RC-2

These staff comments were prepared by the Alaska department of Fish and Game for use at the Alaska Board of Fisheries Southeast Alaska/Yakutat finfish meeting scheduled for February 20-March 2, 2003 in Ketchikan, Alaska. The comments are designed to assist the public and board. The state staff comments should be considered preliminary and subject to change, as new information becomes available.

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Department Positions on Proposals 274-392

Proposal # Sport ■ Comm. □	**Department Position**	**Issue**
274	N	Chilkat River chinook salmon management plan.
275	N	Modify the Situk-Ahrnklin chinook management plan.
276	N	Close Italio River to fishing until escapement goals are attained.
277	N	Open winter troll October 1 instead of October 11.
278	N	Extend winter troll fishery period to April 30.
279	N	Reopen trolling in waters between Icy Point and Cape Spencer.
280	N	Increase the winter troll harvest cap and expand winter open waters.
281	N	Modify winter troll open waters.
282	N	Modify spring salmon management plan, increase Treaty harvest limits.
283	N	Modify spring salmon management plan, increase Treaty harvest limits.
284	O	Create new Medvejie Hatchery chinook harvest area in Sitka Sound.
285	S	Modify spring troll fishing periods.
286	S	Repeal Port Frederick closed waters.
287	S	Modify winter troll closed waters.
288	O	Significantly modify salmon troll fishery.
289	N	Reduce first summer chinook target from 70% to 60% and change opening length.
290	N	Reduce first summer chinook target from 70% to 60% and change opening length.
291	N	Allow chum salmon trolling in West Behm Canal.
292	N	Repeal closed troll closed waters in Section 1-E.
293	N	Expand winter troll area in Section 11-A
294	N	Open a portion of Section 11-A to chum salmon trolling.
295	N	Open District 8 to trolling continuously.
296	N	Allow directed chum salmon trolling during coho salmon closures in portions of Districts 1-16 and modify the Eastern Channel chum troll area.
297	N	Increase coho salmon trolling area in the Hidden Falls THA.
298	N	Increase coho salmon trolling area in the Hidden Falls THA.
299	N	Expand Mist Cove SHA and allowing trolling during coho closures there and at Hidden Falls.
300	N	Expand Mist Cove SHA.
301	N	Extend summer troll season to September 30.
302	N	Allow department to extend troll fishery in areas to increase exploitation of hatchery coho salmon.
303	N	Repeal closed troll closed waters in Section 1-E.
304	S	Add language that indicates department will use escapement projections from stock assessment programs to determine length of August coho salmon closure.
305	N	Repeal 8-on, 6-off troll schedule in lower Lynn Canal.
306	N	Repeal 8-on, 6-off troll schedule in lower Lynn Canal.
307	N	Repeal 8-on, 6-off troll schedule in lower Lynn Canal.
308	N	Reopen commercial salmon trolling west of Cape Suckling.
309	N	Allow hand trollers to use two downriggers in conjunction with four fishing rods.
310	N	Allow Yakutat hand trollers to use two additional lines.

311	S	Implement new troll catcher-processor reporting requirements.
312	N	Modify chinook harvest overage payback provisions.
313	N	Increase sport allocation of chinook to 50 percent.
314	N	Increase sport allocation of chinook salmon to 40 percent.
315	N	Increase sport allocation of chinook by 10 percent.
316	N	Increase sport allocation of chinook to 30 percent.
317	N	Increase sport allocation of chinook to one-third of annual harvest ceiling.
318	N	Increase sport allocation of chinook to 33 to 43 percent.
319	N	Increase sport allocation of chinook to 35 percent.
320	N	Divide sport chinook allocation between resident and nonresident anglers.
321	N	Allocate harvest by resident and nonresident anglers, and commercial net and troll fleet.
322	N	Restrict sport chinook salmon harvest in outer coast area before region wide restrictions.
323	N	Reduce sport harvest of chinook during years of low abundance.
324	N	Increase resident bag limit to two chinook when abundance index is 1.2 or greater.
325	N	Establish harvest ceilings for nonresident anglers by management area.
326	N-O	Establish annual limit and retention requirements for nonresident anglers.
327	N	Establish resident and nonresident bag, possession, and annual limits for chinook.
328	N	Establish resident and nonresident bag, possession, and annual limits for chinook.
329	N	Increase chinook bag limits in Ketchikan when Alaska hatchery component is greater than 30 percent.
330	N	Change the king salmon possession limit to two bag limits.
331	O	Reduce sport chinook minimum size to 25 inches.
332	N	Reduce coho salmon bag and possession limits, implement annual limit for nonresident anglers.
333	N	Reduce coho salmon bag and possession limits, implement annual limit for nonresident anglers.
334	N	Reduce coho salmon bag and possession limits in Salmon, Bartlett, Dundas and Mud Bay Rivers near Icy Straight.
335	N	Close Situk Lake and Mountain Lake to sport fishing for sockeye salmon.
336	N	Modify bag and possession limits for pink, sockeye, and coho salmon in the Yakutat area.
337	N	Reduce sockeye salmon bag and possession limits in the Situk River.
338	O	Restrict catch-and-release fishing in a portion of the Tsiu River.
339	O	Restrict catch-and-release fishing to ten per day.
340	O	Prohibit lodges near Sitka from heading and filleting king and coho salmon.
341	O	Allow only catch-and-release fishing for steelhead.
342	O	Reduce the annual limit, repeal the size limit, and require the first steelhead caught to be retained.
343	S	Repeal the regulation that allows two steelhead per day if at least one has a clipped adipose fin.
344	S	Eliminate the use of bait in Auke Lake, Mendenhall Lake, and Peterson Lagoon.
345	S	Increase the minimum size limit for trout and eliminate the use of bait in Winstanely Lake.

346	N	Repeal the size limit for rainbow trout in Lost Lake.
347	S	Increase the bag and possession limits for Dolly Varden in Chilkoot Lake and inlet streams.
348	N	Reduce the bag limit for Dolly Varden in Salmon, Bartlett, Dundas, and Mud Bay Rivers, and Chicken Creek.
349	O	Allow the use of sport-caught salmon as bait.
350	N	Prohibit snagging in salt waters adjacent to Peterson Creek.
351	N	Prohibit snagging in salt waters between the Macauley Hatchery and the Channel Wayside fishing pier.
352	S	Repeal or modify the snagging closure at the dock near Macaulay Hatchery.
353	N	Allow fly-fishing only in the Karta River.
354	N	Allow catch and release fly-fishing only in Montana Creek and Mendenhall River.
355	O	Allow the use of cast nets.
356	O	Allow single, barbless hooks only from April 1 through September 15.
357	N	Allow guides to fish using their own line while guiding.
358	N	Allow guides to fish using their own line while guiding.
359	N	Allow guides to fish using their own line while guiding.
360	N	Allow guides to hook fish for clients.
361	N	Clarify how guides may assist clients.
362	N	Prohibit sport fishing businesses and guides from furnishing clients with shellfish.
363	N	Close days to guided fishing in salt water.
364	O	Establish annual limits for all species equal to the possession limit.
365	S	Open City Park Ponds in Ketchikan to fishing for 30 days beginning the second Saturday in June.
366	N	Open the Hidden Falls THA to purse seining on or after June 28.
367	N	Modify Hidden Falls THA Management Plan.
368	N	Modify the Deep Inlet THA Management Plan.
369	N	Establish commercial salmon closed waters in the Anita Bay THA during the Dungeness crab commercial fishery.
370	N	Establish commercial salmon closed waters in the Anita Bay THA during the Dungeness crab commercial fishery.
371	S	Expand the Anita Bay THA boundary.
372	N	Expand the Anita Bay THA boundary
373	S	Modify the Anita Bay THA Management Plan
374	S	Drop specific net gear dates in Neets Bay Management Plan.
375	S	Drop specific troll dates in Neets Bay Management Plan.
376	S	Allow all users into Nakat Inlet on September 17.
377	U	Modify Earl West Cove THA Management Plan.
378	N	Allow stacking of gillnet permits and increased fishing time.
379	N	Allow stacking of gillnet and seine permits.
380	N	Ensure that the allocation balance and conservation burden among gear groups is not significantly altered.
381	N	Repeal 12:01 p.m. Sunday start time for the commercial drift gillnet fishery.
382	N	Modify commercial drift gillnet specifications, drift gillnets may not be deeper than 60 meshes.

383	O	Establish two non-terminal "corridor" fisheries for the District 8 drift gillnet fishery.
384	O	Reopen the directed chinook salmon commercial drift gillnet fishery in District 8.
385	O	Reopen the directed chinook salmon commercial drift gillnet fishery in District 11.
386	N	Modify commercial drift gillnet specifications, lengthen gillnets in District 11.
387	O	Modify Section 11-B boundary line, move from Pt. Arden to False Pt. Arden.
388	N	Reduce sockeye harvest cap for Hawk Inlet purse seine fishery from 15,000 fish to 10,000 fish.
389	N	New District 1 seine closed waters during peak of pink salmon return.
390	N	Review the new seine management plan.
391	N	Modify Hawk Inlet purse seine sockeye salmon harvest cap to 15,000 wild sockeye salmon.
392	S	Clarify Hawk Inlet sockeye salmon harvest accounting procedures.

Key: S-Support, N-Neutral, O-Oppose, U=Unclear, I=Lack Information

STAFF COMMENTS ON REGULATORY PROPOSALS

FOR ALL REMAINING FINFISH FISHERIES

FOR THE 2002/2003

ALASKA BOARD OF FISHERIES MEETING

KETCHIKAN, ALASKA

FEBRUARY 20 to MARCH 2, 2003

by

Region I Staff

Regional Information Report[1] No. 1J03-07

Alaska department of Fish and Game
Division of Commercial Fisheries
Juneau

January 2003

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PROPOSALS 210 AND 211. PAGES 136 – 137. 5 AAC 33.383. DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

These two proposals were considered by the Alaska Board of Fisheries during the January 2003 meeting in Sitka. Because these proposals could close waters in the Anita Bay Terminal Harvest area to commercial net salmon fisheries the Board tabled these proposals and stated they would be considered during the meeting in Ketchikan in February 2003.

WHAT WOULD THIS PROPOSAL DO? These proposals would close portions of the headwaters of Anita Bay to commercial salmon harvests, effectively setting it aside as a commercial Dungeness crab harvest area. The size of the harvest area would be larger from June 15 - 25, during the start of the commercial Dungeness crab season when crab fishing is intense and then decrease in size from June 26 - July 10 when salmon harvesting increases.

WHAT ARE THE CURRENT REGULATIONS? The entire Anita Bay THA, which is waters of Anita Bay west of 132° 24' 24" West longitude, is opened and closed to commercial salmon fishing by emergency order (5 AAC 33.383). Currently, all of Anita Bay is open to commercial Dungeness crab fishing (5 AAC 32.150) during the Dungeness crab fishing season (5 AAC 32.110).

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IF ADOPTED? Commercial salmon fishing would be prohibited in portions of the Anita Bay THA from June 15 through July 10. From June 15 through June 25, waters of Anita Bay west of a line across the bay from 56°12.35'W, 132°27.1'W and 56°11.3'N, 132°26.22W shall be closed to salmon harvest. Waters of Anita Bay west of a line from 56°11.83'N 132°28.65'W and 56°11.3'N, 132°28.65'W will be closed for salmon harvest from June 26 through July 10 each year.

BACKGROUND: The Anita Bay THA was established in 1992. Southern Southeast Regional Aquaculture Association began using it as a remote release site in 2001 when king, coho and chum salmon were released. In 2002, coho salmon returned to the harvest area and in future years the other species will also return. The timing of the king and chum salmon fishery coincides with the beginning of the Southeast Dungeness crab fishery, causing potential gear conflicts. The Southern Southeast Regional Aquaculture Association and local Wrangell Dungeness crab fishers have agreed to this proposal; its boundaries and the dates associated with them.

The first harvest was reported from Anita Bay, statistical area 107-35, in the 1997/98 season. Prior to 1994, Anita Bay was part of the Zimovia Strait statistical area so harvest cannot be identified as occurring in Anita Bay prior to that year. Harvest is confidential in 4 out of the 5 years that harvest was identified from Anita Bay because less than 3 permits fished in this statistical area. In 2001/02, 18 permits fished in the bay, landing a high of 18,717 pounds of Dungeness crab. The average salmon harvest over the last 8 years from Anita Bay has been 129,000 pounds. All but one of these years is confidential as less than 3 permit holders fished.

DEPARTMENT COMMENTS: The department is **neutral** on this allocative proposal but supports the efforts of crabbers, gillnetters, seiners, trollers and SSRAA to work out a compromise before conflicts occur.

It should be noted that nearly identical proposals (numbers 369 and 370) will be considered by the Board during the February 2003 meeting in Ketchikan.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in the fishery.

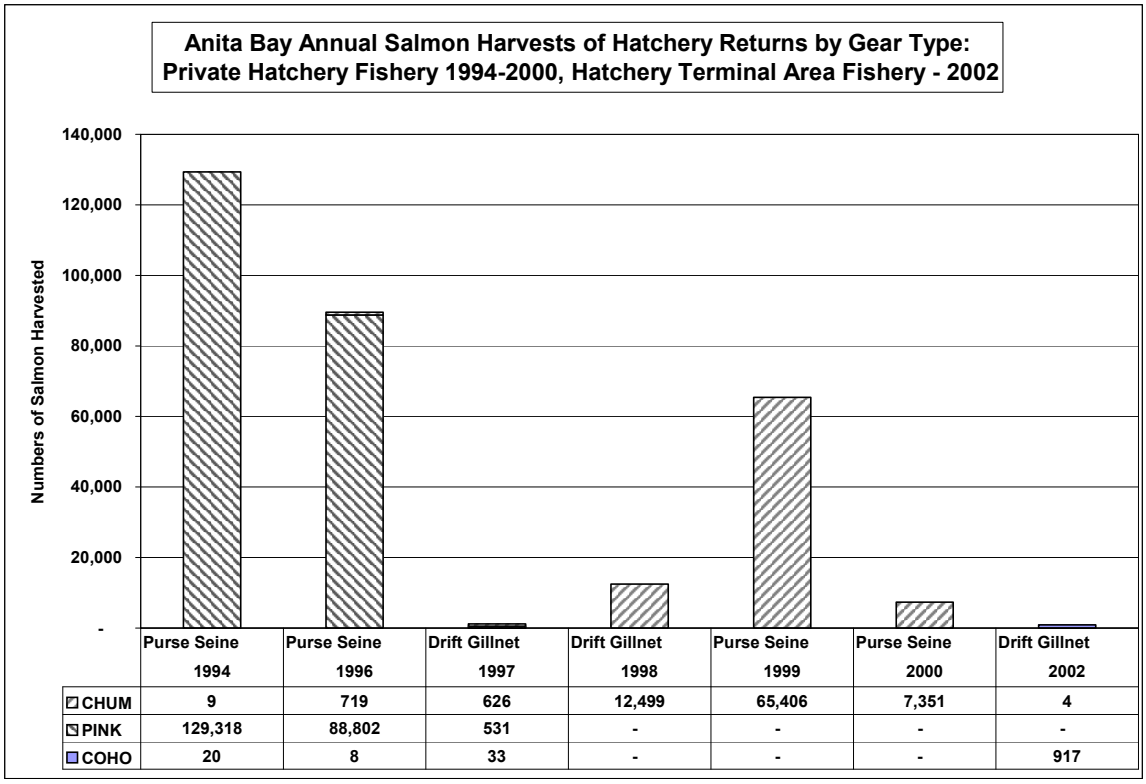
Table 210-1. Commercial Dungeness crab harvest (pounds) in statistical area 107-35 Anita Bay, number of permits and number of landings, 1970/71 season to present.

Season[a]	Harvest	Permits	Landings	Pounds per permit
1990/91	0	0	0	0
1991/92	0	0	0	0
1992/93	0	0	0	0
1993/94	0	0	0	0
1994/95	0	0	0	0
1995/96	0	0	0	0
1996/97	0	0	0	0
1997/98	*	*	*	*
1998/99	0	0	0	0
1999/2000	*	*	*	*
2000/01	*	*	*	*
2001/02[b]	18,717	4	18	4,679

a Harvest information is based on an April through March season.
b Most recent season's data is preliminary.
*** When number of permits is less than 3, information is confidential.**

Table 210-2. Anita Bay Terminal Harvest Area annual salmon harvests by gear type 1994-2002.

YEAR	GEAR	COHO	PINK	CHUM
1994	Purse Seine	20	129,318	9
1996	Purse Seine	8	88,802	719
1997	Drift Gillnet	33	531	626
1998	Drift Gillnet	-	-	12,499
1999	Purse Seine	-	-	65,406
2000	Purse Seine	-	-	7,351
2002	Drift Gillnet	917	-	4



	Purse Seine 1994	Purse Seine 1996	Drift Gillnet 1997	Drift Gillnet 1998	Purse Seine 1999	Purse Seine 2000	Drift Gillnet 2002
CHUM	9	719	626	12,499	65,406	7,351	4
PINK	129,318	88,802	531	-	-	-	-
COHO	20	8	33	-	-	-	917

Figure 210-1. Anita Bay Terminal Harvest Area salmon harvests, 1994–2002.

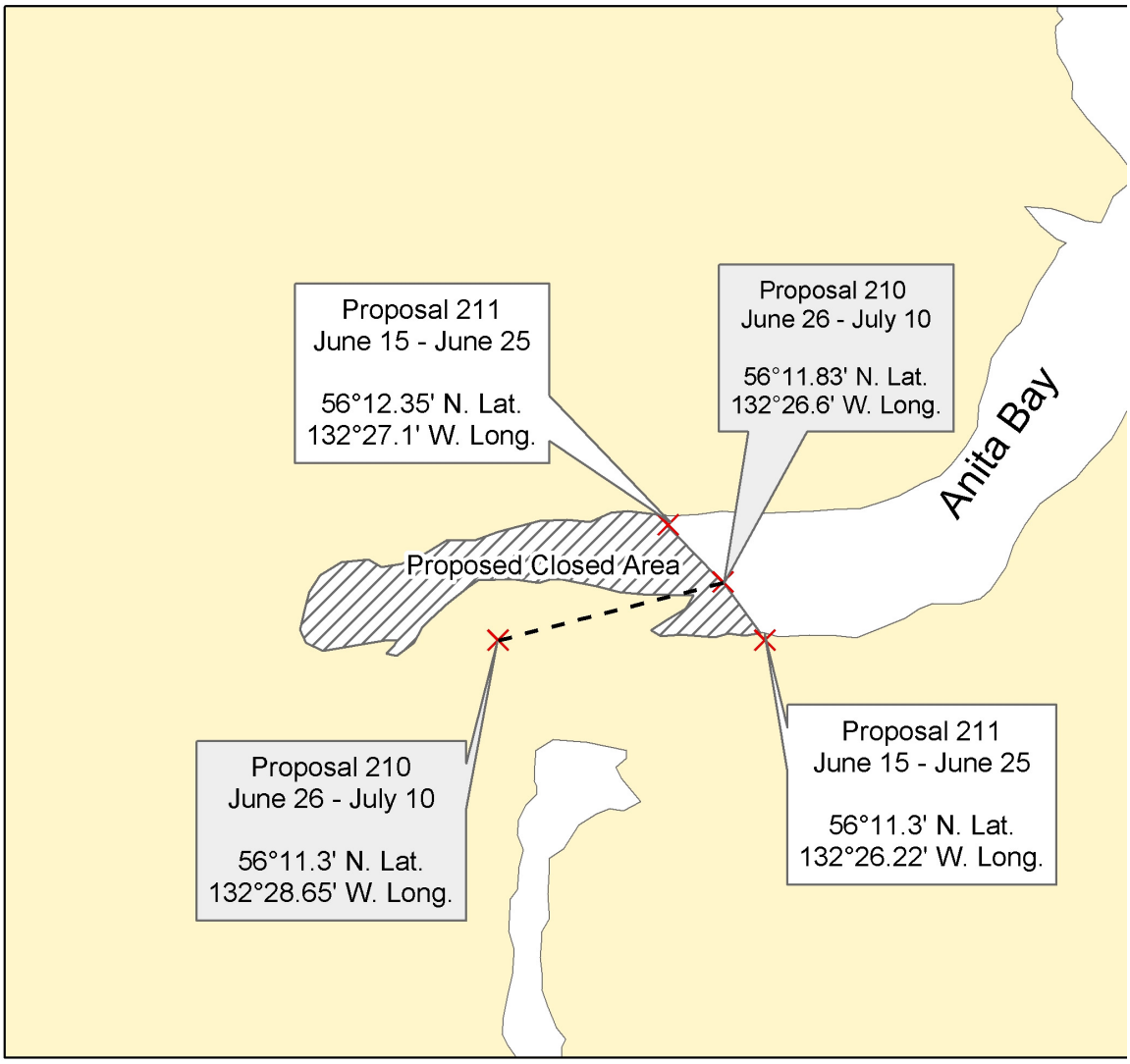


Figure 210-2. Anita Bay Terminal harvest area showing different areas to be closed to commercial salmon harvest to facilitate Dungeness crabbing for the periods June 15 – 25 and June 26 – July 10.

PROPOSAL 274. PAGE 190. 5 AAC 33.3XX. LYNN CANAL AND CHILKAT RIVER CHINOOK SALMON FISHERY MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would implement a management plan that would establish a BEG goal for Chilkat River chinook salmon and establishes fishery management actions when the projected escapement is below, within, and above the BEG.

WHAT ARE THE CURRENT REGULATIONS? There is currently no management plan adopted for Chilkat River chinook salmon (Figure 274-1). The Haines marine sport and commercial troll fishery is the only directed fishery on this stock but the commercial gillnet fishery incidentally harvest these fish. The sport fishery currently operates the regional regulations as provided under the Southeastern Alaska King Salmon Management Plan, and a closure to chinook salmon fishing in the northern end of Chilkat Inlet (the mouth of the Chilkat River, Table 274-2). Other fisheries are managed by emergency order when appropriate to minimize incidental harvests of Chilkat River chinook salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This regulation would establish a BEG of 2,200 large chinook salmon with a range of 1,750-3,500 fish to the Chilkat River. It would also establish fishery management actions for the Chilkat Inlet and Chilkat River subsistence, the Chilkat Inlet sport, Lynn Canal commercial drift gillnet, and Lynn Canal troll fisheries based on whether the projected escapement is below, within, or above the BEG.

BACKGROUND: Prior to 1991, the department used aerial survey counts in two clear water spawning tributaries to monitor chinook salmon escapements to the Chilkat River. Concern about Chilkat River chinook salmon developed when peak survey counts declined in 1985 and 1986. This decline coincided with high harvests of chinook in the commercial troll, commercial drift gillnet, and marine sport fisheries in the area (Table 274-1). In 1987, the department began to restrict sport, subsistence and commercial fisheries in upper Lynn Canal, and the Chilkat Inlet recreational fishery was closed entirely in 1991 and 1992. The Haines King Salmon Derby was closed beginning in 1988. Because of these concerns, the Division of Sport Fish initiated radio telemetry and mark-recapture experiments in 1991 and 1992 to estimate spawning distribution and abundance of large (age-1.3 and older) chinook salmon in the river. Results of this research indicated that the survey counts were not representative of the entire system. Therefore, mark-recapture experiments have been conducted annually to estimate the escapement of large chinook salmon. Estimates have ranged between 2,035 (SE = 334) and 8,100 (SE = 1,193) fish since 1991 (Table 274-1). Because abundance appeared relatively high and stable, the fishery restrictions have been relaxed in recent years. The department has used the information gathered from this research to forecast the return of Chilkat River chinook salmon on an annual basis since 1998 (Table 274-2). The department recently approved an interim escapement goal (BEG) range of 1,750 – 3,500 for this stock that will be in effect until the 2005/2006 BOF cycle.

DEPARTMENT COMMENTS: While the department **supports** the concept of a management proposal for this stock it is **neutral** on the allocative aspects of this proposal. It is the department's recommendation to remove allocative language from this proposal. Remove "one or more of the following" and insert "the following". In addition, the department does not believe that the proposed management plan will allow us to harvest all available surplus fish during years of high returns. The department has finalized the BEG for Chilkat River chinook salmon in January 2003. That goal is lower than the goal listed in the draft management plan developed by the Haines Advisory Committee. The management plan should be modified as appropriate.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

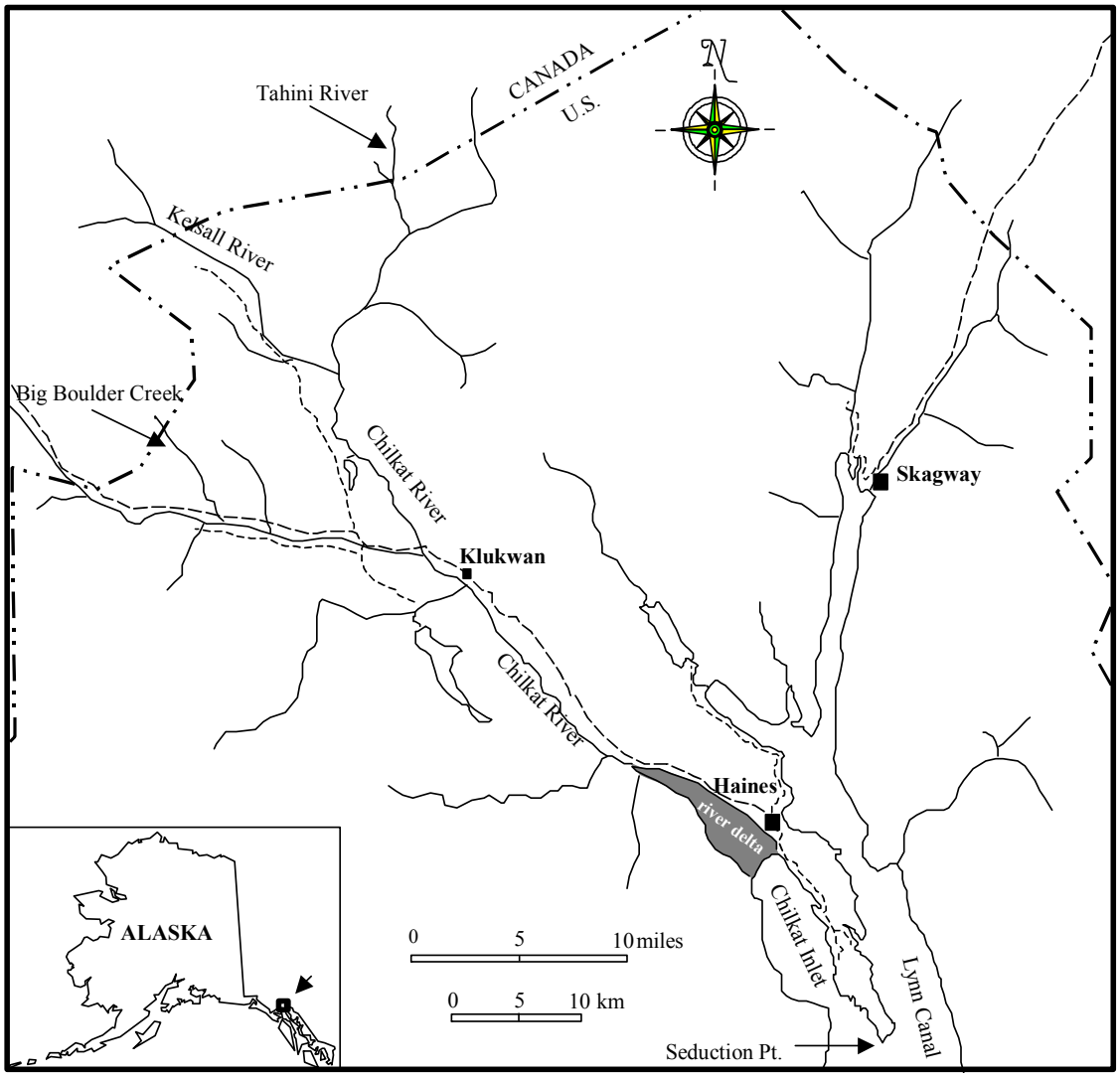


Figure 274-1. Location of the Haines area showing the Chilkat River drainage.

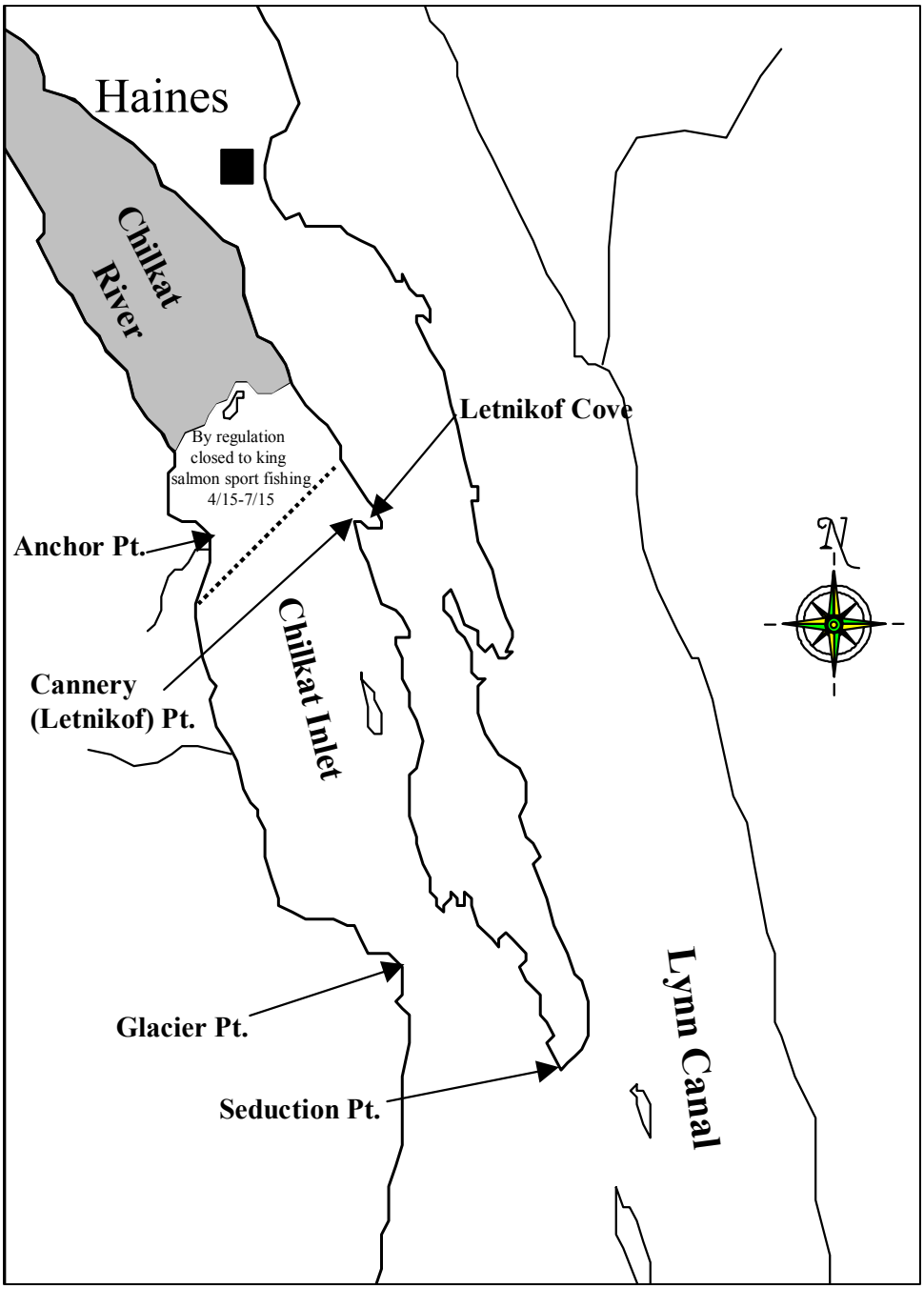


Figure 274-2. Location of landmarks identified in the Lynn Canal and Chilkat River chinook salmon fishery management plan.

Table 274-1. Estimated harvests and escapement of Chilkat River chinook salmon, 1970-2002.

	Chinook Harvest						Escapement	
	Dist 115 Gillnet to mid July	Dist 115 Troll to mid July	Sport SWHS	Sport Creel	Chilkat Subsistence	Total Harvest	Big Boulder Peak Count	Total Estimate
1970	1,479	2,010			13	3,502	176	
1971	2,209	989			0	3,198	56	
1972	704	469			10	1,183		
1973	1,429	269			6	1,704		
1974	1,283	717			6	2,006		
1975	699	742			0	1,441	21	
1976	1,441	586			0	2,027	25	
1977	760	1,420	352		0	2,532	25	
1978	220	85	575		0	880		
1979	2,290	165	497		0	2,952		
1980	273	334	592		40	1,239		
1981	872	101	663		1	1,637	187	
1982	2,025	127	784		8	2,944	56	
1983	639	10	1,043		38	1,730	121	
1984	3,679	516	976	1,072	55	5,322	211	
1985	1,412	763	1,501	1,696	19	3,890	70	
1986	844	117	1,513	1,638	28	2,627	20	
1987	410	23	1,236	1,094	34	1,561	98	
1988	228		652	481	86	795	89	
1989	637		343	235	15	887	74	
1990	204		410	241	59	504	19	
1991	262		173		24	286	54	5,897
1992	129		94		11	140	16	5,284
1993	232		603	314	16	562	14	4,472
1994	96		413	220	13	329		6,795
1995	41	17	457	228	58	344	104	3,790
1996	58	75	363	354	61	548	75	4,920
1997	167	110	455	381	27	685	116	8,100
1998	177		139	215	47	439	24	3,675
1999	301		553	184	51	536	111	2,271
2000	58		274	49	48	155	77	2,035
2001	71		454	185	65	321	131	4,268
2002[a]	40			337	68	445	111	4,050

[a] Preliminary estimates for 2002.

Table 274-2. Comparison between the preseason forecast and postseason estimate of the return of Chilkat River chinook salmon, 1998-2002.

	Pre-Season Forecast	Post-Season Estimate	Difference
1998	3,537	3,933	396
1999	2,505	2,463	-42
2000	4,889	2,086	-2,803
2001	3,371	4,471	1,100
2002	6,333	4,477	-1,856

PROPOSAL 275. PAGE 192. 5 AAC 30.365. SITUK-AHRNKLIN INLET AND LOST RIVER CHINOOK SALMON COMMERCIAL FISHERY MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? The proposal would modify the Situk/Ahrnklin Inlet and Lost River Chinook Salmon Commercial Fishery Management Plan to clarify management actions to be implemented under various run-strength scenarios and adjust management triggers in response to the department's evaluation of the Situk River Chinook escapement goal.

WHAT ARE THE CURRENT REGULATIONS? The Situk-Ahrnklin Inlet and Lost River Chinook Salmon Commercial Fishery Management Plan (5 AAC 30.365) is currently as follows: (a) The inriver escapement goal for the Situk River chinook salmon stock is 600 large fish (three ocean age and older) with a range of 450 to 750 fish.

(b) Before the department makes a projection for chinook salmon escapement to the Situk River weir,

(1) the Situk River sport fishery is restricted to non-retention of chinook salmon;

(2) the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200 is closed; and

(3) the Situk-Ahrnklin Inlet and Lost River commercial set gillnet fisheries are restricted to non-sale of chinook salmon.

(c) The department shall manage the commercial set gillnet fishery in the Situk-Ahrnklin Inlet and Lost River, the commercial troll fishery off Yakutat, and the sport chinook salmon fishery in the Situk River before July 15 as follows:

(1) if the projected escapement of chinook salmon to the Situk River weir is less than 350 chinook (three ocean age and older) the department shall close the Situk River chinook sport fishery, the subsistence, personal use, and commercial set gillnet fisheries, and the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200;

(2) if the projected escapement of chinook salmon to the Situk River weir is 350–450 fish (three ocean age and older), the department shall

(A) adopt emergency orders that do one or more of the following:

(i) establish a "non-sale" chinook salmon season in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;

(ii) close the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200;

(iii) restrict the weekly fishing periods in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries; and

(B) close the sport fishery for chinook salmon in the Situk River;

(3) if the projected escapement of chinook salmon to the Situk River weir is 451–750 fish (three ocean age and older), the department shall

(A) adopt emergency orders that do one or more of the following:

(i) establish a "non-sale" chinook salmon season in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;

(ii) close the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200;

(iii) restrict the weekly fishing periods in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries; and

(B) restrict the sport harvest of chinook salmon in the Situk River by emergency orders that do one or more of the following:

(i) close portions of the river to chinook salmon sport fishing;

(ii) allow the use of only unbaited, artificial lures;

(iii) allow only catch and release sport fishing for chinook salmon over 20 inches;

(4) if the projected escapement of chinook salmon to the Situk River weir is greater than 750 fish (three ocean age and older), the department shall

(A) manage the commercial set gillnet fisheries in the Situk-Ahrnklin Inlet and Lost River based on sockeye salmon run strength; and

(B) provide a sport fishery for chinook salmon in which the bag limit is one chinook salmon over 20 inches in length and the seasonal limit from June 1 through August 31 is two chinook salmon over 20 inches in length; if a chinook salmon sport fishery is established under this paragraph, each angler shall immediately record the angler's catch on a Situk River chinook salmon catch record.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The Yakutat Advisory Committee proposed a revised version of the management plan (Appendix 275-A). This new version would add a purpose statement, delete section (b) of the current plan, and clarify the plan's sport fishing provisions. These actions would strengthen the plan's escapement-based management intent, provide clear direction to the department with respect to when action is to be taken, and explicitly state what management tools to apply to the sport fishery.

The proposed version also includes a statement to base trigger points and management ranges on the most current escapement goal ranges, and proposes splitting the range of escapement above the goal into two: escapement projections of 750 to 1,100 chinook, and greater than 1,100. These actions will continue to provide for high yield and allow increased harvest opportunity during years of large returns, particularly when returns are projected to be larger than 1,100 chinook salmon.

BACKGROUND: The Situk/Ahrnklin Inlet and Lost River Chinook Salmon Commercial Fishery Management Plan was implemented in 1991 and modified by the Board in 1994. The plan directs fishery managers to take specific actions in season based on projected chinook run strength in the Situk River system. The Situk River chinook fisheries are currently managed for a escapement goal of 450 to 750 large fish with a mid-point of 600 large chinook salmon. The escapement goal for Situk River chinook salmon is currently under review. The department expects that the biological escapement goal (BEG) and BEG range will increase slightly. A revised BEG will be completed prior to the February Southeast Board of Fisheries meeting.

Pre-season run strength projections are accomplished through tracking prior-year age-class strength analysis (i.e., sibling projections) obtained from abundance data and scales collected both at the weir and through the creel survey. In season run strength projections are conducted using in season harvest and escapement estimates. Annual counts of chinook salmon are obtained directly at the Situk River Weir. The sport harvest of chinook salmon in the Situk River (both above and below the Situk River Weir) is estimated in season by an on-site creel survey and post season through the Statewide Harvest Survey. Daily tabulation of commercial fish ticket data tracks the in-season commercial harvest. Subsistence permits are tabulated post-season and, in combination with estimates of sport and commercial harvests and weir counts, compiled for run reconstruction analysis.

The department has in place a "terminal exclusion policy" for the Situk River, when accounting for these fish against the annual chinook all-gear quota for chinook salmon harvests in Southeast Alaska. For example, when the Situk escapement exceeds 600 large chinook, any recreational harvest over 200 and any set gillnet harvest over 2,000 (for the Yakutat area), does not count as "treaty" fish against the all-gear quota. This exclusion does not differentiate whether recreational harvests above 200 are for residents or nonresidents. Hence, if the Situk River chinook salmon run is large in a given year, user groups fishing in other locales in Southeast Alaska will not be penalized by large harvests in the Situk-Ahrnklin Lagoon and the Situk River.

Recently, implementation issues have surfaced. For example, the current plan, during large returns, calls for an annual limit of two chinook salmon over 20 inches in the sport fishery but provides no direction for annual limits during moderate or small returns. This raises the question of whether, during moderate and small returns, annual limits established by regulation for all Yakutat fresh waters; i.e., 4 fish per year for nonresident anglers, versus no annual limits, apply. The current plan directs management action by the department before July 15 but lacks clarity on and after that date. For these reasons, and in light of the escapement goal review currently underway, the department has worked with the Yakutat Advisory Committee to incorporate the results of the most recent escapement goal analysis and clarify direction to the department.

DEPARTMENT COMMENTS: The department **supports** the Yakutat Advisory Committee's proposal to update and clarify the current management plan but remains **neutral** on the allocative aspects of the proposed plan. We strongly support basing management on the most recent escapement goal analysis, which will be complete prior to the February meeting. We recommend the revised goal range be substituted for the abundance thresholds of 450 and 750 chinook salmon in the current plan.

The Yakutat Advisory Committee draft plan (Appendix 275-A) addressed the implementation issues brought forth by the department. The proposed language is improved with respect to annual limits in the sport fishery. We understand the intent is to not apply annual limits in the Situk River when the sport fishery is open under the revised plan. If the Board adopts this element of the plan, we recommend that this intent be expressed in regulatory language when projected returns exceed 1,100 fish, as it is in other areas of the draft plan. The draft plan also clearly allows the department flexibility to respond to changes in run timing and abundance in season by adjusting fishery regulations as needed.

We understand the Advisory Committee's intent is to retain the regulatory seasons for the sport fishery, as identified in 5 AAC 47.022 (187), when projected returns are greater than 400 and less than 1,100 fish. We also understand the intent is to allow the department to extend the regulatory seasons currently in place when projected returns exceed 1,100 fish.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery

Appendix 275-A. Situk-Ahrnklin Inlet and Lost River chinook salmon fishery management, as drafted by the Yakutat Advisory Committee January 6, 2003.

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5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River Chinook Salmon Fishery Management Plan. (a) The purpose of this Management Plan is to ensure biological spawning escapement requirements of chinook salmon to the Situk River-Ahrnklin River systems. This management plan provides guidelines to the department in an effort to preclude allocation conflicts between the various users of this resource. Trigger points and associated ranges within the plan are intended to be based on the current chinook escapement goal ranges established for the Situk River system.
(b) The department shall manage the Situk commercial, sport, and subsistence fisheries as follows:

(c) The biological escapement goal for the Situk River chinook salmon stock is 600 large fish (three ocean age and older) with a range of 450 to 750 fish.

(1) if the projected return of chinook salmon to the Situk River weir is less than 350 chinook (three ocean age and older) the department shall close, by emergency order, the chinook sport fishery in the Situk River; the subsistence, personal use, and commercial set gillnet fisheries in the Situk-Ahrnklin Inlet and Lost River; and the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200 *(ADD Lat. –Long. also)*;

(2) if the projected return of chinook salmon to the Situk River weir is 350 - 450 fish (three ocean age and older), the department shall

(A) adopt emergency orders that do one or more of the following:

(i) establish a "non-sale" chinook salmon season in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;

(ii) close the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200*(ADD Lat. –Long. also)*;

(iii) restrict the weekly fishing periods in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries; and

(B) close, by emergency order, the sport fishery for chinook salmon in the Situk River

(3) if the projected return of large chinook salmon to the Situk River weir is 451 - 750 fish (three ocean age and older), the department shall

(A) adopt emergency orders that do one or more of the following:

(i) establish a "non-sale" chinook salmon season in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;

(ii) close the commercial troll fishery in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200 *(ADD Lat. –Long. also)*;

Appendix 275-A. (Continued).

(iii) restrict the weekly fishing periods in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries; and

(B) restrict the sport harvest of chinook salmon in the Situk River by emergency orders that do one or more of the following:

(i) close portions of the river to chinook salmon sport fishing;

(ii) establish a sport fishery where the bag and possession limits are: chinook salmon less than 20 inches in length; 10 per day and in possession, chinook salmon greater than twenty inches in length but less than 28 inches in length; 1 per day and in possession with no annual limit; chinook salmon greater than 28 inches in length must be immediately released;

(4) if the projected return of chinook salmon to the Situk River weir is greater than 750 fish but less than 1,100 fish (three ocean age and older), the department shall

(A) manage the commercial set gillnet fisheries in the Situk-Ahrnklin Inlet and Lost River based on sockeye salmon run strength; and

(B) establish a sport fishery where the bag and possession limits are: chinook salmon less than 20 inches in length; 10 per day and in possession, chinook salmon greater than twenty inches in length; 1 per day and in possession with no annual limit;

(C) manage the commercial troll fishery according to 5 AAC 29.100 in state waters between Loran lines 7960-Y-30390 and 7960-Y-30200 *(ADD Lat. –Long. also)*;

(5) If the projected spawning escapement of chinook salmon to the Situk River weir is greater than 1,100 fish (three ocean age and older), the department shall manage the commercial, sport and subsistence fisheries as necessary to harvest large chinook in excess of the escapement goal.

PROPOSAL 276. PAGE 193. 5 AAC 30.310. FISHING SEASONS, AND 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would close the Italio River to all fishing until escapement goals are attained.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery is open on the New, Middle, and Old Italio rivers year around. The bag limit for coho salmon is 4 fish with 8 in possession. Additional limits include 6 salmon, other than chinook salmon, per day, with 12 in possession, 16 inches or greater.
Commercial setnet fishing periods for the Italio River are made by emergency order [5 AAC 30.310 (a)(2)(D)].

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? All fisheries would be closed annually until attainment of sockeye and coho escapement goals could be projected.

BACKGROUND: The Italio River is located fifteen minutes by air from Yakutat and is the most popular fly-in sport fishing system in the area. The system has three distinct channels, Old Italio, Middle Italio, and New Italio. The clear-running New Italio has shared a common stream-mouth with the neighboring glacially colored Akwe River since 1986. Currently, most of the sport fishing effort on the Italio River targets coho salmon. Yakutat area air taxis transported about 216 anglers to the Italio River during the 2001 season where approximately 726 total angler days of effort were expended with a reported harvest of 835 coho, 183 sockeye, 126 pink salmon, and 11 chum salmon (Table 276-1). Angler effort on the system has declined by approximately one-half in the past two years primarily due to the increasing cost of charter flights to the river.

The New Italio supports populations of sockeye and coho salmon, while the Old and Middle Italio Rivers have coho only (Table 276-2). Historically, both species were commercially fished in the set gillnet fishery (Table 276-3). There has apparently been a decline in sockeye productivity since the geological change that redirected the mouth of the New Italio into the Akwe River. The last directed set net commercial fishery for sockeye was in 1987. The commercial setnet fishery has been opened sporadically for coho on all three systems. The fishery has been opened when coho escapement has been observed late in the season, sometimes the third or fourth week of September, sometimes not until early October. In 2001 the Old and Middle Italios were not open until September 26, and were then open for 21 days. There were no commercial openings for any of the rivers in 1999 and 2000. In 1998 all three were open for 3 days during the last week of the season. In the past 10 years, only once, in 1995, was the New Italio opened earlier in the season. That year, the river opened on August 28 and remained open continuously until October 6. By contrast, that same year the Old and Middle Italios were opened later in the season for a total of 7 days of commercial fishing. All three areas were opened but not fished for coho during the period from early September through the end of the season in 2001 and 2002.

Based on an analysis of stock-recruit data, the department has rescinded the sockeye salmon escapement goal for the Italio River. The analysis revealed a steep and continuing decline in sockeye salmon productivity for the system, rendering the current escapement goal of 2,500 to 7,500 inappropriate for current conditions.

DEPARTMENT COMMENTS: Neutral. This proposal is allocative and therefore the department is neutral. Although the department has rescinded the escapement goal, it also recommends that the low harvest rate currently exerted on the stock not be increased. Should the sockeye sport fishery show signs of increased growth, the department will restrict or close the sport fishery by Emergency Order.

The department submitted a proposal that was accepted to obtain funding from the Southeast Sustainable Salmon Fund to conduct improved stock assessment programs on salmon stocks in the Yakutat Forelands. Included in the proposal was a program to better evaluate sockeye and coho salmon escapements to the Italio River. This program will begin in the summer of 2003.

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

Table 276-1. Sport effort, catch, and harvest of sockeye and coho salmon, Italio River 1984–2001.

Year	Number anglers	Number trips	Days fished	Catch sockeye	Harvest sockeye	Catch coho	Harvest coho
1984	155	49	117	-	0	-	232
1985	228	287	611	-	0	-	306
1986	41	185	262	-	0	-	92
1987	113	85	163	-	0	-	109
1989	86	86	167	-	0	-	566
1990	68	51	68	0	0	141	76
1991	159	283	324	0	0	1,868	663
1992	87	125	128	0	0	494	227
1993	46	62	173	87	35	189	86
1994	153	179	429	0	0	586	236
1995	224	190	464	0	0	951	334
1996	166	106	237	9	9	436	376
1997	120	88	242	0	0	2,607	78
1998	306	410	534	654	107	3,191	1,729
1999	421	475	1,176	0	0	5,337	1,285
2000	295	364	743	125	80	1,693	653
2001	216	344	726	720	183	1,614	835

Table 276-2. Peak aerial survey counts for New, Middle, and Old Italio rivers coho salmon and New Italio sockeye salmon (there are no sockeye salmon in the Middle and Old Italio rivers).

	Coho salmon				Sockeye salmon
Year	New Italio	Middle Italio	Old Italio	Coho combined	New Italio
1980	3,000			3,000	7,000
1981	5,500			5,500	12,000
1982	5,000			5,000	9,000
1983	500			500	9,000
1984	2,750		1,700	4,450	9,500
1985	3,000		2,500	5,500	14,000
1986	2,650		50	2,700	3,800
1987	2,500		1,000	3,500	6,000
1988	1,000		3,000	4,000	2,300
1989	1,200		3,000	4,200	1,750
1990	3,200		2,500	5,700	850
1991	2,000		3,000	5,000	550
1992	3,800		1,750	5,550	2,500
1993	4,000		2,580	6,580	3,200
1994	1,600		2,100	3,700	2,450
1995	7,000	10	1,900	8,910	2,700
1996	1,000	900	1,200	3,100	1,350
1997	400	3,400	2,700	6,500	1,200
1998		no data		–	200
1999		20		20	2,000
2000	240	1,200	230	1,670	400
2001	140	200	150	490	200
2002[a]		200	25	225	2,200
Escapement goal [b]		1,400 to 3,600 combined			

[a] Aerial surveys conducted in 2002 were hampered by poor weather conditions.

[b] The sockeye escapement goal was established in 1995 at 2,500 to 7,500; the goal was rescinded in 2003 based on further analysis of stock recruitment information. The coho salmon escapement goal is 1,400 to 3,600 for all systems combined.

Table 276-3. Commercial setnet harvests of sockeye and coho salmon on the New Italio River. (Commercial fisheries have been open on the Old and Middle Italio rivers on a sporadic basis and, when open, have been fished by 2 or fewer permits; catch information is therefore confidential).

Year	Sockeye	Coho[a]
1980	302	6,927
1981	1,668	6,138
1982	2,945	6,940
1983	1,349	4,804
1984	7,543	9,213
1985	1,314	9,491
1986	4,010	1,856
1987	932	1,399
1988	5	3,051
1989	not open	not fished
1990	not open	*
1991	not open	1,778
1992	not open	870
1993	not open	926
1994	not open	*
1995	not open	*
1996	not open	not open
1997	not open	Open for coho, not fished
1998	not open	Open for coho, not fished
1999	not open	not open
2000	not open	not open
2001	not open	Open for coho, not fished
2002	not open	Open for coho, not fished

[a] Fewer than three permits; catch information confidential.

PROPOSAL 277. PAGE 193. 5 AAC 29.070(b). GENERAL FISHING SEASONS AND PERIODS.

WHAT WOULD THE PROPOSAL DO? The proposal would open the winter troll fishery on October 1 instead of October 11.

WHAT ARE THE CURRENT REGULATIONS?
5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS.
(a) The seasons for the salmon troll fishery are the following:
(1) winter season from October 1 through April 14;
(b) The department shall manage the chinook salmon troll fishery to provide for:
(1) a winter fishery during the period beginning October 11 through April 14, as specified in 5 AAC 29.080(a).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The winter troll fishing period would be extended and the winter harvest would increase.

BACKGROUND: In 1981, the winter season was established as October 1-April 14. The winter troll fishery has generally been confined to internal waters of Southeast Alaska and Yakutat Bay. In 1992, the board delayed the starting date of the winter troll fishery to October 11. This was done to reduce the winter troll harvest, which had been increasing in recent years, with the intent of reducing incidental mortality by increasing the length of the summer season. In 1994, the board adopted a management plan developed by the board-appointed Chinook Troll Task Force (CTTF). The CTTF also recommended, and the board adopted, a cap of 45,000 fish for the winter troll fishery.

By opening the winter troll fishery on October 1, fresh Alaskan chinook salmon could be available to the market for an additional 10 days, and because the price paid for chinook salmon is at it's highest during the winter season, the value per fish is maximized. However, opening the season early may result in having to close it prior to April 14 if the catch reaches 45,000. If so, then the benefits of an early start may be offset by an early closure.

Increasing the chinook harvest in the winter season would decrease the number of chinook available for harvest during the summer season. The 5-year average winter treaty catch (1998-2002) has been 27,800 fish (Table 277-1). If 45,000 fish had actually been harvested in each of those years, then about 17,200 additional fish would have been harvested during the winter, and therefore not available for the summer fishery. About 70% of the 17,200 fish reduction (12,040 fish) would have occurred during the first summer opening, and the remainder (5,160 fish) during the second summer opening.

Starting the winter season earlier could increase incidental chinook mortality during the summer season. In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Increasing the harvest of treaty fish between October 1 and April 14 would decrease the number of chinook salmon available for the summer troll fishery, and therefore would likely increase incidental mortality of both legal and sublegal chinook salmon. This could potentially lead to having to close the coho season prematurely in September, due to incidental chinook mortality rather than coho conservation or allocation concerns.

The five-year average (1998-02) catch per fleet day was 10,749 fish for the first summer opening and 2,977 fish for the second opening (Table 277-2). The maximum effects that moving the winter fishery opening date earlier would have on the summer fishery would occur if the entire winter quota was taken as a result of opening on October 1. Under that scenario, the following effects would have occurred, relative to the previous five years. The first summer opening would have been reduced by 17,200 fish reduction/10,749 fish per fleet day = 1.6 days of reduced fishing. The second summer opening would have been reduced by 5,160 fish reduction/2,977 fish per fleet day = 1.7 days of fishing. If the PSC implements a total mortality regime, the incidental mortality equivalent to these 1.6+1.7= 3.3 total days of fishing would have to be reduced during the summer fishery through some sort of reduction in time, area, gear or a combination thereof. Reductions in fishing time would be greater during years of lower chinook quotas than during years of larger chinook quotas.

Table 277-1. Winter troll treaty chinook salmon catch during the 1998–2002 seasons.

Troll Season	Total Catch	Alaska hatchery contribution	Number of treaty fish
1998	32,800	2,400	30,400
1999	31,000	2,200	28,800
2000	36,100	3,100	33,000
2001	22,600	2,800	19,800
2002	29,200	2,000	27,000
5 –Year Average	30,340	2,500	27,800

Table 277-2. Summer catch per fleet per day during the 1998–2002 seasons.

Season	First Chinook Opening	Second Chinook Opening
1998	9,400	960
1999	13,000	3,200
2000	10,150	6,210
2001	10,809	1,606
2002	10,388	2,909
5- Year Average	10,749	2,977

DEPARTMENT COMMENTS: The department is **neutral** on the allocative aspects of this proposal.

If the Board approves this proposal, the department requests that a section be added to 5 AAC 29.070 requiring that all fish be offloaded from a vessel prior to participating in the winter fishery. This would be similar to 5 AAC 29.090(g) which requires all fish harvested in the spring fisheries to be offloaded from a vessel prior to participation in the summer fishery.

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

PROPOSAL 278. PAGE 194. 5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS.

WHAT WOULD THE PROPOSAL DO? The proposal would extend the winter troll fishery from April 14 to April 30.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS.

(a) The seasons for the salmon troll fishery are the following:
  (1) winter season from October 1 through April 14;
(b) The department shall manage the chinook salmon troll fishery to provide for:
  (1) a winter fishery during the period beginning October 11 through April 14, as specified in 5 AAC 29.080(a);
  (2) spring fisheries during the period beginning April 15 through June 30, as specified in 5 AAC 29.100.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The winter troll fishing period would be extended and the winter harvest would increase.

BACKGROUND: In 1981, the winter season was established as October 1-April 14. The winter troll fishery has generally been confined to internal waters of Southeast Alaska and Yakutat Bay. In 1992, the board delayed the starting date of the winter troll fishery to October 11. This was done to reduce the winter troll harvest, which had been increasing in recent years, with the intent of reducing incidental mortality by increasing the length of the summer season. In 1994, the board adopted a management plan developed by the board-appointed Chinook Troll Task Force (CTTF). The CTTF also recommended, and the board adopted, a cap of 45,000 fish for the winter troll fishery.

By extending the season through April 30, an increased quantity of fresh Alaskan chinook salmon could be available to the market for an additional 16 days. Since the price paid for chinook salmon is generally highest during the winter season, the value per fish is maximized.

If the winter season were open through April 30, it would overlap with the spring troll fisheries, some of which open April 15 to target Alaska hatchery chinook. Prior to 2000, the spring fisheries did not open until May, so delaying the start of the spring fisheries until May 1 would not be unprecedented.

The winter troll area is significantly larger than the spring troll areas, so the stock composition of the catch would likely change. The fishery would be open 7 days per week, rather than for the shorter openings typical in the spring fisheries. In summary, trollers would gain additional time and area if the winter season were extended.

In areas where there are no spring troll fisheries, such as Yakutat Bay, extending the winter season would allow trollers 16 additional fishing days that they would not otherwise have. *Note: The proponent of this proposal is from Yakutat, and because he fishes close to Yakutat, he has no "access" to the spring troll fisheries in SEAK. Currently no spring troll fisheries occur in the Yakutat area which does limit Yakutat troller's access to spring fish.*

Increasing the chinook harvest in the winter season would decrease the number of chinook available for harvest during the summer season. The 5-year average winter treaty catch (1998-2002) has been 27,800 fish (Table 278-1). If 45,000 fish had actually been harvested in each of those years then about 17,200 additional fish would have been harvested during the winter, and therefore not available for the summer fishery. About 70% of the 17,200 fish reduction (12,040 fish) would have occurred during the first summer opening, and the remainder (5,160 fish) during the second summer opening.

Extending the length of the winter season could increase incidental chinook mortality during the summer season. In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Increasing the harvest of treaty fish between October 11 and April 30 would decrease the number of chinook salmon available for the summer troll fishery, and therefore would likely increase incidental mortality of both legal and sublegal chinook salmon. This could potentially lead to having to close the coho season prematurely in September, due to incidental chinook mortality rather than coho conservation or allocation concerns.

The five-year average (1998-02) catch per fleet day was 10,749 fish for the first summer opening and 2,977 fish for the second opening (Table 278-2). The first summer opening would have been reduced by 17,200 fish reduction/10,749 fish per fleet day = 1.6 days of reduced fishing. The second summer opening would have been reduced by 5,160 fish reduction/2,977 fish per fleet day = 1.7 days of fishing. If the PSC implements a total mortality regime, the incidental mortality equivalent to these 1.6+1.7= 3.3 total days of fishing would have to be reduced during the summer fishery through some sort of reduction in time, area, gear or a combination thereof. Reductions in fishing time would be greater during years of lower chinook quotas than during years of larger chinook quotas.

Table 278-1. Winter troll treaty catch during the 1998–2002 seasons.

Troll Season	Total Catch	Alaska hatchery contribution	Number of treaty fish
1998	32,800	2,400	30,400
1999	31,000	2,200	28,800
2000	36,100	3,100	33,000
2001	22,600	2,800	19,800
2002	29,200	2,000	27,000
5 –Year Average	30,340	2,500	27,800

Table 278-2. Summer catch per fleet per day during the 1998–2002 seasons.

Season	First Chinook Opening	Second Chinook Opening
1998	9,400	960
1999	13,000	3,200
2000	10,150	6,210
2001	10,809	1,606
2002	10,388	2,909
5- Year Average	10,749	2,977

DEPARTMENT COMMENTS: The department is **neutral** on the allocative aspects of this proposal.

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

PROPOSAL 279. PAGE 194. 5 AAC 29.020. DESCRIPTION OF FISHING DISTRICTS AND WINTER BOUNDARY LINE.

WHAT WOULD THE PROPOSAL DO? The proposal would reopen waters in a portion of District 16 between Icy Point and Cape Spencer to trolling during the winter fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.020. DESCRIPTION OF FISHING DISTRICTS AND WINTER BOUNDARY LINE. (b) Defines "winter boundary line".

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY. (a) The department shall manage the winter salmon troll fishery so that the harvest of chinook salmon does not exceed a guideline harvest range of 45,000 with a guideline harvest range of 43,000 to 47,000.

(b) Except in areas closed by emergency order or in the closed waters specified in 5 AAC 29.150, chinook salmon may be taken in all waters of Alaska east of the winter boundary line described in 5 AAC 29.020(b), with the following exceptions:

(1) in District 11…

(2) in District 15…

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The area open to winter trolling would be expanded and the chinook catch could increase as a result.

BACKGROUND: Prior to 1978, the winter fishery area included waters south of Cape Spencer and east of the winter boundary line or "surf line", as well as waters of Yakutat Bay.

The winter troll surf line was modified in 1978 to include waters near Coronation Island and the Hazy Islands (Districts 104 and 109). In 1981, waters in a portion of District 16 between Cape Fairweather and Cape Spencer were opened to trolling during the winter season, which was established as October 1-April 14.

In October of 1991, the winter troll area was expanded in District 13. The result was a significant increase in the winter troll catch during the 1992-1994 seasons. The percentage of the annual chinook catch taken in the winter season jumped to an average of 32% during these 3 years, compared to an average of 12% for 1981-1991.

In 1992, the starting date for the winter troll fishery was delayed to October 11 to reduce the winter catch in order to allow for a longer summer troll chinook season.

In 1994, waters of District 16 north of Cape Spencer were closed to winter trolling. This regulation was one of several adopted by the Board of Fisheries that year at the recommendation of the Chinook Troll Task Force in order to limit the winter troll chinook catch and thereby ensure a summer troll chinook season of at least 10 days. The closure north of Cape Spencer was one of three actions that went into effect on February 10 that closed what were thought to be some of the most productive areas. Closures were expected to slow catch rates but the magnitude of the reduction would be difficult to estimate since boats would relocate to other areas and the department's catch data base was not broken out finely enough by fishing area.

According to data available to the department, the winter troll catch and effort in District 16 were low during the years when this area was open, 1981 to 1994. The average chinook catch was 86 fish and the average number of permits was 4. Catches ranged from zero (in 1981 and 1994) to 359 in 1983. Effort ranged from zero in 1994 to 13 permits in 1983 (Table 279-1).

Table 279-1. Winter troll chinook catch in District 16.

Troll Year	Chinook	Permits
1981	0	0
1982	64	3
1983	359	13
1984	182	7
1985	38	2
1986	58	3
1987	50	9
1988	*	*
1989	*	*
1990	95	3
1991	59	3
1992	*	*
1993	202	9
1994	0	0
Averages	**86**	**4**

* Confidential data.

Table 279-2. Winter troll chinook salmon catch in Districts 4, 9, and 13.

Troll Year	District 4	District 9	District 13
1992	63	4,667	34,449
1993	215	3,378	42,057
1994	51	2,914	43,635
1995	2	1,224	12,638

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

Opening up any additional area during the winter fishery has the potential to increase catches and change the distribution of effort. However, based on historical catch and effort data, opening the area north of Cape Spencer during the winter troll fishery would not be likely to result in large catches of chinook, nor would it be likely to attract a lot of effort for most of the season. Most effort is likely to be from local trollers, due in part to the remote location of this area on the outer coast. Irrespective of what waters are open for the winter fishery, the department would continue to manage for the guideline harvest range of 43,000 to 47,000 fish, which has not been reached since 1994.

After reviewing historical winter troll data, the department has found that modifications to the surf line in Districts 4 and 9 (near Coronation Island) and 13 (Sitka Sound) resulted in a more significant chinook harvest reduction than what was seen in District 16. The area north of Cape Spencer may have been closed in order to distribute the 1994 area reductions across much of the region, so as not to unfairly impact any single geographic area.
An increase in the winter troll catch would decrease both the number of chinook left for the summer troll fishery and the number of chinook-retention days and would potentially increase incidental chinook mortality.

Opening an area which has been closed in recent years would allow some redistribution of fishing effort and could give trollers access to chinook stocks not available in areas currently open during the winter troll season. Some stocks may be harvested at a different level than they were previously.

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

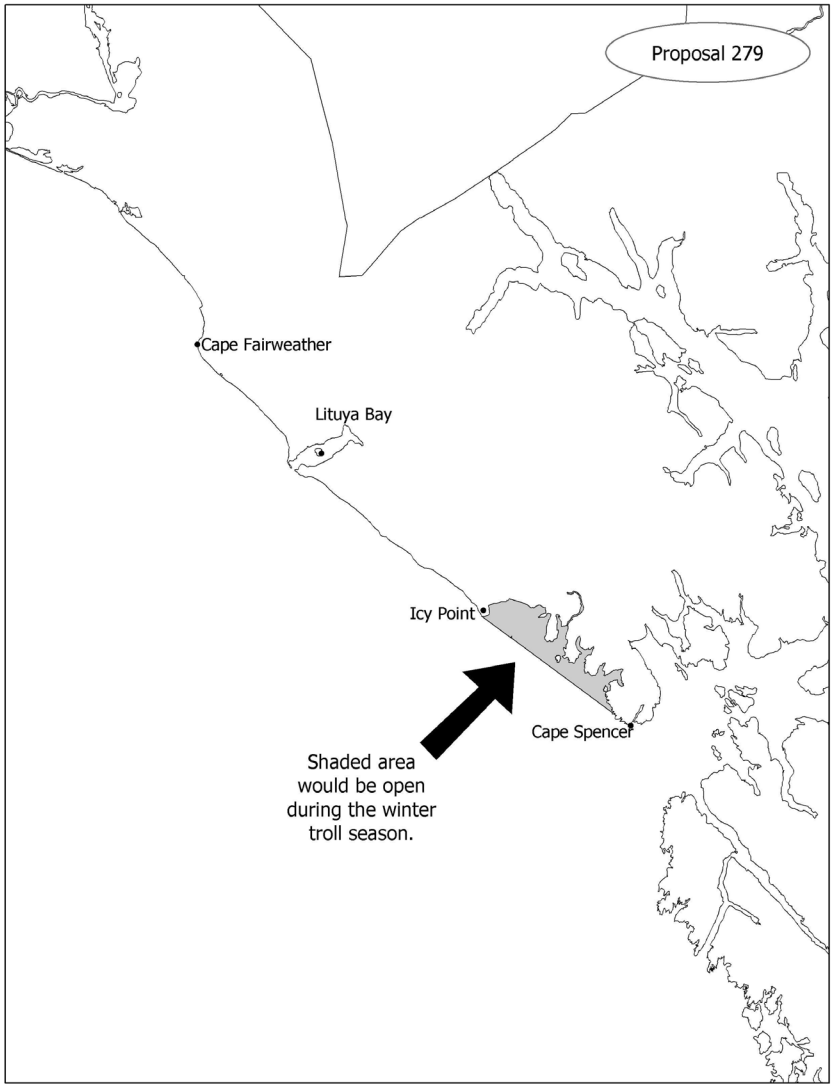


Figure 279-1. Proposed open waters for winter troll fishing in District 16.

PROPOSAL 280. PAGE 195. 5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the winter troll chinook salmon harvest target by 20,000 (to 65,000) and the harvest range to 63,000- 67,000 chinook. It would also modify the winter troll boundary line in District 13, between Point Slocum on Chichagof Island and Point Woodhouse on Biorka Island during the period January 1- March 10. Within that area, trollers would be allowed to catch up to 2,000 chinook each week during that time period.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.
(a) The department shall manage the winter salmon troll fishery so that the harvest of chinook salmon does not exceed a guideline harvest level of 45,000, with a guideline harvest range of 43,000 to 47,000.

(b) Except in areas closed by emergency order or in the waters specified in 5 AAC 29.150, chinook salmon may be taken in all waters of Alaska east of the winter boundary line described in 5 AAC 29.020(b).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The winter troll chinook catch would increase, both region-wide and in District 13, leaving fewer chinook for the summer fishery and therefore would result in a shorter summer chinook season. The percentage of winter chinook salmon taken in District 13 would increase relative to the total regional catch.

BACKGROUND: The winter troll fishery has generally been confined to internal waters of Southeast Alaska and Yakutat Bay. In the Sitka area, the surf line was moved westward in October 1991, to follow Loran lines between Cape Edgecumbe and Point Woodhouse. Catches in Sitka Sound (District 13) increased significantly when the line was moved outward. At the February 1994 BOF meeting, the line was moved back to what it had been prior to 1991. In recent years, a large percentage of the regional winter troll catch has occurred in District 13, so changes to the surf line near Sitka have had a significant effect on the overall catch. (Table 280-1.) From 1986-1991, the average regional winter troll chinook catch was 37,000. The average increased to 63,647 during the 1992 to 1994 winter seasons, when the surf line was moved out in Sitka Sound. This represents an increase of 42%. The percentage of the annual chinook catch taken in the winter season jumped to an average of 32% during these 3 years, compared to an average of 12% for 1981-1991 and 15% for 1995-2001.

In 1994, the board adopted a management plan developed by the board-appointed Chinook Troll Task Force. This plan included several new regulations intended to reduce the winter troll chinook catch, to ensure a summer chinook season of at least 10 days and to minimize incidental chinook mortality. The winter troll surf line was modified in Districts 4, 9,13 and 16, reducing the area open during the winter. A limit of 45,000 chinook was established for the winter fishery.

DEPARTMENT COMMENTS: The department is **neutral** in this allocative proposal.

Increasing the chinook harvest in the winter season would decrease the number of chinook available for harvest during the summer season. This effect would be maximized if the entire proposed winter "cap" of 65,000 chinook salmon would be harvested.

The 5-year average winter treaty chinook salmon catch (1998-2002) is 27,800 fish (Table 278-1). If 45,000 fish had actually been harvested in each of those years then about 17,200 additional fish would have been harvested during the winter, and therefore not available for the summer fishery. About 70% of the 17,200 fish reduction (12,040 fish) would have occurred during the first summer opening, and the remainder (5,160 fish) during the second summer opening.

The department has concerns with the concept of allowing trollers to harvest up to 2,000 chinook salmon per week in District 13 during the 10-week period from January 1-March 10. An unlimited number of trollers could easily catch far more than 2,000 chinook per week in this very productive area near Sitka. The department would not know the total catch until all fish are sold and fish tickets are tallied. For this concept to work, some time and/or area restrictions would need to be in place to control the catch.

Catching a greater number of chinook salmon in the winter and in areas not previously open from January through March may alter the stock composition of the catch.

There has been a long-standing concern for increased incidental chinook mortality during the summer season. In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Under this regime, increasing the harvest of treaty fish during the winter troll season would decrease the number of chinook salmon available for the summer troll fishery and therefore would decrease the number of days that chinook could be retained. Incidental mortality of both legal and sublegal chinook salmon would be likely to increase. If the PSC implements a total mortality regime, this could potentially lead to having to close the coho season prematurely in September, due to incidental chinook mortality rather than coho conservation or allocation concerns.

