including the Villages of Tatitlek and Chenega Bay. There is no bag or annual limit on noncommercial shrimp.

The board has determined in 5 AAC 02.208 that 9,000 lb–15,000 lb of usable weight of shrimp are reasonably necessary for subsistence uses in PWS. This amount necessary for subsistence (ANS) was taken into account when establishing the current allocations for commercial and noncommercial users. Any resident of Alaska can subsistence pot shrimp in PWS under the current regulations, but not all areas of PWS are subsistence areas; the Port of Valdez and the northern third of Valdez Arm are in a nonsubsistence area and not open to subsistence fishing.

Noncommercial effort and harvest in the PWS increased steadily since 2002, peaking in 2010, and stabilized since 2012. The most recent 5-year (2010–2014) average harvest of shrimp is 100,720 lb. This included 3 years (2010–2012) where conversions from gallons to pounds of shrimp were underestimated and before the board set limits at 5 pots per person and per vessel. In 2013, after re-evaluating this conversion factor of pounds/gallon of shrimp and since the 2012 board meeting, harvest has averaged 88,509 lb. and 98% of the GHL (Table 246-2.)

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

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

Table 246-1.–PWS noncommercial pot shrimp permit information.

			Estimates using conversion factor known at the time [a]		Estimates using current conversion factor (3.89lb./gal) [a]			
Year	Permits Issued	GHL [a]	Harvest (lb)[a]	% of GHL (known) [a]	Effort (pot days)	CPUE	Harvest (lb)	% of GHL
2002	717		9,288[b]		19,387	0.78	15,054	
2003	1,061		13,965 [b]		24,094	0.94	22,635	
2004	1,649		25,694 [b]		30,694	1.36	41,645	
2005	2,112		31,950 [b]		37,271	1.39	51,785	
2009	2,733	57,900 [b]	56,120 [b]	97%[b]	47,631	1.91	90,961	
2010	3,181	82,200 [b]	87,699 [b]	107% [b]	78,083	1.82	142,146	
2011	3,309	79,200 [b]	59,182 [b]	75% [b]	56,543	1.70	95,924	
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2013	3,101	99,500	85,988	86%	48,967	1.76	85,988	86%
2014	3,134	100,000	89,155	89%	48,283	1.85	89,155	89%
5 year average	3,165	87,552	75,558 [b]	86%	56,899	1.77	100,720	NA
Average (2012–2014)	3,111	92,120	76,969 [b]	83%	49,957	1.77	88,509	88% [c]

Note: For the year's 2006–2008, permits were not required for noncommercial shrimp harvests in PWS. Harvest data for these years are not comparable and therefore are not included here. CPUE is catch per unit of effort and GHL is guideline harvest level.

[a] From 2002 to 2012, a conversion factor of 2.4lb/gallon of shrimp was used to estimate harvest in pounds. In late 2012, this conversion factor was re-evaluated and set at 3.89 lb/gallon based on ADF&G study (Maria Wessel, Commercial Fisheries Biologist, ADF&G, Cordova; unpublished data).

[b] Underlined numbers were produced with incorrect conversion factor of 2.4 lb/gallon.

[c] Represents the 2 years since the previous BOF meeting (2013 and 2014) under current regulations and where the updated conversion factor of 3.89 gal/lb were used.

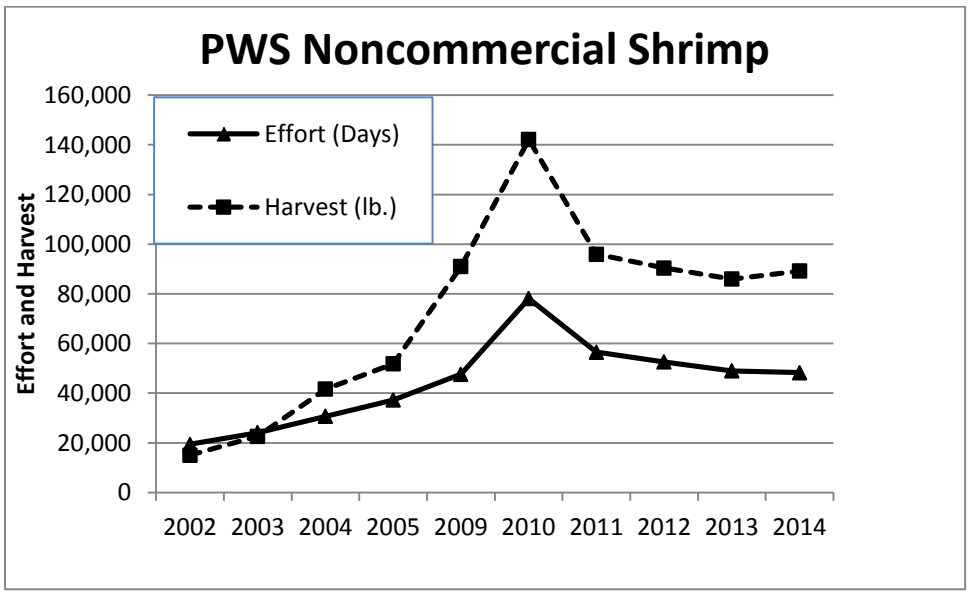


Figure 246-1.–PWS noncommercial pot shrimp effort and harvest from permit data.

PROPOSAL 247 – 5 AAC 55.022 General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area; 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan; and 5 AAC 77.553. Personal use shrimp fishery.

PROPOSED BY: Daniel Mott.

WHAT WOULD THE PROPOSAL DO? This proposal would change the pot limits from 5 pots/person to 5 pots/household and would increase the vessel limit from 5 pots/vessel to 10 pots/vessel.

WHAT ARE THE CURRENT REGULATIONS? The PWS Noncommercial Shrimp Management Plan, adopted by the board in 2009, guides the management of the non-commercial pot shrimp fishery. This plan sets a limit of 5 pots/person and 5 pots/vessel. There is no daily, possession, or annual limit of shrimp harvest. A free permit is required for all pot shrimp fishers. This permit is a household permit with a designated area on the form to record all members of your household whom may use this permit. However, more than one member of a household may have a permit. Regardless of how many permits a household may have, only 5 pots are allowed to be fished from one vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Limiting the number of pots to 5/household rather than 5/person would likely reduce the total number of pots by a relatively small amount. From 2009–2013 the average number of households who had more than one member obtain a permit was 31, out of an average of 3,084 permits issued annually.

Increasing the number of pots allowed/vessel from 5 to 10, would likely increase effort in this fishery by an unknown amount, and has the potential to double the current effort. Increased effort would increase harvest levels by some unknown, but potentially large, amount. This increased effort would also increase the likelihood that this fishery would exceed the GHL.

BACKGROUND: Prior to 2012, the department had the authority to set pot limits based on preseason estimates of harvestable surplus and expected fishery effort. In 2012, the board removed that authority and set the pot limits to 5 pots per person and 5 per vessel. This action was taken in effort to bring greater stability and certainty to the fishery. With only two years since this action, it is difficult to detect trends, but effort and harvest appear to have leveled off and even declined somewhat since their peak in 2010. Congruently, CPUE numbers have also leveled off and increased slightly in 2012 and 2013 (Figure 247-1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This proposal has the potential to double current effort, substantially increase harvest, and exceed the GHL. The department is **NEUTRAL** on the allocative aspects of this proposal.

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

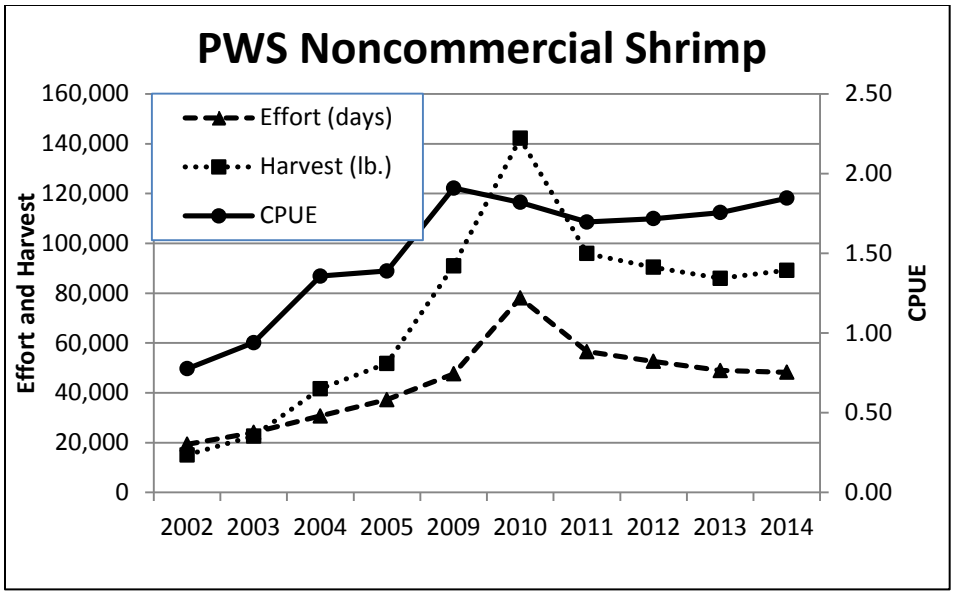


Figure 247-1. PWS noncommercial pot shrimp fishery effort, harvest, and CPUE.

PROPOSAL 248 – 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area; 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan; and 5 AAC 77.553. Personal use shrimp fishery.

PROPOSED BY: Brett Wilibanks.

WHAT WOULD THE PROPOSAL DO? This proposal would require noncommercial shrimp fishermen (sport, personal use, and subsistence users) in PWS to report monthly (and the department to collect) a minimum of: date, catch, weight, number of pots, and statistic area of harvest.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require that all noncommercial shrimp fishermen (sport, personal use, and subsistence) obtain and have a permit/harvest recording form (Figure 248-1) with them at the time of harvest. This form must be with anglers while fishing for shrimp and they must record: date, location (nearest headland), number of pots, soak time, and gallons of whole shrimp harvested prior to leaving the fishing site or concealing the shrimp from view. Permits are required to be returned to the department by October 15 of the year in which the permit was issued, regardless of whether the permit was used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal were adopted, the department would (at its own cost) have to establish a reporting program that would require permit holders to report their harvest monthly throughout the fishing season. This would involve costs associated with developing and maintaining a reporting system.

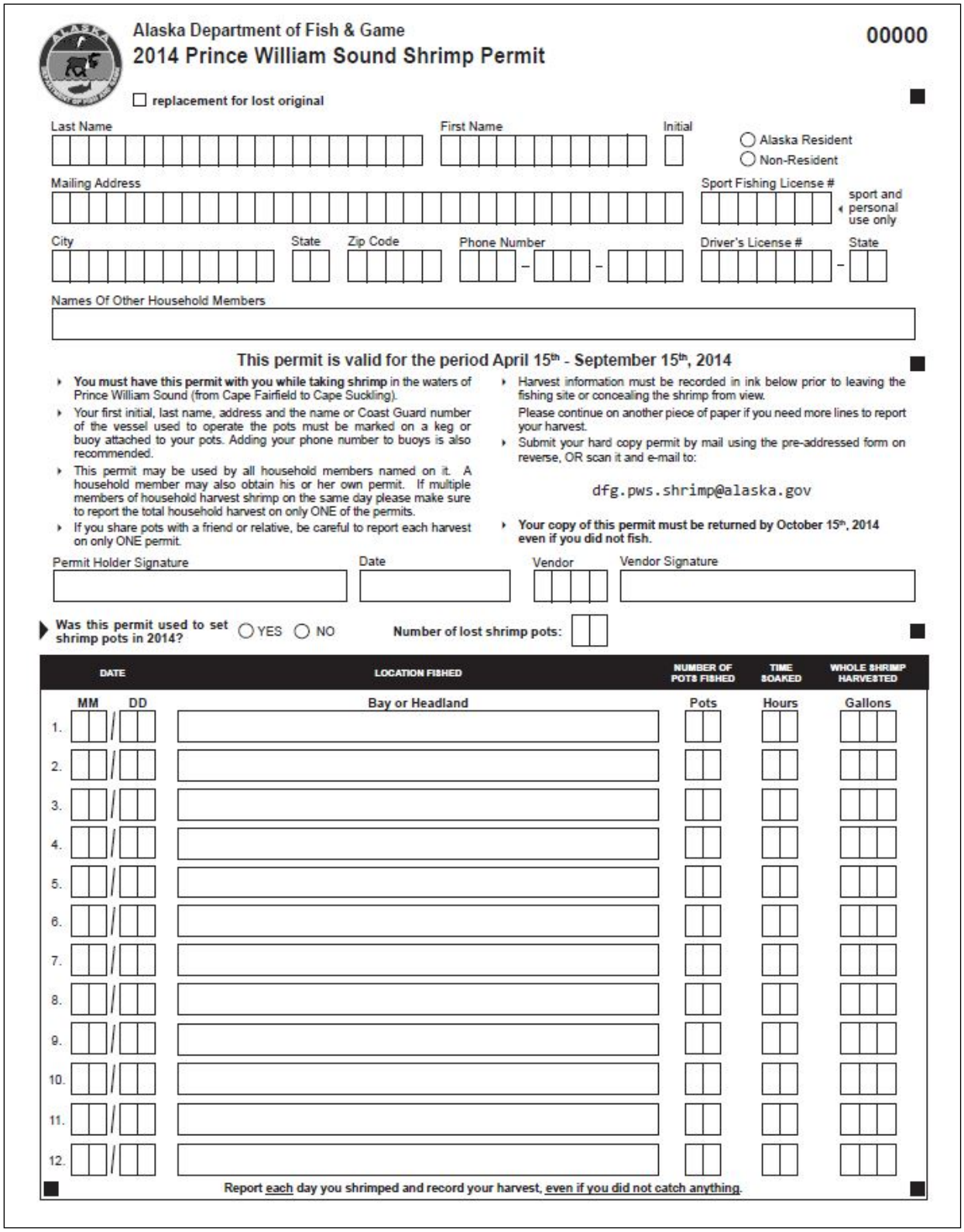
Receiving monthly harvest data could, in theory, allow managers to more closely monitor the fishery inseason and close the noncommercial fishery if the GHL was surpassed. However, by the time the department could confirm that an adequate number of permits required to estimate the cumulative harvest was obtained, the fishery would most likely have concluded.

BACKGROUND: Noncommercial PWS shrimp fisheries have been monitored with a harvest permit/reporting form from 2002–2005 and from 2009-current (Figure 248-1). This form must be filled out before leaving the fishing site or concealing shrimp from view. The permit, whether utilized or not, must be returned to the department at the end of the fishing season (due on October 15). The department sends reminders in early November and again in early December to non-reporting fishermen to achieve reporting targets to make accurate estimates of the previous season's harvest. Permits can be returned by mail or scanned and sent via e-mail to dfg.pws.shrimp@alaska.gov. A program technician manually enters all the permit data (both vendor copies and angler copies) into a database as permits are received. This information is compared and used to identify non-respondents, who are then sent letters to remind permit holders to turn in completed permits. Once a statistically adequate number of permits have been received, the harvest can be estimated. This harvest estimate along with commercial harvest is used to help determine the following year's total allowable harvest using a surplus production model. The department typically achieves about a 90% return rate for PWS shrimp permits.

Prior to 2002, a permit was not required to fish for shrimp in PWS and few people knew about this fishery. A permit was required in 2002, about same year the tunnel to Whittier opened. These coincidental events lead to rapid expansion of shrimp fishing in PWS with the number of permits issued peaking in 2010. The number of permits issued annually has leveled off over the last 4 years, and an average of just over 3,000 permits have been issued yearly (Figure 248-2). Similar to this trend, harvest and pot days of effort have also stabilized (Figure 248-3). Assuming there are no increases in pot limits (such as in Proposal 247) this fishery is expected to continue with effort levels similar to those experienced over the past 4 years. In this stable and now established fishery, the department has no current concerns that would necessitate additional harvest reporting requirements be placed on users.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current reporting requirements give the department the information needed to effectively manage this fishery. Any additional or more timely information that might be gained through this proposal would likely provide little benefit and at substantial cost to the department.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery, as they may be required to mail permits back to the department as many as 5 times during a season.



Alaska Department of Fish & Game

00000

2014 Prince William Sound Shrimp Permit

☐ replacement for lost original

Last Name | First Name | Initial

◯ Alaska Resident
◯ Non-Resident

Mailing Address | Sport Fishing License # (sport and personal use only)

City | State | Zip Code | Phone Number | Driver's License # | State

Names Of Other Household Members

This permit is valid for the period April 15th - September 15th, 2014

- **You must have this permit with you while taking shrimp** in the waters of Prince William Sound (from Cape Fairfield to Cape Suckling).
- Your first initial, last name, address and the name or Coast Guard number of the vessel used to operate the pots must be marked on a keg or buoy attached to your pots. Adding your phone number to buoys is also recommended.
- This permit may be used by all household members named on it. A household member may also obtain his or her own permit. If multiple members of household harvest shrimp on the same day please make sure to report the total household harvest on only ONE of the permits.
- If you share pots with a friend or relative, be careful to report each harvest on only ONE permit.
- Harvest information must be recorded in ink below prior to leaving the fishing site or concealing the shrimp from view.
  Please continue on another piece of paper if you need more lines to report your harvest.
- Submit your hard copy permit by mail using the pre-addressed form on reverse, OR scan it and e-mail to:

  dfg.pws.shrimp@alaska.gov

- **Your copy of this permit must be returned by October 15th, 2014 even if you did not fish.**

Permit Holder Signature | Date | Vendor | Vendor Signature

Was this permit used to set shrimp pots in 2014? ◯ YES ◯ NO **Number of lost shrimp pots:**

	DATE		LOCATION FISHED	NUMBER OF POTS FISHED	TIME SOAKED	WHOLE SHRIMP HARVESTED
	MM	DD	Bay or Headland	Pots	Hours	Gallons
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						

Report each day you shrimped and record your harvest, even if you did not catch anything.

Figure 248-1.–PWS noncommercial pot shrimp permit.

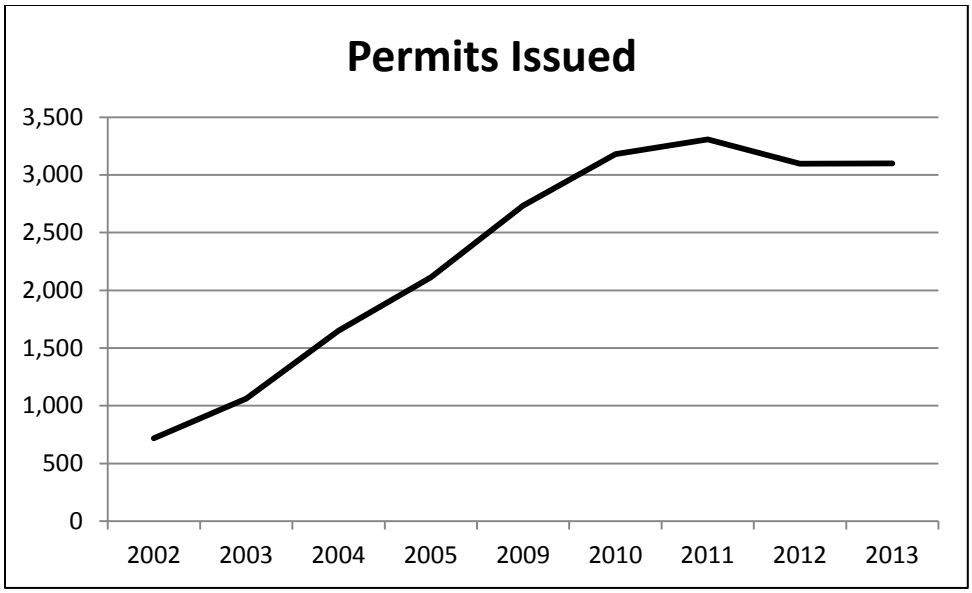


Figure 248-2.–Number of PWS noncommercial pot shrimp permits issued annually.

