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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS
FOR THE BRISTOL BAY MANAGEMENT AREA

ALASKA BOARD OF FISHERIES MEETING
NAKNEK, ALASKA

December 4-12, 2012

Regional Information Report No. 2A12-01

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, December 2–12, 2012 in Naknek, 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.

ABSTRACT

This document contains Alaska Department of Fish and Game staff comments on finfish regulatory proposals for the Bristol Bay Management Areas. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, December 4–12, in Naknek, 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, Bristol Bay (BB), finfish, management, management plan, regulatory proposals, inriver, subsistence, personal use, sport, guided sport, commercial fisheries, biological escapement goal (BEG), sustainable escapement goal (SEG), optimal escapement goal (OEG).

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22 - Change marking requirement from six inches to twelve inches in height. 76
23- Remove the drift gillnet marking requirement that a cork must be marked every 10 fathoms and mark only at each end of the drift gillnet with vessel ADF&G number. 77
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Summary of Department Positions, Bristol Bay Board of Fish Meeting, 2012.

Proposal No.	Dept. Position	Issue
57	**S**	Placeholder for possible regulatory changes based on results from Western Alaska Salmon Stock Identification Project.
62	**N**	Develop a process for dealing with future proposals deemed as Bristol Bay Salmon Industry Restructuring proposals.
32	**N**	Increase vessel length up to 42 feet in length, in the Bristol Bay Drift gillnet fishery based on vessel processing capabilities.
33	**N**	Increase vessel length to 36 feet if vessel chills catch and 39 feet if the vessel processes and freezes catch.
34	**N**	Increase vessel length up to 36 feet.
35	**N**	Increase vessel length over 32 feet.
36	**N**	When fishing in the NRSHA, dual permit drift gillnet vessels would not be allowed the additional 50 fathoms of gear in any district of Bristol Bay.
37	**N**	Allow an individual to have two drift gillnet permits registered in one name.
238	**N**	Requirements and specifications for use of 200 fathoms of drift gillnet gear in Bristol Bay.
38	**NA**	Allow one permit holder who owns two drift gillnet permits 200 fathoms of drift gillnet.
39	**N**	Allow one permit holder who owns two drift gillnet permits 200 fathoms of drift gillnet.
40	**N**	Allow dual drift gillnet permit holders 200 fathoms in other districts when NRSHA is open.
41	**N**	No permit stacking in Bristol Bay.
42	**N**	No additional gear for vessels with two drift gillnet permits.
43	**N**	No additional drift gillnet gear for dual permit vessels in the Togiak District.
44	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
45	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
46	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
47	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
48	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
49	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
50	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
51	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
52	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
53	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
54	**N**	Repeal sunset clause for dual set gillnet permits for single permit holder.
55	**N**	Allow two set gillnet permit holders to fish 100 fathoms on a single site.
82	**S**	Allow dual drift gillnet vessels to have up to 200 fathoms on board in the Wood River Special Harvest Area (WRSHA).
84	**N**	Allow dual set gillnet permit holders to have up to 50 fathoms of gear on board and fish two sites with up to 25 fathoms at each site.
58	**N/O**	Open General District and allow a harvest of up to 25% of projected sockeye salmon run.
59	**N**	Create two new general districts when all the eastside river systems have met their escapement goals or on July 17, whichever comes first.
60	**N**	Create a general district when all eastside river systems have met their escapement goals or on July 17, whichever comes first.
61	**N**	After all eastside Bristol Bay rivers have reached escapement goals, remove existing boundaries and allow open access on or after August 1.
63	**N**	Increase set gillnet allocation to 20% in Nushagak, Naknek-Kvichak, Egegik, and Ugashik districts.

N = Neutral; S= Support; O = Oppose; NA = No Action

Summary of Department Positions, Bristol Bay Board of Fish Meeting, 2012 (Page 2 of 3)

Proposal No.	Dept. Position	Issue
64	**N**	Increase set gillnet allocation to 20% in Nushagak, Naknek-Kvichak, Egegik, and Ugashik districts.
65	**N**	Increase set gillnet allocation to 20% in Nushagak, Egegik, and Ugashik districts and 22% in the Naknek- Kvichak District.
66	**N**	Remove set and drift allocations.
68	**N**	Open a new set gillnet fishery at Levelock when Kvichak River reaches minimum escapement.
70	**N**	Change the allocation plan in the Alagnak River Special Harvest Area (ARSHA) to 84% drift and 16% set.
71	**N**	Open the Naknek River Special Harvest Area (NRSHA) to set gillnet gear when the Naknek River escapement goal is met.
72	**N**	Open the Naknek River Special Harvest Area (NRSHA) to set gillnet gear when the Naknek Section is open.
73	**N**	Limit the amount of gillnet on board a drift vessel to 75 fathoms in the NRSHA.
81	**N**	Allow up to 150 fathoms on board a drift gillnet vessel when fishing in the Wood River Special Harvest Area (WRSHA).
83	**O**	When the Nushagak District is closed and the Wood River Special Harvest Area (WRSHA) is open, allow set gillnet permit holders to remain in the Nushagak District with 25 fathoms of gear.
74	**S**	Revise king salmon reference points.
78	**S**	Revise sockeye salmon escapement reference points.
79	**N/O**	Allow separate drift and set gillnet fishing periods in the Wood River Special Harvest Area (WRSHA) and require all running lines, anchors and buoys shall be removed from the water during drift periods.
80	**N/O**	Allow separate drift and set gillnet fishing periods in the Wood River Special Harvest Area (WRSHA).
87	**N**	Change the waiving period to July 24 if escapement goal is projected to exceed 175,000 before July 27.
10	**N**	Allow for unharvested herring stocks in the Togiak District to be reallocated to the Dutch Harbor food and bait fishery.
11	**N**	Remove the necessity for maintaining catch percentages between gear groups inseason by emergency order.
12	**N**	the Togiak District herring sac roe quota allocated to seine and gillnet gear 50/50.
13	**O**	Close the Togiak herring sac roe fishery through 2016.
14	**N**	Extend the closed waters area in Togiak Bay.
2	**N**	Increase nonretention, no bait waters of the Nushagak River.
3	**O**	Require barbless hooks in unbaited, single-hook, artificial fly waters.
4	**N**	Prohibit putting fish parts in water where use of bait is prohibited.
5	**O**	Decrease coho salmon bag limit to one in the Ugashik, Dog Salmon, and King Salmon rivers.
6	**S**	Clarify king salmon bag limit between Constantine and Newenham.
7	**S**	Reduce king salmon bag limit between Constantine and Newenham.
8	**S**	Reduce king salmon bag limit in the Togiak and Kulukak Rivers.
239	**N**	Require unbaited, single-hook, artificial lures for king salmon in the Nushagak River.
9	**N**	Limit guided access to rivers.
1	**N**	Allow for a weekend subsistence schedule in the Nushagak District.

N = Neutral; S= Support; O = Oppose; NA = No Action

Summary of Department Positions, Bristol Bay Board of Fish Meeting, 2012 (Page 3 of 3).

Proposal No.	Dept. Position	Issue
24	**N**	Allow purse seine nets in Bristol Bay for permit holders who hold two CFEC Bristol Bay drift gillnet permits.
25	**N**	Create a new troll fishery for coho salmon outside commercial fishing districts of Bristol Bay.
200	**N**	Establish a sockeye salmon fishery from June 20 through September 30 in the Cinder River Section.
203	**N**	Close the Outer Port Heiden Section, amend the inner Port Heiden Section boundary, and create a new superexclusive fishery in Area T.
204	**N**	Allow Area T CFEC permit holders to fish both the Inner and Outer Port Heiden sections.
56	**N**	Prior to June 25, if a drift gillnet permit holder intends to fish in either the Ugashik or Egegik district they must be registered for that district.
16	**O**	Allow set gillnet gear to remain in place between fishing periods on consecutive tides.
18	**N/S**	Allow a dual set gillnet permit holder or two permit holders to fish 100 fathoms on a single site.
19	**N/O**	Shorten the distance that a set gillnet can be set from the high-tide mark from 1,000 feet to 600 feet.
20	**N**	Allow only traditional set gillnet sites on the outside beaches of Ugashik District.
21	**N**	Require name of permit holder on stationary gear.
22	**N**	Change marking requirement from six inches to twelve inches in height.
23	**O**	Remove the drift gillnet marking requirement that a cork must be marked every 10 fathoms and mark only at each end of the drift gillnet with vessel ADF&G number.
31	**O**	Allow vessels with permanent markings to be exempt from dual marking requirements when vessel is used in more than one salmon fishery.
17	**N**	In the Nushagak District, no permit holder may operate a set gillnet seaward of another set gillnet.
26	**O/S**	Amend closed waters in Togiak District from June 1 to June 30 for king salmon conservation.
27	**S**	Change regulatory boundary descriptions for closed waters at the mouth of Igushik River.
28	**S**	Change regulatory boundary descriptions for closed waters at the mouth of the Togiak River.
29	**O**	Create a buffer zone that would be closed to commercial drift gillnet fishing at the mouth of the Togiak River.
30	**S**	Allow set gillnet vessels to transport salmon through the Snake River Section provided they have no gear on board the vessel.
67	**O**	Stagger fishing periods throughout run.
69	**N**	Open Alagnak River Special Harvest Area (ARSHA) to set gillnets when the Kvichak Section is open.
75	**O**	Increase king salmon escapement in the Nushagak River by restricting the drift gillnet fleet.
76	**O**	Restrict commercial fishing to no more than 3 tides in a 48-hour period and fishing time may not exceed 24-hours in length.
77	**O**	Restrict commercial fishing to no more than 12 hours of commercial fishing in any 24-hour period and no commercial fishing on consecutive high tides if there has been any sport fishing restrictions placed on the Nushagak.
85	**O**	Create a Togiak River king salmon management plan similar to Nushagak River plan.
86	**O**	Create a Togiak River coho salmon management plan similar to Nushagak River plan.
N = Neutral; S= Support; O = Oppose; NA = No Action		

COMMITTEE OF THE WHOLE: (TOTAL PROPOSALS:49)

GENETICS: 57
BRISTOL BAY RESTRUCTURING PLAN AND PROCESS: 62
VESSELS: 32, 33, 34, 35
PERMIT STACKING: 36, 37, 238, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 82, 84
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PROPOSAL 57 – 5 AAC 06.XXX. Regulatory changes and/or management plans pertaining to chum and sockeye salmon in the Bristol Bay area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal is a placeholder for potential regulatory actions pending the release of results of the Western Alaska Salmon Stock Identification Project (WASSIP).

WHAT ARE THE CURRENT REGULATIONS? Management of Bristol Bay fisheries are currently governed by management plans developed for individual districts within Bristol Bay.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The availability of new data will provide new insight and potentially alter the way fisheries are managed in Bristol Bay; however, the data will not be published until November.

BACKGROUND: Analysis of salmon stocks through use of genetic techniques has replaced scale pattern analysis as the tool of choice for examining the relationship between the various fisheries in Alaska. WASSIP was designed to investigate the relationship between local and nonlocal stocks present in chum and sockeye salmon fisheries on the west coast of the state. The project collected data to examine the relationship between chum salmon fisheries from 2007–2009 and for sockeye salmon fisheries from 2006–2008 (three years for each species).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of any proposals pertaining to this placeholder proposal may or may not result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 62 – 5 AAC 06.331. Restructuring.

PROPOSED BY: Nushagak Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to develop a process to review and address proposals meant to restructure the Bristol Bay fishery (e.g., permit stacking).

WHAT ARE THE CURRENT REGULATIONS? No regulation is currently in place to identify and address proposals pertaining to restructuring. Past process has been to refer such proposals to Alaska Board of Fisheries (board) subcommittees for evaluation; however, the board did away with its Restructuring Committee at its 2011 Work Session.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide a framework for identification and discussion regarding future restructuring of Bristol Bay fisheries.

BACKGROUND: As written, this proposal is focused primarily on aspects dealing with allocative, social, economic, and industry-related topics. Biological considerations are consistently ranked behind those topics throughout the proposal. Much of the process outlined for determining restructuring status is already in place as part of the normal proposal submission process. Some previous proposals that were considered restructuring and deferred to subcommittees (permit stacking) were not within the purview of the board and legislative action giving the board authority to act was required before consideration of those proposals took place.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because of the predominantly nonbiological focus.

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 32–35 – 5 AAC 06.341. Vessel specifications and operations.

PROPOSED BY: Dan Kingsley and J.P. Ford (Proposal 32), Dominic Lee (Proposal 33), Michael Friccero (Proposal 34), and John Webb (Proposal 35).

WHAT WOULD THE PROPOSALS DO? These proposals would allow drift gillnet vessels greater than 32 feet in length for Bristol Bay. Proposal 32 would allow vessels up to 42 feet in length; Proposal 33 would allow drift gillnet vessels up to 36 feet in length if vessel owners chill their catch, and up to 39 feet in length if they process and freeze their catch; Proposal 34 would allow vessels up to 36 feet in length; and Proposal 35 would allow vessels over 32 feet in length with no upper limit.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit vessels to an overall length of 32 feet, with allowances for attachments not integral to the structure of the vessel to be no more than eight inches in width or height (e.g., anchor rollers, fish drop-out baskets, motor guards, etc.).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would allow vessels longer than 32 feet in Bristol Bay. Increased boat length may have an effect on efficiency, allocation, crew size, and conflicts among users.

BACKGROUND: The legal vessel length has been 32 feet since 1949, though there have been some descriptive changes of that length throughout the years. The current regulation and description have been in effect since 1991. Justifications in favor of changing or removing the 32-foot limit include increased safety with larger vessels, greater economic efficiency because of larger hold capacity, and improved product quality, with increased size allowing installation of refrigeration or increased capacity for icing/cooling of fish. It should be noted that allowing vessel size to increase may establish a disparity between fishermen who can afford to acquire a larger vessel and those who cannot. Because larger vessels may have a competitive advantage, fishermen lacking monetary resources may be disadvantaged. Proposals to increase boat length limit have been before the Alaska Board of Fisheries every cycle since 1991.

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

PROPOSALS 36, 37, and 238 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Kurt Johnson (Proposal 36), Alaska Independent Fishermen's Marketing Association (Proposal 37), and Matt Luck (Proposal 238).

WHAT WOULD THE PROPOSALS DO? These proposals would allow the owner of two Area T drift gillnet permits to operate 200 fathoms of drift gillnet gear from a single vessel.

WHAT ARE THE CURRENT REGULATIONS? House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed allowing the Alaska Board of Fisheries to authorize additional gear with ownership of a second permit.

Current regulations limit the length of a drift gillnet to no more than 150 fathoms per vessel unless two drift permit holders are on board a vessel at the same time and the vessel is marked accordingly. In this instance, 200 fathoms of drift gillnet gear may be fished. Current dual permit use regulations require a permit holder who owns two permits to transfer one permit to a crewmember in order to benefit from that permit. This puts permit holders at some risk because they must rely on the crewmember to return the permit after the season.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals may reduce the number of vessels and amount of gear fished and will reduce the risk to a permit holder who owns and fishes two permits.

BACKGROUND: The legal gear limit for drift gillnet vessels was 150 fathoms until 2003, when a proposal was adopted that allowed use of 200 fathoms of gear when two permit holders are on the same vessel and the vessel is marked accordingly.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. The ability of a single permit holder to own two permits and fish 200 fathoms of drift gillnet gear may have an effect on the harvesting potential of the gear group.

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 38 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Chris White.

WHAT WOULD THE PROPOSAL DO? This proposal would allow an individual to own two Area T drift gillnet permits.

WHAT ARE THE CURRENT REGULATIONS? House Bill 286 was passed into law in 2002 and allows an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed; it allowed the Alaska Board of Fisheries to authorize additional gear with ownership of a second permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would have no effect.

BACKGROUND: The legal gear limit for drift gillnet vessels was 150 fathoms until 2003, when a proposal was adopted that allowed use of 200 fathoms of gear when two permit holders are on the same vessel and the vessel is marked accordingly.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal because ownership of two Area T drift gillnet permits is already allowed.

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 39 and 40 – 5 AAC 06.333(g). Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Kurt Johnson (Proposal 39) and John Webb (Proposal 40).

WHAT WOULD THE PROPOSALS DO? These proposals would allow vessels fishing with two drift gillnet permits to have 200 fathoms of gear in all districts of Bristol Bay when the Naknek River Special Harvest Area (NRSHA) is open.

WHAT ARE THE CURRENT REGULATIONS? Permit holders fishing with two drift gillnet permits are only allowed 150 fathoms of drift gillnet in any district of Bristol Bay if the NRSHA is open.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals may result in some dual permit holders moving to Egegik, Nushagak, or Ugashik districts when the NRSHA is open.

BACKGROUND: In 2009, the Alaska Board of Fisheries eliminated use of the additional 50 fathoms of drift gillnet gear for dual permit vessels in all districts when the NRSHA is open.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals**.** However, some clarification is needed on the regulation due to changes in several management plans since 2003. In 5 AAC 06.333(e), joint operations are not allowed in any area or during any time when a single Commercial Fisheries Entry Commission drift gillnet permit holder is restricted to operating less than 150 fathoms of drift gillnet gear in special harvest areas. The Wood and Ugashik rivers' special harvest areas may be utilized, in addition to having the district open, to provide additional opportunity to harvest surplus fish. A reduction in the amount of dual permit gear as a result of utilizing special harvest areas for harvest of fish in excess of escapement needs may allow additional fish to go unharvested. A clear interpretation of (e) is requested.

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.

PROPOSALS 41 and 42 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Nels Johnson (Proposal 41) and Frank Woods (Proposal 42).

WHAT WOULD THE PROPOSALS DO? These proposals would repeal the regulation allowing use of 200 fathoms of drift gillnet gear when two drift gillnet permit holders are registered to jointly operate gear, are on board a vessel at the same time, and the vessel is marked accordingly.

WHAT ARE THE CURRENT REGULATIONS? House Bill 286 was passed into law in 2002 and allows an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed; it allowed the Alaska Board of Fisheries to authorize additional gear with ownership of a second permit.

Current regulations limit the length of a drift gillnet to no more than 150 fathoms per vessel unless two drift permit holders are registered to jointly operate gear, are on board a vessel at the same time, and the vessel is marked accordingly. In this instance, 200 fathoms of drift gillnet gear may be fished.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals may increase the amount of drift gillnet gear and the number of vessels in Bristol Bay.

BACKGROUND: The legal gear limit for drift gillnet vessels was 150 fathoms until 2003, when a proposal was adopted allowing use of 200 fathoms of drift gear when two permit holders are on the same vessel and the vessel is marked accordingly.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

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.

PROPOSAL 43 – 5 AAC 06.333(e). Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Togiak Traditional Council.

WHAT WOULD THE PROPOSAL DO? The proposal would prohibit dual-permit operation of 200 fathoms of drift gillnet gear in Togiak District.

WHAT ARE THE CURRENT REGULATIONS? House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed that allowed the Alaska Board of Fisheries to authorize additional gear with ownership of a second permit.

Current regulations limit the length of a drift gillnet to no more than 150 fathoms per vessel unless two drift permit holders are registered to jointly operate gear, are on board a vessel at the same time, and the vessel is marked accordingly. In this instance, 200 fathoms of drift gillnet gear may be fished.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal may increase the amount of drift gillnet gear and the number of vessels in Togiak District.

BACKGROUND: The legal gear limit for drift gillnet vessels was 150 fathoms until 2003, when a proposal was adopted allowing use of 200 fathoms of drift gear when two permit holders are on the same vessel and the vessel is marked accordingly.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

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.

PROPOSALS 44–54 – 5 AAC 06.331(u). Gillnet specifications and operations.

PROPOSED BY: Jerome D. McArthur Jr. and Kristina M. Kurtz (Proposal 44), Pete Caruso (Proposal 45), Eric M. Beeman (Proposal 46), Roland Briggs (Proposal 47), Tony Neal (Proposal 48), Ugashik Setnet Association (Proposal 49), Egegik Setnet Association (Proposal 50), Corey Arnold (Proposal 51), Harlan P. Bailey (proposals 52–53), and Dylan Braund and Tom Rollman Jr. (Proposal 54).

WHAT WOULD THE PROPOSALS DO? These proposals would remove the sunset clause in 5 AAC 06.331(u), which states that the provisions allowing a set gillnet permit holder who owns two permits to use two complements of gear no longer apply after December 31, 2012.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow an individual to own two Area T set gillnet permits and fish up to 100 fathoms of gear, with no more than four nets and no single net longer than 50 fathoms. This regulation will sunset on December 31, 2012.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals may result in further consolidation of set gillnet permits into fewer hands without reducing the amount of gear being fished. It may also allow an individual to transfer a permit to a family member during an emergency.

BACKGROUND: The Alaska Board of Fisheries (board) adopted this regulation in 2009, with a sunset clause of December 31, 2012.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. If the board approves removal of the sunset clause, the department requests the board address 5 AAC 06.370(l), *Registration and reregistration*, with regard to dual set gillnet operation. Currently, it is unclear if both permits in a dual set gillnet operation should be registered in one area.

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 55 – 5 AAC 06.331(u). Gillnet specifications and operations.

PROPOSED BY: Jim W. Reynolds.

WHAT WOULD THE PROPOSAL DO? This proposal would allow two Commercial Fisheries Entry Commission set gillnet permit holders to register as a joint operation and fish a single site with 100 fathoms of gear.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow an individual to own two Area T set gillnet permits and fish up to 100 fathoms of gear, with no more than four nets and with no single gillnet longer than 50 fathoms.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal may disrupt some portions of the nearshore drift gillnet fishery because the length of gear would no longer be uniform. Currently, no part of a drift gillnet can be within 100 feet of the offshore end of a set gillnet and 300 feet to the side. In addition, set gillnet sites fishing 50 fathoms that are next to a site with 100 fathoms of gear may catch less fish due to the potential increased harvest with the longer gear.

BACKGROUND: The Alaska Board of Fisheries adopted a regulation in 2009 allowing an individual to own two set gillnet permits and fish up to 100 fathoms of gear, with no more than four nets and no single gillnet longer than 50 fathoms. The regulation expires December 31, 2012.

Permit stacking may provide some benefits to the management of commercial fisheries and may, in some circumstances, assist in achieving management goals.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal may have allocative effects within and among gear groups.

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 82 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Nushagak Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow a dual permit vessel to carry 200 fathoms of gear on board while fishing in the Wood River Special Harvest Area (WRSHA) and require anything more than 75 fathoms to be in a bag.

WHAT ARE THE CURRENT REGULATIONS? Currently, the maximum amount of gear a vessel may have on board in the WRSHA is 150 fathoms.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow drift gillnet permit holders fishing as dual permit operations to keep an extra 50 fathoms of gear on board their vessels if they fish in the WRSHA. It would simplify the transition from the district to WRSHA, or the reverse, for dual permit operations.

BACKGROUND: When WRSHA regulations were established, the legal amount of gear allowed on any commercial fishing vessel was 150 fathoms. When the dual permit regulations were established, the provision in the WRSHA regulation was not revisited. In the Nushagak District, it is possible for the Igushik Section of the district to be open at the same time as the WRSHA, and a dual permit operation may wish to fish in one area and quickly transition to another area. The current regulation makes such a transition less advantageous for permit holders operating under dual permit regulations.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal.

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

PROPOSAL 84 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Dylan Braund and Tom Rollman Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would allow an individual who owns more than one set gillnet permit to carry more than 50 fathoms of gear on board their vessel while fishing in the Wood River Special Harvest Area (WRSHA). It would also allow that permit holder to fish more than one set gillnet site in the WRSHA.

WHAT ARE THE CURRENT REGULATIONS? Currently, the maximum amount of gear a set gillnet vessel may have on board in the WRSHA is 50 fathoms, 25 of which must be in a bag. A set gillnet permit holder may not fish more than one site in the WRSHA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow set gillnet permit holders fishing two permits to have more than 50 fathoms of gear on board their vessel. It would also allow permit holders to use one skiff, shared by multiple permit holders, more easily.

BACKGROUND: When the *Wood River Sockeye Salmon Special Harvest Area Management Plan* (WRSSSHAMP) was established, the legal amount of gear allowed on any commercial set gillnet fishing vessel was 50 fathoms. A permit holder was not allowed to split gear into two sections and fish two sites in the WRSHA. When dual permit regulations were established, provisions in the WRSSSHAMP were not revisited. A set gillnet permit holder is allowed to own and operate two permits, but under current regulations, can only fish one site and cannot rotate gear because only 25 fathoms can be on board the vessel outside of a bag in the WRSHA.

In addition, in some cases, one set gillnet skiff is used to service more than one permit holder's nets. With the current regulation, such cooperation is more difficult because there is a limit to the amount of gear that can be on board a vessel.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal would change the competitive advantage of permit holders owning more than one permit.

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 58–61 – 5 AAC 06.356. General District Salmon Management Plan.

PROPOSED BY: Dominic Lee (Proposal 58), Kurt Johnson (Proposal 59), Chris White (Proposal 60), and Wild Salmon Now (Proposal 61).

WHAT WOULD THE PROPOSALS DO? The proposals would allow commercial fishing in the General District (GD; Figure 58-1). Proposal 58 would allow up to 25% of the projected sockeye salmon harvest in a given year to be harvested in the GD. Proposal 59 would allow commercial fishing in the two eastside GD areas when escapement goals have been reached for all eastside Bristol Bay systems, or on July 17, whichever comes first. Proposal 60 would allow commercial fishing in the GD when escapement goals have been reached for all Bristol Bay systems, or on July 17, whichever comes first. Proposal 61would eliminate all eastside Bristol Bay district boundaries when the escapement goals have been reached for all eastside Bristol Bay river systems, or on August 1, whichever comes first.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow fishing in terminal Bristol Bay districts associated with major river systems according to management plans. Each system is managed to achieve a spawning escapement goal within an established range. In addition, the department attempts to manage harvest by gear group to achieve allocation targets established by the Alaska Board of Fisheries (board), which vary by district.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would allow commercial fishing on sockeye salmon stocks of unknown origins and run strengths; 25% of the forecast would be allowed to be harvested. All GD harvest would be allocated to the drift gillnet gear group.

BACKGROUND: In 2004, a large preseason forecast prompted the board to adopt a plan allowing for use of the GD to help provide additional harvest opportunity. The plan had a sunset date of December 31, 2004. Accordingly, the department submitted an agenda change request for consideration of the sunset clause in 2004 and the board allowed the regulation to sunset. Two proposals to incorporate annual use of the GD came before the board in December 2006 and again in 2009. In March 2008, an emergency petition to allow fishing in the southern section of the GD was submitted.

The GD creates difficulties when fish caught in the GD need to be allocated to rivers of origin because of the mixed-stock nature of the harvest and delivery patterns of permit holders within the district. Inaccurate allocation of stocks may result in more inaccurate forecasting.

