Alaska Department of Fish and Game **RC2**

Staff Comments on Commercial, Sport, Subsistence, and Personal Use Finfish Regulatory Proposals, Committee of the Whole, Committees A, B, C and D for Southeast Alaska and Yakutat Finfish Management Areas

Alaska Board of Fisheries Meeting,

Ketchikan, Alaska

February 24–March 4, 2012

Regional Information Report No. 1J12-01

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, February 24–March 4, 2012 in Ketchikan, Alaska.

The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

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ABSTRACT

The staff comments on regulatory proposals for Southeast Alaska and Yakutat finfish represent department positions as they relate to proposals to be addressed at the Alaska Board of Fisheries Meeting, February 24–March 4, 2012.

Key words: Alaska Board of Fisheries Meeting, finfish, salmon, herring, groundfish, subsistence, personal use, sport commercial, fisheries

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Table 1.–Alaska Department of Fish and Game positions as they relate to Board of Fisheries proposals 141–144, 199–200, and 206–344.

Proposal Number	**Department Position**	**Issue**
141	O	Prohibit fishing for bottomfish and shellfish near Cache Island by all users.
142*	N	Prohibit nonresidents from fishing for bottomfish and shellfish in a portion of Behm Canal.
143*	N	Prohibit nonresidents from fishing for bottomfish and shellfish near Naha Bay.
144*	N	Prohibit nonresidents from fishing for bottomfish and shellfish near Cedar Island.
199	N	Amend groundfish area registration to specify registration by vessel.
200	S	Clarify use of post-processed and reported commercial fish as bait.
206	O	Create a commercial spiny dogfish pot fishery in the Ketchikan area.
207	O	Increase the sport fish dogfish daily bag limit.
208	S	Establish commercial fishing seasons for Pacific cod for the Eastern Gulf of Alaska area in regulation.
209	S	Establish commercial fishing seasons for black rockfish for the Eastern Gulf of Alaska area in regulation.
210	S	Require release of demersal shelf rockfish at depth.
211	S	Require release of nonpelagic rockfish at 40 feet or greater.
212	N	Increase the sport allocation of demersal shelf rockfish from 16% to 25%; decrease the commercial allocation from 84% to 75%.
213	O	Establish a point system for retention of rockfish.
214	S	Clarify regulation in Southern Southeast Inside Subdistrict to allow the release of live, healthy sablefish, but require the retention of dead or injured fish.
215	S	Amend the off-season fishing regulation to facilitate permit holders' participation in sablefish stock assessment surveys.
216	N	Repeal the nonresident sport fish sablefish annual limit.

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Table 1.–continued (page 2 or 9)

Proposal Number	Department Position	Issue
217	N/O	Establish a lingcod allocation between commercial user groups; increase the lingcod guideline harvest range (GHR) in Icy Bay Subdistrict.
218	N	Allow salmon trollers to retain lingcod bycatch in Sitka Sound.
219	O	Increase the Northern Southeast Outside lingcod GHR for lingcod GHR by 2,500 round lb and allocate that entire increase to the commercial salmon troll fishery.
220	N	Reallocate a portion of the Eastern Yakutat Section lingcod GHR from the commercial longline fishery to the directed fishery.
221	N	Increase sport allocation of lingcod in Central Southeast Outside and Southern Southeast Outside Coast sections.
222	O	Increase the lingcod GHR in Eastern Yakutat Section with the increase allocated to the directed commercial fishery.
223	S	Clarify that dinglebar gear in the lingcod fishery allows only one line.
224	O	Allow lingcod to be used as commercial bait.
225	N	Allow combining two units of gear in herring spawn-on-kelp fishery.
226	S	Amend spawn-on-kelp gear marking and removal requirements.
227	S	Amend to clarify that only the purse seine fishery is an equal quota share fishery.
228	S	Change mesh size for gillnet fisheries in District 1.
229	S	Change mesh size for gillnet fisheries in District 1.
230	O	Revise the Commercial Herring Fishery Management Plan for Sitka Sound
231	O	Amend management for the herring sac roe fishery GHL in sections 13-A and 13-B.
232	O	Repeal regulations for establishing the herring fishery GHL for in sections 13-A and 13-B.
233	N	Establish an equal-share fishery for herring sac roe in Sitka Sound.

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Table 1.–continued (page 3 or 9)

Proposal Number	Department Position	Issue
234	N	Establish an equal-share fishery for herring sac roe in Sitka Sound.
235	O	Restrict fishing vessels from entry into the announced fishing area prior to openings in the Sitka Sound commercial herring fishery.
236	N	Change specifications for herring purse seines to reduce depth of nets for the Sitka Sound commercial herring fishery.
237	N	Change specifications for herring purse seine to reduce length of nets for the Sitka Sound commercial herring fishery.
238	O/N	Establish closed waters for the Sitka Sound commercial herring fishery in order to provide an area only open for subsistence.
239	O/N	Exclude commercial herring fishing within a defined area within Sitka Sound to allow for a harvest of herring spawn to meet the amount reasonably necessary for subsistence
240	N	Reallocate Sitka Sound herring to provide up to 1,000 tons of herring for commercial bait when the sac roe fishery GHL exceeds 10,000 tons.
241	N	Revise the herring allocation for Hobart Bay to eliminate winter bait and to provide all the available GHL for gillnet sac roe.
242	N	Increase threshold for the West Behm Canal Herring Fishery from 6,000 tons to 15,000 tons.
243	N	Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe Fishery and allow only gillnet sac roe fishing.
244	N	Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe Fishery and allow only gillnet sac roe fishing.
245	O	Allocate of equal shares in the Southeast sac roe fishery in Section 1-E and 1-F by designation of permit holders to harvest herring for others.
246	S	Clarify that the management measures for the use of two rods is for king salmon only.
247	O	Develop a management plan to protect and enhance the Juneau roadside sport fisheries.

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Table 1.–continued (page 4 of 9)

Proposal Number	Department Position	Issue
248	O	Change the definition of "bag limit" for anglers fishing from a vessel.
249	O/N	Establish nonresident annual limits for sockeye, coho, chum, and pink salmon in the Southeast Alaska Area.
250	O/N	Allow retention of king salmon in the fresh waters of the Southeast Alaska Area.
251	N	Allow use of two rods by unguided anglers in salt water.
252	N	Allow use of power assisted reels by disabled anglers only.
253	O	Establish system for distinguishing between vessels participating in hand troll and guided charter fishing in Southeast Alaska.
254	O	Allow youth and disabled anglers to use bait in high-use and small cutthroat lakes.
255	O/N	Establish a Taku River king salmon sport fishery.
256	S	Prohibit snagging at the mouth of Auke Creek.
258	S	Reopen Sitkoh Bay Sockeye sport fishery.
257	O	Prohibit the use of bait on Cowee Creek
259	O/N	Make fishing within the Sitka Historical Park on the Indian River a fly fishing-only, catch-and-release fishery.
260	N	Liberalize king salmon regulations in the vicinity of Ketchikan.
261	N	Increase king salmon bag limits in the vicinity of Neets Bay.
262	S	Extend the open season and period bait may be used in City Park Ponds until August 31, and modify the bag and possession limit for cutthroat trout, king, and coho salmon.
263	N	Prohibit use of bait in the Klawock River.
264	N	Allow use of bait in the Klawock River.
265	S	Repeal Klawock River regulations applying to adipose fin-clipped steelhead.
266	S	Clarify Klawock Harbor area closed to snagging and retention of sockeye.

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Table 1.–continued (page 5 or 9)

Proposal Number	Department Position	Issue
267	S	Align Post Office Lake regulations with Yakutat roadside systems regulations.
268	-	Clarify where personal use finfish regulations apply.
269	O	Establish a catch report card system for subsistence, personal use, and sport finfish fisheries.
270	S	Require a permit for subsistence and personal use harvest of sablefish.
271	S	Clarify prohibitions to commercial, subsistence, and personal use fishing by commercial sablefish permit holders.
272	S	Clarify subsistence herring and herring spawn customary and traditional use findings for waters of sections 3-A and 3-B.
273	O	Require a permit for subsistence herring eggs-on-branches in Sitka Sound or alter the harvest monitoring program to measure landed weights.
274	O/N	Modify the personal use fishery for salmon in Southeast Alaska to target king and coho salmon and include additional gear types.
275	N	Remove the horsepower limit for the Klawock subsistence area.
276	N	Change the subsistence sockeye fishery in the Klawock River from five to seven days per week.
277	N	Allow dip nets in the Taku River for personal use.
278	N	Extend the personal use fishery season on the Taku River from mid-June through August.
279	N	Increase Taku River sockeye salmon daily and annual bag limit per household based on number of persons in the household.
280	S	Clarify that subsistence in District 15 includes Lutak Inlet and opens time the day before commercial openings.
281	N	Allow 75-fathom gillnet length in the Yakutat Bay subsistence fishery.
282	S	Modify the Situk-Ahrnklin and Lost River king salmon management plan to re-define closed waters, specify nonretention, and clarify action points.

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Table 1.–continued (page 6 or 9)

Proposal Number	Department Position	Issue
283	N	Revise the Situk River Management Plan to de-link Situk escapement from a spring troll in Yakutat Bay.
284	N	Establish increased fishing periods for troll when the directed drift gillnet fishery is open in sections 11-A and 11-B.
285	N	Repeal the 58-foot vessel limit in the Southeast salmon purse seine fishery.
286	N	Increase length limit for Southeast salmon seine vessel to 75 feet.
287	N	Exclude stern ramps and rollers in the 58-foot length limit for the Southeast Alaska area.
288	O/N	Allow seine vessels to transport two seine nets.
289	N	Limit District 5 seine fishery to two days per week to increase gillnet pink salmon harvest.
290	N/O	Increase seining and reduce gillnet fishing in District 6 in September.
291	N/O	Allow harvest of pink salmon along the Pt. Adolphus shoreline in District 14 during years of large pink salmon returns.
292	O	Change gillnet fishery openings from noon Sundays to 8:00 a.m. on Mondays.
293	S	Provide minimum mesh size of six inches in districts 1, 6, 8, 11, or 15 by emergency order when needed to conserve sockeye and access chum.
294	O	Require reporting of commercially-caught salmon and steelhead retained for personal use.
295	O	Modify drift gillnet fishery in Zimovia Strait and Chichagof Pass based on chum:sockeye ratio to provide for increased terminal seine harvest of enhanced chum in the Anita Bay terminal harvest area (THA).
296	N	Open gillnet fishery in Section 6-D all season to provide pink salmon fishery harvest,
297	N	Open gillnet fishery in Section 6-D during pink season when not open to seining.
298	N	Close District 10 to seining and open to gillnet fishing.

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Table 1.–continued (page 7 or 9)

Proposal Number	Department Position	Issue
299	O	Extend commercial closed waters in Taku Inlet to Point Greely-Point Bishop.
300	N	Allow multiple permit holders to fish from the same vessel and to pool harvests.
301	N	Relocate boundary for commercial setnet fishing on Tsiu River to provide a separate sport fishing area.
302	N/O	Prohibit using power boats to drive fish into nets on the Tsiu River.
303	O	Establish criteria to determine the first commercial opening on the Tsiu River.
304	S	Amend Ankau Creek closed waters.
305	S	Amend Akwe River closed waters.
306	S	Change the day when allowable gear increases on the Alsek River from Monday to Sunday.
307	O/N	Allow downriggers in the commercial hand troll fishery all season.
308	O/N	Allow six trolling lines on specified inside waters of Southeast Alaska to increase the harvest of enhanced salmon.
309	S	Allow four hand troll gurdies in the summer troll fishery following the initial king salmon retention period.
310	N	Amend the winter king salmon guideline harvest range by adding hatchery-produced kings.
311	N	Change beginning date for coho salmon retention in the spring king salmon fishery from June 15 to June 1.
312	N	Require 10-day mid-August troll closures for conservation and allocation based on the department's midseason assessment.
313	N	Extend season for the troll coho fishery in Southeast to September 30, but close earlier by emergency order when warranted.
314	O/N	Through September lengthen the troll season in districts 1, 6, and 8 each week gillnet fisheries are opened in these districts.
315	O	In Section 1-E, redefine the area open for trolling and extend the summer closure date from September 20 to September 30.

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Table 1.–continued (page 8 or 9)

Proposal Number	Department Position	Issue
316	S	In Section 1-E, redefine the area open for trolling.
317	O/N	Extend the summer closure date in a portion of Section 1-E to September 30.
318	S	Clarify when Section 1-F is open to trolling.
319	O/N	Increase troll opening in Chichagof Pass to seven days a week to access enhanced Anita Bay chum.
320	N	Increase the area of Section 11-A open to trolling in the directed Taku king salmon fishery.
321	N	Amend closed waters for the Situk River troll fishery.
322	S/N	Amend closed waters for the Situk River troll fishery.
323	N	Revise basis for the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan* to include only production by regional associations.
324	N	Create separate enhanced salmon allocation plans for northern and southern Southeast Alaska.
325	N/O	Re-direct spring troll fishery management to target chum salmon to address the enhanced salmon allocation imbalance.
326	N	Provide a targeted chum salmon fishery for troll gear in Section 11-A to address the enhanced salmon allocation imbalance.
327	S	Define open fishing periods in regulation for DIPAC, SSRAA, and POWHA special harvest areas (SHAs).
328	S	Allow new gear type for broodstock capture in districts 12 and 13.
329	S	Adopt a new SHA for the Port Saint Nicholas hatchery in District 3.
330	S	Close a portion of Bear Cove in the Silver Bay SHA to protect broodstock and provide for safety.
331	N	Revise the Neets Bay hatchery management plan to allow cost recovery and distribute harvests according to the SSRAA board of director's annual plan for allocation.
332	N	Change the Neets Bay hatchery management plan to provide common property access based on enhanced salmon allocation status.

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Table 1.–continued (page 9 or 9)

Proposal Number	Department Position	Issue
333	N	Remove 1:1 gillnet to seine fishing rotation schedule for Neets Bay hatchery common property openings after the 2011 season.
334	N	Continue 1:1 gillnet to seine fishing rotation in Anita Bay THA through 2017.
335	N	Continue 1:1 gillnet to seine fishing rotation in Deep Inlet THA through 2017.
336	N	Allow for a rotational seine and gillnet fishery in the Nakat Inlet THA.
337	S/N	Establish a new Herring Cove THA management plan To distribute harvest between commercial, sport, and personal use fisheries.
338	S	Expand the Kendrick Bay THA to include McLean Arm for commercial seining.
339	S	Change the opening date for the Anita Bay THA to May.
340	N	Modify the open area in the Anita Bay THA to enhance salmon quality.
341	S	Establish a THA in Southeast Cove for seine and troll gear.
342	O	Establish a registration fishery for the Hidden Falls THA to replace cost recovery harvest with tax assessment.
343	S	Open the Hidden Falls THA August 1 through September 20 to allow trolling for enhanced coho and provide for an area during the troll closure.
344	N	Revise the western Deep Inlet THA boundary and season to increase troll fishery access to enhanced king salmon.

COMMITTEE OF THE WHOLE
(50 PROPOSALS)

GROUNDFISH (10)

PROPOSAL 210 – 5 AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management.

PROPOSED BY: Southeast Alaska Guides Organization.

WHAT WOULD THE PROPOSAL DO? This proposal would require the release of demersal shelf rockfish (DSR) in excess of an angler's bag limit at a depth sufficient to allow recompression.

WHAT ARE THE CURRENT REGULATIONS? Southeast Alaska Area nonpelagic rockfish regulations (which includes rockfish in the DSR assemblage) provide for a bag limit of five fish and a possession limit of 10 fish, of which only two per day and four in possession may be yelloweye, with no annual limit. Since establishment of a DSR allocation for the sport fishery in 2006, nonpelagic regulations have been established by emergency order (EO) (Table 210.1), as outlined in 5 AAC 47.065, *Demersal shelf rockfish delegation of authority and provisions for management*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Under current management where anglers are required, by EO, to retain all nonpelagic rockfish caught until their bag limit is reached, this proposal would reduce the mortality of nonpelagic rockfish in excess of their bag limit. This proposal may allow the department to stop requiring anglers to retain all nonpelagic rockfish caught until their bag limit is reached, thereby potentially reducing harvest and mortality by an unknown, but potentially greater, amount.

BACKGROUND: Sport harvest of rockfish in Southeast Alaska, as estimated by the Statewide Harvest Survey (SWHS), averaged about 84,000 fish annually (range 50,000 to 119,000 fish) over the last decade (2001–2010). For this same time period, the number of released rockfish averaged 90,000 fish annually (range 63,000 to 130,000), of which approximately 50% were nonpelagic rockfish. Yelloweye rockfish made up 49% (on average) of all (nonpelagic and pelagic) rockfish harvested from 2008 through 2011, and accounted for up to 71% of the nonpelagic rockfish species sport harvest. Logbook data indicate that 45% of all rockfish caught in the Southeast charter fishery are nonpelagic species. A significant number of rockfish are caught incidentally by anglers targeting other fish, such as halibut. Department informational handouts and education programs attempt to minimize incidental take by encouraging anglers targeting other species to relocate from rockfish habitat.

Nonpelagic rockfish, including those in the DSR assemblage, live in deep water, high-pressure environments. These species are subject to high mortality rates when released at the surface due to the injuries (barotrauma) and positive buoyancy caused by expansion of swim bladder gasses when the fish is brought to the surface. Barotrauma injuries include crushed, displaced, or ruptured internal organs, embolisms (air bubbles in blood), exophthalmia (bulging eye), and detached retina. Often, fish are not able to return to depth by swimming if released at the surface due to increased buoyancy as a result of trapped and expanded gasses inside their body cavities. Pelagic species also incur these injuries, but to a lesser extent, due to physiological and behavioral differences in depth regulation and their preference for shallower water.

When calculating sport fishery removals, mortality is assumed to be 100% for nonpelagic rockfish released at the surface. Studies in Oregon and Alaska indicate that some portion of rockfish released at the surface are able to submerge on their own, but that this ability varies by species and depth of capture. Recent research has focused on ways to reduce the effects of barotrauma by lowering the fish back to deep water quickly after capture. Various recompression devices have been marketed to release fish at the depth of capture as quickly as possible. Research by ADF&G suggests survival of released yelloweye rockfish could be increased from about 20% to over 95% by using these simple devices. Survival of other rockfish species released in the sport fishery in Alaska has not been estimated, but other studies in the scientific literature demonstrate substantial increases in survival following deepwater release for numerous rockfish species.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal requiring release at depth for nonpelagic rockfish. The department recommends the requirement be implemented by a regional regulation (5 AAC 47.030), rather than as a management tool implemented by EO, and further recommends that the board delay implementation until 2013 to allow time for the department to provide information and instruction on the proper release at depth of nonpelagic rockfish, and for the public to become familiar with the technique.

If release at depth of nonpelagic rockfish is required, the department would likely implement, by EO, the same nonpelagic regulations used in 2011 in 2013, with the exception of the regulation requiring retention of nonpelagic rockfish until an angler's bag limit is reached. Under this scenario, catch of nonpelagic rockfish species may increase. However, nonpelagic rockfish mortality would likely decrease because fewer fish would be retained and those released would survive at a higher rate. Under this management, the sport harvest is expected to stay within its allocation.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery.

Table 210.1–Summary of sport fish regulations for rockfish in Southeast Alaska, 1989–2011.

Year	Bag, possession and annual limits	
1989–1993	All rockfish: daily bag limit of 5, of which only 2 may be a yelloweye rockfish; possession limit of 10, of which only 4 may be a yelloweye rockfish.	
1994–2005	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 5 fish, of which only 2 may be a yelloweye rockfish; possession limit of 10 fish, of which only 4 may be a yelloweye rockfish.	
2006	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 3 fish, of which only 1 may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	
2007–2010[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident	Nonresident
	bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6, of which only 2 may be a yelloweye rockfish.	bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4, of which only 2 may be a yelloweye rockfish; annual limit of 3 yelloweye rockfish.
2011[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident	Nonresident
	Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish.	Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish.
	Southeast Inside Waters: bag limit is 3 fish, only one of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	Southeast Inside Waters: bag limit is 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.

[a] 2006–2011: All nonpelagic rockfish caught must be retained until the bag limit is reached and charter operators and crew members may not retain nonpelagic rockfish while clients are on board the vessel.

Note: Pelagic rockfish bag and possession limits are in regulation. Nonpelagic bag and possession limits from 1994 to 2005 were in regulation. Since 2006, nonpelagic regulations have been implemented by emergency order.

PROPOSAL 211 – 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would require the release of all rockfish immediately, and without causing additional injury, at a depth of 40 feet or greater.

WHAT ARE THE CURRENT REGULATIONS? Southeast Alaska Area rockfish regulations provide for a pelagic rockfish bag limit of five fish and a possession limit of 10 fish with no annual limit, and a nonpelagic bag limit of five fish and a possession limit of 10 fish, of which only two per day and four in possession may be yelloweye with no annual limit. Since establishment of a demersal shelf rockfish (DSR) allocation for the sport fishery in 2006, nonpelagic regulations have been established by emergency order (EO) (Table 211.1), as outlined in 5 AAC 47.065, *Demersal shelf rockfish delegation of authority and provisions for management*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Release of rockfish at a depth sufficient for recompression would likely reduce release mortality of pelagic and nonpelagic rockfish. This proposal may allow the department to stop requiring anglers to retain all nonpelagic rockfish caught until their bag limit is reached, thereby potentially reducing harvest and mortality by an unknown, but potentially, even greater amount.

BACKGROUND: Sport harvest of rockfish in Southeast Alaska, as estimated by the Statewide Harvest Survey, averaged about 84,000 fish annually (range 50,000 to 119,000 fish) over the last decade (2001–2010). For this same time period, the number of released rockfish averaged 90,000 fish annually (range 63,000 to 130,000), of which approximately 50% were nonpelagic rockfish. Yelloweye rockfish made up 49% (on average) of all (nonpelagic and pelagic) rockfish harvested from 2008 through 2011, and accounted for up to 71% of the nonpelagic rockfish species sport harvest. Logbook data indicate that 45% of all rockfish caught in the Southeast Alaska charter fishery are nonpelagic species. A significant number of rockfish are caught incidentally by anglers targeting other fish, such as halibut. Department informational handouts and education programs attempt to minimize incidental take by encouraging anglers targeting other species to relocate from rockfish habitat.

Nonpelagic rockfish, including those in the DSR assemblage, live in deep water, high-pressure environments. These species are subject to high mortality rates when released at the surface due to the injuries (barotrauma) and positive buoyancy caused by expansion of swim bladder gasses when the fish is brought to the surface. Barotrauma injuries include crushed, displaced, or ruptured internal organs, embolisms (air bubbles in blood), exophthalmia (bulging eye), and detached retina. Often, fish are not able to return to depth by swimming if released at the surface

due to increased buoyancy as a result of trapped and expanded gasses inside their body cavities. Pelagic species also incur these injuries, but to a lesser extent, due to physiological and behavioral differences in depth regulation and their preference for shallower water.

When calculating sport fishery removals, mortality is assumed to be 100% for nonpelagic rockfish released at the surface. Studies in Oregon and Alaska indicate that some portion of rockfish released at the surface are able to submerge on their own, but that this ability varies by species and depth of capture. Recent research has focused on ways to reduce the effects of barotrauma by lowering the fish back to deep water quickly after capture. Various recompression devices have been marketed to release fish at the depth of capture as quickly as possible. Research by ADF&G suggests survival of released yelloweye rockfish could be increased from about 20% to over 95% by using these simple devices. Survival of other rockfish species released in the sport fishery in Alaska has not been estimated, but other studies in the scientific literature demonstrate substantial increases in survival following deepwater release for numerous rockfish species.

DEPARTMENT COMMENTS: The department **SUPPORTS** requiring release at depth for nonpelagic rockfish. Should the board adopt the proposal, we recommend it be implemented at this time for nonpelagic species only, allowing the department to evaluate the effect on total mortality of nonpelagic rockfish in the sport fishery prior to considering requiring release at depth for pelagic species, which also incur barotrauma injuries, but to a lesser extent due to physiological and behavioral differences in depth regulation and their preference for shallower water. The department further recommends that the board delay implementation until 2013 to allow time for the department to provide information and instruction on the proper release at depth of nonpelagic rockfish, and for the public to become familiar with the technique.

If release at depth of nonpelagic rockfish is required, the department would likely implement, by EO, the same nonpelagic regulations used in 2011 in 2013, with the exception of the regulation requiring the retention of nonpelagic rockfish until an angler's bag limit is reached. Under this scenario, catch of nonpelagic rockfish species may increase. However, nonpelagic rockfish mortality would likely decrease because fewer fish would be retained and those released would survive at a higher rate. Under this management, the sport harvest is expected to stay within its allocation.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery.

Table 211. 1–Summary of sport fish regulations for rockfish in Southeast Alaska, 1989–2011.

Year	Bag, possession and annual limits	
1989–1993	All rockfish: daily bag limit of 5, of which only 2 may be a yelloweye rockfish; possession limit of 10, of which only 4 may be a yelloweye rockfish.	
1994–2005	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 5 fish, of which only 2 may be a yelloweye rockfish; possession limit of 10 fish, of which only 4 may be a yelloweye rockfish.	
2006	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 3 fish, of which only 1 may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	
2007–2010[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish:	
	Resident	Nonresident
	bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6, of which only 2 may be a yelloweye rockfish.	bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4, of which only 2 may be a yelloweye rockfish; annual limit of 3 yelloweye rockfish.
2011[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident	Nonresident
	Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish.	Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish.
	Southeast Inside Waters: bag limit is 3 fish, only one of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	Southeast Inside Waters: bag limit is 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.

[a] 2006–2011: All nonpelagic rockfish caught must be retained until the bag limit is reached and charter operators and crew members may not retain nonpelagic rockfish while clients are on board the vessel.

Note: Pelagic rockfish bag and possession limits are in regulation. Nonpelagic bag and possession limits from 1994 to 2005 were in regulation. Since 2006, nonpelagic regulations have been implemented by emergency order.

PROPOSAL 212 – 5 AAC 28.160. Harvest guidelines and ranges for Eastern Gulf of Alaska Area.

PROPOSED BY: Southeast Alaska Guides Organization.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to increase the amount of the Southeast Alaska demersal shelf rockfish (DSR) total allowable catch (TAC) allocated to the sport fisheries from 16% to 25% and decrease the amount of the TAC allocated to the commercial fisheries from 84% to 75%.

WHAT ARE THE CURRENT REGULATIONS? The TAC for DSR is calculated annually and derived from the federal allowable biological catch (ABC). Estimated subsistence harvest is subtracted from the ABC, resulting in the TAC, 84% of which is allocated to the commercial fisheries and 16% is allocated to the sport fisheries (5 AAC 28.160(c)(1)(A)).

The DSR assemblage includes yelloweye, China, tiger, quillback, copper, rosethorn, and canary rockfish (5 AAC 39.975(34)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Increasing the allocation to the sport fishery to 25% could allow for less restrictive sport fishery management measures. Opportunity for a directed DSR commercial fishery may be reduced.

BACKGROUND: Since 1989, the state has had management authority for DSR in federal waters and has submitted an annual stock assessment to the North Pacific Fishery Management Council (council). The stock assessment is habitat-based and the biomass estimate is the product of estimated area of yelloweye rockfish habitat, density of yelloweye rockfish, and average weight of yelloweye rockfish by management area. The ABC levels and TAC are set annually for the Southeast Outside (SEO) Subdistrict as part of the council stock assessment and fishery evaluation process.

Prior to 2006, there were no harvest allocations of DSR. The sport and commercial harvest allocations (16% and 84% respectively) of DSR in the SEO Subdistrict TAC were first adopted by the Alaska Board of Fisheries (board) in 2006. The board established allocations based on the 5-year historical catches of each user group. In 2009, the board implemented regulations instructing the department to subtract the estimated subsistence harvest from the ABC prior to allocation of the TAC between the sport and commercial fisheries.

The board outlined a series of management measures that the commissioner may require by emergency order (EO) to modify existing sport fish regulations to keep the sport fishery within its allocation (5 AAC 47.065). These measures are 1) reduced bag and possession limits for nonresident anglers; 2)

retention of all DSR caught by a nonresident angler is required until the nonresident bag limit is reached; 3) charter operators and crew members may not retain DSR while clients are on board the vessel; 4) annual limits for DSR for nonresident anglers; 5) reduced bag and possession limits for resident anglers; (6) retention of all DSR caught by a resident angler is required until the resident angler bag limit is reached; 7) annual limits for DSR for resident anglers; and 8) time and area closures.

Since 2006, to reduce DSR total mortality levels in the sport fishery, the department has implemented rockfish regulations by EO (Table 212.1). To reduce regulation complexity, nonpelagic (as opposed to DSR) regulations are modified to manage for the sport fish DSR allocation. Demersal shelf rockfish species represent 95% of the rockfish species in the nonpelagic assemblage caught by the sport fishery. To date, the department has implemented all of the management measures, except time and area closures and resident annual limits, to keep the sport fishery harvest within its allocation. These regulations proved to be effective in reducing the total mortality in the sport fishery; the sport harvest has both fallen below and exceeded the fishery allocation of DSR in the SEO Subdistrict in three of the last six years (Table 212.2).

Since the board first allocated the DSR TAC between the commercial and sport sectors in 2006, the commercial sector has utilized between 47% and 76% of its allocation and averaged 66%, while the sport sector has utilized between 62% and 117% of its allocation and averaged 96% (Table 212.2). The directed commercial DSR fishery is opened only if there is sufficient quota remaining after the estimated DSR bycatch in the halibut fishery and any test fish harvest (e.g., International Pacific Halibut Commission (IPHC) survey) is deducted from the commercial TAC. After these deductions, the remaining amount is then apportioned among the SEO management areas (East Yakutat (EYKT), Northern Southeast Outside (NSEO), Central Southeast Outside (CSEO), and Southern Southeast Outside (SSEO) sections) based on the area contribution to the DSR biomass estimate. If sufficient quota is available to conduct an orderly fishery, the department may open directed commercial fisheries in one or more of those areas. In most years, a directed fishery is only opened in one or two management areas because not all areas are apportioned a sufficient amount of quota to prosecute a manageable fishery. In 2006 and 2007, no directed commercial fishing was allowed for DSR in any area of the SEO due to concerns about bycatch estimation methods in the halibut fishery and the sport fishery. With improved ability to predict DSR bycatch in the halibut fishery, the reduction in halibut quota, and improvements to sport fish DSR harvest estimates, the department opened directed fisheries in EYKT in 2008 and 2009 and in SSEO in 2008 through 2011. The combination of the limited DSR fishery openings and the reduction in halibut quotas during this period has reduced utilization of the commercial allocation.

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

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

Table 212.1–Summary of sport fish regulations for rockfish, established by emergency order, 1989–2011.

Year	Bag, possession and annual limits	
1989–1993	All rockfish: daily bag limit of 5, of which only 2 may be a yelloweye rockfish; possession limit of 10, of which only 4 may be a yelloweye rockfish.	
1994–2005	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 5 fish, of which only 2 may be a yelloweye rockfish; possession limit of 10 fish, of which only 4 may be a yelloweye rockfish.	
2006	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 3 fish, of which only 1 may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	
2007–2010[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident	Nonresident
	bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6, of which only 2 may be a yelloweye rockfish.	bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4, of which only 2 may be a yelloweye rockfish; annual limit of 3 yelloweye rockfish.
2011[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident	Nonresident
	Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish.	Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish.
	Southeast Inside Waters: bag limit is 3 fish, only one of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	Southeast Inside Waters: bag limit is 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.

[a] 2006–2011: All nonpelagic rockfish caught must be retained until the bag limit is reached and charter operators and crew members may not retain nonpelagic rockfish while clients are on board the vessel.

Note: Pelagic rockfish bag and possession limits are in regulation. Nonpelagic bag and possession limits from 1994 to 2005 were in regulation. Since 2006, nonpelagic regulations have been implemented by emergency order.

Table 212.2–Demersal shelf rockfish total allowable catch (TAC), allocation, and mortality (in metric tons) for the Southeast Outside Subdistrict commercial and sport fisheries, and percentage of allocation harvested, 2006–2011.

Year	TAC	Commercial allocation	Commercial mortality	Percent harvested of commercial allocation	Sport allocation	Sport mortality	Percent harvested of sport allocation
2006	410	344	226	66%	66	77	117%
2007	410	344	218	64%	66	60	91%
2008	382	321	210	65%	61	68	111%
2009	362	304	231	76%	58	36	62%
2010	295	241	179	74%	46	51	111%
2011	294	247	116	47%	47	39	83%

PROPOSAL 216 – 5 AAC 47.020. General provisions for seasons, and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Stan Malcom.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the sablefish annual limit for nonresident anglers.

WHAT ARE THE CURRENT REGULATIONS? In Southeast Alaska, the bag and possession limit for sablefish, is four fish, with an annual limit of eight fish for nonresidents. There is no annual limit for residents.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would likely increase nonresident fishing opportunity, and may increase nonresident harvest of sablefish in the sport fishery and reduce harvest opportunity in the directed commercial sablefish fisheries. It would also simplify sport fishing regulations. Should the Alaska Board of Fisheries (board) adopt this proposal, the expected sport harvest for 2012 will be projected using charter vessel logbook data from 2009–2011. The projection will reflect the expected sport harvest change and be included in decrements to the allowable biological catch (ABC) for the purposes of setting the commercial harvest target.

BACKGROUND: Southeast Alaska commercial and sport sablefish harvests occur in offshore federal waters and deeper state waters located largely within Chatham Strait (commercially managed as Northern Southeast Inside, or NSEI) and Clarence Strait and Dixon Entrance (managed as Southern Southeast Inside, or SSEI). Sablefish taken in Alaskan waters belong to a northern stock of sablefish ranging from British Columbia throughout the Gulf of Alaska to the Bering Sea. The general trend for sablefish, in both state and federal stock assessments, shows a decline that is believed to be due, in part, to reductions in recruitment.

The department has a mark-recapture biomass-based stock assessment for NSEI; management decisions for the commercial fisheries in SSEI are based on the department longline survey relative abundance and commercial fishery performance. The long-term trend for the NSEI mark-recapture estimate has been decreasing since 2003 and no evidence of strong recruitment has been observed in the NSEI longline survey since 2000. In SSEI, the general trend for both the longline survey and the fishery has been decreasing since 2006, although in 2010, there was some improvement in both survey and fishery. As a result of these data, the department has taken conservative management actions through reductions to the annual harvest objective (AHO) for the state-managed commercial fisheries.

Prior to setting the commercial AHO for the NSEI sablefish fishery, the department first makes several decrements to the ABC based on expected sources of sablefish mortality. Among these decrements are

test fish harvest, sablefish mortality in the halibut fishery, sport harvest based on the charter logbook data, sablefish deadloss in nonhalibut fisheries, and subsistence/personal use harvest based on the subsistence household surveys. Harvest decrements in 2011 comprised a total of 162,000 lb, or 16.5% of the allowable catch; of those, the sport harvest comprised 34,000 lb, or 3.3% (Table 216.1).

Prior to the February 2009 Southeast Finfish meeting in Sitka, sablefish bag, possession, or annual limits had not been established for any sport fishery in the state. During this meeting, the board established a sablefish limit of two per day and four in possession, and an annual limit of eight for all participants. In April 2009, the board acted on a board-generated proposal by increasing the bag limit from two to four fish and rescinding the resident annual limit; these changes went into effect in late June 2009. In 2010, the board rejected a proposal to further reduce the bag limit from four to two sablefish and to reduce the annual limit from eight to four sablefish.

In an effort to determine charter harvest, the Division of Sport Fish sent letters in February 2009 to charter operators instructing them to record only sablefish in the saltwater charter logbook field previously used for reporting miscellaneous species. There had been concerns that some operators did not follow the instructions on "other species", incorrectly reporting other species as sablefish or did not record sablefish harvested. The 2009 logbook data indicated a harvest of 3,844 sablefish in Southeast Alaska. The 2010 charter logbook format was revised to include specific harvest information for sablefish, and the reported harvest was 3,927 sablefish. Over 80% of guided sport-harvested sablefish in both years were taken by a small number of businesses operating in NSEI. In the Southeast Alaska area, during 2009, of the 32,996 guided nonresident anglers who were reported to have bottomfished, 32,000 (97%) did not harvest any sablefish, while 840 (2.5%) harvested less than their annual limit, and 156 (0.5%) reached their annual limit of eight sablefish. In 2010, of the 31,505 guided nonresident anglers who were reported to have bottomfished, 30,793 (97.7%) did not harvest any sablefish, while 384 (1.2%) harvested less than their annual limit, and 328 (1.0%) reached their annual limit of eight sablefish.

Sablefish sport harvest was also estimated by the Statewide Harvest Survey for the first time in 2010. An estimated 4,793 sablefish were taken that year in Southeast Alaska by all sport anglers (guided and unguided). The precision of the estimate is less than for most other species, and there were too few responses to reliably apportion the estimates to the guided and unguided sectors.

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

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

Table 216.1–Estimated harvest types and amounts for the 2011 NSEI sablefish stock assessment. Estimated catch is in round lb of sablefish.

Estimated harvest type	*Approx. % of 2011 ABC*	*2011 Estimated Catch (round lb)*
Commercial directed harvest	84.0	880,000
Sablefish mortality in halibut fishery	5.6	59,128
Dept. test fish harvest	4.9	50,866
Sport harvest	3.3	31,109
Subsistence/Personal use*	1.2	12,563
Deadloss in nonhalibut fisheries	1.0	10,469

*Personal use is not differentiated from subsistence use in the department Community Subsistence Information System (CSIS) household surveys. Combined personal and subsistence use estimate is based on harvest data from relevant communities in the most recent years available (1984, 1985, and 1996).

PROPOSAL 270 – 5 AAC 01.730. Subsistence fishing permits; and 5 AAC 77.674. Personal use bottomfish fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would require residents of Alaska to obtain a permit to harvest sablefish under subsistence and personal use regulations.

WHAT ARE THE CURRENT REGULATIONS? Subsistence regulations allow for harvest of bottomfish in Southeast Alaska in areas where the Alaska Board of Fisheries (board) has made a positive customary and traditional (C&T) subsistence finding (5 AAC 01.716) (Figure 270.1). Bottomfish are defined as any marine finfish, except halibut, smelt, herring, and salmonids. Subsistence bottomfish may be taken at any time, except in the Southeast Alaska Area, lingcod may not be taken with a spear or while using diving gear from December 1 through May 15. There are no daily bag or possession limits for subsistence bottomfish. Legal gear in this fishery includes, but is not limited to, longline, pot, hand line, spear, mechanical jigging machines, and dinglebar, hand, and power troll. There is no permit or harvest reporting requirement. All Alaskan residents are eligible to participate in subsistence bottomfish fisheries.

Personal use regulations allow for harvest of bottomfish in Southeast Alaska. Bottomfish may be taken at any time with longline or hand-held line (not rod and reel), except lingcod may only be taken from May 16 through November 30. There are no daily bag or possession limits for bottomfish, except in the Ketchikan vicinity, where the bag and possession limit for rockfish is three fish, no more than one of which may be a yelloweye rockfish. There is no permit or reporting requirement for personal use bottomfish harvests. Bottomfish may be taken for personal use only by a holder of a valid resident Alaska sport license or by an Alaskan resident exempt from licensing under AS 16.05.400.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide the department with subsistence and personal use sablefish effort and harvest information, and assist managers in more accurately estimating sablefish total removals.

BACKGROUND: Sablefish stocks in Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) subdistricts have experienced declines in recent history, resulting in a reduction in the annual harvest objective (AHO) for the directed commercial sablefish fishery in both fishing areas. The department has a mark-recapture biomass-based stock assessment for NSEI; management decisions for SSEI are based on department longline survey relative abundance indices and fishery performance. The long-term trend for the NSEI (Chatham Strait) mark-recapture estimate has been decreasing since 2003, and no evidence of strong recruitment has been observed in the NSEI longline survey since 2000. In SSEI, the catch per unit effort

(CPUE) trend for the longline survey and fishery decreased from 2006 to 2010; however, in 2011, CPUE improved slightly in both the survey and fishery.

For the NSEI directed sablefish fishery, the AHO is released after decrements for nondirected fishery sablefish mortality are deducted from the ABC. These decrements include sport harvest, test fish harvest, sablefish deadloss in the halibut fisheries, and an estimate for subsistence and personal use removals.

Prior to 2011, subsistence and personal use harvest information was part of a combined decrement with sport fish removals and totaled 3% of the ABC. In 2010, charter logbook data for sablefish were available for the first time and used to determine 2011 guided sport fish sablefish harvest estimates in an independent decrement. Subsistence harvest information for sablefish by community residents in Southeast Alaska has been collected through household harvest surveys and the data are available in the Community Subsistence Information System (CSIS). However, these surveys are limited to communities outside the nonsubsistence areas only and survey data for Southeast Alaska communities are at least fifteen years old (1984, 1985, and 1996). These data were the best available, and thus, were used to project a subsistence sablefish harvest estimate for 2011 of approximately 1% of the 2011 ABC.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Anecdotal reports from the public indicate that participation in EGOA subsistence and personal use sablefish fisheries has increased in recent years, yet current methods are not adequate to track this increased effort or harvest. The department is concerned about the decline in sablefish biomass in both the NSEI and SSEI subdistricts, and improved understanding of total sablefish mortality would assist the department in managing the stock within the ABC. The current method for estimating sablefish subsistence harvest is reliant on data from fifteen years prior and a permit system would provide for documentation of current subsistence and personal use harvests and assist managers in estimating total sablefish removals.

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

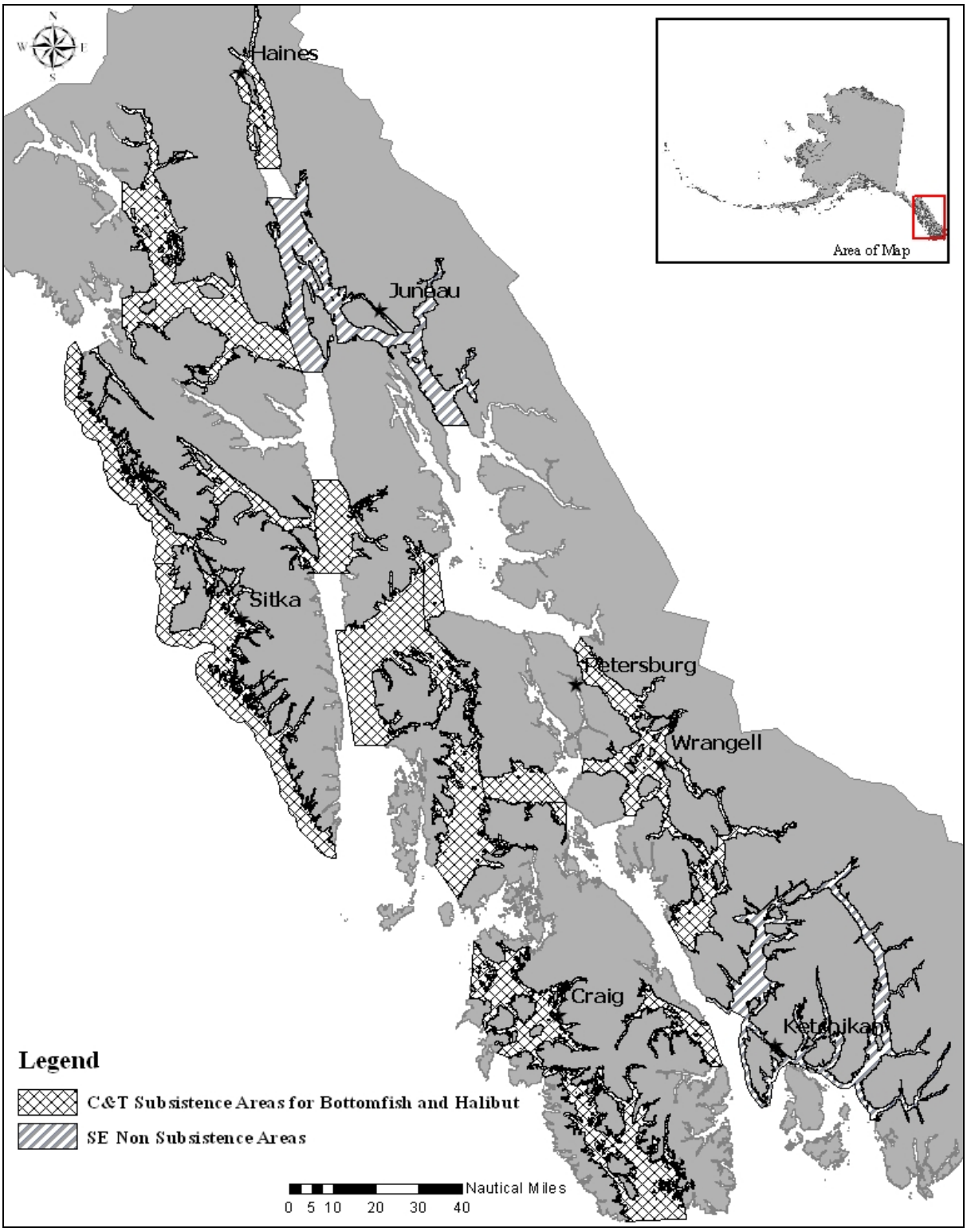

Figure 270.1–Areas in Southeast Alaska with a positive customary and traditional use finding for bottomfish and halibut.

PROPOSAL 217 – 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area; and 5 AAC 28.160. Harvest Guidelines and Ranges for Eastern Gulf of Alaska Area.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal addresses changes to two separate lingcod regulations in the Icy Bay Subdistrict (IBS) (Figure 217.1). The first change would reallocate the commercial lingcod quota between the directed lingcod fishery (46%), longline bycatch (10%), and salmon troll bycatch (10%) fisheries. The sport fishery would retain the current allocation of 33.33% of the guideline harvest level (GHL). The second portion of the proposal requests a 20,000 pound increase to the upper end of the lingcod guideline harvest range (GHR) in this area.

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 28.165(a)(1) currently allocates the IBS lingcod GHL between commercial fisheries (66.66%) and the sport fishery (33.33%) (Table 217.1). The commercial allocation is managed as one quota and all commercial lingcod retention is prohibited once the commercial allocation is harvested. Each commercial user is confined by fishery specific regulations and all commercial fisheries are restricted to a 27-inch minimum size limit.

5 AAC 28.160(e)(1) establishes the GHR for lingcod in IBS. The department can establish a GHL within the GHR of 0 to 100,000 round lb. The department has managed to the upper end of the harvest range in this area since the GHR was established in 2000.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would establish specific allocations for each of the commercial user groups and increase the upper end of the GHR from 100,000 to 120,000 round lb. Salmon trollers have only been able to retain lingcod bycatch once during the last six seasons because the lingcod quota has been taken by the other commercial users prior to the start of the summer troll season. Therefore, adoption of this proposal would ensure the opportunity to harvest lingcod for the salmon troll fleet. If the percentage allocations are adopted as proposed and the GHL is managed to the upper end of the proposed increase in GHR, the directed fishery allocation would be 55,200 round lb; the longline and troll fisheries' bycatch allocation would each be 12,000 round lb; and 40,000 round lb would be allocated to the sport fishery. If this proposal is adopted, the combined allocations for each of the commercial user groups should total 66.66% of the GHL; the proposal as written accounts for 66.0% of the GHL.

BACKGROUND: In 2000, the Alaska Board of Fisheries (board) adopted regulations reducing lingcod GHRs and allocating quotas between user groups. GHR reductions were implemented because analysis of the commercial catch data at that time showed a decline in commercial catch per unit effort (CPUE). Allocations were made between sport and commercial users in each

management area based on recommendations from a committee that reviewed lingcod harvest information from the previous five years. Also at this time, the board defined a new management area: Icy Bay Subdistrict. The IBS GHR was set at 0–100,000 round lb and was divided evenly (33.33% of GHL) between the sport fishery longline bycatch, and salmon troll bycatch fisheries (Table 217.1).

In 2003, the board approved creation of a superexclusive directed lingcod fishery for IBS to provide an opportunity for local Yakutat fishermen to harvest an underutilized portion of the commercial lingcod allocation. Lingcod are allocated by user group throughout the remainder of the EGOA lingcod management areas; however, the board determined that allocating between user groups in IBS was not appropriate until commercial harvest patterns were established. The board combined the commercial longline and troll allocations to create one commercial lingcod quota to be shared by the directed fishery, longline bycatch, and salmon troll bycatch fisheries (Table 217.1), with all commercial retention prohibited when the commercial allocation was reached.

The directed lingcod fishery developed over the next few years, with eight permits fishing in 2004, increasing to a peak of 15 permits in 2006. An average of 12 permits has been fished between 2006 and 2011. In 2005, the directed harvest reached 40,748 round lb (Table 217.2) and the first IBS commercial lingcod season closure was announced for September 1. Between 2006 and 2011, the fishery has been closed in late May or early June, with the exception of 2008 when it was closed in August (Table 217.2).

The total commercial lingcod harvest (longline, directed, and troll) has exceeded the annual commercial allocation in all years since 2004 (Table 217.2). Some of the difficulties in managing this fishery have been anticipating effort and harvest from concurrent fisheries and timely access to harvest information.

The reported harvest of lingcod in all fisheries (sport and commercial) has exceeded the GHL in four of the last five years. In 2011, the overall amount of lingcod impacted by all fisheries, including reported discards, exceeds the GHL by almost 57,000 round lb (Table 217.3). There are additional unreported lingcod discarded at sea in all fisheries; the extent of discard and associated mortality rate is unknown. Anecdotal evidence from the salmon troll fleet indicates that the lingcod discard rate can be high during nonretention periods (e.g., during the winter troll fishery which also overlaps with the lingcod nest-guarding season).

DEPARTMENT COMMENTS: The department **OPPOSES** an increase in the IBS lingcod GHL. The department does not have a lingcod stock assessment program in place to provide for reliable estimates of lingcod biomass or abundance. Without an abundance estimate, accurate data on discard mortality, and better knowledge of life history and movements of lingcod, the impact of increased fishing on lingcod populations is unknown.

The department is **NEUTRAL** on the allocative implications of this proposal; however, allocating the commercial harvest amongst the individual user groups would allow the department to better manage the fishery and ensure that each user group is able to maximize harvest within the overall commercial allocation.

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

Table 217.1–Icy Bay Subdistrict lingcod guideline harvest range (GHR) and allocation percentage by fishery.

Year	GHR (round lb)	Directed	Longline	Troll	Sport
2000	0–100,000	[a]	33.33%	33.33%	33.33%
2001	0–100,000	[a]	33.33%	33.33%	33.33%
2002	0–100,000	[a]	33.33%	33.33%	33.33%
2003–2011	0–100,000			66.66% [b]	33.33%

[a] There was no allocation for a directed fishery from 2000–2002.[b] The commercial directed, longline, and troll bycatch fisheries shared 66.66% of the GHL during this period.

Table 217.2–Icy Bay Subdistrict legal commercial lingcod harvest (round lb) by fishery (longline, directed, troll) and the percentage (%) that each user group harvested of the total legal commercial harvest (total harvest) in round lb.

Year	Longline	%	Directed	%	Troll	%	Total Harvest	Annual allocation	Closure Date
2004	12,320	23	28,846	55	11,364	22	52,530	66,660	[a]
2005	24,150	34	40,748	57	6,505	9	71,403	66,660	[a]
2006	16,161	20	63,432	80	0	0	79,593	66,660	6/7/06
2007	9,483	13	63,021	87	0	0	72,504	66,660	6/7/07
2008	25,949	39	38,168	57	2,942	4	67,059	66,660	8/7/08
2009	12,693	17	61,178	83	0	0	73,871	66,660	6/9/09
2010	19,428	28	51,166	72	0	0	70,594	66,660	5/28/10
2011	13,454	17	67,562	83	0	0	81,016	66,660	5/24/11
Average	16,705	24	51,765	72	2,601	4	71,071	66,660	–

Note: Due to differences in groundfish and salmon reporting statistical areas and the convergence of the IBS and East Yakutat (EYKT) groundfish management areas at Ocean Cape, it is difficult to make an accurate assessment of troll harvest of lingcod in IBS from salmon statistical areas 181-60 and 189-30. The troll catch reported in this table for 2000–2005 likely overestimates actual IBS harvest as it includes an unknown amount of catch from the EYKT area.

[a] There were no lingcod fishery closures in 2004 and 2005.

Table 217.3–Total Icy Bay Subdistrict lingcod commercial and sport harvest and reported commercial discard (round lb). Total reported catch includes reported discard at sea, but mortality rates for lingcod discarded at sea are unknown, and currently are not counted against the GHL.

Year	Comm. harvest	Sport harvest	Illegal comm. harvest[a]	Comm. discard at sea[a]	Total harvest	Annual GHL
2007	72,504	35,406	2,138	3,115	113,163	100,000
2008	67,059	39,592	7	5,782	112,440	100,000
2009	73,871	12,414	7,879	6,031	100,195	100,000
2010	70,594	24,019	5,805	20,086	120,504	100,000
2011	81,016	22,495	20,588	32,862	156,961	100,000

[a]Illegal harvest and discard at sea as reported on commercial fish tickets. Reporting of lingcod discards is not mandatory for most fisheries.

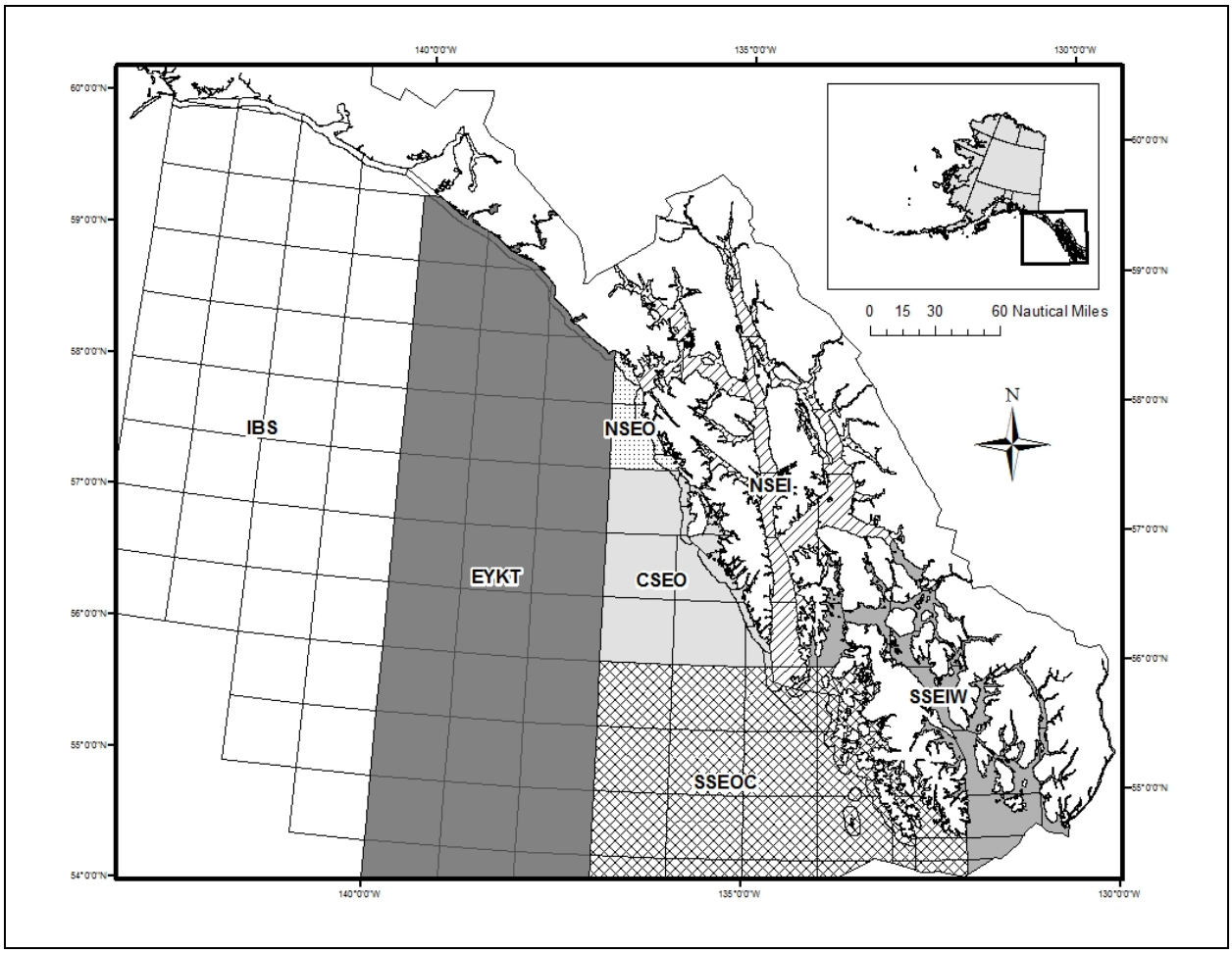

Figure 217.1–Lingcod management area boundaries in Southeast Alaska waters: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) Section, Northern Southeast Outside (NSEO) Section, Central Southeast Outside (CSEO) Section, Southern Southeast Outer Coast (SSEOC) Sector, Northern Southeast Inside (NSEI) Subdistrict, and Southern Southeast Internal Waters (SSEIW) Sector.

PROPOSAL 219 – 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area; and 5 AAC 28.160. Harvest guidelines and ranges for Eastern Gulf of Alaska Area.

PROPOSED BY: John Murray.

WHAT WOULD THE PROPOSAL DO? This proposal would provide for an additional 2,500 round lb of lingcod bycatch in the commercial salmon troll fishery in the Northern Southeast Outside Section (NSEO) (Figure 219.1).

WHAT ARE THE CURRENT REGULATIONS? Current regulations establish an annual lingcod guideline harvest range (GHR) in NSEO between 0 and 40,000 round lb, and the department sets the annual guideline harvest level (GHL) within that range. The department has managed for the upper end of this range since the GHR was established by the Alaska Board of Fisheries (board) in 2000. The NSEO annual lingcod GHL is allocated between the commercial directed lingcod fishery (43%), commercial longline bycatch fishery (27%), commercial salmon troll bycatch fishery (8%), and sport fishery (22%) (Table 219.1).

Lingcod bycatch allowances are set by emergency order (EO) and commercial salmon trollers are allowed to retain lingcod bycatch from May 16 through November 30; all lingcod must measure a minimum of 27 inches in length. Lingcod bycatch is closed by EO to commercial salmon trollers in a particular area when that area allocation is taken. Commercial salmon trollers are prohibited from fishing in waters that are closed to lingcod retention if they have lingcod from another area on board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase the NSEO lingcod GHR from 40,000 round lb to 42,500 round lb and allocate that entire 2,500 round lb increase to the commercial salmon troll fishery. If this proposal were adopted, the salmon troll fishery lingcod retention period would be extended and lingcod harvest in NSEO would increase. An increase in the salmon troll fishery allocation would also decrease the number of lingcod released at sea by the fleet and subsequent reduction in lingcod discard mortality.

BACKGROUND: In 2000, the board modified lingcod management measures, including adoption of regulations that reduced lingcod GHLs and allocated quotas between user groups (Table 219.1) because of a decline in commercial fishery catch per unit effort (CPUE). Allocations were made between users in each management area based on recommendations from a committee that reviewed lingcod harvest information from the previous five years. Troll closures occurred in NSEO during the month of July in all years except 2010, which had an August closure date.

The NSEO annual lingcod longline allocation has been harvested in its entirety, and in many cases, exceeded each year since 2001, with the exceptions of 2008, 2009, and 2011 (Table 219.2). The recent decrease in longline bycatch may be related to declining commercial halibut quotas in International Pacific Halibut Commission (IPHC) halibut areas 2C and 3A. During the 2009 board meeting, the department was directed to increase the longline bycatch allowance, where appropriate, to maximize use of the established longline allocations. Lingcod bycatch allowances in NSEO were increased in the halibut fishery from 5% to 10% in 2009 and raised to 15% in 2010 and 2011.

The directed lingcod fishery harvested the majority of its allocation for the period of 2001–2003, due primarily to the efforts of one permit holder. After this permit holder retired from the fishery in 2003, a large portion of the NSEO directed fishery allocation was left unharvested in most years. However, with renewed interest in the fishery, the entire directed fishery allocation was taken in 2010 and 92% of the allocation was harvested in 2011 (Table 219.2).

Sport allocations were exceeded in NSEO in 2001–2003, 2005, 2006, and 2011. The sport fishery remained within its allocation from 2007–2010.

DEPARTMENT COMMENTS: The department is **OPPOSED** to an increase in the NSEO lingcod GHR. The department currently does not have a lingcod stock assessment program in place to provide reliable estimates of lingcod biomass or abundance. Without abundance estimates and a full knowledge of life history and behavior of lingcod, impacts to lingcod populations from fishing activities are difficult to assess. Effort in the directed NSEO lingcod fishery has been sporadic and logbook data from the fishery may be insufficient to draw meaningful conclusions about stock status; however, the available commercial fishery data indicate that CPUE is lower in NSEO than the CSEO and East Yakutat sections. Without any direct evidence that a GHR increase is warranted, and given that recent NSEO harvest in most years has been below the current annual GHLs, the department does not support an increase to the overall GHR.

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

Table 219.1–Northern Southeast Outside lingcod guideline harvest range (GHR), and the amount of quota allocated (allocation %; round lb) to each user group, by fishery, between 2000 and 2011.

Fishery	Allocation %	Round lb	GHR*
Directed Fishery	43%	17,200	0–40,000
Longline Bycatch	27%	10,800	0–40,000
Troll Bycatch	8%	3,200	0–40,000
Sport	22%	8,800	0–40,000

*The GHR has been managed at 40,000 round lb during this time period.

Table 219.2–Northern Southeast Outside legal harvest (round lb) by fishery (directed, longline, troll, and sport) and percentage (%) that each user group harvested from its allocation. As described in Table 219.1, allocations in round lb are as follows: directed fishery (17,200), longline bycatch (10,800), troll fishery (3,200), and sport fishery (8,800).

Year	Directed	%	Longline	%	Troll	%	Sport	%	Total
2001	17,593	102	10,759	100	5,316	166	20,938	238	54,606
2002	15,264	89	13,561	126	9,288	290	10,053	114	48,166
2003	14,493	84	10,974	102	3,785	118	13,101	149	42,353
2004	2,587	15	12,172	113	3,993	125	6,486	74	25,238
2005	2,659	15	10,085	93	3,826	120	14,668	167	31,238
2006	[a]	[a]	10,544	98	3,968	124	10,461	119	[a]
2007	[a]	[a]	10,699	99	3,591	112	5,607	64	[a]
2008	5,313	31	6,790	63	3,457	108	3,276	37	18,836
2009	10,694	62	7,954	74	4,814	150	5,028	57	28,490
2010	17,914	104	11,432	106	2,368	74	5,305	60	37,019
2011	15,896	92	5,424	50	3,540	111	12,976	148	37,836
Average	9,353	51	10,036	93	4,359	136	9,809	112	33,556

[a] Fewer than three permits were fished; data are confidential.

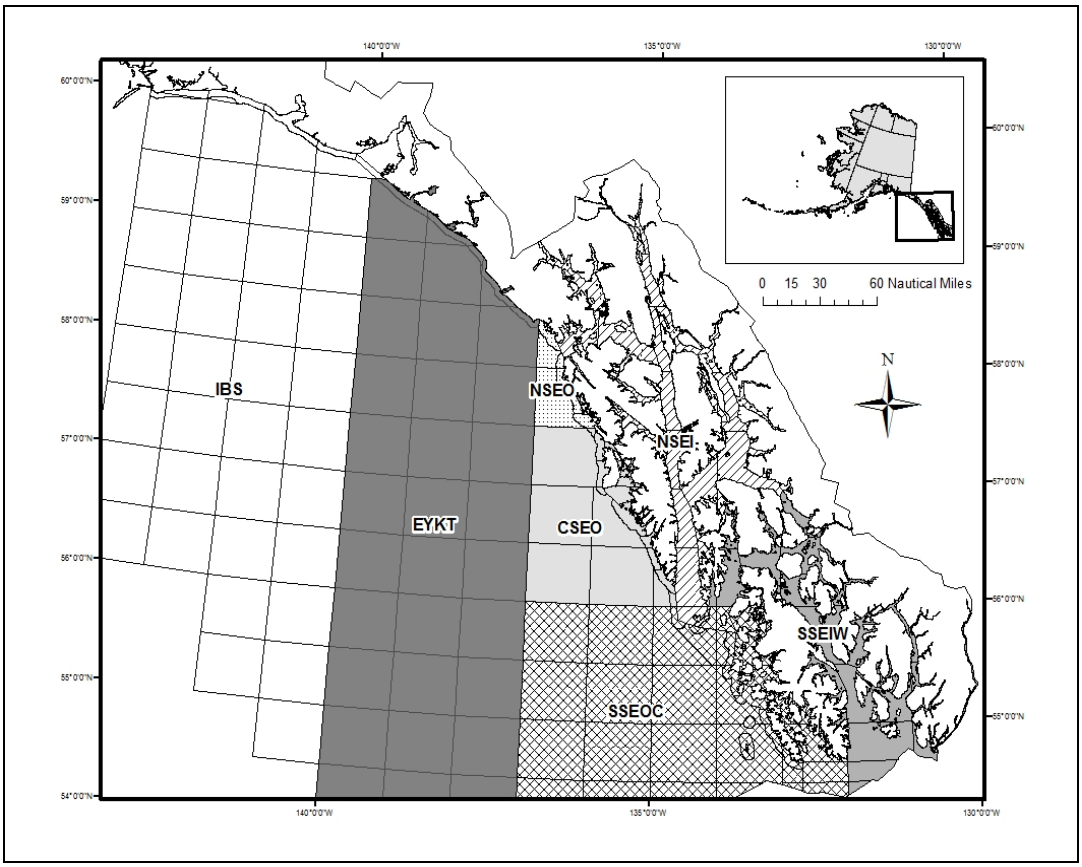

Figure 219. 1–Lingcod management area boundaries in Southeast Alaska waters: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) Section, Northern Southeast Outside (NSEO) Section, Central Southeast Outside (CSEO) Section, Southern Southeast Outer Coast (SSEOC) Sector, Northern Southeast Inside (NSEI) Subdistrict, and Southern Southeast Internal Waters (SSEIW) Sector.

PROPOSAL 220 – 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area.

PROPOSED BY: Krist Martinsen.

WHAT WOULD THE PROPOSAL DO? This proposal would reallocate 32% of the East Yakutat Section (EYKT) (Figure 220.1) guideline harvest level (GHL) by increasing the directed fishery allocation to 75% and decreasing the longline fishery allocation to 15% when the annual GHL is at or below 200,000 round lb.

WHAT ARE THE CURRENT REGULATIONS? The EYKT Section encompasses all waters between 137º W longitude and 140º W longitude (Figure 220.1). Current regulations establish an annual lingcod guideline harvest range (GHR) in EYKT between 0 and 225,000 round lb, and the department sets, by emergency order (EO), an annual guideline harvest level (GHL) within that range. The department has set the annual GHL at the upper end of this range since the GHR was established by the Alaska Board of Fisheries (board) in 2006. If the annual GHL is at or below 200,000 lb, the EYKT annual lingcod GHL is allocated, by regulation, as follows: commercial directed lingcod fishery 43%, commercial longline bycatch fishery 47%, commercial salmon troll bycatch fishery 8%, and sport fishery 2% (Table 220.1). If the annual GHL is over 200,000 lb, the lingcod harvest is allocated as follows: commercial longline bycatch fishery - 94,000 lb, commercial salmon troll bycatch fishery - 16,000 lb, sport fishery - 4,000 lb, and the remainder of the GHL to the directed lingcod fishery (Table 220.2). Lingcod must measure a minimum of 27 inches in length to be retained in the commercial fisheries. Commercial lingcod fisheries are closed when the annual fishery allocation has been taken.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, when the GHL is over 200,000 round lb, the longline allocation would be capped at 30,000 round lb, the commercial salmon troll bycatch allowance (16,000 round lb) and the sport fishery (4,000 round lb) allocation would remain unchanged, and the directed fishery would be allocated the remainder of the annual GHL. If this proposal was adopted as written and the department managed to the upper end of the current GHR, the annual directed fishery allocation would be increased from 111,000 to 175,000 round lb.

At current participation levels and harvest rates in the EYKT directed lingcod fishery, an increase of 64,000 round lb could increase the length of the directed fishery season by approximately one day. The proposed decrease in lingcod longline allocation would result in reduced harvest opportunity for longline fishermen. If longline fishermen had a large reduction in allocation, the department would likely reduce, by EO, the EYKT lingcod bycatch allowance percentage below the bycatch rate allowed by EO in 2011 (20%) so as to extend the length of the lingcod season over a greater portion of the longline fishery.

This proposal would likely result in increased lingcod harvest in EYKT (but not in excess of the GHR), because the directed fishery would harvest a portion of the GHL that is not currently being utilized by the longline fishery (Table 220.3).

This proposal would likely result in increased lingcod discard in the longline fishery; additional lingcod may be released at sea if the lingcod bycatch allocation in the longline fishery is reduced. Lingcod discard mortality would have an unknown impact on lingcod populations.

BACKGROUND: In 2000, the board modified lingcod management measures, including adoption of regulations that reduced lingcod GHLs and allocated quotas between user groups (Table 220.1) because of decline in the directed commercial fishery catch per unit effort (CPUE). Allocations were made between users in each management area based on recommendations from the Southeast Lingcod Task Force, which reviewed lingcod harvest information from the previous five years.

The GHR for EYKT was set at 0 to 200,000 round lb in 2000 and remained at that level until 2006, when directed fishery participants requested additional quota due to the short duration of the fishery and high catch rates. The board adopted an increase of 25,000 pounds to the upper end of the GHR for the exclusive use of the directed lingcod fishery. This increased the directed fishery allocation from 86,000 to 111,000 round lb. Tables 220.1, 220.2, and 220.3 display the annual lingcod allocation and harvest for the directed, longline, troll, and sport fisheries for the period since the 2000 lingcod GHRs were established.

The directed fishery has taken the full allocation each year since 2000, with the exception of a few years in which the fishery was closed, based on inseason harvest projections, prior to meeting the GHL (Table 220.3). In the six seasons since the directed fishery harvest level was raised to 111,000 round lb, the EYKT fishery has averaged less than six days in length. During this period, an average of 10 vessels participated in the directed fishery and ranged from five in 2007 to 19 in 2009. The past three seasons have averaged 14 vessels and a season length of 2.5 days.