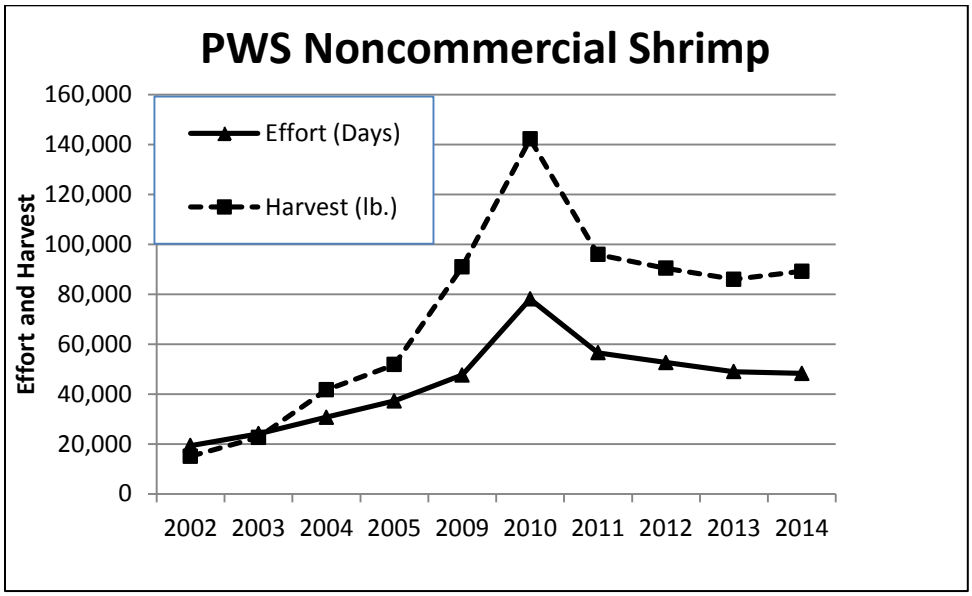


Figure 248-3.–PWS noncommercial pot shrimp effort and harvest from permit data.

Commercial (11 Proposals): 250–260

PROPOSAL 250 – 5 AAC 31.206. Area E registration.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend current regulatory language by allowing a person to register only one vessel each season for the PWS Registration Area E shrimp pot fishery.

WHAT ARE THE CURRENT REGULATIONS? PWS, Registration Area E, is an exclusive registration area for vessels fishing for shrimp with pot gear. A vessel participating in the shrimp pot fishery must be registered with the department by 5:00 p.m. April 1. A principal component of the management of the commercial shrimp pot fishery is a vessel pot limit which can be adjusted by the department depending on the amount of registrants. There are no current regulations that preclude an individual from registering and operating more than one vessel and more than one limit of gear in the fishery; however, shrimp that are harvested by a vessel must remain on that vessel until delivered. Additionally, a vessel operator may at no time have more than the legal limit of pot gear for the vessel in aggregate on board the vessel or in the water in a fishing or non-fishing condition (5 AAC 31.223(e)(5)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Registration for this fishery would be limited to one vessel per registrant in order to prevent one person from operating more than one limit of gear. Actual effort in the fishery would change very little because only a single individual has been operating two vessels and two limits of gear during recent seasons.

BACKGROUND: A principle component of the management of the PWS commercial shrimp pot fishery is a vessel gear limit. Vessels participating in the fishery must be registered before 5:00 PM April 1 each year to allow the department to set the vessel pot limit based on the number of total registered vessels, the estimated catch per unit effort, and the GHL. In 2013 and 2014, there was one individual who registered two vessels, and operated gear from both vessels. This resulted in confusion among other fishery participants who observed one person operating two limits of gear. Additionally, in both 2013 and 2014, there were complaints regarding the transfer of gear and shrimp between vessels that led to referral to the Alaska Wildlife Troopers.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This clarification will aid managers, law enforcement, and participants.

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 251 – 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would move the current boundary line between areas 2 and 3 north to align with the boundary of three fishery reporting statistical areas (Figure 251-1).

WHAT ARE THE CURRENT REGULATIONS? In PWS, Registration Area E, shrimp may be commercially taken by pots from April 15 through September 15, as established by emergency order. Commercial shrimp pot fishing is rotated on a triennial basis in Area 1 (5 AAC 31.210(a)(1)), Area 2 (5 AAC 31.210(a)(2)), and Area 3 (5 AAC 31.210(a)(2)). In all other waters of Registration Area E, shrimp may be commercially harvested only under the authority and conditions of a permit issued by the commissioner.

The department has established statistical areas to report commercial shrimp harvest. The current boundary line between Area 2 ((5 AAC 31.210(a)(2) and Area 3 (5 AAC 31.210(a)(3)) splits three statistical areas: 476006, 476007 and 476008 (Figure 251-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would slightly decrease the size of Area 2 and increase the size of Area 3. In addition, this proposal would align the boundary with current statistical area boundaries. Based on information from the annual pot shrimp survey in PWS and harvest information from the commercial fishery, this change will cause a small positive effect for harvest potential when the fishery occurs in Area 3, the area with the lowest abundance, and minimally impact harvest potential in Area 2.

BACKGROUND: The commercial shrimp pot fishery in PWS reopened in 2010 after being closed since 1991. One element of the management plan rotates commercial fishing annually between three harvest areas (Figure 251-1). Shrimp harvest is reported by statistical areas that exist within each of the areas, and currently there are two areas, Area 2 and Area 3, that share three statistical areas: 476006, 476007, and 476008 (Figure 251-1). Commercial fishing opened in Area 2 twice, in 2011 and 2014. The GHL was achieved in both years. In 2011, 1.3% (706 lb) of the overall harvest was taken from these 3 statistical areas, and in 2014, no harvest was taken from these 3 statistical areas. Commercial fishing opened once in Area 3, in 2012, and 6.6% (1,469 lb) of the overall harvest was taken from these three statistical areas. The 2012 season was closed before the GHL was achieved because of relatively low abundance of shrimp in Area 3 and poor fishery performance.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Aligning the boundary between Area 2 and Area 3 with statistical management areas will facilitate fishery management and accurate catch accounting.

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

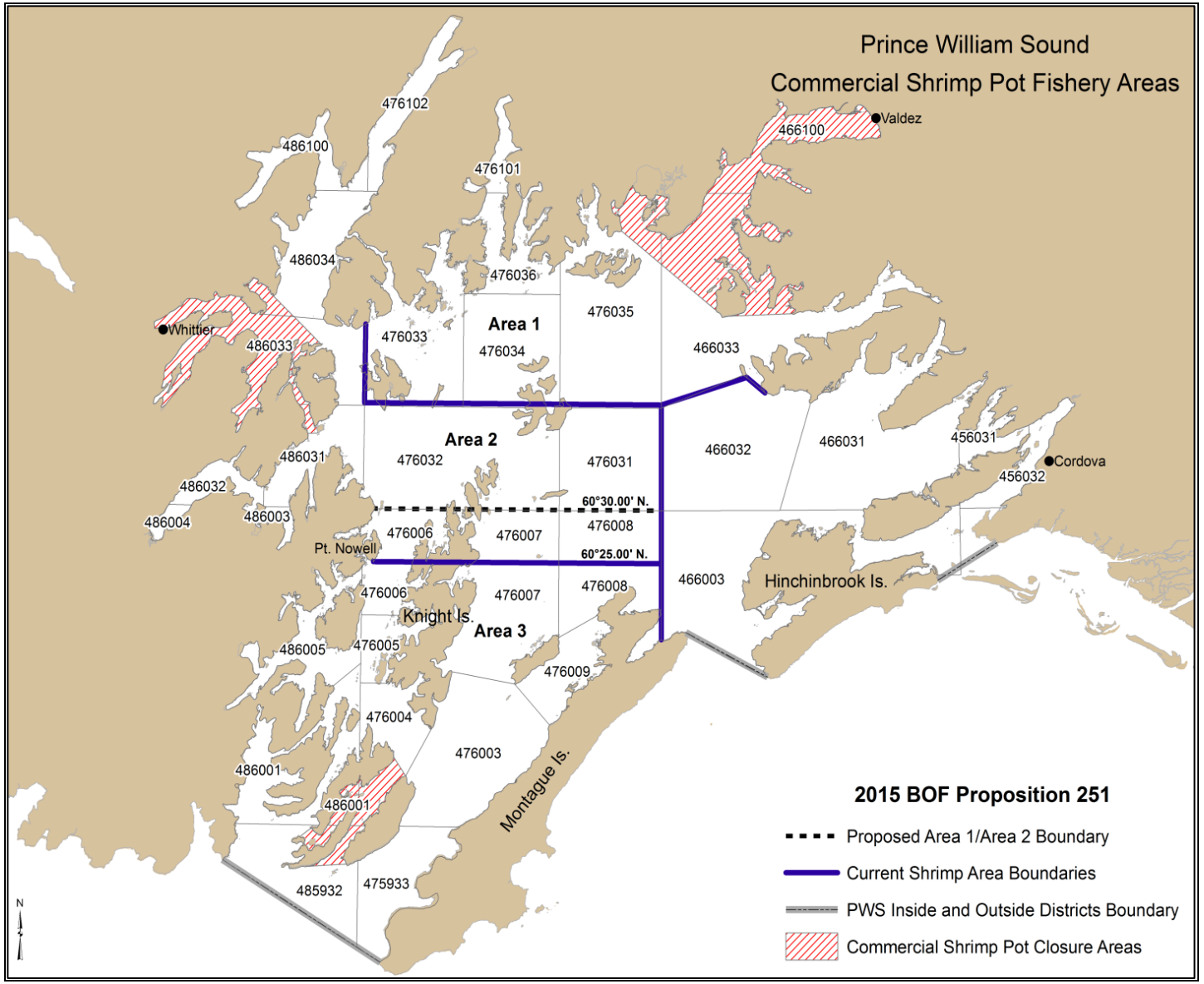


Figure 251-1.–Prince William Sound shrimp pot fishery areas and proposal boundary change.

PROPOSAL 252 – 5 AAC 31.235. Closed waters in Registration Area E.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would close Port Valdez to harvesting shrimp with trawl gear. In addition, the proposal would correct coordinates within the closed waters section.

WHAT ARE THE CURRENT REGULATIONS? In PWS, Registration Area E, waters closed to commercial harvest of shrimp with trawl and pot gears are specified in 5 AAC 31.235 (Figure 252-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? No shrimp would be commercially harvested in Port Valdez. In addition, important Tanner crab habitat would be protected in Port Valdez. Finally, coordinates defining Zaikof Point would be corrected to match those in other regulations.

BACKGROUND: Port Valdez and Port Gravina are both important Tanner crab habitat areas. In order to protect the Tanner crab population, these waters should be closed to the harvest of shrimp with trawl gear. A small shrimp trawl fishery does currently occur in PWS, and although Port Gravina is currently included in defined closed waters, Port Valdez is open to the commercial harvest of shrimp by trawl gear. There has been minimal harvest of shrimp by trawl gear in Port Valdez, with the last harvest occurring in 2006.

In addition, defining the coordinates of geographical points is important and reflected in changes in regulations. Coordinates that define Zaikof Point in the current regulation does not match those in 5 AAC 28.263, which were updated at the December 2011 board meeting.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Accuracy and consistency within regulation defining fishing boundaries will benefit fishery managers, participants, and enforcement.

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

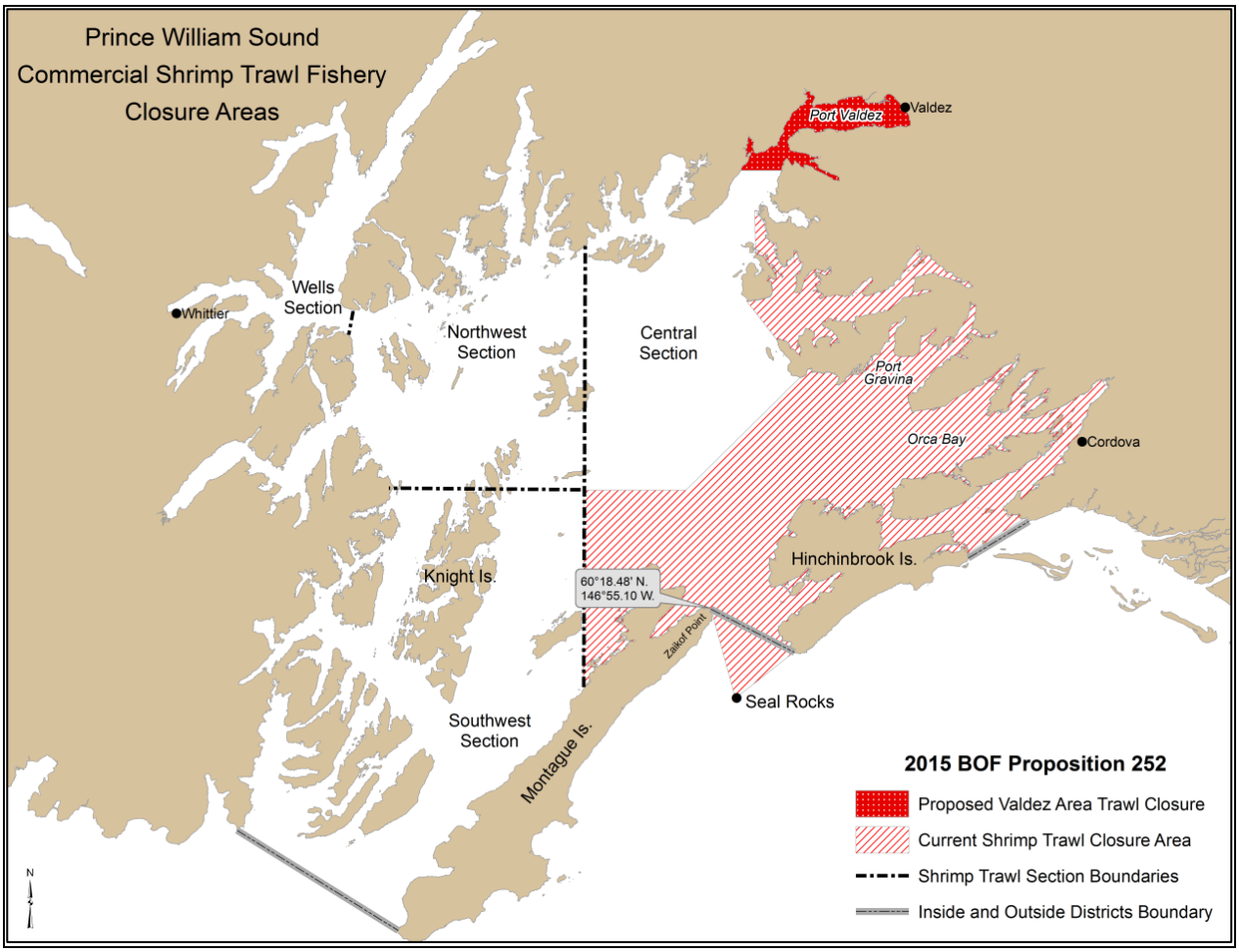


Figure 252-1.–Prince William Sound waters closed to shrimp harvest with trawl gear, including current Port Gravina closure, and proposal Port Valdez addition.

PROPOSAL 253 – 5 AAC 31.206. Area E registration; and 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.

PROPOSED BY: Mike Crawford.

WHAT WOULD THE PROPOSAL DO? The proposal would change the registration in the commercial shrimp pot fishery in Registration Area E from exclusive to super exclusive and change the season closing date from September 15 to August 1.

WHAT ARE THE CURRENT REGULATIONS? PWS, Registration Area E, is an exclusive registration area for vessels commercially fishing for shrimp with pot gear. A vessel participating in the commercial shrimp pot fishery must be registered with the department by 5:00 p.m. April 1, and shrimp may be harvested from April 15 through September 15, as established by emergency order.

Statewide regulations (5 AAC 31.005(b)) state that the board will designate each registration area for commercial shrimp fishing as either 1) an exclusive registration area, or 2) a nonexclusive registration area.

A vessel used to fish for shrimp that has been validly registered to take shrimp in a shrimp exclusive registration area may not be used to take shrimp in another shrimp registration area during the same registration year.

A vessel used to fish for shrimp may be registered to take shrimp in one or more of the shrimp nonexclusive registration areas and registered to take shrimp from one shrimp exclusive registration area, but may not be used to take shrimp in more than one shrimp exclusive registration area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels fishing for shrimp in other registration areas would not be able to fish for shrimp in PWS. Changing the season closing date from September 15 to August 1 would shorten the commercial fishery by one and a half months and may result in a decrease in the amount of commercially harvested shrimp.

BACKGROUND: In 2009, the board adopted a PWS shrimp regulations that defined the conditions under which a commercial shrimp pot fishery would open, and how it would be managed. The PWS registration area was originally designated as superexclusive in the new management plan with the intent that the shrimp pot fishery develop into a local fishery. However, in 2012, the department realized that the term "superexclusive" was not a defined registration type for shrimp fisheries (5 AAC 31.005 (b)). Therefore, the department submitted a proposal at the March 2012 board meeting to change the designation to exclusive and change the definition of exclusive so that it met the board's intent of being superexclusive. However, this created a conflict within the regulatory structure. While the definition of an exclusive registration area does not allow a vessel to harvest shrimp in any other registration area, the definition of a nonexclusive registration area allows a vessel to harvest shrimp in all nonexclusive registration areas and one exclusive registration area.

The PWS commercial shrimp pot fishery opens in years when the estimated TAH is more than 110,000 lb, and the commercial GHL is set at 40 percent of the TAH. The fishery has regulatory season dates of April 15 through September 15 which are designed to avoid harvesting shrimp during egg bearing periods and are same dates for noncommercial shrimp pot fisheries in the area. The TAH threshold to open the commercial shrimp pot fishery was first achieved in 2010. The fishery closed by regulation on September 15 in 2010 and 2013. In 2011 and 2014, it closed on July 29 and August 14, respectively, following achievement of the GHL. In 2012, the fishery closed on July 15, before achievement of the GHL, due to department concerns over low fishery catch and low catch per unit effort.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. However, the department **SUPPORTS** a registration designation of superexclusive for PWS. If the board agrees with this designation, then the board needs to define superexclusive, exclusive, and nonexclusive 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 254 – 5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E.

PROPOSED BY: Whittier Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the maximum harvest level that can occur in a statistical area from 25% to 50% of the GHL for the commercial shrimp pot fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require the PWS commercial shrimp pot fishery be managed to allow no more than 25% of the GHL to be taken from any one statistical area. In addition, the PWS commercial shrimp pot fishery is rotated on an annual basis between three different areas in PWS (Figure 251-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The increase in harvest percentage from 25% to 50% in a given statistical area would likely increase the commercial harvest of shrimp in some statistical areas in PWS. In addition, the change in harvest percentage would reduce restrictions within the fishery and facilitate achievement of the GHL in the commercial shrimp fishery.

BACKGROUND: Statistical areas have been established, administratively and independently of specific fisheries, as a means to facilitate accurate reporting and accounting of harvest on department fish tickets. In 2012, the board adopted a regulation requiring that the PWS commercial shrimp pot fishery be managed to allow no more than 25% of the GHL to be taken from any one statistical area. In accordance with the management plan adopted by the board in 2009, the PWS commercial shrimp pot fishery is rotated on an annual basis between three different areas (Figure 251-1). Area 1 has six statistical areas, but one of these statistical areas has never had any commercial harvest. Area 2 has 13 statistical areas, but two of these statistical areas have never had any commercial harvest. Area 3 has 11 statistical areas, but three of these statistical areas have never had any commercial harvest. Three statistical areas are split between Area 2 and Area 3.