5 AAC 06.355*, Bristol Bay Commercial Drift and set Gillnet Sockeye Salmon Management and Allocation Plan*, instructs the department to manage Bristol Bay sockeye salmon fisheries terminally, using run-strength information developed inseason. The plan directs that these stocks will be managed as they return to districts associated with major river systems under the following priorities: 1) achievement of biological escapement goals, 2) maintenance of genetic diversity, and 3) providing any harvestable surplus of salmon to users. The board expressed its intent that harvest of any surplus continue to take place in traditional areas and allocated between user (gear) groups, while recognizing that interceptions of stocks from adjacent areas will occur.

The board further directed the department to minimize interception, to the extent practicable, without compromising the objectives.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals. Fish harvested in the GD are allocated to the drift gillnet gear group. The department is **OPPOSED** to the concept of the GD because of the nonterminal nature of the fishery and the resulting implications to management.

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.

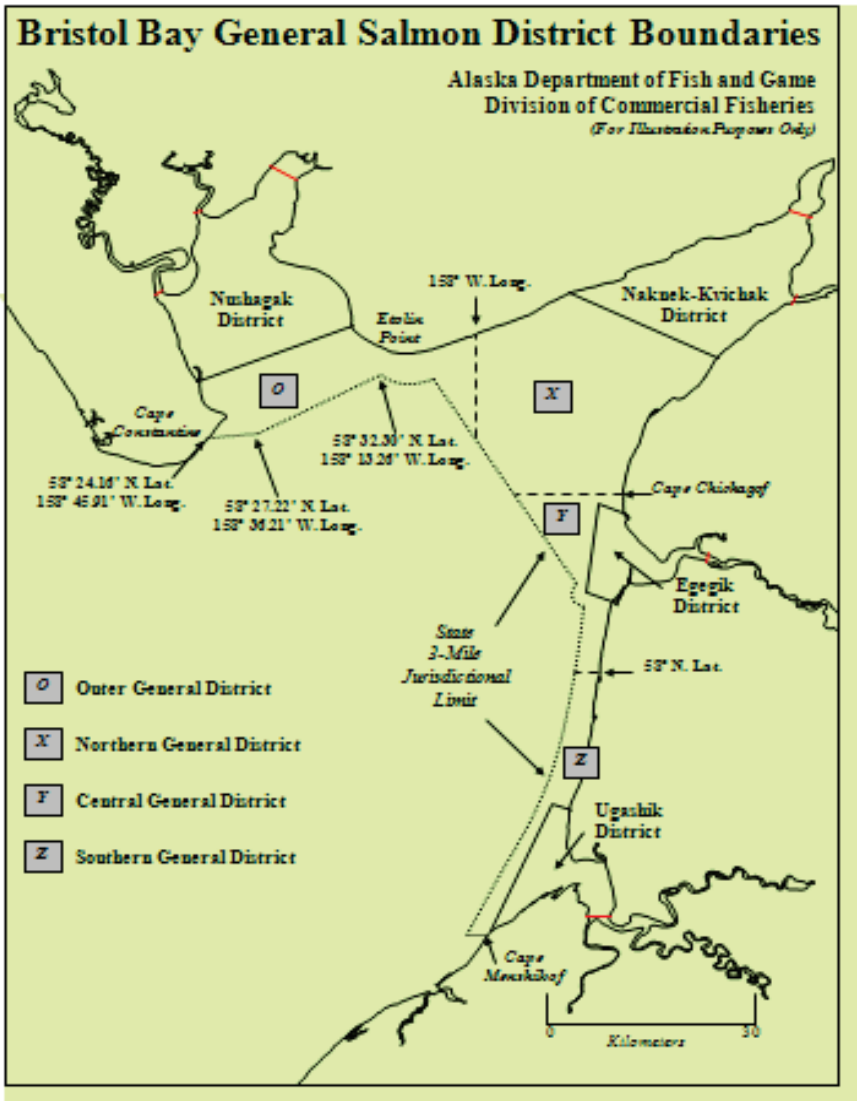

Figure 58-1.–Map of Bristol Bay General District boundaries.

PROPOSALS 63, 64, and 65 – 5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries and Management and Allocation Plan and 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

PROPOSED BY: Naknek-Kvichak Setnetters (Proposal 63), Laverne Pettigen (Proposal 64), and Betty J. Bonin (Proposal 65).

WHAT WOULD THE PROPOSALS DO? The language of these proposals makes it unclear whether the proponents intend this to be a baywide proposal or one specific to the Naknek-Kvichak District. If the proposal is meant to have a baywide application, the set gillnet gear group allocation would be reduced by 6% in Nushagak District and increased by 4%, 6%, and 10% in Naknek-Kvichak, Egegik, and Ugashik districts, respectively. Proposal 65 differs slightly in that it asks for 22% set gillnet allocation in Naknek-Kvichak District and 20% in all other districts.

WHAT ARE THE CURRENT REGULATIONS? Management plans specify the set gillnet allocation as 16% in Naknek-Kvichak District, 14% in the Egegik District, 10% in the Ugashik District, and 26% in the Nushagak District. 5 AAC 06.355, *Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Management and Allocation Plan*, directs the department to first ensure sockeye salmon escapements under the guidance of management plans for each district, within ranges established for each district. The framework for use of "time and area" by district is described within this plan. A secondary directive is that the department should distribute harvestable surpluses between gear groups "to the extent practicable" using management plans for individual districts developed for that purpose.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would increase the set gillnet allocations in the Naknek-Kvichak, Egegik, and Ugashik districts, while lowering them in the Nushagak District.

BACKGROUND: When allocations were established in 1997, they were based on 20-year (1978 to 1997) average harvest proportions by gear groups in all districts, except Togiak. Togiak fishermen opted to be excluded from an allocation plan. An additional percentage point was given to set gillnet gear in Egegik and Ugashik districts, and two percentage points were given to set gillnet gear in Naknek-Kvichak and Nushagak districts. Committees from each district, with representatives from both drift gillnet and set gillnet groups, were formed and reported back to the board with allocation recommendations. The allocations adopted are Naknek-Kvichak 84% drift/16% set gillnet; 86% drift/14% set gillnet in Egegik; 74% drift/26% set gillnet in the Nushagak District; and 90% drift/10% set gillnet in the Ugashik District.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department has concerns with large changes to the allocation plan. There are risks of a large escapement while fishing only the set gillnet gear group in any district. During periods of high run-entry, both gear groups are often needed to control fish passage.

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 66 – 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

PROPOSED BY: Shannon Ford.

WHAT WOULD THE PROPOSAL DO? The proposal would eliminate the regulatory allocation percentages of sockeye salmon between drift gillnet and set gillnet gear in the Naknek-Kvichak District.

WHAT ARE THE CURRENT REGULATIONS? The harvest allocation of sockeye salmon in the Naknek-Kvichak District is 84% for drift gillnet gear and 16% for set gillnet gear. The set gillnet allocation is further divided: 8% for Naknek Section and 8% for Kvichak Section.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would likely result in fishery management practices used prior to 1997 when overall fishing time and start times were the same for both gear groups. The allocative outcome for such a plan is uncertain.

BACKGROUND: In 1997, the Alaska Board of Fisheries (board) allocated sockeye salmon harvest within the Naknek-Kvichak District, allowing the department to fish gear groups separately or at the same time, depending on current allocation percentages (Table 66-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If the allocation criteria are removed, the department would need guidance from the board on future management of gear groups.

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 66-1.–Harvest of sockeye salmon in percent by gear group Naknek-Kvichak District.

Year	Drift gillnet	Set Gillnet Combined	Naknek Section	Kvichak Section
1991	89	11	[c]	[c]
1992	89	11	[c]	[c]
1993	84	16	[c]	[c]
1994	90	10	[c]	[c]
1995	89	11	[c]	[c]
1996	83	17	[c]	[c]
1997	73	27	[c]	[c]
1998	84	[b]	8	8
1999	85	[b]	8	8
2000–2007[a]	[a]	[a]	[a]	[a]
2008	81	[b]	12	7
2009	80	[b]	12	9
2010	81	[b]	10	9
2011	84	[b]	9	7
2012	85	[b]	7	8

[a] Fishery occurred in Naknek River Special Harvest Area for some or all of each season.
[b] Set gillnet harvest was allocated by section.
[c] Prior to 1998, set gillnet harvest was not under an allocation plan.

PROPOSAL 68 – 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

PROPOSED BY: Levelock Village Council.

WHAT WOULD THE PROPOSAL DO? This proposal would open waters of the Kvichak River near Levelock (Figure 68-1) to set gillnet gear for the local fish processing plant, when the minimum escapement goal has been met.

WHAT ARE THE CURRENT REGULATIONS? The waters of the Kvichak River near Levelock are currently closed to commercial salmon fishing. The area is open to subsistence fishing with set gillnet gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal may increase the number of set gillnet users in the Kvichak Section given the increased area. Because district registration is no longer required for set gillnet permit holders in the three eastside districts of Bristol Bay, any set gillnet permit holder would be able to move into the area from other eastside districts. With additional users, less fishing time may be necessary to stay within the current allocation percentages. There may also be some conflict between subsistence users who currently fish in the Levelock area and commercial set gillnet users who may move in.

BACKGROUND: This area has never been open to commercial fishing. It is located approximately 12 miles upriver of the north boundary line of the Naknek-Kvichak District.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department will need direction from the Alaska Board of Fisheries if this proposal is adopted regarding number of sites, length of gear, allocation percentage, and other factors.

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.

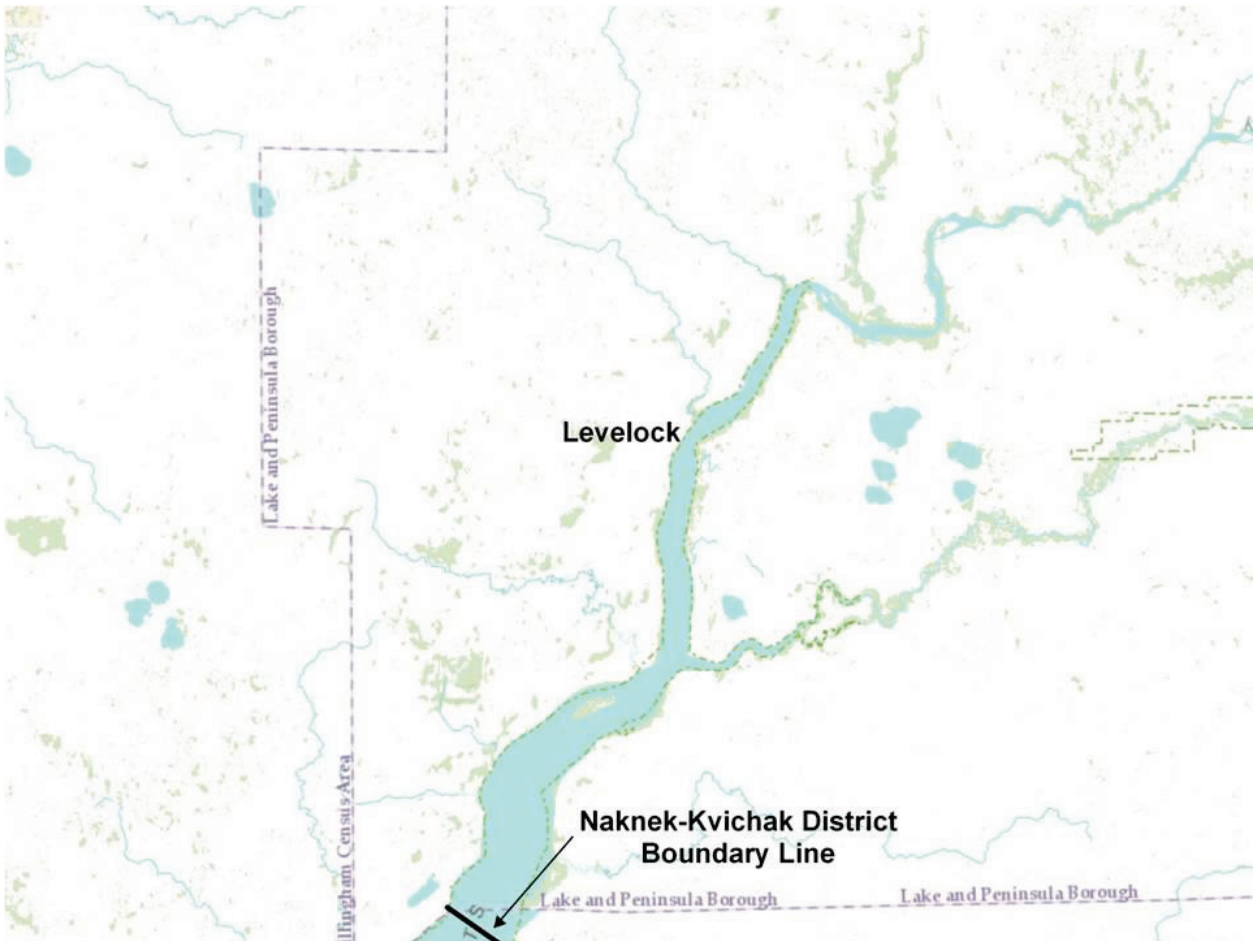

Figure 68-1.–Location of Levelock Village, Kvichak River, Alaska.

PROPOSAL 70 – 5 AAC 06.373. Alagnak River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Kurt Johnson.

WHAT WOULD THE PROPOSAL DO? This proposal would allocate 84% of sockeye salmon harvest in the Alagnak River Special Harvest Area (ARSHA; Figure 70-1) to the drift gillnet gear group, with the remaining 16% allocated to the set gillnet gear group. When the minimum escapement goal of 320,000 sockeye salmon has been met, both gear groups may fish at the same time in order to achieve allocation percentages.

WHAT ARE THE CURRENT REGULATIONS? When the Naknek-Kvichak District is closed due to a low sockeye salmon run to the Kvichak River and there is a large run to the Alagnak River, a commercial set and drift gillnet fishery at the mouth of the Alagnak River is allowed. During the first four periods there is equal fishing time for both gear groups. If one gear group harvests 50% more than the other gear group, alternating fishing periods are no longer required and the department may allow additional periods to the gear group with the most fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide for a predominantly drift gillnet fishery in the ARSHA. In addition, it may increase king salmon harvest in the fishery. This is a small, shallow area with a fast-moving tide and drift boat participation would be limited to shallow draft jet boats only. Currently, when the ARSHA is open, the Naknek River Special Harvest Area (NRSHA) is open. When fishing in the NRSHA, the drift fleet fishes three tides to every one tide fished by the set gillnetters. Changing the allocation in ARSHA to 84% harvest for drift gillnet gear would allow very limited time for set gillnetters in the special harvest area.

BACKGROUND: Kvichak River sockeye salmon stocks have been listed as a stock of concern since 2000. During years when the Naknek-Kvichak District has been closed to conserve Kvichak sockeye salmon stocks, large escapements to the Alagnak River have occurred. Table 70-1 lists the sockeye salmon catch and escapement for Alagnak River since 2001.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department does have concern over the potentially higher harvest of king salmon if there is increased drift gillnet effort.

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

Table 70-1–Catch and escapement of sockeye salmon for the Alagnak River.

		Catch	
Year	Escapement	Set gillnet	Drift gillnet
2001	615,162	[a]	[a]
2002	766,962	[a]	[a]
2003	3,676,146	[a]	[a]
2004	5,396,592	[a]	[a]
2005	4,219,026	260,000	[a]
2006	1,773,966	37,000	10,000
2007	2,466,414	7,200	2,700
2008	2,180,502	[a]	[a]
2009	970,818	[a]	[a]
2010	1,187,730	[a]	[a]
2011	883,794	[a]	[a]
2012	No tower	[a]	[a]

[a] No fishery occurred in the Alagnak River Special Harvest Area.

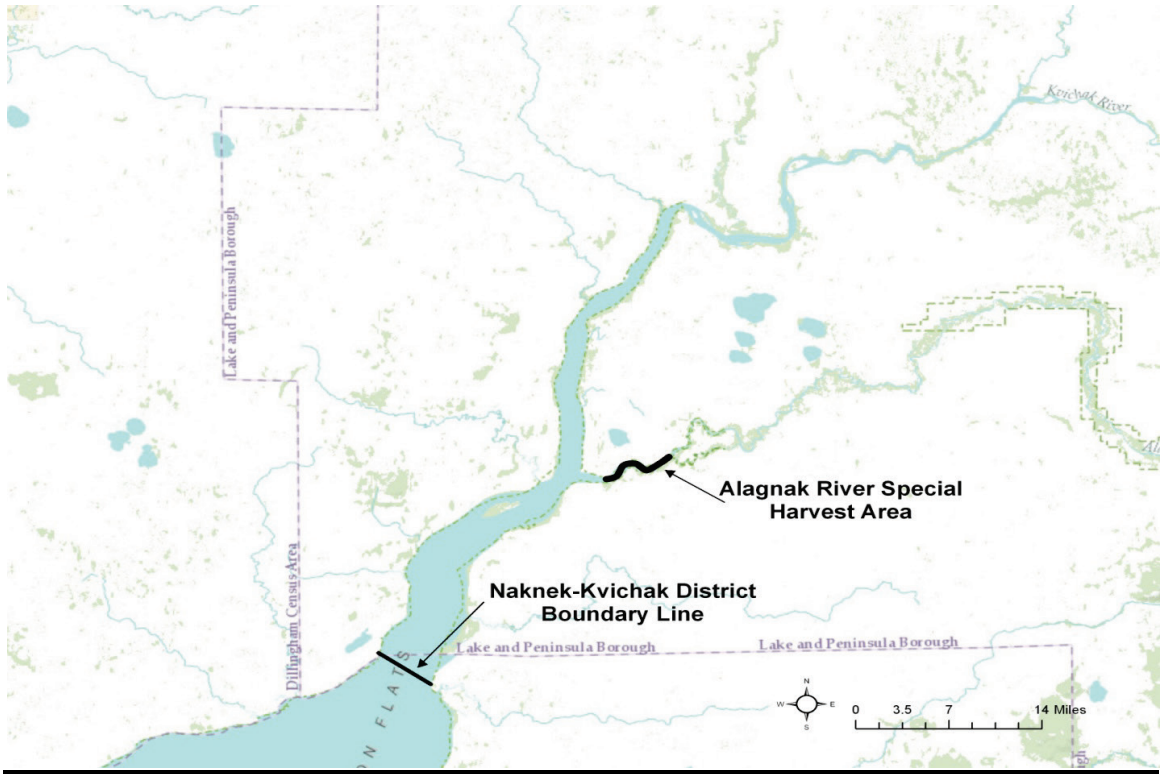

Figure 70-1.–Location of Alagnak River Special Harvest Area, Alagnak River, Alaska.

PROPOSALS 71 and 72 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: South Naknek Beach Set Net Association (Proposal 71) and Jim W. Reynolds (Proposal 72).

WHAT WOULD THE PROPOSALS DO? These proposals would open the Naknek River Special Harvest Area (NRSHA) to set gillnet gear under certain conditions. Proposal 71 would open the NRSHA when the Naknek River escapement goal has been met. Proposal 72 would open the NRSHA to set gillnet gear whenever the Naknek Section is open to set gillnet gear.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow commercial fishing in the NRSHA only when the Kvichak River falls one or more days behind in cumulative sockeye salmon escapement and the Naknek-Kvichak District is closed. When the Naknek-Kvichak District is open, sockeye salmon harvest is allocated 84% drift gillnet, 8% Naknek Section set gillnet, and 8% Kvichak Section set gillnet. When the NRSHA is open, the allocation plan is three drift gillnet periods to one set gillnet period. The area is open to subsistence fishing with set gillnet gear for two 24-hour periods each week between June 23 and July 17.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals may increase the number of set gillnet users in the Naknek Section with the increased area. Because district registration is no longer required for set gillnet permit holders in the three eastside districts of Bristol Bay, any set gillnet permit holder would be able to move into the NRSHA from other eastside districts. With additional users, less fishing time may be necessary to stay within current allocation percentages. There may also be some conflict between subsistence users who currently fish in the area of the NRSHA and the commercial set gillnet users who would move into the area.

BACKGROUND: The NRSHA has never been open while the Naknek-Kvichak District has been open. There is an allocation plan in place when the Naknek-Kvichak District is open and there is an allocation plan in place when the NRSHA is open.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals. The department has concerns regarding the effect these proposals would have on Naknek River subsistence users and on potential increased harvest of king salmon. If these proposals were adopted, the department would need direction from the Alaska Board of Fisheries on how to allocate the fish harvested.

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 73 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Dave Hansen.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the amount of gear on a drift gillnet vessel in the Naknek River Special Harvest Area (NRSHA) to 75 fathoms.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow a drift gillnet vessel to have on board 150 fathoms of gear, but no more than 75 fathoms can be fished at any one time. The net can be round-hauled and a second 75-fathom net can be laid out; while the second net is fishing, the first 75-fathom net is picked. The nets are rotated throughout the period. When the NRSHA is open, the allocation plan is three drift gillnet periods to one set gillnet period.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal may reduce sockeye salmon harvest when fishing in the NRSHA. To increase sockeye salmon harvest, additional fishing time may be required, which may also increase king salmon harvest. However, by eliminating the second net and round-hauling of gear, quality of the catch may improve.

BACKGROUND: Fishing with additional gear on board each vessel has been allowed since 1997.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department has some concern for potential increased harvest of king salmon associated with increased fishing time.

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 81 – 5 AAC 06.358(d)(4). Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Daniel Farren.

WHAT WOULD THE PROPOSAL DO? This proposal would allow a drift gillnet vessel in the Wood River Special Harvest Area (WRSHA) to use gear that is currently required to be bagged, in a rotating fashion, such that a vessel could be fishing 75 fathoms of gear while picking 75 fathoms that has just been removed from the water.

WHAT ARE THE CURRENT REGULATIONS? Currently, a drift gillnet vessel may have 150 fathoms of gear on board while fishing in the WRSHA; 75 fathoms may be used for fishing and the other 75 fathoms must be in a bag. When the WRSHA is opened for conservation of sockeye salmon returning to the Nushagak River, there is an allocation plan for the WRSHA that directs the department to manage for 74% of the harvest to be taken by drift gillnets and 26% of the harvest to be taken by set gillnets. When the WRSHA is opened to harvest sockeye salmon surplus to the escapement needs of the Wood River, there is no allocation plan and openings are concurrent.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow the drift gillnet fleet in the WRSHA to rotate gear and fish more efficiently. If the allocation plan remains the same, the drift gillnet fleet may require less fishing time to harvest its allocation. When the WRSHA is opened to harvest surplus Wood River sockeye salmon, as opposed to protecting Nushagak sockeye salmon, the drift gillnet fleet would gain an allocative advantage relative to the set gillnet group. If the department is not managing for allocation, the drift gillnet fleet will be able to fish more efficiently by rotating gear, an advantage not extended to the set gillnet fleet.

BACKGROUND: When the *Wood River Sockeye Salmon Special Harvest Area Management Plan* was created, the Alaska Board of Fisheries opted to have both gear types fish in the WRSHA concurrently. It also restricted the legal complement of gear to 75 fathoms and required additional gear to be bagged.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal would provide additional advantage to the drift gillnet fleet.

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 83 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Nushagak Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the Wood River Special Harvest Area (WRSHA) to drift gillnet fishing only when there is a conservation concern for Nushagak River sockeye salmon and allow the set gillnet fleet to remain in the Nushagak District with 25 fathoms of gear instead of the usual 50 fathoms.

WHAT ARE THE CURRENT REGULATIONS? Currently, the department manages the WRSHA so that 26% of the fish are harvested by set gillnets and 74% by drift gillnets when the WRSHA is opened for conservation of Nushagak sockeye salmon. When this happens, all fishing in the Nushagak Section of the Nushagak District is closed. When the WRSHA is opened to harvest surplus Wood River sockeye salmon, there is no allocation target in the WRSHA and openings are required to be concurrent.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, when the *Wood River Sockeye Salmon Special Harvest Area Management Plan* (WRSSSHAMP) is invoked, the set gillnet fleet would fish their historical district sites with 25 fathoms of gear, half the normal amount. The drift gillnet fleet would be required to fish in the WRSHA. This would allow harvest of Nushagak-bound sockeye salmon by the set gillnet group that were intended to be protected by the WRSSSHAMP, and may result in more time spent operating under the WRSSSHAMP.

BACKGROUND: There are two scenarios under which the department can open the WRSHA to commercial fishing. When Nushagak River sockeye salmon escapement falls below the minimum escapement curve and the Wood River sockeye salmon escapement is projecting above 700,000, the WRSHA is opened to protect Nushagak River sockeye salmon, and the Nushagak Section of the Nushagak District is closed to commercial fishing. When the Wood River sockeye salmon escapement has exceeded 1.1 million and is projected to exceed 1.4 million, the Nushagak District salmon fishery is not restricted and the department may open the WRSHA with concurrent openings for both gear types.

Since inception of the WRSHA, both gear types have fished more or less concurrently, with short offset periods to adjust allocation and promote a more orderly fishery. A significant portion of the set gillnet fleet is not mobile and has a difficult time participating in WRSHA openings.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The set gillnet group would continue to harvest Nushagak River sockeye salmon under a management plan intended to conserve those 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.

PROPOSAL 74 – 5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change trigger points in the *Nushagak-Mulchatna King Salmon Management Plan* (NMKSMP) based on current sonar technology (DIDSON).

WHAT ARE THE CURRENT REGULATIONS? The triggers in the NMKSMP are based on Bendix sonar technology that was originally used to enumerate salmon returning to the Nushagak River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would maintain recent management practices by changing the trigger points in the NMKSMP. Changing trigger points in the plan ensures the department takes appropriate management action at the appropriate time based on DIDSON technology now used to enumerate salmon returning to the Nushagak River.

BACKGROUND: The department operates a sonar counting project on the Nushagak River. Nushagak River is too wide for sonar escapement counts across the entire river because of the effective range of the sonar technology and the bottom profile of the river. The sonar project was designed to count sockeye salmon, which migrate close to shore, and provides an estimate of migrating sockeye salmon. King and chum salmon have also been counted by the sonar in nearshore areas. However, king salmon, and to a lesser extent chum salmon, migrate further offshore. It has been assumed the sonar counts a consistent proportion of king salmon returning each year.

The department completed transition from Bendix sonar to DIDSON sonar on the Nushagak River in 2009. Due to increased range and resolution, DIDSON sonar is counting a higher proportion of king salmon migrating up the Nushagak River than was previously possible with Bendix sonar. The king salmon escapement estimates are used to make management decisions for subsistence, sport, and commercial fisheries. In addition, there are escapement points referenced in the management plan that need to be changed to account for the higher proportion of king salmon being counted.

The Bendix-to-DIDSON sonar analysis will not be completed in time to meet the publishing deadline for this staff comment. An adjustment factor will be presented by staff and available to the public for review prior to the Alaska Board of Fisheries' Bristol Bay meeting. The adjustment factor may result in a change to the king salmon escapement goal and may require adjustments to escapement levels, management trigger points, and terminology in this plan.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

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

PROPOSAL 78 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change trigger points in the *Wood River Sockeye Salmon Special Harvest Area Management Plan* (WRSSSHAMP) based on current sonar technology (DIDSON).