The longline fisheries harvested an average of 61% of the lingcod longline bycatch allocation during the period of 2000–2011 (Table 220.2). The harvest percentage was higher in years that a directed demersal shelf rockfish (DSR) fishery was prosecuted (2000, 2001, 2004, 2005, 2008, and 2009) because longline fishermen are allowed a 35% lingcod bycatch allowance in that fishery. Declines in the yelloweye rockfish biomass have limited directed DSR fishery opportunities in recent years. The directed DSR fishery season occurs prior to the start of the commercial halibut fishery, and in years that this fishery is opened, the directed DSR fleet would have the first opportunity to harvest the longline bycatch allocation. Recent reductions to halibut quota have decreased the halibut catch, and, in turn, the amount of allowable lingcod bycatch in the longline fishery. Lingcod bycatch in the halibut fishery was limited to 5% between 1994 and 2008. In 2009, the board adopted a proposal that allowed the department to increase lingcod

bycatch in the halibut fishery in areas where the annual lingcod longline allocation was not being fully utilized. The department increased the EYKT lingcod bycatch allowance to 10% in 2009, 15% in 2010, and 20% in 2011. The sport fishery met its allocation in 2006, but total sport harvest is less than 45% of the sport allocation between 2007 and 2011 (Table 220.3).

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

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

Table 220.1–East Yakutat Section lingcod guideline harvest range (GHR) and allocation percentage (%) by fishery (directed, longline, troll, and sport).

Year	GHR (round lb.)	Directed	Longline	Troll	Sport
2000–2005	0–200,000	43%	47%	8%	2%
2006–2011	0–225,000		*See Note		

**Note:* When the guideline harvest level (GHL) exceeds 200,000 round lb, then 94,000 round lb are allocated to longline, 16,000 round lb to troll, 4,000 round lb to sport, and the remainder of the GHL to the directed fishery.

Table 220.2–East Yakutat Section lingcod allocations (round lb) by fishery from 2006–2011.

Lingcod Fishery	Allocation
Directed	111,000
Longline Bycatch	94,000
Troll Bycatch	16,000
Sport	4,000

Note: The total annual GHL was 225,000 round lb from 2006–2011.

Table 220.3–Lingcod legal harvest (round lb) by fishery (directed, longline, troll, and sport) and percentage (%) of allocation harvested from East Yakutat (EYKT) Section. The directed fishery allocation was 86,000 round lb between 2000 and 2005, and 111,000 round lb between 2006 and 2011. From 2000–2011, the longline fishery allocation was 94,000 round lb, the troll allocation was 16,000 round lb, and the sport allocation was 4,000 round lb.

Year	Directed	%	Longline	%	Troll	%	Sport	%	Total Harvest
2000	160,744	187	67,020	71	14,463	90	[a]	[a]	[a]
2001	88,688	103	70,607	75	14,360	90	[a]	[a]	[a]
2002	93,172	108	40,806	43	24,898	156	[a]	[a]	[a]
2003	101,419	118	41,085	44	8,488	53	[a]	[a]	[a]
2004	100,670	117	91,989	98	10,951	68	[a]	[a]	[a]
2005	80,085	93	64,549	69	5,299	33	[a]	[a]	[a]
2006	108,650	98	33,954	36	8,552	53	3,960	99	155,116
2007	100,614	91	35,306	38	14,242	89	509	13	150,671
2008	140,867	127	50,837	54	11,290	71	625	16	203,619
2009	118,822	107	76,804	82	11,435	71	1,812	45	208,873
2010	102,448	92	57,608	61	6,471	40	1,266	32	167,793
2011	121,604	110	62,571	67	9,345	58	1,403	35	194,923
Average	109,815	113	57,761	61	11,650	73	1,596	40	

*Note:**Lingcod harvest in the troll fishery prior to 2001 is limited in regards to documentation of statistical area and delivery code (landed weight is documented without delivery condition). Data do not reflect the accurate round weight harvested in the troll fishery and should only be considered an indicator of harvest amount. Data from 2001–2005 are improved; however, due to differences in groundfish and salmon reporting statistical areas and the convergence of the EYKT and Icy Bay Subdistrict (IBS) groundfish management areas at Ocean Cape, it is difficult to make an accurate assessment of the troll harvest of lingcod in EYKT from salmon statistical areas 181-60 and 189-30. The troll catch reported in this table for 2001–2005 likely overestimates actual EYKT catch as it includes an unknown amount of catch from the IBS area.

[a] Data not available at time of publication.

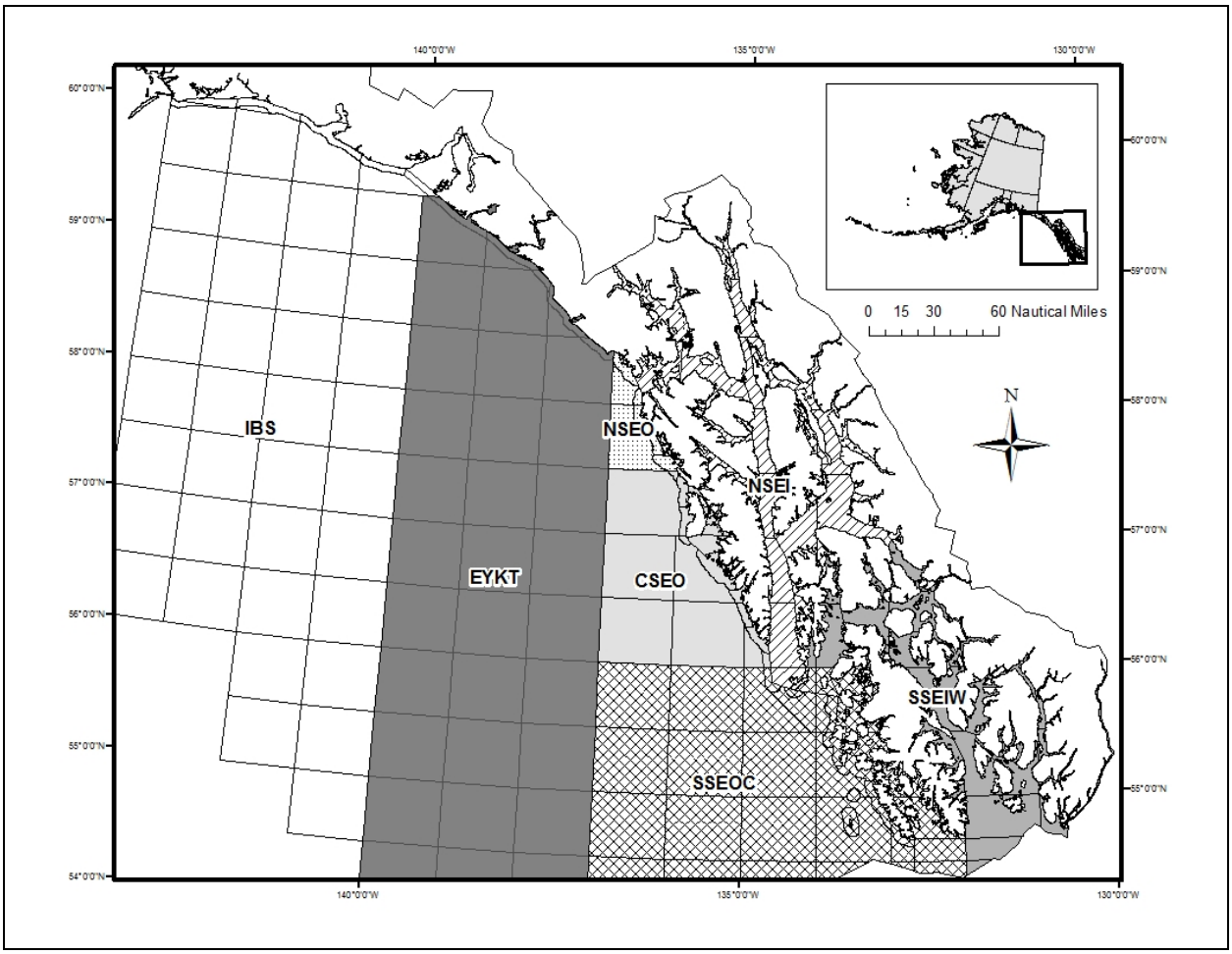

Figure 220.1–Lingcod management area boundaries in Southeast Alaska waters: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) Section, Northern Southeast Outside (NSEO) Section, Central Southeast Outside (CSEO) Section, Southern Southeast Outer Coast (SSEOC) Sector, Northern Southeast Inside (NSEI) Subdistrict, and Southern Southeast Internal Waters (SSEIW) Sector.

PROPOSAL 221 – 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area.

PROPOSED BY: Southeast Alaska Guides Organization.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the sport Central Southeast Outside Section (CSEO) lingcod allocation to 45%, while decreasing the commercial longline fishery allocation to 12% and the commercial hand troll and mechanical jig groundfish fishery lingcod bycatch allocation to zero percent (Table 221.1). For the Southern Southeast Outer Coast Sector (SSEOC), the lingcod allocations for the sport fishery and the commercial salmon troll bycatch fishery would be increased to 59% and 4%, respectively, while decreasing the directed commercial lingcod fishery allocation to 20% and the commercial hand troll and mechanical jig groundfish fishery allocation to zero percent.

WHAT ARE THE CURRENT REGULATIONS? Current regulations establish an annual lingcod guideline harvest range (GHR) in CSEO between 0 and 240,000 round lb and in SSEOC, between 0 and 167,000 lb. The department sets the annual guideline harvest level (GHL) within that range. The department has managed for the upper end of this range in each of these areas since the GHR was established by the Alaska Board of Fisheries (board) in 2000.

The lingcod allocation guidelines for Eastern Gulf of Alaska Area (5 AAC 28.165) allocate the lingcod GHL for seven management areas between sport and commercial fisheries.

In the CSEO area, the lingcod GHL is allocated as follows:

(A) 36% to the directed commercial lingcod fishery;

(B) 30% to the sport fishery;

(C) 23% to bycatch in the commercial longline fishery;

(D) 7% to bycatch in the commercial salmon troll fishery; and

(E) 4% to bycatch in the commercial groundfish fishery using hand troll gear and mechanical jigging machines.

In the SSEOC, area the lingcod GHL is allocated as follows:

(A) 30% to the directed commercial lingcod fishery;

(B) 44 % to the sport fishery;

(C) 17% to bycatch in the commercial longline fishery;

(D) 7% to bycatch in the commercial groundfish fishery using hand troll gear and mechanical jigging machines; and

(E) 2% to bycatch in the commercial salmon troll fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal were adopted, harvest restrictions in the sport fishery could potentially be relaxed. If adopted, the commercial longline, directed, hand troll, and mechanical jig groundfish fisheries would likely harvest fewer fish.

BACKGROUND: During its 2000 board meeting, the board took action to manage lingcod, including adoption of regulations that reduced lingcod GHRs and allocated quotas between user groups in seven lingcod management areas, including CSEO and SSEOC (Table 221.1, Figure 222.1).

The department annually establishes sport fishery regulations (options include bag limits, annual limits, size limits, and seasons for nonresidents anglers, and bag limits and seasons for resident anglers) by emergency order (EO) under the direction of the *Lingcod delegation of authority and provisions for management* (5 AAC 47.060) to ensure that the sport fishery meets its allocation. Prior to 2000, all sport anglers had a bag limit of two lingcod per day and four in possession. Beginning in 2000 and continuing through 2007, increasingly restrictive management measures were applied to sport anglers in order to keep the sport fishery harvest within its allocation. These measures included reducing season lengths and lowering bag and possession limits for all anglers, as well as implementing size restrictions and applying annual limits to nonresidents. During the past five years (2007–2011), bag limits and reduced seasons for all anglers, combined with slot length limits and annual limits for nonresident anglers, have been successful in keeping sport harvest within the GHL in the CSEO and SSEOC management areas (Table 221.2).

In 2011, the sport lingcod fishery in CSEO was extended by one month by increasing the open season from May 16–June 15 to May 16–June 30 and August 16–November 30 to August 1–November 30 in order to provide additional opportunity to anglers while keeping within the sport allocation. Under current allocations, the 2012 sport fishery season in CSEO will remain the same as it was in 2011.

The sport lingcod fishery in SSEOC has been open May 16–Nov 30, with a slot limit of 30–35 inches from 2007 to 2010 (with one fish over 55 inches added in 2010). In 2011, the slot limit range was increased to 30–40 inches to allow for additional harvest since the sport take had only been roughly 56% of its allocation during the preceding three years. Under current allocations, the 2012 lingcod fishery will likely have these same regulations.

The longline fisheries harvested an average of 48% of its lingcod bycatch allocation in CSEO during the period of 2002–2011 (Table 221.2). The harvest percentage was higher in years that a directed demersal shelf rockfish (DSR) fishery was prosecuted (2002 through 2004) because longline fishermen are provided a 35% lingcod bycatch allowance in that fishery. Declines in the yelloweye rockfish biomass have limited directed DSR fishery opportunities in recent years. Recent reductions to halibut quota have decreased the halibut catch, and in turn, the amount of allowable lingcod bycatch in the longline fishery. Lingcod bycatch in the halibut fishery was limited to 5% between 1994 and 2008. In 2009, the board adopted a proposal that allowed the department to increase lingcod bycatch in the halibut fishery in areas where the annual lingcod longline allocation was not being fully utilized. The

department increased the CSEO lingcod bycatch allowance to 15% in 2009, and 20% in 2010 and 2011.

Hand and mechanical jig fishermen targeting groundfish (black rockfish and Pacific cod directed fisheries) have not utilized their lingcod allocation, and only harvested 415 pounds of lingcod in CSEO and 88 pounds in SSEOC during the period 2003 through 2011.

Harvest in the SSEOC directed lingcod fishery has been low in all years since the lingcod allocations were set, with the exceptions of 2000 and 2003. The average annual harvest for the period of 2002–2011 was 22% of the fishery allocation.

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

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

Table 221.1–Lingcod GHR and allocations in CSEO and SSEO, and proposed changes.

	Current Allocation	Proposed Allocation	% Change
CSEO (0–240,000 lb)			
Directed	36%	36%	0%
Sport	30%	45%	15%
Longline Bycatch	23%	12%	-11%
Troll Bycatch	7%	7%	0%
Groundfish Bycatch	4%	0%	-4%
SSEOC (0–167,000 lb)			
Directed	30%	20%	-10%
Sport	44%	59%	15%
Longline Bycatch	17%	17%	0%
Troll Bycatch	2%	4%	2%
Groundfish Bycatch	7%	0%	-7%

Table 221.2–Lingcod harvest(round pounds) and percent of allocation harvested by fishery in SSEOC.

SSEOC										
	Sport	% Sport Allocation	Directed	% Directed Allocation	Troll Bycatch	% Troll Allocation	Longline Bycatch	% Longline Allocation	Groundfish Bycatch	% Groundfish Allocation
2002	38,998	53.10%	10,261	20.50%	684	20.50%	25,395	89.50%	-	-
2003	33,143	45.10%	48,762	97.30%	3,106	93.00%	25,302	89.10%	88	0.80%
2004	82,930	112.90%	X	X	3,486	104.40%	24,207	85.30%	0	0.00%
2005	123,414	168.00%	0	0.00%	2,383	71.30%	12,328	43.40%	0	0.00%
2006	92,616	126.00%	16,646	33.20%	3,814	114.20%	15,134	53.30%	0	0.00%
2007	66,240	90.10%	X	X	3,336	99.90%	15,048	53.00%	0	0.00%
2008	55,977	76.20%	X	X	1,658	49.60%	20,864	73.50%	0	0.00%
2009	43,712	59.50%	X	X	4,677	140.00%	18,538	65.30%	0	0.00%
2010	41,068	55.90%	14,189	28.30%	2,545	76.20%	29,329	103.30%	0	0.00%
2011[a]	38,729	52.70%	X	X	4,019	120.30%	12,916	45.50%	0	0.00%
GHL	**73,480**		**50,100**		**3,340**		**28,390**		**11,690**	
CSEO										
	Sport	% Sport Allocation	Directed	% Directed Allocation	Troll Bycatch	% Troll Allocation	Longline Bycatch	% Longline Allocation	Groundfish Bycatch	% Groundfish Allocation
2002	46,031	63.90%	60,160	62.70%	13,568	80.80%	55,988	101.40%	-	-
2003	65,004	90.30%	75,652	87.60%	12,559	74.80%	45,230	81.90%	0	0.00%
2004	76,795	106.70%	23,351	27.00%	8,304	49.40%	38,756	70.20%	381	4.00%
2005	103,957	144.40%	54,034	62.50%	8,798	52.40%	19,425	35.20%	0	0.00%
2006	98,591	136.90%	46,916	54.30%	13,372	79.60%	19,606	35.50%	35	0.40%
2007	58,827	81.70%	69,805	80.80%	16,531	98.40%	18,540	33.60%	0	0.00%
2008	56,725	78.80%	84,571	97.90%	9,441	56.20%	16,363	29.60%	0	0.00%
2009	30,700	42.60%	85,189	98.60%	5,770	34.40%	14,238	25.80%	0	0.00%
2010	30,880	42.90%	55,337	64.10%	4,421	26.30%	20,943	37.90%	0	0.00%
2011[a]	49,427	68.60%	85,486	98.90%	3,964	23.60%	16,832	30.50%	0	0.00%
GHL	**72,000**		**86,400**		**16,800**		**55,200**		**9,600**	

[a] 2011 Data are preliminary
The allocation for the directed fisery in CSEO was 96,000 in 2002 then reduced for jig in 2003 to 86,400
The allocation for the directed fishery in SSEOC was 61,790 in 2002 then reduced for jig in 2003
X- Confidential information; less than 3 permits landed.
- No groundfish jig allocation in 2002

PROPOSAL 222 – 5 AAC 28.160. Harvest Guidelines and ranges for Eastern Gulf of Alaska Area.

PROPOSED BY: Krist Martinsen.

WHAT WOULD THE PROPOSAL DO? This proposal requests a 200,000 pound increase to the lingcod guideline harvest range (GHR) in the East Yakutat (EYKT) Section (Figure 222.1), with the entire increase allocated to the directed lingcod fishery.

WHAT ARE THE CURRENT REGULATIONS? The GHR for EYKT is 0–225,000 round lb. The department sets an annual guideline harvest limit (GHL) within that range. The department has set the annual harvest level at the upper end of this range since the GHR was established by the Alaska Board of Fisheries (board) in 2006. If the annual GHL is at or below 200,000 round lb, the EYKT annual lingcod harvest allowance is allocated, by regulation, as follows: commercial directed lingcod fishery 43%, commercial longline bycatch fishery 47%, commercial salmon troll bycatch fishery 8%, and sport fishery 2% (Table 222.1). If the annual GHL is over 200,000 round lb, the lingcod harvest is allocated as follows: commercial longline bycatch fishery 94,000 round lb, commercial salmon troll bycatch fishery 16,000 round lb, sport fishery 4,000 round lb, and the remainder of the GHL to the directed lingcod fishery (Table 222.2). Lingcod must measure a minimum of 27 inches in length to be retained in commercial fisheries. Commercial lingcod fisheries are closed when the annual fishery allocation has been taken.

The directed lingcod fishery opens by regulation on May 16. Registration is required for this fishery and legal gear is dinglebar troll, mechanical jig, and hand troll. The directed fishery remains open until the commercial allocation is taken, or November 30, whichever occurs first.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the upper end of the GHR would increase to 425,000 round lb. The department would continue to set an annual GHL each year within the GHR.

The author of this proposal also submitted Proposal 220 to reallocate 32% of the commercial longline fishery allocation to the directed lingcod fishery in EYKT. If both proposals 220 and 222 were adopted as written, and the department was to manage to the upper end of the GHR, the total directed fishery harvest allocation would be 375,000 round lb.

BACKGROUND: In 1991, the board set a regional lingcod GHR of 300,000–500,000 round lb for all waters of Southeast Alaska. This management strategy was replaced during the next board cycle with individual area GHRs. The GHR for the EYKT Section was set at 270,000–540,000 round lb, and this area was generally managed for a harvest of 270,000 round lb (all

commercial fisheries) throughout the period of 1994 through 1999. Total removals of EYKT lingcod peaked in 1995 with 390,000 round lb landed (319,000 round lb, of which was from the directed fishery) (Table 222.3). Commercial harvest hovered near 300,000 round lb for the next two years until the department reduced the target harvest for the directed lingcod fishery to 160,000 round lb in 1998 and 150,000 round lb in 1999. This reduced the overall lingcod harvest closer to 200,000 round lb.

At the 2000 board meeting, the department requested a reduction in lingcod GHRs regionwide and user groups requested allocation of quota to the directed commercial, longline bycatch, salmon troll bycatch, and sport fish fisheries. This request was due to concerns about stock condition, largely evaluated through directed commercial fishery catch per unit effort (CPUE). The board set the GHR for EYKT between 0 and 200,000 round lb, with a directed fishery allocation of 86,000 round lb. This action generally stabilized the overall harvest, though harvest levels still varied due to management of the directed fishery quota and fluctuations in the longline fishery catch.

In 2006, participants in the directed fishery requested additional quota due to the short duration of the fishery and strong catch rates. The board adopted an increase of 25,000 round lb to the upper end of the GHR for the exclusive use of the directed lingcod fishery. This increased the directed fishery allocation from 86,000 to 111,000 round lb. The upper end of the GHR currently remains at 225,000 round lb. Tables 222.1 and 222.2 display the annual lingcod allocations for the EYKT area for the period since the 2000 lingcod GHRs were established.

The directed fishery has taken its entire allocation each year since 2000, with the exception of a few years in which the fishery was closed, based on inseason harvest projections, prior to meeting the GHL (Table 222.3). The reduction in quotas and increased vessel participation has resulted in shorter directed fishery seasons over time. In 1995, the season was 88 days, in 2000 it was 12 days, and in 2005, it was five and one-half days. Since 2006, when the directed fishery harvest level was raised to 111,000 round lb, the EYKT fishery has averaged less than six days in length. During this period, an average of 10 vessels participated in the directed fishery and ranged from five in 2007 to 19 in 2009. The past three seasons have averaged 14 vessels and a season length of two and one-half days.

Logbook data from the directed fishery in EYKT show CPUE in fish per hook hour was variable between 1994 and 1999 (Figure 222.2) and declined following the years of high harvest. Directed fishery CPUE increased in 2000 (1.6 fish per hook hour), accompanying the drop in GHL, and then stabilized for the next seven years. Since 2009, CPUE has generally exhibited an increase to a high of 1.7 fish per hook hour in 2011 (Figure 222.2).

EYKT lingcod allocations and commercial catch (directed, longline, and troll) are depicted in tables 222.1, 222.2, and 222.3. The sport fishery allocation has been set at 4,000 round lb since fishery allocations were set in 2000. Sport harvest for EYKT during the period of 2006 through

2011 averaged 1,596 round lb and ranged from 509 to 3,960 round lb. There has been a substantial amount of longline allocation left unfished; over the past five years, the average annual amount left unharvested was 37,363 round lb. An average of 5,443 round lb of the annual troll allocation has remained unharvested during the same period. There is also unreported lingcod caught and discarded at sea in all fisheries; the department does not know the extent of discard mortality and its impact on lingcod populations.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department currently does not have a lingcod stock assessment program in place that would provide reliable estimates of lingcod biomass or abundance. Without abundance estimates and a full knowledge of life history and behavior of lingcod, impacts to lingcod populations from fishing activities are difficult to assess. Available data suggest that the current EYKT GHR is set at a sustainable level and an increase in the GHR is unnecessary since the full GHL is not currently being utilized. The proposed GHR of 425,000 round lb is 37,000 round lb higher than the largest reported EYKT commercial lingcod harvest (1995). A review of historical management decisions and directed fishery CPUE indicates that in years following removals greater than 250,000 round lb (e.g., 1996–1998), the directed fishery experienced the lowest CPUE values in the history of the EYKT fishery. Reduction of lingcod harvest after 2000 has resulted in increased and stabilized lingcod CPUEs in EYKT (Figure 222.2).

Lingcod CPUE in EYKT has experienced an increasing trend in recent years. It is unclear whether this corresponds with an increasing lingcod biomass or is a factor related to fishery dynamics. Dinglebar troll gear effectiveness is influenced by operator experience and the overall CPUE in an area could be greatly influenced by the skill of the permit holders participating in the fishery. One factor that could be contributing to an increasing CPUE in EYKT is that some vessels may be operating multiple dinglebar lines, which may increase catch rates. The department has submitted Proposal 223 in an effort to clarify that only one dinglebar line may be deployed in the water at any time.

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

Table 222.1–East Yakutat Section lingcod guideline harvest range (GHR) and allocation percentage by fishery since 2000.

Year	GHR (round lb)	Directed	Longline	Troll	Sport
2000–2005	0–200,000	43%	47%	8%	2%
2006–2011	0–225,000		*See Note		

**Note:* When the GHL is less than 200,000 round lb, allocation percentages are as listed in the above table; if the GHL exceeds 200,000 round lb, 94,000 round lb are allocated to longline; 16,000 round lb to troll; 4,000 round lb to sport; and the remainder of guideline harvest level poundage to directed fishery.

Table 222.2–East Yakutat Section lingcod allocations (round lb), 2006–2011.

Lingcod Fishery	Allocation
Directed	111,000
Longline Bycatch	94,000
Troll Bycatch	16,000
Sport	4,000

Note: The annual guideline harvest level was 225,000 round lb from 2006–2011.

Table 222.3–Lingcod harvest (round lb) reported in East Yakutat (EYKT) by fishery (directed, longline, troll, and sport) and percentage (%) of annual allocation harvested by user. The directed fishery allocation was 86,000 round lb between 2000 and 2005, and 111,000 round lb between 2006 and 2011. From 2000–2011, the longline fishery allocation was 94,000 round lb; the troll allocation 16,000 round lb; and the sport allocation 4,000 round lb. There was no lingcod allocation prior to 2000.

Year	Directed	%	Longline	%	Troll	%	Sport	%	Total round lb
1991	11,750	-	211,074	-	11,704	-	2,341	-	234,528
1992	15,400	-	134,358	-	3,190	-	4,507	-	152,948
1993	9,692	-	178,731	-	17,198	-	7,221	-	205,621
1994	89,750	-	122,961	-	18,719	-	9,563	-	231,430
1995	319,432	-	38,790	-	29,935	-	8,611	-	388,157
1996	255,402	-	39,602	-	17,185	-	13,046[b]	-	312,189
1997	220,746	-	65,091	-	5,479	-	32,907[b]	-	291,316
1998	127,903	-	75,034	-	3,463	-	24,760[b]	-	206,400
1999	129,501	-	94,330	-	5,267	-	[a]	-	229,098
2000	160,744	187	67,137	71	14,463	90	0	[a]	242,344
2001	88,688	103	70,632	75	14,360	90	0	[a]	173,680
2002	93,172	108	41,230	44	29,394	184	0	[a]	163,796
2003	101,419	118	41,578	44	8,488	53	[a]	[a]	151,485
2004	100,670	117	94,983	101	10,951	68	[a]	[a]	206,604
2005	80,085	93	65,319	69	5,299	33	[a]	[a]	150,703
2006	108,650	98	33,954	36	8,552	53	3,960	99	155,116
2007	100,614	91	35,306	38	14,242	89	509	13	150,671
2008	140,867	127	50,837	54	11,290	71	625	16	203,619
2009	118,822	107	76,837	82	11,435	71	1,812	45	208,906
2010	102,448	92	57,636	61	6,471	40	1,266	32	167,821
2011	121,604	110	62,571	67	9,345	58	1,403	35	194,923

Note: *Lingcod harvest in the troll fishery prior to 2001 is limited in regards to documentation of statistical area and delivery code (landed weight is documented without delivery condition). Data do not reflect the accurate round weight harvested in the troll fishery and should only be considered an indicator of harvest amount. Data from 2001–2005 are improved however due to differences in groundfish and salmon reporting statistical areas and the convergence of the EYKT and Icy Bay Subdistrict (IBS) groundfish management areas at Ocean Cape, it is difficult to make an accurate assessment of the troll harvest of lingcod in EYKT from salmon statistical areas 181-60 and 189-30. The troll catch reported in this table for 2001–2005 likely overestimates actual EYKT catch as it includes an unknown amount of catch from the IBS area.

[a] Data not available at time of publication.

[b] Sport harvest for EYKT includes harvest from waters of Yakutat Bay in these years. Yakutat Bay was incorporated into IBS in 2000.

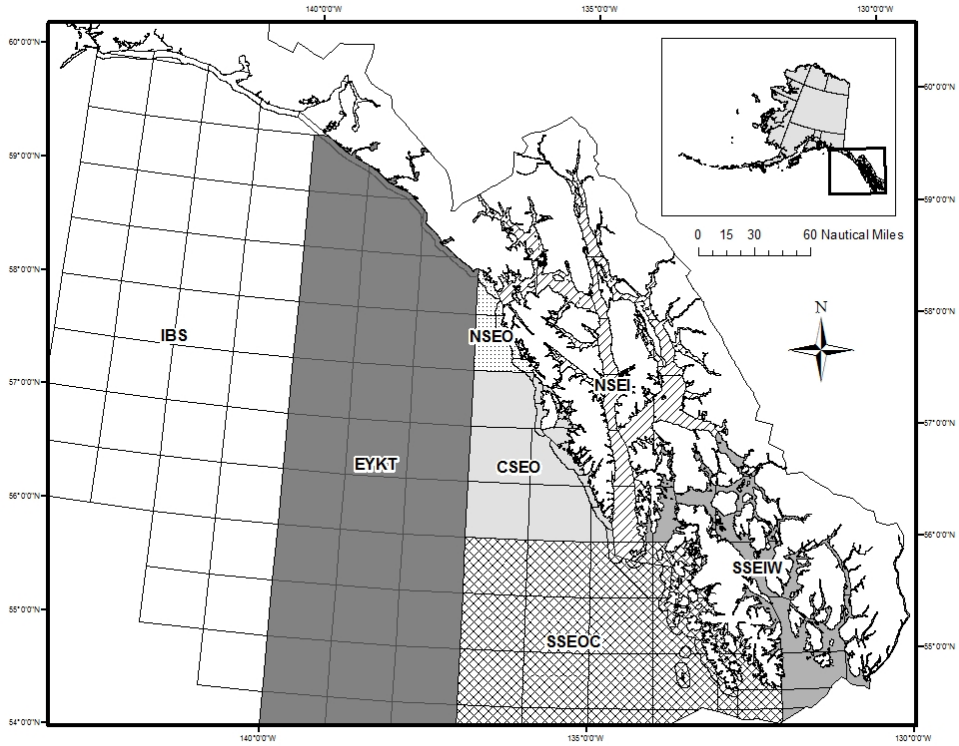

Figure 222.1–Lingcod management area boundaries in Southeast Alaska waters: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) Section, Northern Southeast Outside (NSEO) Section, Central Southeast Outside (CSEO) Section, Southern Southeast Outer Coast (SSEOC) Sector, Northern Southeast Inside (NSEI) Subdistrict, and Southern Southeast Internal Waters (SSEIW) Sector.

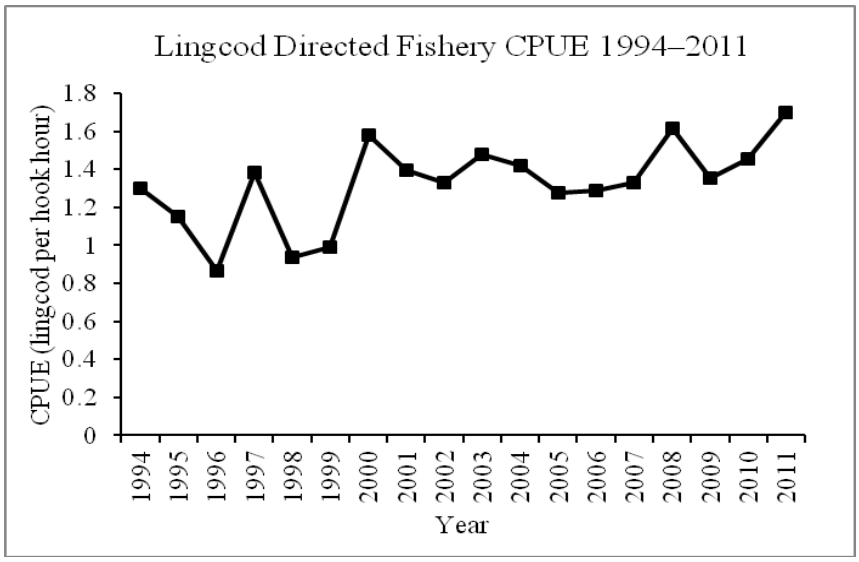

Figure 222.2–Lingcod catch per unit effort (CPUE) (lingcod per hook hour) in the directed fishery in East Yakutat Section between 1994 and 2011.

DOGFISH (2)

PROPOSAL 206 – 5 AAC 28.084. Fishing seasons, landing requirements, and utilization for sharks.

PROPOSED BY: Ketchikan Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would create a directed pot fishery for spiny dogfish in the Ketchikan area. Although not specified by the proposer, the department assumes "the Ketchikan area" to be the Southern Southeast Inside (SSEI) Subdistrict (Figure 206.1).

WHAT ARE THE CURRENT REGULATIONS? There is no open season for sharks, except shark bycatch may be retained as specified in 5 AAC 28.070(b). A person that retains any species of shark as bycatch and sells or retains any species of shark, must sell or utilize the shark. All harvested sharks must have fins, heads, and tails attached at the time of sale. In this subsection, "utilize" means use of the flesh of the shark for human consumption, for reduction to meal for production of food for animals or fish, for bait, or for scientific, display, or educational purposes".

In the Eastern Gulf of Alaska (EGOA) Area, spiny dogfish may be taken and retained only as follows:

(1) in the Southeast District, a longline vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all target species taken in the directed fishery on board the vessel;

(2) in the Southeast District, a power troll or hand troll vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all salmon on board the vessel;

(3) in the East Yakutat Section and the Icy Bay Subdistrict, a salmon set gillnet CFEC permit holder may retain all spiny dogfish taken as bycatch during salmon set gillnet operations; all spiny dogfish taken must be recorded on an ADF&G salmon fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would establish a directed pot fishery for sharks in SSEI. The department does not have a stock assessment or biomass estimate for spiny dogfish; therefore, the impact of a directed fishery on spiny dogfish stocks in SSEI is unknown.

BACKGROUND: Spiny dogfish are a long-lived, slow to mature species that require long recovery times when stocks are overexploited. Large and abrupt increases in the spiny dogfish population are unlikely because of their low reproductive rate. Spiny dogfish are highly migratory and are often found in dense aggregations.

There was an open commercial fishery season for sharks in Alaska state waters and no harvest limits for the recreational fishery until 1998. In 1998, due to concerns about overharvest of shark species, the Alaska Board of Fisheries (board) implemented bag and annual limits of one shark per day, two per year, in the recreational fisheries and closed the directed commercial fisheries. In 2010, the board liberalized recreational spiny dogfish bag and possession limits to five daily with no annual limit. Spiny dogfish sharks are commonly taken as bycatch in commercial longline fisheries for sablefish, halibut, rockfish, and Pacific cod. Spiny dogfish are taken in the sport fishery, although current bag limits are rarely utilized.

The only fisheries-independent catch information available for spiny dogfish is based on hooks subsampled from survey stations during the International Pacific Halibut Commission (IPHC) annual longline halibut survey. Spiny dogfish catch per unit effort (CPUE) estimates from this survey are shown in Figure 206.2. IPHC survey CPUE for dogfish sharks is relatively stable in the Northern Southeast Inside (NSEI) and SSEI areas [National Marine Fisheries Service (NMFS) Area 659], but has declined between 2006 and 2010 in NMFS Area 650, which encompasses East Yakutat (EYKT), Central Southeast Outside (CSEO), Southern Southeast Outside (SSEO), and Northern Southeast Outside (NSEO) sections.

Bycatch mortality on spiny dogfish is assumed to be high. Spiny dogfish taken as bycatch in other fisheries in the EGOA are often discarded due to low market value. In 1999, the board increased the bycatch rate for dogfish taken on longline gear to 35% in an effort to encourage utilization of bycatch, given the high mortality associated with current fishing practices. However, since the directed dogfish season was closed, there have been few commercial landings: a total of 841 round lb of spiny dogfish was reported in SSEI for the period of 1998 to 2002. There has been no reported commercial harvest of spiny dogfish in SSEI since 2002.

The opportunity currently exists for processors to purchase dogfish that are retained as bycatch in state commercial longline fisheries. There is also a directed federal dogfish shark fishery. The recommended acceptable biological catch (ABC) for the Total Shark Complex (which includes spiny dogfish) in the Gulf of Alaska (GOA) for 2011 was 839 metric tons (mt). In 2009, spiny dogfish sharks represented 53% of the total federal GOA shark catch, or approximately 412 mt.

Since 1998, the board has failed to adopt several proposals to establish directed commercial shark fisheries in Prince William Sound, Yakutat, and statewide. The proposals to establish spiny dogfish fisheries near Yakutat resulted in the allowance of full retention in the gillnet

fisheries and an increase to 35% in the maximum allowable bycatch for groundfish and salmon troll fisheries.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department does not have a stock assessment program for spiny dogfish in EGOA, and does not support establishing a spiny dogfish fishery prior to development of a biologically-sound management plan. This species is highly migratory and there are large temporal shifts in distribution; thus, area-based management for spiny dogfish is problematic. Spiny dogfish tend to segregate spatially by sex and by size, and directed fisheries for spiny dogfish are often selective for larger individuals, i.e., mature females. Because of this tendency to target mature females, spiny dogfish fisheries have the potential to significantly impact recruitment. In addition, a directed fishery would result in incidental bycatch of other species, including, but not limited to, halibut, rockfish, sablefish, lingcod, and Pacific cod.

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

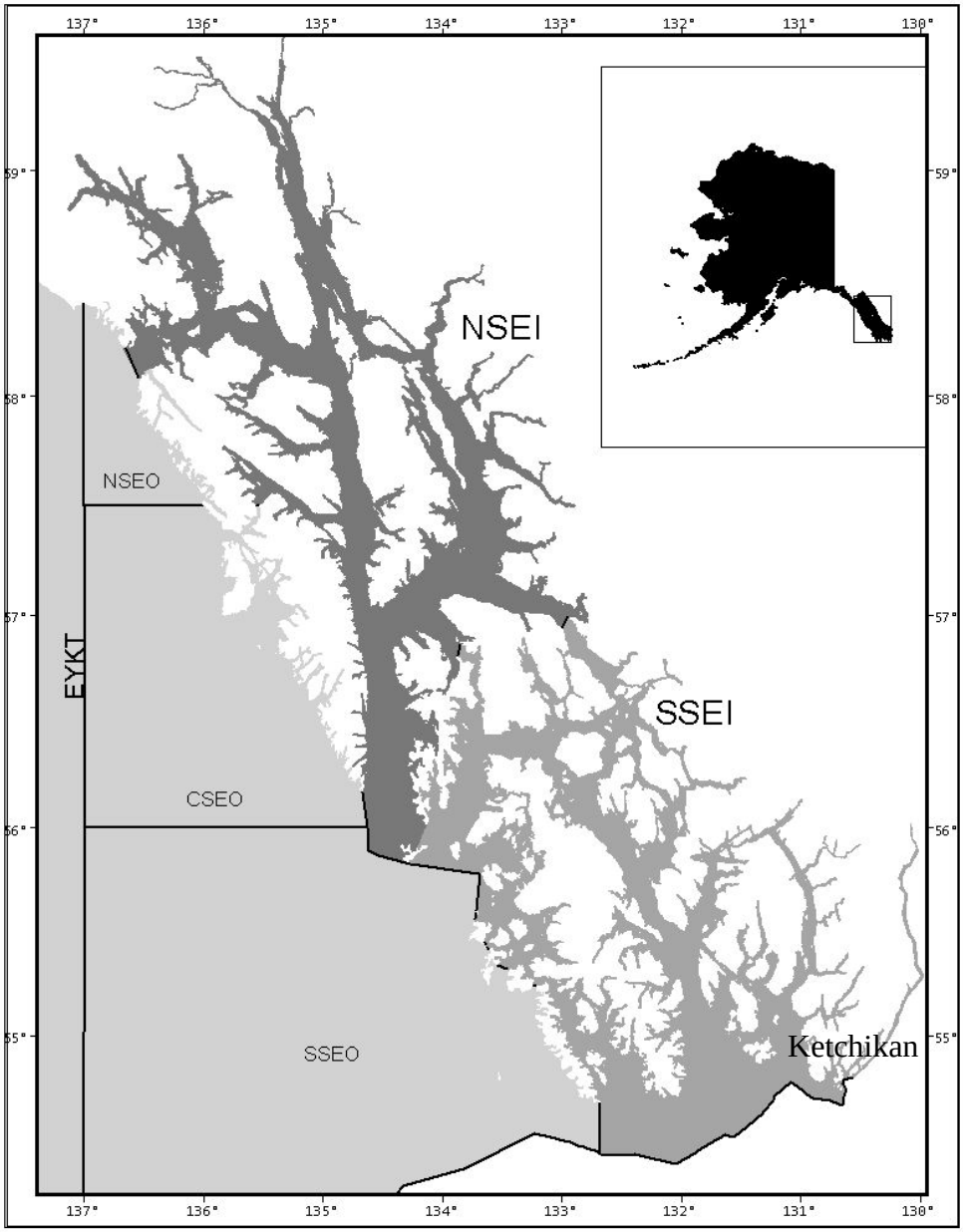

Figure 206.1–Southern Southeast Inside (SSEI) Subdistrict and Northern Southeast Inside (NSEI) Subdistrict management areas in Southeast Alaska.

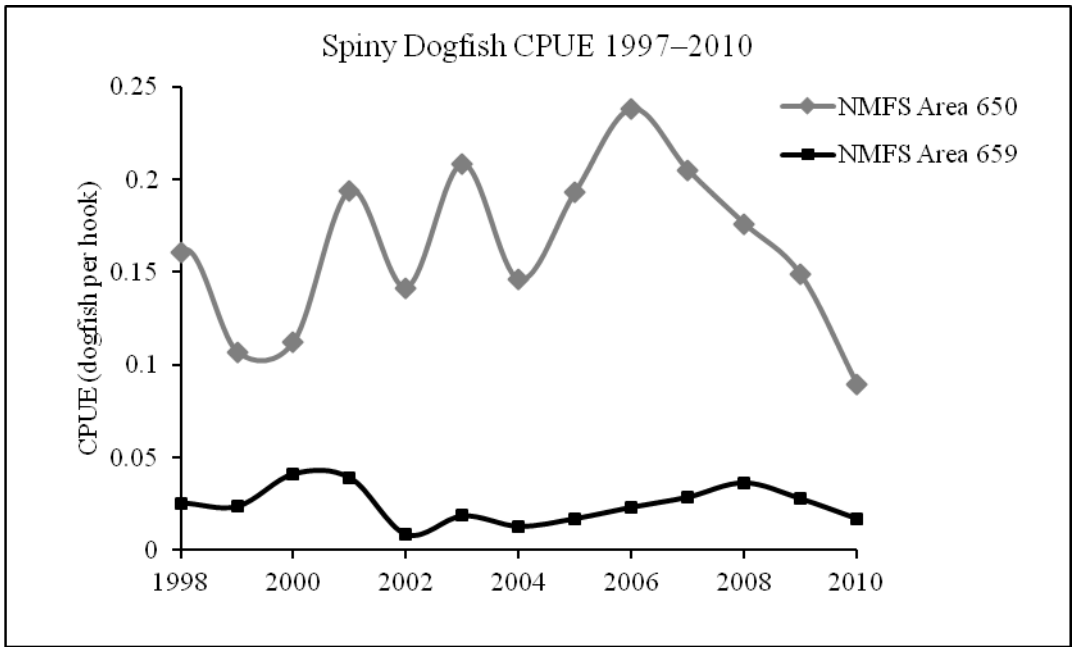

Figure 206.2–Spiny dogfish CPUE (dogfish shark per hook) based on IPHC survey data from 1997–2010. NMFS Area 659 corresponds to the SSEI and NSEI subdistricts groundfish management areas, and NMFS Area 650 includes groundfish management areas EYKT, CSEO, NSEO, and SSEO, but extends out to the 200 nm exclusive economic zone limit.

PROPOSAL 207 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska area.

PROPOSED BY: Ketchikan Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the Southeast Alaska area spiny dogfish bag limit to 10 fish with no annual limit.

WHAT ARE THE CURRENT REGULATIONS? Statewide, the bag and possession limit for spiny dogfish is five fish, with no size or annual limit (5 AAC 75.012).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would create a regional bag limit. A liberalization of the bag limit in Southeast Alaska would provide increased harvest opportunity for anglers, but is unlikely to increase harvest because there is little recreational interest in spiny dogfish.

BACKGROUND: Spiny dogfish are a long-lived, slow to mature species that require long recovery times when stocks are overexploited. Large and abrupt increases in the spiny dogfish population are unlikely because of their low reproductive rate. Spiny dogfish are highly migratory and often occur in high concentrations.

Prior to 2010, spiny dogfish bag and possession limits were consistent with all other sharks under the statewide *Sport Shark Fishery Management Plan* (5 AAC 75.012). This plan established a statewide bag and possession limit of one shark, with an annual limit of two. During the 2010 Statewide meeting, the Alaska Board of Fisheries (board) liberalized spiny dogfish bag and possession limits to five, with no annual limit.

Catch and harvest information for spiny dogfish within the Southeast sport fishery is limited. The Statewide Harvest Survey (SWHS) did not begin collecting data pertaining to sharks (all species as a group) within Southeast Alaska until 2005. Between 2005 and 2010, the SWHS estimates an average of 247 sharks were harvested in Southeast Alaska annually. Assuming 100% of harvested sharks were spiny dogfish, a maximum of 49 anglers would have had the potential to reach their bag limit under current regulations. Harvest information collected through the saltwater logbook program shows that between 2006–2010, an average of 0.04% of guided anglers harvested a salmon shark in the Southeast Alaska area (spiny dogfish data are not collected). The Southeast Alaska shark harvest estimate for 2010, after spiny dogfish bag and possession limits were liberalized, was similar to harvest estimates prior to 2010.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There is no information available to suggest Southeast populations of spiny dogfish warrant a region-specific increase in the bag and possession limit. Current bag limits for sharks are rarely utilized.

Maintaining the recently-liberalized statewide bag and possession limits keeps the regulations for sharks simple, and maintains the department's ability to evaluate shark harvest and angler effort under stable management conditions and in light of the recent statewide liberalization.

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

SPORT (3)

PROPOSAL 249 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area; and 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Southeast Alaska Subsistence Regional Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would establish nonresident annual limits for sockeye, coho, chum, and pink salmon in the Southeast Alaska Area.

WHAT ARE THE CURRENT REGULATIONS? Currently, annual limits have not been established for chum, pink, sockeye, coho or salmon in Southeast Alaska Area sport fisheries. The current harvest limits on chum, pink, and sockeye salmon are six daily for each species and 12 in possession for each species. In the Southeast Alaska Area, north of Cape Fairweather, the current harvest limits for coho salmon, 16 inches or greater in length, are four fish daily and eight in possession; south of Cape Fairweather, the current harvest limits for coho salmon, 16 inches or greater in length, are six fish daily and 12 in possession.

A nontransferable harvest record is required and must be in the possession of each person taking and retaining a finfish for which an annual limit has been established; for a licensed angler, a harvest record appears on the back of the angler's sport fishing license; for an angler not required to have a sport fishing license, a harvest record may be obtained, without charge, from department offices and fishing license vendors. Immediately upon landing a finfish for which an annual limit has been established, the angler shall enter the date, location (body of water fished), and species of the catch, in ink, on the harvest record (5 AAC 75.006).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Annual limits will reduce nonresident harvest opportunity for, and harvest of, these species of salmon if they are set below what an angler typically harvests in a year. Adding nonresident annual limits for multiple species will also increase regulatory complexity. Since harvest records are used for enforcement of annual limits in the field only, and anglers are not required to return them, the department's harvest estimates for these species of salmon would not be improved.

BACKGROUND: Annual limits provisions are utilized, in addition to bag and possession limits, to further constrain harvests, particularly if, after other measures are taken, harvest cannot be constrained to necessary levels. This can occur when bag limits have been reduced to very low levels, but angling success and effort lead to unsustainable harvests or the sport fishery exceeding its allocation. In Southeast Alaska, annual limits are currently utilized by emergency

order (EO) to manage marine king salmon, nonpelagic rockfish, and lingcod harvests within sport fishery allocations. For these species, the Alaska Board of Fisheries (board) has directed the department to manage for allocations or harvest targets, and directed the department to use a variety of management measures, including annual limits, through regulatory management plans. Regulatory annual limits have also been adopted by the board to limit harvest of sharks and steelhead species for which populations are low, productivity is low, or stock status information is limited. Required harvest reporting by anglers taking a fish with an annual limit is printed on their harvest record, which is located on the back of every fishing license or obtained by unlicensed anglers from department offices or license vendors. The information recorded on harvest records is not collected by the department and is used solely for enforcement of annual limits in the field.

The department has a long history utilizing EO authority in nearshore and fresh waters with terminal salmon runs in response to indications of poor return strength, or when combined with high levels of effort or harvest relative to run sizes. Actions taken include bag limit reductions, prohibition of harvest, and even closure to fishing. These actions are often coordinated with federal managers overseeing subsistence fisheries and draw upon inseason data from state and federal collaborative stock assessment projects, which the department has undertaken at more than 20 locations. These studies include weir and mark-recapture stock assessment studies that yield inseason run strength information used by both department and federal subsistence managers to better assure escapements while maintaining harvest opportunities.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of establishing annual limits for these species of salmon for nonresidents. The department is **OPPOSED** to establishing widespread harvest restrictions for these species of salmon in the absence of demonstrated stocks of concern that cannot be addressed with existing management tools and strategies. Additionally, establishing annual limits and accompanying harvest reporting requirements will not improve the department's ability to estimate sport harvest of sockeye, coho, chum, and pink salmon, as asserted by the proposer.

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

PROPOSAL 252 – 5 AAC 75.020. Sport fishing gear.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit use of a power-assisted reel to retrieve sport fish, except that such a reel may be used by an angler with a documented disability in the Southeast Alaska Area.

WHAT ARE THE CURRENT REGULATIONS? Statewide, a power-assisted fishing reel may only be used to sport fish if it is mounted on a fishing rod by means of a reel seat and fishing reel assembly, motor, gearbox, fishing line, reel-mounted battery, or other reel-mounted attachments, and weighs no more than 15 pounds, in total, when detached from the fishing rod (5 AAC 75.020).

A "person with physical disabilities" is defined in AS 16.05.940(26) as a person who presents to the department either written proof that the person receives at least 70% disability compensation from a government agency for a physical disability or an affidavit signed by a physician licensed to practice medicine in the state stating that the person is at least 70% physically disabled.

The department may provide an exemption from a method and means requirement specified in 5 AAC 47–75 for individuals with a disability, under the provisions of 5 AAC 75.038. In considering the exemption, the department may consider, among other factors, whether the exemption would:

1) fundamentally alter a program, service, or benefit of the department;
2) place an undue administrative burden or expense on the department;
3) have an unreasonable impact on the conservation, development, or utilization of fish; or
4) constitute an unreasonable risk to public health or safety.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The department does not collect information on gear types used to retrieve sport fish or physical condition of anglers. Therefore, the effect of this proposal cannot be quantified.

BACKGROUND: In 2007, the legality of powered-assisted fishing reels in the Southeast Alaska sport fishery was questioned by members of the public. The Department of Law reviewed the issue and found that existing statutes and regulations, at that time, were sufficiently broad to allow use of powered reels in the sport fishery. Various proposals, both pro and con, were discussed in 2009 during Alaska Board of Fisheries (board) meetings in Prince William Sound and Southeast Alaska concerning use of power-assisted fishing reels. The board did not take action in local areas and directed the department to submit a statewide proposal as a starting point to address this topic at the 2010 Statewide meeting. The board directed the department to

submit a proposal that started at some middle ground by allowing pole-mounted power-assisted fishing reels currently being used by some in the sport fishery and excluding the use of commercial jigging machines.

In its 2010 Statewide meeting, the board adopted the current regulation that specifically allows use of power-assisted fishing reels in the sport fishery, while excluding commercial jigging machines.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because determining who should be allowed to use a power-assisted reel is a social issue. If the board chooses to limit use of power-assisted reels in Southeast Alaska to people with disabilities, the department suggests that the board first prohibit use of power-assisted reels in Southeast Alaska and secondly, administer use of power-assisted fishing reels, by anglers with a disability, under existing regulations in 5 AAC 75.038.

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

PROPOSAL 254 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Wrangell Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow use of bait by anglers age 10 and younger, or with a disability, in lakes designated as high-use or small cutthroat lakes.

WHAT ARE THE CURRENT REGULATIONS? Regulations for cutthroat and rainbow trout (in combination) "high-use" waters include bag and possession limits of two fish per day and in possession, with a 14-inch minimum and 22-inch maximum size limit. Bait is prohibited year-round. These regulations pertain to 21 lakes, five drainages, and most systems on the Juneau road system (Figure 254.1).

In seven lakes (Figure 254.1) "small cutthroat lakes" regulations for cutthroat and rainbow trout (in combination) are in place. These include a bag and possession limit of two fish per day and in possession, with a 9-inch minimum size limit, and bait is prohibited year-round.

The Alaska Board of Fisheries (board) may adopt regulations establishing restricted seasons and areas necessary for persons under 16 years of age to participate in sport fishing if these regulations are in accordance with AS 44.62 (Administrative Procedure Act) for establishing open and closed seasons and areas for the taking of fish, and are consistent with resource conservation and development goals (AS 16.05.251).

A person with a disability, or the personal representative of a person with a disability, may submit an application on a form available from the department for an exemption from a method and means requirement specified in 5 AAC 47–75. A person with physical disabilities is defined by state law AS 16.05.940(26) as a person who is at least 70% physically disabled. Additionally, the department would not authorize methods and means exemptions if existing regulations do not prohibit the person from meaningful access to the program, service, or benefit (5 AAC 75.038).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvest and catch-and-release (C&R) mortality of trout would be expected to increase in systems currently managed under "high-use" and "small cutthroat lakes" trout regulations where the use of bait is currently prohibited. The number of fish caught, and subsequently harvested, may increase because cutthroat trout are aggressive feeders and while they can be caught on a wide variety of gear types, they are particularly vulnerable to bait. Effects would also include some increase in incidental C&R mortality as more fish smaller than the minimum size limit are caught and released. Allowing use of bait, as proposed, could pose a conservation risk to some populations of cutthroat trout.

BACKGROUND: Since 1994, the board has established regional minimum and maximum size limits for trout to accomplish two essential goals: 1) protect the majority of cutthroat trout until they have had an opportunity to spawn at least once; and 2) protect juvenile steelhead so they cannot be harvested before they migrate to the ocean. Minimum size limits are only effective if hooking mortality is low. Studies have shown that mortality rates for cutthroat trout caught and released using natural bait may be as high as 48%, whereas mortalities from artificial gear (lures, flies, etc.) are lower than 5%. Bait is currently prohibited by regulation in most fresh waters throughout Southeast Alaska for 10 months of the year, with an opening to allow use of bait for coho salmon fishing September 15 to November 15.

Areas with more developed access and have more intensive fisheries are managed under "high-use regulations". The high-use minimum size regulation of 14", combined with the prohibition of bait, provides protection of all female cutthroat trout until they can spawn at least one time.

The department has identified populations of cutthroat trout in seven lakes where the fish do not reach the minimum regional size limit of 11 inches. In these "small cutthroat lake" systems, the board has implemented a 9-inch size limit and has prohibited use of bait. These regulations are designed to protect the majority of cutthroat trout in these lakes until they can spawn at least once.

The board adopted the *Cutthroat and Rainbow Trout Management Plan* (5 AAC 47.045) to address concerns of residents in communities in Southeast Alaska who do not have access to nearby fresh waters where anglers can fish with bait for trout year-round. Under this management plan, the commissioner, by emergency order (EO), may designate one freshwater system near a community in which bait would be allowed, eliminate the minimum size limit for trout, and establish a bag and possession limit of two. The fresh water must be close to a community with good road, trail, or boat access to the fresh water and the fresh water must be landlocked and totally inaccessible to searun trout.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal, which could jeopardize sustainability of cutthroat populations managed under existing high-use and small cutthroat lake regulations. In 1997, the board, recognizing the importance for harvest opportunities, provided a means by which local communities could propose lakes for reduced length limits and/or use of bait. If a proposed lake meets certain board-established criteria (as listed in the *Cutthroat and Rainbow Trout Management Plan*, 5 AAC 47.045), the department could implement more liberal trout regulations by EO. Advisory Committees were notified of this option for allowing use of bait, reducing size limits, or eliminating size restrictions at specific lakes. To date, no lakes have been nominated for more liberal regulations.

Existing regulations provide a reasonable and enforceable avenue for persons with a disability to seek exemptions to existing methods and means regulations which prohibit the person from meaningful access to the program, service, or benefit. Regulations specific to anglers under 16

years of age could not be implemented by the department's EO authority and would have to be implemented by the board.

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

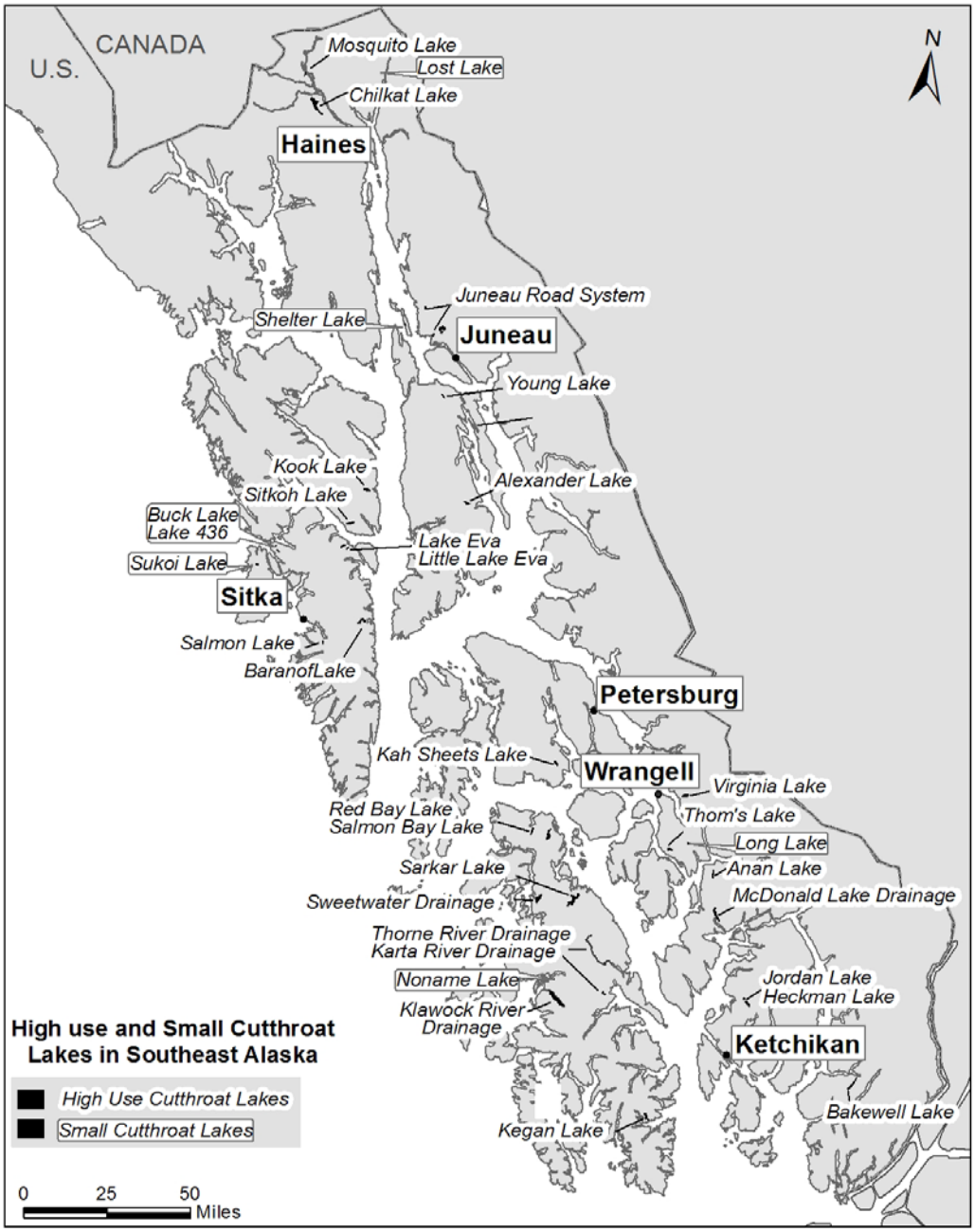

Figure 254.1–Location of high use and small cutthroat lakes in Southeast Alaska.

SETNET/SPORT (1)

PROPOSAL 301 – 5 AAC 30.350. Closed Waters.

PROPOSED BY: Tsiu River Coalition.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the commercial fishery to an area of one and one-half miles located between lower markers located 500 yards upstream from the terminus of the river to markers located one and one-half miles upstream from the lower markers.

WHAT ARE THE CURRENT REGULATIONS? Closed waters on the Tsiu River are currently upstream of ADF&G regulatory markers located approximately one-half mile downstream of Duck Camp Island. All waters below these markers are open to commercial harvest; all waters above these markers are closed to commercial harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would eliminate the commercial set gillnet fishery from the lower 500 yards of the river, and allow the commercial fishery from 500 yards upstream from the terminus to a point one and one-half miles above the 500 yard regulatory markers. An area that traditionally has been part of the commercial fishery would no longer be available, creating congestion in the remaining fishing area and potentially, eliminating some boats from participation. In some years, commercial harvests could be reduced because the fishery is highly weather-dependent. Sport anglers could avoid commercial harvesting activities in the waters closed to commercial harvest.

BACKGROUND: From Duck Camp Island to the terminus of the river, the Tsiu River can be anywhere from two and one-half to four and one-half miles long. The river flows through shifting sand in this lower stretch, there is no vegetative cover, and the river shifts course from side to side and, depending on ocean currents, can lengthen or shorten itself in a short period of time. In recent years, the river portion has been getting longer, but at any given time, the mouth of the river can break through the sand spit to the west, which lops off as much as two to two and one-half miles in its length.

Both sport and commercial user groups fish the river below the current ADF&G regulatory markers located one-half mile below Duck Camp Island. Sport fishing is open by regulation; there are no time or area restrictions. Commercial openings are opened by emergency order and usually limited to two 24-hour openings per week; a third 24-hour opening may be given as escapement counts near the upper end of the biological escapement goal (BEG) range. The commercial fishing area opened is limited to downstream of the regulatory markers.

Prior to the mid-1990s, when the nets were in the water, sport fishermen were able to access fishable waters upstream of the regulatory markers, thus avoiding conflicts with net gear. Several large holding pools in the vicinity of Duck Camp Island could, and did, provide sport fishing opportunities when commercial gear was in the lower river. Beginning in the mid-1990s and continuing to the present day, the geography has changed; those holding pools in the vicinity of Duck Camp Island have filled with sand and sport fishing opportunities above the ADF&G regulatory markers are now severely limited. Now, when the commercial gear is in the water, both user groups are essentially limited to the same area of the river below the regulatory markers. This situation has lead to a number of heated confrontations between the two user groups.

The current regulatory marker placement has been in effect for over 30 years. Prior to 2010, these markers had never been moved. 2010 proved to be an exceptionally dry year on the Tsiu River. The area of the river immediately above the regulatory markers is locally referred to as "The Flats" due to the shallow nature of the river there. The Flats became so shallow in 2010 that migrating coho salmon could not make it upriver above the markers and they started to hold in the holes immediately below the markers. As the season progressed, upwards of 15,000 fish were seen holding below the markers, waiting for higher water levels. These fish had turned color and reached the point of not being fit for commercial sale and were of no value to the market. They did, however, have considerable value as potential escapement. Prior to the initial commercial opening, in order to protect those fish, the markers were moved approximately two and one-half miles downstream. This action allowed the commercial fishery to take place in the lower three-quarters of a mile of the river without allowing any harvest on the fish trapped below the markers. Late in September, the weather pattern changed and with the first rains, those fish moved to the spawning grounds. The marker movement was done out of biological necessity to protect those fish, but it had two outcomes. One, those fish were protected and eventually found their way upstream and, two, sport fishermen found room above the net fishery to pursue angling activity without interference from the nets.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The proposed movement of the Tsiu River regulatory marker is allocative.

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

HERRING (10)

PROPOSAL 230 – 5 AAC 27.190. Herring Management Plan for Statistical Area A.

PROPOSED BY: Harvey Kitka.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would add three criteria to the Southeastern Alaska herring management plan; the criteria would be specific only to Sitka Sound.

WHAT ARE THE CURRENT REGULATIONS? The management plan for herring fisheries in Southeastern Alaska area provides that the department shall identify stocks of herring on a spawning-area basis, establish minimum spawning biomass thresholds below which fishing will not be allowed, assess abundance of mature herring for each stock before allowing fishing to occur, and may allow a harvest of herring at an exploitation rate between 10% and 20% of the estimated spawning biomass when that biomass is above the minimum threshold level. Sitka Sound is the only spawning stock that has a specific threshold and harvest-rate formula established in regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is difficult to assess the effect of this proposal since the proposal is unclear in its application and intent. Some of the proposed additional criteria to the management plan are so broad and complex that the department may not be able to manage the herring fishery in Sitka Sound.

BACKGROUND: The department assesses the Sitka Sound herring stock based on data collected to estimate spawn deposition, population age composition and weight-at-age, fishery age composition and weight-at-age, harvest, and fecundity. These data are integrated using an age structured assessment (ASA) model to estimate the mature herring biomass and age composition, and forecast both for the next year. The ASA model also provides estimates of survival rate, maturity-at-age, gear selectivity-at-age, and recruitment. A Ricker spawner-recruit function is used to estimate recruitment of age-3 herring. The forecasted mature biomass is used to set the guideline harvest level for the fishery based on a regulatory sliding harvest rate formula of between 12% and 20% of the forecasted mature biomass. The threshold minimum biomass required to conduct a fishery in Sitka Sound is 25,000 tons.

The Sitka Sound herring spawning biomass has shown an increasing trend since the mid-1990s and is currently at the highest levels seen since 1964 (Table 230.1). Regular, substantial recruitment of age-3 herring has been observed in the spawning population over the last decade and several age-classes have been represented for most years. Size-at-age has been stable over

the last two decades. These factors all suggest that the herring population is in an overall healthy condition.

The department has been keeping records of herring spawn distribution since 1964. The department documents shoreline with herring milt by conducting daily aerial surveys throughout the duration of the spawn; the aerial surveys serve as an integral part of the department's stock assessment program. The average length of shoreline with milt in Sitka Sound for the period 1964–1978 was 13.9 nautical miles. Since 1978, the spawn has had an average of 58.8 nautical miles of shoreline; in 2011, 78.3 nautical miles of spawn were recorded. Spawn distribution varies from season to season, but is generally centered in the northeastern portion of Sitka Sound. The spawn distribution in 2011 was consistent with historical spawn distribution.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department already manages the fishery based on the assessment of age and sex composition, and has for many years. One of the proposed criteria seems to suggest immediately shifting the fishery management to an ecosystem-based approach. Ecosystem-based fishery management is a highly complex approach that would require integration of data trends from multiple species and the environment to make management decisions for herring. Adequate data are not currently available for such an analysis and the department does not have the resources to establish a program to collect and assimilate the data. Finally, it is unclear what is meant by "maintenance of geographic distribution of the resource".

The department agrees that herring are an important forage fish for other fish species, mammals, and birds. By using the current conservative management approach, as adopted by the Alaska Board of Fisheries, the department is working to ensure the sustainability of the Sitka Sound herring population for multiple user groups and prey species.

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

Table 230.1–Sitka Sound herring fishery and stock performance, 1964–2011.

Year	Forecast Spawning Biomass	Quota (tons)	Harvest (tons)	Nautical Miles Spawn
1964	-	-	234	19.0
1965	-	-	315	21.0
1966	-	-	340	23.0
1967	-	-	268	15.0
1968	-	-	260	17.0
1969	-	-	575	15.0
1970	-	-	895	11.0
1971	-	750	278	9.0
1972	-	850	603	14.0
1973	-	600	537	10.0

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Table 230.1.–continued (page 2 of 2)

Year	Forecast Spawning Biomass	Quota (tons)	Harvest (tons)	Nautical Miles Spawn
1974	-	600	712	10.0
1975	6,400	550	1,484	8.0
1976	7,300	780	795	13.0
1977	5,650	0	0	11.0
1978	4,500	250	238	13.0
1979	20,300	2,000	2,559	41.0
1980	39,500	4,000	4,445	63.0
1981	27,000	3,000	3,506	60.0
1982	30,000	3,000	4,363	40.8
1983	32,850	5,500	5,416	68.0
1984	30,550	5,000	5,830	65.0
1985	38,500	7,700	7,475	60.5
1986	30,950	5,029	5,443	51.6
1987	24,750	3,600	4,216	86.0
1988	46,050	9,200	9,390	104.0
1989	58,500	11,700	11,831	65.5
1990	27,200	4,150	3,804	39.1
1991	22,750	3,200	1,838	44.5
1992	23,450	3,356	5,368	72.5
1993	48,500	9,700	10,186	55.3
1994	28,450	4,432	4,758	58.1
1995	19,700	2,609	2,908	37.3
1996	42,265	8,144	8,144	45.6
1997	54,500	10,900	11,147	41.0
1998	39,200	6,900	6,638	64.5
1999	43,600	8,476	9,217	59.5
2000	33,365	5,120	4,630	54.5
2001	52,985	10,597	11,974	61.0
2002	55,209	11,042	9,788	42.6
2003	39,378	6,969	7,051	47.1
2004	53,088	10,618	10,490	79.8
2005	55,962	11,192	11,366	39.5
2006	52,059	10,412	9,967	57.4
2007	59,519	11,904	11,571	50.2
2008	87,715	14,723	14,386	55.3
2009	72,521	14,504	14,776	65.6
2010	91,467	18,293	17,874	87.7
2011	97,449	19,490	19,439	78.3
Average	40,625	7,244	5,819	44.8

PROPOSAL 232 – 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area; and 5 AAC 27.190. Herring Management Plan for Statistical Area A.