Since 2010, the PWS commercial shrimp fishery occurred twice in Area 1 (2010 and 2013), twice in Area 2 (2011 and 2014), and once in Area 3 (2012). The 25% harvest level was achieved and resulted in inseason statistical area closures in Area 1 (2013) and Area 2 (2014). There were no inseason statistical area closures in Area 3 (2012). However, Copper Bay was closed in 2012 because of the relatively high proportion of commercial shrimp harvest in this area. The commercial shrimp fishery was subsequently closed in 2012 with only 42% of the GHL harvested, due to relatively low abundance of shrimp in Area 3 and poor fishery performance.

In PWS, statistical areas do not have equal levels of shrimp abundance. Statistical areas with higher levels of abundance have to be closed after reaching the 25% harvest threshold even though the CPUE is not declining and the area can support higher levels of effort. When this high abundance area closes, this often shifts effort to neighboring areas that have lower abundance which cannot handle this increase in effort. The department has EO authority to close areas which demonstrate declining CPUE or other cause for biological concern.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the proposal. However, increasing the percentage of harvest up to 50% in a single statistical area would reduce restrictions in the fishery and facilitate achievement of the GHL for the commercial shrimp fishery.

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

PROPOSALS 255 and 256 – 5 AAC 31.226. Shrimp pot marking requirements for Registration Area E.

PROPOSED BY: Joseph Person (255), and Richard Person (256).

WHAT WOULD THESE PROPOSALS DO? These proposals would allow commercial shrimp pot gear longlined with up to 5 pots to be marked with only one buoy; or alternatively, require a longlined string of pots that is greater than 300 feet in length between the first and last pots to have a buoy attached to each end of the longline.

WHAT ARE THE CURRENT REGULATIONS? In PWS, current regulations require that five or more shrimp pots deployed on a longline must have at least one buoy attached to each end of the longline.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? Increasing the number of pots on a single buoy from four to five would increase the operating efficiency of commercial pot shrimp fishermen who currently set four pots with a single buoy by allowing them to set five pots with a single buoy. Similarly, fishermen who currently set five pots would now be able to mark their longlines with a single buoy. Limiting the length of groundline between the first and last pots could have similar results, but this length limit would be difficult to enforce.

BACKGROUND: The PWS commercial shrimp pot fishery management plan contains numerous gear specifications, including the requirement for a buoy to be attached at each end of a longlined pot string containing five or more pots. Buoying both ends of longlined pot gear is required for other fisheries, including shrimp pots in the Southeastern Alaska Management Area where they require buoys at both ends when there are 6 pots or more on a string. Logbooks indicate that 52% of gear sets in the PWS commercial shrimp pot fishery are 4 pot sets. Pot limits set by the department are almost always in multiples of five, and allowing five pots to be set on a string marked with one buoy could simplify gear for the individual fisherman as well as simplify logbook recording and data entry for the department.

DEPARTMENT COMMENTS: The department **SUPPORTS** the parts of these proposals to increase the number of pots allowed on a longline marked with a single buoy from four to five. Pot marking requirements in PWS were originally patterned after Southeast Alaska, which allow five pots to be marked with a single buoy. However, the department **OPPOSES** pot marking requirements based on the length of groundline between the first and last pots since it would be difficult to enforce.

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

PROPOSAL 257 – 5 AAC 31.245. Reporting requirements for Registration Area E.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would require all shrimp pot vessel operators participating in the PWS, Registration Area E, commercial shrimp pot fishery to contact the department before setting gear for shrimp and report the number of shrimp pots on the vessel, the intended statistical area to be fished, and the intended length of the fishing trip. It would also require all vessel operators to contact the department before landing shrimp, and would remove the requirement for a midweek check-in. This proposal would also give the department the ability to require additional reporting during periods of high effort.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require that all vessels operators contact the department every Wednesday, and that catcher-sellers and catcher-processors contact the department before landing shrimp; both contacts provide information on harvest and effort. Additionally, catcher-sellers are required to complete a department fish ticket before shrimp are removed from a vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Vessels operators would no longer be required to call the department each Wednesday to report harvest information. This would ease the reporting burden on fishermen who often have to make lengthy trips to reach an area of cell phone coverage. Because messages with harvest information are often unintelligible due to poor cellular telephone coverage, and Wednesday often falls in the middle of a fishing period, the information is of little use to the department. Calling before fishing, instead of on Wednesdays, would allow the department to accurately estimate effort and would aid in management decisions. Similarly, requiring all vessel operators to call the department before landing, instead of just catcher-sellers and catcher-processors, would allow the department to more accurately estimate harvest and would aid in management decisions. The majority of participants in the PWS shrimp pot fishery are catcher-sellers, and are already required to call in at landing.

BACKGROUND: The PWS shrimp pot fishery has been prosecuted under a new management plan since 2009. This plan has numerous reporting requirements which enable the department to make timely management decisions. One requirement that applies to all vessel operators participating in the fishery is to call in each Wednesday and report the number of pot lifts and the weight of shrimp taken by statistical area. While the Wednesday call-in provides some measure of fishing effort, information is incomplete: there is no indication of trip length, Wednesday is not a meaningful day for fishing periods, and fishermen often time their trips to avoid calling in on a Wednesday. This results in unreliable information for management and an unnecessary burden for participants.

A second reporting requirement applies only to participants who are catcher-seller and catcher-processor operators. Catcher-sellers and catcher-processors are commercial fishermen who catch and sell their own shrimp; they are responsible for submitting a self-generated fish ticket to the department. These operators are required to call the department upon landing to provide all of the relevant harvest information contained in the fish ticket from that trip. The majority of PWS

shrimp pot fishery participants are catcher-sellers. Often, a single participant will operate as both a catcher-seller and a catcher-only (selling to a processor) in a single trip, resulting in incomplete harvest information in the call.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Eliminating the Wednesday call-in requirement and requiring all vessels to contact the department prior to fishing will allow estimation of effort and potential catch rates. This will assist the department in making timely management decisions and reduce the reporting burden on participants. Similarly, requiring all vessel operators to call in a landing report will simplify the regulation and facilitate accounting of harvest and effort. Finally, adding additional reporting requirements, if necessary, will ensure flexibility within the management plan to address periods of potential high effort.

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

PROPOSALS 258, 259 and 260 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.

PROPOSED BY: Michael Crawford (258), Jeff Benkert (259), and Wynn Gilbertson (260).

WHAT WOULD THESE PROPOSALS DO? These proposals would close PWS to commercial fishing for shrimp with pots.

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide a commercial shrimp pot fishery opening April 15 through September 15 as established by EO if the estimated TAH in the waters described in 5 AAC 31.210(a) is more than 110,000 pounds of spot shrimp. The GHL for the commercial pot gear fishery in these waters is 40% of the total allowable harvest of spot shrimp for the area, while the GHL for the noncommercial (sport, personal use, and subsistence) pot gear fishery is 60%. The fishery is managed so that no more than 25% of the commercial GHL may be taken from any one statistical area. Additionally, several conservative management elements are built into the commercial management plan, including:

1) Commercial fishing is rotated annually between three harvest areas described in 5 AAC 31.210(a).
2) The department determines the number of shrimp pots that may be operated from a vessel based on the total number of registered vessels, the estimated catch per unit effort, and the GHL.
3) Shrimp pot gear may only be deployed and retrieved between the hours of 8:00 a.m. and 4:00 p.m. unless modified by EO.
4) Each week, operators of shrimp pot vessels operating in PWS must contact the department and provide all pertinent harvest information.
5) The department uses the lower 90% confidence interval bound of the estimated TAH before opening the commercial fishery.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? These proposals would eliminate the commercial harvest of shrimp in Prince William Sound and result in an economic loss to commercial fishermen. From 2010–2014, 32 to 75 vessels participated in the fishery each year; shrimp harvest averaged ~50,000 lb and exvessel value of shrimp averaged ~$500,000. The department is not aware of any biological implications with closing the commercial fishery. The department would continue to manage the noncommercial fisheries sustainably and consistent with regulations.

BACKGROUND: PWS commercial shrimp landings were first documented in 1960 when approximately 5,000 lb were harvested. Historically, 97% of the harvest has been spot shrimp and the fishery has been managed for this species. The shrimp pot fishery expanded rapidly during 1978 to 1982 as local Alaskan markets were established and major harvest areas located. Despite reduced seasons, harvest and effort continued to increase, with harvest peaking in 1986 at about 291,000 lb and effort peaking in 1987 with 86 vessels participating. By 1988, managers were concerned about shrimp populations due to low harvest and some areas were closed. Following a limited commercial fishery in 1991, the commercial fishery was closed by EO due

to continued low harvest. The noncommercial shrimp fishery continued to fish, throughout this time, at a low level of participation. In March 2000, the board adopted a regulation closing the commercial shrimp pot fishery due to low stock abundance. The board also adopted new noncommercial fishery regulations. Season dates were restricted from year-round to April 15 to September 15, gear was restricted from 10 pots per person to 5 pots per person, with a maximum of 5 pots per vessel, and a harvest record/permit was required.

The department began a standardized index survey for PWS spot shrimp in 1989. Survey catches declined through the early 1990s. Beginning in 1998, survey results demonstrated a slow, but steady increase in abundance and biomass. Data from the department's 2014 survey showed a small relative increase in both abundance and biomass of commercially harvestable spot shrimp (≥32 mm carapace length; Figure 258-1). Site-specific data indicate abundance and biomass are relatively stable over the entire survey area (Table 258-2).

In March 2009, the board passed new regulations for the PWS commercial shrimp pot fishery. A commercial fishery can open in years when the estimated TAH is more than 110,000 lb, and the commercial GHL is set at 40% of the TAH. The TAH is determined each year by incorporating the department survey results along with noncommercial and commercial harvest removals into a surplus production model. The TAH threshold estimate of 110,000 lb was first met in 2010, and a commercial fishery reopened for the first time in 18 years on April 15, 2010. This fishery has been open for a total of five seasons from 2010 through 2014. The fishery is rotated on an annual basis between three different areas (Area 1, Area 2, and Area 3), and in 2012 the board adopted a regulation limiting commercial harvest from any one statistical area to no more than 25% of the GHL.

Over the past five seasons, between 32 and 75 vessels participated in the fishery and overall harvest has ranged from 21,561 lb to 68,464 lb (Table 258-1). In the two years that the fishery was prosecuted in Area 2, the GHL was achieved and the season closed by EO on July 29 (2011) and August 14 (2014). In 2012, the fishery was prosecuted in Area 3 and the fishery closed on July 15, before achievement of the GHL, due to department concerns over low fishery catch and low catch per unit effort. In 2010 and 2013, the years the fishery was prosecuted in Area 1, the fishery closed by regulation on September 15.

The PWS commercial shrimp pot fishery has been managed consistent with the management plan, annual harvests have stayed at or below the GHL, and the department has not identified any conservation issues for shrimp in PWS.

The board has made a positive customary and traditional use finding for shrimp in PWS (5 AAC 02.208(a)) and has found that 9,000–15,000 pounds of usable weight of shrimp are reasonably necessary for subsistence uses (5 AAC 02.208(b)).

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

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

Table 258-1.–Prince William Sound commercial pot shrimp fishery harvest and guideline harvest level (GHL), 2010–2014.

			Commercial Shrimp Harvest (lb)					
Year	Area	Vessels	GHL	Spot	Coonstripe	Other	Total	% GHL
2010	1	75	55,000	45,076	263	10	45,349	83
2011	2	45	52,760	51,446	1,204	44	52,694	100
2012	3	35	51,240	18,097	3,428	36	21,561	42
2013	1	45	66,300	59,376	2,266	2	61,644	93
2014	2	32	66,600	64,220	4,085	158	68,464	103

Table 258-2.–Prince William Sound spot shrimp survey site specific estimated catch per unit effort (CPUE, lb/pot) of spot shrimp carapace length 32mm and greater, 2000–2014.

Year	Unakwik	Golden	Culross	Herring Bay	Junction Island	Green Island	Chenega	Prince of Wales	Long's Bay	Bald Head Chris
2000	0.30	0.46	0.47	0.31	0.16	0.27	0.91	0.24		
2001	0.99	1.72	0.57	0.24	0.24	0.31	0.63	0.43		
2002	0.53	2.30	0.96	0.54	0.33		0.69	0.33		
2003	0.40	2.51	0.77	0.49	0.18	0.47	1.11	0.37		
2004	2.10	2.02	0.38	0.48	0.09	0.21	1.05	0.33		
2005	1.22	1.19	0.54	0.39	0.13	0.26	1.07	0.15		
2006	2.44	1.55	0.81	0.19	0.12	0.30	0.84	0.45		
2007	2.78	1.54	0.72	0.34	0.36	0.29	1.56	0.91		
2008	2.77	1.40	0.61	0.69	0.12	0.22	2.27	0.62		
2009	3.70	2.39	1.02	0.87	0.32		2.27	0.59	0.62	
2010	2.42	2.33	0.84	0.62	0.15		1.29	0.36	0.87	
2011	5.73	3.93	0.67	0.71	0.04		1.23	0.17	1.07	
2012	6.60	2.86	0.68	0.80	0.34		0.93	0.67	0.54	0.87
2013	3.93	2.59	1.06	0.82	0.44		1.59	1.15	0.33	0.45
2014	3.95	2.32	1.51	1.02	0.24		1.71	0.63	0.43	0.76

Note: blank cells indicate no data.

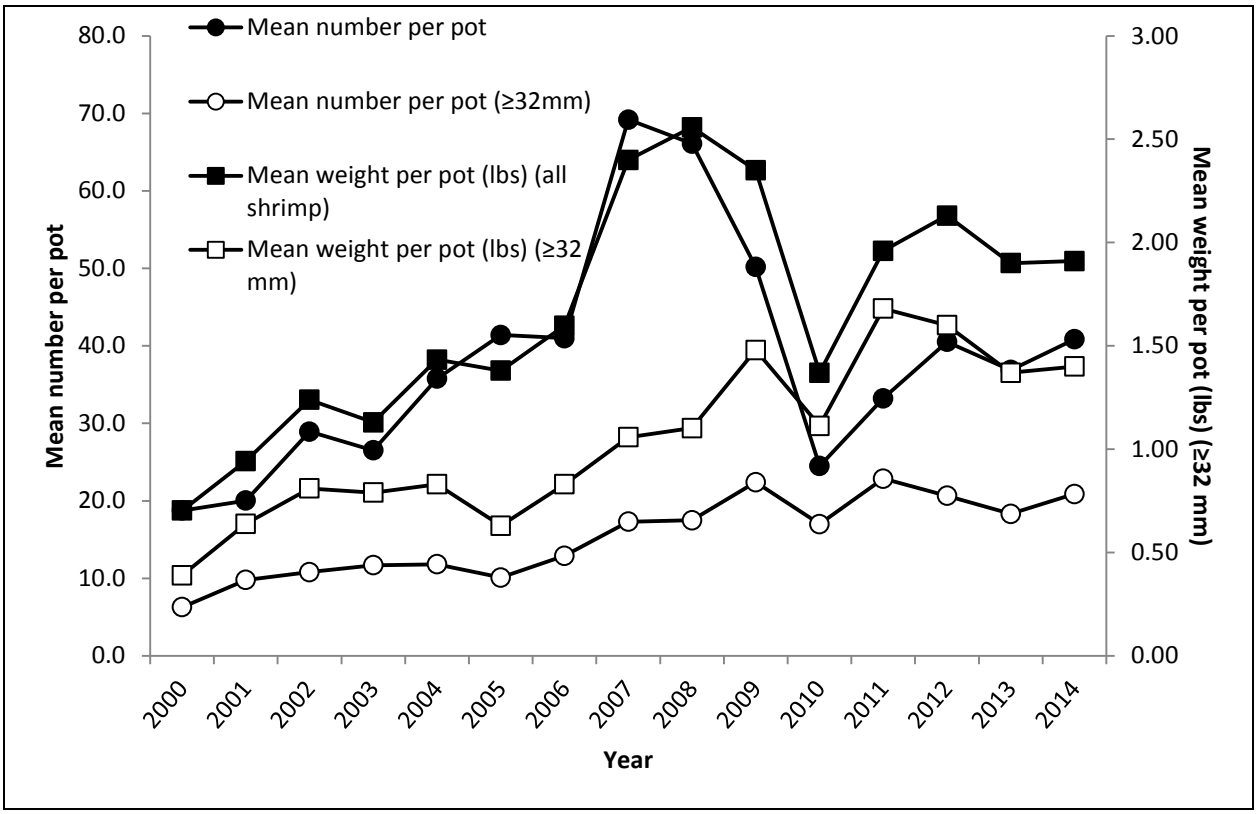


Figure 258-1.–Prince William Sound spot shrimp survey mean number and weight per pot of total shrimp and shrimp 32mm carapace length or greater for 2000–2014.

COMMITTEE OF THE WHOLE – GROUP 3 (11 PROPOSALS)

Agenda Change Request Proposals (9 Proposals): 268–276

PROPOSAL 268 – 5 AAC 35.508. Bering Sea District *C. bairdi* Tanner crab harvest strategy.

PROPOSED BY: Alaska Bering Sea Crabbers.

WHAT WOULD THE PROPOSAL DO? This proposal would adjust the annual *C. bairdi* Tanner crab TAC calculation in the regulatory harvest strategy for the Bering Sea District east of 166° W longitude. The intent of the proposal is to align the harvest strategy with a reduction in the industry-preferred minimum size from 5.5 inches carapace width to 5.0 inches carapace width for males retained as harvest during the Tanner crab fishery in the Bering Sea District east of 166° W longitude. This proposal would not change the minimum legal size for male *C. bairdi* Tanner crab in the Bering Sea District east of 166° W longitude, which is established in 5 AAC 35.520 (b)(1) as 4.8 inches or greater in carapace width.

The regulatory harvest strategy specifies that the annual Tanner crab TAC for Bering Sea District east of 166° W longitude is calculated by applying a harvest rate to $C_{E,MSY}$, which is a biomass of legal male *C. bairdi* Tanner crab. The current harvest strategy defines $C_{E,MSY}$ as a portion of the biomass of legal male crab greater than or equal to 5.5 inches carapace width. This proposal would define $C_{E,MSY}$ as a portion of the biomass of legal male crab greater than or equal to 5.0 inches carapace width. Additionally, the regulatory harvest strategy limits TAC to not exceed 50 percent of a quantity that is defined as a portion of the biomass of legal male crab greater than or equal to 5.5 inches carapace width. This proposal would limit the TAC to not exceed 50 percent of a quantity defined as a portion of the biomass of legal male crab greater than or equal to 5.0 inches carapace width.

WHAT ARE THE CURRENT REGULATIONS? The Bering Sea District Tanner crab fishery is managed separately east and west of 166° W longitude (Figure 268-1), and the regulatory harvest strategy, 5 AAC 35.508, provides for separate TACs east and west of 166° W longitude. The harvest strategy has four components: 1) a mature female biomass threshold; 2) a mature male biomass threshold; 3) a harvest control rule that varies with an index of mature male biomass; and 4) buffers on the harvest level to avoid overfishing.

Subsection (a) of the harvest strategy establishes a threshold level of mature female biomass in the Eastern Subdistrict of the Bering Sea District relative to the historical average female biomass that must be met or exceeded for fisheries east or west of 166° W longitude to open. Subsection (c)(1) establishes an additional threshold level for opening the fishery east of 166° W longitude that is based on mature male biomass in the area east of 166° W longitude relative to the historical average.