WHAT ARE THE CURRENT REGULATIONS? The triggers in the WRSSSHAMP are based on Bendix technology originally used to enumerate salmon returning to the Nushagak River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would maintain recent management practices by changing trigger points in the WRSSSHAMP. Changing trigger points in the plan ensures the department takes appropriate management action at the appropriate time based on DIDSON technology now used to enumerate salmon returning to the Nushagak River.

BACKGROUND: The department operates a salmon sonar counting project on the Nushagak River. Nushagak River is considered too wide for sonar escapement counts across the entire river because of the effective range of sonar technology and the bottom profile of the river. The sonar project was originally designed to count sockeye salmon, which migrate close to shore, and is believed to provide fairly good estimates of migrating sockeye salmon. It has also been assumed that the sonar project has counted a consistent proportion of sockeye salmon returning each year.

The department completed the transition from Bendix sonar to DIDSON sonar on the Nushagak River in 2009. Due to increased range and resolution, DIDSON sonar is now counting a higher proportion of sockeye salmon migrating up the Nushagak River than was previously possible with Bendix sonar. Sockeye salmon escapement estimates are used to make management decisions for subsistence, sport, and commercial fisheries. In addition, there are escapement reference points in the management plan that may need to be changed to account for the higher proportion of sockeye salmon being counted.

The Bendix-to-DIDSON sonar analysis will not be completed in time to meet the publishing deadline for this staff comment. An adjustment factor will be presented by staff and available to the public for review prior to the Alaska Board of Fisheries Bristol Bay meeting. The adjustment factor may result in a change to the sockeye salmon escapement goal and may require adjustments to escapement levels, management trigger points, and terminology in this plan.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

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

PROPOSALS 79 and 80 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Nushagak Advisory Committee (Proposal 79) and Kenny Wilson (Proposal 80).

WHAT WOULD THE PROPOSALS DO? These proposals would require the department to have separate openings for drift and set gillnet gear types in the Wood River Special Harvest Area (WRSHA). Proposal 79 would require all set gillnet gear to be removed from the water during drift gillnet periods.

WHAT ARE THE CURRENT REGULATIONS? Currently, the department manages the WRSHA so that 26% of the fish are harvested by set gillnets and 74% by drift gillnets when the WRSHA is opened for conservation of Nushagak sockeye salmon. When the WRSHA is opened to harvest surplus Wood River sockeye salmon, there is no allocation target and openings are required to be concurrent.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would change the current practice of fishing both set and drift gillnet gear types at the same time in WRSHA. This would reduce the ability of the department to control escapement into Wood River. It would also require longer openings that would have more impact on king salmon returning to the Muklung River, a tributary of the Wood River. Depending on changes to the allocation plan, one gear type could potentially catch more or less fish than they have historically harvested.

BACKGROUND: There are two scenarios under which the department can open the WRSHA to commercial fishing. When the Nushagak River sockeye salmon escapement falls below the minimum escapement curve and the Wood River sockeye salmon escapement is projecting above 700,000, the WRSHA is opened to protect Nushagak River sockeye salmon and the Nushagak Section of the Nushagak District is closed to commercial fishing. Conversely, when the Wood River sockeye salmon escapement has exceeded 1.1 million and is projected to exceed 1.4 million, the Nushagak District salmon fishery is not restricted and the department may open the WRSHA with concurrent openings for both gear types.

Since inception of the WRSHA, both gear types have fished more or less concurrently, with short offset periods to adjust allocation and promote a more orderly fishery. It is unlikely that fishing one gear type at a time would control escapement to the level desired.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals. These proposals would require separate gear-type openings and may affect allocation. The department **OPPOSES** the restriction in management flexibility proposed, which may limit the department's ability to manage for escapement goals.

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 87 – 5 AAC 06.369. Togiak District Salmon Management Plan.

PROPOSED BY: Togiak Traditional Council.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to extend the period during which a permit holder cannot transfer into or out of Togiak District in the event of early achievement of the escapement goal as specified in 5 AAC 06.370(k)(2), *Registration and reregistration.* The proposal would change the waiver date that allows transfer into or out of Togiak District earlier than 9:00 a.m., July 27. If the department projects that the Togiak River escapement will exceed 175,000 sockeye salmon before 9:00 a.m., July 27, transfer into or out of Togiak District would be allowed at 9:00 a.m., July 24.

WHAT ARE THE CURRENT REGULATIONS? Currently, a permit holder's ability to transfer into and out of Togiak District is waived at 9:00 a.m. July 21 when the department can project Togiak River escapement will exceed 175,000 by 9:00 a.m. July 27. The proposal mistakenly refers to 5 AAC 06.369, *Togiak District Salmon Management Plan* (TDSMP), when the regulation change would actually occur in 5 AAC 06.370, *Registration and reregistration*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would make the earliest possible transfer into or out of the Togiak District July 24. It would extend the exclusive fishing period for permit holders that opted to fish in the Togiak District, which has later run timing than other districts in Bristol Bay.

BACKGROUND: The provision to waive the transfer period into and out of Togiak District early, if escapement levels dictate, has been in regulation since the TDSMP was adopted by the Alaska Board of Fisheries (board) in 1996. At that time, the transfer period waived on July 21 if the department could project escapement to exceed 150,000 by July 24. In 2009, the board changed when transfer into and out of Togiak District is allowed from July 24 to July 27. At the same time, the escapement trigger dictating when early transfer is allowed on July 21 was changed from 150,000 to 175,000. Only rarely did escapement allow the waiver of this transfer period when the projected escapement goal was 150,000 in this provision. The transfer window has not been waived since 2009 when the date and trigger point were changed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal is viewed as allocative because it would change the time and area restrictions for permit holders wishing to leave or enter Togiak District.

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

COMMITTEE A: SUBSISTENCE, SPORT, COMMERCIAL HERRING AND SOME COMMERCIAL SALMON (TOTAL PROPOSALS:20)

HERRING: 10, 11, 12, 13, 14
SPORT FISHING: 2, 3, 4, 5, 6, 7, 8, 239, 9
SUBSISTENCE: 1
FISHING GEAR SPECIFICATIONS AND OPERATIONS: 24, 25
NORTH PENINSULA FISHERIES: 200, 203, 204

PROPOSAL 10 – 5 AAC 27.865(b)(7). Bristol Bay Herring Management Plan.

PROPOSED BY: Daniel Veerhusens.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to reallocate part of the unharvested herring spawn-on-kelp quota to the Dutch Harbor food and bait fishery.

WHAT ARE THE CURRENT REGULATIONS? Currently, the herring spawn-on-kelp fishery guideline harvest level (GHL) is 1,500 tons of herring. If the spawn-on-kelp harvest is less than the GHL, half of the unharvested quota (up to 750 tons) may be reallocated to the Togiak sac roe fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reallocate a resource traditionally harvested in Togiak to a fishery in Dutch Harbor. It would provide more opportunity for harvest in Dutch Harbor and may increase the exploitation rate on fish in Dutch Harbor.

BACKGROUND: By regulation, the maximum exploitation rate for the Togiak herring stock is 20% and this GHL is fully allocated. There has been no market for spawn-on-kelp product from Togiak since 2003. In 2003, the Alaska Board of Fisheries adopted a proposal allowing half the unharvested spawn-on-kelp quota to be reallocated to the Togiak sac roe herring fishery. This reallocation provision has been used once since 2004.

A significant proportion of the herring harvested in the Dutch Harbor food and bait herring fishery are likely Togiak herring stocks. The fish harvested in Dutch Harbor may also include fish from other areas. The department does not have definitive research on the mix of herring stocks that spawn in Dutch Harbor.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal seeks to reallocate an unused portion of a resource from the Togiak spawn-on-kelp herring fishery to the Dutch Harbor food and bait herring 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.

PROPOSAL 11 – 5 AAC 27.865(b)(8). Bristol Bay Herring Management Plan.

PROPOSED BY: Robert Heyano.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the requirement for the department to maintain 30% gillnet and 70% purse seine harvest percentages for the first 50% of the herring harvest.

WHAT ARE THE CURRENT REGULATIONS? Currently, the department must use time and area adjustments to maintain the gear-specific harvest allocations until both gear types have harvested 50% of their respective quotas.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow industry to allocate its resources to process fish harvested by one gear type without consideration for the other gear type. This would effectively uncouple the gear types and may result in marginalization of the gillnet gear group.

BACKGROUND: The Togiak herring fishery has decreased in both value and participation since the mid 1990s. Participation in 2012 from processing companies and gillnet and purse seine vessels was at the lowest level since the beginning of the modern fishery in the late 1970s. With reduced effort and processing capacity it is difficult to harvest and process a large sac roe herring quota in Togiak in the time frame that herring are on the grounds and available for harvest. The tendency is for the processing fleet to buy a large volume of purse seine-caught herring and allocate a small part of its processing capacity to gillnet-caught herring. In 2011 and 2012, at least one processing company did not buy any gillnet-caught herring. If the disparity in harvest between gear types becomes large, the department may limit or close fishing for one gear type (typically the purse seine fleet) so that processing capacity is available for the other gear type, as was the case in 2012. The intent of this provision was to prevent one gear type from becoming disenfranchised. The fear, from the gillnet perspective, has always been that if the processors were not required to buy gillnet herring they would cease buying it entirely.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal may result in a lower harvest of herring by the gillnet fleet.

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 12 – 5 AAC 27.865. Bristol Bay Herring Management Plan.

PROPOSED BY: Togiak Traditional Council.

WHAT WOULD THE PROPOSAL DO? This proposal would change the herring sac roe purse seine/gillnet allocation percentages from 70/30 to 50/50.

WHAT ARE THE CURRENT REGULATIONS? After subtracting the Dutch Harbor food and bait herring quota and the spawn-on-kelp herring quota, the department shall manage the remaining quota for removals of 30% by the gillnet fleet and 70% by the purse seine fleet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would limit the ability of the purse seine and gillnet fleets to harvest the Togiak sac roe herring quota. For the last two years the gillnet fleet has been unable to harvest its quota. Participation is down for both gear groups because of low prices. Because of low exvessel prices and current low participation by gillnet fishermen, increasing the gillnet quota is unlikely to attract enough gillnet participants to harvest an increased quota. Decreasing the purse seine quota may make participation by many in the purse seine fleet cost prohibitive because of the decrease in volume.

BACKGROUND: In 2001, the Alaska Board of Fisheries adjusted the herring sac roe purse seine/gillnet allocation percentages from 75/25 to 70/30. In recent years, gillnet and purse seine fleets have been significantly smaller than the historical average. In 2012, the peak gillnet vessel count was 18, a decrease from over 400 vessels in the mid 1990s. Reductions in gillnet fleet size impact the ability of the fleet to harvest the gillnet allocation more so than reductions in the purse seine fleet size. The gillnet fleet failed to harvest its quota in 2011 and 2012, in part because of low gillnet effort.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal seeks to reallocate a resource from the purse seine fleet to the gillnet fleet.

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 13 – 5 AAC 27.865. Bristol Bay Herring Management Plan.

PROPOSED BY: Togiak Traditional Council.

WHAT WOULD THE PROPOSAL DO? This proposal would close the Togiak sac roe commercial herring fishery through 2016.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow commercial herring fishing in the Togiak District between April 15 and June 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would result in economic losses over the next three years and possibly beyond. Based on current prices, economic losses sustained by suspension of the Togiak herring fishery would be upwards of $6 million immediately and may last into the future by damaging the market for Togiak herring. If commercial herring fishing were suspended for three years, processors may not consider it economically viable to participate in smaller herring fisheries north of Togiak Bay, such as at Security Cove and Norton Sound.

Processors have difficulty finding tenders to operate for the Bristol Bay salmon season. The ability to provide a tender contract for herring allows processors to retain tenders for the salmon season. Not having sufficient tender capacity for the Bristol Bay salmon season can result in a processor placing limits on its fleets, or even suspending buying altogether at times.

BACKGROUND: The Togiak herring sac roe fishery began in the late 1960s. The herring population is currently stable and healthy. Over the most recent five-year period, guideline harvest levels have been above 20,000 tons annually, actual harvest has ranged from 17,000–26,000 tons, and exploitation rate has ranged from 15–19%. In 2012, the preliminary value of the fishery was $2.15 million. The fishery is an open-access competitive fishery with no restrictions placed on participants based on residency.

The department is completing analysis of subsistence harvests from a household survey that occurred in 2011 and 2012; this analysis will not be completed in time to meet the publishing deadline for this staff comment. A report will be presented by staff and available to the public for review prior to the Alaska Board of Fisheries' Bristol Bay meeting.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There is no biological justification to suspend the 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.

PROPOSAL 14 – 5 AAC 27.850. Bristol Bay Herring Management Plan.

PROPOSED BY: Togiak Traditional Council.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to increase the areas closed by regulation to commercial harvest of herring in the Togiak District.

WHAT ARE THE CURRENT REGULATIONS? Currently, Ungalikthluk and Metervik bays are closed by regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the area available in Togiak District for commercial harvest of sac roe herring (Figure 14-1). It would exclude purse seine gear from an area used for the subsistence harvest of spawn-on-kelp. Based on the historical commercial harvest in the area between Quigmy River and Rocky Point, there would not be a significant impact on the ability of the purse seine fleet to harvest its quota if they were excluded from this area.

BACKGROUND: The commercial spawn-on-kelp fishery has not occurred since 2003. The Alaska Board of Fisheries (board) has not made a finding regarding the amount reasonably necessary for subsistence for Togiak herring spawn-on-kelp; the department will provide written options to the board and public for review prior to the board's Bristol Bay meeting.

Historically, the area in question has been used by the purse seine fleet for commercial herring fishing. The department has kept the portion in Togiak Bay closed to commercial herring fishing from 2003 through 2010. Very little harvest occurs in the area between Ungalikthluk Bay and the Quigmy River (214 tons in 2011). The area east of Ungalikthluk Bay is an important area for the commercial herring sac-roe fishery.

The department conducted household harvest surveys and key respondent interviews in 2011 and 2012 in Togiak. The department is completing analysis of these surveys; this analysis will not be completed in time to meet the publishing deadline for this staff comment. A report will be presented by staff and available to the public for review prior to the Alaska Board of Fisheries' Bristol Bay meeting.

Currently, in order to harvest herring spawn-on-kelp, residents need to travel to Right Hand Point, 40 miles to the east, to harvest adequate herring spawn-on-kelp (see Figure 14.1). In a skiff, this is a round trip of 9.5 hours. Although biological estimates demonstrate a healthy herring stock, harvesters who were interviewed said that reducing the harvest area for herring might allow the herring to return to traditional spawning areas closer to Togiak, where residents were able to harvest herring spawn-on-kelp in the past.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal seeks to increase the area closed to commercial herring fishing and protect that area for subsistence spawn-on-kelp harvest.

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.

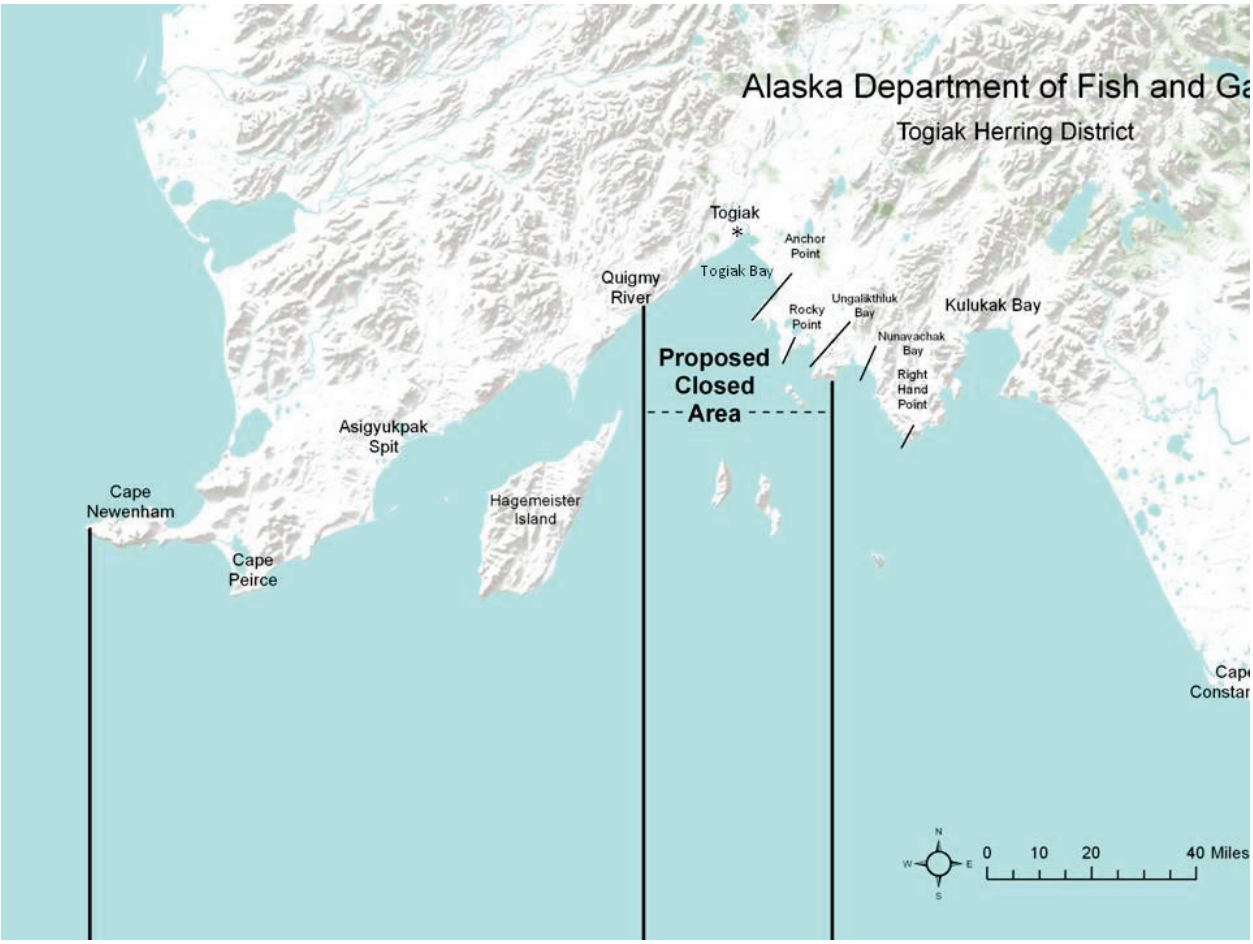

Figure 14-1.–Proposed closed area of Togiak herring fishing district.

PROPOSAL 2 – 5 AAC 67.022(g)(5). Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Bud Hodson.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would prohibit harvest of rainbow trout upstream of the Chichitnok River in the Nushagak River drainage. Additionally, it would prohibit sport fishing with bait and multiple hooks upstream of the Chichitnok River.

WHAT ARE THE CURRENT REGULATIONS? The bag limit for rainbow trout in the Nushagak River, upstream of its confluence with the Chichitnok River, from June 8 through October 31 is two per day, two in possession, only one of which may be over 20 inches in length; from November 1 through June 7, it is five per day, five in possession, only one of which may be over 20 inches in length. Additionally, bait and multiple hooks are allowed year-round in this section of river.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport fishing regulations for rainbow trout upstream of the Chichitnok River would be aligned with those downstream of the Chichitnok River to Harris Creek (Figure 2-1). Prohibiting harvest of rainbow trout and prohibiting bait and multiple hooks in these waters would result in a small reduction in harvest of rainbow trout.

BACKGROUND: In March 2003, the board adopted 5 AAC 75.222, *Policy for the management of sustainable wild trout fisheries* (policy), and 75.220, *Statewide management standards for wild trout* (plan). The policy provides principles and criteria to ensure conservation, sustainability, and optimal sustained yield and benefits for wild trout, and provides direction to the board and the department as to how those principles and criteria are to be applied in the regulatory process. The plan ensures conservative management of wild trout fisheries while recognizing existing plans and policies that guide management of wild trout on a regional basis. The plan allows the board to adopt regulations that deviate from the plan, as necessary, to address sustainability or optimal sustained yield issues, establish special management areas, or liberalize harvest opportunities in specific water bodies.

Total sport fishing effort in the Nushagak River upstream of the Mulchatna River has been steadily declining since 2000, reaching a low of 955 angler days in 2011 (Figure 2-2). Since 2000, annual rainbow trout harvest in the Nushagak River, upstream of the Mulchatna River, has been highly variable and ranged from 0 to 109, and has averaged 36.

Rainbow trout surveys on the upper Nushagak River were conducted by the department in 1998 and 2006. In these surveys, 241 and 166 rainbow trout were sampled, respectively. The average sizes of fish sampled were 14.4 inches and 15.5 inches in 1998 and 2006, respectively. Size distributions of rainbow trout were found to be statistically similar in 1998 and 2006, indicating that, at least from 1998 through 2006, rainbow populations in the upper Nushagak River were stable (Figure 2-3).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department supports reducing regulatory complexity; adoption of this proposal would align

sport fishing regulations for rainbow trout upstream of the Chichitnok River with the regulations downstream of the Chichitnok River to Harris Creek.

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

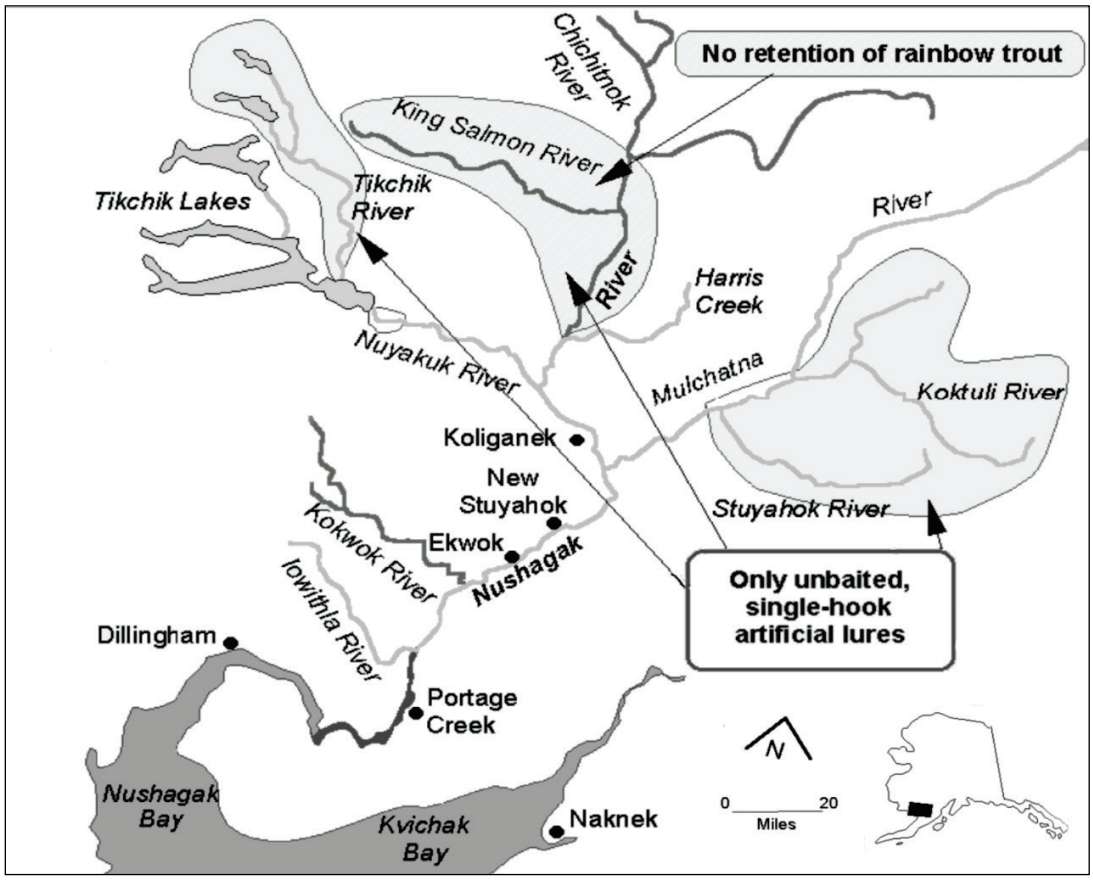

Figure 2-1.–Nushagak River drainage.

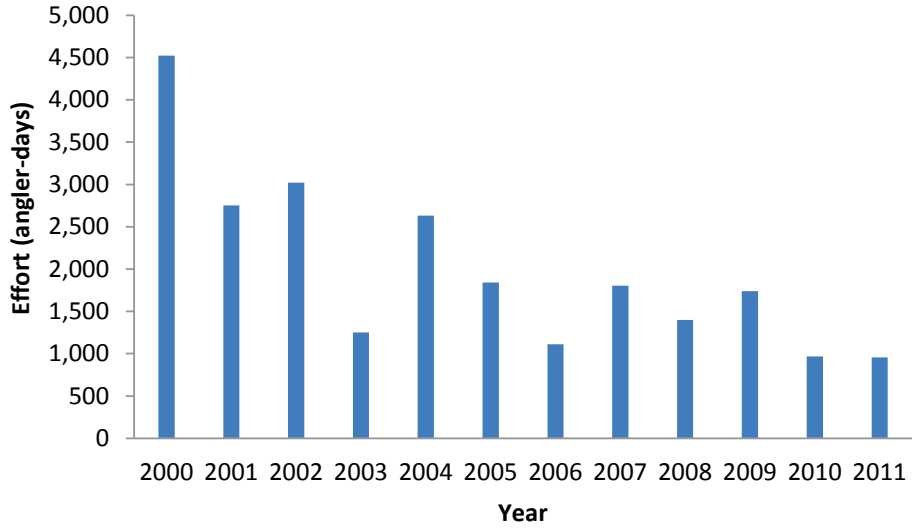

Figure 2-2.–Sport fishing effort in angler-days in the Nushagak River upstream of the Mulchatna River, 2000–2011.