Table 280-1. District 13 percentage of catch compared to regional winter troll chinook catch.

Troll Year	Regional catch	District 13 catch	% Dist. 13/region	Winter % of annual total
1991	42,639	11,444	27 %	15 %
1992	71,831	34,449	48 %	39 %
1993	62,722	42,057	67 %	28 %
1994	56,368	43,635	77 %	30 %
1995	17,868	10,290	58 %	13 %
1996	9,401	3,322	35 %	7 %

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

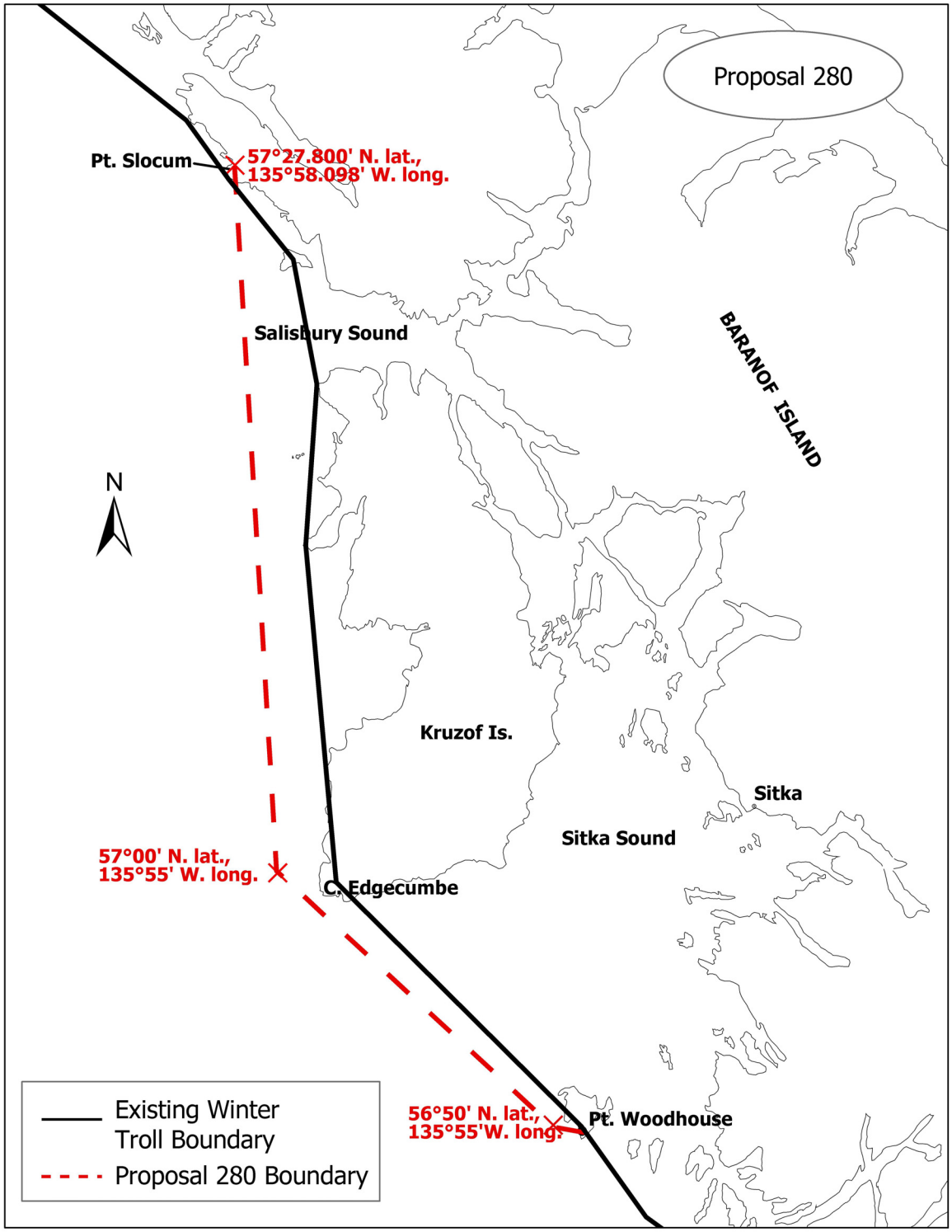


Figure 280-1. Proposed change to winter troll boundary from January 1–March 10.

PROPOSAL 281. PAGE 196. 5 AAC 29.020(b). DESCRIPTION OF FISHING DISTRICTS AND WINTER BOUNDARY LINE.

WHAT WOULD THE PROPOSAL DO? The description of the winter troll boundary, or "surf line" would be revised, using latitude and longitude coordinates between Cape Cross and Helm Point. The area open during the winter season would increase slightly in two locations.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.020(b). DESCRIPTION OF FISHING DISTRICTS AND WINTER BOUNDARY LINE.
(b) For the purposes of this chapter, the "winter boundary line" for the winter season and periods established in 5 AAC 29.070 is a line…

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The winter troll surf line description would be clarified and would be available in written form for use by trollers and enforcement. The area open to trolling would increase in two locations: (1) between Cape Cross and Klokachef Island and (2) between Cape Ommaney and Helm Point.

BACKGROUND: The winter troll surf line has been modified several times in the past. Some of these changes have had a significant effect on the catch. Prior to 1978, the winter fishery area included only waters south of Cape Spencer and east of the surf line. The winter troll surf line was modified in 1978 to include waters near Coronation Island and the Hazy Islands (Districts 4 and 9). In 1981, a portion of District 16, between Cape Fairweather and Cape Spencer, were opened to trolling during the winter season, which was established as October 1-April 14. In October of 1991, the winter troll area was expanded in District 13. The result was a significant increase in the winter troll catch during the 1992-1994 seasons. The percentage of the annual chinook catch taken in the winter season jumped to an average of 32% during these 3 years, compared to an average of 12% for 1981-1991.

The winter troll fishery is confined to waters inside (east) of the surf line, which is currently defined as a point-to-point line along the coast. Coordinates are included for only a few locations.

Many trollers now have advanced electronics onboard, such as Global Positioning Systems (GPS), allowing them to accurately determine their position in relation to the winter troll boundary, which they must fish inside of. Enforcement staff also uses GPS coordinates to determine whether a troller is fishing in waters open to trolling.

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

The department supports the concept of defining the winter surfline with coordinates and feels that using coordinates to define the surfline would clarify current regulations and would serve as a useful reference for the public and department staff. However, since this proposal makes some minor changes to the winter surfline, the department is neutral on the potential allocative aspects of these changes. Any change to the winter troll boundary has the potential to affect the chinook catch. The proposal would increase the winter troll area a total of approximately 31 mi^2 in two small triangular areas between Cape Edward and Pt. Slocum and from Cape Ommaney to Helm Pt (Figure 281-1).

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

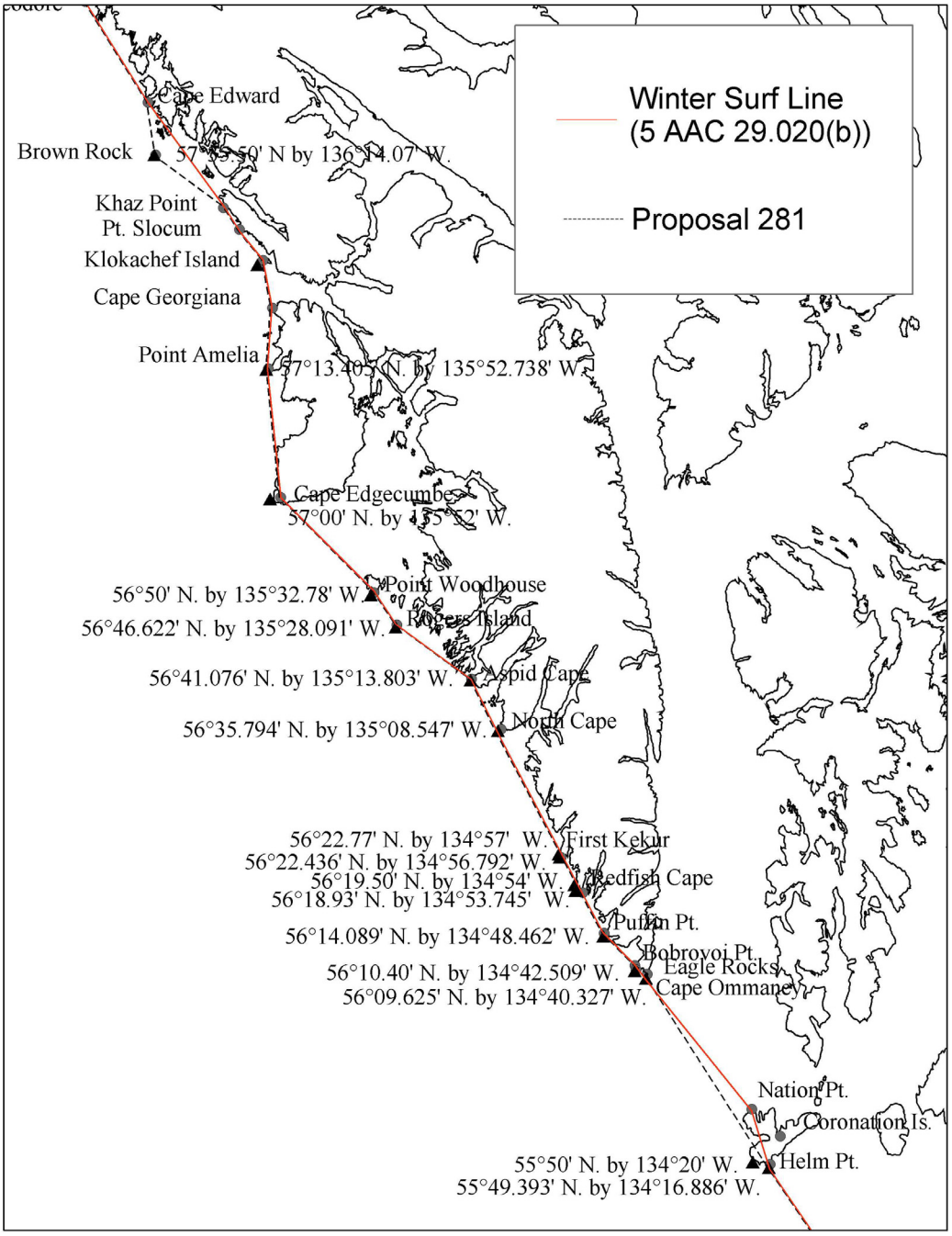


Figure 281-1. Existing winter troll surf line and proposed winter troll surf line.

PROPOSALS 282 AND 283. PAGE 197. 5 AAC 29.090(b). MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

WHAT WOULD THE PROPOSALS DO? These proposals seek to increase the guideline treaty limits for chinook harvested in the spring troll fisheries. Proposal 283 would also allow the department to open spring fishing periods any day of the week.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 20.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(a) In this chapter, a spring salmon troll fishery means a fishery that is
  (1) opened and closed weekly by emergency order;
  (2) restricted in area;
  (3) designated by number so that each weekly opening in a specific body of water is uniquely identified for catch reporting purposes.

(b) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced chinook salmon while maintaining a historical pink and chum salmon troll fishery in Cross Sound.

(c) The department shall conduct the spring salmon troll fisheries each year before the opening of the general summer salmon troll season.

(d) In its management of the spring fisheries under this section, the department shall
  (1) first consider changes in the previous year's spring fisheries; the department shall open the fisheries if they meet the following requirements;
    (A) a directed fishery shall be conducted annually, targeting the chinook salmon returning to each Alaska hatchery that meets its brood stock requirements;
    (C) in order to continue the fishery each year without modification of areas previously established, the contribution rate of hatchery stocks to the directed fishery harvest must exceed 20 percent.
    (D) The department shall manage each spring salmon troll fishery on a weekly basis as follows:
      (i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the chinook salmon taken in that fishery;
      (ii) no more than 2,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the chinook salmon taken in that fishery;
      (iii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the chinook salmon taken in that fishery;
      (iv) there is no limit o the number of non-Alaska hatchery salmon that can be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 66 percent or more of the chinook salmon taken in that fishery;

    (E) if the requirements of (A)-(D) of this paragraph are met, the department shall open the spring salmon troll fisheries each week on Monday and Tuesday until no later than one day before the opening of the summer salmon troll fishery; however, notwithstanding the last day authorized for an

opening under this paragraph, the department, based on the best available inseason data or on past performance of the fishery, may extend the length of a weekly spring fishery in order to maximize the catch of Alaska hatchery-produced chinook salmon;

(2) consider additional fishing periods based on the best scientific data and on input from salmon trollers.

5 AAC 29.070. GENERAL FISHING SEASONS AND PERIODS.

(b) The department shall manage the chinook salmon troll fishery to provide for:

(1) a winter fishery…

(2) spring fisheries during the period beginning April 15 through June 30, as specified in 5 AAC 29.090.

(3) a summer fishery…

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? The department would have more management options for the spring fisheries. Trollers would harvest a greater number of Alaska hatchery-produced chinook, which would help balance the Southeast Alaska enhanced salmon allocation. The spring troll harvest of treaty chinook would also increase, leaving fewer treaty chinook for the summer fishery.

If proposal 282 were enacted, the guideline limits for treaty fish would be as follows:

Alaska hatchery contribution	Proposed treaty fish limit	Current treaty fish limit
Less than 33%	1,000	1,000
33 to 49%	3,000	2,000
50 to 65%	5,000	3,000
Greater than 65%	No limit	No limit

If proposal 283 were enacted, the guideline limits for treaty fish would be as follows:

Alaska hatchery contribution	Proposed treaty fish limit
Less than 40%	3,500
40% or more	No limit

BACKGROUND: In 1980, the Board of Fisheries adopted a management plan recommended by the department to rebuild Southeast Alaska chinook salmon stocks. A primary feature of the plan was curtailing spring fisheries that harvested returning mature adults. Harvest limits were established and the starting date for the summer fishery was delayed. Around this same time, Alaska hatcheries began producing chinook salmon and released them throughout Southeast Alaska. By the mid-1980s, substantial numbers of Alaska hatchery-produced chinook were beginning to return.

Chinook harvest quotas and season dates became more restrictive over the following years. The 1985 Pacific Salmon Treaty required that all chinook harvested be counted toward the quota, though "new" Alaska hatchery production was not. Alaska could therefore increase its chinook salmon harvest by increasing hatchery chinook production. Alaska hatchery chinook, produced from broodstock from local systems, return during the spring as do wild stocks. Since the starting date for the summer troll season was delayed until July 1, many of these hatchery fish were not harvested.

When the spring "experimental" fisheries were first established in 1986, they were set up to target Alaskan hatchery-produced chinook salmon in areas that were assumed to be migration corridors for fish returning to hatcheries or remote release sites. The fisheries were designed to be relatively small and of short duration, in order to avoid the potential of over-harvesting wild (Treaty) chinook. By opening all of the fisheries at the same time for one or two days at the beginning of each week, the department could avoid losing control of the fisheries if they were shown to have a low contribution of Alaskan hatchery fish. Each year as more data became available on migration routes and Alaskan hatchery contributions, some of the fisheries were expanded in size, fisheries were combined, some fisheries were extended beyond two days and some were eliminated. The fisheries continue to evolve with increasing knowledge of migration and availability of hatchery fish.

Regional Aquaculture Associations (RAA) receive a 3% enhancement tax from commercial fishermen, which accounts for approximately 30 to 40 percent of the RAA's total revenue. The troll fleet is not catching their share of the allocation of enhanced salmon under 5 AAC 33.364. The joint Regional Planning Team has been considering the enhanced allocation situation in its recommendations to the Commissioner. The opportunities to increase the troll harvest value are limited, since most salmon entering special harvest areas are no longer bright and may be more difficult to harvest with troll gear. Also, except for a closure in mid-August, trolling is generally open region-wide from July 1 through September 20. Therefore, additional opportunities for trollers to harvest hatchery fish are available only in May and June, during any mid-August closure, and after September 20.

DEPARTMENT COMMENTS: The department is **neutral** on these proposals.

The department supports the concept of increasing the troll harvest of Alaska hatchery chinook and recognizes that it may be difficult to accomplish this in some locations without harvesting more treaty chinook as well. However, increasing the harvest of treaty fish during the spring troll season would decrease the number of chinook salmon available for the summer troll fishery and would therefore result in fewer chinook-retention days. Incidental mortality of both legal and sublegal chinook salmon would be likely to increase. If the PSC implements a total mortality regime, this could potentially lead to having to close the coho season prematurely in September, due to concern for incidental chinook mortality rather than coho conservation or allocation. In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality.

Having the flexibility to open spring fisheries any day of the week would allow the department to be more responsive to changes in the fishery and would remove unnecessary restrictions. Some ports have limited transportation available, so flexible openings would again be an advantage. While flexible opening dates may have made management of these fisheries difficult in the past, this is no longer a problem. Since 1986, the department has collected extensive information on these hatchery stocks and has developed methods to track the catch of Treaty fish closely. In places such as Sitka Sound, where a large enhanced chinook return is expected and Treaty fish are also abundant, an increase in the Treaty fish limits would allow trollers to harvest

a higher percentage of the enhanced run. If Treaty fish limits were higher, the department may be able to open areas even further from the hatchery, on an experimental basis, where fish are likely to be brighter.

Based on Alaska hatchery percentages in the 2002 spring fisheries, the changes suggested in Proposal 282 could result in an increased treaty limit in 10 areas that would add up to at least 13,000 additional Treaty chinook. Similarly, the changes suggested in Proposal 283 could result in an increased Treaty limit in 26 areas that would add up to at least 27,500 additional Treaty chinook. Under guidelines in Proposal 283, controlling the catch of Treaty chinook may be difficult and could significantly reduce the number of chinook left for the summer fishery. The guidelines suggested in Proposal 282 are more conservative.

In 2002, three spring troll areas had a high enough percentage of Alaska hatchery fish to allow an unlimited harvest of treaty fish. Twenty-six of the twenty-nine experimental fishing areas had treaty catches which were within guideline levels. Catches exceeded the treaty limit in three fishing areas.

The total spring troll chinook harvest has steadily increased in recent years, as has the number of Alaska hatchery fish. The increased abundance of Treaty chinook during the past 2 years has been a factor in the declining percentage of Alaska hatchery fish in the 2001-2002 spring fisheries.

Table 282-1. Experimental troll chinook catches under existing guidelines, 1998–2002.

	Total Catch	Alaska Hatchery Catch	Alaska Hatchery Percent	Treaty Catch
1998	19,200	5,000	26 %	14,200
1999	21,000	8,800	42 %	12,200
2000	21,005	11,300	54 %	9,705
2001	28,200	13,700	49 %	14,500
2002	37,308	17,908	48 %	19,400

Table 282-2. 2002 spring fishery catches and Treaty limits by fishery.

Fishery Name	Statistical Area	Total Catch	Alaska Hatchery %	Alaska Hatchery Catch	Treaty Catch	Current Treaty limit	Number Over or Under	Proposal 282 limit	Proposal 283 limit
West Rock	101-21	923	19%	175	748	1,000	-252	1,000	3,500
Felice Strait	101-23	0	0%	0	0	1,000	-1,000	1,000	3,500
Gravina Island	101-29	4,010	63%	2,526	1,484	3,000	-1,516	5,000	none
Mountain Point	101-45	876	62%	543	333	3,000	-2,667	5,000	none
West Behm Canal	101-90	157	37%	58	99	2,000	-1,901	3,000	3,500
Ship Island Shore	102-80	0	0%	0	0	1,000	-1,000	1,000	3,500
Sumner Strait	105-41	839	13%	109	730	1,000	-270	1,000	3,500
Steamer Point	106-30	284	18%	51	233	1,000	-767	1,000	3,500
Snow Passage	106-41	0	0%	0	0	1,000	-1,000	1,000	3,500
Baht Harbor	108-30	323	27%	87	236	1,000	-764	1,000	3,500
Craig Point	108-40	279	5%	14	265	1,000	-735	1,000	3,500
Little Port Walter	109-10	31	0%	0	31	1,000	-969	1,000	3,500
Kingsmill Point	109-51	2,368	41%	971	1,397	2,000	-603	3,000	none
Tebenkof Bay	109-62	124	25%	31	93	1,000	-907	1,000	3,500
Frederick Sound	110-31	216	24%	52	164	1,000	-836	1,000	3,500
Chatham Strait	112-12	1,425	45%	641	784	2,000	-1,216	3,000	none
Western Channel	113-01	4,265	38%	1,621	2,644	2,000	**644**	3,000	3,500
Redoubt Bay	113-30	97	24%	23	74	1,000	-926	1,000	3,500
Biorka Island	113-31	1,318	29%	382	936	1,000	-64	1,000	3,500
Eastern Channel	113-35	7,808	63%	4,919	2,889	3,000	-111	5,000	none
Inner Silver Bay	113-37	3,102	76%	2,358	744	none		none	none
Middle Island	113-41	2,270	35%	795	1,476	2,000	-525	3,000	3,500
Salisbury Sound	113-62	1,095	76%	832	263	none		none	none
Lisianski Inlet	113-95	1,435	19%	273	1,162	1,000	**162**	1,000	3,500
Stag Bay	113-97	158	0%	0	158	1,000	-842	1,000	3,500
South Passage	114-23	59	73%	43	16	none		none	none
Homeshore	114-25	806	43%	347	459	2,000	-1,541	3,000	none
Point Sophia	114-27	495	49%	243	252	2,000	-1,748	3,000	none
Port Althorp	114-50	2,454	22%	540	1,914	1,000	**914**	1,000	3,500
TOTALS		**37,308**	**48%**	**17,908**	**19,400**	**39,000**	**-19,600**	**52,000**	**66,500**

Totals include catch for areas that can't be reported due to confidentiality concerns (<3 permits fished).

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

PROPOSAL 284. PAGE 200. 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

WHAT WOULD THE PROPOSAL DO? This proposal, if adopted, would establish a special troll fishery in state waters outside of Kruzof Island and Sitka Sound from May 10 through June 20 to target enhanced chinook salmon returning to the Medevjie hatchery. Implicit in this proposal is that this area would be classified as a terminal area and any non-Alaskan hatchery chinook caught in this area would be added to the existing treaty quota.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 20.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(e) In this chapter, a spring salmon troll fishery means a fishery that is
  (1) opened and closed weekly by emergency order;
  (2) restricted in area;
  (3) designated by number so that each weekly opening in a specific body of water is uniquely identified for catch reporting purposes.

(f) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced chinook salmon while maintaining a historical pink and chum salmon troll fishery in Cross Sound.

(g) The department shall conduct the spring salmon troll fisheries each year before the opening of the general summer salmon troll season.

(h) In its management of the spring fisheries under this section, the department shall
  (1) first consider changes in the previous year's spring fisheries; the department shall open the fisheries if they meet the following requirements;
    (A) a directed fishery shall be conducted annually, targeting the chinook salmon returning to each Alaska hatchery that meets its brood stock requirements;

    …

    (F) in order to continue the fishery each year without modification of areas previously established, the contribution rate of hatchery stocks to the directed fishery harvest must exceed 20 percent.

    (G) The department shall manage each spring salmon troll fishery on a weekly basis as follows:

    (i) no more than 1,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is less than 33 percent of the chinook salmon taken in that fishery;

    (ii) no more than 2,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 33 percent but less than 50 percent of the chinook salmon taken in that fishery;

    (iii) no more than 3,000 non-Alaska hatchery-produced salmon may be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 50 percent but less than 66 percent of the chinook salmon taken in that fishery;

    (iv) there is no limit to the number of non-Alaska hatchery salmon that can be taken in a fishery if the percentage of Alaska hatchery-produced salmon taken in that fishery is at least 66 percent or more of the chinook salmon taken in that fishery;

    (H) if the requirements of (A)-(D) of this paragraph are met, the

department shall open the spring salmon troll fisheries each week on Monday and Tuesday until no later than one day before the opening of the summer salmon troll fishery; however, notwithstanding the last day authorized for an opening under this paragraph, the department, based on the best available inseason data or on past performance of the fishery, may extend the length of a weekly spring fishery in order to maximize the catch of Alaska hatchery-produced chinook salmon;

Pacific Salmon Treaty (1999), Annex IV, Chapter 3, Section 8.
The Parties agree:

(a) to continue the procedures previously established by the Commission to allow for the exclusion of chinook salmon catches in selected terminal areas from counting against Treaty catch limitations; and
(b) to continue the procedures previously established by the Commission to allow for hatchery add-ons harvested in AABM fisheries.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? Trolling would be allowed from May 15 through June 20 in state waters near Sitka in the area north of Dorothy Narrows at 56°48.975' N. lat. and south of a point just north of Pt. Amelia on Kruzof Island at 57°15.00' N. lat (Figure 284-1). The area would be open continuously and the catch of Treaty fish during the spring fisheries would increase and result in a reduced summer fishery.

BACKGROUND: The troll harvest of Medvejie hatchery-produced chinook has averaged 26% of the total return over the past 5 years and 29% of the previous 10-year's returns (Table 284-1). In 2002, trollers harvested 14,158 Medvejie hatchery chinook or 35% of the total return.

In 2002, two new spring fisheries (Biorka Island and Redoubt Bay) and one area that had been open [once before] in 1998 (Western Channel) were established within the waters of Sitka Sound. These areas did not include any of the proposed area outside of Sitka Sound. No spring fisheries have occurred in waters outside of Sitka Sound, where a portion of the proposed area is located.

The total combined 2002 spring fishery catch from these three new areas was 5,719 chinook and for the period May 10 – June 20, the combined catch was 5,347 chinook. The total combined contribution of Medvejie hatchery chinook to [combined catches from] these areas in 2002 during the proposed time period was 34% and the total Alaska hatchery contribution was 35% (Table 284-2).

The sport fishery harvests chinook throughout the proposed area. The contribution of Medvejie hatchery chinook to the sport fishery along the outer shore of Kruzof Island (subdistrict 113-45) for the 5-year period 1998-2002 averaged 177 fish or an average of 4.2% of the catch (Table 284-3). In 2002, Medvejie hatchery chinook made up 5.2% of the chinook harvested along the outer coast of Kruzof Island.

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of this proposal the department **opposes** the idea of including this fishery as a chinook terminal area because the area does not meet the PSC criteria of either a terminal area or a terminal exclusion area due to the obviously highly mixed stock composition of the area (Tables 284-1 and 284-2).

If this proposal is adopted, the department would like to eliminate the State waters requirement within Sitka Sound. The boundaries as proposed would be extremely difficult to enforce.

This proposal contends, in the Problem statement, that the original assumptions of the Treaty concerning chinook enhancement are somehow not being met. It also asserts that this area should be considered as a terminal area and the non-Alaska hatchery-produced chinook caught in this area should not be counted against the treaty quota. The original 1985 Treaty, Annex IV, Chapter 3, Section 2 states:

> *"The Parties agree that enhancement efforts designed to increase production of chinook salmon would benefit the rebuilding program. They agree to consider utilizing and redirecting enhancement programs to assist, if needed, in the chinook-rebuilding program. They agree that each region's catches will be allowed to increase above established ceilings based on demonstrations to the Commission and assessments of the specific contributions of each region's new enhancement activities, provided that the rebuilding schedule is not extended beyond 1998."*

This section was included in the Treaty language, with very minor revisions, until the 1999 Agreement. In addition, the Letter Of Transmittal from the PSC to the Secretary of State for the 1991 Agreement included the following:

"1) With respect to Annex IV, Chapter 3, the Commission agrees that:
in 1991 and 1992, the Southeast Alaska all gear catch shall consist of the base ceiling, with a ceiling adjustment for 1991 only, as specified in Annex IV, Chapter 3, plus a catch of new Alaska hatchery add-on chinook to be calculated in-season using the procedures approved by the Commission for the 1990 add-on and as described in Alaska's February 4, 1991 report to the Commission; the preseason expectation of the 1991 hatchery add-on is 57,800 chinook salmon;"

…

with respect to terminal exclusions, the Commission agrees that the Chinook Working Group with the assistance of the Chinook Technical Committee and the findings reported in TCCHINOOK (91)-2, shall recommend standards and criteria to the Commission by January 1993, to govern consideration for future proposals for terminal exclusions."

While this paragraph refers to terminal exclusions, the criteria for chinook terminal areas are similar in that the area must have a largely pure catch of the target stock with little incidental harvest of non-local or immature stocks (TCCHINOOK (91)-2).

These passages indicate that the Parties have always understood how the catches of Alaska hatchery-produced chinook were to be treated and the hatchery catch is to be added to the ceiling. It does not mean that the ceiling would be adjusted upward plus adding on the hatchery catch, nor was it ever interpreted that, if some Alaska hatchery-produced fish were harvested in a given area, the entire catch would not be counted against the Treaty quota for that year.

The approval of this fishery would require the elimination of the spring fisheries that have occurred within the boundaries and dates given in the proposal. As the proposal requests, the fishery would likely need to be established as a unique fishery within 5 AAC 29.090, and new treaty catch guidelines would need to be established. It is highly likely that this fishery, as proposed, would be closed prior to June 20 if the current treaty catch guidelines were in effect. Because it is highly likely that the PSC would not approve this fishery as a terminal area, all Treaty fish caught in this fishery would be counted against the PSC chinook quota for that year and the quota for the summer season would be reduced by that amount.

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

Table 284-1. Medvejie hatchery total returns and percent troll harvest, 1986–2002.

Return Year	Troll Harvest	Total Return	% Troll
1986	11	50	22%
1987	50	230	22%
1988	109	412	26%
1989	34	492	7%
1990	451	2,395	19%
1991	1,341	7,285	18%
1992	5,240	7,285	72%
1993	5,411	15,587	35%
1994	6,460	19,299	33%
1995	12,229	19,701	62%
1996	7,164	40,531	18%
1997	9,408	37,948	25%
1998	4,877	21,048	23%
1999	5,289	20,307	26%
2000	5,697	26,700	21%
2001	6,332	30,994	20%
2002	14,158	39,914	35%
Average(All Years)	4,957	17,069	29%
5-Year Average (97-02)	7,627	29,485	26%
10-Year Average (92-02)	7,479	25,392	29%

Table 284-2. Catches and Medvejie Hatchery contributions to three spring troll fisheries in Sitka Sound (2002).

	Western Channel 113-01	Redoubt Bay 113-30	Biorka Island 113-31	Total All Fisheries
2002 Total Chinook Catch	4,299	97	1,323	5,719
Medvejie Hatchery Contribution	1,557	23	293	1,873
Percent Medvejie Contribution	36%	24%	22%	33%
May 10 - June 20 Catch	4,235	93	1,019	5,347
May 10 - June 20 Medvejie Cont.	1,524	23	269	1,816
Percent 5/10-6/20 Medvejie Cont.	36%	25%	26%	34%

Table 284-3. Contributions of Medvejie-produced chinook salmon to sport fishery catches in Subdistrict 113-45 (outer Kruzof Island).

	1998	1999	2000	2001	2002	1998-2002 Average
Medvejie Contribution	98	235	125	191	235	177
Total Catch	3,940	4,783	3,388	4,479	5,062	4,330
Percent Med Cont.	2.5%	4.9%	3.7%	4.3%	4.6%	4.1%

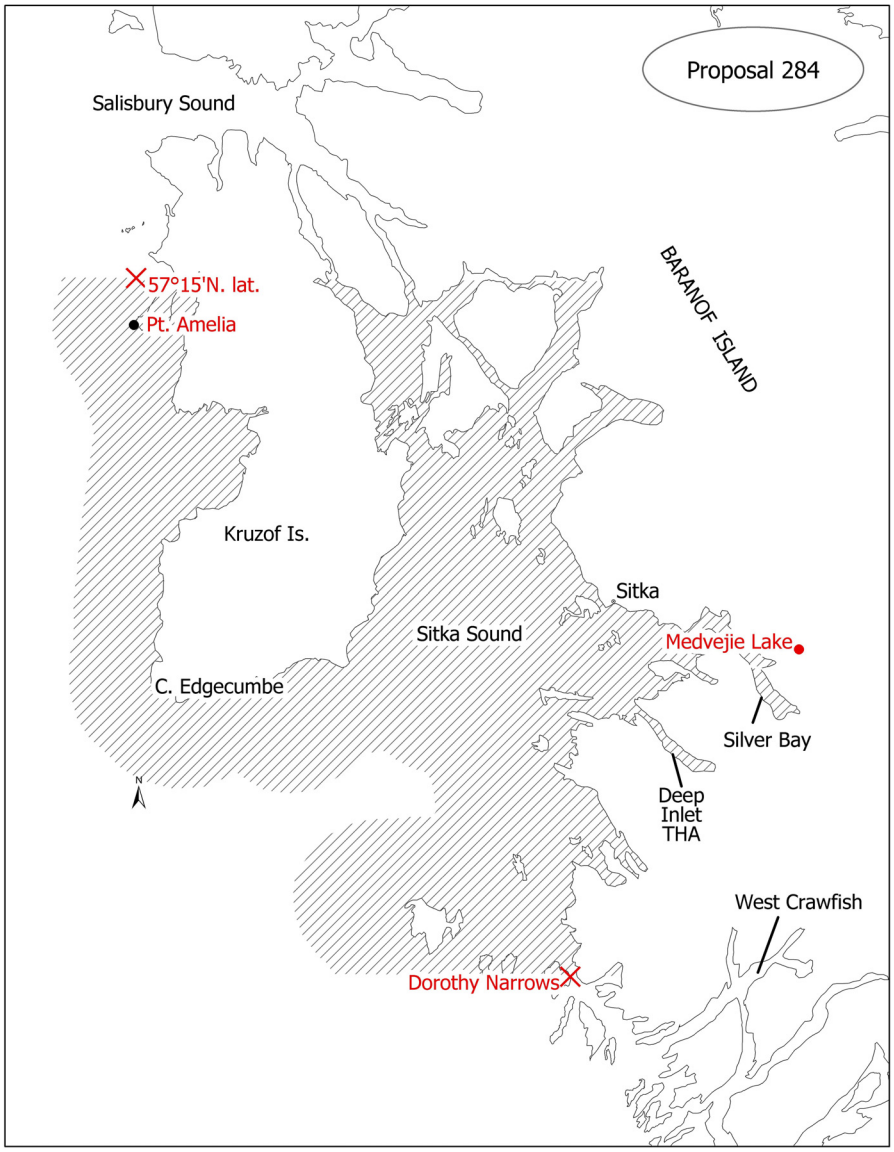


Figure 284-1. Proposed open salmon troll waters for Medvejie Hatchery chinook salmon.

PROPOSAL 285. PAGE 202. 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

WHAT WOULD THE PROPOSAL DO? This proposal would amend sections (a)(1), (d)(1)(D) and (E). The amended regulation would allow the department the option to open some spring troll fisheries for the season if they historically have a consistently high contribution of Alaskan hatchery fish.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(a) In this chapter, a spring salmon troll fishery means a fishery that is

(1) opened and closed weekly by emergency order:

…

(d) In its management of the spring fisheries under this section, the department shall

(1) first consider changes in the previous years' spring fisheries; the department shall open the fisheries if they meet the following requirements:

…

(D) the department shall manage each spring fishery on a weekly basis as follows: …

(E) if the requirements of (A)-(D) of this paragraph are met, the department shall open the spring salmon troll fisheries each week on Monday and Tuesday until no later than one day before the opening of the summer salmon troll fishery; however, notwithstanding the last day authorized for an opening under this paragraph, the department, based on the best available inseason data or on past performance of the fishery, may extend the length of a weekly spring fishery in order to maximize the catch of Alaska hatchery-produced chinook salmon;

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The need for the department to issue emergency orders each week opening the spring fisheries if a fishery had a strong history of having a high Alaskan hatchery component would be eliminated. The proposal would also permit the department to open spring fisheries on any day of the week. Trollers and processors may be better served by opening on days other than Mondays or Tuesdays by providing better access to weekend fresh markets, and to allow for infrequent air service to some ports or buying stations.

BACKGROUND: When the spring "experimental" fisheries were first established in 1986, they were set up to target Alaskan hatchery-produced chinook salmon in areas that were assumed to be migration corridors for fish returning to hatcheries or remote release sites. The fisheries were designed to be relatively small and of short-duration in order to avoid the potential of over harvesting wild (Treaty)chinook. By opening all of the fisheries at the same time for one or two days at the beginning of each week the department could avoid losing control of the fisheries if they were shown to have a low contribution of Alaskan hatchery fish. Each year as more data became available on migration routes and Alaskan hatchery contributions, some of the fisheries were expanded in size, fisheries were combined, some fisheries were extended beyond two days and some were eliminated. The fisheries continue to evolve with increasing knowledge of migration and availability of hatchery fish. In 1998 the Board of Fisheries created 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES which designated the "experimental" fisheries as Spring fisheries. The spring fisheries have now evolved to a point where some have a definite tendency toward consistently high (greater than 20%) Alaskan hatchery contribution without violating the wild catch provisions of 5 AAC 20.090 (D). Over the past two spring seasons, several fisheries have been opened for the duration of the spring troll season without exceeding the wild fish catch provisions. These fisheries include Frederick Sound, Chatham Strait, Point Sophia, Eastern Channel, Middle Island and Gravina Island.

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

Current regulations require that each fishery be opened and closed on a weekly basis by emergency order. This creates unnecessary work for the department when a fishery has a strong history of having a high Alaskan hatchery component. By removing this requirement, more effort could be directed at managing fisheries that need to be monitored closely and would allow the department the option to open some spring fisheries for the season if they historically have a consistently high contribution of Alaska hatchery-produced chinook salmon. These areas would still be monitored and fishing time would be reduced if the Alaskan hatchery percent drops below acceptable levels or if escapements of wild stocks are projected to fall below the established escapement goal range.

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

PROPOSAL 286. PAGE 203. 5 AAC 29.150(o). CLOSED WATERS.

WHAT WOULD THE PROPOSAL DO? If adopted this proposal would remove the Port Frederick closed waters from the troll fishery regulations.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.150. CLOSED WATERS.
(o) District 14:
(3) Port Frederick: waters south of a line from Inner Point Sophia Light to the northwesternmost tip of Halibut Island then bearing 323° to Chichagof Island from April 16 through May 14.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The effect of this proposal would be to eliminate the closed waters provisions in Port Frederick currently in place during the spring troll season (Figure 286-1). The elimination of this regulation would allow a spring fishery to take place within the waters of Port Frederick if warranted. The Point Sophia spring fishery is currently in place in the waters of Icy Strait and Chatham Strait to the north and west of this closed area.

BACKGROUND: The regulation is a remnant of regulations prior to the establishment of 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES in 1998 and the moving of the troll fishery regulations from chapter 33 to chapter 29.

DEPARTMENT COMMENTS: The department submitted and **supports** this proposal. The existing time period when Port Frederick is closed to trolling is effective only during a portion of the spring troll season. The specific closure dates are no longer necessary for the protection of wild chinook salmon stocks during the spring fisheries because 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES specifically links the requirements for the continuation of spring fisheries to the Alaskan hatchery chinook salmon contribution and the catch of wild chinook salmon. There are no known wild chinook stocks that spawn in Port Frederick drainages and there are also no current conservation concerns in Port Frederick for any species targeted by the troll fishery. The department already has emergency order authority to close areas to trolling if stock conservation in this area becomes a concern.

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

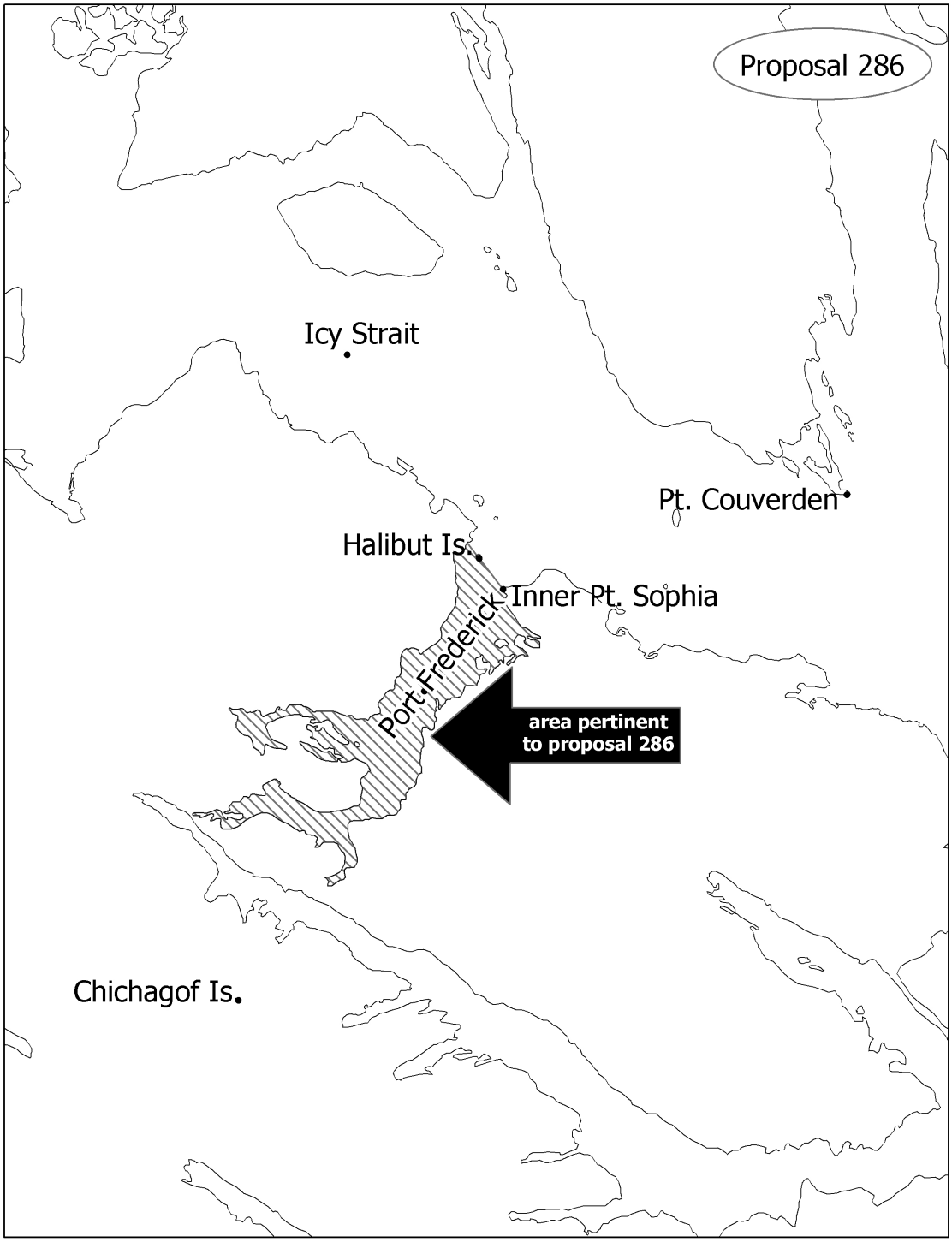


Figure 286-1. Waters of Port Frederick that are currently closed by regulation.

PROPOSAL 287. PAGE 203. 5 AAC 29.150. CLOSED WATERS (a)(2).

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would allow exceptions to the closed waters listed in 5 AAC 29.150 throughout the spring season. Currently the period May 15 through May 30 is the only time period that the closed waters provisions are exempted.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.150. CLOSED WATERS.

(a) Unless otherwise specified in this chapter, the waters listed in this section are closed to the taking of salmon with troll gear, except as follows:
    (1) during the winter fishery, the waters listed in this section and within 500 yards of the terminus of any salmon stream are open to trolling;
    (2) during any spring fishery from May 15 through May 30, the waters listed in this section and within 500 yards of the terminus of any salmon stream are open to trolling.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The effect of this proposal would be to exempt the closed waters provisions throughout the spring salmon troll season rather than only during the narrow time period of May 15 through May 31. The department believes that this proposal would eliminate some confusion within the troll fleet each year as to what areas within the spring fisheries are actually open.

BACKGROUND: The regulation is a remnant of regulations prior to the establishment of 5 AAC 20.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES in 1998 and the moving of the troll fishery regulations from chapter 33 to chapter 29.

DEPARTMENT COMMENTS: The department submitted and **supports** this housekeeping proposal. Having the current time period in regulation makes no sense because the department already opens many of the closed waters listed in 5 AAC 29.150 by emergency order authority during spring fisheries.

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

PROPOSAL 288. PAGE 204. 5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? The department is not clear as to the actual intent of this proposal. It appears that the author wants the summer chinook salmon season to remain open longer than six days. However, the author does not indicate if he wants the chinook salmon season to either: 1) remain open continuously from May 15 through September 20 irrespective of overall chinook abundance or conservation concerns, or the chinook quota established by the Pacific Salmon Treaty, or 2) have several openings throughout the period May 15 through September 20 in order to harvest the PST chinook quota.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY

Pacific Salmon Treaty: Annex 4, Chapter 3, Chinook Salmon.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The proposal is so broad in its scope that it is impossible to actually gauge the effects should it be implemented. Implementing this proposal would likely involve completely changing the management plans for both the Spring and Summer fisheries and could involve renegotiating Annex 4, Chapter 3 of the Pacific Salmon Treaty.

BACKGROUND: In 1994, the board adopted the current summer management plan developed by the board-appointed Chinook Troll Task Force (CTTF).

DEPARTMENT COMMENTS: **Oppose.** The department is neutral on the allocative aspects of this proposal. However, both the department's mandate to manage, protect, maintain, and improve the fish, game and aquatic plant resources of Alaska and the provisions of the Pacific Salmon Treaty do not allow for an unlimited chinook troll fishery regardless of overall abundance or stock specific conservation concerns.

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

PROPOSALS 289 AND 290. PAGES 204–206. 5 AAC 29.100 MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSALS DO? Both proposals would reduce the first troll chinook salmon summer season retention period target harvest from 70% to 60% of the remaining allowable chinook harvest. Both proposals would also shorten the time period the department must wait in order to re-open the areas of high chinook abundance, if the harvest ceiling is not projected to be harvested by September 20, from ten (10) to five (5) days. Both proposals also seek to restrict the length of the first summer retention period: 1) Proposal 289 seeks to restrict the first opening to no more than five (5) days, and 2) Proposal 290 seeks to restrict the first opening to five (5) days or less or ten (10) or more days.

Note: The proposals are not clear as to when any remainder of the 60% allowable catch would be harvested should catch during the first opening fall significantly below 60%.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

(c) the department shall manage the summer chinook salmon troll fishery

(1) the department shall manage the summer chinook salmon troll fishery

(A) to take 70 percent of the remaining chinook salmon harvest calculated as the annual troll harvest ceiling minus the winter and spring troll harvests of treaty chinook salmon in an initial opening beginning July 1

…

(2) in order to provide for the harvest of the remaining portion of the chinook salmon harvest following a coho salmon closure, the department shall manage the chinook salmon harvest as follows:

(A) if approximately 70 percent or more of the remaining troll chinook salmon harvest was taken during the initial opening under (1)(A) of this subsection, the commissioner shall close, by emergency order, the waters of frequent high chinook salmon abundance described in 5 AAC 29.025 for the remainder of the summer salmon troll season in order to slow down the harvest rate; however, if after 10 days, the department determines that the annual troll chinook salmon harvest ceiling might not be reached by September 20 with those waters closed, the commissioner shall reopen, by emergency order, the waters of frequent high chinook salmon abundance;

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The harvest of chinook salmon during the first troll chinook salmon retention period would be reduced. More chinook salmon would be harvested during the August period and fewer would be harvested during July. The overall number of chinook non-retention (CNR) days would probably be reduced because catch rates during August are lower than during July.

The waters of high chinook abundance, as described in 5 AAC 29.025, could be reopened sooner if it was likely that the chinook harvest ceiling might not be caught by September 20.

BACKGROUND: After chinook quotas were established for the troll fishery in the early 1980s, the number of days for the fleet to harvest the quotas became smaller and smaller. In 1994, the board adopted the current summer management plan developed by the board-appointed Chinook Troll Task Force (CTTF).

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

During years with large chinook quotas combined with coho salmon conservation concerns, it may be problematic to catch the chinook quota. August coho closures of ten or more days could limit the number of fishing days allowed for any salmon retention. Coho conservation concerns may also restrict the allowable fishing area. However, this scenario has rarely occurred.

In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Section (e) of chapter 3 also states that 50% of reductions to incidental mortalities attributed to modifications of fishery plans may be added to the allowable catch, following a review of technical merit by the Chinook Technical Committee (CTC) and agreement among the parties.

Based on the five-year period 1998-2002, the average harvest during the summer fishery was 134,200 fish. The 5-year average catch per fleet day during the first summer opening was 10,750 fish, and during the second opening was 2,360 fish. Under the current plan, 70% of the summer fishery catch (0.70 * 134,200 = 93,940 fish) would be harvested during the first summer opening, and the fishery would last an average of 93,940/10,750 = 8.7 days. The remainder (134,200-93,940=40,260 fish) would be harvested during the second opening, and the fishery would last an average of 40,260 fish/2,360 fish per fleet per day = 17 days. This would provide for 8.7 days + 17 days = 25.8 days of summer chinook fishing.

Under these proposals, 60% of the summer fishery catch (0.60 * 134,200 = 80,520 fish) could be harvested during the first summer opening of up to 5 or more than 10 days. The fishery would require an average of 80,520 fish/10,750 fish per fleet day = 7.5 days to catch 60% of the summer quota. Under the 5-day opening provision only 40% of the summer quota would have been caught in the initial opening. This would require either an additional 2.5-day opening to catch the remainder of the quota or 60% of the quota would be allocated to the second summer opening. During years of low chinook quotas, it is highly likely that this type of scenario would frequently occur. The remaining harvest would be (134,200-53,750 = 80,450 fish) during the second opening, and the fishery would last an average of 80,450 fish/2,360 fish per fleet per day = 34 days. This would provide for 5 days + 34 days = 39 days of summer chinook fishing, and a net reduction in chinook non-retention days of 13.2 days.

Using the CTC recommended SEAK hook and release mortality rate of 21.1% for legal chinook and 25.5% for sublegal chinook and the average daily mortality estimates during CNR periods for the 1997-2001 summer seasons (most recent period for which mortality estimates are available), the average estimated reduction in legal chinook mortality under the proposed plan would have been 2,574 fish (195 mortalities/day * 13.2 days) and for sublegal chinook, the reduction would have been 2,125 (161 mortalities/day * 13.2 days) fish.

Although this analysis shows an apparent reduction in incidental chinook mortality, the state would not get any additional fish added to the quota due to the reduction in total mortality until all parties of the treaty agree to the actual level of reduction.

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

PROPOSAL 291. PAGE 206. 5 AAC 29.112. MANAGEMENT OF CHUM SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would allow trolling for chum salmon in Neets Bay from the longitude of Chin Point to the longitude of the easternmost tip of Bug Island during any August coho closure. This area is west of and adjacent to the Southern Southeast Regional Aquaculture Association (SSRAA) Neets Bay Special Harvest Area (SHA).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.112. MANAGEMENT OF CHUM SALMON TROLL FISHERY.

(a) The commissioner may open, by emergency order, a hatchery chum salmon troll fishery in August only during the summer coho salmon troll fishery closures specified in 5 AAC 29.110(b)(2).

(b) If the commissioner opens a season under (a) of this section, chum salmon fishing may occur only in those waters of the Eastern Channel east of a line from Signal Island Light at 57°02.78' N. lat., 135°23.58' W. long., to Black Rock at 57°03.12' N. lat., 135°25.63' W. long., to Kulichkof Rock at 56°59.52' N. lat., 135°26.26' W. long., to Cape Burunof at 56°59.03' N. lat., 135°23.23' W. long.

5 AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan

a) The intent of the Board of Fisheries in adopting this management plan is to distribute the harvest of hatchery-produced fall chum and coho salmon in Neets Bay between the purse seine, troll, and drift gillnet fleets. In addition to that goal, the board and the public would like to have a fishery in Neets Bay that produces a quality product that will allow the Southern Southeast Regional Aquaculture Association (SSRAA) to meet its corporation escapement goal with the least number of fish and provide the highest possible price to the fishermen.

(b) The department, in consultation with SSRAA, shall manage Neets Bay east of the longitude of the easternmost tip of Bug Island to the closed waters area at the head of the bay to distribute the harvest of Neets Bay hatchery produced salmon between the purse seine, troll, and drift gillnet fleets by setting the fishing times for those fleets as follows:

(1) June 1 - October 20, salmon may be taken by troll gear only during periods established by emergency order;

(2) July 1 - October 20, salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups with a closure of at least 24 hours between openings; the first opening must be for gillnets;

(B) a gillnet opening must be no less than 24 hours in duration and a seine opening must be no less than 12 hours in duration;

(3) repealed 6/25/89;

(4) repealed 6/25/89;

(5) from the second Sunday in June through the third Sunday in July, the area described in (b) of this section shall be expanded to Neets Bay east of the longitude of Chin Point to the closed waters area at the head of the bay.

(c) A drift gillnet operated in the harvest area may not exceed 200 fathoms in length.

(d) Personal use and sport fishing will be allowed in the harvest area whenever SSRAA is not harvesting salmon for its corporation escapement goal and so long as the personal use and sport fishery do not jeopardize the attainment of that goal.

(e) Gear for the personal use fishery is drift gillnets with a maximum length of 50 fathoms. The annual bag and possession limit is 25 salmon.

(f) Waters of Neets Bay east of a line between ADF&G regulatory markers located approximately one mile from the head of the bay are closed to commercial, sport, and personal use salmon fishing from June 15 through November 15.

5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.

(a) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeastern Alaska area. The Board of Fisheries established the following value allocations:
    (1) seine – 44 percent – 49 percent,
    (2) (2) hand and power troll 27 percent – 32 percent,
    (3) (3) drift gillnet 24 percent to 32 percent.

(b) The department shall evaluate the annual harvest of salmon stocks from enhancement projects to determine whether the distribution of the value of enhanced salmon taken in the seine, troll, and drift gillnet fisheries in the Southeastern Alaska Area is consistent with the allocations established in (a) of the section. The evaluation of allocation percentages shall be based on five-year increments, beginning with 1985. The value of the enhanced salmon harvested each year shall be determined by the department, based on data from the Commercial Fisheries Entry Commission.

(c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of it's allocation percentage for three consecutive years, the board shall, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.

(d) The department may not make inseason adjustments or changes in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? This proposal would provide additional fishing time for trollers and presumably increase their harvest of hatchery chum salmon by allowing trolling during any August coho closure, in Eastern Channel near Sitka and in the Ketchikan area in Neets Bay.

BACKGROUND: The troll fleet is not catching their share of the allocation of enhanced salmon under 5 AAC 33.364. The joint Regional Planning Team has been considering the enhanced allocation situation in its recommendations to the Commissioner. The opportunities to increase the troll harvest are limited since most salmon entering special harvest areas need to be harvested by more efficient gears (seine and drift gillnet) in order to effectively harvest surplus fish. Except for a closure in mid-August, trolling is generally open regionwide from July 1 through September 20. Therefore, additional opportunities for trollers to harvest hatchery fish are available only in May and June, during any mid-August closure, and after September 20.

The troll five-year average harvest value between 1997-2001 was 17.1%, which is below the target range of 27%-32% (5 AAC 33.364). This is the fifth consecutive year of finalized five-year moving averages showing trollers are out of their target range (Figure 291-1).

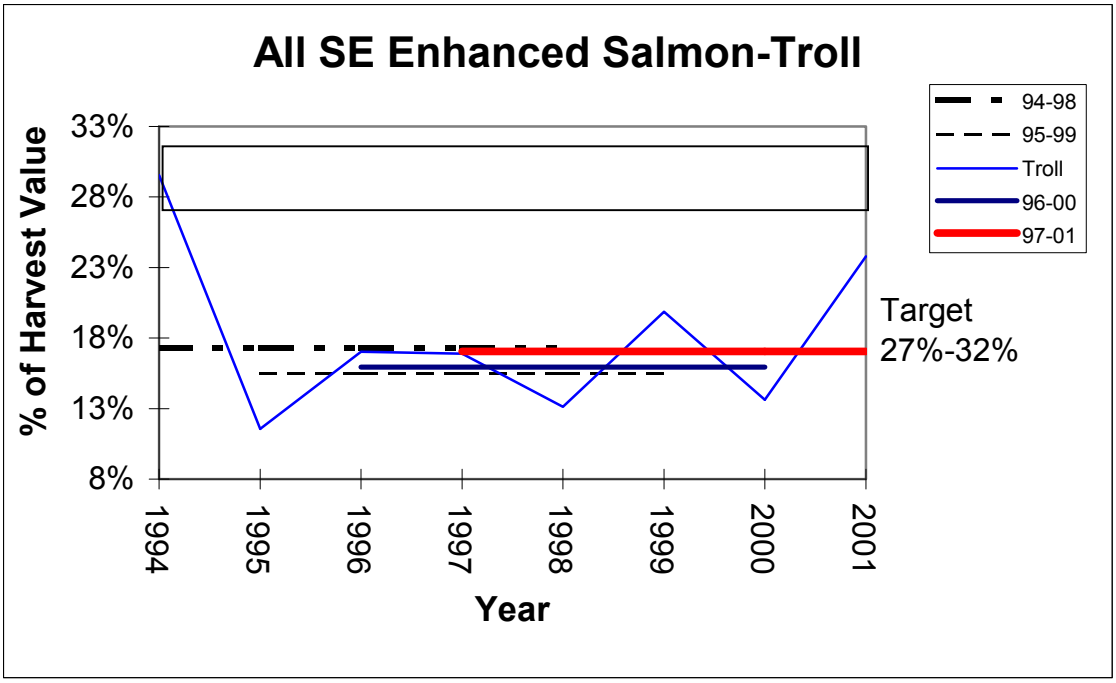


Figure 291-1. Percent harvest of enhanced salmon in the troll fishery, 1994-2001.

Currently, the only area where trollers consistently target chum salmon and are allowed to fish for chum during coho closures is in Eastern Channel, near Sitka. However, large numbers of chum salmon also return to the Neets Bay Hatchery and in 2001 the troll fleet harvested 166,400 chum salmon in the Neets Bay SHA area during July.

DEPARTMENT COMMENTS: The department is **neutral** on the allocative aspects of this proposal.

A troll fishery for chum salmon is feasible in Neets Bay outside of the SHA (Figure 291-2). However, any fishery targeting hatchery chum salmon during a coho closure would need to have restrictions on coho salmon harvest, either through a harvest cap or coho non-retention, to prevent targeting of coho salmon.

When the troll fishery closes in late September, the only fall hatchery chum salmon return available would be at Neets Bay. A late season fishery to target hatchery chum salmon outside existing terminal harvest areas when the commercial coho fishery is closed would require the same coho restrictions mentioned above. Neets Bay and other THAs, are currently already open to trolling for hatchery fish beyond the regionwide coho closures.

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

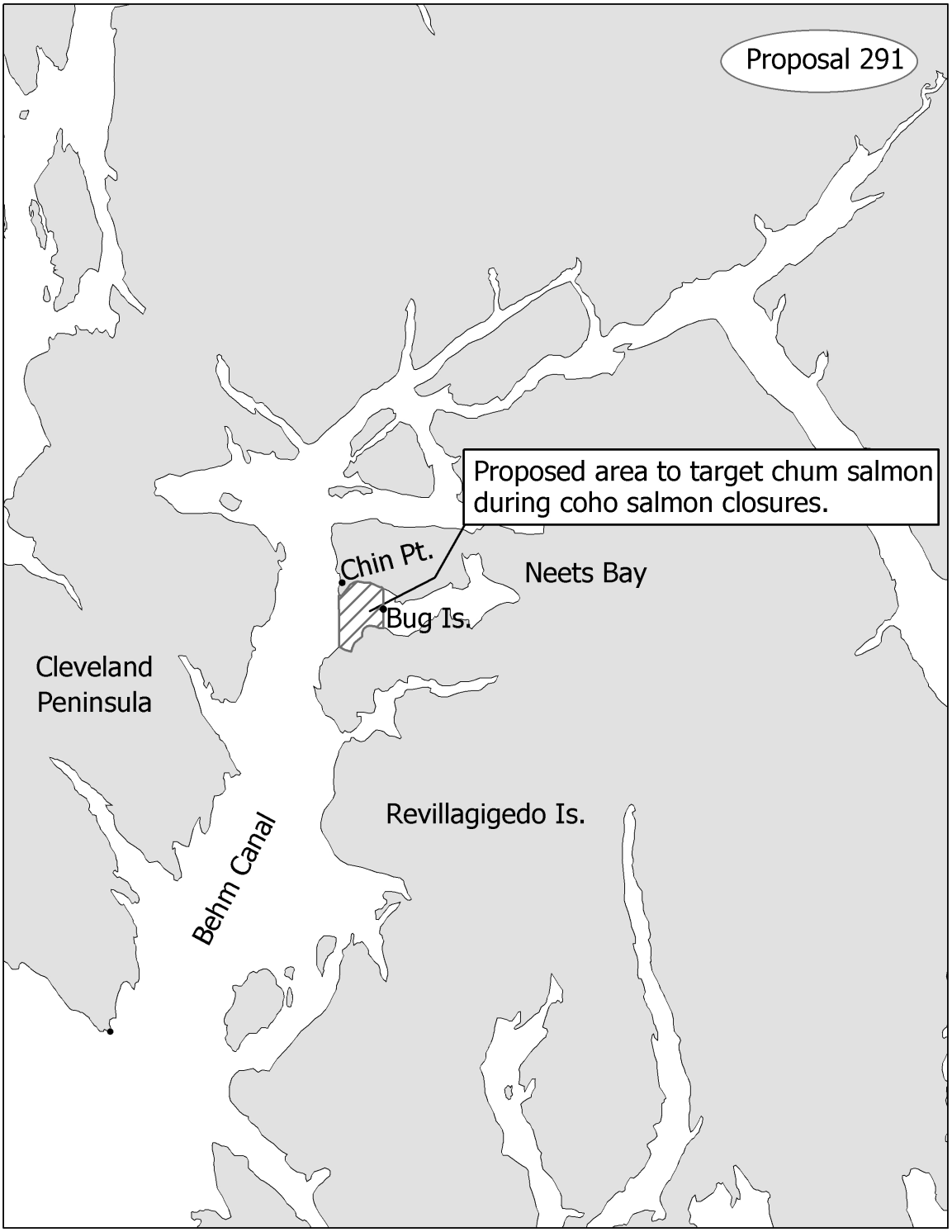


Figure 291-2. Proposed directed chum salmon troll area during summer coho salmon closures.

PROPOSAL 292/303. PAGE 207. 5 AAC 29.112. MANAGEMENT OF THE CHUM SALMON TROLL FISHERY and 5 AAC 29.150. CLOSED WATERS.

WHAT WOULD THE PROPOSALS DO? If adopted, these proposals would repeal 5 AAC 29.100 (d)(2) and open a portion of the waters of Section 1-E earlier than July 13 and create areas in which trollers could target Neets Bay Hatchery chum salmon. Proposal 292 would change the date when a portion of Section 1-E would open to trolling to June 25 and would open the waters of West Behm Canal between the latitudes of Chin Point and Indian Point (Figure 292-1). Proposal 303 would change the date when a portion of Section 1-E would open to trolling to July 1 and would open the waters along the eastern shore of West Behm Canal to one mile offshore between the latitudes of Escape Point to Nose Point (Figure 292-2).

Note: *The line given in the proposal was not what was intended by the author. department staff talked to the author during an Advisory Committee meeting and the area that was intended to be included in the proposal is West Behm Canal bounded by lines at the latitude of Chin Pt. and the latitude of Indian Pt. This is how it is presented on the map presented in this briefing document.*

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.
(d) In Sections 1-C, 1-E, and 1-F, salmon may be taken only as follows:
(2) Section 1-E: from July 13 through September 20.

5 AAC 29.112. MANAGEMENT OF CHUM SALMON TROLL FISHERY. (a) The commissioner may open, by emergency order, a hatchery chum salmon troll fishery in August only during the summer coho salmon troll fishery closures specified in 5 AAC 29.110 (b)(2).

Note: The regulation that these proposals actually address is 5 AAC 29.100 MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY (d)(2). The time period in proposal 292 is not applicable to 5 AAC 29.112 MANAGEMENT OF THE CHUM SALMON TROLL FISHERY. The waters cited in proposal 303 are not listed under 5 AAC 29.150 CLOSED WATERS. This briefing document will address these proposals under 5 AAC 29.100. These proposals are slightly different in the times and areas they propose to open. However, they are being addressed together because the issues and waters being addressed are very similar.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS ARE ADOPTED? These proposals address opening Section 1-E for Neets Bay Hatchery chum salmon harvest by the troll fleet. However, the major stock concerns in this area are for chinook salmon during late June and early July. If adopted, trollers would be able to fish in waters of Section 1-E earlier than currently allowed by regulation. It is likely that there would be significant troll effort targeting Neets Bay Hatchery chum salmon in West Behm Canal outside the existing Neets Bay Terminal Harvest Area.

These proposals may have a minimal effect on chinook troll management in this area. The department opened this area by emergency order on July 2, 2002 because there were no wild stock concerns and because Neets Bay chinook were still in the area. However, virtually all the effort targeted chum salmon, with only 10 chinook and 472 chum salmon being harvested prior to July 13. The department estimates the total fishing mortality for the Blossom River to be the same as for the Unuk River (18%). However, the Unuk River flows into Behm Canal several miles closer to section 1-E than the Blossom River and, due to it's location, it is unlikely that many additional Blossom River chinook would be harvested in this section as a result of the changes requested in these proposals.

BACKGROUND: Regulation 5 AAC 29.100(d)(2) was adopted in 1982 by the BOF to restrict commercial trolling in Behm Canal during the first portion of the summer troll fishery in order to protect wild chinook returning to spawning systems within Behm Canal (Unuk, Chickamin, Keta, and Blossom rivers). During the late 1970's and the early 1980's, the Behm Canal chinook stocks were generally considered as depressed and the BOF adopted regulations to protect these stocks as part of the regional chinook stock rebuilding program that began in 1981. Chinook stock assessment programs have been ongoing for the Behm Canal stocks since 1993 (Unuk R.) and survey escapement goals were accepted for all stocks by the Chinook Technical Committee of the Pacific Salmon Commission in 1994. The department considers the Unuk River, Keta River, and Chickamin River chinook stocks to be healthy. The department considers the Blossom River stock a stock of yield and management concern but not a conservation concern under guidelines of the Sustainable Salmon Policy (Stock of Concern memo to Alaska Board of Fisheries from Division Directors, October 2002). The Blossom River flows into East Behm Canal and is approximately fifty miles from the waters addressed by these proposals (no directed chinook fishery occurs within twenty miles of the river).

The department manages spring chinook salmon troll fisheries in Southeast Alaska under provisions of 5 AAC 29.070 (b)(2) and 5 AAC 29.090. The spring troll chinook fishery season is from April 15 through June 30. Spring troll fisheries have been opened in West Behm Canal (101-90) by emergency order in 1987, 1989, 2001 and 2002 to harvest enhanced chinook salmon returning to Neets Bay Hatchery. Both Unuk River and Chickamin River chinook stocks have been coded-wire-tagged (CWT) over a number of brood years while the Blossom River has not been CWT'd. The Unuk stock was CWT'd from 1982-1986 and from 1992-2002 and the Chickamin stock was CWT'd during the period 1980–1986 and 2001-2002. A total of forty-three Unuk River tags and three Chickamin tags have been recovered in the troll fisheries in District 1 in the approaches to Section 1-E (subdistrict 101-29) and only three Unuk River tags have been recovered in the troll fisheries in Section 1-E.

In 2002 Section 1-E was opened to commercial trolling on July 2 during the first summer troll fishery. This was the first time that the department had superseded 29.100(d)(2) since that provision has been in effect (prior to 1998 it was contained in 33.311(f)(1)).

The level of effort in the troll fishery targeting chum salmon in this area was low until 2001. Trolling in the Neets Bay SHA was not allowed until 1999 and effort did not increase significantly until 2001. In 2001 the Neets Bay SHA was open to trolling from May 1 through October 20. Up to 54 troll vessels per week fished in the SHA from July 1 through August 4 and harvested approximately 166,000 chum salmon. In 2002 the Neets Bay SHA was closed to trolling from June 20 through September 24 due to SSRAA chum salmon cost recovery concerns. No trollers fished in the SHA during that time but up to 8 trollers per week fished the area outside of the SHA (101-90) between July 2 and September 1 and caught approximately 23,000 chum salmon.

The proposals identify the current problem as the inability of the troll fleet to reach its enhanced salmon allocation percentage. The troll five-year average between 1997-2001 was 17.1%, which is below the target range of 27%-32% (5 AAC 33.364).

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of these proposals the department **opposes** regulations opening up new area in Section 1-E to commercial trolling prior to July 13 due to the status of the Blossom River chinook as a candidate stock of concern.

Although chinook catches were low in this area when the fishery was opened in 2002, future effort levels can not be anticipated nor can the abundance of Blossom River chinook salmon. If the department has sufficient information that openings can be held in a portion of Section 1-E without impacting the ability to reach the Blossom River chinook salmon escapement goal, the department may open the area by emergency order.

Note: At the time these briefing documents were being drafted the department is reviewing the Blossom River escapement goal. The department's position on this proposal is contingent on the results of this analysis.

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

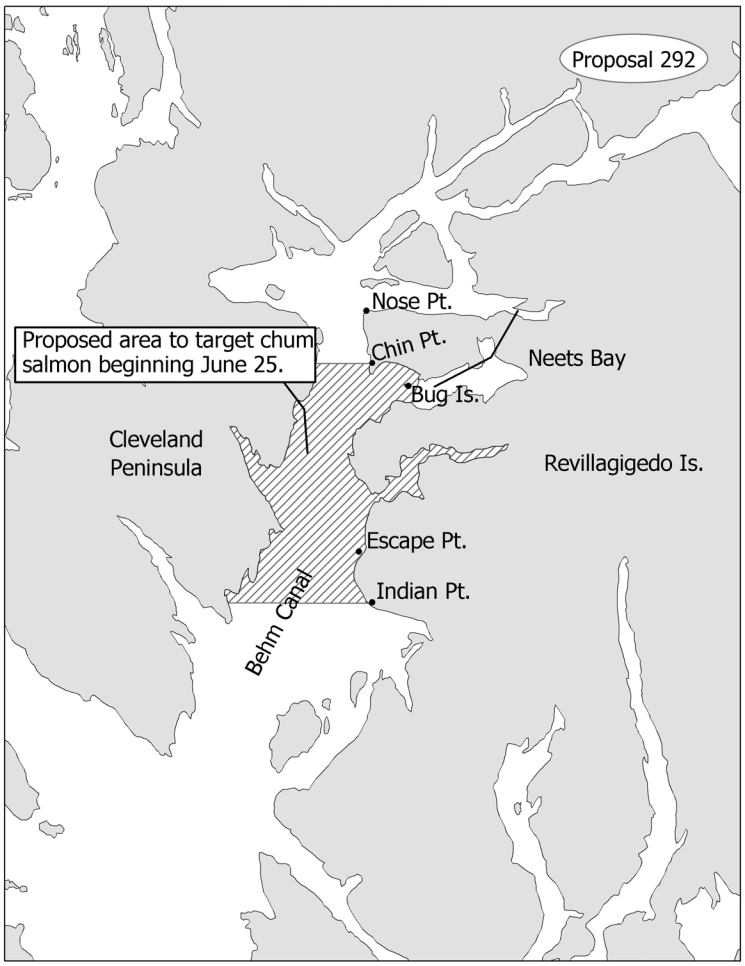


Figure 292-1. Proposed chum salmon troll area in District 1, proposal 292.