Subsections (c)(2) and (c)(3) establish the harvest rate used to calculate TAC in the area east of 166° W longitude when the stock is above the mature female and mature male biomass thresholds and specify that TAC is calculated as the product of the harvest rate and the quantity

$C_{E,MSY}$. Subsection (g)(5) defines $C_{E,MSY}$ as the catch biomass of male Tanner crab 5.5 inches or greater in carapace width in the area east of 166° W longitude that would result from fishing on mature male biomass at the maximum sustained yield fishing rate (F_{MSY}) at the time of mating. Computation of $C_{E,MSY}$ requires survey data on the size and shell condition composition of male Tanner crab in the area east of 166° W longitude and values that are not specified in the regulatory harvest strategy, but which are estimated annually: the retained-catch fishery selectivity of male Tanner crab by size and shell condition; the full-selection F_{MSY} rate or a proxy thereof; the natural mortality rate of mature male Tanner crab; and the time between survey and mating.

Subsections (b) and (e)(1) reduce TAC from that calculated according to subsection (c) under certain conditions. If the fishery was not opened in the previous season because the stock did not meet the threshold requirements of subsection (a), subsection (b) specifies that TAC for the area east of 166° W longitude shall be one-half the value calculated according to subsection (c). Subsection (e)(1) sets a limit on TAC for the area east of 166° W longitude, notwithstanding TAC calculations according to subsections (b) and (c). Subsection (e)(1) establishes that TAC not exceed 50% of the biomass of the male Tanner crab 5.5 inches or greater in carapace width in the area east of 166° W longitude, as discounted by fishery selectivity, that would survive to the time of mating in the absence of fishing. Computation of that biomass requires survey data on the size and shell condition composition of male Tanner crab in the area east of 166° W longitude and values that are not specified in the regulatory harvest strategy, but which are estimated annually: the retained-catch fishery selectivity of male Tanner crab by size and shell condition; the natural mortality rate of mature male Tanner crab; and the time between survey and mating.

The minimum legal size for Tanner crab east of 166° W longitude is 4.8 inches carapace width (5 AAC 35.520 (b)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Changing "140 millimeters (five and one-half inches) or greater in carapace width" in the definition of $C_{E,MSY}$ in subsection (g)(5) to "127 millimeters (five inches) or greater in carapace width" would generally result in an increased value of $C_{E,MSY}$ and, thus, an increase in TAC computed according to subsections (c)(2) and (c)(3). Changing "140 millimeters (five and one-half inches) or greater in carapace width" in the definition of $C_{E,MSY}$ in subsection (e)(1) to "127 millimeters (five inches) or greater in carapace width" would generally result in an increase in the upper limit for TAC. Hence this proposal would be expected to result in a larger annual TAC for the fishery east of 166° W longitude in years that the thresholds for a fishery opening are met.

The degree to which adoption of this proposal would increase TAC in the fishery east of 166° W longitude depends on the size and shell condition composition of male Tanner crab in the area east of 166° W longitude, the estimated total and retained-catch fishery selectivities of male Tanner crab by size and shell condition, and the estimated full-selection F_{MSY} proxy rate, all of which can vary from year to year. In some situations, the increase in TAC could be substantial. For example, Figure 268-2a provides a schematic comparison of the TAC calculation applied to the size distribution of male biomass for the area east of 166° W longitude from the 2014 survey using values of the estimated fishery selectivity and the full-selection F_{MSY} proxy rate under the

current and proposed harvest strategy as projected from the department's current estimates of fishery selectivity. In that case, adoption of this proposal would be expected to increase harvest rates on all male size classes greater than 5.0 inches carapace width and to increase TAC for the area east of 166° W longitude by 23%. In other situations that are possible, however, the increase in TAC resulting from adoption of this proposal could be negligible. For example, Figure 268-2b provides a comparison of the TAC calculation under the current and proposed harvest strategy similar to Figure 268-2a, but applies the TAC calculations to the average survey size distribution of male biomass in the area east of 166° W longitude during 1975–1994, the first 20 years of the annual trawl survey and prior to the 1997/98–2005/06 fishery closure. In that case, adoption of this proposal would be expected to decrease realized harvest rates on the larger size classes, increase realized harvest rates on the smaller size classes, and increase TAC for the area east of 166° W longitude by less than 1%. The different results for the comparison of the current and proposed harvest strategies between the two examples in Figures 268-2a and 268-2b is due primarily to the difference between the size frequencies in the two examples: there were less large males relative to small males in the 2014 survey data (Figure 268-2a, upper panel) than in the average of the 1975–1994 survey data (Figure 268-2b, upper panel).

The long-term effects of adopting this proposal will depend upon the actual retained-catch selectivity practiced by the fishery. If the proposal is adopted and under the assumption that male Tanner crab greater than or equal to 5.0 inches carapace width captured during the fishery east of 166° W longitude are retained as harvest, the conservation and yield intentions of the harvest strategy would be maintained. If that assumption proves true, adoption of this proposal would be expected to result in a long-term increase in fishery yield, a reduction in discarded bycatch of male Tanner crab, and a reduction in risk of any genetic effects that could result from targeting fishery removals on fast-growing, large males. However, if that assumption is not true and the minimum size for retention of captured males is larger than 5.0 inches carapace width, adoption of this proposal would result in a fishery mortality of large males that is higher than targeted levels, an expected increase in the discarded bycatch and associated bycatch mortality of male Tanner crab, and an increased risk of any genetic effects that could result from fishery size selection, all of which would be expected to reduce the long-term fishery yield. In that regard, the department has expressed its concerns about the potential for high-grading in rationalized crab fisheries and has documented the occurrence of high-grading in another rationalized fishery during one season. Another factor that could reduce the intended conservation and yield benefits of the harvest strategy by adoption of this proposal would be changes in fishery selectivity that result in an increase in the discarded catch of males smaller than 5.0 inches carapace width; the department has no data suitable for assessing the potential of that occurring. An additional potential negative effect of adopting this proposal could result if the long-term population size structure remains similar to what was seen in 2014. If that were to occur, adoption of this proposal would result in a long-term increase in realized harvest rates, which would increase the long-term risks of population collapse. The department believes that such risks are low, but cannot currently assess those risks due to lack of a reliable population model for Tanner crab east of 166° W longitude and lack of data to reliably estimate total and retained fishery selectivities with the new 4.5-inch escapement rings.

On the other hand, if this proposal were not adopted and male Tanner crab greater than or equal to 5.0 inches carapace width captured during the fishery east of 166° W longitude are retained as

harvest, the intended conservation benefits of the harvest strategy would be greatly enhanced without a change in the harvest strategy.

Although the proposed change in harvest strategy pertains only to the fishery east of 166° W longitude, its adoption could also affect TAC computed for the fishery west of 166° W longitude: under the current stock assessment process for Bering Sea District Tanner crab, adoption of this proposal would be expected to reduce TAC for the Tanner crab fishery west of 166° W longitude. The current stock assessment model treats Tanner crab east and west of 166° W longitude as a single stock and estimates a single F_{MSY} proxy value for the Tanner crab fisheries east and west of 166° W longitude. Adoption of this proposal would likely reduce the F_{MSY} proxy value estimated by the single-stock assessment model and thereby reduce TAC for the fishery west of 166° W longitude as calculated according to the harvest strategy, 5 AAC 35.508. However, the stock assessment model will likely be revised in the future to assess Tanner crab east and west of 166° W longitude separately and thus minimize the impact on TAC for Tanner crab west of 166° W longitude from this proposal.

BACKGROUND: Bering Sea District *C. bairdi* Tanner crab are managed under the federal FMP. Harvest levels are set to maximize socioeconomic benefits within the constraints necessary to avoid overfishing. The FMP stipulates that the board will consider the National Standards (FMP Appendix B) and the following factors, to the extent information is available, when developing harvest strategies: (1) whether the federal ACL for that stock was exceeded in the previous year; (2) stock status relative to the federal OFL and ACL; (3) estimates of exploitable biomass; (4) estimates of recruitment; (5) estimates of thresholds; (6) market and other economic considerations; (7) additional uncertainty; and (8) any additional factors pertaining to the health and status of the stock or the marine ecosystem.

Annual TAC is allocated by NMFS as 90% IFQ and 10% CDQ. Tanner crab may be taken in a directed fishery from 166° to 163° W longitude from October 15 through March 31, and also retained as incidental harvest up to 5% of the weight of Bristol Bay red king crab from October 15 through January 15.

Since crab rationalization began in the 2005/06 season, the fishery east of 166° W longitude has been open six seasons (Table 268-1). The average harvest from the five completed seasons during 2005/06–2013/14 was 1.5 million pounds. The 2014/15 TAC was established at 8.48 million pounds; harvest data from the ongoing 2014/15 season are not available at this time.

The legal size limit for Bering Sea District *C. bairdi* Tanner crab east of 166° W longitude was revised from 5.5 inches carapace width to 4.8 inches carapace width at the March 2011 board meeting. The legal size limit was established at 4.8 inches carapace width to be better aligned with the estimated size at maturity (4.4 inches carapace width) for male Tanner crab in the area east of 166° W longitude and to address management implications of terminal molt to maturity. Concurrent with the size limit revision, the board also adopted the current harvest strategy for Bering Sea District *C. bairdi* Tanner crab east of 166° W longitude at the March 2011 board meeting. The current harvest strategy was developed to be aligned with the industry-preferred minimum size for males retained as harvest during the Tanner crab fishery in the Bering Sea District east of 166° W

longitude, which was understood at the time of the March 2011 board meeting to be 5.5 inches carapace width.

The 2013/14 season was the first season the Tanner crab fishery in Bering Sea District east of 166° W longitude was opened after the current legal size limit and harvest strategy were adopted in March 2011. During the 2013/14 season, crab smaller than 5.5 inches carapace width comprised 25% of the crab sampled from landings and crab greater than or equal to 5.5 inches carapace width comprised 75%; less than 1% of the crab sampled from landings were smaller than 5.0 inches carapace width. During prior seasons, which were prosecuted under a legal size limit of 5.5 inches carapace width, crab greater than or equal to 5.5 inches carapace width comprised nearly all of the harvest (Figure 268-3). Data from the ongoing 2014/15 season are not available at this time.

Tanner crab pot escape rings and pot mesh size for the Bering Sea District were reduced by the board in March 2014 to reflect industry-preferred retention size of 5.0 inches carapace width. The 2013/14 fishery in the Bering Sea District east of 166° W longitude was prosecuted under regulations for pot escape rings and mesh size that were developed to promote the escape of crab smaller than 5.5 inches carapace width. More than 99% (6,790/6,792) of male Tanner crab captured during the 2013/14 fishery east of 166° W longitude and sampled by onboard fishery observers were greater than or equal to the legal size limit of 4.8 inches carapace width and 94% (6,394/6,792) were greater than or equal to 5.0 inches carapace width. Observers scored less than 1% (1/398) of the sampled captured males smaller than 5.0 inches carapace width as retained for harvest, 88% (5,633/6,394) of those greater than or equal to 5.0 inches carapace width as retained for harvest, and 95% (4,246/4,474) of those greater than or equal to 5.5 inches carapace width as retained for harvest (Figure 268-4). Observer data from the ongoing 2014/15 season, which was the first season to be prosecuted under the current regulations for pot escape rings and mesh sizes, are not available at this time.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposed change in harvest strategy because it is based on market preferences for the size of male Tanner crab to be harvested and processed. If the proposal is adopted and male Tanner crab greater than or equal to 5.0 inches carapace width captured during the fishery east of 166° W longitude are retained as harvest, the intended conservation benefits of the harvest strategy would be maintained while providing for an increase in long-term fishery yield. If the proposal is adopted and male Tanner crab 5.0 to 5.5 inches carapace width captured during the fishery east of 166° W longitude are not retained as harvest, the conservation benefits of the harvest strategy would be reduced, which would be expected to reduce the long-term fishery yield. If the proposal is not adopted and male Tanner crab greater than or equal to 5.0 inches carapace width captured during the fishery east of 166° W longitude are retained as harvest, the conservation benefits of the harvest strategy would be enhanced without a change in the harvest strategy.

Harvest Levels are a Category 2 management measure under the FMP (Section 8.2.2). Category 2 management measures should be consistent with the criteria set out in the FMP and the National Standards (FMP Appendix B).

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

Table 268-1.–Bering Sea District east of 166° W longitude Tanner crab commercial fishery data, 2005/06–2014/15.

		Harvest[b]			Average
Season	TAC[a]	Pounds[b]	Crab[b]	Deadloss[c]	Weight[c]
2005/06	----------*FISHERY CLOSED*----------				
2006/07	1,875,000	1,401,743	585,479	9,256	2.4
2007/08	3,445,000	1,582,858	685,491	16,117	2.3
2008/09	2,763,000	1,830,019	778,892	13,531	2.4
2009/10	1,350,000	1,324,578	483,419	8,376	2.7
2010/11–2012/13	----------*FISHERY CLOSED*----------				
2013/14	1,463,000	1,456,357	710,043	6,254	2.1
2014/15[d]	8,480,000	--	--	--	--

[a] Total allowable catch (TAC) in pounds.

[b] Includes deadloss.

[c] In pounds.

[d] Current season is ongoing.

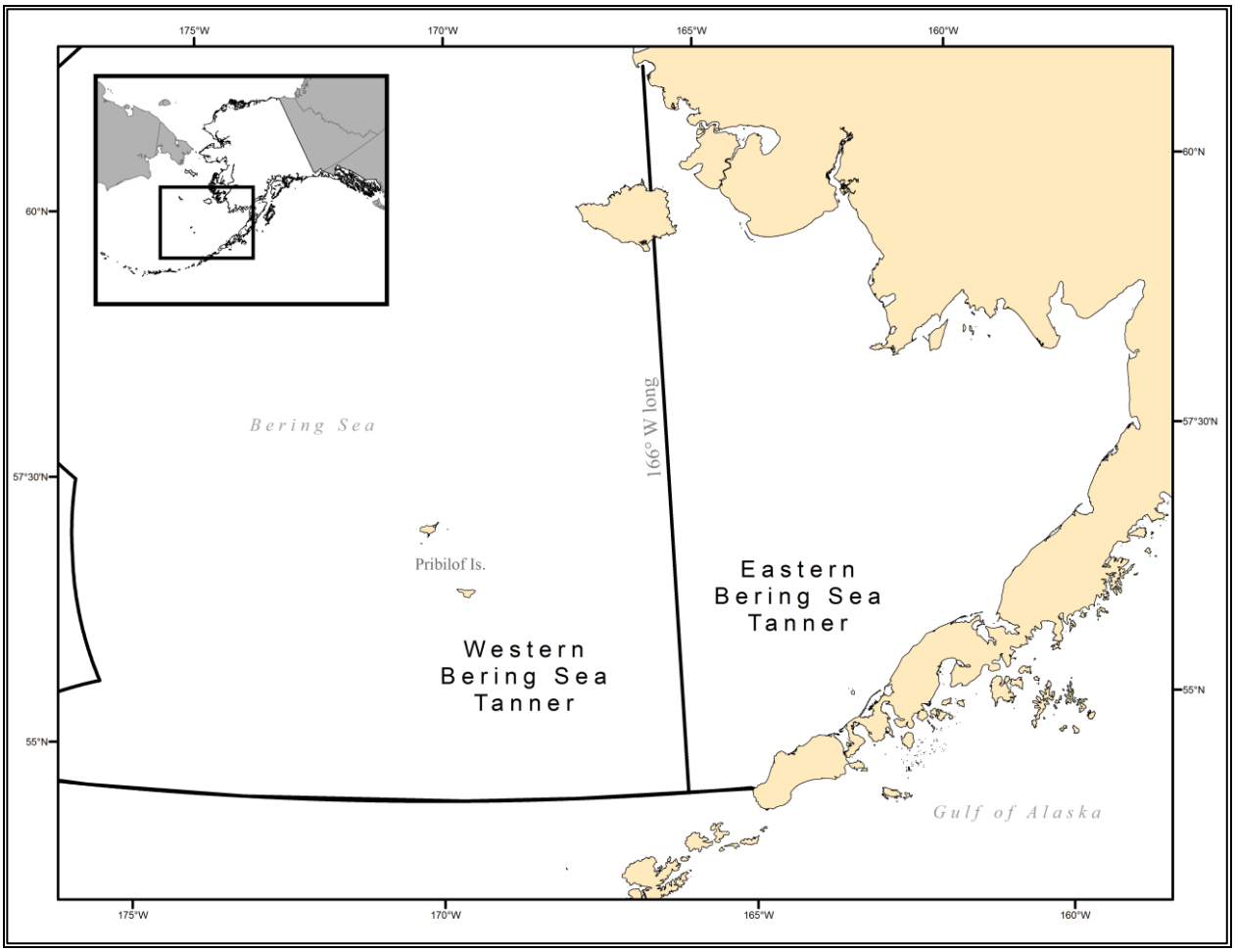
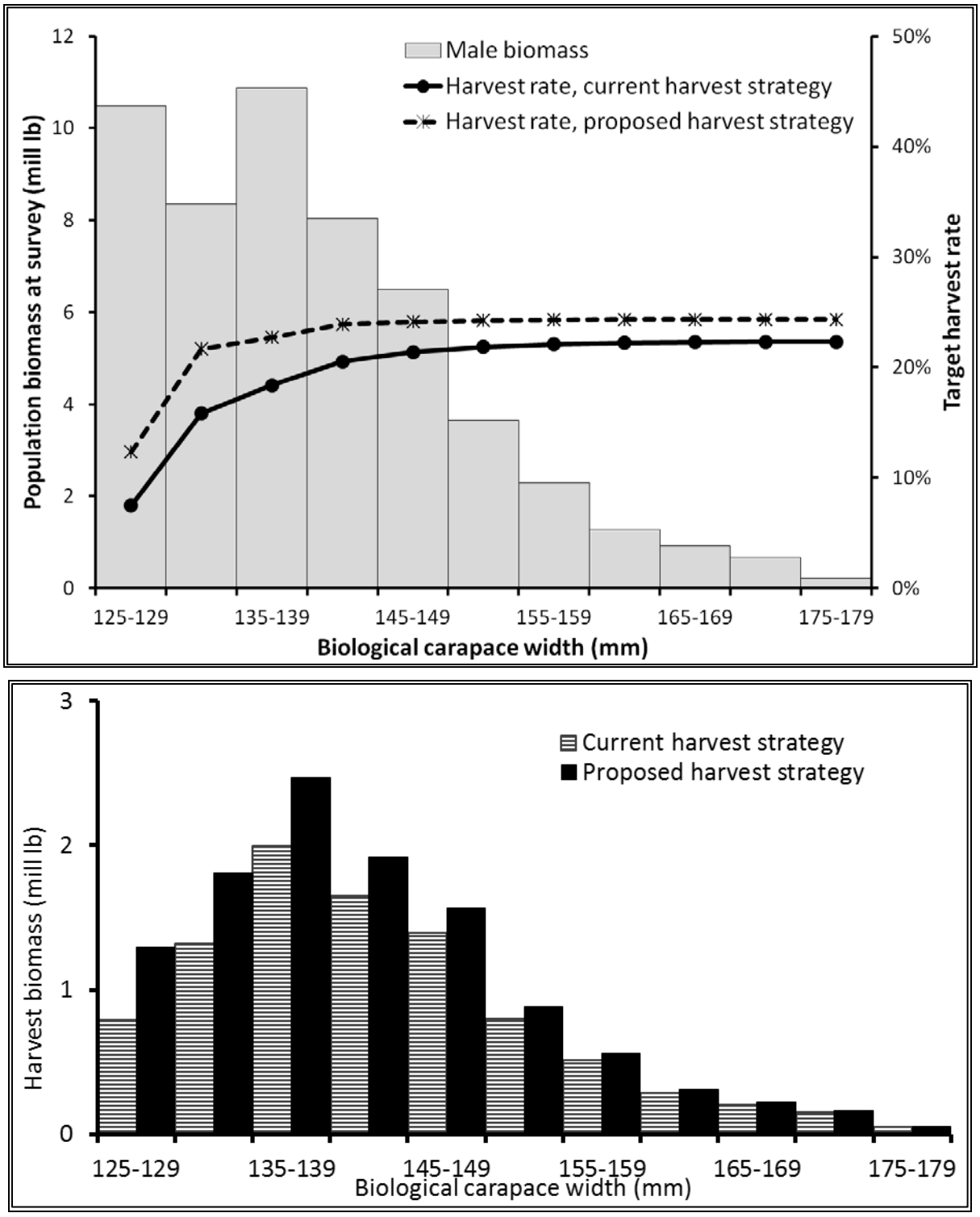
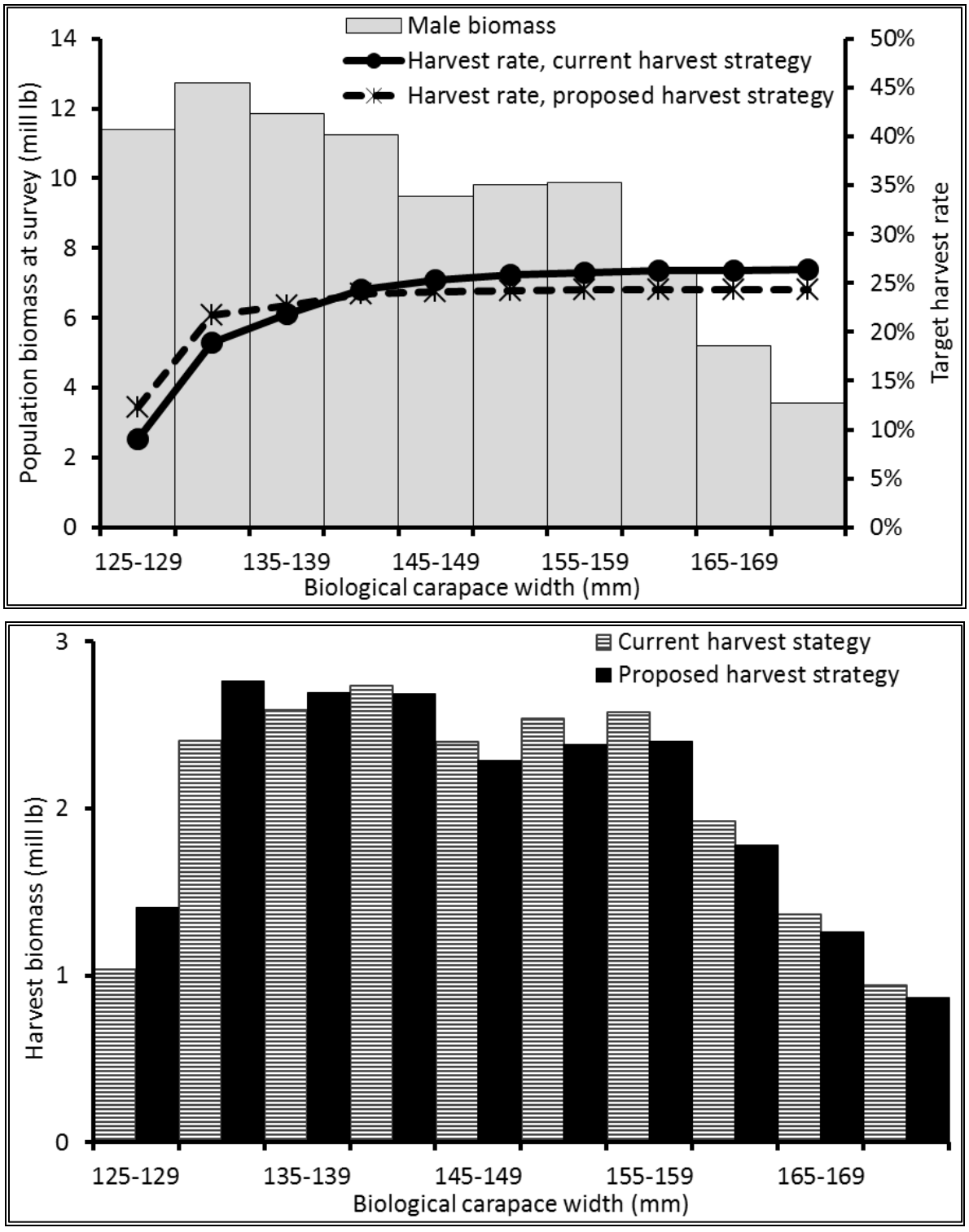