PROPOSED BY: Harvey Kitka.

WHAT WOULD THE PROPOSAL DO? This proposal would change the formula established in regulation for determining the harvest rate for Sitka Sound (sections 13-A and 13-B) herring from:

> The harvest rate percentage will not be less than 12%, not more than 20%, and within that range shall be determined by the following formula:
>
> Harvest Rate Percentage = 2+8(Spawning Biomass (in tons)/20,000)

to:

> The harvest rate will be between 10% and 20% based on the following formula:
>
> Harvest Rate Percentage = 8+2(Spawning Biomass (in tons)/25,000)

WHAT ARE THE CURRENT REGULATIONS? The Sitka Sound herring stock is the only herring stock in Southeastern Alaska that has a harvest-rate formula in regulation. The regulation establishes for Sitka Sound a harvest-rate percentage that is not less than 12%, not more than 20%, and, within that range is determined by the following formula: Harvest Rate Percentage = 2 + 8 × [Spawning Biomass (tons) ÷ 20,000]. The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

For all other fisheries in Southeastern Alaska, regulations provide that the department shall establish minimum spawning biomass threshold below which fishing will not be allowed and may allow a harvest of herring at an exploitation rate between 10% and 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would substantially reduce the available guideline harvest level (GHL) for the Sitka Sound sac roe herring fishery. Income from participation would be reduced substantially by the expected reduction of available GHL, as shown in Table 232.1.

BACKGROUND: As required by the *Herring Management Plan for Southeast Alaska*, the department conducts annual stock assessment surveys before setting harvest levels or allowing harvest to occur. The management plan specifies that commercial harvest may be allowed only

when the forecasted spawning biomass exceeds the minimum threshold. The threshold is the minimum herring biomass calculated to allow sustained yield and maintain biological productivity. The harvest rate for Sitka Sound herring is between 12% and 20% when the biomass is above the minimum threshold.

A 6,000-ton threshold was established by the department for the Sitka Sound herring stock in 1977. In 1982, the department increased the threshold to 7,500 tons based on an increase of population size. In 1994, the Alaska Board of Fisheries (board) adopted the department's proposed management plan for Southeast Alaska herring fisheries. Threshold levels were excluded from the management plan to ensure the department had the flexibility to modify spawning thresholds for conservation and development purposes based on new information. In 1997, the department conducted a threshold/harvest rate analysis for Sitka Sound herring, which provided alternatives for calculating the harvest rate and setting the threshold. The analysis determined that 16,759 tons was an appropriate threshold level for Sitka Sound herring. This was based on a calculation of 25% of the estimated "average unfished biomass", which is widely used in other herring fisheries along the Pacific coast as a means to determine thresholds for herring. Based on this analysis, and the desire to ensure subsistence opportunities at lower stock levels, the board chose to adopt into regulation a threshold of 20,000 tons. Because the increased threshold, in combination with the existing harvest-rate formula, would have significantly reduced harvest despite good stock performance, the board established an accelerated harvest-rate formula specifically for the Sitka Sound herring sac roe fishery in regulation.

Other herring spawning stocks in Southeastern Alaska do not have a harvest-rate formula established in regulation. These populations are smaller than Sitka Sound and tend to be more erratic from year to year, so the department uses a conservative harvest-rate formula as follows: Harvest Rate Percentage = 8 + 2 × [Spawning Biomass (in tons) ÷ Threshold]. When the estimate of mature spawning aggregate is at the threshold level, a 10% harvest rate is applied. The harvest rate increases 2% each time the estimated spawning biomass increases by an amount equal to the threshold level. The harvest rate reaches a maximum of 20% when the population is six times the threshold level.

The maximum exploitation rate used for Sitka Sound herring is 20% of the exploitable or mature biomass. This maximum harvest rate is consistent with other herring fisheries in Alaska and along the west coast of North America. The 20% exploitation rate is considered conservative, since it is lower than commonly-used biological reference points for other species. This conservative maximum exploitation rate was accepted by the board with the intent to allow for adequate harvest of herring in subsistence fisheries and to allow for the important ecological niche occupied by herring in marine food chains.

The effect of the proposed harvest rate formula on GHLs over the last ten seasons is shown in Table 232.1.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department does not agree that there is a biological necessity to reduce the harvest rate on the

Sitka Sound herring population. Under the current harvest-rate formula, the Sitka Sound herring stock has shown an increasing trend in abundance and is currently at historically high levels. Department analyses of Alaskan herring populations found that a maximum exploitation rate of 20% is appropriate. In Southeast Alaska, additional conservative measures are taken by reducing the harvest rate below 20% as biomass decreases and also by not allowing harvest if the biomass is lower than a threshold level. The board has established a more conservative threshold than recommended by biological analysis to provide reasonable opportunity for subsistence on Sitka Sound herring. The current harvest-rate formula in regulation is considered conservative, appropriate for long-term productivity, and providing for sustained yield.

The harvest rate for the Sitka Sound herring stock remains consistent with the *Herring Management Plan for Southeastern Alaska Area*, which provides for a harvest rate of 10–20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

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

Table 232.1–Forecast biomass of herring, actual harvest rate and GHL compared to the proposed harvest rate and resulting reductions in harvest and exvessel value, 2002–2011.

Year	Forecast Biomass (tons)	Harvest Rate	GHL (tons)	Proposal Harvest Rate (tons)	Proposal GHL (tons)	Reduction in GHL (tons)	*Reduction in Exvessel Value
2002	55,209	20.0%	11,042	12.4%	6,855	4,187	$ 1,900,831
2003	39,319	17.7%	6,969	11.1%	4,382	2,587	$ 1,174,359
2004	53,088	20.0%	10,618	12.2%	6,502	4,116	$ 2,025,215
2005	55,962	20.0%	11,192	12.5%	6,982	4,210	$ 2,264,788
2006	52,059	20.0%	10,412	12.2%	6,333	4,079	$ 1,080,980
2007	59,519	20.0%	11,904	12.8%	7,596	4,308	$ 2,124,076
2008	87,715	16.8%	14,723	15.0%	13,172	1,551	$ 961,411
2009	72,251	20.0%	14,508	13.8%	9,956	4,552	$ 3,878,095
2010	91,467	20.0%	18,293	15.3%	14,010	4,283	$ 3,083,523
2011	97,449	20.0%	19,490	15.8%	15,393	4,097	$ 614,555
					Totals	37,967	$ 19,107,833

* Based on prices paid per ton that year; 2011 based on preliminary estimate.

PROPOSAL 231 – 5 AAC 27.110. Fishing Seasons for Southeastern Alaska; and 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area.

PROPOSED BY: Harvey Kitka.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would require that the commercial sac roe fishery in Sitka Sound be closed for the season when the total harvest is within 10% of the guideline harvest level (GHL).

WHAT ARE THE CURRENT REGULATIONS? Regulations provide that herring in portions of sections 13-A and 13-B (Sitka Sound) may be taken in the sac roe fishery during seasons established by emergency order (EO) and the GHL will be a harvest-rate percentage that is not less than 12%, and not more than 20%, based on a specific harvest rate formula. The Sitka Sound fishery will not be conducted if the spawning biomass is less than 25,000 tons. There are no regulations that require the department to close the sac roe fishery when the harvest is within a certain range of the GHL.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would result in a reduction of harvest in some years.

BACKGROUND: The long-term average harvest as a percentage of the GHL is 108% and the recent 10-year average is 98% (Table 231.1). Long term, there have been three years when the GHL was grossly exceeded. In 1975, 1982, and 1992, the harvests, as a percentage of the GHL, were 270%, 145%, and 160%, respectively. The circumstances contributing to excessive harvest during those years are not clear, but in all three years, the GHLs were relatively small, at less than 3,500 tons. Removing these three years from the long-term average results in harvests averaging 101% of the GHL.

In the past 10 years, there were three seasons (2005, 2006, and 2009) when competitive openings resulted in harvests that were within 10% of achieving the GHL and further fishing opportunity was provided. In 2005 and 2006, cooperative-type openings were used to harvest the remaining GHL and in 2009, the remaining GHL was harvested in a competitive opening. The final harvests, as a percentage of the GHL, were 102% in 2005, 96% in 2006, and 102% in 2009.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not see significant conservation benefits from this proposal. Since 1992, management precision has been well within acceptable limits, with harvests exceeding the GHL by an average of only 1%, amounting to a fraction of 1% of the total biomass. Within the past 10 years, harvests have averaged 2% below the GHL. The department has made it clear to industry that as harvests approach the GHL, openings will only occur on smaller, more manageable volumes of

herring to ensure that the GHL is not significantly exceeded. If the department is unable to identify a manageable volume of herring, the department will not open the fishery and can encourage permit holders to organize a cooperative-type fishery.

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

Table 231.1–Sitka Sound herring guideline harvest level, harvest, and percentage of GHL harvested, 1971–2011. Shaded rows indicate years when harvest grossly (>20%) exceeded the GHL.

Year	GHL	Sac Roe Harvest	Percent of GHL Harvested
1971	750	848	113%
1972	850	666	78%
1973	600	614	102%
1974	600	712	119%
1975	550	1,484	270%
1976	780	795	102%
1977	0	0	-
1978	250	238	95%
1979	2,800	2,559	91%
1980	4,000	4,445	111%
1981	3,000	3,506	117%
1982	3,000	4,363	145%
1983	5,500	5,416	98%
1984	5,000	5,830	117%
1985	7,700	7,475	97%
1986	5,029	5,443	108%
1987	3,600	4,216	117%
1988	9,200	9,390	102%
1989	11,700	11,831	101%
1990	4,150	3,804	92%
1991	3,200	1,838	57%
1992	3,356	5,368	160%
1993	9,700	10,186	105%
1994	4,432	4,758	107%
1995	2,609	2,908	111%
1996	8,144	8,144	100%
1997	10,900	11,147	102%
1998	6,900	6,638	96%
1999	8,476	9,217	109%
2000	5,120	4,630	90%
2001	10,597	11,974	113%

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Table 231.1.–continued (page 2 of 2)

Year	GHL	Sac Roe Harvest	Percent of GHL Harvested
2002	11,042	9,788	89%
2003	6,969	7,051	101%
2004	10,618	10,490	99%
2005	11,192	11,366	102%
2006	10,412	9,967	96%
2007	11,904	11,571	97%
2008	14,723	14,386	98%
2009	14,508	14,776	102%
2010	18,293	17,624	96%
2011	19,490	19,429	100%
Long-Term Average	6,625	6,753	108%
Recent 10-year average	12,915	12,645	98%

PROPOSALS 233 AND 234 – 5 AAC 27.110. Fishing Seasons for Southeastern Alaska; 5 AAC 27.195; and Sitka Sound Commercial Sac Roe Herring Fishery Management Plan.

PROPOSED BY: Bill Menish (Proposal 233) and Sitka Herring Group (Proposal 234).

WHAT WOULD THE PROPOSALS DO: Proposals 233 and 234 seek to allocate an equal portion of the Sitka Sound (Section 13-B) herring sac roe fishery guideline harvest level (GHL) to each permit holder.

WHAT ARE THE CURRENT REGULATIONS: All Southeastern Alaska herring sac roe fisheries are limited entry. Commercial herring sac roe purse seine fisheries are currently allowed in sections 1-E, 1-F, 11-A, 13-A, 13-B, 15-B, and 15-C. Regulations provide for an equal-share quota fishery only in sections 1-E and 1-F. The Sitka Sound (sections 13-A and 13-B) herring sac roe purse seine fishery is managed as a competitive fishery during seasons established by emergency order (EO).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED: If these proposals were adopted, all sac roe purse seine herring permit holders would be allocated equal shares of the available GHL for the Sitka Sound fishery each season. If the sac roe herring fisheries were managed on an equal-share basis, it is possible that multiple permit holders on board the same vessel could harvest their shares more efficiently by reducing the number of fishing vessels, crewmembers, spotter aircraft, and tenders. Harvesters could have greater opportunities to release sets containing marginal roe content or smaller herring to increase overall quality and value of fish harvested. The pace of the fishery would be determined more by industry's ability to process catch than by the need to provide competitive openings for all permit holders. There might be competition for herring in areas determined to have high roe percentages, but there would not be competition to maximize an individual fisherman's share of the harvest. The fishery could occur in a larger, less restricted area. There would be potential for greater dispersal of the harvest, possibly benefitting participants in the subsistence herring egg harvest. If adopted, this proposal would likely disadvantage fishermen who historically have harvested more than average or who may have invested in their boats and gear to maximize their harvest.

BACKGROUND: The sac roe herring purse seine fishery in Southeast Alaska has been under the limited entry program since 1977, and there are 47 limited entry permits and currently one interim use permit. All permit holders usually participate each year in the Sitka fishery. The Lynn Canal sac roe seine fishery has not been opened since 1982 due to below-threshold forecasts, and no seine sac roe fisheries have yet occurred in the newly established Behm Canal fishery.

Since 1977, the average fishery harvest in Sitka has been 7,643 tons (Table 233-1). The average harvest per permit holder has been 160 tons.

The Sitka Sound purse seine sac roe fishery is managed as a competitive fishery. After test fishing has demonstrated good roe herring in an area, and vessel and aerial surveys have been conducted to gauge herring amount and distribution, then the department may open the fishery in a specific area. Fishing periods are opened for either set time periods or are managed inseason by monitoring catch on the fishing grounds and then closing the fishery when estimated catch is approaching harvest goals. In recent years, the latter style of management has been used more frequently.

Voluntary cooperative-style equal-share fisheries have been used as a management tool in Sitka Sound in cases when roe quality standards would have been difficult or impossible to achieve, in order to slow the pace of the fishery due to processing capacity limitations, and to control harvest when smaller amounts of GHL remain to be harvested in order to remain within the established seasonal GHL. Cooperative-style fisheries have been difficult to organize inseason since generally not all permit holders have agreed to this approach. The department has managed voluntary cooperative-style (equal-share) fisheries in Sitka Sound under strict guidelines with permit holders and processors, but only after all permit holders have unanimously agreed to the guidelines. The Department of Law has advised that no regulation or emergency order could contain or enforce cooperative fishery provisions.

Voluntary cooperative-style fisheries with the GHL shared between permit holders have been used during all or portions of the 1979, 1988, 1989, 1991, 1993, 1996, 1999, 2002, 2005, and 2006 seasons (Table 233-1). Voluntary cooperative-style equal-share fisheries have accounted for 100% of the herring harvest in five of those years and from 9% to 49% of the herring harvest in other years. For all other years, the GHL was completely harvested in competitive fisheries.

Since 1977, the amount harvested has averaged 104% of established GHLs, though during the most recent ten-year period, the harvest has averaged 98% of established GHLs.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals. The department has demonstrated the ability to manage either competitive or shared quota fisheries. The department has successfully used shared quotas in the past as a management tool in the Sitka Sound sac roe fishery based on unanimous agreements of all permit holders. Past department success with equal-share quota fisheries in Sitka Sound is, in part, related to departmental reliance on the terms of cooperative agreements between permit holders and processors.

Reasons cited by the authors in support of this proposal include: reduced vessel collisions and damage to equipment, gear, and nets commonly associated with the highly competitive nature of the fishery; providing for a safer and more orderly fishery; reduced risk of exceeding the

established GHL; and improved economics for permit holders by improving the quality of harvest. Not specifically cited in these proposals, but generally understood to be a motivating factor, are the improved fishery economics that would likely result for permit holders through more efficient use of harvesting assets.

If an equal-share quota fishery was adopted, the department's responsibility for making critical time and area decisions that affect the quality of the herring harvest would be reduced. Industry would bear more of the responsibility for controlling harvests in consideration of processing capacities. The department's inseason management orientation of monitoring of herring quality and distribution would not significantly change. It should be anticipated that the department would continue to exercise time and area authority to minimize high grading and excessive test setting to achieve desired herring quality. The department would also use time and area authority to disperse harvest in consideration of subsistence roe fisheries (5 AAC 27.195). Potential conflicts between commercial and subsistence fisheries could be reduced through greater temporal and geographic dispersal of commercial fishing activities under an equal-share management regime.

Increased monitoring of fishery activities may be necessary to ensure compliance with regulations and harvest limits. This would include on-grounds monitoring of harvesting and transferring of herring to tenders and possibly, dockside verification to ensure adequate enforcement of catch limits. Dockside monitoring might involve third-party contractors such as those used in British Columbia to verify sac roe herring landings at processing facilities.

Past experiences with voluntary cooperative-style fisheries in Sitka Sound has shown that harvest limits are likely to be exceeded. In 1999, a cooperative fishery to catch the remaining GHL of 765 tons resulted in a harvest of 873 tons, exceeding the target by 14%. In 2002, the target harvest of 1,382 tons was exceeded by 94 tons (7%) and in 2005, the target harvest of 1,020 was exceeded by 64 tons (6%). At larger GHLs, it might be expected that, proportionally, the level the GHL is exceeded would go down. However, this would largely depend upon how many of the permit holders pool together and work cooperatively under an equal-share program. For example, if all permit holders chose to harvest their shares individually with their own vessel, the overall overage would likely be high. Conversely, if permit holders work in groups using fewer harvesting vessels, the overall overage would likely be lower. The expectation might be that most permit holders will work in groups since this will reduce the cost of participation in the fishery. In Canadian herring sac roe fisheries, it is required, by regulation, that fishermen work in pools of a minimum number of license holders. This management approach was designed specifically to reduce excessive overages of GHLs. Similar provisions in board regulations here would be likely be unlawful according to the Department of Law.

If the board chooses to adopt equal-shares for sac roe herring fisheries, the department recommends regulations that address the following concerns be considered:

- Excessive sorting of captured herring so as to maximize roe content can cause stress and mortality. We recommend that a standard minimum roe content be established (e.g., 10%) and that if sampling indicates the minimum roe content exists, that the set must be retained.
- Allowing the department to close the fishery if excessive catch-and-release is occurring.
- Sometimes, not all permit holders participate in the fishery. Equal-share amounts can be established either based upon the total number of limited entry permits issued by the Commercial Fisheries Entry Commission or by a registration process. If a registration process is adopted, the department needs authority to establish a final cut-off date so that individual limits can be established prior to opening the fishery.
- Requiring presence of permit holders on a harvesting vessel at the time their share is harvested and mandatory call-in to the department immediately prior to making a set and the results of each set. This will allow the department to monitor effort and effectively manage the fishery.
- Prohibiting the making of a set unless roe samplers are immediately available. Sets should not be held for an excessive amount of time while a decision is made to pump or release the set. A fixed amount of time should be established to make this determination.
- Once a set is fully pursed up or pumping has started, all herring in that set must be retained and sold.
- Fishing should be allowed only during daylight hours. This will allow the department to monitor and implement changes to the fishery in an effective manner.
- Pool-sharing of fish from a set and sharing between permit holders should be allowed and encouraged.
- Reporting of harvest on fish tickets should be made by each permit holder and not by the boat that actually caught the fish.
- A mechanism should be developed so that permit holders that exceed their shared quota cannot benefit and may be penalized for excess harvest. All revenues from overages shall be payable to the state and any overages 5% or more above shared quota amounts will be submitted to Alaska Wildlife Troopers for possible citation.
- Dockside verification of landings might be considered as a means to ensure compliance with harvest limits.

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

Table 233.1–Summary of Sitka Sound herring purse seine sac roe fishery, 1977–2011.

Year	Guideline Harvest Level (tons)	Sac Roe Harvest (tons)	Percent of GHL Harvested	Number of Permits	Average Harvest/ Permit (tons)	Roe Percent	Tons Taken Coop	Percent Harvest Coop
*1977	0	0	-[1]	-	-	-	-	-
1978	250	238	95%	23	10	11	-	-
1979	2,800	2,559	91%	48	53	9.3	2,559	100%
1980	4,000	4,445	111%	50	89	10.8	-	-
1981	3,000	3,506	117%	51	69	11	-	-
1982	3,000	4,363	145%	51	86	11.7	-	-
1983	5,500	5,416	98%	51	106	11.1	-	-
1984	5,000	5,830	117%	50	117	11.1	-	-
1985	7,700	7,475	97%	52	144	11.3	-	-
1986	5,029	5,443	108%	52	105	11.9	-	-
1987	3,600	4,216	117%	52	81	9.9	-	-
1988	9,200	9,390	102%	52	181	9.5	9,390	100%
1989	11,700	11,831	101%	51	232	9.4	11,831	100%
1990	4,150	3,804	92%	52	73	10.6	-	-
1991	3,200	1,838	57%	22	84	8.9	1,838	100%
1992	3,356	5,368	160%	52	103	9.4	-	-
1993	9,700	10,186	105%	50	204	10.7	10,186	100%
1994	4,432	4,758	107%	51	93	11	-	-
1995	2,609	2,908	111%	51	57	11.8	-	-
1996	8,144	8,144	100%	51	160	9.6	3,976	49%
1997	10,900	11,147	102%	51	219	11.5	-	-
1998	6,900	6,638	96%	51	130	10.2	-	-
1999	8,476	9,217	109%	51	181	10.7	873	9%
2000	5,120	4,630	90%	51	91	9.9	-	-
2001	10,597	11,974	113%	51	235	11.3	-	-
2002	11,042	9,788	89%	51	192	10.9	1,462	15%
2003	6,969	7,051	101%	51	138	10.7	-	-
2004	10,618	10,490	99%	51	206	10.8	-	-
2005	11,192	11,366	102%	51	223	11.5	1,102	10%
2006	10,412	9,967	96%	50	199	10.5	879	9%
2007	11,904	11,571	97%	50	231	11.4	-	-
2008	14,723	14,386	97%	50	286	11.5	-	-
2009	14,508	14,776	102%	50	296	11.8	-	-
2010	18,293	17,624	96%	49	360	12.5	-	-
2011	19,490	19,429	100%	48	405	13.3	-	-
1977–2011 avg	7,643	7,765	104%	49	160	10.8		
2002–2011 avg	12,915	12,645	98%	50	254	11.5		

* The fishery was placed under a program for limited entry. The threshold policy was implemented and no fishery occurred since the stock was below threshold.
[1]A dash denotes no harvest.

PROPOSAL 235 – 5 AAC 27.195. Sitka Sound Commercial Sac Roe Herring Fishery Management Plan.

PROPOSED BY: Alaska Herring Seiners Association.

WHAT WOULD THE PROPOSAL DO? Fishing vessels participating in the Sitka Sound sac roe herring fishery currently are not restricted from being in the area of the fishery before and at the time of the opening.

WHAT ARE THE CURRENT REGULATIONS? There are currently no regulations that restrict free movement of fishing vessels in any navigable waters in the State of Alaska for the purpose of fishery management.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would make it illegal for seine and tender vessels participating in the Sitka Sound sac roe herring fishery to travel into waters defined and announced by the department two hours prior to an open fishing period.

BACKGROUND: There are 47 limited entry permits and one interim use permit in the Sitka Sound sac roe herring fishery. In addition, there are up to 80 registered tender vessels and numerous skiffs hired by industry in support of the fishery. The department uses aerial and vessel surveys, and roe sampling, to identify an area where a manageable volume of herring with acceptable roe recovery can be harvested. Typically, three to five permit holders volunteer their seine vessels to conduct test sets for roe sampling, as well as a number of seine vessels surveying the grounds for herring concentrations. Once an area has been determined, the department's annual management plan for the seine sac roe herring fishery provides that the department give a minimum of two hours notice prior to opening a fishing period. Once an area has been identified for a fishery, fishing vessels are free to survey the area to determine the distribution of herring in preparation for the opening. The fishery is opened by voice countdown on the marine VHF radio. The larger herring schools are often not well-dispersed within the open area, but concentrated in smaller areas where boats will aggregate and compete for the opportunity for a large set at the initial opening of the fishery. This results in an intensely competitive fishing environment when the fishery initially opens, often resulting in entanglement of nets and sometimes vessel collisions.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department may be compelled to alter fishing boundaries in consideration of entry points for the fleet, complicating management. Also, given the large number of seiners and tenders participating in the fishery, there would be a significant increase in the enforcement burden to ensure compliance. Reasons cited in support of this proposal are reduced vessel collisions and damage to equipment, gear and nets commonly associated with the highly-competitive nature of the

fishery, and providing for a safer and more orderly fishery. If adopted, there may be some reduction in collisions and gear conflicts, but this proposal would not entirely alleviate conflicts. There is still potential for collisions and safety concerns with 48 seine vessels speeding into and around the fishing area. This may be compounded if the boats are required to start from an area confined by island passes and reefs. If adopted, the Alaska Board of Fisheries should consider whether all vessels, including skiffs and smaller vessels used in support of the fishery, should be restricted from the area, as well. This may require that all vessels, including skiffs, be registered to participate.

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

PROPOSALS 238 AND 239 – 5 AAC 27.110. Fishing Seasons for Southeastern Alaska; 5 AAC 27.195; and Sitka Sound Commercial Sac Roe Herring Fishery Management Plan.

PROPOSED BY: Sitka Advisory Committee (Proposal 238) and Harvey Kitka (Proposal 239).

WHAT WOULD THESE PROPOSALS DO? These proposals would close a large area (Proposal 238 – 15 sq mi and Proposal 239 – 16 sq mi) of Sitka Sound to the commercial seine sac roe herring fishery.

WHAT ARE THE CURRENT REGULATIONS? There are no closed waters for the seine sac roe herring fishery in sections 13-A and 13-B (Sitka Sound). Regulations provide that the department may distribute harvest by time and area if the department determines that it is necessary to ensure subsistence herring egg-harvesting opportunity.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would close a large area of Sitka Sound to commercial sac roe herring harvest (Figure 238.1). The reduced fishing area would likely result in not achieving the commercial sac roe guideline harvest level (GHL) in some years. The effect on the subsistence harvest is not clear.

BACKGROUND: In October 2001, the Sitka Tribe of Alaska (STA) submitted an agenda change request (ACR) to the Alaska Board of Fisheries (board) to address concerns that the commercial sac roe harvest was negatively impacting the subsistence roe harvest in Sitka Sound. The board adopted the ACR to consider regulation changes to help ensure a subsistence opportunity during its January 2002 meeting in Anchorage. The board ultimately adopted a management plan for the Sitka Sound sac roe herring fishery, including a new provision to distribute the commercial harvest of herring for sac roe, if the department determines it necessary, to ensure a reasonable opportunity to harvest the amount necessary for subsistence (ANS) and adopted an ANS finding of 105,000–158,000 pounds of herring spawn based on information provided by the department and testimony from subsistence users. ADF&G has worked with the STA to develop a harvest monitoring program to estimate annual subsistence harvests beginning in 2002. At its 2009 meeting, the board increased the ANS finding to 136,000–227,000 pounds of herring spawn based on subsistence harvest data collected from 2002–2008. For the period 2002–2010, harvest estimates for 2005, 2007, and 2008 were below ANS (Table 238.1). All other years during this period, the subsistence harvest was within or above ANS (Figure 238.2). In 2005, most of the commercial harvest occurred within the proposed closure area. In 2007, 1,900 tons (13% of the season GHL) were harvested from within the proposed closure area, and in 2008, no commercial harvest occurred within the proposed closure area.

Approximately 95% of the subsistence herring spawn harvest is obtained by setting hemlock branches in subtidal areas where herring traditionally spawn. The remaining 5% of the egg harvest is from the collection of wild seaweeds or kelps with herring eggs. Though subsistence harvest of herring eggs does occur over a broad area of Sitka Sound, department observations and harvest monitoring survey show that the spawn-on-branch harvest effort is heavily concentrated in an area that includes the shorelines of Kasiana Island, and South Middle and Crow islands—small areas relative to the spawn. Figure 238.3 shows the harvest areas identified by respondents during the 2009 and 2010 harvest surveys. These areas are considered ideal by harvesters for setting branches since the subtidal shoreline where herring spawn tends to be rocky, free of sediment and pollution, and protected from ocean surge. Harvesters also noted that they preferred to set trees close to town since traveling in small skiffs to set trees in large sea swells can be difficult and potentially dangerous.

Commercial harvests occur throughout the greater Sitka Sound area and Salisbury Sound, though most of the harvest during the past 10 years has occurred in the northern portion of Sitka Sound. Since implementation of 5 AAC 27.195 in 2002, the department has made a concerted effort to disperse commercial herring sac roe harvesting opportunities away from the high-use subsistence areas. Prior to 2002, approximately 60% of the total sac roe harvest occurred in the proposed closure area. Since 2002, commercial sac roe openings have occurred within the proposed closure area in five of the last 10 years, accounting for approximately 20% of the total sac roe harvest during this period. The proposed closure area includes waters that are considered a key staging area for prespawning herring, with a significant portion of the biomass often staging in this area prior to dispersing to the beaches to spawn. Because of this, the area has been an important area not only for subsistence, but also for providing commercial harvesting opportunity as well.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because the loss of management flexibility caused by closing such a large area may result in lost harvest opportunity. The department is **NEUTRAL** on the allocative implications of this proposal.

The effect of the commercial sac roe harvest on subsistence herring spawn opportunity is not known. There are several other factors that can impact success in the subsistence herring spawn harvest, including natural variability in spawn distribution and timing, weather patterns and timing during the herring spawn, the number of individuals attempting to harvest for subsistence uses, and the number of branches each individual sets. Since much of the subsistence effort is focused in a limited area, natural changes in spawn distribution each season would be expected to substantially affect subsistence harvesting success. For example, in 2008, a large portion of the biomass spawned on Kruzof Island, well away from high-use subsistence areas and subsistence harvests were estimated below ANS. Also, no commercial harvest occurred in the proposed closure area in 2008, indicating that a closure of this area would not have changed the outcome of the subsistence harvest. In contrast, in 2010, 4,181 tons of sac roe herring were harvested within the proposed closure area and subsistence herring egg harvest was estimated within the ANS range. It would be expected that in some years, closure of the proposed area

would significantly affect the ability of the commercial sac roe fishery to achieve harvest of the GHL.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined, under 5 AAC 01.716(a)(7), that herring and herring spawn in waters of Section 13-A, and Section 13-B north of the latitude of Aspid Cape, are customarily and traditionally taken or used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn as the amount reasonably necessary for subsistence (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 238.1–Subsistence herring spawn harvest, total sac roe harvest, and sac roe harvest within the proposed sac roe closure area, 2002–2011.

Year	Subsistence Herring Spawn Harvest (pounds)	Commercial Sac Roe Harvest (tons)	Commercial Sac Roe Harvest in Proposed Closure Area (tons)
2002	151,717	9,788	0
2003	278,799	7,051	2,010
2004	381,226	10,490	0
2005	83,985	11,366	11,366
2006	219,356	9,967	5,724
2007	87,211	11,571	1,900
2008	71,936	14,386	0
2009	213,712	14,776	0
2010	154,620	17,624	4,181

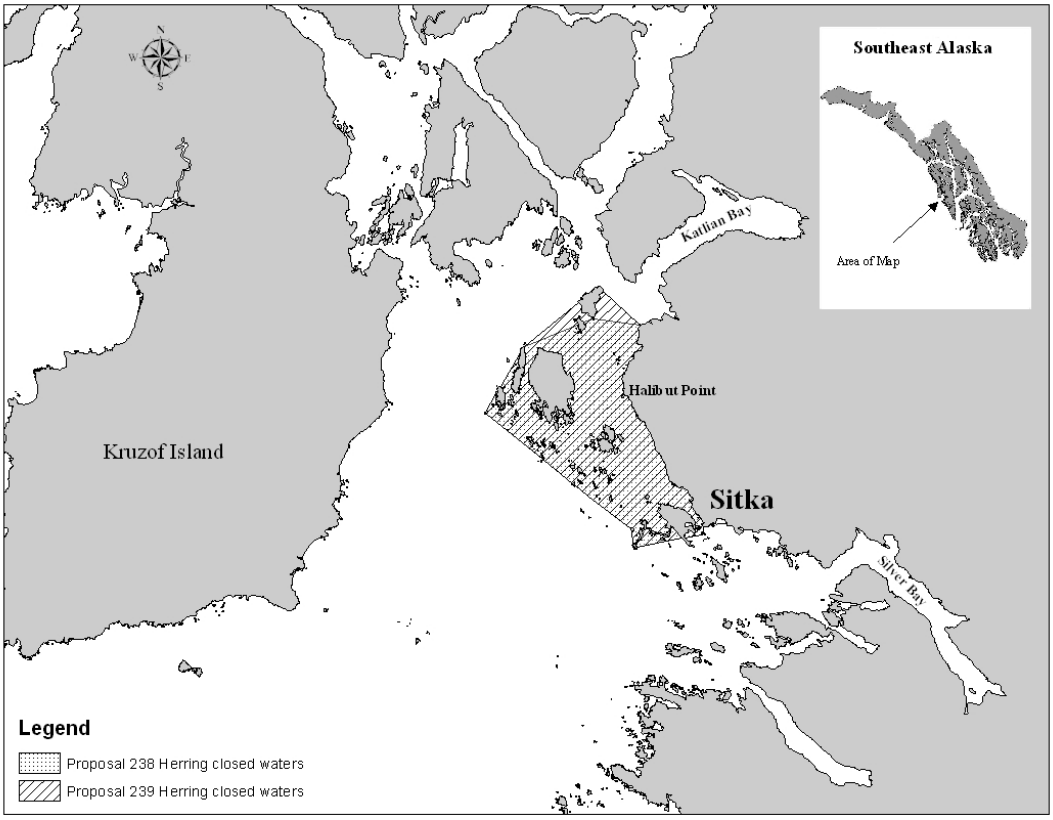


Figure 238.1–Proposed commercial herring sac roe fishery closure area in Sitka Sound.

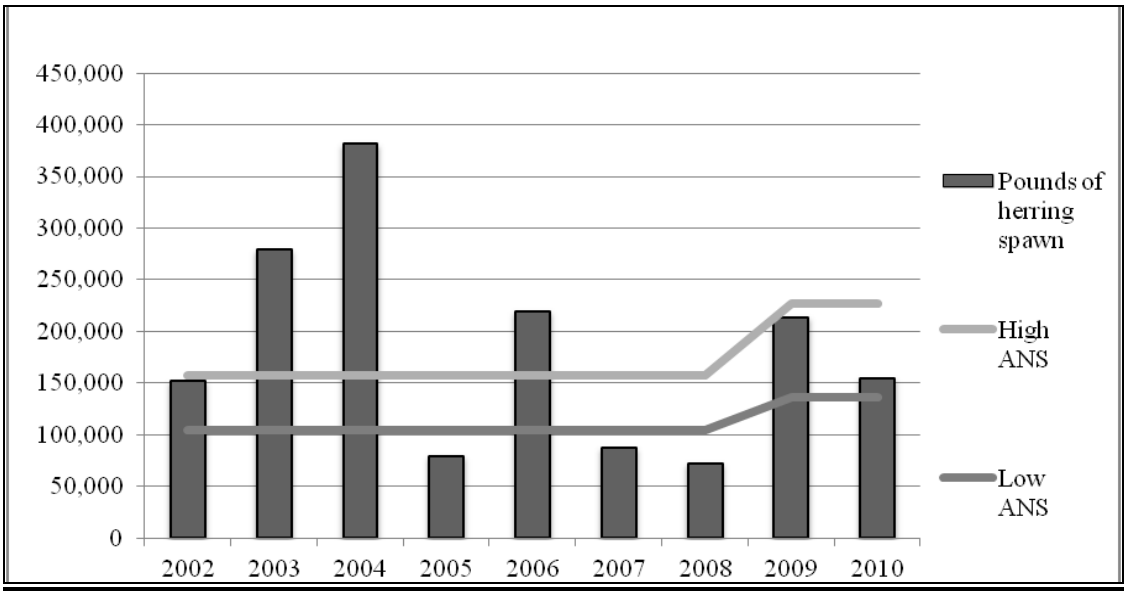


Figure 238.2–Total pounds usable weight and amount necessary for subsistence (ANS) of herring spawn harvested on all substrates in Sitka Sound, 2002–2010.

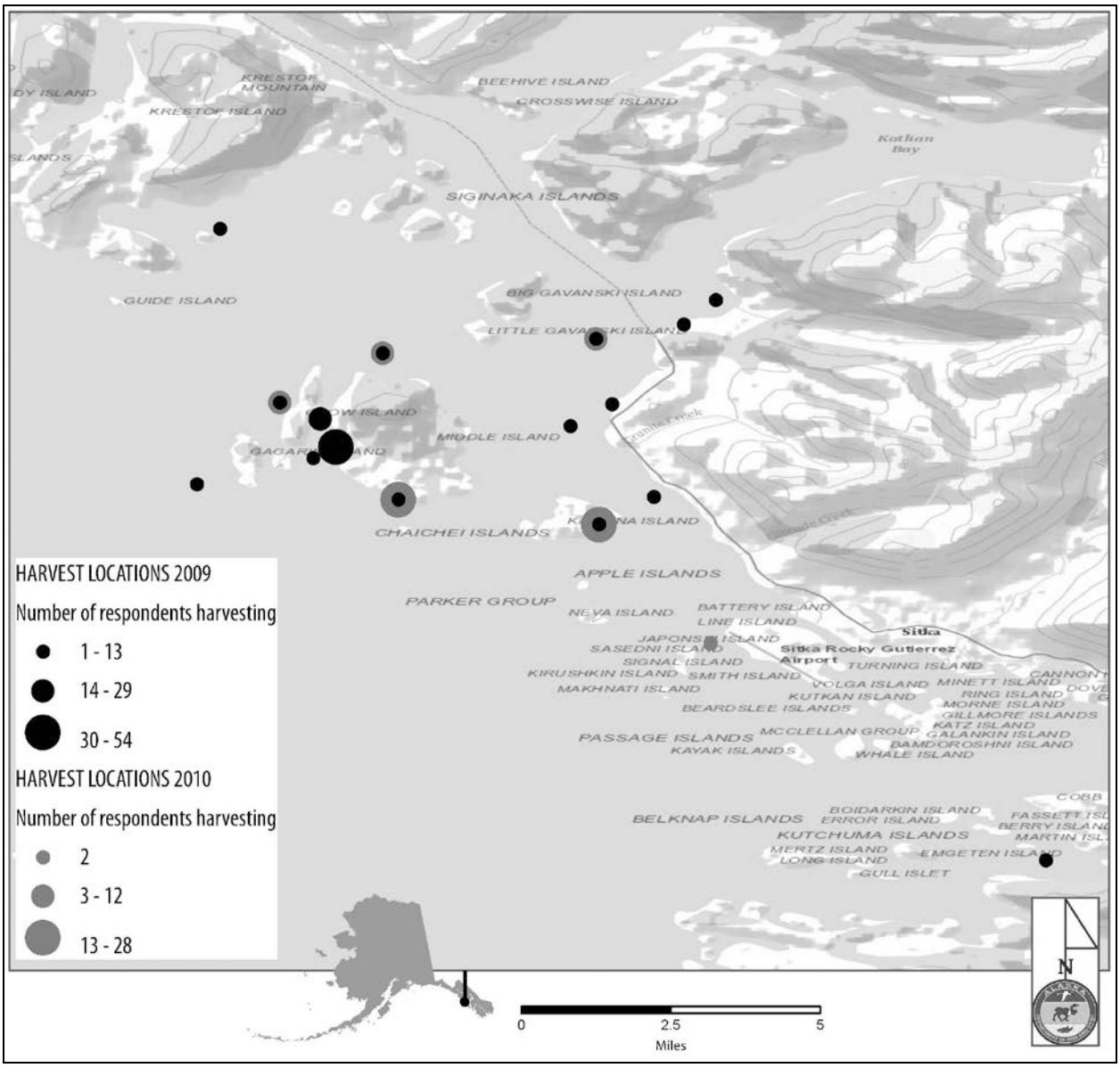


Figure 238.3–Number of respondents harvesting herring spawn by location, Sitka Sound, 2009 and 2010.

PROPOSAL 242 – 5 AAC 27.197. Sections 1-E and 1-F Commercial Sac Roe Herring Fishery.

PROPOSED BY: Ketchikan Guided Sportfish Association.

WHAT WOULD THE PROPOSAL DO? This proposal would establish, in regulation, a herring biomass minimum threshold for the West Behm Canal area. The threshold would be set at 15,000 tons. The current threshold of 6,000 tons was established by the department in 2003.

WHAT ARE THE CURRENT REGULATIONS: Current regulations require the department to establish minimum spawning biomass thresholds, below which fishing will not be allowed, and assess stock abundance relative to thresholds prior to allowing fishing to occur.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Based on historical biomass levels, this proposal would likely eliminate commercial herring harvest opportunity in West Behm Canal and provide for increased conservation of this spawning aggregate.

BACKGROUND: Prior to 1983, there was no established threshold for the herring fishery in sections 1-E and 1-F (West Behm Canal). Purse seine sac roe fisheries were allowed in the area in 1969, 1973, and 1976, with harvests of 468 tons, 183 tons, and 39 tons, respectively. From 1976 to 1984, Section 1-E was designated, by regulation, as a set gillnet sac roe fishing area. The only gillnet fishery that occurred was in 1976 when 26 tons were harvested. In 1984, the Alaska Board of Fisheries (board) eliminated a number of small gillnet fisheries in the region, including the West Behm Canal fishery (Helm Bay area), due to low productivity of stocks.

In 1983, a 2,000-ton threshold was established by the department, which was in effect until 2002. Thresholds of 2,000 tons were set for herring stocks in the region that were considered small and for which there existed limited biological data. Thresholds were set based on historical estimates of abundance, historical knowledge of the stock, and department judgment regarding minimum quotas that could be managed in a controlled fishery. During this time period, the West Behm Canal area was designated as a winter bait fishery area; however, no commercial fisheries were opened. Two factors led the department to not open a winter bait fishery in West Behm Canal between 1983 and 2002, even though the spawning biomass in the area had grown substantially over this period. First, uncertainty about wintering locations of fish that spawn in the West Behm Canal, Cat Island, Kah Shakes, and Annette Island areas raised the possibility of exceeding harvest rates on one or more of these spawning aggregates if a winter bait fishery was permitted in West Behm Canal. Second, the presence of young herring in the area, which were not suitable for bait, would have made it difficult to harvest quality bait in the area.

In 2003, the threshold was increased by the department to 6,000 tons, which has been used to the present. The new threshold was determined based on a department analysis that recommended use of 25% of the estimated "average unfished biomass", a method generally accepted by fishery scientists and used for herring fisheries elsewhere in Alaska and British Columbia. The threshold was reviewed in 2003, in response to proposals before the board at its 2003 meeting in Sitka that requested a commercial sac roe fishery be reestablished in West Behm Canal. At its 2003 meeting, the board reestablished sac roe fisheries in West Behm Canal, with alternate year fisheries for purse seine and gillnet gear.

Since the current threshold went into effect, the spawning biomass has been forecasted to be over threshold for two years: 2004 and 2011. For 2004, although 9,366 tons were forecasted, it was apparent inseason that the spawning population was far less than the forecasted amount and the fishery was closed inseason prior to any harvest. Only 443 tons were estimated to have spawned in 2004. For 2011, although nearly 11,864 tons were forecasted, with a total allowable harvest of 1,418 tons (sac roe fishery allocation of 1,276 tons), the fishery was unsuccessful due to difficulty catching herring outside of closed waters; the harvested amount is confidential due to fewer than three fish processors participating in the fishery.

Estimated spawning biomass levels in West Behm Canal since 1980 are presented in Figure 242.1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Although the proposed threshold would increase protection of the West Behm Canal herring stock, it goes beyond the level necessary to accomplish the original intent of herring thresholds in the region. Herring spawning biomass thresholds are established to prevent harvest while stocks are at low levels of productivity. It is a goal of the department to maintain stocks above thresholds to avoid sharp reductions of stock levels to critical levels and potential resulting recruitment failure. It is unlikely that the West Behm Canal herring stock could be maintained at a level above the proposed threshold, since it has only surpassed the proposed threshold once in the last thirty years.

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

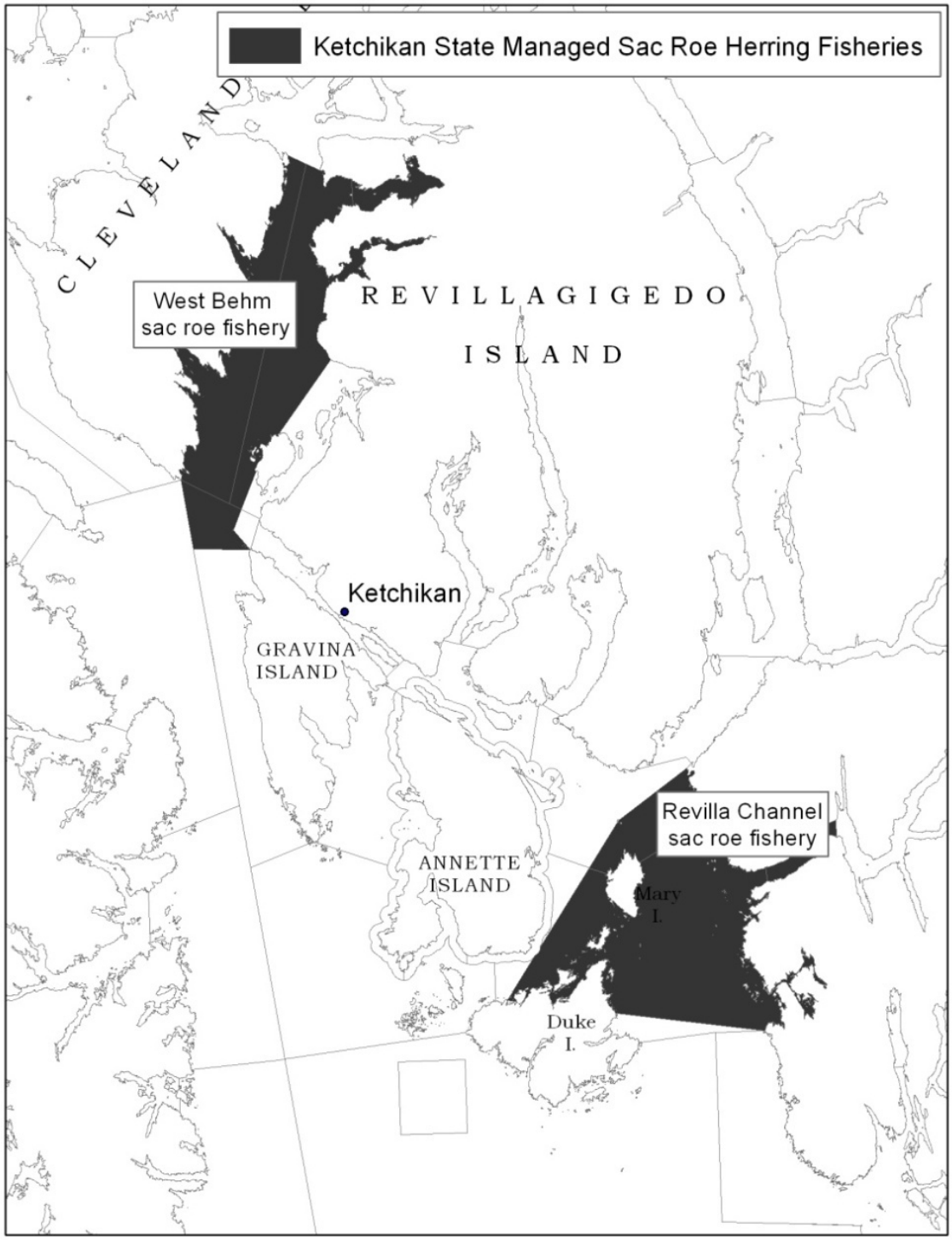


Figure 242.1–Herring spawning biomass estimates and thresholds for the West Behm Canal stock.

PROPOSAL 273 – 5 AAC 01.730. Subsistence Fishing Permits.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO: This proposal would require persons to obtain a permit to harvest any herring eggs in Sitka Sound for subsistence or personal use. The permit would require that harvest information be recorded on the permit and returned to the department. The proposal would also require the department to conduct a harvest monitoring program to measure and weigh herring eggs harvested on branches when harvests are landed at the dock.

WHAT ARE THE CURRENT REGULATIONS: There is currently no subsistence harvest permit required for herring roe; there is a subsistence permit required for herring spawn on kelp. There is a customary and traditional (C&T) use finding for herring and herring spawn in Section 13-B north of Aspid Cape and Section 13-A, the areas this proposal addresses.

5 AAC 01.716. *Customary and traditional uses of fish stocks and amount necessary for subsistence uses*. (a) The Alaska Board of Fisheries finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

(7) herring and herring spawn in waters of Section 13-A, and Section 13-B north of the latitude of Aspid Cape.

(b) The Board finds that 136,000-227,000 pounds of herring spawn are reasonably necessary for subsistence uses in Section 13-A, and Section 13-B north of the latitude of Aspid Cape.

5 AAC 01.730. *Subsistence fishing permits*. Permits may request time and location of the harvest and the species of kelp harvested. Annual possession limits for spawn on kelp are 32 pounds for an individual or 158 pounds for a household. Additional permits for additional poundage may be provided.

Also under this regulation, the department will, to the extent practicable, use a harvest monitoring program with surveys and interviews to record the harvest of herring spawn on branches, kelp, and seaweed taken in the waters of Section 13-A and Section 13-B north of the latitude of Aspid Cape.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED: Persons participating in the herring roe-on-branch subsistence fishery, which accounts for 95% of the herring egg harvest in Sitka Sound, would be required to obtain a permit, log their harvest on the permit, and return the permit to the department. It would also require the department to measure and weigh subsistence herring eggs when landed dockside.

BACKGROUND: There is a positive C&T use finding for herring and herring spawn in several areas of Southeastern Alaska. Discussions in prior Alaska Board of Fisheries (board) meetings on how to monitor the subsistence roe-on-branch harvest, to determine if subsistence needs were being met, resulted in an understanding that a permit would not be necessary. The primary concern by subsistence harvesters was that a permit might lead to restrictions. The Sitka Tribe of Alaska (STA) and department agreed on a joint effort to conduct inseason and postseason household interviews of harvesters to estimate the amount of herring spawn harvested.

Based on the harvest monitoring survey results for the period of 2002–2008, the board, in 2009, changed the amount necessary for subsistence (ANS) for roe-on-branch harvest to 136,000–227,000 pounds. At the 2009 board meeting, there was discussion concerning lack of department oversight of the harvest monitoring program. Industry representatives expressed concerns about the methodology used to determine weights and the accuracy of survey findings.

After analyzing the 2009 harvest estimate, STA and ADF&G researchers realized the need to develop a more rigorous method for gauging harvest weights. In 2010, ADF&G worked with STA to revise the survey design to include assessment questions to address factors that contribute to participation in the fishery over time. Methods for documenting harvest locations and sampling procedures were also strengthened and an ADF&G researcher accompanied the STA surveyor on several interviews.

The methodology used in 2010 was employed in 2011 and ADF&G plans to continue this effort in future surveys, with an additional objective of trying to determine if density also affects weight as measured by volume. The revised methodology of rigorously retesting weight by volume each year will ensure more accurate estimates into the future.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department is confident that reasonably accurate information can be obtained through the harvest monitoring program currently in place. The requirement of a permit for reporting of harvest would not necessarily result in accurate harvest data without considerable additional monitoring efforts and costs to estimate or verify weights reported on permits.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(7) that herring and herring spawn in waters of

Section 13-A and Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board finds that 136,000–227,000 pounds of herring spawn are reasonably necessary for subsistence uses in Section 13-A and Section 13-B, north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

SALMON ALLOCATION PLANS (1)

PROPOSAL 325 –5 AAC 29.090. Management of the Spring Salmon Troll Fisheries.

PROPOSED BY: Chum Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would redirect spring troll fishery management to target hatchery chum salmon rather than Alaska hatchery-produced king salmon in six specific locations.

WHAT ARE THE CURRENT REGULATIONS? Regulations for management of the spring salmon troll fisheries are primarily based on targeting of Alaska hatchery-produced king salmon while allowing for the harvest of Pacific Salmon Treaty (PST) king salmon. Current regulations do not mention targeting of hatchery-produced or wild chum salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would redirect current spring troll fishery management from king salmon to chum salmon in a number of spring troll areas. All existing spring troll fisheries in District 14 would be managed for chum salmon under regulations yet to be established. In addition, two new spring fisheries would open, including one in District 12 south of the latitude of Point Howard and adjacent to the Icy Strait spring troll area, and another in the waters of Section 9-A south of 56°21.00′ N. latitude, and north of 56°15.83′ N. latitude, which would be managed to target hatchery-produced chum salmon (325-1). This proposal could potentially increase costs to the department in order to manage inseason.

BACKGROUND: Spring troll fisheries are conducted along migration routes to, or in proximity to, king salmon-producing Alaskan hatcheries. Spring troll and terminal troll fisheries target Alaska hatchery-produced king salmon, though non-Alaska hatchery or PST king salmon are also harvested. The number of king salmon that may be harvested in a given spring troll fishing area is determined by the percentage of Alaska hatchery fish in the catch and there are specific PST king salmon harvest ceilings that may not be exceeded. For example, no more than 2,000 non-Alaska hatchery king salmon may be taken in a spring fishery if the percentage of Alaska hatchery fish is at least 25%, but less than 35%. The non-Alaska hatchery harvest limits increase as the percentage of Alaska hatchery fish increases. New fishing areas or changes to existing areas may be proposed each year. These proposed areas are then scrutinized by department biologists for potential impacts on local wild stocks and to determine whether the area is one where a substantial portion of the harvest is likely to be of Alaska hatchery origin.

Since spring fisheries began in 1986, there have been two regulatory changes made that allowed for openings and opening-length management decisions based on a species other than king

salmon. The first occurred in 1988, when the Cross Sound pink and chum fishery was established as a run strength indicator for wild pink or hatchery chum salmon, with a harvest cap of 500 king salmon. In 2009, the Alaska Board of Fisheries (board) adopted a proposal that returned this area to a spring fishery managed to target Alaskan hatchery king salmon. This was because the area was no longer considered useful as an indicator of pink salmon run strength. The second occurred in 2000, when the board recognized the need to increase troll opportunities to harvest hatchery coho salmon returning to the Neck Lake release site during spring and adopted 5 AAC 29.090(h). This regulation allows the department, by emergency order, to extend the length of weekly fishing periods in Snow Passage during spring to maximize the harvest of hatchery coho salmon returning to the area.

Historically, chum salmon were harvested incidentally during spring troll fisheries and were not targeted until the Cross Sound pink and chum fishery was established in 1988. Troll fishery effort directed at targeting hatchery-produced chum salmon in highly mixed stock areas has increased in recent years in response to an increase in the value of chum salmon. For example, during the spring fisheries in 2010 and 2011, trollers targeted hatchery chum salmon at Homeshore (Icy Strait spring area), from early June through mid-July, to harvest hatchery chum salmon returning to various enhancement projects in northern Southeast Alaska (Table 325.1). Both harvest and effort in this spring area have increased dramatically during this two-year period (Table 325.2), as trollers discovered migration corridors and more effective fishing techniques for chum salmon. The area is still managed under the provisions of the spring troll fishery management plan for king salmon.

Commercial troll, purse seine, and drift gillnet permit holders pay an enhancement tax at the time they sell salmon, which is 3% of the value of their catch. These funds help support Alaska hatchery salmon production. Enhanced salmon allocation ranges were developed by the Southeast Allocation Task Force within the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan,* which was adopted by the board in 1994. The plan specified a troll salmon enhanced value range of 27–32%. From 1994 to 2010, the values of enhanced troll harvests have fallen within that target range only four times during that seventeen-year period, with a recent five-year average (2006–2010) of 17%.

DEPARTMENT COMMENTS: While the department is **NEUTRAL** on the allocative implications of this proposal, the department **OPPOSES** this proposal because it seeks to manage a mixed-stock fishing area by regulation based upon the presence of hatchery fish.

Spring troll fisheries have never been managed for hatchery chum salmon; consequently, no inseason management regimes for such a fishery have been established. Directed chum salmon fisheries do exist throughout the region; however, these fisheries are in proximity to terminal areas and have far less potential for mixed wild-stock encounters than would fisheries in Icy Strait and Chatham Strait. New or modified spring fisheries are often managed conservatively until factors such as stock composition and encounter rates of other species, specifically sub-legal king salmon, are evaluated.

Although the proposed area in District 9 is in proximity to the Port Armstrong Special Harvest Area (SHA), the proposed boundaries lie within an existing spring troll area, Little Port Walter. Alaska

hatchery king salmon harvests in the Little Port Walter spring troll area have been consistently good since 2006 and have averaged 45% during the past six years. The highest harvest and effort since 1999 occurred during the 2011 season (Table 325.2). Altering management practices in a spring troll area with such a good track record concerns the department.

The proposed area in northern Chatham Strait District 12 has never been open to trolling during the spring fishery. With unknown stock compositions during this time of year, the department has concerns for potential wild-stock encounters of both chum and king salmon. Given that, if adopted, this new spring area would be managed very conservatively, and would likely result in limited or reduced fishing time. The area specified in District 12 is a high-use marine boat sport fishing area and there were be potential for gear conflict should this proposal be adopted.

The area specified in Icy Strait (District 14) would continue to be managed as it has been under the provisions of the spring troll management plan. Future effort, harvest, and other factors will be evaluated.

Following the recent development of chum salmon troll fisheries at Homeshore in Section 14-C, in West Behm Canal in Section 1-E, and in Chomondeley Sound in District 2, the Joint Northern and Southern Regional Planning Team (JRPT) requested that the department collect data on these fisheries in 2012, 2013, and 2014 and develop draft management plans for these and other developing fisheries for review by the JRPT in April 2014 as proposals for the next board cycle. The plans would address concerns about stocks harvested and effects on other fisheries.

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

Table 325.1–Icy Strait spring troll hatchery chum proportion, 2010 and 2011.

2010				
Stat. Wk	Number Sampled	Number Marked1	Number No Mark	% Marked1
26	213	188	25	88%
27	163	152	11	93%
2011	-	-	-	-
Stat. Wk	Number Sampled	Number Marked[1]	Number No Mark	% Marked[1]
25	220	187	33	85%
26	242	205	37	85%
27	91	85	6	93%
Grand Total	553	477	76	86%

[1] Number marked indicates number of hatchery chum salmon and is based on thermally-marked otoliths.

Table 325.2–Spring troll king and chum salmon total harvests and Alaska hatchery king salmon percentage, 1999–2011.

Fishery Number	Fishery Name	Year	Permits	Total Harvest	Alaska Hatchery %	Non-Alaska Hatchery Harvest	Chum Harvest
114-21	Cross Sound	1999	26	165	15%	140	4,348
		2000	9	104	38%	64	17,162
		2001	33	617	32%	420	14,276
		2002	10	71	2%	70	2,031
		2003	13	146	21%	115	4,692
		2004	4	21	93%	1	397
		2005	5	12	18%	10	0
		2006	9	85	0%	85	99
		2007	10	65	0%	65	509
		2008	6	20	0%	20	196
	Target is AK hatchery king salmon	2009	19	188	50%	94	375
		2010	8	76	15%	65	42
		2011	10	88	0%	88	104
114-23	South Passage *formerly named Point Adolphus*	2000	5	37	0%	37	0
		2001	5	49	7%	46	0
		2002	5	59	73%	16	0
		2003	7	132	1%	131	18
		2004	12	296	57%	127	558
		2005	9	134	0%	134	0
		2006	8	106	0%	106	0
		2007	4	140	14%	120	0
		2008	5	25	0%	25	0
		2009	5	36	0%	36	28
		2010	5	28	0%	28	0
		2011	16	59	0%	59	1,120
114-25	Homeshore	2000	42	1,052	40%	631	47
		2001	43	1,520	34%	1,003	546
		2002	36	824	43%	470	29
		2003	28	456	20%	365	529
		2004	41	1,396	31%	963	94
	Beginning 2006, part of Icy Strait	2005	44	1,250	29%	888	14
114-25	Icy Strait *Combines Homeshore and Point Sophia*	2006	38	685	6%	644	2
		2007	40	314	4%	301	72
		2008	38	345	32%	235	2
		2009	19	136	49%	69	42
		2010	58	433	10%	390	27,703
		2011	178	592	16%	497	147,394

-continued-

Table 325.2–continued (page 2 of 2)

Fishery Number	Fishery Name	Year	Permits	Total Harvest	Alaska Hatchery %	Non-Alaska Hatchery Harvest	Chum Harvest
114-27	Point Sophia	1999	24	497	46%	268	4
		2000	43	1,005	64%	362	54
		2001	53	941	64%	339	1,136
		2002	28	513	49%	262	17
		2003	23	314	71%	91	66
		2004	32	784	42%	455	78
	Beginning 2006, part of Icy Strait	2005	26	489	44%	274	8
114-50	Port Althorp	2002	38	2,463	22%	1,921	188
		2003	28	1,488	18%	1,220	230
		2004	37	1,753	17%	1,455	174
		2005	30	1,118	15%	950	40
		2006	50	1,905	19%	1,543	17
		2007	62	2,957	23%	2,277	90
		2008	53	1,869	36%	1,196	45
		2009	58	2,678	20%	2,142	229
		2010	49	1,421	14%	1,222	16
		2011	44	2,078	29%	1,475	200
109-10	Little Port Walter	1999	23	952	35%	619	3
		2000	14	358	38%	222	8
		2001	9	164	51%	80	247
		2002	4	31	0%	31	0
		2003	7	143	21%	113	0
		2004	3	24	0%	24	0
		2005	6	40	0%	40	0
		2006	16	537	46%	290	1
		2007	19	1,237	62%	470	23
		2008	31	1,359	66%	462	1
		2009	21	348	37%	219	64
		2010	12	103	23%	79	2
		2011	43	1,870	38%	1,159	46
109-11	Port Armstrong	2010	5	54	100%	0	4
		2011	*	*	100%	0	

*confidential data, less than three permits

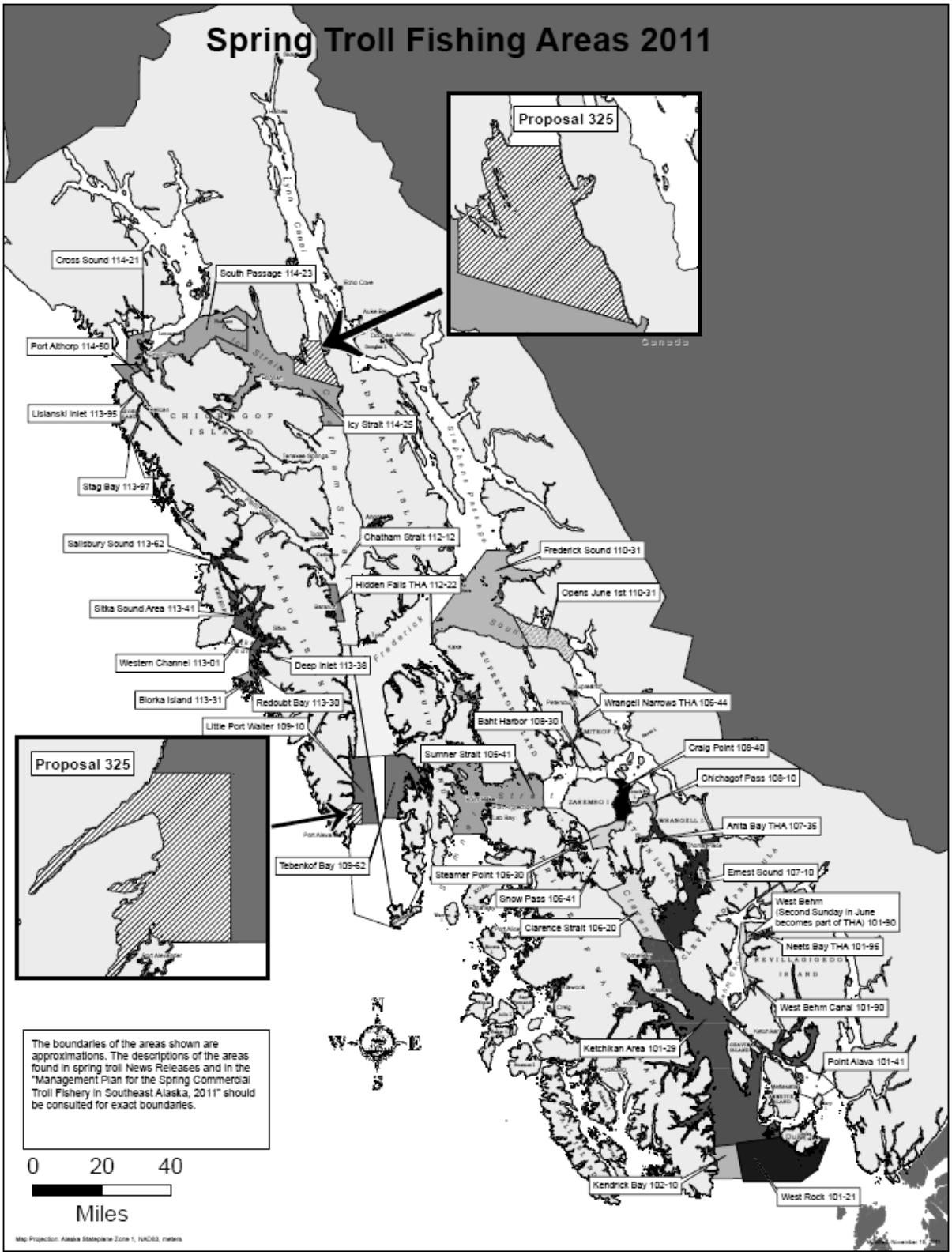


Figure 325.1–Proposed spring troll directed chum and current king salmon spring areas.

THA/SHA (5)

PROPOSAL 337 – 5 AAC 33.XXX. New Regulation. (District 1: Herring Cove Salmon Management Plan.)

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a new terminal area management plan for Herring Cove to distribute the harvest of hatchery-produced king salmon between the troll, sport, and personal use fisheries.

WHAT ARE THE CURRENT REGULATIONS? Regulations include a management plan for a special harvest area in Herring Cove to provide for cost recovery, a requirement that allows harvesting of salmon for personal use under authority of a permit, and a *Personal Use Hatchery Salmon Management Plan* that allows taking of surplus salmon, provides for relaxed bag and possession limits, and allows various gear types when those salmon have not been taken in other authorized fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would establish a management plan that allows retention of king salmon in the troll, sport fish, and personal use fisheries.

BACKGROUND: The Whitman Lake Hatchery (WLH) is located approximately eight miles south of Ketchikan, along the road system, and is a release site for Southern Southeast Regional Aquaculture Association (SSRAA). This facility is permitted to release king, coho, and chum salmon, but currently releases only king and coho salmon.

In 1997, the department entered into a cooperative agreement with SSRAA in an effort to enhance king salmon fisheries in the Ketchikan area. Under this agreement, WLH releases 750,000 king salmon smolts, resulting in an annual return of approximately 17,000 king salmon for the common property fishery. Beginning in the early 2000s, WLH experienced good returns of king salmon. In 2008, a surplus of 10,000 king salmon returned to WLH and was sold as cost recovery. Similar returns have occurred from 2009–2011. Cost recovery has continued and has averaged 9,763 king salmon over the past four-year period.

In the absence of a management plan, the troll, personal use, and sport fisheries have been managed as follows.

In 1996 and since 1999, the department has used its EO authority to liberalize sport fishery regulations in the Ketchikan designated harvest area (Figure 337.1) to target Alaska hatchery king salmon originating from four hatcheries (Neets Bay, Deer Mountain, Whitman Lake, and Tamgas). In 1989, ADF&G was given authority to increase sport harvest opportunities for king salmon in designated harvest areas. Since 1989, designated harvest areas near Skagway, Juneau, Petersburg and Ketchikan have been opened with increased bag limits and/or reduced length limits. In the Ketchikan area, once hatchery managers are confident that broodstock needs will be met, the designated harvest area is opened with an expanded bag limit of six king salmon of any size. Since 2009, this opening occurred the first week of June. Prior to 2009, this opening typically occurred in mid-June each year and for the past 12 years, this fishery has closed on July 31. During the first three years of this fishery (1999–2001), the bag limit increased from four, to six, to 12 fish of any size. In 2007, managers reevaluated the 12-fish bag limit and reverted to a reasonable six-fish bag limit after finding that most anglers did not realize a bag limit of 12 fish. From 2006–2010, an average of 56% of king salmon harvested annually in the Ketchikan designated harvest area have originated from Alaska hatcheries (Table 337.1). From 2006–2010, an average of 82% of king salmon harvested in statistical area 101-45 were Alaska hatchery fish (Table 337.2). On average, 55% of the marine boat harvest from the Ketchikan designated harvest area occurs in area 101-45.

The personal use drift gillnet fishery has been opened by emergency order (EO) from 1999–2008, and in 2011, typically from the beginning of July to the end of July in the saltwater portion of Herring Cove (Figure 337.1). This fishery is open to residents, and has a bag limit for king salmon of 50 fish with no size restrictions. The maximum number of other salmon that may be incidentally taken is six coho, six sockeye, 25 pink, and 25 chum salmon. Legal gear is limited to a drift gillnet 10 fathoms or less in length; no anchoring of net or attaching nets to boats is allowed. Participants in this fishery are required to possess a valid sport fishing license and a personal use permit.

In 2009, the a Herring Cove commercial troll terminal harvest area was defined and opened by EO to allow additional troll opportunity to harvest surplus king salmon returning to WLH. The fishery was opened to retention of king salmon 26 inches or greater, from July 13 through July 31, in the waters of statistical area 101-45 (Figure 337.1). This opening occurs after the general summer troll fishery king salmon season has been closed.

DEPARTMENT COMMENTS: The department **SUPPORTS** creation of a Herring Cove management plan to provide a known regulatory environment for users, and recommends, as a starting point, status quo management (as described in the Background section) of the fishery Draft regulatory language for status quo management will be provide at the Southest Finfish meeting in Ketchikan. The department is **NEUTRAL** on the allocative implications of this proposal.