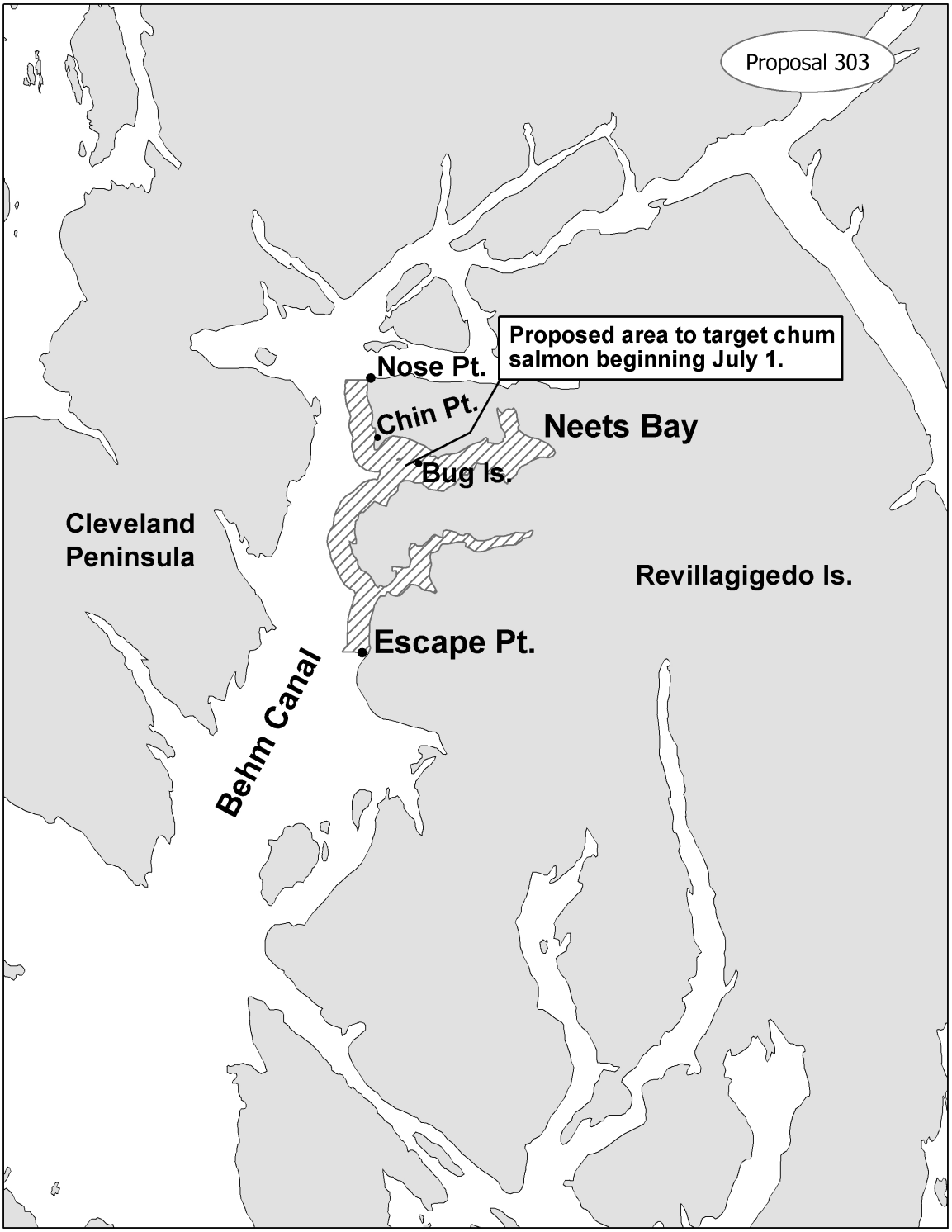


Figure 292-2. Proposed chum salmon troll area in District 1, proposal 303.

PROPOSAL 293. PAGE 207. 5 AAC 29.080(b)(1)(A). MANAGEMENT OF THE WINTER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would open additional waters in Section 11-A to trolling for chinook salmon during the commercial winter salmon troll season. The proposed addition would be those waters in 11-A west of a line from Outer Point to Point Louisa, and north of the latitude of Outer Point (Figure 293-1).

Note: The authors of this proposal inadvertently put section (B) of this regulation in brackets [ ] indicating that the section should be deleted. This was an error and the authors did not intend request the deletion of that section.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.080. MANAGEMENT OF THE WINTER SALMON TROLL FISHERY

(a) The department shall manage the winter salmon troll fishery so that the harvest of Chinook salmon does not exceed a guideline harvest level of 45,000, with a guideline harvest range of 43,000 to 47,000.

(b)(1) in District 11, chinook salmon may be taken only

- (A) In Section 11-A south of the latitude of Outer Point and east of a line from Salisbury Point to Point Tantallion[a]
- (B) in Sections 11-B, 11-C, and 11-D, except that chinook may be taken in Section 11-B north of the latitude of Graves Point Light only from the opening of the winter fishery specified in 5 AAC 29.070(b) through March 31;
- (C) in District 15, chinook salmon may be taken only in Sections 15-A and 15-C.

[a] The department notes that Point Tantallion in existing regulatory language is not spelled correctly in accordance with current NOAA nautical charts. The spelling on the charts is "Tantallon".

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, the proposed additional space would approximately double the area in Section 11-A that is open to winter commercial salmon troll fishing. It is possible that this could lead to additional effort and harvest of chinook salmon in section 11-A.

BACKGROUND: The Taku River, a transboundary river that flows into Section 11-B, is the largest chinook salmon producer in Southeast Alaska. Prior to 1945, the Taku River supported unlimited commercial gillnetting and troll fisheries. By 1962, restrictions limited these commercial fisheries to one day per week during the chinook salmon migration period in the area. As a result of the continued low returns to the Taku River, extensive fishery restrictions were implemented to rebuild the run. Throughout the 1970s, more limitations were implemented, based on what were thought to be very low returns of chinook salmon to the Taku River during that time. In 1979, winter trolling had been completely eliminated in Sections 11-A and 11-B.

Since that time, escapements to the Taku have improved substantially (Table 293-1) and many sport and commercial troll restrictions have been reduced or eliminated. Beginning in 1986, winter trolling was again allowed in Section 11-B with a time and area provision. Then in 1989, the current area in Section 11-A was opened until March 31, provided that fishermen obtained a permit issued by the department. The open area in section 11-A was restricted to waters south of Outer Point and outside of Gastineau Channel. This was done to target what was believed to be an area containing large amounts of hatchery fish, and to keep trollers out of the northern part of Section 11-A where Chilkat River fish would potentially be encountered. The department-

issued permit could specify landing requirements and require that a log of all effort in 11-A be kept. Data from the program showed very little catch and effort, the majority of which came in October. (Table 293-2). In 1991, based in part on this data, the winter season in 11-A was extended to April 14 under the same conditions of the permit. Then in 1997, the current open area in 11-A was opened from October 11 to April 14 without the requirement of a department issued permit.

In 1991, a similar proposal was not adopted by the Board of Fisheries based on concern for exploitation of what was perceived to be a depressed Chilkat River chinook stock. It was believed that the northern part of Section 11-A contained significant numbers of Chilkat River chinook salmon. At that time, the department was using visual surveys to estimate escapement in the Chilkat River and has since discovered that this method was under-estimating escapements. Since then, the department has improved the methods for estimating chinook salmon escapement in the Chilkat River, resulting in substantially higher escapement estimates (Table 293-3). Although the new escapement estimation methodology resulted in higher escapement estimates, the Chilkat chinook run has also increased in magnitude as a result of rebuilding efforts. It should be noted that Proposal 274 would adopt a management plan for Chilkat River chinook salmon in District 15.

DEPARTMENT COMMENTS: The department is **neutral** on the allocative aspects of this proposal.

The department has no conservation concerns for either Taku or Chilkat river chinook salmon stocks.

Section 15-C, which is adjacent to the southern portions of Section 11-A and at the lower end of Lynn Canal, is already open to trolling during the winter troll fishery season.

The current description of the open area in Section 11-A may be somewhat misleading. The department recommends changing the wording in 5 AAC 29.080(b)(1)(A) to:

> "In Section 11-A south of the latitude of Outer Point and south and east of a line from Salisbury Point to Point Tantallion."

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

Table 293-1. Estimates of total escapement of chinook salmon to the Taku River, 1975 to 2002.

Year	Estimated Total Escapement	Escapement Goal/Range	Escapement Above/Below Goal	Escapement Above/Below Current Goal
1975	12,920			
1976	24,582			
1977	29,496			
1978	17,124			
1979	21,617			
1980	39,239			
1981	49,559			
1982	23,847			
1983	9,795			
1984	20,778			
1985	35,916	25,600-30,000	10,316	5,916
1986	38,110	25,600-30,000	12,510	8,110
1987	28,935	25,600-30,000	3,335	-1,065
1988	44,524	25,600-30,000	18,924	14,524
1989	40,329	25,600-30,000	14,729	10,329
1990	52,142	25,600-30,000	26,542	22,142
1991[a]	51,645	68,640	-16,995	21,645
1992[a]	55,889	68,640	-12,751	25,889
1993[a]	66,125	68,640	-2,515	36,125
1994[a]	48,368	68,640	-20,272	18,368
1995[a]	33,805	68,640	-34,835	3,805
1996[a]	79,019	68,640	10,379	49,019
1997[a]	114,938	68,640	46,298	84,938
1998[a]	31,039	68,640	-37,601	1,039
1999[a]	19,734	68,640	-48,906	-10,266
2000	30,529	30,000-55,000	529	529
2001	44,000	30,000-55,000	14,000	14,000
2002[a]	45,482	30,000-55,000	15,482	15,482

[a]1991 had an index survey goal expanded by a factor of 5.2 for a drainage goal of 68,640.

[b]Preliminary

Table 293-2. Chilkat river chinook escapement estimates using survey method (prior to 1991) and mark recapture method (1991 to present).

Year	Estimated Total Escapement (survey method)	Year	Estimated Total Escapement (mark recapture method)	Escapement Goal
1975	187	1991	5,897	2,000
1976	223	1992	5,284	2,000
1977	223	1993	4,472	2,000
1978	214	1994	6,795	2,000
1979	214	1995	3,790	2,000
1980	214	1996	4,920	2,000
1981	1,143	1997	7,728	2,000
1982	799	1998	3,337	2,000
1983	1,103	1999	2,271	2,000
1984	1,487	2000	2,035	2,000
1985	536	2001	4,268	2,000
1986	129	2002	4,226	2,200[a]
1987	1,286			
1988	781			
1989	1,362			
1990	272			

[a] The updated escapement goal range (Jan. 2003) is 1,750 – 3,500 (point estimate of 2,200) large spawners.

Table 293-2. Catch and effort in the 1990 Section 11-A winter troll fishery.

Month	Boats	Days	Legal Catch	Sublegal Catch
Oct.	47	53	42	120
Nov.	3	4	1	1
Dec.	4	4	1	6
Jan.	0	0	0	0
Feb.	0	0	0	0
Mar.	4	4	0	0

Table 293-3. Chilkat River chinook escapement estimates using survey method (prior to 1991) and mark recapture method (1991 to present).

Year	Estimated Total Escapement (survey method)	Year	Estimated Total Escapement (mark recapture method)[a]
1975	187	1991	5,897
1976	223	1992	5,284
1977	223	1993	4,472
1978	214	1994	6,795
1979	214	1995	3,790
1980	214	1996	4,920
1981	1,143	1997	8,100
1982	799	1998	3,675
1983	1,103	1999	2,271
1984	1,487	2000	2,035
1985	536	2001	4,268
1986	129	2002	4,090
1987	1,286		
1988	781		
1989	1,362		
1990	272		

[a] The department completed an analysis and updated the BEG for Chilkat River chinook salmon in January 2003. The new biological escapement point goal is 2,200 large spawners with a range of 1,750 to 3,500 fish.

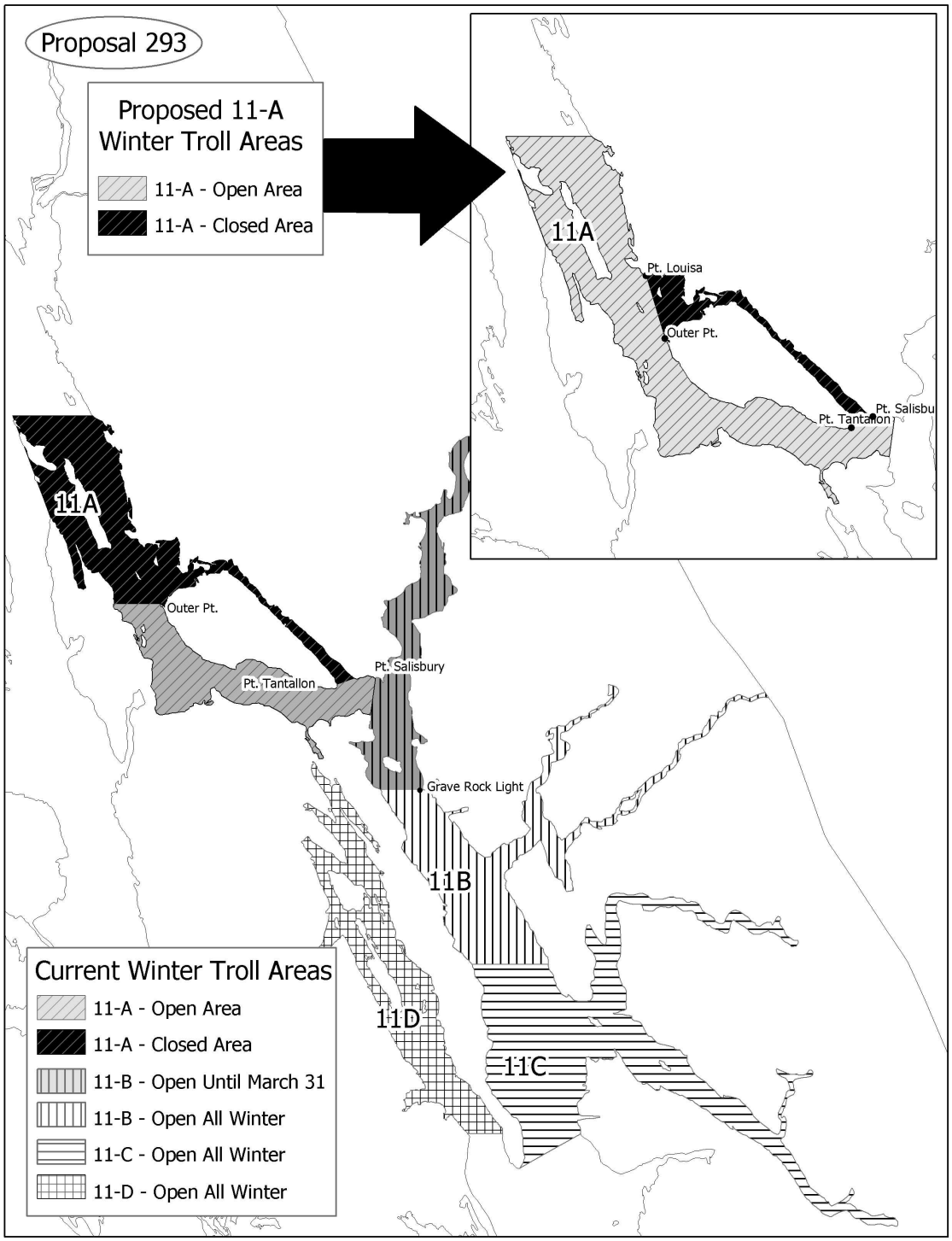


Figure 293-1. Current and proposed District 11 winter troll areas.

PROPOSAL 294. PAGE 208. 5 AAC 29.100 (f). MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would open Section 11-A to trolling for chum salmon in the waters north of 58°30.00' N. lat. and east of 134°33.9 W. long. (Point Young) during the summer season from June 20 to July 25.

Note: The individual in the group that submitted this proposal told the department in late November that the area description in this proposal was incorrect and that the change is so significant that this briefing document no longer addresses the actual intent of the proposal. The group who submitted this proposal will need to present a corrected version to the Board and should provide a map of the proposed area. The area proposed to be open to trollers targeting chum salmon is apparently bounded on the north by the boundary line between Districts 11 and 15 and would include waters of Favorite Channel east of a line from Little Island Light to the northernmost tip of Lincoln Island and waters north of the latitude of Gull Island, excluding the DIPAC special harvest area.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY

(f) In district 11: Salmon may be taken only in sections 11-C and 11-D;

AS 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.

(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks and may be managed consistent with sustained yield of enhanced fish stocks.

PACIFIC SALMON TREATY, ANNEX IV, CHAPTER 1 (3)(b)(3)(ii) The parties agree that new fisheries on Taku River chinook salmon will not be developed without the consent of both parties. Consistent with paragraph 2 above, management of new directed fisheries will be abundance-based through an approach developed by the [Transboundary Technical] Committee.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? From June 20 to July 25 chum trolling would be allowed in Section 11-A south [north] of a line at the latitude of 58^0 30.00' N. and west [east] of a line at the longitude of Pt. Young 134^0 33.900' W. During which time the additional fishing area, which is closer to the terminal area (DIPAC), would increase the troll harvest of DIPAC hatchery chum salmon.

BACKGROUND: The opportunity for trollers to target DIPAC hatchery chums in District 11 is limited at the current time.

The Cross Sound Pink and Chum fishery in Section 14-A, which is open Monday through Friday each week from the second Monday in June through [to] June 29, is the primary place where DIPAC chum salmon are currently intercepted by trollers. During the 2002 season, an estimated 490 DIPAC chum were harvested in this area.

DIPAC produces five species of Pacific salmon. Chum, sockeye and pink salmon are produced for the commercial fleets, while chinook and coho salmon are produced for the sport fishing fleets. The majority of the commercial harvest is taken by the drift gillnet fleet in Districts 11 and 15. DIPAC receives no enhancement taxes from commercial harvest and funds its salmon enhancement activities primarily from

chum and sockeye cost-recovery revenues. DIPAC pays a three percent enhancement tax to the state, as do other Southeast Alaska salmon processors. These taxes are based on ex-vessel value of the salmon. [2]

The proposal identifies the current problem as the inability of the troll fleet to reach its enhanced salmon allocation percentage. The troll five-year average between 1997-2001 was 17.1% that is below the target range of 27%-32% (5 AAC 33.364).

DEPARTMENT COMMENTS: The department **opposes** the concept of allowing increased fishing time by regulation in a mixed stock fishing area outside established terminal harvest areas based only upon the presence of hatchery fish. The department is neutral on the allocative aspects of this proposal.

The establishment of new troll fisheries targeting enhanced salmon outside of hatchery terminal areas, other than spring chinook fisheries, would necessitate the implementation of a new management plan specifically addressing this issue.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost.

[2] Economic Impacts of Douglas Island Pink and Chum, Inc., by McDowell Group, Inc. May, 2001.

PROPOSAL 295. PAGE 209. 5 AAC 29.100(e). MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would amend section 5 AAC 29.100(e). The amended regulation would allow trolling in District 8 continuously after the first Sunday in July until the third Sunday in August to specifically target enhanced chum salmon returning to Anita Bay Terminal Harvest Area (THA).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.
(e) In District 8: the weekly fishing periods for trolling are the same as for drift gillnetting.

AS 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.
(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks and may be managed consistent with sustained yield of enhanced fish stocks.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The harvests of wild and enhanced salmon by the troll fleet would probably increase in District 8.

BACKGROUND: The current requirement that the fishing periods for trolling in District 8 be the same as for drift gillnetting has been in effect since statehood. The current regulation is allocative and was initially put in place to equalize fishing opportunities in District 8 between the large number of trollers and gillnetters who historically fished the area directly around Petersburg and Wrangell. Allowing for spring troll fisheries in District 8 that target Alaskan hatchery produced chinook salmon from April 15 through June 30 has been the only exception to this requirement. Two spring (experimental) fisheries have been open in District 8 since 1993: Baht Harbor (108-30) from 1993 to 2002 and Craig Point (108-40) in 2002.

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of this proposal the department **opposes** the concept of allowing increased fishing time in regulation in a mixed stock fishing area based only upon the presence of hatchery fish.

Under the provisions of 5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN, trollers are allowed to fish at any time within the THA during the period that the THA is being actively managed. (The department has submitted proposal 373 to lengthen the time period when salmon may be taken in the THA).

Trolling is currently allowed in the waters of District 7 during the summer season beginning on July 1 consistent with all region-wide open periods. The open area includes the waters of Zimovia Strait directly in front of and adjacent to the Anita Bay THA.

The information on wild chum salmon stock composition within this area is currently very limited. There are at least 31 streams in District 7 that have wild chum spawning stocks that may be harvested in the proposed fishery.

Proposals 371 and 373 would expand the size of the Anita Bay THA to provide more access within the THA for salmon harvest.

Proposal 383 would establish a gillnet fishery targeting returning Anita Bay chum salmon outside of the THA in portions of District 8. The department is also opposed to that proposal.

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

PROPOSAL 296. PAGE 210. 5 AAC 29.112. MANAGEMENT OF CHUM SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would give the department the authority to open additional portions of Districts 1-16 to trolling during a summer coho closure in locations where hatchery chum salmon are abundant. This proposal also seeks to expand the Silver Bay/Eastern Channel SHA for chum in Sitka Sound (District 13, Figure 296-1).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.112. MANAGEMENT OF CHUM SALMON TROLL FISHERY.

(a) The commissioner may open, by emergency order, a hatchery chum salmon troll fishery in August only during the summer coho salmon troll fishery closures specified in 5 AAC 29.110(b)(2).
(b) If the commissioner opens a season under (a) of this section, chum salmon fishing may occur only in those waters of Eastern Channel east of a line from…
(c) When the summer chinook salmon troll fishery is closed, a person may not have chinook salmon onboard a salmon troll vessel while fishing for chum salmon.
(d) When the summer coho salmon troll fishery is closed, a person may not have coho salmon onboard a salmon troll vessel while fishing for chum salmon.

5 AAC 33.364. SOUTHEAST ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.

(a) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeast Alaska area. The Board of Fisheries establishes the following value allocations:
    (1) seine: 44- 49 percent.
    (2) hand and power troll: 27- 32 percent.
    (3) drift gillnet: 24- 29 percent.
(b) …the evaluation of allocation percentages shall be based on five-year increments beginning with 1985. The value of the enhanced salmon harvested each year shall be determined by the department based on data from the Commercial Fisheries Entry Commission.
(c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.
(d) The department may not make inseason adjustments or changes in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Trollers would gain additional opportunities to harvest hatchery-produced chum salmon during August coho salmon closures. The overall troll harvest of enhanced chum salmon would likely increase as would the harvest of other salmon species. The area that may be open to chum fishing in Sitka Sound during the coho closure would increase in size which may result in an increase in the harvest of enhanced chum salmon as well as incidental catch of wild and enhanced coho salmon.

BACKGROUND: The Board considered a similar proposal to allow troll fisheries on enhanced chum salmon during coho salmon closures in 2000. At that time the Board commented that the proposal was too broad in scope and chose to adopt the portion of the proposal that requested a chum salmon troll fishery in a specific area in Eastern Channel near Sitka. Aerial surveys conducted by the department during weeks when the coho fishery is open have shown that trollers targeting chum salmon usually fish within the boundaries of the

existing chum access area. Troll chum salmon harvests in this area during regular open fishing periods are summarized in Table 296-1. However, the fleet does occasionally move to the northwest as fish distribution changes. Historically, trollers have harvested a low number of coho while targeting chum salmon in Eastern Channel. The area described in 5 AAC 29.112 was opened during August coho salmon closures in 2000 and 2001 (Table 296-2).

Table 296-1. Commercial troll chum salmon harvests in Eastern Channel during regular summer troll openings, 2001 and 2002.

Week	2001	2002
27	266	38
28	1,175	296
29	984	3,735
30	3,741	10,546
31	74,806	31,591
32	73,684	20,822
33	14,686	12,128
34	6,097	563
35	70	66
36	19	43
37	9	6
38	5	2
39	-	-
Totals	175,542	79,836

Note: 2001 was the first year that summer catch was entered with a 5-digit statistical area, making it possible to separate Sitka Sound catch from the rest of District 13.

Table 296-2. Commercial troll chum salmon harvests during August coho salmon closures in Eastern Channel, 2000 and 2001.

Week	2000	2001
33		13,158
34	56,478	
35	2,675	
Total	59,153	13,158

Note: The chum salmon troll area in Eastern Channel was not opened during the August coho salmon closure in 2002 due to broodstock concerns.

Table 296-3. Commercial troll chum salmon harvests in Terminal Harvest Areas in Southeast Alaska, 2000–2002.

	Neets Bay		Hidden Falls			Deep Inlet	
Week	2000	2001	2000	2001	2002	2000	2002
21		0	0	3	0		
22		0	0	42	0		
23			1	1,093	0		
24			0	12,587	4		
25			12	10,368	1,407		
26			25	2,238	3,416		
27		500	8	30	123		
28		24,749	5	393	17		
29	311	55,350		0			
30	680	62,659					318
31	37	22,817			1		274
32				2	1	200	45
33		14			0	217	
34		144		0		657	
36		114				223	
38	0	44					
39	0	2					
40	0	1					
Total	1,028	166,394	51	26,756	4,969	1,297	637

Note: There was no reported chum salmon troll harvest in the Deep Inlet THA in 2001 or the Neets Bay THA in 2002.

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of this proposal the department **opposes** the concept of allowing increased fishing time in regulation in mixed stock fishing areas based only upon the presence of hatchery fish, per AS 16.05.730.

If the Silver Bay/Eastern Channel SHA for chum is expanded, the incidental harvest of coho and chinook salmon may increase.

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

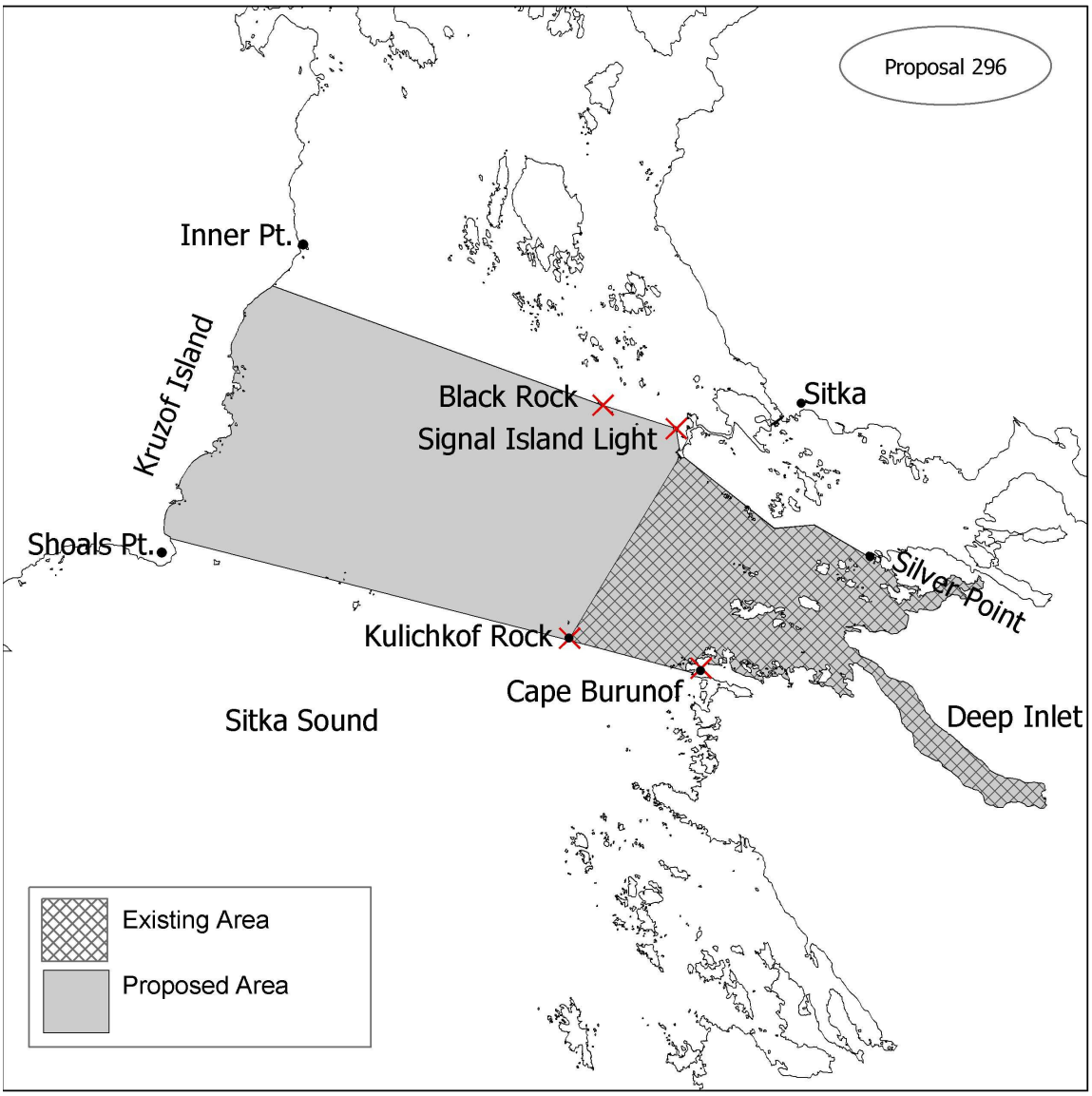


Figure 296-1. Proposed waters for chum salmon troll fishery in Eastern Channel.

PROPOSALS 297 AND 298. PAGE 211. 5 AAC 40.042 (a)(5) NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION SPECIAL HARVEST AREAS.

WHAT WOULD THE PROPOSAL DO? The size of the coho salmon special harvest area (SHA) at Hidden Falls would increase and would be the same as the SHA for chinook and chum. There would be only one SHA at Hidden Falls for all salmon species.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 40.042 (a)(5). NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION SPECIAL HARVEST AREAS.

(a) The following special harvest areas are established for the Northern Southeast Regional Aquaculture Association:

(5) Hidden Falls,

(A) for chum and chinook salmon: the waters of District 12 within two nautical miles of the Baranof Island shoreline south of the latitude of South Point and north of 57°06.83' N. latitude, excluding the waters of Kelp Bay;

(B) for coho salmon: Kasnyku Bay west of a line from 57°13.33'N. latitude, 134°50.93'W. longitude to the northernmost tip of an unnamed island of Kasnyku Bay located at 57°12.93'N. latitude, 134°51.40'W. longitude and then due south to the southern shore of Kasnyku Bay.

CHAPTER 40. PRIVATE NONPROFIT SALMON HATCHERIES
5 AAC 40.005. GENERAL.

(c) Where hatchery returns enter a segregated location near the release site and can be harvested without significantly affecting wild stocks, a special harvest area may be designated by regulation adopted by the board, within the hatchery permit, or by emergency orders issued by the commissioner.

(d) A private nonprofit hatchery permit holder and his agents, contractees, and employees may harvest salmon for the hatchery only in the applicable special harvest area.

(e) Special harvest area boundaries set out in 5 AAC 40, or in a private nonprofit hatchery permit issues by the commissioner, may be altered by emergency order if necessary for proper management of natural or hatchery stocks.

5 AAC 29.200. SALMON TROLLING IN HATCHERY SPECIAL HARVEST AREAS.

Salmon trolling in special harvest areas near hatcheries and release sites is permitted only as specified in the terminal harvest management plans set out in 5 AAC 33.370- 5 AAC 33.383, except as specified by emergency order.

5 AAC 33.374. DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST AREA MANAGEMENT PLAN.

(a) The Hidden Falls terminal harvest area for chum and chinook salmon consists of the waters of District 12 within two nautical miles of the Baranof Island shoreline south of the latitude of South Point and north of 57°06.83' N. latitude, excluding the waters of Kelp Bay.

(b) The commissioner shall open and close, by emergency order, the purse seine and troll fishing seasons to harvest excess salmon returning to the Hidden Falls salmon hatchery.

The SHA described under Chapter 40 designates where NSRAA can conduct cost recovery operations, not where common property commercial fisheries can be held. That is the function of 5 AAC 33.374.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The area in which NSRAA can harvest coho salmon to meet its cost recovery and broodstock needs would expand. There would be only one Hidden Falls SHA, rather than two (Figures 297-1 and 297-2). The boundaries for the Hidden Falls THA and SHA would be identical.

The authors of these proposals imply that their intention is to have a larger area open to trolling during a regional coho closure. The department currently has the authority to allow trolling in the Hidden Falls Terminal Harvest Area (THA) at any time of the year. This area is the same as the larger area proposed and is normally open during coho closures. The Hidden Falls THA was open to trolling during the 2001 and 2002 coho closures, so this proposal would not change what is currently being done.

BACKGROUND: The boundaries of the Hidden Falls THA are identical to those for the chum and chinook SHA. Terminal harvest areas are managed by the department, in cooperation with aquaculture associations, to allow commercial harvest of hatchery stocks when returns are surplus to broodstock and cost recovery needs. Special harvest areas are managed by the department, in cooperation with aquaculture associations, to ensure that broodstock and cost recovery needs are met. The current coho salmon SHA at Hidden Falls is a small area inside Kasnyku Bay which can be closed to commercial fishing to allow for cost recovery harvest and broodstock needs.

Historically, NSRAA has not had to close the current coho SHA to common property fisheries to meet coho broodstock or cost recovery needs. Since coho salmon tend to concentrate within the current SHA, NSRAA has been able to meet its cost recovery and broodstock needs within the current boundaries.

During coho closures, most terminal harvest areas are left open to trolling for all salmon species, though the department may restrict which species can be retained.

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

If the proposal were adopted, the area open to common property trolling during a coho closure would not change from what has been allowed according to current regulations, so there would be no change from existing management practice. A larger SHA for coho is not likely to benefit NSRAA significantly, since cost recovery harvest is conducted where the fish are most concentrated, within the boundaries of the current coho SHA.

NSRAA may potentially need to close the Hidden Falls SHA to meet chum salmon broodstock and cost recovery needs. The timing of such a closure could overlap with a coho closure, which would interfere with trollers fishing for coho. With only one SHA at Hidden Falls, any closures may involve the entire SHA.

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

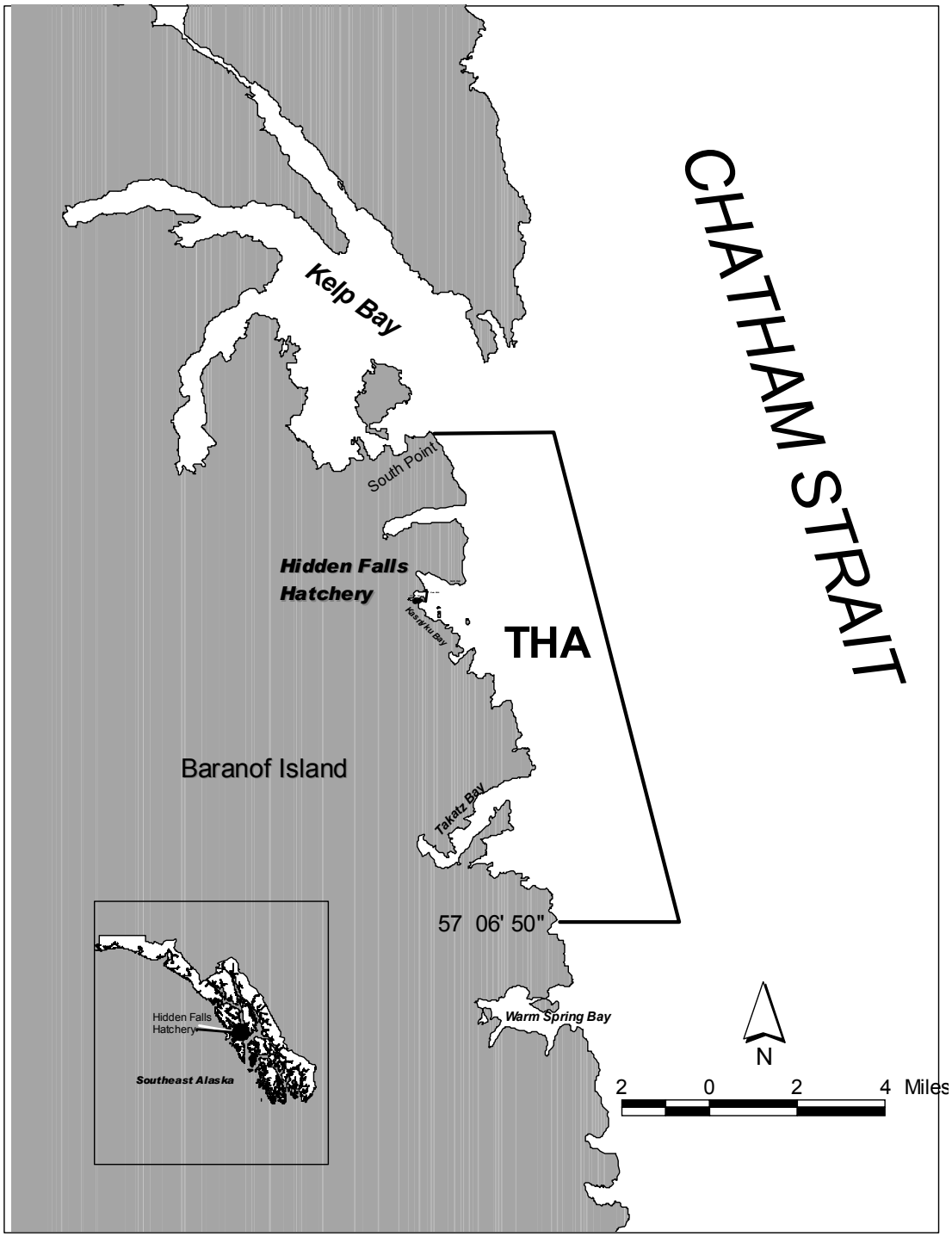


Figure 297-1. Hidden Falls Terminal Harvest Area [5 AAC 33.374].

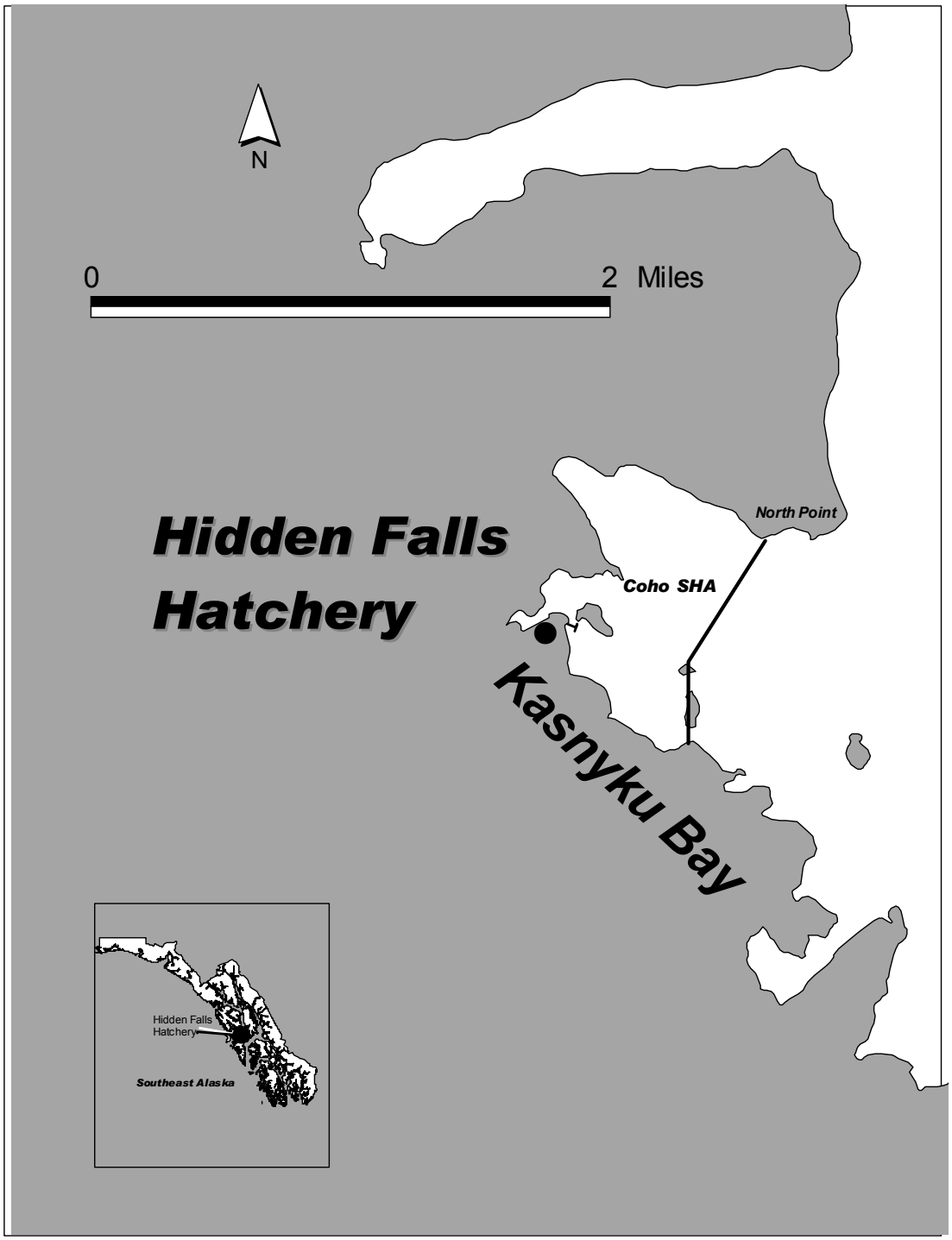


Figure 297-2. Hidden Falls coho salmon Special Harvest Area [5 AAC 40.042 (a)(5)(B)].

PROPOSAL 299/300. PAGE 212. 5 AAC 40.042(a)(8). NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION SPECIAL HARVEST AREA.

WHAT WOULD THE PROPOSAL DO? Both proposals would increase the size of the Mist Cove SHA for trolling (Figure 299-1), and would seek to create a new regulation allowing for trolling by emergency order in Mist Cove during troll closures. Proposal 299 also seeks to also allow trolling in the Hidden Falls coho SHA during troll closures.

WHAT ARE THE CURRENT REGULATIONS?
5 AAC 40.042. NORTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION SPECIAL HARVEST AREAS.

(a) The following special harvest areas are established for the Northern Southeast Regional Aquaculture Association:
(8) Mist Cove: the waters of Mist Cove west of a line from 56 degrees 31.70'N. lat., 134 degrees 39.87'W. long. to 56 degrees 31.27'N. lat., 134 degrees 39.75'W. long.;

5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY
(b) The commissioner may close, by emergency order, the coho salmon troll fishery in the Southeastern Alaska-Yakutat area for conservation of coho salmon stocks as follows:

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The Northern Southeast Regional Aquaculture Association Mist Cove Special Harvest Area would increase in size to allow for additional fishing space for coho trollers (Figure 299-1). As a result, troll harvest of wild and enhanced coho salmon could increase in this area. In addition, the Mist Cove and Hidden Falls terminal areas would be eligible for commercial trolling by emergency order during troll closures.

BACKGROUND: Deer Lake is a 977-acre barriered lake located at 400 feet elevation on the southeastern shore of Baranof Island. The Mist Cove SHA was developed to target returning Deer Lake coho salmon from an enhancement project that began in 1984.

NSRAA was expecting 28,000 coho to return to the Deer Lake program near Mist Cove and Patterson Bay in 2002. Fifty-three percent of this return was expected to be harvested by common property fisheries, mainly by trollers fishing along the outer coast of Baranof and Chichagof Islands and in lower Chatham Strait during the summer troll season. Forty-four percent of the return was to be used for cost recovery. The Mist Cove SHA may be opened to common property harvest continually during the later portion of the return, after the middle of September, in order to allow harvest and maintain quality after returns are declining.

The actual 2002 return to Mist Cove was 103,628 coho, of which 31% were harvested in common property fisheries and 69% went to cost recovery. Trollers caught 25% of the total return, which is below the 1991-2001 average of 43% for troll interception. The seine fleet harvested 3% of the return, the sport fishery harvested 2% and the drift gillnet fleet harvested 0 %. Factors in the below-average troll catch include low regional troll effort and the unusually large chinook salmon quota.

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of this proposal the department **opposes** the concept of allowing increased fishing time in regulation in a mixed stock fishing area based only upon the presence of hatchery fish, per AS 16.05.730.
Because the SHA is not open to common property harvest until most of the cost-recovery fish have been caught, increasing the size of the area during troll closures should have little impact on the program cost-recovery needs.

Creating a larger area for trollers to catch coho during troll closures will provide for greater separation between gears and may allow for increased efficiency across all gear types who are fishing the Mist Cove SHA.

The department currently has the authority to open the Hidden Falls THA (Figure 299-2) and the Mist Cove SHA (299-2) during any troll closure by emergency order under 5 AAC 33.374. DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST MANAGEMENT PLAN (a) and 5 AAC 29.200. SALMON TROLLING IN HATCHERY SPECIAL HARVEST AREAS and has done so.

The incidental harvest of wild stocks and other salmon species may increase as fishing time and effort increase. Increasing the commercial harvest of enhanced coho in the Mist Cove area outside of the current SHA may adversely affect wild stocks in Sashin Creek and Deep Cove. More information is needed on these stocks because the department does not conduct escapement surveys on these systems. The department suggests that NSRAA collect data on these stocks for 3 years prior to expanding the SHA.

A THA at Mist Cove, rather than increasing the size of the SHA, should be proposed which could be opened by emergency order, since the intent of this proposal is to allow increased opportunity for commercial harvest.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost.

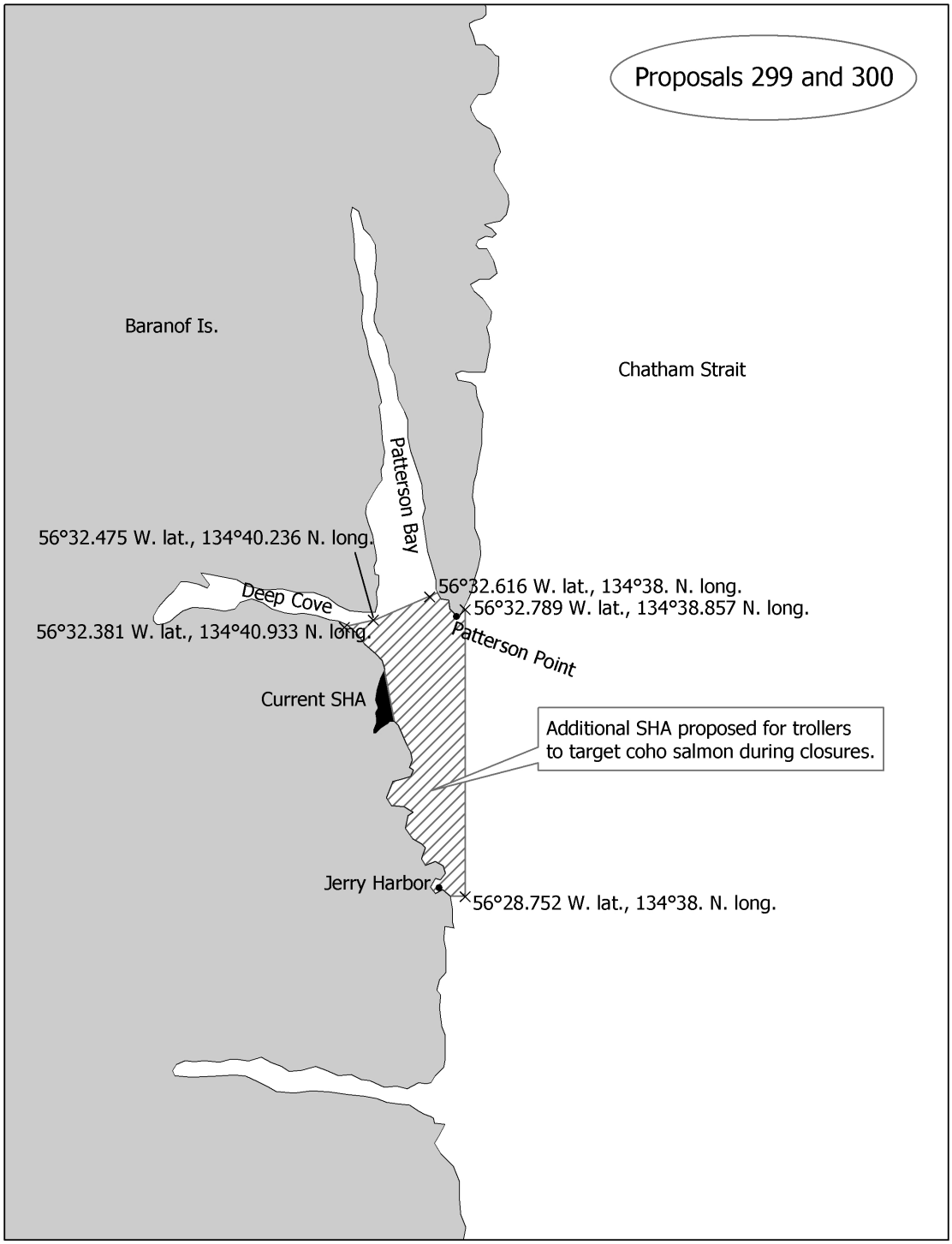


Figure 299-1. Proposed Mist Cove Terminal Harvest Area.

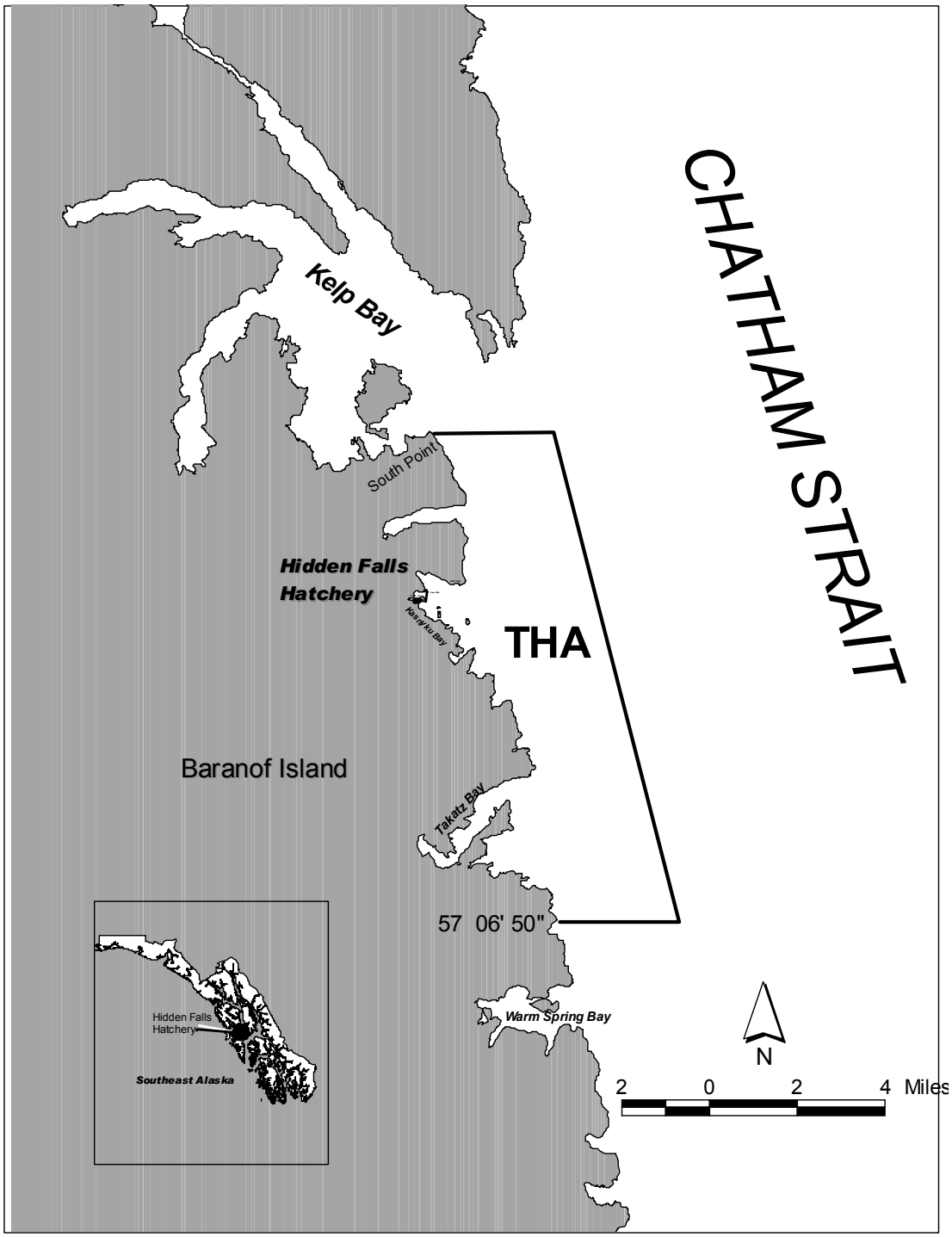


Figure 299-2. Hidden Falls Terminal Harvest Area and coho salmon Special Harvest Area.

PROPOSAL 301. PAGE 213. 5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal would change the closure date of the troll fishery from September 20 to September 30.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.

(a) Coho salmon may be taken from June 15 through September 20. However, the commissioner, in years of high coho salmon abundance, may extend, by emergency order, the coho salmon fishery in any portions of Districts 1-16 for up to 10 days after September 20.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The coho salmon troll fishery would continue through September 30 unless conservation or management concerns warranted a closure prior to that time. The management of the fishery would be driven by abundance rather than being closed by regulation on a specific date (September 20).

BACKGROUND: The September 20 troll coho closure date has been in effect since statehood and is largely allocative. This regulation was put in place to allow escapement to inside waters in order to provide sufficient numbers of coho for the gillnet fisheries and to ensure sufficient returns to the inside waters for spawning escapement needs.

Until recent years, few coho escapement assessment projects were in place or had not been in place long enough to provide reasonable spawning escapement estimates prior to the September 20 date. Generally, the only tools that managers had for assessing coho spawning strength were either foot surveys on coho spawning systems that were undertaken after the seasonal closures of both troll and gillnet fisheries or counts at newly established weirs. Few systems had fully developed long-term escapement assessment programs using mark-recapture, weirs or coded wire tag (CWT) recovery for assessing run strength. The department's in-season escapement assessment program is now much improved. CWT and mark-recapture assessment programs are in place on thirteen systems throughout the Southeastern Alaska-Yakutat Area and four of those systems are developed to the point where satisfactory in-season assessments of run strength can be made. The remainder of the programs continue to be operated and improved and provide valuable and timely additional in- and post-season run strength information. Timely information from counting weirs can be compared with extensive historical run timing information to provide additional in-season information on escapement. In addition to the Alaskan assessment programs, there are also coho assessment programs that have been established on seven Canadian systems in British Columbia.

In 1988 the Board of Fisheries established the coho allocation guidelines for commercial salmon fisheries now contained in 5 AAC 29.065. ALLOCATION OF COHO SALMON. These guidelines reflect the historical harvest (1969-1988) in the Southeastern Alaska and Yakutat commercial salmon fisheries and established the allocations at 19% purse seine, 13% drift gillnet, 7% set gillnet and 61% troll (Table 301-1).

DEPARTMENT COMMENTS: The department is **neutral** on the allocative aspects of this proposal.

This proposal could affect the coho allocation between troll and gillnet gear groups.

Deviations from gear group allocations may be a factor of effort rather than actual abundance if effort is substantially reduced from historical levels in any particular gear group. With the availability of reasonable in-season run strength assessments, decisions on season or opening lengths could be made to provide a reasonable expectation of harvest rather than adjusting season length based on catches that may be effort-driven rather than abundance-driven.

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

Table 301-1. Catch and percent of commercial coho harvest by gear type.

	--Commercial Troll--		---Purse Seine---		----Drift Gillnet----		-----Set Gillnet-----		Total	
Year	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1989	1,415,517	65%	333,113	15%	255,689	12%	176,773	8%	2,181,092	100%
1990	1,832,604	67%	379,334	14%	377,803	14%	148,891	5%	2,738,632	100%
1991	1,719,082	59%	411,854	14%	601,179	21%	166,731	6%	2,898,846	100%
1992	1,929,945	56%	505,135	15%	699,448	20%	290,095	8%	3,424,623	100%
1993	2,395,887	67%	477,006	13%	445,880	13%	237,446	7%	3,556,219	100%
1994	3,466,784	63%	970,100	18%	744,558	13%	343,843	6%	5,525,285	100%
1995	1,750,262	56%	627,472	20%	456,820	15%	295,030	9%	3,129,584	100%
1996	1,906,756	64%	447,005	15%	404,609	14%	227,802	8%	2,986,172	100%
1997	1,170,349	64%	189,054	10%	156,725	9%	322,776	18%	1,838,904	100%
1998	1,636,711	59%	475,171	17%	441,458	16%	197,629	7%	2,750,969	100%
1999	2,272,653	69%	422,926	13%	394,221	12%	187,055	6%	3,276,855	100%
2000	1,125,219	67%	210,495	12%	181,716	11%	170,948	10%	1,688,378	100%
2001	1,843,571	64%	549,593	19%	291,268	10%	205,233	7%	2,889,665	100%
2002	1,315,016	51%	597,417	23%	475,600	18%	200,888	8%	2,588,921	100%
1989-2002 Average:										
	1,841,454	62%	471,120	16%	423,355	14%	226,510	8%	2,991,171	100%
BOF Allocations (Established 1989)		61%		19%		13%		7%		

[a] Includes Annette Island troll catches.

Table 301-2. Coho extension years and length of August coho closures.

Year	Extension Dates	August Closure Dates and Length
1994	9/21-30	8/13-17 = 5 days
1995	9/21-30	8/13-22 = 10 days
1998	9/21-30	8/12-19 = 8 days
1999	9/21-30	8/13-17 = 5 days
2001	9/25-30	8/13-17 = 5 days
2002	9/21-30	8/10-11 = 2 days

PROPOSAL 302. PAGE 214. 5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? This proposal, if adopted, would give the department the discretion to extend the troll coho fishery beyond September 30 to provide additional opportunity to access hatchery coho.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.
(a) Coho salmon may be taken from June 15 through September 20. However, the commissioner, in years of high coho salmon abundance, may extend, by emergency order, the coho salmon fishery in any portions of Districts 1-16 for up to 10 days after September 20.

AS 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.
(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks and may be managed consistent with sustained yield of enhanced fish stocks.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The coho salmon troll fishery could be extended past September 30 in areas outside of hatchery terminal harvest areas (THA) in order to provide additional fishing opportunity for trollers to access hatchery coho.

BACKGROUND: The September 20 troll coho closure date has been in effect since statehood and is largely allocative. This regulation was put in place to allow escapement into inside waters to provide for sufficient numbers of coho for the gillnet fisheries and to ensure sufficient returns into the inside waters for spawning escapement needs.

The contribution of Alaska hatchery-produced coho salmon to the troll fishery tends to increase as the fishery progresses through the season (Table 302-1).

Table 302-1. Percent contribution of Alaska Hatchery coho salmon to the troll fishery, 1997–2002.

Week	1997	1998	1999	2000	2001	2002
27	5.1%	2.9%	3.2%		25.3%	9.0%
28	5.8%	14.6%	14.2%	14.7%	20.9%	13.7%
29	13.2%	9.6%	15.5%	13.1%	18.6%	16.9%
30	15.3%	14.9%	19.3%	17.7%	16.2%	32.4%
31	20.7%	15.4%	21.3%	20.5%	17.0%	25.8%
32	40.1%	26.3%	20.7%	22.0%	15.6%	22.7%
33		80.2%	58.6%	25.7%	19.4%	8.7%
34	15.6%	2.4%			15.8%	28.3%
35	19.8%	69.0%	43.4%	8.5%	16.0%	25.2%
36	48.5%	19.0%	20.5%	63.8%	21.1%	27.4%
37	18.1%	51.8%	34.6%	39.0%	35.2%	29.4%
38	97.4%	59.8%	24.3%	37.9%	55.5%	35.4%
39		38.4%	95.7%	100.0%	31.4%	65.2%
40		100.0%	100.0%		100.0%	64.9%

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of this proposal the department is **opposes** the concept of allowing increased fishing time in regulation in a mixed stock fishing area based only upon the presence of hatchery fish, per AS 16.05.730.

This proposal could affect the coho allocation between troll and gillnet gear groups. However, the department believes that the current allocation could be maintained because the run strength information is now available to both troll and net managers and fishing times and closures could be adjusted based on timely run strength assessments.

Deviations from gear group allocations may be a factor of effort rather than actual abundance if effort is substantially reduced from historical levels in any particular gear group. With the availability of reasonable in-season run strength assessments decisions on season or opening lengths could be made to provide a reasonable expectation of harvest rather than adjusting season length based on catches that may be effort driven rather than abundance driven.

The establishment of new troll fisheries targeting enhanced salmon outside of hatchery terminal areas, other than spring chinook fisheries, would necessitate the implementation of a new management plan specifically addressing this issue.

Many hatchery terminal area management plans allow for trolling for coho beyond the September 30 general season closure. Hatchery THA closure dates already in regulation include: Neets Bay on October 20; Nakat Inlet and Earl West Cove on November 10 and the department's proposal 373 would allow trolling in Anita Bay until November 10.

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

PROPOSAL 304. PAGE 215. 5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? The proposal, if adopted, would add escapement projections to the list of criteria that could be utilized for assessing the coho run strength and determining the necessity and length of any mid-season coho closure.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.110. MANAGEMENT OF COHO SALMON TROLL FISHERY.
(b) The commissioner may close, by emergency order, the coho salmon troll fishery in the Southeastern-Yakutat Area for conservation of coho salmon stocks as follows:
…
(2) for up to ten days, if the department makes an assessment and determines that
(A) the number of coho salmon reaching inside waters might be inadequate to provide for spawning requirements under normal or restricted inside fisheries for coho salmon and other species; the primary abundance indicators for the assessment consist of relative harvest levels by all fisheries, and in particular, catch per unit of effort in inside drift gillnet and sport fisheries as compared to average 1971-1980 levels:

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The length of any August troll coho closure could be based on projections of run strength from coded wire tag (CWT) data and escapement relative to biological goals. The duration of future closures may change from historical patterns when escapement projections differ from historical comparisons of catch per unit of effort (CPUE) of inside commercial gillnet and harvest rates (HPUE) of inside marine sport fisheries. Linking management more directly to biological goals is expected to increase long-term yield.

BACKGROUND: Some of the criteria for a mid-season closure are outdated and have been superseded by more reliable and appropriate conservation targets and allocation objectives. The specifications for a mid-season closure were established in 1980-1981 when direct information on coho salmon stocks was nearly non-existent, so provisions were based entirely on catch and effort measures.

Until recent years, few coho escapement assessment projects were in place or had not been in place long enough to provide reasonable spawning escapement estimates prior to the September 20 date. Generally, the only tools that managers had for assessing coho spawning strength were either foot surveys on coho spawning systems that were undertaken after the seasonal closures of both troll and gillnet fisheries or counts at newly established weirs. Few systems had fully developed long-term escapement assessment programs using mark-recapture, weirs or coded wire tag recovery for assessing run strength. The department's inseason escapement assessment program is now much improved. CWT and mark-recapture assessment programs are in place on thirteen systems throughout the Southeastern Alaska-Yakutat Area and four of those systems are developed to the point where satisfactory in-season assessments of run strength can be made. The remainder of the programs continue to be operated and improved and provide valuable and timely additional in- and post-season run strength information. Timely information from counting weirs can be compared with extensive historical run timing information to provide additional inseason information on escapement. In addition to the Alaskan assessment programs, there are also coho assessment programs that have been established on seven Canadian systems in British Columbia. Inseason run strength estimates and escapement projections are now compared directly with biological goals for representative stocks.

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

The proposal establishes escapement as a direct management objective. Use of improved information is not expected to change harvest sharing relative to 5 AAC 29.065 because managers of net and sport fisheries as well as the troll fishery will be continue to base management actions on the most reliable information.

The recent severe reduction in salmon prices has resulted in reductions in effort in number of vessels in the troll and the majority of drift gillnet fisheries. The lower effort results in lower exploitation rates which increases escapement at the same run size. Fisheries will continue to change so that base periods based on fishery performance will continue to become more outmoded, but escapement will always be a primary objective.

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

PROPOSALS 305, 306, 307. PAGES 216-217. 5 AAC 29.100 (h)(1)(2). MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

WHAT WOULD THE PROPOSAL DO? These proposals would eliminate the regulations pertaining to the 8- on 6- off fishing schedule in Section 12-B and District 15.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 29.100.

(h) In District 12: north of the latitude of the southernmost point of Point Couverden, and in Sections 15-A and 15-C, from July 15 through September 20, salmon may be taken only during periods as follows:

(1) the initial open period is from July 15 through the following Monday;

(2) following the conclusion of the initial open period, there is a six day closed period; following the six day closed period, the department shall alternate eight day open periods from Monday through Monday, and six day closed periods from Tuesday through Sunday; in its management of the fishery under this paragraph, the department shall attempt to open fishing periods to coincide with the best fishing tides.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the proposal is adopted, trolling in Section 12-B and Sections 15-A and 15-C will fall under the general summer schedule from July 1 to September 20 (Figure 305-1). Fishing in these areas would remain open during any general summer season opening, unless otherwise stated by Emergency Order. This would increase the total number of fishable days, and likewise probably the total troll catch in these areas.

BACKGROUND: The eight- on six- off fishing schedule in District 12 and Sections 15-A and 15-C was adopted in it's first form in 1979 in response to a growing number of hand troll vessels fishing out of the Juneau area that were using their vessels essentially as sport fishing vessels. This was an allocative regulation to provide time periods to reduce the number of vessels and reduce gear conflicts. In recent years the number of hand troll permits actually fished has been decreasing dramatically, and is currently only a fraction of the historical amount (Table 305-1).

Proposal 307 identifies increasing access to returning enhanced stocks, particularly chum salmon returning to the DIPAC Boat Harbor SHA. The troll fleet is not catching their share of the allocation of enhanced salmon under 5 AAC 33.364.

DEPARTMENT COMMENTS: The department is **neutral** on the allocative aspects of these proposals.

The current regulation originated to reduce effort by a large hand troll fleet many years ago. Since that time hand trolling has been brought under limited entry, and hand troll permits have decreased dramatically in total number as well as permits fished (Table 305-1).

The fishing schedule outlined within the regulation currently serves no conservation or management need.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost.

Table 305-1. Southeast Alaska commercial hand troll permits renewed and fished, 1975–2002.

Year	Hand Troll Permits	
	renewed	fished
1975	2,087	1,100
1976	2,082	1,242
1977	2,951	1,852
1978	3,922	2,644
1979	3,700	2,195
1980	2,436	1,713
1981	2,048	1,172
1982	1,906	1,185
1983	2,031	1,016
1984	1,983	875
1985	1,952	930
1986	1,887	820
1987	1,820	777
1988	1,783	801
1989	1,747	725
1990	1,699	708
1991	1,643	703
1992	1,595	660
1993	1,550	605
1994	1,513	551
1995	1,479	461
1996	1,420	414
1997	1,380	387
1998	1,331	305
1999	1,155	332
2000	1,006	318
2001	1130	329
2002	922	242

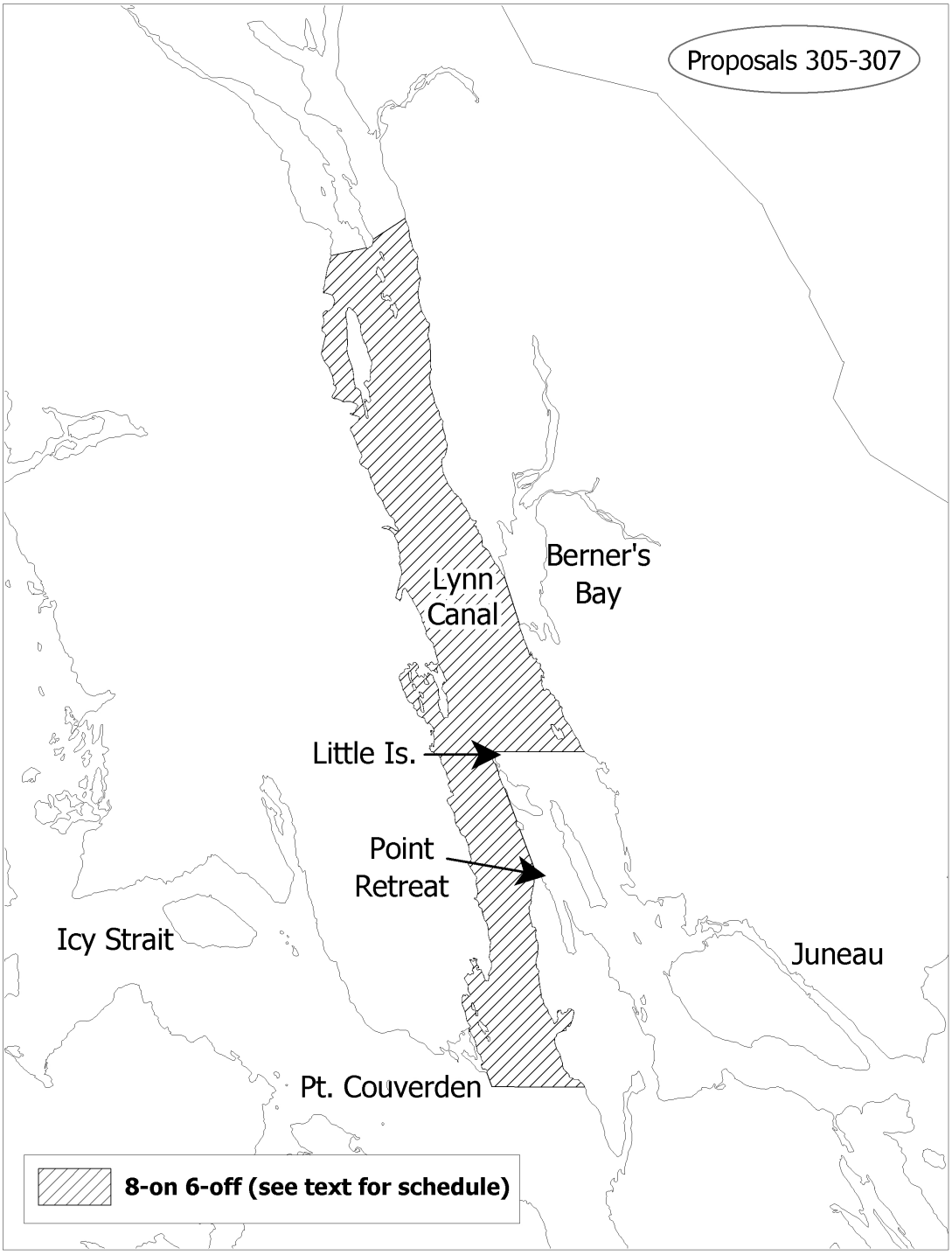


Figure 305-1. Area in Lower Lynn Canal and upper Chatham Strait that is open on 8-on/6-off schedule during summer troll fishery.