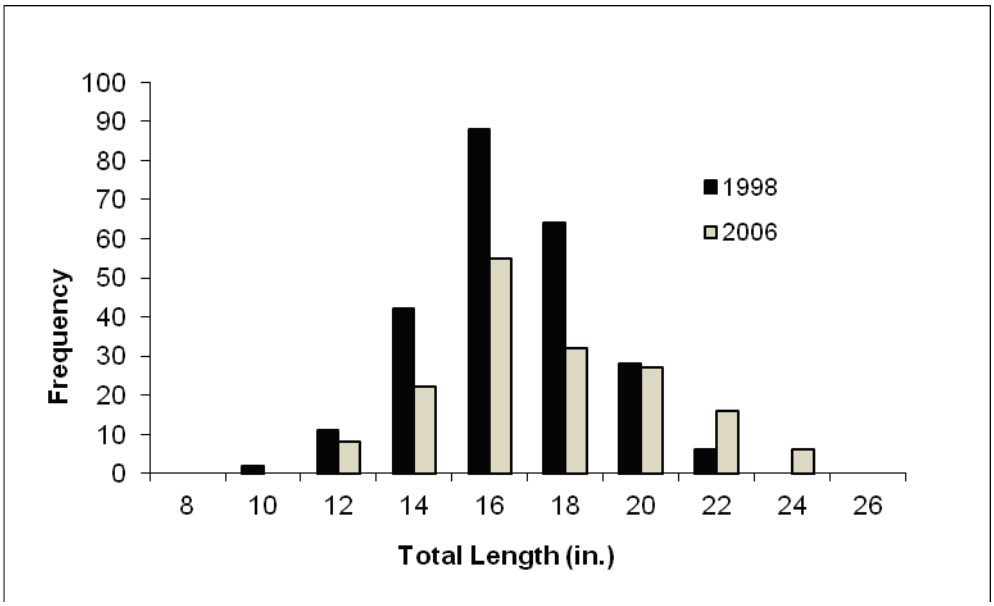

Figure 2-3.–Rainbow trout length frequency in the upper Nushagak River, 1998 and 2006.

PROPOSAL 3 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Brian Kraft.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would require the use of barbless hooks in all unbaited, single hook, artificial fly waters in Bristol Bay.

WHAT ARE THE CURRENT REGULATIONS? All anglers may currently use barbless hooks. There are no regulations requiring barbless hooks in the State of Alaska. In Bristol Bay, rainbow trout are managed by the bag limits in the 5 AAC 75.220, *Statewide management standards for wild trout,* with the conservative bag limit of two per day, two in possession, only one of which may be 20 inches or greater in length, with an annual limit of two 20 inches or greater in length. Some waters in Bristol Bay are managed more conservatively with additional methods and means restrictions. The Brooks River, Moraine Creek, Lower Talarik Creek, Copper River, Gibraltar River, and Agulukpak, River are currently designated as unbaited, single-hook, artificial fly waters during at least a portion of the year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would require anglers to use barbless hooks in all unbaited, single-hook, artificial fly waters in Bristol Bay. The catch (fish successfully brought to hand) of targeted species may be reduced slightly. It is unlikely there would be a significant change in catch and release related morality of rainbow trout.

BACKGROUND: Numerous studies have been conducted to evaluate the effect of barbed hooks on release mortality of trout. A review of all known studies, completed in Idaho in 1995, found "…no demonstrated biological basis for barbless hook restrictions in artificial flies and lure fisheries for non-anadromous trout…" (Schill and Scarpella 1995). Further, "…implementation of barbless hook restrictions for such fisheries appears to be a social issue." "A second drawback of implementing a barbless hook regulation without biological justification assumes there is no cost to the agency for enacting such regulation, but this may not be the case". Schill and Kline (1997) estimate that 75% of barbless hook violations on two Idaho waters with such requirements were made by individuals who usually comply with the regulations, but occasionally forget to flatten their barbs down. "…In Idaho, 20% of all angling violations or 534 tickets and warnings were written for barbless hook violations in 1994 (T. McArthur, unpublished data)." Location of the hook in the fish rather than hook type determines the extent of the injury to fish.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. All anglers may currently use barbless hooks. Adopting a barbless hook regulation for some waters of Bristol Bay would add complexity to the regulations without measurable biological benefit. There is no biological evidence to support the conclusion that fishing with a barbless hook will significantly reduce hooking injury or release related mortality. If the proposal is adopted, a definition of a barbless hook must also be adopted by the board.

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

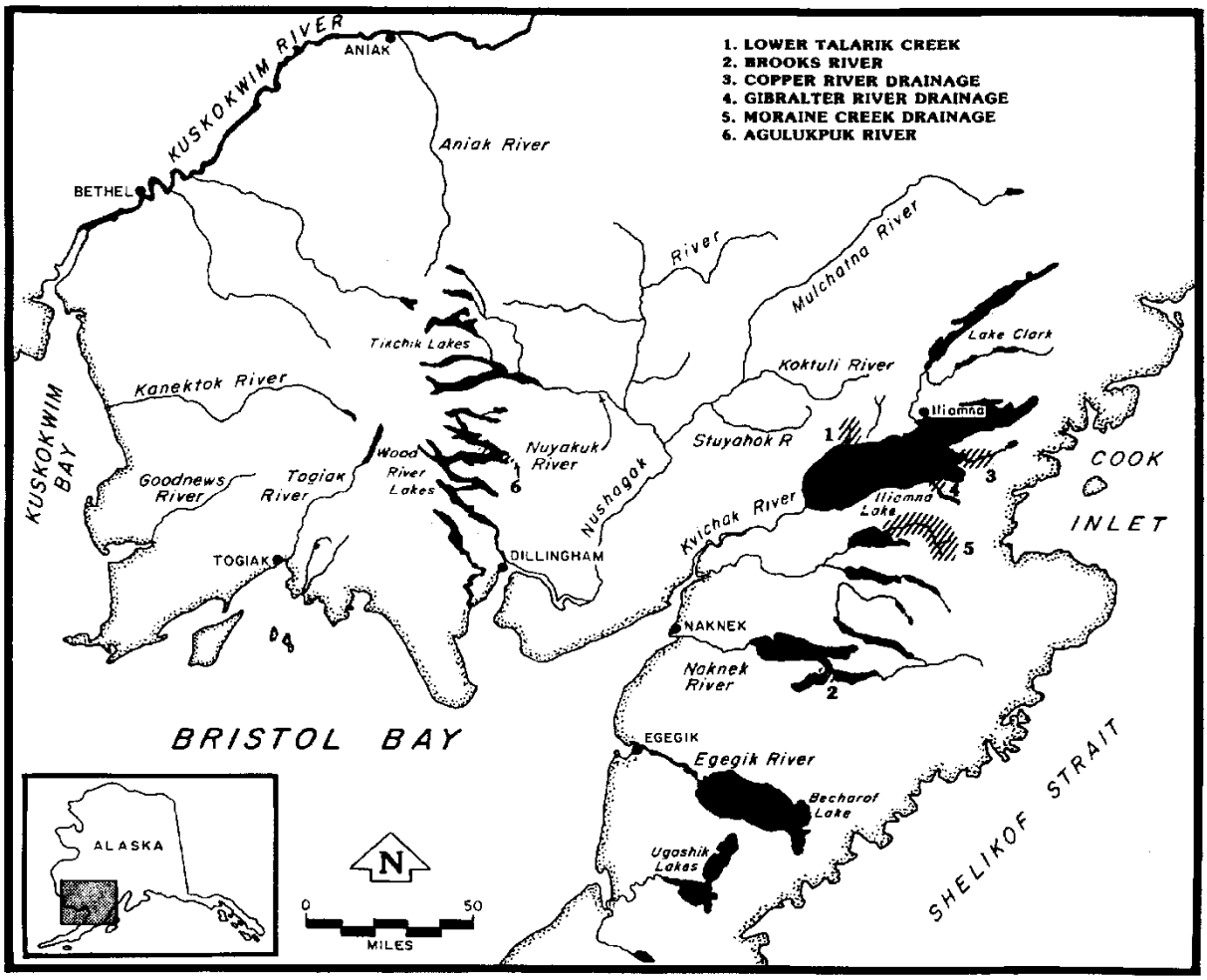

Figure 3-1.–Fly-only catch-and-release waters in the Bristol Bay Management Area.

PROPOSAL 4 – 5 AAC 67.030. Methods, means, and general provisions – Finfish.

PROPOSED BY: Pat Vermillion.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would change the definition of bait in the waters of Bristol Bay to include any substance placed in fresh water by a person for the purpose of attracting fish by scent.

WHAT ARE THE CURRENT REGULATIONS? Bait is currently defined in statewide provisions as "any substance applied to fishing gear for the purpose of attracting fish by scent, including fish eggs in any form, natural or preserved animal, fish, fish oil, shellfish, or insect parts, natural or processed vegetable matter, and natural or synthetic chemicals". Currently, it is legal to place attractants in fresh waters designated as no-bait with the purpose of attracting fish by scent as long as the attractants are not applied to fishing gear.

The following drainages in Bristol Bay are currently designated as no-bait for at least a portion of the year: Naknek River; Alagnak River; Kvichak River; Tikchik River; Nuyakuk River from the outlet of Tikchik Lake to an island two miles downstream from Nuyakuk Falls; all flowing waters of the Mulchatna River drainage from approximately one and one-half miles downstream of the Stuyahok River outlet to approximately one and one-half miles upstream of the Koktuli River outlet, including the Stuyahok and Koktuli river drainages; Nushagak River from its confluence with Harris Creek upstream to its confluence with the Chichitnok River; Agulowak River; Agulukpak River; and Ungalikthluk River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would make it illegal for persons to place fish parts or other attractants in freshwater for the purpose of attracting fish by scent in fresh waters of Bristol Bay currently designated as no bait. Catch rates for anglers and/or guides who currently place attractants in the water to attract fish will likely be reduced.

BACKGROUND: In 1990, the Alaska Board of Fisheries (board) adopted regulations emphasizing conservative wild stock management rather than harvest and maximum yield. Ten drainages in the Bristol Bay area were designated as no-bait waters (Figure 4-1).

Placing attractants in fresh waters designated as no-bait to attract fish by scent, commonly known as chumming, has become common in several fisheries in Bristol Bay.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this social proposal. Adoption of this proposal would be consistent with the intent of no-bait regulations adopted by the board.

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

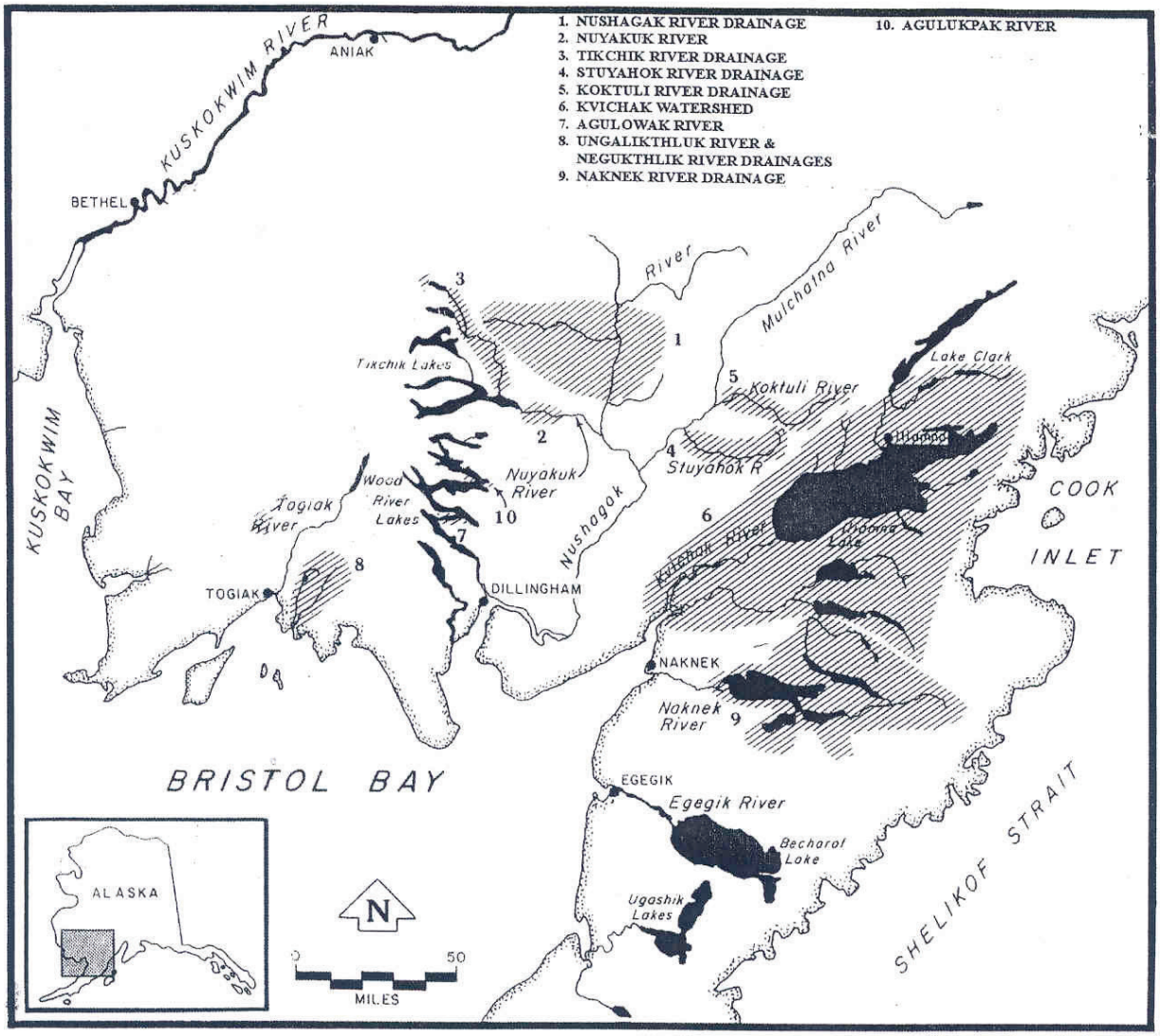

Figure 4-1.–Unbaited single-hook artificial lure waters in the Bristol Bay Management Area.

PROPOSAL 5 – 5 AAC 65.020. Bag limits, possession limits, and size limits for Alaska Peninsula and Aleutian Islands Area and 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area. *(This proposal will be addressed in both the Bristol Bay and Alaska Peninsula/Aleutian Islands meetings.)*

PROPOSED BY: Lower Bristol Bay Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would reduce the bag limit for coho salmon in the Ugashik, Dog Salmon, and King Salmon rivers from five per day, five in possession, to one per day, one in possession.

WHAT ARE THE CURRENT REGULATIONS? The bag limit for coho salmon in the Ugashik, Dog Salmon, and King Salmon rivers is the same as the general limit of five per day, five in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Creating these special exceptions to the Bristol Bay bag limits would eliminate the opportunity to harvest or possess more than one coho salmon per angler per day. The harvest of coho salmon would likely be reduced in these waters, but effort and harvest would likely increase in areas where the bag limit is more than one coho salmon.

BACKGROUND: Escapement of coho salmon in the Ugashik River drainage has been estimated with aerial surveys since 1981. Estimated escapement has ranged from 400 in 1991 to 20,100 in 2006; however, on many years, a survey was not completed due to poor weather and survey conditions (Table 5-1). As a result, survey results are minimum estimates of escapement and do not provide a reliable index to assess Ugashik River drainage coho salmon escapement.

The Statewide Harvest Survey estimated coho salmon sport harvest from 2000 to 2011 has ranged from a high of 921 in 2005 to a low of 72 in 2011, with an average of 440 fish from the Ugashik River drainage, which includes the Ugashik, King Salmon, and Dog Salmon rivers. The sport catch of coho salmon from 2000 to 2011 has ranged from 5,550 in 2002 to 258 in 2008, with an average of 2,593. Angler effort for the Ugashik River drainage has decreased from highs of over 2,000 angler days annually in 2000 through 2002 to a recent five-year average of 1,219.

Based on freshwater logbook data, the average estimated coho salmon catch and harvest by guided anglers from 2006 to 2011 was 317 and 84 fish from the Ugashik River drainage, which includes the Ugashik, King Salmon, and Dog Salmon rivers.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because current coho salmon sport harvest is low and this proposal would reduce angler opportunity in a remote fishery with a harvestable surplus of fish, and create additional regulations. Cinder River is located in the Alaska Peninsula Management Area and will be addressed at the February meeting.

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

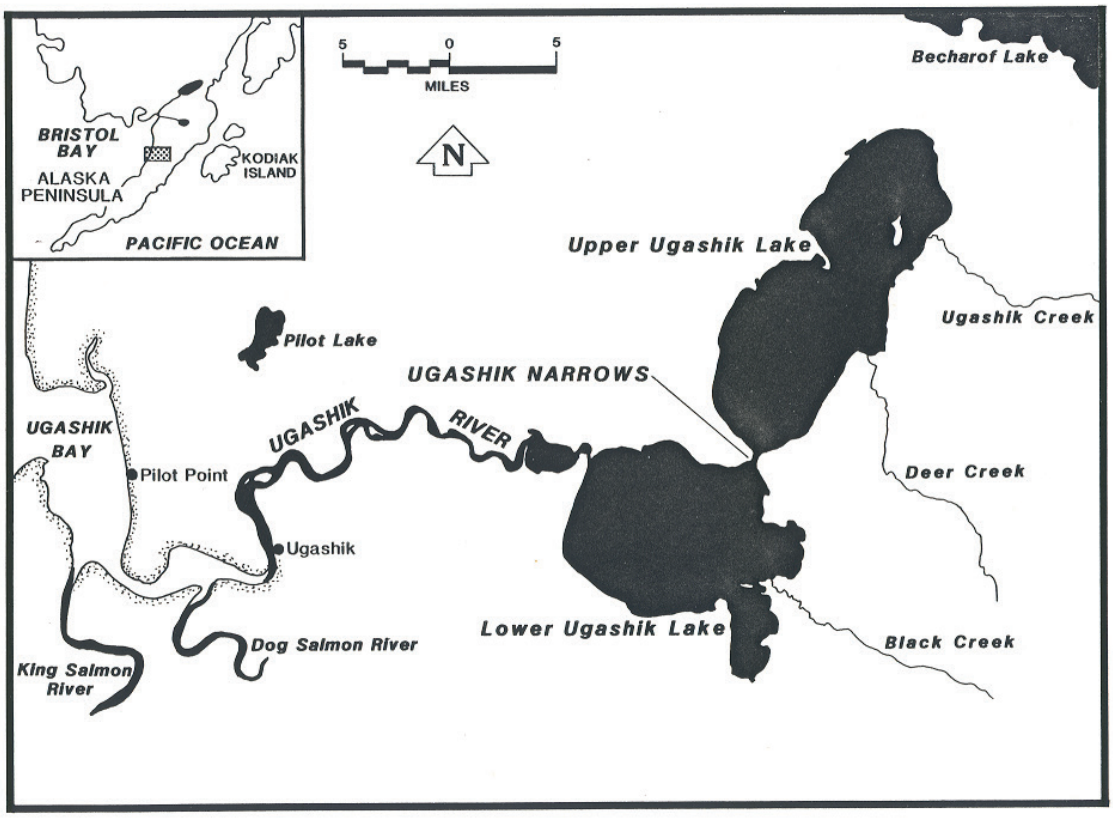

Figure 5-1.–Ugashik River drainage.

Table 5-1.–Angler effort and coho salmon harvest plus escapement for the Ugashik River drainage, 1983–2012.

		Harvest				
Year	Effort[a]	Sport[b]	Commercial[c]	Subsistence[c]	Total	Escapement[d]
1983	769	157	7,816	100	8,073	NA
1984	1,609	611	68,451	200	69,262	6,100
1985	954	0	60,815	143	60,958	18,880
1986	627	31	25,770	335	26,136	8,455
1987	1,682	215	14,785	272	15,272	17,000
1988	528	186	52,355	330	52,871	28,280
1989	998	234	33,942	214	34,390	11,515
1990	1,383	840	32,906	280	34,026	12,610
1991	1,627	97	42,622	614	43,333	400
1992	2,001	445	35,794	397	36,636	790
1993	1,918	92	2,387	495	2,974	705
1994	2,315	739	19,250	579	20,568	760
1995	905	346	13,800	290	14,436	NA
1996	2,195	491	13,163	298	13,952	8,275
1997	2,513	631	7,156	311	8,098	9,400
1998	1,442	223	13,007	485	13,715	1,459
1999	2,008	830	2,289	271	3,390	10,210
2000	2,403	513	1,269	467	2,249	12,070
2001	2,961	690	976	357	2,023	4,540
2002	2,118	856	464	460	1,780	3,805
2003	1,317	529	994	392	1,915	19,670
2004	1,017	408	4,744	234	5,386	5,440
2005	882	921	8,162	249	9,332	9,850
2006	443	393	3,087	339	3,819	20,100
2007	1,393	336	1,954	281	2571	3,500
2008	598	74	2,220	222	2516	6,240
2009	868	233	2,602	131	2966	NA
2010	1,390	251	467	135	853	NA
2011	1,844	72	452	NA	NA	4,900
1983–2011						
Average	1,473	395	16,334	317	17,625	8,998
Percent[e]		2%	93%	2%		
2007–2011						
Average	1,219	193	1,539	192	1,924	4,880
Percent[e]		10%	80%	10%		
2012	NA	NA		NA	NA	NA

[a] From ADF&G annual Statewide Harvest Surveys.
[b] From ADF&G annual Statewide Harvest Surveys.
[c] Commercial and subsistence harvests from ADF&G - CFMD annual management reports.
[d] Escapements estimates from ADF&G - CFMD salmon spawning ground surveys in the Bristol Bay, Alaska. Counts may be variable due to timing, conditions, etc.

PROPOSALS 6, 7, and 8 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Alaska Department of Fish and Game (Proposal 6), Bud Hodson (Proposal 7), and Togiak Traditional Council (Proposal 8).

WHAT WOULD THE PROPOSAL DO? These proposals would change the limits for king salmon, 20 inches or greater in length, in the fresh waters between Cape Constantine and Cape Newenham (Table 6-1).

- Proposal 6 would maintain the current bag and possession limit, but allow two king salmon over 28 inches or greater in length per day instead of one as currently in codified regulations.
- Proposal 7 would reduce the bag limit to two per day, two in possession, and maintain that only one may be 28 inches or greater in length.
- Proposal 8 would reduce the bag limit to one per day, three in possession, and maintain that only one may be 28 inches or greater in length in the Togiak and Kulukak rivers.

WHAT ARE THE CURRENT REGULATIONS? The general bag limit in freshwater drainages between Cape Newenham and Cape Menshikof for king salmon, 20 inches or greater in length is three per day, three in possession, only one of which may be 28 inches or greater in length. The exceptions are the Wood River with a bag of one per day, one in possession; and the Nushagak River drainage with a bag of two per day, two in possession, only one of which may be 28 inches or greater in length (Figure 6-1). The annual limit of king salmon, 20 inches or greater in length, is five king salmon. Of these, no more than four may be harvested from the Nushagak River drainage, and no more than two may be harvested from the Wood River drainage. King salmon removed from the water must be retained. Harvested king salmon, 20 inches or greater in length, must be immediately recorded on the angler's sport fishing license or harvest card.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Alaska Board of Fisheries (board) action on proposals 6–8 will resolve a discrepancy between codified regulations and the ADF&G regulation summary booklet. Adoption of any of these proposals would result in king salmon bag limit exceptions to the general regulations.

- Adoption of proposal 6 would reaffirm previous board action.
- Proposal 7 would reduce harvest opportunity and likely reduce the sport harvest of king salmon, 20 inches or greater in length, in all fresh waters from Cape Constantine to Cape Newenham.
- Proposal 8 would reduce harvest opportunity and likely reduce the sport harvest of king salmon in the Togiak and Kulukak rivers.

BACKGROUND: An exception to the general regulations for king salmon bag limits in Bristol Bay fresh waters adopted by the board in 2000 was not reflected in the codified regulations. The more liberal regulation, allowing two king salmon 28 inches or greater in length, in the fresh waters between Cape Constantine and Cape Newenham was thought to be in effect by anglers and staff. It wasn't until preparing for the Bristol Bay board meeting that staff realized the regulation was not in codified language. The department submitted Proposal 6 to bring this

discrepancy to the board's attention and add clarity to discussion on proposals 7 and 8 regarding king salmon bag limits.

The largest king salmon sport fishery between Cape Constantine and Cape Newenham occurs on the Togiak River drainage. Aerial surveys have historically been used to estimate escapement of king salmon in the Togiak River drainage; however, a survey has not been conducted since 2005 due to poor survey conditions. The long-term average estimated escapement is over 14,000 (Table 6-2).

Estimated king salmon sport harvest from the Statewide Harvest Survey, 2000–2011, has ranged from 1,501 in 2007 to 76 in 2002, with an average of 956 fish from the Togiak River drainage. The sport catch of king salmon from 2000 to 2011 has ranged from 13,766 in 2006 to 547 in 2002, with an average of 6,762. Angler effort for the Togiak River drainage has decreased from highs of over 6,000 angler days in 2004 and 2005 to a recent five-year average of 4,295.

Based on freshwater logbook data, the average estimated king salmon harvest for guided anglers has decreased annually from over 1,000 fish in 2006 and 2007 to 455 in 2011. Similarly, the estimated king salmon catch by guided anglers has decreased from over 6,000 fish in 2006 and 2007 to just over 2,000 fish in 2010 and 2011. This decrease in harvest and catch coincides with a decrease in guided angler-days from 2,211 in 2007 to 873 in 2010.

Sport fishing for king salmon in this area also occurs on the Kulukak and Negukthlik rivers. Due to their remote location these rivers are fished almost exclusively by guided anglers. Kulukak River freshwater logbook data indicate the estimated average annual king salmon harvest and catch of guided anglers was 8 and 354 fish from 2006 to 2011, respectively. The number of guided angler-days has decreased from a peak of 340 in 2007 to 204 in 2011. For the Negukthlik River, freshwater logbook data indicate the estimated average king salmon harvest and catch of guided anglers was 20 and 132 fish from 2006 to 2011, respectively. The number of guided angler-days has decreased from a peak of 358 in 2007 to 153 in 2011.

DEPARTMENT COMMENTS: The department **SUPPORTS** clarifying the king salmon bag limits. King salmon sport harvest is low in Bristol Bay and the department does not recommend reductions in angler opportunity in remote fisheries with a harvestable surplus of fish. The department encourages discussion on reducing regulatory complexity by aligning the king salmon bag limit with the general bag and possession limits for king salmon in the remainder of the Bristol Bay Management Area.

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

Table 6.1.–Current and proposed Bristol Bay king salmon bag limits for king salmon, 20 inches or greater in length.