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

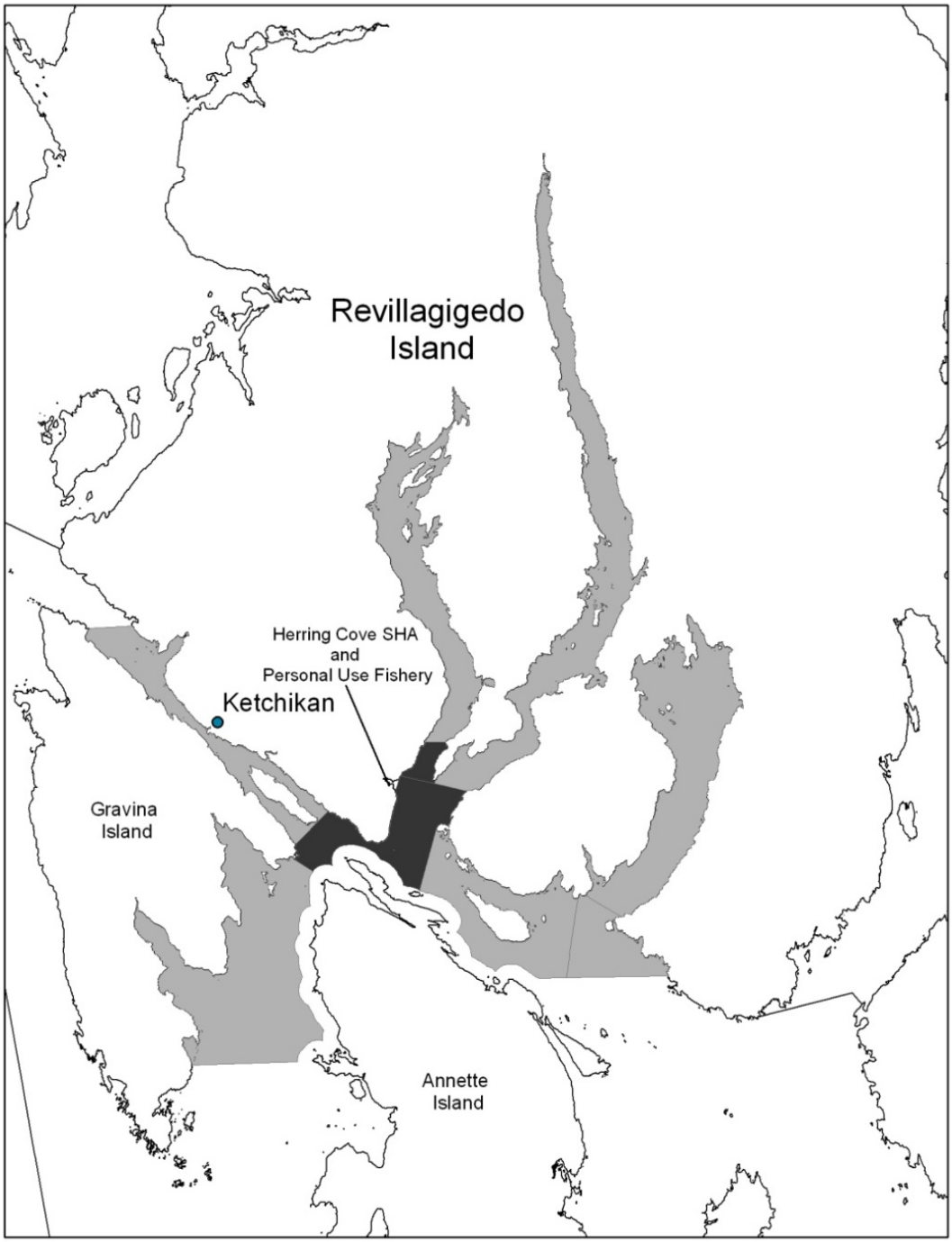


Figure 337.1–Map of the current Herring Cove troll THA and proposed terminal management (black), the sport fish designated harvest area (gray), and the personal use harvest area (white with arrow).

Table 337.1–Average sport fishery king salmon harvest and Alaska hatchery contribution in the Ketchikan designated harvest area, 2006–2010**.**

Biweek	AK Hatchery Contribution: Ketchikan designated harvest area*	Total Sport Harvest: Ketchikan designated harvest area	% AK Hatchery Harvest: Ketchikan designated harvest area
9	0	20	0%
10	67	72	93%
11	214	342	63%
12	336	570	59%
13	431	726	59%
14	143	335	43%
15	19	85	22%
16	5	13	38%
Total	1,215	2,163	56%

[1] Alaska hatchery contributions and percent harvests have a large amount of error due to expansions on very small sample sizes.

* Data included in this table for areas 101-27 and 101-47 cover a larger area than the current Ketchikan designated harvest area boundaries. Harvests for 101-41 not included.

Table 337.2–Average sport fishery king salmon harvest and Alaska hatchery contribution in area 101-45, 2006–2010.

Biweek	AK Hatchery Contribution: 101-45	Total Sport Harvest: 101-45	% AK Hatchery Harvest: 101-45
9	0	17	0%
10	67	65	100%
11	185	289	64%
12	242	316	77%
13	335	342	98%
14	126	125	100%
15	19	37	51%
16	5	4	100%
Total	980	1195	82%

[1] Alaska hatchery contributions and percent harvests have a large amount of error due to expansions on very small sample sizes.

PROPOSAL 260 – 5 AAC 47.021. Special provisions for season, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska. (*This proposal was erroneously cited as* 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.)

PROPOSED BY: Donald Westlund.

WHAT WOULD THE PROPOSAL DO? This proposal would expand the current designated harvest area for king salmon to include portions of statistical areas 101-29 and 101-25, and the remaining portion of 101-27 (Figure 260.1). In addition, it would implement a bag limit of two king salmon for residents and nonresidents in the expanded area, and king salmon harvested by nonresidents in this area would not count toward the nonresident annual limit.

WHAT ARE THE CURRENT REGULATIONS? Regionwide king salmon bag limits are set by emergency order (EO) based on king salmon abundance as specified in the *Southeast King Salmon Management Plan* (5 AAC 47.055). The department's EO authority (5 AAC 75.003) provides for increasing harvest limits and methods and means in designated hatchery terminal harvest areas when surplus hatchery fish are available. Under the king salmon management plan, the department may also establish, by EO, that nonresident annual limits for king salmon under the plan do not apply in a hatchery terminal harvest area.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? This proposal would increase harvest of king salmon by resident and nonresident anglers. However, during years of high king salmon abundances of 1.51 or higher, the daily bag limit for resident anglers would decrease by one fish. Additional harvest of king salmon would include both Pacific Salmon Treaty (PST; wild non-Alaska hatchery stocks) and non-PST fish (Alaska hatchery stocks). The PST portion of the increased harvest would count towards the sport fishery king salmon allocation.

BACKGROUND: Currently, the department uses its EO authority to liberalize sport fishery regulations in the Ketchikan designated harvest area to target Alaska hatchery king salmon originating from four hatcheries (Neets Bay, Deer Mountain, Whitman Lake, and Tamgas). Once hatchery managers are confident that broodstock needs will be met, the bag limit is increased to six king salmon of any size in the designated harvest areas. Since 2009, this action occurred the first week of June. Prior to 2009, this opening typically occurred mid-June each year and for the past twelve years, this fishery has closed on July 31.

From 2006–2010, an average of 56% of king salmon harvested annually in the Ketchikan designated harvest area have originated from Alaska hatcheries (Table 260.2). From 2006–2010, an average of 58% of the king salmon harvested in 101-25 and 101-29 were Alaska hatchery fish (Table 260.3).

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

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

Figure 260.1–Location of the Ketchikan designated harvest area and proposed areas for an increased bag limit**.**

Table 260.1–Average of Alaska hatchery contributions of king salmon to the Ketchikan area sport fisheries, 2006–2010.

Biweek	AK Hatchery Contribution: Ketchikan Area	Total Sport Harvest: Ketchikan Area	% AK Hatchery Harvest: Ketchikan Area
9	0	26	0%
10	201	230	87%
11	460	763	60%
12	727	1,082	67%
13	688	1,413	49%
14	242	671	36%
15	46	217	21%
16	19	178	10%
Total	2,383	4,579	52%

Table 260.2–Average sport fishery king salmon harvest and Alaska hatchery contribution, in the Ketchikan designated harvest area, 2006–2010.

Biweek	AK Hatchery Contribution: Ketchikan designated harvest area*	Total Sport Harvest: Ketchikan designated harvest area	% AK Hatchery Harvest: Ketchikan designated harvest area
9	0	20	0%
10	67	72	93%
11	214	342	63%
12	336	570	59%
13	431	726	59%
14	143	335	43%
15	19	85	22%
16	5	13	38%
Total	1,215	2,163	56%

* Data included in this table for 101-27 and 101-47 cover a larger area than the current Ketchikan designated harvest area boundaries. Harvests for 101-41 not included.

Table 260.3–Average sport fishery king salmon harvest and Alaska hatchery contribution in 101-29 and 101-25, 2006–2010.[1]

Biweek	AK Hatchery Contribution: 101-29 and 101-25	Total Sport Harvest: 101-29 and 101-25	% AK Hatchery Harvest: 101-29 and 101-25
9	0	3	0%
10	0	10	0%
11	18	57	32%
12	69	73	95%
13	53	43	100%
14	17	20	84%
15	4	18	22%
16	0	55	0%
Total	161	279	58%

[1] AK Hatchery contributions and percent harvests have a large amount of error due to expansions on very small sample sizes.

PROPOSAL 261 – 5 AAC 47.021. Special provisions for seasons, bag. Possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Ketchikan Guided Sportfish Association.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the king salmon bag limit for residents and nonresidents by one additional fish from June 1–July 31 in the proposed expanded terminal harvest area (areas 101-85 and 101-90) when the king salmon abundance index (AI) is 1.51 or higher. The nonresident annual limit established under the king salmon management plan would apply.

WHAT ARE THE CURRENT REGULATIONS? Regionwide king salmon bag limits are set by emergency order (EO) based on king salmon abundance as specified in the *Southeast King Salmon Management Plan* (5 AAC 47.055). The department's EO authority (5 AAC 75.003) provides for increasing harvest limits and methods and means in designated hatchery terminal harvest areas when surplus hatchery fish are available. Under the king salmon management plan, the department may also establish, by EO, that nonresident annual limits for king salmon under the plan do not apply in a hatchery terminal harvest area.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL IS ADOPTED? This proposal would increase the harvest of king salmon by resident and nonresident anglers during years when the king salmon AI was 1.51 or higher. Additional harvest of king salmon would include both Pacific Salmon Treaty (PST; wild non-Alaska hatchery stocks) and PST fish (Alaska hatchery stocks). The PST portion of the increased harvest would count towards the sport fishery king salmon allocation. This proposal would also increase the size of the Ketchikan designated harvest area to include statistical areas 101-85 and 101-90.

BACKGROUND: Currently, the department uses its EO authority to liberalize sport fishery regulations in the Ketchikan designated harvest area to target Alaska hatchery king salmon originating from four hatcheries (Neets Bay, Deer Mountain, Whitman Lake, and Tamgas). Once hatchery managers are confident that broodstock needs will be met, the bag limit is increased to six king salmon of any size in the designated harvest areas. Since 2009, this action occurred the first week of June. Prior to 2009, this opening typically occurred mid-June each year and for the past twelve years, this fishery has closed on July 31.

From 2006–2010, an average of 56% of the king salmon harvested annually in the Ketchikan designated harvest area have originated from Alaska hatcheries (Table 261.2). From 2006–2010, an average of 62% of the king salmon harvested in 101-85 and 101-90 were Alaska hatchery fish (Table 261.3). In contrast, from 2006–2010, the harvest of Alaska hatchery king salmon in the Sitka area and west coast of Prince of Wales area sport fisheries averaged 8% and 7%, respectively.

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

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

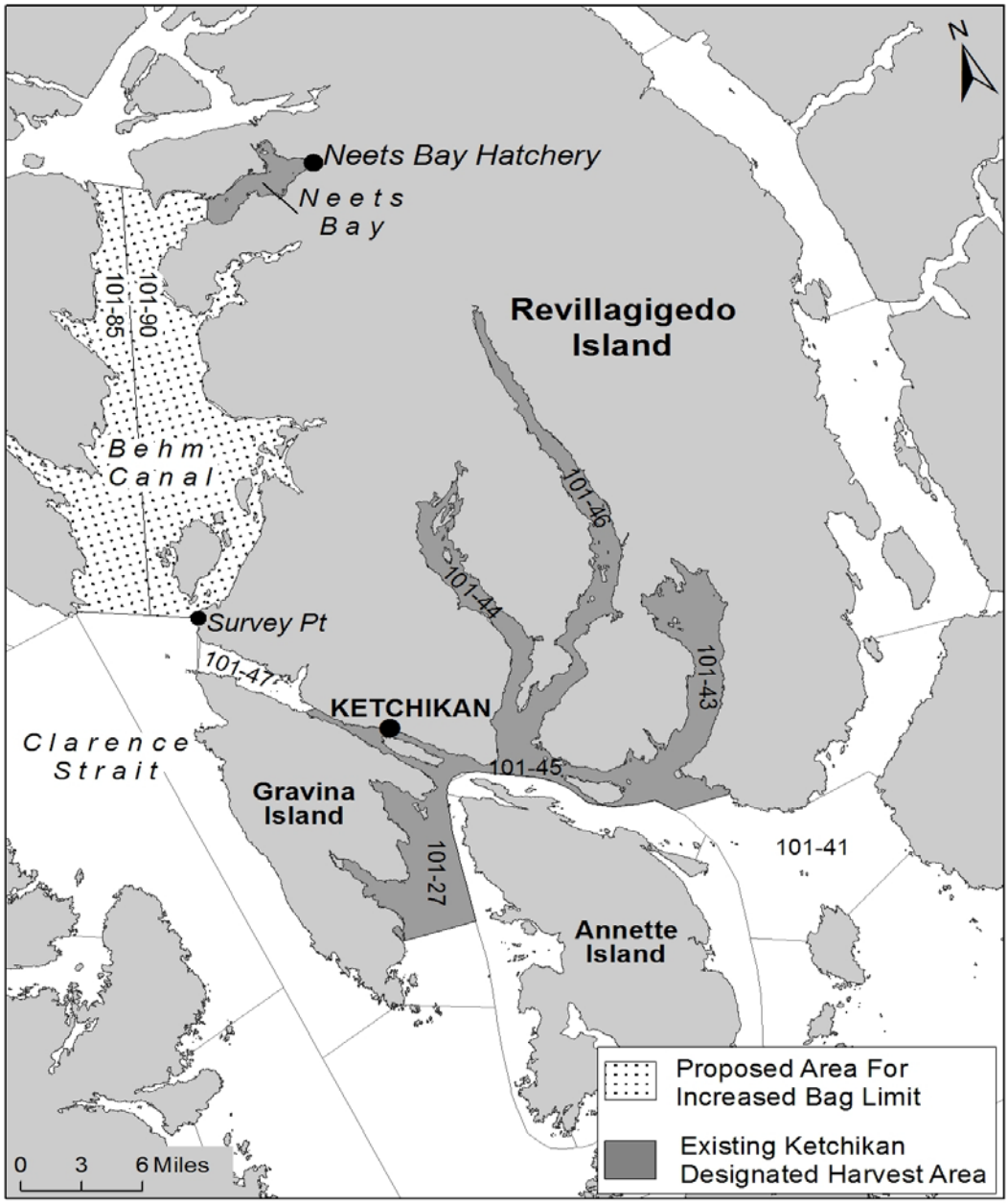


Figure 261.1–Location of the Ketchikan designated harvest area and proposed areas for increased bag limits.

Table 261.1–Average of Alaska hatchery contributions of king salmon to the Ketchikan area sport fisheries, 2006–2010.

Biweek	AK Hatchery Contribution: Ketchikan Area	Total Sport Harvest: Ketchikan Area	% AK Hatchery Harvest: Ketchikan Area
9	0	26	0%
10	201	230	87%
11	460	763	60%
12	727	1,082	67%
13	688	1,413	49%
14	242	671	36%
15	46	217	21%
16	19	178	10%
Total	2,383	4,579	52%

Table 261.2–Average sport fishery king salmon harvest and Alaska hatchery contribution, in the Ketchikan designated harvest area, 2006–2010.

Biweek	AK Hatchery Contribution: Ketchikan designated harvest area*	Total Sport Harvest: Ketchikan designated harvest area	% AK Hatchery Harvest: Ketchikan designated harvest area
9	0	20	0%
10	67	72	93%
11	214	342	63%
12	336	570	59%
13	431	726	59%
14	143	335	43%
15	19	85	22%
16	5	13	38%
Total	1,215	2,163	56%

* Data included in this table for 101-27 and 101-47 cover a larger area than the current Ketchikan designated harvest area boundaries. Harvests for 101-41 not included.

Table 261.3–Average sport fishery king salmon harvest and Alaska hatchery contribution, in 101-85 and 101-90, 2006–2010.[1]

Biweek	AK Hatchery Contribution: 101-85 and 101-90	Total Sport Harvest: 101-85 and 101-90	% Alaska Hatchery Harvest: 101-85 and 101-90
9	0	3	0%
10	124	87	100%
11	182	183	99%
12	260	318	82%
13	146	419	35%
14	78	202	39%
15	24	62	39%
16	10	60	17%
Total	824	1334	62%

[1] AK hatchery contributions and percent harvests have a large amount of error due to expansions on very small sample sizes.

PROPOSAL 326 –5 AAC 29.100. Management of the Summer Salmon Troll Fishery.

PROPOSED BY: Chum Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would provide for a weekly targeted hatchery chum salmon fishery for troll gear in Section 11-A by emergency order (EO) between July 1 and July 20. The proposal states that only chum and pink salmon may be taken in the fishery and it is assumed that any other salmon species that are caught will be released.

WHAT ARE THE CURRENT REGULATIONS? In District 11, the summer troll fishery is open only in sections 11-C and 11-D, the purse seine fishery is allowed in sections 11-A and 11-D by EO, and the drift gillnet fishery in Section 11-B and 11-C by EO. The Section 15-C drift gillnet fishery operates in waters immediately to the north of Section 11-A, directly adjacent to the area detailed in this proposal. Douglas Island Pink and Chum Salmon Incorporated (DIPAC) has two special harvest areas (SHAs) in Amalga Harbor and in Gastineau Channel in Section 11-A (Figure 326.1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, a new summer troll fishery targeting hatchery chum and wild pink salmon would be created. Existing chum salmon production in the area is fully utilized by the District 15 drift gillnet fishery and the DIPAC cost-recovery fishery, so some reduction in chum salmon harvests in those fisheries could be expected. There is potential for user group conflicts between troll and sport fishing vessels in the area.

BACKGROUND: Although this proposal requests opening an area in Section 11-A to target chum salmon, historical troll fisheries in the area have been directed at targeting king salmon and are the basis for comments on time and area information.

Although Section 11-A is included in the regulations as a purse seine area, no purse seine fisheries have been opened in the area since statehood, except for DIPAC cost-recovery harvests. DIPAC contracts 1–2 purse seine vessels to conduct cost recovery in the Amalga SHA.

Prior to 1976, directed troll and drift gillnet fisheries for king salmon were allowed by regulation in sections 11-A and 11-B between late April and mid-June. As a result of very low escapements of Taku River king salmon in the early 1970s, the Alaska Board of Fisheries (board) passed regulations instituting closures in the directed troll and gillnet fisheries, delaying the opening of the fisheries until the third Sunday in June. Time and area closures were also implemented in commercial troll and sport fisheries harvesting Taku River king salmon.

An agreement was approved between the U.S. and Canada during the Pacific Salmon Commission meeting held in February 2005, allowing directed commercial and sport fisheries on king salmon returning to the Taku River, depending on the preseason run forecast and weekly inseason estimates. This was the first time since 1975 that these directed fisheries were conducted.

Regulations specific to the troll, drift gillnet, and sport fisheries for directed king salmon fisheries in District 11 were adopted by the board in January 2006. Those regulations describe fishing areas and schedules for commercial fisheries and liberalized methods and means for the sport fishery. Directed fisheries were allowed in 2005, 2006, and 2009.

The troll fishery has been opened to trolling in waters adjacent to Section 11-A within districts 112 and 115 during summer season for the more than 30-year period that Section 11-A was closed, but for the past 10 years, 2001–2011, both troll harvest and effort in these areas have been extremely low (Table 326.1). It is unknown what level of troll effort could be expected in the area listed in this proposal, but the department estimates it could range from 20–40 vessels just based on the size of the area.

With no available stock composition information for commercial harvest in the proposed area, coded-wire-tag (CWT) samples collected from the northern Stephens Passage sport fishery were examined (Tables 326.2 and 326.3). DIPAC has been collecting chum salmon otolith data from the adjacent commercial drift gillnet fisheries in District 115, southern Lynn Canal. The data collected in 2010 and 2011 indicated a very high percentage of hatchery-raised chum salmon in proximity to the proposed troll area in Section 11-A during early summer (Table 326.4). Hatchery chum salmon were distinguished from wild chum salmon by observation of thermally-marked otoliths. Average weekly harvests of salmon in the Lower Lynn Canal drift gillnet commercial fishery are shown in Table 326.5.

DIPAC began operating a chum salmon remote release site near Amalga Harbor in northern Section 11-A in 1990. Between 34 and 58 million chum salmon fry have been released at the site annually since that time. The board adopted regulations creating the Amalga Harbor Special Harvest Area (SHA) for DIPAC in 1997 and the area had been opened to cost-recovery harvest by EO beginning in 1994. A majority of DIPAC's cost recovery takes place in the Amalga Harbor SHA. Average weekly harvests of salmon in the cost-recovery fishery are shown in Table 326.6.

Commercial troll, purse seine, and drift gillnet permit holders pay an enhancement tax at the time they sell salmon, which is 3% of the exvessel value of their catch. These funds support Alaska hatchery salmon production from regional associations. DIPAC does not derive any revenue from the enhancement tax because it is not a regional association (the regional association in this area is the Northern Southeast Regional Aquaculture Association). DIPAC is, therefore, totally dependent on revenue generated from cost-recovery harvests. Enhanced salmon allocation

ranges were developed by the Southeast Allocation Task Force (SATF) within the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan,* which was adopted by the board in 1994. The plan specified a troll salmon enhanced value range of 27–32%. From 1994 to 2010, the values of enhanced troll harvests have fallen within that target range only four times during that seventeen-year period, with a recent five-year average (2006–2010) of 17%.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal. By adding this new area and potentially increased fishing time, the troll harvest of both enhanced and wild salmon would likely increase. An increase in chum salmon harvests in the proposed fishery would most likely impact the lower Lynn Canal commercial drift gillnet and DIPAC cost-recovery fisheries. While the department is generally opposed to providing for fisheries directed at hatchery salmon outside designated terminal harvest areas, which would be the case for this proposal, in this instance, the fishery would take place in a terminal area and not in a highly mixed-stock area as is the case for other proposals (for example, Proposal 325).

The City and Borough of Juneau operates a highly-used public boat launch facility in Amalga Harbor. On average, over 25% of all sport anglers from Juneau entering the marine boat sport fishery do so at the Amalga Harbor facility on a weekly basis during the dates of the proposed troll fishery. Sport vessel traffic is quite high in the area described in the proposal during the summer months and gear conflicts are likely to occur frequently.

Because the proposal suggests that only chum and pink salmon may be taken in the fishery, the department's concerns over increased harvests of other salmon species are somewhat mitigated. Encounter rates of king, sockeye, and coho salmon are likely to be low based on historical harvests of those species in the adjacent waters of the Amalga SHA during the same time of the proposed fishery. The department has some concern for wild king salmon encounters in the proposed area, but escapements to the Taku River are monitored by an inriver stock assessment program. Based on the weekly troll harvest in the directed Taku River king salmon fisheries in 2005, 2006, and 2009, and sport-caught CWT recoveries from 2001–2011, encounter rates of king salmon migrating to the Taku River during the proposed opening in summer are likely to be low.

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

Table 326.1–Summer troll harvest and effort in statistical areas 112-15 and 115-10, 2001–2011.

Year	Permits	Landings	King	Sockeye	Coho	Pink	Chum
2001	3	5	0	0	441	0	0
2002	4	5	9	0	144	0	182
2003	4	4	0	3	448	0	2
2004	5	6	0	0	192	0	0
2005	6	11	0	3	1,011	14	3
2006	4	5	21	0	97	0	1
2007			CONFIDENTIAL				
2008			CONFIDENTIAL				
2009			CONFIDENTIAL				
2010	7	14	3	5	598	323	309
2011	13	35	2	17	1,411	2,960	1,807

Table 326.2–Contributions of sport-caught king salmon based on recovery of coded wire tags in northern Stephens Passage, 2001–2011, from statistical weeks 27–37.

Location (Facility or Wild Stock)	2001	2002	2003	2004	2005	2007	2008	2009	2010	2011
Macaulay	432	246	485	1,380	317	199	154	104	409	85
Hidden Falls	37	109	-	42	169	-	-	71	-	-
Crystal Lake	-	-	-	145	-	-	-	-	-	15
Little Port Walter	-	9	8	-	49	16	3	2	-	-
Whitman Lake	-	-	-	25	44	-	-	-	-	-
Crystal Lake/Neets Bay	-	40	-	-	-	18	-	-	-	-
(Wild) Chilkat River	-	-	-	-	-	-	3	-	8	-
Grand Total	469	404	494	1,592	579	233	160	177	417	100

Table 326.3–Contributions of sport-caught coho salmon from wild stocks based on recovery of coded wire tags in northern Stephens Passage, 2001–2011, statistical weeks 27–37.

Location (Facility or Wild Stock)	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Auke Creek/Lake	37	14	31	14	3	16	-	3	-	4	3
Berners River	8	21	12	10	6	-	-	4	3	4	-
Chilkat River	3	4	-	5	-	7	-	-	-	4	7
Duck Creek	-	-	-	-	22	4	-	-	-	-	-
Jordan Creek	-	-	31	-	4	4	-	-	-	-	-
Stikine River	5	4	-	5	-	-	-	-	3	-	-
Switzer Creek	-	-	6	-	-	-	-	-	-	-	-
Taku River	35	73	36	29	13	55	4	3	45	25	24
Grand Total	88	116	116	63	48	86	4	7	52	37	33

Table 326.4–Southern Lynn Canal drift gillnet hatchery chum proportion, 2010 and 2011.

2010				
Date Sampled	# sampled	# marked[1]	# no mark	% Marked[1]
July 4–10	94	94	0	100%
July 11–17	96	93	3	97%
July 18–24	96	93	3	97%

2011				
Date Sampled	# sampled	# marked[1]	# no mark	% mark[1]
July 3–9	187	181	6	97%
July 10–16	76	74	2	97%
July 17–23	95	93	2	98%

[1] Number marked indicates number of hatchery chum salmon and is based on thermally-marked otoliths.

Table 326.5–Average weekly harvest of salmon in the lower Lynn Canal (statistical area 115-10) commercial drift gillnet fishery, 2002–2011. Statistical weeks corresponding to the dates (July 1–20) listed in the proposal are in bold text.

Statistical Week	King	Sockeye	Coho	Pink	Chum
26	122	1,782	69	265	55,455
27	**101**	**3,516**	**186**	**4,204**	**108,683**
28	**59**	**4,379**	**207**	**6,881**	**116,136**
29	**35**	**4,364**	**184**	**8,502**	**89,859**
30	**20**	**4,879**	**153**	**8,512**	**56,517**
31	9	4,078	120	6,332	24,036

Table 326.6–Average weekly harvests of salmon in the Amalga SHA, 2002–2011. Statistical weeks corresponding to the dates (July 1–20) listed in the proposal are in bold text.

Statistical Week	King	Sockeye	Coho	Pink	Chum
26	1	23	0	68	71,984
27	**5**	**65**	**13**	**345**	**171,265**
28	**8**	**150**	**83**	**1,002**	**289,437**
29	**5**	**170**	**29**	**5,596**	**326,652**
30	**6**	**81**	**15**	**4,849**	**219,899**
31	2	13	5	1,379	94,436

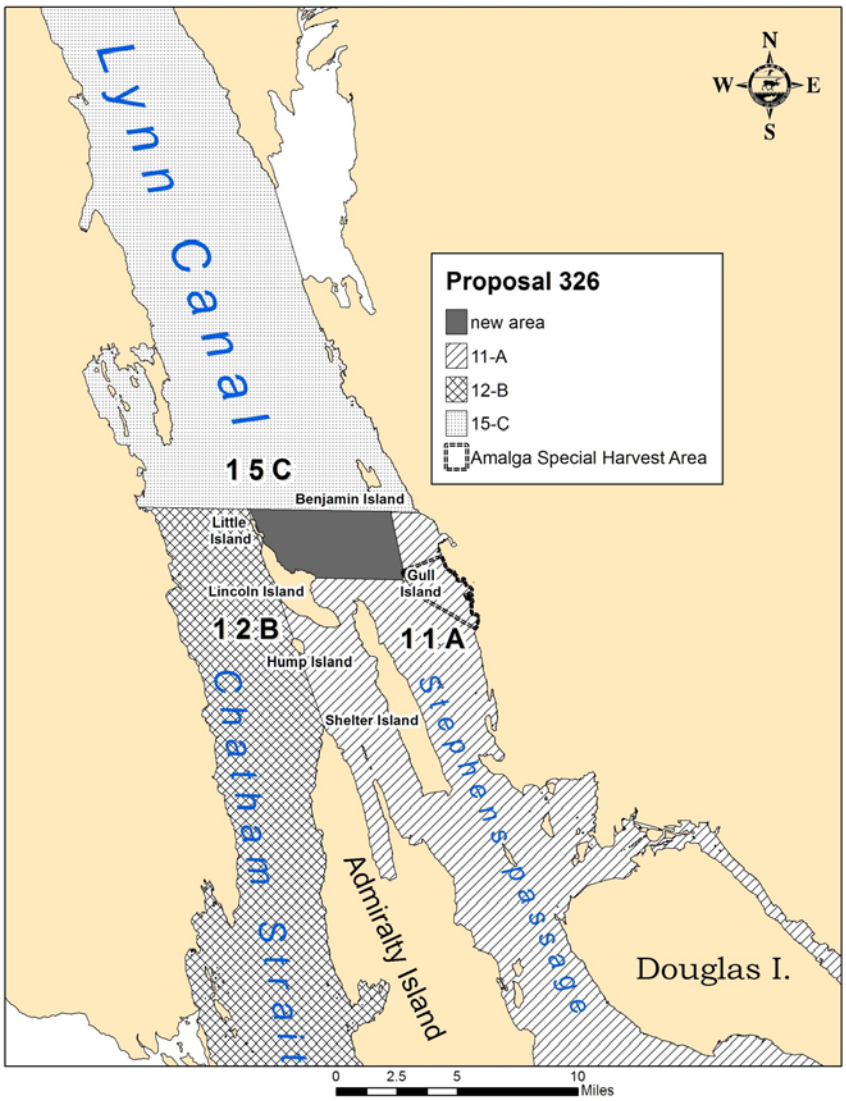


Figure 326.1–Proposed District 11 summer troll fishing area.

PROPOSAL 331 – 5 AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (SSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal removes the description of fishing rotation schedules for purse seine, gillnet, and troll gear in the Neets Bay Hatchery salmon management plan, and, in place of the current schedules in regulation, would allow the SSRAA board to annually set fishing schedules in response to needs for broodstock, cost recovery, and status of the *Southeastern Alaska Enhanced Salmon Allocation Management Plan*.

WHAT ARE THE CURRENT REGULATIONS? *District 1: Neets Bay Hatchery Salmon Management Plan* distributes the harvest of enhanced fall chum and coho salmon produced by SSRAA between the troll, drift gillnet, and purse seine fleets, and allows for harvest by the sport and personal use fisheries.

The *Southeastern Alaska Enhanced Salmon Allocation Management Plan* provides for a fair and equitable distribution of the value of enhanced salmon harvested in the region between the troll, drift gillnet, and purse seine fisheries, reduces conflicts between these user groups, provides the value allocation ranges for each user group, provides for annual evaluation based on rolling five-year increments (beginning in 1985), provides that the Alaska Board of Fisheries (board) may make adjustments to fisheries in special harvest areas (SHAs) when gear groups are out of their allocation for three consecutive years, and instructs the department not to take inseason management action to achieve allocation objectives.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would remove regulations the board has adopted that allocate fishing opportunity by gear type for the Neets Bay terminal area, and instead, would provide the SSRAA board the authority to annually allocate fishing opportunity among the gear groups for this area based on the current allocation percentages according to the enhanced salmon allocation management plan.

Allocations in the plan are based on historical calculated values of enhanced salmon harvests in the Southeast Alaska region. It is not clear how much of an effect the changes made for the Neets Bay terminal area would have on the overall status of enhanced allocation in the region, and exactly how the SSRAA board would allocate fishing opportunity. The SSRAA board is composed of representatives from the three affected gear groups, as well as other designated representatives; most likely, decisions would be made by a vote following discussion of options, and decisions would be made annually prior to each salmon season and communicated to the department so that the department could issue a news release and EOs to carry out the allocation.

If adopted, there may be effects on fishermen who have participated in common property openings in Neets Bay. If adopted, SSRAA would have more ability to manage fisheries within the terminal area in order to meet broodstock and cost-recovery goals.

BACKGROUND: Neets Bay is located approximately 30 miles north of Ketchikan and is the site of SSRAA's largest hatchery in Southeast Alaska. Permitted capacities in Neets Bay include 60 million summer chum, 35 million fall chum, five million coho salmon, and one and one-half million king salmon. SSRAA has remote release sites throughout the Southern Southeast area but, currently, all of SSRAA's cost-recovery operations occur within Neets Bay. There are annual rotational fisheries between the net gear groups, purse seine and drift gillnet, described in current regulations and opened by EO. These rotational fisheries are usually confined to May and June, to target returning king salmon and early summer chum, and, in October, to target fall chum and coho salmon. There is a break from the rotational fishery schedule in summer, usually beginning in late June, so that cost-recovery and broodstock goals can be attained.

Until recent years, the troll fleet has been allowed in the THA throughout much of the summer to harvest enhanced chum salmon. Over the last few years, the troll fleet has grown in size and has been confined to fishing in adjacent West Behm Canal, outside of the THA boundaries. SSRAA is unique amongst private nonprofit hatcheries due to the fact that all of its cost recovery, as well as broodstock collection for chum salmon, for all of its remote release sites occur in the Neets Bay THA.

The existing Southeast Alaska enhanced salmon allocation plan was adopted in 1994 based on work completed by the Southeast Allocation Task Force (SATF) at the request of the board. The regulation was based on a report completed by the SATF and adopted by the board as Finding 94-148-FB. Percentages were in total value of enhanced salmon and broken down by gear group. Percentages were: seine – 44% to 49%, troll – 27% to 32%, and gillnet – 24% to 29%.

Figure 331.1 shows the current allocation range of the three gear groups since 1989. This is based on a five-year rolling average, beginning in 1985, per 5 AAC 33.364(b). Figures 331.2 and 331-3 show the harvests of chum and coho salmon in the Neets Bay THA.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal since it would allocate Neets Bay enhanced salmon between the purse seine, gillnet, and troll groups.

The department has some concerns with this proposal, however, because it is a departure from the long-standing roles of the board, the department, and regional aquaculture associations. Within those roles, the board has been primarily responsible for allocation, the department primarily responsible for fishery management, and aquaculture associations have been primarily responsible for salmon enhancement programs. There is uncertainty about what actions SSRAA board members will recommend, how interactions amongst those board members will decide on

fishing opportunity, and whether the affected parties will accept SSRAA board decisions. For example, if one gear group is excluded entirely from fishing opportunity in this local area and then has a complaint, will there be remedy only through the SSRAA board? Under what circumstances, if any, might the commissioner intervene with EO authority? What provisions will be in effect for sport and personal use fisheries?

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

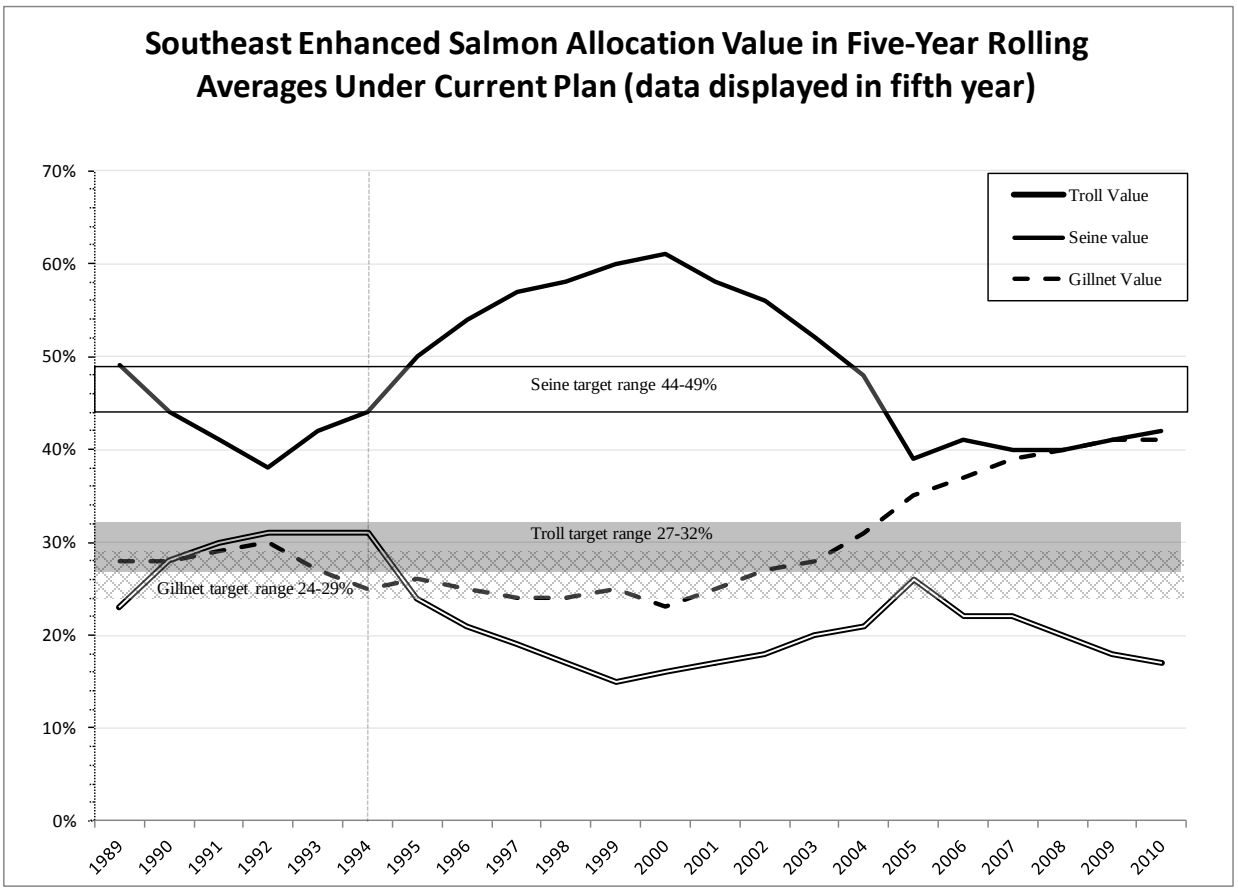


Figure 331.1–The Southeast Alaska enhanced salmon allocation value under the current plan.

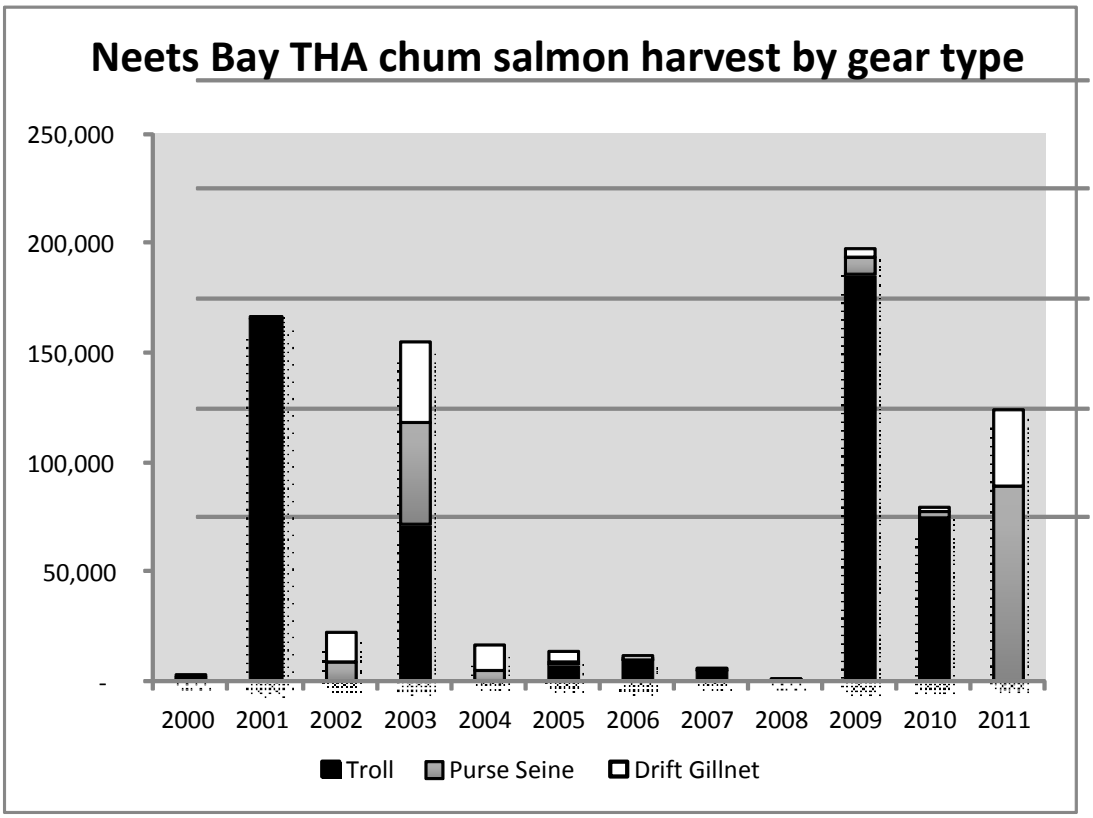


Figure 331.2–Neets Bay THA chum salmon harvest by gear type.

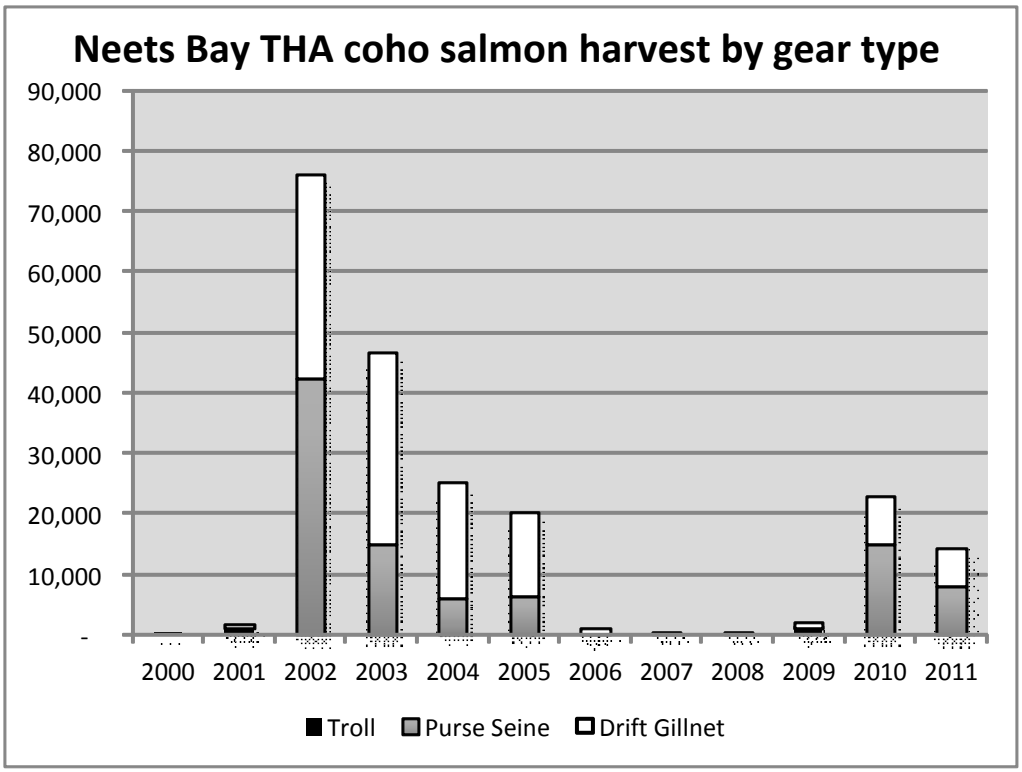


Figure 331.3–Neets Bay THA coho salmon harvest by gear type.

SALMON SEINE (2)

<u>PROPOSAL 285</u> – 5 AAC 39.117. Vessel Length; Bulbous Bow; and 5 AAC 27.XXX. New Regulation.

<u>PROPOSED BY:</u> Eric Rosvold and Ryan Kapp.

<u>WHAT WOULD THE PROPOSAL DO?</u> This proposal would repeal the length limit on salmon seine vessels in Southeast Alaska, and, in combination with a form of permit reduction, would to reduce capacity and enhance the value of the fishery to all participants. The proposal would allow a permit holder acquiring an additional Southeast Alaska purse seine permit to use a vessel larger than the current seine vessel length limitation of 58 feet to participate in the Southeast Alaska purse seine fishery.

<u>WHAT ARE THE CURRENT REGULATIONS?</u> 5 AAC 39.117 is the only regulation that references vessel length; it provides that the bulbous bow is the only part of the vessel that can exceed the vessel length requirement (excluding anchor rollers). The following two statutes are relevant to this proposal:

AS 16.05.835. *Maximum length of salmon seine and certain hair crab vessels.*

(a) Unless the Board of Fisheries has provided by regulation for the use of a longer vessel in a salmon seine fishery, a salmon seine vessel may not be longer than 58 feet overall length except vessels that have fished for salmon with seines in waters of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels.

…

(c) In this section, "overall length" means the straight line length between the extremities of the vessel excluding anchor rollers.

AS 16.43.140. *Permit Required.*

…

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

…

(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 EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow the holder of two Southeast Alaska purse seine permits to fish a boat longer than 58 feet overall length.

Seine vessels of a variety of sizes could eventually take part in the fishery, while the potential harvest capabilities of latent permits would be reduced. Depending on the number of larger seine vessels in the fishery, the department would have to account for these differences when managing fisheries. With more of the larger-sized vessels, fewer tenders would be required, since the primary advantage of a larger boat would be increased hold capacity. Hold capacity in the fishing fleet now ranges from five to 100 net tons. Larger vessels would spend more time fishing and less time running for delivery to tenders, floating processors, or shore-based processing plants. Larger vessels would be capable of fishing in more marginal weather conditions and could fish longer in offshore areas, such as District 4. Some limited processing of fish could take place onboard larger vessels.

BACKGROUND: The original 58-foot seine vessel limit was enacted to prevent larger out-of-state vessels, such as herring seiners, from moving into the salmon seine fishery and greatly increasing effort. The original 1960 statute specified that no seiner could be longer than 50 feet registered length. In 1962, this was changed to 58-feet overall length, exempting vessels that had fished before 1962 as 50-foot registered length vessels. The statute was changed in January 2005, authorizing the Alaska Board of Fisheries (board) to adopt a regulation changing the length of salmon seine vessels.

Originally, 419 permanent permits were issued for the Southeast Alaska purse seine fishery. Forty of these permits have been cancelled and there are currently 379 active, transferable permits remaining. Preliminary fishery data indicate that 270 permits were fished in 2011, and the most recent state-estimated value of a Southeast Alaska purse seine salmon permit is $147,000.

Historical harvest and effort in the purse seine fishery since 1977 is shown in Figure 285.1. Trends of exvessel value are shown in Figure 285.2.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, which may provide advantages to individuals who can afford purchasing an additional permit and a larger vessel. This proposal may also allocate tending opportunity between vessels. Because the size of purse seine nets would be the same, catch rates between vessels would be roughly comparable.

One purpose of this proposal is that it would creates an additional incentive to own two permits that results in additional fleet reduction in the Southeast Alaska purse seine fleet. If this proposal

were adopted, the Commercial Fisheries Entry Commission may need to consider establishment of a new classification of permits.

COST ANALYSIS: Approval of this proposal may result in some additional costs for private persons choosing to acquire second permits, such as additional fuel costs for larger vessels, but these costs may be offset by additional income.

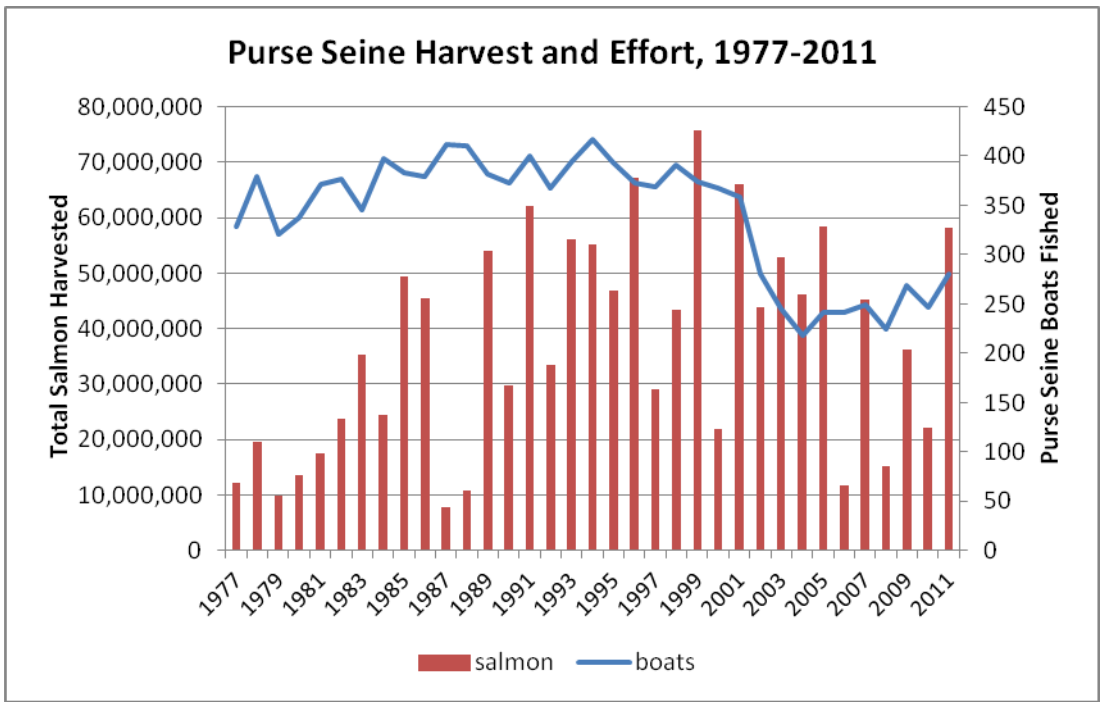


Figure 285.1–Southeast Alaska purse seine fishery harvests and effort, 1977–2011.

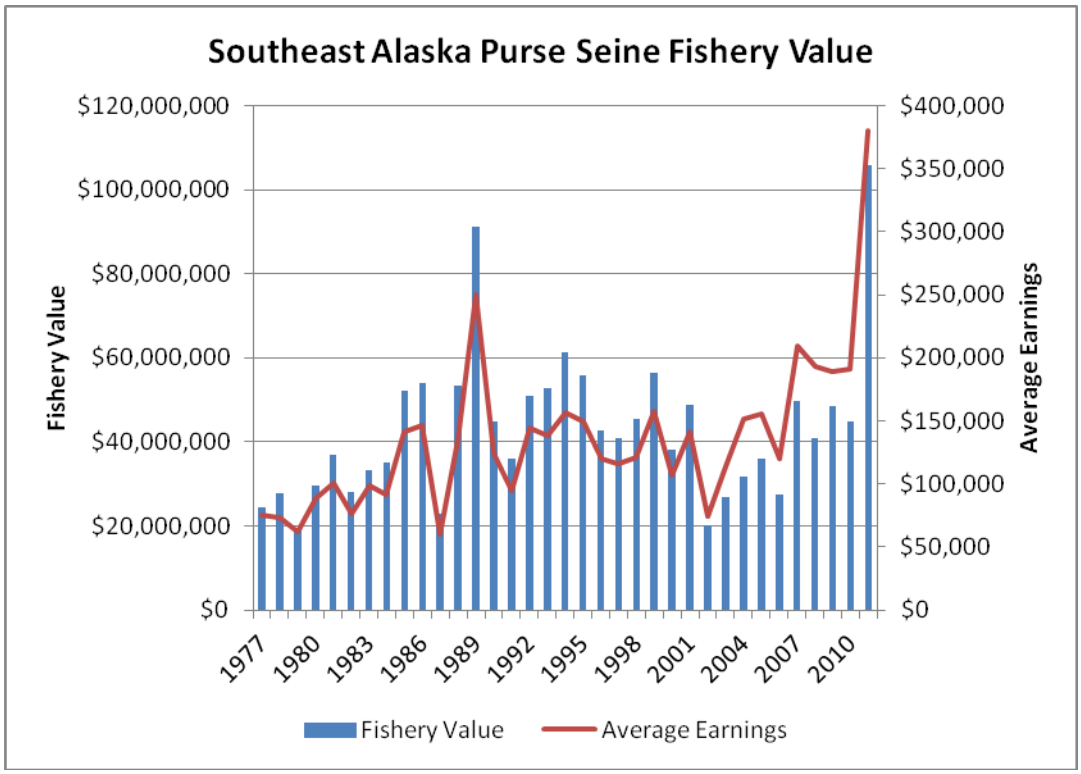


Figure 285.2–Southeast Alaska purse seine fishery value and average earnings, 1977–2011.

Note: Values from Commercial Fisheries Entry Commission (CFEC) based on annual operator reports and fish tickets. 2010 CFEC value is preliminary. 2011 value from ADF&G is based only on prices reported on fish tickets.

PROPOSAL 286 – 5 AAC 39.117. Vessel Length; Bulbous Bow; and 5 AAC 27.XXX. New Regulation.

PROPOSED BY: Larry Demmert.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the allowable length of a salmon seine vessel in the Southeast Alaska area from 58 to 75 feet overall hull length.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 39.117 is the only regulation that references vessel length; it provides that the bulbous bow is the only part of the vessel that can exceed the vessel length (excluding anchor rollers). 5 AAC 39.160, *Maximum length of salmon seine vessel*, was cited in the proposal, but was repealed in 1991. The following statute is relevant to this proposal:

> AS 16.05.835. *Maximum Length of Salmon Seine and Certain Hair Crab Vessels*.
>
> (a) Unless the Board of Fisheries has provided by regulation for the use of a longer vessel in a salmon seine fishery, a salmon seine vessel may not be longer than 58 feet overall length except vessels that have fished for salmon with seines in waters of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels. . .
>
> (c) In this section "overall length" means the strait line length between the extremities of the vessel excluding anchor rollers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow fishing vessels with overall hull length up to 75 feet to participate in the Southeast Alaska salmon purse seine fisheries.

Seine vessels of a variety of sizes could eventually take part in the fishery. Depending on the number of larger seine vessels in the fishery, the department would have to account for these differences when managing fisheries. With more of the larger-sized vessels, fewer tenders would be required, since the primary advantage of a larger boat would be increased hold capacity. Hold capacity in the fishing fleet now ranges from 5 to 100 net tons. Larger vessels would spend more time fishing and less time running for delivery to tenders, floating processors, or shore-based processing plants. Larger vessels would be capable of fishing in more marginal weather conditions and could fish longer in offshore areas, such as District 4. Some processing of fish could take place onboard larger vessels.

BACKGROUND: The original 58-foot seine vessel limit was enacted to prevent larger out-of-state vessels, such as herring seiners, from moving into the salmon seine fishery and greatly increasing effort. The original 1960 statute specified that no seiner could be longer than 50 feet registered length. In 1962, this was changed to 58-feet overall length, exempting vessels that had

fished before 1962 as 50-foot registered length vessels. The statute was changed in January 2005, authorizing the Alaska Board of Fisheries (board) to adopt a regulation changing the length of salmon seine vessels.

Historical harvest and effort in the purse seine fishery since 1977 is shown in Figure 285.1. Trends of exvessel value are shown in Figure 285.2.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, which may provide some advantages to individuals fishing and investing in larger vessels compared with those continuing to fish smaller vessels. This proposal may also allocate tending opportunity between vessels. Because the size of purse seine nets would be the same, catch rates between vessels would be roughly comparable. The department would continue to evaluate harvests and manage fisheries with consideration given to the different capabilities of larger vessels.

If the intended purpose of this proposal is to increase deck space to provide an area for fish processing, then vessels engaging in those activities will need to comply with ADF&G processing license requirements, Alaska Department of Environmental Conservation processing requirements, and pay salmon enhancement and raw fish taxes collected by the Alaska Department of Revenue. In addition, the department would like to ensure compliance with fish ticket reporting requirements. Shore-based processing companies have always provided timely harvest information to the department immediately following open fishing periods so the department is able to track harvests of pink and chum salmon targeted by the seine fisheries, as well as king and sockeye salmon harvests to comply with provisions of the Pacific Salmon Treaty (PST). With substantial numbers of catcher-freezers and direct-marketers in the pot shrimp fishery and significant numbers of frozen-at-sea salmon trollers, it has become necessary to develop new regulations to address inseason reporting, as well as to modify fish ticket reporting requirements. Since fish tickets are only required within seven days of landing, when salmon are frozen and retained aboard the vessel indefinitely, inseason tracking of harvests could be less precise or there may be underreporting of harvests.

COST ANALYSIS: Approval of this proposal may result in some additional costs for private persons choosing to acquire larger vessels, such as additional fuel costs and/or processing equipment for larger vessels, but these costs may be offset by additional income.

MISCELLANEOUS PROPOSALS (2)

PROPOSAL 245 – 5 AAC 27.197. Sections 1-E and 1-F Commercial Sac Roe Herring Fishery.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? This proposal would allow a purse seine fisherman in the West Behm Canal herring sac roe fishery to designate another permit holder to catch his/her portion of the equal-share harvest.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not allow a permit holder to retain more than one permit holder's equal share.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would modify current regulations dealing with the equal-share fishery in West Behm Canal. A purse seine harvester could allow another permit holder to harvest his/her equal share of the West Behm herring fishery guideline harvest level (GHL). Fewer fishermen would participate in years with small GHLs.

BACKGROUND: The Alaska Board of Fisheries (board) passed regulations in January 2003 to open the West Behm Canal area (Section 1-E and portions of Section 1-F) for sac roe herring fishing and bait pound operations. The management plan allowed an annual, alternating fishing schedule between set gillnet and purse seine gear in years which the threshold level is met, with the first fishery being set gillnet. Due to the difficulty of managing the purse seine fishery on a small GHL, regulations were put into place that required a cooperative purse seine fishery in years when purse seine fishing gear was allowed. Regulations allowed a purse seine fishery only under the terms of cooperative fishery management plan (CFMP) that had to be accepted by all permit holders by January 15, or no fishery would occur.

The threshold of 6,000 tons was first reached in 2004 establishing a GHL of 1,042 tons. Regulations allowed for a gillnet fishery. However, due to inseason concerns over the lack of herring in West Behm Canal, the fishery was not opened and no herring were harvested.

At the 2006 board meeting, the purse seine fleet proposed changes to the CFMP due to the concern that one permit holder who did not agree with the CFMP could potentially stop a purse seine fishery. The board passed new regulations that directed the department to manage the purse seine fishery as an equal-share fishery.

The threshold was once again reached in 2011, with a GHL of 1,418 tons. The gillnet fleet geared up for the fishery and this time had an opportunity to fish. The majority of spawn occurred primarily in closed waters, allowing for a minimal harvest.

There are currently 48 Southeast Alaska purse seine herring sac roe permit holders who would be eligible to fish in West Behm Canal. For a GHL similar to 2011, the equal shares would be approximately 30 tons of herring per boat. For the last ten years, a purse seine permit holder in the Sitka Sound purse seine fishery has averaged 258 tons per season, with the average landing being 50 tons. Purse seine fishermen will consider participation in the West Behm fishery as a business decision.

The West Behm Canal fishery timing also matches the timing of the Sitka Sound purse seine fishery in some years, making travel to West Behm Canal for a small equal share logistically difficult.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because the board does not have the authority to authorize cooperative fisheries based on decisions by the Alaska Supreme Court. The proposal would contradict the court rulings and the "at all times present and actively engaged in the operation of the gear" requirement for permit holders in AS 16.43.140(b).

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

PROPOSAL 247 – 5 AAC 47.XXX. New Regulation.

PROPOSED BY: Greg Capito.

WHAT WOULD THE PROPOSAL DO? This proposal directs the department, within one year, to develop a management plan to protect and enhance Juneau roadside fisheries in collaboration with the U. S. Forest Service, Douglas Island Pink and Chum, Inc., and other unnamed organization and agencies.

WHAT ARE THE CURRENT REGULATIONS? Statewide, regionwide, and local area regulations, including seasons, bag and possession limits, size limits, methods and means, and other limits, apply to Juneau roadside sport fisheries. There are no specific management plans for freshwater or saltwater shoreline sport fisheries on the Juneau road system. State policies in regulation, as well as other policies and plans not in regulation, provide guidance for the management of salmon and trout fisheries along the Juneau roadside in both fresh and salt waters. They include:

5 AAC 39.220. *Policy for the management of mixed stock fisheries;*

5 AAC 39.222. *Policy for the management of sustainable salmon fisheries;*

5 AAC 39.223. *Policy for statewide salmon escapement goal.;*

5 AAC 75.220. *Statewide management standards for wild trout.;*

5 AAC 75.222. *Policy for the management of sustainable wild trout fisheries;*

Statewide Stocking Plan for Recreational Fisheries;

Comprehensive enhancement plan for Southeast Alaska;

Statewide genetics policy;

Statewide disease policy; and

Statewide Lake Stocking Policy.

In addition, 5 AAC 75.003, *Emergency Order Authority*, allows the department to modify harvest limits, as well as methods and means of fishing, in order to increase or reduce harvest opportunity based on forecasted returns.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? With the exception of the recommendation for catch-and-release designations, the recommendations in this proposal are not regulatory, and therefore, there would have little, if any, direct effect on the fisheries. The recommendation to designate waters for catch-and-release fishing does not identify specific streams where this change should occur; however, a catch-and-release designation for any stream would reduce mortality and eliminate harvest opportunity for that stream.

BACKGROUND: Management plans established by the Alaska Board of Fisheries (board) stipulate guidelines and measures to be used by the department for allocation, conservation, or special management purposes. This proposal appears to be for conservation purposes, since it suggests that habitat damage and increases in freshwater fishing pressure are threatening the local sport fishery. Guidance for development of salmon management plans can be found in 5 AAC 39.222(d), *Policy for the management of sustainable salmon fisheries.* The policy states that the board considers salmon management plans when department stock status reports, reports from other resource agencies, or public input identify an expanding fishery or a chronic failure to maintain expected harvest levels or formal escapement goals.

Based on Statewide Harvest Survey data, estimated fishing effort at Juneau's three most popular streams (Cowee, Montana, and Peterson creeks) has been variable over the past 15 years (1996–2010), with the highest estimated effort (10,169 angler-days) occurring in 2009 and one of the lowest (4,721 angler-days) occurring as recently as 2007 (Figure 247.1).

Coho salmon are the most-harvested species in fresh water on the Juneau road system and harvest limits are the most conservative in the region. Formal escapement goals for coho salmon have been established in three Juneau area streams and in the nearby Berners River. As with many Southeast coho salmon stocks in the recent past, escapement to these streams have been at the low end of their historical ranges, but have not fallen to levels that would suggest that a conservation concern exists.

Trout species throughout Southeast Alaska are managed under a conservative management approach. In particular, the Juneau road system has been designated by the board as a "high use" area, and, as a result, harvest limits and regulations are even more conservative than regional regulations. 5 AAC 75.220, *Statewide management standards for wild trout*, states that a conservative management approach acknowledges the potential for increased angler effort and overexploitation, and therefore, incorporates restrictive harvest limits for conservation and to maintain genetic diversity, desirable size composition, and abundance levels that do not require stocking to enhance wild stocks.

Department staff has received inquiries from several members of the public, including the author of this proposal, in recent years regarding stocking Juneau area lakes with trout. In response to these inquiries, the department has consistently stated that there are an insufficient number of landlocked lakes in the Juneau area to allow a trout stocking program similar to those in the northern part of the state, and that hatchery production of the small number of fish needed to stock these lakes would be cost prohibitive. In addition, the department has stated that transplanting of trout from distant Southeast lakes into Juneau's anadromous lakes would violate the state genetic and disease policies designed to protect wild stocks.

The department releases up to 575,000 king salmon smolt into salt water annually in the Juneau area, and up to 15,000 catchable-size king salmon between four small lakes that are accessible

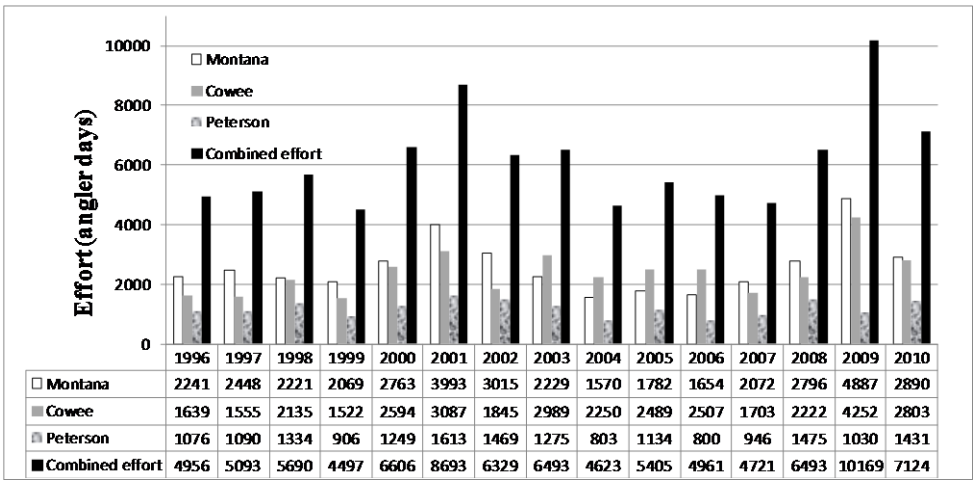
from the Juneau road system. This enhancement program creates little to no risk to wild king salmon stocks because there are none in the Juneau road system area.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal due to the cost to the department with little apparent benefit. The department is not aware of any allocation or conservation issues in the Juneau road system area that would benefit from a management plan. Current management on the Juneau road system is based on existing departmental and board-established regulatory policies.

Department access, Information and Education, and habitat programs are currently addressing a number of the elements identified in the proposal pertaining to the need for public access, education for youth, and general information on sport fishing opportunity, and habitat. Recent activities under these programs include the following: planning efforts with the City and Borough of Juneau to provide new recreational shoreline sites; funding trail improvements at Montana Creek; partnering with Trout Unlimited to restore fish habitat in the Mendenhall Glacier Recreation Area; and partnering with the local 4-H Club to teach fishing techniques and sponsoring outdoor fishing events for families. In addition, the department is in the planning stages of developing an angler education and resource management curriculum with an existing high school elective (Sportsman Biology) for interested students in the Juneau School District pursuing a career path in the sciences. Enrollment in the elective would allow for dual enrollment at the University of Alaska - Fairbanks and would further allow them to pursue internship opportunities with the department, as well as assist organizations that engage Juneau youth during the summer months such as the 4-H Club. These types of activities, along with research projects such as on-site creel surveys are evaluated and prioritized within the available financial resources.

With the exception of the request for a catch-and-release designation, the recommendations identified in this proposal do not appear to be under the board's authority.

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



	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Montana	2241	2448	2221	2069	2763	3993	3015	2229	1570	1782	1654	2072	2796	4887	2890
Cowee	1639	1555	2135	1522	2594	3087	1845	2989	2250	2489	2507	1703	2222	4252	2803
Peterson	1076	1090	1334	906	1249	1613	1469	1275	803	1134	800	946	1475	1030	1431
Combined effort	4956	5093	5690	4497	6606	8693	6329	6493	4623	5405	4961	4721	6493	10169	7124

Figure 247.1–Estimated sport fishing effort in Montana, Cowee, and Peterson creeks on the Juneau road system, 1996–2010.

SUPPORT WITHDRAWN PROPOSALS (14)

PROPOSAL 268 – 5 AAC 77.60X. Applicability of personal use regulations in the Yakutat Area; and 5 AAC 77.65X. Applicability of personal use regulations in Southeast Alaska.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? When submitted, the intent of this proposal was to clarify where personal use finfish regulations are in effect in Southeast Alaska. However, following further discussion between department staff and the attorney general's office, the department is withdrawing support for Proposal 268 due to unforeseen complexities related to trying to provide the desired clarifications.

WHAT ARE THE CURRENT REGULATIONS? NA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? NA.

BACKGROUND: NA.

DEPARTMENT COMMENTS: We recommend the board take no action on this proposal based on the withdrawal of support by the department.

COST ANALYSIS: NA.

PROPOSAL 289 – 5 AAC 33.310. Fishing seasons and periods for net gear.

PROPOSED BY: United Southeast Alaska Gillnetters Association.

WHAT WOULD THE PROPOSAL DO? The intent of this proposal, as originally stated in the proposal book is somewhat confusing due to transposition of statements of the action requested between proposals 289 and 298. As published in the corrected version, this proposal (289) would limit purse seine fishing time in statistical areas 105-31 and 105-41 to no more than 39 hours per week.

WHAT ARE THE CURRENT REGULATIONS? Salmon can be taken with purse seine gear during fishing periods established by emergency order (EO) in all or portions of districts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, and 14. Fishing periods may be provided in all of District 5.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, there would be a loss of opportunity for the seine fleet. Limiting harvest opportunity could result in pink salmon escapement in excess of the target level for District 5 in years of high abundance. The effect on the harvest and escapement in District 6 is unknown.

BACKGROUND: In 1963, the current system of districts was introduced into regulation. District 5 was created from a portion of what had been known until that time as the Sumner Strait District under federal regulations. The designation of District 5 as a seine-only area was also put into place at that time. District 5 has remained a seine-only area from 1963 to present.

The department uses its EO authority to open areas with a harvestable surplus of pink salmon. The northern boundary line that is commonly used opens waters in District 5 south of a line from Boulder Point to the westernmost Barrier Island, then due east to Prince of Wales Island. The area south of this line includes part of the area of the proposed time restrictions (Figure 289.1). The area below this line can be open, or portions of this area of Sumner Straits can be open. When returns of pink salmon are good in areas north of the Barrier Islands, the boundary line can be moved north to the southern entrance of Labouchere Bay. Likewise, there are lines that can be implemented that prevent fishing in the southern part of the district. When abundance of pink salmon throughout the district is good, all of District 5 can be opened for a portion of the season. Opening the entire district typically would not occur until the season progressed, well into August.