PROPOSAL 308. PAGE 218. 5 AAC 29.010. DESCRIPTION OF AREA FOR SALMON TROLL FISHING.

WHAT WOULD THE PROPOSAL DO? The proposal would reopen the area west of Cape Suckling to commercial trolling.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.010. DESCRIPTION OF AREA FOR SALMON TROLL FISHING. Unless otherwise specified in this chapter, a person may operate troll gear in the waters of the Southeastern Alaska-Yakutat Area east of the longitude of Cape Suckling (143° 53' W. long.) and north of the International Boundary at Dixon Entrance.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Troll vessels would be allowed to fish in waters west of the current boundary of Cape Suckling (Figure 308-1).

BACKGROUND: The salmon troll permit is a statewide permit. Trolling for salmon in the areas west of Cape Suckling has occurred to a small extent since 1948, according to statements by fishers who participated in the fishery or from others that knew fishers who participated in the fishery. There are no records of the effort and total amount of salmon harvested in this area. In 1959, when Alaska became a state, the areas opened to trolling were Bristol Bay, Prince William Sound, Yakutat, and Southeast Alaska. The Alaska Peninsula closed in 1941 and there were some closures in Cook Inlet. The remaining areas were open to trolling until March 9, 1974, when the board closed all waters west of Cape Suckling.

The Board closed the area west of Cape Suckling to trolling due to concerns for local stocks of chinook and coho salmon (e.g. Copper River and Cook Inlet stocks). Stocks in these areas have since rebounded but are most likely fully utilized. In addition to local chinook salmon stocks, far-north migrating stocks of chinook that are regulated under terms of the Pacific Salmon Treaty (PST) are also known to transit the area. If this proposal is adopted, Alaska's PST partners would likely push to have the chinook harvest from this area counted against the Southeast Alaska all-gear chinook harvest ceiling. Currently, the PST only affects chinook harvest in those fisheries east of Cape Suckling.

DEPARTMENT COMMENTS: This proposal raises allocation issues between the commercial troll fishery and other user groups elsewhere in Alaska. The department is therefore **neutral** on this proposal.

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

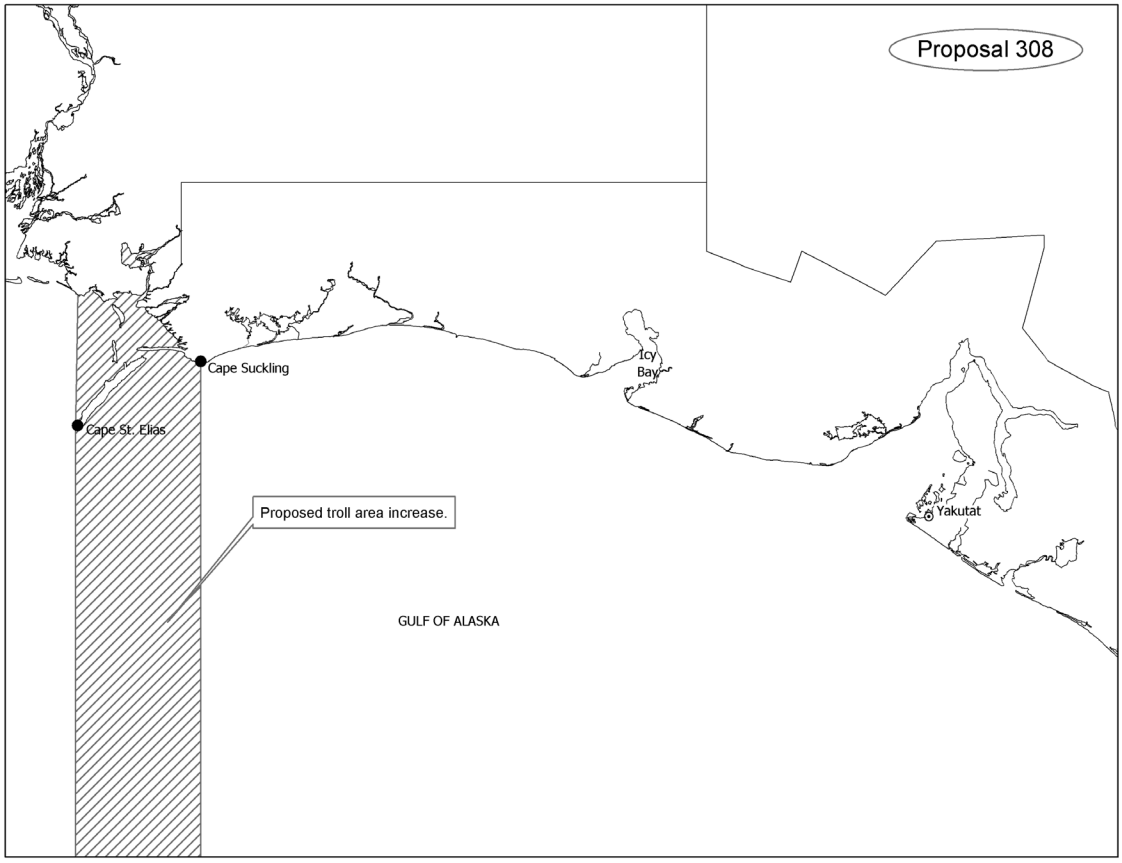


Figure 308-1. Proposed expanded waters for commercial salmon troll fishery.

PROPOSAL 309. PAGE 218. 5 AAC 29.120 (b) GEAR SPECIFICATIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of two downriggers in conjunction with four fishing rods on a salmon hand troll vessel.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.120 GEAR SPECIFICATIONS AND OPERATIONS. (b) The maximum number of trolling lines that may be operated from a salmon troll vessel is as follows: (2) from a hand troll vessel: (c) an aggregate of four fishing rods or an aggregate of two hand troll gurdies may be operated. (e) no more than two troll gurdies and four fishing rods may be on board any salmon troll vessel. A downrigger may not be used in conjunction with a fishing rod.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Hand troll vessels could use two downriggers in conjunction with up to four fishing rods. The additional gear could increase the total harvest taken by hand trollers.

BACKGROUND: The board originally restricted hand trollers to two lines as a way of maintaining an 80% power troll/20% hand troll salmon harvest allocation. However, the 80/20 split was eliminated from the management plan in 1995, because the hand troll fleet was harvesting less than 20%. Hand troll effort and the proportion of the commercial troll catch currently harvested by the hand troll fleet is at the lowest point since the introduction of limited entry to the hand troll fleet in 1980. At limited entry, 2,163 hand troll permits were issued, of which 1,346 were non-transferable. As of 2002, 914 of these non-transferable hand troll permits have been revoked due to non-renewal. For the period 1996-2002 the catch split between power troll and hand troll gear for chinook salmon is 94.5% power troll and 5.5% hand troll. For all salmon harvest the average (1996-2002) was 93.7% power troll and 6.3% hand troll.

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

In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Increasing the number of lines for hand trollers would increase the efficiency of this fleet and thereby reduce the time it would take to harvest each year's allowable harvest. Depending upon how many permit holders used four lines and how many permits were fished, such a reduction in the time needed to harvest the annual harvest limit could lead to an increase in the number of days the troll fishery would be catching and releasing chinook and thus increase the incidental mortality of both legal and sublegal chinook salmon. If the PSC implements a total mortality regime and if this proposal was adopted, downward adjustments in incidental mortality would have to be made in other aspects of the troll fishery management plan to compensate for this increase.

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

PROPOSAL 310. PAGE 219. 5 AAC 29.120 (b) GEAR SPECIFICATIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of two additional lines for hand trollers in the Yakutat area who fish in federal waters.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 29.120 GEAR SPECIFICATIONS AND OPERATIONS. (b) The maximum number of trolling lines that may be operated from a salmon troll vessel is as follows: (2) from a hand troll vessel: (C) an aggregate of four fishing rods or an aggregate of two hand troll gurdies may be operated.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Hand troll vessels fishing federal waters in the Yakutat area would be able to fish up to four lines. State waters in the Yakutat area would remain limited to two lines. The additional gear could increase the total harvest taken by hand trollers fishing federal waters.

BACKGROUND: The Board originally restricted hand trollers to two lines as a way of maintaining an 80% power troll/20% hand troll salmon harvest allocation. However, the 80/20 split was eliminated from the management plan in 1995, since the hand troll fleet was harvesting less than 20%. Hand troll effort and the proportion of the commercial troll catch currently harvested by the hand troll fleet is at the lowest point since the introduction of limited entry to the hand fleet in 1980. At limited entry, 2,163 hand troll permits were issued, of which 1,346 were non-transferable. As of 2002, 914 of these non-transferable hand troll permits have been revoked due to non-renewal.

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

In chapter 3, paragraph 3 (d)(i) of Annex IV of the Pacific Salmon Treaty, the parties agreed to adopt a management program based on total mortality. Recognizing that it would be several years before such an approach could be fully implemented, they agreed to adopt or "freeze" current "management regimes" in order to prevent an increase in incidental mortality. Increasing the number of lines for hand trollers would increase the efficiency of this fleet and thereby reduce the time it would take to harvest each year's allowable harvest. Depending upon how many permit holders used four lines and how many permits were fished, such a reduction in the time needed to harvest the annual harvest limit could lead to an increase in the number of days the troll fishery would be catching and releasing chinook and thus increase the incidental mortality of both legal and sublegal chinook salmon. If the PSC implements a total mortality regime and if this proposal was adopted, downward adjustments in incidental mortality would have to be made in other aspects of the troll fishery management plan to compensate for this increase.

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

PROPOSAL 311. PAGE 219. 5 AAC 29.XXX. REPORTING, LANDING, AND PERMIT REQUIREMENTS FOR SALMON TROLL CATCHER-PROCESSORS.

WHAT WOULD THE PROPOSAL DO? This proposal would create a new regulation with the following requirements:
(1) Add regulations allowing the department to require that commercial salmon troll catcher-processors issue a fish ticket on a weekly basis, to be submitted within 7 days of when the fish are offloaded. Tickets would be marked as "frozen-at-sea". Following a chinook closure, tickets should include an estimate of number and pounds of other salmon species that remain onboard.
(2) Allow the commissioner to require that catcher-processors report their catch to the department, as needed for management, during open fishing periods.
(3) Add a definition of "catcher-processor" for purposes of this section. Salmon troll commercial catcher-processors freeze their catch at sea (FAS).
(4) Enable a salmon troll catcher-processor to remove the heads from adipose-clipped salmon under the terms of a permit issued by the department.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 39.130. REPORTS REQUIRED OF PROCESSORS, BUYERS, FISHERMEN, AND OPERATORS OF CERTAIN COMMERCIAL FISHING VESSELS; TRANSPORTING REQUIREMENTS.

(a) A person, company, firm, or other organization who is the first purchaser of raw fish, or who catches and processes fish, … shall:

(3) furnish, verbally or in writing, purchasing or production records as requested (by the department or its representative.

(c) Each buyer of raw fish, each fisherman selling to a buyer not licensed to process fish (a catcher/seller) and each person or company who catches and processes his or her own catch or has that catch processed by another person or company, shall record each landing on an ADF&G fish ticket…Fish tickets must be submitted to a local representative of the department within seven days after landing, or as otherwise specified by the department for each particular area and fishery.
(d) Each fisherman shall furnish to the buyer factual catch data necessary for completion of reports required by the department.

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

(j) Following closure of the summer salmon troll fishery to the taking of chinook salmon, a person may not have chinook salmon on board a salmon troll vessel from which the person is fishing for other salmon species.

5 AAC 29.140. SIZE LIMITS, POSSESSION, AND LANDING REQUIREMENTS

(b) The heads of all adipose fin-clipped salmon must remain attached to the fish until the fish are sold.

Note: If the Board approves this proposal the department requests that the wording in 5 AAC 29.140 be changed from "sold" to "offloaded from the catcher vessel". The department believes that that was the intent of the regulation and when the fish are offloaded from the vessel is the time when the salmon are sampled for the presence of coded wire tags.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would receive inseason catch information from catcher-processors during extended summer fishing periods. Catch information would be broken out by statistical week and would include an estimate of coho salmon left

onboard following a chinook closure. Catcher-processors would legally be allowed to remove the heads from adipose fin-clipped salmon prior to freezing them onboard the vessel.

BACKGROUND: Currently, one fish ticket is submitted for an entire fishing trip, which may span several weeks if the vessel is a catcher-processor. In contrast, trollers who do not freeze their fish typically fish for less than a week before offloading their catch. Many processors set trip length limits for trollers who sell to them, in order to ensure a high-quality product. Since fish tickets are completed when the fish are sold, the department is able to get timely catch and effort information from trollers who sell their fish fresh.

The department summarizes catch and effort information by statistical week, which begins the first week of January each year and runs from Sunday to Saturday. Since troll catcher-processors are able to remain on the fishing grounds for extended periods, one fish ticket often covers from two to four statistical weeks of effort. The current data management system assigns the entire catch to the statistical week in which the fishing trip ends.

There are approximately 35 catcher-processors who participate in the SE Alaska/Yakutat summer troll fishery. This represents about 4.2 % of the 825 total permits fished during the 2002 summer season. In 2001, 929 permits were fished during the summer season, so the same number of catcher-processor vessels would have made up 3.8 % of the fleet.

During the past two years, there have been three chinook salmon openings which lasted more than one week. These include openings dated August 18-September 5, 2001(19 days), July 1-18 and August 12-September 2, 2002 (22 days).

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

When the length of a fishing period is based on inseason catch and effort data, timely information for the entire troll fleet is essential. Though it will be challenging to come up with a method to obtain catch information from catcher-processors in an effective and confidential way, the benefit to management will be significant. Premature closures could be avoided if catch information were as complete as possible.

This proposal liberalizes the fish ticket requirements for FAS boats requiring that only one fish ticket be issued each week. Current regulations require that all landings be entered on an ADF&G fish ticket. Because a landing must be made prior to fish being processed, under 5 AAC 39.130 (c), each day's catch that is frozen is considered a landing and a fish ticket must be issued.

Current regulations do not require trollers, including catcher-processors, to offload coho salmon along with their chinook salmon when a chinook salmon fishing period closes. When the coho are offloaded at a later time, several weeks may have past between the start and end of the fishing trip in the case of a catcher-processor. The result is a lack of specific information as to when the fish were caught.

COST STATEMENT: Catcher-processors prefer to remove the heads from all salmon prior to freezing their catch onboard. In order to be legal under terms of 5 AAC 29.140(b), catcher-processors would have to spend time and effort re-glazing their adipose fin clipped salmon if the heads were removed at the time the fish were offloaded and sampled by department personnel.

PROPOSAL 312. PAGE 221. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would require all overages of the chinook salmon quota to be paid back by the user group incurring the overage. It would uncouple management of the troll and sport fishery by eliminating the requirement to adjust commercial troll chinook harvest targets up or down in season to account for projected underages or overages in the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) and regulations under the General Harvest Ceiling and Allocation of Chinook Salmon (5 AAC 29.060) direct the department to manage the sport fishery to attain a harvest of 20 percent of the annual harvest ceiling (quota) specified by the Pacific Salmon Commission, after subtracting the commercial net harvest as follows: purse seine fishery: 4.3 percent of the annual harvest ceiling; drift gillnet fishery: 7,600 chinook, and; set gillnet fishery: 1,000 chinook salmon. Under 5 AAC 29.060, the commercial troll fishery is allocated the remaining 80 percent.

While both the General Harvest Ceiling and the Management Plan require that the sport fishery be managed for the 20 percent allocation, the method by which the allocation is implemented differs and is somewhat inconsistent between the two regulations. Regulations under the General Harvest Ceiling and Allocation of Chinook Salmon direct the department to manage each gear group to stay within 7.5 percent of its allocation on an annual and cumulative basis. The 7.5 percent range was adopted to be consistent with that used in the Pacific Salmon Commission (PSC). The Southeast Alaska King Salmon Management Plan, on the other hand, directs the department, when a cumulative overage exists for the sport fishery, to reduce sport harvests by reducing harvest limits and by not increasing limits for nonresident and guided anglers until the overage is "used up." The plan also directs the department to adjust the current year's commercial troll fishery harvest quota up or down to harvest the remainder of the quota for that year if the sport fishery exceeds of falls short of the 20 percent allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would repeal the provision in the SE King Salmon Management Plan that requires the troll harvest quota to be adjusted up or down in season based on overages and underages projected to occur in the sport fishery.

Uncoupling the troll and sport fisheries would cause the SEAK all-gear quota to deviate from the all-gear allocation by the amount of underage or overage that occurs in the sport fishery, assuming no deviation in management of the other fisheries. However, given management error in the Southeast Alaska fisheries that harvest chinook salmon, all-gear harvests would probably deviate from the all-gear allocations more frequently and to a larger extent than they do currently.

BACKGROUND: In 1987, the PSC adopted a cumulative overage/underage provision for the four ceiling chinook fisheries (Southeast Alaska all-gear, North/Central British Columbia all-gear, West Coast Vancouver Island Troll and Georgia Strait Troll and Sport). At that time, ceilings were established for each fishery regardless of the abundance. For the Southeast Alaska all-gear fishery, the ceiling was 263,000 with a management range of plus or minus 19,725. The ceiling obtained in the PSC applied only to all-gear. There were no gear allocations established by the PSC. Beginning in 1985, management of the all-gear fishery consisted of determining the projected annual catch for the net and recreational fisheries and then actively managing the troll fishery to achieve the ceiling. In 1987, the Alaska Board of Fisheries (Board) adopted allocations for the net fisheries and in 1992; it established an allocation for the recreational fishery. Also in 1992, the Board adopted overage/underage provisions for the internal allocations and chose to mimic the 7.5 percent range used by the PSC.

In 1999, the PSC implemented a new abundance based management approach for the fisheries under its jurisdiction. The new approach was very different from the ceiling approach; however, the intent of the PSC was to continue the overage/underage provisions. In the agreement, the PSC instructed its Chinook Technical Committee (CTC) to review the 7.5 percent cumulative management range (Chapter 3, paragraph 7(a) ii). Following its review in January 2002, the CTC reported to the PSC that application of the previous provision was not straightforward and would require additional work by the CTC. The PSC requested that the CTC annually provide the PSC with the pre-season expected, the actual and the post-season allowed catch. An annual review of these by the PSC would be used to determine if the parties were managing outside the intended boundaries.

Under the General Harvest Ceiling regulations, each gear group, including the sport fishery, is to be managed each season such that the harvest remains within + or -7.5% of its allocation. Current provisions of the king salmon management plan require restrictions to specific regulations (such as bag and annual limits) to be implemented preseason when a cumulative overage from prior years exists. Currently, cumulative (2000-2002) sport harvests exceed annual allocations to the sport fishery by 8,800 chinook salmon using the preseason abundance index, but fall short by 600 fish using the post-season.

The commercial troll summer chinook fishery is managed to ensure that the SEAK all-gear chinook harvest remains within provisions of the PST. The troll fishery target is established based on the pre-season Abundance Index (AI), then adjusted up or down to account for: overage or underage in the sport fishery as directed under the SE King Salmon Management Plan; overage or underage in the commercial net fisheries; and cumulative overage or underage in the all-gear harvests.

DEPARTMENT COMMENTS: **Neutral** to the extent that the annual deviations between harvests and allocations for sport and commercial fisheries are not large. However, the department requests that the Board clarify how overage and underage for each gear group should be managed within guidelines of the Pacific Salmon Treaty. If the Board adopted this proposal, the department would need direction whether to continue to manage the sport fishery on a seasonal basis, as directed under the current management plan, versus an in season basis. If the department is to manage the fishery on an in season basis, the management plan would need to modified to provide additional direction to the department.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSALS 313–315 AND 317–319. PAGES 222–226. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN; and 5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF CHINOOK SALMON.

WHAT WOULD THE PROPOSAL DO? These proposals would increase the allocation of chinook salmon to the sport fishery with a resulting decrease in allocation to commercial fisheries. Allocations to the sport fishery would increase by specific amounts, from 10% (Proposal 315) to an allocation of 50% (Proposal 313) of the total chinook available to the sport and commercial troll fisheries. Proposal 318 is distinguished from the others because it would apply a sliding scale to the allocation whereas the others would apply a fixed percentage.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery is managed to attain a harvest of 20 percent of the annual harvest ceiling (quota) specified by the Pacific Salmon Commission, after subtracting the commercial net harvest as follows: purse seine fishery: 4.3 percent of any quota; drift gillnet fishery: 7,600 chinook, and; set gillnet fishery: 1,000 chinook salmon. The commercial troll fishery is allocated the remaining 80 percent after subtracting the net harvest allocations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The effects these proposals would have on Southeast chinook salmon fisheries depend on whether or not existing management controls on the sport and/or commercial fisheries were changed. Due to the number of potential changes that could be made to regulation of commercial troll and net, and sport, fisheries, it is difficult to assess the effects that these proposals may have on the fisheries.

Increasing the allocation to the sport fishery without changing management guidelines in the SE King Salmon Management Plan would effectively reduce or eliminate harvest overages and increase harvest underages in the sport fishery. The frequency and magnitude of these changes would vary depending on the magnitude of the allocation increase and the abundance of chinook salmon in a specific year. Under the current management plan, sport harvests have composed from 18% of the combined sport/troll quota when abundance is high (abundance index greater than 1.5) to 26% when abundance is low (abundance indices less than 1.2). Without changes to the management plan, a sport allocation larger than this range would likely result in a cumulative sport fishery harvest underage based on current trends.

An increase in the sport fishery allocation would result in a decrease in the allowable harvest in the troll fishery. The effects to the troll fishery, again assuming no changes to management guidelines other than a change to the allocation, would require a reduction in the duration of chinook retention periods (Table 313-1). The magnitude of the reduction in allowable catch and retention days is dependent upon the level of increase in the sport fishery chinook allocation. Incidental mortalities would increase as a result of an increase in chinook non-retention (CNR) days.

BACKGROUND: Southeast Alaska chinook salmon fisheries have been managed under the Pacific Salmon Treaty since 1985. The Treaty establishes an annual all-gear ceiling, or quota, for treaty chinook salmon harvested in Southeast Alaska and other areas, and requires that all-gear harvests of treaty chinook do not exceed the quota. Originally, only the commercial troll fishery was managed to ensure annual quotas for treaty fish were not exceeded. But in 1987, the Alaska Board of Fisheries allocated the harvest of treaty fish among the commercial fisheries that harvest chinook in Southeast Alaska.

The Board first allocated chinook salmon to the sport fishery in 1992, when the Southeast Alaska King Salmon Management Plan was originally adopted. These changes came in response to a request made by the Alaska Trollers Association, which was concerned about increased harvests by the sport fishery. Initially, the sport fishery was allocated 17% percent of the all-gear quota after net harvest allocations were subtracted. The

management plan was changed in 1994 to allow for an increased allocation to the sport fishery. The 1994 plan specified allocations increasing by one percent per year through 1997, when the allocation reached the current level of 20% after accounting for the net harvest. Other aspects of the management plan were changed in 1997 and 2000, but the allocation to the sport fishery remained at 20% of the all-gear quota after subtracting the commercial net harvests.

During the past three years that the current plan has been in effect, sport harvests have constituted from 18% to 26% of the combined allocations to the sport and troll fisheries. Currently, cumulative (2000-2002) sport harvests exceed annual allocations by 8,800 chinook salmon using the pre-season abundance index as a baseline, but fall short by about 600 fish using the post-season index (Table 316-1). Final results (post-season AI; final harvest estimates) for 2002 will not be available until summer 2003.

In 1999, the PSC implemented a new abundance based management approach for the fisheries under its jurisdiction. All parties to the 1999 agreement, including Alaska, agreed to adopt a management approach for chinook salmon based on total fishing mortality. Discussions on implementing a total mortality approach will occur at the January and February 2003 meetings of the PSC.

DEPARTMENT COMMENTS: Neutral. These proposals are predominantly allocative. If the Board increases the allocation to the sport fishery, the department recommends that the Board also consider the effects to total mortality. Because a total mortality approach implemented under the PSC would be based on incidental mortality rates that occurred during 1985-1995 and rates in Alaska's fisheries have declined since that period, some increase in incidental mortality would not necessarily carry treaty implications under a total mortality approach. If regulatory changes increase incidental mortality rates above those that occurred from 1985-1995, the department recommends that the Board implement compensatory regulations to ensure that resulting total mortality does not exceed 1985-1995 levels.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 313-1. Hypothetical chinook catches, troll chinook retention days (CR), troll chinook non-retention (CNR) days and the increase in CNR days at four sport/troll allocation schemes using the 2002 quota at the pre-season AI of 1.74 with no overage/underage catch adjustments.

	Allocation (Troll/Sport Percentage)			
	80/20	70/30	60/40	50/50
Troll	211,300	194,460	166,680	138,900
Sport	66,500	83,340	111,120	138,900
Total	277,800	277,800	277,800	277,800
First Troll Retention Target (70%)	147,910	136,122	116,676	97,230
CR Days (10,200 Chinook/FleetDay)	15	13	11	10
Second Troll Retention Target (30%)	63,390	58,338	50,004	41,670
CR Days (3,000 Chinook/FleetDay)	21	19	17	14
CNR Days (July 1 - September 30)	47	51	55	59
Increase in Troll CNR Days	0	4	8	12

PROPOSAL 316. PAGE 223. 5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF CHINOOK SALMON.

WHAT WOULD THE PROPOSAL DO? There are two components to this proposal. The first would increase the allocation of chinook salmon to the sport fishery from 20 to 30 percent with a resulting decrease in allocation to commercial fisheries. This component is addressed in department comments for Proposals 313–315 and 317–319, which seek to similarly increase the sport fishery allocation. The second seeks to allocate 30% of any harvest underage in the net fishery to the sport fishery. The remainder of this document focuses on management of harvest deviations within Southeast Alaska fisheries.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery is managed to attain a harvest of 20 percent of the annual harvest ceiling (quota) specified by the Pacific Salmon Commission, after subtracting the commercial net harvest as follows: purse seine fishery: 4.3 percent of any quota; drift gillnet fishery: 7,600 chinook, and; set gillnet fishery: 1,000 chinook salmon. The commercial troll fishery is allocated the remaining 80 percent after subtracting the net harvest allocations.

Regulations under the General Harvest Ceiling and Allocation of Chinook Salmon direct the department to manage each gear group to stay within 7.5 percent of its allocation on an annual and cumulative basis. The Southeast Alaska King Salmon Management Plan directs the department, when a cumulative overage exists for the sport fishery, to reduce sport harvests by reducing harvest limits and by not increasing limits for nonresident and guided anglers until the overage is "used up." Current regulations do not address overage and underage in net fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal seeks to allocate a portion of the net fishery underages to the sport fishery but does not specify whether that intent applies to cumulative versus annual underages, or how to deal with potential overages in the net fishery.

Allocating 30% of the underage in the commercial net fisheries to the sport fishery will increase the harvest target for the sport fishery whether the proposal applies to cumulative or annual deviations in the commercial net harvests. Under this proposal, one option would be to add 30% of the net underage that occurred in any given year (annual net fishery underage) to that year's sport fishery allocation. For example, 30% of the net underage in 2000 (5,176 using the post-season AI), or 1,553 fish, added to the sport fishery allocation that year would effectively reduce the sport fishery overage from 8,994 (again, using the post-season AI) to 7,441 fish. This option would not affect cumulative overage and underage in all-gear (treaty) harvests and would not require in season management of the sport fishery.

Another option under this proposal would be to allocate 30% of the cumulative net underage to the sport fishery harvest target. In this example, 30% of the cumulative underage, or 7,200 fish (using the post-season AI), would be added to the sport fishery harvest target in 2003. Based on the performance of the sport fishery under the existing plan, an increase to the sport allocation of this magnitude would likely offset any overage, and possibly result in an underage, in the 2003 sport fishery. Unlike the option above, this practice may affect cumulative all-gear (treaty) overage and underage.

The effect of this proposal would apply primarily to cumulative harvest performance as opposed to in season management of the sport fishery. Even if the Board changed the management plan to allow in season management of the sport fishery, the ability of the sport fishery to harvest additional chinook salmon would be minimal by the time the net harvest is projected.

BACKGROUND: In 1987, the PSC adopted a cumulative overage/underage provision for the four ceiling chinook fisheries (Southeast Alaska all-gear, North/Central British Columbia all-gear, West Coast Vancouver Island Troll and Georgia Strait Troll and Sport). At that time, ceilings were established for each fishery regardless of the abundance. For the Southeast Alaska all-gear fishery, the ceiling was 263,000 with a

management range of plus or minus 19,725. The ceiling obtained in the PSC applied only to all-gear. There were no gear allocations established by the PSC. Beginning in 1985, management of the all-gear fishery consisted of determining the projected annual catch for the net and recreational fisheries and then actively managing the troll fishery to achieve the ceiling. In 1987, the Alaska Board of Fisheries (Board) adopted allocations for the net fisheries and in 1992; it established an allocation for the recreational fishery. Also in 1992, the Board adopted overage/underage provisions for the internal allocations and chose to mimic the 7.5 percent range used by the PSC.

In 1999, the PSC implemented a new abundance based management approach for the fisheries under its jurisdiction. The new approach was very different from the ceiling approach; however, the intent of the PSC was to continue the overage/underage provisions. In the agreement, the PSC instructed its Chinook Technical Committee (CTC) to review the 7.5 percent cumulative management range (Chapter 3, paragraph 7(a) ii). Following its review in January 2002, the CTC reported to the PSC that application of the previous provision was not straightforward and would require additional work by the CTC. The PSC requested that the CTC annually provide the PSC with the pre-season expected, the actual and the post-season allowed catch. An annual review of these by the PSC would be used to determine if the parties were managing outside the intended boundaries.

Under the General Harvest Ceiling regulations, each gear group, including the sport fishery, is to be managed each season such that the harvest remains within + or -7.5% of its allocation. Current provisions of the king salmon management plan require restrictions to specific regulations (such as bag and annual limits) to be implemented preseason when a cumulative overage from prior years exists. Currently, cumulative (2000–2002) sport harvests exceed annual allocations to the sport fishery by 8,800 chinook salmon using the preseason abundance index, but fall short by 600 fish using the post-season.

The 2000 management plan directs the department to manage the troll fishery to account for overages and underages in the sport fishery. No regulatory guidance is provided for managing overage and underage in other fisheries. However, a similar practice occurred with the net fisheries in 2002 when the troll fishery was managed to ensure that the entire SEAK chinook quota of 356,500 fish was harvested. In that case the troll fishery harvested the projected net underage. Currently, a cumulative (2000–2002) net underage of 21,600 chinook salmon exists based on the post-season AI (19,500 based on pre-season AI; Table 316-1).

DEPARTMENT COMMENTS: Neutral. This proposal is allocative. However, the department requests that the Board clarify how overage and underage for each gear group should be managed within guidelines of the Pacific Salmon Treaty.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 316-1. Allocations and overages/underages by gear group, 2000–2002.

	Allocation			Overage/Underage			
Year	Pre-season	Post-season[a]	Harvest[b]	Pre-season		Post-season	
Troll fishery							
2000	138,507	129,780	133,963	-4,544	-3%	4,183	3%
2001	138,507	184,718	128,692	-9,815	-7%	-56,026	-30%
2002	266,029	266,029	298,384	32,355	12%	32,355	12%
Cumulative				17,996		-19,488	
Net fisheries (combined)							
2000	16,766	16,276	11,091	-5,675	-34%	-5,185	-32%
2001	16,766	19,361	13,421	-3,345	-20%	-5,940	-31%
2002	23,928	23,928	13,493	-10,435	-44%	-10,435	-44%
Cumulative				-19,455		-21,560	
Sport fishery							
2000	34,627	32,445	41,439	6,812	20%	8,994	28%
2001	34,627	46,180	44,725	10,098	29%	-1,455	-3%
2002	66,507	66,507	58,403	-8,104	-12%	-8,104	-12%
Cumulative				8,806		-565	

[a] Allocation for 2002 based on pre-season AI pending availability of post-season AI spring 2003.
[b] 2002 sport harvest estimate is preliminary pending results of the Statewide Harvest Survey summer 2003.

PROPOSALS 320 AND 321. PAGES 226–227. 5 AAC 29.060. GENERAL HARVEST CEILING AND ALLOCATION OF CHINOOK SALMON; AND 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? These proposals would divide the sport allocation for chinook salmon into two components: resident and nonresident. Proposal 320 specifies that at least 50 percent of the allocation would go to residents. Proposal 321 does not suggest an allocation but would deduct the allocation to resident anglers with net fishery allocations, before the remaining all-gear quota is allocated to the commercial troll fishery and nonresident anglers in the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) and regulations under the General Harvest Ceiling and Allocation of Chinook Salmon (5 AAC 29.060) direct the department to manage the sport fishery to attain a harvest of 20 percent of the annual harvest ceiling (quota) specified by the Pacific Salmon Commission, after subtracting the commercial net harvest as follows: purse seine fishery: 4.3 percent of the annual harvest ceiling; drift gillnet fishery: 7,600 chinook, and; set gillnet fishery: 1,000 chinook salmon.

Regulations to achieve the allocation as specified in the Southeast Alaska King Salmon Management Plan (5 AAC 47.055) are set each spring based on that year's preseason chinook salmon abundance index (AI). Bag limits may be either one or two fish. Bag limits are more restrictive for all users in years of lower abundance, and they may be more restrictive for nonresidents and charter anglers than for residents, especially when there is a cumulative sport overage. Annual limits, which only apply to nonresidents, may vary from two to four fish. Annual limits are more restrictive during years of low abundance and when there is a cumulative sport overage. During very low abundance, additional restrictions may be placed on the entire fishery – or specifically on the charter and nonresident portion of the fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? These proposals would create individual allocations to resident and nonresident anglers within the sport fishery. Considering harvest estimates for resident and nonresident anglers during 2000 and 2001, proposal 320 would increase the proportion of fish available to resident (and decrease the proportion available to nonresident) anglers from about 45% to 50%, or by about 5% of the allocation to the sport fishery. Since these proposals do not specify whether the fishery would be managed on a pre-season versus an in season basis for the allocations, we assume the former since that is the status quo.

If harvests of chinook salmon by resident and nonresident anglers are managed as separate allocations, management of the chinook salmon sport fishery would be more complex, and, given the department's existing programs, less precise. These proposals would require the current management plan to be substantially modified to provide direction to the department in managing each group of users for an allocation; the current plan does not provide the department with the discretion or direction to do so.

BACKGROUND: The department has estimated chinook salmon harvest by residents and nonresidents since 1987 using the Statewide Harvest Survey. The percentage of chinook salmon harvested by nonresidents increased from 28% in 1987 to 68% in 1994. Increased chinook salmon harvest by charter and nonresident anglers was an issue at each of the last three Board meetings in Southeast, and the Board has taken steps to decrease the percentage of harvest by nonresident and charter fishermen. In 1997 the Board imposed annual limits for nonresidents and in 2000 additional bag limit and annual limit restrictions were implemented for nonresidents. These changes have successfully decreased the proportion of nonresident and charter harvest. In 2000 and 2001, the most recent years for which data are available, nonresidents accounted for 49% and 58% of the total harvest, respectively.

DEPARTMENT COMMENTS: Neutral. These proposals are allocative. However, if the Board decides to reduce the harvest of chinook salmon by nonresident anglers, the department prefers that regulatory means (such as reduced bag limits, annual limits, and closures) be used, with specific direction about when and where to implement the regulations, rather than establishing specific allocations for each group.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 322. PAGE 227. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would direct the department to implement regulations to restrict chinook salmon harvest on the outer coast of Sitka and Prince of Wales Island prior to restricting fisheries on inside waters.

WHAT ARE THE CURRENT REGULATIONS? Currently, the sport fishery receives 20% of the remaining all-gear chinook salmon allocation after the net allocation has been removed. The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish regionwide bag and annual limits at various levels of chinook abundance, as measured by the chinook Abundance Index (AI). Bag limits, may be either one or two fish and annual limits, applied only to nonresidents, may vary from two to four fish. During years of very low chinook abundance (at an AI of less than 1.1), additional restrictions may be placed on the entire fishery—or specific portions of the fishery—including the ability to close areas of the outer coast to retention of chinook salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The proposal does not specify the types of restrictions that should be imposed on the outer coast fisheries or the magnitude of harvest reduction to be achieved. Because of the wide variety of potential restrictions that could be applied to achieve the proposal's intent, potential effects may range from small to large. It is difficult to estimate the magnitude of the shift in harvest from outside to inside waters that a specific regulation might achieve because of variability in chinook abundance and variability in run strength of specific stocks. However, applying more restrictive regulations to the outer coast (for example a one fish bag limit on the outer coast and a two fish bag limit on the inside waters) will result in a shift in harvest from outside to inside waters.

BACKGROUND: From 1977 to 1990, the harvest of chinook salmon in the Prince of Wales Island and Sitka areas accounted for an average of 17% of the regional total. From 1991 to 1995, the outer coast harvest increased to an average of 43% and, from 1998 to 2002, the outer coast harvest averaged 49% of the regional total. The Prince of Wales Island and Sitka areas also tend to harvest a lower percentage of Alaska hatchery fish—and thus a higher percentage of "treaty" fish—than other areas of Southeast Alaska. For example, between 1996 and 2000, Prince of Wales Island and Sitka accounted for an average of 62% of the treaty fish harvested in the region.

DEPARTMENT COMMENTS: Neutral. This proposal is allocative. However, if the Board decides to reduce the harvest of chinook salmon on outer coast fisheries using differential regulations implemented by emergency order, the department will request regulatory direction from the Board about when and where to apply the regulations.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 323. PAGE 228. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the Southeast Alaska King Salmon Management Plan to reduce harvest by nonresident and guided anglers in years of low abundance to stay within the sport allocation and at the same time minimize regulatory impacts on resident anglers.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery receives 20% of the remaining all-gear chinook salmon allocation after the net allocation has been removed (5 AAC 29.060(b)(2)). The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish specific region-wide bag limits for resident and nonresidents and annual limits for nonresidents at various levels of chinook abundance (as measured by the chinook Abundance Index, or AI). Bag limits may be either 1 or 2 fish and annual limits may vary from 2 to 4 fish. During years of very low chinook abundance (AI less than 1.1), the department is directed to implement additional restrictions needed to ensure that the 20% allocation is not exceeded. These additional restrictions may be imposed on the entire fishery or only on nonresidents and charter anglers. Additional restrictions include, prohibiting downriggers, reducing the number of lines that may be fished from a vessel, prohibiting retention of chinook salmon during one day per week, prohibiting retention of chinook salmon from August 1 to September 30, and prohibiting the retention of chinook salmon in areas and during times of high harvest of treaty fish along the outer coast of Southeast Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Both the current and proposed King Salmon Management Plans base regulatory decisions on the chinook salmon abundance index (AI), which is forecast each year under the Pacific Salmon Commission process. The two plans differ in that the proposal would base allocations and multi-year tracking of overages and underages on the post-season AI. The current plan specifies that the pre-season AI will be used to determine allocations, but does not specify which AI is used to track cumulative harvests. The current plan has been in effect for the last three years. During that time there is a cumulative sport overage of 8,806 fish when the pre-season AI is used to calculate the allocation (Table 323-1). However, when using the post season AI, the sport fishery for the last three years is under its total allocation by 564 fish (Note that the post season AI for 2002 will not be available until April 2003, so the pre-season AI was used for cumulative harvest tracking).

The effects of this proposal on harvest will vary depending on the magnitude of the chinook abundance index. At the highest abundance levels (AI greater than 1.5) the task force proposal decreases harvest opportunity for nonresident anglers by requiring a 1-fish bag limit and a 3-fish annual limit (except when there is a cumulative sport underage of greater than 10,000, at which time the annual limit will be 4 fish). The current plan allows a nonresident bag limit of one or two fish and an annual limit of three or 4 fish, depending on whether or not there is a cumulative sport overage. In 2002, the preseason AI was 1.74. The projected harvest (assuming no cumulative overage) would have been 67,634 fish. Under the proposed plan the projected harvest would be 60,262—a reduction of 7,372 (Table 323-2).

At moderate levels of chinook abundance (AI of 1.2–1.5) the current plan calls for a one or two fish bag limit for residents, a 1-fish bag limit for nonresidents, and a nonresident annual limit of 3 or 4 fish, depending on whether or not there is a sport overage. The task force proposal increases resident harvest opportunity by guaranteeing a 2-fish resident bag limit at indices greater than 1.35 when there is no cumulative sport overage, and decreases nonresident harvest opportunity by setting the annual limit at 3 fish. At an abundance of 1.43, the projected treaty harvest under the current plan is 50,221 and 54,121 under the proposed plan. Thus the new plan would allow an increased harvest of 3,900 as compared to the existing plan (Table 323-2). At an AI of 1.2 to 1.35, the two plans do not differ and the projected harvest is the same.
At abundance indices between 1.1 and 1.2 the task force proposal reduces harvest opportunity for nonresidents by establishing annual limits that are reduced from 3 to 1 fish as the season progresses. Assuming an AI of

1.15, the projected harvest under the current plan is 44,675. Under the proposed plan the projected harvest is 42,802—a reduction of 1,873 (Table 323-2).

At low abundance levels (AI less than 1.1), the current plan mandates a 1-fish bag limit for all anglers, a 2 or 3 fish annual limit for nonresidents, and provides the department with several regulatory options that could be applied only to nonresident and charter anglers or to all anglers to ensure that the sport fishery does not exceed the 20 percent harvest ceiling. Options include: prohibiting downriggers, reducing the number on lines per vessel, prohibiting retention of chinook salmon on specific days, prohibiting retention of chinook salmon from August 1 through September 30, and prohibiting retention in specific times and areas of high harvest of treaty chinook salmon. The task force proposal eliminates these options and provides four specific actions (in addition to those already taken at AI's below 1.2) to be taken to ensure that the allocation is not exceeded. These actions, in order of priority, are: 1) limit charter boats to 4 lines from May 1 though June 30; 2) nonresident anglers may not retain chinook salmon from August 1 through September 30 (except that nonresidents may retain one trophy chinook salmon, 48 inches or greater, and nonresidents fishing in the Golden North Salmon Derby may retain 1 chinook salmon 28 inches or more in length); 3) all anglers, including residents, may not retain chinook salmon from August 1 through September 30 (except that all anglers may retain one trophy chinook salmon, 48 inches or greater, and all anglers fishing in the Golden North Salmon Derby may retain 1 chinook salmon 28 inches or more in length); and 4) when the AI is below 1.0, days of non-retention will be established in July, as needed, to ensure the sport harvest does not exceed 23 percent, with 80 percent of the additional harvest reductions coming from nonresidents and 20 percent from residents.

Assuming an abundance index of 1.05, the expected harvest under the existing plan is 29,717. Under the proposed plan the expected harvest is 35,749—an increase of 6,559. Assuming an even lower abundance (0.9), the expected harvest is 24,502 under the existing plan and 28,177 under the proposed plan. This is an increase in harvest of 6,032 (Table 323-2).

BACKGROUND: The Board of Fisheries implemented the current form of the SE King Salmon Management Plan prior to the 2000 season. During the first two years that the management plan was in effect, 2000 and 2001, chinook abundance was low and the sport fishery exceeded its harvest allocation by as much as 10,098 fish (Table 323-1). The management plan called for sport overages to be paid back in future years of higher abundance. However the magnitude of the sport overage was greater than expected, there was concern that the all-gear harvest quota established by the Pacific Salmon Treaty would be exceeded, and the commercial troll fishery was absorbing greater than expected harvest reductions.

In response to these concerns the Alaska Board of Fisheries charged a task force, in January 2002, to develop and recommend changes to the Southeast Alaska King Salmon Management Plan. The purpose of the task force was to recommend changes to the King Salmon Management Plan to accomplish the following objectives: 1) minimize regulatory impacts on resident anglers; and 2) develop management options to reduce harvest by nonresidents and guided anglers in years of low abundance to stay within the sport allocation

The task force was composed of 11 members, including Board member Larry Engel, three lodge owners, three charter operators, three resident anglers, and a representative for the Sitka Tribe of Alaska. The task force members were also selected to represent various geographic areas of the region.

The task force met four times in 2002: in Sitka in March, via teleconference in April, in Ketchikan in November, and via teleconference in November. At the March and April meetings the task force members identified issues associated with the management of chinook salmon, developed a number of consensus items, and developed a draft regulatory proposal (#323). In November, the task force modified their proposal and wrote a set of findings to present to the Board.

DEPARTMENT COMMENTS: Neutral. Much of this proposal is allocative and the department is **neutral** on all aspects of the proposal that affect allocation. However, the department **supports** the Task Force plan to the extent that it reduces harvest to stay within the current sport allocation.

The proposed plan provides little direction during low abundance scenarios on the timing of periods of nonretention for residents. Absent further direction from the Board, the department will determine the number of days of nonretention for residents necessary to account for 20 percent of the desired reduction. Days of nonretention for residents will then be selected beginning at the end of July with the last day of nonretention for nonresidents, and moving forward toward the beginning of the month, closing each additional day selected as a nonretention day for nonresidents, until the appropriate number of days of nonretention for residents have been established.

The department requests specific direction from the Board with respect to how cumulative overages should be determined. Two options exist: use of the pre-season AI and use of the post-season AI. The Task Force proposed using the post-season AI; the department remains neutral due to the allocative aspects. Unless otherwise directed by the Board, cumulative overages will be calculated beginning from 2000, when the current version of the plan became effective, through the most recent year the AI is available.

In (g)(2) of the proposed plan, there is an exemption from restrictions on retention of chinook salmon for "nonresident anglers fishing in the Golden North Salmon Derby," and in (g)(3), there is an exemption from restrictions on retention by all Derby participants. Comments from department of Law indicate that this kind of distinction is outside the authority of the Board of Fisheries, which does not have the authority to limit participation in a fishery (including the right to retain fish) to only a certain class of sport fishers, such as derby participants.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 323-1. Southeast Alaska sport fish harvests of treaty chinook salmon versus pre-season and post-season allocations, annual deviations from the quota, and cumulative overages and underages.

Year	Pre-season quota	Pre AI	Treaty harvest	Deviation	% Dev.	Cumul. dev.	Cumul. % dev.
2000	34,627	1.14	41,439	6,812	20%	6,812	20%
2001	34,627	1.14	44,725	10,098	29%	16,910	24%
2002	66,507	1.74	58,403 [a]	-8,104	-12%	8,806	6%

Year	Post-season quota	Post AI	Treaty harvest	Deviation	% Dev.	Cumul. dev.	Cumul. % dev.
2000	32,445	1.10	41,439	8,994	28%	8,994	28%
2001	46,180	1.29	44,725	-1,455	-3%	7,540	10%
2002	66,507	1.74 [b]	58,403 [a]	-8,104	-12%	-564	-0.4%

[a] Preliminary.
[b] This is the pre-season Abundance Index; the post-season AI will not be known until later in spring 2003.

Table 323.2. Projected impacts on chinook salmon harvest in the Southeast Alaska sport fishery stemming from proposed changes to the King Salmon Management Plan by the King Salmon Task Force.

Abundance index ranges	**Mid-range** abundance indices	All-gear allocation	Sport quota	Harvest under current plan [a]	Proposed plan codes	Harvest under proposed task force plan [a]	Number of fish (< or >) allocation	Percent of sport quota	Resulting sport allocation
>1.50	**1.74**	356,464	66,507	67,634	(d)	60,262	(6,245)	91%	**18%**
1.36 to 1.50	**1.43**	275,248	50,963	50,221	(e) 1	54,121	3,159	106%	**21%**
1.21 to 1.35	**1.28**	248,474	45,838	47,250	(e) 2	47,250	1,412	103%	**21%**
1.11 to 1.2	**1.15**	192,750	35,172	44,675	(f) 4 & 5	42,802	7,630	122%	**24%**
1.0 to 1.1	**1.05**	164,250	29,717	29,717	(f) 4 & 5	40,905	11,187	138%	28%
					(g) 1	40,086	10,369	135%	27%
					(g) 2	36,479	6,761	123%	25%
					(g) 3	35,749	6,032	120%	**24%**
<1.0	**0.9**	137,000	24,502	24,502	(f) 4 & 5	38,058	13,556	155%	31%
					(g) 1	37,297	12,795	152%	30%
					(g) 2	33,940	9,438	139%	28%
					(g) 3	33,261	8,760	136%	27%
					(h)	28,177	3,675	115%	**23%**

[a] These harvest projections assume no cumulative overage exists.

PROPOSAL 324. PAGE 230. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current Southeast Alaska King Salmon Management Plan to provide a two fish bag limit for resident anglers when the chinook salmon abundance index is 1.2 or greater.

WHAT ARE THE CURRENT REGULATIONS? When the abundance index is greater than 1.2 and less than or equal to 1.5, the resident bag limit will be either 1 or 2 fish as necessary to prevent the sport fishery from exceeding its 20 percent allocation. When there is no cumulative sport overage and the resident bag limit has been increased from one to two chinook salmon, the nonresident annual limit will be three or four fish, as necessary to prevent a sport fishery overage. When there is a cumulative sport fishery overage, the nonresident annual limit will be 3 fish.

When the abundance index is greater than 1.5, the resident bag limit is two chinook salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would eliminate the discretion the department now has when the AI is greater than 1.2 and less than or equal to 1.5. Since the plan was last modified in 2000, the AI has not fallen within this range. As a result the department has no practical experience by which to evaluate the performance of the existing plan, or assess the magnitude of the potential effects, in this range (1.2 to 1.5).

A 2-fish bag limit applied in this range (1.2 to 1.5) for residents would result in larger harvests than a 1-fish bag limit. From 1992-2000, a one fish bag limit was in effect during the entire spring on three occasions (1992, 1994, and 2000). On those occasions the average harvest by residents was 15,000 treaty fish. A two fish bag limit was in effect on four occasions (1995, 1997–1999) and the average harvest by residents was 18,900. So, resident anglers caught an average of 3,900 more fish in years with a two fish bag limit than in years with a one fish limit. Most of the 3,900 fish increase was due to increased harvests in the Sitka fishery. These estimates should be used only used as a general guide to the potential change in harvest because harvests of fish by resident anglers are highly variable and harvests in inside fisheries such as Juneau are linked to local stock abundance more closely than to the abundance index.

The increased harvest potential in the 1.2-1.5 range would cause the department to implement an annual limit of three fish for nonresidents when there is no cumulative overage, as currently provided in the plan, more often. Additionally, harvests would more likely exceed the allocation when the AI falls between 1.2 and 1.5. This would particularly be the case in the lower end of this range.

BACKGROUND: One of the objectives of the current Southeast Alaska King Salmon Management Plan is to minimize regulatory restrictions on resident anglers not fishing from a charter vessel. The department has estimated chinook salmon harvest by residents and nonresidents since 1987. The percentage of chinook salmon harvested by nonresidents increased from 28% in 1987 to 68% in 1994. Increased charter and nonresident harvest of chinook salmon has been an issue at each of the last three Board meeting in Southeast and the Board has taken steps to decrease the percentage of harvest by nonresident and charter fishermen. In 1997, the Board imposed annual limits for nonresidents and in 2000, additional bag limit and annual limit restrictions were implemented for nonresident. These changes have been successful in reducing nonresident and charter harvest. During the most recent 5-year period for which data is available (1997–2001), nonresidents accounted for 55% of the total harvest.

DEPARTMENT COMMENTS: Neutral. This proposal is allocative. However, if the Board implements this increase without additional restrictions to nonresident anglers, the 20 percent sport allocation will more likely be exceeded when the AI falls between 1.2 and 1.5, and particularly in the lower end of the range, unless additional restrictions are imposed.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 325. PAGE 231. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would establish sport fishery allocations for chinook salmon by area and establish additional allocations or caps for nonresidents in each area.

WHAT ARE THE CURRENT REGULATIONS? Currently, the sport fishery (resident and nonresident combined) receives 20% of the remaining all-gear chinook salmon allocation after the net allocation has been removed (5 AAC 29.060(b)(2)). Regulations to achieve the allocation are set each spring based on that year's preseason abundance index. During very low abundance, restrictions may be placed on the entire fishery, or specifically on the charter and nonresident portion of the fishery, including the ability to close areas of the outer coast to retention of chinook salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The specific effect of this proposal would vary depending on the number and size of allocations (or harvest caps) implemented. Since the purpose of this proposal is to restrict nonresident harvest, especially on the outer coast of Prince of Wales Island and in Sitka, it can be assumed that more fish would be available for harvest by residents and all anglers on inside waters. This would be especially true in years of low chinook salmon abundance when the outer coast fishery has the potential to harvest a higher proportion of the total harvest. These proposals do not specify whether the fishery would be managed on a pre-season versus an in season basis for the allocations; we assume the former since that is the status quo.

If separate allocations are established for nonresidents in eight different areas, as the proposal suggests, management of the chinook salmon sport fishery would be more complex and, given the department's existing programs, less precise. The department's ability to accurately predict what regulations will result is a specific level of harvest for several small allocations is much less than our current ability for one larger allocation. These proposals would require the current management plan to be substantially modified to provide direction to the department in managing each group of users for an allocation; the current plan does not provide the department with the direction to do so.

BACKGROUND: The department has estimated chinook salmon harvest by residents and nonresidents since 1987 and by area since 1977. The percentage of chinook salmon harvested by nonresidents increased from 28% in 1987 to 68% in 1994. The proportion of the harvest taken on the outer coast also increased from 17% prior to 1990 to 49% during the last five years**.** The Prince of Wales Island and Sitka areas also tend to harvest a lower percentage of Alaska hatchery fish—and thus a higher percentage of "treaty" fish—than other areas of Southeast Alaska. For example, between 1996 and 2000, Prince of Wales Island and Sitka accounted for an average of 62% of the treaty fish harvested in the region while harvesting only about 50% of the regional total.

Increased charter and nonresident harvest of chinook salmon, as well as increasing harvest on the outer coast have been ongoing issues at each of the last three Board meetings in Southeast. The Board has taken steps to decrease the percentage of harvest by nonresident and charter fishermen by implementing more restrictive bag and annual limits. These changes have been successful in reducing nonresident harvest. During the most recent 5-year period for which data is available (1997–2000) nonresidents accounted for 55% of the total harvest in the region. In addition, the current management plan provides the option of closing areas of high harvest on the outer coast during years of very low chinook salmon abundance.

DEPARTMENT COMMENTS: Neutral. This proposal is allocative. However, if the Board decides to reduce the harvest of chinook salmon in specific areas by nonresident anglers, the department prefers that regulatory means be used rather than establishing harvest caps for specific gear groups or areas. Division of Fish and Wildlife Protection may have additional comments.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 326. PAGE 231. 5 AAC 47.024. (a) HARVEST RECORD REQUIRED; SEASONAL LIMIT.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the chinook salmon annual limit for nonresidents in ADF&G Districts 4 and 13 (the outer coast of SE Alaska) to 2 chinook salmon 28 inches or more in length and require that the first two legal fish caught be harvested. These limits would supersede the Southeast Alaska King Salmon Management Plan in these two Districts. In addition, department staff talked with one of the proposers, who stated that the proposal was also intended to prohibit nonresident anglers from targeting chinook salmon once the annual limit was attained.

WHAT ARE THE CURRENT REGULATIONS? The nonresident annual limit for chinook salmon in Southeast Alaska is four fish. However, under the terms of the Southeast Alaska King Salmon Management Plan (5 AAC 47.055), the nonresident annual limit may be reduced to as low as two fish in years of low abundance of chinook salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Reducing the nonresident annual limit to two fish would reduce harvest during most years. The magnitude of the reduction would vary depending upon chinook abundance, because, under the terms of management plan, annual limits are increased as chinook abundance increases. In years of low chinook abundance, a two fish annual limit will already be in place for nonresidents, therefore no decrease in harvest would occur. In years of high chinook abundance, a two fish annual limit would reduce the harvest by nonresidents in Districts 4 and 13 by approximately 15–25%.

An intended effect of this proposal is to reduce hooking mortality. Hooking mortality would be reduced if nonresident anglers are required to keep the first two (legal sized) fish caught, and would be reduced further if nonresident anglers that harvest the annual limit are prohibited from targeting chinook salmon for the remainder of the year. Hooking mortality caused by resident anglers would be unaffected by this proposal.

The only way a prohibition on targeting chinook salmon could be enforced would be to require nonresident anglers in Districts 4 and 13 to stop fishing in all waters open to chinook salmon fishing once they have harvested their chinook salmon bag limit or annual limit. Any nonresident angler that harvested two chinook salmon in District 4 or 13 would be prohibited from fishing for other species, including coho salmon or halibut, in the waters of District 4 and 13 for the remainder of the calendar year. If nonresident anglers in Districts 4 and 13 were not required to stop fishing once the bag or annual limit was attained, the proposal may still accomplish some reduction in mortality because some anglers would comply with the regulation regardless of the enforceability.

BACKGROUND: ADF&G creel data from 2000 through 2002 indicate that majority of legal sized chinook salmon are retained (Table 326-1**.** Retention rates from 1995 to 1999 were higher than the recent rates especially for charter anglers (Table 326-2). The higher incidence of catch and release of legal-sized chinook salmon in recent years is probably due to implementation of annual limits for nonresidents. Prior to 1997, no annual limits for chinook salmon were in place. During 1997 through 1999 the nonresident annual limit was 4 chinook salmon. During 2000–2002 the annual limit for nonresident anglers was 3 chinook salmon. In areas with high chinook salmon catch rates such as Sitka and Craig, retention rates are among the lowest in the region, 0.69 and 0.79, respectively. Private anglers generally retain a slightly higher portion of their catch than anglers fishing from charter boats. However, this difference is likely because the majority of private anglers are residents (who do not have an annual limit) and the majority of charter anglers are nonresidents who do have an annual limit.

The Chinook Technical Committee of the Pacific Salmon Commission currently models incidental mortality for sport chinook encounters as a 12.3% hooking mortality plus a 3.6% drop-off mortality (for escaping fish that are mortally wounded) for a total mortality of 15.9%.

DEPARTMENT COMMENTS: Mixed. The department is **neutral** with respect to reducing the annual limit for nonresidents to two fish in Districts 4 and 13 due to the allocative reasons. However, if the Board adopted this proposal as written, the department would **oppose** requiring anglers to stop fishing for all species for the remainder of the year once the chinook salmon bag or annual limit is obtained. While the action would effect some reduction in incidental mortality to chinook salmon caught by nonresidents, the action is unnecessary because incidental mortality in the sport fishery is currently accounted for in the treaty process, and it would cause a large reduction in fishing and harvest opportunity.

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

Table 326-1. Average (2000–2002) annual retention rates for legal-sized chinook salmon in SE Alaska sport fisheries for private and charter anglers.

	Private		Charter	
Port	Retention rate	Range	Retention rate	Range
Juneau	0.93	0.86 to 0.96	0.91	0.84 to 0.96
Sitka	0.78	0.72 to 0.83	0.69	0.67 to 0.71
Ketchikan	0.84	0.80 to 0.87	0.88	0.83 to 0.94
Petersburg	0.95	0.93 to 0.96	0.93	0.83 to 0.97
Wrangell	0.86	0.70 to 0.95	0.72	0.49 to 0.86
Craig	0.77	0.70 to 0.85	0.79	0.71 to 0.83

Table 326-2. Average (1995–1999) annual retention rates for legal-sized chinook salmon in SE Alaska sport fisheries for private and charter anglers.

	Private		Charter	
Port	Retention rate	Range	Retention rate	Range
Juneau	0.95	0.91 to 0.98	0.93	0.85 to 0.98
Sitka	0.85	0.76 to 0.90	0.82	0.64 to 0.96
Ketchikan	0.94	0.91 to 0.98	0.96	0.91 to 1.00
Petersburg	0.96	0.93 to 0.98	0.97	0.92 to 1.00
Wrangell	0.98	0.96 to 1.00	0.98	0.94 to 1.00
Craig	0.92	0.86 to 0.95	0.94	0.82 to 1.00

PROPOSALS 327–328. PAGE 232. 5 AAC 47.020. CODE KEY FOR BAG LIMITS, POSSESSION LIMITS, AND SIZE LIMITS; 5 AAC 47.020. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS; and 5 AAC 47.055 SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? These proposals would reduce the region wide chinook salmon bag and possession limit for nonresidents to one fish and reduce the annual limit for nonresidents to one (Proposal 327) or two (Proposal 328) fish. Both proposals would allow a 2-fish bag limit for resident anglers. The intent of these proposals appears to be to retain the sport fishery allocation but supersede the management measures currently provided in the Southeast Alaska King Salmon Management Plan.

WHAT ARE THE CURRENT REGULATIONS? The region wide bag and possession limit for chinook salmon is two fish for all anglers. In addition, nonresidents have a four chinook salmon annual limit. These harvest limits are modified under the terms of the Southeast Alaska King Salmon Management Plan (5 AAC 47.055) in order to keep the sport fishery harvest within its 20 percent allocation.

Regulations to achieve the allocation are set each spring based on that year's preseason chinook abundance index. Bag limits may be either one or two fish. Bag limits are more restrictive for all users in years of lower abundance, and they may be more restrictive for nonresidents and charter anglers than for residents, especially when there is a cumulative sport overage. Annual limits, which only apply to nonresidents, may vary from two to four fish. Annual limits are more restrictive during years of low abundance and when there is a cumulative sport overage. During very low abundance, additional restrictions may be placed on the entire fishery—or specifically on the charter and nonresident portion of the fishery, or in areas of high harvest of treaty salmon on the outer coast.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Both proposals would reduce bag, possession, and annual limits for nonresidents below the limits currently provided by the king salmon management plan at moderate and high abundance levels. These proposals would increase bag and possession limits for residents at low and moderate, but not high, abundance levels.

The effect these proposals would have on sport harvests would also vary depending on chinook abundance. At abundance indices below 1.1, the proposed increased bag limit for residents would result in harvests exceeding the sport fishery allocation. At abundance indices between 1.1 and 1.2, these proposals would increase the bag limit for residents and reduce the annual limit for nonresidents; the nonresident bag limit would be the same as currently provided in the management plan. A 2-fish annual limit for nonresidents would be expected to reduce the total harvest for the region by about 6–9 percent, and a 1-fish annual limit would reduce harvest by about 21–26 percent. The 2-fish bag limit for resident anglers would increase harvests by approximately 10 percent. The net effect of these proposals at low-moderate abundance levels would be an increase in harvest of 2–4 percent with a 2-fish annual limit for nonresidents and a decrease in harvest of 10–15 percent with a 1-fish annual limit for nonresidents.

At moderate levels of chinook abundance (1.2–1.5), the primary effect of these proposals would be a reduction in the annual limit for nonresidents; the nonresident bag limit would remain unchanged and the department currently has the discretion to implement a one or two-fish bag limit for residents. Requiring a 2-fish annual limit could result in a reduction in the total harvest of between 10 and 15 percent, depending on chinook abundance. Reductions from a 1-fish annual limit would be expected in the range from 25 to 32 percent. These reductions would be somewhat offset by an increase in harvests by residents because the department would not have the discretion it currently has to implement a 1-fish bag limit. However, the net effect in this range would be a reduction in harvest to levels that would not exceed the sport fishery allocation.

At higher levels of chinook abundance (above 1.5), these proposals would reduce the annual limit for nonresidents and, during years when a cumulative overage exists, reduce the bag limit for nonresidents; the current plan calls for a 2-fish bag limit for residents but gives the department discretion to reduce it to one when there is a cumulative overage. In this range, the sport fishery would not have the capacity to harvest its allocation.

BACKGROUND: The sport fishery has been managed for an allocation of the all-gear quota since 1992, when the Board originally established the Southeast King Salmon Management Plan. Since 1992, regulatory bag limits for chinook salmon (two fish 28 inches or greater per day and in possession for all (resident, nonresident, charter, non-charter) anglers) have been adjusted by emergency order under direction of the management plan in most years. In 1997, the Board adopted a 4-fish annual limit for nonresident anglers.

From 1992 through 1996, bag and possession limits implemented under the plan applied to all (resident and nonresident, charter and non-charter) anglers and there were no annual limits for chinook salmon. In 1997, the Board implemented the annual limit of four chinook salmon for nonresidents and revised the management plan. The revised plan required reductions in bag limits to be applied to either all anglers or anglers fishing from charter vessels, and increases in bag limits to be applied to all anglers or anglers not fishing from a charter vessel. The 1997 plan also required the nonresident annual limit to be increased to five fish during years of high abundance. In 2000, the Board adopted the plan in its current form. Unlike previous versions, the current plan ties management measures to specific levels of abundance, requires distinct bag limits for (non-guided) resident versus nonresident and charter anglers, and requires adjustments to the nonresident annual limit from two to four fish.

DEPARTMENT COMMENTS: Neutral. The proposal is allocative.

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

PROPOSAL 329. PAGE 233. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would double (at a minimum) the chinook salmon bag limit in areas near Ketchikan during the spring when the Alaska hatchery percentage of chinook salmon is 30 percent or higher.

WHAT ARE THE CURRENT REGULATIONS? The region wide bag and possession limit for chinook salmon is two fish for all anglers. In addition, nonresidents have a four chinook salmon annual limit. These regulations are modified under the terms of the SE King Salmon Management Plan (5 AAC 47.055) in order to keep the sport fishery harvest within its 20 percent allocation. In terminal harvest areas, where the percentage of Alaska hatchery fish is near 100%, the department implements more liberal bag limits by emergency order. If the bag limit is increased to three or more fish 28-inches or more in length, the fish harvested do not count toward the nonresident annual limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Harvest of Alaska hatchery fish would increase, as would harvest of chinook salmon that count toward the quota. The magnitude of the increased harvest would vary depending on wild chinook abundance, hatchery returns, and the size of the area affected. Increased harvest of "treaty" fish would cause the sport fishery to more likely exceed it's 20 percent allocation, especially at moderate to low levels of chinook abundance. Therefore, the department would be more likely to restrict other components of the fishery (areas or time) to ensure that the sport allocation was not exceeded.

BACKGROUND: In 2002, 63% of the chinook salmon harvested in the Ketchikan area were Alaska hatchery fish (Table 329-1). During the past five years, an average of 53% of the chinook salmon harvested in the Ketchikan area have been from Alaska hatcheries. Other locations with high Alaska hatchery harvest include Petersburg (average 24%) and Juneau (average 39%). ADF&G routinely increases bag limits in terminal harvest areas near Ketchikan, Petersburg, Juneau, Sitka, and Skagway. The magnitude of the increased harvest opportunity varies, depending primarily on the magnitude of the hatchery return in a particular year.

DEPARTMENT COMMENTS: Neutral. The proposal is allocative. However, if the Board implements this proposal, harvest of treaty fish will be increased and the sport allocation will likely be exceeded at moderate and low abundance indices unless additional restrictions are implemented. Additionally, the department would need specific direction on when and where to increase bag limits.

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

Table 329-1. Minimum estimated contributions of hatchery chinook salmon to sampled marine boat sport fisheries of Southeast Alaska, 2002 (preliminary[a]).

	Marine boat sport fishery						
	Ketchikan 4/29-9/29	Craig 4/29-9/15	Petersburg 5/06-7/07	Wrangell 4/29-6/30	Sitka 4/29-9/29	Juneau 4/29-9/29	Total
Conuma (WCVI)[b]	124	291	0	0	692	0	1,107
Nitinat (WCVI)[b]	23	38	0	0	766	0	827
Robertson Creek (WCVI)[b]	0	210	0	0	803	0	1,013
Other non-Alaska	326	950	6	0	2,822	120	4,224
Non Alaska total	473	1,489	6	0	5,083	120	7,171
ALASKA							
Crystal Lake	27	86	550				663
Crystal Lake/Earl West			10				10
Crystal Lake/Neets Bay	455	57			91	50	653
Deer Mountain	12				5		17
Macaulay (Gastineau)					57	3,296	3,353
Hidden Falls					12	453	465
Little Port Walter					32	19	51
Medvejie					1,784	12	1,796
Neets Bay	117	126	10		61		314
Sheldon Jackson					7		7
Tamgas Creek	1,453				20		1,473
Whitman Lake	2,587				306	9	2,902
Alaska total	4,651	269	570	0	2,375	3,839	11,704
All area total	5,124	1,758	576	0	7,458	3,959	18,875
Creel survey harvest[a]	7,346	11,133	1,122	1,375	24,834	6,430	52,240
Percent Alaska hatchery	63%	2%	51%	0%	10%	60%	22%
Percent Alaska hatchery, 5-yr average	53%	4%	24%	12%	11%	39%	18%
Percent total hatchery	70%	16%	51%	0%	30%	62%	36%

[a] Not all expanded to entire area. Craig, Petersburg, and Wrangell estimates based on catch sampling programs only. Additional terminal area Alaska hatchery harvests included about 1,500 fish (Gastineau/ Snettisham) in the Juneau area and 3,000 fish (Crystal Lake) in the Petersburg area.

[b] WCVI = West Coast Vancouver Island hatchery stock.

PROPOSAL 330. PAGE 234. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the regional possession limit for chinook salmon to two daily bag limits.

WHAT ARE THE CURRENT REGULATIONS? The region wide bag and possession limit for chinook salmon is two fish for all anglers. In addition, nonresidents have a four chinook salmon annual limit. Under the terms of the SE King Salmon Management Plan, the bag and possession limit may be reduced to 1 fish in order to keep the sport fishery harvest within its 20 percent allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would increase the ability of people taking multiple day trips to harvest chinook salmon during more than one day. If the chinook salmon possession limit is doubled, the sport harvest would be expected to increase. Increased harvest efficiency will require that other restrictions be implemented, particularly in years of moderate or low abundance, to ensure that the sport fishery stays within its 20 percent allocation.

BACKGROUND: The regulatory possession limit for chinook salmon has been equal to one bag limit since statehood.

DEPARTMENT COMMENTS: Neutral. However, adoption of this proposal would cause the sport fishery allocation to be exceeded more frequently and to a larger degree than the status quo, unless other restriction(s) are implemented to offset any increase in harvest.

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

PROPOSAL 331. PAGE 234. 5 AAC 47.020. CODE KEY FOR BAG LIMITS, POSSESSION LIMITS, AND SIZE LIMITS; 5 AAC 47.024. HARVEST RECORD REQUIRED; SEASONAL LIMIT; and 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would decrease the regional minimum length limit for chinook salmon to 25 inches.

WHAT ARE THE CURRENT REGULATIONS? The minimum length limit for chinook salmon in southeast Alaska is 28 inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the minimum length limit is reduced from 28 to 25 inches the harvest capability of the sport fishery will be increased. We are unable to estimate the magnitude of the potential harvest increase because no data are available on the size distribution of undersized chinook salmon that are released. However, increased harvest efficiency will require that other restrictions be implemented, particularly in years of moderate or low abundance, to ensure that the sport fishery does not exceed its 20 percent allocation.

BACKGROUND: The 28-inch minimum length limit has been in place for the sport fishery since 1977. From 1992 through 1999, the management plan allowed increases or decreases in the minimum size as a management tool to reduce or increase harvests. The length limit options were never implemented because of concerns about maintaining stable fishery regimes as required by the Pacific Salmon Treaty. The option to change length limits was removed from the plan by the Board in 2000.

DEPARTMENT COMMENTS: Oppose. Decreasing the minimum length limit would increase the harvest capability of the sport fishery and require other restrictions to offset the increase in harvest. In addition, management of the Southeast Alaska chinook salmon fishery would be jeopardized because the Pacific Salmon Treaty chinook abundance model requires stable fishery regulations—including stable length limit regulations—to accurately estimate chinook abundance.