	Bag Limit		Size Restriction	Area
Current	3/day	3/poss	1@ 28" or greater	C. Menshikof - C. Newenham (BBMA)
	*1/day	1/poss	1@ 28" or greater	Wood River drainage
	*2/day	2/poss	1@ 28"or greater	Nushagak/Mulcahtna drainage
Prop 6	3/day	3/poss	1 @ 28" or greater	C. Menshikof - C. Constantine (east BB)
	3/day	3/poss	2 @ 28" or greater	C. Constantine - C. Newenham (west BB)
Prop 7	3/day	3/poss	1 @ 28" or greater	C. Menshikof - C. Constantine (east BB)
	2/day	2/poss	1 @ 28" or greater	C. Constantine - C. Newenham (west BB)
Prop 8	3/day	3/poss	1 @ 28" or greater	C. Menshikof - C. Newenham (BBMA)
	1/day	3/poss	1 @ 28" or greater	Kulukak and Togiak rivers

*exceptions to the General Seasons and Limits

Proposed changes are underlined

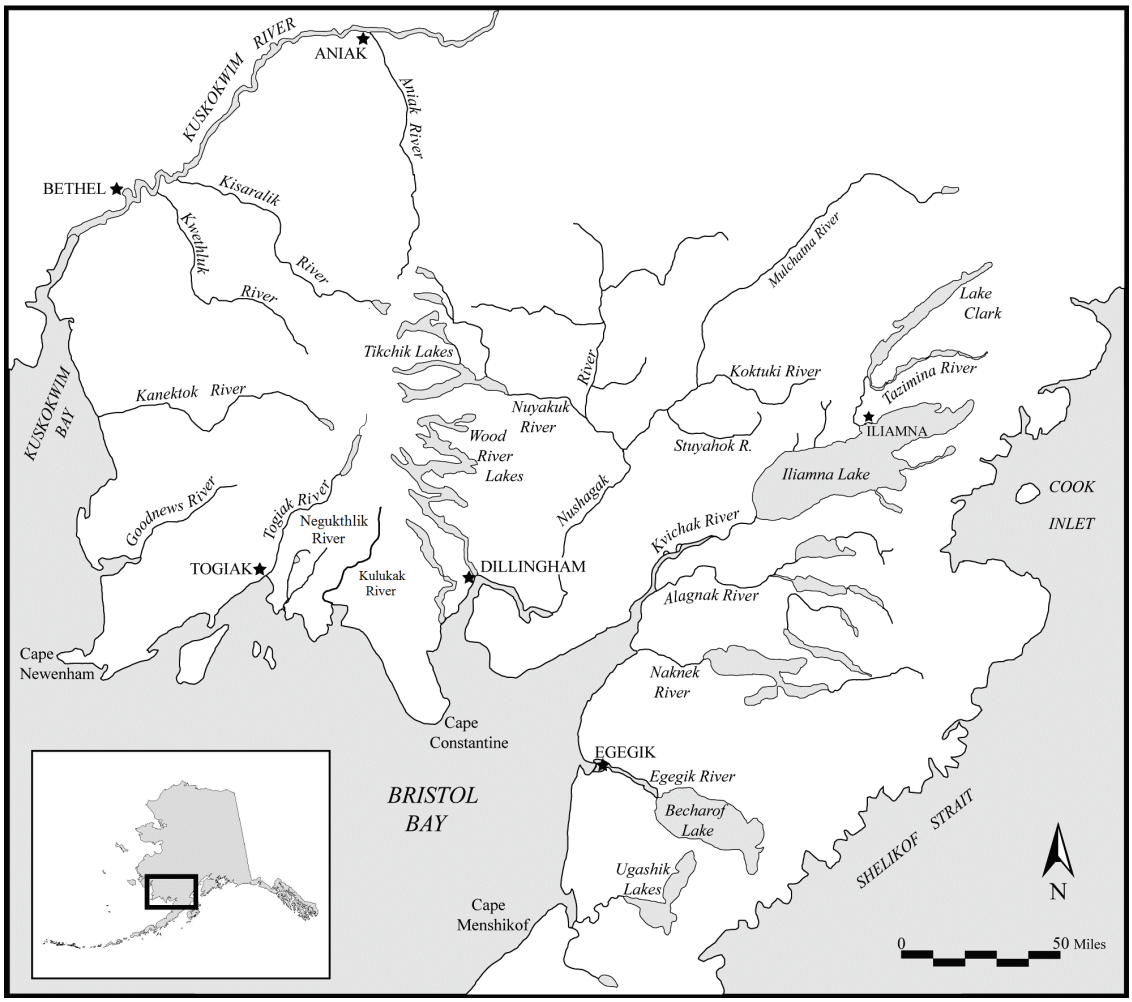

Figure 6-1.–Bristol Bay waters between Cape Constantine and Cape Newenham.

PROPOSAL 239 – 5 AAC 67.022(g)(6). Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

(g) In the Nushagak River drainage, excluding the Wood River drainage, and unless otherwise specified in 5 AAC 06.361 or 5 AAC 06.368, the following special provisions apply:

(6) only unbaited, single-hook, artificial lures may be used May 1 through July 31.

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit the use of multiple-hook lures and bait during the Nushagak River king salmon fishery.

WHAT ARE THE CURRENT REGULATIONS? In all fresh waters of Bristol Bay, a king salmon removed from the water must be retained and becomes part of the bag limit of the person originally hooking it. In the Nushagak River from May 1 to July 31:

- King salmon 20 inches or greater in length, the bag limit is two per day, two in possession, only one of which may be 28 inches or greater in length. There is an annual limit of four king salmon. All harvested king salmon must be recorded.
- King salmon less than 20 inches, the bag limit is ten per day, ten in possession.

The *Nushagak-Mulchatna King Salmon Management Plan* (5 AAC 06.361) directs management of the Nushagak River king salmon sport fishery. If the inriver king salmon run is projected to be between 75,000 and 55,000:

- A guideline harvest level (GHL) of 5,000 king salmon, 20 inches or greater in length, for the sport fishery is established.
- The bag limit is restricted to one per day, one in possession.

If the inriver return is projected to be less than 55,000 and the spawning escapement is projected to be more than 40,000:

- Restrictions may include reducing bag, possession, and annual limits, restricting to nonretention, prohibiting bait, reducing time and area, and/or closing the sport fishery.

If the spawning escapement is projected to be fewer than 40,000:

- The sport fishery will be closed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Gear and bait restrictions are commonly used to reduce angler effort and catch rates in sport fisheries. Catch, and potentially harvest, of king salmon would likely be reduced. Similar restrictions placed on fisheries by emergency order typically result in reduced angler effort because anglers are not as willing to invest resources to participate in a restricted fishery. Catch-and-release mortality may be reduced slightly because fewer fish may be caught. Eliminating the use of bait will no longer be an option in *the Nushagak-Mulchatna King Salmon Management Plan* to reduce harvest.

BACKGROUND: King salmon enumerated by the department's sonar program on the Nushagak River have been variable in recent years. The 2009 and 2010 estimates were well below average and did not achieve the 75,000 fish inriver goal. The 2011 run was above average

and exceeded the inriver goal. Total runs of Nushagak/Mulchatna king salmon averaged 108,513 from 2007 through 2011, ranging from 74,306 to 124,763. Total harvest by commercial, subsistence, and sport fisheries averaged 48,498 king salmon from 2007 through 2011. The majority (62%) of the harvest was taken by the commercial fishery, 25% was taken by the subsistence fishery, and 13% by sport anglers. After a period of relative stability from 1991 through 2008, sport harvest has been declining recently. Sport harvest of king salmon averaged 5,818 fish from 2007 through 2011 (Table 239-1). Guided angler data from 2009 to 2011 collected from freshwater logbooks indicate an average of 3.3 king salmon (including king salmon less than 20 inches) were caught daily per angler for June 15 through July 15.

From 1989 through 1991, the department conducted a hook-and release-mortality study on Kenai River king salmon. A total of 446 king salmon were captured on hook and line and monitored for survival. Of these, 182 (41%) were captured using bait or a combination of bait and artificial lure. Overall hooking mortality averaged 7.6% and ranged from 10.6% in 1989 to 4.1% in 1991. Mortality was highest for small males (<750 mm mid-eye length) compared with large males and all females. Wound location and bleeding were the factors principally associated with mortality. Survival of king salmon that were hooked in the gills or were bleeding was significantly reduced; however, the frequency of these injuries was small in all experiments.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The department currently has the ability to eliminate use of bait when inriver projections fall below desired levels; therefore, the total elimination of the use of bait and multiple hooks is a social issue.

COST ANALYSIS: Approval of this proposal would result in an additional direct cost for a private person to participate in the fishery to replace existing gear.

Table 239-1. King salmon commercial, subsistence, and sport harvest, and escapement for the Nushagak drainage, 1989-2012.

		Harvests Below Sonar					Harvests Above Sonar		Spawning Escapement	
Year	Total Run[a]	Commercial Harvest[b]	Homepack Removals[c]	Subsistence Harvest[d]	Sport Harvest[e]	Inriver Sonar Estimate[f]	Subsistence Harvest[g]	Sport Harvest[h]	Sonar Estimate[f,i]	Aerial Survey Estimate
1989	103,247	17,637	632	5,273	1,404	78,302	2,217	2,210	73,875	
1990	87,990	14,812	1,198	7,228	797	63,955	3,981	2,689	57,285	
1991	133,629	19,718	1,971	5,796	1,793	104,351	5,860	3,758	94,733	
1992	140,000	47,563	907	6,838	1,844	82,848	5,843	2,911	74,094	
1993	173,290	62,976	1,867	8,227	2,408	97,812	7,615	3,492	86,706	
1994	228,697	119,478	1,126	7,703	4,436	95,954	6,661	6,191	83,103	
1995	175,612	79,942	1,327	6,483	2,238	85,622	5,891	2,713	77,018	
1996	135,570	72,011	730	8,357	2,346	52,127	6,855	3,045	42,228	
1997	155,956	64,294	544	8,188	931	40,705	6,587	2,567		82,000
1998	243,187	117,065	805	6,182	1,640	117,495	5,271	4,188	108,037	
1999	79,890	10,893	927	4,805	934	62,331	4,325	3,304	54,703	
2000	75,215	12,055	1,052	4,346	1,389	56,374	4,072	4,628	47,674	
2001	119,026	11,568	1,078	5,625	1,600	99,155	5,057	4,299	89,799	
2002	134,237	39,473	717	5,713	1,193	87,141	4,851	2,500	79,790	
2003	135,497	42,615	672	9,979	2,203	80,028	8,035	3,752	68,241	
2004	224,399	96,534	440	8,458	2,567	116,400	6,712	4,339	105,349	
2005	244,793	62,308	532	6,531	2,863	172,559	5,329	5,702	161,528	
2006	218,413	84,881	956	4,727	3,166	124,683	4,288	4,307	116,088	
2007	121,959	51,473	416	7,182	3,581	60,464	5,732	6,088	48,644	
2008	126,003	18,670	NA	7,387	3,305	96,641	5,573	3,395	87,673	
2009	115,478	24,287	NA	7,260	2,451	81,480	5,477	3,903	72,100	
2010	69,080	25,580	NA	5,216	1,659	36,625	3,935	2,248	30,443	
2011	97,435	29,811	NA	6,354[j]	1,542	59,728	5,001[j]	3,302	51,425	
1989-2011 Avg.	145,157	48,941	942	6,690	2,099	84,903	5,442	3,719	77,752	
2007-2011 Avg.	105,991	29,964	416	6,680	2,508	66,988	5,143	3,787	58,057	
2012	NA	11,501	NA	NA	NA	107,786	NA	NA	NA	

Note: units = number of king salmon.

Table citations found in: Dye, J. E and C. J. Schwanke. 2012. Report to the Alaska Board of Fisheries for the recreational fisheries of Bristol Bay, 2010-2012. Alaska Department of Fish and Game, Special Publication No. 12-17, Anchorage

[a] Run refers to an aggregation of salmon of all ages returning from ocean feeding grounds to spawn in any given year.

[b] Total Nushagak District commercial harvest.

[c] Nushagak Bay Commercial Harvest from Subsistence Division Subsistence Database.

[d] Includes Nushagak Bay and Igushik and is estimated as 57% of the total Nushagak subsistence king harvest.

[e] 1977-1996 is 50% of Nushagak River system sport harvest. 1997-2009 is Nushagak River Black Point to sonar.

[f] Sonar estimates for 1989-2006 are Bendix counts, 2007-2009 are Didson counts, and 2010-2012 are Didson counts converted to Bendix counts.

[g] Estimated as 43% of total Nushagak subsistence king harvest.

[h] 1977-1996 is 50% of Nushagak River system sport harvest, plus Mulchatna River system, Tikchik/Nuyakuk, and Koktuli River harvest. 1997-2001 is 50% of Nushagak River Black Point to Iowithla, Nushagak upstream of Iowithla, Mulchatna River system, Tikchik/Nuyakuk and Koktuli River; 2002 to 2011 is Nushagak River excluding Black Point to sonar.

[i] 1986-1996 and 1998-2012 estimates are sonar estimates minus subsistence and sport harvest above sonar.

[j] Data not available at the time of publication. Recent five year average used.

PROPOSAL 9 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Joe Klutsch.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would allocate time and area for sport fishing on the Naknek River drainage among user groups.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations allocating time or area for sport fishing among user groups in the Naknek River drainage.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would affect opportunity for anglers on the Naknek River. Effort, catch, and harvest on the river may be increased or decreased for each user group. Additionally, this proposal may affect effort in other drainages depending on the effect on opportunity in the Naknek River. Adoption of this proposal would increase regulatory complexity.

BACKGROUND: Guided sport fishing effort on the Naknek River has been relatively stable since 2006, ranging from a low of 3,160 angler-days in 2010 to a high of 4,273 angler-days in 2008, and averaging 3,918 (Figure 9-2). Total sport fishing effort in the Naknek River has significantly declined since a peak of 22,529 angler-days in 2000 and has remained relatively stable since 2003, averaging 15,019 angler-days (Figure 9-3). Rainbow trout catch in the Naknek River has declined since a peak of 21,020 in 2000, but has been increasing since 2006, and has been stable relative to effort (Figure 9-3).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department notes adoption of this proposal would result in an increase in regulatory complexity.

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

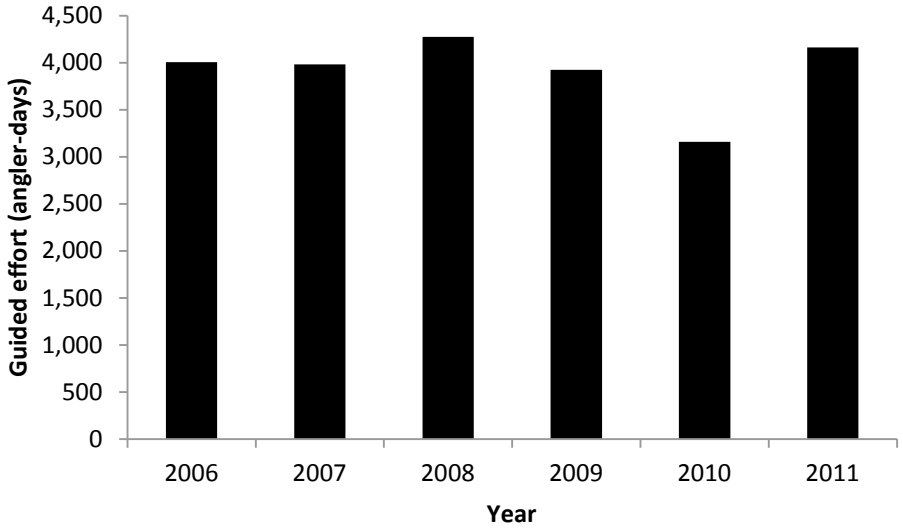

Figure 9-2.–Guided sport fishing effort in angler-days in the Naknek River, 2006–2011.

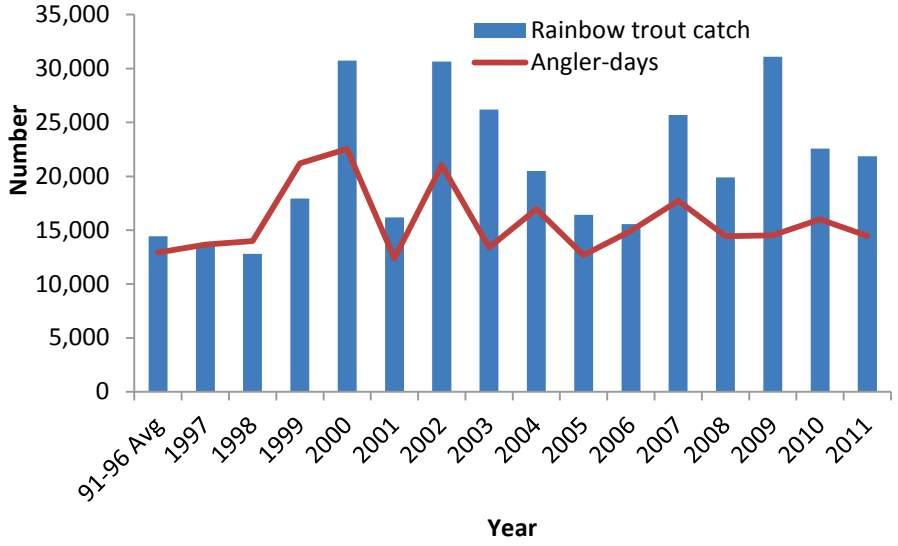

Figure 9-3.–Total sport fishing effort in angler-days and rainbow trout catch in the Naknek River, 1991–1996 average and 1997–2011.

PROPOSAL 1 – 5 AAC 01.310. Fishing seasons and periods.

PROPOSED BY: Nushagak Advisory Committee.

WHAT WOULD THE PROPOSAL DO: This proposal would allow for a weekend opening for the subsistence fishery in the Nushagak District during the July 2–17 time frame. This proposal would replace the open period of the fishery from 9:00 a.m. Friday through 9:00 a.m. Saturday to 9:00 a.m. Saturday through 9:00 a.m. Sunday.

WHAT ARE THE CURRENT REGULATIONS: 5 AAC 01.310(d), *Fishing seasons and periods,* states that in the Nushagak District, in all waters upstream of a line between an ADF&G regulatory marker located two statute miles south of Bradford Point and an ADF&G regulatory marker located on Nushagak Point to an ADF&G regulatory marker located at Red Bluff on the west shore of the Wood River, and to an ADF&G regulatory marker located at Lewis Point on the north shore on the Nushagak River (see Figure 1-1), from 9:00 a.m. July 2 through 9:00 a.m. July 17, subsistence-caught salmon may be taken only from 9:00 a.m. Monday to 9:00 a.m. Tuesday, 9:00 a.m. Wednesday to 9:00 a.m. Thursday, and 9:00 a.m. Friday to 9:00 a.m. Saturday.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL WERE ADOPTED: There would be a subsistence salmon fishing period in the Nushagak River on weekends during an open period of the subsistence fishery. This proposal would neither increase nor decrease the total amount of time that subsistence fishing would be allowed in the area described above. Currently, the three-day-per-week schedule from July 2 to July 17 does not allow subsistence fishing for an entire 24-hour period on Saturday or Sunday. This proposal would shift one of the open periods that subsistence fishing is allowed, from Friday to Saturday, to Saturday to Sunday. Scheduling a 24-hour period on Saturday may allow more subsistence users to participate in the fishery and participants may be able to fish an additional tide, potentially increasing harvest. The other two periods would remain at 9:00 a.m. Monday to 9:00 a.m. Tuesday and 9:00 a.m. Wednesday to 9:00 a.m. Thursday.

BACKGROUND: The Alaska Board of Fisheries (board) has determined that finfish are customarily and traditionally taken or used for subsistence in the Bristol Bay Area (5 AAC 01.336). The board also found that 157,000–172,171 salmon are reasonably necessary for subsistence uses (ANS) in the Bristol Bay Area, including 55,000–65,000 Kvichak River drainage sockeye salmon. This finding did not include salmon stocks in the Alagnak River. The five-year average subsistence harvest is 124,170 salmon (2007–2011). The five-year average is below the ANS, and, as noted above, scheduling an opening on Saturday may allow more subsistence users to participate in the fishery and participants may be able to fish an additional tide, potentially increasing harvest.

The weekly schedule first appeared in subsistence fishing regulations in 1974; at that time, it applied to the area from an ADF&G regulatory marker located two statute miles south of Bradford Point to an ADF&G regulatory marker located at Red Bluff ("Dillingham Beaches"). At that time, the weekly fishing schedule was in effect from June 16 to July 17 and had the same three 24-hour fishing periods currently in regulation. In 1994, the total amount of subsistence

fishing time was reduced when the start date for the weekly schedule was changed from June 16 to July 2. In 2001, the area included in the three-day-per-week schedule was expanded to include both banks of the Wood and Nushagak rivers up to Lewis Point.

The July 2 to July 17 time period is when the majority of sockeye salmon return to the Nushagak and Wood river systems and commercial salmon fishing in the Nushagak commercial fishing district is in progress (if escapement goals are being met).

DEPARTMENT COMMENTS: 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.

SUBSISTENCE REGULATION REVIEW:

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

2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has found that finfish within the Bristol Bay Area are customarily and traditionally taken or used for subsistence (5 AAC 01.336).

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 157,000–172,171 salmon as the ANS for subsistence uses of salmon in the Bristol Bay Area. This includes 55,000–65,000 Kvichak River drainage sockeye salmon. This does not include salmon stocks in the Alagnak River (5 AAC 01.336(b)(1)).

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.

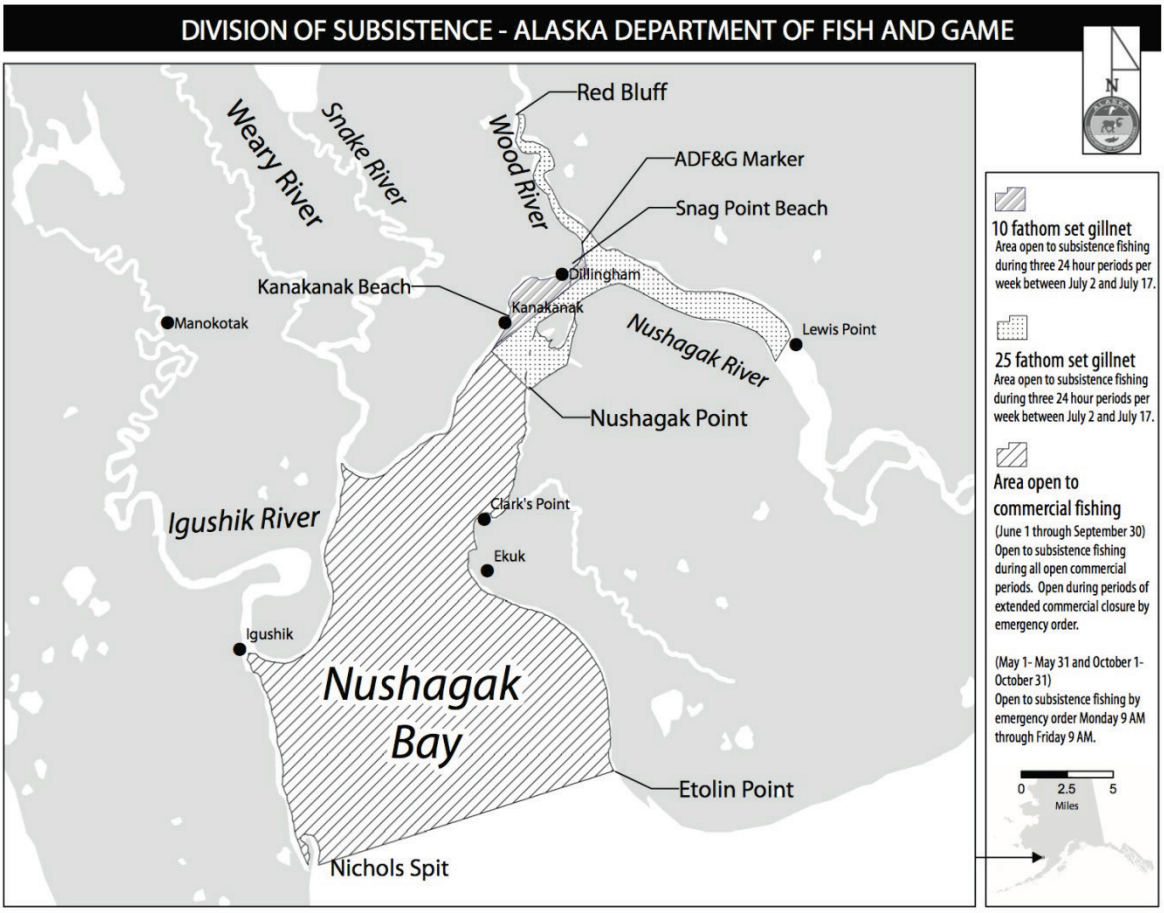

Figure 1-1.–Nushagak River District subsistence fishery.

PROPOSAL 24 – 5 AAC 06.330. Gear.

PROPOSED BY: Daniel Farren.

WHAT WOULD THE PROPOSAL DO? The proposal would allow use of a 75-fathom purse seine in Bristol Bay. Operation of seine gear would require the presence of two drift gillnet permits.

WHAT ARE THE CURRENT REGULATIONS? Purse seine gear is not a legal gear type for salmon fisheries in Bristol Bay.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would necessitate provisions for a new gear type, allocation plan, management plan, and separate times and/or areas for fishing to avoid gear conflicts. Although allocation plans are in place for all districts except Togiak, conflict among existing groups over allocation continues and introducing a new gear type would provide an additional source of conflict.

BACKGROUND: The waters within terminal commercial fishing districts in Bristol Bay are shallow and the use of purse seine gear would present gear usage and conflict challenges. Small seines fishing as a single group would be of limited use in controlling large pulses of fish, potentially leading to escapements above desired levels, as well as potential foregone harvest for existing gear types. Should purse seine fishing be allowed in deeper water, a mixed stock fishery may develop as described in department comments regarding General District proposals. Special harvest areas are generally shallow and would present a particular challenge to seine fishermen and managers.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. If this proposal is adopted, the department requests clarification from the Alaska Board of Fisheries on how the fishery should operate (allocations, area constraints, etc.) The department has reservations regarding how a new gear type could be integrated into the existing Bristol Bay fishery, and has biological concerns regarding harvest by seines of salmon species other than sockeye.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery. Permits and gear would be required at an unknown cost.

PROPOSAL 25 – 5 AAC 06.XXX. Bristol Bay commercial coho salmon troll fishery.

PROPOSED BY: William Sanchez.

WHAT WOULD THE PROPOSAL DO? This proposal would authorize a directed fishery for coho salmon for residents of the Bristol Bay area using troll gear.

WHAT ARE THE CURRENT REGULATIONS? Troll gear is not a legal gear type in the Bristol Bay area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would necessitate provisions for a new gear type, new Commercial Fisheries Entry Commission permits, and a new management plan, along with separate times and/or areas for fishing to avoid gear conflicts.

BACKGROUND: Trolling for salmon is most effective in clear water, which does not occur with any predictability in terminal districts within Bristol Bay. Coho salmon abundance within Bristol Bay is not well understood and the late-season fishery, as it exists, is mostly self-limiting. Generally, either the abundance of fish or availability of markets dictates the extent of any directed fishing activities for coho salmon. Information on coho abundance is limited; escapement monitoring is done via postseason aerial surveys in all districts except Nushagak. Beginning in 2012, the Nushagak River sonar project was extended to assess escapement for coho and pink salmon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. If this proposal is adopted, the department requests clarification from the Alaska Board of Fisheries on how the fishery should operate (allocations, area constraints, etc.). The department has reservations regarding integrating a new gear type into the existing Bristol Bay fishery.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery. Permits and gear would be required at an unknown cost.