Since 1972, weekly hours open to seine in those statistical areas of District 5 covered by this proposal has varied. Fishing time in the two statistical areas would have been affected differently by this proposal. Statistical area 105-31 has been open in 11 of the past 20 years; 10 of those years had statistical weeks that were open for more than 39 hours. Statistical area 105-

41 would be more affected by this proposal since at least a portion of this area has been open on a more consistent basis. Statistical area 105-41 had openings in 16 of the past 20 years; 15 of those years had statistical weeks open for more than 39 hours. The average weekly fishing time in the years that were open over the past 20 years during the peak of the season in both areas is well-above 39 hours (Table 289.1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Restricting fishing time to 39 hours in statistical areas 105-31 and 105-41 would limit the department's ability to target harvestable surpluses of pink salmon in years of high abundance. Beyond the loss of economic opportunity for the seine fleet, pink salmon overescapement would become an issue in some years.

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

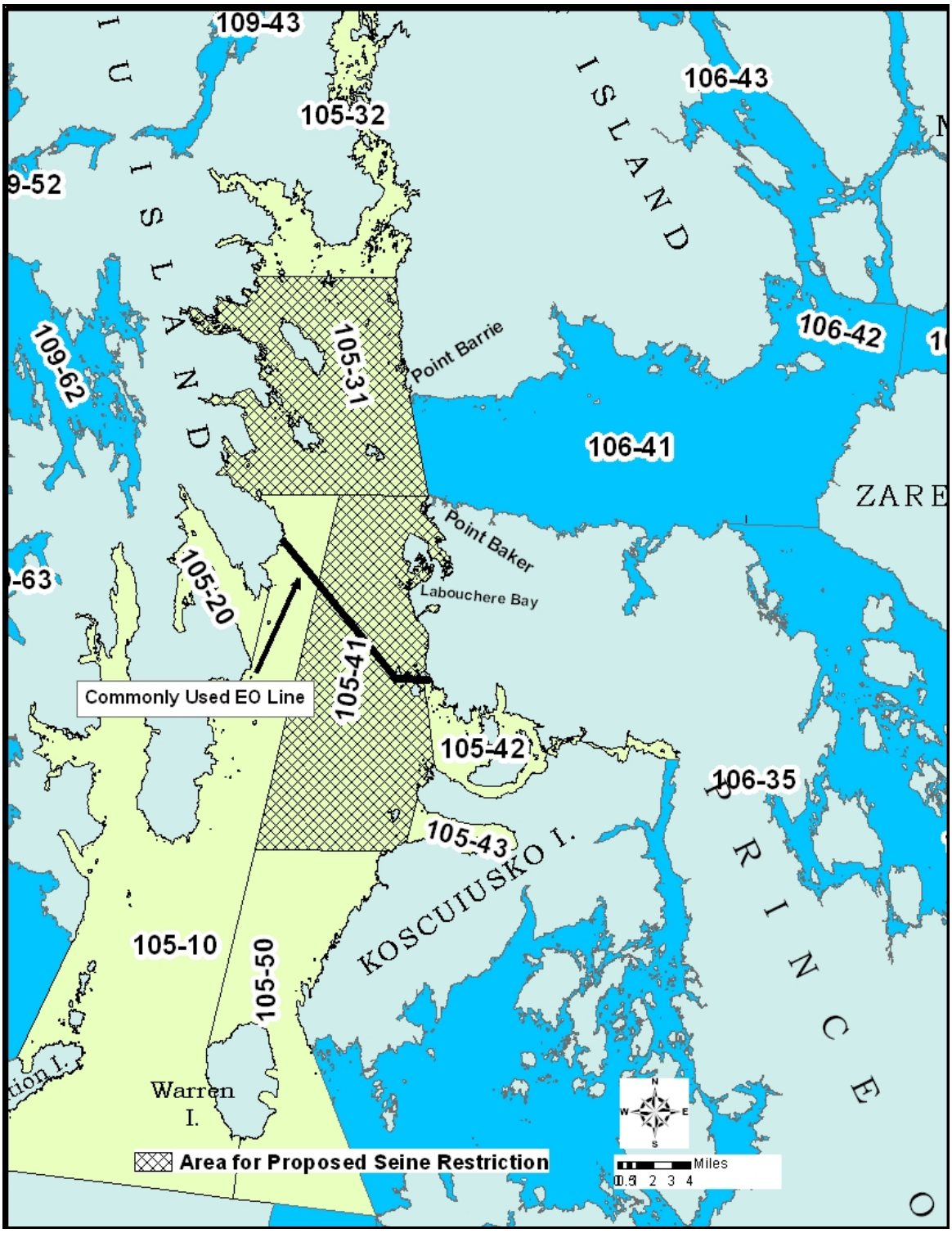


Figure 289.1–District 5 purse seine fishing areas and proposed restriction area.

Table 289.1–Weekly fishing time in hours in statistical areas 105-31 and 105-41, 1992–2011.

Year	SW 30	SW 31	SW 32	SW 33	SW 34	SW 35	SW 36	SW 37
				Statistical Area 105-31				
1992	-[1]	-	-	-	-	-	-	-
1993	-	-	39	78	78	39	78	-
1994	-	-	-	-	-	-	-	-
1995	-	15	39	39	57	21	-	-
1996	-	-	-	-	-	-	-	-
1997	-	-	78	39	39	-	-	-
1998	-	-	-	-	39	39	-	-
1999	-	-	-	57	60	78	138	21
2000	-	15	15	78	78	39	-	-
2001	-	-	78	78	39	105	158	43
2002	-	-	-	-	-	-	-	-
2003	-	58	78	98	78	-	-	-
2004	-	-	-	105	135	108	87	-
2005	-	-	-	87	78	39	77	-
2006	-	-	-	-	-	-	-	-
2007	-	-	-	131	87	78	-	-
2008	-	-	-	-	-	-	-	-
2009	-	-	-	-	-	-	-	-
2010	-	-	-	-	-	-	-	-
2011	-	-	-	-	-	-	-	-
92–11 Avg	-	29	54	79	70	61	108	32
				Statistical Area 105-41				
1992	-	-	-	-	-	-	-	-
1993	-	-	39	78	78	39	78	-
1994	-	-	-	-	-	-	-	-
1995	-	15	39	78	57	60	39	-
1996	-	-	-	-	-	-	-	-
1997	-	-	78	39	78	39	-	-
1998	-	-	54	78	39	-	-	-
1999	-	-	39	57	60	78	138	21
2000	-	-	-	39	78	-	-	-
2001	-	78	78	78	39	105	158	43
2002	-	-	39	39	-	-	-	-
2003	39	97	117	98	117	117	96	21
2004	-	39	87	105	135	108	87	-
2005	-	-	-	87	174	39	77	-
2006	-	-	-	-	-	-	-	-
2007	-	-	43	131	87	78	-	-
2008	-	-	-	78	-	-	-	-
2009	-	-	78	58	59	78	-	-
2010	-	-	-	54	39	78	39	-
2011	-	-	78	78	78	39	78	-
92–11 Avg	39	57	64	73	80	71	88	28

[1] Denotes 0 hours fished.

PROPOSAL 290 – 5 AAC 33.310. Fishing seasons and periods for net gear.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would create a directed coho fishery for the purse seine fleet in Section 6-D in September.

WHAT ARE THE CURRENT REGULATIONS? Purse seine fishing periods are provided by emergency order (EO) in District 6 in sections 6-C and 6-D. Drift gillnet fishing periods are provided in District 6 beginning on the second Sunday in June. Drift gillnet fishing in the west portion of Section 6-D is open from the second Sunday of June through the first Saturday in August, closed in August, then reopened from the first Sunday in September until the close of the season.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL WERE ADOPTED? The purse seine fleet would no longer be managed for pink salmon abundance in Section 6-D during the month of September. A directed coho salmon purse seine fishery would likely increase the purse seine harvest of coho salmon and drift gillnet fishing time and harvest in District 6 would likely decrease. Complexity in management of the fall coho salmon fishery would greatly increase, resulting in an overall more conservative approach to managing wild stocks of coho salmon.

BACKGROUND: District 6 is the only district in Southeast Alaska that may have waters open to purse seining and drift gillnetting concurrently. Districts in Southeast Alaska were first implemented for the 1963 season and are similar to districts currently in place. Sections were also established in 1963, but in many cases, are different from sections currently in place. Starting in 1963, District 6 has been split into gillnet and seine areas. Waters of current-day sections 6-A and 6-B have traditionally been gillnet only. Waters of current-day Section 6-C were gillnet-only from 1963 through 1968. In 1969, Section 6-C was open to seining and has since remained open to seining and gillnetting. The waters of current-day Section 6-D were purse seine-only from 1963 through 1983. During the 1983/1984 Alaska Board of Fisheries meeting cycle, the current regulation was implemented that allowed a section of 6-D to open for gillnetting prior to the first Saturday in August and from the first Sunday in September (Figure 290.1). Seining can open any time in the waters of sections 6-C and 6-D based on pink salmon abundance. Occasionally, on large runs, purse seining can be open before the first Saturday in August and/or after the first Sunday in September in Section 6-D. During this time period, gillnetters and seiners can, and have, fished the same waters at the same time.

Historically, the purse seine fleet has been managed based on pink salmon abundance and, to a lesser degree, chum salmon abundance in specific areas. Considerations are given to abundance of other salmon species and to any Pacific Salmon Treaty (PST) obligations. Coho salmon are caught incidentally to pink salmon; therefore, harvest of coho salmon is largely dictated by harvest opportunity for pink salmon. During years of low pink salmon abundance, harvest opportunity is less and coho salmon harvest is typically low. During years of high pink salmon abundance, harvest opportunity is

high and coho salmon harvest is typically higher. Over the past 20 years, the lowest pink salmon harvest has resulted in the lowest coho salmon harvest for the seine fleet. Three of the lowest five pink salmon and coho harvests over the past 20 years have occurred within the past six years, further contributing to the recent low purse seine harvest of coho salmon. The 2011 Southeast Alaska pink salmon harvest was large; likewise, the purse seine harvest of coho salmon was above the most recent 10-year average and the highest harvest since 2004 (Table 290.1).

During years of high pink salmon abundance, directed pink salmon openings can occur early and late in the season. Directed pink salmon openings have occurred during the first, and even into, the second week of September. The fall coho salmon return typically builds throughout August and early September, peaking in mid-September. The harvest of coho salmon increases as the season progresses. The purse seine fishery in statistical area 106-30 in Upper Clarence Strait has been open in 10 of the past 40 years in September, with three of these ten years closing by September 3. When the proportion of coho to pink salmon in the purse seine harvest increases to a point where the fishery becomes more of a coho salmon fishery, the seine fishery is closed. The seine fishery can also be closed if abundance of coho salmon is thought to be low and additional incidental harvest by the seine fleet could jeopardize the coho salmon return.

The drift gillnet harvest of coho salmon in statistical area 106-30 contributes less than half of the total District 6 gillnet harvest of coho salmon. The purse seine harvest in statistical area 106-30 contributes on average about 3% of the total Southeast purse seine harvest of coho salmon on years when coho salmon are harvested in statistical area 106-30. In years when coho salmon are harvested in statistical area 106-30 by the seine fleet, the average coho salmon seine harvest is approximately 20% of the total statistical area 106-30 coho salmon harvest.

DEPARTMENT COMMENTS: While the department is **NEUTRAL** on the allocative implications of this proposal, the department **OPPOSES** this proposal primarily due to difficulties the department would have managing the fishery. The department cannot determine what level of harvest will occur prior to an opening and does not have the means during the fall to estimate harvest levels during the opening. The department cannot predict the effects on gillnet harvest when seiners and gillnetters are fishing the same areas at the same time. Therefore, the department cannot determine what the harvest level should have been and manage towards that harvest level. In addition, the District 6 fall coho salmon fishery is managed primarily by wild coho salmon fishery performance in the gillnet harvest. There is a long-term data set of gillnet harvest that the department utilizes in managing the gillnet fishery. Allowing an additional directed coho salmon fishery would likely produce incomparable fishery performance data, further contributing to management difficulties. Seiners are more efficient at catching salmon. Allowing seiners to harvest, in addition to the gillnetters, could result in unsustainable harvest levels. This concern could result in less or no fishing time for either gear group.

If this proposal were adopted, harvests from directed coho salmon fishing by the seine fleet in statistical area 106-30 would not be expected to contribute much to the overall seine harvest of coho salmon. Over the past 20 years, on average, 44% of the statistical area 106-30 gillnet harvest of coho salmon occurs in September and October. If, on average, the purse seine fleet harvested half of the statistical 106-30 gillnet harvest during this time period, the purse seine

fleet would have increased its annual harvest of coho over the past 20 years by an average of 4% (Table 290.2).

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

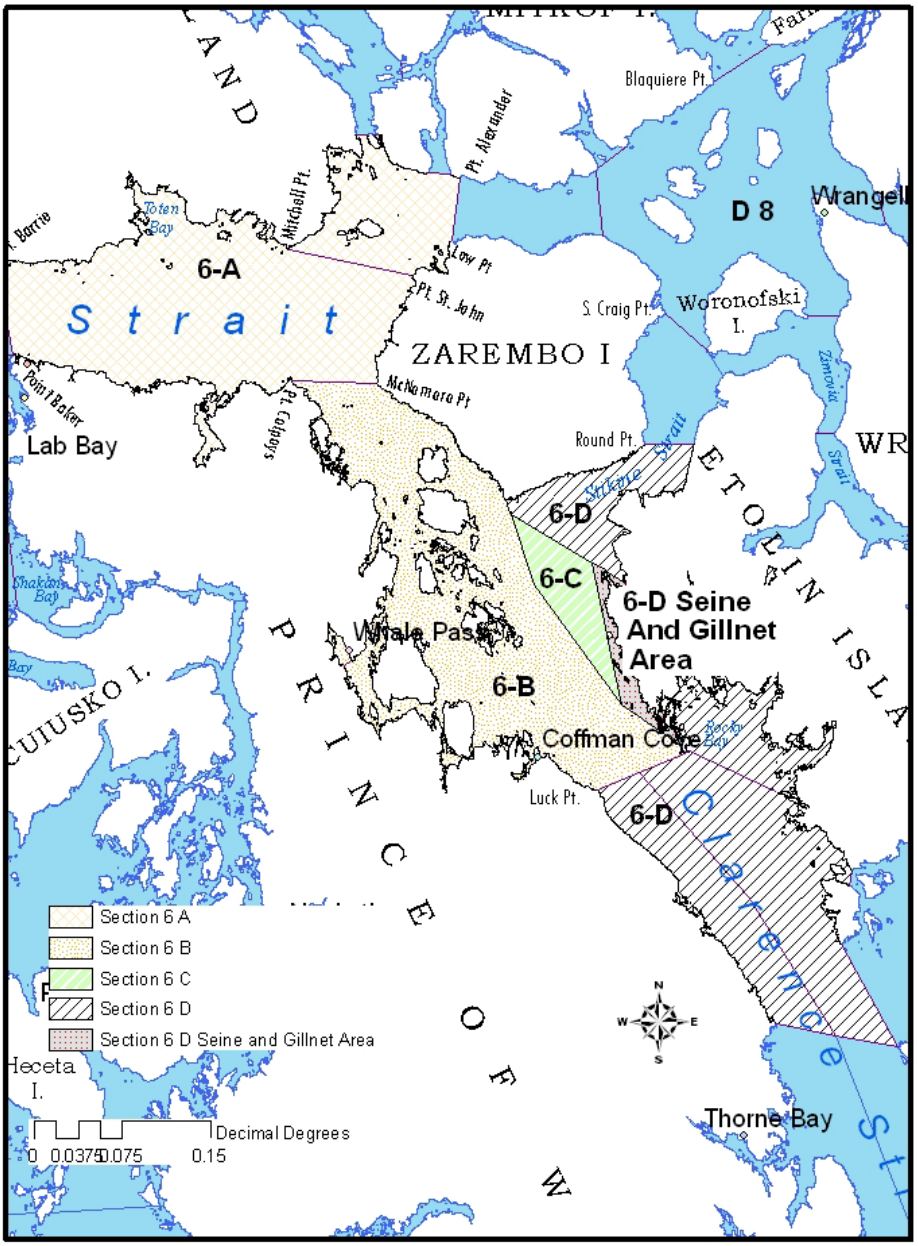


Figure 290.1–District 6 seine and gillnet open areas.

Table 290.1–Annual harvest of pink and coho salmon in Southeast Alaska in traditional common-property purse seine and drift gillnet fisheries.

Year	SE Seine Pink Harvest	SE Seine Coho Harvest	106-30 Seine Coho Harvest	SE GN Coho Harvest	D6 GN Coho Harvest	106-30 GN Coho Harvest
1960	2,572,279	125,871	542	37,986	336	59
1961	10,936,344	246,524	6,834	52,743	14,934	13,083
1962	10,139,595	239,382	9,540	98,404	42,276	35,728
1963	18,188,335	316,449	11,209	112,776	52,103	36,376
1964	17,305,646	506,341	18,311	172,411	64,654	37,316
1965	10,061,346	556,981	14,640	166,452	75,728	45,158
1966	18,906,895	451,888	7,499	155,922	62,823	32,031
1967	2,807,759	188,959	598	134,029	17,670	7,097
1968	24,083,473	463,270	8,707	202,955	67,151	21,040
1969	4,313,575	108,907	333	65,101	10,305	4,187
1970	9,589,943	293,435	7,246	163,354	35,188	20,017
1971	8,514,499	325,772	23,038	158,957	48,085	23,358
1972	11,363,527	385,221	10,319	274,206	92,283	31,679
1973	5,611,363	128,220	2,782	123,948	38,447	13,526
1974	4,174,551	166,836	206	186,482	45,595	16,676
1975	3,414,308	70,193	3,680	102,372	30,962	26,312
1976	4,290,526	87,344	11,964	155,968	19,126	8,759
1977	11,444,267	130,902	1,125	183,044	8,389	6,570
1978	18,545,091	242,961	10,516	221,134	55,578	28,816
1979	8,934,010	176,354	3,268	81,324	31,454	15,996
1980	11,869,988	184,570	-	109,516	16,666	5,772
1981	16,268,867	237,402	155	114,108	22,614	9,453
1982	22,048,891	397,349	-	180,790	31,584	10,288
1983	33,666,234	338,881	11,113	210,332	62,442	21,234
1984	21,069,273	350,017	5,438	184,138	41,359	22,235
1985	46,902,953	410,444	1,638	297,950	91,188	40,611
1986	42,691,319	547,082	333	376,855	194,912	90,584
1987	6,676,795	111,310	-	161,163	34,534	16,758
1988	8,727,181	152,496	-	156,473	13,103	6,754
1989	51,952,224	329,557	788	231,250	92,385	36,714
1990	27,706,426	370,981	-	345,881	164,235	69,709
1991	58,585,215	402,610	1,058	539,916	198,160	61,170
1992	29,316,165	483,056	-	642,478	298,935	108,050
1993	51,315,743	460,656	-	403,344	231,038	96,136
1994	49,771,505	952,006	16,219	689,032	267,862	76,167
1995	42,818,939	585,344	-	405,068	170,561	60,948
1996	61,212,120	434,687	-	362,046	223,640	64,321
1997	24,167,974	179,306	5,616	124,350	77,550	24,633
1998	37,283,244	450,336	6,746	407,256	273,197	98,073
1999	70,426,036	397,086	8,360	348,577	203,301	73,218
2000	17,663,706	202,552	-	162,553	96,207	41,975

-continued-

Table 290.1–continued (page 2 of 2)

Year	SE Seine Pink Harvest	SE Seine Coho Harvest	106-30 Seine Coho Harvest	SE GN Coho Harvest	D6 GN Coho Harvest	106-30 GN Coho Harvest
2001	61,412,589	536,180	25,285	291,659	188,465	54,509
2002	41,693,536	414,094	-	398,551	226,560	62,833
2003	49,295,945	377,605	24,344	397,799	212,057	64,383
2004	41,182,195	380,779	6,436	293,315	138,631	58,548
2005	55,172,304	332,884	14,433	256,413	114,440	37,381
2006	9,264,338	98,632	-	246,708	69,015	30,431
2007	41,677,812	242,456	5,359	168,328	80,573	29,016
2008	14,090,232	196,028	-	330,009	116,074	40,534
2009	34,254,604	280,944	-	314,568	144,569	67,978
2010	20,284,024	170,702	-	483,296	225,520	108,880
2011	55,085,463	334,151	-	227,971	117,854	47,501

Note: Blank cells indicate that the fishery did not open.

Table 290.2–Statistical weeks' 36–42 statistical area 106-30 gillnet harvest and Southeast Alaska purse seine coho salmon harvest.

Year	SWs 36-42 106-30 GN Harvest	50% of Fall GN 106-30 GN Harvest	SE Seine Harvest	Percent Change in SE Seine Harvest
1992	81,042	40,521	483,056	8%
1993	65,029	32,515	460,656	7%
1994	30,112	15,056	952,006	2%
1995	23,779	11,890	585,344	2%
1996	15,382	7,691	434,687	2%
1997	14,703	7,352	179,306	4%
1998	36,000	18,000	450,336	4%
1999	46,472	23,236	397,086	6%
2000	10,315	5,158	202,552	3%
2001	21,771	10,886	536,180	2%
2002	30,279	15,140	414,094	4%
2003	25,967	12,984	377,605	3%
2004	22,197	11,099	380,779	3%
2005	14,971	7,486	332,884	2%
2006	15,955	7,978	98,632	8%
2007	12,918	6,459	242,456	3%
2008	17,429	8,715	196,028	4%
2009	19,076	9,538	280,944	3%
2010	48,340	24,170	170,702	14%
2011	11,664	5,832	333,535	2%
92–11 Avg	28,170	14,085	375,443	4%

PROPOSAL 291 – 5 AAC 33.XXX. New Regulation.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would create a new regulation allowing harvest of pink salmon, guided by a management plan and incorporating a test fishery, in District 14 along the Point Adolphus shoreline from Crist Point to Mud Bay.

WHAT ARE THE CURRENT REGULATIONS? Currently, there is no general regulation or management plan specific to District 14. However, a management plan does exist in regulation for the Northern Southeast Alaska seine fishery. Development of the *Policy for the Management of Mixed Stock Salmon Fisheries*, established in 1993, was influenced by District 14 issues.

Purse seining is allowed by emergency order (EO) in all or portions of districts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, and 14. All of District 14 is eligible to be opened by EO under current regulations.

The *Northern Southeast Seine Salmon Fishery Management Plans* provides harvest opportunity for pink salmon surplus in District 12 north of the latitude of Point Marsden, during July, with a wild sockeye salmon harvest cap of 15,000 and consideration of conservation for all species.

Statewide *Policy for the Management of Mixed Stock Salmon Fisheries* (5 AAC 39.220) provides for conservation of wild stocks consistent with sustained yield, and allocation consistent with the subsistence preference in statute and allocation criteria in regulation. The policy provides preference for development of management plans in regulation to allocate harvest opportunity and to incorporate conservation burdens between users. In the absence of a management plan, conservation burdens are shared among fisheries in proportion to their harvests and that precise sharing of conservation may be dependent on the amount of stock-specific information available.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Since there is no specific regulatory language proposed, no amendments to existing regulations, or suggested deletions, it is impossible to say what effect the proposal might have if adopted. Effects of this proposal would be entirely dependent upon the specifics included in a management plan if one were to be developed and adopted. The proponent's intention is to increase access to northern pink salmon stocks through additional seine opportunities in District 14.

BACKGROUND: District 14: Icy Strait is a mixed-stock corridor with many salmon stocks entering inside waters from this ocean entrance. In the 1960s and early 1970s, purse seining was allowed in Cross Sound and Icy Strait, but starting in the mid-1970s, these areas were closed due to conservation concerns for inside pink salmon stocks. Weak returns to some areas were often

masked by strong returns to other areas as salmon migrated together through Cross Sound and Icy Strait. These conditions led to the overharvest of important stocks by a large fleet that fished the area. Poor pink salmon escapement distribution, high interception of nontargeted species, and poor marine survivals were identified as problems. Since the District 14 seine fishery has been curtailed, salmon production from inside areas has improved dramatically for all stocks. The department and the Alaska Board of Fisheries (board) adopted a management approach that allowed assessment of stock strength to prevent excessive harvests that otherwise would have caused the overfishing cycle to repeat. Under this approach, Northern Southeast Alaska opens in late June in more terminal locations and test fisheries are conducted to gauge run strength. In the District 14 corridor, seining is limited to terminal areas, such as Port Althorp and Idaho Inlet, the Whitestone shore adjacent to Port Fredrick, and Excursion Inlet in Icy Strait. This pattern has been maintained both as a conservation measure and as a general directive from the board. Table 291.1 shows the annual historical purse seine harvest in District 14.

District 12: The western shoreline of Admiralty Island between Point Marsden and Funter Bay is known as the Hawk Inlet shoreline. This area has become the most productive pink salmon fishery in Northern Southeast Alaska since the closure of Cross Sound and Icy Strait. The annual historical purse seine harvest for this statistical area is shown in Table 291.2. Salmon stocks returning to their natal streams in Lynn Canal, Stephens Passage, Seymour Canal, Frederick Sound, and Chatham Strait pass through this area after entering from the ocean through Icy Strait, and turn north or south depending on their ultimate destination. Purse seining along the Hawk Inlet shoreline has been controversial because salmon destined to inside drift gillnet areas (districts 11 and 15) are harvested in the fishery. The Hawk Inlet shoreline was closed during July between 1984 and 1988 by board regulations. In 1989, the board passed the *Northern Southeast Seine Salmon Fishery Management Plans* (5 AAC 33.366) and placed a harvest limit total of 15,000 sockeye salmon for the fishery during July. The plan authorizes the department to manage the Hawk Inlet fishery in July such that any portion of the area north of Point Marsden may be opened when a harvestable surplus of pink salmon is observed, and specifies that open areas and times must be considered against conservation concerns for all species in the area. In January 2006, the board further clarified that this sockeye harvest cap applied only to wild fish. Since the northern seine management plan was adopted, the fishery has been opened 12 out of the last 23 years, or approximately 50% of the time.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the potential allocative implications of this proposal, but is **OPPOSED** to any change in management that could cause the overfishing cycle of the 1960s and early 1970s to repeat itself.

From a pink salmon management standpoint, the current management approach has been successful in rebuilding northern inside waters pink salmon stocks. The large pink salmon returns and harvests experienced in Northern Southeast Alaska in recent decades are a direct result of department management practices initiated in the 1970s that allowed adequate time, free of exploitation, for salmon to disperse to inside waters. Salmon of all species and the fisheries dependent on them have benefited from curtailing fishing in Cross Sound and Icy Strait. The department has the authority to open any portion of District 14 to access surplus pink salmon in

years of large pink salmon returns. However, opening new areas in Icy Strait, without a comprehensive sampling program, could lead to overharvesting of small local stocks or weak stocks and could lead to excessive bycatch of nontargeted species. Prior stock assessment work has indicated that large numbers of Chilkat River chum salmon and disproportionately large numbers of sockeye salmon can be and have been taken in the directed pink salmon seine fishery in Icy Strait and Cross Sound (Table 291.1).

The majority of northbound fish transiting through Icy Strait and upper Chatham Strait come together along the West Mansfield Peninsula shoreline of northern Admiralty Island. The purse seine fleet has opportunity here, along the Hawk Inlet shoreline, to harvest surplus pink salmon under the terms of the *Northern Southeast Seine Salmon Fishery Management Plans*. Additional opportunity exists in districts 14 and 11, but is limited by the department to terminal areas when surpluses are identified. For the most part, surplus northbound pink salmon have been adequately harvested under the current management strategy. However, in 1999, 2004–2005, and 2011, years of high pink salmon abundance, some of the harvestable surplus was not taken. There are a number of reasons for this. First, strong northbound pink salmon returns are often present early in July. Seine fishery openings along the Hawk Inlet shore have occurred in early July and then the area has been closed by midmonth, when the 15,000 wild sockeye salmon harvest limit was reached. This was the case in 2005 and 2011, when the Hawk Inlet fishery closed in mid-July in accordance with the management plan, yet pink salmon continued to pass through the area in large numbers throughout the remainder of July. Second, prior to the 2005 season, processor capacity in Southeast Alaska was limited and not able to fully process the entire harvestable surplus of pink salmon. Some processors dealt with this by establishing trip limits for permit holders and other processors accepted deliveries for only a few days of a four-day opening. With recent expansion in processing capacity, this has not been an issue. In 2011, pink salmon harvested from Northern Southeast Alaska (districts 12 and 14) purse seine fisheries established a new record harvest of 24.6 million fish, surpassing the previous high harvest of 20.4 million fish in 1999. Additionally, pink salmon escapements were very strong to districts 11 and 14, and record setting for District 15. Unfortunately, Lynn Canal sockeye salmon stock preseason expectations were for below average returns and inseason stock assessment data indicated average to below-average returns, at best. Because of department concerns for these and other sockeye salmon stocks, large areas of District 14, that otherwise might have opened, were not opened to purse seining in 2011 in spite of the record pink salmon return.

If approved, there could be significant costs to the department depending on what is incorporated in the management plan, such as sampling programs, test fisheries, etc.

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

Table 291. 1–District 14 purse seine harvest 1960–2011.

YEAR	CHINOOK	SOCKEYE	COHO	PINK	CHUM	TOTAL
1960	261	136,796	27,863	363,391	176,751	705,062
1961	336	213,619	52,531	2,913,987	535,784	3,716,257
1962	2,389	136,712	34,583	258,076	436,526	868,286
1963	2,055	201,535	109,133	9,016,292	328,398	9,657,413
1964	1,477	204,304	115,666	4,440,497	366,584	5,128,528
1965	3,309	280,730	152,488	3,168,720	581,094	4,186,341
1966	3,404	216,858	105,996	1,868,375	1,122,699	3,317,332
1967	1,461	160,019	93,347	1,549,756	627,225	2,431,808
1968	2,181	230,741	131,485	4,192,274	635,273	5,191,954
1969	3,409	231,624	65,358	2,415,027	199,064	2,914,482
1970	1,824	163,224	60,517	2,083,962	640,940	2,950,467
1971	1,683	88,758	80,922	1,647,390	494,671	2,313,424
1972	3,044	96,853	87,385	1,178,064	682,581	2,047,927
1973	2,729	130,805	47,743	921,247	351,310	1,453,834
1974	646	20,594	6,724	86,042	99,870	213,876
1975	22	2,391	549	24,714	41,488	69,164
1976	10	21	1,504	2,565	51,510	55,610
1977	0	0	0	0	0	0
1978	0	0	0	0	0	0
1979	0	3	130	1	3,584	3,718
1980	35	1,702	1,950	36,169	226,135	265,991
1981	314	10,638	6,803	734,971	134,964	887,690
1982	6	234	5,045	167,264	4,004	176,553
1983	129	2,333	4,027	313,034	37,826	357,349
1984	175	6,882	4,435	47,356	161,442	220,290
1985	576	3,638	4,314	1,036,852	53,215	1,098,595
1986	7	1,466	552	14,551	58,336	74,912
1987	78	3,751	2,221	512,798	120,844	639,692
1988	12	1,244	2,154	85,744	66,760	155,914
1989	1	6,095	3,319	564,881	29,789	604,085
1990	98	4,136	3,539	185,917	29,759	223,449
1991	13	4,307	5,121	677,752	51,641	738,834
1992	50	6,454	12,010	523,060	92,414	633,988
1993	5	9,806	4,969	1,266,941	62,966	1,344,687
1994	26	10,536	45,209	1,439,497	50,800	1,546,068
1995	0	264	708	13,884	9,940	24,796
1996	0	0	0	0	0	0
1997	11	5,123	6,699	1,101,837	31,512	1,145,182
1998	0	0	0	0	0	0
1999	44	17,301	32,987	7,309,329	165,831	7,525,492
2000	22	1,111	4,038	32,907	102,549	140,627

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Table 291.1–continued (page 2 of 2)

YEAR	CHINOOK	SOCKEYE	COHO	PINK	CHUM	TOTAL
2001	24	43,664	8,829	2,289,578	79,884	2,421,979
2002	49	4,592	19,739	1,121,060	24,562	1,170,002
2003	73	11,973	3,029	1,907,955	80,423	2,003,453
2004	406	35,254	10,097	2,132,019	141,793	2,319,569
2005	93	13,354	7,293	2,753,278	74,799	2,848,817
2006	30	8,657	7,209	673,514	40,026	729,436
2007	37	16,948	8,153	1,293,079	69,813	1,388,030
2008		0	0	0	0	0
2009	51	5,877	3,263	829,534	29,595	868,320
2010	0	0	0	0	0	0
2011	179	38,908	27,727	6,380,241	94,119	6,541,174

Table 291.2–Sub-district 112-16 purse seine salmon harvest 1960–2011.

YEAR	CHINOOK	SOCKEYE	COHO	PINK	CHUM	TOTAL
1960	64	7,590	2,494	42,641	12,879	65,668
1961	150	23,693	8,841	443,030	69,312	545,026
1962	256	5,395	1,647	12,605	42,524	62,427
1963	348	15,386	7,542	816,694	57,843	897,813
1964	545	18,287	20,202	610,076	33,047	682,157
1965	1,467	35,565	20,709	248,511	69,284	375,536
1966	332	10,198	6,216	210,835	53,042	280,623
1967	153	11,196	7,774	196,070	49,711	264,904
1968	429	26,702	19,972	1,109,096	73,153	1,229,352
1969	229	19,933	4,684	275,241	21,040	321,127
1970	439	34,776	39,134	855,233	163,291	1,092,873
1971	488	15,465	17,549	503,850	94,320	631,672
1972	1,417	24,184	28,973	328,032	183,160	565,766
1973	1,104	27,454	3,048	392,906	87,675	512,187
1974	227	18,368	3,632	87,926	39,716	149,869
1975	0	0	0	0	0	0
1976	0	0	0	0	0	0
1977	0	0	0	0	0	0
1978	0	0	0	0	0	0
1979	0	575	440	48,897	1,931	51,843
1980	0	633	1,410	71,720	9,040	82,803
1981	174	14,562	7,843	563,363	21,943	607,885
1982	247	10,753	25,663	2,440,317	19,515	2,496,495
1983	169	11,948	13,281	682,353	22,881	730,632

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Table 291.2–continued (page 2 of 2)

YEAR	CHINOOK	SOCKEYE	COHO	PINK	CHUM	TOTAL
1984	161	15,326	12,624	771,591	98,510	898,212
1985	411	30,128	12,223	3,460,939	82,411	3,586,112
1986	2	4,716	3,359	154,259	7,844	170,180
1987	73	39,900	7,962	1,223,022	93,646	1,364,603
1988	6	303	1,222	44,570	2,583	48,684
1989	19	35,550	13,576	2,645,868	51,323	2,746,336
1990	67	11,397	13,554	822,882	23,108	871,008
1991	39	23,095	20,420	3,123,218	89,225	3,255,997
1992	18	31,104	16,147	1,518,552	80,546	1,646,367
1993	26	43,243	20,483	3,637,802	195,663	3,897,217
1994	91	45,797	56,050	4,152,903	173,748	4,428,589
1995	31	2,943	7,770	189,099	19,955	219,798
1996	6	15,100	31,514	1,806,240	74,327	1,927,187
1997	19	10,876	15,568	2,107,964	39,089	2,173,516
1998	13	15,492	29,406	1,359,289	72,242	1,476,442
1999	47	26,382	28,224	5,974,808	150,489	6,179,950
2000	21	8,763	19,923	1,083,484	64,948	1,177,139
2001	98	36,006	29,683	2,359,119	83,713	2,508,619
2002	72	14,155	31,220	2,180,951	54,174	2,280,572
2003	368	44,795	26,183	3,372,986	163,368	3,607,700
2004	1,239	132,061	52,088	4,876,695	464,480	5,526,563
2005	531	74,111	44,463	6,502,567	229,131	6,850,803
2006	166	17,074	5,300	469,059	182,560	674,159
2007	63	31,925	16,680	2,102,139	91,800	2,242,607
2008	0	0	0	0	0	0
2009	74	31,836	13,765	2,534,825	80,889	2,661,389
2010	0	0	0	0	0	0
2011	244	60,946	27,844	7,864,812	201,319	8,155,165

PROPOSAL 295 – 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Management Plan; 5 AAC 33.200. Fishing districts and sections; and 5 AAC 33.310(c)(3). Fishing seasons and periods for net gear.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSALS DO? This proposal would create an area within District 8 that would be managed for enhanced chum salmon returning to the Anita Bay release site by basing fishing time on the ratio of the chum to sockeye salmon harvest in portions of traditional drift gillnet harvest areas. At times when the chum to sockeye ratio exceeds 4:1, the gillnet fishing in these portions would be curtailed.

WHAT ARE THE CURRENT REGULATIONS? The *District 7: Anita Bay Terminal Harvest Area Salmon Management Plan* specifies Anita Bay as a terminal harvest (THA) area to harvest enhanced salmon. The area is continually open to troll gear and is open to seine and gillnet gear by emergency order (EO). From 2009–2011, the area has been opened based on a gillnet to seine time ratio of 1:1. Prior to that, it was open based on a gillnet to seine ratio of 2:1.

District 8 is a traditional area for the drift gillnet fishery and opens beginning on the second Sunday in June.

WHAT WOULD BE THE EFFECTS IF THE PROPOSAL WERE ADOPTED? If adopted, there are several effects this proposal may have. It would direct the department to manage for enhanced chum salmon outside of the Anita Bay THA in a traditional fishing area. Gillnetters may continue targeting enhanced chum salmon outside of the proposed area. The number of chum salmon harvested within the THA may increase.

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 in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000. In 2001, the Southern Southeastern Regional Aquaculture Association (SSRAA) transferred the release of king, coho, and chum salmon from Earl West Cove to Anita Bay. In 2003, the outer THA boundary was moved to the mouth of the bay. Also in 2003, three lines were established in the head of the bay to reduce Dungeness gear and net conflicts by restricting net fisheries at given times in given areas. As the season progresses, the net fisheries are allowed further into the bay. In 2002, the first common-property harvest occurred on hatchery returns in the Anita Bay THA. The 2003 season was the first season a substantial amount of chum salmon was harvested in the THA during common-property openings. The first recorded harvest for purse seiners was in 2005. Harvests within the THA have been variable since 2005, ranging from 28,521 to 92,576 chum salmon by the gillnet fleet, and 31,917 to 261,103 chum salmon by the seine fleet (Table 295.1). In addition, gillnetters have harvested significant numbers of chum salmon outside of the THA in waters of District 8. Statistical areas 108-10 and 20 encompass the waters of Zimovia Strait, Chichagof

Pass, and a section of Stikine Straits (Figure 295.1). Chum salmon harvests in this area have ranged from 37,490 to 258,750 fish since 2005. The majority of these chum salmon are enhanced chum salmon heading to the Anita Bay THA. These harvests have taken place during common-property openings in traditional fishing areas of District 8 that are open during sockeye or pink salmon management. Prior to any significant enhanced chum salmon returns to either Earl West Cove or Anita Bay (1990), harvests of all salmon species in this area have been spotty and relatively small (Table 295.2).

There are several streams and rivers with salmon returns that have salmon harvested in the proposed corridor areas. These include the Stikine River, which produces all five species of Alaska salmon, plus a number of smaller streams, which produce sockeye, coho, pink and/or chum salmon. The THA harvest includes sockeye and pink salmon, which are not released in the THA (Table 295.1). Harvests of sockeye and pink salmon in waters of District 8 nearest the THA area are generally much higher than inside the THA (Table 295.2).

Prior to the return of enhanced chum salmon to the Anita Bay THA in 2003, drift gillnet test fisheries were initiated in 2001 to evaluate run timing, strength, and the incidence of natural returns of salmon stocks in areas adjacent to the Anita Bay THA. Two areas in and around Anita Bay were designated for the test fisheries. The first area was within waters of Chichagof Pass north and east of a line from Drag Island to the northern tip of Etolin Island, 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 waters south of 56°20.00'N latitude to the Anita Bay THA, to waters north of a line from Anita Point to Turn Island. In 2001, the test fishery occurred for four statistical weeks, starting in statistical week 30 (July 22–28). In 2002, gillnetters were contracted to fish in five statistical weeks, starting in statistical week 29 (July 14–20). The results indicated that small numbers of wild sockeye, coho, and pink salmon, with higher numbers of chum salmon, were present in the existing THA prior to returns of hatchery king, coho, and chum salmon. This is also verified by the number of sockeye and pink salmon caught within the THA and the gillnet area closed to the THA since 2002. In general, results indicate the greater the distance from the THA, the more salmon species were caught, with higher catch rates for both years.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal to close fishing in a traditional mixed-stock fishing area, by regulation, based upon the presence of hatchery fish, for several reasons. Adoption of this proposal could put more pressure on wild stocks by moving the gillnet fleet into areas where wild stocks occur in higher abundance. If this proposal were to be adopted, the department would be making direct allocative decisions weekly. The department would have to determine the ratios inseason on a weekly basis. The department does not receive harvest information in a timely enough manner to accurately determine harvests, and, therefore, harvest ratios, at the accuracy needed to base allocative decisions on.

The department is **NEUTRAL** on the allocative issues this proposal creates.

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

Table 295.1–Anita Bay THA purse seine and drift gillnet harvests, 2002–2011. Harvest prior to 2002 was for hatchery cost recovery.

Year	King	Sockeye	Coho	Pink	Chum
			Gillnet Harvests		
2002	0	0	917	0	4
2003	52	33	1,268	330	2,263
2004	1,457	359	2,221	136	43,197
2005	567	554	1,239	1,970	57,146
2006	627	264	969	986	88,043
2007	3,320	194	3,202	1,865	92,576
2008	1,805	88	3,480	376	28,651
2009	3,295	231	4,107	400	28,521
2010	3,929	296	7,166	1,484	61,587
2011	6,205	496	313	3,536	67,183
			Seine Harvests		
2002	0	0	0	0	0
2003	0	0	0	0	0
2004	232	5	0	0	6
2005	64	61	95	3,356	66,506
2006	4,544	187	1,149	5,066	261,103
2007	4,287	31	20	4,176	40,805
2008	2,231	58	223	887	46,345
2009	2,602	187	213	15,746	31,917
2010	3,092	746	616	15,239	142,551
2011	3,311	108	98	40,719	82,942

Table 295.2–Statistical areas' 108-10 and 108-20 drift gillnet harvests, 1972–2011.

Year	King	Sockeye	Coho	Pinks	Chums	Year	King	Sockeye	Coho	Pinks	Chums
1960	0	0	0	0	0	1986*	0	2	238	0	47
1961	0	0	0	0	0	1987*	0	0	0	0	0
1962	0	3	40	58	19	1988*	0	0	0	0	0
1963	5	118	257	830	227	1989	0	0	0	0	0
1964	20	85	176	1,259	217	1990	73	737	532	323	265
1965	0	0	0	0	0	1991	30	1,074	2,496	734	966
1966	0	4	427	0	4	1992	55	301	2,920	55	466
1967	0	51	29	199	92	1993	23	1,411	3,712	2,055	795
1968	19	4	7	5	2	1994	29	2,527	2,224	1,456	902
1969	0	0	0	0	0	1995	42	1,269	487	446	1,422
1970	0	0	0	0	0	1996	15	2,625	4,667	416	12,213

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Table 295.2–continued (page 2 of 2)

Year	King	Sockeye	Coho	Pinks	Chums	Year	King	Sockeye	Coho	Pinks	Chums
1971	0	46	0	0	0	1997	28	454	20	2,617	1,793
1972	0	0	0	0	0	1998	11	398	2,463	2,595	5,586
1973	62	259	30	70	76	1999	14	1,305	6,262	6,909	58,216
1974	0	0	0	0	0	2000	488	2,287	1,060	1,573	19,107
1975	0	0	0	0	0	2001*	6	164	1,769	5,889	2,857
1976	0	0	0	0	0	2002*	2	88	691	243	933
1977	56	1,663	2,320	2,481	579	2003*	70	679	4,588	4,067	6,445
1978	0	0	0	0	0	2004	401	1,262	9,378	2,779	7,997
1979	0	0	0	0	0	2005	1,229	4,437	7,249	19,442	79,321
1980	1	177	4	3	9	2006	2,023	5,254	12,318	15,347	258,750
1981*	0	0	0	0	0	2007	4,473	6,465	6,122	14,787	114,055
1982*	0	0	0	0	0	2008	3,725	1,382	11,046	7,715	50,486
1983*	1	94	714	3,704	247	2009	1,732	5,089	8,433	6,734	134,483
1984			Closed			2010	1,475	2,516	17,899	3,000	37,490
1985			Closed			2011	2,925	3,508	4,979	17,863	117,221

*Limited openings

Figure 295.1–District 8 drift gillnet fishing area and proposed closed area to gillnetting.

PROPOSALS 296 AND 297 – 5 AAC 33.310(c)(2)(B). Fishing seasons and periods for net gear.

PROPOSED BY: United Southeast Alaska Gillnetters Association.

WHAT WOULD THE PROPOSALS DO? Proposal 296 would remove from regulation the restriction to gillnetting in Section 6-D in August. Proposal 297 would allow gillnetting in the closed portion of Section 6-D during August whenever District 6 is open to gillnetting and that portion of 6-D is closed to seining.

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;

(2) District 6:

(B) Section 6-D west of 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 second Sunday in June through the first Saturday in August and from the first Sunday in September until the season is closed;

WHAT WOULD BE THE EFFECTS IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would increase harvest opportunity for gillnetters in District 6 by increasing the available fishing area. As a result, the harvest of pink salmon, as well as other species of salmon, such as coho salmon, would likely increase. More management actions may need to be taken by emergency order (EO) in years of low salmon abundance to further limit harvest. If Proposal 296 is adopted, gear conflicts may increase by gillnetters and seiners fishing the same area at the same time.

BACKGROUND: District 6 is the only district in Southeast Alaska that may have waters open to purse seining and drift gillnetting concurrently. Districts in Southeast Alaska were first implemented for the 1963 season and are similar to districts currently in place. Sections were also established in 1963, but in many cases, are different from sections currently in place. Since 1963, District 6 has been split into gillnet and seine areas. Waters of current-day sections 6-A and 6-B have traditionally been gillnet-only. Waters of current-day Section 6-C were gillnet-only from 1963 through 1968. In 1969, Section 6-C was open to seining and has remained open to both seining and gillnetting. The waters of current-day Section 6-D were purse seine-only from 1963 through 1983. During the 1983/1984 Alaska Board of Fisheries meeting cycle, the current regulation was implemented that allowed a section of 6-D to open for gillnetting prior to the first Saturday in August and from the first Sunday in September (Figure 296.1). Seining can open any time in the waters of sections 6-C and 6-D based on pink salmon abundance. Occasionally, on large runs, purse seining can be open before the first Saturday in August and/or

after the first Sunday in September in Section 6-D. During this time period, gillnetters and seiners can, and have, fished the same waters at the same time.

In general, the gillnet fleet, as a whole, does not target pink salmon. During years when pink salmon prices are high and picking large numbers of pink salmon is cost-effective, a larger portion of the gillnet fleet will target pink salmon. Pink salmon harvests are typically dominated by the purse seine fleet. However, there have been many years when the gillnet fleet continued to fish due to its relatively lower harvest of pink salmon when the seine fishery in Section 6-C and the Screen Island/Steamer Bay portion of 6-D was not open. Statistical area 106-30 encompasses the waters of sections 6-B, 6-C, and the waters of 6-D north of Point Stanhope. Table 296.1 shows the annual harvest pink salmon harvest for both the seine and gillnet fleets from this area.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. Adoption of either one does not raise any significant management concerns. However, it should be noted in years of low pink and coho salmon abundance, by allowing gillnetters more access to the shoreline area of 6-D where those species can be found in higher concentrations, harvest by gillnetters could increase, resulting in less open time or possible area or districtwide closures. Additionally, opening all of 6-D when District 6 is open for the gillnet fleet could have unforeseen impacts due to changes in fishing patterns targeting stocks currently not accessible to the gillnet fleet in large concentrations.

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

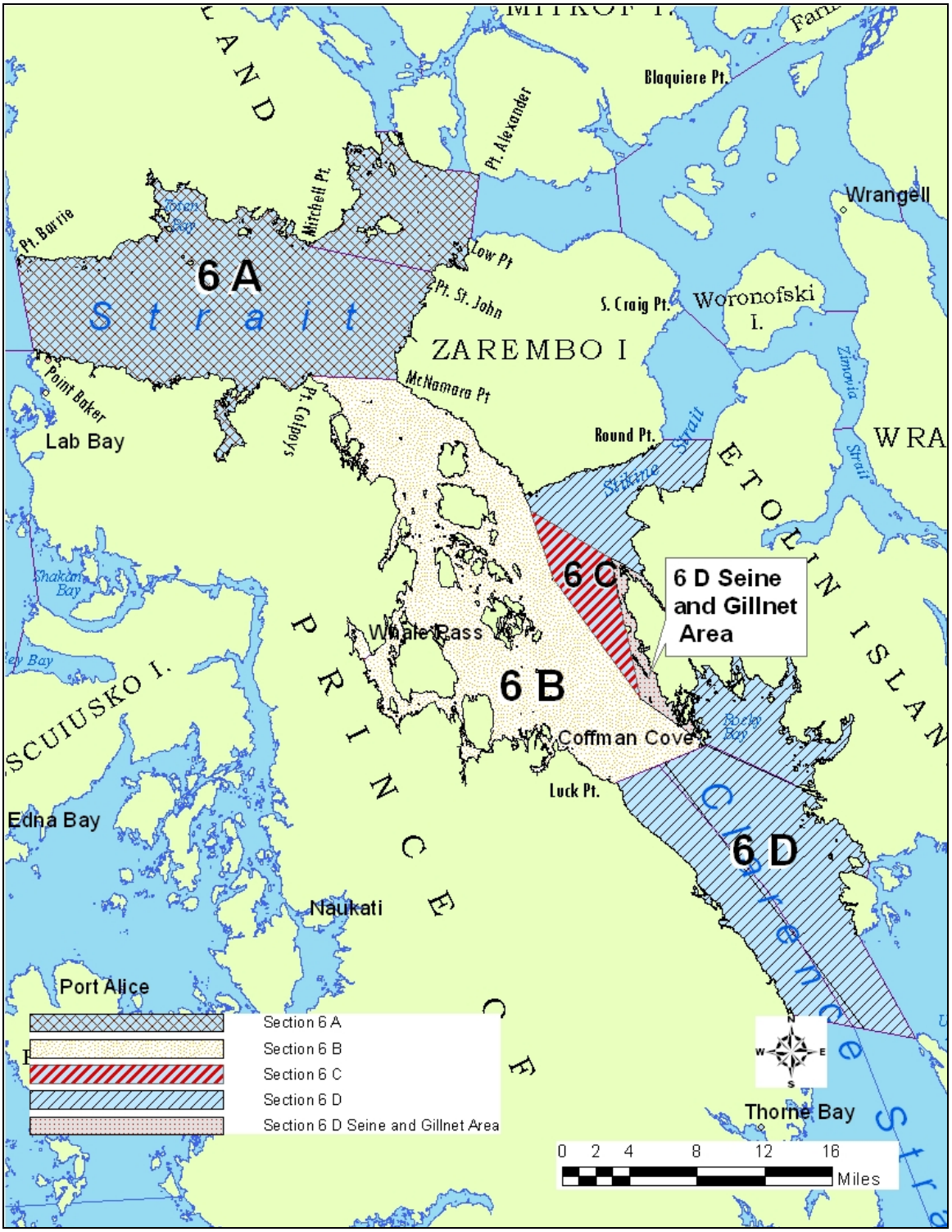


Figure 296.1–District 6 purse seine and drift gillnet open areas.

Table 296.1–Annual harvest of pink salmon by drift gillnet and purse seine in statistical area 106-30.

Year	Drift Gillnet	Purse Seine	Year	Drift Gillnet	Purse Seine
1960	143	2,309	1987	126,423	-[1]
1961	97,801	130,687	1988	58,665	-
1962	210,633	254,520	1989	683,150	160,003
1963	379,093	176,972	1990	234,643	-
1964	259,684	262,208	1991	69,232	102,206
1965	463,577	239,305	1992	55,765	-
1966	304,645	167,074	1993	240,974	-
1967	39,325	2,953	1994	113,769	120,593
1968	87,095	201,696	1995	294,159	-
1969	105,003	22,821	1996	117,415	-
1970	66,076	50,921	1997	374,432	1,565,058
1971	244,401	467,541	1998	306,252	100,899
1972	48,868	76,231	1999	213,987	1,766,212
1973	143,592	188,500	2000	76,605	-
1974	47,111	1,747	2001	479,945	2,641,031
1975	173,675	276,706	2002	41,865	-
1976	119,397	168,995	2003	180,189	1,246,849
1977	371,326	277,172	2004	112,610	357,334
1978	215,169	75,188	2005	168,170	487,691
1979	471,817	501,872	2006	115,804	-
1980	28,594	-	2007	222,882	608,101
1981	217,379	51,623	2008	70,434	-
1982	15,141	-	2009	90,488	-
1983	133,943	861,093	2010	176,727	-
1984	243,448	106,565	2011	175,143	-
1985	265,574	77,979	10-yr. avg.	135,431	269,998
1986	203,137	7,987	20-yr. avg.	181,381	444,688

[1] Denotes no harvest.

PROPOSAL 298 – 5 AAC 33.310. Fishing seasons and periods for net gear.

PROPOSED BY: United Southeast Alaska Gillnetters Association.

WHAT WOULD THE PROPOSAL DO? The intent of this proposal as originally published is somewhat confusing due to transposition of statements of the action requested between proposals 289 and 298. As published in the corrected version, this proposal (298) would close an area of District 10 to purse seining and make it a drift gillnet-only area.

WHAT ARE THE CURRENT REGULATIONS? Under current regulations, District 10 is open to the purse seine fishery by emergency order (EO). District 10 is not open to the drift gillnet fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would exclude purse seine vessels from fishing in traditional areas in statistical area 110-31 starting the third Sunday in June, and open the section exclusively for the drift gillnet fleet. This would result in reduced salmon harvests for the seine fleet in District 10. The amount of effort and harvest this section would receive as a drift gillnet-only area after the third week of June is not known; however, it is likely that the overall harvest from statistical area 110-31 for pink salmon would be reduced.

BACKGROUND: In 1963, the current system of districts was introduced into regulation. District 10 was created from a portion of what had been known until that time as the Eastern District under federal regulations. The designation of District 10 as a seine-only area was also put into place at that time. District 10 has remained a seine-only area from 1963 to present.

District 10 has undergone boundary changes periodically since it was introduced in 1963 (Figure 298.1). Its southern boundary was north of the latitude of Beacon Point until 1964, when it was moved to north of a line from Beacon Point to Point Agassiz. The southern boundary remained there from 1964 through 1966, when it moved to its present location as north of a line from Beacon Point to Wood Point in 1967. The western boundary of District 10 was set in 1963 as east of a line from Point Macartney on Kupreanof Island to Deepwater Point on Admiralty Island. The eastern boundary remained there until 1972, when it was changed to its current boundary as north and east of a line from Point Macartney to the latitude of the southernmost point on Elliott Island in Pybus Bay.

The northern boundary of District 10 was initially set in 1963 as south of a line from Point League on the mainland to Point Hugh on the Glass Peninsula to Point Gambier at the mouth of Gambier Bay. The boundary was changed in 1973 to include waters inside of Seymour Channel south of 57° 37'N. latitude, commonly known as the Big Bend area.

Since the boundaries of District 10 were set in 1973, pink salmon harvest has ranged from no harvest to as much as 7.05 million pink salmon, with subdistrict 110-31 accounting for an average of 41% of the harvest. The percent of overall District 10 pink salmon harvest from 110-31 has ranged from as high as 76% in 2007 to a low of 0% in the early 1970s (Table 298.1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, which would allocate fishing area from one gear group to another.

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

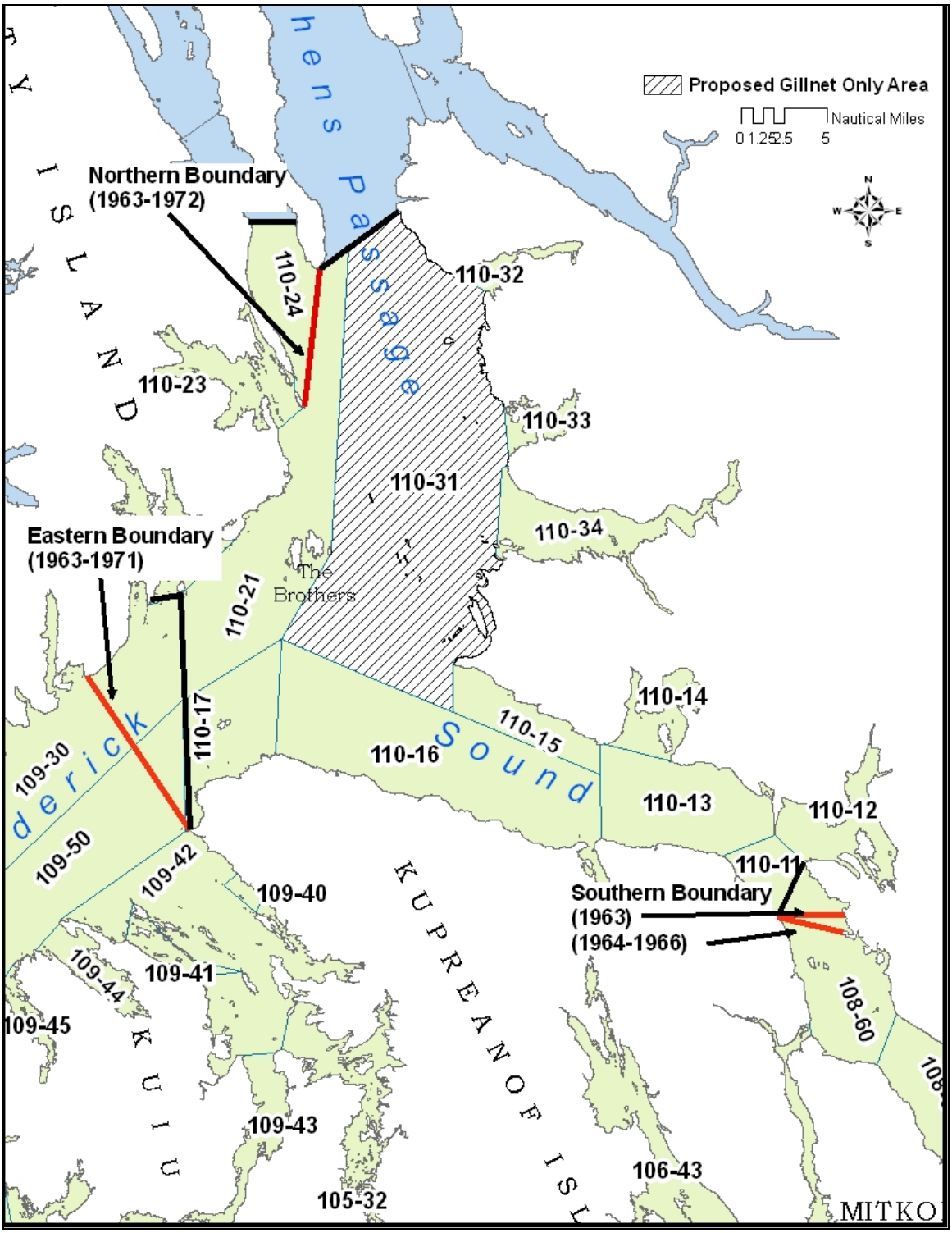


Figure 298.1–District 10 historical boundaries and proposed gillnet-only area.

Table 298.1–Pink salmon harvest in District 10 and section 110-31, 1973–2011.

Year	110-31	110 Total Harvest	Percent 110-31
1973	22,281	38,987	57%
1974	-	97,569	0%
1975	-	-	-
1976	-	-	-
1977	-	-	-
1978	-	-	-
1979	0	86,971	0%
1980	0	*	0%
1981	147,438	263,283	56%
1982	1,017,465	2,217,110	46%
1983	129,446	182,918	71%
1984	89,136	341,429	26%
1985	751,978	2,573,499	29%
1986	-	-	-
1987	316,344	864,795	37%
1988	0	*	0%
1989	1,025,796	2,447,109	42%
1990	183,357	318,769	58%
1991	1,565,004	2,750,338	57%
1992	1,155,051	2,383,472	48%
1993	90,486	181,437	50%
1994	3,297,163	7,050,390	47%
1995	*	*	3%
1996	410,345	887,983	46%
1997	325	513	63%
1998	79,772	868,157	9%
1999	161,620	932,210	17%
2000	20,259	37,837	54%
2001	44,054	107,271	41%
2002	752,052	2,693,047	28%
2003	1,348,276	3,120,151	43%
2004	1,070,704	2,757,173	39%
2005	387,885	634,397	61%
2006	61,196	418,491	15%
2007	22,392	29,622	76%
2008	*	*	100%
2009	177,125	330,154	54%
2010	689,415	2,443,957	28%
2011	2,036,414	3,690,483	55%
Average	532,216	1,269,256	41%

Notes: * indicates confidential data; blank cells indicate fishery not opened.

PROPOSAL 308 – 5 AAC 29.120. Gear Specifications and Operations.

PROPOSED BY: Ed Hansen.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would allow six trolling lines, within areas described in the *Spring Troll Management Plan*, during spring and summer to increase the harvest of enhanced salmon.

WHAT ARE THE CURRENT REGULATIONS? During the summer fishery, no more than six lines may be operated from a power troll vessel in the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer. During the spring and summer fisheries, south of the latitude of Cape Spencer, only four lines are allowed. Areas described in the *Spring Troll Management Plan* may be changed on an annual basis, are defined by emergency order (EO), and in 2011, there were 27 separately-defined spring areas and five terminal areas. Fishing time within the spring areas varies between areas and is announced on a weekly basis.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would increase the maximum number of trolling lines that may be operated from a salmon power troll vessel participating in the spring and summer troll fisheries, within waters described in the annual *Spring Troll Management Plan*, from four lines to six. If this proposal was adopted, power trollers fishing during spring and summer, within waters that were open during the spring troll fisheries for that year, would likely increase their efficiency and harvest of salmon. Increasing efficiency could reduce the time it would take to harvest the allowable number of Pacific Salmon Treaty (PST) king salmon associated with the individual fishery areas open in spring, and the general summer king salmon retention periods. A reduction in the fishing time necessary to harvest the summer PST king salmon quota would increase the number of king salmon nonretention days, and the resulting catch-and-release mortalities. During spring troll fisheries, increasing efficiency of harvest at times when Alaska hatchery fish are not especially abundant, mainly in early spring, could result in elevated weekly PST catches. Elevated PST harvests would increase the possibility of early-season closures, resulting in reduced fishing time and area for the remainder of spring. There is also the possibility that fishery area openings would be delayed until later in the spring to avoid anticipated PST harvests, also resulting in reduced fishing time and area. Because the department would be unable to estimate to what degree additional troll lines could affect harvest rates, a conservative management approach would be necessary. If adopted, this proposal could generate additional enforcement concerns. Limiting additional areas open to operation of six lines during summer to boundaries established for spring fisheries could introduce the potential for increased gear operation violations. Alaska Wildlife Troopers enforcing the fishery would encounter some trollers fishing four lines throughout the region and other trollers fishing six lines in whatever areas had been defined that prior spring season. There can be in excess of 1,000 vessels fishing during the summer troll fishery. Spring troll area boundaries (Figure 308.1), not normally applicable in summer, would need to be patrolled and additional contacts with trollers made to verify compliance with what is proposed here for summer.

BACKGROUND: In 1979, the Alaska Board of Fisheries (board) adopted a troll fishery gear limitation that allowed the operation of up to six power troll lines in the exclusive economic zone, formerly known as the Fishery Conservation Zone, north of the latitude of Cape Spencer and east of the longitude of Cape Suckling. It was found that vessels fishing in this area may need to operate with greater efficiency than those vessels fishing south of the latitude of Cape Spencer. These vessels incurred greater costs to access the area, and were unable to fish for longer periods of time due to distances from ports and harbors and adverse weather conditions.

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of allowing the operation of two additional lines from power troll vessels during the spring and summer troll fisheries. Increasing efficiency of the power troll fleet and the number of salmon harvested by power trollers during spring and summer could reduce the time it would take to harvest each year's allowable king salmon harvest. Depending upon how many permits are fished in the spring troll areas referenced in the proposal, such a reduction in the time needed to harvest the annual king salmon quota could lead to an increase in the number of nonretention days the troll fishery would be catching and releasing king salmon, and thus, increase incidental mortality. Because of the increased abundance of salmon, the number of active permits, the areas open to fishing, gear efficiency, and enforcement concerns, the department is opposed to this concept in spring and summer.

The department is **NEUTRAL** on the allocative implications of this proposal, which would likely increase the proportion of fish harvested by the power troll fishery relative to the hand troll fishery. The allocative issues between the troll fishery and other user groups are not pertinent to king salmon since each user group is managed to stay within the king salmon allocations established by the board. The species for which there could be allocative implications during the summer fishery is primarily coho salmon.

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

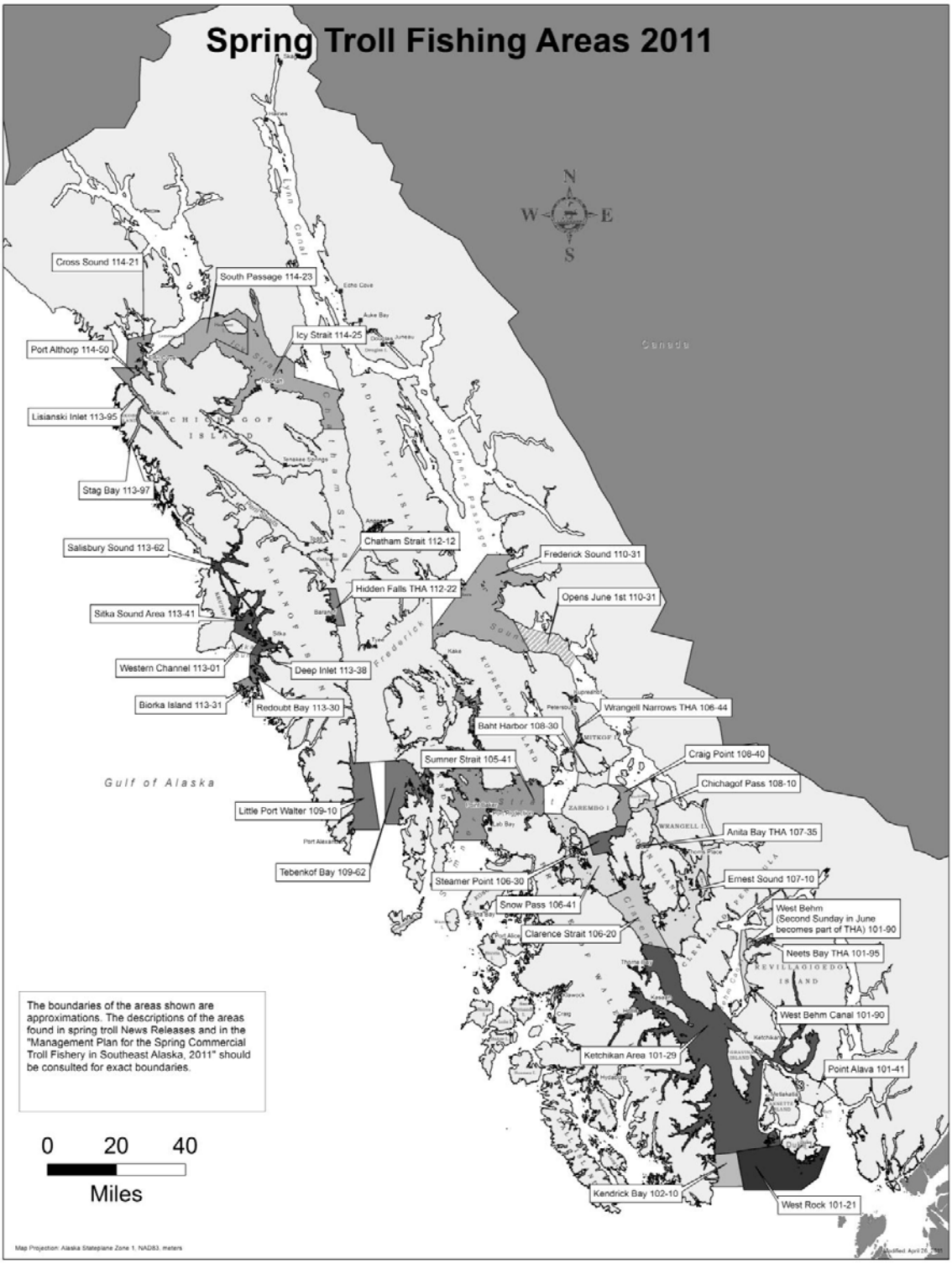


Figure 308.1–2011 spring troll fishing areas.

PROPOSAL 323 – 5 AAC 33.364 Southeastern Alaska Area Enhanced Salmon Allocation Management Plan.

PROPOSED BY: United Southeast Alaska Gillnetters Association.

WHAT WOULD THE PROPOSAL DO? It would rewrite the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan* to remove the value of all nonregional hatchery association enhanced salmon production from allocation calculations. Only the value of enhanced salmon production from the two regional hatchery associations, Southern Southeast Regional Aquaculture Association (SSRAA) and Northern Southeast Regional Aquaculture Association (NSRAA), would count toward allocation calculations.

WHAT ARE THE CURRENT REGULATIONS? The *Southeastern Alaska Area Enhanced Salmon Allocation Management Plan* has a stated purpose of providing 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. Percentage of value allocations of enhanced fish between the three commercial user groups are annually determined and tracked by the department as five-year rolling averages based on Commercial Fisheries Entry Commission-determined value information. Value allocations are then compared with allocation target ranges in regulation as follows:

(1) seine – 44% to 49%;

(2) hand and power troll – 27% to 32%; and

(3) drift gillnet – 24% to 29%.