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

PROPOSALS 332 AND 333. PAGE 235. 5 AAC 47.020. CODE KEY FOR BAG LIMITS, POSSESSION LIMITS, AND SIZE LIMITS.

WHAT WOULD THE PROPOSAL DO? This proposal would establish nonresident limits for coho salmon at 2 per day, 4 in possession, with an annual limit of 6 per year in Southeast Alaska. The resident limit would remain unchanged at 6 per day and 12 in possession (no annual limit).

WHAT ARE THE CURRENT REGULATIONS? The current regionwide regulations for coho salmon, 16 inches or more in length, allow all anglers to keep 6 per day, and 12 in possession, with no annual limit. In addition, for salmon other than chinook salmon, anglers are allowed 10 per day in the aggregate, and in 10 possession, less than 16 inches in length. No special regulations for coho salmon apply to nonresidents.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Nothing would change for resident sport anglers, however, coho salmon limits for nonresident anglers would be reduced. Although we do not have daily harvest information for nonresident anglers, we do have this information for charter boat clients that are predominately nonresidents. Information gathered from charter logbooks and onsite creel surveys indicate that a daily bag limit of two coho salmon would result in a 43-44% average reduction in the charter harvest (Table 332-1). This in turn would reduce the total marine sport harvest on average by 27% (Table 332-2). Information collected from the Statewide Harvest Survey indicates that a nonresident annual limit of six coho salmon would result in a 43% decrease in the nonresident harvest and 30% reduction in the total sport harvest (Table 332-3)

BACKGROUND: The percent of Southeast Alaska sport coho salmon harvest taken by nonresident anglers has varied but has shown an increasing trend since 1993 (Figure 332-1). Contrary to the problem statement in this proposal, coho salmon stocks are not allocated among fisheries. There are currently no coho salmon stocks of concern in southeast Alaska. Stock assessment and harvest data indicate that less than 100 river systems supply 80-90% of all coho production in the region. Although production has varied over time, management has been responsive to assure escapement is met and consumptive uses are provided for. Based on substantial coded-wire tag and escapement data collected during the past 20 years, exploitation rates average between 55% to 65% for a broad range of stocks, ranging from 44% to 54% for northern mainland systems like Auke Lake and Taku River, about 60% for outside coast systems like Form Arm Lake, and 70-80% for southern inside systems like Hugh Smith Lake and Unuk River. All indications are that these harvest rates are sustainable.

DEPARTMENT COMMENTS: The department is **neutral** on this proposal due to its allocative nature. This proposal is seeking to reduce the harvest of coho salmon taken by nonresident anglers. There is little justification for this proposal based on conservation concerns; there are no conservation concerns with coho stocks in Southeast Alaska, recent abundance levels have been moderate to high, and current exploitation rates are sustainable.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

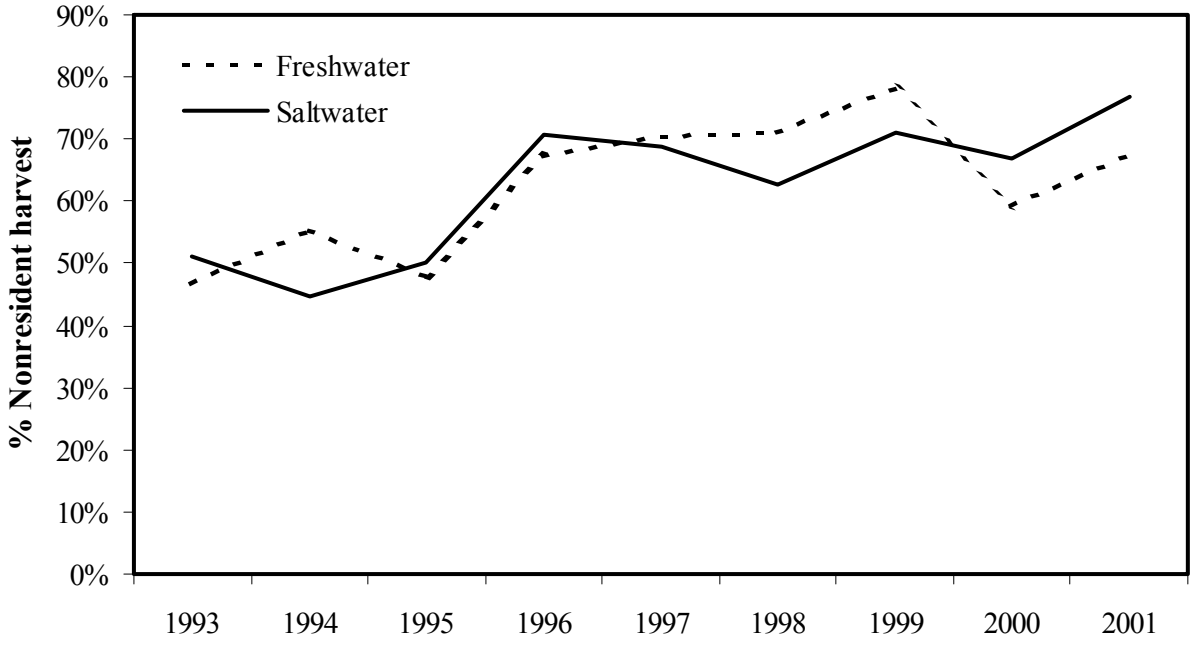


Figure 332-1. Percent of Southeast Alaska coho salmon sport harvest taken by nonresident anglers, 1993–2001. Data taken from the Alaska Statewide Harvest Survey.

Table 332-1. Estimated reduction in the chartered angler coho salmon sport harvest in Southeast Alaska with a nonresident bag limit of two fish. Analysis based on charter logbook data, 1998–2001.

		Nonresident bag limit = 2	
Year	Harvest	Harvest	Reduction
1998	108,882	61,149	44%
1999	186,495	96,081	48%
2000	112,508	67,536	40%
2001	429,079	255,854	40%
Average	209,241	120,155	43%

Table 332-2. Estimated reduction in the marine coho salmon sport harvest in Southeast Alaska with a nonresident bag limit of two fish. Analysis based on onsite creel data, 2000–2002.

			Nonresident bag limit = 2			
	Sampled harvest		Chartered anglers		All anglers	
Year	Charter	All anglers	Harvest	Reduction	Harvest	Reduction
2000	8,522	13,305	4,950	42%	9,733	27%
2001	15,828	25,041	7,682	51%	16,895	33%
2002	11,156	19,803	6,681	40%	15,328	23%
Avg.	11,835	19,383	6,438	44%	13,985	27%

Table 332-3. Estimated reduction in the Southeast Alaska coho salmon sport harvest under a nonresident annual limit of six fish. Analysis based on Statewide Harvest Survey data, 1997–2001.

				Projected harvest with nonresident annual limit = 6			
	Coho salmon harvest			Nonresident		Total	
Year	Resident	Nonresident	Total	Harvest	Reduction	Harvest	Reduction
1997	50,827	112,375	163,202	66,599	41%	117,427	28%
1998	62,135	109,260	171,395	66,463	39%	128,598	25%
1999	88,765	224,311	313,076	122,827	45%	211,593	32%
2000	65,463	127,488	192,951	79,138	38%	144,602	25%
2001	76,848	244,258	321,106	123,278	50%	200,126	38%
Avg.	68,808	163,538	232,346	91,661	43%	160,469	30%

PROPOSAL 334. PAGE 236. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the bag and possession limit for coho salmon in the Salmon, Bartlett, Dundas, and Mud Bay Rivers in Icy Strait. The proposal also suggests that other rivers in the area, such as Excursion, Trail, and Neka Rivers, be considered for the reduced limits.

WHAT ARE THE CURRENT REGULATIONS? The regionwide bag and possession limits for coho salmon are six per day, 12 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, the proposal would reduce the coho salmon bag limit and possession limit to two fish. The revised limit would be the same as limits currently in place for systems crossed by Yakutat, Juneau and Ketchikan road systems and on Chilkoot Lake near Haines.

BACKGROUND: The Bartlett and Salmon Rivers can be accessed by the Gustavus/Glacier Bay National Park road system, but the other streams addressed in this proposal require the use of either a boat or plane for access. The Dundas and Excursion rivers are located on the mainland; Mud Bay, Trail and Neka rivers are located on northern Chichagof Island.

Stream-specific escapement information is not available for the systems identified in this proposal. Region wide, there is no evidence of conservation concerns for coho salmon in Southeast Alaska. Coho salmon abundance is moderate to high and stocks are generally stable and healthy. Department stock assessment projects indicate that, in systems with established escapement goals, escapements have met or exceeded goals over 90% of the time in the last 20 years.

Estimates of effort and harvest from the Statewide Harvest Survey are available for the Glacier Bay area (SWHS Area G), which includes all streams identified in this proposal. For 2000 and 2001, the estimated harvest of coho salmon in the fresh waters of the Glacier Bay area was 749 and 1,668 fish, respectively. Freshwater sport fishing effort in the Glacier Bay area was estimated at 3,249 and 3,503 angler days for the same years. Sporadic estimates of sport fishing effort and harvest are available on the Bartlett and Salmon Rivers. From 1993 through 2001, effort (range: 700–1,800 angler days) and harvest (range: 100–600 coho salmon) on these systems was comparable or slightly less than effort and harvest on Juneau roadside systems. Estimates are not available for other specific systems identified in this proposal due to an insufficient number of responses in the survey.

DEPARTMENT COMMENTS: The department is **neutral** with respect to this proposal. There are no known conservation concerns over coho salmon in Southeast Alaska. However, there is little information on the stock status or escapement trends of coho salmon for individual streams identified in this proposal.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 335. PAGE 236. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to close Situk and Mountain lakes to sport fishing for sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? The upper Situk River drainage, including Situk and Mountain Lakes, are open to sport fishing for sockeye salmon year-round. The bag and possession limit for sockeye salmon 16 inches or greater in length is 6 per day and 12 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Adoption of this proposal would result in loss of angling opportunity for a small number of anglers who fish in the area. The effect on the annual sport harvest in the Situk system would probably be undetectable because current harvest levels are low in these two lakes and anglers currently fishing the lake area may choose to fish further downstream.

BACKGROUND: ***Situk and Mountain Lakes lie at the headwaters of the Situk River system. Mountain Lake is narrow, approximately two miles long, at an elevation of approximately 250 feet. Situk Lake is approximately one mile across, at an elevation of approximately 140 feet and Mountain Stream is approximately 1.5 miles long and connects the two lakes. The lakes and interconnecting river extends for about 4.5 miles of the 25-mile long Situk River drainage. A Forest Service public use cabin is located on Situk Lake, and one commercial guide camp is located on each lake also. A trail approximately 3.5 miles in length leads to the area, however, most angling access occurs via floatplane.***

The Situk River system is managed for a biological escapement goal range of 30,000 to 70,000 sockeye salmon, with a mid-point of 50,000 fish. The escapement goal has been attained each year for the past fifteen years during which escapements ranged from 41,500 to 84,000 sockeye salmon. During 1988, a sockeye weir was operated at the outlet of Mountain Lake in conjunction with the lower Situk weir. That year, 37% of the sockeye salmon counted through the lower Situk River Weir were counted into Mountain Lake.

Statewide Harvest Survey estimates of angler effort and harvest at Situk and Mountain Lakes are not available due to low survey response rates. From 1996-2001, only 6 of 778 Statewide Harvest Survey responses from anglers fishing the Situk River upstream of the weir reported angling at Situk Lake; 0 reported fishing in Mountain Lake. Staff observations indicate that the number of sockeye harvested has been less than 250 annually in these two areas during recent years.

DEPARTMENT COMMENTS: Neutral, the department views this as an allocative proposal. Situk River sockeye escapements have reached or exceeded the existing goal and there are no conservation concerns specific to Situk or Mountain Lakes given the low effort and harvest occurring in the proposed closure area.

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

PROPOSAL 336. PAGE 237. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the current bag and possession limits for pink, sockeye, and coho salmon on Yakutat roadside systems.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 47.022 (183) establishes bag and possession limits for the Yakutat road system, including all drainages crossed by the Yakutat road system and all streams draining into Yakutat Bay between Ocean Cape and Point Latouche. In this area, the bag and possession limits are as follows: coho salmon 16 inches or greater in length, two per day and in possession; chum, pink and sockeye salmon 16 inches or greater in length, six of each species per day, 12 of each species in possession; chum, pink and sockeye salmon less than 16 inches in length, 10 per day and in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal appears to apply to large (16 inches and greater in length) fish. If so, this proposal would increase the bag limit for pink salmon, increase the bag and possession limits for coho salmon, and decrease the bag and possession limits for sockeye salmon. This would increase harvest opportunity for pink and coho salmon, and reduce the opportunity to harvest sockeye salmon.

Based on a creel survey conducted in 2002 on the Situk River, where the majority of sockeye and pink salmon harvest on the Yakutat road system occurs, the reduction in sockeye harvest limits could affect approximately 40% of anglers and reduce the sport harvest of sockeye salmon by approximately 24% on that system. Specific information regarding the effect of this proposal on pink and coho salmon harvest is unavailable.

BACKGROUND: Statewide Harvest Survey estimates show that, from 1997 to 2001, 5,300 to 7,900 anglers harvest approximately 6,000 to 10,800 sockeye, 6,700 to 15,700 coho salmon, and up to 3,600 pink salmon annually in the Yakutat roadside area (Table 326-1). Approximately 98% of all sport sockeye and pink salmon harvest in the Yakutat area comes from the Situk River. Roadside sport harvest of coho salmon is split between the Situk and Lost Rivers, Tawah Creek, and Ankau Lagoon system.

Biological escapement goals have been developed for Situk River chinook, sockeye, pink, and coho salmon, and Tawah/Lost River sockeye and coho salmon. Escapements for all species have been within or exceeded escapement goal ranges during the past five years. Pink salmon escapement has been estimated to be in the range of 250,000 to 1 million fish recently in the Situk River, far above the escapement goal ranges (42,000–105,000 fish during even years; 54,000–200,000 fish during odd years). The 2002 sockeye return to the Situk-Ahrnklin Inlet, the area's top sockeye producer, was the highest in five years; the 2002 Situk River weir count of 68,743 sockeye was near the upper end of the escapement goal range of 30,000 to 70,000 fish.

The period from 1992 to 1997, when annual harvest from the sport and commercial fisheries exceeded 130,000 coho salmon, was the most productive time period in the history of the Situk-Ahrnklin Inlet coho fishery. The 2002 Situk/Ahrnklin harvest of 189,828 coho salmon was 51% above the recent 5-year average of 125,390, the third highest on record, and produced 95% of the area coho salmon harvest. A peak escapement survey count of 42,700 coho in 2002 far exceeded the previous high escapement count of 22,000 recorded in 1994. The coho escapement goal range for the Situk is 3,300 to 9,800. Similarly, the coho return to Tawah Creek during 2002, which has an escapement goal range of 2,000–6,500 fish, was a minimum of 8,000 fish.

A creel survey conducted on the Situk River in 2002 showed that 27 percent of anglers fishing on the Situk River harvested no sockeye and 33 percent harvested between one and three per trip. The remaining 40% harvested between four and six sockeye per daily trip.

DEPARTMENT COMMENTS: Neutral. This is an allocative proposal. The proposed reduction in sockeye salmon bag and possession limits would provide little, if any, conservation benefit. The department can manage the Yakutat area sport fisheries for coho, sockeye, and pink salmon for the bag limits the Board wishes to set. The department currently has the authority to restrict bag and possession limits for a species when the escapement is projected to be less than the escapement goal or range, or for conservation reasons. The department also has the authority to increase harvest limits when the escapement goal is exceeded by 25% or the upper limit of the escapement goal range is exceeded.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 336-1. Yakutat roadside freshwater sport angling effort, catch, and harvest for sockeye, pink, and coho salmon, 1997–2001.

Year	Number anglers	Number trips	Days fished	Coho harvest	Pink harvest	Sockeye harvest
1997	7,190	12,671	20,483	7,983	3,557	8,196
1998	6,906	8,920	17,903	6,707	353	10,175
1999	7,929	12,233	24,046	15,685	786	7,562
2000	5,882	10,869	21,379	6,982	824	10,828
2001	5,274	7,729	16,684	8,152	1,710	6,027

PROPOSAL 337. PAGE 238. 5 AAC 47.020. CODE KEY FOR BAG LIMITS, POSSESSION LIMITS AND SIZE LIMITS.

WHAT WOULD THE PROPOSAL DO? The proposal would reduce the bag and possession limits for sockeye salmon 16 inches or greater in length in the Situk River to two fish.

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit for sockeye salmon is six fish per day and 12 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the harvest opportunity for sockeye salmon in the Situk River. Based on a creel survey conducted on the Situk River in 2002, the proposed bag limit reduction could affect approximately 50% of anglers, and reduce the sport harvest of sockeye salmon by approximately 53%.

BACKGROUND: The Situk River system is managed for a biological escapement goal range of 30,000 to 70,000 sockeye salmon, with a mid-point of 50,000 fish. The escapement goal has been attained each year from 1988 to 2002. During this period, escapements ranged from 41,500 to 84,000 sockeye salmon.

For the period 1996–2001, the Statewide Harvest Survey and annual on-site creel census estimates that approximately 2,000 to 3,300 anglers harvest approximately 5,500 to 10,000 sockeye salmon annually from the Situk River. A creel survey conducted on the Situk River in 2002 estimated that 27 percent of anglers fishing on the Situk River harvested no sockeye while 23 percent harvested one or two per trip. The remaining 50 percent harvested three to six sockeye per daily trip. For comparison, commercial harvests of sockeye salmon in the Situk-Ahrnklin set net fishery have averaged (1998–2002) 53,425 fish.

DEPARTMENT COMMENTS: Neutral. This is an allocative proposal. There is no conservation need to reduce bag limits for sockeye salmon in the Situk River.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 338. PAGE 239. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict catch-and-release fishing for coho salmon on the lower Tsiu (sigh-u) River from August 1 through October 15. It would prohibit catch-and-release fishing for coho salmon three days per week, and limit the number of coho salmon that anglers could catch, or land, to ten during the remainder of the week.

WHAT ARE THE CURRENT REGULATIONS? Current regulations for all fresh waters between Cape Suckling and Cape Fairweather include harvest limits of four coho salmon per day and eight in possession. Only unbaited, artificial lures may be used from November 16 through September 14. In Southeast Alaska, where waters are open to sport fishing, there are no limits on how many fish an angler can catch and release in one day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would prohibit catch-and-release fishing for coho salmon on Sundays, Tuesdays, and Thursdays between August 1 and October 15. On these days, any coho salmon caught must be kept. During the remainder of each week between August 1 and October 15, no more than 10 coho salmon could legally be caught, and any coho kept would be counted against the 10-fish (catch) limit.

As written, this proposal would be very difficult to enforce. Assuming some individuals willingly abide by the regulation, and given sport fishing effort levels on the Tsiu River, this proposal may reduce the number of coho salmon caught. The magnitude of reduction is difficult to determine. The degree to which this proposal would reduce total mortality as intended is also unknown because no research has been conducted to determine incidental mortality rates for coho salmon caught in the Tsiu River. However, the reduction in mortality, as compared to the total mortality from all fisheries, would likely be small.

BACKGROUND: Catch and release mortality is influenced by many factors including the species, type of water (e.g., salt or fresh water), water temperature, length of time the fish is played, handling methods, use of bait, and hook location. Overall catch and release mortality of coho salmon in marine waters was estimated at 14% (Gjernes et al. 1993). In a study conducted in Alaska, mortality of coho salmon caught using bait in the estuary (69%) was much higher than those caught in fresh water (12%, Vincent-Lang et al. 1993). A more recent study on the Unalakleet River (Stuby 2002) found a similar (15%) mortality rate in fresh water. No studies have been conducted to estimate catch and release mortality of coho salmon in fresh water in Southeast Alaska.

The Tsiu River system is located approximately 125 miles west of Yakutat, or 110 miles east of Cordova. Access is by boat or air only. The system is primarily fed by upwelling from the Bering Glacier, less than ten miles upstream from the mouth, and flows through wetlands then across large sandy areas and into the Gulf of Alaska. The river mouth changes almost annually, but generally flows parallel to the coast for several miles unless storm surge causes the river to breach the beach berm and flow directly into the Gulf of Alaska.

Tsiu River coho salmon support freshwater sport and commercial set net fisheries. From 1997 through 2001, from 11 to 31 commercial set net permit holders harvested an average 56,400 coho in the Tsiu River. During the same period, from 800 to 1,600 angler-days were fished in the Tsiu River each year, primarily for coho salmon and an average of 10,800 coho salmon were caught; 1,700 coho were kept each year (Table 338-1).

Aerial surveys are conducted to count spawning coho salmon in the Tsiu. Peak aerial counts from 1991 to 2001 average 20,000 and range from 12,000 to 55,000 fish. With the exception of 1999, the escapement goal range has been met or exceeded for the last 20 years. Flooding prevented surveys in 1999.

DEPARTMENT COMMENTS: The department is **opposed** to this proposal because it is not possible to enforce. While the proposal may reduce incidental mortality of coho salmon caught and released in the sport fishery, the potential reduction in mortality would be small when taken in context with the total exploitation on this stock. Annual returns have been large, and existing exploitation rates appear sustainable.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 338-1. Sport fishing effort, harvest and catch of coho salmon in the Tsiu River, 1997–2001.

Year	Number of anglers	Number of household sport trips	Angler-days fished	Sport coho catch	Sport coho harvest	Number of households responding
1997	506	554	1,366	7,587	2,283	31
1998	187	242	788	6,595	764	13
1999	494	486	1,418	17,221	1,728	29
2000	529	573	1,576	11,818	2,057	29
2001	397	374	1,307	10,788	1,783	22

PROPOSAL 339. PAGE 240. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal as written would limit the number of fish an angler could catch per day to 10, and an angler's bag limit or harvest total for the day must be included as part of the daily catch. This would apply on all salt and fresh waters of Southeast Alaska and include all species of fish. However, in the problem statement it appears as if the intent is to reduce catch and release mortality of coho salmon in estuary waters.

WHAT ARE THE CURRENT REGULATIONS? In Southeast Alaska, where waters are open to sport fishing, there are no limits on how many fish an angler can catch and release in one day.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? As written, this proposal would not be possible to enforce. Assuming individuals willingly abide by the regulation, and that the proposal is limited to one species (coho salmon is listed in the proposal) it would probably have little affect in marine fisheries. Creel and charter logbook data suggest that a daily catch limit of 10 coho salmon would reduce the catch by less than 1% (Table 339-1). However, the effect could be much greater in fresh water or specific estuarine waters when coho are more concentrated. If the catch limit pertains to an aggregate of species, this proposal could have a much greater affect on the sport fishery, again assuming that individuals willingly comply.

BACKGROUND: Catch and release mortality is influenced by many factors including the species, type of water (e.g. salt or fresh water), water temperature, length of time the fish is played, handling methods, use of bait, and hook location. Overall catch and release mortality of coho salmon in marine waters was estimated at 14% (Gjernes et al. 1993). In a study conducted in Alaska, mortality of coho salmon caught using bait in the estuary (69%) was much higher than those caught in fresh water (12%, Vincent-Lang et al. 1993). A more recent study on the Unalakleet River (Stuby 2002) found a similar (15%) mortality rate in fresh water.

DEPARTMENT COMMENTS: Oppose. The proposal as written would be unenforceable and unnecessarily restrictive. We would prefer regulations that address specific areas and species where there are conservation concerns. There are currently no coho salmon stocks of concern in Southeast Alaska.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 339-1. Estimate of reduction in coho salmon catch in Southeast Alaska if a catch limit of ten fish were established (estimates are based on charter logbook data, 1999–2001, and onsite creel sample data 2000–2002).

		Coho salmon catch limit = 10	
Year	Catch	Catch	Reduction
Charter logbook data			
1999	195,381	193,217	1.1%
2000	117,659	117,041	0.5%
2001	455,041	452,151	0.6%
Avg.	256,027	254,136	0.8%
Onsite creel sample data			
2000	14,466	14,425	0.3%
2001	26,305	26,214	0.3%
2002	21,497	21,416	0.4%
Avg.	20,756	20,685	0.3%

LITERATURE CITED

Gjernes, T., A. R. Kronlund, and T. J. Mulligan. 1993. Mortality of chinook and coho salmon in their first year of ocean life following catch and release by anglers. North American Journal of Fisheries Management 13:524-539.

Vincent-Lang, D., M. Alexandersdottir, and D. McBride. 1993. Mortality of coho salmon caught and released using sport tackle in the Little Susitna River, Alaska. Fisheries Research 15:339-356.

PROPOSAL 340. PAGE 240. 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS —FINFISH.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit lodges near Sitka from filleting, mutilating, or preserving chinook and coho salmon before returning to port and offloading the fish. It would also require these lodges to return to existing creel census sites in Sitka to have their fish checked by creel personnel.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 47.030 (h) and 5 AAC 47.060 (c), the Commissioner may establish, by emergency order, times and areas during which anglers fishing from vessels in salt water may not fillet, mutilate, or otherwise disfigure chinook and coho salmon and/or lingcod until the fish are offloaded from the vessel. During these periods, anglers may gill and gut, preserve, or consume chinook and coho salmon and/or lingcod onboard the vessel. There are no regulations that require sport fishing vessels to check into a creel census site before offloading clients and fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Anglers returning to lodges near Sitka but not on the Sitka road system would be prohibited from filleting, mutilating, or heading of sport-caught chinook salmon and coho salmon before returning to port. Sport fishing vessels returning to lodges near Sitka would be required to check into a creel census site first, before returning to the lodge. In May and June, personnel are on site 21% of the time at any given dock, on any given day, in Sitka. If required to return to a dock on the Sitka road system, lodge-based vessels, like other vessels returning to the road system, would stand a 1-in-5 chance that they would be contacted. If adopted, this proposal would increase sample sizes of recovered salmon heads in Sitka to a small degree. However, current sampling rates in Sitka adequately provide for the department's program objectives.

BACKGROUND: The department conducts on-site creel sampling at ports that are connected to the Sitka road system to estimate sport fishing effort, harvest levels, harvest contribution of hatchery and select wild salmon stocks, and the length and size composition of lingcod. Many anglers prefer to fillet fish before returning to port, which makes it impossible for department staff to recover tagged heads of chinook and coho salmon, (identified by a missing adipose fin) and to determine length and sex of lingcod. The result is reduced ability to estimate the contribution of chinook and coho salmon stocks to the sport fishery and length and sex composition of sport harvested lingcod.

In 1998, the Board of Fisheries adopted regulations providing the department emergency order authority to restrict these activities when and where creel sampling programs are in place. Since 1998, the department has exercised this authority each year to increase sample sizes of recovered salmon heads at ports with ongoing creel surveys, including Sitka. Because the Sitka creel program samples anglers returning to ports connected to the Sitka road system, emergency orders have pertained only to anglers returning to the Sitka road system, not anglers fishing from vessels returning to lodges adjacent to but removed from the road system. From 2000 to 2002, 30–33% of chinook salmon harvested in the Sitka area were sampled for CWT recovery.

DEPARTMENT COMMENTS: The department **opposes** this proposal as written because it is unnecessary. Under current regulations and emergency order authority, sampling rates in Sitka adequately provide for estimates of stock composition.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 341. PAGE 241. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict all anglers to catch-and-release only for steelhead throughout Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? Southeast Alaska sport fishing regulations (5 AAC 47.020) allow the harvest of one steelhead per day and two in possession, 36-inch minimum size limit. There is a 2-fish annual limit. Any retained steelhead must be recorded immediately in ink on the back of the angler's license or harvest record. The bag limit is two fish if at least one has a clipped adipose fin, evidenced by a healed scar that designates the fish is of hatchery origin. There is no size limit for steelhead with clipped adipose fins and they do not need to be recorded on licenses or harvest report cards.

Subsistence regulations (5 AAC 01.710 (a); 01.730 (i)) allow only for incidental harvest of steelhead in Southeast Alaska except in the Situk and Ahrnklin Rivers, where a directed fishery is allowed by permit with a guideline harvest level of 300 steelhead. Steelhead taken incidentally under a salmon permit must be reported on the permit calendar.

Commercial regulations (5 AAC 33.393) allow purse seine and gillnet permit holders to take but not sell steelhead. Steelhead caught in the troll fishery may be sold; steelhead sold are required to be reported on fish tickets at the time of sale. Steelhead caught but not sold under commercial fishery regulations are not required to be reported.

Federal subsistence regulations (Federal Register/Vol. 67, No. 26/Thursday, February 7, 2002) generally prohibit the harvest of steelhead in Southeast Alaska with three exceptions. Fishing is allowed in Hamilton Bay and Kadake Bay Rivers, where a Federal permit is required and the harvest and possession limits for taking fish with a rod and reel are the same as for taking fish under State of Alaska sport fishing regulations. Steelhead may also be taken in the Situk and Ahrnklin Rivers under authority of a Federal subsistence permit. Lastly, steelhead may be taken on Prince of Wales Island under the terms of a Federal permit. The annual harvest limit is two fish, 36 inches or larger, only dip nets or rod and reel with artificial lure or fly may be used.

In December 2002, the Federal Subsistence Board (FSB) expanded steelhead harvest opportunity on Prince of Wales Island. Under the adopted regulations, two permits—winter and spring—will apply for Prince of Wales Island in 2003. For the winter season (December 1–February 28/29): the seasonal harvest limit is 2 fish per household; only a dip net, spear, or rod and reel with artificial lure or fly may be used, and; the winter season harvest level cap is 100 steelhead for Prince of Wales Island. For the spring season (March 1–May 31): the harvest limit is 5 fish per household; only a dip net, spear, or rod and reel with artificial lure or fly may be used; the spring season harvest limit is 600 fish minus the number of steelhead harvested in the winter subsistence steelhead fishery for Prince of Wales Island. Permits must be returned within 15 days of the close of each season, and permit conditions and systems to receive special protection will be determined by the local manager in consultation with the Alaska Department of Fish and Game.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Currently allowed recreational harvest opportunity of fish 36 inches or greater throughout Southeast Alaska would be eliminated. This would reduce sport harvests from existing levels, which average 220 (1997–2001), to zero. Because the resulting harvest reductions would be small, beneficial effects to steelhead populations in Southeast Alaska would similarly be small. This proposal would eliminate the only directed harvest opportunity for steelhead under state regulations except as currently allowed in the Situk and Ahrnklin River subsistence fishery.

This proposal would also affect Federal subsistence regulations in Hamilton Bay and Kadake Bay Rivers, where the harvest and possession limits for taking fish with a rod and reel are the same as for taking fish under State of Alaska sport fishing regulations.

BACKGROUND: In 1994, the Board restricted sport fishery regulations in an effort to conserve steelhead. The Board restricted the bag and possession limits for all trout, including steelhead, increased the size limit for steelhead from 16 to 36 inches, and implemented the annual limit and harvest reporting requirements now in place. These restrictions were adopted to help rebuild Southeast Alaska steelhead stocks as supported by public comments and department stock assessment information, which indicated stocks were in decline. The new regulations were structured to prevent harvest of steelhead smolts prior to leaving fresh water and to decrease harvest of adult steelhead. Based on analyses of steelhead length data available in Southeast, 92% of adult steelhead fall below the 36-inch minimum size and thus, the majority of these populations are given protection.

In October 1999, the Federal subsistence management program expanded to include subsistence fisheries on waters within and adjacent to Federal lands. Prior to the Federal expansion, all steelhead harvest in Southeast Alaska occurred under State of Alaska regulations, which allow only for incidental harvest of steelhead except in the Situk and Ahrnklin Rivers, where a directed subsistence fishery is allowed, and in the sport fishery, for which regulations allow for a limited harvest. Since the Board of Fisheries last met to deliberate fisheries in Southeast Alaska, the FSB has implemented and modified regulations to allow the harvest of steelhead in three areas (see regulations above). In December 2002, the FSB expanded steelhead harvest opportunity on Prince of Wales Island. These new regulations are expected to be in effect March 2003.

DEPARTMENT COMMENTS: The department is **opposed** to this proposal. There is no conservation reason for implementing catch and release on a regional level. Regulations implemented in 1994, including the existing size limit, appear to have effectively reduced recreational harvests of steelhead in Southeast Alaska while continuing to allow participation by anglers. Stream surveys conducted since 1997, catch and effort trends observed in the sport fishery beginning in 1990, and Situk River weir counts obtained since 1994 indicate steelhead stock abundance in Southeast Alaska is stable.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 342. PAGE 242. 5 AAC 47.002. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would require anglers to retain the first steelhead caught and eliminate the 36-inch size limit. The proposal also appears to intend to reduce the possession and annual limit from two to one fish, and prohibit anglers from catching more than one steelhead.

WHAT ARE THE CURRENT REGULATIONS? Current sport fishing regulations allow one steelhead per day and two in possession, 36-inch minimum size limit in Southeast Alaska. There is a 2-fish annual limit and any retained steelhead must be recorded immediately in ink on the back of the angler's license or harvest record. The daily bag limit is two fish if at least one has a clipped adipose fin, evidenced by a healed scar that designates the fish as of hatchery origin. There is no size limit for steel-head with clipped adipose fins and they do not need to be recorded on licenses or harvest report cards.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The department is unsure whether this proposal will increase or decrease total mortality of steelhead by the sport fishery. On one hand, elimination of the size limit will increase harvest by an unknown amount. The department cannot estimate the magnitude of the potential increased harvest because we have no data on the percentage of steelhead anglers that are constrained from harvesting fish by the 36-inch size limit. Nor do we know how many people currently do not choose to participate in the fishery because of the restrictions on harvest. On the other hand, this proposal will cause sport fishing effort to decrease by some unknown amount because the majority of steelhead anglers do not participate in the fishery to harvest fish. Eliminating the opportunity to catch and release fish removes the primary motive for participation by many anglers. Research indicates the rate of hooking mortality is about 5% as long as bait is not used. Coupled with the loss of effort, will be an unknown decrease in steelhead mortality caused by hooking mortality.

BACKGROUND: In 1994, the Board changed commercial and sport fishery regulations in an effort to conserve steelhead. The Board restricted the bag and possession limits for all trout, including steelhead, increased the size limit for steelhead from 16 to 36 inches, and implemented the annual limit and harvest reporting requirements now in place. These restrictions were adopted to help rebuild Southeast Alaska steelhead stocks as supported by public comments and department stock assessment information, which indicated stocks were in decline. The new regulations were structured to prevent harvest of steelhead smolts prior to leaving fresh water and to decrease harvest of adult steelhead. Based on analyses of steelhead length data available in Southeast, 92% of adult steelhead fall below the 36-inch minimum size and thus, the majority of these populations are not available for harvest. Annual sport harvests of steelhead have substantially declined since the current regulations were implemented.

DEPARTMENT COMMENTS: The department is **opposed** to this proposal because it could potentially increase recreational harvest of wild steelhead to levels that would not be sustained in all streams and it will result in a loss of sport fishing opportunity. Additionally, the only way this regulation could be enforced would be to require anglers to stop fishing in all waters of Southeast Alaska that contain steelhead for the remainder of the year once they harvest a steelhead. Regulations implemented in 1994, including the existing size limit, appear to have effectively reduced recreational harvests of steelhead in Southeast Alaska while allowing continued participation by anglers.

The proposal states potential benefits to Prince of Wales Island residents. Since this proposal was submitted, the Federal Subsistence Board has adopted regulations that provide additional steelhead harvest opportunity on Prince of Wales Island for federally eligible users.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 343. PAGE 242. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? The proposal would repeal the regionwide regulation that allows harvest of hatchery-produced steelhead in addition to the bag limit of one (wild) steelhead, but continue to allow the opportunity in the Klawock River and Ketchikan Creek, where hatchery-produced steelhead are released.

WHAT ARE THE CURRENT REGULATIONS? Current sport fishing regulations allow one steelhead per day and two in possession, 36-inch minimum size limit in Southeast Alaska. There is a 2-fish annual limit and any retained steelhead must be recorded immediately in ink on the back of the angler's license or harvest record. The daily bag limit is two fish if at least one has a clipped adipose fin, evidenced by a healed scar that designates the fish as of hatchery origin. There is no size limit for steelhead with clipped adipose fins and they do not need to be recorded on licenses or harvest report cards.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would simplify regionwide regulations by eliminating those that apply only to hatchery produced steelhead. Hatchery produced steelhead have not been reported in Southeast Alaska outside of the Klawock River and Ketchikan Creek. The adoption of this proposal is not expected to result in any loss of opportunity. Anglers fishing in Klawock River and Ketchikan Creek, where hatchery-produced fish are available for harvest, would continue to have the opportunity to harvest hatchery returns.

BACKGROUND: The current steelhead regulations that allow harvest of additional hatchery-produced steelhead were implemented in Southeast Alaska during the 1980s in response to a variety of steelhead enhancement projects undertaken by the department to provide supplemental steelhead to harvest. Since that time, research conducted by the department in Southeast Alaska and numerous studies in British Columbia and the Pacific Northwest have identified the high cost of steelhead enhancement, the lack of successful adult returns from smolt releases, and negative impacts on wild steelhead returns resulting from competition for rearing space in fresh water and available food.

The justification for the second fish is to allow additional harvest of hatchery-produced steelhead with no size or annual limit applicable to these fish. Currently, hatchery steelhead are released and available only at Ketchikan Creek and Klawock River, and the department does not anticipate enhancement efforts in addition to those locations in the future

DEPARTMENT COMMENTS: The department submitted and **supports** this proposal. The current regionwide regulation is unnecessary and can be confusing because hatchery-produced steelhead are not generally available outside of the Klawock River and Ketchikan Creek.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 344. PAGE 243. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the opportunity to use bait from September 15 to November 15 in Auke Lake, Mendenhall Lake, and Peterson Lagoon.

WHAT ARE THE CURRENT REGULATIONS? The use of bait is allowed for two months of the year, from September 15 to November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, regulations for these three lakes would be made consistent with the "high-use" regulations established for trout lakes in Southeast Alaska. The use of bait in these lakes would be prohibited year round.

BACKGROUND: In 1994, the Board established regulations for "high use" trout systems in Southeast Alaska. For most of these systems, the Board has implemented a 14-inch minimum size limit – three inches longer than the 11-inch minimum size for most waters – and prohibited the use of bait year round. The Juneau roadside area was established as a "high-use" trout area and the minimum size for any cutthroat trout taken in these waters was set at 14 inches. In "high-use" lakes, the use of bait was prohibited year round to reduce hook and release mortality. However, Peterson Lagoon, Auke Lake, and Mendenhall Lake have remained open to the use of bait during the period September 15-November 15.

DEPARTMENT COMMENTS: The department submitted and **supports** this proposal. The Juneau road system fresh waters are considered a "high-use" cutthroat trout fishery in order to provide cutthroat, including sea-run and resident fish, an added level of protection to reach spawning age. The current legal use of bait on these lakes is inconsistent with the department's management intent for "high use" trout areas in Southeast Alaska.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 345. PAGE 244. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would apply "high use" trout regulations to Winstanley Lake.

WHAT ARE THE CURRENT REGULATIONS? Current regulations for Winstanley Lake allow for a harvest of two cutthroat/rainbow trout (in combination) per day and in possession, 11-inch minimum and 22-inch maximum size. Bait is allowed from September 15 through November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This action would increase the minimum size for cutthroat/rainbow trout (in combination) from 11 to 14 inches and eliminate the use of bait year-round in Winstanley Lake. The 14-inch minimum length is expected to decrease harvest and increase the number and size of fish in Winstanley Lake. This is expected to assure that 75% of female cutthroat trout in Winstanley Lake will have the opportunity to spawn at least once before exposure to harvest.

BACKGROUND: Southeast Alaska trout regulations are designed to assure that a majority of female trout have at least one opportunity to spawn before reaching harvestable size. The Board of Fisheries has established high-use trout regulations for specific lakes with developed access and relatively more intensive fisheries. These regulations include a 14-inch minimum and 22-inch maximum size limit and a year-round prohibition on the use of bait. These regulations are designed to provide additional assurance that cutthroat trout in high-use areas have the opportunity to spawn before exposure to harvest, and reduce incidental mortality caused by the use of bait.

Current (regionwide) regulations do not assure that a majority of Winstanley Lake cutthroat trout will spawn before reaching harvestable size. Studies conducted at Winstanley Lake during 1999 indicate that only 18 percent of female cutthroat trout are mature at 11 inches; 75 percent are mature at 14 inches (Figure 345-1).

DEPARTMENT COMMENTS: The department submitted and **supports** this proposal. The department believes that high-use trout regulations should apply at Winstanley Lake. The proposed increase in the minimum length limit is appropriate given the use associated with the U.S. Forest Service recreational use cabin, and necessary to assure Winstanley Lake cutthroat trout have the opportunity to spawn before exposure to harvest.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

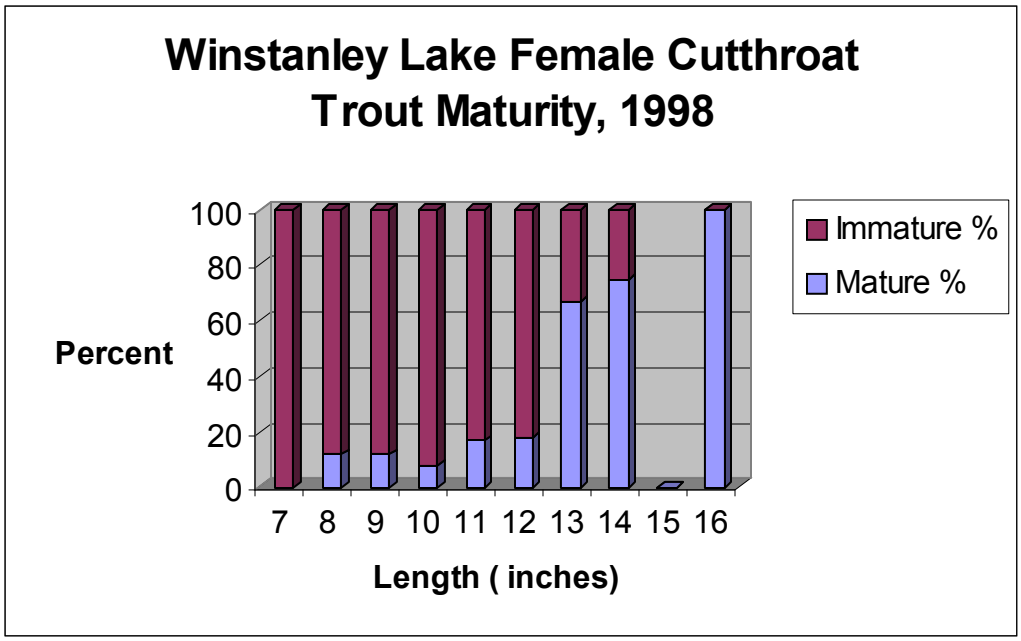


Figure 345-1. Percentages of mature female cutthroat trout at Winstanley Lake, shown in 1-inch length increments.

PROPOSAL 346. PAGE 245. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the rainbow trout minimum size limit in Lost Lake, near Skagway.

WHAT ARE THE CURRENT REGULATIONS? The current regional regulations for cutthroat and rainbow trout (in combination) allow anglers to keep two daily, two in possession, 11-inch minimum and 22-inch maximum. The use of bait is allowed year round in the Skagway Area, including Lost Lake.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This regulation would increase the harvest of rainbow trout in Lost Lake by allowing harvest of rainbow trout regardless of size.

BACKGROUND: Lost Lake is 12 acres in size and located at about 1,450 feet elevation 4½ miles northwest of Skagway (Figure 346-1). The lake is accessed by a steep, unimproved 1½-mile trail near the historic town of Dyea. Lost Lake was stocked with rainbow trout in 1956. ADF&G surveyed the lake in 1986 and sampled 20 rainbow trout that ranged in size from 4 to 10 inches and averaged 7½ inches in length (Figure 346-2). No other species were caught. Prior to 1994, there was no size limit on rainbow trout. Local residents claim that the fish in the lake do not reach the minimum size limit.

The Cutthroat and rainbow trout management plan (5 AAC 47.045) provides the department with the discretionary authority to allow a reduction in the size limit to 9 inches and authorization of the use of bait. The plan includes criteria that must be met before either action can be implemented. The criteria for a size limit reduction—good access to the fresh water from a community; the fresh water must be landlocked; no history of trout over 12 inches, and; the department must have sampled the fresh water to determine length of trout present—appear to have been met in this case.

DEPARTMENT COMMENTS: The department is neutral on eliminating the size limit. If the Board decides not to take action on this proposal, the department will work with the Advisory Committee to implement a 9-inch minimum size limit as described in the management plan. The 1986 survey supports the observation that rainbow trout do not reach 11 inches in length at Lost Lake. Because of the small size of the lake and trail access, the lake receives relatively little fishing pressure. Therefore, reducing the size limit will allow for some sustainable harvest opportunity.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

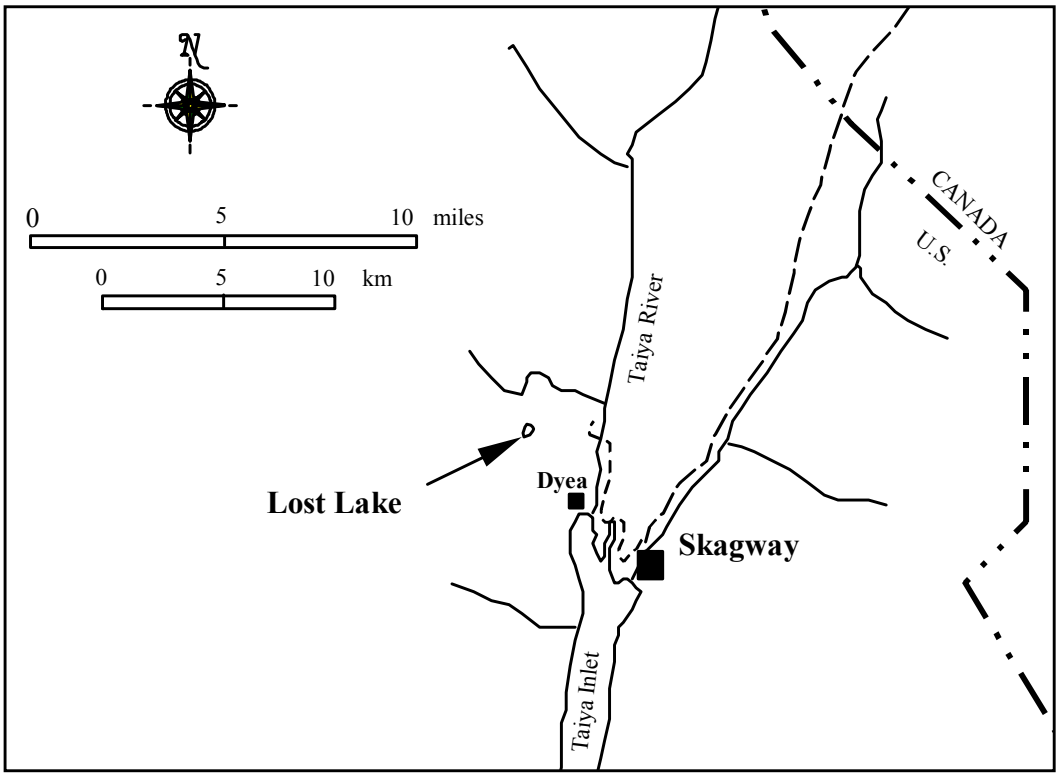


Figure 346-1. Location of Lost Lake near Skagway, Alaska.

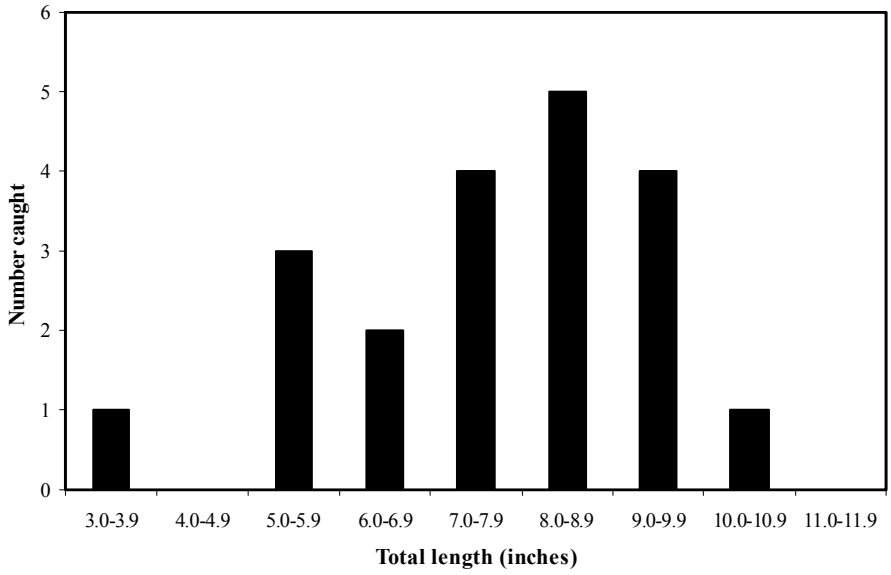


Figure 346-2. Number of rainbow trout sampled, by length category, from Lost Lake near Skagway, 1986.

PROPOSAL 347. PAGE 245. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the Dolly Varden bag and possession limits in Chilkoot River and Lake from two to five per day and in possession.

WHAT ARE THE CURRENT REGULATIONS? The current regulations allow anglers fishing for Dolly Varden in Chilkoot River and Lake to keep two daily, and two in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This regulation would increase the Dolly Varden harvest in this drainage. In 1998, fewer than 7% of the anglers interviewed caught more than two Dolly Varden per day and fewer than 50% of the anglers who caught two or more, kept their limit (Figure 347-1). Based on this information, raising the bag limit to five could increase the harvest by 45% under current levels of sport fishing effort (Figure 347-2).

BACKGROUND: Chilkoot Lake is located 10 miles north of Haines and is easily accessed by road (Figure 347-3). The lake outlet (Chilkoot River) drains 1 mile into Lutak Inlet and is closely paralleled by road. Because of the accessibility of the system and its proximity to Whitehorse, YT, this drainage supports the second largest freshwater sport fishery in Southeast Alaska. Although most anglers target salmon, this fishery has maintained the largest harvest of Dolly Varden in the region.

The Board of Fisheries reduced the bag and possession limit of Dolly Varden from ten to two in 1994. The board took this action for conservation reasons because of decreasing harvests of Dolly Varden in the drainage after the harvest peaked at over 14,000 fish in 1985 (Figure 347-4). The harvest has leveled out to less than 2,000 fish annually since the limit was reduced. Sport fishing effort declined to a low in 1998 primarily due to increased restrictions implemented in response to sockeye salmon conservation concerns.

ADF&G estimated the number of Dolly Varden 9 inches or more in length residing in Chilkoot Lake during the winter of 1997-1998 at 109,152 (SE = 21,065). The exploitation on this stock by the sport fishery the following year (1998) was less than 1%.

DEPARTMENT COMMENTS: The department **supports** additional harvest opportunity for Chilkoot River Dolly Varden but prefers a bag limit of four fish, versus five as proposed, until the effects can be evaluated. An increase in harvest for this population of Dolly Varden is sustainable at this time. However, harvests that occurred during the 1980s were probably not sustainable, and sport fishing effort in the Chilkoot drainage has increased in recent years, primarily due to increasing returns of sockeye salmon. As a result, we expect the incidental harvest of Dolly Varden to increase even if current regulations remain in place.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

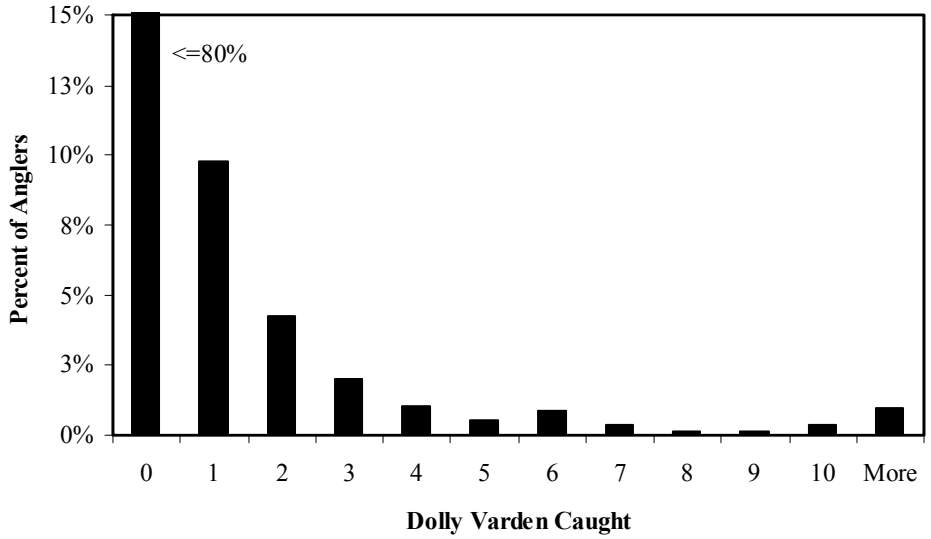


Figure 347-1. Percentage of anglers fishing in Chilkoot River and Lake, by number of Dolly Varden caught, 1998.

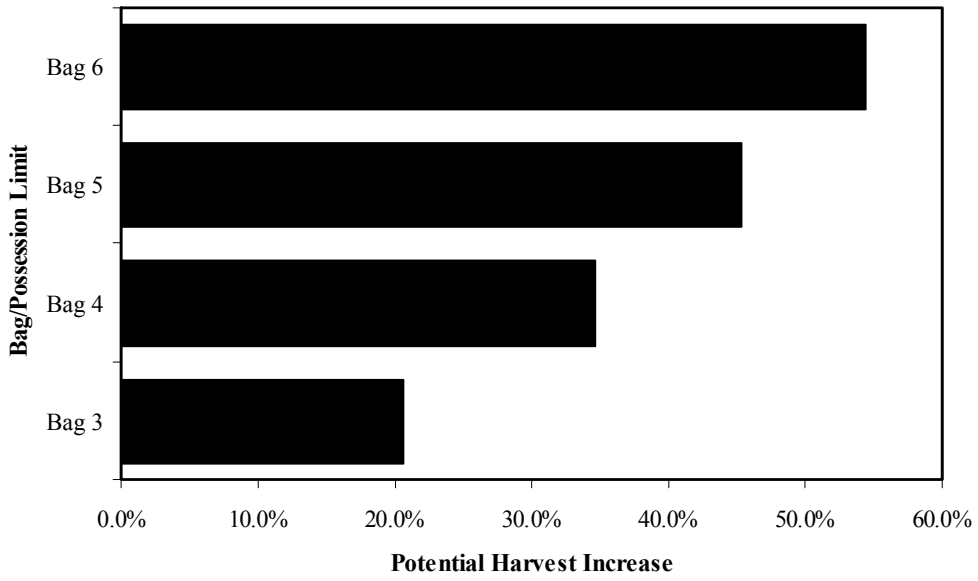


Figure 347-2. Potential harvest increase for different Dolly Varden bag limits. Based on Chilkoot River and Lake angler interview data, 1998.

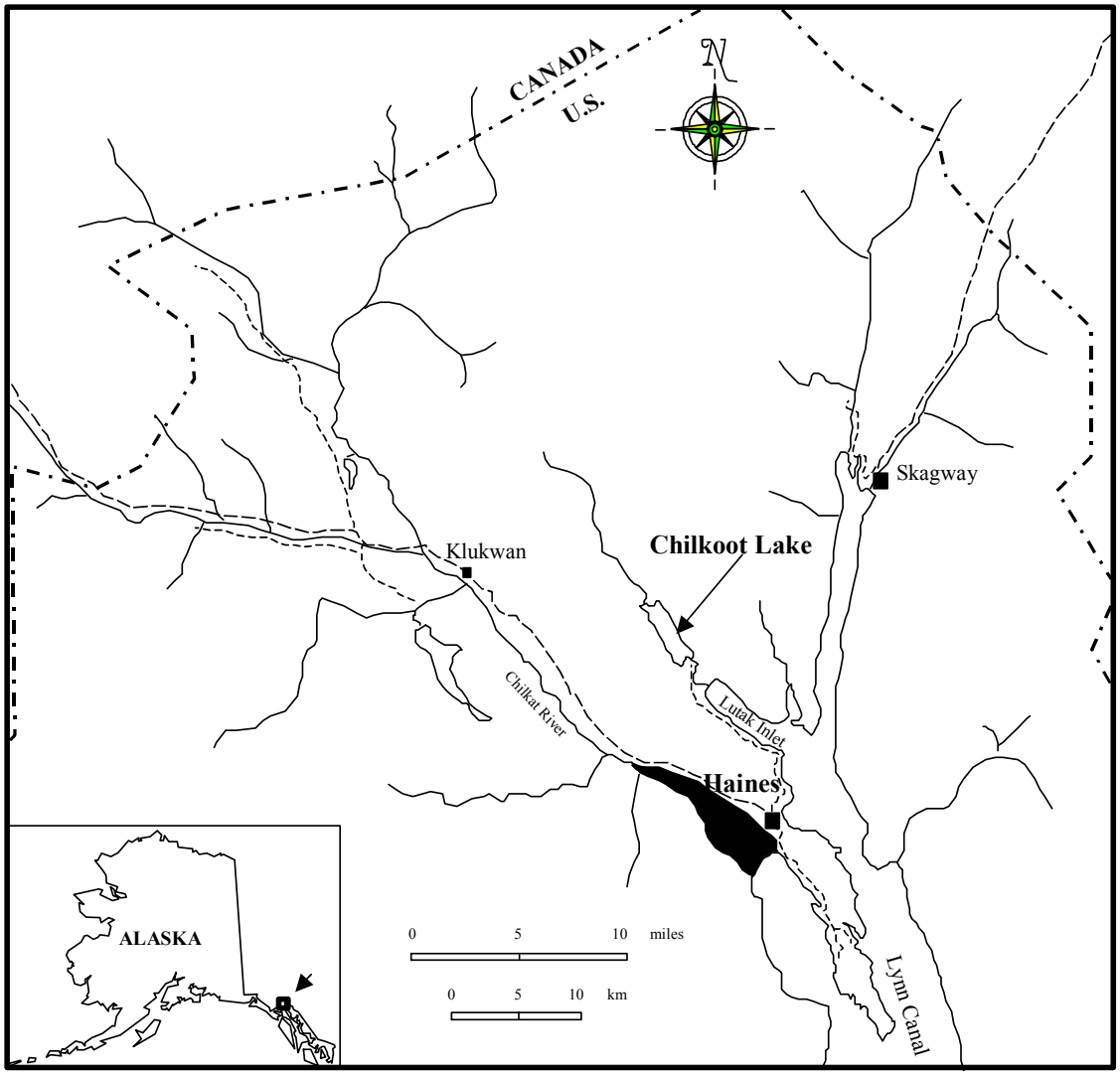


Figure 347-3. Location of Chilkoot Lake near Haines, Alaska.

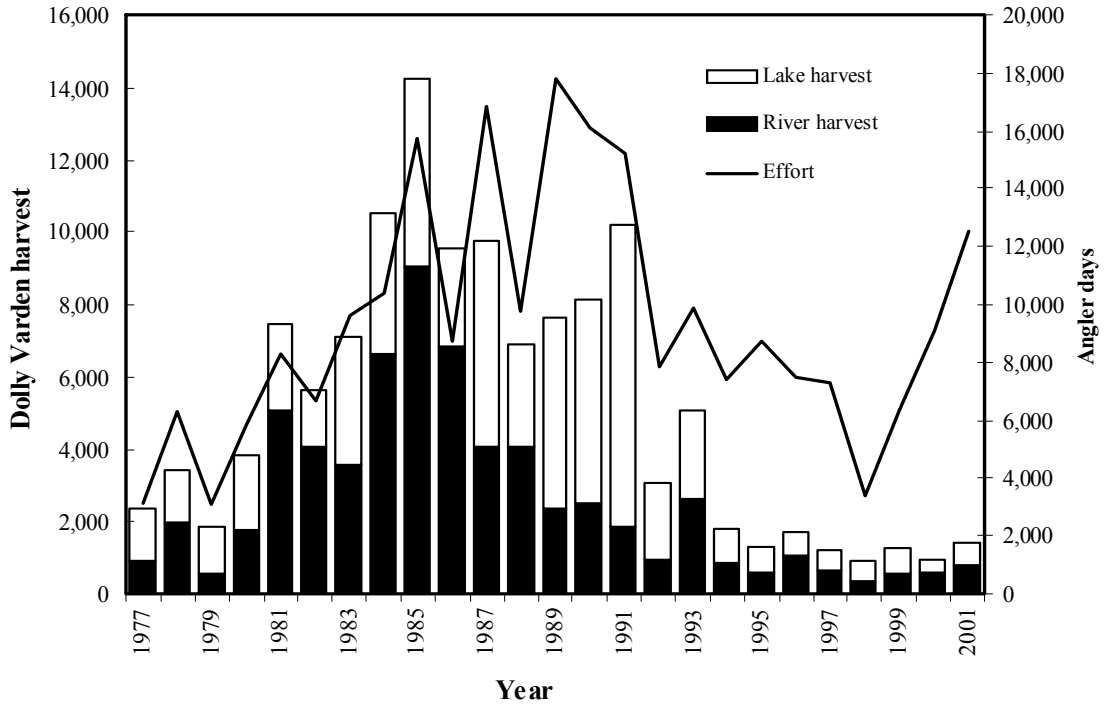


Figure 347-4. Angler-days of effort and Dolly Varden harvest in Chilkoot Lake and River, 1977–2001.

PROPOSAL 348. PAGE 245. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the bag and possession limit for Dolly Varden for anglers fishing in the Salmon, Bartlett, Dundas and Mud Bay Rivers and Chicken Creek in Icy Strait. The proposal also suggests that other rivers entering Icy Strait and Port Frederick be considered for reduced limits.

WHAT ARE THE CURRENT REGULATIONS? The regionwide bag and possession limit for Dolly Varden is 10 per day and in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would reduce the Dolly Varden bag limit from 10 to two fish per day and in possession. The reduced limits would be the same as those on the Juneau road system and Chilkoot Lake. It is not known how the total harvest on these stocks or how the fisheries would be affected.

BACKGROUND: The Bartlett and Salmon Rivers are located within Glacier Bay National Park and can be accessed by the Gustavus/Glacier Bay National Park road system. Other streams identified in the proposal require the use of either a boat or plane for access.

Estimates of effort and harvest from the Statewide Harvest Survey are available for the Glacier Bay area (SWHS Area G), which includes all streams identified in this proposal. For 2000 and 2001, the estimated harvest of Dolly Varden in the fresh waters of the Glacier Bay area was 1048 and 429 fish, respectively. Freshwater sport fishing effort in the Glacier Bay area was estimated at 3,249 and 3,503 angler days for the same years. Sporadic estimates of sport fishing effort and harvest are available on the Bartlett and Salmon Rivers. Based on the Statewide Harvest Survey, annual effort (range: 700–1,800 angler hours) on these systems is comparable or slightly less than effort on Juneau roadside systems but harvest (range: 60–250 Dolly Varden) is less. Estimates are not available for other systems identified in this proposal due to a low number of survey responses.

In 1980, the Board reduced Dolly Varden harvest limits to two per day and in possession in systems crossed by the Juneau road system. In 1994, the same restrictions were enacted for Chilkoot Lake and its inlet streams. The Board enacted these exceptions to the regionwide regulations in response to notable declines in catch rates in these areas. For the Juneau area, the current Dolly Varden regulations also include the same 2 fish limits in saltwater areas within ¼ mile of the shoreline adjacent to the Juneau road system; and, a two month spring closure in salt water at the mouth of two important over wintering systems. The Juneau roadside and Chilkoot Lake system are the only areas in which harvest limits for Dolly Varden differ from regionwide regulations at this time.

DEPARTMENT COMMENTS: The department is **neutral** on this proposal. General harvest trends do not indicate a stock decline but there is little site-specific harvest or stock assessment information available for Dolly Varden in the Icy Strait area.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 349. PAGE 246. 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS —FINFISH.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of sport-caught salmon as bait.

WHAT ARE THE CURRENT REGULATIONS? Statewide sport fishing regulations prohibit the use of salmon as bait. 5 AAC. 75.065 (a) states "The intentional waste or destruction of any species of sport-caught fish is prohibited; however whitefish, herring, and species for which bag limits, seasons, or other regulatory methods and means are provided in 5 AAC 47–5 AAC 75, as well as the head, tail, fins, and viscera of any legally taken sport fish may be used for bait or other purposes." Because bag limits are provided for salmon, sport-caught salmon may not be used for bait.

5 AAC. 93.310 (a) states "Unless authorized under 5 AAC 93.310–5 AAC 93.390, a person may not waste salmon intentionally, knowingly, or with reckless disregard for the consequences." 5 AAC. 93.350 (a) states, "a person may use salmon taken in a hatchery cost recovery fishery, or in a commercial, personal use, or subsistence fishery, for bait." Therefore, the sport fishery is the only fishery that is not allowed to take salmon for bait.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the Board adopted this proposal, anglers in Southeast Alaska would be allowed to use sport-caught salmon as bait. This regulation may increase the harvest of salmon. The size of the harvest increase is impossible to predict.

BACKGROUND: All regulations dealing with the use of salmon as bait in the sport fishery are statewide regulations.

DEPARTMENT COMMENTS: Oppose. The Board of Fisheries entertained a similar proposal during the 1997 meeting to allow the use of pink salmon as bait. The department opposed this proposal because there were ample alternative methods of obtaining pink salmon in other fisheries that could legally be used as bait. Anglers can legally use the head, tail, fins, and viscera of sport-caught salmon for bait.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 350. PAGE 247. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit snagging in salt water within ¼ mile of Peterson Creek.

WHAT ARE THE CURRENT REGULATIONS? Current regulations prohibit snagging in fresh water. Snagging in saltwater areas, including salt water near Peterson Creek, is currently allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The mouth of the creek is at the head of a small bay known as Amalga Harbor. An area within ¼ mile of the mouth of Peterson Creek would encompass nearly all of the Harbor. This area would be closed to snagging and all fish hooked elsewhere than in the mouth would have to be released back into the water.

BACKGROUND: Peterson Creek is a small but productive fish stream located about 25 miles north of downtown Juneau on the Juneau road system. Before draining into Amalga Harbor, the stream enters a small lagoon that receives reverse flow from tidal influence during large high tides. At low tidal stages, the creek cascades over bedrock into salt water. Week-long periods of small tidal ranges can temporarily restrict immigrating fish from entering fresh water. The stream supports one of the few steelhead populations in the Juneau area. Anglers target steelhead, coho salmon, chum salmon, Dolly Varden, and cutthroat trout along various reaches of the stream and the saltwater shoreline near the stream outlet.

Amalga Harbor is a chum salmon hatchery release site for Douglas Island Pink and Chum (DIPAC) Corporation. Large numbers of returning chum salmon concentrate at the head of the bay where Peterson Creek empties into salt water. As hatchery releases developed, sport fishing effort at the mouth of the creek increased during summer when chum salmon are available, and snagging has been observed. During the spring and early fall, some anglers target steelhead and coho salmon holding in salt water just off the creek mouth.

The department conducts annual stream surveys of coho salmon escapements to Peterson Creek; annual counts have been at or above the escapement goal range for at least the past 10 years. A program for monitoring steelhead escapement in Peterson Creek was initiated in 1997. That data suggest a relatively stable trend, but the 2002 count was roughly half the prior five-year average.

DEPARTMENT COMMENTS: Neutral. There are no conservation or biological concerns for Peterson Creek stocks. Peterson Creek coho salmon and steelhead returns will continue to be monitored annually through escapement surveys. Should concerns develop for Peterson Creek stocks, the department would address the issues through emergency order.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSALS 351 AND 352. PAGES 247–248. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? These proposals address a regulation that became outdated when facilities directly referenced by the regulation were replaced under different ownership and names. Proposal 352 was submitted as a placeholder by the department to allow the Board to address the issue. Proposal 351 would prohibit anglers from snagging or attempting to snag fish, and from retaining foul-hooked fish, when fishing in the area between the Channel Wayside fishing dock and the Macaulay Hatchery in Juneau.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 47.022 (60), within 150 feet of the Gastineau Hatchery fishing dock, all waters are closed to snagging, and any fish hooked elsewhere than in the mouth must be released immediately. This dock has been replaced and is now under different ownership. These changes have made the current regulation no longer valid or enforceable.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Anglers would not be allowed to snag or attempt to snag fish between the new Channel Wayside Dock and Macaulay Hatchery. If any fish were hooked elsewhere than in the mouth, they would need to be released and returned to the water immediately. This would maintain the prohibition on retaining foul-hooked fish in the area but would additionally prohibit anglers from attempting to snag fish.

BACKGROUND: The ban on snagging was originally proposed by Douglas Island Pink and Chum Inc. (DIPAC) out of safety concerns over anglers snagging fish while on the dock. The dock, referred to in regulation as the Gastineau Hatchery fishing dock and operated by DIPAC, was removed during the spring of 2001. A new dock, constructed in 2001 near the location of the old dock, is owned and maintained by the City and Borough of Juneau.

DEPARTMENT COMMENTS: The department **supports** a modification of the existing regulation for clarity and enforcement reasons but remains **neutral** on the issue of snagging in the area. If the Board chooses to continue the prohibition on snagging in the area, we recommend that the regulatory language prohibits attempting to snag, in addition to snagging, for enforcement reasons.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 353. PAGE 248. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMIT; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would establish the Karta River as a fly-fishing-only special management area.

WHAT ARE THE CURRENT REGULATIONS? Only unbaited, artificial lures may be used year round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would designate the Karta River as fly-fishing-only waters. Sport fishing would be permitted only with no more than one unweighted, single-hook fly with a gap between the point and shank three-eighths inch or less; weights used must be 18 inches or more ahead of the fly.

We are unable to estimate the effects in terms of fishing effort and harvest. However, in other situations where a water body was changed from a general regulation to a fly-fishing-only regulation, there have been initial reductions in effort, followed, after a few years, by increased levels of participation. Harvest generally decreases in fly-fishing-only waters.

BACKGROUND: In 1998, the Board adopted criteria for establishing special management areas, including fly-fishing-only areas as proposed. These criteria include stock status, history of special management, geographic distribution of special management waters, and other factors. The remainder of this section is to provide information with respect to these criteria.

Nearly the entire watershed is located on U.S. Forest Service land and is designated as wilderness. The Karta River is located within a ½-hour skiff ride from the towns of Kasaan and Hollis. Boat launches at both locations allow for island residents to easily access the Karta River. In addition, there are four U.S. Forest Service recreational cabins in the watershed that are often accessed by floatplane.

The Karta River contains naturally reproducing populations of steelhead trout (including fall-run, spring-run, and resident rainbow), cutthroat trout, Dolly Varden char, sockeye, coho, pink and chum salmon. These species have supported a sport fishery with an effort of 300 to 800 anglers per year, as estimated by the Statewide Harvest Survey.

The Karta River steelhead run is one of the largest on Prince of Wales Island. A weir monitored on the Karta River between March 24 and June 9, 1989 counted 1,220 upstream-migrating, and 842 downstream-migrating steelhead. These fish ranged in length from 16 to 32 inches. A weir monitored between April 7 and May 31, 1992 counted 185 upstream-migrant steelhead and 347 downstream fish. No steelhead from the Karta River have been entered in the department's trophy fish program; fish sizes observed from the Karta River are similar to those observed in other Southeast Alaska systems.