PROPOSAL 200 – 5 AAC 09.310. Fishing seasons; 5 AAC 09.320. Fishing Periods; 5 AAC 09.330. Fishing Gear; 5 AAC 09.369. Northern District Salmon Fisheries Management Plan; and 5 AAC 39.120. Registration of commercial fishing vessels. *(This proposal will be heard at the Bristol Bay meeting, but deliberated upon at the Alaska Peninsula/Aleutian Islands meeting.)*

PROPOSED BY: Concerned Area M Fishermen.

WHAT WOULD THE PROPOSAL DO? This proposal would allow Area M drift gillnet permit holders to commercially fish for 36 hours per week in the outer portion of the Cinder River Section from June 20 to July 31. This proposal would also change the fishing period in the entire Cinder River Section to 6:00 a.m. Monday until 6:00 p.m. Tuesday from June 20 to July 31. After July 31, the weekly fishing period will remain from 6:00 a.m. Thursday until 6:00 p.m. Saturday. Drift gillnet gear would also be the only gear allowed outside the Cinder River Lagoon, into which the Cinder River drains, from June 20 to July 31. This proposal would also change the management plan for the Cinder River Section so that commercial salmon fishing in the Cinder River Section may be modified based on conservation concerns for Ugashik River sockeye salmon stocks.

WHAT ARE THE CURRENT REGULATIONS? Current regulation (5 AAC 09.310(a)(1)(B)) allows commercial salmon fishing throughout the Cinder River Section from August 1 to September 30. Fishing periods under 5 AAC 09.320(a)(3) are from 6:00 a.m. Thursday to 6:00 p.m. Saturday and the legal gear types in the entire Cinder River Section are drift gillnets or set gillnets (5 AAC 09.330(a)(1)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow Area M drift gillnet permit holders to commercially fish for salmon in the outer portion of the Cinder River Section from June 20 to July 31. Currently, only the inner lagoon portion of the Cinder River Section is open during this time. The fishing period would be 6:00 a.m. Monday to 6:00 p.m. Tuesday and be based on sockeye salmon escapement into Cinder River. This proposal also includes language for protection of Ugashik River sockeye salmon stocks in other North Peninsula fishing areas, such as the Ilnik and Outer Port Heiden sections. This proposal would reduce the time that Area T permit holders would be allowed to fish in the Cinder River Section from January 1 to June 19 from current regulations, which are from January 1 to June 30.

BACKGROUND: The outer portion of the Cinder River Section is open to commercial salmon fishing from August 1 to September 30 under a two-and-one-half day weekly fishing period. The inner portion of the Cinder River Section, specifically Cinder River Lagoon, is open to commercial salmon fishing from May 1 to September 30, but it has not proven effective for a drift or set gillnet gear to fish effectively.

Little or no harvest occurs in the Cinder River Section during the months of June and July. The sockeye salmon run likely starts in early June and ends the latter part of July. In some recent years, the escapement goal of 12,000–48,000 sockeye salmon has been exceeded with over 100,000 fish entering the river. Although weekly fishing periods occur during June and July,

there has only been limited harvest during some years, since statehood, in the Cinder River Section.

The Cinder River Section is part of the overlap area that allows Area T (Bristol Bay) permit holders to fish in certain areas within the Alaska Peninsula Management Area. The overlap area consists of the Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (5 AAC 39.120(d)). The overlap area was created shortly after statehood to allow Area T permit holders the opportunity to fish within their traditional harvest locations of Area M. Historically, prior to limited entry in the 1970s, when not participating in the Bristol Bay sockeye salmon fisheries, Port Heiden Area T permit holders fished for king and coho salmon in the Inner Port Heiden Section, and Pilot Point Area T permit holders fished inside the Cinder River Section for king and coho salmon.

Except during July, Area T permit holders are allowed to fish during the open season in the Inner Port Heiden and Cinder River sections. Area T permit holders are also allowed to fish in Ilnik Lagoon during August and September. In 1986, Area T fishermen started fishing in the Ilnik and Outer Port Heiden sections. In 1990, the Alaska Board of Fisheries excluded Area T permit holders from the Ilnik Section (except inside Ilnik Lagoon during August and September), and closed the Outer Port Heiden Section in August and September to all commercial salmon fishing by both Area M and Area T permit holders because of concern over potential interception of coho salmon bound for Inner Port Heiden (Meshik River). Since 2001, effort by both Area M and Area T permit holders in the overlap area has been minimal. In the 1980s and 1990s, most of the effort during August and September in the Cinder River Section has been from Area T permit holders.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. Adoption of this proposal would likely provide harvest opportunity on Cinder River salmon and help control surplus escapement into the system, but will likely include harvest of Bristol Bay salmon stocks as well.

Recent genetic information indicates that Bristol Bay sockeye salmon are present in North Peninsula fisheries.

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.

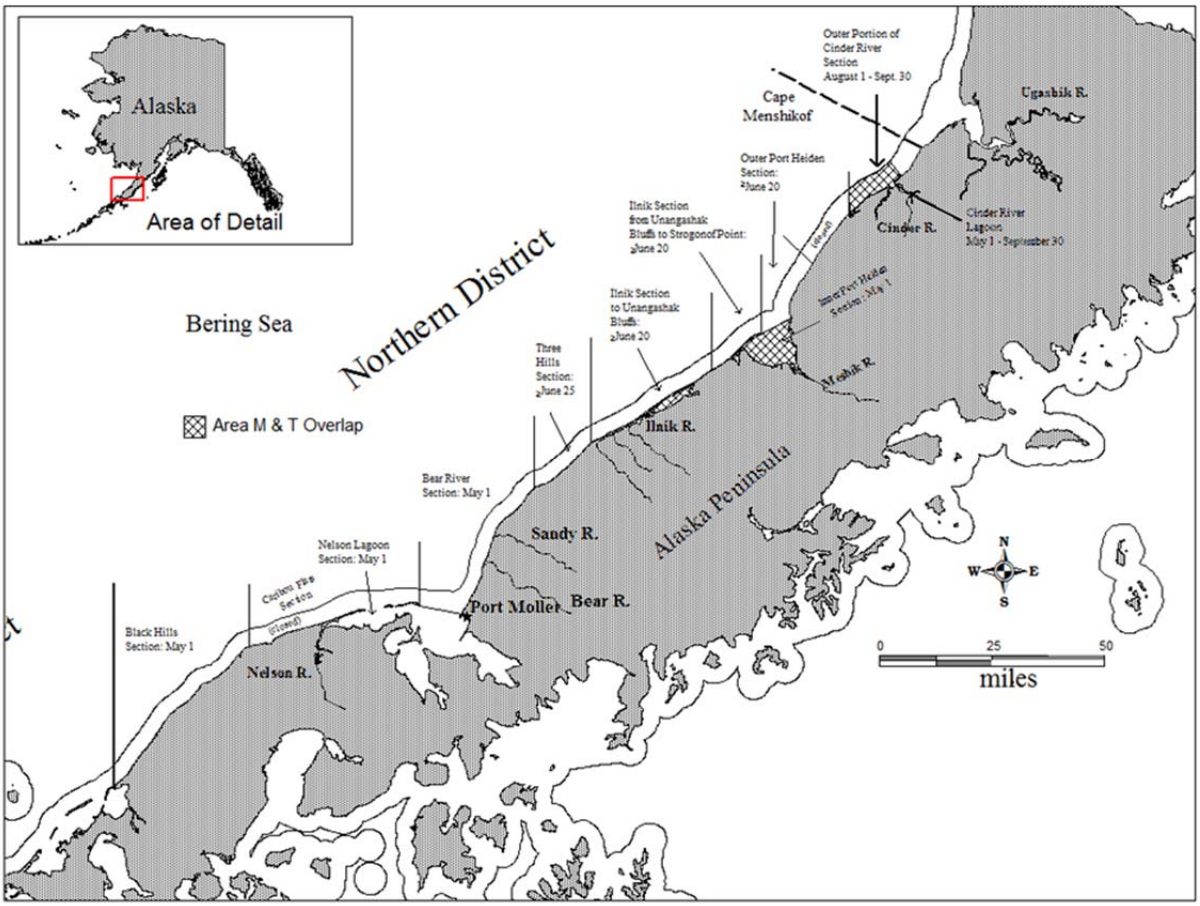

Figure 200-1.–Northern District showing fishing sections and opening dates of commercial salmon fisheries with existing areas M and T overlap area in crosshatch.

PROPOSAL 203 – 5 AAC 09.369(k) and (l). Northern District Salmon Fisheries Management Plan. *(This proposal will be heard at the Bristol Bay meeting, but deliberated upon at the Alaska Peninsula/Aleutian Islands meeting.)*

PROPOSED BY: Kurt Johnson.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the size of the Inner Port Heiden Section by closing the Outer Port Heiden Section and enlarging the size of Inner Port Heiden Section to a line one mile offshore to the southern boundary of Strogonof Point and to the northeast eight miles to a point on the beach near Reindeer Creek (Figure 203-1). The new expanded Inner Port Heiden Section would be open to commercial salmon fishing from May through October. This proposal would allow Area T (Bristol Bay) set and drift gillnet permit holders to fish in this area and be superexclusive for Area T permit holders.

WHAT ARE THE CURRENT REGULATIONS? Current regulation for Outer Port Heiden Section allows Area M drift gillnet fishermen to fish during open periods from June 20 to July 31 (5 AAC 09.310(a)(2)(B)) and allows the fleet to fish to within three miles of shore. The Inner Port Heiden Section is part of the Area M and Area T overlap area that consists of the Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (5 AAC 39.120(d)). The overlap area was created shortly after statehood to allow Area T permit holders the opportunity to fish within their traditional harvest locations of Area M. Historically, when not participating in the Bristol Bay sockeye salmon fisheries, Port Heiden Area T permit holders fished for king salmon in May and June and coho salmon in August and September in the Inner Port Heiden Section, and Pilot Point Area T permit holders fished inside the Cinder River Section for king and coho salmon. Area M permit holders are allowed to fish in the Inner Port Heiden Section during every month. Area T permit holders are allowed to fish within the Inner Port Heiden Section during every month except July. There are no superexclusive fishing areas within Area M.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close the Outer Port Heiden Section and reduce the size of the area that Area M drift gillnet permit holders can fish by approximately 66% by not allowing fishing beyond one mile from shore. It would increase the size of the Inner Port Heiden Section and if adopted, would incorporate some of the current Outer Port Heiden Section to one mile offshore instead of the three miles currently open. This proposal would also allow set gillnet permit holders to fish in a portion of the Outer Port Heiden Section where they are not currently allowed to fish. This proposal would allow Area T permit holders, both set and drift gillnet, to fish in the newly-expanded Inner Port Heiden Section during the months of May through October when commercial fishery openings are announced. More fishing effort likely would occur since Area M set gillnet gear could participate, as well as areas M and T set and drift gillnet permit holders. For Area T permit holders, it would be a superexclusive fishery. The proposal would increase the time from January 1 to December 31 that fishing would be permitted in part of the current Outer Port Heiden Section, open from June 20 to July 31. The newly-expanded Inner Port Heiden Section would be open from January 1 to December 31, which is more than the current duration of June 20 to July 31.

BACKGROUND: In 2007, the Alaska Board of Fisheries opened a portion of Outer Port Heiden Section to harvest sockeye salmon bound for Meshik River. Currently, by regulation, Outer Port Heiden Section can open from June 20 until July 31. Adoption of this proposal would close Outer Port Heiden Section for the duration of all salmon runs, but expand the Inner Port Heiden Section in both area and number of permit holders that would be able to fish. Area T permit holders are allowed to fish in some areas of the Area M to target king and coho salmon stocks, but not sockeye salmon.

Recent genetic information indicates that Bristol Bay sockeye salmon are present in North Peninsula fisheries.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department is concerned about potentially increasing the number of drift and set gillnet permit holders fishing in the expanded Inner Port Heiden Section by allowing all Area T permit holders access to an area, which will complicate management of the 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.

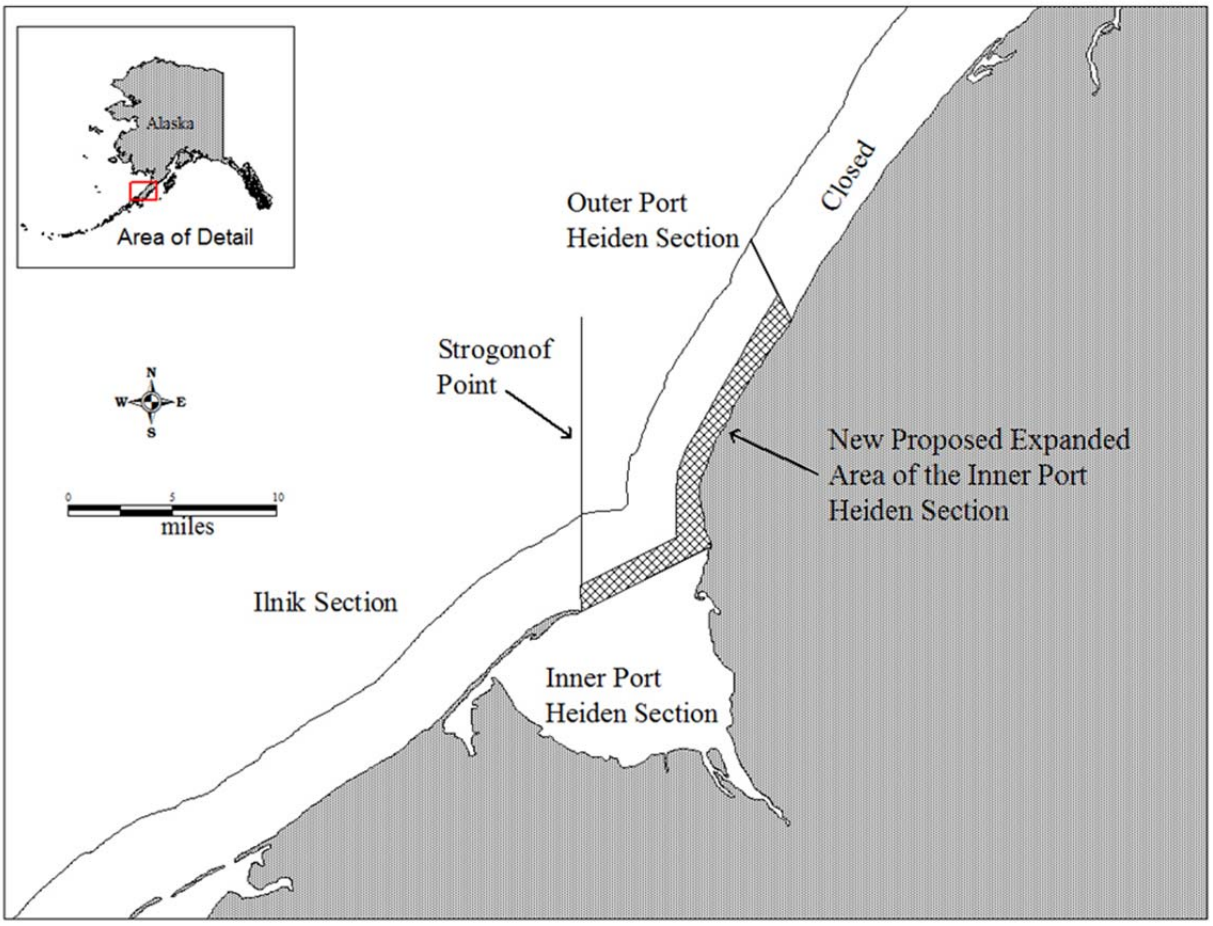

Figure 203-1.–Proposed expansion of the Inner Port Heiden Section shown in crosshatch.

PROPOSAL 204 – 5 AAC 09.369(k) and (l). Northern District Salmon Fisheries Management Plan. *(This proposal will be heard at the Bristol Bay meeting, but deliberated upon at the Alaska Peninsula/Aleutian Islands meeting.)*

PROPOSED BY: Jaclyn Christensen.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the size of the Inner Port Heiden Section to a line one mile offshore to the southern boundary of Strogonof Point and to the northeast eight miles to a point on the beach near Reindeer Creek. The Outer Port Heiden Section would remain and still be open to Area M drift gillnet permits, but would be reduced in size because the proposed Inner Port Heiden Section would include only the one mile nearshore waters. The newly-expanded Inner Port Heiden Section would be open to commercial salmon fishing during May through October to both Area M and Area T set and drift gillnet permit holders. However, this proposal would allow Area T (Bristol Bay) set and drift gillnet permit holders to fish in this area and be superexclusive for Area T permit holders from June 25 to July 31.

WHAT ARE THE CURRENT REGULATIONS? Current regulation for Outer Port Heiden Section allows Area M drift gillnet fishermen to fish during open periods from June 20 to July 31 (5 AAC 09.310(a)(2)(B)) and allows the fleet to fish to within three miles of shore. The Inner Port Heiden Section is part of the Area M and Area T overlap area that consists of the Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (5 AAC 39.120(d)). The overlap area was created shortly after statehood to allow Area T permit holders the opportunity to fish within their traditional harvest locations of Area M. Historically, when not participating in the Bristol Bay sockeye salmon fisheries, Port Heiden Area T permit holders fished for king salmon in May and June, and coho salmon in August and September in the Inner Port Heiden Section; Pilot Point Area T permit holders fished inside the Cinder River Section for king and coho salmon. Area M permit holders are allowed to fish in the Inner Port Heiden Section during every month. There are no superexclusive areas within Area M.

The board has made a positive customary and traditional use finding for halibut and all other finfish in the Alaska Peninsula Area, and has found that 34,000–56,000 salmon are reasonably necessary for subsistence uses (5 AAC 01.416).

In the Alaska Peninsula Area, a subsistence salmon permit is required, and subsistence fishing in commercial districts is closed 24 hours before and 12 hours following a commercial salmon fishing period. No subsistence fishery closures have occurred in the Inner Port Heiden Section.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal maintains the existing Outer Port Heiden Section, but reduces the size to include only the seaward two miles. The department may open the Outer Port Heiden Section from June 20 to July 31 if harvest levels or effort are not sufficient to control Meshik River sockeye salmon stocks. If adopted, this proposal would increase the size of the Inner Port Heiden Section by incorporating some of the current Outer Port Heiden Section to one mile offshore. More fishing effort likely will occur because Area M set gillnet gear could participate, as well as areas M and T set and drift gillnet permit holders. This proposal would allow set gillnet permit holders who are

currently not allowed in the Outer Port Heiden Section into the area. This proposal would also allow Area T permit holders, both set and drift gillnet, to fish in the newly-expanded Inner Port Heiden Section during the months of May through October when commercial fishery openings are announced. For Area T permit holders, it would be superexclusive from June 25 to July 31.

BACKGROUND: In 2007, the Alaska Board of Fisheries opened a portion of Outer Port Heiden Section to harvest sockeye salmon bound for Meshik River. Currently, by regulation, the Outer Port Heiden Section can open from June 20 until July 31, and fishing time is limited to a maximum of two and one-half days per week. Adoption of this proposal would reduce the size of the existing Outer Port Heiden Section by closing the waters within one mile of shore, but then expand the Inner Port Heiden Section by incorporating that part of the Outer Port Heiden Section in both size and in time the fleets would be able to fish. Area T permit holders are allowed to fish in some areas of Area M to target king and coho salmon stocks, but not sockeye salmon.

Recent genetic information indicates that Bristol Bay sockeye salmon are present in North Peninsula fisheries.

In 1987, the last year for which comprehensive household surveys were done, Port Heiden residents harvested an estimated 186 king salmon and 702 coho salmon (Table 204-1). Subsistence fishing permit returns from 2007, when the Outer Port Heiden Section opened to commercial salmon fishery, to 2011 (the latest year data is available), shows an average of 19 subsistence permits per year issued and the harvest of 110 king; 1,306 sockeye; 223 coho; 15 pink; and 23 chum salmon (Table 204-1). In 2008, the local tribal council staff started issuing subsistence permits to the community of Port Heiden.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department is concerned about potentially increasing the number of drift and set gillnet permit holders fishing in the expanded Inner Port Heiden Section; allowing all Area T permit holders access to this area may complicate management of the 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.

COMMITTEE B: COMMERCIAL SALMON (TOTAL PROPOSALS:22)

REGISTRATION AND REREGISTRATION: 56
FISHING GEAR SPECIFICATIONS AND OPERATIONS AND VESSEL IDENTIFICATION: 16, 18, 19, 20, 21, 22, 23, 31, 17
CLOSED WATERS: 26, 27, 28, 29
LANDING REQUIREMENT: 30
MANAGEMENT PLANS: 67, 69, 75, 76, 77, 85, 86

PROPOSAL 56 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Lower Bristol Bay Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Drift gillnet fishermen would be required to register for Ugashik and Egegik districts prior to fishing either district between June 1 and July 17.

WHAT ARE THE CURRENT REGULATIONS? Drift gillnet vessels may move freely between Naknek-Kvichak, Egegik, and Ugashik districts prior to June 25 without registering.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would require drift gillnet fishermen to register for Egegik or Ugashik districts before fishing in those districts any time between June 1 and July 17. Having registered, in order to transfer to another district, a fisherman would be required to wait 48 hours after declaring intent to transfer prior to fishing in the new district. Early-season drift fleet mobility would be curtailed. The Naknek-Kvichak District would be the only district in Bristol Bay without an early-season registration requirement, which may concentrate early-season drift gillnet effort in that district.

BACKGROUND: At the 2009 Alaska Board of Fisheries meeting, a proposal was adopted requiring drift gillnetters to register in Bristol Bay eastside districts beginning June 25. Prior to 2009, drift fishermen had to register before commercial fishing in any district between June 1 and July 17. Because of issues involving early-season king salmon management in the Nushagak District, requirements for registration before fishing in that district between June 1 and July 17 were left in place. This resulted in the drift fleet (1,450 to 1,600 vessels and potentially 1,800 permits) being fully mobile among eastside districts from June 1 until June 25.

Fishing in eastside districts is typically managed using a set schedule early in the season because of low salmon abundance. The number of days fished per week and duration of the schedule in place are determined primarily by run timing in the various districts. The department transitions to active management, where decisions are based on evaluation of inseason indications of abundance, as abundance in each district increases in mid to late June.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Requiring drift gillnet fishermen to register for a district is not necessary for management of Bristol Bay fisheries.

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 16 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Chuck Thompson.

WHAT WOULD THE PROPOSAL DO? The proposal would allow set gillnets to remain in place between openings on consecutive tides.

WHAT ARE THE CURRENT REGULATIONS? Commercial fishing in Bristol Bay is open June 1 to September 30. From 9 a.m. June 1 to 9:00 a.m. July 17, salmon may be taken only during periods established by emergency order (EO) in all Bristol Bay districts, except Togiak, which is on a weekly schedule. After 9:00 a.m. July 17, Naknek-Kvichak, Egegik, and Ugashik districts are on a weekly schedule, except in special circumstances outlined in management plans. Nushagak District is still under EO authority until the salmon season closes September 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, set gillnets would be permitted to remain deployed if openings are announced for consecutive tides, and even through an announced closure between tides. Set gillnet sites that do not go dry will be able to fish continuously.

BACKGROUND: Managers routinely announce openings for consecutive tides, with brief closures, depending on abundance, escapement, and/or allocations. Not all set gillnet sites go completely dry, or, conversely, are able to fish through a full tide cycle; conditions vary by district and are site-specific. It is a deliberate management strategy to provide periods of time when all fishing gear must be removed from the water to allow fish to disperse throughout a particular district. Because conditions are site-specific, the department cannot tailor a management strategy to the conditions of each site and instead considers the gear group as a whole. By allowing set gillnet gear to remain deployed, sites that remain fishable gain an advantage over sites that go dry. It must be noted a set gillnet that is dry is not considered to be fishing, and that the entire net must remain dry through an entire closure to be legal.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because of implications to management objectives of distributing fish within districts.

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 18 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Hattie Albrecker, Lucy Brunetti, Lower Bristol Bay Advisory Committee, and Ugashik Village Traditional Council.

WHAT WOULD THE PROPOSAL DO? This proposal would allow set gillnet gear to be a maximum of 600 feet from the 18-foot high-tide mark in statistical area 321-50 (Ugashik Village; Figure 18-1).

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow set gillnet gear to extend a maximum of 1,000 feet from the 18-foot high-tide mark for all of Ugashik District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the overall distance from shore that set gillnet gear (anchor, running lines, buoys, etc.) is allowed in statistical area 321-50 (Ugashik Village) to 600 feet from the 18-foot high-tide mark. Set gillnet gear would not obstruct navigation of the river in front of Ugashik Village.

BACKGROUND: The 1,000-foot distance from the 18-foot high-tide level currently allowed for the Ugashik District effectively blocks the navigable portion of the river channel when fully utilized in statistical area 321-50 (Ugashik Village). The department has had longstanding complaints regarding set gillnet operations blocking the channel in this area if the maximum allowable length of set gillnet gear is used. In early July 2011, the U.S. Coast Guard (USCG) was informed of the issue; it, in turn, informed the U.S. Army Corps of Engineers (Corps). In July 2011, the USCG issued a finding that using the entire 1,000-foot distance for set gillnet gear allowed by state regulation constituted an obstruction to navigation at nearly every tidal stage, effectively blocking the river to vessel traffic. In September 2011, the Corps issued a warning that operation of set gillnet gear with the maximum allowable length of 1,000 feet constituted a violation of Section 10 of the federal River and Harbor Act, and that, if not remedied, penalties could be forthcoming. In 2012, all set gillnet operations in the area were within 600 feet of the 18-foot high-tide mark and vessel traffic was able to navigate the river with set gillnet gear deployed at that distance.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **SUPPORTS** reducing the distance set gillnet gear can be deployed from the 18-foot high-tide mark from 1,000 feet to 600 feet in statistical area 321-50 (Ugashik Village) to allow vessel traffic. Under current regulation, the maximum distance allowable for use of set gillnet gear in the Ugashik District is not appropriate to this location since it obstructs navigation of the river.

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.