If a gear group is out of its target range for three consecutive years, the board will, in its discretion, adjust fisheries to bring the gear group back within its allocation percentage.

In addition to this regulation, the board initiated development of the Southeast Alaska allocation plan and later adopted board finding FB-02-94 that states the basis of the plan and recognizes the role of the Joint Northern and Southern Regional Planning Team (JRPT). The JRPT annually reviews value allocations and makes recommendations to the commissioner concerning long-term adjustments to value allocations through changes of hatchery production. Board adjustments to fisheries, in combination with commissioner adjustments to hatchery production, together are used to address enhanced salmon allocation value imbalances.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would remove the value of all production from nonregional association private nonprofit hatcheries from the allocation calculation. This proposal has direct impacts on the value calculations of 5 AAC 33.364, *Southeast Alaska Area Enhanced Salmon Allocation Management Plan*. Table 323.1 depicts the value of enhanced production, by year, that would be removed from the calculation and how that value relates to each gear group.

If this proposal is adopted, only the value of NSRAA and SSRAA enhanced salmon will count towards allocation. The current state of enhanced salmon allocation, with only regional association value in the calculation, is depicted in Figure 323.2. Under this scenario, the seine fleet is above its target allocation range for more than three years, the troll fleet is below its target allocation range for more than three years, and the gillnet fleet is within its target allocation range.

BACKGROUND: The existing *Southeast Alaska Area Enhanced Salmon Allocation Plan* was adopted in 1994, based on work completed by the Southeast Allocation Task Force (SATF) at the request of board. The regulation was based on a report completed by the SATF and later, adopted by the board as finding 94-02-FB. The text of that finding can be found in the Fishery Management Report "Pryor, Flip. 2011. Report to Alaska Board of Fisheries, Status of the Allocation of Enhanced Salmon, Southeast Region" in the board notebook (RC-3 Tab 15). The status of allocation under the current allocation plan is depicted in Figure 323.1. The seine and troll fleets have been below their target allocation ranges for more than three consecutive years, and the gillnet fleet has been above its target allocation range for more than three consecutive years. Given this scenario, the board may take action to bring all three gear groups within their target allocation ranges.

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

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

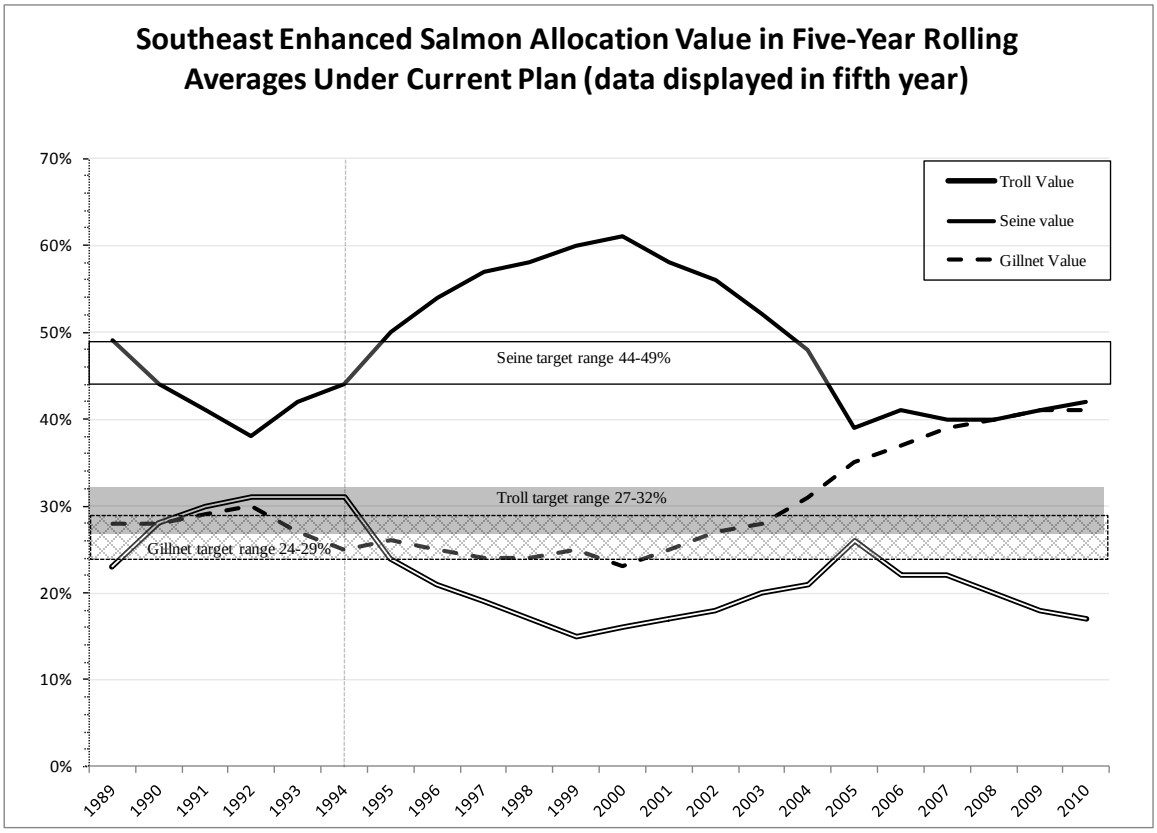


Figure 323.1–Southeast enhanced salmon allocation value in five-year rolling averages under current allocation plan. (Note: 1985 is the base year of data, but the plan was not adopted by the board until 1994.)

Table 323.1–Value of enhanced salmon production in Southeast Alaska, by year, that will be removed from the allocation calculation and percentage of value to each gear group.

Year	Total Southeast Production	Nonregional Production	Nonregional Percentage of Total	Nonregional Group Production by Gear		
				Percentage Troll	Percentage Seine	Percentage Gillnet
1985	$6,049,703	$4,220,700	70%	15%	63%	21%
1986	$6,417,095	$3,167,661	49%	16%	64%	20%
1987	$7,185,690	$4,717,103	66%	14%	77%	9%
1988	$12,010,691	$3,452,254	29%	26%	33%	41%
1989	$6,636,430	$3,559,012	54%	22%	42%	36%
1990	$7,873,418	$2,308,253	29%	34%	28%	38%
1991	$8,408,762	$3,222,553	38%	48%	16%	36%
1992	$16,088,631	$5,868,005	36%	22%	35%	43%
1993	$20,374,598	$4,289,606	21%	21%	38%	41%
1994*	$17,991,539	$4,047,443	22%	27%	35%	38%
1995	$24,829,423	$5,573,158	22%	7%	26%	68%
1996	$19,470,543	$5,586,710	29%	9%	43%	49%
1997	$17,794,242	$2,879,020	16%	23%	19%	59%
1998	$15,044,109	$2,229,942	15%	12%	25%	63%
1999	$17,633,248	$3,656,299	21%	13%	33%	54%
2000	$26,798,778	$4,933,361	18%	11%	15%	74%
2001	$15,775,364	$3,865,502	25%	15%	21%	64%
2002	$9,576,152	$3,086,134	32%	14%	15%	71%
2003	$9,903,880	$2,300,693	23%	19%	25%	57%
2004	$15,037,785	$4,972,709	33%	9%	29%	62%
2005	$12,635,623	$2,907,857	23%	18%	27%	54%
2006	$31,517,075	$8,132,921	26%	7%	15%	78%
2007	$20,112,418	$7,109,725	35%	17%	13%	70%
2008	$39,864,442	$12,556,480	31%	9%	4%	87%
2009	$28,984,779	$9,563,294	33%	5%	12%	83%
2010	$35,902,964	$10,429,546	29%	12%	14%	74%
Average	$17,304,515	$4,947,536	29%	15%	26%	59%
Average since 1994	$21,110,139	$5,519,458	26%	12%	19%	69%

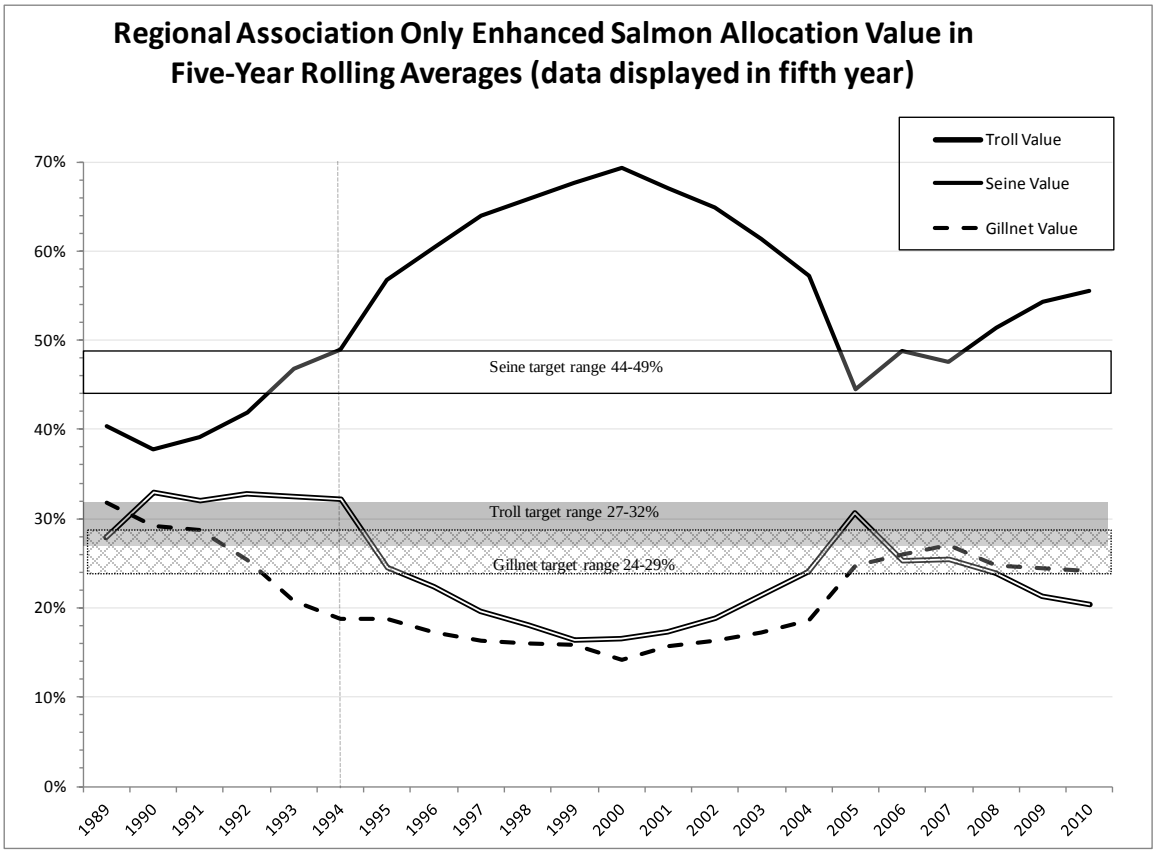


Figure 323.2–Current status of enhanced salmon allocation in five-year rolling averages if proposal is adopted. (Note: 1985 is the base year of data, but the current allocation plan was not adopted by the board until 1994.)

PROPOSAL 324 – 5 AAC 33.364. Southern Alaska Area Enhanced Salmon Allocation Management Plan.

PROPOSED BY: United Southeast Alaska Gillnetters Association.

WHAT WOULD THE PROPOSAL DO? If adopted, the proposal would rewrite the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan* to remove the value of all enhanced salmon production from nonregional hatchery associations from allocation calculations, and split the Southeast allocation plan into two regions. Southern Southeast Regional Aquaculture Association (SSRAA) would attempt to achieve the allocation ranges in the Southern region with its own production. Northern Southeast Regional Aquaculture Association (NSRAA) would attempt to achieve the allocation ranges in the Northern region with its own production.

WHAT ARE THE CURRENT REGULATIONS? The *Southeastern Alaska Area Enhanced Salmon Allocation Management Plan* has a stated purpose of providing 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. Percentage of value allocations of enhanced fish between the three commercial user groups are annually determined and tracked by the department as five-year rolling averages based on Commercial Fisheries Entry Commission-determined value information. Value allocations are then compared with allocation target ranges in regulation as follows:

(1) seine – 44% to 49%;

(2) hand and power troll – 27% to 32%; and

(3) drift gillnet – 24% to 29%.

If a gear group is out of its target range for three consecutive years, the board will, in its discretion, adjust fisheries to bring the gear group back to within its allocation percentage.

In addition to this regulation, the board initiated development of the Southeast Alaska allocation plan and later, adopted board finding FB-02-94 that states the basis of the plan and recognizes the role of the Joint Northern and Southern Regional Planning Team (JRPT). The JRPT annually reviews value allocations and makes recommendations to the commissioner concerning long-term adjustments to value allocations through changes of hatchery production. Board adjustments to fisheries, in combination with commissioner adjustments to hatchery production, together are used to address enhanced salmon allocation value imbalances.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal is adopted, the allocation management plan would be divided into two regions. The

value of NSRAA production will count towards allocation in the Northern region and the value of SSRAA production will count towards allocation in the Southern region.

BACKGROUND: The existing Southeast Alaska enhanced salmon allocation plan was adopted in 1994 based on work completed by the Southeast Allocation Task Force (SATF) at the request of the Alaska Board of Fisheries (board). The regulation was based on a report completed by the SATF and later, adopted by the board as finding 94-148-FB. The text of that finding can be found in the Fishery Management Report "Pryor, Flip. 2011. Report to Alaska Board of Fisheries, Status of the Allocation of Enhanced Salmon, Southeast Region" in the board notebook (RC-3 Tab 15. The status of allocation under the current allocation plan is depicted in Figure 324.1. The seine and troll fleets have been below their target allocation ranges for more than three consecutive years, and the gillnet fleet has been above its target allocation range for more than three consecutive years. Given this scenario, the board may take action to bring all three gear groups within their target allocation ranges.

The current state of enhanced salmon allocation in the Northern region is depicted in Figure 324.2. The seine fleet has been above its target allocation range for more than three years. The troll and gillnet fleets have been below their target allocation ranges for more than three years. The current state of enhanced salmon allocation in the Southern region is depicted in Figure 324.3. The seine and troll fleets have been below their target allocation ranges for more than three years. The gillnet fleet has been above its target allocation range for more than three years. Given both these scenarios, the board may take action to bring all three gear groups within their target allocation ranges.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal has direct impacts on the value calculations of 5 AAC 33.364, *Southeast Alaska Area Enhanced Salmon Allocation Management Plan*.

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

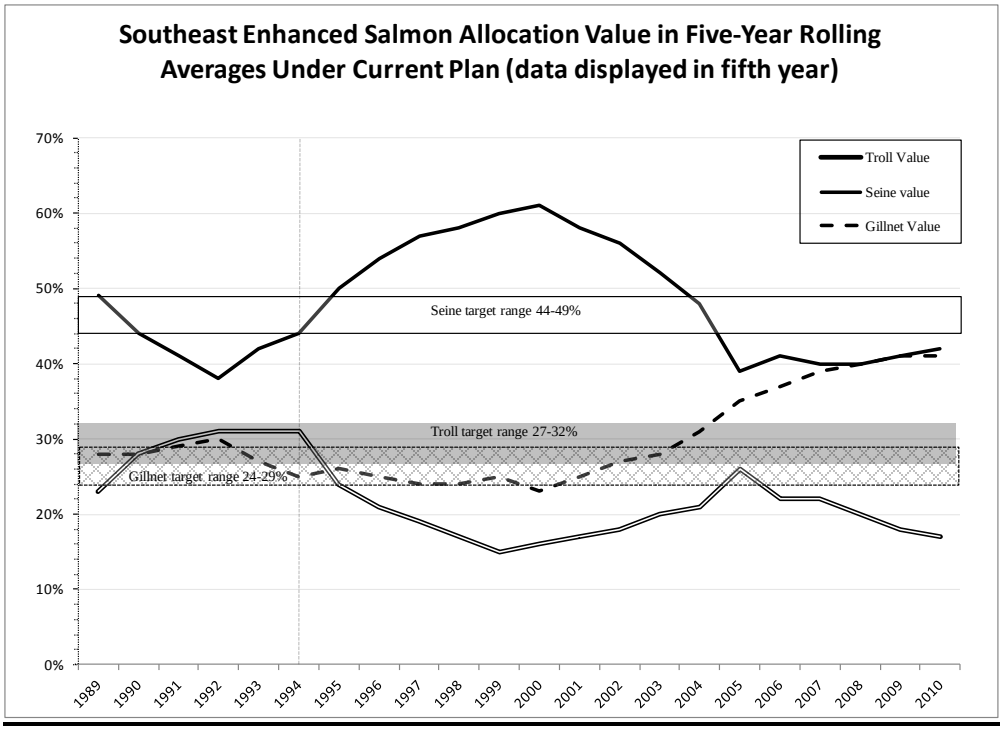


Figure 324.1–Southeast enhanced salmon allocation value in five-year rolling averages under current allocation plan. (Note: 1985 is the base year of data, but the plan was not adopted by the board until 1994.)

Table 324.1–Value of enhanced salmon production in Southeast Alaska, by year. that will be removed from the allocation calculation and percentage of value to each gear group.

Year	Total Southeast Production	Nonregional Production	Nonregional Percentage of Total	Nonregional Production by Gear Group		
				Percentage Troll	Percentage Seine	Percentage Gillnet
1985	$6,049,703	$4,220,700	70%	15%	63%	21%
1986	$6,417,095	$3,167,661	49%	16%	64%	20%
1987	$7,185,690	$4,717,103	66%	14%	77%	9%
1988	$12,010,691	$3,452,254	29%	26%	33%	41%
1989	$6,636,430	$3,559,012	54%	22%	42%	36%
1990	$7,873,418	$2,308,253	29%	34%	28%	38%
1991	$8,408,762	$3,222,553	38%	48%	16%	36%
1992	$16,088,631	$5,868,005	36%	22%	35%	43%
1993	$20,374,598	$4,289,606	21%	21%	38%	41%
1994*	$17,991,539	$4,047,443	22%	27%	35%	38%

Table 324.1–continued (page 2 of 2)

Year	Total Southeast Production	Nonregional Production	Nonregional Percentage of Total	Nonregional Production by Year Gear Group		
				Percentage Troll	Percentage Seine	Percentage Gillnet
1995	$24,829,423	$5,573,158	22%	7%	26%	68%
1996	$19,470,543	$5,586,710	29%	9%	43%	49%
1997	$17,794,242	$2,879,020	16%	23%	19%	59%
1998	$15,044,109	$2,229,942	15%	12%	25%	63%
1999	$17,633,248	$3,656,299	21%	13%	33%	54%
2000	$26,798,778	$4,933,361	18%	11%	15%	74%
2001	$15,775,364	$3,865,502	25%	15%	21%	64%
2002	$9,576,152	$3,086,134	32%	14%	15%	71%
2003	$9,903,880	$2,300,693	23%	19%	25%	57%
2004	$15,037,785	$4,972,709	33%	9%	29%	62%
2005	$12,635,623	$2,907,857	23%	18%	27%	54%
2006	$31,517,075	$8,132,921	26%	7%	15%	78%
2007	$20,112,418	$7,109,725	35%	17%	13%	70%
2008	$39,864,442	$12,556,480	31%	9%	4%	87%
2009	$28,984,779	$9,563,294	33%	5%	12%	83%
2010	$35,902,964	$10,429,546	29%	12%	14%	74%
Average	$17,304,515	$4,947,536	29%	15%	26%	59%
Average since 1994	$21,110,139	$5,519,458	26%	12%	19%	69%

* 1985 is the base year of data, but the current allocation plan was not adopted by the board until 1994.

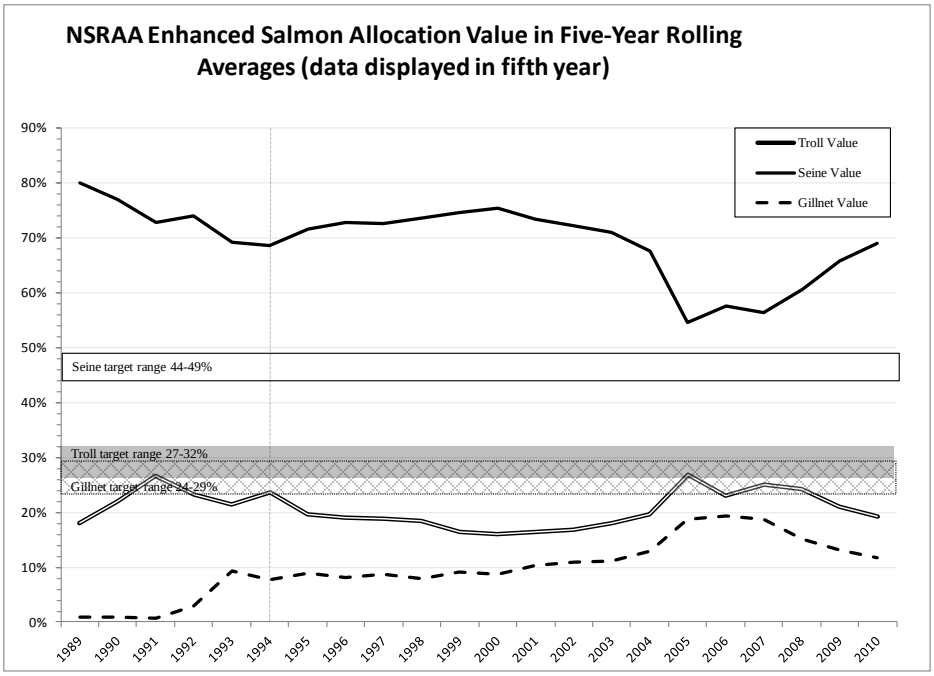


Figure 324.2–Status of enhanced salmon allocation value in five-year rolling averages in Northern Southeast if proposal is adopted. (Note: 1985 is the base year of data, but the current plan was not adopted by the board until 1994.)

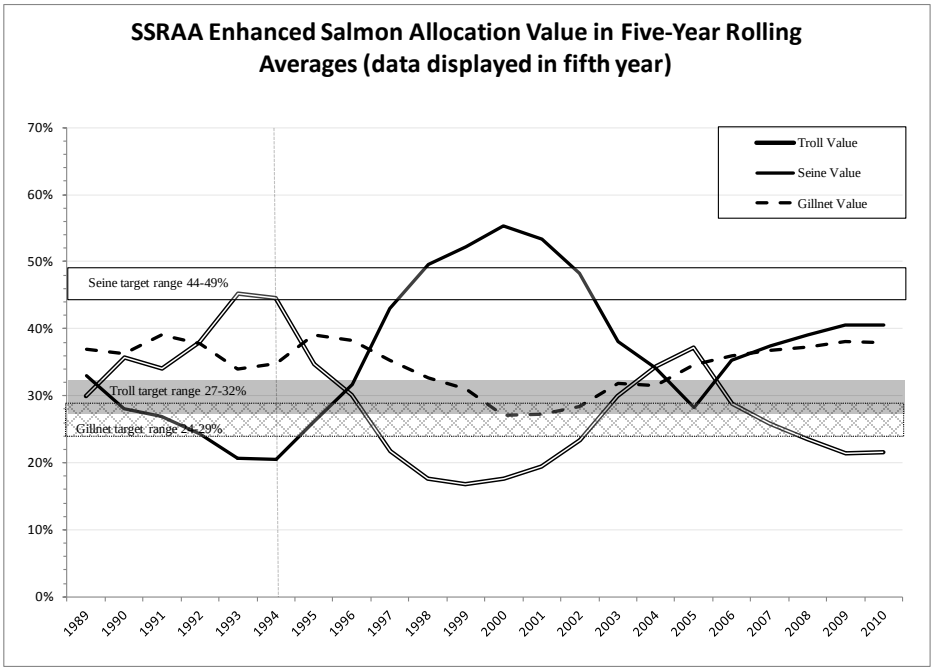


Figure 324.3–Status of enhanced salmon allocation in five-year rolling averages in Southern Southeast if proposal is adopted. (Note: 1985 is the base year of data, but the current plan was not adopted by the board until 1994.)

PROPOSALS 332 AND 333 – 5 AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan.

PROPOSED BY: Southeast Alaska Seiners Association (332) and United Southeast Alaska Gillnetters Association (333).

WHAT WOULD THE PROPOSALS DO? Proposal 332 would base the annual fishing schedule in the Neets Bay Terminal Harvest Area (THA) on the allocation percentages in the Southeast Alaska salmon enhancement plan.

Proposal 333 would change the fishing schedule in the Neets Bay THA for purse seine and gillnet to 2:1.

WHAT ARE THE CURRENT REGULATIONS? *District 1: Neets Bay Hatchery Salmon Management Plan* is to distribute the harvest of enhanced fall chum and coho salmon produced by Southern Southeast Regional Aquaculture Association (SSRAA) between the troll, drift gillnet, and purse seine fleets, and allows for harvest by sport and personal use fisheries.

Current regulations stipulate the method for determining fishing schedules in the Neets Bay THA as follows: the first opening is for gillnet, there are 24-hour closure periods between openings, gillnet openings must be at least 24 hours in duration, seine openings must be at least 12 hours in duration, and after June 20 the time ratio for gillnet openings to seine openings is 1:1.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, Proposal 332 would grant exclusive fishing rights to the net gear group that is below its allocation range three years in a row on a five-year rolling average based on the enhanced salmon allocation plan. The gear group that is prohibited from fishing would lose the ability to participate in any fishing in the Neets Bay THA. During periods of equilibrium, the fishing regime would be a 1:1 ratio, with the first opening being for the gear group that is lower in its range. The fishing ratio of 2:1 gillnet-to-purse seine, that is currently in regulations prior to June 20, would change to 1:1 all season, with a net loss of fishing time for the gillnet fleet.

Proposal 333 would change the Neets Bay rotational fishery to a 2:1 gillnet-to-seine opening duration all season, giving the gillnet fleet a one-day advantage over purse seine gear.

BACKGROUND: Neets Bay is located approximately 30 miles north of Ketchikan and is the site of SSRAA's largest hatchery in Southeast Alaska. Neets Bay is a rearing and remote-release site for SSRAA. Permitted capacities in Neets Bay include 60 million summer chum, 35 million fall chum, five million coho salmon, and one and one-half million king salmon. SSRAA has

remote-release sites throughout Southern Southeast, but currently, all of SSRAA's cost-recovery operations occur within Neets Bay.

Rotational fisheries occur in the bay between the three gear groups: purse seine, troll, and drift gillnet. These rotational fisheries are usually confined to May and June to target returning king salmon and early summer chum, and in October, to target fall chum and coho salmon. There is a break from the rotational fishery schedule in summer so that cost-recovery operations can go on unhindered.

Prior to 2009, the Neets Bay THA had an established rotational fishery schedule in place prior to and after cost-recovery operations. This rotational schedule was a 2:1 timeshare between gillnet and seine. In 2009, the Alaska Board of Fisheries (board) adopted a comprehensive plan brought forth by the Joint Northern and Southern Regional Planning Team (JRPT) to try and correct perceived imbalances in the harvest of enhanced salmon between the gear groups. One part of this plan established a new rotational schedule in the Neets Bay THA that consisted of a 2:1 timeshare in Neets Bay until June 20, when it changed to 1:1 for the two gear groups.

Figures 331.2 and 331.3 show the harvest of chum and coho salmon between the gear groups in the Neets Bay THA. Figure 331.1 shows the current allocation levels between the two gear groups. The increased chum harvest by the purse seine and gillnet groups in 2011 is primarily due to a large return of enhanced chum salmon to Neets Bay. Cost-recovery and broodstock collection ended approximately two weeks earlier than normal, allowing net fishermen into the THA when large amounts of chums were still available. The troll fleet has become more effective at harvesting chum salmon, with a corresponding increase in effort. Due to this increase in catch and effort, they were not allowed inside the THA in 2011. Troll harvest of chum salmon in West Behm Canal for 2011 was 320,000.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals since they would allocate fish returning to the Neets Bay THA to the purse seine and/or gillnet groups.

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

PROPOSAL 336 – 5 AAC 33.372. District 1: Nakat Inlet Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southeast Alaska Seiners (SEAS).

WHAT WOULD THE PROPOSAL DO? This proposal would allow fishing in Nakat Inlet by purse seine gear, with a fishing time ratio of one day to one day with the drift gillnet fleet.

WHAT ARE THE CURRENT REGULATIONS? *District 1: Nakat Inlet Terminal Harvest Area Salmon Management Plan* provides for harvest of hatchery-produced coho and chum salmon to be distributed between the troll and drift gillnet fleets.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow purse seine fishing in the Nakat Inlet Terminal Harvest Area (THA). Currently, the Nakat Inlet THA is open to drift gillnet and troll gear only.

BACKGROUND: The Nakat Inlet THA is located approximately 40 miles south of Ketchikan and is a remote-release site for enhanced salmon operated by SSRAA (Figure 336.1). Summer chum were first released in 1980, with common property fisheries that began in 1988. Originally, the Nakat Inlet THA management plan allowed both the purse seine and drift gillnet fleets access to the Nakat Inlet THA. In 2006, the Alaska Board of Fisheries (board) approved regulations removing purse seiners from the Nakat Inlet THA in a two-year change-over process. This change was part of an industrywide agreement that included an increase in chum salmon releases in Kendrick Bay, a purse seine-only THA.

Table 336.1 shows harvest by both gear groups in both Nakat Inlet and Kendrick Bay for the time that both these THAs have been in place. From 2008 until present, purse seine gear has been absent in the harvest of enhanced fish in the Nakat Inlet THA.

The SEAS' goal with this proposal is to allow purse seining in the Nakat Inlet THA to correct the perceived imbalance in the *Southeast Alaska Enhanced Salmon Allocation Plan* (5 AAC 33.364). *Southeast Alaska Area Enhanced Salmon Allocation Management Plan* (b), states that the purse seine fleet is allowed 44–49% of the total yearly enhanced fish harvest in Southeast Alaska and the drift gillnet fleet 24–29% of the yearly total harvest in Southeast Alaska. Preliminary information for 2011 suggests that the purse seine fleet is at 28% and the drift gillnet fleet is at 52% of the yearly total common property harvest for enhanced fish in Southeast Alaska.

DEPARTMENT COMMENTS: The department in **NEUTRAL** on this proposal since it is allocative in nature and would change fishing schedules between the drift gillnet and purse seine fleets.

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

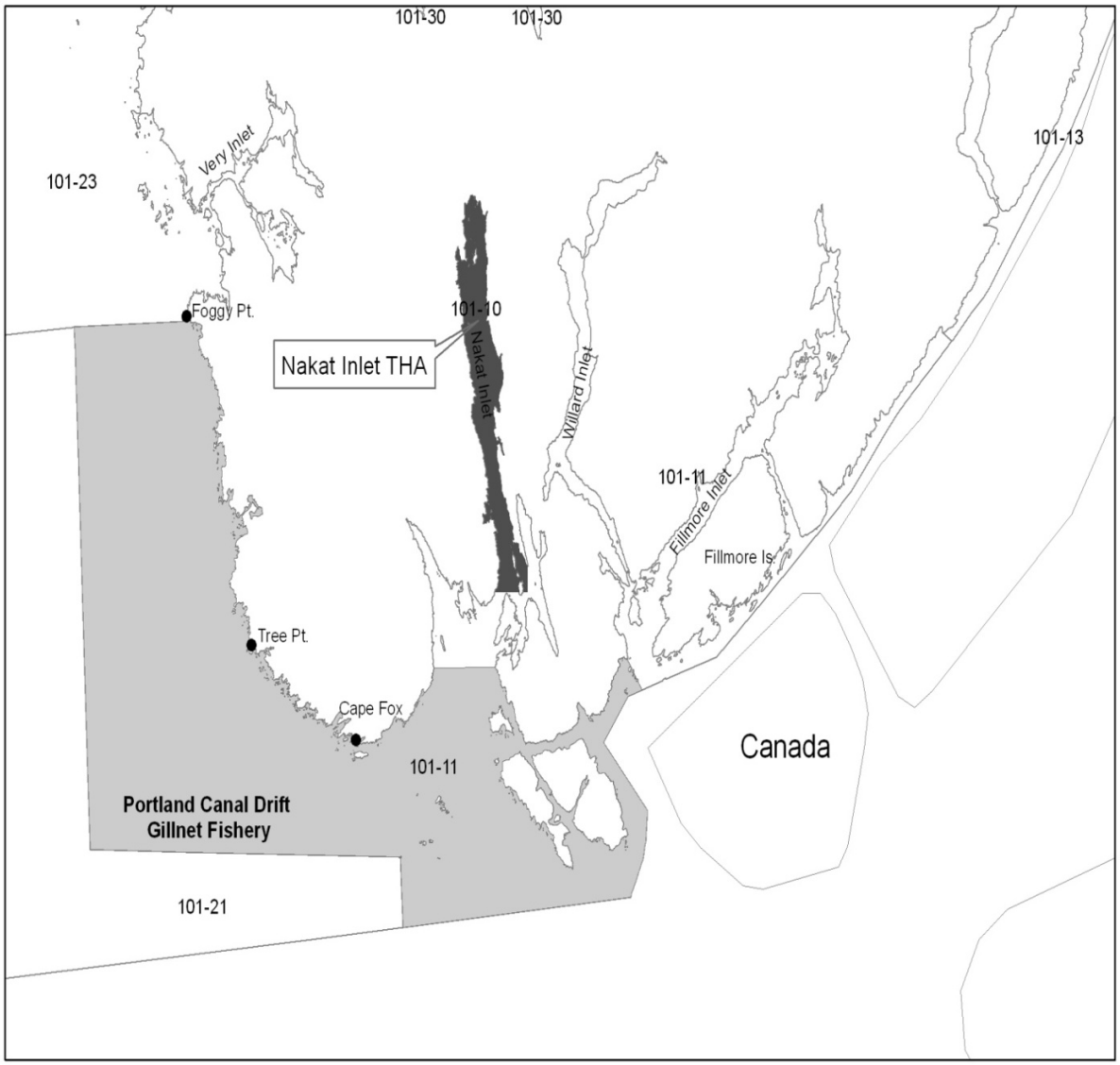


Figure 336.1–The Nakat Inlet THA.

Table 336.1–Yearly harvest of chum salmon in the Nakat Inlet and Kendrick Bay THAs.

	Nakat Inlet THA				Kendrick Bay THA	
	Drift Gillnet		Purse Seine		Purse Seine	
YEAR	Chum	# Boats	Chum	# Boats	Chum	# Boats
1988	41,103	89	166,485	119	-	-
1989	10,250	40	57,943	44	-	-
1990	2,198	22	10,531	25	-	-
1991	1,969	9	47,957	15	-	-
1992	6,403	11	16,843	18	-	-
1993	6,506	9	37,965	23	-	-
1994	36,113	15	45,057	12	99,171	17
1995	100,441	27	131,415	31	157,217	55
1996	27,474	17	296,181	25	155,044	25
1997	58,361	45	239,156	53	243,886	37
1998	27,053	32	188,489	54	362,911	70
1999	2,879	4	44,866	22	42,045	24
2000	19,697	16	51,731	28	76,991	27
2001	32,719	33	36,449	30	32,518	24
2002	16,408	18	46,263	12	4,352	7
2003	39,261	17	87,930	10	*	*
2004	24,892	19	114,883	12	*	*
2005	12,848	18	138,041	14	20,829	5
2006	26,113	20	339,339	48	284,061	35
2007	156,552	37	13,084	5	219,640	44
2008	79,725	41	-	-	163,571	45
2009	71,982	42	-	-	74,033	28
2010	131,761	46	-		164,981	48
2011	192,009	67	-	-	227,079	45
Grand Total	1,124,717		2,110,608		2,330,478	

Note: * indicates confidential data. Blank cells indicate no fishery and no harvest.

COMMITTEE A: HERRING/GROUNDFISH
(26 PROPOSALS)

HERRING (11)

SPAWN ON KELP (2)

PROPOSAL 225 – 5 AAC 27.130. Lawful Gear for Southeastern Alaska Area.

PROPOSED BY: Michael Bangs.

WHAT WOULD THE PROPOSAL DO? This proposal would allow two permit holders in the Southeast Alaska spawn-on-kelp (SOK) fishery to combine units of herring pound gear into a single unit of gear.

WHAT ARE THE CURRENT REGULATIONS? Current regulations in the SOK fishery allow for closed pounds with a surface area of 800 square feet or less with specific depth limits based on surface square footage. Regulations also allow permit holders to connect pound nets after notifying the department; however, no additional herring can be added to the pounds after they are connected. Current regulations do allow for two units of gear to be connected and the connecting side panels dropped into the water, allowing herring to freely swim between the two pounds; however, no more herring may be introduced into the pounds once connected and the dropped side-panel webbing is still available to spawning herring.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow construction and use of gear of larger volume than is currently allowed in the fishery. The intended effects of this proposal are to increase spawn-on-kelp quality and production by reducing the ratio of side-panel webbing area to net pen volume. Introducing herring to one pound versus two pounds may reduce stress on herring while increasing production and reducing mortality. Approval of this proposal will increase the complexity of enforcing pound size restrictions with the addition of another gear configuration. There are two possible positive effects of the reduction of webbing on product quality: 1) a significant amount of eggs are typically spawned on pound webbing and it might be concluded that by reducing the amount of webbing, proportionally more eggs will be deposited on the kelp, and 2) because kelp hanging on the perimeter areas of the pound closest to the webbing typically receives fewer eggs and becomes more tattered than kelp hanging toward the center of the pound, reducing the overall amount of webbing would improve overall product quality.

BACKGROUND: The intent of this proposal is to improve product quality without increasing the amount of herring utilized in the fishery. Combining two smaller pound structures into one structure allows removal of one of the side panels of webbing from each of the smaller pounds when combined to make a single larger pound. This effectively reduces the ratio of area of side-panel webbing to the total volume of the pound.

In 2009, the Alaska Board of Fisheries (board) considered a proposal similar to this one that was not adopted due to lack of information on the effects on the fishery and lack of general support from industry. Since 2009, the department issued experimental gear permits to two permit holders for the purpose of collecting information on the effects of this proposed gear change. The limited and inconsistent results were not sufficient to make conclusions on whether the experimental pound configuration resulted in higher production.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because approval of it may provide an allocative advantage. The department does not foresee any management changes since this proposal does not seek to increase the overall volume of the pounds currently allowed by individual permit holders. During the board meetings in 2009, the Alaska Wildlife Troopers did express concern that with larger-sized pounds, it might be difficult to conduct field measurements to enforce gear restriction compliance, as well as increase the general complexity of enforcing pound size restrictions. If this proposal is adopted, consideration should be given to pound marking requirements, as well as a requirement that presence of both permit holders at during key activities (to be described by enforcement staff). Given the increased enforcement complexity this proposal might generate, requiring registration of permit holders wanting to use this gear may reduce enforcement concerns.

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

PROPOSAL 226 – 5 AAC 27.185. Management Plan for Herring Spawn on Kelp in Pound Fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the current spawn-on-kelp fishery regulations which require a permit holder to completely remove all gear from the grounds for a specified period of time and also require permit holders to permanently mark all floating gear associated with the prosecution of the fishery. This proposal also sets specific dates closing the fishery to the capture of herring.

WHAT ARE THE CURRENT REGULATIONS? The management plan for spawn-on-kelp pound fisheries provides a date for each fishery when herring can be added to a closed pound until the fishery is closed by emergency order (EO), herring pound and tow-pound marking requirements, time limits for holding impounded herring, a requirement that pound nets remain in place for four weeks after the fishery, and specific dates when all pounds and associated equipment must be removed from the area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide a more succinct regulatory framework for Alaska Wildlife Troopers (AWT) to better enforce gear removal regulations in these fisheries. Passage of this proposal would also preclude the department from having to annually write an EO closing the fishery to the capture of herring.

BACKGROUND: The spawn-on-kelp fisheries take place in high-use subsistence, recreational, and commercial areas valued for their fish and wildlife resources, as well as their wilderness character. In some areas, such as Hoonah Sound in Section 13-C, the fishery occurs in an anchorage that is highly-used due to the lack of alternative secure anchorages in the area. For years, some permit holders in this fishery left a significant amount of gear in the water year-round, conflicting with other uses of the area. During 2010, two specific complaints involved vessels becoming entangled in lines while attempting to anchor during a period of poor weather. One of those incidents resulted in significant damage to the vessel. Over the years, a significant amount of derelict gear has accumulated on area beaches. Residents of the communities near where these fisheries exist have become increasingly upset with the poor stewardship shown by some permit holders and have lodged numerous complaints with the department, insisting on better enforcement of regulations. The AWT has suggested that, due to current wording in regulation, it is difficult to properly enforce regulations requiring removal of all gear associated with the spawn-on-kelp fishery. The AWT has stated that requiring permit holders to permanently mark all floating gear and creating a time period, in regulation, in which pounds and associated equipment must be removed from the waters of Alaska, would assist them in enforcing the intent of the regulation.

Additionally, 5 AAC 27.185(g) requires the department to write an EO each season closing this fishery to the capture of herring. Past experience with the fishery has shown that closing the fishery by EO is unnecessary, since after spawning, herring disperse and are unavailable to fishermen. Also, herring that have already spawned are not useful for the purpose of producing spawn on kelp. The changes proposed to this regulation will close the fishery to harvest of herring by a specific date, but will still allow the department to close the fishery to the harvest of herring by EO, if necessary, for conservation of the resource.

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

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

GILLNET SAC ROE (2)

PROPOSALS 228 AND 229 – 5 AAC 27.131. Gillnet Specifications and Operations for Southeastern Alaska Area.

PROPOSED BY: Arnold Enge (228) and Southeast Alaska Fisherman's Alliance (229).

WHAT WOULD THE PROPOSALS DO? These proposals would remove the minimum mesh restriction of two and one-quarter inches for the West Behm Canal and Revilla Channel gillnet sac roe herring fisheries. These fisheries would then fall under statewide regulations that would require gillnet mesh to not be less than two and one-eighth inches or more than two and one-half inches.

WHAT ARE THE CURRENT REGULATIONS? Current regulations have a mesh restriction for the West Behm Canal and Revilla Channel herring sac roe fisheries of two and one-fourth inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would remove the mesh restriction for both fisheries that occur in sections 1-E and 1-F. Both the West Behm Canal herring fishery and the Revilla Channel/Cat Island fishery would then fall under statewide regulations, making them consistent with the other gillnet fisheries in Southeast Alaska. It is likely that catch rates would increase and that the average size of harvested herring would be smaller and consistent with other areas in the region.

BACKGROUND: West Behm Canal is located in Southeast Alaska, approximately nine nautical miles north of Ketchikan (Figure 228.1). In January 2003, the Alaska Board of Fisheries (board) established a sac roe herring fishery on the herring spawning aggregate in West Behm Canal. At that time, a fishery on this stock had not been opened since 1977, but the spawning population had been showing increased biomass since 1993.

Regulations were established that provided sac roe fisheries on an alternating year basis between purse seine and set gillnet gear types. The minimum gillnet mesh restriction of two and one-quarter inches was included in these new regulations. Comments submitted by the public during the 2003 board meeting suggested that the two and one-quarter inch mesh-size requirement could be beneficial to the industry, larger fish would be harvested, and was biologically appropriate. Because Section 1-F has a two and one-quarter mesh restriction, the board concluded, based on enforcement considerations, to adopt the existing Section 1-F mesh restriction into the new adjacent sections 1-E and 1-F fishery. Revilla Channel fishermen who already had two and one-quarter inch mesh nets would probably be the primary participants of the new fishery. The larger

mesh size would also be less confusing than having two mesh-size requirements within the same district.

In 2011, the threshold was reached for the second time since 2003. Much of the industry was unsure of its participation due to weak market conditions, the requirement of a larger mesh size of two and one-quarter inch, which much of the fleet did not possess, and the concern that the West Behm Canal herring would be too small for current market conditions. The department also determined that a significant proportion of the mature spawning population was not likely going to be of a size that was vulnerable to harvest by set gillnet gear with a mesh size of two and one-quarter inches.

A petition was submitted to the board listing these concerns in January 2011, and the board temporarily removed this mesh restriction for the 2011 season with an emergency finding. The basis of the successful petition was that herring sizes in 2011 would be similar to 2010 cast-net data for West Behm Canal, which would mean approximately 8% of the population (950 tons of the 1,418 guideline harvest level) would be harvestable with two and one-eighth inch mesh. Far less harvest was expected using two and one-quarter inch mesh with the concern that a biologically-allowable resource harvest would be precluded from harvest using the larger mesh size. The board felt that if the fishery was prolonged, higher mortality due to additional fishing activity and handling would be expected.

In the Seymour Canal gillnet fishery, where a smaller mesh of two and one-eighth inch is allowed, the sizes of fish that have been collected in commercial gillnet samples have ranged from 85 to 170 gram herring. Based on commercial gillnet samples from the Revilla Channel fishery, the estimated minimum size herring that is susceptible to harvest using two and one-quarter inch mesh is approximately 95 grams. For West Behm Canal in 2011, only 4% of the stock was expected to be larger than 100 grams.

A fishery occurred in 2011, but very few herring were harvested because the majority of herring spawn occurred in closed waters, there was low effort, and the spawn was later than normal.

The Seymour Canal herring stock has supported successful set gillnet sac roe fisheries during recent years, from 1998 through 2010. The minimum mesh size for this fishery is stipulated in the statewide regulation and is two and one-eighth inches. Current size data from West Behm Canal indicate that herring are consistently smaller in size for any given age class than Seymour Canal herring.

The last year the Revilla Channel herring gillnet fishery occurred, 1998, was the last year that the mesh restriction of two and one-quarter inches was used in Southeast Alaska.

Fishermen occasionally use larger mesh sizes than the minimum of two and one-eighth inch mesh in the other Southeast Alaska herring gillnet fisheries. Two and three-sixteenth inch mesh nets are sometimes used to increase roe content and the value of the catch when sufficient larger-sized herring are available in the spawning population.

DEPARTMENT COMMENTS: The department **SUPPORTS** these proposals. The mesh size of two and one-quarter inch is not commonly used in any of the herring gillnet fisheries in Southeast Alaska and has not been used since 1998, the last year of the Revilla Channel herring gillnet fishery. Based on the department's annual cast-net data for West Behm Canal, herring size has been decreasing and there is no biological need to continue the current mesh restriction.

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

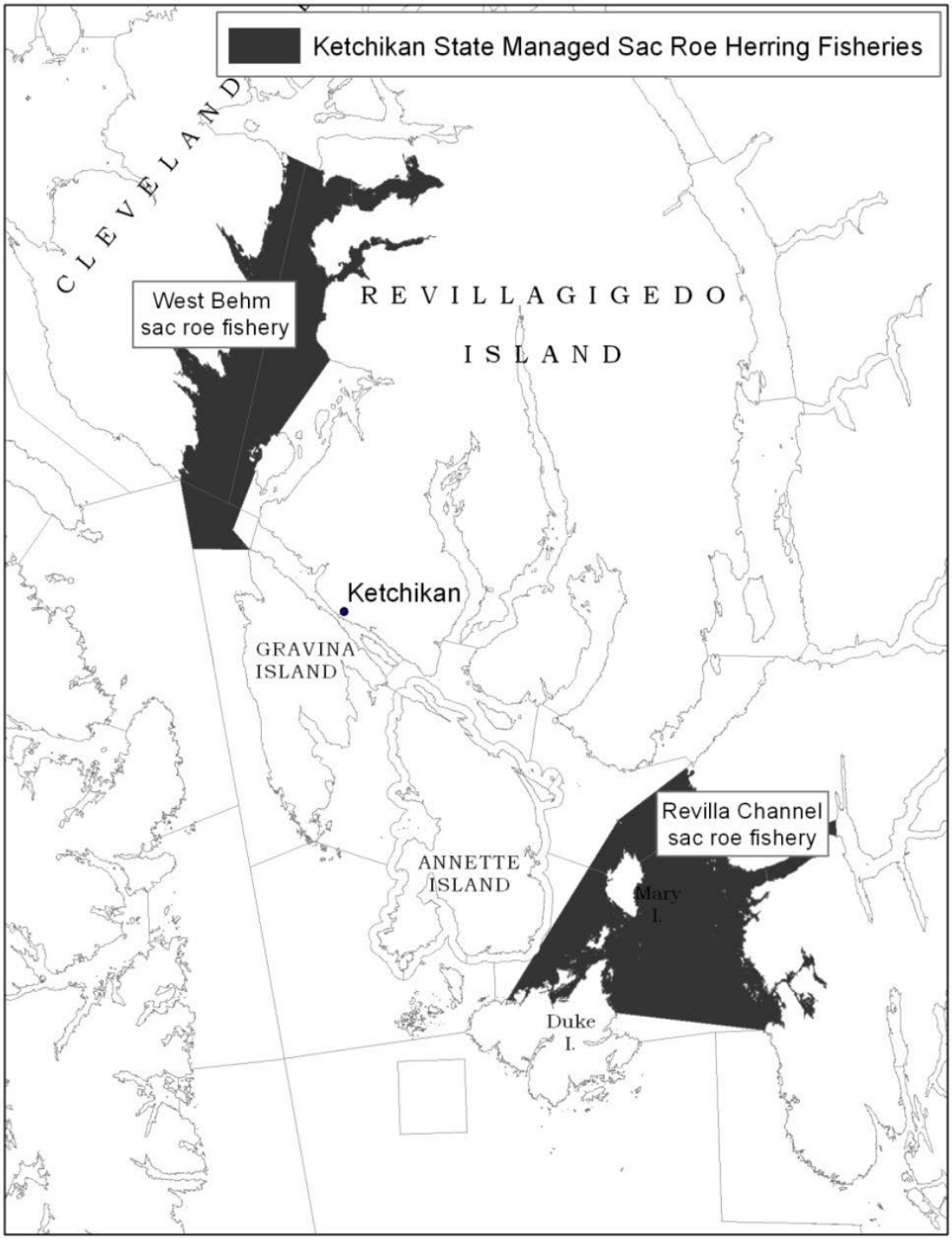


Figure 228.1–Map of Ketchikan area herring sac roe fisheries in West Behm Canal and Revilla Channel.

SEINE SAC ROE (3)

PROPOSAL 227 – 5 AAC 27.197. Sections 1-E and 1-F Commercial Sac Roe Herring Fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify regulations for the West Behm Canal herring fishery stating that the purse seine gear group is the only gear group with an equal-share fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for a herring sac roe fishery in West Behm Canal that alternates between purse seine and gillnet gear.

In managing the fishery, the department shall determine the equal-quota share (EQS) by dividing the annual harvest objective by the maximum number of Commercial Fisheries Entry Commission (CFEC) permits eligible to be fished in the fishery; a CFEC permit holder may not retain more herring than the annual amount of EQS specified by the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would modify regulations so it is clear that only the purse seine fishery, and not the gillnet fishery, will be managed under equal-share regulations.

BACKGROUND: West Behm Canal is located approximately nine nautical miles north of Ketchikan (Figure 227.1). In January 2003, the Alaska Board of Fisheries established a sac roe herring fishery on the herring stock in West Behm Canal.

Regulations allow fishing in alternate years by either set gillnet or purse seine gear. The set gillnet fishery was intended to be a competitive fishery and the purse seine fishery was intended to be an equal-share fishery. This is because competitive purse seine openings on the relatively small guideline harvest levels (GHLs) for the West Behm Canal sac roe fishery would be unmanageable and harvests would exceed GHLs. 5 AAC 27.197(2) does not specifically say that the equal-share rules apply only to the purse seine fishery. The department would like to ensure that regulations include a statement that the equal-share fishery is for purse seine gear only in order to reduce the confusion associated with this regulation.

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

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

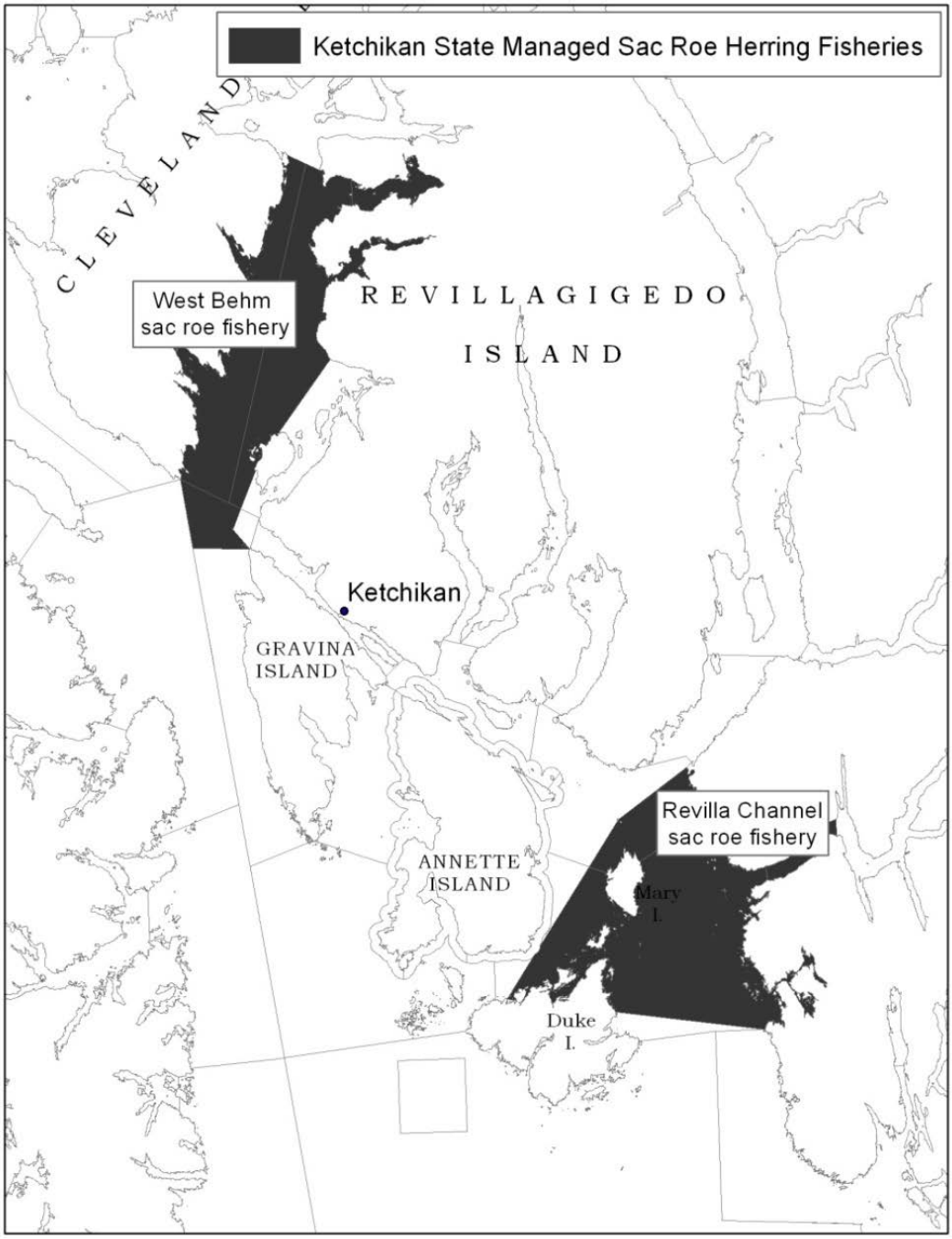


Figure 227.1–Map of Ketchikan area herring sac roe fisheries in West Behm Canal and Revilla Channel**.**

PROPOSALS 236 AND 237 – 5 AAC 27.132. Seine Specifications and Operations for Southeastern Alaska.

PROPOSED BY: Alaska Herring Seiners Association.

WHAT WOULD THE PROPOSALS DO? Proposals 236 and 237 would change lawful gear for the herring purse seine sac roe fishery in Sitka Sound. Proposal 236 would change the maximum depth of the seine net from 1,700 to 1,025 meshes. This proposal also would require 1,000 meshes to be one and one-half inch mesh or less and allow up to five meshes of border or hanging strips (larger than one and one-half inch mesh) on the corkline, ribline, and leadline. Proposal 237 would reduce the maximum length of the seine net from 200 fathoms to 150 fathoms.

WHAT ARE THE CURRENT REGULATIONS? Current seine specifications for herring sac roe in Southeastern Alaska are that a herring purse seine may not be more that 200 fathoms in length and no more than 1,700 meshes in depth.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these proposals would substantially reduce efficiency and catch rates in the Sitka Sound sac roe herring fishery. Smaller nets would also reduce or alleviate the occurrence of large unmanageable sets that have occurred in past fisheries that have resulted in unaccounted deadloss, damaged gear, and near loss of vessels. There may be some instances when less efficient gear makes it difficult to obtain target harvest goals in a timely manner. Providing more time and area may also lessen gear and vessel conflicts. Using smaller nets would have the effect of slowing down the pace of the fishery, allowing greater flexibility in management of the fishery. Specifically, larger areas and longer fishing periods could be provided without fear of exceeding harvest targets. Currently, larger schools of quality roe herring are often avoided by department managers due to concern of exceeding desired harvest goals, potentially overwhelming available processing or exceeding the GHL.

BACKGROUND: Throughout Alaska, seine specifications for herring sac roe purse seine fisheries are variable. It is assumed that the variability in net size is related to controlling harvest efficiency depending upon effort and guideline harvest levels (GHLs) characteristic for a particular fishery or region of the state. Regulations for Southeast Alaska provide for the largest nets statewide, both in length and depth.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals, but does see some benefit to management, if adopted. The department has successfully managed the Sitka Sound sac roe herring fishery within established GHLs under existing seine specification regulations.

COST ANALYSIS: Approval of these proposals would result in an additional direct cost for a private person to participate in this fishery since existing nets would have to be modified.

ALLOCATION (4)

PROPOSAL 240 – 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area.

PROPOSED BY: Craig Shoemaker, John Baird, and Randy Lantiegne.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to reallocate 5% of the Sitka Sound herring guideline harvest level (GHL) from the sac roe herring fishery to the winter food and bait fishery when the GHL exceeds 10,000 tons, with the allocation not to exceed 1,000 tons.

WHAT ARE THE CURRENT REGULATIONS? In the Sitka Sound herring fishery, the GHL is allocated to the herring sac roe seine fishery. Regulations also provide a harvest quota of 100 tons in Sitka Sound for either fresh bait or tray pack purposes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the GHL for the Sitka Sound sac roe herring fishery by 5% when the GHL is in excess of 10,000 tons, with a maximum allocation of 1,000 tons for a new winter food and bait fishery. The regional supply of winter bait, the availability of bait in the northern portion of the region, and the quality of bait would increase.

BACKGROUND: During the 1960s, herring in Sitka Sound were harvested for bait purposes until 1969, when it is believed that some of the harvest was sold for the sac roe market. By 1974, all of the harvest was going to the sac roe market and the sac roe fishery was placed under limited entry in 1977. Since then, all of the available GHL was allocated to the seine sac roe fishery. By permit, regulations allow up to 100 tons of herring in Sitka Sound to be harvested and placed into pounds to be sold as either fresh (live) bait or frozen tray pack herring. Harvests from the bait pound fishery are not deducted from the GHL. Since 1982, a limited amount of herring has been harvested for the fresh bait pound fishery by permit. Since 2005, there has been no harvest in the bait pound fishery.

Historically, herring have been harvested for bait from overwintering aggregations throughout the region, with total annual harvests as high as 7,300 tons in the mid-1970s. Since the mid-1990s, market demand for Southeast Alaska winter bait herring has decreased significantly due to availability of lower-cost bait herring from the East Coast and a shift to other types of bait, such as squid and pollock. The Southeast Alaska winter food and bait fishery remains an open-access fishery; however, low market demand has limited harvests and participation. Since the mid-1990s, the winter bait herring harvest in Southeast Alaska has averaged 700 tons, with fewer than eight boats participating annually.

In 1994, the herring management plan in Southeastern Alaska and assessed using hydroacoustics, to management based on area-specific spawning populations. As fisheries were developed for herring sac roe and herring spawn on kelp, stocks that formerly supported bait fisheries were reallocated by the Alaska Board of Fisheries for these more valuable fisheries. These factors have reduced the number of areas where winter food and bait harvests have been allowed. In recent years, four areas have supported winter bait harvests, though only the Craig/Klawock spawning stock has consistently provided a GHL for the bait fishery. Craig/Klawock herring caught in the winter have been of marginal quality as bait due to small average sizes of the herring and the long distance the herring need to be transported for processing. Sitka herring tend to be of larger size and are closer to several processing facilities.

Increasing abundance of Sitka Sound herring has resulted in the GHL exceeding 10,000 tons in all but one season since 2001 (Table 240.1). Prior to 2001, the GHL was greater than 10,000 tons only twice since statehood.

Each winter the department conducts a test fishery in Sitka Sound as part of its stock assessment program, harvesting approximately 50 tons that is sold for bait to a local processor.

DEPARTMENT COMMENTS: This department is **NEUTRAL** on this allocative proposal. Fishing for winter herring occurs entirely at night since herring schools generally remain in deeper waters, out of reach of seine gear, during daylight hours. Observations during the department's winter test fishery show that herring often aggregate in very dense schools in Sitka Sound during the winter. If this proposal is adopted, the department may have concerns about manageability of the harvest to remain within the established GHL for the winter bait fishery. If this proposal is adopted, the department would likely need to invoke permit conditions, such as harvest limits, as allowed under 5 AAC 27.179.

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

Table 240.1–Sac roe seine GHLs and resulting allocation of sac roe and winter bait under the proposal, 2001–2011.

Year	Sac Roe GHL (tons)	Proposed Allocation Bait GHL (tons)	Proposed Allocation Sac Roe GHL (tons)
2001	10,597	530	10,067
2002	11,042	552	10,490
2003	6,969	0	6,969
2004	10,618	531	10,087
2005	11,192	560	10,632
2006	10,412	521	9,891
2007	11,904	595	11,309
2008	14,723	736	13,987
2009	14,508	725	13,783
2010	18,293	915	17,378
2011	19,490	975	18,516

PROPOSAL 241 – 5 AAC 27.160. Quotas and Guideline Harvest Levels for Southeastern Alaska Area.

PROPOSED BY: Arnold Enge.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate the District 10 commercial herring winter food and bait fishery and allocate 100% of the herring guideline harvest level (GHL) to the herring sac roe set gillnet fishery.

WHAT ARE THE CURRENT REGULATIONS? The season for winter food and bait herring fisheries is October 1–February 28 and fisheries occur during periods established by emergency order (EO). Fisheries can take place in districts 1–10, 12, 14, and 16, and in sections 11-B, 11-C, 13-A, and 13-B.

Herring may be taken in the set gillnet sac roe fishery by EO in a portion of District 10, as well as in sections 1-E, 1-F, and 11-D.

In District 10, the GHL for set gillnet sac roe fishery is the portion of the GHL not harvested in the winter food and bait fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the District 10 herring GHL would be allocated to the sac roe set gillnet fishery. As such, the District 10 winter food and bait fishery would cease to exist. In years that a GHL has been set by the department in District 10, a set gillnet sac roe herring fishery would occur.

BACKGROUND: The winter food and bait fishery may operate from October 1 through February 28 by EO; however, the department usually opens the winter food and bait fishery the first week of December due to time constraints for producing forecasts and calculating available GHLs for the various areas. There are presently four areas where herring stocks are assessed and herring may be taken for food and bait: Craig, Ernest Sound, Hobart Bay/Port Houghton, and Tenakee. Ernest Sound (District 7), Hobart Bay/Port Houghton (District 10), and Tenakee (District 12) GHLs are primarily allocated to the winter food and bait fishery and bait pound fishery, with between 90% and 100% of the available GHL available for harvest. The Craig (Section 3-B) area has a dedicated split GHL (60% bait/40% roe on kelp). In these areas, any portion of the winter food and bait GHL that is not harvested is allocated to other user groups (Craig, Ernest Sound, and Tenakee roe on kelp, and the set gillnet sac roe fishery in Hobart Bay/Port Houghton).

During its 1997 Alaska Board of Fisheries (board) meeting, the board allocated any portion of the GHL remaining in District 10 after the winter food and bait fishery to the set gillnet sac roe

fishery. During its 2003 meeting, the board allocated 10% of the GHL in Ernest Sound and Tenakee to the bait pound fishery, and also allocated any GHL remaining after the winter food and bait fishery and the bait pound fishery to the roe-on-kelp fisheries. These actions were taken in response to a decreasing demand for winter food and bait, which left portions of those GHLs unharvested.

Since 1997, the Hobart Bay/Port Houghton herring stock has met the threshold six out of the past 12 years. The winter food and bait fishery harvested herring in two out of those six years and harvested the entire GHL in one of those years (Table 241.1). Southeastwide, the winter food and bait fishery has harvested an average of 44% of the available food and bait GHL during the past 10 years. Effort has declined significantly since the 1990s, with an average of five boats making landings since 1999 (Table 241.2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department recognizes that the winter food and bait and bait pound fisheries have not been fully utilizing the GHLs available to those fisheries. However, market conditions could change, resulting in more utilization of the winter food and bait GHLs. Although the winter food and bait fishery is open to both seiners and set gillnetters, seiners have been the primary harvesters of fish during the winter fishery. The set gillnet sac roe fishery is fished by gillnetters, so this proposal allocates between herring seiners and herring gillnetters.

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

Table 241.1–GHLs, harvest (in tons), and effort for the Hobart Bay/Port Houghton winter food and bait and sac roe fisheries.

Year	GHL	Food and Bait Harvest	Food and Bait Effort	Sac-Roe Harvest	Sac-Roe Effort
1992	200	0	0	-	-
1993	500	0	0	-	-
1994	230	**	1	-	-
1995	250	229	4	-	-
1996	700	230	5	-	-
1997*	550	**	2	442	87
1998	260	0	0	351	53
1999	436	0	0	506	89
2000	418	432	7	0	

-continued-

Table 241.1-continued (page 2 of 2)

Year	GHL	Food and Bait Harvest	Food and Bait Effort	Sac-Roe Harvest	Sac-Roe Effort
2001	0	-	-	-	-
2002	0	-	-	-	-
2003	0	-	-	-	-
2004	0	-	-	-	-
2005	223	0	0	204	48
2006	0	-	-	-	-
2007	0	-	-	-	-
2008	462	0	0	306	59
2009	376	0	0	341	62
2010	345	0	0	302	47
2011	0	-	-	-	-
2001–20011 Avg.	140	0	0	288	54

*In 1997, the board allocated unharvested Hobart/Houghton winter food and bait GHL to the set gillnet sac roe fishery.

**Confidential data; fewer than three boats reporting.

Table 241.2–GHLs, harvest (in tons), and effort for Southeast winter food and bait fisheries including Craig, Ernest Sound, Hobart Bay/Port Houghton, and Tenakee.

Year	GHL	Harvest	% of GHL	Effort
1992	2,481	2,295	93%	28
1993	2,062	637	31%	11
1994	990	776	78%	7
1995	1,122	464	41%	6
1996	1,538	484	31%	7
1997*	1,842	725	39%	10
1998	1,540	946	61%	7
1999	2,571	1,185	46%	8
2000	1,336	1,272	95%	13
2001	1,541	919	60%	7
2002	1,411	538	38%	5
2003**	906	472	52%	3

-continued-

Table 241.2 continued (page 2 of 2)

Year	GHL	Harvest	% of GHL	Effort
2004	2,326	215	9%	3
2005	2,029	550	27%	3
2006	1,173	750	64%	3
2007	1,116	300	27%	3
2008	2,873	535	19%	4
2009***	-	-	-	-
2010***	-	-	-	-
2011***	-	-	-	-
2001–2011 Avg.	1,728	674	44%	5

*In 1997, the board allocated unharvested Hobart/Houghton winter food and bait GHL to the set gillnet sac roe fishery.

**In 2003, the board allocated unharvested Tenakee and Ernest Sound winter food and bait GHL to roe-on-kelp fisheries.

***Confidential information.

PROPOSALS 243 AND 244 – 5 AAC 27.197. Sections 1-E and 1-F Commercial Sac Roe Herring Fishery.

PROPOSED BY: Arnold Enge.

WHAT WOULD THE PROPOSALS DO? These proposals would eliminate the purse seine fleet from participating in the West Behm Canal sac roe fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for a herring sac roe fishery in West Behm Canal that alternates between purse seine and set gillnet gear.

When language was adopted, provisions were made that the set gillnet fishery would have the first opportunity and the seine fishery would occur in the next year that the threshold level was met. Both fisheries occur within the same defined area of sections 1-E and 1-F.

In managing these fisheries, the department determines the equal-share quota by dividing the annual harvest objective by the maximum number of Commercial Fisheries Entry Commission permits eligible to be fished in the fishery, provided that a permit holder may not retain more than the annual amount of the equal share.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If adopted, these two proposals would change the West Behm Canal herring sac roe fishery from an alternating rotational fishery, where purse seine and gillnet gears alternate harvests, to a gillnet fishery only.

BACKGROUND: There are currently two purse seine (Sitka Sound and Lynn Canal), three gillnet (Seymour Canal, Hobart/Houghton, and Revilla Channel), and one alternating gear (West Behm Canal) herring sac roe fisheries in Southeast Alaska (Figure 243.1).

In the past, Section 1-E (West Behm Canal) has been designated as a winter bait area for harvest by purse seine gear. Recorded bait harvest occurred in West Behm Canal in 1962/63, 1967/68, and between the years of 1976 and 1980. Bait harvest ranged from a low of 36 tons in 1963 to a high of 596 in 1978/79.

Purse seine sac roe fisheries were allowed in West Behm Canal in 1969, 1973, and 1976, with a harvest of 468 tons, 183 tons, and 39 tons, respectively. Most of the fishing activity was confined to the Helm Bay portion of West Behm Canal.

From 1976 to 1984, Section 1-E was designated as set gillnet sac roe fishery. The only fishery that occurred was in 1976, when 26 tons were harvested. In 1984, the Alaska Board of Fisheries (board) closed the fishery because the stock size was very small. Most of the fishing activity was confined to the Helm Bay portion of West Behm Canal.

The West Behm Canal herring population started rebuilding in the 1990s and the board passed regulations in January 2003 to open the West Behm Canal area (Section 1-E and portions of Section 1-F) for sac roe herring fishing and bait pound operation. The plan included an annual, alternating fishing schedule between set gillnet and purse seine gear in years which the threshold level is met, with the first fishery being set gillnet. Due to the difficulty of managing the purse seine fishery on a small GHL, regulations were put into place that required a cooperative purse seine fishery in years when purse seine fishing gear was allowed. Regulations allowed a purse seine fishery-only under the terms of cooperative fishery management plan (CFMP) that had to be accepted by all permit holders by January 15 or no fishery would occur.