Figure 268-1.–Bering Sea District Tanner crab fishery management boundary for eastern and western total allowable catch.



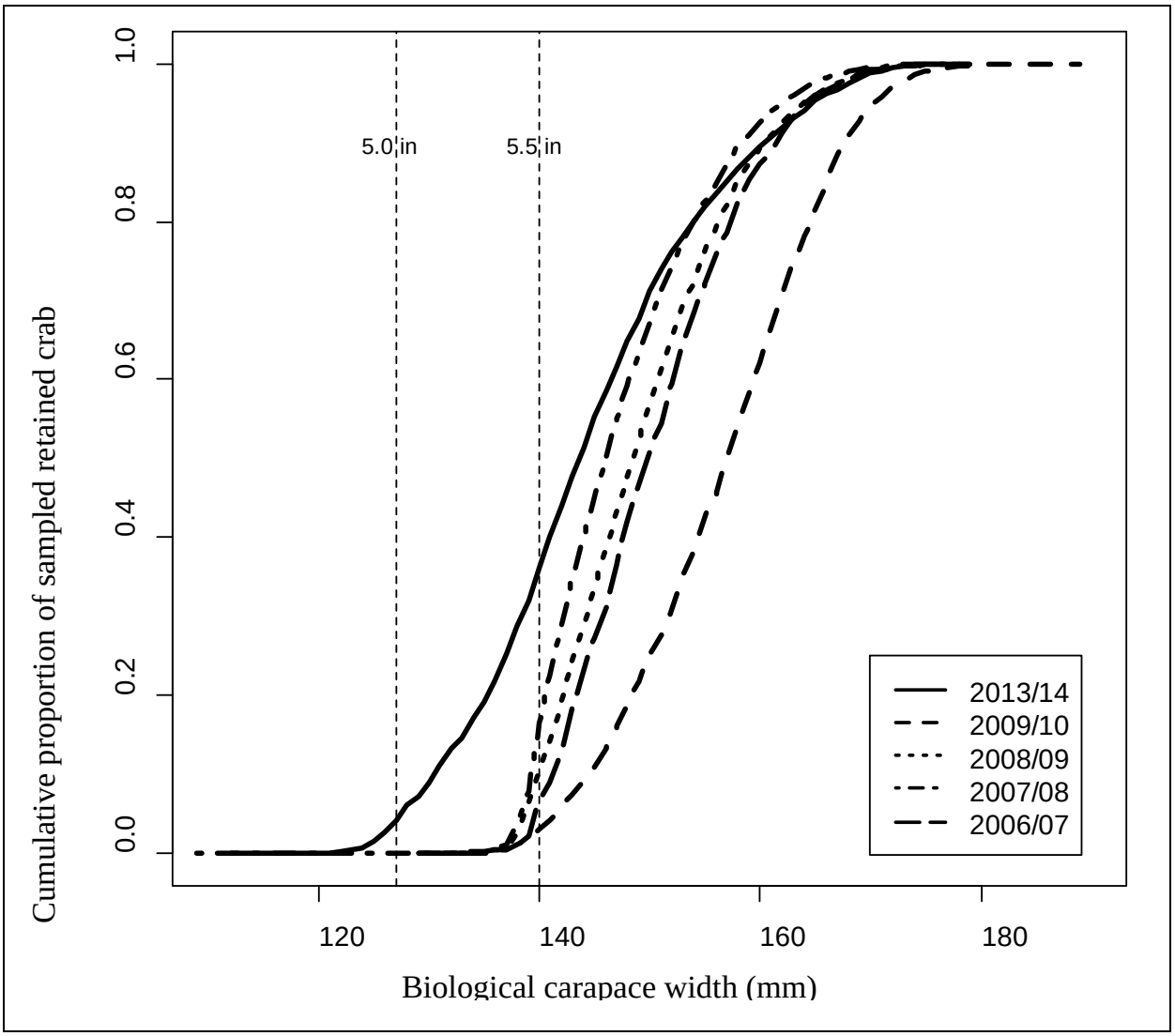
Notes: (1) total and retained fishery selectivities are projected from the current selectivities, and (2) the biological carapace width on the x-axes of graphs does not include spines and is approximately 2 mm less than the legal carapace width measurement, which includes spines.

Figure 268-2a.–Comparison of estimated realized harvest rates (top panel) and TAC biomass (bottom panel) by size class with the current harvest strategy and proposed harvest strategy with the 2014 male survey biomass in the Bering Sea District east of 166° W longitude.



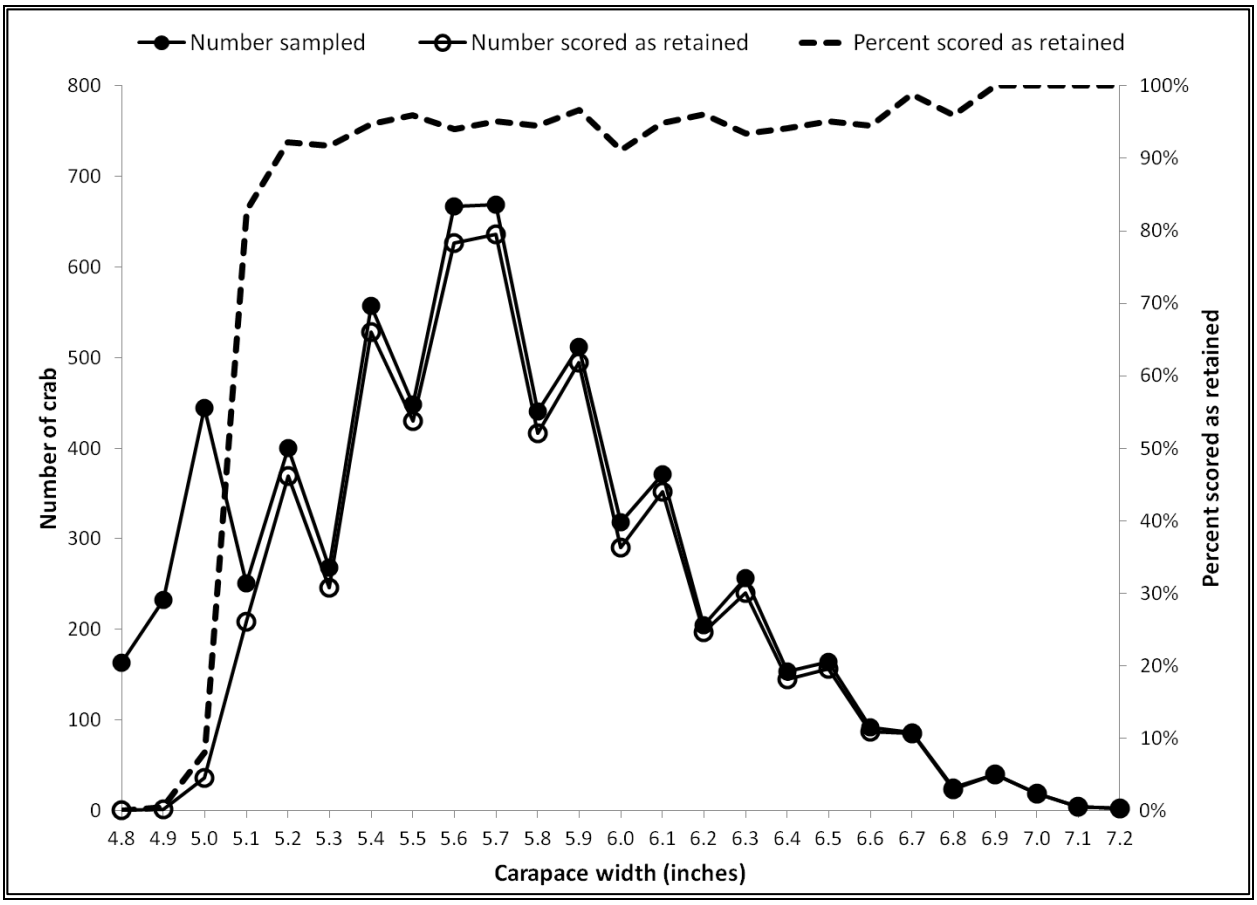
Notes: (1) total and retained fishery selectivities are projected from the current selectivities, and (2) the biological carapace width on the x-axes of graphs does not include spines and is approximately 2 mm less than the legal carapace width measurement, which includes spines.

Figure 268-2b.–Comparison of estimated realized harvest rates (top panel) and TAC biomass (bottom panel) by size class with the current harvest strategy and proposed harvest strategy with the average male survey biomass during 1975-1994 in the Bering Sea District east of 166° W longitude.



Note: the biological carapace width on the x-axis of graph does not include spines and is approximately 2 mm less than the legal carapace width measurement, which includes spines.

Figure 268-3.–Proportion of crab harvested by size in the Bering Sea District Tanner crab fishery east of 166° W longitude, 2006/07–2009/10 and 2013/14 seasons.



Note: data collected on biological carapace widths (i.e., not including spines) measured in mm were converted to inches by adding 2 millimeters to approximate carapace width including spines for the x-axis of this graph.

Figure 268-4.–Number of legal male Tanner crab captured during the 2013/14 Bering Sea District Tanner fishery east of 166° W longitude that were sampled by onboard fishery observers and the number and percentage of those that were scored by observers as retained for harvest, by carapace width.

PROPOSAL 269 – 5 AAC 34.915. Norton Sound Section red king crab harvest strategy.

PROPOSED BY: Adem Paul Boeckmann.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to incorporate the winter red king crab commercial fishery into existing harvest strategy regulations and establish a winter GHL.

WHAT ARE THE CURRENT REGULATIONS? The Norton Sound through-the-ice only commercial red king crab season is open by regulation from noon November 15 through noon May 15 (5 AAC 34.910(d)(2)). At present, 5 AAC 34.915. *Norton Sound Section red king crab harvest strategy* only pertains to the management of the summer red king crab commercial fishery and there is no GHL for the winter commercial fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would amend existing harvest strategy regulations by providing direction to the department for setting GHLs for the red king crab winter commercial fishery. This proposal does not specify the size of the winter GHL, so the effect this proposal may have on harvest and red king crab stock status is unknown.

BACKGROUND: The Norton Sound red king crab fishery is managed under the federal FMP, which establishes a joint management regime that defers management of Bering Sea and Aleutian Islands king and Tanner crab fisheries to the State of Alaska with federal oversight. Harvest levels are designated as an FMP Category 2 management measure, meaning that GHLs are set by the state following criteria specified in the federal FMP. An FMP amendment for annual catch limits was implemented in 2011 that requires the department to keep the total Norton Sound king crab harvest (winter commercial plus summer commercial plus subsistence) below the ABC limit adopted by the NPFMC. Currently, winter commercial harvests are not monitored inseason, but enumerated at the end of the season. Historically, winter commercial harvests comprised, on average, 2.5% of the overall harvest (2002–2011), and therefore contributed little towards the ABC. Since 2012, however, winter commercial harvests have represented a larger (5–14%) portion of the ABC.

Historically, harvests in the winter fishery have been affected most heavily by the stability and extent of nearshore ice. Since 2012, winter fishery harvests and effort have increased. Winter commercial harvests were 24,142 pounds, 62,179 pounds, and 34,587 pounds in 2012, 2013, and 2014, respectively (Figure 269-1). Excluding 1978, the 2013, 2014, and 2012 winter commercial harvests were the largest on record. The 2012–2014 average harvest of 40,303 pounds is 366% above the 2002–2011 average harvest of 8,653 pounds (Figure 269-1). The number of permit holders participating in the winter commercial fishery was 35 permit holders in 2012, 26 in 2013, and 21 in 2014. There have only been three other years in the 37-year history of the fishery in which more than 13 permit holders participated in the fishery; 1978 (37), 1994 (25), and 1996 (42). Recent increases in pot lifts have been even more noticeable. Although the 1,668 pot lifts in 2012 were within the range of the previous 10 years, the number of pot lifts in 2013 (6,093) and 2014 (3,949) were more than triple and double the upper end of the range (approximately 2,000 pot lifts) during the previous 10-year (2002–2011) period (Figure 269-1). The 2014 estimate of pot lifts was particularly exceptional considering both the poor ice conditions

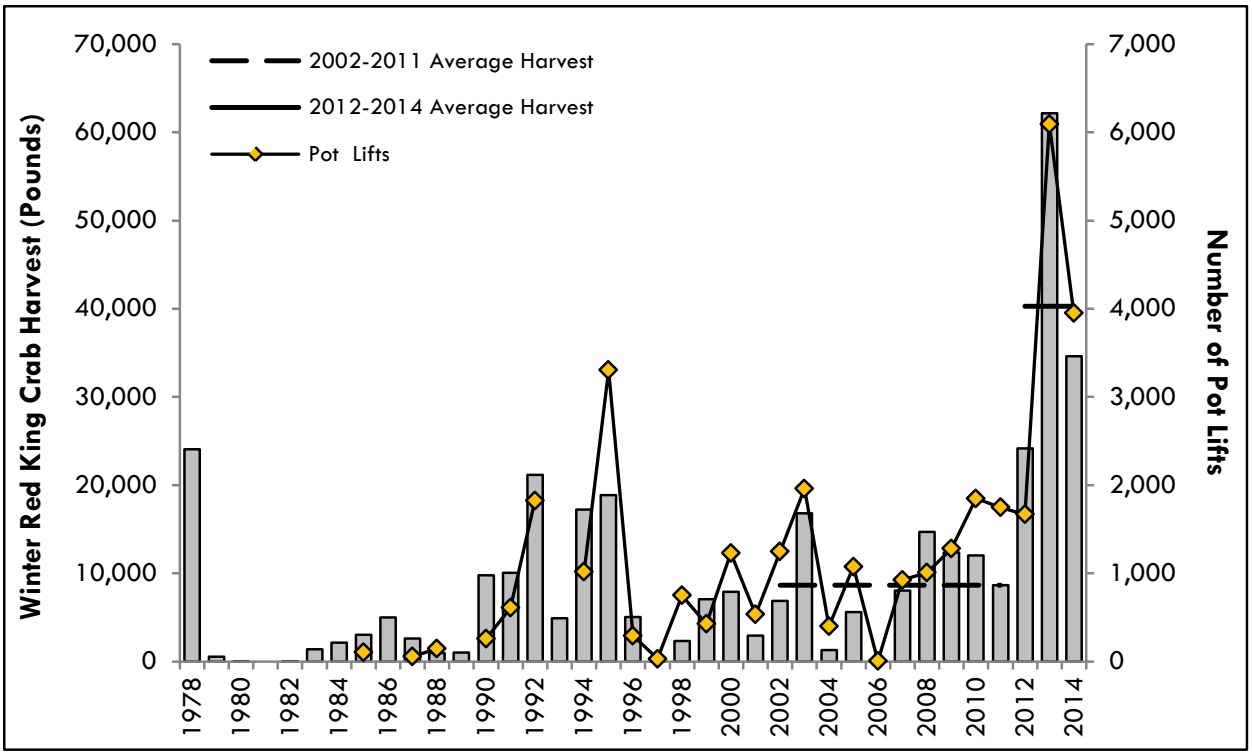
encountered for much of the season and that the vast majority of effort was concentrated within a narrow band of ice approximately 1 to 1 ½ miles wide by 20 miles long in the vicinity of Nome. Harvests could have been much higher in 2014 had ice conditions been similar to previous years.