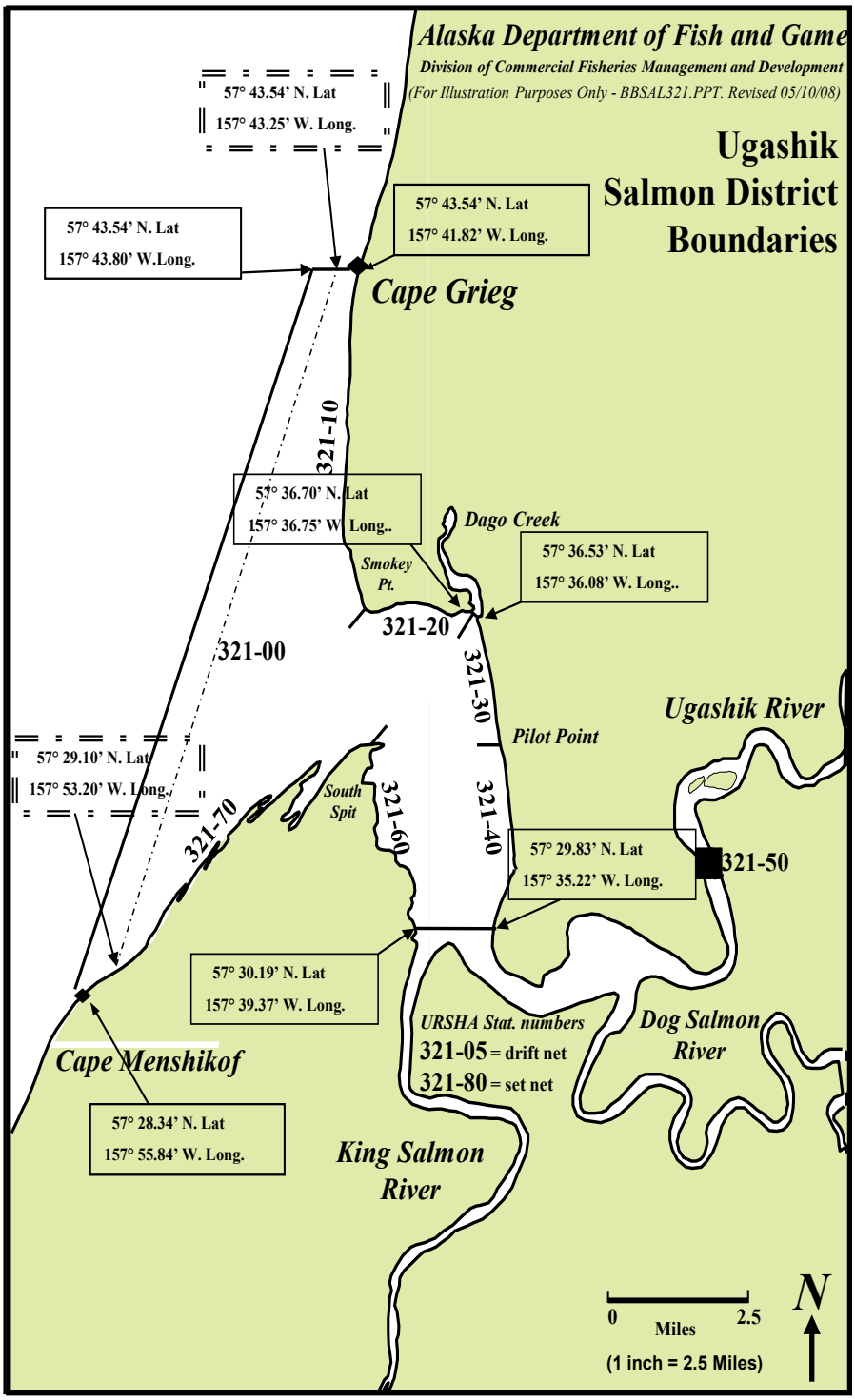

Figure 18-1.–Ugashik Statistical Area 321-50.

PROPOSAL 19 – 5 AAC 06.366. Ugashik District Set and Drift Gillnet Sockeye Salmon Management and Allocation Plan.

PROPOSED BY: Ross Marley.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to prohibit drift gillnetting within 1,000 feet of the mean high-tide line inside Ugashik Bay between June 1 and July 17. The proposal defines "inside Ugashik Bay" as east of a line drawn between Smokey Point on the north side and across Ugashik Bay to South Spit (Figure 19-1).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 06.331(m) and (r), *Gillnet specifications and operations*, currently allows set gillnet gear (running lines, anchors, buoys, nets, etc.) to be a maximum distance of 1,000 feet from the 18-foot high-tide mark in the Ugashik District. Drift gillnets must be operated so the boat they are attached to is not grounded and the entire net, including the end buoy, is in the water. 5 AAC 06.335(b), *Minimum distance between units of gear,* stipulates that drift gillnets must maintain a minimum distance of 300 feet from the side and 100 feet from the end of a set gillnet. The minimum distance from the end does not apply if the set gillnet is at the 1,000-foot maximum distance allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, management of Ugashik River escapement would be more difficult with drift gillnet gear being unable to fish near the beach.

BACKGROUND: The Ugashik District is noted for large pulses of fish entering and passing through the district on single tides. In the event of high volume, both gear groups are needed to harvest fish in excess of escapement requirements. There are approximately 50 set gillnet permit holders in the district. When fish travel close to the beach in large numbers, set gillnet gear becomes saturated and unable to effectively control passage when fishing alone. Set gillnet fishermen complain of drifters fishing the beach between set gillnets, creating safety issues and using illegal techniques (grounding). Excluding the drift fleet from fishing within 1,000 feet of shore effectively removes a management tool during times of high fish volume. A secondary consideration is that without the ability of both groups to fish near the beach, a large catch from the set gillnet fleet could overwhelm processing capacity available to that group, which could result in lost opportunity for the set gillnet fleet.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** the aspects of this proposal that limit the flexibility of managers to address inseason conditions, which is necessary to achieve escapement and allocation 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.

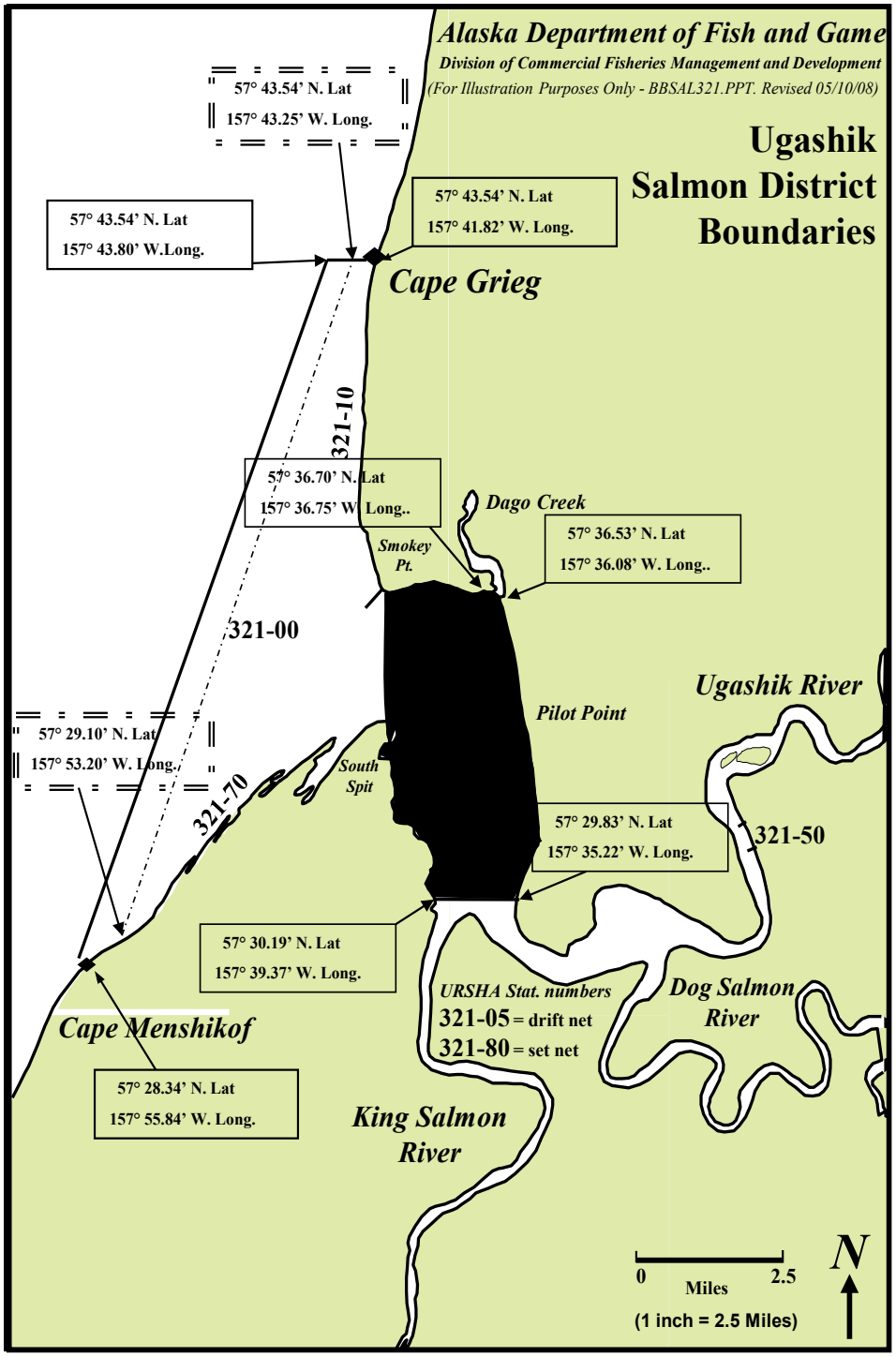

Figure 19-1.–Inner Ugashik District.

PROPOSAL 20 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Dan Kingsley, J.P. Ford, and Bristol Bay Drifters Association.

WHAT WOULD THE PROPOSAL DO? The proposal would limit set gillnets to established sites and within 1,000 feet of shore on outside beaches of the Ugashik District from June 1 to July 17.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not require set gillnets to be located on leased parcels in order to participate in shore fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, all outside shore sites would have to be leased and the mobility of Ugashik District set gillnetters would be restricted.

BACKGROUND: The area in question is under state authority, and 11 AAC 64.020**,** *Participation in Shore Fishery*, does not require a land lease in order to operate a set gillnet. However, regulations permit unoccupied leased sites to be fished by a third party if the lease holder does not fish, but stipulate that "squatter" gear must be removed from a leased site if the lease holder intends to fish and that other ADF&G regulations apply (i.e., separation of gear, close attendance by permit holder while operating, etc.) The Ugashik District has a relatively small set gillnet fleet in comparison to other districts within Bristol Bay, with large sections of beach unoccupied and available to place set gillnet gear. Set gillnet fishermen in this district enjoy an element of mobility not available to set gillnet permit holders in other districts. Adoption of regulations allowing set gillnet permit holders to own and operate two permits has increased the number of transient sites in the district. Mobility has produced some conflict with the drift gillnet fleet in that transient set gillnets often are not as visible to drifters as set gillnet gear that is operated in more fixed locations. Drift gillnet gear can come into conflict with set gillnet gear because of the unpredictable nature and/or location of temporary sites. Drifters complain it is harder to anticipate locations of transient gear than locations of gear in more traditional sites, that transient gear is suddenly deployed in front of an active drift gillnet set, and that transient gear is placed well offshore of the 1000-foot limit.

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.

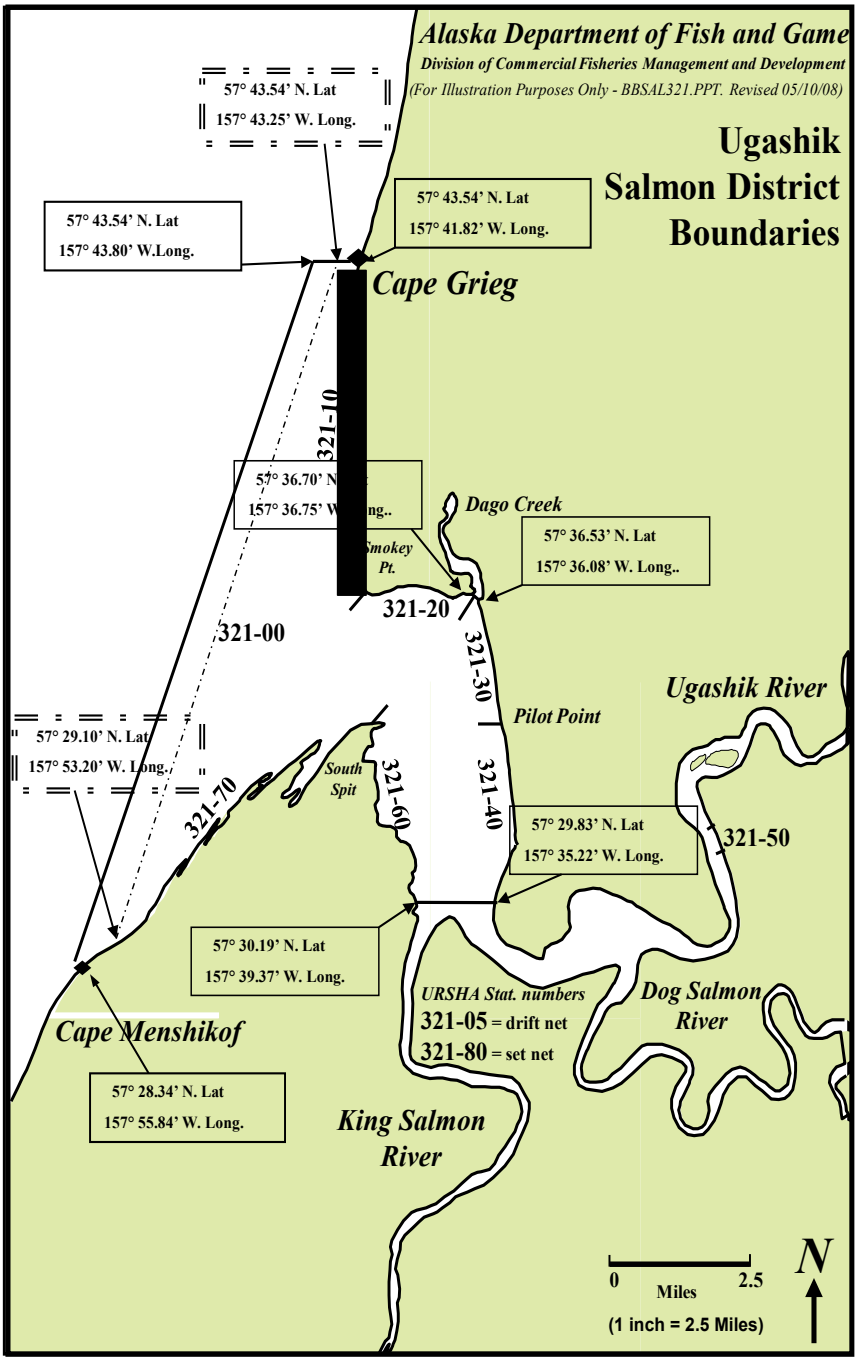

Figure 20-1.–Ugashik District outside beaches.

PROPOSAL 21 – 5 AAC 39.280. Identification of stationary fishing gear.

PROPOSED BY: Bristol Bay Driftnetters Association.

WHAT WOULD THE PROPOSAL DO? This proposal would require that the name of the permit holder be added to anchor buoys at set gillnet sites in letters 6 inches high and 1-inch wide, in a contrasting color.

WHAT ARE THE CURRENT REGULATIONS? Regulations require that only the permit holder's five-digit Commercial Fisheries Entry Commission permit number be displayed on anchor buoys.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, identifying the permit holder at a set gillnet site would be easier and communication between drifters and set gillnetters may increase.

BACKGROUND: The proponents claim that communication between fishermen would be improved if they were able to directly identify the operator of a particular piece of set gillnet gear. By adopting the proposed marking requirement, communications may be easier to establish.

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 22 – 5 AAC 39.280. Identification of stationary fishing gear.

PROPOSED BY: Bristol Bay Driftnetters Association.

WHAT WOULD THE PROPOSAL DO? The proposal would require that signage at set gillnet sites be marked in letters 12 inches high by 1-inch wide and in a contrasting color.

WHAT ARE THE CURRENT REGULATIONS? Regulations require that the permit holder's five-digit Commercial Fisheries Entry Commission permit number and name be displayed on shoreside signage at set gillnet sites in letters 6 inches high by 1-inch wide.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, identifying the permit holder at a set gillnet site from the water would be easier and communication between drifters and set gillnetters may increase.

BACKGROUND: The proponents seek to make the lettering on signage required at set gillnet sites larger in size to increase readability.

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 23 – 5 AAC 06.334(a)(2). Identification of gear.

PROPOSED BY: Daniel Farren.

WHAT WOULD THE PROPOSAL DO? The proposal would change drift gillnet marking requirements to one cork at each end of a drift gillnet.

WHAT ARE THE CURRENT REGULATIONS? Regulations require the operator of a drift gillnet to mark one cork in every 10 fathoms plainly and legibly with the permanent ADF&G vessel number.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would require operators to mark corks only at the ends of a drift gillnet with the permanent ADF&G vessel number. This would reduce the ability of law enforcement personnel to identify the permit holder associated with a partial unit of gear.

BACKGROUND: Marking of fishing gear is necessary to aid enforcement personnel in identifying owners of operational and lost gear. When gear is torn or breaks away from drift boats or set gillnet sites, it continues to fish and poses an environmental hazard. Nets most often break away in segments and spacing of marked corks allows identification of portions of nets so responsibility for ownership and recovery can be determined. Considering other efforts involved in net maintenance (hanging, mending, etc.), the marking of corks is not particularly burdensome. A possible point of confusion occurs when nets are shared among fishermen; a situation could arise where multiple numbers or numbers not belonging to the fishermen using the net are displayed.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The current marking requirement is needed for purposes of establishing liability 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.

PROPOSAL 31 – 5 AAC 06.343. Vessel identification and 5 AAC 39.119. Vessel identification.

PROPOSED BY: Chuck Thompson.

WHAT WOULD THE PROPOSAL DO? The proposal would allow use of an ADF&G vessel registration number for marking of skiffs used to operate set and drift gillnets.

WHAT ARE THE CURRENT REGULATIONS? A documented vessel used for commercial fishing in Bristol Bay must bear the vessel's name and ADF&G permanent vessel registration number; an undocumented vessel over 14 feet in length used for set gillnet operation must bear the permit holder's Commercial Fisheries Entry Commission (CFEC) number preceded by the letters "SN". Markings must be permanent, in colors contrasting the hull, and letters must be 12 inches high by 1-inch wide.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow one number to identify a vessel used in more than one salmon fishery. Determining if the boat/operator is properly permitted for a given fishery would place a significant time burden on enforcement staff.

BACKGROUND: The original intent of the marking requirement was to provide confirmation of proper permitting, as well as to provide a link to the permit holder in case of violation. In Bristol Bay, ability to move between gear types is allowed in regulation, providing the vessel is properly marked. This correctly places the burden of compliance on the permit holder and protects all fishermen from illegal movement between fisheries. It is unclear whether adoption of this proposal would require all vessels used in any fishery in the Bristol Bay to register or if a length requirement would be instituted. Under current regulations, while engaged in set gillnetting, a vessel must display the five-digit S/N (CFEC) number; when engaged in drift gillnet operations, a vessel must display the ADF&G vessel registration plate number and have the plate affixed to the vessel in a specific location. Vessels used in set gillnet operations are not required to be registered.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because of the difficulty imposed on Alaska Wildlife Troopers in determining if a vessel operator has the proper CFEC permit for a particular 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.

PROPOSAL 17 – 5 AAC 06.331(o). Gillnet specifications and operations.

PROPOSED BY: Dylan Braund and Tom Rollman Jr.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit a set gillnet permit holder from using two permits to fish one net offshore of another net in the Nushagak District.

WHAT ARE THE CURRENT REGULATIONS? Currently, one set gillnet permit holder may not fish a set gillnet offshore of another permit holder's set gillnet. However, a set gillnet permit holder may fish offshore of his or her own net if he or she maintains the proper distances between nets.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would close what is perceived to be an unintended loophole that was created when the dual set gillnet language was adopted by the Alaska Board of Fisheries in 2009. It would make it illegal for any set gillnet to be fished offshore of another set gillnet in the Nushagak District.

BACKGROUND: Although not commonly done, this practice is now possible and there have been individuals taking advantage of the wording in this regulation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal would change a regulation that currently gives a competitive advantage to a limited group of set gillnet fishermen in the Nushagak District.

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 26 – 5 AAC 06.350(e). Closed waters.

PROPOSED BY: Togiak Traditional Council.

WHAT WOULD THE PROPOSAL DO? The proposal would move the northern boundary of the Togiak River Section southward from June 1 until June 30 by an undetermined amount. It appears that the proposer has given latitude and longitude points as a mixture of hundredths of minutes and seconds and so the department cannot determine the exact placement of the proposed boundary.

WHAT ARE THE CURRENT REGULATIONS: The current boundary is a line from 59° 03.33' N lat, 160° 20.08' W long to 59° 03.66' N lat, 160° 22.36' W long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce fishing area in the Togiak River Section during the month of June. The area reduction may increase Togiak River king salmon escapement by moving fishing effort further from the mouth of the river. The proposal would also displace existing set gillnet sites during June.

BACKGROUND: Current boundaries for the Togiak River Section have been in place since 1988. Restricting drift gillnet fishing in the vicinity of the Togiak River mouth may increase king salmon escapement by offering more protection to the narrow channel at the mouth of the Togiak River. Further, this closure area may discourage the practice of targeting king salmon running up the Togiak River through this narrow channel.

Recent Togiak District king salmon harvest levels are well below those of the 1980s which used the same Togiak River Section fishing schedule that is used today (9:00 a.m. Monday to 9:00 a.m. Friday). Run strength is gauged by subsistence, sport, and commercial catches, and by annual aerial surveys to assess escapement. Management tools available to protect Togiak River king salmon currently include mesh restrictions and weekly schedule reductions. On average (1969–2011), less than half of the king salmon harvest occurs by June 30.

In 2012, one processor increased the price paid for king salmon to $2.10 per pound, providing an incentive to target king salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because set gillnet permit holders would be displaced from their historical fishing sites. The department **SUPPORTS** the intent of the proposal to promote king salmon escapement and to help prevent targeting of king salmon by drift gillnet vessels in the river channel.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery. Set gillnet fishermen in the affected area would have to relocate their fishing operations at some cost.

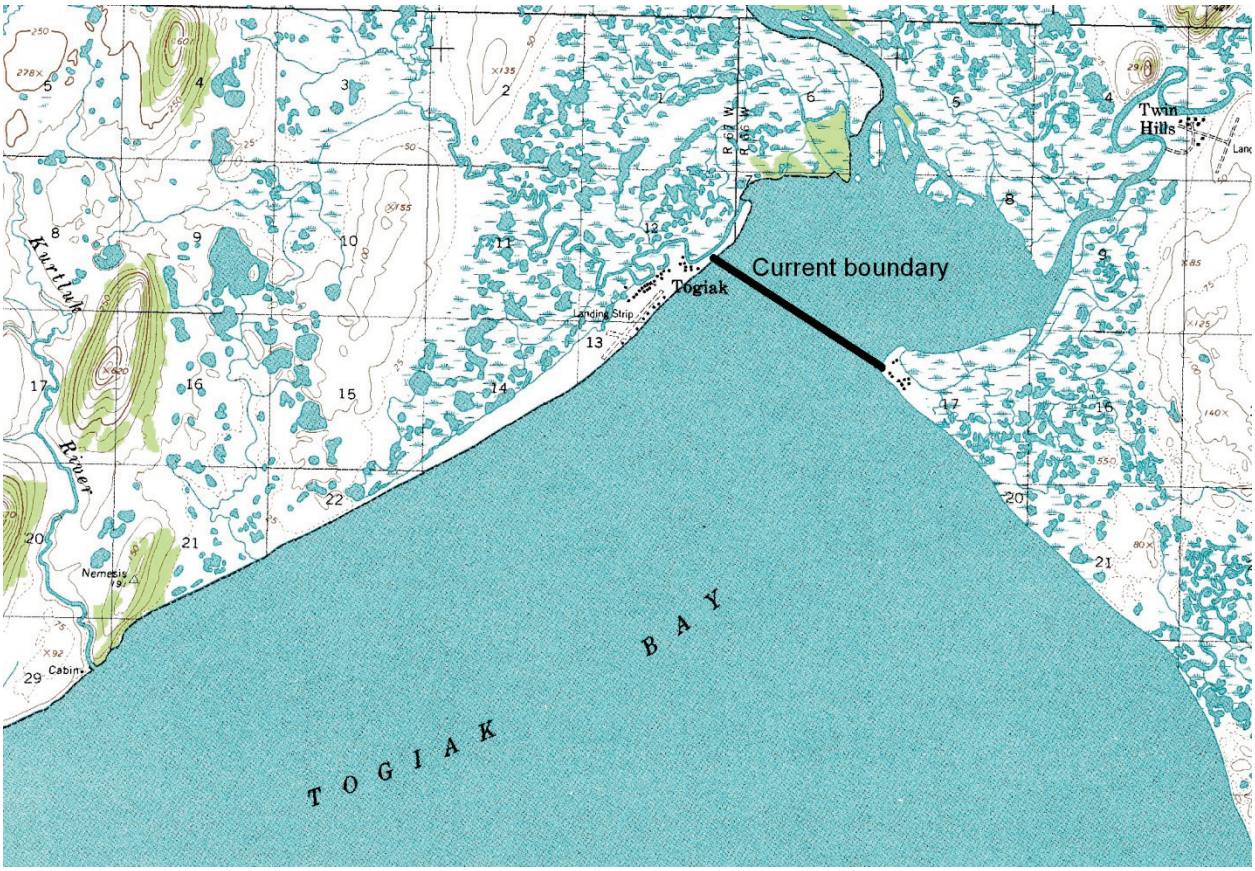

Figure 26-1.– Current northern boundary of Togiak Section.

PROPOSAL 27 – 5 AAC 06.350. Closed waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would adjust the closed water boundary at the mouth of the Igushik River to reflect the historical boundary (Figure 27-1).

WHAT ARE THE CURRENT REGULATIONS? The current boundary is a line from 58° 43.60' N lat, 158° 52.27' W long to 58° 43.60' N lat, 158° 54.06' W long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would correct an inadvertent error made when the department converted boundaries from markers and LORAN lines to latitude and longitude coordinates.

BACKGROUND: In the early 2000s, the department changed boundary definitions from LORAN lines and markers to latitude and longitude coordinates. During this process, the department was not always able to ground truth marker sites and the coordinates were less accurate than they could have been. In some cases this has resulted in increased or decreased areas open to fishing. In this case, an individual with a history of using a set gillnet site at the mouth of the Igushik River has been displaced by the change in the boundary.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

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

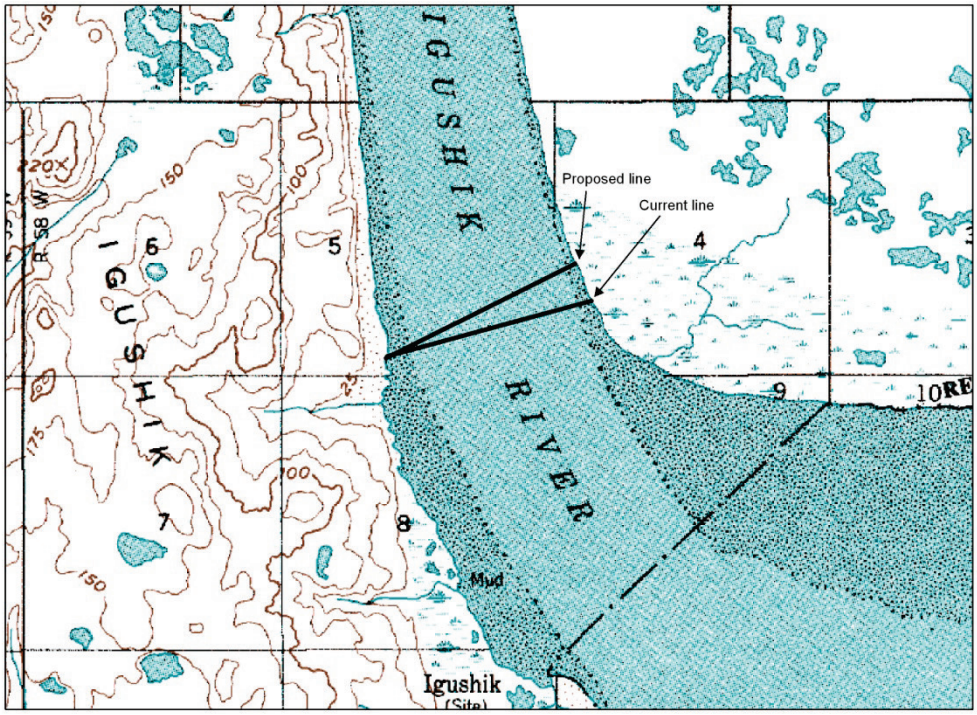

Figure 27-1.–Proposed boundary line change at the mouth of the Igushik River.