A mail survey of parties reserving U.S. Forest Service recreational cabins in SE Alaska was conducted in 1999 and 2002 to estimate trout and steelhead catch, harvest and effort by cabin users. For the cabins in the Karta River drainage, 67 of 76 registered parties responded to the survey in 1999, and 53 of 86 parties responded in 2002. The data provided estimates (by cabin users only) of 389 angler-days and 1,269 angler-hours of effort by anglers targeting steelhead and trout in 1999, and 357 angler-days and 1,810 angler-hours in 2002. Estimated catch was 1,535 trout (cutthroat and rainbow combined) and 200 steelhead in 1999 (estimated harvest was 105 trout and no steelhead). In 2002 the estimated catch was 1,079 trout and 92 steelhead, with an estimated harvest of 177 trout and 3 steelhead.

Under state subsistence regulations the Karta is open from June 15–July 15 for sockeye (15 fish possession limit, no annual limit), and from July 1–September 30 for pink salmon (150 possession limit, no annual limit), and from July 1–October 31 for chum salmon (25 fish possession limit, no annual limit). Hand purse seines, beach seines, and dip nets are used in the fishery. Subsistence permit holders have harvested up to 3,200 sockeye but harvests of fewer than 1,000 sockeye have occurred in the recent five years.

Federal subsistence regulations allow fishing for coho salmon and steelhead in the Karta River, and other systems on Prince of Wales Island, by federal permit only. Recent action by the Federal Subsistence Board will allow additional harvest opportunity under federal rules for steelhead on Prince of Wales Island systems, including the Karta River, effective 2003.

There are thirteen lake systems in Southeast Alaska with special use designations. Twelve are trophy designation areas, where a bag limit of one cutthroat/rainbow trout (in combination), 25 inches or greater is in place. One, Turner Lake, is designated as a catch-and-release only area. Cutthroat trout from each of the thirteen lakes have been entered into the department's trophy fish program. There are no fly-fishing only designations in Southeast Alaska.

DEPARTMENT COMMENTS: Neutral. The proposal states bait and treble hooks are causing hooking mortality. Because current sport fish regulations prohibit the use of bait, this proposal will not reduce mortality caused by the use of bait. Research on hooking mortality of salmon and trout caused by single versus multiple hooks is inconclusive.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 354. PAGE 249. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would allow only unbaited, artificial flies (unweighted) and fly rods and reels when fishing at Montana Creek and at the Mendenhall River. This proposal would also establish catch-and-release only regulations for Montana Creek and Mendenhall River; any fish captured would have to be released and returned to the water immediately.

WHAT ARE THE CURRENT REGULATIONS? The current bag and possession limits for Montana Creek and Mendenhall River mirror those established for all drainages crossed by the Juneau road system. The use of bait is prohibited year-round in Montana Creek and three lakes on the Juneau road system. Use of bait in all other Juneau roadside drainages, including Mendenhall River, is allowed from September 15 through November 15.

There are no Juneau roadside streams designated for special management, such as catch-and-release or fly-fishing only. The bag and possession limits for Juneau roadside streams, including Montana Creek and Mendenhall River, allow harvest of salmon, Dolly Varden and trout. Harvest and size limits for sockeye salmon, coho salmon, Dolly Varden and cutthroat trout on Juneau roadside systems are more restrictive than regionwide regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would establish Montana Creek and Mendenhall River as catch-and-release, fly-fishing-only management areas. Sport fishing would be permitted only with no more than one unweighted, single-hook fly with a gap between the point and shank three-eighths inch or less; weights used must be 18 inches or more ahead of the fly. All fish caught would be released. The intent of this proposal includes allowing only fly rods and reels; there are currently no regulations that provide for or describe the use of fly rods or reels.

Effort may decline in the short-term as a result of lost opportunity but long-term changes in effort are difficult to predict. Harvests from 1997–2001 average 482 for Dolly Varden, 269 for coho salmon and 46 for cutthroat trout; this proposal would eliminate harvest.

BACKGROUND: In 1998, the Board adopted criteria (5 AAC 75.013) for establishing special management areas, such as catch and release and fly-fishing only areas, as proposed. These criteria include stock status, history of special management, geographic distribution of special management waters, and other factors. The remainder of this section is to provide information with respect to these criteria.

Montana Creek is the largest tributary of the Mendenhall River, a glacial drainage that originates at Mendenhall Lake and the terminus of Mendenhall Glacier. It is centrally located on the Juneau road system and in close proximity to Juneau's largest residential area. It is accessible at several locations along the road system, and is surrounded by the Tongass National Forest and large tracts of City and State land that are managed for recreational use. Montana Creek receives the highest sport fishing effort of the streams on the Juneau road system (Table 354-1). The majority of the sport fishing effort on the Mendenhall River occurs at its confluence with Montana Creek, where anglers can target fish heading up Montana Creek as well as up Mendenhall River.

Juneau roadside regulations are more restrictive than regionwide regulations in several instances. The Board established lower Juneau roadside bag limits for Dolly Varden in 1978 due to reduced catch rates. Reduced coho salmon limits established in 1983 are identical to those on the Yakutat and Ketchikan road systems. And in 1994, the Board adopted "high-use" regulations for cutthroat trout on the Juneau road system, consisting of

reduced harvest limits and a higher minimum size limit for trout. In 1985, Montana Creek became the first stream in Southeast Alaska to be restricted to artificial lures year round.

The department monitors coho and sockeye salmon escapements in Montana Creek and Steep Creek, another tributary of the Mendenhall River (Table 354-2). Formal escapement goals have been established for coho salmon at both Montana Creek and Steep Creek; and there has been only one occasion (at Steep Creek) where the observed escapement count of coho did not meet the goal range.

There are thirteen lake systems in Southeast Alaska with special use area designations. Twelve are trophy designation areas, where a bag limit of one cutthroat/rainbow trout (in combination), 25 inches or greater is in place. One, Turner Lake, is designated as a catch-and-release only area. Cutthroat trout from each of the thirteen lakes have been entered into the department's trophy fish program.

DEPARTMENT COMMENTS: Neutral. This proposal seeks to diversify sport fishing opportunity. There is no conservation or biological reason to restrict these drainages to catch-and-release and/or fly fishing only. There are currently no regulations that provide for or describe the use of fly rods or reels; regulations for fly-fishing only areas (5 AAC 75.024) describe only the terminal gear. Without a clear definition of gear, enforcement of this proposal would be difficult.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

Table 354-1. Sport fishing effort (angler days) on Juneau road system streams, 1997–2001.

Year	Montana Creek	Cowee Creek	Peterson Creek	Fish Creek	Other roadside
1997	2,448	1,555	1,090	1,690	704
1998	2,221	2,135	1,334	918	1,379
1999	2,069	1,522	906	1,627	842
2000	2,763	2,594	1,249	2,068	1,375
2001	3,993	3,087	1,613	2,359	1,840

Table 354-2. Peak escapement survey counts for coho salmon in Montana and Steep Creek, 1992–2002.

Year	Montana Creek (escapement goal range 200–500)	Steep Creek (escapement goal range 100–300)
1992	2515	612
1993	1352	471
1994	1829	200
1995	600	409
1996	798	134
1997	1018	182
1998	1160	149
1999	1000	392
2000	961	88
2001	1119	366
2002	2448	380

PROPOSAL 355. PAGE 249. 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS —FINFISH.

WHAT WOULD THE PROPOSAL DO? As written this proposal would allow cast nets 10 feet in diameter or smaller to be used for sport fishing in all fresh and salt waters of Southeast Alaska. However, the problem statement addresses terminal hatchery locations, such as the DIPAC hatchery in Gastineau Channel near Juneau, where there are surplus salmon.

WHAT ARE THE CURRENT REGULATIONS? Cast nets are listed as legal gear type under General Provisions [5 AAC 39.105(d)(30)]. However, cast nets are not a legal gear in the sport fishery. Sport fishing for finfish in Alaska can only be done with a single, closely attended line, with one or two single or multiple hooks attached (5 AAC 75.020). Herring can be taken under sport regulations with a single line with up to 15 unbaited hooks attached (5 AAC 75.030), and any species of fish legally harvestable under sport fishing regulations can be taken in salt water by spear, if the fisher is completely submerged (5 AAC 75.028).

Cast nets are a legal gear type in subsistence fisheries (5 AAC 01.010) and in Southeast Alaska personal use salmon fisheries (5 AAC 77.682). In personal use and subsistence salmon fisheries, cast nets may only be used in areas and for times specified under a permit by the department. The department may provide, by emergency order, personal use salmon fishing opportunities in terminal hatchery locations when those salmon have not been taken in other authorized fisheries. However, personal use salmon fishing with nets is not permitted along the road systems of Juneau, Petersburg, Wrangell, Sitka, and Ketchikan (5 AAC 77.683), and in terminal hatchery fisheries, gear is limited to beach seine, hand purse seine, gillnet, and dip net (5 AAC 77.685); cast nets are not included as a legal method in these fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would allow another gear type to be used in the Southeast Alaska sport fishery. It is difficult to assess what effect this proposal would have on the sport harvest. We do not have information to assess how effective the gear is in catching different species of fish. Sport fishers would still be restricted to applicable bag and possession limits. However, harvest efficiency could increase substantially in places where fish are confined or concentrated. In extreme cases this may result in seasonal closures and bag limit reductions in some terminal and freshwater fisheries.

At the present time, cast nets can be legally used in subsistence and personal use fisheries, which are limited to Alaska residents. Providing an opportunity to use cast nets in terminal hatchery areas under Chapter 47 would allow nonresidents as well as residents to participate in these fisheries. If this regulation was restricted to terminal hatchery locations when surplus hatchery fish were present, there would not be conservation concerns but there may be gear conflicts.

BACKGROUND: Sport fishing methods and means for taking finfish have not focused on the need to maximize harvest efficiency, but rather on gear types such as rod and reel.

DEPARTMENT COMMENTS: The department **opposes** this proposal as written. Allowing the use of cast nets in all waters would likely cause conflicts with other gear types, result in higher harvest rates than traditional sport fishing gear, and may increase the potential to over-harvest certain stocks. Allowing the use of cast nets in terminal hatchery fisheries where surplus fish are available may achieve the intent of this proposal. The department has the ability to provide net fishing opportunity for residents in such situations under 5 AAC 77.685, but cast nets are not included as a legal gear type and fishing is not permitted along the Juneau, Petersburg, Wrangell, Sitka, and Ketchikan road systems.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 356. PAGE 250. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would allow anglers to use only a single, barbless hook when sport fishing from April 1 through September 15. As written, the proposal would apply to all fresh and marine waters of Southeast Alaska. However, the proposal appears to be intended for specific streams draining into Icy Strait; specifically, Excursion River, Salmon River, Bartlett River, Dundas River, Trail River, Mud Bay River and Chicken Creek.

WHAT ARE THE CURRENT REGULATIONS? Except for Ward Creek and Thomas Basin near Ketchikan, and Fish and Marx Creeks near Hyder, which are designated as unbaited, single hook only, terminal tackle used in Southeast Alaska, including Icy Strait corridor streams, can include one or two, single or multiple-barbed hooks. In fresh water, lures and hooks must be of standard manufacture, and multiple hooks cannot exceed a size of ½ inch from the tip of the hook to the shank.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Only single barbless hooks would be allowed. The effect this would have on mortality is unknown because research on mortality due to hook type is inconclusive.

BACKGROUND: Studies of fish caught and released using sport fishing gear are inconclusive as to the effect on fish survival using barbless hooks, single hooks, and single barbless hooks. These studies have shown that hooking mortality is generally related to the location of the hook wound.

DEPARTMENT COMMENTS: The department is **opposed** to this proposal given its regionwide scope without more conclusive evidence of conservation benefits. In a more specific area, the department would not necessarily oppose a similar proposal but would recommend the Board consider it as a special management provision using the criteria for establishing special management areas under 5 AAC 75.013.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSALS 357, 358 AND 359. PAGES 250–251. 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS—FINFISH.

WHAT WOULD THE PROPOSAL DO? These proposals would allow guides to fish, while engaged in charter fishing, using their own line.

WHAT ARE THE CURRENT REGULATIONS? The maximum number of fishing lines that may be fished from a vessel engaged in sport fishing charter activities is equal to the number of paying clients on board the vessel with two exceptions: an additional line may be used to jig for herring and smelt, and; the number of lines may not exceed one per angler and six per vessel. Operators and crew members working on a charter vessel may not retain chinook salmon while clients are on board the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? These proposals would allow guides to fish from a vessel engaged in charter activities regardless of whether all clients are fishing or not. Proposal 357 poses criteria, such as residency and chinook salmon abundance, that could be used to allow guides to fish and/or retain chinook salmon, and Proposal 359 would allow any licensed person on a vessel engaged in charter activities to fish regardless of whether they are a paying client or not. All of these proposals would increase the maximum number of lines that could be fished from vessels engaged in charter activities but the maximum number of lines fished per vessel would remain at six.

The adoption of these proposals would directly increase sport harvests by the number of fish that guides would harvest while chartering. Because current regulations prohibit operators and crew working on charter vessels from retaining chinook salmon while clients are on board, this proposal is not expected to directly result in an increase in the harvest of chinook salmon. However, given the stated intent in Proposal 358 of teaching clients, learning may indirectly increase client success rates and client harvest of all species, including chinook salmon.

BACKGROUND: Current regulations that limit lines to the number of paying clients and prohibit charter operators and/or crew from retaining chinook salmon while under charter were implemented to help reduce the sport fish harvest of chinook salmon, which are managed for an allocation of the PSC harvest ceiling. Charter operators and/or crew are allowed to fish for species other than chinook salmon while under charter by sharing a client's rod.

DEPARTMENT COMMENTS: Neutral. This proposal will have allocative implications between guides, guided clients, and non-guided anglers with respect to chinook salmon and lingcod, which are managed for harvest allocations or targets.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSALS 360 AND 361. PAGE 252. 5 AAC 47.030. METHODS, MEANS, AND GENERAL PROVISIONS—FINFISH.

WHAT WOULD THE PROPOSAL DO? These proposals would allow fishing guides and/or crew members in Southeast Alaska to hook fish or hold rods for clients without the fish counting as part of the guide's or crewmember's bag limit.

WHAT ARE THE CURRENT REGULATIONS? Under 5 AAC 75.994 (42), fishing guide services is defined as: "the direct provision of assistance, for compensation or with the intent to receive compensation, to an angler engaged in sport fishing in the taking or attempt to take fish or shellfish by accompanying or personally directing the angler in fishing activities…." Under 5 AAC 75.995 (4), "a fish when landed and killed becomes a part of the bag limit of the person originally hooking it." Further, regionwide regulations (5 AAC 47.030 (g)) state that operators and crew members working on a charter vessel may not retain chinook salmon while clients are on board the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If this proposal is adopted, guides and crew members in Southeast could hook fish for clients without the fish counting as part of the guide's or crewmember's bag limit. This would likely improve success rates for landing hooked fish and thereby reduce drop-offs and increase harvest.

BACKGROUND: Current regulations require that, if a guide or crew member hooks a fish for a client, the fish becomes part of the guide or crew member's–not the client's–bag limit. Current regulations do not prohibit guides or crew members from hooking fish or touching or holding rods for clients. However, in Southeast Alaska chinook salmon originally hooked by guides or crew members must be released. The Board adopted this regulation in 1997 in an effort to slow the harvest of chinook salmon in the sport fishery.

DEPARTMENT COMMENTS: The department is **neutral** on this allocative issue. The adoption of this proposal may cause the sport harvest of chinook salmon to exceed the sport allocation more frequently and/or to a larger degree. Fish and Wildlife Protection may want to comment on the enforcement implications.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 362. PAGE 253. 5 AAC 47.036. PROHIBITIONS.

WHAT WOULD THE PROPOSAL DO? The intent of this proposal is not clear. The intent appears to be to completely prohibit guided anglers and owners, operators, or employees of a lodge or charter vessel from fishing for shellfish under sport fishing regulations.

WHAT ARE THE CURRENT REGULATIONS? 5 ACC 47.036 prohibits owners, operators, or employees of a lodge, charter vessel, or other enterprises that furnishes food, lodging, or guide services from furnishing shellfish to a client or guest of that enterprise, unless: the shellfish has been taken with gear deployed and retrieved by the client or guess: the gear has been marked with the client's name and address, and; the shellfish is to be consumed by the client or guest or is consumed in the presence of the client or guest. The captain and crew members of a charter vessel may not deploy, set, or retrieve their own gear in a sport shellfish fishery when that vessel is being chartered.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If the intent is to prohibit guided anglers, sport fishing businesses, and guides from fishing for shellfish, only non-guided individuals fishing for shellfish would be allowed to harvest shrimp and crab. As a result, harvest of shellfish, primarily Dungeness crab and shrimp, taken under sport fishing regulations, would be reduced by a small amount.

BACKGROUND: In response to concerns that charter operators and lodge owners were providing personal use and sport-caught shellfish to their clients, the Board adopted regulations in 1997 prohibiting charter vessel operators, lodge owners, and their employees, from supplying clients with sport-caught or personal-use caught shellfish. Clients may obtain sport-caught shellfish when fishing from a vessel under hire if they operate the gear themselves and mark the surface buoys or kegs with their name and home address, along with the vessel name or Coast Guard number. Additionally, the captain and crewmembers of a charter vessel may not deploy, set, or retrieve their own gear in a sport or personal use shellfish fishery when that vessel is being chartered.

Sport and personal use harvests of Dungeness crab in Southeast Alaska average (1996-2001) 56,300 crab. During the same period, harvest (2,600) by guided individuals comprised 5% of sport and personal use harvests. For comparison, commercial harvests for the same period averaged about 1.8 million crab. There are currently no biological concerns with Dungeness crab or shrimp stocks in Southeast Alaska. The 2002/2003 commercial Dungeness harvest was the largest on record and shrimp harvests have been stable.

DEPARTMENT COMMENTS: The department is **neutral**. The intent appears to be allocative.

COST STATEMENT: Adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 363. PAGE 253. 5 AAC 47.055. SOUTHEAST ALASKA KING SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict the number of days that charter vessels would be allowed to fish. The proposal does not state how or the degree to which the number of days would be restricted.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not restrict the number of days that charter vessels can operate.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If this proposal is adopted, the capacity of the guiding industry would be reduced by some amount. Harvest opportunity and harvest by guided anglers would also be reduced.

BACKGROUND: Some charter fishing occurs during the winter, but many businesses begin operations from late April through May and end in late August or September.

DEPARTMENT COMMENTS: The department is **neutral** on this proposal because it is allocative.

COST STATEMENT: Adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 364. PAGE 254. 5 AAC 47.020. CODE KEY FOR BAG LIMITS, POSSESSION LIMITS AND SIZE LIMITS; and 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? The proposal as written would establish an annual limit for all sport caught species equal to one possession limit.

WHAT ARE THE CURRENT REGULATIONS? Southeast Alaska regulations (5 AAC 47.020) provide for an annual limit of two steelhead for all anglers and statewide regulations (5 AAC 75.012) establish an annual limit for sharks of two, also for all anglers. Additionally, two regionwide regulations provide direction to the department to establish annual limits each year by emergency order. The Southeast Alaska King Salmon Management Plan (5 AAC 47.055) directs the department to establish annual limits of three or four chinook salmon for nonresident anglers, based on abundance each year. The Board has also delegated the department management authority through provisions (5 AAC 47.060) to establish lingcod annual limits for guided and nonresident anglers. Harvest reporting requirements apply to nonresident anglers retaining chinook salmon and all anglers retaining steelhead and sharks.

Possession limits range from one to two bag limits, or one to ten fish, depending on species. Possession limit is defined (5 AAC 75.995) as the maximum number of unpreserved fish a person may have in their possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would implement annual limits for all species in addition to current annual limits for chinook salmon, steelhead and sharks. The proposal does not state whether annual limits would be limited to nonresidents or apply to all (resident and nonresident) anglers. Annual limits for all species would range from one to ten fish depending on the possession limit for each species. Current annual limits for steelhead and sharks would remain unchanged because they are the same as possession limits for those species.

The adoption of this proposal would reduce harvest opportunity. It would also reduce harvests of those species for which individual anglers annually harvest fish in addition to the possession limit. This proposal would also cause reduced fishing effort and a loss of fishing opportunity.

DEPARTMENT COMMENTS: The intent of this proposal appears to be to limit harvests of all species taken in the sport fishery to prevent impacts to other users. On this allocative concept the department remains **neutral.** However, the department **opposes** implementation of annual limits to all species on a regionwide basis as a means to reduce harvests. Should the Board wish to reduce sport harvests for conservation or allocative reasons, the department recommends annual limits be considered along with other management tools on a case by case basis, not applied region wide to all species.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery.

PROPOSAL 365. PAGE 254. 5 AAC 47.022. WATERS; SEASONS; BAG, POSSESSION, AND SIZE LIMITS; AND SPECIAL PROVISIONS.

WHAT WOULD THE PROPOSAL DO? This proposal would open City Park ponds in Ketchikan to sport fishing for 30 days, beginning the second Saturday in June.

WHAT ARE THE CURRENT REGULATIONS? Currently, City Park ponds open to sport fishing from the second Saturday in June through the second Saturday in July. During this period, the cutthroat and rainbow trout (in combination) limit is five per day and in possession, no size restriction, and bait is allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If this proposal is adopted as written, there would be no change in current regulations. The intent of this proposal was to insure that the opening date corresponds with National Fishing Week, which starts the first Saturday of June.

BACKGROUND: The department, in cooperation with the U.S. Forest Service and other public groups, developed the City Park ponds fishery as a means to encourage interest in fishing in the early 1990s. The Deer Mountain hatchery, formerly operated by the department and currently operated by Ketchikan Indian Corporation, provides enhanced rainbow trout to support this fishery. The Board approved the current regulations based on a public proposal to allow the fishery. At the time, the intent was to align the fishery with National Fishing Week but the regulatory dates passed were not aligned.

DEPARTMENT COMMENTS: The department **supports** the concept of this proposal to align the opening date of the City Park ponds fishery with the beginning of National Fishing Week. If the Board adopts this concept, the department recommends the fishery open the first, as opposed to the second, Saturday in June.

COST STATEMENT: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery

PROPOSAL 366. PAGE: 255. 5 AAC 33.374. DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? This proposal would close the Hidden Falls Terminal Harvest Area to seine fishing prior to June 28 in the area including and offshore of Kasnyku Bay between 57°12.00' N. latitude and 57°14.00' N. latitude (Figure 366-1). This proposal would re-allocate the opportunity to harvest hatchery chum and chinook returning to this area from the seine gear group to the troll gear group under provisions of 5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.374. DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST MANAGEMENT PLAN.

(a) The Hidden Falls terminal harvest area for chum and chinook salmon consists of the waters of District 12 within two nautical miles of the Baranof Island shoreline south of the latitude of South Point and north of 57°06.82' N. latitude, excluding the waters of Kelp Bay.

The commissioner shall open and close, by emergency order, the purse seine and troll fishing seasons to harvest excess salmon returning to the Hidden Falls salmon hatchery.

5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN. The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations:

seine – 44 percent – 49 percent;
hand and power troll – 27 percent – 32 percent;
drift gillnet – 24 percent –29 percent.

The department shall evaluate the annual harvest of salmon stocks from enhancement projects to determine…based on five-year increments beginning with 1985…

If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.

The department may not make inseason adjustments or changes in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section.

5 AAC 29.200. SALMON TROLLING IN HATCHERY SPECIAL HARVEST AREAS. Salmon trolling in special harvest areas near hatcheries and release sites is permitted only as specified in the terminal harvest management plans set out in 5 AAC 33.370-5 AAC 33.383, except as specified by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL (S) IS ADOPTED? A section of the Hidden Falls Terminal Harvest Area would be closed to seine fishing until June 28 within the proposed area between 57°12.00' N. latitude and 57°14.00' N. latitude (Figure 366-1.) The absence of seine fishing in this area would provide the opportunity for troll fishing daily until the last three days of June. Trollers in the area could then target either hatchery chum or chinook salmon without disruption by seine openings. Cost recovery seine effort would continue to occur in this area and could disrupt some trolling, depending on the number of boats and locations of major chum schools. Some potential effects if this proposal is adopted will depend on run size, run timing and the number of trollers who choose to participate in openings, as follows: trollers might catch substantial numbers of either chum or chinook or both species; cost recovery could more rapidly achieve the seasonal harvest goal set by NSRAA; the flesh quality of large quantities of chinook and chum in the area could substantially deteriorate since available troll effort may not keep pace with returns and thereby overall value of this portion of the return may be decreased.

BACKGROUND: Seine harvest of chum returning to the Hidden Falls Hatchery (HFH) dates back to 1983 and has occurred annually over that 20-year period (Table 366-1). Hidden Falls Hatchery was established by and is owned by the state. NSRAA took over operation of the facility in June of 1988. Seine harvest of chum salmon from this facility is substantial. Over the prior 10-year period catch has ranged from 1.1 million fish in 2001 to 3.4 million fish in 1996 and has averaged 2.1 million fish. A majority of the Southeast seine fleet participates in the Hidden Falls THA fishery during the time enhanced chum salmon are returning to the facility. Typically, the first seine opening is on the Sunday of the last full week in June, seining then continues with two, 15-hour openings per week throughout July. The HFH terminal seine fishery is managed in cooperation with NSRAA in order to ensure that broodstock and cost recovery harvest goals are met.

Spring troll fisheries are managed in Chatham Strait and in the Hidden Falls Terminal Harvest Area to harvest returning hatchery chinook salmon from April 15-June 30. Since the catch of chinook salmon in the Hidden Falls THA are almost entirely of hatchery origin, that area is designated as a terminal area under the Pacific Salmon Treaty. The area was open continuously to trolling from April 15 through the end of the summer salmon troll season in 2002. Over the prior 8-year period troll catch from the terminal area of District 12 has ranged from 2,100 to 20,900 and averaged 8,700 fish, 32% of returns (Table 366.1). Seine fisheries in the terminal area have historically harvested an average of 12,800 chinook, 46% of returns, and cost recovery has averaged 6,000 chinook, 22% of surplus returns. Some additional troll opportunities to harvest HFH chinook salmon occur in areas distant from the terminal area in other spring troll fishery areas. Typically when seine fisheries have opened in the THA to target surplus chum during the last week of June, trolling for chinook is no longer an economically viable option for trollers. Most trollers typically depart the area to participate in general summer troll opening beginning on July 1.

During the 2001 season with a larger than usual component of Age-5 chum salmon as part of the Hidden Falls return and with earlier than usual chum salmon run timing (Figure 366-4), large chum schools were distributed deep and offshore of the hatchery in the latter part of June. With the average chum price at $ 0.36/lb, trollers began targeting chum salmon at Hidden Falls and harvested an unprecedented 79,000 chum for the season (Table 366-1). Peak troll catch of 54,000 chum occurred during stat week 25, June 17-June 23 (Table 366-2) with 74 trollers making landings. There was much speculation that this event would repeat or even increase in 2002, however with average troll chum price falling to $0.15/lb, and high tendering costs from the Hidden Falls THA to markets, the peak troll effort declined to 46 trollers who primarily targeted chinook salmon. The total troll chum salmon harvest in the HFH THA was only 5,000 fish in 2002.

In the Terminal Area over the past 10-year period prior to June 28 there have been seven years with one seine opening, two years with two seine openings, and one year with no openings. Over the prior 10 years the average seine catch prior to June 28 has been 7.6% of the season's catch, with a range of 0-27%, this percentage is related to run timing (Figure 366-2).

DEPARTMENT COMMENTS: The department is **neutral** on this allocative proposal. The board, at its discretion, may allocate returns of enhanced chinook and chum salmon in the Hidden Falls Terminal Harvest area since both seine and troll gear groups have been out of their allocation ranges as provide in 5 AAC 33.364. In the event that the board decides to take action on this or a similar proposal, the department suggests that the board provide the department with the criteria and the ability to adjust management actions by emergency order in response to in-season conditions. Such conditions include the run size, run timing, the price of chum, the price of chinook, the number of trollers on the grounds, which species the trollers are targeting, whether cost recovery effort is sufficient to keep pace with returns, or other factors. Although evaluated in a separate briefing document, proposal 367 is also relevant to this issue.

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

Table 366-1. Historical Hidden Falls Hatchery Terminal Area Chinook and Chum Harvest, 1983–2002.

	TROLL		SEINE		COST RECOVERY		TOTAL	
Year	Chinook	Chum	Chinook	Chum	Chinook	Chum	Chinook	Chum
1983			46	73,334			46	73,334
1984			315	554,319			315	554,319
1985			1,522	376,808			1,522	376,808
1986			568	584,725			568	584,725
1987			253	410,572	-	29,091	253	439,663
1988			369	198,087	45	146,665	414	344,752
1989			100	23,572	36	30,703	136	54,275
1990			5	257,987	21	155,628	26	413,615
1991	124	14	968	579,371	777	188,908	1,869	768,293
1992	2	-	501	734,129	347	186,632	850	920,761
1993			1,075	1,471,182	727	206,503	1,802	1,677,685
1994			3,446	2,842,059	3,564	251,385	7,010	3,093,444
1995	5,194	369	21,431	3,213,002	7,085	248,660	33,710	3,462,031
1996	20,921	292	19,785	3,375,359	4,744	410,482	45,450	3,786,133
1997	14,956	443	5,494	1,376,980	8,082	218,225	28,532	1,595,648
1998	2,120	14	5,616	1,851,116	1,987	318,025	9,723	2,169,155
1999	3,966	32	12,070	2,338,575	2,004	270,964	18,040	2,609,571
2000	7,641	85	17,609	2,742,107	7,710	266,903	32,960	3,009,095
2001	8,451	78,686	11,109	1,098,670	14,640	300,601	34,200	1,477,957
2002	6,463	4,993	9,300	1,225,544	2,214	287,185	17,977	1,517,722
average chinook '95-'02	8,714	32%	12,802	46%	6,058	22%	27,574	
average chum '93-'02		10,614	0%	2,153,459	88%	277,893	11%	2,439,844

Table 366-2. 2001 Hidden Falls Terminal Area harvest by week.

		TROLL		SEINE		COST RECOVERY	
Stat Week	Dates	Chinook	Chum	Chinook	Chum	Chinook	Chum
22	May 27-June 2	287	62				
23	June 3-June 9	1,768	1,591				
24	June 10-June 16	2,358	12,959			0	945
25	June 17-June 23	1,717	53,824	941	104,436	5,270	50,187
26	June 24-June 30	930	9,821	2,346	193,570	4,745	132,955
27	July 1-July 7	347	30	1,011	119,019	1,278	20,607
28	July 8-July 14	806	501	2,121	395,598	363	57,991
29	July 15-July 21	200	0	3,389	199,450	1,500	18,293
30	July 22-July 28	0	0	1,010	65,885	0	2,666
31	July 29-Aug 4	0	0	264	15,908	0	2,861
32	Aug 5-Aug 11	0	34	27	4,804	0	7,702
33	Aug 12-Aug 18	6	1			875	4,778
34	Aug 19-Aug 25	60	2			313	1,421
35	Aug 26-Sep 1	27	8			285	180
	Total	8,506	78,833	11,109	1,098,670	13,156	294,207

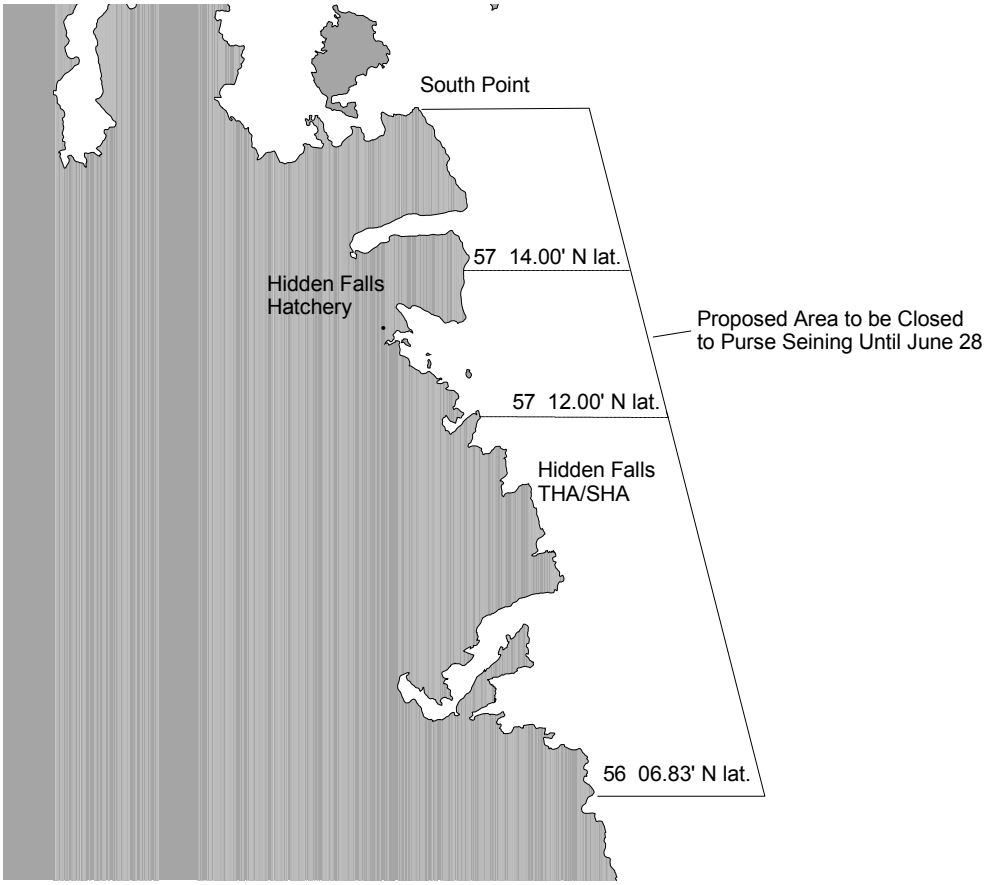


Figure 366-1. Hidden Falls Terminal Harvest Area and proposed closure before June 28.

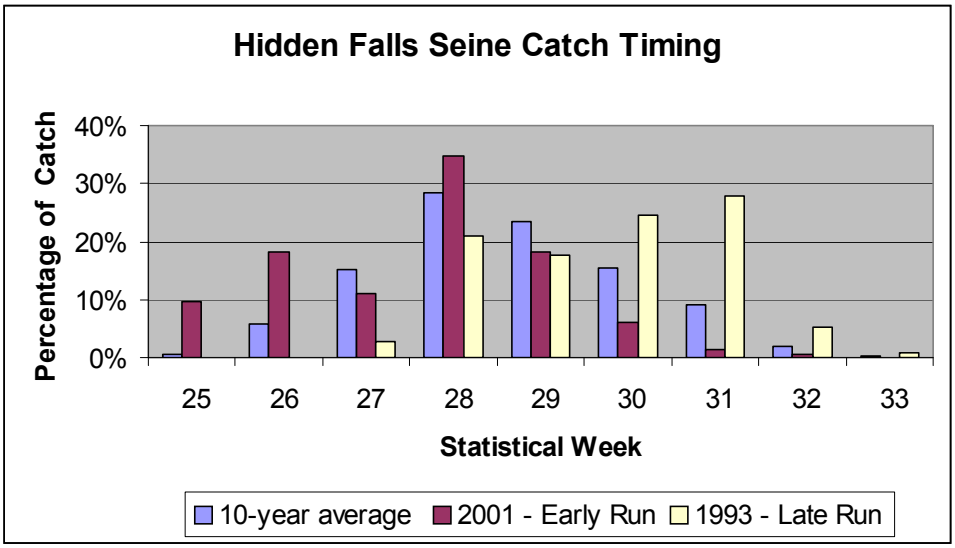


Figure 366-2. Hidden Falls seine harvest percentage by statistical week, 1993–2002.

PROPOSAL 367. PAGE 256. 5 AAC 33.374. DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL(S) DO? This proposal revises the Hidden Falls Hatchery Terminal Harvest Management Plan to limit troll gear harvest of chum salmon with the intent of maintaining a viable Southeast Alaska seine fishery in July.

Through June 30 purse seine fishing opportunity would be limited to two days per week and areas within the THA may be closed to minimize seine harvest of chinook salmon. If necessary to provide for broodstock and cost recovery needs, as well as a stable seine fishery in July, troll fishing for chum would be limited to 50% of the troll chinook salmon catch, and troll fishing for chinook salmon would be conducted according to 5 AAC 29.090 Management of Spring Salmon Troll Fisheries.

On and after July 1 areas within the THA could be closed to protect chum and chinook broodstock. Troll fishing for chinook would be according to 5 AAC 29.090 and further limited so that the harvest of chum does not exceed 50% of the harvest of chinook. The seine fishery would be managed to harvest surplus chum by providing at least two one-day openings per week in July.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.374. DISTRICT 12: HIDDEN FALLS HATCHERY TERMINAL HARVEST MANAGEMENT PLAN.

(a) The Hidden Falls terminal harvest area consists of the waters of District 12...

(b) The commissioner shall open and close, by emergency order, the purse seine and troll fishing seasons to harvest excess salmon returning to the Hidden Falls salmon hatchery.

5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES.

(a) In this chapter, a spring salmon troll fishery means a fishery that is

(1) opened and closed weekly by emergency order;
(2) restricted in area;
(3) designated by number…for catch reporting purposes.

(b) The department shall manage the spring salmon troll fisheries to target Alaska hatchery-produced Chinook salmon while maintaining a historical pink and chum salmon troll fishery in Cross Sound.

(c) The department shall conduct the spring salmon troll fisheries each year before the opening of the general summer salmon troll season.

5 AAC 29.200. SALMON TROLLING IN HATCHERY SPECIAL HARVEST AREAS.

Salmon trolling in special harvest areas near hatcheries and release sites is permitted only as specified in the terminal harvest management plans set out in 5 AAC 33.370- 5 AAC 33.383, except as specified by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Provisions in the proposal that require management actions in June to create at least two, one-day seine fishery openings per week in July are confusing since run size, progress toward cost recovery and accumulation of broodstock for July are unknown in June. Provisions to manage Hidden Falls Terminal troll in June and July according to 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES offers little direction to the department for specific management actions in this case, since under this plan troll fisheries are now managed as a Terminal Harvest Area and are open continuously. Provisions in the proposal to limit troll harvest of chum to 50% of the troll harvest of chinook salmon (if necessary through June 30, and imperatively after July 1) will be difficult to accomplish unless a specific plan and clear direction is provided to the department. If the proposal is adopted as now written, the presumed department action to limit chum harvest would be to close major portions of the Terminal Harvest Area to trolling in the event that troll landings exceed 50% chum overall. If adopted, the department would be able to close portions of the terminal area in June to seining in order to pass through more chinook salmon to the troll fishery. The department in cooperation with NSRAA has in the past closed portions of the terminal area, but those actions have been directed at providing for chum salmon broodstock and cost recovery for NSRAA and were not taken to provide chinook opportunities for trollers.

If adopted, and if regulatory language could be revised, this proposal would accomplish the stated objective of providing for a continuing chum salmon purse seine fishery at the Hidden Falls Terminal Harvest Area. In addition, other wild stock purse seine fisheries in early July that depend on mid-week openings at Hidden Falls (for example Tenakee Inlet, Peril Strait, District 10, and Point Augusta) would less likely be disrupted.

Tolling opportunity at the Hidden Falls Terminal Harvest Area would be directed at harvesting hatchery chinook salmon with chum salmon by-catch limited to 50%. The net effect would be that a major troll fishery for chum salmon would not develop in the Hidden Falls Terminal Area except perhaps in June along with increased chinook salmon opportunities.

BACKGROUND: Seine harvest of chum returning to the Hidden Falls Hatchery dates back to 1983 and has occurred annually over that 20-year period (Table 367-1). Hidden Falls Hatchery was established by and is owned by the state. NSRAA took over operation of the facility in June of 1988. Seine harvest of chum salmon from this facility is substantial. Over the prior 10-year period catch has ranged from 1.1 million fish in 2001 to 3.4 million fish in 1996 and has averaged 2.1 million fish. A majority of the Southeast seine fleet participates in the Hidden Falls THA fishery. Typically, the first opening is on the Sunday of the last full week in June and then continues with two, 15-hour openings per week throughout July. The HFH Terminal seine fishery is managed in cooperation with NSRAA in order to ensure that broodstock and cost recovery harvest goals are met. If broodstock capture and cost recovery harvest schedules fall below a pace to achieve goals by the end of the season, or the end of the NSRAA harvest contract period, then either Sunday or mid-week openings may not occur. In 2002 the combined broodstock and cost recovery goals were around 400,000 fish. As stated in the proposal, the department is often reluctant to open early July wild stock fisheries around the region (Tenakee Inlet, Peril Strait, District 10, District 7) unless the opening occurs concurrently with the Hidden Falls Terminal Area, since effort levels on wild stocks may be excessive.

Spring troll fisheries are managed in Chatham Strait and in the Hidden Falls Terminal Harvest Area to harvest returning hatchery chinook from April 15-June 30. Since the catch of chinook in the Hidden Falls THA are almost entirely of hatchery origin, that area is designated as a terminal area under the Pacific Salmon Treaty.

The area was open continuously to trolling from April 15 through the end of the summer salmon troll season in 2002. Over the prior 8-year period troll catch from the terminal area of District 12 has ranged from 2,100 to 20,900 and averaged 8,700 fish, 32% of returns (Table 367-1). Seine fisheries in the terminal area have historically harvested an average of 12,800 chinook salmon, 46% of returns, and cost recovery has averaged 6,000 chinook, 22% of surplus returns. Some additional troll opportunities occur in other spring troll areas. Typically when seine fisheries have opened in the THA to target surplus chum during the last week of June, trolling for chinook salmon is no longer a viable option for trollers. Most trollers typically depart the area to participate in general summer troll opening beginning July 1.

During the 2000 Board of Fisheries meeting in Sitka, with support by both seine and troll gear groups and in order for trollers to harvest a greater share of enhanced chinook salmon at Hidden Falls, the following regulation was repealed:

> To control the incidental harvest of chum salmon, the department shall manage the Hidden Falls Chinook salmon fishery so that the harvest of chum salmon is 20% of the harvest of chinook salmon. [Formerly 5 AAC 33.311 (p) (9)].

During the 2001 season, with a larger than usual component of Age-5 chum salmon as part of the Hidden Falls stock, with earlier than usual timing of chum returns to the hatchery, large chum schools were distributed deep and offshore of the hatchery in the later part of June. With the average chum price at $ 0.36/lb, trollers began targeting chum salmon at Hidden Falls and harvested an unprecedented 79,000 chum for the season (Table 367-1). Peak catch occurred during stat week 25, June 24-June 30 (Table 367-2). There was much speculation that this event would repeat in 2002, however with average troll chum price falling to $0.18/lb, and the largest chinook salmon quota since the Pacific Salmon Treaty began, there was little troll effort on chum and troll catch for the season was only 5,000.

DEPARTMENT COMMENTS: **Neutral.** This proposal is allocative and seeks continuing management of Hidden Falls chum returns to provide a viable seine fishery in July while attempting to provide increased troll access to Hidden Falls chinook salmon. There is a concern that under existing regulations, a directed troll chum fishery may develop during June, or perhaps even in July, and that catch might be sufficient to impact cost recovery harvest and broodstock harvest and limit the potential for common property purse seine openings. Experience from the 2001 season suggests that a developing troll chum fishery at Hidden Falls is certainly possible, however low price coupled with small troll effort in 2002 are a reminder that a developing troll fishery at Hidden Falls is highly speculative at this time. In the event that NSRAA's broodstock and cost recovery goals might not be achieved, then mid-week seine or Sunday seine openings at Hidden Falls may not occur, leading the department to consider not opening smaller wild stock fisheries, thus disrupting the July seine season. The objective of maintaining a viable seine fishery would be accomplished by limiting the potential development of a directed chum troll fishery on Hidden Falls chum returns by limiting troll catch of chum to 50% of chinook catch. Catch history during the now repealed 20% chum cap regulation supports the idea that a 50% cap may accomplish the same goal, yet provides for somewhat greater allocation of chinook salmon to trollers. In practice limiting troll catch of chum to 50% of chinook salmon catch may be difficult or impossible to accomplish, considering the short duration of chum trolling opportunity and uncertain troll effort.

The department would be reluctant to deviate from past, established management practices without specific direction from the board.

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

Table 367-1. Historical Hidden Falls hatchery terminal area chinook and chum harvest, 1983–2002.

	TROLL		SEINE		COST RECOVERY		TOTAL	
Year	Chinook	Chum	Chinook	Chum	Chinook	Chum	Chinook	Chum
1983			46	73,334			46	73,334
1984			315	554,319			315	554,319
1985			1,522	376,808			1,522	376,808
1986			568	584,725			568	584,725
1987			253	410,572	-	29,091	253	439,663
1988			369	198,087	45	146,665	414	344,752
1989			100	23,572	36	30,703	136	54,275
1990			5	257,987	21	155,628	26	413,615
1991	124	14	968	579,371	777	188,908	1,869	768,293
1992	2	-	501	734,129	347	186,632	850	920,761
1993			1,075	1,471,182	727	206,503	1,802	1,677,685
1994			3,446	2,842,059	3,564	251,385	7,010	3,093,444
1995	5,194	369	21,431	3,213,002	7,085	248,660	33,710	3,462,031
1996	20,921	292	19,785	3,375,359	4,744	410,482	45,450	3,786,133
1997	14,956	443	5,494	1,376,980	8,082	218,225	28,532	1,595,648
1998	2,120	14	5,616	1,851,116	1,987	318,025	9,723	2,169,155
1999	3,966	32	12,070	2,338,575	2,004	270,964	18,040	2,609,571
2000	7,641	85	17,609	2,742,107	7,710	266,903	32,960	3,009,095
2001	8,451	78,686	11,109	1,098,670	14,640	300,601	34,200	1,477,957
2002	6,463	4,993	9,300	1,225,544	2,214	287,185	17,977	1,517,722
average chinook '95-'02	8,714	32%	12,802	46%	6,058	22%	27,574	
average chum '93-'02		10,614	0%	2,153,459	88%	277,893	11%	2,439,844

Table 367-2. 2001 Hidden Falls terminal area harvest by week.

		TROLL		SEINE		COST RECOVERY	
Stat Week	Dates	Chinook	Chum	Chinook	Chum	Chinook	Chum
22	May 27-June 2	287	62				
23	June 3-June 9	1,768	1,591				
24	June 10-June 16	2,358	12,959			0	945
25	June 17-June 23	1,717	53,824	941	104,436	5,270	50,187
26	June 24-June 30	930	9,821	2,346	193,570	4,745	132,955
27	July 1-July 7	347	30	1,011	119,019	1,278	20,607
28	July 8-July 14	806	501	2,121	395,598	363	57,991
29	July 15-July 21	200	0	3,389	199,450	1,500	18,293
30	July 22-July 28	0	0	1,010	65,885	0	2,666
31	July 29-Aug 4	0	0	264	15,908	0	2,861
32	Aug 5-Aug 11	0	34	27	4,804	0	7,702
33	Aug 12-Aug 18	6	1			875	4,778
34	Aug 19-Aug 25	60	2			313	1,421
35	Aug 26-Sep 1	27	8			285	180
	Total	8,506	78,833	11,109	1,098,670	13,156	294,207

PROPOSAL 368. PAGE 258. 5 AAC 33.376. DISTRICT 13: DEEP INLET TERMINAL HARVEST MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL(S) DO? This proposal would revise the Deep Inlet Terminal Harvest Management Plan by altering the area now described in regulation, by including troll gear in scheduled rotational gear fishing schedule, and by changing the time ratio for fishing from 2:1 days of gillnet to seine to 4:2:1 days of gillnet to troll to seine. The proposal refers to implementation of the Southeast Alaska Enhanced Salmon Allocation Management Plan (5 AAC 33.364.)

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.376. DISTRICT 13: DEEP INLET TERMINAL HARVEST MANAGEMENT PLAN.

(a) The intent of this management plan is to distribute the harvest of hatchery-produced salmon in the area described in (b) of this section between the purse seine, drift gillnet, and troll fleets.

(b) The department, in consultation with the Northern Southeast Regional Aquaculture Association (NSRAA), shall open and close, by emergency order, fishing seasons and periods to manage the waters of Deep Inlet, Aleutkina Bay, and contiguous waters…(described)…as follows:

(1) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups; the department, in consultation with NSRAA, shall close fishing between openings;

(B) the time ratio for gillnet openings to seine openings is two to one;

(2) salmon may be taken by troll gear when the waters described in this subsection are closed to commercial net gear;

(3) the commissioner shall close the season in the waters described in this subsection to trolling during hatchery cost recovery periods.

(c) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN. (a) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts among these users, in the Southeastern Alaska Area. The Board of Fisheries establishes the following value allocations:

(1) seine – 44 percent – 49 percent;
(2) hand and power troll – 27 percent – 32 percent;
(3) drift gillnet – 24 percent –29 percent.

(b)The department shall evaluate the annual harvest of salmon stocks from enhancement projects to determine…based on five-year increments beginning with 1985…

(c) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage.

(d) The department may not make inseason adjustments or changes in management in or out of the special harvest areas to achieve the allocation percentages established in (a) of this section.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL (S) IS ADOPTED? The Deep Inlet Terminal Harvest Management Plan would be substantially altered by changing from two days per week to four days per week for gillnet gear, by designating two days per week for troll gear, and by allowing one day a week for seine gear. Harvest allocations within the terminal area would shift between net gears, but it is difficult to determine whether any significant additional harvest would occur by troll gear since troll effort has seldom occurred inside the THA.

This plan would allow cost recovery harvest within the Deep Inlet SHA on gillnet and troll days in July and on troll days in August. The impact of this change is unclear since the proposal presents an option that already exists. If the intent of the proposal is that cost recovery could only be done on these days, then the impact could be substantial. Gillnet effort is relatively low during July and troll effort is always low, but in practice cost recovery can be done at any time by emergency order and terminal area fisheries may be closed for cost recovery at the request of NSRAA. Further regulation of when and where NSRAA may conduct cost recovery may not only disrupt THA rotational fisheries, but could also interfere with broodstock accumulation at the Medvejie Hatchery in Silver Bay.

The plan also seeks to return the Deep Inlet Terminal Harvest Area boundaries to the area used prior to the 1996 season (Figure 368-1). Moving the THA lines further out into Eastern Channel could increase the harvest of non-targeted wild salmon stocks.

BACKGROUND: This proposal is presented as a problem of implementation of 5 AAC 33.364. SOUTHEASTERN ALASKA AREA ENHANCED SALMON ALLOCATION MANAGEMENT PLAN. A detailed summary of the historical allocation percentages related to this management plan is presented in a separate written report and in an oral presentation to the board.

Historical distribution of chum salmon harvest and percent harvest by gear group for the Deep Inlet THA is presented in Table 368-1. Harvest and percent of harvest by gear type of chum salmon returning to Deep Inlet and Silver Bay including harvest outside the THA is shown in Table 368-2.

The Deep Inlet Terminal Harvest area was changed in 1996 by emergency order at the request of the NSRAA Board of Directors following a public hearing and in response to repeated complaints to reduce conflicts between fishermen and property owners. The boundary along the eastern side of the THA was moved to the west to allow property owners and residents access to their property, relief from damage to docks by boat wakes, and some relief from noise associated with the fishery. At that time other THA boundaries were moved outward to provide additional fishing area to compensate for the lost area. The Board of Fisheries adopted these changes into regulation at the 1997 meeting.

DEPARTMENT COMMENTS: The department is **neutral** on this allocative proposal. The department is **opposed** to the aspect of the proposal that would change boundaries of the Deep Inlet THA, since fishermen

would not benefit, but private landowners in the area would be negatively impacted by this change. The aspect of the proposal that seeks to regulate cost recovery harvest is not clear.

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

Table 368-1. Deep Inlet chum salmon harvest and percent harvest in Terminal Area by gear type.

Year	Gillnet		Seine		Troll		Total
1993	373,306	44%	458,223	54%	20,339	2%	851,868
1994	159,913	29%	395,917	71%	230	0%	556,060
1995	409,527	44%	523,373	56%	2,896	0%	935,796
1996	190,932	15%	1,076,558	85%	2,020	0%	1,269,510
1997	361,662	31%	817,008	69%	603	0%	1,179,273
1998	494,124	32%	1,069,499	68%	-	0%	1,563,623
1999	609,253	22%	2,137,457	78%	750	0%	2,747,460
2000	620,104	25%	1,831,459	75%	1,297	0%	2,452,860
2001	266,526	55%	222,198	45%	-	0%	488,724
2002	186,584	61%	118,558	39%	637	0%	305,779
Average	367,193	36%	865,025	64%	2,877	0%	1,235,095

Table 368-2. Deep Inlet chum harvest and percent by gear type, 1993–2002.

Year	THA Gillnet	Gillnet Percent	THA Seine	Sitka Sound Seine	Seine Percent	THA Troll	District 13 Troll	Troll Percent	Cost Recovery	NSRAA Percent	Total Harvest
1993	373,306	25%	458,223	-	30%	20,339	429,830	30%	235,657	16%	1,517,355
1994	159,913	12%	395,917	147,758	41%	230	270,723	21%	336,577	26%	1,311,118
1995	409,527	34%	523,373	-	43%	2,896	187,898	16%	96,757	8%	1,220,451
1996	190,932	7%	1,076,558	773,837	66%	2,020	321,491	12%	419,511	15%	2,784,349
1997	361,662	14%	817,008	798,760	63%	603	291,058	11%	281,958	11%	2,551,049
1998	494,124	16%	1,069,499	1,016,122	69%	-	100,894	3%	355,737	12%	3,036,376
1999	609,253	17%	2,137,457	408,970	71%	750	66,484	2%	359,939	10%	3,582,853
2000	620,104	18%	1,831,459	339,544	62%	1,297	388,971	11%	316,184	9%	3,497,559
2001	266,526	26%	222,198	202,845	42%	-	182,911	18%	144,731	14%	1,019,211
2002	186,584	25%	118,558	179,203	40%	637	83,496	11%	176,976	24%	745,454
Average	367,193	19%	865,025	386,704	53%	2,877	232,376	13%	272,403	14%	2,321,404

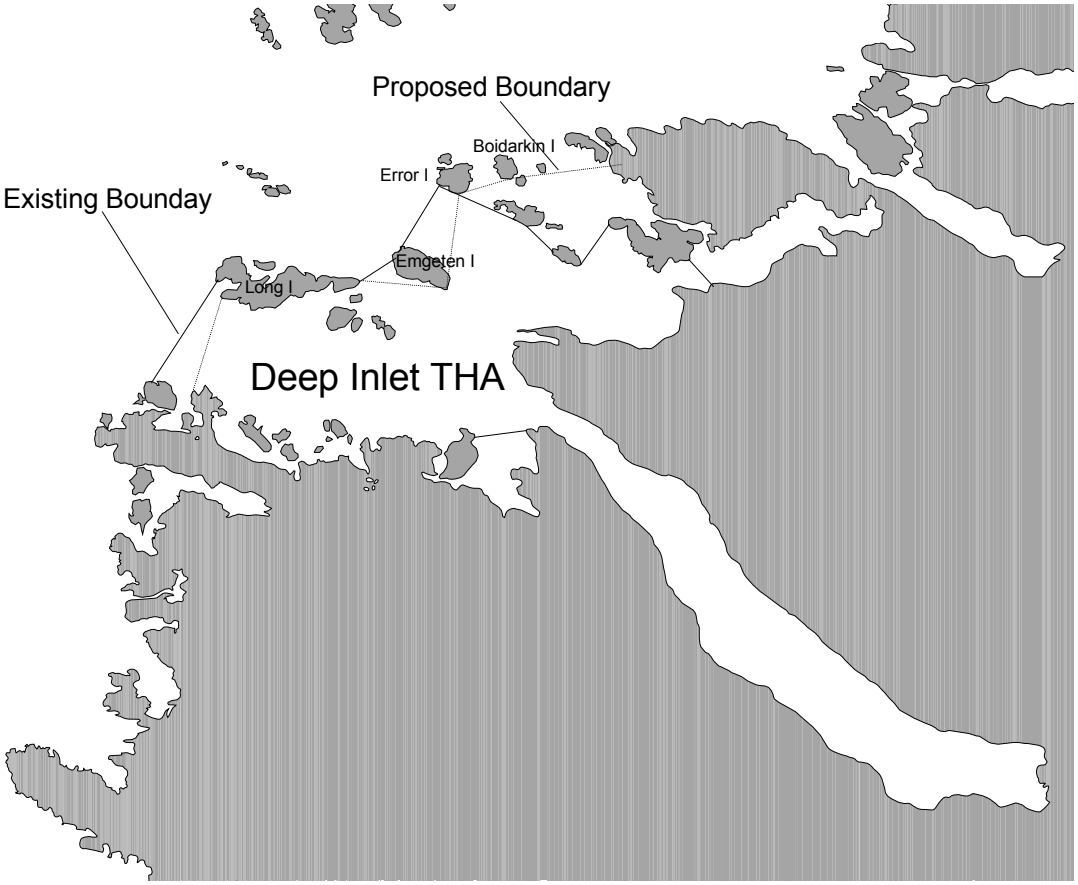


Figure 368-1. Deep Inlet terminal harvest area and proposed new THA boundary.

PROPOSALS 369 AND 370. PAGES 136–137. 5 AAC 33.383. DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

WHAT WOULD THIS PROPOSAL DO? These proposals would close portions of the headwaters of Anita Bay to commercial salmon harvests, effectively setting it aside as a commercial Dungeness crab harvest area. The size of the area closed to salmon fishing would be larger from June 15 - 25 (Figure 369-1), during the start of the commercial Dungeness crab season when crab fishing is intense, and then decrease in size from June 26 - July 10 when salmon harvesting increases (Figure 369-2).

The department notes that the Board tabled nearly identical proposals (210 and 211) during the January meeting in Sitka. The department included staff comments for all four of these Anita Bay commercial salmon closed waters proposals in this document.

WHAT ARE THE CURRENT REGULATIONS? The entire Anita Bay Terminal Harvest Area (THA), which is waters of Anita Bay west of 132° 24' 24" West longitude, is opened and closed to commercial salmon fishing by emergency order (5 AAC 33.383). Currently, all of Anita Bay is open to commercial Dungeness crab fishing (5 AAC 32.150) during the Dungeness crab fishing season (5 AAC 32.110).

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IF ADOPTED? Commercial salmon fishing would be prohibited in portions of the Anita Bay THA from June 15 through July 10. From June 15 through June 25, waters of Anita Bay west of a line across the bay from 56°12.35'W, 132°27.1'W and 56°11.3'N, 132°26.22W shall be closed to salmon harvest. Waters of Anita Bay west of a line from 56°11.83'N 132°28.65'W and 56°11.3'N, 132°28.65'W will be closed for salmon harvest from June 26 through July 10 each year.

BACKGROUND: The Anita Bay THA was established in 1992. Southern Southeast Regional Aquaculture Association began using it as a remote release site in 2001 when chinook, coho and chum salmon were released. In 2002, coho salmon returned to the harvest area and in future years the other species will also return. The timing of the chinook and chum salmon fishery coincides with the beginning of the Southeast Dungeness crab fishery, causing potential gear conflicts. The Southern Southeast Regional Aquaculture Association and local Wrangell Dungeness crab fishers have agreed to this proposal; including the boundaries and the dates associated with them.

The first Dungeness crab harvest was reported from Anita Bay, statistical area 107-35, in the 1997/98 season (Table 369-1). Prior to 1994, Anita Bay was part of the Zimovia Strait statistical area so harvest cannot be identified as occurring in Anita Bay prior to that year. Harvest is confidential in 4 out of the 5 years that harvest was identified from Anita Bay because less than 3 permits fished in this statistical area. In 2001/02, 4 permits fished in the bay, landing a high of 18,717 pounds of Dungeness crab. Salmon harvest information for seven years from Anita Bay is summarized in Figure 369-3.

DEPARTMENT COMMENTS: The department is **neutral** on this allocative proposal but supports the efforts of crabbers, gillnetters, seiners, trollers and SSRAA to work out a compromise before conflicts occur.

COST STATEMENT: The department does not believe that approval of this proposal will result in any additional direct cost for a private person to participate in the fishery.

Table 369-1. Commercial Dungeness crab harvest (pounds) in statistical area 107-35 Anita Bay, number of permits and number of landings, 1997-98 season to present.

Season[a]	Harvest	Permits	Landings[c]	Pounds per Permit
1997-98	*	*	*	*
1998-99	0	0	0	0
1999-00	*	*	*	*
2000-01	*	*	*	*
2001-02	18,717	4	18	4,679
2002-03[b]	*	*	*	*
97-02 Avg.	3,684	1	4	1,345

[a] Harvest information is based on an April through March season.
[b] Most recent season's data is preliminary.
[c] No landings reported prior to the 1997-98 season.
*** When number of permits is less than 3, information is confidential.**

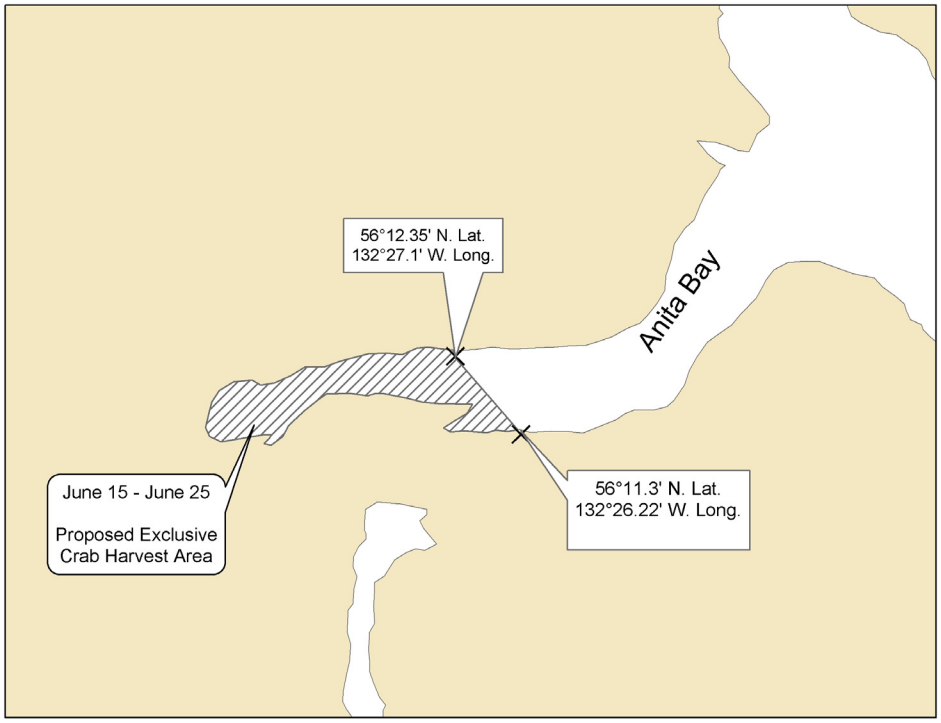


Figure 369-1. Proposed closed waters for commercial salmon fishing in the Anita Bay Terminal Harvest Area for the period June 15 to June 25, proposal 370.

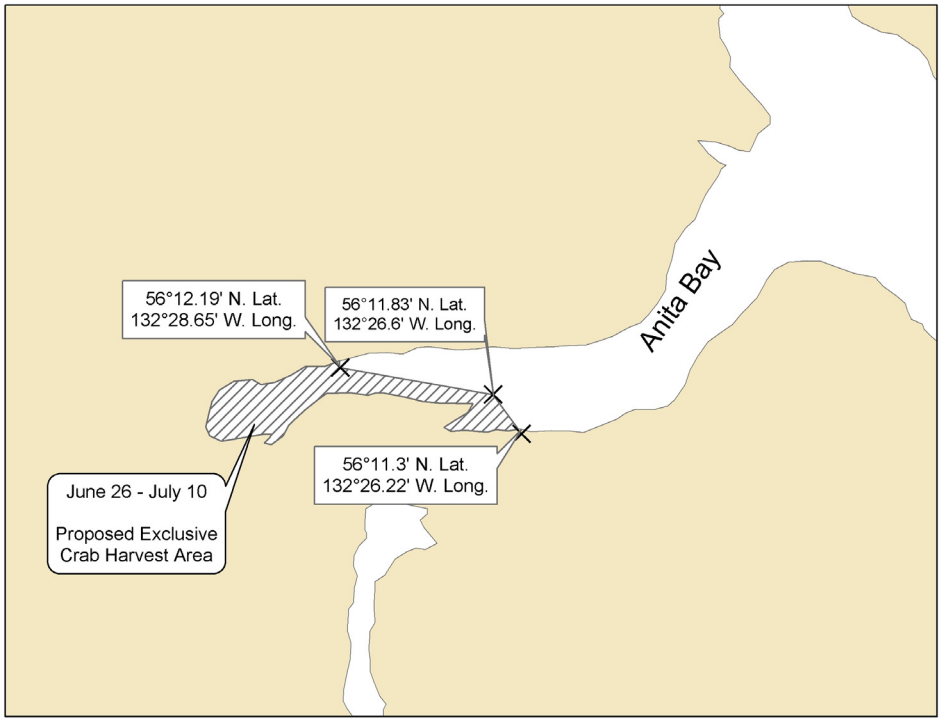
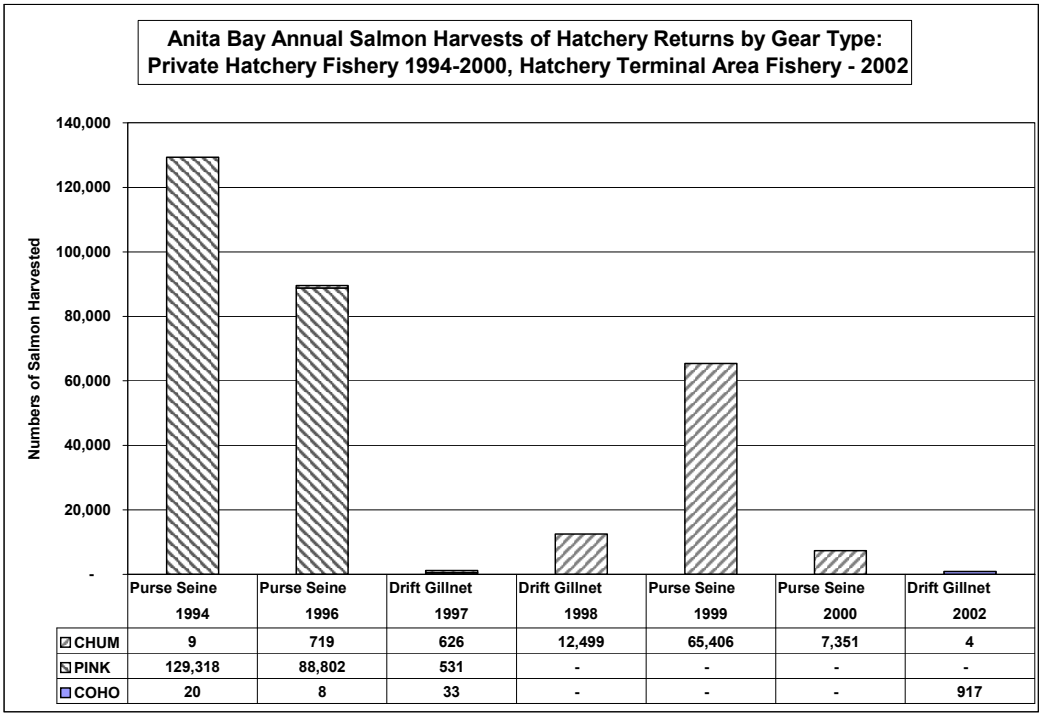


Figure 369-2. Proposed closed waters for commercial salmon fishing in the Anita Bay Terminal Harvest Area for the period June 26 to July 10, proposal 369.



	Purse Seine 1994	Purse Seine 1996	Drift Gillnet 1997	Drift Gillnet 1998	Purse Seine 1999	Purse Seine 2000	Drift Gillnet 2002
CHUM	9	719	626	12,499	65,406	7,351	4
PINK	129,318	88,802	531	-	-	-	-
COHO	20	8	33	-	-	-	917

Figure 369-3. Anita Bay Terminal Harvest Area salmon harvests, 1994–2002.

PROPOSAL 371. PAGE 260-261. 5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would expand the current Anita Bay Terminal Harvest Area (THA) approximately 1.5 miles to the east, creating more fishing area for commercial purse seine and drift gillnet salmon harvesters participating in the THA fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN**.**

(a) The Anita Bay Terminal Harvest Area consists of waters of Anita Bay west of 132° 24.40' W. long.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The proposal would create more fishing area for harvesting hatchery-produced salmon. The potential for conflicts between harvesters would be decreased. More harvesters could participate in the THA fishery. The potential of catching wild salmon would increase but results from test fishing in the area suggest these harvests would likely be minimal.

BACKGROUND: Anita Bay was initially used as a remote release site for the Burnett Inlet Hatchery, which was operated by the Alaska Aquaculture Foundation Incorporated (AAFI). Hatchery returns of pink and chum salmon first occurred there in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000. In 2001 Southern Southeastern Regional Aquaculture Association (SSRAA) transferred the release of chinook, coho and chum salmon from Earl West Cove to Anita Bay in 2002. A common property harvest first occurred on hatchery returns in the Anita Bay THA. Three gillnetters harvested 917 coho in 2002 (Table 371-1). No commercial seine or troll landings were recorded. Anita Bay was picked as a hatchery site because the streams in the bay had extremely small wild salmon returns. Terminal harvest areas are picked for a number of reasons but paramount is the very small or non-existent returns of wild salmon to or through the THA. There are several streams in close proximity of Anita Bay that do support larger runs of salmon that could be intercepted if the THA was expanded significantly (Figure 371-1). The mouth of Dog Salmon Creek is located 0.7 nautical miles north of the proposed boundary for the THA. Dog Salmon Creek has a run of chum salmon that could be harvested in the THA fishery. Two other streams of concern are Kunk Creek and Thoms Creek. Both support small but important runs of sockeye salmon. The mouth of Kunk Creek is located approximately 3 nautical miles north of the proposed boundary. The mouth of Thoms Creek is located approximately 8 nautical miles south of the proposed boundary. Thoms Creek supports a larger run of sockeye salmon than Kunk Creek. Although Thoms Creek is located further from Anita Bay, sockeye salmon may pass through the northern end of Zimovia Strait on their way to the Thoms Creek. Additionally these streams plus several others in the vicinity probably support runs of coho salmon and pink salmon.

Test fisheries were initiated in 2001 to evaluate the run timing, strength and the incidence of natural returns of salmon stocks to areas adjacent to the Anita Bay THA prior to the return of enhanced chum salmon in 2003. Two areas around and in Anita Bay (Figure 371-1) were designated for the test fisheries. The first area was within the waters of Chichagof Pass north and east of a line from Drag Island to the northern tip of Etolin Island (56°20.10' N. latitude; 132°32.10' W. longitude), to south of the latitude from East Point on Woronkofski Island, to Zimovia Strait north of 56°20.00' N latitude. The second area included the waters south of 56°20.00' N latitude to the Anita Bay Terminal Harvest Area (waters east of 132°24.40' W. longitude), to waters north of a line from Anita Point to Turn Island. In addition, the successful bidder for the Zimovia strait area was required to make at least two sets within the Anita Bay THA every fishing period. Gillnetters used a 300 fathom gillnet with at least a 6-inch mesh size. Fishing times were for a 24-hour period

starting between 6:00 am Friday to 6:00 am Sunday. In 2001, they were contracted to fish for 4 statistical weeks starting in statistical week 30. In 2002, the gillnetters were contracted to fish in 5 statistical weeks starting in statistical week 29.