The threshold of 6,000 tons was first reached in 2004, establishing a GHL of 1,042 tons. Regulations allowed for a gillnet fishery. Due to inseason concerns over the lack of herring in West Behm Canal, the fishery was not opened and no herring were harvested. The actual spawning biomass observed in 2004 was 443 tons, substantially lower than forecast.

At the 2006 board meeting, the purse seine fleet proposed changes to the CFMP due to the concern that one permit holder who did not agree with the CFMP could potentially stop a purse seine fishery. The board passed new regulations that directed the department to manage the purse seine fishery as an equal-share fishery.

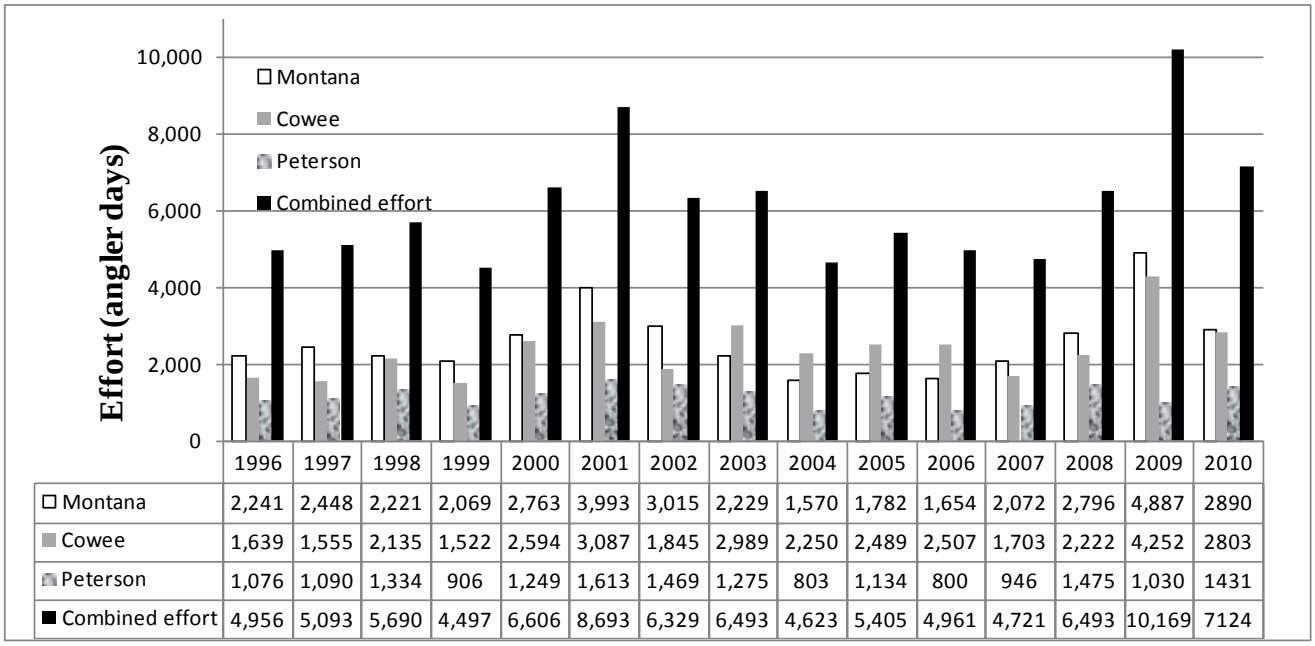
The threshold was once again reached in 2010, with a GHL of 1,418 tons. The gillnet fleet geared up for the fishery, and this time had an opportunity to fish. The majority of spawn occurred primarily in closed waters, allowing for a minimal harvest.

Since a fishery did occur in West Behm Canal in 2011, the next time the population is forecasted above threshold, a fishery will be allocated to purse seine gear.

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

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

Figure 243.1–Map of Ketchikan area herring sac roe fisheries in West Behm Canal and Revilla Channel.



	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Montana	2,241	2,448	2,221	2,069	2,763	3,993	3,015	2,229	1,570	1,782	1,654	2,072	2,796	4,887	2890
Cowee	1,639	1,555	2,135	1,522	2,594	3,087	1,845	2,989	2,250	2,489	2,507	1,703	2,222	4,252	2803
Peterson	1,076	1,090	1,334	906	1,249	1,613	1,469	1,275	803	1,134	800	946	1,475	1,030	1431
Combined effort	4,956	5,093	5,690	4,497	6,606	8,693	6,329	6,493	4,623	5,405	4,961	4,721	6,493	10,169	7124

GROUNDFISH (15)

CLOSED WATERS (4)

PROPOSAL 141 – 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 38.XXX. Closed waters; 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area; and 5 AAC 77.6XX. *(This proposal erroneously cited only 5 AAC 28.150.* Closed waters in Eastern Gulf of Alaska Area*; and 5 AAC 32.150.* Closed waters in Registration Area A*; and 5 AAC 38.XXX.)*

PROPOSED BY: Naha Conservation.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a marine conservation zone and prohibit subsistence, commercial, sport, and personal use bottomfish and shellfish fisheries within 1,500 feet of Cache Island (Figure 141.1).

WHAT ARE THE CURRENT REGULATIONS? Under statute (AS 16.05.251), the board may adopt regulations it considers advisable for setting apart fish reserve areas, subject to approval of the legislature.

Subsistence bottomfish and shellfish fisheries are closed in the Ketchikan Nonsubsistence Use Area (5 AAC 99.015), which encompasses the proposed closed area.

Directed commercial fishing for sablefish and Pacific cod is allowed, and groundfish taken incidentally in the salmon troll fishery may be retained and sold as bycatch in the proposed closed area. The area is currently closed to directed fishing for demersal shelf rockfish (5 AAC 28.150(d)(2)). The commercial shrimp (5 AAC 31.136) and Dungeness crab (5 AAC 32.150) fisheries are closed in this area; however, the area around Cache Island is open to commercial harvest of sea cucumbers (Figure 141.2).

Personal use bottomfish fisheries and shellfish fisheries are managed under regional regulations. However, personal use bag limits for rockfish are reduced in an area that encompasses Cache Island (5 AAC 77.674).

The sport bottomfish and shellfish fisheries are managed primarily under regional regulations (5 AAC 47.020). Lingcod bag and possession limits, and nonresident annual limits for lingcod are established annually by emergency order to meet sport allocations (5 AAC 47.060). The sport shrimp fishery is closed in the same area as the commercial shrimp fishery: east of a line

from Indian Point to the northeasternmost tip of Betton Island to Survey Point (5 AAC 47.021) (Figure 141.2).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would close all commercial, personal use, and sport bottomfish and shellfish fisheries within 1,500 feet of Cache Island, likely reducing harvest and harvest opportunity of bottomfish and shellfish by some unknown amount. It would require additional provisions in the commercial, personal use, and sport regulations, thereby adding regulatory complexity.

BACKGROUND: Cache Island is located about 25 miles northeast of Ketchikan in Naha Bay. The remote community of Loring is located along the northeastern shore of Naha Bay. Residential and commercial development in Loring has increased in recent years. There are currently two fishing lodges located in Naha Bay. The Naha Bay area is popular with anglers because of its productive fishing grounds, recreational opportunities, and proximity to Ketchikan. Various anglers and personal use users fishing in Naha Bay target salmon, halibut, lingcod, rockfish, shrimp, and crab. This area is open to commercial halibut, Pacific cod, and sablefish fishing, as well.

Cache Island is located in the Southern Southeast Inside subdistrict and falls within groundfish statistical area 315531. Groundfish fisheries in this area are managed by the State of Alaska. Groundfish harvest reported as bycatch from the commercial halibut fishery in groundfish statistical area 315531 for the most recent 5-year period included: seven species of rockfish (1,602 round lb); Pacific cod (179 lb); and lingcod (15 lb). The total exvessel value of these landings was $470. Groundfish harvest reported in the commercial troll fishery from salmon statistical area 101-90 was limited to rockfish (11 lb) and lingcod (8 lb). It is not possible to determine if any of these harvests occurred within the proposed closure area around Cache Island. Logbook data from the directed sablefish and Pacific cod fisheries indicate that there was not any directed effort from these fisheries in the proposed closure area during the past five years.

The department collects sport and personal use effort and harvest information on lingcod, rockfish, and Dungeness crab via the Statewide Harvest Survey. Cache Island lies within a larger sport fishery reporting area, East and West Behm canals, which encompass approximately 345 square miles. The department also collects sport effort and harvest information on lingcod and rockfish via saltwater charter logbooks within a logbook reporting area encompassing approximately 100 square miles. It is not possible to determine what proportion of harvest from these reporting areas occurs within 1,500 feet of Cache Island, which includes 0.43 square miles.

In general, sport fishing effort has remained stable in East and West Behm canals over the last 10 years. Statewide Harvest Survey estimates for lingcod indicate that harvest has remained stable over the last 10 years, while the most recent 5-year average (2006–2010) for rockfish harvest (5,651 fish) increased from the 2001–2005 average harvest of 3,621 fish (Table 141.1) due, in

part, to mandatory retention regulations established in 2006. Saltwater charter logbook information shows that harvest of lingcod and rockfish in 101-900 has remained stable over the last ten years (Table 141.2).

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. There are no known conservation or biological concerns for bottomfish or shellfish populations in the area around Cache Island, or the larger salmon statistical or groundfish areas. This proposal would also add unnecessary regulatory complexity.

Sablefish and Pacific cod have home ranges and movements that are much greater than the Cache Island proposed reserve; a reserve of this size would do little to protect these species. Although a reserve of this size would likely encompass the home ranges of certain rockfish species and some proportion of lingcod populations, any potential conservation benefits would be highly dependent on the abundance of existing species and the quality of habitat in the proposed marine reserve. Existing data collection programs in both commercial and sport fisheries capture the necessary information that can be used to take inseason management action if a conservation issue did arise.

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

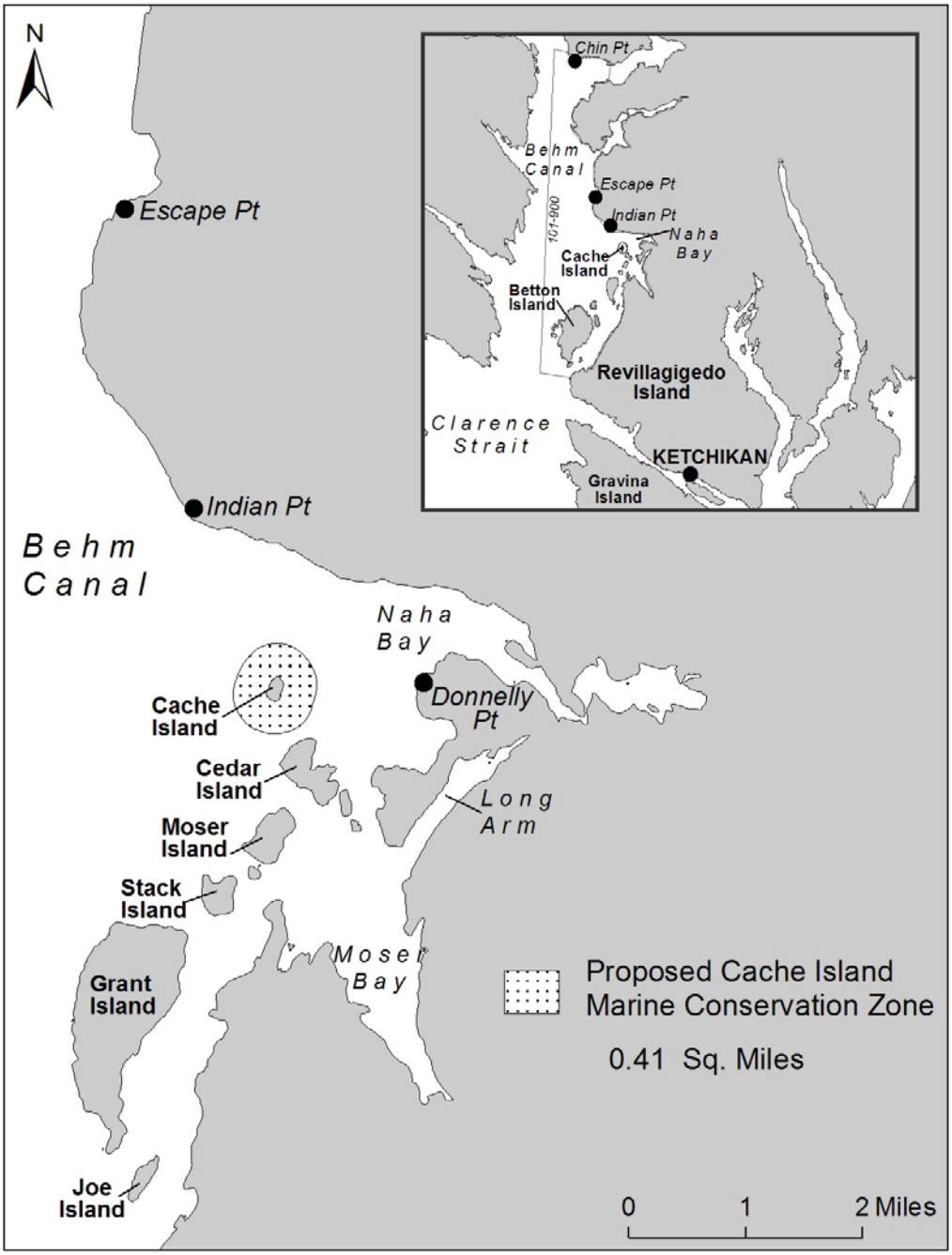


Figure 141.1–Location of Naha Bay and the proposed Cache Island marine conservation zone.

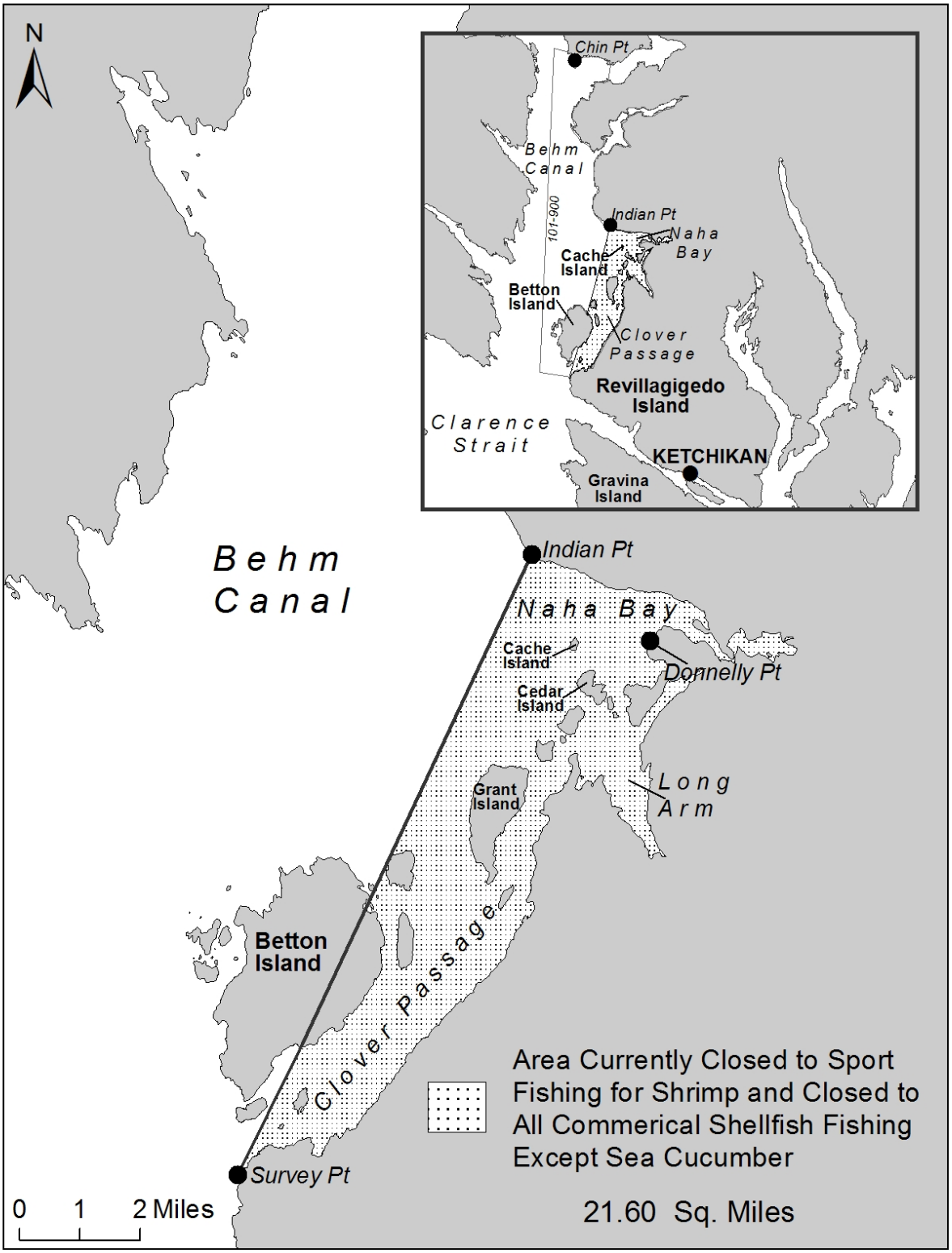


Figure 141.2–Sport and commercial shellfish closed area.

Table 141.1–Estimated nonresident sport effort and harvest of lingcod, rockfish and Dungeness crab in East and West Behm Canal, 2001–2010 (from the SWHS).

Year	# Responses	Days Fished	# of Lingcod	# of Rockfish	# of Dungeness
2001	231	12,032	302	1,295	947
2002	394	16,188	305	2,030	819
2003	354	14,762	277	1,391	1877
2004	417	22,843	692	3,739	6433
2005	302	20,954	524	2,752	1659
2006	334	18,866	443	4,420	3940
2007	351	19,897	312	4,653	732
2008	307	17,147	228	3,339	1711
2009	411	17,001	365	3,205	454
2010	286	15,487	171	2,894	810
2001–2010 Mean	339	17,518	362	2,972	1938
2006–2010 Mean	338	17,680	304	3,702	1529

Table 141.2–Reported harvest of lingcod and rockfish for area 101-900 from charter logbooks, 2001–2010.

Year	Active Vessels	Trips[a]	# of Lingcod	# of Pelagic Rockfish	# of Other Rockfish[b]
2001	41	n/a	10	98	135
2002	31	n/a	9	66	65
2003	32	n/a	7	86	182
2004	33	n/a	10	76	92
2005	32	119	15	106	132
2006	44	271	12	85	202
2007	43	277	12	163	199
2008	39	198	6	57	149
2009	36	223	1	38	150
2010	45	217	7	54	211
2001–2010 Mean	38	n/a	9	83	152
2001–2010 Mean	41	237	8	79	182

[a]From 2001–2004 the number of trips in not available.

[b]Includes yelloweye rockfish

PROPOSALS 142, 143, AND 144 – 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. *(These proposals erroneously cited under 5 AAC 28.150*. Closed waters in Eastern Gulf of Alaska Area; *and* 5 AAC 32.150. Closed waters in Registration Area A; *and* 5 AAC 38.XXX.)

PROPOSED BY: Naha Conservation.

WHAT WOULD THESE PROPOSALS DO? Proposals 142–144 would establish three marine conservation zones and prohibit nonresident anglers from fishing for bottomfish and shellfish in the following areas:

Proposal 142 - the contiguous waters of Behm Canal north of the latitude of Indian Point and south of the latitude of Bushy Point (Figure 142.1);

Proposal 143 - the waters of Naha Bay east of a line from Donnelly Point to Cache Island to Indian Point (Figure 143.1); and

Proposal 144 - within 1,500 feet of Cedar Island (Figure 144.1).

WHAT ARE THE CURRENT REGULATIONS? Under statute (AS 16.05.251), the board may adopt regulations it considers advisable for setting apart fish reserve areas, subject to approval of the legislature.

The sport bottomfish and shellfish fisheries are managed primarily under regional regulations (5 AAC 47.020). Lingcod bag and possession limits, and nonresident annual limits are established annually by emergency order to meet sport allocations (5 AAC 47.060). The sport shrimp fishery is closed in the same area as the commercial shrimp fishery (5 AAC 31.136): east of a line from Indian Point to the northeastern most tip of Betton Island to Survey Point (5 AAC 47.021).

For proposal 142: the commercial shrimp (5 AAC 31.136), Dungeness crab (5 AAC 32.150), and sea cucumber (5 AAC 38.140) fisheries are open in the proposed closure area.

For proposals 143 and 144: the commercial shrimp and Dungeness crab fisheries are closed in the proposed closure areas; however, both are open to the commercial harvest of sea cucumbers.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Proposals 142–144 will eliminate nonresident catch and harvest opportunity for bottomfish and shellfish within the proposed marine conservation zones. These proposals would create new exceptions to the regionwide regulations and thereby, add regulatory complexity.

BACKGROUND: The three proposed closure areas as described above are all located about 25 miles northeast of Ketchikan in Naha Bay. The remote community of Loring is located along the northeastern shore of Naha Bay. Residential and commercial development in Loring has increased in recent years. There are currently two fishing lodges located in Naha Bay. The Naha Bay area is popular with anglers because of its productive fishing grounds, recreational opportunities, and proximity to Ketchikan. Various anglers and personal use harvesters fishing in Naha Bay target salmon, halibut, lingcod, rockfish, shrimp, and crab. These areas are open to commercial halibut, Pacific cod, sablefish and sea cucumber fishing as well.

The department collects sport and personal use effort and harvest information on lingcod, rockfish and Dungeness crab via the Statewide Harvest Survey. The proposed area lies within a larger sport fishery reporting area, East and West Behm canals, which encompass approximately 345 square miles. The department also collects sport effort and harvest information on lingcod and rockfish via saltwater charter logbooks within a logbook reporting area encompassing approximately 100 square miles. It is not possible to determine what proportion of harvest from these reporting areas occurs within the three proposed closure areas: the contiguous waters of Behm Canal north of the latitude of Indian Point and south of the latitude of Bushy Point, which includes 47 square miles; the waters of Naha Bay east of a line from Donnelly Point to Cache Island to Indian Point, which includes 2.68 square miles; or within 1,500 feet of Cedar Island, which includes 0.74 square miles.

In general, sport fishing effort has remained stable in East and West Behm canals over the last ten years. Statewide Harvest Survey estimates for lingcod also indicate that harvest has also remained stable over the last ten years, while the most recent 5-year average (2006–2010) for rockfish harvest (5,651 fish) increased from the 2001–2005 average harvest of 3,621 fish (Table 142–144.1) due, in part, to mandatory retention regulations established in 2006. Saltwater charter logbook information also shows that harvest of lingcod and rockfish in 101-900 has also remained stable over the last ten years (Table 142–144.2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. There are no known conservation or biological concerns for bottomfish or shellfish in the three proposed marine conservation zones.

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

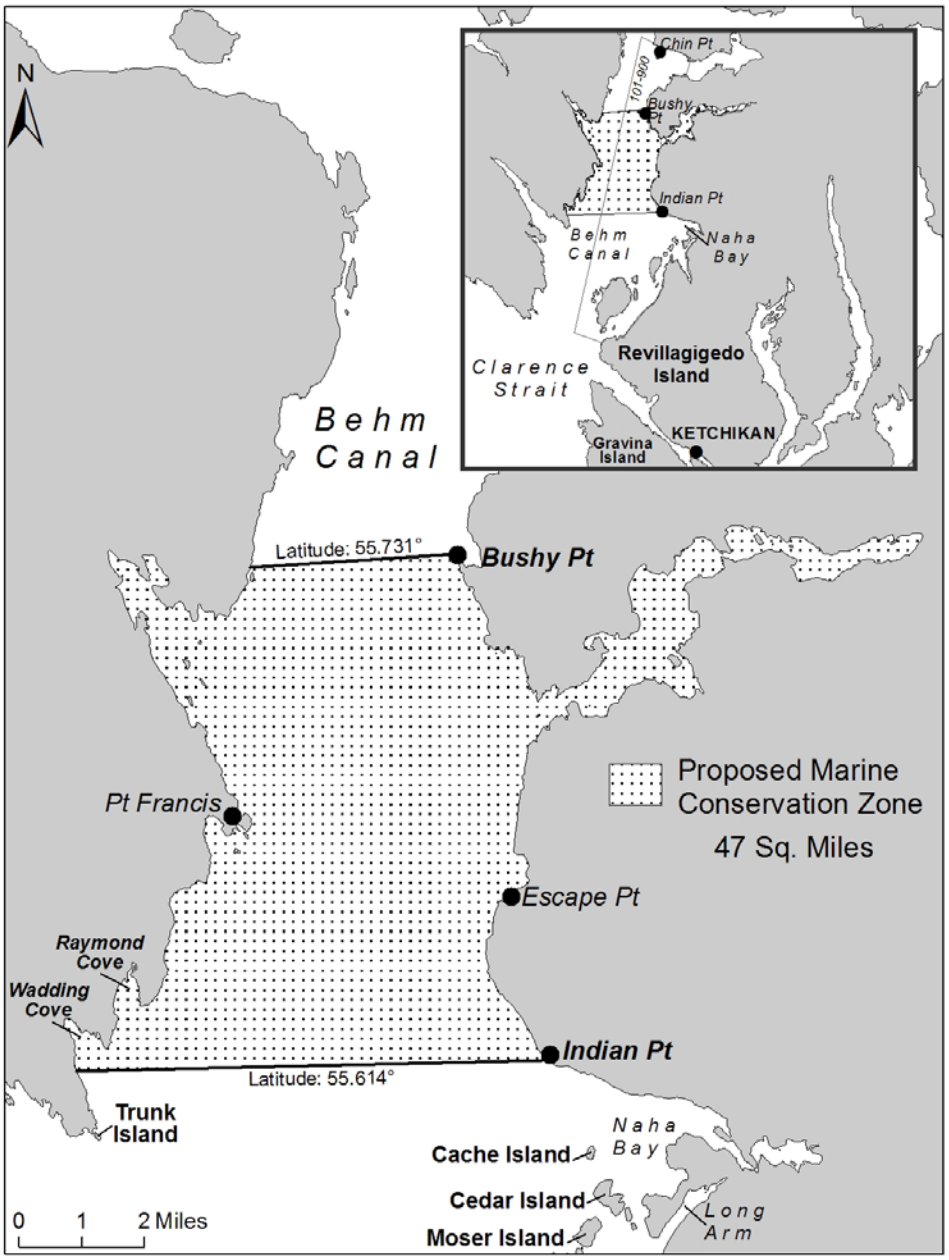


Figure 142.1–Location of Naha Bay and the proposed marine conservation zone.

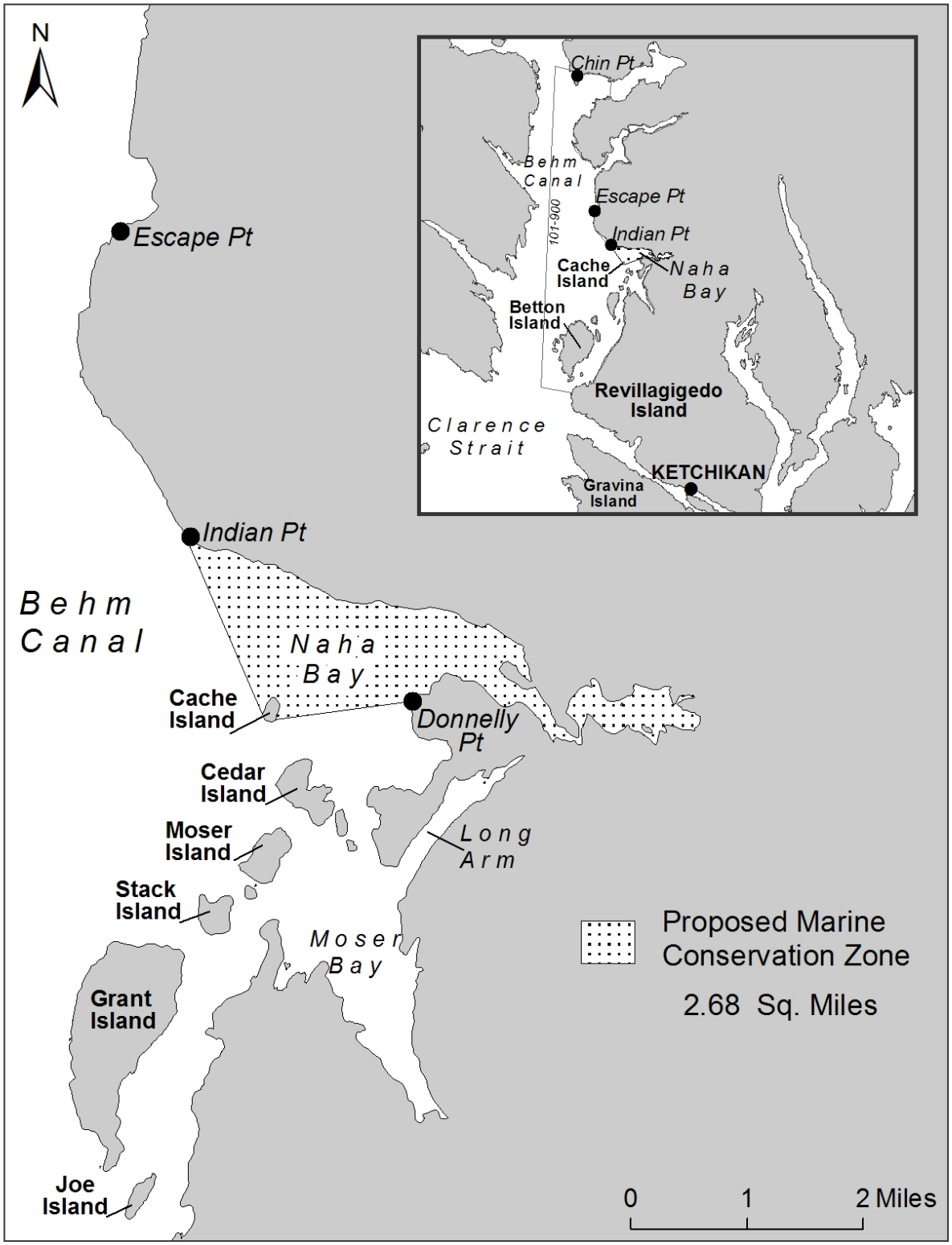

N
Escape Pt
Indian Pt
Behm Canal
Naha Bay
Cache Island
Donnelly Pt
Cedar Island
Moser Island
Long Arm
Stack Island
Moser Bay
Grant Island
Joe Island
Proposed Marine Conservation Zone
2.68 Sq. Miles
0
1
2 Miles
Chin Pt
Behm Canal
101-900
Escape Pt
Indian Pt
Cache Island
Naha Bay
Betton Island
Revillagigedo Island
Clarence Strait
KETCHIKAN
Gravina Island

Figure 143.1–Location of Naha Bay and the proposed marine conservation zone.

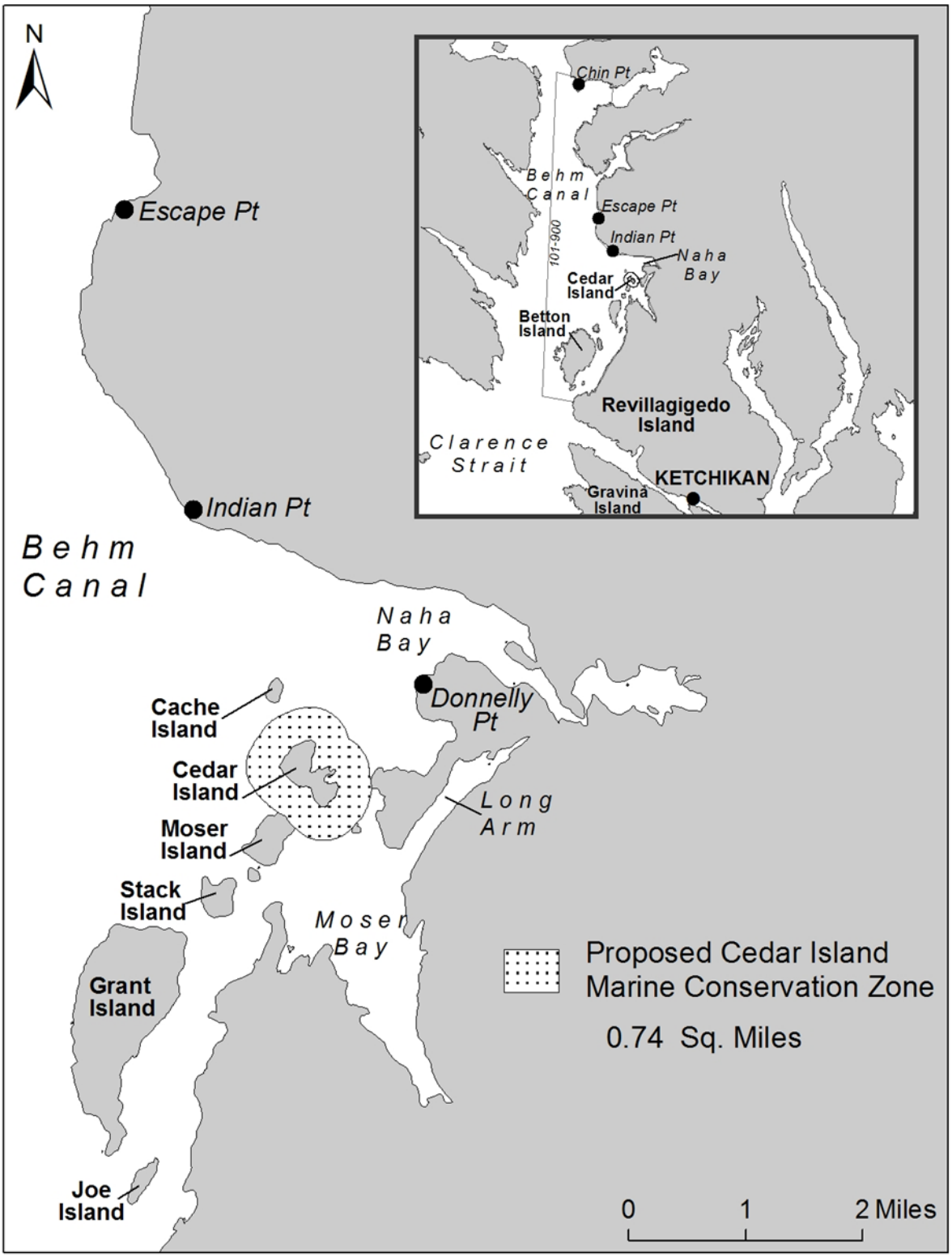


Figure 144. 1–Location of Naha Bay and the proposed Cedar Island marine conservation zone.

Table 142.1–Estimated nonresident sport effort and harvest of lingcod, rockfish and Dungeness crab in East and West Behm Canal, 2001–2010 (from the SWHS).

Year	# Responses	Days Fished	# of Lingcod	# of Rockfish	# of Dungeness
2001	231	12,032	302	1,295	947
2002	394	16,188	305	2,030	819
2003	354	14,762	277	1,391	1877
2004	417	22,843	692	3,739	6433
2005	302	20,954	524	2,752	1659
2006	334	18,866	443	4,420	3940
2007	351	19,897	312	4,653	732
2008	307	17,147	228	3,339	1711
2009	411	17,001	365	3,205	454
2010	286	15,487	171	2,894	810
2001–2010 Mean	339	17,518	362	2,972	1938
2006–2010 Mean	338	17,680	304	3,702	1529

Table 142.2–Reported harvest of lingcod and rockfish for area 101-900 from charter logbooks, 2001–2010.

Year	Active Vessels	Trips[a]	# of Lingcod	# of Pelagic Rockfish	# of Other Rockfish[b]
2001	41	n/a	10	98	135
2002	31	n/a	9	66	65
2003	32	n/a	7	86	182
2004	33	n/a	10	76	92
2005	32	119	15	106	132
2006	44	271	12	85	202
2007	43	277	12	163	199
2008	39	198	6	57	149
2009	36	223	1	38	150
2010	45	217	7	54	211
2001–2010 Mean	38	n/a	9	83	152
2001–2010 Mean	41	237	8	79	182

[a]From 2001–2004 the number of trips in not available.

[b]Includes yelloweye rockfish

GENERAL (1)

PROPOSAL 200 – 5 AAC 28.190. Harvest of bait by commercial permit holders in Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would allow commercial fishermen to use post-processed fish parts (i.e., heads, tails, fins, and viscera) for bait.

WHAT ARE THE CURRENT REGULATIONS? Except for sablefish, lingcod, and thornyhead, shortraker, rougheye, and yelloweye rockfish, groundfish may be taken at any time; sablefish, lingcod, and thornyhead, shortraker, rougheye, and yelloweye rockfish, may not be taken for bait or used for bait.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Fishermen would have the opportunity to use the heads, tails, fins, and viscera of delivered and processed sablefish, lingcod, and thornyhead, shortraker, rougheye, and yelloweye rockfish for bait, provided that those parts were previously weighed and reported on fish tickets as part of a landing.

BACKGROUND: The Alaska Board of Fisheries prohibited use of sablefish for bait in 2003, as well as lingcod, thornyhead, shortraker, rougheye, and yelloweye rockfishes in 2006. The primary reason behind this was that these species were either fully allocated or long-lived and that groundfish taken for bait use were rarely reported on fish tickets; therefore, the department had little information with which to gauge the extent of unreported mortality. An unforeseen result of these regulations was that all parts of these species were prohibited for bait use, including the heads, tails, fins, and viscera. The intention of this regulation was not to prohibit the use of post-processed and reported fish parts.

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

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

PACIFIC COD (1)

PROPOSAL 208 – 5 AAC 28.XXX. Pacific cod fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would define the open fishing period for Pacific cod in the Eastern Gulf of Alaska Area in regulation, rather than through an emergency order (EO).

WHAT ARE THE CURRENT REGULATIONS? A Pacific cod guideline harvest range (GHR) of 750,000–1,250,000 round lb has been established for the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) subdistricts (Figure 208.1) combined. The GHR is managed based on harvest from the commercial directed Pacific cod fishery, as well as bycatch taken in other NSEI and SSEI commercial fisheries, including the halibut, demersal shelf rockfish (DSR), and sablefish fisheries. The department opens the season by emergency order (EO) on January 1 and Pacific cod may be taken as bycatch or in a directed fishery on a year-round basis until the fishery is closed by EO. The directed Pacific cod fishery is an open-access fishery and legal gear includes longline, pot, mechanical jig, dinglebar troll gear, and hand troll gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would define and clarify the open fishing period for this established fishery and would eliminate the need to issue an EO at the start of each season.

BACKGROUND: In 1997, the Alaska Board of Fisheries (board) adopted a regulation establishing a permit requirement for developing fisheries targeting miscellaneous groundfish species that were not already managed under specific regulations. In related action, the board repealed 5 AAC 28.114, which stated that groundfish could be taken at any time unless otherwise provided in regulation. At that time there was a regulation establishing a GHR for Pacific cod; however, there was not a separate regulation defining a season for this species. When 5 AAC 28.114 was repealed, the mechanism allowing for an open Pacific cod season was eliminated.

The Pacific cod GHR of 750,000–1,250,000 round lb was established in 1994 and has remained at that level since. Pacific cod harvests between 1994 and 2011 averaged 550,000 round lb and ranged from a low of 260,000 in 2002 to a high of 930,000 round lb in 2010.

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

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

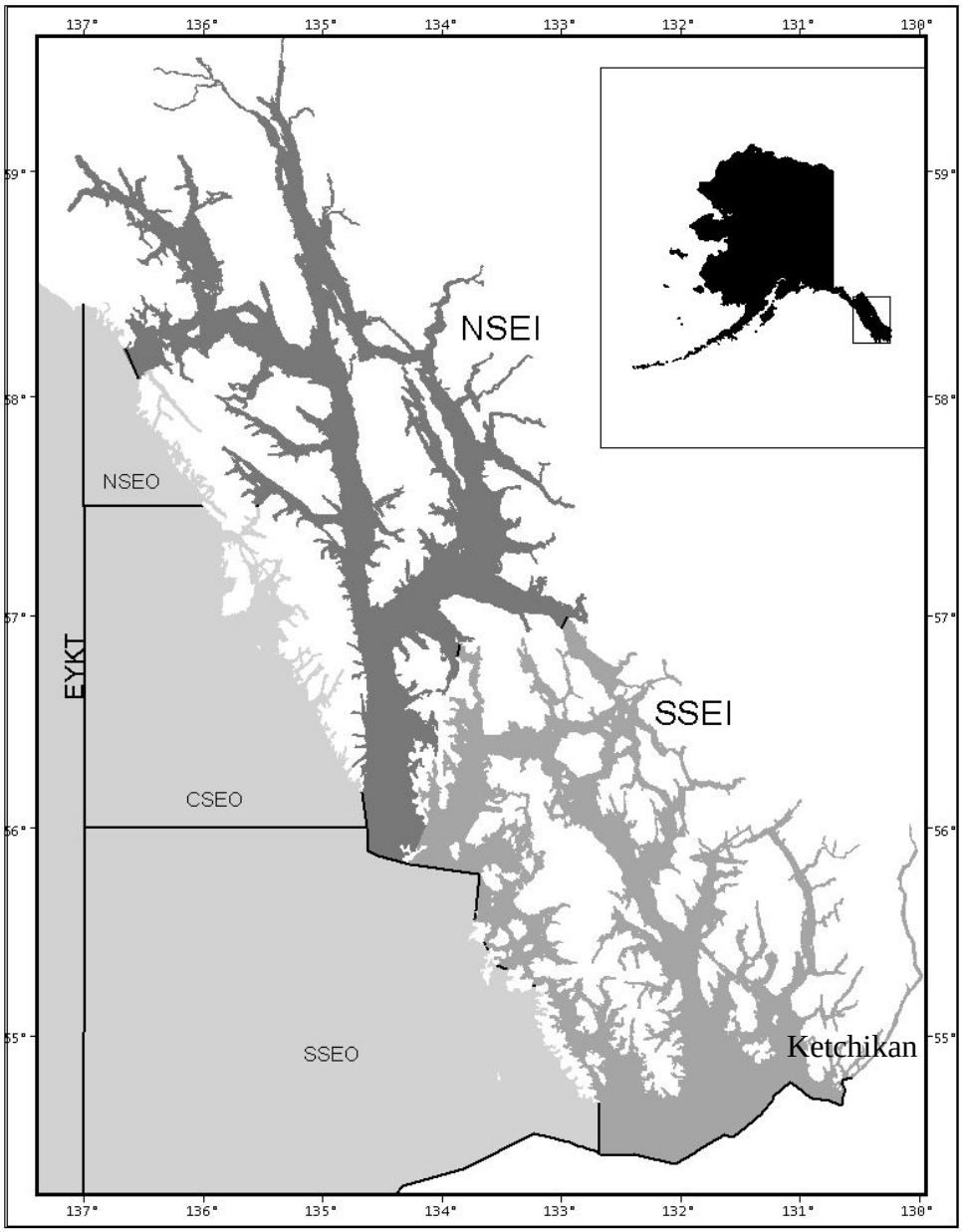


Figure 208.1–Southern Southeast Inside (SSEI) Subdistrict and Northern Southeast Inside (NSEI) Subdistrict management areas in Southeast Alaska.

ROCKFISH (2)

PROPOSAL 209 – 5 AAC 28.XXX. Black rockfish fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would define the open fishing period for black rockfish in the Eastern Gulf of Alaska Area (Figure 209.1) in regulation, rather than through an emergency order (EO).

WHAT ARE THE CURRENT REGULATIONS? Black rockfish guideline harvest limits for the directed fishery in the Southeast District are as follows:

Southern Southeast Outer Coast (SSEOC) Sector – 125,000 lb

Central Southeast Outside (CSEO) Section – 100,000 lb

Northern Southeast Outside (NSEO) Section – 50,000 lb

East Yakutat (EYKT) Section – 25,000 lb

Icy Bay Subdistrict (IBS) – 25,000 lb

The directed fishery is operated only in the waters of the outside coast and legal gear for the fishery is mechanical jig, dinglebar troll, and hand troll gear. The department opens the season by EO on January 1 and black rockfish may be taken in the directed fishery on a year-round basis until the fishery is closed by EO. The directed black rockfish fishery is an open-access fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would define and clarify the open fishing period for this established fishery and would eliminate the need to issue an EO at the start of each season.

BACKGROUND: In 1997, the Alaska Board of Fisheries (board) adopted a regulation establishing a permit requirement for developing fisheries targeting miscellaneous groundfish species that were not already managed under specific regulations. In related action, the board repealed 5 AAC 28.114, which had stated that groundfish could be taken at any time unless otherwise provided in regulation. At that time, a regulation establishing a guideline harvest range (GHR) for miscellaneous rockfish existed; however, there was not a separate regulation defining a season for black rockfish. When 5 AAC 28.114 was repealed, the mechanism allowing for an open black rockfish season was unintentionally eliminated.

In 2003, the board adopted regulations that set black rockfish guideline harvest limits for the directed fishery in order to prevent overexploitation of this species. Harvest in the directed fishery peaked in 1990s, with catches over 100,000 round lb in some years. There was a steady decline in effort during the next decade and recent annual harvest amounts are generally confidential due to fewer than three vessels participating in the fishery. Directed fishery catches in 2007 and 2009 were less than 1,500 round lb. Reduced participation in this fishery is likely a result of low market value for black rockfish.

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

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

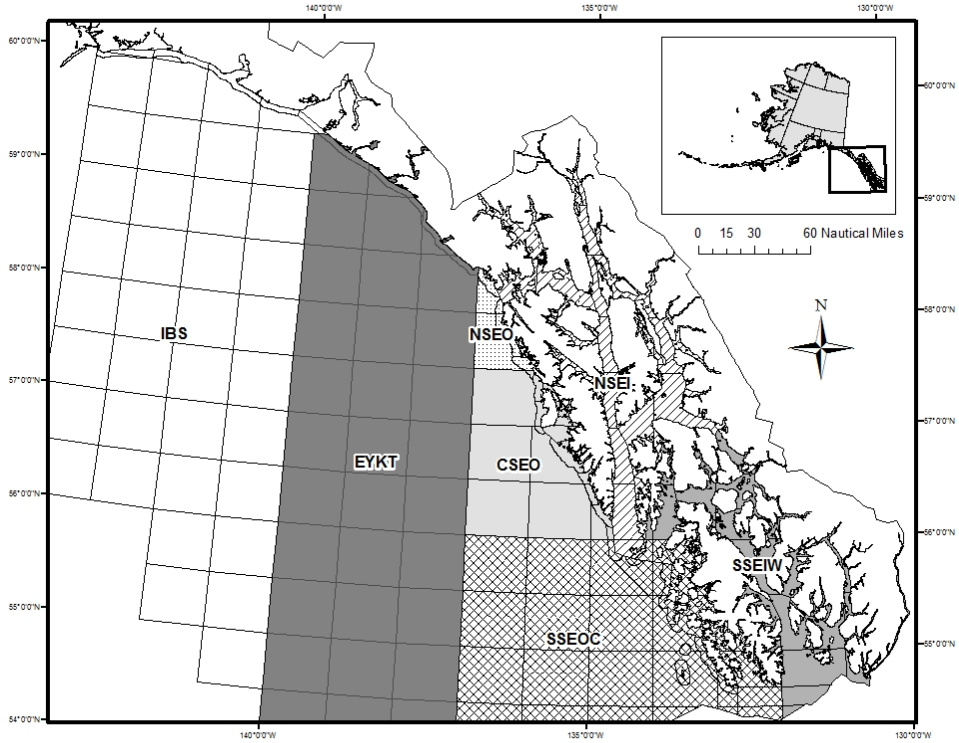


Figure 209.1–Black rockfish management area boundaries in Southeast Alaska waters: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) Section, Northern Southeast Outside (NSEO) Section, Central Southeast Outside (CSEO) Section, Southern Southeast Outer Coast (SSEOC) Sector, Northern Southeast Inside (NSEI) Subdistrict, and Southern Southeast Internal Waters (SSEIW) Sector**.**

PROPOSAL 213 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. *(This proposal was erroneously cited as 5 AAC 47.024.* Harvest record required; annual limit.*)*

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would replace the daily bag and possession limits for pelagic and nonpelagic rockfish with a point system that assigns specific point values to different species of rockfish and a maximum number of daily rockfish points that an angler may not exceed.

WHAT ARE THE CURRENT REGULATIONS? Southeast Alaska Area rockfish regulations provide for a pelagic rockfish bag limit of five fish and a possession limit of 10 fish with no annual limit and a nonpelagic bag limit of five fish and a possession limit of 10 fish, of which only two per day and four in possession may be yelloweye, with no annual limit. Since establishment of a demersal shelf rockfish (DSR) allocation for the sport fishery in 2006, nonpelagic regulations have been established by emergency order (EO) (Table 213.1), as outlined in 5 AAC 47.065, *Demersal shelf rockfish delegation of authority and provisions for management*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would change the current regulatory structure from one based on bag limits of two rockfish species groups (pelagic and nonpelagic) to a system based on a total allowable point value. Specific point values for each species and a total allowable daily point value would need to be developed to carry out the intent of this proposal.

BACKGROUND: Since 1989, the state has had joint management authority for DSR in federal waters and has provided a stock assessment to the North Pacific Fishery Management Council for these fish annually. In 2006, the Alaska Board of Fisheries (board) allocated 16% of the total allowable catch to the sport fishery and 84% to the commercial fishery. All DSR species are included in the Southeast Alaska sport fishing regulations for nonpelagic rockfish. Since 2006, to reduce DSR total mortality levels in the sport fishery, the department has implemented a series of fishery regulations by EO annually under direction from 5 AAC 47.065, *Demersal shelf rockfish delegation of authority and provisions for management* (Table 213.1), including bag limit reductions, annual limits for nonresidents, nonretention by charter operators and crew, and requirements that all fish be retained until bag limits are reached. These regulations proved to be effective in reducing total mortality in the sport fishery; the sport DSR harvest in Southeast has fallen short of the allocation in three of six years and exceeded it in three of the six years (Figure 213.1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it would add unnecessary complexity to sport regulations. Current management measures, based on bag, possession, and annual limits, can effectively be used to manage the sport harvest of DSR rockfish within its allocation. This proposal could potentially achieve this result, but would result in a more complicated management approach that would be significantly different from the system used for all other fish species. Additionally, combining nonpelagic and pelagic bag limits under a point system could result in significant changes to harvest patterns of pelagic species.

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

Table 213.1–Summary of sport fish regulations for rockfish in Southeast Alaska, 1989–2011.

Year	Bag, possession, and annual limits	
1989–1993	All rockfish: daily bag limit of 5, of which only 2 may be a yelloweye rockfish; possession limit of 10, of which only 4 may be a yelloweye rockfish.	
1994–2005	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession. Nonpelagic rockfish: daily bag limit of 5 fish, of which only 2 may be a yelloweye rockfish; possession limit of 10 fish, of which only 4 may be a yelloweye rockfish.	
2006[a]	Pelagic rockfish: daily bag limit of 5 fish per day, 10 fish in possession;	
	Nonpelagic rockfish: daily bag limit of 3 fish, of which only 1 may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	
2007–2010[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6, of which only 2 may be a yelloweye rockfish.	Nonresident bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4, of which only 2 may be a yelloweye rockfish; annual limit of 3 yelloweye rockfish.
2011[a]	Pelagic rockfish: daily bag limit of 5 fish per day; 10 fish in possession.	
	Nonpelagic rockfish:	
	Resident Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish. Southeast Inside Waters: bag limit is 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	Nonresident Southeast Outside Waters: bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish. Southeast Inside Waters: bag limit is 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.

[a] 2006–2011: All nonpelagic rockfish caught must be retained until the bag limit is reached and charter operators and crew members may not retain nonpelagic rockfish while clients are on board the vessel.

Note: Pelagic rockfish bag and possession limits are in regulation. Nonpelagic bag and possession limits from 1994 to 2005 were in regulation. Since 2006 nonpelagic regulations have been implemented by emergency order.

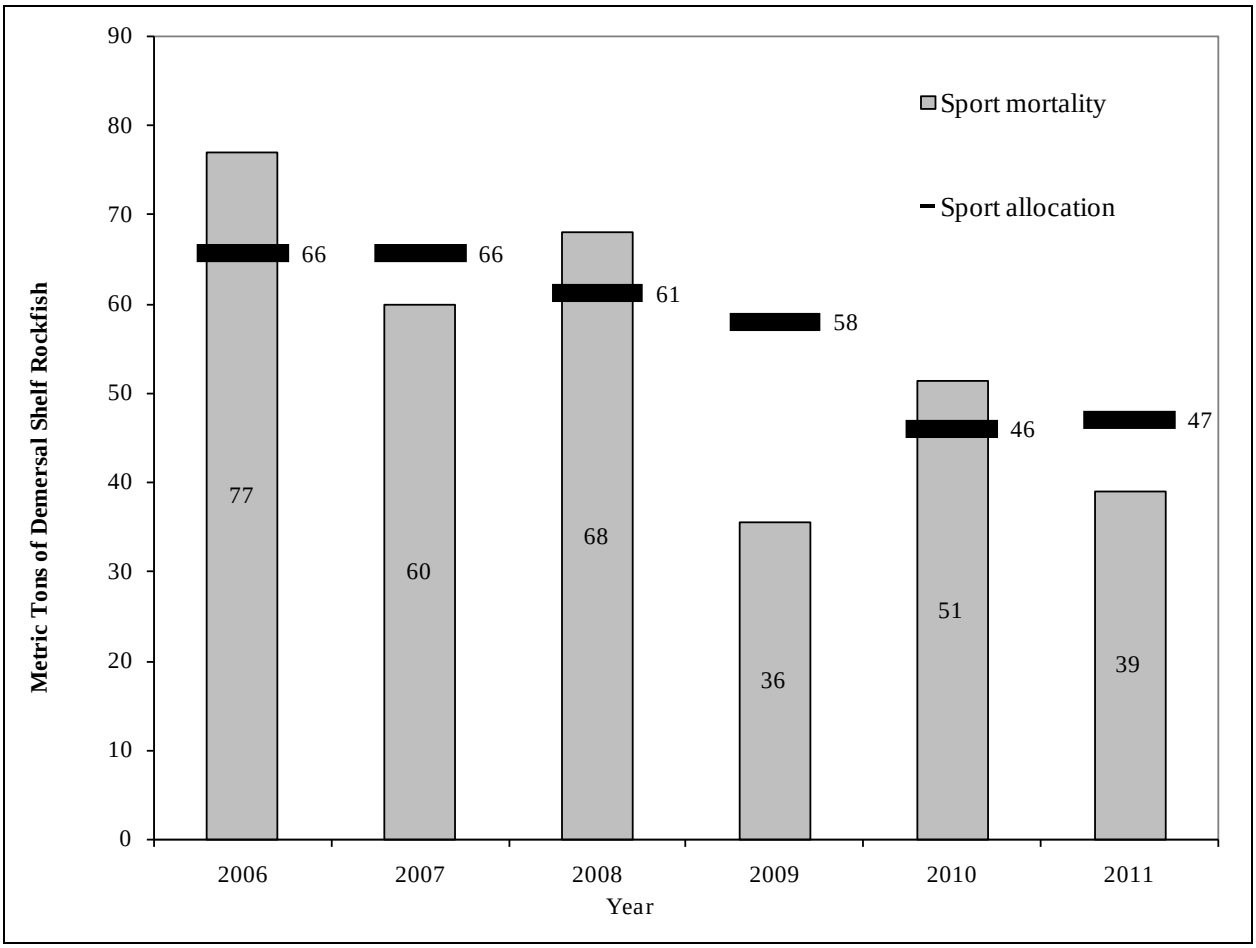


Figure 213.1–Sport fishery mortality, in metric tons, and sport fish harvest allocation of demersal shelf rockfish in the Southeast Outside Subdistrict, 2006–2011.

SABLEFISH (3)

PROPOSAL 214 – 5 AAC 28.170. Sablefish possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would require that all visibly injured or dead sablefish in the Southern Southeast Inside (SSEI) (Figure 214.1) fishery be retained, clarify that live release of uninjured sablefish is allowed, and also require reporting of any live releases that occur in the fishery. These requirements are already in regulation for the Northern Southeast Inside (NSEI; Chatham Strait) sablefish fishery.

WHAT ARE THE CURRENT REGULATIONS? The current regulation states that in SSEI, a permit holder may not retain more sablefish in the directed fishery than the annual amount of sablefish equal quota share specified by the department. The current regulation does not clarify if live fish may be released or that all dead fish must be retained.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would standardize the regulations for the SSEI and NSEI sablefish fisheries. Small fish that are released alive would not be deducted from a permit holder's personal quota share (PQS). There will be a benefit to the resource if small fish are released and allowed to grow to sexual maturity before harvest. Fishermen who do not currently release small sablefish may see additional revenue if they release small fish of low market value; however, SSEI permit holders that currently discard sablefish that are visibly injured or dead would be required to retain these fish. Fishery managers may gain additional information on stock status based on the requirement to report sablefish releases in logbooks.

BACKGROUND: In the halibut longline fishery, regulations require that halibut below the minimum size restriction be carefully released to conserve the resource. In 2003, the Alaska Board of Fisheries adopted a similar regulation clarifying that live release of small sablefish was allowed in the NSEI sablefish fishery, but that live releases must be reported. The proposal was specific to NSEI and did not include provisions for the SSEI Subdistrict. There is currently no prohibition on release of small sablefish in SSEI and it is difficult to determine the degree to which small fish are released in this fishery.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Releasing small sablefish is a common practice among permit holders in NSEI. This reporting requirement will provide better information on discard of small fish in SSEI, could be a useful

indicator of incoming recruitment, and more accurate catch per unit of effort information in the fishery.

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

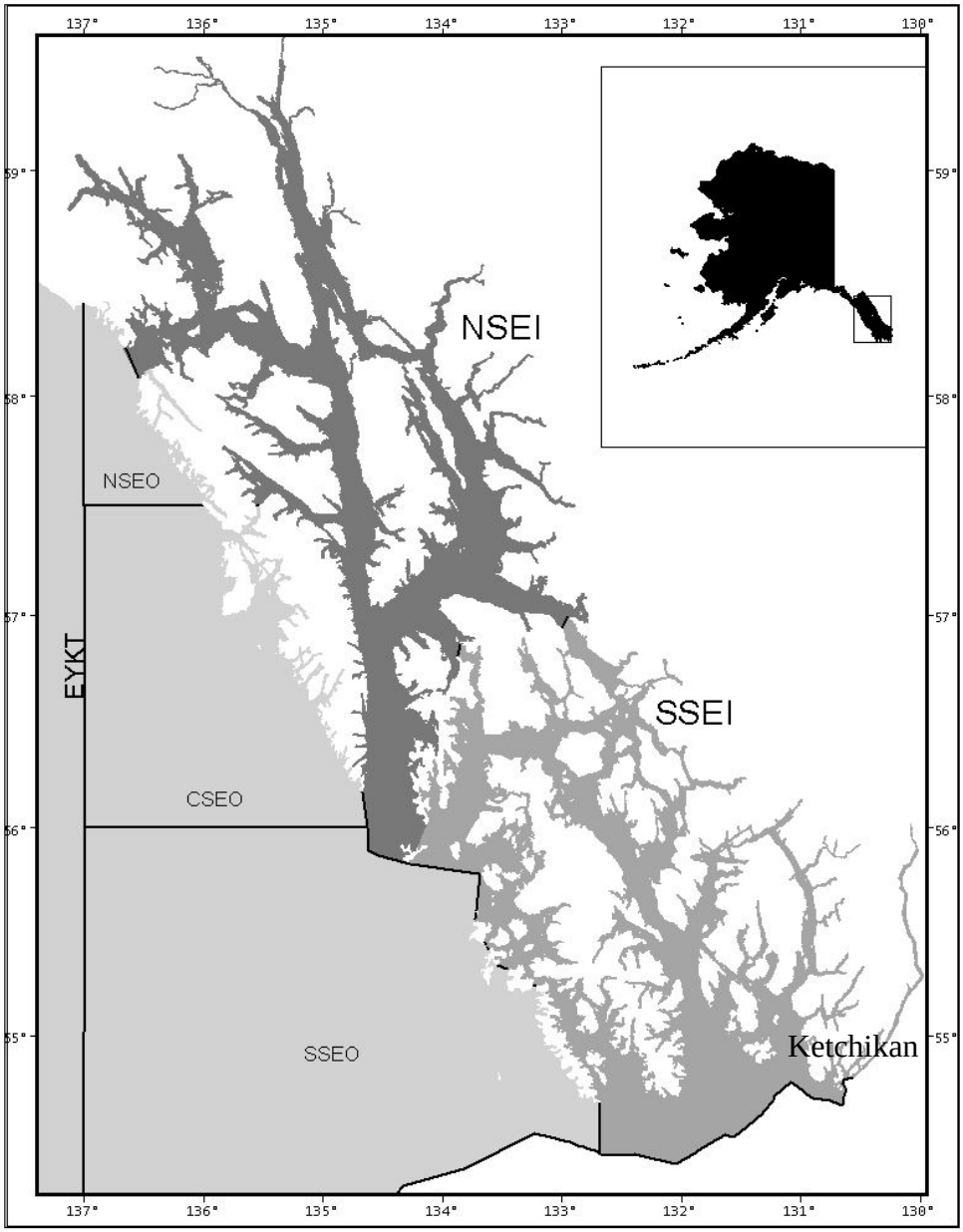


Figure 214.1–Southern Southeast Inside (SSEI) Subdistrict and Northern Southeast Inside (NSEI) Subdistrict management areas in Southeast Alaska.

PROPOSAL 215 – 5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would streamline the process used by the department to allow commercial sablefish permit holders to harvest their personal quota share (PQS) outside of the directed commercial season during the sablefish longline surveys.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require that sablefish permit holders who wish to participate in department test fish surveys, outside of the fishing season, notify the department and that the department will randomly select an adequate number of those interested permit holders to participate in the test fish surveys under terms of a commissioner's permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The process for selecting sablefish permit holders to participate in department sablefish longline surveys would be more efficient and less burdensome to participating permit holders. The department employs three vessels during the longline survey. To accommodate more than three permit holders harvesting their PQS in the survey, owners of vessels participating in the longline survey must accommodate additional permit holders at sea. The current regulation requires a random draw of interested permit holders; thus, vessel owners are not able to arrange in advance which permit holders will join them on their boat. This is a burden on permit holders, who often prefer to work with family or acquaintances due to the financial negotiations associated with permit stacking and so that additional permit holders can double as crew due to limited space aboard the vessel. If this proposal is adopted, the department will be able to discontinue the random drawing process, permit holders will be able to make arrangements in advance to work together at sea, and the department will have a greater likelihood of accommodating the maximum number of permit holders in a given year to harvest their PQS during the survey. All sablefish caught in excess of available PQS aboard the vessel will be still be sold by the department to offset survey costs.

BACKGROUND: Since 1988, annual department longline surveys have been conducted to provide the department with a fishery-independent estimate of catch per unit effort (CPUE) and an independent estimate of sablefish age, weight, length, and maturity data from a sample of sablefish unaffected by commercial fishery selectivity. The survey design was standardized in 1997 and matches the federal sablefish longline survey methodology, allowing for comparison of sablefish CPUE between state and federal waters. The department's longline survey is the longest time series of relative abundance data for sablefish in the Northern Southeast Inside Section (NSEI). Prior to development of a mark-recapture assessment program, the survey was the primary source of information used to determine the annual harvest objective (AHO) for the commercial directed fishery in NSEI in the coming year. After 1997, a mark-recapture pot

survey study was developed to estimate total biomass in NSEI for stock assessment purposes; however, the longline survey is still used to provide fishery-independent information on age, weight, length, and maturity, as well as relative abundance of sablefish.

Each year, the department contracts with three vessels to conduct these surveys. Surveys occur before the start of the directed longline commercial fishing season, which runs August 15 to November 15. Historically, sablefish harvested during the longline survey have been sold under the department's test fish authority for cost recovery. However, in 2010, the department implemented a program to allow NSEI permit holders to retain their PQS during the survey in an effort to decrease department test fish removals. This program also results in a smaller test fish decrement to the allowable biological catch, and thus, an increased AHO for permit holders. In 2010, three permit holders harvested their PQS on the survey, which reduced the department's test fish harvest by approximately 33%, or 35,475 round pounds, and in 2011, six permit holders fished their PQS, reducing the department's test fish harvest by 54%, or 63,714 round pounds. In 2010 and 2011, every permit holder in the fishery benefitted from the reduction of department test fish harvest by an increase to the equal quota shares of 420 and 742 round lb, respectively.

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

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

PROPOSAL 271 – 5 AAC 28.180. Prohibitions for Eastern Gulf of Alaska Area; and 5 AAC 01.715. Limitations on participation in subsistence finfish fisheries.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the time periods when operation of longline gear is prohibited by vessels fishing for sablefish, or persons aboard those vessels, in the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) subdistricts. The prohibition on operation of longline gear would be effective for all commercial, subsistence, and personal use longline fisheries, and would be in place for the 72-hour period prior to the start of a sablefish season and the 24-hour period immediately following closure of a sablefish fishing season. This proposal also clarifies that the prohibition would apply only to the subdistrict that the gear is operated in.

In addition, this proposal would exempt a vessel, or persons aboard a vessel, from the prohibition on operation of longline gear in a subdistrict during the 24-hour period immediately following closure of the sablefish fishery in that subdistrict if they have harvested and sold their entire personal quota share (PQS) for that subdistrict prior to the final day of the sablefish season.

The final component of this proposal would prohibit operation of subsistence or personal use groundfish longline gear from vessels that are commercial fishing for sablefish until all commercially-harvested sablefish are offloaded from the vessel.

WHAT ARE THE CURRENT REGULATIONS? A vessel, or a person on board a vessel, from which commercial, subsistence, or personal use longline fishing gear was used to take fish in the NSEI or SSEI subdistricts during the 72-hour period immediately before, or from which that gear will be used during the 24-hour period immediately after an open sablefish fishing period, may not participate in the taking of sablefish in either subdistrict during that open sablefish fishing period.

Sablefish permit holders are not specifically prohibited, in regulation, from subsistence or personal use fishing for groundfish with longline gear during a commercial sablefish trip. NSEI and SSEI permit holders, however, may not retain more sablefish in the directed fishery than their annual amount of sablefish PQS, except that they may exceed their PQS by up to 5% of the equal quota share (EQS) as allowed in 5 AAC 28.170(j).

Regulatory provisions allow sablefish permit holders to retain sablefish for personal use from their commercial catch; however, this harvest is deducted from their PQS.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would clarify the prohibitions on operation of longline gear for sablefish permit holders. Adoption of this proposal would prohibit operation of subsistence and personal use gear for groundfish when the vessel is fishing for commercial sablefish in NSEI or SSEI, or has commercial sablefish on board.

BACKGROUND: The prohibition on operation of longline gear during periods before and after a sablefish fishery was implemented to provide for a fair start for participants in the fishery and also to promote an orderly fishery closure. The prohibition provides an enforcement tool to prevent commercial fishing outside of the open fishing period.

The dynamics of the NSEI and SSEI sablefish fisheries have changed since 5 AAC 28.180 was implemented; these fisheries have operated under the equal quota share (EQS) system since 1994 (NSEI) and 1997 (SSEI). The SSEI longline sablefish season is two and one-half months in length (June 1 through August 15) and the NSEI season is open for three months (August 15 through November 15).

The prohibition on fishing immediately prior and immediately after the sablefish fishery in 5 AAC 28.180 has been difficult for fishermen, the department, and Alaska Wildlife Troopers to interpret, and has led to confusion and unnecessary restrictions on fishermen.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Despite the EQS system and relatively long sablefish fishing seasons, the prohibition against fishing during periods immediately prior to and following the open fishing period remains a useful management tool; however, the prohibitions should only apply within the subdistrict that a given vessel intends to fish. In addition, the prohibition on fishing during the 24-hour period following closure of the sablefish season is unnecessary if persons have harvested and sold their entire PQS prior to the final day of the sablefish season. Due to the relatively long sablefish season, the majority of permit holders have landed their PQS prior to the end of the season; requiring these vessels to stand down during the 24-hour period immediately following closure of a sablefish subdistrict interferes with transitioning to other longline fisheries that may be open concurrently.

Sablefish permit holders are limited to a maximum harvest amount while commercial fishing; allowing retention of commercial and personal use or subsistence sablefish could lead to persons exceeding their PQS, as well as complicating reporting.

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

SUBSISTENCE REGULATIONS REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has made positive customary and traditional use findings for bottomfish in several areas of Southeast Alaska.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? There are no codified amounts necessary for subsistence findings for bottomfish in Southeast Alaska.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

LINGCOD (4)

PROPOSAL 199 – 5 AAC 28.106. **Eastern Gulf of Alaska Area Registration**. *(This proposal was erroneously cited as 5 AAC 28.020.* Groundfish Area Registration*, a statewide groundfish regulation. This proposal can be reviewed under 5 AAC 28.106.)*

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would make the Icy Bay Subdistrict (IBS) (Figure 199.1) directed lingcod fishery a superexclusive vessel registration fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations restrict participation in the IBS directed lingcod fishery to permit holders that have not, nor will not, participate as a permit holder in another lingcod registration area during a particular calendar year. The regulation, as currently administered, allows a vessel with two permit holders on board to operate in a superexclusive and nonsuperexclusive lingcod registration area during the same year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? To date, vessels with more than one permit holder aboard have been allowed to register in IBS, as well as other Eastern Gulf of Alaska Area (EGOA) directed lingcod fisheries. If adopted, this proposal would require vessels with multiple permit holders to register the vessel in the superexclusive IBS area or in the other EGOA directed lingcod fisheries. If the vessels that previously fished in both areas were to register and fish exclusively in the IBS area, the IBS lingcod directed fishery allocation would be taken in a shorter period of time and the fishery would be closed earlier. If the concerned vessels chose not to register in IBS, the result would be fewer vessels fishing in IBS; therefore, there would be less commercial effort and a potentially longer open fishing period.