The board has made a positive customary and traditional use finding for all shellfish in the Bering Sea area, including waters draining into the Bering Sea. The board has not made a finding of amounts reasonably necessary for subsistence.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. However, the department **SUPPORTS** the aspect that seeks to have the board provide the department with direction for managing the winter commercial fishery under the umbrella of existing harvest strategy regulations. Prior to 2012, harvest levels in the winter fishery were insignificant compared to the summer fishery. The department's approach since annual catch limits were implemented has been to deduct the winter harvest from the ABC before setting the summer GHL according to the regulatory harvest strategy. However, this practice may no longer be suitable in light of increased post-2011 levels of winter harvest and fishing effort, in large part due to strong dock prices for winter red king crab. The current harvest strategy regulation only considers the summer fishery and total catch must remain below the ABC. Depending on the magnitude of the ABC, the department's practice of deducting the winter harvest, as opposed to managing to a GHL, could result in significant reductions in summer GHLs.

This proposal is a Federal FMP Category 2 (guideline harvest levels) management measure (FMP Section 8.2.2). Category 2 management measures should be consistent with the criteria set out in the FMP and the National Standards (FMP Appendix B).

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.



Note: Pot lift data unavailable from 1978–1984 and missing for some years from 1986–1993.

Figure 269-1.–Annual winter commercial red king crab harvest compared to the 2012–2014 and previous 10-year (2002–2011) average harvest levels and number of pot lifts, 1978–2014.

PROPOSAL 270 – 5 AAC 34.910. Fishing seasons for Registration Area Q.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to amend the length of the winter through-the-ice commercial red king crab fishing season through opening the season by emergency order on or after January 15 and closing April 30, unless extended by emergency order.

WHAT ARE THE CURRENT REGULATIONS? At present, the Norton Sound winter commercial red king crab season is open by regulation from noon November 15 to noon May 15 through-the-ice only.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial harvest opportunities in the winter fishery may be reduced some years by changing the season dates to January 15 to April 30. However, not allowing commercial fishing during early ice formation and spring retreat provides the department with a tool to reduce the frequency of pot loss in the winter fishery, thereby decreasing mortality of red king crab and other marine organisms entrapped in "ghost" pots. Changing the season opening date to a date established by emergency order on or after January 15 would also be better aligned with the NPFMC schedule for setting ABCs, ensuring that significant winter commercial harvest would not occur prior to establishing ABC levels.

BACKGROUND: Historically, the majority of the winter commercial red king crab harvest has occurred from February to April, when nearshore ice conditions are most stable and legal male crab move inshore in preparation of the mating season. From 2010–2014, between 0.4% (2011) and 6.2% (2012) of the commercial harvest was landed by January 15; an average of 2.64% for the 2010–2014 period (Figure 270-1). Landings during the first two weeks of May have accounted for 0.8% (2014) to 15% (2012) of the harvest and 9.5% on average from 2010–2014 (Figure 270-1).

The NPFMC CPT meeting schedule has changed due to requests from stakeholders for more advance notice of the summer GHL, so that the Norton Sound red king crab stock assessment is reviewed by the CPT in January with the NPFMC adopting the ABC and OFL in February. Until recently, the Norton Sound red king crab stock assessment was reviewed by the CPT in May and the ABC/OFL were adopted by the NPFMC in June, just prior to the summer fishery opening. This change in assessment schedule results in the winter commercial harvest counting against the ABC prior to the summer season harvest, and better aligns with the proposed later season opening.

In years with unstable ice regimes, pot loss due to high winds pushing pans of ice offshore can be significant. From 2011–2013, when ice conditions were more stable, an average of 30 pots were lost per year. However, during the winter 2014 season, a minimum of 105 commercial pots were reported lost. The majority of these pots were lost in January, well before the ice was stabilized, and in early May, when nearshore ice began to deteriorate from warm weather. Although crab pots are required to have biodegradable escape mechanisms, previous studies have shown that pots still have the potential to ghost fish for crab and other marine organisms several years after escape mechanisms have been triggered.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Changing the season dates to January 15–April 30 could result in a 1–15% reduction in winter harvest based on the previous 5-year trend. In most years, very little harvest occurs prior to January 15 and more than 90% of the harvest has been landed by April 30, except in years with extensive ice. However, the department could use emergency order authority to extend the season to utilize harvestable surpluses when ice conditions are exceptional (e.g. 2012–2013 seasons). The proposed season dates address the department's concerns with anticipated increases in lost pots in the marine environment and their biological impacts. Not allowing commercial fishing during early ice formation and spring retreat should reduce the frequency of pot loss in the winter fishery, thereby decreasing mortality of red king crab and other marine organisms entrapped in "ghost" pots.

Fishing seasons are a Category 2 management measure under the Federal FMP (Section 8.2.5). Category 2 management measures should be consistent with the criteria set out in the FMP and the National Standards (FMP Appendix B).

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

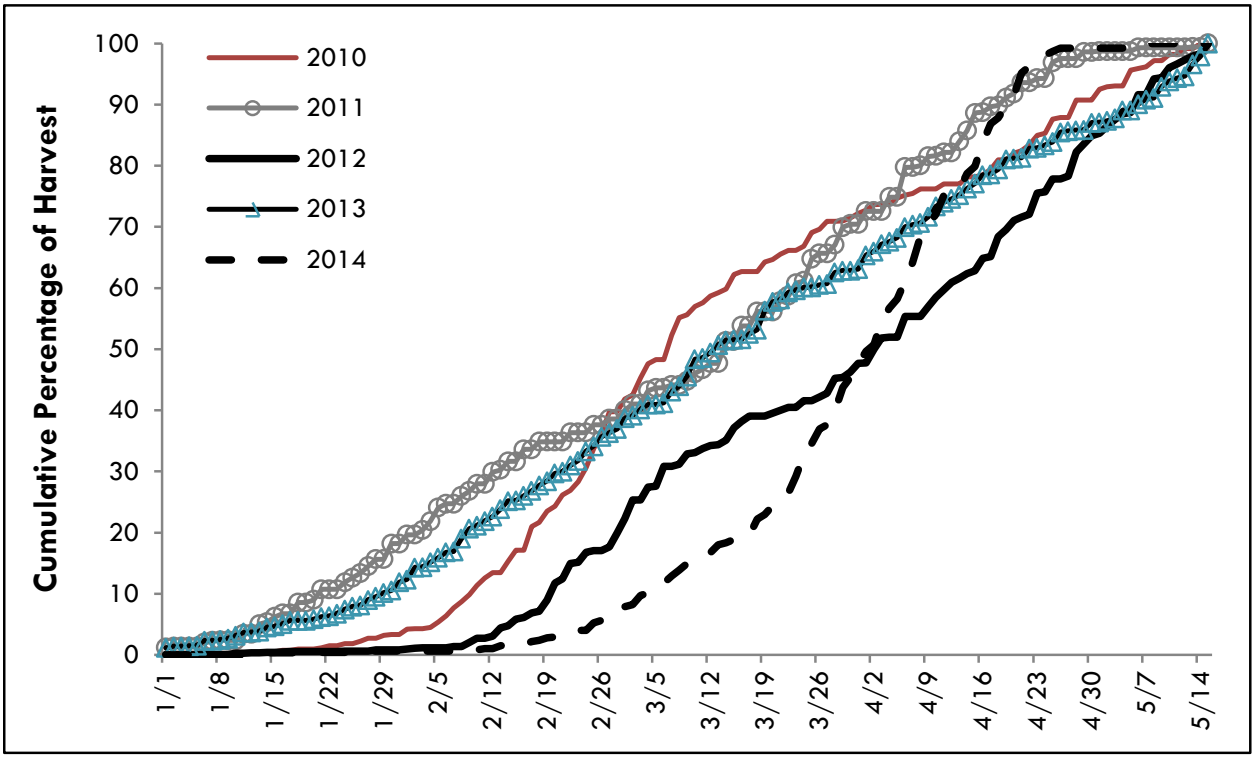


Figure 270-1.–Average cumulative percentage of winter commercial red king crab harvest by date, 2010–2014.

PROPOSAL 271 – 5 AAC 07.365. Kuskokwim River Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Require 4-inch mesh subsistence gillnets to be operated only as set gillnets in the Kuskokwim River during times of king salmon conservation.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 07.365. *Kuskokwim River Salmon Management Plan.* (d)(2)(A) "the gillnet mesh size may not exceed four inches until sockeye and chum abundance exceeds the king salmon abundance". Since this regulation does not specify how a 4-inch gillnet is used, they may be operated in either a set or drift configuration.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvest of whitefish and non-salmon species in gillnet gear might change by an unknown amount. Incidental catch of salmon in gillnet gear would likely decrease by an unknown amount.

BACKGROUND: Since 2010, the Kuskokwim River has experienced poor king salmon returns and average to above average sockeye and chum salmon returns. Total run estimates for Kuskokwim River king salmon in 2010, 2012, and 2013 are the three lowest on record. Escapements in 2010 and 2013 were below the Kuskokwim River drainagewide escapement goal that was established in 2013 and the majority of tributary escapement goals were not met in these years.

The 2014 Kuskokwim River king salmon run was expected to be similar to the 2013 run, which was the lowest on record. In anticipation of a low run, management actions closed the subsistence, commercial, and sport king salmon fisheries with the intent of reducing incidental harvest of king salmon to a level that would allow for achievement of escapement goals.

In January 2013, the board adopted a new provision to the *Kuskokwim River Salmon Management Plan* that includes an additional king salmon conservation measure allowing the department to restrict subsistence gillnet mesh size to four inches or less until sockeye and chum salmon abundance exceeds king salmon abundance. The effect of this provision is to close the subsistence salmon fishery until sockeye and chum salmon are present in adequate abundance.

During subsistence salmon closures, fishermen may target whitefish and other non-salmon species with a 4-inch or less mesh size gillnet, used as either a set or drift gillnet, that may not exceed 60 feet in length. In 2012 and 2014, the department closed the subsistence salmon fishery for 31 days and there were numerous reports of subsistence fishermen intentionally targeting king salmon by drifting 4-inch mesh gillnets. Drift gillnets are more mobile gear and can be operated in deeper water than set gillnet gear. Although targeting salmon is deemed illegal if the subsistence salmon fishery is closed by emergency order, it is difficult to enforce.

The board has made a positive customary and traditional use finding for king salmon, chum salmon, sockeye salmon, coho salmon, and pink salmon in the Kuskokwim River drainage (5 AAC 01.286(a)(3)). The board has also made a positive customary and traditional use finding for halibut, Pacific cod, and all other finfish in the Kuskokwim Area.

The board made ANS findings for king salmon (67,200–109,800), chum salmon (41,200-116,400),sockeye salmon (32,200–58,700), coho salmon (27,400–57,600) and pink salmon (500-2,000). The board made ANS findings for non-salmon fishes in 1997, but those findings were not codified.

The Kuskokwim Subsistence Salmon Panel was established at the board work session in October 2014 to seek public input on how to ensure an equitable distribution of subsistence salmon resources throughout the Kuskokwim River drainage and potential tools for equitable distribution in times of low abundance. The panel anticipates a series of meetings leading up to the January 2016 AYK in-cycle meeting with several milestones for proposed solutions and board action in between.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** the king salmon conservation benefits of this proposal. If this proposal is not adopted the practice of targeting king salmon with drift gillnets during times when king salmon conservation measures are in place will continue to threaten the already depressed Kuskokwim River king salmon resource.

The board should consider if adoption of this proposal continues to provide a reasonable opportunity for subsistence uses of Kuskokwim River salmon, other than king salmon, and nonsalmon fish.

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 272 – 5 AAC 01.270. Lawful gear and gear specifications and operation and 5 AAC 07.365. Kuskokwim River Salmon Management Plan.

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO? This proposal would provide the option of restricting gillnet length that the department could implement to provide opportunity in the Kuskokwim River for a limited subsistence harvest of king salmon and species other than king salmon during times of king salmon conservation.

WHAT ARE THE CURRENT REGULATIONS? Gillnets are the primary gear type used in the Kuskokwim River subsistence salmon fishery. By emergency order, during times of king salmon conservation, subsistence gillnet mesh size may be restricted to 4-inch or smaller or not to exceed six inches; dip nets may be used with the requirement that all king salmon must be immediately released unharmed; fish wheels must have live boxes and be checked at least every 6 hours with king salmon being returned alive to the water; and beach seines may be used with king salmon being returned alive to the water. Additionally, the length of set gillnets or drift gillnets may be reduced to not exceed 25 fathoms in length during times of king salmon conservation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In years when there is a small harvestable surplus of king salmon, king salmon and other salmon species harvest may increase relative to status quo, because without the additional tools provided by this proposal, the fishery would remain closed.

BACKGROUND: Since 2010, the Kuskokwim River has experienced poor king salmon returns and average to above average sockeye and chum salmon returns. Total run estimates for Kuskokwim River king salmon in 2010, 2012, and 2013 are the three lowest on record. Escapements in 2010 and 2013 were below the Kuskokwim River drainagewide escapement goal that was established in 2013 and the majority of tributary escapement goals were not met in these years. In 2012 and 2014, the department closed the subsistence salmon fishery for 31 days.

The 2014 Kuskokwim River king salmon run was expected to be similar to the 2013 run, which was the lowest on record. In anticipation of a low run, management actions closed the subsistence, commercial, and sport king salmon fisheries with the intent of reducing incidental harvest of king salmon to a level that would allow for achievement of escapement goals.

In January 2013, the board adopted a new provision to the *Kuskokwim River Salmon Management Plan* (management plan) that includes additional king salmon conservation measures allowing the department to restrict subsistence gillnet mesh size to four inches or less until sockeye and chum salmon abundance exceeds king salmon abundance, effectively closing the subsistence salmon fishery until sockeye and chum salmon are present in adequate abundance. In March 2014, the board approved the use of dip nets and emergency order authority to reduce gillnet length to 25 fathoms as additional provisions the department could implement to conserve king salmon.

The Kuskokwim Subsistence Salmon Panel was established at the board work session in October 2014 to seek public input on how to ensure an equitable distribution of subsistence salmon resources throughout the Kuskokwim River drainage and potential tools for equitable distribution in times of low abundance. The panel anticipates a series of meetings leading up to the January 2016 AYK in-cycle meeting with several milestones for proposed solutions and board action in between.

DEPARTMENT COMMENTS: The department is **NEUTRAL** to the allocative aspects of this proposal. The department **SUPPORTS** modifications to the management plan that allow subsistence fishing opportunity while conserving king salmon to meet escapement goals. This proposal is one vehicle for stakeholder involvement in cooperatively discussing and potentially modifying the management plan. The additional flexibility provided by regulatory changes would enhance the department's ability to conserve king salmon while providing subsistence harvest opportunity.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery if fishermen are required to modify existing gear.

SUBSISTENCE REGULATION REVIEW:

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

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the board made a positive customary and traditional use finding for king salmon, chum salmon, sockeye salmon, coho salmon, and pink salmon in the Kuskokwim River drainage (5 AAC 01.286(a)(3)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes, for salmon other than king salmon, and for other finfish.

4. What amount is reasonably necessary for subsistence uses? The board made amount reasonably necessary findings for salmon species in the Kuskokwim River, which were revised in January 2013: 67,200–109,800 king salmon, 41,200–116,400 chum salmon, 32,200–58,700 sockeye salmon, 27,400–57,600 coho salmon, and 500–2,000 pink salmon in the Kuskokwim River (5 AAC 01.286(b)(1)-(5).

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

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

PROPOSAL 273 – 5 AAC 01.220. Lawful gear and gear specifications.

PROPOSED BY: Fred W. Alexie Sr.

WHAT WOULD THE PROPOSAL DO? This proposal would allow subsistence fishermen in upper portion of Yukon Area Subdistrict 4-A to use driftnets to catch summer chum salmon from July 15 to August 2.

WHAT ARE THE CURRENT REGULATIONS? Under current regulations, fishermen in the upper portion of Subdistrict 4-A, upstream from the mouth of Stink Creek, may use drift gillnets for king salmon from June 10 until July 14 and for chum salmon after August 2. In Subdistrict 4-A, downstream from the mouth of Stink Creek, king salmon may be taken by drift gillnets from June 10 to July 14. Other than these provisions, salmon may not be taken for subsistence uses by drift gillnets in districts 4, 5, and 6.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WAS ADOPTED? The effect on king salmon would be minimal since the majority of king salmon have migrated out of Subdistrict 4-A by this date. Summer chum salmon harvest would likely increase by an unknown amount.

BACKGROUND: In the upper portion of Subdistrict 4-A, current regulations define drift gillnet fishing from June 10 until July 14 and after August 2 because fishermen wanted increased opportunity to harvest king salmon and fall chum salmon, respectively (Figure 273-1). However, during times of king salmon conservation in the last several years, fishermen have been encouraged to target the more abundant summer chum salmon runs. Since 2012, subsistence salmon fishing has been restricted to 6-inch or smaller mesh gillnets to target summer chum salmon, or closed during the king salmon run. In years of king salmon conservation, fish wheels and set gillnets are used to target summer chum salmon once the end of the king salmon run passes through an area. Although fishermen may use set nets there are few set net sites along this portion of the river and conditions can often be dangerous due to high water levels and river debris caused by storms. In years of normal run timing, up to 30 percent of the summer chum salmon run may still be present in this area of Subdistrict 4-A after July 14. The majority (>90 percent) of the king salmon run has migrated out of this area of Subdistrict 4-A by July 11 during early run timing years, by July 13 during normal run timing years, and by July 16 during late run timing years.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with modifications. Since existing regulations refer to king salmon drift gillnet fishing, the department would like authority to open a summer chum salmon drift gillnet fishery from June 10 through August 2 during times of king salmon conservation, by emergency order. Emergency order authority would give fishery managers the flexibility to open and close drift gillnet fishing targeting summer chum salmon during times of king conservation when the run is normal or late. Given that lack of fishing sites, the fishing gear, and timing issues are similar throughout all of Subdistrict 4-A, the department would also like to see the proposal extended to apply to all of Subdistrict 4-A and not confined solely to the upper portion of the subdistrict.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? A portion of these salmon stocks migrate through the Fairbanks Nonsubsistence Area (5 AAC 99.015(a)(4)).

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the board made a positive customary and traditional use finding for king salmon, summer chum salmon, fall chum salmon, coho salmon, and pink salmon in the Yukon Area (5 AAC 01.236(a)(1)).

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

4. What amount is reasonably necessary for subsistence uses? The board made amount reasonably necessary findings for salmon species in the Yukon Area, which were revisited in January 2013: 45,500–66,704 king salmon, 83,500–142,192 summer chum salmon; 89,500–167,900 fall chum salmon; and 20,500–51,980 coho salmon; 2,100–9,700 pink salmon (5 AAC 01.236(b)).