For the purpose of this proposal the results from the test fishing areas closest to the THA will only be considered. The results from the test fisheries were analyzed by first mapping set locations using the GIS program ArcView. Groupings of sets were divided into sections. Section 1 is the current Anita Bay THA. Section 2 is the area from the current THA to approximately the proposed THA line. Section 3 is the area north of Section 2 and south of a line from Nemo Pt. to a point on Etolin Island. Section 4 is the area north of section 3 up to 56 degrees 20 minutes north latitude. Sets from each section were identified and analyzed.

The results indicate that very small numbers of wild sockeye, coho and pink with higher numbers of chum salmon were present in the current THA (Tables 371-2 and 371-3). In general, the results also indicate the greater the distance from the THA the more salmon species are caught with higher catch rates for both years (Figure 371-2)

DEPARTMENT COMMENTS: The department **supports** this proposal. This proposal would be a benefit to commercial harvesters. Although the test fishery results in 2001 and 2002 as well as prior cost recovery harvest indicate that wild salmon can be caught within the proposed expanded area, these catches would be minimal and should have no adverse affects on wild returns of salmon. If catches of wild salmon prove to be higher than anticipated, the THA could be reduced by emergency order.

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

Table 371-1. Anita Bay THA harvest, 1994-2002.

Anita Bay THA Harvest					
Year	Chinook	Sockeye	Coho	Pink	Chum
1994	-	5	20	129,318	9
1995	-	-	-	-	-
1996	-	-	8	88,802	719
1997	-	4	33	531	626
1998	-	-	-	-	12,499
1999	-	-	-	-	65,406
2000	-	-	-	-	7,351
2001	-	-	-	-	-
2002	-	-	917*	-	4

* 2002 harvest was for common property THA harvest. Prior to 2002, all harvest was for cost recovery.

Table 371-2. Anita Bay Area test fishery results in numbers of salmon in Sections 1-4, 2001 and 2002.

2001 and 2002 Anita Bay Test Fishery Area 2							
Section	No. Sets	Total Hours	Chinook	Sockeye	Coho	Pink	Chum
			2001				
1	3	4.8	0	1	2	5	8
2	4	6.1	0	0	4	12	38
3	17	22.7	3	16	34	58	193

4	21	44.2	1	17	94	133	541
			2002				
1	7	10.8	0	1	2	0	83
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	20	12	20	33	30	17	855
			Combined 2001 & 2002				
1	10	15.6	0	2	4	5	91
2	4	6.1	0	0	4	12	38
3	17	22.7	3	16	34	58	193
4	41	56.2	21	50	124	150	1396

Table 371-3. Anita Bay area test fishery results in salmon catch per hour, 2001 and 2002.

2001 and 2002 Anita Bay Test Fishery Area 2 Salmon Catch per Hour

Section	No. Sets	Total Hours	Chinook	Sockeye	Coho	Pink	Chum
			2001				
1	3	4.8	0.0	0.2	0.4	1.0	1.7
2	4	6.1	0.0	0.0	0.7	2.0	6.2
3	17	22.7	0.1	0.7	1.5	2.6	8.5
4	21	44.2	0.0	0.4	2.1	3.0	12.2
			2002				
1	7	10.8	0.0	0.1	0.2	0.0	7.7
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	20	12	1.7	2.8	2.5	1.4	71.3
			Combined 2001 & 2002				
1	10	15.6	0	0.1	0.3	0.3	5.8
2	4	6.1	0.0	0.0	0.7	2.0	6.2
3	17	22.7	0.1	0.7	1.5	2.6	8.5
4	41	56.2	0.4	0.9	2.2	2.7	24.9

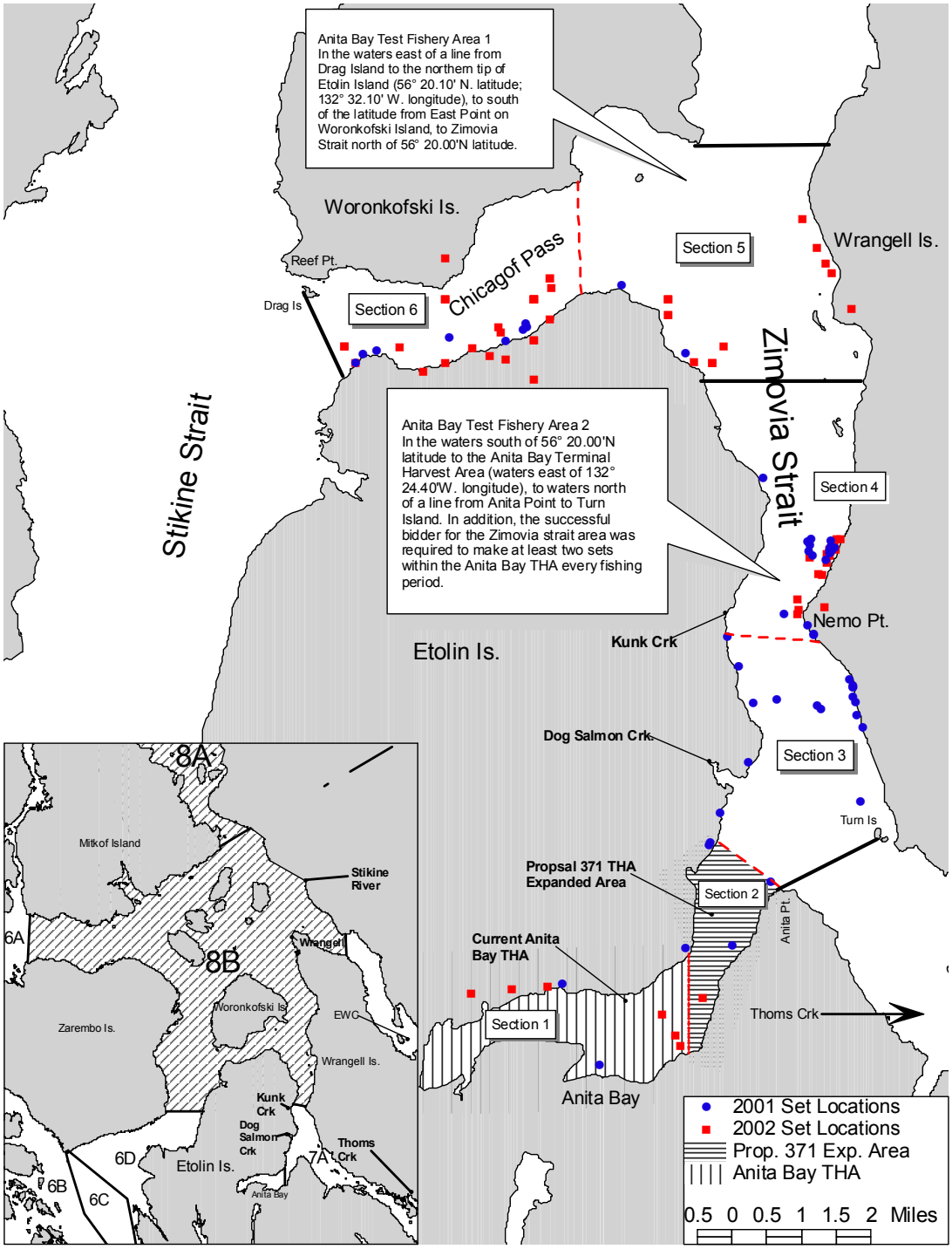


Figure 371-1. 2001 and 2002 Anita Bay Test fisheries areas, set locations and sections.

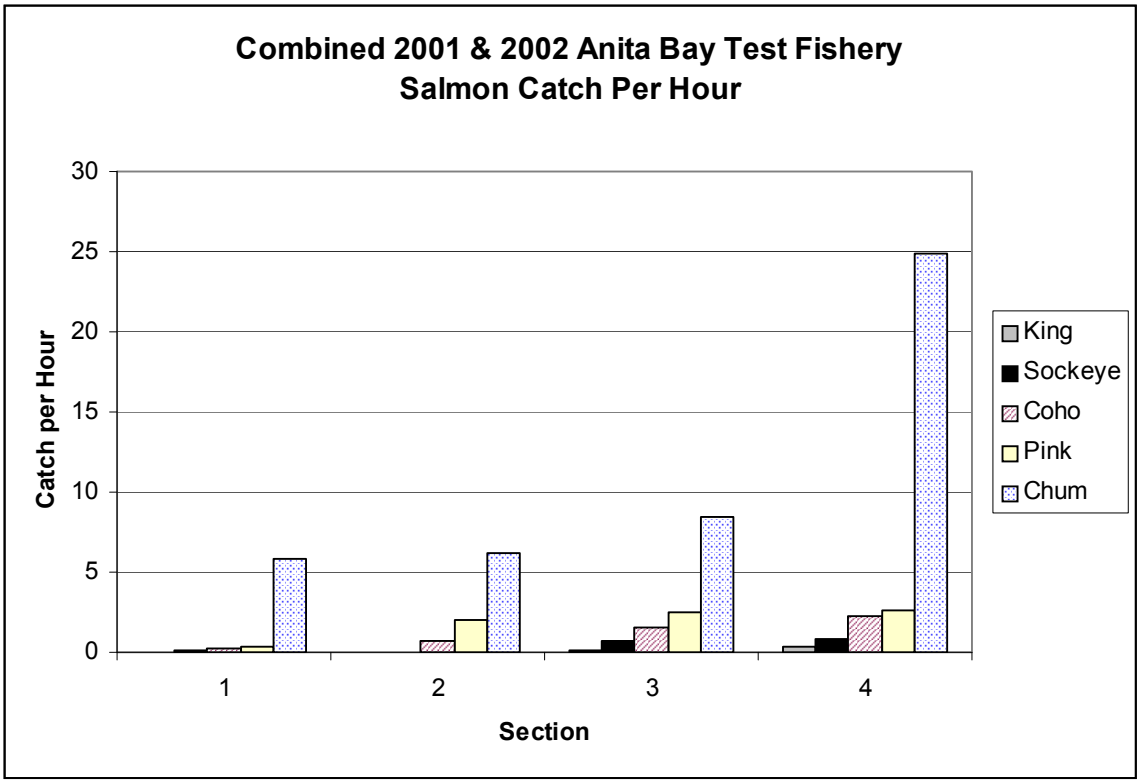


Figure 371-2. Anita Bay test fishery combined 2001 and 2002 salmon catch per hour in sections 1-4.

PROPOSAL 372. PAGE 261. 5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would expand the current Anita Bay THA creating more fishing area for commercial salmon harvesters participating in the THA fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

(a) The Anita Bay Terminal Harvest Area consists of waters of Anita Bay west of 132° 24.40' W. long.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The proposal as written would create confusion in the exact THA Boundary. The latitude and longitude coordinates do not start and stop on opposite shores of Anita Bay (Figure 372- 1).

BACKGROUND: SEE PROPOSAL 371. The background for this proposal is identical to proposal 372.

DEPARTMENT COMMENTS: The department **opposes** this proposal as written. The latitude and longitude coordinates do not start and stop on opposite shores of Anita Bay (Figure 372-1). The department believes that the line the proponents would like to increase the size of the THA by moving the boundary east so it is similar to the one proposed in proposal 371. If proposal 371 is adopted, the intent of this proposal should be satisfied.

COST ANALYSIS: If adopted, the cost of this proposal cannot be predicted because of confusion the new line would create.

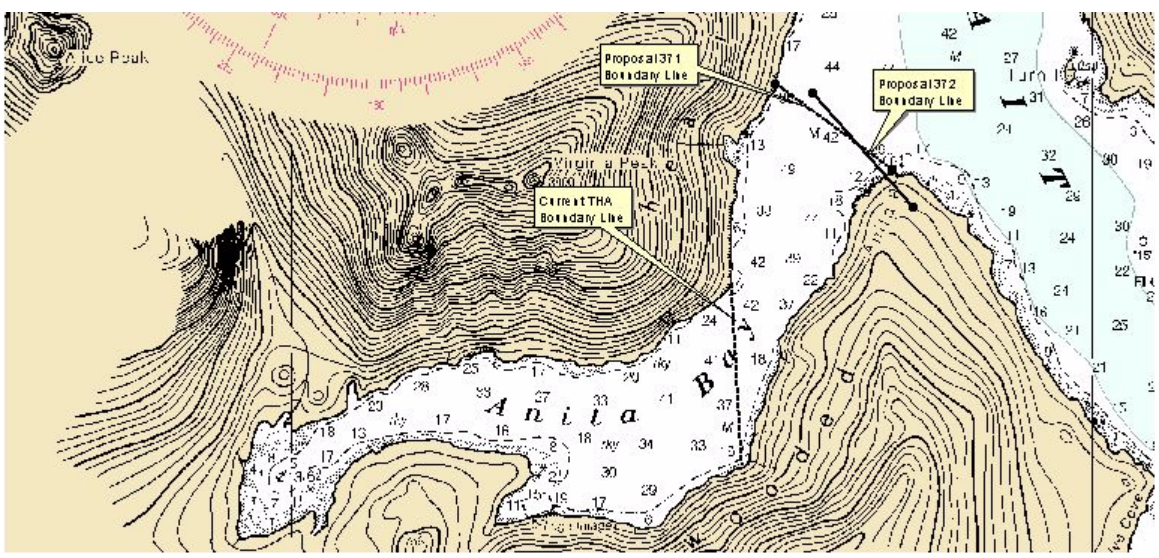


Figure 372-1. Proposed Anita Bay Terminal Harvest Area.

PROPOSAL 373. PAGE 261-262. 5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would reflect the species that will be returning to the Anita Bay Terminal Harvest Area (THA). In addition, it will create a season that corresponds to the timing of the species returning to the THA.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA MANAGEMENT PLAN

(c) This management plan distributes the harvest of hatchery-produced pink and chum salmon among the purse seine, troll, and gillnet fisheries when there are excess fish not being harvested by the hatchery operator.

(d) The department shall manage the Anita Bay Terminal Harvest Area from the last Sunday in June through the second Saturday in September to distribute the harvest of excess hatchery-produced pink and chum salmon as follows:

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The proposal would allow for better management of the Anita Bay THA. It should alleviate any confusion for harvesters and managers.

BACKGROUND: Anita Bay was initially used as a remote release site for the Burnett Inlet Hatchery, which was operated by the Alaska Aquaculture Foundation Incorporated (AAFI). Hatchery returns of pink and chum salmon first occurred there in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000. In 2001 Southern Southeastern Regional Aquaculture Association (SSRAA) transferred the release of chinook, coho and chum salmon from Earl West Cove to Anita Bay. 2002 was the first year a common property harvest occurred on hatchery returns in the Anita Bay THA. Three gillnetters harvested 917 coho in 2002. No commercial seine or troll landings were recorded.

DEPARTMENT COMMENTS: The department submitted and **supports** this housekeeping proposal to keep the regulations up to date.

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

PROPOSAL 374 AND 375. PAGE 262 AND 263, 5 AAC 33.370 DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL(S) DO? If adopted, these proposals would eliminate from regulation the opening and closing dates for the Neets Bay Terminal Harvest Area and allow the department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), to open and close Neets Bay by emergency order, depending on the estimated run strength.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.370. DISTRICT 1: NEETS BAY HATCHERY SALMON MANAGEMENT PLAN. (b) The department, in consultation with SSRAA, shall manage Neets Bay east of the longitude of Bug Island to the closed waters at the head of the bay to distribute the harvest of Neets Bay hatchery produced salmon between the purse seine, troll, and drift gillnet fleets by setting the fishing times for those fleets as follows:

(1) June 1 – October 20, salmon may be taken by troll gear only during periods established by emergency order;
(2) July 1 – October 20, salmon may be taken by seines and drift gillnets only during periods established emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL(S) ARE ADOPTED? These proposals would allow the department and SSRAA the flexibility to open the Neets Bay THA prior to June 1 for the trollers and July 1 for the purse seine and drift gillnet fleets and be within the scope of the other provisions of the management plan.

BACKGROUND: When the original management plan was adopted by the Board of Fisheries the exact run timing, brood stock, and cost recovery needs of SSRAA at Neets Bay were not known so SSRAA asked the Board to put dates into the management plan. The department, in consultation with SSRAA, has in the past year, opened the Neets Bay SHA prior to the dates in the management plan in order to allow the different fleets access to the best quality and quantity of salmon.

Neets Bays was opened during time outside of the management plan to either drift gillnet, purse seine, or troll gear on the following dates:

2000 – June 21 through June 30
2002 – June 1 through June 20
September 25 through September 30

DEPARTMENT COMMENTS: **Support.** The department sees these proposals as largely housekeeping measures. The department does not believe either of the proposals would lead to an increase in wild stock harvest. The department will work with SSRAA on an annual basis to set fishing time in Neets Bay. Provisions of the existing Neets Bay Hatchery management plan other than the fishing period dates will not be altered if these proposals were adopted.

These proposals were supported by SSRAA's Board of Directors which represents the troll, purse seine, and drift gillnet fleets.

COST ANALYSIS: If adopted, these proposals would not lead to any further cost to a permit holder.

PROPOSAL 376. PAGE 264. 5 AAC 33.372 DISTRICT 1: NAKAT INLET TERMINAL HARVEST SALMON MANAGEMENT PLAN. (B)(3).

WHAT WOULD THE PROPOSAL(S) DO? If adopted this proposal would change the date that rotational fisheries stop in the Nakat Inlet Terminal Harvest Area and allow for continuous fishing by all gear groups earlier in the fall.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC DISTRICT 1: NAKAT INLET TERMINAL AREA HARVEST AREA SALMON MANAGEMENT PLAN. (B)(3) after the last rotational fishery on October 10, the Nakat Inlet Special Harvest Area will be open on a continual basis to purse seine, drift gillnet, and troll gear through November 10.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL (S) IS ADOPTED? This proposal would allow the department to open the Nakat Inlet THA on a continual basis for all gear groups sooner than is now allowed under current regulations.

BACKGROUND: Interest in fishing the Nakat Inlet Special Harvest Area diminishes a great deal after the middle of September. In order to allow for the efficient harvest of returning fall chum and coho salmon which are not needed for brood stock or cost recovery the department has during the past two years opened Nakat Inlet to continuous fishing prior to October 10.

Nakat Inlet was opened early for drift gillnet, purse seine, and troll gear on the following dates:

2000 – September 24
2001 – September 17
2002 – September 20

DEPARTMENT COMMENTS: **Support.** The department considers this a housekeeping proposal. The department does not believe that this proposal would lead to a significant increase in wild stock harvest.

COST ANALYSIS: If adopted, this proposal would not lead to any further costs to a permit holder.

PROPOSAL 377. PAGE 264–265. 5 AAC 33.373 DISTRICT 7: EASTERN PASSAGE TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN.

WHAT WOULD THE PROPOSAL DO? If adopted, the proposal would fundamentally change the existing Eastern Passage Terminal Harvest Area management plan.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.373 DISTRICT 7: EASTERN PASSAGE TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the waters of Eastern Passage south of 56º 24.83' N. lat. and west of 132º 06.60' W. long. from June 15 through November 10 to distribute the harvest of hatchery-produced chinook, chum, and coho salmon as follows:

(1) salmon may be taken by troll gear only during periods established by emergency order;

(2) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:

(A) openings for seines and gillnets must be rotated between net gear groups with a closure of at least 18 hours between openings; the first opening must be for gillnets;

(B) a gillnet opening must be no less than 24 hours in duration and a seine opening must be no less than 12 hours in duration.

(3) after the last rotational fishery on October 10, the Eastern Passage Special Harvest Area will be open on a continual basis to purse seine, drift gillnet, and troll gear through November 10.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? If adopted exactly as proposed there could be no commercial net fisheries in the Eastern Passage THA until after what would become unidentified rotational openings after October 10 each year. The department suspects that the proponents intent is to only eliminate the 18-hour closure time between the net fisheries provision in 5 AAC 33.373 (b)(2)(A). If that is the case, there would be less of a buildup of fish between commercial net rotations. The lack of a buildup may impact one gear type, drift gillnet or purse seine, more than another but those effects would depend on overall salmon abundance and cannot be clearly identified here.

BACKGROUND: The department manages the waters of the Eastern Passage Terminal Harvest Area, that is commonly referred to as Earl West Cove (EWC), for common property commercial fisheries in consultation with the Southern Southeast Regional Aquaculture Association. The 1999 season was the first year that EWC was opened on a continuous, rotational basis for at least part of the season for net gear groups. There were no 18-hour closures between openings as specified in the existing management plan.

SSRAA has stopped releasing fry and smolt at the Earl West Cove remote release site and shifted that production to Anita Bay and Burnett Inlet. The last releases of chum (BY98), chinook (BY97), and coho(BY97) were in 1999 at Earl West Cove. Approximately 8 million chum, 245,000 coho, and 364,000 chinook were released at EWC that year. The last coho adults from that release returned in 2001. In 2003 there will be 5-year old chum and 6-year old chinook salmon returning to the site. In some years the 5-year-old component of the chum salmon return has been as high as 33% but is typically much lower than that. Likewise for the chinook the 6-year old component can be quite high but varies. There will not be significant numbers, if any, of enhanced salmon returning to EWC after 2003.

DEPARTMENT COMMENTS: It is **Unclear** which sections of the regulation this proposal wants to delete. If the intent of the proponents is to eliminate sections (A) and (B) of 5 AAC 33.373 (b)(2) the department **Opposes** this proposal. The department agrees with the proponents that certain parts in 5 AAC 33.373 (b)(2)(A)&(B) do not reflect current management practices. However, the majority of these sections provide for the foundation of how the THA is managed. The department suggests rewriting the regulation as follows to reflect current management practices:

> (2) salmon may be taken by seines and drift gillnets only during periods established by emergency order as follows:
>
> > (A) openings for seines and gillnets must be rotated between net gear groups; the first opening must be for gillnets;
> >
> > (B) a gillnet opening must be no less than 24 hours in duration and a seine opening must be no less than 12 hours in duration.

The department is neutral on the allocative aspects of the proposal.

COST ANALYSIS: If adopted, this proposal would not lead to any further costs to a permit holder.

PROPOSAL 378. PAGE 265.5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would allow Southeast Alaska drift gillnet permit (S03A) holders to purchase a second S03A permit. Those fishermen who have one permit could only fish the first half of a given opening, those fishermen who purchased a second permit could fish the second half of an open fishing period as well.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR.
(c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 p.m. Sunday and close by emergency order;

(1) District 1:
  (A) Section 1-A;
  (B) Section 1-B opens on the third Sunday of June;
(2) District 6:
  (A) Sections 6-A, 6-B, and 6-C open on the second Sunday of June;
  (B) Section 6-D west of a line from Mariposa Rock Buoy to the northernmost tip of Point Harrington to a point on Etolin Island at 56° 09.60' N. lat., 132° 42.70' W. long., to the southernmost tip of Point Stanhope is open from the second Sunday in June through the first Saturday in August and from the first Sunday in September until the season is closed;
(3) District 8 opens on the second Sunday of June;
(4) District 11:
  (A) Section 11-B opens on the third Sunday in June;
  (B) Section 11-C;
(5) District 15:
  (A) Section 15-A opens on the third Sunday in June;
  (B) Sections 15-B and 15-C;

Modified text of Sec. 16.43.140 under HB 286 (Statute change adopted during 2002 legislative session)

Sec. 2. AS 16.43.140 (c) is amended to read:
(c) A person may hold more than one interim-use or entry permit issued or transferred under this chapter only for the following purposes:

(1) fishing more than one type of gear;
(2) fishing in more than one administrative area;
(3) harvesting particular species for which separate interim-use or entry permits are issued;
(4) if authorized by regulations of the commission, fishing an entire unit of gear in a fishery in which the commission has issued entry permits for less than a unit of gear under AS 16.43.270(d); under this paragraph, a person may not hold more than two entry permits for a fishery; however, the person may not
  (A) fish more than one unit of gear in the fishery; or
  (B) acquire a second entry permit for the fishery after the person has acquired an entry permit that authorizes the use of an entire unit of gear in the fishery**;**
(5) consolidation of the fishing fleet for a salmon fishery; however, a person may hold not more than two entry permits for a salmon fishery under this paragraph, but the person who holds two entry permits for a salmon fishery may not engage in fishing under the second entry permit.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The effects of this proposal are difficult to predict. The intent of the proposal is to have an overall decrease in the amount of effort in terms of permits fished in the Southeast Alaska drift gillnet fishery. This would occur only if fishermen chose to buy a second permit and if that second permit was one that had been actively fished in prior years. The proposal also suggests that fishermen with only one permit would only be able to fish the first half of an open fishing period. What impact that might have on fishermen with only one permit participating in a fishery that is only open for two days is uncertain but it is highly possible that they would choose not to participate in a fishery for only one day. If fishermen with only one permit chose not to fish in areas that were open to them for a limited time this could lead to them either not fishing at all or moving to areas with longer open periods which could lead to increased effort in those areas that are open for longer periods.

The effects of this proposal on the Tree Point (District 1) drift gillnet fishery, where management is governed after the third Sunday of July under terms of the District One Pink Salmon Management Plan, are unknown. Drift gillnet fishing periods in that fishery are based on the length of purse seine openings in District 1. The effects of this proposal on participation in that fishery would have to be clearly determined by the Board.

There would be no effects of this proposal in areas with existing rotational fisheries in Terminal Harvest Area management plans, for example Deep Inlet, Neets Bay, Nakat Inlet, etc, unless those management plans were modified by the Board.

The effects of this proposal in areas where the department allows extended fishing time, for example the Boat Harbor and Speel Arm Terminal Harvest Areas that the department commonly open up to seven days per week during the peak of the hatchery salmon returns, are unknown but would have to be fully considered by the Board.

It is also unclear how this proposal would be implemented in cases where fishing time in traditional fishing areas is extended for short periods based on inseason management decisions.

BACKGROUND: The Southeast Alaska drift gillnet fishery is limited to entry and there are 482 total available permits. The number of permits issued and fished each year is summarized in Table 378-1 below. The permits are valid for the entire Region and the department has no means to control the number of permits fished in any open area. Traditional common property drift gillnet fisheries are presently allowed by regulation in Districts 1, 6, 8, 11, and 15. Drift gillnet fisheries are also allowed in certain Terminal Harvest Areas throughout the Region. The traditional fisheries are managed by weekly fishing periods that begin on Sundays at 12:01 p.m. and close by emergency order. Open fishing periods commonly range from two days up to five days depending on salmon abundance and fishing periods may be extended during a fishing period if the department gathers information during an opening that indicates an extension is warranted.

DEPARTMENT COMMENTS: The department is **neutral** on this potentially allocative proposal. It should be noted that the Alaska Legislature amended Sec. 16.43.140 in 2002. At this time the department believes that additional changes to this statute would be required before this proposal could be adopted. While neutral on this allocative proposal the department does support the general intent of the proponent in taking measures to make the Southeast Alaska drift gillnet fishery specifically, and commercial salmon fisheries in general, more economically viable.

There are clearly many details that would have to be considered if the Board chooses to adopt this proposal. The department would continue to manage the traditional drift gillnet fisheries to meet salmon escapement needs and to fulfill Pacific Salmon Treaty Harvest sharing arrangements in Districts 1, 6, 8, and 11 but within those constraints would be willing to work with industry on this proposal as needed.

COST ANALYSIS: If adopted, this proposal would lead to increased cost to Southeast Alaska drift gillnet fishermen who chose to purchase a second permit and less overall fishing time to those permit holders who chose not to purchase a second permit.

Table 378-1. Southeast Alaska drift gillnet limited entry permits issued and actively fished, 1977 to 2002.

	Drift Gillnet	
Year	Issued	Fished
1977	474	458
1978	492	497
1979	492	475
1980	489	466
1981	487	476
1982	486	432
1983	480	458
1984	481	468
1985	485	451
1986	488	461
1987	486	466
1988	485	471
1989	485	467
1990	487	466
1991	485	466
1992	485	468
1993	482	461
1994	482	447
1995	483	453
1996	483	440
1997	482	424
1998	479	423
1999	481	431
2000	480	423
2001	482	438
2002[a]	482	444
Average 1991–2001	484	455

[a] Preliminary.

PROPOSAL 379. PAGE 265. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would allow the use of drift gillnet gear during open fishing periods in areas open to purse seine fishing for those fishermen who have both Southeast Alaska drift gillnet (SO3A) and purse seine (SO1A) limited entry permits. The intent of the proposal is to reduce the effort in both the drift gillnet and purse seine fisheries in Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR. (a) Salmon may be taken with purse seines in the following locations only during fishing periods established by emergency order that will generally begin on Sundays:

(1) District 1, Sections 1-C, 1-D, 1-E, and 1-F only;
(2) District 2;
(3) District 3;
(4) District 4, from the first Sunday in July until a closing date made by emergency order;
(5) District 5;
(6) District 6, Sections 6-C and 6-D only;
(7) District 7;
(8) District 9;
(9) District 10;
(10) District 11, Sections 11-A and 11-D only;
(11) District 12; except that Section 12-A north of the latitude of Point Marsden and Section 12-B may open before August 1 only as provided in 5 AAC 33.366 (a);
(12) District 13;
(13) District 14.

(b) Repealed 5/31/85.

(c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 p.m. Sunday and close by emergency order;

(1) District 1:
  (A) Section 1-A;
  (B) Section 1-B opens on the third Sunday of June;
(2) District 6:
  (A) Sections 6-A, 6-B, and 6-C open on the second Sunday of June;
  (B) Section 6-D west of a line from Mariposa Rock Buoy to the northernmost tip of Point Harrington to a point on Etolin Island at 56ø 09.60' N. lat., 132ø 42.70' W. long., to the southernmost tip of Point Stanhope is open from the second Sunday in June through the first Saturday in August and from the first Sunday in September until the season is closed;
(3) District 8 opens on the second Sunday of June;
(4) District 11:
  (A) Section 11-B opens on the third Sunday in June;
  (B) Section 11-C;
(5) District 15:
  (A) Section 15-A opens on the third Sunday in June;
  (B) Sections 15-B and 15-C;

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The effects of this proposal are difficult to predict. The intent of the proposal is to have an overall decrease in the amount of effort in terms of permits fished in the Southeast Alaska drift gillnet and purse seine fisheries. This would occur only if drift gillnet fishermen chose to purchase a Southeast Alaska purse seine permit and if that seine permit was one that had been actively fished in prior years. The proposal does state that the purchased seine permit must have been active within the last two years prior to sale which suggests that the number of seine permits fished with purse seine gear may be reduced.

If adopted, this proposal may also have effects on the historical fishery performance data that is commonly used by managers to infer run strength for salmon stocks.

BACKGROUND: The Southeast Alaska drift gillnet and purse seine fisheries are limited to entry. There are 482 total drift gillnet and 420 purse seine permits available. The number of permits issued and fished each year is summarized in Table 379-1. Both types of permit are valid for the entire Region and the department has no means to control the number of permits fished in any open area. Traditional common property drift gillnet fisheries are presently allowed by regulation in Districts 1, 6, 8, 11, and 15. Traditional common property purse seine fisheries are allowed in portions of District 1, Districts 2-5, portions of District 6, Districts 7-10, portions of Districts 11 and 12, and Districts 13-14. Drift gillnet and purse seine fisheries are also allowed in certain Terminal Harvest Areas throughout the Region.

The traditional drift gillnet fisheries are managed by weekly fishing periods that begin on Sundays at 12:01 p.m. and close by emergency order. Open fishing periods commonly range from two days up to five days depending on salmon abundance. Traditional seine fisheries are managed by emergency order with fishing periods that generally begin on Sundays. Early in the salmon runs purse seine openings have commonly been held for one 15-hour fishing period with typically one 15-hour "mid-week" opening as salmon abundance warrants. Later in the season, as pink salmon abundance increases, the fishery has historically been opened on a two-day-on and two-day-off schedule. Once pink salmon returns peak and begin to drop off the fishery has again been limited to one or two day per week fishing periods through the end of the season. The purse seine fishery was managed differently in 2002 based on agreement reached at annual Southeast Alaska Purse Seine Task Force meetings held in the winter of 2001-2002. The details of the 2002 management regime are described in the briefing document for proposals 380 and 390 below.

DEPARTMENT COMMENTS: The department is **neutral** on this potentially allocative proposal. Existing regulations do not provide for the use of drift gillnets in most areas where purse seine gear is allowed. While neutral on this allocative proposal the department does support the general intent of the proponent in taking measures to make the Southeast Alaska drift gillnet fishery specifically, and commercial salmon fisheries in general, more economically viable. The Alaska Board of Fisheries has also adopted several gillnet specification and operation, allocative, and Terminal Harvest Area management plans that provide guidelines for allocating fishing time between drift gillnet and purse seine gear. If this proposal were adopted it would be necessary for the Board of Fisheries to review the provisions of many, if not all, of those regulations and management plans.

Existing Southeast Alaska purse seine fisheries are managed, among other things, by comparing current year catch-per-unit of effort to historical values. The effect of allowing drift gillnets in areas that have historically been limited to purse seine gear is unknown but could be negative. If this proposal were adopted it is likely that the department would manage areas that had been limited to purse seine gear only more conservatively until the effects of a new gear type are better understood.

The department is required to manage commercial salmon fisheries in Southeast Alaska in accordance with the Pacific Salmon Treaty [5 AAC 33.361]. If this proposal were adopted, there would be implications related to the Treaty in Northern Boundary Area fisheries, particularly the District 4 purse seine fishery. Specifically, Annex IV, Chapter 2 item 4 states "in order to accomplish the objectives of this Chapter neither Party shall initiate new intercepting fisheries, nor conduct or redirect fisheries in a manner that intentionally increases interceptions."

At this time the department does not believe that the adoption of this proposal would require any changes to Commercial Fisheries Entry Commission statutes or regulations.

COST ANALYSIS: If adopted, this proposal would lead to increased cost to Southeast Alaska drift gillnet fishermen who chose to purchase a Southeast Alaska purse seine permit.

Table 379-1. Southeast Alaska purse seine and drift gillnet limited entry permits issued and actively fished, 1977 to 2002.

	Number of Permits			
	Purse Seine		Drift Gillnet	
Year	Issued	Fished	Issued	Fished
1977	414	327	474	458
1978	420	379	492	497
1979	418	321	492	475
1980	417	336	489	466
1981	418	366	487	476
1982	421	372	486	432
1983	421	339	480	458
1984	422	384	481	468
1985	420	372	485	451
1986	420	369	488	461
1987	420	382	486	466
1988	420	395	485	471
1989	420	366	485	467
1990	420	361	487	466
1991	420	384	485	466
1992	420	355	485	468
1993	419	385	482	461
1994	418	391	482	447
1995	418	374	483	453
1996	417	358	483	440
1997	416	351	482	424
1998	416	378	479	423
1999	416	360	481	431
2000	416	357	480	423
2001	415	347	482	438
2002[a]	415	275	482	444
Average 1991–2001	418	364	484	455

[a] Preliminary.

PROPOSALS 380 AND 390. PAGES 266 and 271. 5 AAC 33.363 MANAGEMENT GUIDELINES FOR ALLOCATING SOUTHEAST ALASKA PINK, CHUM, AND SOCKEYE SALMON BETWEEN COMMERCIAL NET FISHERIES. 5 AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSALS DO? Proposal 380 requests that the Board of Fisheries consider clarifying the intent of allocation guidelines for purse seine and drift gillnet fisheries should management strategies for net fisheries be significantly altered to address quality and price concerns.

The proponent indicates that proposal 390 is a placeholder proposal that will be clarified via an Agenda Change Request submitted at the Fall 2002 Board of Fisheries work session. The proposal does not propose any specific actions by the Board. No Agenda Change Request was submitted for consideration at the Board's fall work session on this issue.

Both of these proposals were submitted in response to the agreement reached between the department and industry during Southeast Alaska Purse Seine Task Force meetings to modify purse seine fishery management in Southeast Alaska in August during the peak of the 2002 pink salmon return. The details of this agreement are detailed below.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.363. MANAGEMENT GUIDELINES FOR ALLOCATING SOUTHEAST ALASKA PINK, CHUM, AND SOCKEYE SALMON BETWEEN COMMERCIAL NET FISHERIES

(a) Present management of state-financed hatchery and enhanced stocks represents the collective biological, social, and economic factors which have been applied over time and have resulted in current regulations.

(b) Similarly, present management of wild stocks represents the collective biological, social, and economic factors which have been applied over time and have resulted in current regulations.

(c) As a general matter, the harvest of fish stocks will be managed primarily for the benefit of the user groups within the district to which those stocks are bound. The board recognizes that biological, social, and economic factors and the current regulatory structure may result in the need to harvest such stocks outside the district for which they are bound.

(d) The board recognizes that stock fluctuations will result in differential harvests of stocks bound for other districts. The board will not consider such changes in harvests as a basis for regulatory changes not based purely on conservation concerns. If conservation concerns necessitate a change in management, these changes will be reversed when, if, and to the degree, that, there is no longer a conservation concern.

(e) In applying this policy to mixed stock cape and corridor fisheries, deviation from the current management should not be allowed except to access harvestable surpluses of significant stocks that will otherwise go unharvested. Harvest of these stocks must be conducted in a manner that minimizes the incidental take of other species and that does not jeopardize the conservation of any stock. The board recognizes that it may need to establish the allowable number or percentage of incidental catch in these highly mixed stock areas in order to ensure that the department is not forced into making allocation decisions.

(f) As a general proposition, private nonprofit hatchery stocks supported by fishermen assessments will be managed to

(1) maximize harvest in the common property fisheries consistent with wild stock conservation concerns and the facility's management plan; and

(2) give primary emphasis to the facility's plan for allocation within the common property fisheries within the special harvest area.

(g) Southeast Alaska salmon fisheries have been impacted by the U.S./Canada Pacific Salmon Treaty. The future extent of those impacts will continue to depend on fish availability and long term implementation of the treaty. Over time, the board will evaluate the impact of the treaty in light of the effects as they occur and may provide allocative relief consistent with this policy.

(h) Consistent with management guidelines for allocating pink, sockeye, and chum salmon between the commercial net fisheries, the following allocations between the purse seine and gillnet fleets have historically occurred for the period 1960 - 1988, based on the total catches of the Southeast Area net fisheries minus the Annette Island Reserve catches, and will be considered by the board in future allocation decisions:

(1) pink salmon: 95 percent purse seine and five percent gillnet;

(2) sockeye salmon: 51 percent purse seine and 49 percent gillnet;

(3) chum salmon: 73 percent purse seine and 27 percent gillnet.

History: Eff. 6/25/89, Register 110

5 AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR. (a) Salmon may be taken with purse seines in the following locations only during fishing periods established by emergency order that will generally begin on Sundays:

(1) District 1, Sections 1-C, 1-D, 1-E, and 1-F only;

(2) District 2;

(3) District 3;

(4) District 4, from the first Sunday in July until a closing date made by emergency order;

(5) District 5;

(6) District 6, Sections 6-C and 6-D only;

(7) District 7;

(8) District 9;

(9) District 10;

(10) District 11, Sections 11-A and 11-D only;

(11) District 12; except that Section 12-A north of the latitude of Point Marsden and Section 12-B may open before August 1 only as provided in 5 AAC 33.366 (a);

(12) District 13;

(13) District 14.

(b) Repealed 5/31/85.

(c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 p.m. Sunday and close by emergency order;

(1) District 1:

(A) Section 1-A;

(B) Section 1-B opens on the third Sunday of June;

(2) District 6:

(A) Sections 6-A, 6-B, and 6-C open on the second Sunday of June;

(B) Section 6-D west of a line from Mariposa Rock Buoy to the northernmost tip of Point Harrington to a point on Etolin Island at 56ø 09.60' N. lat., 132ø 42.70' W. long., to the southernmost tip of Point Stanhope is open from the second Sunday in June through the first Saturday in August and from the first Sunday in September until the season is closed;

(3) District 8 opens on the second Sunday of June;

(4) District 11:

(A) Section 11-B opens on the third Sunday in June;

(B) Section 11-C;

(5) District 15:

(A) Section 15-A opens on the third Sunday in June;

(B) Sections 15-B and 15-C;

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL(S) IS ADOPTED? The effect of proposal 380 would be to clarify the Board's intent related to allocation of salmon between commercial net gears in Southeast Alaska. If adopted, the Board would acknowledge that significant alterations may be made in the approach to salmon management of net fisheries but that those management actions may not impact historical allocation guidelines nor lead to conservation concerns.

The effects of proposal 390 are unknown at this time because there are no specific details in the proposal and no Agenda Change Request was submitted to the Board of Fisheries for consideration at the fall Work Session.

BACKGROUND: At the annual postseason Southeast Alaska Purse Seine Management Task Force (PSTF) meeting held in Ketchikan on November 26, 2001 there was a discussion initiated by industry of whether or not changes in management could be made that would increase the profitability of the purse seine fishery for fishermen and processors. The discussion of profitability centered on reducing costs and improving quality and roe recovery rates. The discussion centered on changes that might get a relatively consistent supply of fresh product to the plants and reducing tendering expenses.

Since the mid to late 1980s the Southeast Alaska purse seine fishery has been generally managed on a 2-day-on and 2-day-off schedule during times of peak pink salmon abundance. This management strategy was adopted based on the result of discussions held at Southeast Alaska Purse Seine Task Force meetings in the mid to late 1980s. The strategy was very successful for many years from both a processing and more importantly pink salmon conservation standpoint (record harvests and very good overall escapements in recent years).

There was enough interest within industry in exploring alternative management options that it was decided to attempt to pursue the issue during the winter months. The PSTF agreed that the first step would be for individual task force participants to submit ideas, options, or proposals for changes in management via e-mail or fax to the department or to a representative of the Southeast Alaska Seiners (SEAS) by December 21, 2001. Based on the first round of responses there was potential to reach a consensus among processors, ADF&G, and SEAS on a significant change in management. A second Task Force meeting was scheduled and took place on February 19, 2002 in Ketchikan. At that meeting, which was open to the public and well attended, consensus was reached to modify the management strategy of the seine fishery during the peak of the pink salmon season.

Historical purse seine and drift gillnet sockeye, pink, and chum salmon harvests and percent of harvest by gear type are presented in Tables 380-1 through 380-3.

DEPARTMENT COMMENTS: The department is **neutral** on these allocative proposals. When the purse seine industry, fishermen and processors first broached the subject of modifying management of the Southeast Alaska purse seine fishery to improve the economics of the fishery the department had basically two options. The first option was to ignore this request from industry and maintain status quo management and the second was to work with industry and try and reach a consensus on how management of the fishery could be altered to improve the economic return of the harvest without negative conservation impacts.

During discussions at the February meeting in Ketchikan the department made it clear that conservation would continue to drive any management decision. In addition, any changes in the management of the purse seine fishery could not alter existing allocative guidelines nor would any changes be made in existing fishery management plans (for example terminal harvest area management plans, the District 1 pink salmon management plan, the Northern Southeast seine fishery management plan, etc.). A summary of the outcome of the February meeting follows:

Consensus Points of Agreement

Conservation will continue to be the primary focus of management.
Status quo management early in the season (late June through mid to late July).
During years of high abundance and times where limits are in effect go to extended fishing periods as run strength allows.
During years of "intermediate" abundance (roughly 30.0 to 40.0 million fish harvest) go to 4-on 1-off schedule for first fishing period when in the past managers would have gone initiated 2-on-2-off. After a one-day closure, continue with 4-on 1-off or go to extended (6 or 7 days) fishing periods as run strength allows. This management regime does not preclude some 2-on-2-off fishing, that pattern will remain an option if the department deems it necessary.
Changes from past management strategies would occur only when the size of the harvest looked to be over 30 million pink salmon. Projected harvests below 30 million would dictate that the department would need to manage more conservatively.
Allocation was a recognized concern and that this plan was directed at pink salmon and improving the value of that resource. Any changes should have little, if any, effect on the existing allocation guidelines set forth by the BOF.
Any changes to the purse seine fishery management regime implemented in 2002 will be on a trial basis and will be fully evaluated at the fall 2002 Purse Seine Task Force meeting.

COST ANALYSIS: The department does not believe that approval of these proposals will result in additional direct cost for a private person to participate in these fisheries.

Table 380-1. Historical purse seine and drift gillnet sockeye salmon harvests in Southeast Alaska (5 AAC 33.363).

Year	Drift Gillnet	Percent Drift Gillnet	Purse Seine	Percent Purse Seine	Total
1960	127,058	26%	358,697	74%	485,755
1961	169,724	29%	418,952	71%	588,676
1962	233,082	36%	411,748	64%	644,830
1963	194,420	32%	422,605	68%	617,025
1964	246,250	30%	570,250	70%	816,500
1965	279,349	29%	672,001	71%	951,350
1966	334,702	41%	480,024	59%	814,726
1967	274,038	31%	600,602	69%	874,640
1968	245,865	33%	494,851	67%	740,716
1969	348,350	51%	338,357	49%	686,707
1970	240,538	44%	308,198	56%	548,736
1971	329,017	67%	162,253	33%	491,270
1972	450,148	58%	324,893	42%	775,041
1973	532,485	61%	342,336	39%	874,821
1974	364,312	61%	236,064	39%	600,376
1975	108,574	64%	61,784	36%	170,358
1976	322,017	70%	135,192	30%	457,209
1977	541,443	62%	328,932	38%	870,375
1978	358,917	57%	272,197	43%	631,114
1979	472,610	54%	397,137	46%	869,747
1980	408,296	44%	510,956	56%	919,252
1981	438,824	50%	438,921	50%	877,745
1982	749,665	63%	445,385	37%	1,195,050
1983	586,574	43%	776,695	57%	1,363,269
1984	593,901	57%	457,206	43%	1,051,107
1985	830,238	54%	716,342	46%	1,546,580
1986	658,611	53%	587,730	47%	1,246,341
1987	736,200	70%	310,282	30%	1,046,482
1988	600,925	48%	654,748	52%	1,255,673
1989	893,976	52%	823,178	48%	1,717,154

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Table 380-1 (page 2 of 2).

Year	Drift Gillnet	Percent Drift Gillnet	Purse Seine	Percent Purse Seine	Total Harvest
1990	767,492	44%	965,918	56%	1,733,410
1991	711,874	40%	1,051,269	60%	1,763,143
1992	921,794	41%	1,336,901	59%	2,258,695
1993	1,021,899	38%	1,690,471	62%	2,712,370
1994	686,792	32%	1,430,610	68%	2,117,402
1995	640,971	41%	907,120	59%	1,548,091
1996	1,026,974	40%	1,514,523	60%	2,541,497
1997	645,516	29%	1,578,041	71%	2,223,557
1998	501,291	41%	732,790	59%	1,234,081
1999	545,671	56%	425,298	44%	970,969
2000	496,564	50%	489,221	50%	985,785
2001	688,238	40%	1,013,151	60%	1,701,389
2002	464,401	75%	154,478	25%	618,879
Average 1960-1988[b]		49%		51%	
Average 1960-2002		47%		53%	
Average 1989-2002		44%		56%	

[a] Total harvest includes harvest codes 11 and 12, traditional and terminal harvest areas with Annette Island Reserve harvest subtracted.

Table 380-2. Historical purse seine and drift gillnet pink salmon harvests in Southeast Alaska (5 AAC 33.363).

Year	Drift Gillnet	Percent Drift Gillnet	Purse Seine	Percent Purse Seine	Total
1960	55,984	2%	2,572,279	98%	2,628,263
1961	282,997	3%	10,936,344	97%	11,219,341
1962	435,132	4%	10,139,595	96%	10,574,727
1963	653,826	3%	18,188,335	97%	18,842,161
1964	753,312	4%	17,305,646	96%	18,058,958
1965	698,339	6%	10,061,346	94%	10,759,685
1966	790,314	4%	18,906,895	96%	19,697,209
1967	205,683	7%	2,807,759	93%	3,013,442
1968	607,275	2%	24,083,473	98%	24,690,748
1969	381,729	8%	4,313,575	92%	4,695,304
1970	848,425	8%	9,589,943	92%	10,438,368
1971	655,473	7%	8,514,499	93%	9,169,972
1972	444,375	4%	11,363,527	96%	11,807,902
1973	654,224	10%	5,611,363	90%	6,265,587
1974	338,346	7%	4,174,551	93%	4,512,897
1975	350,199	9%	3,414,308	91%	3,764,507
1976	384,349	8%	4,290,526	92%	4,674,875
1977	1,428,899	11%	11,444,267	89%	12,873,166
1978	812,947	4%	18,545,091	96%	19,358,038
1979	915,976	9%	8,934,010	91%	9,849,986
1980	1,107,273	9%	11,869,988	91%	12,977,261
1981	1,264,900	7%	16,268,867	93%	17,533,767
1982	569,486	3%	22,049,191	97%	22,618,677
1983	1,209,372	3%	33,666,216	97%	34,875,588
1984	1,308,086	6%	21,070,213	94%	22,378,299
1985	1,832,570	4%	47,233,196	96%	49,065,766
1986	1,282,418	3%	42,788,318	97%	44,070,736
1987	1,359,526	16%	7,018,562	84%	8,378,088
1988	687,270	7%	8,826,732	93%	9,514,002
1989	2,769,875	5%	52,065,064	95%	54,834,939

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Table 380-2 (page 2 of 2).

Year	Drift Gillnet	Percent Drift Gillnet	Purse Seine	Percent Purse Seine	Total Harvest
1990	1,168,061	4%	27,915,150	96%	29,083,211
1991	820,409	1%	58,592,358	99%	59,412,767
1992	1,408,331	5%	29,769,079	95%	31,177,410
1993	1,087,670	2%	53,414,515	98%	54,502,185
1994	1,030,607	2%	51,280,083	98%	52,310,690
1995	1,337,764	3%	43,498,508	97%	44,836,272
1996	615,311	1%	61,649,487	99%	62,264,798
1997	1,384,200	5%	24,790,537	95%	26,174,737
1998	1,489,395	4%	38,436,679	96%	39,926,074
1999	1,274,207	2%	71,961,631	98%	73,235,838
2000	679,452	4%	18,156,691	96%	18,836,143
2001	1,568,742	2%	61,951,322	98%	63,520,064
2002	802,290	2%	42,137,936	98%	42,940,226
Average 1960-1988[b]		5%		95%	
Average 1960-2002		5%		95%	
Average 1989-2002		3%		97%	

[a] Total harvest includes harvest codes 11 and 12, traditional and terminal harvest areas with Annette Island Reserve harvest subtracted.
[b] From 5 AAC 33.363 (h)

Table 380-3. Historical purse seine and drift gillnet chum salmon harvests in Southeast Alaska (5 AAC 33.363).

Year	Drift Gillnet	Percent Drift Gillnet	Purse Seine	Percent Purse Seine	Total
1960	199,887	22%	726,017	78%	925,904
1961	251,900	10%	2,172,066	90%	2,423,966
1962	233,421	13%	1,593,386	87%	1,826,807
1963	265,251	18%	1,186,182	82%	1,451,433
1964	250,045	13%	1,661,431	87%	1,911,476
1965	269,986	19%	1,185,569	81%	1,455,555
1966	365,070	11%	2,846,425	89%	3,211,495
1967	250,050	14%	1,545,057	86%	1,795,107
1968	363,713	14%	2,251,556	86%	2,615,269
1969	208,918	39%	332,514	61%	541,432
1970	494,294	20%	1,919,378	80%	2,413,672
1971	435,924	23%	1,495,755	77%	1,931,679
1972	744,933	26%	2,168,632	74%	2,913,565
1973	524,199	30%	1,221,201	70%	1,745,400
1974	666,313	40%	988,297	60%	1,654,610
1975	298,296	44%	381,540	56%	679,836
1976	503,230	50%	511,827	50%	1,015,057
1977	364,164	52%	336,408	48%	700,572
1978	288,959	36%	521,880	64%	810,839
1979	401,161	48%	438,175	52%	839,336
1980	548,674	35%	1,002,478	65%	1,551,152
1981	270,231	34%	517,002	66%	787,233
1982	448,362	35%	828,476	65%	1,276,838
1983	516,639	47%	579,168	53%	1,095,807
1984	1,030,527	30%	2,434,053	70%	3,464,580
1985	1,134,446	38%	1,849,523	62%	2,983,969
1986	815,813	27%	2,198,907	73%	3,014,720
1987	747,357	38%	1,234,558	62%	1,981,915
1988	1,144,450	41%	1,625,841	59%	2,770,291
1989	542,846	33%	1,079,183	67%	1,622,029

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Table 380-3 (page 2 of 2).

Year	Drift Gillnet	Percent Drift Gillnet	Purse Seine	Percent Purse Seine	Total Harvest
1990	616,226	37%	1,062,522	63%	1,678,748
1991	707,277	25%	2,125,308	75%	2,832,585
1992	845,034	21%	3,193,433	79%	4,038,467
1993	1,401,186	23%	4,606,463	77%	6,007,649
1994	1,823,497	22%	6,376,472	78%	8,199,969
1995	2,478,672	27%	6,600,529	73%	9,079,201
1996	2,033,267	19%	8,918,577	81%	10,951,844
1997	1,689,474	22%	5,863,690	78%	7,553,164
1998	1,923,764	17%	9,406,979	83%	11,330,743
1999	2,166,218	19%	8,944,189	81%	11,110,407
2000	2,560,501	24%	8,306,257	76%	10,866,758
2001	1,564,210	26%	4,436,178	74%	6,000,388
2002	1,415,646	31%	3,110,059	69%	4,525,705
Average 1960-1988[b]		27%		73%	
Average 1960-2002		28%		72%	
Average 1989-2002		25%		75%	

[a] Total harvest includes harvest codes 11 and 12, traditional and terminal harvest areas with Annette Island Reserve harvest subtracted.
[b] From 5 AAC 33.363 (h)

PROPOSAL 381. PAGE 267. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSAL DO? Proposal 381 eliminates the 12:01 P.M. Sunday opening time requirement for the drift gillnet fishery and provides that the opening would occur by emergency order on Sunday.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. (c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 Sunday and close by emergency order:

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? All gillnet fishing districts in Southeastern would no longer have to be open concurrently at 12:01 P.M. on Sunday each week. The effect of this proposal if adopted would be to allow the opening time on Sunday to be adjusted in each fishing district so there would be more flexibility to optimize fish quality.

BACKGROUND: The salmon industry is always looking at ways to improve quality. The proponents feel that openings earlier on Sunday would be more conducive to obtaining larger deliveries by Sunday night that could then more economically be tendered back to the fishing plant by Monday morning. The proponents think fish quality would be improved because fish caught on Sunday would be delivered to the plant the following morning.

DEPARTMENT COMMENTS: The department **supports** proposals that could improve fish quality and the economics of the fishery without jeopardizing the sustainability of the resource. The department is **neutral** on any within or between gear group allocations that may result from this proposal. Fishing time would not be increased with this proposal. Hours added during the beginning of an opening would be subtracted from the end of an opening.

If the Board chose to adopt this proposal the department would anticipate working with industry within the Southeast Alaska Drift Gillnet Task Force to agree upon an opening time that best meets the intent of this proposal while maintaining sustainable resource management.

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

PROPOSALS 382 AND 386. PAGES 267 AND 269. 5 AAC 33.331. GILLNET SPECIFICATIONS AND OPERATIONS.

WHAT WOULD THE PROPOSAL DO? Proposals 382 and 386 seek to change gillnet gear specifications for Districts 8 and 11. Proposal 382 seeks to repeal both the 40 mesh depth restriction for 8 inch or larger mesh gear for all areas and the provision that sets the maximum depth of gillnet gear at 40 meshes before the second Sunday in June in Districts 8 and 11. The maximum depth for gillnets in all of Southeast Alaska for any time period would become 60 meshes. Proposal 386 seeks to increase the maximum length of gillnet gear in District 11 from 150 fathoms prior to the third Sunday in June to 200 fathoms for the entire season. The maximum length of gillnets in District 11 would become 200 fathoms for the entire season.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.331. Gillnet specifications and operation.
(b) The maximum depth of gillnets is as follows:
(1) nets with mesh smaller than eight inches may not be deeper than 60 meshes;
(2) nets with mesh eight inches or larger may not be deeper than 40 meshes;
(3) in Districts 8 and 11, gillnets may not be deeper than 40 meshes before the second Sunday in June;
(c) The maximum length of gillnets is as follows:
(3) in District 8, a gillnet may not be more than 300 fathoms in length, except that a gillnet may not exceed 150 fathoms in length in Blind Slough during seasons established by emergency order;
(4) in District 11, a gillnet may not be more than 150 fathoms in length except that after the third Saturday in June a gillnet may not exceed 200 fathoms in length;

Salmon may be taken by gillnets in District 8 beginning the second week of June and in District 11 the third Sunday in June during fishing periods established by emergency order [5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR].

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? There would be no effects if proposal 386 were adopted unless the Districts 8 and 11 drift gillnet fishery opening dates were modified. The maximum length of a drift gillnet in District 11 after the third Saturday in June is already 200 fathoms and the fishery opens by regulation on the third Sunday in June. If the fishery opening date were changed so that the fishery opened earlier than the third Sunday in June the maximum length of a drift gillnet would increase from 150 fathoms to 200 fathoms. Increasing the net length during that time would lead to somewhat increased catch rates of salmon, however it is difficult to fully quantify the magnitude of that change.

The effects of proposal 382 would be similar to those of proposal 386, that is some increase in salmon catch rates due to an increase in the maximum allowable depth of drift gillnets.

BACKGROUND: Minimum net length provisions were in place prior to statehood and are a 'holdover' from that period. From 1960 through 1969 the minimum net lengths were 50 fathoms in District 1, 11, and 15, and 125 fathoms in Districts 6 and 8. The current net length restrictions were put into regulation in 1970 and have remained unchanged since.

These proposals are linked to proposals 384 and 385 which seek to change 5 AAC 33.310 to provide for additional drift gillnet fisheries directed on chinook salmon in Districts 8 and 11.

DEPARTMENT COMMENTS: The department is **neutral** on these proposals. The change in drift gillnet length and depth as outlined in the proposals would have no effect on the department's ability to manage the gillnet fisheries.

If these proposals were adopted, companion regulations that should be changed along with deleting net length and depth language in 33.331 may include:

5 AAC 33.310. FISHING SEASON AND PERIODS FOR NET GEAR

(3) District 8 opens on the second Sunday in June;

(4)(A) Section 11-B opens on the third Sunday in June;

COST ANALYSIS: If these proposals were to be adopted, there may be additional costs to those permit holders who may not have the drift gillnet gear specified in these proposals.

PROPOSAL 383. PAGE 268. 5 AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR (c) (3) and 5 AAC 33.311 GILLNET SPECIFICATIONS AND OPERATIONS (e).

WHAT WOULD THE PROPOSALS DO? The proposal would establish in regulation two areas within Section 8-B that could be opened by emergency order to harvest returns of salmon to the Anita Bay THA when the rest of District 8 is closed due to low returns of Stikine River sockeye salmon (383-2).

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.310 FISHING SEASONS AND PERIODS FOR NET GEAR

c) Salmon may be taken by gillnets in the following locations only during fishing periods established by emergency order that start at 12:01 p.m. Sunday and close by emergency order;

(3) District 8 opens on the second Sunday of June;

5 AAC 33.311 GILLNET SPECIFICATIONS AND OPERATIONS

(e) In Districts 1, 6, 8, 11, 15, during periods established by emergency order, the minimum gillnet mesh size is six inches.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? If adopted, there are several effects this proposal may have. It would direct the department to provide gillnetters with two areas to fish for hatchery chum salmon bound for Anita Bay when the remainder of District 8 was closed for wild stock concerns. The quality of enhanced salmon caught may be better than salmon caught in the Anita Bay THA. If these areas were opened there would be fewer fish available for gillnetters and seiners fishing in the THA. There would be increased harvests of wild stocks of salmon within these two corridors.

BACKGROUND: Anita Bay was initially used as a remote release site for the Burnett Inlet Hatchery, which was operated by the Alaska Aquaculture Foundation Incorporated (AAFI). Hatchery returns of pink and chum salmon first occurred there in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000 (Table 1). In 2001 Southern Southeastern Regional Aquaculture Association (SSRAA) transferred the release of king, coho and chum salmon from Earl West Cove to Anita Bay. A common property harvest first occurred on hatchery returns in the Anita Bay THA in 2002. Three gillnetters harvested 917 coho in 2002. No commercial seine or troll landings were recorded.

There are several streams and rivers that have salmon runs that may be caught in the proposed corridor areas. These include the Stikine River, which produce all five species of salmon plus a number of streams, which produce sockeye, coho pink and/or chum salmon.

Test fisheries were initiated in 2001 to evaluate the run timing, strength and the incidence of natural returns of salmon stocks to areas adjacent to the Anita Bay Terminal Harvest Area (THA) prior to the return of enhanced chum salmon in 2003. Two areas around and in Anita Bay (Figure 1) were designated for the test fisheries. The first area was within the waters of Chichagof Pass north and east of a line from Drag Island to the northern tip of Etolin Island (56°20.10' N. latitude; 132°2.10' W. longitude), to south of the latitude from East Point on Woronkofski Island, to Zimovia Strait north of 56°20.00'N latitude. The second area included the waters south of 56°20.00'N latitude to the Anita Bay Terminal Harvest Area (waters east of 132°24.40'W. longitude), to waters north of a line from Anita Point to Turn Island. In addition, the successful bidder for the Zimovia strait area was required to make at least two sets within the Anita Bay THA every fishing period. Gillnetters used a 300 fathom gillnet with at least a 6-inch mesh size. Fishing times were for a 24-hour period starting between 6:00 am Friday to 6:00 am Sunday. In 2001, they were contracted to fish for 4 statistical weeks starting in statistical week 30. In 2002, the gillnetters were contracted to fish in 5 statistical weeks starting in statistical week 29.

The results from the test fisheries were analyzed by first mapping set locations using the GIS program ArcView. Groupings of sets were divided into sections. Section 1 is the current Anita Bay THA. Section 2 is the area from the current THA to approximately the proposed THA line. Section 3 is the area north of Section 2 and south of a line from Nemo Pt. to a point on Etolin Island. Section 4 is the area north of section 3 up to 56 degrees 20 minutes' north latitude. Section 5 is the area north of Section 4 south of the latitude of East Pt. and east of –132°26.93. Section 6 is the area west of Section 5 and east of line from Drag Island to the northern tip of Etolin Island at 56°20.10' N. latitude and -132°32.10' W. longitude (Figure 383-1). The coordinates of each set location was taken from data recorded by the test fishers. The set area description was verified to make sure each set was grouped in the right section. Sets were then analyzed.

The results indicate that very small numbers of wild sockeye, coho and pink with higher numbers of chum salmon were present in the current THA and the total numbers of salmon caught and the number of each species generally increases with distance from the THA at least until Section 5 and 6. Section 5 actually shows a drop in the total number of salmon caught (Table 383-2). This is because the number of sets and fishing time made in section 4 and the natural productive fishing area around Nemo Pt. resulted in higher numbers of salmon being caught. The salmon catch per hour is a better representation of the magnitude of fish being caught in each area because of the differences in fishing effort in each section. The catch per hour also shows an increase in the number of fish being caught per hour in each species with increasing distance from the THA (Table 383-3). This is clearly depicted in Figure 383-3. Sections 5 and 6 do not show as high of catch rates as section 4. Again, this thought to be because of the good natural fishing area around Nemo Pt. where most of the sets occurred. In addition, it can be seen that the test fishery exhibited a fairly good catch rate of chums (Figure 383-3). The exact origins of these chums are unknown, but with no scheduled returns to the Anita Bay THA it can be assumed that the majority are wild chum salmon.

DEPARTMENT COMMENTS: The department **opposes** this proposal to allow increased fishing time in a mixed stock fishing area based upon the presence of hatchery fish due to concerns regarding increased interception of wild salmon stocks.

This proposal would establish fishing corridors in District 8 to harvest chum salmon returning to the Anita Bay Terminal Harvest Area. The department currently has the ability to allow directed chum fisheries via 5 AAC 33.331(e) when warranted by wild chum salmon abundance.

The department believes that this fishery potentially could harvest wild fish at an unacceptable rate. The proposal goes against the Board's mixed stock policy.

COST ANALYSIS: There may be some small cost to the department if this proposal is adopted. There may be some cost to individual gillnetters, seiners or trollers if fish area harvested outside of the THA where the fish might be more concentrated.

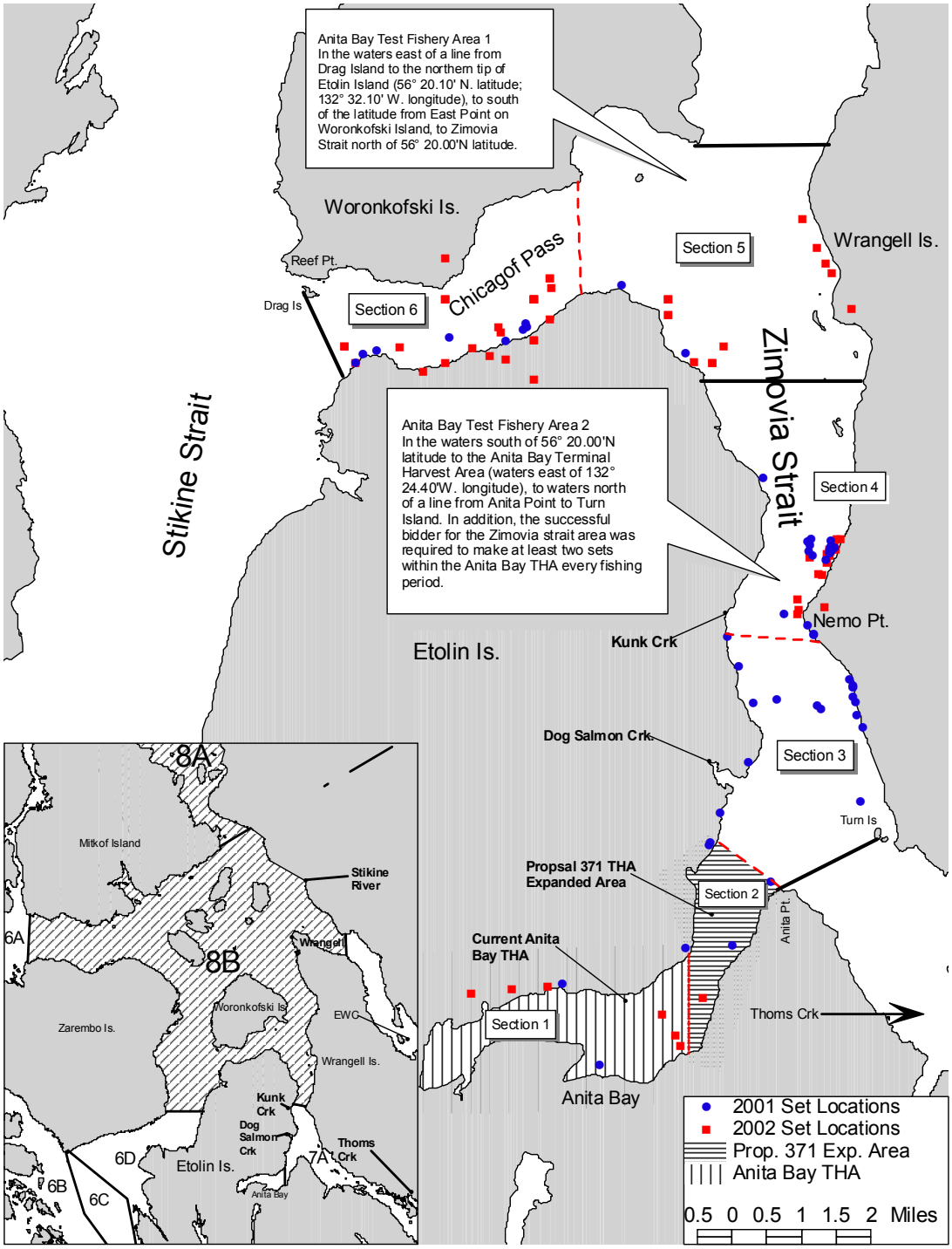


Figure 383-1. 2001 and 2002 Anita Bay Test Fisheries Areas, Set Locations and Sections.

Table 383-1. Anita Bay THA harvest, 1994-2002.

Anita Bay THA Harvest					
Year	Chinook	Sockeye	Coho	Pink	Chum
1994	-	5	20	129,318	9
1995	-	-	-	-	-
1996	-	-	8	88,802	719
1997	-	4	33	531	626
1998	-	-	-	-	12,499
1999	-	-	-	-	65,406
2000	-	-	-	-	7,351
2001	-	-	-	-	-
2002	-	-	917*	-	-

* 2002 harvest was for common property THA harvest. Prior to 2002, all harvest was for cost recovery.

Table 383-2. 2001 and 2002 Anita Bay test fishery results in numbers of salmon in sections 1–6.

Section	No. Sets	Total Hours	King	Sockeye	Coho	Pink	Chum
			2001 (July 27 to August 18)				
1	3	4.8	0	1	2	5	8
2	4	6.1	0	0	4	12	38
3	17	22.7	3	16	34	58	193
4	21	44.2	1	17	94	133	541
5	2	1.9	0	1	1	2	2
6	8	10.2	6	8	6	7	8
			2002 (July 19 to August 10)				
1	7	10.8	0	1	2	0	83
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	20	12	20	33	30	17	855
5	14	17.6	2	7	24	12	228
6	27	11.6	6	18	38	18	419
			Combined 2001 & 2002				
1	10	15.6	0	2	4	5	91
2	4	6.1	0	0	4	12	38
3	17	22.7	3	16	34	58	193
4	41	56.2	21	50	124	150	1396
5	16	19.5	2	8	25	14	230
6	35	21.9	12	26	44	25	427

Table 383-3. Anita Bay area test fishery results in salmon catch per hour, 2001 and 2002.