PROPOSAL 28 – 5 AAC 06.350(e). Closed waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would adjust the closed water boundary at the mouth of the Togiak River to make it reflect the historical boundary (Figure 28-1).

WHAT ARE THE CURRENT REGULATIONS? The current boundary is a line from 59° 03.33' N lat, 160° 20.08' W long to 59° 03.66' N lat, 160° 22.36' W long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would correct an inadvertent error made when the department converted boundaries from markers and LORAN lines to latitude and longitude coordinates.

BACKGROUND: In the early 2000s, the department changed boundary definitions from LORAN lines and markers to latitude and longitude coordinates. During this process, the department was not always able to ground truth marker sites and the coordinates were less accurate than they could have been. In some cases this has resulted in increased or decreased areas open to fishing. In this case, an individual with a history of having fished the marker site at the mouth of Togiak River is now the second site from the marker. It was not the department's intent to create a new site at the marker when the conversion from LORAN and markers was done.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

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

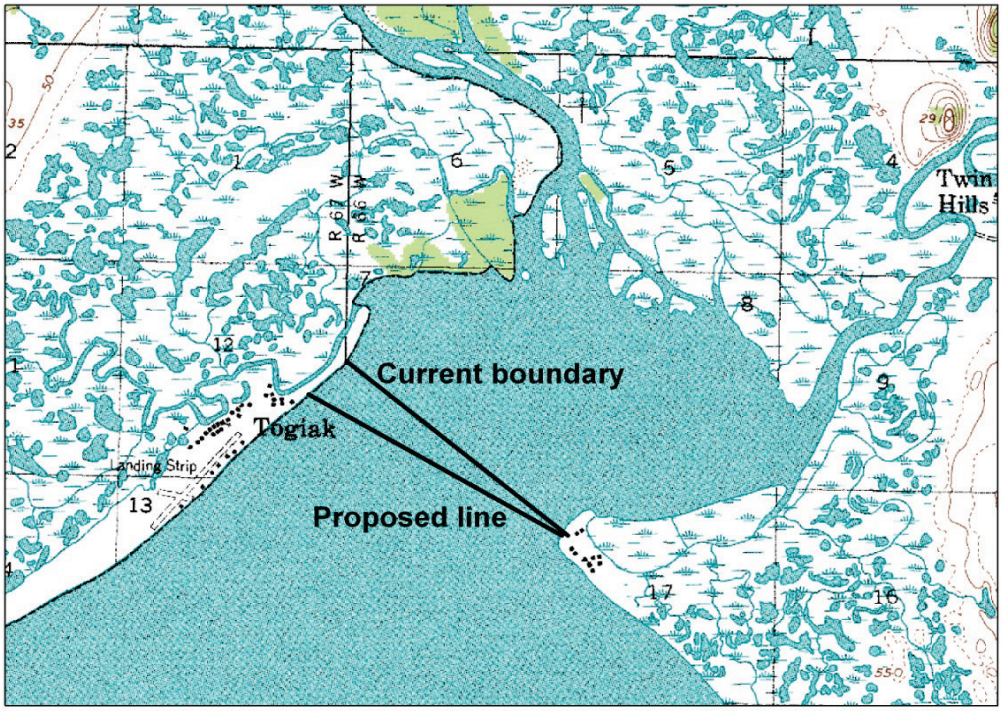

Figure 28-1.–Proposed Togiak River Section northwestern boundary change.

PROPOSAL 29 – 5 AAC 06.350(e)(1). Closed waters.

PROPOSED BY: Josh Berberich.

WHAT WOULD THE PROPOSAL DO? The proposal, as written, would move the northern boundary of the Togiak River Section outside of the district. The proposal was likely intended to change the northern boundary of the Togiak River Section for drift gillnet fishing only to be outside the narrow channel at the mouth of the Togiak River.

WHAT ARE THE CURRENT REGULATIONS? The current boundary is a line from 59° 03.33' N lat, 160° 20.08' W long to 59° 03.66' N lat, 160° 22.36' W long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal references coordinates for a new boundary line, but it is believed that the author has proposed longitude coordinates that are one degree west of what he intended. If adopted as written, this proposal would move the northern drift gillnet commercial fishing boundary of the Togiak River Section outside of the district. If the proposer erred by one degree of longitude, the northern section boundary would be moved southward and further away from the mouth of the Togiak River (Figure 29-1). By moving the drift gillnet fishing fleet further away from the river, drift gillnet fishing in the channels of the river mouth on the ebb tide would be curtailed. Applying this change to drift gillnet gear prevents displacement of only the set gillnet fishermen who have historically used this area.

BACKGROUND: The current boundaries for the Togiak River Section have been in place since 1988. Restricting drift gillnet fishing in the vicinity of the Togiak River mouth may increase king salmon escapement by eliminating drift gillnetting from the narrow channel at the mouth of the Togiak River. Further, this closure area may discourage the practice of targeting king salmon that are running up the Togiak River through this narrow channel.

Recent Togiak District king salmon harvest levels are well below those of the 1980s which used same Togiak River Section fishing schedule that is used today (9:00 a.m. Monday to 9:00 a.m. Friday). Run strength is gauged by subsistence, sport, and commercial catches, and by annual aerial surveys to assess escapement. Current management tools available to protect the Togiak River king salmon include mesh restrictions and weekly schedule reductions. On average (1969–2011), less than half of the king salmon harvest occurs by June 30.

In 2012, one processor increased the price paid for king salmon to $2.10 per pound, providing an incentive to target king salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as written. The department **SUPPORTS** the intent of the proposal to promote king salmon escapement and to help prevent the targeting of king salmon by drift gillnet vessels in the river channel.

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.

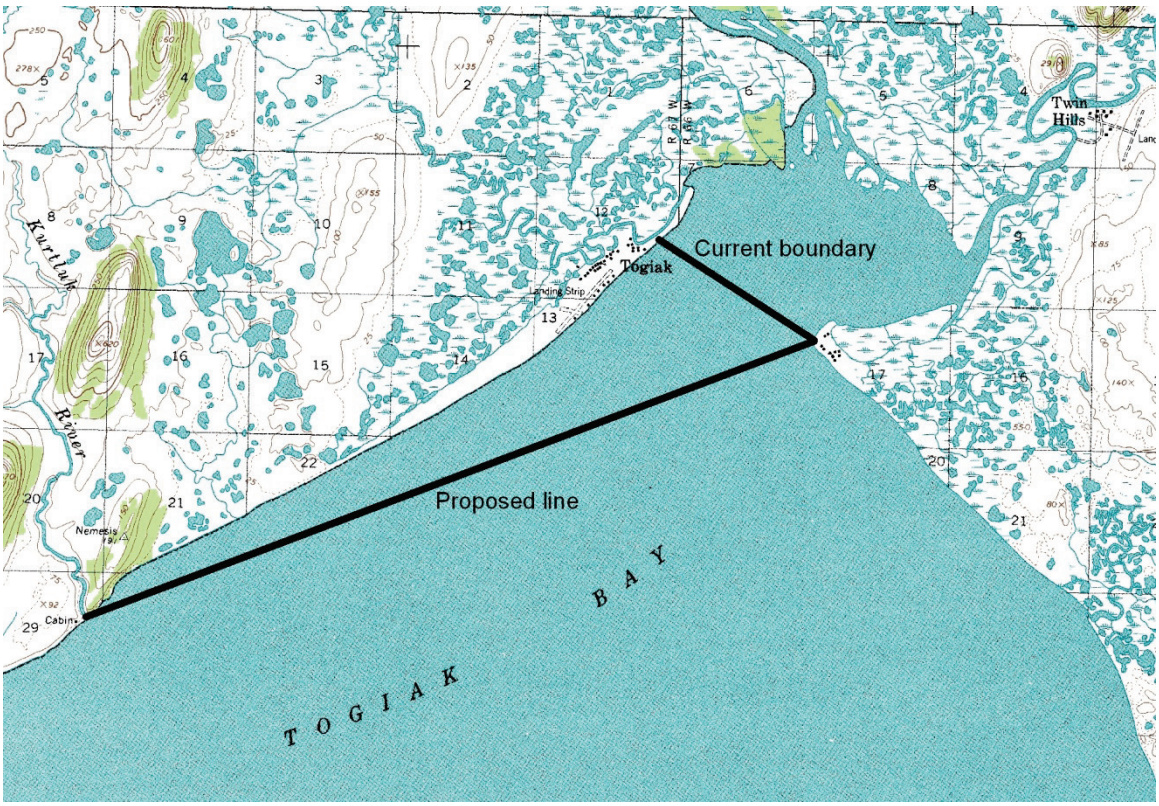

Figure 29-1.–Proposed boundary line change at the mouth of the Togiak River.

PROPOSAL 30 – 5 AAC 06.375. Landing requirements.

PROPOSED BY: Dylan Braund and Stephen Olson.

WHAT WOULD THE PROPOSAL DO? This proposal would allow a set gillnet vessel to transport fish through the Snake River Section of the Nushagak District with no nets on board the vessel.

WHAT ARE THE CURRENT REGULATIONS? Currently, a vessel used to harvest salmon may not be more than one-half mile within the Snake River Section of the Nushagak District when it has fish on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow set gillnet permit holders in the Igushik Section a more direct route to tender their catch to their market in Dillingham.

BACKGROUND: There have been concerns from local residents of drift gillnet fishermen fishing in the closed Snake River Section. In 2009, the Alaska Board of Fisheries adopted a proposal making it illegal for a vessel to be more than one-half mile inside the Snake River Section when it has fish on board. Around the same time, some set gillnet fishermen who fish in the Igushik Section started transporting their harvests to Dillingham for sale. Because they cannot traverse the direct route through the Snake River Section, they have a longer and more difficult time transporting their fish to their market.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal.

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

PROPOSAL 67 – 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

PROPOSED BY: Shannon Ford.

WHAT WOULD THE PROPOSAL DO? The proposal would stagger fishing periods throughout the run in the Naknek-Kvichak District.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow fishing in terminal Bristol Bay districts associated with major river systems according to management plans. Each system is managed to achieve a spawning escapement goal within an established range. In addition, the department attempts to manage harvest by gear group to achieve allocation targets established by the Alaska Board of Fisheries, which vary by district. The Naknek-Kvichak District fishery is closed unless opened by emergency order. Fishing time and consistency of periods are based on run size and escapement, relative to the historical run curve.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would set a schedule for fishing periods independent of run size and run timing. This may result in an inability to achieve escapement goals.

BACKGROUND: The department allows commercial fishing on a set schedule in the Naknek-Kvichak District prior to June 23 and after July 17. The district is actively managed between these dates.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Scheduled fishing periods may compromise the department's ability to manage for 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.

PROPOSAL 69 – 5 AAC 06.373. Alagnak River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Kurt Johnson.

WHAT WOULD THE PROPOSAL DO? This proposal would open the Alagnak River Special Harvest Area (ARSHA; Figure 69-1) to set gillnet gear whenever the Kvichak Section is open to commercial fishing.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow commercial fishing in the ARSHA only when the Kvichak River falls one or more days behind in cumulative escapement and the Naknek-Kvichak District is closed. When the Naknek-Kvichak District is open, the sockeye harvest is allocated 84% drift gillnet, 8% Naknek Section set gillnet, and 8% Kvichak Section set gillnet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal may increase the number of set gillnet users in the Kvichak Section with the increased area. Since district registration is no longer required for set gillnet permit holders in the three eastside districts of Bristol Bay, any set gillnet permit holder would be able to move into the ARSHA from other eastside districts. There may be conflict with the sport fishing industry because this is an area used to sport fish for king salmon.

BACKGROUND: Kvichak River sockeye salmon stocks have been listed as a stock of concern since 2000. During the years when the Naknek-Kvichak District has been closed to conserve Kvichak sockeye salmon stocks, large escapements to the Alagnak River have occurred. Table 69-1 lists sockeye salmon catch and escapement for Alagnak River since 2001.

The Alaska Board of Fisheries (board) created the ARSHA during its March 2005 meeting, and allowed only set gillnet gear. During the March 2006 board meeting, a proposal allowing drift gillnet gear in the ARSHA was adopted.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department does have concerns about potentially higher harvest of king salmon when set gillnet fishing is allowed in the Alagnak River.

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 69-1.–Catch and escapement of sockeye salmon for the Alagnak River.

		Catch	
Year	Escapement	Set gillnet	Drift gillnet
2001	615,162	[a]	[a]
2002	766,962	[a]	[a]
2003	3,676,146	[a]	[a]
2004	5,396,592	[a]	[a]
2005	4,219,026	260,000	[a]
2006	1,773,966	37,000	10,000
2007	2,466,414	7,200	2,700
2008	2,180,502	[a]	[a]
2009	970,818	[a]	[a]
2010	1,187,730	[a]	[a]
2011	883,794	[a]	[a]
2012	No tower	[a]	[a]

[a] No fishery occurred in the Alagnak River Special Harvest Area.

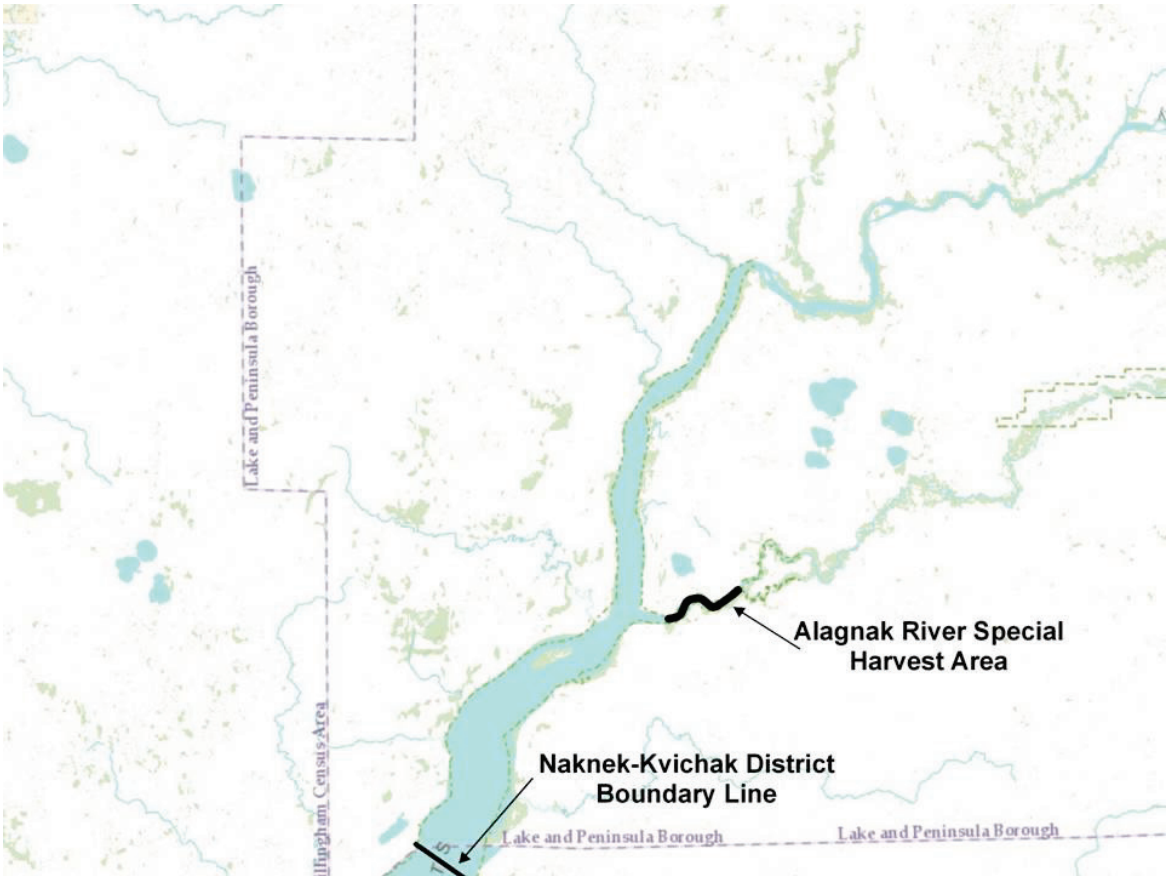

Figure 69-1.–Location of Alagnak River Special Harvest Area, Alagnak River, Alaska.

PROPOSAL 75 – 5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.

PROPOSED BY: Save the Nushagak Kings/Bob Simoni.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the commercial sockeye salmon drift gillnet fishery to the Wood River Special Harvest Area (WRSHA) until king salmon escapement is two days ahead of the projected escapement curve. It would also require any commercial drift gillnet fishing prior to June 28 to occur in the Igushik Section of the Nushagak District or in the WRSHA. Further, it would reduce the annual bag limit for sport-caught king salmon to two fish per year in the Nushagak-Mulchatna drainage.

WHAT ARE THE CURRENT REGULATIONS? Currently, the department manages Nushagak River commercial sockeye and king salmon fisheries based on escapement and allows fishing time, as needed, to control escapement and provide opportunity. The department may implement mesh restrictions for conservation of king salmon if escapement is below desired levels. Additionally, the department is tasked with managing for specified harvest percentages between drift and set gillnet gear groups.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the department's flexibility in managing the commercial sockeye salmon fishery in the Nushagak District. This may result in escapement in excess of escapement goals for sockeye salmon. Mandating that one gear group be restricted to the WRSHA or Igushik Section is also allocative.

BACKGROUND: The Nushagak District has supported commercial harvests of salmon since 1884. Sockeye and king salmon that return to the Nushagak District overlap in run timing. In some years, there can be significant incidental harvest of king salmon during the directed sockeye salmon fishery. In years with large runs of sockeye salmon to the Nushagak District, the department has fished extensively to harvest sockeye salmon surplus to escapement goal needs. Between 2003 and 2010, the department has opened commercial fishing with set gillnets on a continuous basis and fished almost every tide with drift gillnet gear once directed sockeye salmon fishing began. Despite this fishing pressure, the upper end of the escapement goal for Wood River was exceeded in 2004, 2006, 2007, 2008, and 2010. The Nushagak River king salmon escapement failed to reach the lower end of the escapement goal range in 2010.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This proposal would limit the department's ability to manage the Nushagak District to achieve sockeye salmon 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.

PROPOSAL 76 – 5 AAC 06.320. Fishing periods.

PROPOSED BY: Alan Blinn.

WHAT WOULD THE PROPOSAL DO? This proposal would limit commercial fishing to 75% of tides in any 48-hour period. It also suggests that commercial fishing cannot occur for more than 24 hours in a 24-hour period, the intent of which is unclear.

WHAT ARE THE CURRENT REGULATIONS? Currently, the department manages commercial fishing by emergency order. The department opens fishing periods to harvest fish surplus to escapement goal needs. In the Togiak District, commercial fishing is allowed on a regular weekly schedule. Openings for subsistence fisheries are generally linked to openings for commercial fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the department's flexibility to manage districts to achieve escapement goals. This proposal does not propose a specific district for the new regulation, but does refer to "the Naknek". The lack of specific language implies the change would be baywide. Because openings for subsistence fisheries are linked to commercial fishing, reduction in commercial fishing openings would also impact subsistence fishing openings, thereby reducing subsistence opportunity.

BACKGROUND: The department generally opens commercial fishing less than 75% of the time, but certainly needs the flexibility to fish as much as needed to control escapement.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because of the restriction of management flexibility proposed, which may limit the department's ability to manage for escapement goals, and because of reduction in subsistence opportunity.

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 77 – 5 AAC 06.361. Nushagak-Mulchatna King Salmon Management Plan.

PROPOSED BY: Brian Kraft.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the commercial sockeye salmon fishery in the Nushagak District to no more than 12 hours in a 24-hour period and not allow consecutive commercial fishing periods on high tides if restrictions are enacted in the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? Currently, the department manages the Nushagak commercial sockeye and king salmon fisheries based on escapement. Fishing time is allowed, as needed, to control escapement and provide opportunity. The department may implement mesh restrictions for conservation of king salmon if the escapement is below desired levels.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the department's flexibility in managing the commercial sockeye salmon fishery in the Nushagak District. This may result in sockeye and king salmon escapements in excess of escapement goals.

Because openings for subsistence fisheries are linked to commercial fishing, reduction in commercial fishing openings would also impact subsistence fishing openings. This proposal would reduce subsistence opportunity.

BACKGROUND: The Nushagak District has supported commercial harvests of salmon since 1884. Sockeye and king salmon that return to the Nushagak District overlap in run timing. In some years, there can be significant incidental harvest of king salmon during the directed sockeye salmon fishery. In years with large returns of sockeye salmon to the Nushagak District, the department has fished extensively to harvest sockeye salmon surplus to escapement goal needs. Between 2003 and 2010, the department has opened commercial fishing with set gillnets on a continuous basis and fished almost every tide with drift gillnet gear once directed sockeye salmon fishing began. Despite this fishing pressure, the upper end of the escapement goal on the Wood River was exceeded in 2004, 2006, 2007, 2008, and 2010. The Nushagak River king salmon escapement failed to reach the lower end of the escapement goal range in 2010.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because of the restriction of management flexibility proposed, which may limit the department's ability to manage for sockeye and king salmon 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.

PROPOSAL 85 – 5 AAC 06.3XX. Togiak River King Salmon Management Plan.

PROPOSED BY: Togiak Traditional Village Council.

WHAT WOULD THE PROPOSAL DO? The proposal requests development of a "Togiak River King Salmon Management Plan" similar to the existing *Nushagak-Mulchatna King Salmon Management Plan* (NMKSMP).

WHAT ARE THE CURRENT REGULATIONS? King salmon are commercially managed according to the *Togiak District Salmon Management Plan* (5 AAC 06.369). This plan provides for a set weekly commercial fishing schedule.

According to 5 AAC 01.310(a) and (b), *Fishing seasons and periods*, subsistence fishing for fish other than rainbow trout is allowed at any time, except that in the commercial salmon fishing districts, subsistence fishing for salmon is allowed from 9:00 a.m. Monday to 9:00 a.m. Friday from May 1 to May 31, and from October 1 to October 31. From June 1 to September 30, subsistence fishing for salmon is allowed in the commercial salmon fishing districts only during open commercial fishing periods. Managers exercise emergency order authority to open subsistence fishing in the commercial fishing districts during extended commercial fishing closures from June 1 to September 30.

Sport fishing in the Togiak River drainage allows for harvest of king salmon from May 1 to July 31. During this period, daily limits for king salmon 20 inches or longer are three per day, three in possession, and only two over 28 inches, and there is an annual limit of five king salmon over 20 inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Without specific details, it is not possible to determine what effect this proposed regulation would have.

BACKGROUND: The intent of the proposal appears to be to provide additional protection of king salmon. Creating a management plan "similar to the NMKSMP" is made difficult by the management differences of the Nushagak River drainage compared with the Togiak River drainage. The NMKSMP relies on enumeration of king salmon past the Portage Creek sonar project near the mouth of the Nushagak River, while Togiak River escapement enumeration occurs where the river is clear, near Togiak Lake, and only enumerates sockeye salmon. Escapement of king salmon is monitored by aerial survey long after commercial fishing has occurred in Togiak Bay. Trigger points to limit or close fisheries as used in the NMKSMP are impractical without inseason escapement monitoring.

Commercial harvests of king salmon and king salmon catch per unit effort (CPUE) have both been below average in recent years. Over the past ten years (2002–2011), harvests have averaged 6,300 fish, compared to the 1992–2001 average of 9,700 fish. The department has responded to these apparent smaller run sizes by 1) reducing the weekly fishing schedule in the Togiak River Section in the last two weeks of June, 2) shortening the Kulukak Section weekly schedule in regulation, in part to protect Togiak River-bound king salmon, and 3) extending the period of mesh restriction to protect king salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Without inseason escapement enumeration of king salmon, it is unclear how a management plan of this nature would work.

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 86 – 5 AAC 06.3XX. Togiak River Coho Salmon Management Plan.

PROPOSED BY: Togiak Traditional Village Council.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to "develop a new Togiak River Coho Salmon Management Plan" similar to the existing *Nushagak River Coho Salmon Management Plan* (NRCSMP).

WHAT ARE THE CURRENT REGULATIONS? Coho salmon commercial fishing is currently managed under provisions in the *Togiak District Salmon Management Plan* (TDSMP; 5 AAC 06.369). This plan provides for a set weekly commercial fishing schedule.

According to 5 AAC 01.310(a) and (b), *Fishing seasons and periods*, subsistence fishing for fish other than rainbow trout, is allowed at any time, except in the commercial salmon fishing districts, subsistence fishing for salmon is allowed from 9:00 a.m. Monday to 9:00 a.m. Friday from May 1 to May 31, and from October 1 to October 31. From June 1 to September 30, subsistence fishing for salmon is allowed in the commercial salmon fishing districts only during open commercial fishing periods. Managers exercise emergency order authority to open subsistence fishing in the commercial fishing districts during extended commercial fishing closures from June 1 to September 30.

Sport fishing in the Togiak River drainage allows for harvest of salmon, other than king salmon, year-round, with limits of five per day and five in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Without specific details it is not possible to determine what effect this proposed regulation would have.

BACKGROUND: The NRCSMP was created at the 1997 Alaska Board of Fisheries meeting. Creating a management plan for Togiak River that is similar to the NRCSMP is made difficult by the differences of the Nushagak River drainage compared with the Togiak River drainage. Management plans for king and coho salmon in the Nushagak District were created to address escapement trigger points to open or close commercial, sport, and subsistence fisheries. Togiak District has no sonar in the lower river to monitor escapement of these species. The current TDSMP allows for a liberal fishing schedule to target coho salmon, with fishing open 96 hours (168 hours possible) per week. Harvest and escapement information from various sources (commercial, sport, and subsistence users) is gathered inseason to monitor the fishery and ensure adequate escapement.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Without inseason escapement enumeration of coho salmon, it is unclear how a management plan of this nature would work.

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.