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

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

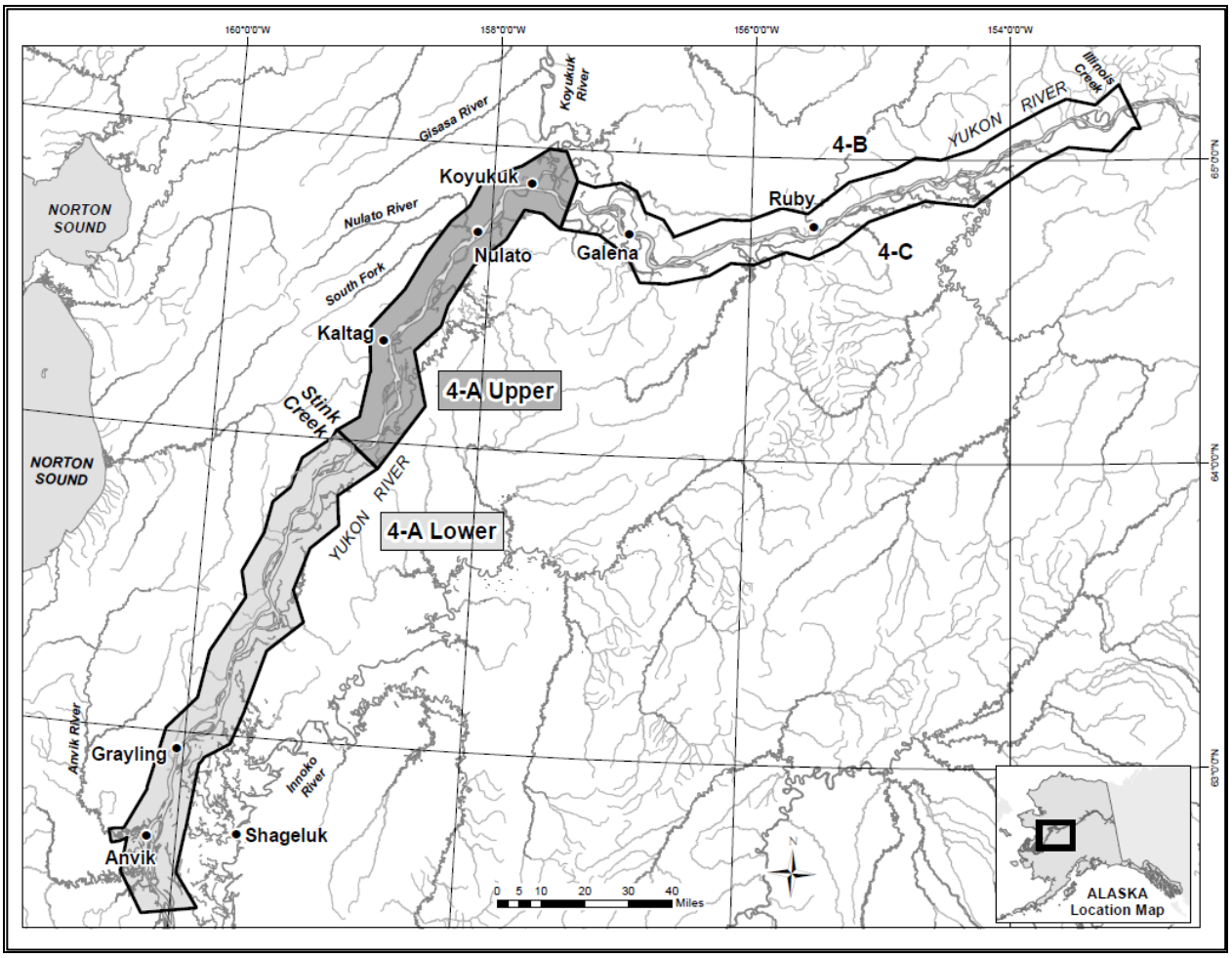


Figure 273-1.–Map of District 4 on the Yukon River, delineating Subdistrict 4-A into Lower and Upper. The proposal seeks to allow drift gillnetting for summer chum salmon in Subdistrict 4-A Upper.

PROPOSAL 274 – 5 AAC 01.220. Lawful gear and gear specifications.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would provide the flexibility to allow subsistence fish wheel fishermen in the Yukon Area to retain king salmon when some harvest is justified based on inseason run assessment information.

WHAT ARE THE CURRENT REGULATIONS? Current regulations state that during times of king salmon conservation, gear is limited to 6-inch or smaller mesh size gillnets and fish wheel users are required to release all king salmon caught via fish wheels. There is no provision that allows king salmon to be kept for subsistence uses by fish wheel fishermen when gillnets are restricted to 6-inch mesh during times of king salmon conservation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WAS ADOPTED? These changes would provide flexibility to the department to allow fish wheel fishermen to retain king salmon caught in fish wheels when justified based on inseason king salmon run assessment. The king salmon harvest would likely increase by a small amount. Overall king salmon mortality would likely increase because most king salmon released from fish wheels during times of king salmon conservation likely survive.

BACKGROUND: Since 1998, the Yukon River has experienced below average to poor king salmon returns. The king salmon run has been managed progressively more conservatively in recent years. In 2014, subsistence, commercial, sport, and personal use king salmon fisheries were closed throughout the Yukon River drainage to protect king salmon in an attempt to meet Alaska escapement goals and the U.S./Canada Yukon River Panel interim management escapement goal. Subsistence fishing was restricted to gear types that allowed live release of king salmon, such as fish wheels and dip nets, until the king salmon run was nearly complete in each district. Subsistence fishing opportunity using 6-inch or smaller mesh gillnets was provided once the majority of the king salmon run had migrated through each district and while summer chum salmon were still present. The intent of subsistence restrictions was to allow opportunity to harvest summer chum salmon, while minimizing incidental harvest of king salmon to allow for escapement goals to be met. Although below the historical average, the 2014 king salmon run was better than anticipated and all escapement goals that could be assessed were met. In fact, two of the four escapement goals assessed in the Alaska portion of the Yukon River drainage and the U.S./Canada Yukon River Panel interim management escapement goal were exceeded.

Currently, in times of king salmon conservation, subsistence gear may be restricted to 6-inch or smaller mesh size gillnets and fish wheel users must release all king salmon alive. Based on the 2014 inseason run assessment, a small incidental king salmon harvest was allowable at the end of the king salmon run. Therefore, 6-inch or smaller mesh gillnets were allowed very late in the king salmon run to allow for efficient harvest of summer chum salmon with the expectation by the department that a small harvest of king salmon would occur. At the same time 6-inch or smaller mesh size gillnets were implemented, fish wheel fishermen were required to release all king salmon, despite an allowable small incidental harvest of king salmon.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Fishery management in recent years has focused on providing subsistence and commercial opportunity on abundant summer chum salmon runs while simultaneously protecting king salmon runs to meet escapement goals and objectives. However, in years like 2014, when a small incidental king salmon subsistence harvest is justified based on inseason run assessment, there is opportunity to continue to utilize gear types that primarily target summer chum salmon and minimize, not eliminate, king salmon harvest. Providing the department flexibility in implementing gear options intended to primarily target summer chum salmon would allow for greater subsistence opportunity when a small incidental king salmon harvest is justified based on inseason run assessment.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? A portion of these salmon stocks migrate through the Fairbanks Nonsubsistence Area (5 AAC 99.015(a)(4)).

2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the board made a positive customary and traditional use finding for king salmon, summer chum salmon, fall chum salmon, coho salmon, and pink salmon in the Yukon Area (5 AAC 01.236(a)(1)).

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

4. What amount is reasonably necessary for subsistence uses? The board made amount reasonably necessary findings for salmon species in the Yukon Area, which were revisited in January 2013: 45,500–66,704 king salmon, 83,500–142,192 summer chum salmon; 89,500–167,900 fall chum salmon; and 20,500–51,980 coho salmon; 2,100–9,700 pink salmon (5 AAC 01.236(b)).

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

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

PROPOSAL 275 – 5 AAC 06.350. Closed waters.

PROPOSED BY: Armstrong Family (JoAnn Armstrong, Curt Armstrong, Janet Armstrong Schlagel, Allison Tennyson, Rosanne Savo, and Nora Armstrong-Johnson) (*formerly ACR 11*).

WHAT WOULD THE PROPOSAL DO? This proposal would amend the coordinates that define the Naknek-Kvichak District boundary line near Graveyard Point to define the locations as described in regulation prior to 1992.

WHAT ARE THE CURRENT REGULATIONS? The following locations in the Naknek-Kvichak District are closed to the taking of salmon: those waters northeast of a line from a department regulatory marker located at 58° 52.07' N. lat., 157° 00.89 W. long. near Graveyard Point to the department regulatory marker located at 58° 53.24' N. lat., 157° 04.44' W. long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the amount of fishing area in the Naknek-Kvichak District; however, it would not increase harvest because harvest levels are based on escapements.

BACKGROUND: 5 AAC 06.350(b)(1) has been amended several times in the past to address changes in ways to define the Kvichak District boundary line near Graveyard Point. In 1980, 5 AAC 06.350(b)(1) stated, "In Kvichak Bay the following waters are closed waters: northeast of a line from Graveyard Point to a point on the opposite shore at 58° 53' 22" N. lat., 157° 04' 16" W. long."

Historically there was a boundary marker near Graveyard Point to mark the boundary location on the east side of the closed waters line. In 1992, the regulation was amended to define the boundary line with Loran C coordinates. In 2001, the regulation was amended to define the boundary location using GPS coordinates. There is no evidence that the coordinates in current regulations are in a different location than the historical boundary marker.

The point on the shore opposite of Graveyard Point (west side of the closed waters line) was historically defined using latitude and longitude coordinates. This point was also redefined in 1992 using Loran C coordinates and again in 2001 using GPS coordinates. By comparing the historical latitude and longitude coordinates to the GPS coordinates in current regulations it is clear that this point moved thereby reducing the amount of fishing area.

DEPARTMENT COMMENTS: The department **SUPPORTS** establishing coordinates that correspond to the historical boundary marker location on the west side of the closed waters line. The department is **NUETRAL** on considering shoreline erosion to establish new coordinates, but recommends that if a new boundary line is established it should not allow for any additional set gillnet fishing sites.

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 276 – 5 AAC 39.117. Vessel length; bulbous bow.

PROPOSED BY: Leroy L. Cabana (*formerly ACR 26*).

WHAT WOULD THE PROPOSAL DO? This proposal would modify the definition of salmon seine vessel overall length so that anchor rollers extending beyond the forward extremity of the bow are not included in the determination of overall length. However, when anchor rollers are inset into the bow or placed behind the bow the overall length determination would be made using the forward extremity of the bow. In addition, the proposal would define anchor roller for the purposes of defining overall length of salmon purse seine vessels.

WHAT ARE THE CURRENT REGULATIONS? AS 16.05.835 provides that a salmon seine vessel may not exceed 58 feet in overall length unless the vessel was used to fish for salmon with seines prior to January 1, 1962. Anchor rollers are not included in the overall length determination.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Salmon seine vessels with a portion of the bow extending beyond an anchor roller, causing the vessel to exceed 58 feet in overall length, would no longer be legal in the commercial salmon seine fishery.

BACKGROUND: The current statute defining maximum length of salmon seine vessels was adopted in 1970, and has been amended several times. A 1990 amendment added the definition of overall length, which excluded anchor rollers. A 2004 amendment gave the Board the discretionary authority to allow the use of longer seine vessels. 5 AAC 39.117 specifies that the addition of a bulbous bow may lawfully cause a vessel salmon seine vessel to exceed the 58 foot overall length limit and was adopted in 2008. The department does not have information on the number of salmon seine vessels with inset anchor rollers or anchor rollers placed behind the bow currently operating in the fleet.

DEPARTMENT COMMENTS: The department **SUPPORTS** defining overall length of salmon seine vessels in a manner that is easily understood by the public and is readily enforceable and is **NEUTRAL** on the specific regulatory language included in this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery if they must modify their vessel so that its length remains under the overall length limit.

Board Generated Proposals (2 Proposals): 277–278

PROPOSAL 277 – 5 AAC 06.355 – 5 AAC 06.369. Bristol Bay sockeye salmon fisheries management and allocation plans.

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO: This proposal is a mechanism for the board to establish optimum escapement goals (OEGs) for Bristol Bay sockeye salmon and describe the department's current escapement management practices in regulation. In December 2012 the board established a committee to oversee an evaluation of OEGs for six Bristol Bay sockeye salmon stocks. The board action was in response to the department's proposed revisions to Bristol Bay sockeye salmon Biological Escapement Goals (BEGs) (Fair et al. *2012 Review of salmon escapement goals in Bristol Bay, Alaska*, FMS No. 12-04).

WHAT ARE THE CURRENT REGULATIONS? Current regulations 5 AAC 06.355–06.369 identify specific escapement goals for the six sockeye salmon stocks in this proposal.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department agreed to postpone implementation of recommended BEGs for six sockeye salmon stocks until 2015, pending the results from an OEG analysis, which are expected to be available in March 2015. Bristol Bay escapement goals will change to those found in Fair et al. 2012 in 2015 if the board does not adopt OEGs.

BACKGROUND: This issue was considered in December 2012 and the board formed a committee to evaluate escapement goals and report back to them before 2015.

From the board record: *"Purpose: ADF&G has agreed to suspend the adoption of various recommended sockeye salmon escapement goals for two years, meaning that the goal will go into effect for the 2015 salmon season. The recommended escapement goals being deferred are Ugashik, Egegik, Naknek, Wood, Igushik, and Nushagak River sockeye salmon. The Nushagak River SEG and OEG will change in 2013, but only to account for the sonar conversion from Bendix to DIDSON. This delay in implementation is intended to give the industry time to meet, discuss, and analyze economic information that would assist the Board in developing OEGs."*

DEPARTMENT COMMENTS: The department is **NEUTRAL** on 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 278 – 5 AAC 01.270. Lawful gear and gear specifications and operations.

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO? In the Kuskokwim River subsistence fishery, establish criteria for the use of fish wheels equipped with chutes that facilitate live release of king salmon during times of king salmon conservation.

WHAT ARE THE CURRENT REGULATIONS? By emergency order, during times of king salmon conservation, subsistence fish wheels must have live boxes and be checked at least every 6 hours with king salmon being returned alive to the water.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would provide an alternative method for the live release of king salmon from subsistence fish wheels during times of king salmon conservation while continuing to provide fish wheel harvest opportunity on more abundant fish species. This may result in an increased harvest of subsistence salmon, other than king salmon, such as chum and sockeye salmon for which there are currently no conservation concerns.

BACKGROUND: Since 2010, the Kuskokwim River has experienced poor king salmon returns and average to above average sockeye and chum salmon returns. Total run estimates for Kuskokwim River king salmon in 2010, 2012, and 2013 are the three lowest on record. Escapements in 2010 and 2013 were below the Kuskokwim River drainagewide escapement goal (established in 2013) and the majority of tributary escapement goals were not met in these years. This has necessitated severe restrictions on subsistence salmon fishing directed at the conservation of king salmon to achieve escapement goals. King salmon subsistence harvest has been below ANS each year since 2011. Chum salmon subsistence harvest has increased modestly in recent years of low king salmon abundance while remaining within the ANS range. Sockeye salmon subsistence harvest has been relatively stable over the same timeframe and has also fallen within the ANS range. Additionally, during 2012 and 2014, years with the most severe subsistence fishing restrictions directed at king salmon conservation, chum and sockeye salmon harvest increased while remaining within their respective ANS ranges.

In January 2013, the board adopted a new provision to the *Kuskokwim River Salmon Management Plan* (5 AAC 07.365) that includes additional king salmon conservation measures allowing the department to restrict subsistence gillnet mesh size to four inches or less until sockeye and chum salmon abundance exceeds king salmon abundance, effectively closing the subsistence salmon fishery until sockeye and chum salmon are present in adequate abundance. In March 2014, the board approved the use of dip nets and reduction of gillnet length to 25 fathoms by emergency order as additional provisions the department could implement to conserve king salmon.

The 2014 Kuskokwim River king salmon run was expected to be similar to the 2013 run, which was the lowest on record. In anticipation of a low run, management actions closed the subsistence, commercial, and sport king salmon fisheries and managed fisheries for other species to reduce incidental harvest of king salmon to a level that would allow for achievement of escapement goals.

A desire for an alternative method to facilitate live release of king salmon from subsistence fish wheels has been expressed to the department by Kuskokwim River fish wheel operators and subsistence users in recent years. Fish wheel chute and live release specifications and operations currently being utilized on the Yukon River have been cited and discussed as an example. The Kuskokwim Subsistence Salmon Panel (Panel) was established by the board in October 2014 to seek public input on how to ensure an equitable distribution of subsistence salmon resources throughout the Kuskokwim River drainage and potential tools for equitable distribution in times of low abundance. During the Panel meeting held in Bethel on January 16, 2015, a similar desire was expressed for alternative methodologies facilitating live release of king salmon from subsistence fish wheels. The Panel anticipates a series of meetings leading up to the January 2016 AYK in-cycle meeting with several milestones for proposed solutions and board action in between.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department continues to **SUPPORT** modifications to Kuskokwim Area regulations that provide subsistence fishing opportunity while conserving king salmon to meet escapement goals.

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

SUBSISTENCE REGULATION REVIEW:

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

2. Is the stock customarily and traditionally taken or used for subsistence? Yes; the board made a positive customary and traditional use finding for salmon in the Kuskokwim Area (5 AAC 01.286(a)(2)), and specifically for king, chum, sockeye, coho, and pink salmon in the Kuskokwim River Drainage (5 AAC 01.286(a)(3)).

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

4 What amount is reasonably necessary for subsistence use? The board has found that 67,200–109,800 king salmon; 41,200–116,400 chum salmon; 32,200–58,700 sockeye salmon; 27,400–57,600 coho salmon; and 500–2,000 pink salmon reasonably necessary for subsistence uses in the Kuskokwim River (5 AAC 01.286(b)(1-5)); 6,900–17,000 salmon are reasonably necessary for subsistence uses in Districts 4 and 5 (5 AAC 01.286(b)(6)); and 12,500–14,400 salmon are reasonably necessary in the remainder of the Kuskokwim Area (5 AAC 01.286(b)(7)).

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

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

COMMITTEE OF THE WHOLE – GROUP 4 (1 PROPOSAL)

Proposal 44 from 2013–2014 Meeting Cycle (1 Proposal): 44

PROPOSAL 44 – 5 AAC 28.36X. Cook Inlet Area Pollock Management Plan; 5 AAC 28.46X. Kodiak Area Pollock Management Plan and 5 AAC 28.53X. Chignik Area Pollock Management Plan.

PROPOSED BY: Matt Hegge.

WHAT WOULD THE PROPOSAL DO? This proposal would create state-waters (0–3 nautical miles; nmi) walleye pollock fisheries in the Cook Inlet, Kodiak, and Chignik areas for vessels less than or equal to 58 feet in overall length using pelagic trawl, nonpelagic trawl, seine, or jig gear. This proposal would also require 100% observer coverage for all trawl vessels, paid for by the vessel, and establish a vessel landing limit of 150,000 pounds with a time period of no less than 48 hours between landings.

WHAT ARE THE CURRENT REGULATIONS? Walleye pollock fisheries in the Cook Inlet, Kodiak, and Chignik areas are managed as parallel fisheries (5 AAC 28.086). During parallel fisheries, the state opens a fishery from 0–3 nmi offshore concurrent to adjacent federal walleye pollock fisheries in the exclusive economic zone (3–200 nmi) and adopts by emergency order most federal rules, including seasons, area closures, bycatch limits, and management actions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The State of Alaska would prosecute state-waters walleye pollock fisheries in the Cook Inlet, Kodiak, and Chignik areas independently of federal walleye pollock fisheries. The guideline harvest level (GHL) would be based on 25% of the Central Gulf of Alaska (CGOA) areas 620 and 630 walleye pollock acceptable biological catch (ABC).

Developing state-waters walleye pollock fisheries would result in reduction in catch for federal/parallel participants. The proposal would reserve 25% of the CGOA walleye pollock ABCs in areas 620 and 630 for vessels 58 feet in length or less in state waters. Currently, most vessels targeting walleye pollock in the CGOA exceed 58 feet in length. Reduced harvest levels and vessel size restrictions may result in smaller harvests, shorter seasons, and increased competition among existing federal/parallel trawl participants.

This proposal would require 100% observer coverage for trawl vessels participating in the proposed state-waters fishery; however, the state does not have a groundfish observer program.

BACKGROUND: The North Pacific Fishery Management Council (NPFMC) is currently considering a new management program for federal Gulf of Alaska (GOA) trawl vessels (catcher vessels and catcher processors) aimed at reducing bycatch of non-target species including Pacific halibut and king salmon. This action is ongoing; in October 2013, the NPFMC proposed a preliminary program design based on a voluntary cooperative structure that would allocate pollock, Pacific cod, halibut prohibited species catch (PSC), and king salmon PSC in federal waters to cooperatives. This action is intended to solicit and focus public input prior to the

NPFMC determining alternatives for a formal analysis. The initial design proposed in October includes 100% observer coverage on all trawl catcher vessels (trawl catcher processors already have at least 100% coverage). It is not possible to project when final action on such a program would occur, but it is likely at least 18 months to two years away. The NPFMC has specifically noted that the interrelationships between state-waters, parallel, and federal fisheries management programs will be considered as trawl bycatch management measures are developed, and will necessitate coordination with the Alaska Board of Fisheries (board).