2001 and 2002 Anita Bay Test Fishery Salmon Catch per Hour

Section	No. Sets	Total Hours	Chinook	Sockeye	Coho	Pink	Chum
			2001				
1	3	4.8	0	0.2	0.4	1	1.7
2	4	6.1	0	0	0.7	2	6.2
3	17	22.7	0.1	0.7	1.5	2.6	8.5
4	21	44.2	0	0.4	2.1	3	12.2
5	2	1.9	0.0	0.5	0.5	1.0	1.0
6	8	10.2	0.6	0.8	0.6	0.7	0.8
			2002				
1	7	10.8	0	0.1	0.2	0	7.7
2	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-
4	20	12	1.7	2.8	2.5	1.4	71.3
5	14	17.6	0.1	0.4	1.4	0.7	13.0
6	27	11.6	0.5	1.5	3.3	1.5	36.1
			Combined 2001 & 2002				
1	10	15.6	0	0.1	0.3	0.3	5.8
2	4	6.1	0	0	0.7	2	6.2
3	17	22.7	0.1	0.7	1.5	2.6	8.5
4	41	56.2	0.4	0.9	2.2	2.7	24.9
5	16	19.5	0.1	0.4	1.3	0.7	11.8
6	35	21.9	0.5	1.2	2.0	1.1	19.5

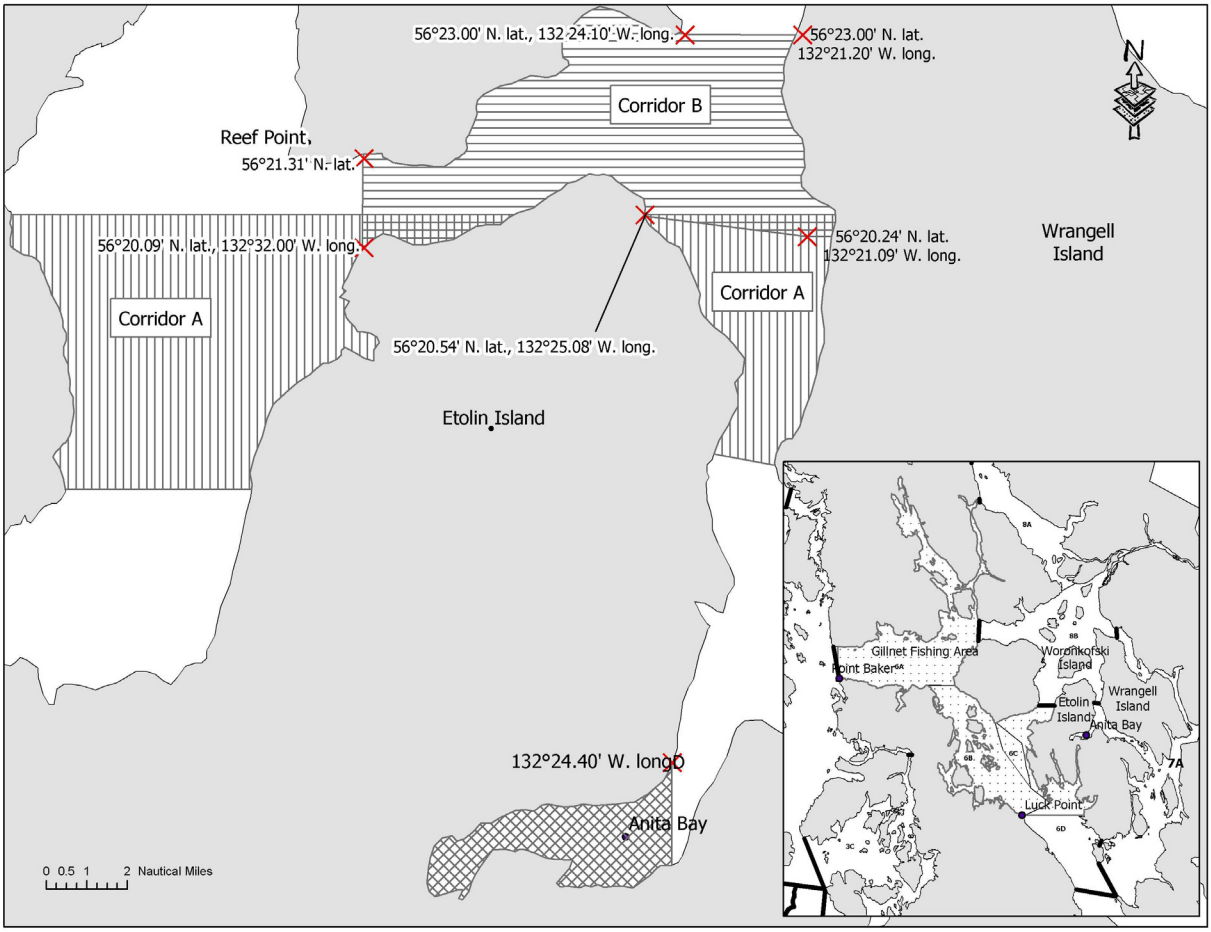


Figure 383-2. Proposed directed enhanced chum salmon drift gillnet areas in District 8.

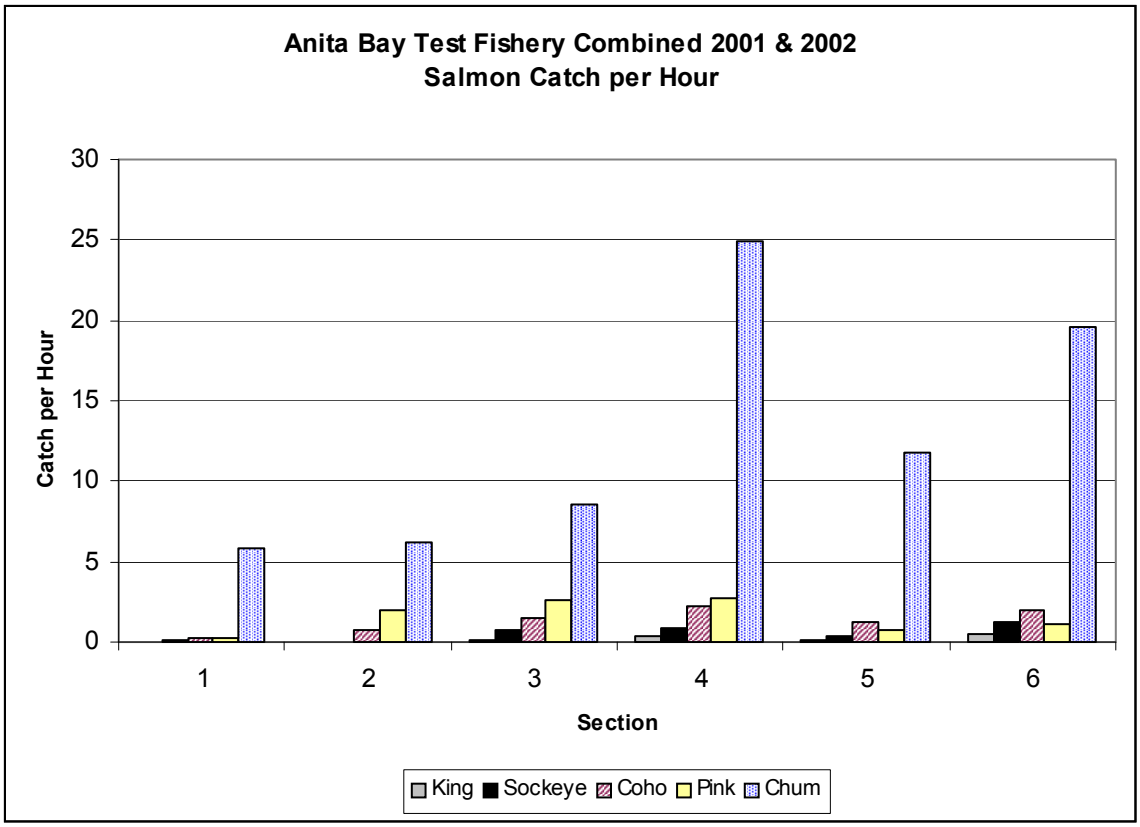


Figure 383-3. Anita Bay test fishery combined 2001 and 2002 salmon catch-per-hour in Sections 1–6.

PROPOSAL 384. PAGE 268. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSAL DO? Proposal 384 seeks to establish a directed gillnet fishery for chinook salmon in District 8 (marine waters adjacent to the Stikine River).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. (c)(3) District 8 opens on the second Sunday in June.

5 AAC 33.367. HARVEST AND ALLOCATION OF NET CAUGHT SALMON. (A) The department shall manage the commercial net harvest of chinook salmon, other than Alaska hatchery chinook salmon harvested in special harvest areas, with individual quotas as follows: (2) drift gillnet fishery: 7,600.

PACIFIC SALMON TREATY, ANNEX IV, CHAPTER 1 (3)(a)(3)(ii) The parties agree that new fisheries on Stikine River chinook salmon will not be developed without the consent of both parties. Consistent with paragraph 2 above, management of new directed fisheries will be abundance-based through an approach developed by the [Transboundary Technical] Committee.

Subsistence fishing permits will not be issued for chinook salmon [5 AAC 01.730 (b)].

At the January 2003 Alaska Board of Fisheries meeting in Sitka the Board adopted positive Customary and Traditional Use findings for salmon, Dolly Varden char, and steelhead trout in Districts 7 and 8.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The catch of wild chinook salmon in the District 8 drift gillnet fishery returning to the Stikine River would increase. Although Stikine River chinook stocks are considered to be rebuilt, conducting a directed chinook salmon fishery without an abundance-based management regime in place could result in the over-harvest of these stocks.

Without a change in the drift gillnet allocation quota (5 AAC 33.367(2)), the allocation of 7,600 chinook salmon (not including Alaska hatchery fish) for the combined Southeast Alaska drift gillnet fisheries could be exceeded and result in closures of gillnet fisheries.

BACKGROUND: Prior to 1974, directed drift gillnet chinook salmon fishing was allowed beginning the last Sunday or Monday in April in District 8, usually for three days each week. From 1974 to 1977 fishing time was decreased significantly in an attempt to increase chinook salmon escapements to the Stikine River. The April opening date was removed during the fall 1977 BOF meeting as one of a series of proposals that would provide additional protection to depleted chinook runs in Southeastern Alaska. Chinook salmon escapements to the Stikine River were at very low levels (Figure 384-1) and the complete closure of the directed chinook fishery in District 8 was critical to the rebuilding of the chinook returns.

In 1985 the chinook rebuilding program was incorporated into the Pacific Salmon Treaty and a goal of achieving 19,800 to 25,000 large spawners in the Canadian portion of the Stikine River by 1995 was established by the U.S. and Canada. The Stikine River chinook escapement goal was lowered by joint agreement in the year 2000 to 14,000 to 28,000 large spawners. Escapements have exceeded the lower end of the escapement goal range every year since 1985 and the upper end of the goal has been exceeded during 6 out of the last 10 years. Since 1976 the District 8 gillnet fishery has opened in the second or third week in June, allowing approximately two-thirds of the Stikine chinook migration to pass before the fishery starts.

Catches in the District 8 directed chinook fishery prior to 1978 ranged from 618 in 1962 to 9,254 in 1973 and averaged 4,149 fish (Figure 384-2). Catches from 1978 until the present have ranged from 7 in 2001 to 2,566

in 1997 and averaged 771 fish. The Alaska hatchery contribution to the District 8 chinook catches (greater than 100 fish) since 1978 has ranged from 0% in 1984-1985 and 2001-2002 to 66% in 1998 (Figure 384-3).

In recent years, catches of chinook in the District 8 gillnet fishery were composed of Stikine River wild fish and hatchery stocks primarily bound for Crystal Lake hatchery and the Earl West Cove THA. Historically, there were no Alaska hatchery fish, and catches were composed of wild Stikine and possibly some Bradfield Canal fish. Based on hatchery contribution to the May-June sport fisheries in Frederick Sound and in the vicinity of Wrangell, the likely stock composition of a gillnet fishery beginning in late April, early May, would be between 60% and 95% wild stock chinook. It is possible to target chinook in the District 8 gillnet fishery when the fishery is open early in the season. Recent year's catches should not be relied upon to predict catches in a directed fishery because District 8 has not been opened early in the season to reduce the exploitation rates on Tahltan Lake sockeye salmon.

Canadian catches of chinook salmon have increased since 1979 when a commercial gillnet fishery directed at harvesting sockeye salmon was initiated near the U.S. Canada border. Prior to 1979 Canadian catches were comprised of the aboriginal fishery at Telegraph Creek and a small commercial fishery at Telegraph Creek, which began in 1975. Canadian lower-river Stikine chinook catches have averaged 1,200 fish and the total Canadian harvest of Stikine chinook has averaged 2,022 fish since 1979 (Figure 384-2).

Escapements to the Little Tahltan River have exceeded the lower end of the escapement goal in 14 out of the past 15 years and have exceeded the upper end of the escapement goal in 8 years during that same time period. At the 2000 BOF meeting in Juneau, the Board directed the department to begin the process within the Pacific Salmon Treaty (PST) to re-establish directed fisheries for Stikine River Chinook salmon. To that end, the department put the item on the agendas of regularly scheduled PST meetings. Conferences with Canada regarding re-establish the fisheries were positive. At the 2002 PST meeting in Portland, OR, Canada desired to link any possible Taku chinook salmon fisheries with directed fisheries for Stikine River chinook salmon. The U.S. delegation opposed linkage on the grounds that there was adequate research data and assessment tools to perform abundance-based management for Taku fisheries, but not for Stikine fisheries. The U.S. continues to favor developing directed fisheries for both the Stikine and Taku Rivers based upon the ability to harvest those fisheries on a abundance based management approach.

The Board of Fisheries deliberated a similar proposal to institute a directed commercial drift gillnet fishery on Stikine River chinook salmon in District 8 during its February, 2000 meeting. The Board also deliberated a proposal to open the Grey's Passage area to directed sport fishing for Stikine River chinook. The Board rejected the proposals because stock assessment and abundance-based management programs were not in place to support implementation of such fisheries, and because the Pacific Salmon Treaty (PST) requires consent of the two nations prior to implementation of directed fisheries on Stikine River chinook salmon. The Board directed the department to continue a negotiated agreement with Canada and work towards developing stock assessment programs to enable both parties to implement abundance based fishery regimes.

Since that time, the department and the Canadian Department of Fisheries and Oceans have instituted an aggressive program to improve stock assessment and management capabilities on this run. A bilaterally-accepted MSY escapement goal was established in 2000, adult tagging programs have been initiated to provide in-season estimates of escapement, and a coded wire tagging project has been deployed to provide estimates of marine harvest. There remain significant technical issues to complete prior to being able to effectively implement directed fisheries on Stikine chinook, including development of effective pre-season forecasts, improvement of in-season escapement information and development of in-season forecasts, as well as information on marine harvests. The department anticipates this information will be available within a year

or two. Once these technical details are ironed out, the department will have the necessary tools to manage directed fisheries on Stikine River chinook.

In December 2000, the Federal Subsistence Board (FSB) deferred action on a proposal to establish season and harvest limits for federally managed subsistence fisheries for salmon on the Stikine River. The deferral was a result of a recognition that the proposal was in conflict with Annex IV, Chapter 1 of the PST. The FSB directed Federal staff to work with the Alaska Department of Fish and Game (ADF&G) and the Transboundary Panel of the PSC in order to come to a solution. Federal staff associated with the subsistence program attended a bilateral PSC meeting in February 2002, where the proposal was presented to the Canadian component of the Panel. The Canadians raised a number of issues based on conservation and Annex IV, Chapter 1. In December 2001, the FSB adopted a proposal to establish regulations for a federal coho subsistence fishery throughout Southeast Alaska. Based on the outcome of the bilateral Panel meeting in February, establishing fisheries for coho salmon on the transboundary rivers at this time is not possible so the FSB subsequently clarified that the new federal coho salmon subsistence fishery was not allowed on transboundary rivers until negotiations with Canada had been completed.

DEPARTMENT COMMENTS: While the department is neutral regarding the allocative aspects of this proposal, it **opposes** the proposal at this time because chapter 1, paragraph 3 of Annex IV of the Pacific Salmon Treaty requires consent of both parties for development of directed fisheries for chinook salmon on the Transboundary Rivers and a bilateral agreement with Canada for abundance-based management of the runs.

Harvest sharing agreements and details of abundance-based management regimes remain to be negotiated with Canada. Implementation of directed fisheries on Taku and Stikine River chinook salmon was discussed in 2002 by the Transboundary Panel within the Pacific Salmon Commission (PSC) process. Although last year's negotiations did not result in agreements for directed U.S. or Canadian fisheries, discussions were fruitful and will be continued at PSC meetings in January and February, 2003.

The U.S. Panel delegation believes all the necessary assessment tools are in place to support abundance-based management for Taku River chinook and intends to continue negotiating terms for such fisheries with Canada this winter. The U.S. delegation does not favor negotiating terms for fisheries on the Stikine River until the necessary assessment tools are in place to manage the fisheries.

As mentioned, at the present time assessment programs are not fully capable of forecasting run strength of returning Stikine River chinook salmon and directed fisheries could reduce the escapement below the desired goal. One significant problem facing Alaska is developing in-season programs that are timely enough to allow directed chinook salon fisheries in District 8 to target the major portion of the returns. Lacking bilateral inseason stock assessment programs and harvest sharing agreements, it is premature for Alaska to reinitiate directed fishing. Another key element to have in place for Alaska to realize benefits from a directed fishery is to obtain through the PSC process a terminal exclusion for the catch of Stikine River chinook taken in the terminal area, so these fish would not count against the all-gear catch quota for the region.

During the January 2003 meeting of the Alaska Board of Fisheries the Board deliberated Proposal 103 that requested that subsistence fisheries for chinook, coho, and sockeye salmon be implemented for the Stikine River. Based on the department's advice that implementation of these fisheries at the present time would represent a violation of Pacific Salmon Treaty agreements, the Board of Fisheries took no action on this proposal but did submit a letter to Acting Department of Fish and Game Commissioner Kevin Duffy requesting that the department submit an Agenda Change Request to the Board as soon as negotiations with

Canada are completed. A copy of this letter was included in the final report from Committee A: Subsistence Finfish.

The Board also deliberated proposal 112 that requested a positive Customary and Traditional Use finding for salmon, Dolly Varden char, and steelhead trout in Districts 7 and 8. The Board did adopt this proposal. During committee work and in staff comments the department made it clear that subsistence salmon fisheries could not be implemented in District 8 because of the Pacific Salmon Treaty issues identified above.

COST ANALYSIS: The approval of this proposal is not expected to result in additional direct cost for a private person to participate in this fishery. If this proposal were to be adopted, there would be additional costs involved for the department because the fishery would start three to five weeks earlier than the existing fishery.

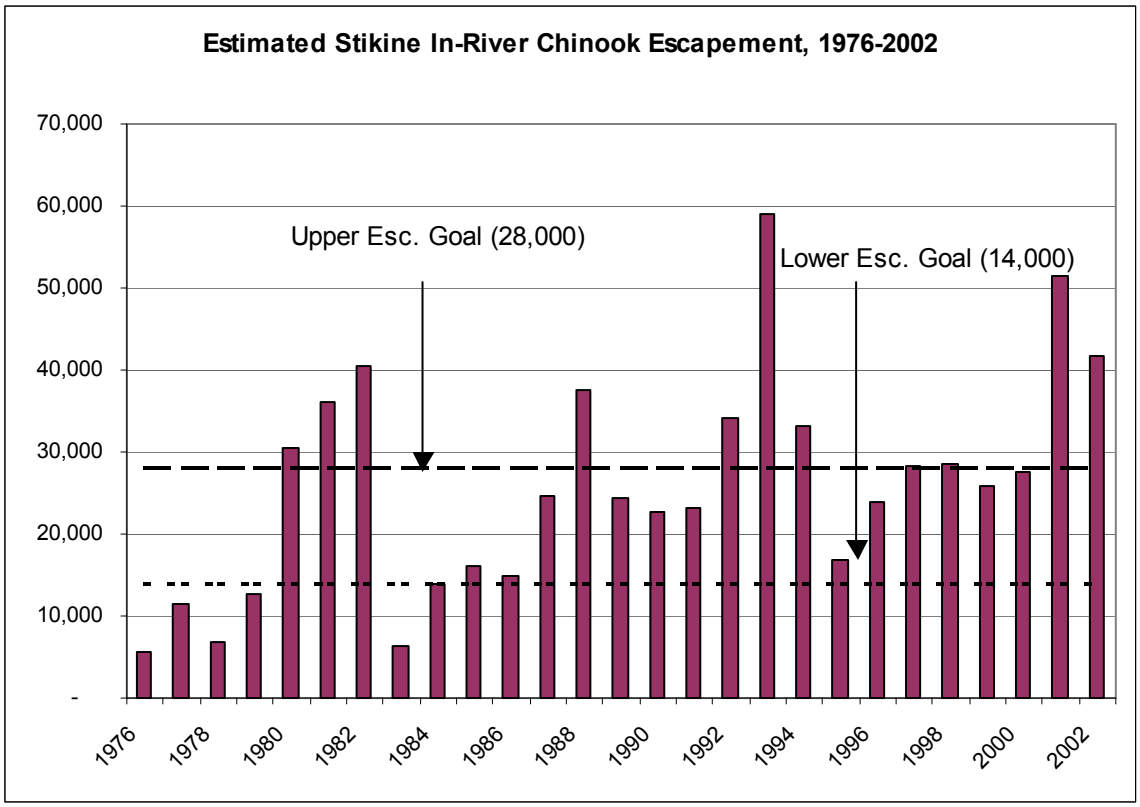


Figure 384-1. Estimated Stikine In-River Chinook Escapement, 1976-2002.

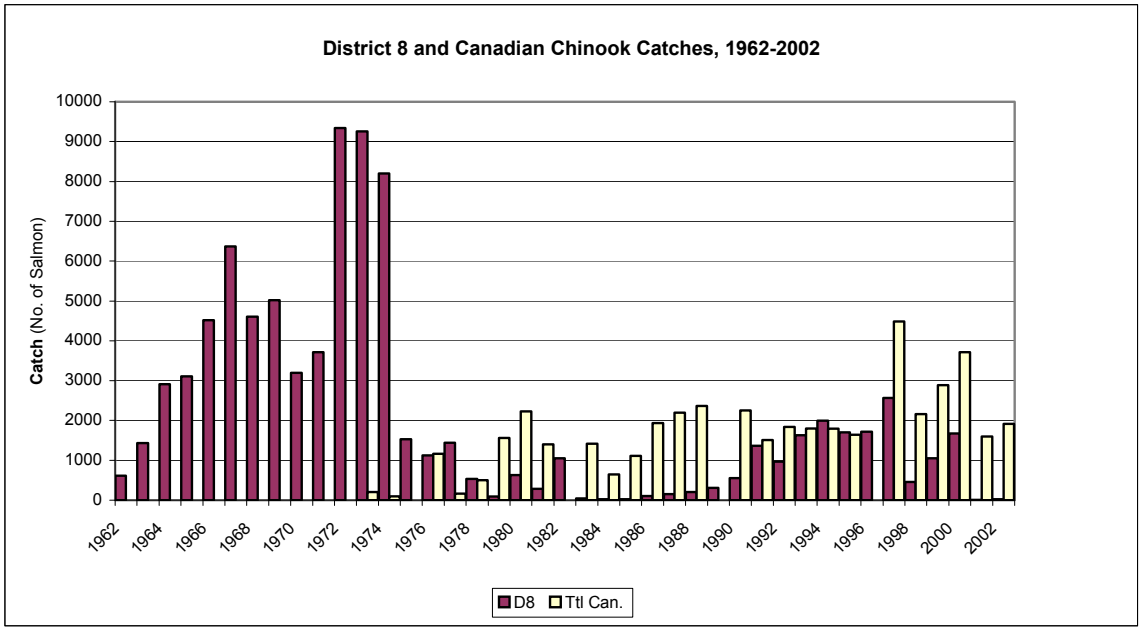


Figure 384-2. District 8 and Canadian (Upper River and Lower River Commercial Fisheries and Food Fishery) chinook salmon harvests, 1962-2002.

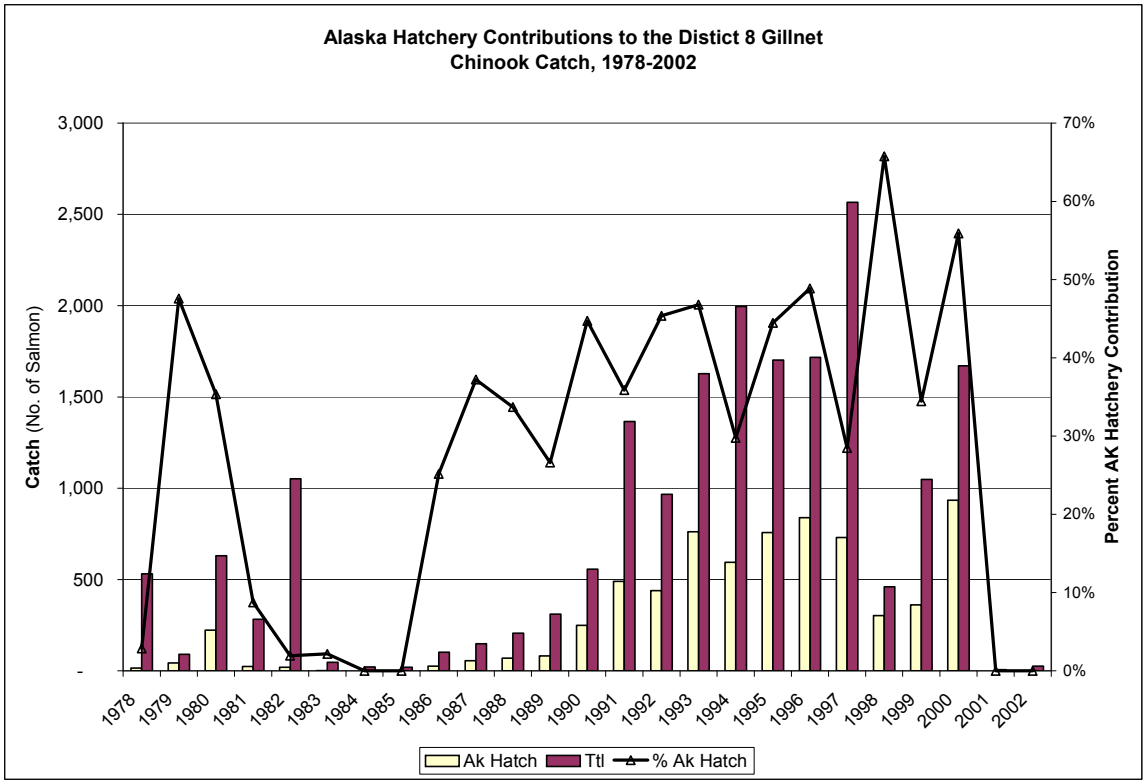


Figure 384-3. Alaska hatchery contribution of chinook salmon to the District 8 drift gillnet fishery, 1978-2002.

PROPOSAL 385. PAGE 269. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSAL DO? Proposal 385 seeks to establish a directed gillnet fishery for chinook salmon in Section 11-B (marine waters in Taku Inlet and Stephen's Passage).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR. (c)(4)(A) Section 11-B opens on the third Sunday in June.

5 AAC 33.367. HARVEST AND ALLOCATION OF NET CAUGHT SALMON. (A) The department shall manage the commercial net harvest of chinook salmon, other than Alaska hatchery chinook salmon harvested in special harvest areas, with individual quotas as follows: (2) drift gillnet fishery: 7,600.

PACIFIC SALMON TREATY, ANNEX IV, CHAPTER 1 (3)(b)(3)(ii) The parties agree that new fisheries on Taku River chinook salmon will not be developed without the consent of both parties. Consistent with paragraph 2 above, management of new directed fisheries will be abundance-based through an approach developed by the [Transboundary Technical] Committee.

- **WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED?** The catch in the District 11 drift gillnet fishery of wild chinook salmon stocks returning to the Taku River would increase. Without a change in the drift gillnet allocation quota (5 AAC 33.367(2)), the allocation of 7,600 chinook salmon (not including Alaska hatchery fish) for the combined Southeast Alaska drift gillnet fisheries could be exceeded and result in closures of gillnet fisheries. Although Taku River chinook salmon stocks are considered to be rebuilt, an abundance-based management regime would need to be in place to ensure a directed chinook fishery will not over-harvest these stocks.

BACKGROUND: Prior to 1976 directed drift gillnet fishing for chinook salmon was allowed by regulation in District 11 between late April and mid-June. As a result of very low escapements of Taku River chinook salmon in the early 1970s, the Board of Fisheries passed regulations instituting closures in the directed gillnet fishery, delaying the opening of the fishery until the third Sunday in June. Time and area closures were also implemented in commercial troll and sport fisheries harvesting Taku River chinook salmon.

Since 1976, harvests of chinook salmon in the District 11 drift gillnet fishery have been incidental during fisheries directed at sockeye and chum salmon. Catches have been composed primarily of wild fish returning to the Taku River and Southeast Alaska hatchery stocks, particularly from northern Southeast Alaska. Prior to the closure of the directed drift gillnet fishery in 1976, the majority of the District 11 gillnet harvest of chinook salmon coincided with the peak migration of chinook spawners into the Taku River between late April and early June. In the future, if gillnet openings were allowed in District 11 prior to mid-June, it is likely that wild Taku River chinook salmon would compose most of the chinook salmon harvest, with lesser contributions of Alaska hatchery fish.

District 11 drift gillnet catches of chinook salmon from statehood through 1975 averaged 5,600 fish (Figure 385-2), but dropped to an average of 2,500 fish between 1976 and 2002. Since Alaska hatcheries began contributing to the fishery in 1979, an average of 670 hatchery chinook salmon (26% of the harvest) has been taken annually in the gillnet fishery (Figure 385-3).

A Canadian in-river Taku River gillnet fishery directed at sockeye salmon began in 1979. Harvests of chinook salmon in the fishery have averaged 1,300 fish since 1979, reaching a high of 3,500 fish harvested in 1996 (Figure 385-2).

Taku River chinook salmon runs have responded to conservation efforts taken in Southeast Alaska fisheries, with escapement increasing from a 1973-1984 average of 23,300 fish to a 1985-2001 average of 47,800 fish (Figure 385-1). A Taku River chinook escapement goal of 30,000-55,000 large (3-ocean and older) spawners was developed after analysis of extensive stock assessment data. The goal was formerly accepted in 1999 by the department, by the Canadian department of Fisheries and Oceans, and by the Transboundary and Chinook Technical Committees of the Pacific Salmon Commission (PSC). Taku River chinook salmon escapements have met or exceeded the 30,000-55,000 fish goal annually since 1988, with the exception of 1999.

As the Taku River chinook salmon run has rebuilt, area closures that the Board of Fisheries implemented in 1976 to limit sport harvests of Taku River chinook salmon in the Juneau Spring sport fishery (April 15 – June 14) have been relaxed. From 1976 through 1988, waters between Limestone Inlet and Point Louisa were closed to sport fishing. In 1989, closed waters were reduced to the waters of Taku Inlet north of a line from Point Bishop to Dorothy Creek and then further reduced in 1994 to waters north of a line from Cooper Point to Dorothy Creek. Estimated harvests of Taku River chinook salmon in the spring Juneau marine sport fishery have increased from a 1977-1988 average of 1,600 fish to a 1989-2001 average of 2,800 as a result of the area closure relaxations as well as increased Taku River returns.

DEPARTMENT COMMENTS: While the department is neutral regarding the allocative aspects of this proposal, it **opposes** the proposal at this time because chapter 1, paragraph 3 of Annex IV of the Pacific Salmon Treaty requires consent of both parties for development or reenactment of directed gillnet fisheries for Transboundary River chinook salmon and a bilateral agreement with Canada for abundance-based management of the runs.

Harvest sharing for Taku River chinook salmon must be agreed to bilaterally with Canada within the PSC process. At the February, 2000 BOF meeting in Sitka, the Board directed the department to begin to negotiate terms with Canada within the PSC process to establish directed fisheries for Taku River chinook salmon. The Board also directed the department to submit an Agenda Change Request to the Board, once negotiations with Canada are completed, to consider a proposal to implement directed Taku River chinook salmon commercial fisheries. Negotiations with Canada on development of fishery regimes and harvest sharing for directed Taku River chinook salmon fisheries took place at PSC meetings in Portland (January, 2002) and Vancouver, B.C. (February, 2002). Although last year's negotiations did not result in agreements for directed U.S. or Canadian fisheries, discussions were fruitful and will be continued at PSC meetings in January and February, 2003.

Prior to implementing directed fisheries for chinook salmon in District 11, pre-season forecasts and in-season run strength assessment programs need to be operational. Development of these programs is much farther along for the Taku River than for the Stikine River (proposal 384). During the 2000-2002 field seasons, the department and the Canadian department of Fisheries and Oceans (DFO) continued to make improvements in the Taku River chinook salmon stock assessment program, including improvements in pre-season forecasting and in-season run strength monitoring. The agencies believe these program improvements now provide the necessary tools needed to manage Taku River chinook salmon to achieve MSY escapement goals and allow directed fisheries on the run. Taku River chinook salmon surplus to escapement needs have reached the spawning grounds in recent years.

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

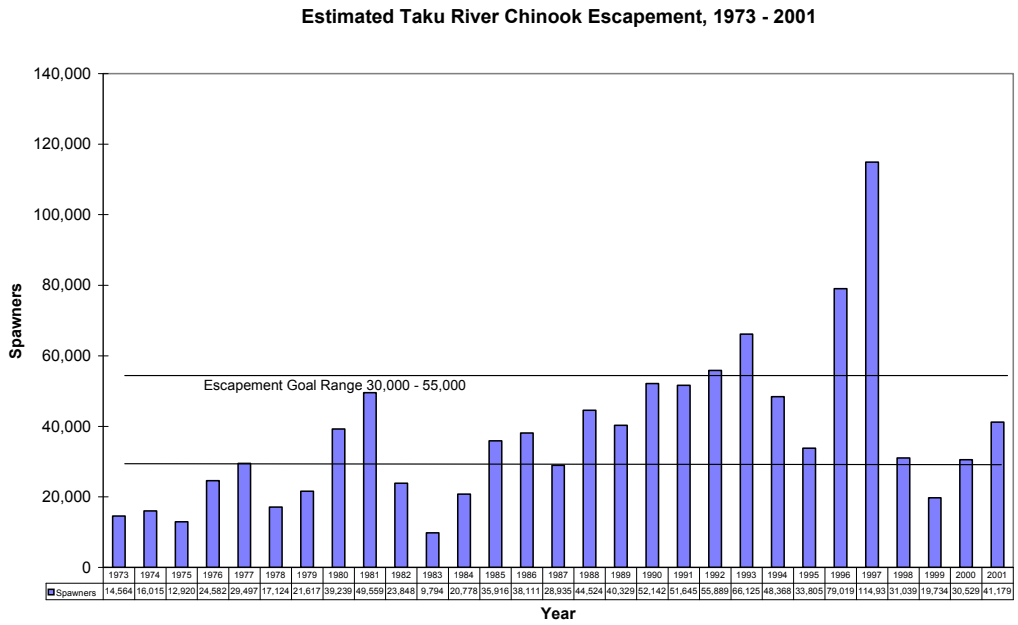


Figure 385-1. Estimated Taku River chinook salmon escapements, 1973–2001.

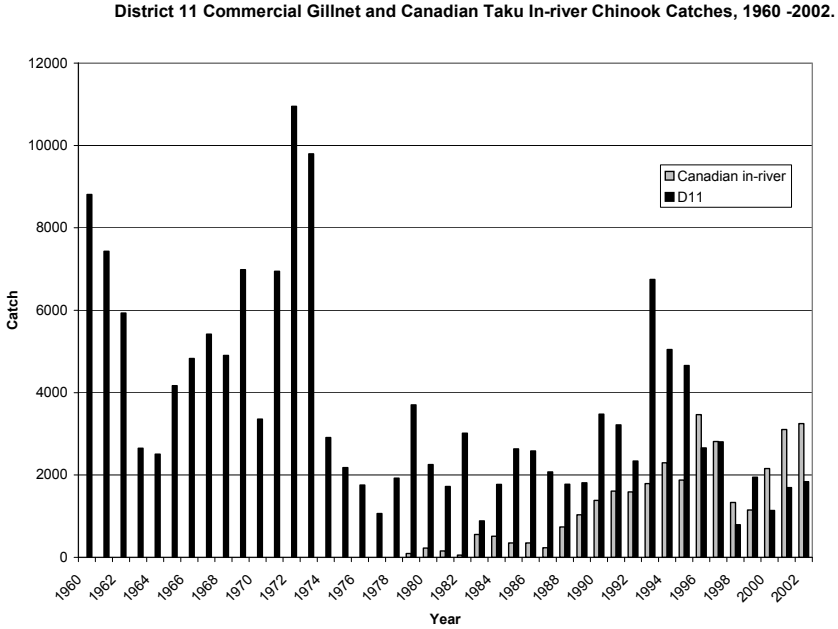
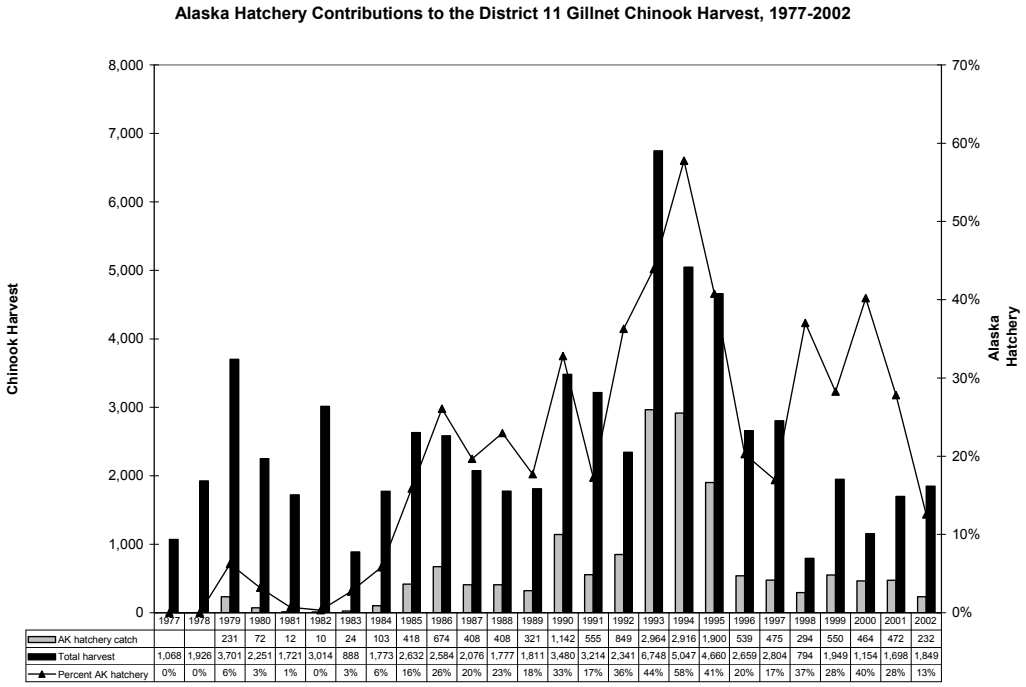


Figure 385-2. Chinook salmon harvests in the District 11 commercial drift gillnet and Canadian Taku River fisheries, 1960–2002.



	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
AK hatchery catch			231	72	12	10	24	103	418	674	408	408	321	1,142	555	849	2,964	2,916	1,900	539	475	294	550	464	472	232
Total harvest	1,068	1,926	3,701	2,251	1,721	3,014	888	1,773	2,632	2,584	2,076	1,777	1,811	3,480	3,214	2,341	6,748	5,047	4,660	2,659	2,804	794	1,949	1,154	1,698	1,849
Percent AK hatchery	0%	0%	6%	3%	1%	0%	3%	6%	16%	26%	20%	23%	18%	33%	17%	36%	44%	58%	41%	20%	17%	37%	28%	40%	28%	13%

Figure 385-3. Alaska hatchery contributions to the District 11 drift gillnet chinook salmon harvest, 1977–2002.

PROPOSAL 387. PAGE 270. 5 AAC 33.200. FISHING DISTRICTS AND SECTIONS.

WHAT WOULD THE PROPOSAL DO? If adopted, the proposal would shift the western end of the northern boundary line of Section 11-B approximately one mile to the northwest from [the Coast Guard marker and Light on Point Arden] as in 5 AAC 33.200.(k)(2) to False Point Arden (Figure 387-1).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.200. FISHING DISTRICTS AND SECTIONS.

(k) District 11: Stephens Passage and contiguous waters north of a line from Point League to Point Hugh and Seymour Canal north of 57^0 37' N. lat., south of the latitude of Little Island Light, and east of a line from Little Island Light to Point Retreat Light;

(1) Section 11-A: waters of the district north and west of a line from a point at 58^0 12.33' N. lat., 134^0 10' W. long., to the Coast Guard marker and Light on Point Arden;

(2) Section 11-B: waters of the district north of the latitude of Midway Island Light and south and east of a line from a point at 58^0 12.33' N. lat., 134^0 10' W. long., to the Coast Guard marker and Light on Point Arden;

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? The effect of this proposal if adopted would be to allow commercial drift gillnetting in a small portion of Section 11-A, where gillnetting is not currently allowed by regulation. Regulations allow commercial purse seining in Section 11-A (5 AAC 33.310), but records indicate that purse seining has not occurred in the section since statehood. This proposal would result in increased fishing area for drift gillnetters in the outer Taku Inlet/Stephens Passage area. This would likely result in some increased effort and increased gillnet harvest, particularly in the productive stretch of shoreline at Point Arden. It may also affect the historical catch-per-unit effort data that the department uses to monitor the fishery.

BACKGROUND: The existing boundary line between 11-A and 11-B, from the Coast Guard marker and light on Point Arden to a point at 58° 12.33' north latitude, 134° 10' west longitude, went into effect in 1978. Currently in the Taku drift gillnet salmon fishery, at certain times and stages of the tide, Point Arden becomes a focal point for fishing, a 'line fishery', and boats take turns making sets adjacent to the boundary line. Harvests in the Point Arden area are of highly mixed species and stocks. Wild and hatchery stocks from the Taku River, Port Snettisham, Stephens Passage and Gastineau Channel all contribute to the catches made there.

DEPARTMENT COMMENTS: While the department is neutral on the allocative aspects of the proposal it **opposes** the proposal because the redrawn line would expand waters open to fishing that are highly mixed stock in nature. There would likely be a concomitant increase in catch and effort on mixed stocks in the new area, and this would present significant challenges to the department in developing management measures to target returns on specific stocks in the district.

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

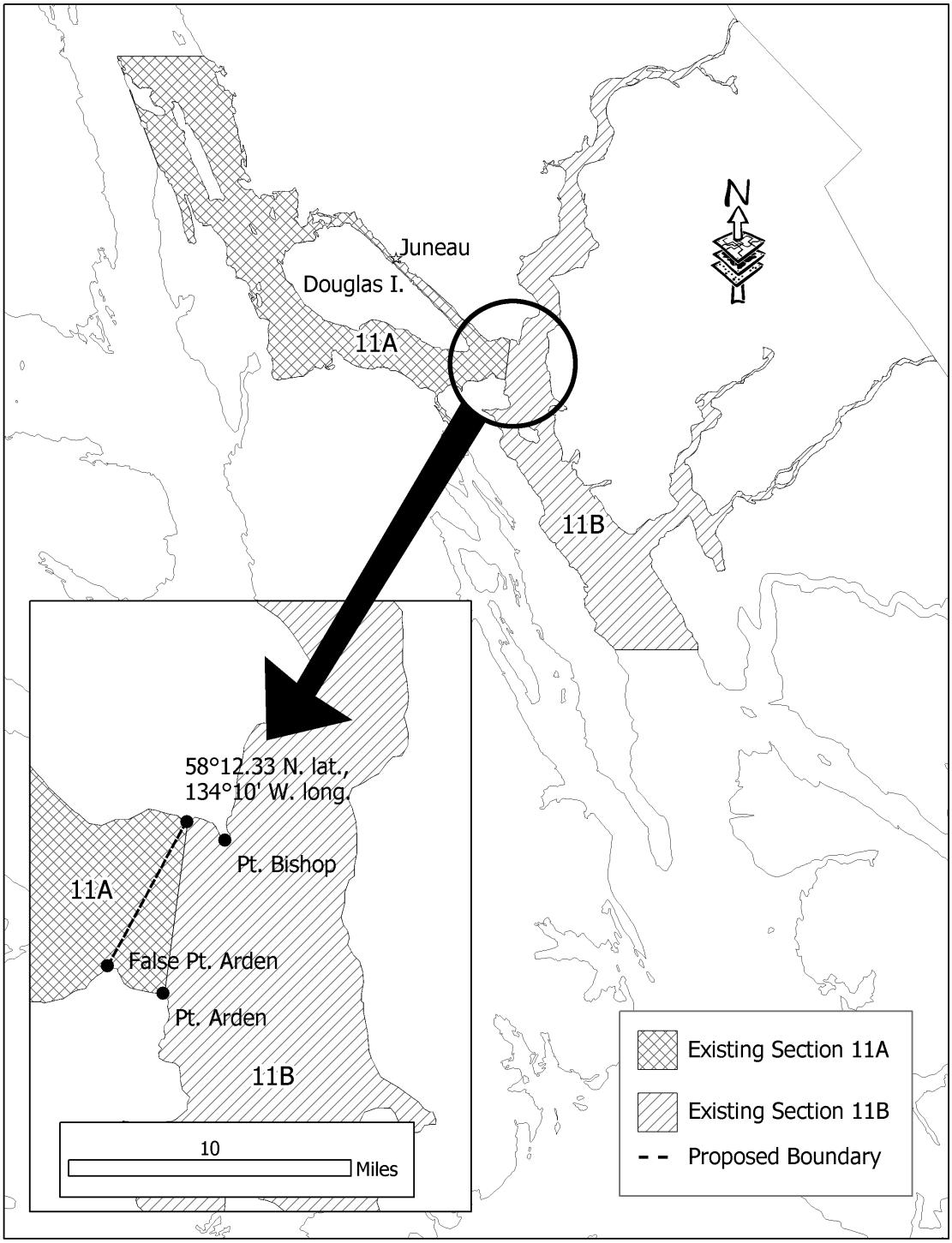


Figure 387-1. Proposed drift gillnet boundary at False Pt. Arden.

PROPOSALS 388 AND 391. PAGES 270 AND 272. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR; AND 5 AAC 33.366 NORTHERN SOUTHEAST SEINE FISHERY MANAGEMENT PLANS.

WHAT WOULD THE PROPOSAL DO? Proposals 388 and 391 address the sockeye salmon harvest limit in the purse seine fishery in the month of July north of the latitude of Point Marsden in District 12 (Figure 388-1), i.e., the Hawk Inlet fishery. Proposal 388 seeks to reduce the harvest limit from 15,000 to 10,000 sockeye salmon. Proposal 391 seeks to retain the existing harvest limit of 15,000 sockeye, but would include only wild sockeye salmon stocks in the total and subtract harvests of enhanced sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 33.366. NORTHERN SOUTHEAST SEINE FISHERY MANAGEMENT PLANS

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 sockeye salmon are taken.

(b) Salmon may be taken during emergency order openings for chum salmon in Excursion Inlet only in waters of Section 14-C north of the latitude of the northern tip of the Porpoise Islands; the department may open the area by emergency order only after consideration of concerns for chum and coho salmon conservation.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? Proposal 388 seeks to reduce the harvest limit from 15,000 to 10,000 sockeye salmon in the Hawk Inlet fishery. The effect of this would be more conservative seine openings, additional passage of northbound pink salmon, and foregone harvest opportunity for the purse seine fleet on pink salmon surplus to escapement requirements. Proposal 391 retains the 15,000 sockeye harvest limit, but the limit would include wild fish only, hatchery-produced sockeye would not be counted in the limit. This would not increase harvests of wild sockeyes over what the regulation allowed when it was implemented since there were no enhanced sockeyes at that time. It would effectively increase the total number of sockeye that could be caught in July at Hawk Inlet before curtailing the fishery. It could potentially lead to more aggressive seine openings on the Hawk Inlet shoreline and increase exploitation of north bound pink salmon and enhanced sockeye salmon.

BACKGROUND: In 1988 the Board of Fisheries adopted a regulation that allowed a commercial purse seine fishery on the Hawk Inlet shoreline north of Point Marsden during the month of July to improve utilization of Taku River pink salmon. The area had been closed by regulation prior to August 1 since 1984. Openings in that area now depend upon an early assessment of the run and the general abundance of pink salmon in the Hawk Inlet shoreline area. Indicators of abundance are: the District 11 drift gillnet fishery performance, the Taku River fish wheel catches, test fishing along the Hawk Inlet shoreline, and aerial observations of abundance throughout the Juneau area. Conservation of all species was to be considered prior to opening the Hawk Inlet shoreline, and a maximum harvest of 15,000 sockeye was established for the area for July. The results of the new fishery were to be evaluated by the Board during the Winter 1990 Board meeting.

During the 1994 Board of Fisheries meeting, an extramural agreement was reached among the department, the Southeast Alaska Seiners (SEAS), and the United Southeast Alaska Gillnetters (USAG) concerning the

sockeye accounting procedures to be used by the department for the Hawk Inlet shoreline fishery in July. The department is to monitor the purse seine fisheries at Hawk Inlet shoreline and adjacent locations (Point Marsden and Point Augusta), and to include the total catch of sockeye from those fisheries in the catch cap of 15,000 fish. This catch cap has been reached only once since 1989 during years when the Hawk Inlet shoreline has been opened to purse seining (Table 388-1).

Since the establishment of the Hawk Inlet fishery sockeye catch cap, the Snettisham Hatchery inside Port Snettisham in District 11 started a program to produce sockeye salmon for the common property fisheries. Enhanced sockeye smolts have been released from the Snettisham Hatchery since 1994 (Figure 388-2). Production of hatchery smolts ranged from between one and two million smolts per year between 1994 and 1996 (no smolts were released in 1997 due to a disease outbreak). Annual smolt production increased significantly in 1998 with the release of 5.63 million smolts. Smolt production since has remained near five million, and has led to a substantial increase in the returns of adult sockeye to the hatchery.

All Snettisham Hatchery sockeye are produced with thermally-marked otoliths and are traceable in the catch. Snettisham Hatchery adult sockeye have been documented, starting in 1999, in the traditional purse seine openings north of Point Marsden and in the Hawk Inlet test fishery conducted annually by the department to assess north bound pink salmon abundance (Table 388-2). The contribution of thermally-marked Snettisham Hatchery sockeye to the catch in the commercial fisheries (troll, gillnet and purse seine fisheries in Districts 10, 11, 12, 14, and 15) has increased since 1999, based on in-season thermal mark recovery information (Figure 388-3).

Based on the increasing returns of Snettisham Hatchery sockeye, and the existing thermal-mark recovery data available, it is reasonable to assume that recent accountings of the sockeye catch limits at Hawk Inlet include a higher proportion of hatchery sockeye in relation to wild sockeye. The department's existing fish ticket system, fishery overflight program, and in-season thermal-mark recovery program will continue to be used to monitor the Hawk Inlet fishery.

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

The department submitted proposal 392 that further clarifies the procedures used by the department to account for the sockeye harvest limit in the Hawk Inlet fishery.

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

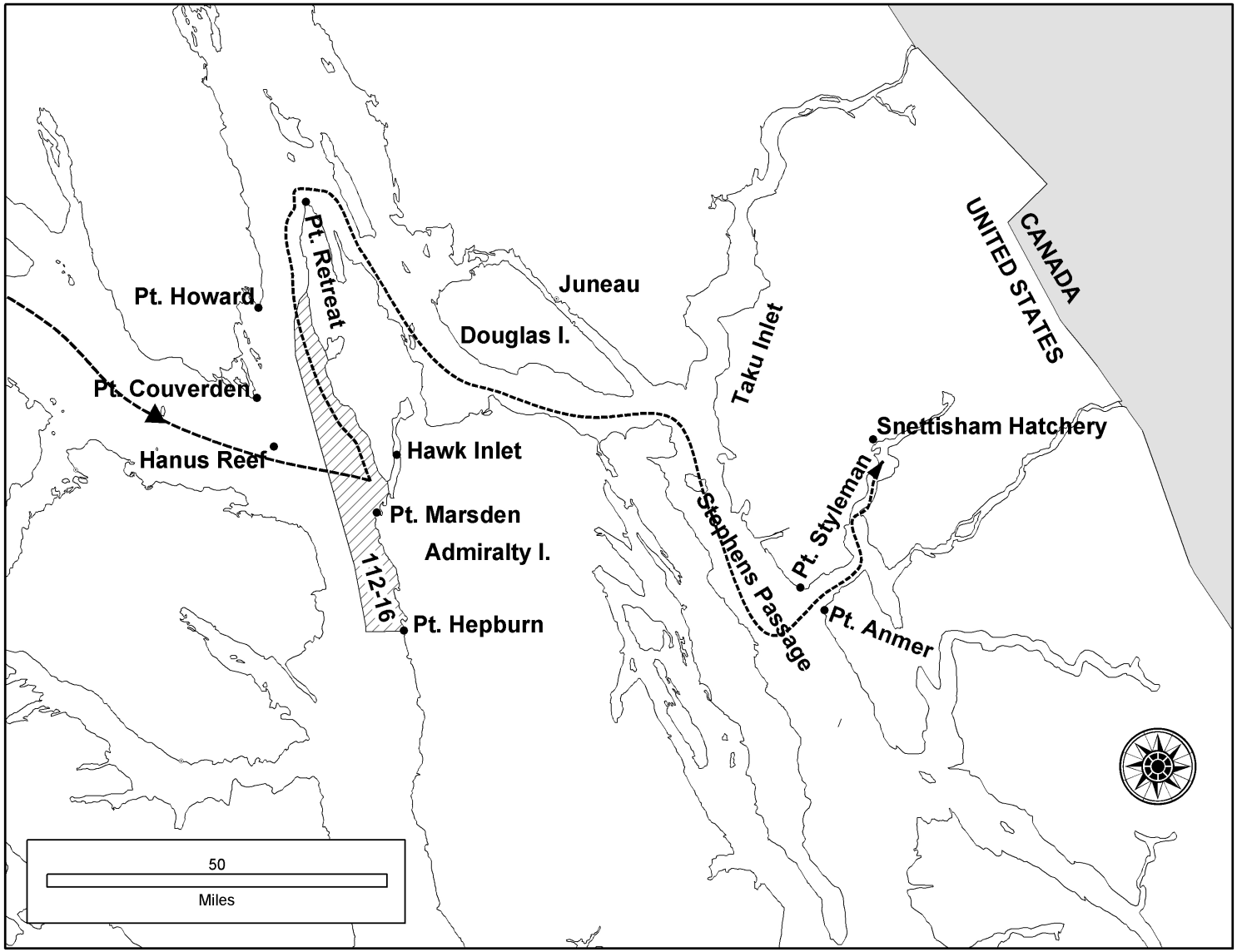


Figure 388-1. Port Snettisham sockeye migration route in relation to Hawk Inlet and Pt. Marsden.

Table 388-1. Hawk Inlet, July, purse seine openings and sockeye salmon harvest, 1989–2002.

Year	Date	Boats	Hours	Sockeye	Pink	Chum
1989	7/9	62	15	3,595	113,577	5,799
	7/16-17	45	39	11,437	558,013	13,387
			Total	15,032	671,590	19,186
1992	7/23	46	15	12,529	218,873	18,673
1993	7/11	33	12	6,120	80,471	30,325
1994	7/15	57	15	7,061	283,239	41,661
	7/18	30	8	3,262	125,674	11,251
			Total	10,323		
1999	7/18	28	8	2,655	211,731	20,222
	7/21	28	15	3,221	385,943	26,143
			Total	5,876	597,674	46,365
2001	7/19	47	12	10,579	194,624	16,508

Table 388-2. Contribution of thermally marked sockeye salmon to July common property purse seine harvests north of Point Marsden and proportion of test fishery harvests.

Enhanced (1) Sockeye Salmon Percentage (%) of Catch				**Estimated Enhanced Sockeye in Catch**		
Data (Source(2))	**Snettisham**	**Other (3)**	**Total**	**Snettisham**	**Other**	**Total**
7/18/1999 (CP)	13%	4%	17%	335	114	449
7/21/1999 (CP)	14%	4%	18%	457	129	586
7/19/2001 (CP)	26%	2%	28%	2,750	212	2,962
6/29/01 (TF)	0%	6%	6%			
7/6/01 (TF)	3%	4%	7%			
7/13/01 (TF)	16%	1%	17%			
6/29/02 (TF)	4%	0%	4%			
7/12/02 (TF)	20%	3%	23%			
7/19/02 (TF)	15%	8%	23%			

(1): all enhanced sockeye salmon released have thermal otolith marks.
(2): (CP) = common property commercial harvests and (TF) = test fishery results.
(3): other group of enhanced sockeye includes Chilkat Lake, Taku River (Tatsamenie Lake) and Stikine River (Tahltan Lake) marks.

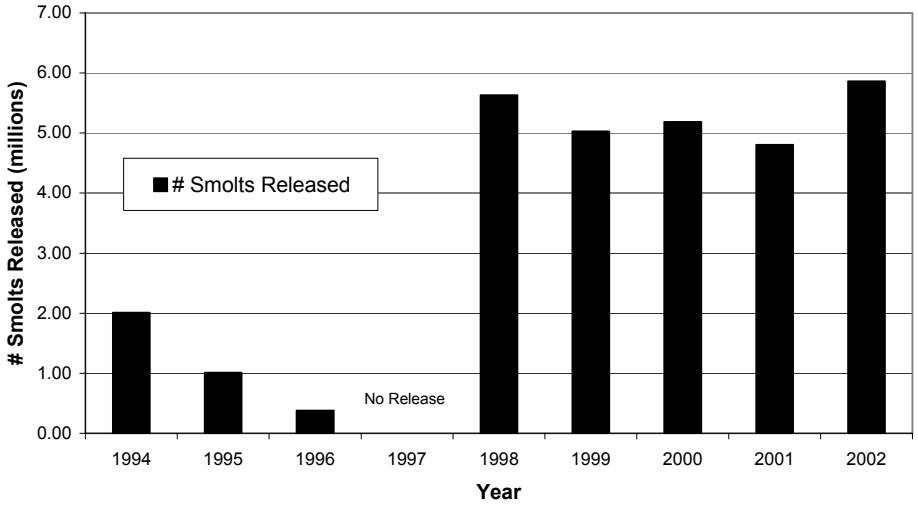


Figure 388-2. Snettisham hatchery smolt releases.

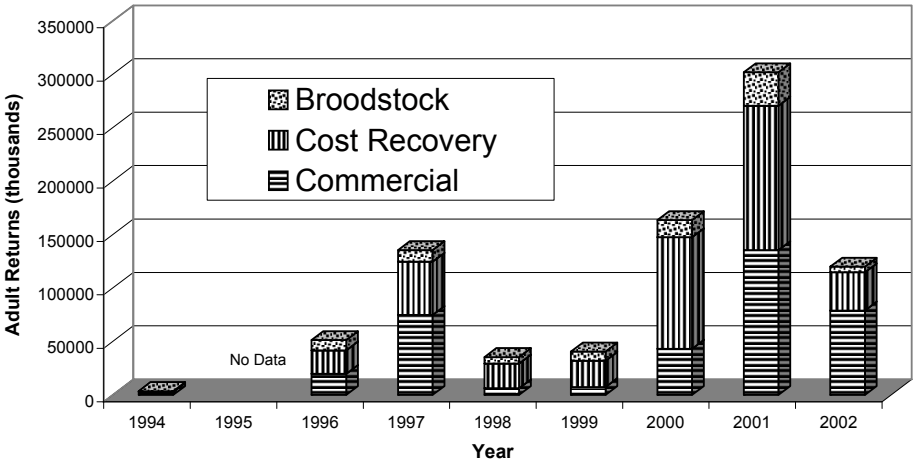


Figure 388-3. Snettisham hatchery adult sockeye salmon returns.

PROPOSAL 389. PAGE 271. 5 AAC 33.310. FISHING SEASONS AND PERIODS FOR NET GEAR.

WHAT WOULD THE PROPOSAL(S) DO? If adopted, this proposal would include closed waters for the purse seine fleet within the District One Pink Salmon Management Plan (5 AAC 33.360) if the purse seine fleet is fishing more than two calendar days in a row without a two day break in between the openings.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.360. DISTRICT ONE PINK SALMON MANAGEMENT PLAN.

On and after the third Sunday in July, when a purse seine fishery is harvesting pink salmon stocks subject to concurrent salmon fishing by drift gillnets in Section 1-B, the following time formula applies:

> (1) when the purse seine fishery is open for any portion of one day during a fishing week, the drift gillnet fishery must be opened for 48 hours during the same fishing week;
> (2) when the purse seine fishery is open for any portion of two days during a fishing week, the drift gillnet fishery must be open for 96 hours during the same fishing week;
> (3) when the purse seine fishery is open for any portion of three or more days during a fishing week, the drift gillnet fishery must be opened for 120 hours during the same fishing week.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL (S) IS ADOPTED? This proposal would, by regulation, close down a large portion of sub-area 101-23 during the time the District 1 Pink Salmon Management Plan (D1PSMP) is in place (Figure 389-1). This is from the third Sunday in July through the end of the pink salmon seine season in late August or early September. This area would be closed regardless of the magnitude of the salmon returns to the area or the allocation levels between the two gear groups.

BACKGROUND: The District 1 Pink Salmon Management Plan is a time allocation formula between the District 1 (Tree Point) drift gillnet and the District 1 purse seine fleets. It is not a salmon allocation formula. The Board of Fisheries adopted the Plan in the early 1980's. Since adoption of the plan pink returns to District 1 have been very strong in most years and the District 1 gill net fleet has generally been allowed four and five day fishing weeks from mid-July through late August or early September.

Since 1990 the department has managed the pink salmon purse seine fishery in Southeast Alaska using a two-day on two-day off fishing schedule. This schedule was a plan that was acceptable to the purse seiners, processing industry, and the department to handle the large returns of pink salmon to Southeast Alaska. This 2-on, 2-off schedule meant that the District 1 seine fleet often received three to four days of fishing each week from mid-July through the end of the pink salmon season which meant the Tree Point fishery received 4 to 5 days of fishing.

In 2002 the department, with the agreement of the purse seine fleet and the processing industry, changed the 2-day on, 2-day off fishing schedule to longer openings in order to provide a fresher supply of pink salmon to the canneries. This schedule was in place during the last three weeks of August of 2002. The following table illustrates the difference in fishing hours under the 2002 schedule vs. what the fishing time would have been under the 2-day on, 2-day off schedule:

Actual Hours 2002	Hours Under 2-Day on, 2-Day Off

Stat Wk 33	60	58
Stat Wk 34	90	59
Stat Wk 35	90	78
Total	240	195

It is not possible to draw any conclusions from just one season. The harvest figures for the 2002 season in the purse seine fishery in sub-district 101-23 reflect a substantially lower harvest of sockeye, pink, and chum salmon. Tree Point's catch showed a lower sockeye and chum harvest, but a higher pink salmon harvest. The percent of harvest by species of the total catch was similar to the past ten years, with the exception of pink and chum salmon at Tree Point.

TREE POINT AND 101-23 PURSE SEINE HARVEST AND PERCENT OF TOTAL

	SOCKEYE	COHO	PINK	CHUM
2002 TREE POINT	120,353 (15%)	33,516 (4%)	512,500 (63%)	144,920 (18%)
1992 – 01 MEAN	178,052 (16%)	41,055 (4%)	507,090 (46%)	386,178 (35%)
2002 PURSE SEINE	8,282 (2%)	5,736 (1%)	489,154 (94%)	17,809 (4%)
1992 – 01 MEAN	16,758 (2%)	3,724 (1%)	984,007 (93%)	51,588 (5%)

DEPARTMENT COMMENTS: The department is **neutral** when it comes to the allocative aspect of this proposal. However, the department notes that this proposal would change a long-standing management plan based on only one year's experience in changing purse seine management. If this proposal was passed, and the department continues to modify the 2-on 2-off regional approach to purse seine fishing in years of large pink salmon returns, a substantial fishing area would be closed to purse seining that may not need to be closed for conservation reasons.

The department is aware of the possibility of allocative changes between the District 1 purse seine fleet and the Tree Point drift gillnet fleet. The department, in its 2002 Purse Seine Management Plan, pointed out that any new fishing pattern for the District 1 purse seine fishery should not affect the regional allocative guidelines set forth by the Alaska Board of Fisheries.

COST ANALYSIS: If adopted this proposal would not lead to any further cost to a permit holder.

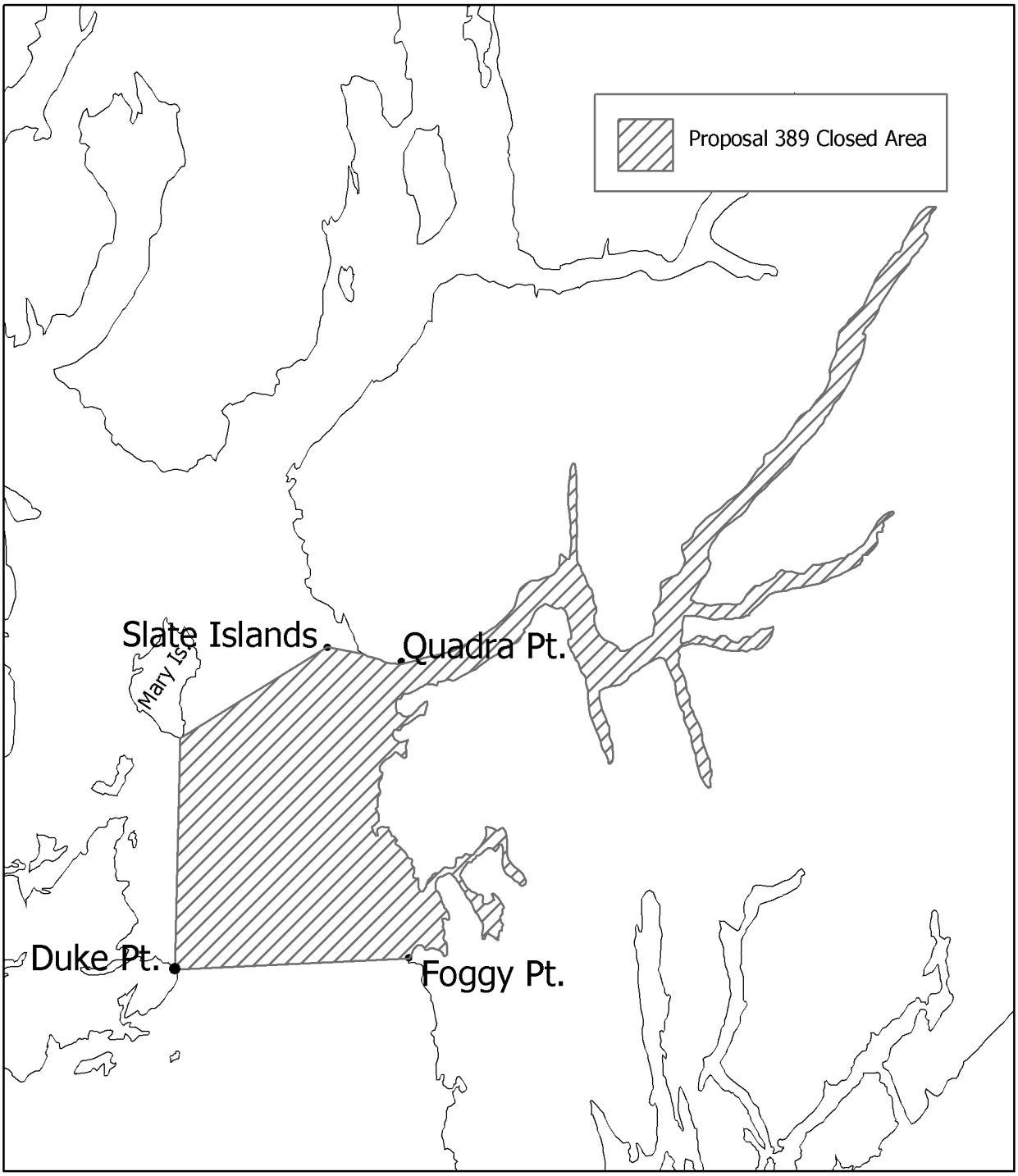


Figure 389-1. Proposed closed waters to purse seine fishery in District 1.

PROPOSAL 392. PAGE 273. AAC 33.366. NORTHERN SOUTHEAST SEINE FISHERY MANAGEMENT PLANS.

WHAT WOULD THE PROPOSAL DO? Proposal 392 clarifies the procedure used by the department to account for the sockeye harvest limit in the purse seine fishery in the month of July north of the latitude of Point Marsden in District 12 i.e., the Hawk Inlet fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.366. NORTHERN SOUTHEAST SEINE FISHERY MANAGEMENT PLANS

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 sockeye salmon are taken.

(b) Salmon may be taken during emergency order openings for chum salmon in Excursion Inlet only in waters of Section 14-C north of the latitude of the northern tip of the Porpoise Islands; the department may open the area by emergency order only after consideration of concerns for chum and coho salmon conservation.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? Proposal 392 would add clarifying language to 5 AAC 33.366. consistent with how the department currently accounts for the sockeye harvest limit in the Hawk Inlet fishery; it and would not change management of the fishery.

BACKGROUND: In 1988 the Board of Fisheries adopted a regulation that allowed a commercial purse seine fishery on the Hawk Inlet shoreline north of Point Marsden during the month of July to improve utilization of Taku River pink salmon. The area had been closed by regulation prior to August 1 since 1984. Openings in that area now depend upon an early assessment of the run and the general abundance of pink salmon in the Hawk Inlet shoreline area. Indicators of abundance are: the District 11 drift gillnet fishery performance, the Taku River fish wheel catches, test fishing along the Hawk Inlet shoreline, and aerial observations of abundance throughout the Juneau area. Conservation of all species was to be considered prior to opening the Hawk Inlet shoreline, and a maximum harvest of 15,000 sockeye was established for the area for July. The results of the new fishery were to be evaluated by the Board during the Winter 1990 Board meeting.

During the 1994 Board of Fisheries meeting, an extramural agreement was reached among the department, the Southeast Alaska Seiners (SEAS), and the United Southeast Alaska Gillnetters (USAG) concerning the sockeye accounting procedures to be used by the department for the Hawk Inlet shoreline fishery in July. The department is to monitor the purse seine fisheries at Hawk Inlet shoreline and adjacent locations (Point Marsden and Point Augusta), and to include the total catch of sockeye from those fisheries in the catch cap of 15,000 fish. This catch cap has been reached only once since 1989 during years when the Hawk Inlet shoreline has been opened to purse seining.

Since the establishment of the Hawk Inlet fishery sockeye catch cap, the Snettisham Hatchery inside Port Snettisham in District 11 started a program to produce sockeye salmon for the common property fisheries. Enhanced sockeye smolts have been released from the Snettisham Hatchery since 1994. Production of hatchery smolts ranged from between one and two million smolts per year between 1994 and 1996 (no smolts were released in 1997 due to a disease outbreak). Annual smolt production increased significantly in 1998 with the release of 5.63 million smolts. Smolt production since has remained near five million, and has led to a substantial increase in the returns of adult sockeye to the hatchery.

All Snettisham Hatchery sockeye are produced with thermally-marked otoliths and are traceable in the catch. Snettisham Hatchery adult sockeye have been documented, starting in 1999, in the traditional purse seine openings north of Point Marsden and in the Hawk Inlet test fishery conducted annually by the department to assess north bound pink salmon abundance. The contribution of thermally-marked Snettisham Hatchery sockeye to the catch in the commercial fisheries (troll, gillnet and purse seine fisheries in Districts 10, 11, 12, 14, and 15) has increased since 1999, based on in-season thermal mark recovery information.

Based on the increasing returns of Snettisham Hatchery sockeye, and the existing thermal-mark recovery data available, it is reasonable to assume that recent accountings of the Hawk Inlet shoreline sockeye catch limits include a higher proportion of hatchery sockeye in relation to wild sockeye. The department's existing fish ticket system, fishery overflight program, and in-season thermal-mark recovery program will continue to be used to monitor the Hawk Inlet shoreline fishery for the sockeye cap.

DEPARTMENT COMMENTS: The department submitted and **supports** this proposal. Proposals 388 and 391 also concern the sockeye harvest limit for the purse seine fishery in the month of July north of the latitude of Point Marsden in District 12.

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