National Marine Fisheries Service (NMFS) annually establishes separate walleye pollock ABCs for areas 620 and 630 in the CGOA (Figure 44-1). The Cook Inlet, Kodiak, and Chignik areas overlap with federal CGOA areas 620 and 630, such that state waters of the Cook Inlet area are entirely within area 630; Kodiak Area state waters are within both areas 620 and a portion of 630, and state waters of the Chignik Area, mostly within area 620 (Figure 44-1). The 2012 walleye pollock ABCs in Areas 620 and 630 totaled approximately 159 million pounds (Area 620 = 101 million pounds; Area 630 = 58 million pounds). The proposed GHL for the state-waters fisheries would total approximately 40 million pounds based on 25% of the combined areas 620 and 630 pollock ABCs.

From 2003 to 2012, walleye pollock harvested during the parallel fishery in federal Area 620 averaged approximately 19% of the walleye pollock ABC; ranging from 5% in 2005 to 35% in 2004 (Table 44-1). Parallel harvest within Area 630 averaged approximately 33% of the walleye pollock ABC; ranging from 5% of the ABC in 2011, to 49% in 2005. The majority of the parallel fishery harvest occurred in the Kodiak Area (Table 44-2).

From 2003 to 2012, an average of six trawl vessels 58 feet in length or less participated in the Chignik Area parallel walleye pollock fishery and an average of two trawl vessels participated in the Kodiak Area parallel fishery (Table 44-3). In 2012 all vessels 58 feet in length participating in the Chignik and Kodiak parallel fisheries were federally permitted to fish in federal waters. Parallel harvest by trawl vessels 58 feet in length or less averaged approximately 1.5 million pounds annually in the Chignik and Kodiak areas from 2003 to 2012 (Table 44-3). No trawl vessels 58 feet in length or less have targeted walleye pollock in the Cook Inlet Area. In 2004, a single commissioner's permit was issued to a vessel greater than 58 feet to allow pelagic trawl harvest of walleye pollock in state waters of the Cook Inlet Area. Walleye pollock harvest by jig gear vessels is limited and harvest records indicate most walleye pollock is retained as bycatch during directed jig gear fisheries for Pacific cod. Seine gear is not an allowable gear type for walleye pollock; therefore, no harvest information is available.

Pacific cod are commonly harvested as bycatch or as a secondary target species during directed walleye pollock trawl fisheries. The Cook Inlet, Kodiak, and Chignik areas are currently allocated a combined 25% of the CGOA Pacific cod ABC in support of state-waters Pacific cod fisheries for vessels using pot and jig gear. If adopted, the department seeks guidance from the board regarding Pacific cod GHL allocation and catch accounting during state-waters walleye pollock fisheries. Additionally, the NPFMC recently adopted king salmon PSC bycatch caps for federal/parallel walleye pollock fisheries in the GOA, which were implemented in late 2012. The federal PSC caps are apportioned based on season, fishery target species, and gear/processing sector type. When the apportioned PSC cap is achieved, the directed fishing season is closed for the applicable federal fishing sector.

Federally-permitted pelagic trawl vessels are subject to federal observer program requirements. Annually, NMFS-certified observers are deployed across most federal groundfish and halibut fisheries based on management and conservation needs. Vessels subject to observer requirements are placed into one of two observer coverage categories: 1) full coverage category or 2) partial coverage category. Most trawl catcher vessels in the GOA are placed into the partial coverage category, resulting in a level of observer coverage less than 100%. Funding associated with deploying federal observers on vessels in the partial coverage category is provided through annual fees based on the exvalue of groundfish and halibut retained during those fisheries.

Establishing a state groundfish observer program would be duplicative to the federal groundfish observer program for transboundary groundfish species. A state groundfish observer program would require a substantial investment in time and resources for the State of Alaska. Because NMFS provides stock assessment for most groundfish, maintaining a compatible state-waters observer program with data collected by the NMFS observer program would be essential to provide the same quality and type of information in order to be used for both catch accounting and stock assessment.

The state would need additional personnel to manage these walleye pollock fisheries. Additional personnel would be needed for management of open-access derby style fisheries, coordinating dockside sampling, reviewing and analyzing inseason and postseason harvest and bycatch data from observer program and maintaining databases of fishery performance and length/weight data.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. However, as previously stated in proposal 43, the department is **OPPOSED** to nonpelagic trawl gear in state waters to reduce bycatch and protect habitat. The department would need funding to implement these new fisheries.

COST ANALYSIS: Approval of this proposal would result in an additional direct cost for a private person to participate in this fishery if fishery participants are required to pay for observers. Observer fees vary depending on the observer provider; however, observer coverage may cost vessel operators $450 per day.

Table 44-1.–Walleye pollock acceptable biological catch (ABC) and retained harvest during parallel fisheries in federal areas 620 and 630 by year, 2003–2012.

	Area 620			Area 630		
Year	Parallel Harvest (Pounds)	620 ABC (Pounds)	Parallel Harvest as % of ABC	Parallel Harvest (Pounds)	630 ABC (Pounds)	Parallel Harvest as % of ABC
2003	7,184,392	43,397,996	17%	9,430,035	22,793,593	41%
2004	20,573,987	58,400,453	35%	11,116,438	30,952,902	36%
2005	3,698,705	75,847,837	5%	20,106,754	41,266,126	49%
2006	9,009,723	67,223,353	13%	19,209,333	40,670,878	47%
2007	6,310,075	46,252,983	14%	12,688,622	32,738,646	39%
2008	12,044,715	42,286,866	28%	10,699,750	30,071,053	36%
2009	7,770,885	31,080,770	25%	11,179,782	24,378,717	46%
2010	17,202,527	61,938,873	28%	6,509,534	42,147,975	15%
2011	9,484,954	82,375,724	12%	2,201,175	44,610,539	5%
2012	18,638,681	100,989,353	18%	9,195,678	58,087,397	16%
Average	11,191,864	60,979,421	19%	11,233,710	36,771,783	33%

Note: Harvest excludes discards at-sea.

Table 44-2.–Total retained parallel walleye pollock harvest, by all gear types, in the Cook Inlet, Chignik, and Kodiak management areas, 2003–2012.

	Cook Inlet		Chignik		Kodiak			
Year	Harvest (Pounds)	Harvest as % of Area 630 ABC	Harvest (Pounds)	Harvest as % of Area 620 ABC	Area 630 Harvest (Pounds)	Harvest as % of Area 630 ABC	Area 620 Harvest (Pounds)	Harvest as % of Area 620 ABC
2003	CF	CF	100,968	0%	9,430,014	41%	7,083,424	16%
2004	342,305	1%	1,118,569	2%	10,774,133	35%	19,455,418	33%
2005	CF	CF	857,414	1%	20,106,655	49%	2,841,291	4%
2006	CF	CF	1,186,683	2%	19,209,320	47%	7,823,040	12%
2007	1,694	0%	76,421	0%	12,686,928	39%	6,233,653	13%
2008	CF	CF	169,459	0%	10,699,664	36%	11,875,256	28%
2009	5,269	0%	CF	CF	11,174,513	46%	7,770,787	25%
2010	CF	CF	175	0%	6,509,379	15%	17,202,351	28%
2011	5,761	0%	131,221	0%	2,195,415	5%	9,353,733	11%
2012	4,301	0%	5,406,273	5%	9,191,376	16%	13,232,408	13%
Average	71,866	0%	1,005,243	1%	11,197,740	33%	10,287,136	18%

Note: Harvests excludes discards at-sea.

CF = Confidential data.

Table 44-3.–Parallel walleye pollock harvest by pelagic and nonpelagic trawl vessels greater than 58 feet and less than or equal to 58 feet in the Chignik and Kodiak areas, 2003–2012.

	Chignik				Kodiak			
	Vessels less than or Equal to 58 Feet		Vessels Greater than 58 Feet		Vessels less than or Equal to 58 Feet		Vessels Greater than 58 Feet	
Year	Harvest (Pounds)	Vessel Count	Harvest (Pounds)	Vessel Count	Harvest (Pounds)	Vessel Count	Harvest (Pounds)	Vessel Count
2003	CF	2	CF	1	CF	1	16,319,568	33
2004	922,546	4	CF	2	0	0	30,208,945	38
2005	429,682	4	524,984	3	CF	2	22,605,699	36
2006	642,675	3	CF	2	CF	2	26,851,128	31
2007	CF	1	0	0	0	0	18,723,343	27
2008	CF	1	0	0	CF	1	22,394,257	32
2009	0	0	0	0	CF	1	18,584,399	30
2010	0	0	0	0	1,604,716	4	22,025,932	32
2011	CF	1	CF	1	1,106,214	3	10,355,108	29
2012	4,103,067	11	CF	1	1,837,227	4	20,413,182	36
Average	1,524,493	6	524,984	1	1,516,052	2	20,848,156	32

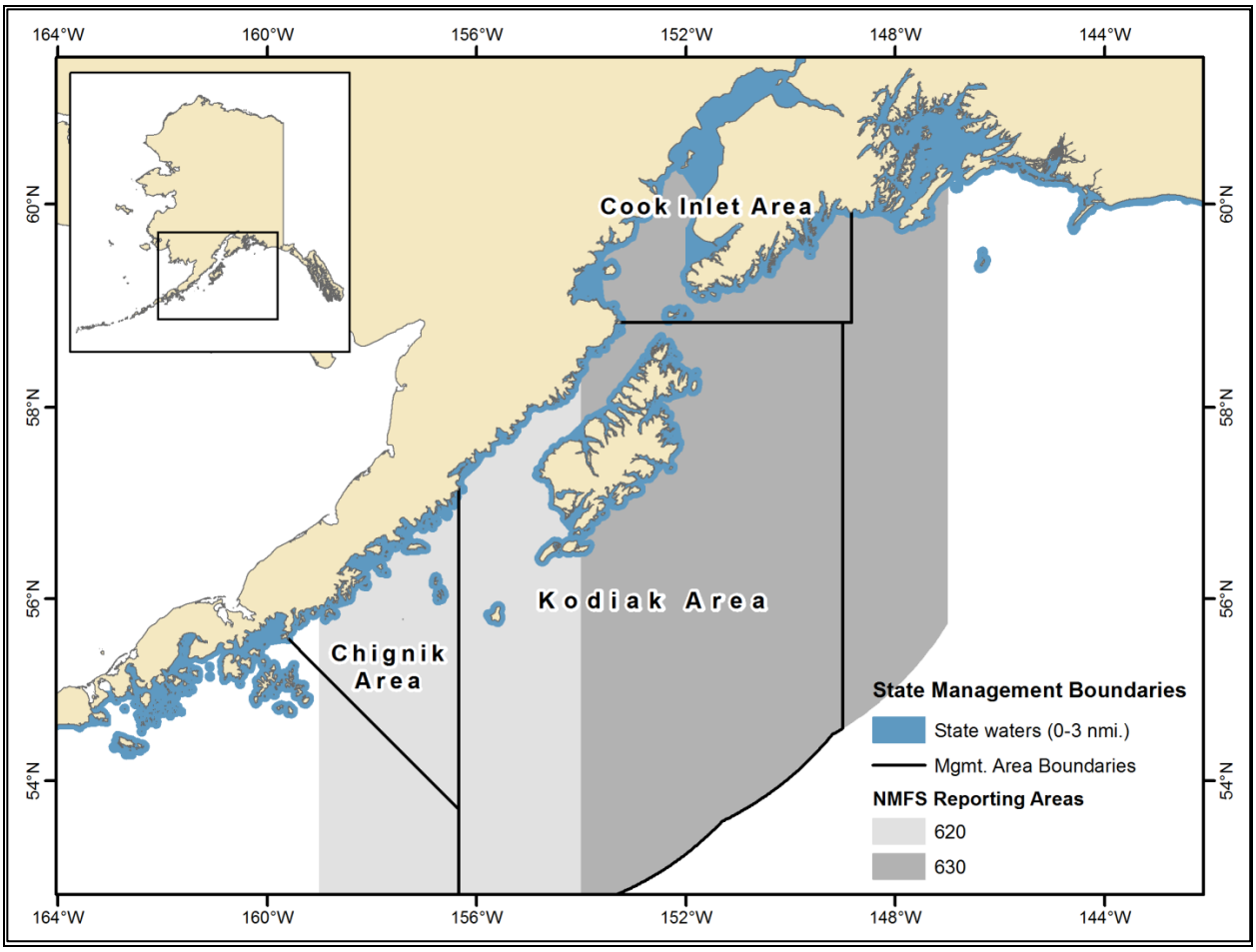


Figure 44-1.–Map depicting the Cook Inlet, Kodiak, and Chignik management areas and federal areas 620 and 630 for walleye pollock.

COMMITTEE OF THE WHOLE – GROUP 5 (7 PROPOSALS)

Amphibians (2 Proposals): 261–262

PROPOSAL 261 – 5 AAC 41.070. Prohibitions on importation and release of live fish.

PROPOSED BY: Alaska Herpetological Society.

WHAT WOULD THE PROPOSAL DO? This proposal would add regulatory language to specifically address the import and release of amphibians.

WHAT ARE THE CURRENT REGULATIONS? Language throughout 5 AAC 41, which addresses transportation, possession and release of live fish, prohibits the release of fish into the waters of the state. Releasing fish to the lands of the state is not specifically prohibited.

Alaska Statue 16.05.940(12) defines fish as any species of aquatic finfish, invertebrate, or amphibian. Amphibians are also included in the statutory definition of ornamental fish in 16.35.210, but not the regulatory definition in Chapter 41. Ornamental fish, except for amphibians, may be imported into the state without a permit, but may not be reared in or released to the waters of the state. The department has not interpreted regulation to mean permits are required to import or collect amphibians for commercial use or personal display.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Clarifying amphibians and other fish may not be released to the lands of the State of Alaska could provide additional protection from invasive species.

The addition of discretionary criteria that must be met in order to import amphibians would add restrictions in excess of those for other fish. The language would add regulatory complexity to the importation of amphibians. Without creating a list of allowed or prohibited species the proposed section (f) would provide little benefit.

BACKGROUND: Although amphibians are defined as "fish" in Alaska Statute and regulations, there are very few references specific to amphibians in regulation which leads to some interpretation. Crafters of the regulations pertaining to the transport and possession of live fish unlikely considered the possibility of releasing fish to the "lands" of the state.

The Board of Game has created a list of animals that are permitted to be possessed, imported, exported, bought, sold or traded without a permit. The list largely consists of mammals, fowl, and reptiles commonly kept as pets. Animals may be added or removed from the list through board action. The proposed language in (f) is copied from the Game regulations in 5 AAC 92.029(i) as criteria for the board to use when considering action to add or remove a species from that list.

DEPARTMENT COMMENTS: The department **SUPPORTS** providing regulatory clarity and protection from invasive species. Clarifying that fish may not be released to the lands or waters of the state could provide that. Adding the proposed criteria in (f) without creating a list of

allowed or, depending on the board's approach, prohibited fish species would add regulatory complexity without measurable biological benefit.

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 262 – 5 AAC 41.005. Permit required.

PROPOSED BY: Alaska Herpetological Society.

WHAT WOULD THE PROPOSAL DO? This proposal would modify permitting requirements to specifically address the collection, transport, and possession of amphibians in Alaska.

WHAT ARE THE CURRENT REGULATIONS? Language throughout 5 AAC 41, which addresses transportation, possession and release of live fish, prohibits the release of fish into the waters of the state. Releasing fish to the lands of the state is not specifically prohibited.

Alaska Statue 16.05.940(12) defines fish as any species of aquatic finfish, invertebrate, or amphibian. Amphibians are included in the statutory definition of ornamental fish in 16.35.210, but not the regulatory definition in Chapter 41. Ornamental fish, except for amphibians, may be imported into the state without a permit, but may not be reared in or released to the waters of the state. The department has not interpreted regulation to mean permits are required to import or collect amphibians for commercial use or personal display.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Clarifying amphibians and other fish may not be released to the lands of the State of Alaska could provide additional protection from invasive species. The proposal would also explicitly state the conditions under which native amphibians may be collected, transported, and possessed without a permit. The proposed regulatory language adding (e) and (f) to 5 AAC 41.005 would add regulatory complexity without providing clear benefits to the resource.

BACKGROUND: Although amphibians are defined as fish in Alaska statue, there are very few references specific to amphibians in regulation which leads to some interpretation. This has led to potential issues with the import or collection, and release of amphibians in the State of Alaska. Permit exemptions have been created in regulation for "ornamental fish", but do not pertain to amphibians.

The proposed language in (e) is problematic in that it seeks to describe a variety of conditions when permits would not be required to handle, collect, and transport native amphibians. The department has interpreted regulation to allow the import and possession of amphibians for ornamental use, whether for commercial or personal display, without a permit; and has required a permit for collection or import of amphibians for scientific or commercial (other than display) use.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since it would add regulatory complexity without measurable biological benefit. The department prefers to achieve the objectives of the proposal through review of definitions of ornamental fish and therefore clarification on board intent when permits would and would not be required.

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

Supplemental Issues (5 Proposals): 263–267

PROPOSAL 263 – 5 AAC 21.331. Gillnet specifications and operations.

PROPOSED BY: Pavel R. Vitek.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the length of drift gillnets used in the Cook Inlet Area, limit commercial salmon fishing to only days when the personal use salmon fishery is open, limit salmon fishing to one tide per day, collect greater fees from nonresidents, and prohibit motors on the Kenai River.

WHAT ARE THE CURRENT REGULATIONS? Not applicable.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Not applicable.

BACKGROUND: Not applicable.

DEPARTMENT COMMENTS: This proposal is out of cycle and the department recommends the board take **NO ACTION**.

COST ANALYSIS: Not applicable.

PROPOSAL 264 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Pavel R. Vitek.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the length of drift and set gillnets used in the Bristol Bay Area based on preseason sockeye salmon forecast.

WHAT ARE THE CURRENT REGULATIONS? Not applicable.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Not applicable.

BACKGROUND: Not applicable.

DEPARTMENT COMMENTS: This proposal is out of cycle and the department recommends the board take **NO ACTION**.

COST ANALYSIS: Not applicable.

PROPOSAL 265 – 5 AAC 75.XXX. Use of earthworms as bait.

PROPOSED BY: Matt Bowser.

WHAT WOULD THE PROPOSAL DO? This proposal would specifically prohibit the use of live earthworms as bait.

WHAT ARE THE CURRENT REGULATIONS? Not applicable.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Not applicable.

BACKGROUND: Not applicable.

DEPARTMENT COMMENTS: This proposal is out of cycle and the department recommends the board take **NO ACTION**.

COST ANALYSIS: Not applicable.

PROPOSAL 266 – 5 AAC 39.645. Shellfish onboard observer program.

PROPOSED BY: David Harris.

WHAT WOULD THE PROPOSAL DO? This proposal would exclude a person from being selected for Bering Sea/Aleutian Islands crab fishery observer coverage during two consecutive years.

WHAT ARE THE CURRENT REGULATIONS? Not applicable.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Not applicable.

BACKGROUND: Not applicable.

DEPARTMENT COMMENTS: This proposal is out of cycle and the department recommends the board take **NO ACTION**.

COST ANALYSIS: Not applicable.

PROPOSAL 267 – 5 AAC 75.023. Freshwater sport fishing.

PROPOSED BY: Jake Sprankle.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the prohibition of footgear with absorbent felt or other fiber material on the soles while sport fishing in fresh water.

WHAT ARE THE CURRENT REGULATIONS? Not applicable.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Not applicable.

BACKGROUND: Not applicable.

DEPARTMENT COMMENTS: This proposal is out of cycle and the department recommends the board take **NO ACTION**.

COST ANALYSIS: Not applicable.