BACKGROUND: In 2000, the Alaska Board of Fisheries (board) adopted regulations that reduced lingcod guideline harvest limits, allocated quotas between user groups, and defined a new management area—Icy Bay Subdistrict. Allocations were made between users in each management area based on recommendations from a committee that reviewed lingcod harvest information from the previous five years. The IBS guideline harvest range (GHR) was set at 0–100,000 round lb and was divided evenly between the sport, commercial longline bycatch, and commercial salmon troll bycatch fisheries. There was no allocation made for a directed commercial fishery at that time.

In 2003, the board approved creation of a superexclusive directed lingcod fishery for IBS to provide an opportunity for local Yakutat fishermen to harvest an underutilized portion of the commercial lingcod allocation. The regulation that made IBS a superexclusive fishery was

written to prevent directed lingcod permit holders from participating in both the IBS fishery and other EGOA lingcod fisheries; however, it did not prevent a vessel with multiple permit holders on board to operate in both fisheries. This proposal, if passed, would prohibit a vessel from participating in the IBS fishery if it was utilized in another directed lingcod fishery during that calendar year.

For the period of 2003 through 2011, three different vessels have participated in the superexclusive fishery, as well as another directed lingcod fishery during the same season. All three vessels were licensed freezer vessels and processed their catch at sea. There were two seasons that two vessels fished in the superexclusive and another nonsuperexclusive lingcod fishery, four seasons where one vessel fished in both areas, and three seasons where no vessels fished in both fisheries. Due to the low number of vessels that participated in both fisheries each year, the harvest amounts taken by these vessels are confidential.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal does not directly cause any conservation concerns; however, adoption of this proposal could change the way this fishery is prosecuted. A large portion of the IBS lingcod allocation is annually harvested from the reef at the mouth of Yakutat Bay. In the event that certain vessels lose the ability to fish multiple lingcod areas and do not participate in the IBS fishery, a result of this proposal could be that a greater percentage of the IBS lingcod allocation may be taken from this localized area near Yakutat. The vessels that have been fishing in multiple lingcod fisheries generally do not fish in the Yakutat vicinity, and therefore, harvest their catch in other geographic regions within the IBS management area. If the entire harvest was shifted to the reef at the mouth of Yakutat Bay as a result of this proposal, the department would consider an inseason area closure for the directed fishery to spread the harvest across a broader portion of the management area.

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

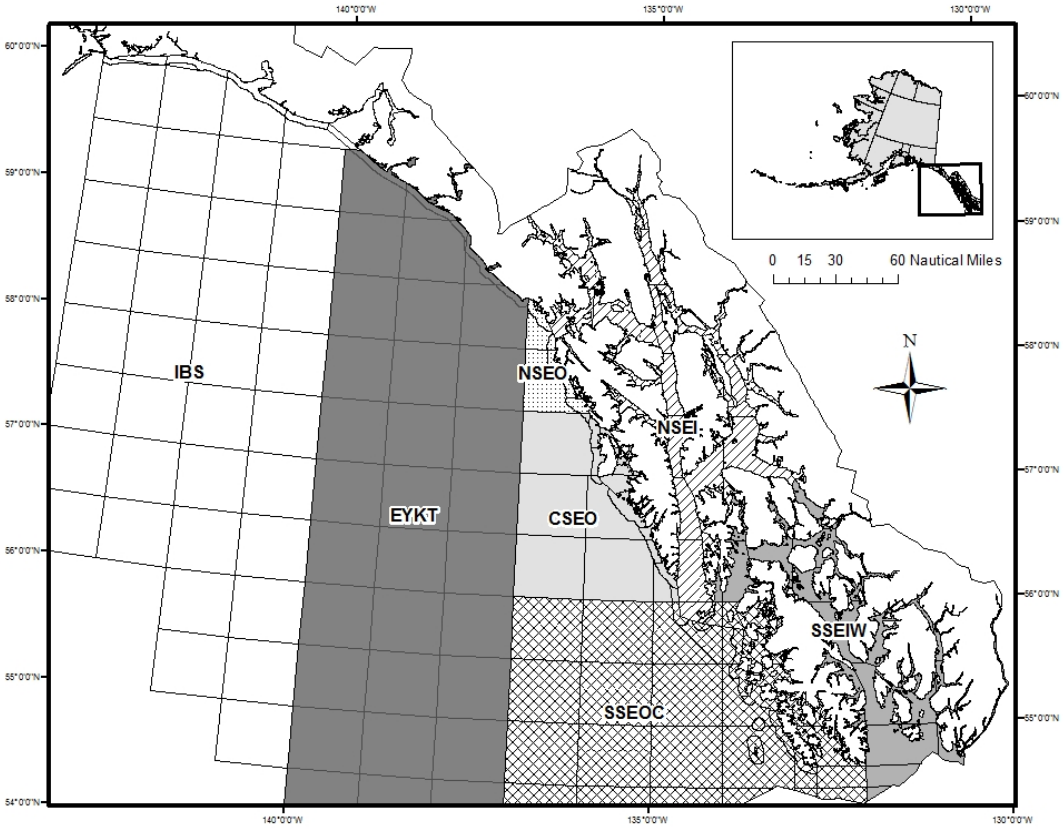


Figure 199.1–Lingcod management area boundaries in Southeast Alaska waters: Icy Bay Subdistrict (IBS), East Yakutat (EYKT) Section, Northern Southeast Outside (NSEO) Section, Central Southeast Outside (CSEO) Section, Southern Southeast Outer Coast (SSEOC) Sector, Northern Southeast Inside (NSEI) Subdistrict, and Southern Southeast Internal Waters (SSEIW) Sector.

PROPOSAL 218 – 5 AAC 28.150. Closed Waters in Eastern Gulf of Alaska Area.

PROPOSED BY: John Murray.

WHAT WOULD THE PROPOSAL DO? This proposal would allow for retention of lingcod bycatch in the commercial salmon troll fishery in the Sitka Sound area.

WHAT ARE THE CURRENT REGULATIONS? Directed fishing for lingcod and retention of lingcod taken as bycatch during commercial salmon troll fishing are prohibited in the waters of Sitka Sound as described in 5 AAC 28.150(a). Commercial salmon trollers are also prohibited from fishing in waters of Sitka Sound if they have lingcod from another area on board the vessel. In the remainder of Central Southeast Outside (CSEO), lingcod bycatch allowances are set by emergency order (EO) and commercial salmon trollers may retain lingcod bycatch during the period May 16 through November 30, up to 20% of the round weight of the salmon on board the vessel. All lingcod retained in commercial fisheries must measure a minimum of 27 inches in length. Annual lingcod guideline harvest levels (GHLs) are set by management area and commercial salmon trollers are allocated a percentage of each GHL.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow retention of lingcod taken as bycatch in the salmon troll fishery in the Sitka Sound area from May 16 until the annual CSEO troll lingcod allocation was taken or until November 30, whichever occurred first.

Adoption of this proposal would simplify regulations for the salmon troll fleet and provide vessels with the option to fish for salmon in Sitka Sound if they had lingcod on board.

Lingcod harvest in Sitka Sound would increase if this proposal were adopted; the effect of increased harvest on local lingcod populations in the Sitka Sound area is unknown. Adoption of this proposal would reduce the amount of lingcod discarded at sea by the salmon troll fleet in Sitka Sound and a subsequent reduction in lingcod discard mortality.

BACKGROUND: In 1997, the Alaska Board of Fisheries (board) adopted a regulation that limited commercial lingcod retention in Sitka Sound. The proposal was part of a larger plan presented by the Sitka Halibut Task Force to reduce Sitka Sound groundfish harvest in commercial and sport charter fisheries. The new regulation permitted lingcod bycatch in the commercial halibut fishery, but prohibited directed lingcod fishing and retention of lingcod as bycatch in all other commercial fisheries. In a related action, guided and nonresident sport bag limits in Sitka Sound were reduced from two lingcod per day to one per day.

Lingcod bycatch in the commercial halibut fishery was limited to 5% in all areas of EGOA between 1994 and 2008. In 2009, the board adopted a proposal that allowed the department to increase lingcod bycatch in the halibut fishery in areas where the annual lingcod longline allocation was underutilized. The CSEO lingcod bycatch allowance was increased to 15% in 2009 and 20% in 2010, where it remained for 2011. As a result, the bycatch allowance in Sitka Sound increased to these same levels. Reported lingcod harvest by the halibut fishery in Sitka Sound for 2001–2011 has ranged from 451 to 2,766 round lb and averages 1,560 round lb.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but is concerned about potential negative impacts on the lingcod stock in Sitka Sound. If this proposal were adopted, salmon troll vessels fishing in Sitka Sound would be limited to a lingcod bycatch allowance percentage, based on the amount of salmon on board the vessel. Lingcod bycatch allowances would be set by EO. The Sitka Sound salmon troll bycatch allowance would be set in accordance with the CSEO bycatch rate unless the board directed the department to do otherwise; however, consistency in regulations is preferable.

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

Table 218.1–Lingcod harvest (round lb) in Sitka Sound Local Area Management Plan (LAMP) Area, by fishery (commercial halibut, sport, and subsistence), and total harvest. Subsistence halibut program initiated in 2003.

Year	Commercial Halibut	Sport	Subsistence Halibut [a]	Total harvest
2001	1,742	15,449	–	–
2002	2,209	7,146	–	–
2003	2,611	9,638	15,888	28,137
2004	832	10,032	17,344	28,208
2005	1,369	10,400	10,272	22,041
2006	1,380	13,166	15,968	30,514
2007	1,856	8,282	18,608	28,746
2008	451	9,209	21,648	31,308
2009	708	3,691	16,592	20,991
2010	2,766	3,525	14,720	21,011
2011	2,019	3,248	[b]	[b]
Average	1,631	8,526	16,380	26,370

[a] Numbers of estimated lingcod caught in the subsistence halibut fishery were converted to weight using the average weight from the commercial directed lingcod fishery in Central Southeast Outside (CSEO) between 2003 and 2009.

[b] Not available at the time of publication.

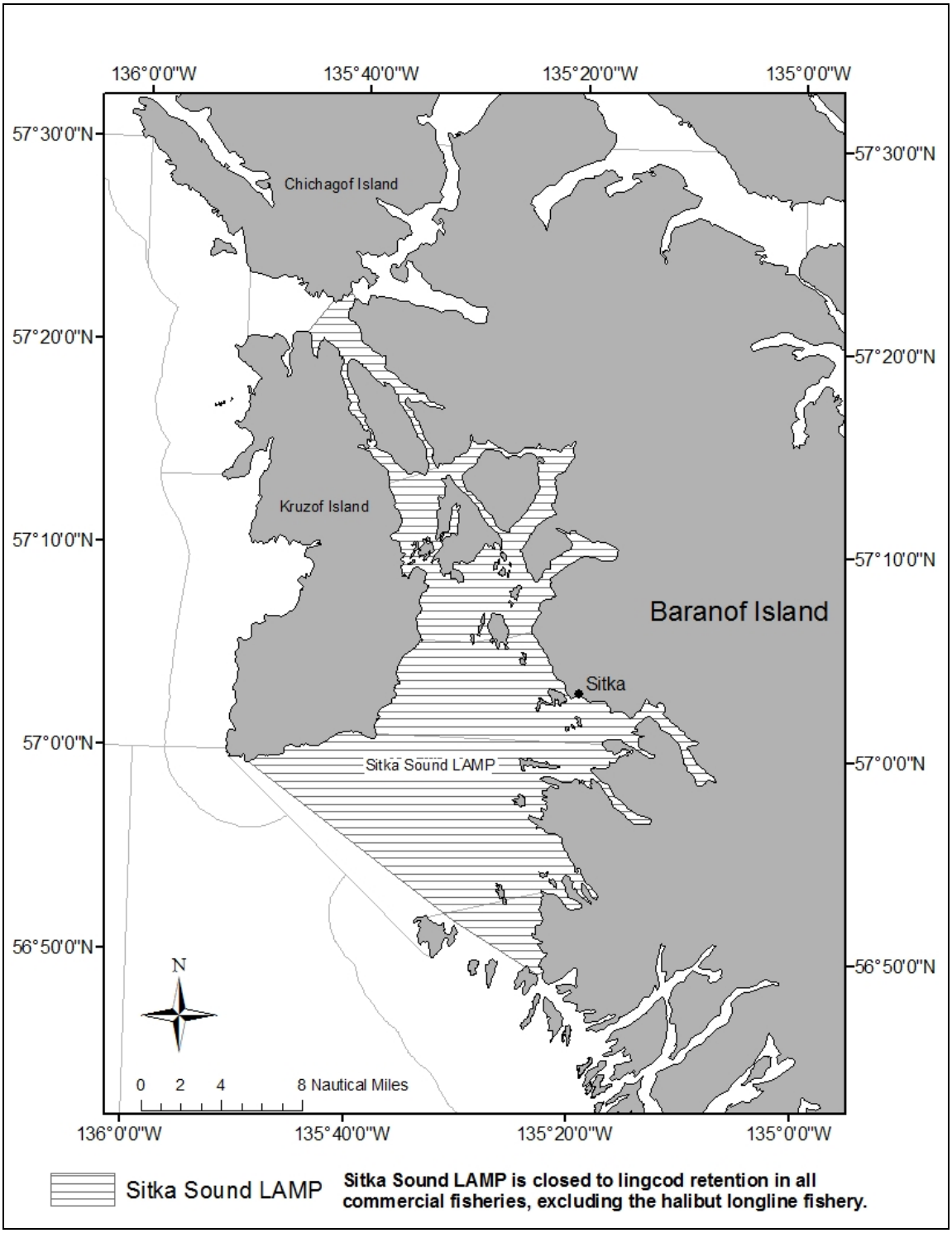


Figure 218.1– Sitka Sound Local Area Management Plan (LAMP) Area.

PROPOSAL 223 – 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify that a vessel operating dinglebar bar troll gear for groundfish may have only one line deployed in the water at any time.

WHAT ARE THE CURRENT REGULATIONS? Current regulation states that in Eastern Gulf of Alaska (EGOA), dinglebar troll gear is gear that consists of a single line that is retrieved and set with a troll gurdy or hand troll gurdy with a terminally-attached weight from which one or more leaders, with one or more lures or baited hooks, are pulled through the water while a vessel is making way.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Fishermen, department staff, and Alaska Wildlife Troopers will have reference to a regulation that clearly defines that a vessel may only operate a single line when fishing with dinglebar troll gear. Fishermen who have been using more than one line may experience a reduction in efficiency and catch rates when they conform to the regulatory requirement.

BACKGROUND: In 1994, the Alaska Board of Fisheries (board) restricted operation of dinglebar troll gear to use of a single line. The original proposal came from within the directed lingcod fleet and was aimed at limiting expansion of the fishery since competition for the lingcod resource had been increasing. At that time, the majority of dinglebar fishermen targeting lingcod operated only one line.

There has been an increase in participation in the directed lingcod fishery over the past four years, particularly in the EYKT on the Fairweather Grounds, and an accompanying influx of new participants to the fishery. Department staff conversations with fishery participants have indicated that some dinglebar vessels are operating multiple lines and may be deploying a second line once retrieval of the first line has begun. Vessels operating multiple lines of gear are at an advantage over vessels legally operating a single line because it takes time to haul the gear to the surface, pull the line in to bring the lingcod aboard, and then re-deploy the gear back to depth. Some fishermen may have been under the impression that once hauling of the gear has commenced, or if the gear is trailing behind the vessel on the ocean surface, it has effectively stopped fishing and a second line may be deployed. However, until all hooks from a particular line are on board, the line is considered to be fishing.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The directed lingcod fishery allocation in EYKT is taken in a short period of time and is difficult

to manage inseason. Clarification of this regulation may help discourage the use of multiple lines and the associated increase in harvest in this fast-paced, difficult to manage fishery.

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

PROPOSAL 224 – 5 AAC 28.190. Harvest of bait by commercial permit holders in the Eastern Gulf of Alaska Area.

PROPOSED BY: Tony Guggenbickler.

WHAT WOULD THE PROPOSAL DO? This proposal would allow Commercial Fisheries Entry Commission (CFEC) permit holders to take lingcod for use as bait in the commercial fishery for which the permit is held.

WHAT ARE THE CURRENT REGULATIONS? The holder of a valid CFEC interim use or limited entry permit may take groundfish in the waters of Alaska in the Eastern Gulf of Alaska Area (EGOA) for use as bait in the commercial fishery for which the permit is held, except that sablefish, lingcod, thornyhead, shortraker, rougheye, and yelloweye rockfish may not be taken for bait or used for bait. Other groundfish may be used for bait at any time, but must be reported by species and the estimated weight must be recorded on a fish ticket prepared for that trip. A person who sets gear to harvest groundfish for bait must report that harvest to the department on a fish ticket using the gear card for the species for which the bait was intended and must submit the fish ticket within seven days after landing that species. Groundfish taken under this section may not be purchased or sold, or transported outside of the waters of Alaska in EGOA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow fishermen to harvest lingcod for fishing bait, likely increasing lingcod harvest by an unknown amount.

BACKGROUND: The department requires fishermen to report groundfish used as bait, but the lack of groundfish bait harvest recorded on fish tickets suggests that this regulation may not be effective. Full reporting of mortality is necessary for total catch accounting and sustainable fisheries management. In 2003, the Alaska Board of Fisheries (board) prohibited use of sablefish as bait, and in 2006, lingcod, shortraker, thornyhead, rougheye, and yelloweye rockfish. Fishermen may use Pacific cod and other groundfish species for bait.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Despite the intent of this proposal to use nonmarketable and/or dead lingcod for bait, an enforceable regulation would necessitate that all commercially-taken lingcod would be allowed for use as bait. There are anecdotal reports of lingcod being used for bait in the past, and if the historical trend of nonreporting of bait use continues, the department would not be able to accurately track this source of mortality should the board adopt this proposal. It should be noted that if Proposal 200 were adopted, 5 AAC 28.190 would be amended to allow the heads, tails, fins, and viscera of delivered and processed lingcod to be used for bait.

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

COMMITTEE B: SALMON TROLL/NET
(26 PROPOSALS)

TROLL (14)

GEAR (2)

PROPOSAL 307 – 5 AAC 29.120. Gear Specifications and Operations.

PROPOSED BY: Michael White.

WHAT WOULD THE PROPOSAL DO? This proposal would allow downriggers in the commercial hand troll fishery all season.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow use of two fishing rods, connected to two downriggers, during the winter troll fishery only. During the spring and summer fisheries, downriggers are not allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow operation of hand-powered downriggers in conjunction with fishing rods and hand-powered reels all year for commercial hand troll gear. Using fishing rods in conjunction with downriggers allows for greater control over desired depth of gear operation, which is likely to decrease the amount of gear lost and increase the amount of fish harvested, improving efficiency in general. While hand trollers are currently allowed to fish up to four fishing rods concurrently, the addition of downriggers, in conjunction with rods, would improve efficiency. It is very likely that, with improved efficiency, the number of hand troll permits fished and the total number of salmon harvested by hand trollers would increase.

BACKGROUND: In 2006, the Alaska Board of Fisheries (board) adopted regulations that allowed for use of two fishing rods in conjunction with two downriggers for hand troll during the winter troll fishery. This proposal was amended from the original request of four rods, in conjunction with downriggers, all year. The amendments addressed several concerns regarding possibilities of increased harvest, effort, and enforcement issues if adopted for spring and summer. Since the winter fishery differs in many aspects from the spring and summer, adoption of the gear changes during that part of the year was of lesser concern. During the winter troll season, fishermen are subjected to adverse weather conditions, reducing the number of days fished. Winter trollers are confined to more restrictive, less abundant, salmon fishing areas than summer. They are limited to fishing within the winter boundaries modified in 1994, which eliminated the more open ocean fishing areas. Participation is generally reduced to local residents during winter, decreasing overall effort (Table 307.1). Guided sport angler effort also decreases to annual lows in winter, reducing enforcement concerns with sport-client bag limits and personal use harvest reporting when vessels are dually registered for commercial hand troll and guided sport. The board concluded that, because of these seasonal differences, operation of

fishing rods, in conjunction with downriggers, would not significantly affect the hand troll harvest during winter (Table 307.2), and consequently adopted the proposal as amended, excluding spring and summer.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal, which would likely increase the proportion of fish harvested by the hand troll fishery compared to other gear groups.

This proposal does not specify the requested number of fishing rods allowed to be used in conjunction with downriggers. Because current regulations already allow an aggregate of two fishing rods connected to two downriggers in winter, comments and concerns are addressed toward seasonal extensions of that regulation.

The department is **OPPOSED** to the concept of allowing operation of fishing rods, in conjunction with downriggers, during the spring and summer troll fisheries. However, the degree of any change in harvest is difficult to predict. Increasing the efficiency of the hand troll fleet and the number of salmon harvested by hand trollers during spring and summer could reduce the time it would take to harvest each year's allowable king salmon harvest. Depending upon how many permits are fished, such a reduction in the time needed to harvest the annual king salmon quota could lead to an increase in the time the troll fishery would be catching and releasing king salmon and thus, increase incidental mortality.

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

Table 307.1–Number of permits fished, by gear type and fishery, 2002–2011.

	Winter Fishery			Spring [a] Fishery			General Summer Fishery		
	Troll Gear Type		Total	Troll Gear Type		Total	Troll Gear Type		Total
Year	**Hand**	**Power**	**Winter**	**Hand**	**Power**	**Spring**	**Hand**	**Power**	**Summer**
2002	72	228	300	94	236	330	251	671	922
2003	96	264	360	79	289	368	187	605	792
2004	129	310	439	111	332	443	238	675	913
2005	142	302	444	125	374	499	283	702	985
2006	152	317	469	151	366	517	270	718	988
2007	153	350	503	158	365	523	284	726	1,010
2008	134	333	467	170	405	575	291	726	1,017
2009	111	269	380	158	428	586	306	735	1,041
2010	131	328	459	153	396	549	268	716	984
2011	**134**	**330**	**464**	**165**	**418**	**583**	**291**	**725**	**1,016**
10-yr avg	125	303	429	136	361	497	267	700	967

[a] Spring includes experimental and terminal fisheries, and includes terminal area data for both spring and summer.

Table 307.2–Winter troll fishery hand troll harvest, 2002–2011.

Year	Hand Troll Harvest	Total Harvest	Percent Hand Troll
2002	2,375	29,389	8%
2003	5,533	50,854	11%
2004	6,714	52,886	13%
2005	5,318	50,470	11%
2006	5,587	48,922	11%
2007	4,431	46,872	9%
2008	3,012	21,824	14%
2009	3,607	24,889	14%
2010	4,148	42,536	10%
2011	5,287	50,826	10%
10-yr avg	4,601	41,947	11%

PROPOSAL 309 – 5 AAC 29.120. Gear Specifications and Operations.

PROPOSED BY: Bill Davidson.

WHAT WOULD THE PROPOSAL DO? This proposal would allow four hand troll gurdies in the summer troll fishery following the initial king salmon retention period.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow four fishing rods or two hand troll gurdies to be onboard and operated from a hand troll vessel all year. Following closure of the initial summer fishery king salmon retention period, four hand troll gurdies may be onboard and operated for the remainder of the summer fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow a hand troll vessel to have additional fishing rods on board, supplemental to the currently-allowed operation of up to four fishing rods, following closure of the initial summer fishery king salmon retention period.

BACKGROUND: Current regulations specify that hand troll vessels may operate, and have on board, up to four fishing rods throughout the summer fishery. Trollers operating hand troll gurdies are allowed to operate, and have on board, two hand troll gurdies through closure of the initial summer fishery king salmon retention period. However, following that closure, and through the beginning of the winter fishery, hand trollers are allowed an aggregate of up to four hand troll gurdies on board the vessel. In 2009, the Alaska Board of Fisheries (board) adopted this change in order to allow operation of four hand troll gurdies in the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer following the end of the first summer fishery retention period. With the likelihood that vessels operating four gurdies in these waters would need to transport their catch outside of this area, the regulation was amended so that up to four hand troll gurdies could be on board in all waters south of the latitude of Cape Spencer as well.

DEPARTMENT COMMENTS: Some enforcement concern has been addressed in previous board meetings with similar troll gear proposals. In the past, the board has voted to keep the current language that limits the number of rods onboard to the maximum number allowed to be operated, eliminating the temptation to operate additional gear. Current enforcement perspectives have reduced apprehension toward this potential effect of the proposal. Given that, and no biological or conflicting allocative concerns, the department **SUPPORTS** this proposal.

The intention statement of this proposal refers to allowing four hand troll gurdies in summer following the initial king salmon retention period, but the language in the proposal identifying the issue, consequences of failure, and benefits if adopted, is directed at increasing the allowable

fishing rod possession limit during that period of time. Based on this content, comments on this proposal are directed toward the request to eliminate the current language that allows an aggregate of no more than four fishing rods on board a vessel following the end of the initial summer king salmon retention period, and consequently, removing fishing rod possession restrictions for that period of summer.

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

WINTER GHL (1)

PROPOSAL 310 – 5 AAC 29.080. Management of the Winter Salmon Troll Fishery.

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would amend the winter king salmon guideline harvest range (GHR) by adding Alaska hatchery-produced king salmon.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit the winter troll fishery harvest to a guideline harvest level (GHL) of 45,000 king salmon, with a GHR of 43,000–47,000. Alaska hatchery-produced king salmon to be are included in the total harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would change the winter troll fishery GHL from a total of 45,000 king salmon to 45,000 Pacific Salmon Treaty (PST) king salmon. Addition of the Alaska hatchery component to the winter harvest would increase both PST and total harvest. If the winter GHL was harvested using this amended management regime, it would reduce the number of fish remaining for harvest during the summer fishery. The additional fish harvested in winter would be transferred solely from the summer fishery because seasonal allowable catch limits are only set for the winter and summer fisheries. The spring fishery PST harvest is dependent on the Alaska hatchery component of each fishery area. A reduction in the number of king salmon available for summer could result in shorter retention periods, and consequently, an increase in king salmon nonretention days and resultant mortalities. In some years, increase in winter harvest could have resulted in a reduction in fishing time of a day or more in the summer fishery (Table 310.1). Table 310.1 shows the average catch/fleet day for the combined summer king salmon openings and the resultant reduction of retention days, along with winter Alaska hatchery percentages and associated numbers of Alaska hatchery king salmon, given winter GHLs were reached each year, dating back to 1995.

Under provisions of the 2009–2018 PST Agreement, a 15% reduction in the Southeast Alaska all-gear king salmon quota at current abundance indices has been implemented. By default, the 15% reduction is essentially taken out of the summer king salmon quota and fishery. In addition to this 15% reduction, this proposal, if approved, would further reduce the allowable summer harvest target and most likely decrease the number of summer king salmon retention days by an additional day.

BACKGROUND: The winter troll fishery king salmon harvest has averaged 34,714 fish since 1995 and ranged from 9,401 fish in 1996 to 52,886 fish in 2004 (Table 310.1). The Alaska hatchery percentage of king salmon caught in the winter fishery has averaged 10% during that

time period and ranged from 6.7% in 2002 to 17.6% in 1996. The number of Alaska hatchery fish caught in the winter fishery has ranged from 1,653 in 1996 to 6,181 in 2004. The current harvest cap was developed by the Alaska Board of Fisheries (board)-appointed Chinook Troll Task Force and adopted by the board in 1994. The intent of implementing a harvest cap was an effort to reduce the Chinook Non-Retention (CNR) days and resulting incidental catch-and-release mortalities during the summer fishery. The 45,000 harvest cap included a 13% Alaska hatchery component.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Increasing the winter troll king salmon harvest could reduce the number available for the summer troll fishery, which would create an allocation issue within the troll fleet: more king salmon would be allocated to permit holders who participate in the winter fishery and fewer to those who only fish during the summer troll fishery.

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

Table 310. 1–The average catch/fleet day rates for summer king salmon retention (CR) periods and estimated reduction in summer fishing days resulting from Proposal 310, assuming winter GHL was harvested.

Year	Winter Total Harvest	Winter Treaty Harvest	AK Hatchery percent	AK Hatchery King salmon	Summer Season Catch/Fleet Day	Reduction in Summer CR days
1995	17,868	15,737	11.9%	5,367	5,718	1
1996	9,401	7,748	17.6%	7,912	7,058	1
1997	20,957	19,214	8.3%	3,743	1,514	2
1998	32,818	30,452	7.2%	3,244	2,619	1
1999	30,977	28,805	7.0%	3,156	8,591	0
2000	36,055	32,988	8.5%	3,828	3,907	1
2001	22,586	19,780	12.4%	5,591	3,815	1
2002	29,389	27,431	6.7%	2,998	6,307	0
2003	50,854	46,479	8.6%	3,871	6,169	1
2004	52,886	46,705	11.7%	5,259	12,891	0
2005	50,470	44,994	10.9%	4,883	7,690	1
2006	48,922	44,929	8.2%	3,673	8,882	0
2007	46,872	42,153	10.1%	4,531	6,592	1
2008	21,824	18,970	13.1%	5,885	8,081	1
2009	24,889	22,133	11.1%	4,983	6,189	1
2010	42,536	37,178	12.6%	5,668	9,468	1
2011	50,826	47,045	7.4%	3,348	10,014	0
1995–2011 averages	34,714	31,338	10%	4,500	6,794	1

COHO FISHERY (4)

PROPOSAL 311 – 5 AAC 29.110. Management of Coho Salmon Troll Fishery.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would change the beginning date for coho salmon retention in the spring king salmon fishery from June 15 to June 1.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow retention of coho salmon in the commercial troll fishery beginning June 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow retention of coho salmon in the troll fishery beginning June 1. The harvest of both enhanced and wild coho salmon would likely increase.

BACKGROUND: The June 15 date for the beginning of coho salmon retention in the commercial troll fishery has been in effect since 1962. Although the exact purpose is somewhat obscure, the June 15 date was likely established to avoid harvesting small coho salmon with a lot of growth left. However, for the past 10 years, 2002–2011, average weights for coho salmon harvested in the spring troll fisheries have not shown significant differences from summer (Table 311.1), possibly influenced by the increased harvest of the mature, summer-run Alaska hatchery coho salmon during spring (Table 311.2). It is these early returning hatchery fish that trollers would like increased access to by opening coho salmon retention June 1.

From 2002–2011, the spring troll fishery harvest of coho salmon has ranged from 1,390 fish in 2002 to 11,339 in 2009, with a ten-year average of 4,501 (Table 311.2). This average harvest, for the June 15–30 period that coho retention is currently allowed during spring troll fisheries, represents 0.3% of the average annual troll coho salmon harvest for the same ten-year period (Table 311.2).

In 2000, the Alaska Board of Fisheries (board) recognized the need to improve troll opportunities to harvest hatchery coho salmon returning to the Neck Lake release site in spring and adopted 5 AAC 29.090(h). Alaska hatchery coho contributions to the spring troll fisheries have been increasing, in general, since 2002, peaking in 2010 when an estimated 2,215 summer run hatchery coho salmon, the majority originating from Neck Lake, contributed to a total spring harvest of 5,935 coho salmon (Table 311.3) (Figure 311.1).

Commercial troll, purse seine and drift gillnet permit holders pay an enhancement tax at the time they sell salmon, which is 3% of the exvessel value of their catch. These funds support Alaska hatchery salmon production. Enhanced salmon allocation ranges were developed by the Southeast Allocation Task Force (SATF) within the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan*, adopted by the board in 1994. The plan specified a troll salmon enhanced value range of 27–32%. From 1994 to 2010, the values of enhanced troll harvests have fallen within that target range only four times during that 17-year period, with a recent five-year average (2006–2010) of 17%.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal. By adding days open to coho salmon retention during spring fisheries, the troll harvest of both enhanced and wild coho salmon would likely increase to some degree. Based on the low percentage of the annual troll coho salmon harvest taken from June 15–30 (Table 311.2), the potential increase in coho salmon harvest from June 1–14 is likely to be low, as well. During years of low wild coho salmon abundance, concerns could arise over meeting escapement goals in at least some parts of the region, due to an increase in troll coho salmon harvest.

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

Table 311.1–Average dressed weight of coho salmon harvested by troll gear.

Spring and Summer Troll Average Coho Weights (lb)			
Year	Avg Wt. Spring	Avg Wt. Summer	Weight Variations
2002	5.30	6.94	1.64
2003	5.27	6.55	1.28
2004	5.51	6.65	1.14
2005	5.80	5.70	-0.10
2006	5.22	6.41	1.19
2007	4.86	5.83	0.97
2008	5.96	7.42	1.46
2009	5.12	5.86	0.73
2010	6.02	6.93	0.91
2011	5.58	5.35	-0.23
2002–2011 Avg	5.46	6.36	.90

Table 311.2–Spring troll coho salmon percent of annual harvest.

Spring Troll vs. Annual Troll Coho Harvest			
Year	Spring	Annual	%Spring
2002	1,390	1,310,060	0.11%
2003	3,115	1,220,782	0.26%
2004	1,949	1,915,007	0.10%
2005	3,296	2,036,104	0.16%

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Table 311.2–continued (page 2 of 2)

Spring Troll vs. Annual Troll Coho Harvest			
Year	Spring	Annual	%Spring
2006	3,890	1,361,267	0.29%
2007	7,608	1,376,737	0.55%
2008	1,394	1,273,710	0.11%
2009	11,339	1,590,259	0.71%
2010	5,935	1,342,212	0.44%
2011	5,090	1,300,286	0.39%
2002–2011 Avg	4,501	1,472,642	0.31%

Table 311.3–Percent of Alaska hatchery coho salmon in spring troll harvest, 2002–2011.

Spring Troll Alaska Hatchery Coho Salmon Contributions			
Year	Harvest	Contribution	% of Harvest
2002	1,390	112	8.0%
2003	3,115	852	27.3%
2004	1,949	147	7.5%
2005	3,296	679	20.6%
2006	3,890	999	25.7%
2007	7,608	1,187	15.6%
2008	1,394	393	28.2%
2009	11,339	1,731	15.3%
2010	5,935	2,215	37.3%
2011	5,090	1,033	20.3%
2002–2011 Avg.	4,501	935	20.6%

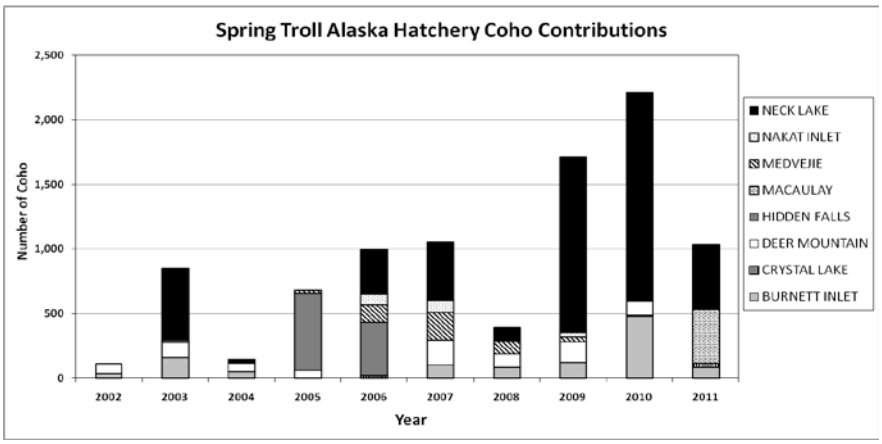

Figure 311.1–Spring troll Alaska hatchery coho salmon contributions, 2002–2011.

PROPOSAL 312 – 5 AAC 29.110. Management of Coho Salmon Troll Fishery.

PROPOSED BY: United Southeast Alaska Gillnetter's Association.

WHAT WOULD THE PROPOSAL DO? This proposal would require a 10-day mid-August troll closure for conservation and allocation, based on the department's midseason assessment**,** and a seven-day closure in late July if the projected wild commercial coho salmon harvest is less than 1.1 million fish.

WHAT ARE THE CURRENT REGULATIONS? The current coho management plan calls for a troll closure for up to seven days in late July if the total projected commercial harvest of wild coho salmon is less than 1.1 million fish. Current regulations require at least a two-day closure prior to the second king salmon retention period of the summer troll fishery. Current regulations allow for a closure of the coho salmon fishery up to 10 days in August for coho salmon conservation or allocation reasons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would change the resulting number of troll closure days necessary, following the department's July wild coho salmon commercial harvest projection and August coho salmon assessment, from a range of potential durations to fixed closure lengths. This would eliminate the department's ability to vary closure lengths based on fluctuating abundance levels from year to year.

BACKGROUND: Current year harvests and catch rates in the troll, purse seine, drift gillnet, set gillnet, and sport fisheries are summarized and compared to historical averages. A troll closure for up to ten days typically occurs in mid-August and is required to be a minimum of two days, by regulation, for a fair start prior to the second king salmon opening. The actual length of that closure is determined in early August, when an assessment determines whether the number of coho salmon reaching inside areas is adequate to provide for spawning requirements, given usual or restricted inside fisheries on coho salmon and other species (5 AAC 29.110(b)(2)(A)), or the proportional share of coho salmon harvested by the troll fishery is larger than that of inside gillnet and recreational fisheries, compared to average 1971–1980 levels (5 AAC 29.110(b)(2)(B)). If the department has concerns for coho salmon escapement or allocation, the closure would be longer than two days and could last as many as 10.

The provision for a midseason regionwide troll fishery closure was established by the board beginning for the 1980 season, and was in response to expansion of the troll fishery in the 1970s and the increasing proportion of the troll coho salmon catch taken in outside waters. There was concern that increasing harvest in outside waters early in the season was increasing the exploitation of fish primarily bound for mainland rivers in northern Southeast Alaska, and for

potential shortfalls in escapement and reduced harvest opportunities for inside users associated with it.

The initial midseason closure length was established at 10 days, beginning around July 10, unless the department determined that the coho salmon run was larger than the last 10-year average and that there was adequate escapement to inside salmon fishing areas. In 1981, based on the 1980 season closure from July 15–24, a mid-August closure was determined to be more effective in allowing fish to move to inside waters, and the duration of the closure should be modified to "approximately 10 days". In 1986, this regulation was modified for the more specific triggers currently in place today. In addition to this mid-August closure, the board added a provision prior to the 1991 season that allowed for an earlier closure of up to seven days beginning on or after July 25 if the projected commercial harvest (as an indicator of total abundance) is less than 1.4 million fish (later changed to 1.1 million wild fish). Concurrently, the regulation was amended to specify that the department "may close", rather than "will close", if these criteria were met. Since this late July provision was implemented, there have not been any troll closures resulting from the wild commercial coho salmon harvest projection.

From 1980 through 1992, midseason closures totaling a full 10 days were implemented, and were primarily due to the specific trigger that resulted from a greater proportionate share of the inseason troll catch compared with the drift gillnet catch, relative to the 1971–1980 base period. This elevated proportionate share was due, in large part, to increased harvest in outside waters early in the season before significant numbers of fish were available in drift gillnet fisheries. This was a shift that did not occur until near the end of the 1971–1980 base period. Reductions in king salmon retention period lengths were contributing factors to this shift, directing more troll effort at targeting coho salmon early in the season.

Since 1993, midseason closure lengths have averaged five days, and have ranged from zero days in 2003 to 10 days in 1995, 1997, and 2000 (Table 312.1), which has resulted in closure lengths of fewer than 10 days in 16 of 19 years. Initially, closure lengths were shortened primarily based on a period of regionally strong coho salmon returns during the early 1990s, but have been influenced by additional factors over the years. In 1989, the board established long-term cumulative commercial gear-type allocation guidelines for coho salmon, which directed management to consider allocations, in addition to inseason abundance indicators. Table 312.2 illustrates final allocation proportions by season, trending above allocations for troll and drift gillnet, and below for purse seine and set gillnet. Beginning in 1994, direct coho salmon assessments with biological escapement goals (BEGs) were established, providing more reliable indicators for management evaluations. In addition, both troll fishery and all-gear exploitation rates have averaged substantially lower for inside indicator stocks since 2000 compared with the 1980s and 1990s, increasing escapement to most systems relative to total return. With BEGs being achieved in the vast majority of cases, this trend reduced the need for fishery restrictions on returns of comparable abundance. Finally, another factor that influenced shorter closure lengths was the development, since the early 1990s, of a very successful summer coho enhancement program in southern Southeast Alaska that has contributed proportionately far more to the drift gillnet catch compared with the troll catch (Figure 312.1). Abundant returns of

highly-migratory hatchery coho salmon through the District 106 gillnet fishery during mid-June through early August have substantially increased the early-season drift gillnet catch used in the closure evaluation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. There is already a regulation in place that states there shall be a closure prior to the second king opening, which translates into a coho salmon closure.

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

Table 312.1–Troll and drift gillnet allocation proportions vs. troll coho salmon closure length, 1989–2011.

Closure Years	Avg Troll Proportion	Avg Drift Gillnet Proportion	Closure Length (days)
1989–93, 1995, 1997, 2000, 2006	64.0%	15.1%	8–10
1994, 1996, 1999, 2001–2005, 2007–2011	64.7%	14.7%	0–5
1994, 2002–2004	61.0%	15.8%	0–2

Table 312.2–Harvest and percent of commercially harvested coho salmon by gear type in Southeast Alaska, 1989–2011.

	Commercial Troll		Purse Seine		Drift Gillnet		Set Gillnet		All–Gear Total	
Year	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
1989	1,415,517	65%	333,116	15%	255,689	12%	176,816	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%	290,149	8%	3,424,623	100%
1993	2,395,887	67%	477,006	13%	445,880	13%	237,446	7%	3,556,219	100%
1994	3,467,599	63%	970,100	18%	744,558	13%	343,903	6%	5,525,285	100%
1995	1,750,262	56%	627,472	20%	456,820	15%	295,030	9%	3,129,584	100%
1996	1,906,769	64%	447,005	15%	404,627	14%	227,802	8%	2,986,172	100%
1997	1,170,534	64%	189,036	10%	156,725	9%	322,776	18%	1,838,904	100%
1998	1,636,711	59%	475,232	17%	441,458	16%	197,669	7%	2,750,969	100%
1999	2,271,803	69%	422,926	13%	394,260	12%	187,186	6%	3,276,855	100%
2000	1,125,219	67%	210,528	12%	181,796	11%	170,948	10%	1,688,378	100%
2001	1,845,627	63%	556,193	19%	338,083	12%	205,344	7%	2,934,372	100%
2002	1,315,062	55%	479,489	20%	491,683	21%	200,888	8%	2,388,473	100%
2003	1,223,458	58%	400,988	19%	467,337	22%	74,343	4%	2,110,452	100%
2004	1,916,675	68%	405,151	14%	339,466	12%	196,930	7%	2,815,188	100%
2005	2,038,296	75%	348,072	13%	297,878	11%	82,887	3%	2,708,296	100%
2006	1,362,983	75%	114,313	6%	277,853	15%	86,085	5%	1,820,657	100%
2007	1,378,062	72%	252,575	13%	204,081	11%	76,550	4%	1,911,268	100%
2008	1,293,030	63%	215,648	11%	377,469	19%	153,712	8%	2,039,859	100%
2009	1,591,547	67%	298,614	13%	351,367	15%	133,808	6%	2,375,336	100%
2010	1,343,151	59%	202,873	9%	578,303	25%	161,584	7%	2,285,911	100%
2011	**1,313,594**	**63%**	**351,994**	**17%**	**285,951**	**14%**	**126,215**	**6%**	**2,077,754**	**100%**
1989–2010 Average:	1,724,083	64%	396,485	14%	403,807	15%	188,067	7%	2,699,335	100%
Board of Fisheries Allocations (established 1989)		61%		19%		13%		7%		
1989–2010 Deviation from Allocations		5.2%		-24.9%		15.4%		1.5%		
2011 Deviation from Allocations		3.6%		-10.8%		5.9%		-13.2%		

Note: Annette Island and terminal harvests are included.

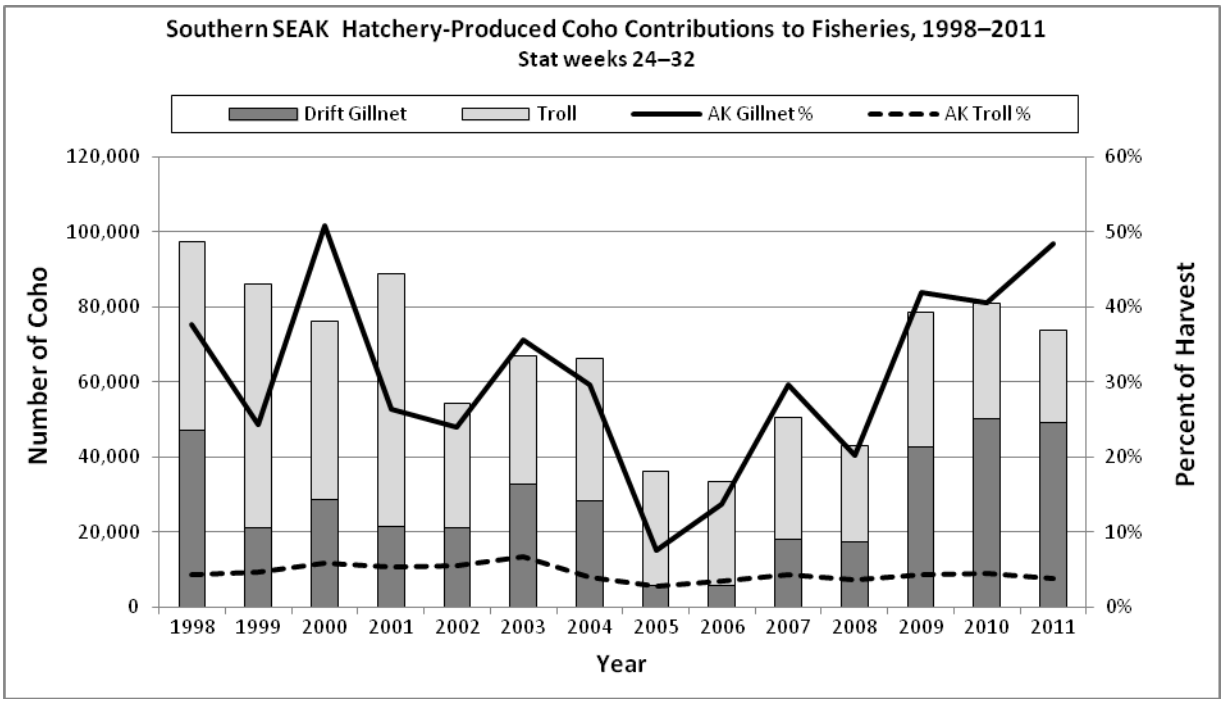

Figure 312.1–Southern Southeast Alaska hatchery-produced coho salmon contributions to fisheries, 1998–2011.

PROPOSAL 313 – 5 AAC 29.110. Management of Coho Salmon Troll Fishery.

PROPOSED BY: Alaska Trollers Association.

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? Current regulations allow troll harvest of coho salmon after September 20 only in years of high coho salmon abundance. The fishery may remain open for up to 10 additional days in all or part of the region.

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

BACKGROUND: The September 20 troll coho salmon closure date has been in effect since statehood. The provision to allow extensions to the summer troll fishery for up to 10 days was adopted by the Alaska Board of Fisheries (board) and first implemented in 1994 following a series of large returns to the region in 1991–1993 that had strong late-returning segments, which supported high troll catch rates through the September 20 closing date.

A troll season extension in all or part of the region has occurred in 10 of 18 years since the regulation enabling an extension was passed (Table 313.1). Harvests during extensions have been small relative to the overall harvest, averaging about 12,000 fish, or less than 1% of the total season troll harvest, and never exceeding 2% (Table 313.2). In general, significant harvest during extensions has required a combination of favorable late September weather, sufficient market interest, and a strong late-returning segment of feeding fish. All of these variables are difficult to predict, but the extension period occurs after most fish have matured and begun entering streams, so large harvests are unlikely during an extension, except when there is an unanticipated abundance of late-feeding fish. Fishing during season extensions has occurred primarily in three districts, which have accounted for over 75% of the total harvest, including the area around Ketchikan (District 101), where the proportion of hatchery fish has been high, in Cross Sound and Icy Strait (District 114) through which late mainland wild stocks and some hatchery stocks migrate, and in District 113 (primarily in Sitka Sound and outside waters adjacent to Cross Sound).

Although the specified trigger for a potential season extension (high abundance) can be variously defined, assessments have been made primarily from regionwide measures based on power troll catch per unit of effort (CPUE) and cumulative commercial harvest, as well as the distribution of

harvest and CPUE, and projected return abundance of wild indicator stocks. In addition, the cumulative allocation status of the troll fishery and other commercial gear groups is considered relative the coho salmon allocation guidelines established by the board in 1989, now contained in 5 AAC 29.065, *Allocation of coho salmon*. These guidelines reflect the 1969–1988 distribution of harvest in the Southeastern Alaska and Yakutat commercial salmon fisheries of 61% troll, 19% purse seine, 13% drift gillnet, and 7% set gillnet (Table 313.3).

The decision point for a troll season extension occurs in mid-September, when substantial information is available based on fishery performance (including wild and hatchery contributions), as well as direct information from weirs, fish wheel and test fishery projects, aerial surveys, and coded-wire-tag recovery data from wild indicator stocks. These data enable the department to project total abundance and escapement for some individual stocks (relative to biological escapement goals, or BEGs), as well as the total commercial harvest and an index of total wild coho salmon abundance in the region.

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

During previous Alaska Board of Fisheries (board) cycles, the department has taken a neutral perspective (because of allocation implications) on proposals to extend the troll season ending date, but has expressed concern that an automatic extension is a less conservative option for conservation than requiring justification based on abundance. However, the department's perspective has changed with improved stock assessment, an increased number of coho salmon stocks with BEGs, an assessment of harvest during season extensions (Table 313.2), and a review of exploitation rates and escapements. A declining trend in troll and all-gear exploitation rates on inside coho salmon stocks since the 1990s has made the regulatory trigger for an extension (i.e., a determination of "high" abundance) less relevant to conservation objectives, i.e., achievement of BEGs. While it is the board's prerogative to judge the current criterion for an extension for both allocation and conservation purposes, it is important to clarify that it sets the bar higher than is necessary to achieve BEGs under recent all-gear exploitation patterns.

As exploitation rates have declined, spawning escapement has increased dramatically in relation to the total abundance of returning fish. As an example, the decline in all-gear exploitation rates on the Hugh Smith Lake indicator stock (located southeast of Ketchikan) from an average of 75% in the 1990s to 52% (range 39–66%) during 2000–2011 (Figure 313.1) has increased escapement by about 92% at a given total run size. The decline in the average exploitation rate between the two periods has been relatively proportionate across major commercial gear types, and in Canadian fisheries, with the Alaska troll exploitation rate decreasing from an average of 41% in 1990–1999 to 28% in 2000–2011. At the lowest observed historical run size in 30 years (1,346 fish), a 1990s average all-gear exploitation rate on the stock would result in an escapement of 336 fish, only two-thirds of the lower bound of the BEG (500–1,600 spawners), whereas the more recent average exploitation rate (52%) would result in an escapement of 646 spawners, well within the BEG. Although recent returns have averaged only slightly above the

historical average, the BEG for the stock has been exceeded in each of the past four years (Figure 313.2).

Similar decreases in troll and all-gear exploitation rates during 2000–2011 compared with the 1990s have occurred in three wild stocks that migrate primarily through Icy Strait and Cross Sound (District 114). Average troll exploitation rate estimates decreased from 31% to 25% for Auke Creek, from 35% to 28% for the Berners River, and from 25% to 20% for the Taku River. Average all-gear exploitation rate estimates for the same systems decreased from 43% to 37% for Auke Creek, from 68% to 55% for Berners River, and from 55% to 42% for the Taku River. Average total abundance estimates have also decreased from the 1990s for all of these systems, with the exception of the Taku River, necessitating continued vigilance in managing for escapement. However, the decrease in exploitation rates in recent years, including years with liberal fishing opportunity, has reduced the usefulness of average total return abundance as a benchmark for conservation.

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

Table 313.1–Coho salmon extension years and length of August coho salmon closures.

Year	Days Closed in August	Season Extension	Area Extensions and Restrictions
1980	10	None	
1981	10	None	
1982	10	None	
1983	10	None	
1984	10	None	
1985	10	None	
1986	10	None	
1987	10	None	
1988	10	None	
1989	10	None	
1990	10	None	
1991	10	None	
1992	10	None	
1993	8	None	
1994	2	9/21–9/30	Districts 1–16 open with area restrictions
1995	10	9/21–9/30	Districts 1–16 open with area restrictions
1996	5	None	
1997	10	None	
1998	8	9/21–9/30	Districts 1–13 open with area restrictions
1999	5	9/21–9/30	Districts 1–16 open with area restrictions
2000	10	None	
2001	5	9/25–9/30	Districts 1–16 and 183 open (all state waters)*
2002	2	9/21–9/30	Entire region open except portion of Sitka Sound*
2003	0	9/21–9/30	Entire region open*
2004	2	9/21–9/30	Entire region open*
2005	4	None	

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Table 313.1–continued (page 2 of 2)

Year	Days Closed in August	Season Extension	Area Extensions and Restrictions
2006	4	None	
	5	9/21–9/30	Dist. 10–15, 181, 183 and 191 open with area restrictions
2007	5	None	
2008	5	None	
2009	5	9/21–9/30	Districts 1–11, 181, 183, 189, 191 open; Districts 12, 13, 154 open with area restrictions
2010	4	None	
2011	5	None	

Table 313.2–Harvest of coho salmon by the summer troll fishery before and during troll season extensions, 1994–2011.

Year	Harvest Before Extension	Number of Fish											Total Season Catch	% Caught During Extension
		21-Sep	22-Sep	23-Sep	24-Sep	25-Sep	26-Sep	27-Sep	28-Sep	29-Sep	30-Sep	Extension Total		
1994	3,458,365	1,219	1,147	1,595	260	229	394	317	154	454	1,709	7,478	3,465,843	0.2%
1995	1,735,178	872	1,927	1,879	321	1,618	679	175	1,578	579	1,620	11,248	1,746,426	0.6%
1996	1,905,055	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,905,055	Closed
1997	1,169,498	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,169,498	Closed
1998	1,630,534	385	1,045	945	760	380	349	112	695	33	213	4,917	1,635,451	0.3%
1999	2,235,563	2,088	787	1,276	4,292	3,978	5,885	2,750	1,796	965	1,019	24,836	2,260,399	1.1%
2000	1,123,986	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,123,986	Closed
2001	1,833,111	Closed	Closed	Closed	Closed	824	4,429	1,431	872	164	106	7,826	1,840,937	0.4%
2002	1,285,381	3,000	4,081	5,749	4,237	2,964	948	1,117	746	248	178	23,268	1,308,649	1.8%
2003	1,198,807	4,954	3,650	880	269	1,315	3,342	2,364	1,583	396	51	18,804	1,217,611	1.5%
2004	1,903,330	318	1,111	346	957	2,320	175	1,042	444	241	145	7,099	1,910,429	0.4%
2005	2,026,344	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	2,026,344	Closed
2006	1,349,805	1,662	1,169	1,110	915	738	436	185	149	65	36	6,465	1,356,270	0.5%
2007	1,367,462	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,367,462	Closed
2008	1,270,902	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,270,902	Closed
2009	1,567,879	747	737	663	469	336	289	354	71	52	0	3,718	1,571,597	0.2%
2010	1,334,119	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,334,119	Closed
2011	1,292,915	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	Closed	1,292,915	Closed
Average for years with an extension	1,819,795	1,525	1,565	1,444	1,248	1,470	1,693	985	809	320	508	11,566	1,831,361	0.8%
Average for years with an extension w/o 2001[a]	1,818,316	1,694	1,739	1,605	1,387	1,542	1,389	935	802	337	552	11,981	1,830,297	0.7%
Average for years without an extension	1,436,285	0	0	0	0	0	0	0	0	0	0	0	1,436,285	0.0%

[a] 2001 is excluded due to the shorter 6-day extension that year (9/25–30). All other years had 10-day extensions.

Table 313.3–Southeast Alaska coho salmon catch by gear type (1989–2011) and Board of Fisheries allocation guidelines.

	Troll		Purse Seine		Drift Gillnet		Set Gillnet		Commercial Total	
Year	No. of Fish	%	No. of Fish	%	No. of Fish	%	No. of Fish	%	No. of Fish	%
1989	1,415,517	64.9	333,116	15.3	255,689	11.7	176,773	8.1	2,181,095	100.0
1990	1,832,604	66.9	379,334	13.9	377,803	13.8	148,891	5.4	2,738,632	100.0
1991	1,719,082	59.3	411,854	14.2	601,179	20.7	166,731	5.8	2,898,846	100.0
1992	1,929,945	56.4	505,135	14.8	699,448	20.4	290,095	8.5	3,424,623	100.0
1993	2,395,887	67.4	477,006	13.4	445,880	12.5	237,446	6.7	3,556,219	100.0
1994	3,467,599	62.7	970,100	17.6	744,558	13.5	343,843	6.2	5,526,100	100.0
1995	1,750,262	55.9	627,472	20.0	456,820	14.6	295,030	9.4	3,129,584	100.0
1996	1,906,769	63.9	447,005	15.0	404,609	13.5	227,802	7.6	2,986,185	100.0
1997	1,170,368	63.6	188,974	10.3	156,725	8.5	322,776	17.6	1,838,843	100.0
1998	1,636,711	59.5	475,171	17.3	441,458	16.0	197,629	7.2	2,750,969	100.0
1999	2,272,653	69.4	422,926	12.9	394,260	12.0	187,055	5.7	3,276,894	100.0
2000	1,125,219	66.6	210,495	12.5	181,796	10.8	170,948	10.1	1,688,458	100.0
2001	1,845,627	62.7	556,056	18.9	338,083	11.5	205,344	7.0	2,945,110	100.0
2002	1,315,062	52.9	479,489	19.3	491,683	19.8	200,888	8.1	2,487,122	100.0
2003	1,223,458	56.5	400,988	18.5	467,293	21.6	74,343	3.4	2,166,082	100.0
2004	1,916,675	67.1	405,151	14.2	339,461	11.9	196,930	6.9	2,858,217	100.0
2005	2,038,296	73.7	348,072	12.6	297,878	10.8	82,887	3.0	2,767,133	100.0
2006	1,362,983	74.0	114,313	6.2	277,853	15.1	86,085	4.7	1,841,234	100.0
2007	1,378,062	72.1	252,575	13.2	204,041	10.7	76,550	4.0	1,911,228	100.0
2008	1,293,030	63.4	215,648	10.6	377,469	18.5	153,712	7.5	2,039,859	100.0
2009	1,591,547	67.0	298,614	12.6	351,367	14.8	133,808	5.6	2,375,336	100.0
2010	1,343,151	58.8	202,873	8.9	578,303	25.3	161,460	7.1	2,285,787	100.0
2011	1,313,594	63.2	351,968	16.9	285,951	13.8	125,830	6.1	2,077,343	100.0
Average	1,706,265	63.6	394,536	14.7	398,679	14.8	185,342	6.9	2,684,822	100.0
BOF Allocation		61		19		13		7		100
Absolute Deviation (%)		2.6		-4.3		1.8		-0.1		
Relative Deviation (%)		4.2		-22.7		14.2		-1.4		

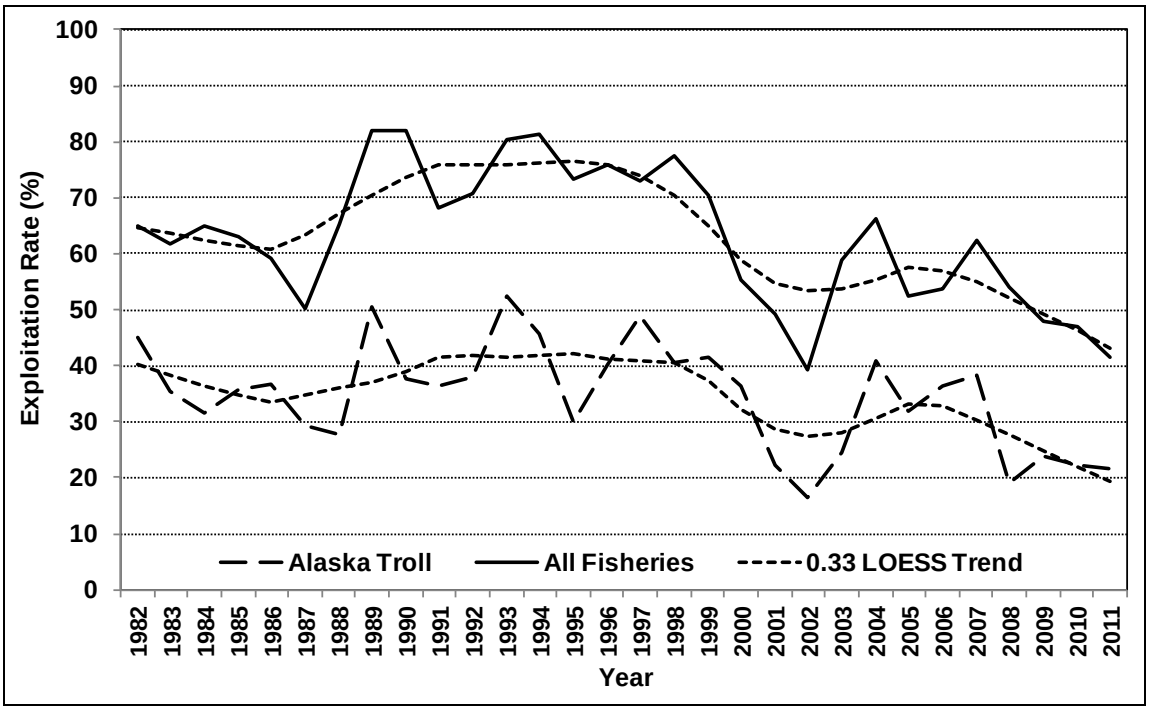

Figure 313.1–Estimated exploitation rate on the coho salmon return to Hugh Smith Lake by the Alaska troll fishery and all fisheries combined, 1982–2011.

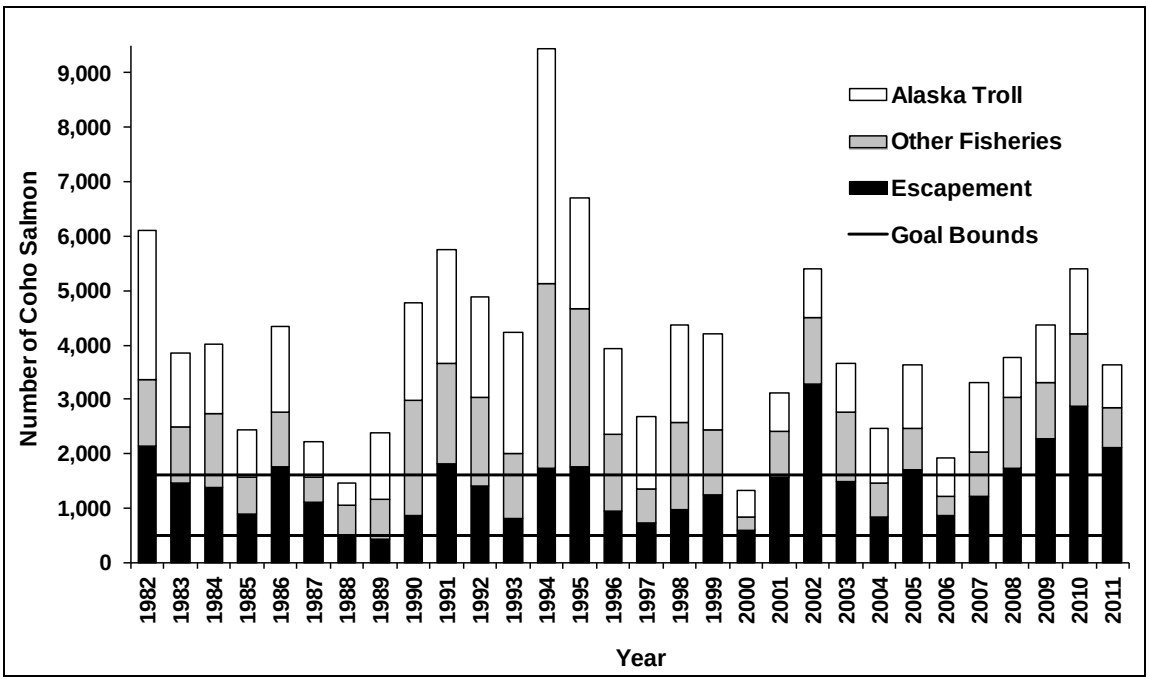

Figure 313.2–Estimated total coho salmon return to Hugh Smith Lake showing harvest by the Alaska troll fishery and other fisheries, and escapement relative to the biological escapement goal, 1982–2011.

PROPOSAL 314 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery; and 5 AAC 29.110. Management of Coho Salmon Troll Fishery.

PROPOSED BY: Charles Piercy.

WHAT WOULD THE PROPOSAL DO? This proposal would allow trolling in portions of districts 1, 6, and 8 after the general summer troll season closes, but no later than September 30. If a portion of a district is open to drift gillnet gear in a given statistical week, those same waters would be open to troll gear for that entire week. The proposal's intent is to increase the harvest of hatchery coho salmon returning to Southern Southeast Regional Aquaculture Association (SSRAA) enhancement projects.

WHAT ARE THE CURRENT REGULATIONS? Current regulations describe time periods and areas open to troll gear during the summer fishery in District 1. District 6 is open to troll gear during the summer troll fishery. Troll fishing periods are the same as drift gillnet openings in District 8.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would increase the number of days open to the troll fishery in districts 1, 6, and 8 during years in which the general summer troll season closes on September 20. The harvest of wild and enhanced coho and chum salmon would likely increase, including those produced by SSRAA.

BACKGROUND: Districts 1, 6, and 8 are open to troll gear from July 1 through September 20, with the exceptions described in regulation (cited above), as well as closed waters listed under 5 AAC 29.150(b)(g)(i). Waters open to troll gear in districts 1 and 6 are the same as those open to drift gillnet gear. Waters open to troll gear in District 8 are not the same as those open to drift gillnet gear.

Drift gillnet fisheries are limited to inside waters of the region and typically continue after the general summer troll season closes in late September.

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of allowing increased fishing time in a mixed-stock area outside of terminal harvest areas (THAs) based only on the presence of hatchery-produced fish. The department is **NEUTRAL** on the allocative implications of this proposal. The general summer troll season is extended past September 20 during years of high or above-average wild coho salmon abundance. The department is required to consider conservation of wild stocks to ensure that escapement goals are met and to consider allocation between gear groups. While the department supports troll access to enhanced salmon,

it is not the policy of the department to extend the troll season to improve access to enhanced salmon during years when wild coho abundance appears to be below average.

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

TIME AND AREA (5)

PROPOSAL 315 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery; and 5 AAC 29.110. Management of Coho Salmon Troll Fishery.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (SSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal would redefine the open area in Section 1-E for trolling during the summer season and would extend the summer closure date in this newly defined area from September 20 to September 30.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a portion of Section 1-E to troll gear within a mile of the shoreline from July 1–September 20. Troll harvest of coho salmon is allowed after September 20 only in years of high coho salmon abundance. The fishery may remain open for up to 10 additional days in all or part of the region.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal includes two separate concepts. The first concept would improve troll access to waters adjacent to the Neets Bay Terminal Harvest Area (THA) by modifying the area open to troll gear in West Behm Canal during the summer fishery. This change would allow trollers to keep their gear in the water as they fish along the THA boundary. Currently, the boundary line is defined as one mile off the shoreline, which results in a small closed area in the mouth of Neets Bay (Figure 315.1).

The second concept would establish a commercial troll fishery in West Behm Canal targeting coho returning to the Neets Bay Hatchery, which would be open through September 30 whether or not the general summer troll fishery is extended in that area. The proportion of hatchery fish normally increases in the coho salmon troll fishery as the season progresses. During the past three years, the Alaska hatchery contribution ranged from 49% to 81% during September (Figure 315.2). The harvest of enhanced coho salmon returning to Neets Bay, along with wild coho salmon stocks returning to Behm Canal systems, would increase. This increased harvest of wild stock coho salmon would occur in years of average to low abundance, which dictates the current September 20 closure date. This fishery has the potential to increase the proportion of coho salmon harvested by the troll fishery compared to other gear groups.

BACKGROUND: The waters of Section 1-E in West Behm Canal north of Escape Point and south of Nose Point have traditionally been open to trolling within one nautical mile of the Revillagigedo Island shore from July 1 through September 20. The troll fleet concentrates on waters outside of the Neets Bay THA during the time that chum salmon are returning to the Neets Bay Hatchery. The THA is closed to trolling from July 1–August 1, while SSRAA

conducts cost-recovery fishing operations. When the troll fishery is occurring and the Neets Bay THA is closed to trolling, there is a break in the northern and southern sections of open area near the mouth of Neets Bay. The line is described as within one mile of the shoreline, but because the mouth of Neets Bay is wider than two miles, there is a small closed section between the northern and southern areas. This small closed section does not allow a troll vessel to legally fish without removing gear from the water when fishing between the southern section and the northern section. This proposed change in the area description would redefine this Section 1-E fishery, allowing trollers to fish historical drags and to keep their gear in the water while fishing outside of the THA. This line change went into effect by emergency order (EO) during the 2010 and 2011 summer troll seasons. This proposal seeks to put what has been done by EO into regulation.

The troll fishery closes by regulation on September 20, though it can be extended through September 30 in years of high coho salmon abundance. Prior to the 1990s, coho salmon catch rates and troll participation declined significantly by September 20 during many years, so that the closure date was not a big issue. That changed during the years 1991–1993, when coho salmon returns were extremely late and strong. New regulations adopted by the Alaska Board of Fisheries (board) in 1994 allowed trollers to benefit from a potential season extension during years of high coho salmon abundance. The fishery has been extended in 10 of the 18 years since 1994.

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of allowing increased fishing time in a mixed-stock area outside of a THA, based only on the presence of hatchery-produced fish. The department has concerns for the effect that an additional 10 days of fishing would have on wild king and coho salmon stocks migrating through West Behm Canal, especially during years of low to average coho salmon abundance. Systems of potential concern include the Chickamin River and its tributaries, Unuk River and its tributaries, Herman Creek, Grant Creek, Klahini River, Hatchery Creek, and several others. The area described in this proposal would be open to trolling during high coho salmon abundance years when the season is extended through September 30, as part of the general summer fishery.

The department is **NEUTRAL** on the allocative implications of this proposal. This proposal has the potential to increase the proportion of coho salmon harvested by the troll fishery compared to other gear groups.

The department **SUPPORTS** the portion of the proposal for a modified area to be open to trolling July 1 through September 20. It is the same recommendation as found in Proposal 316, which was submitted by the department.

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

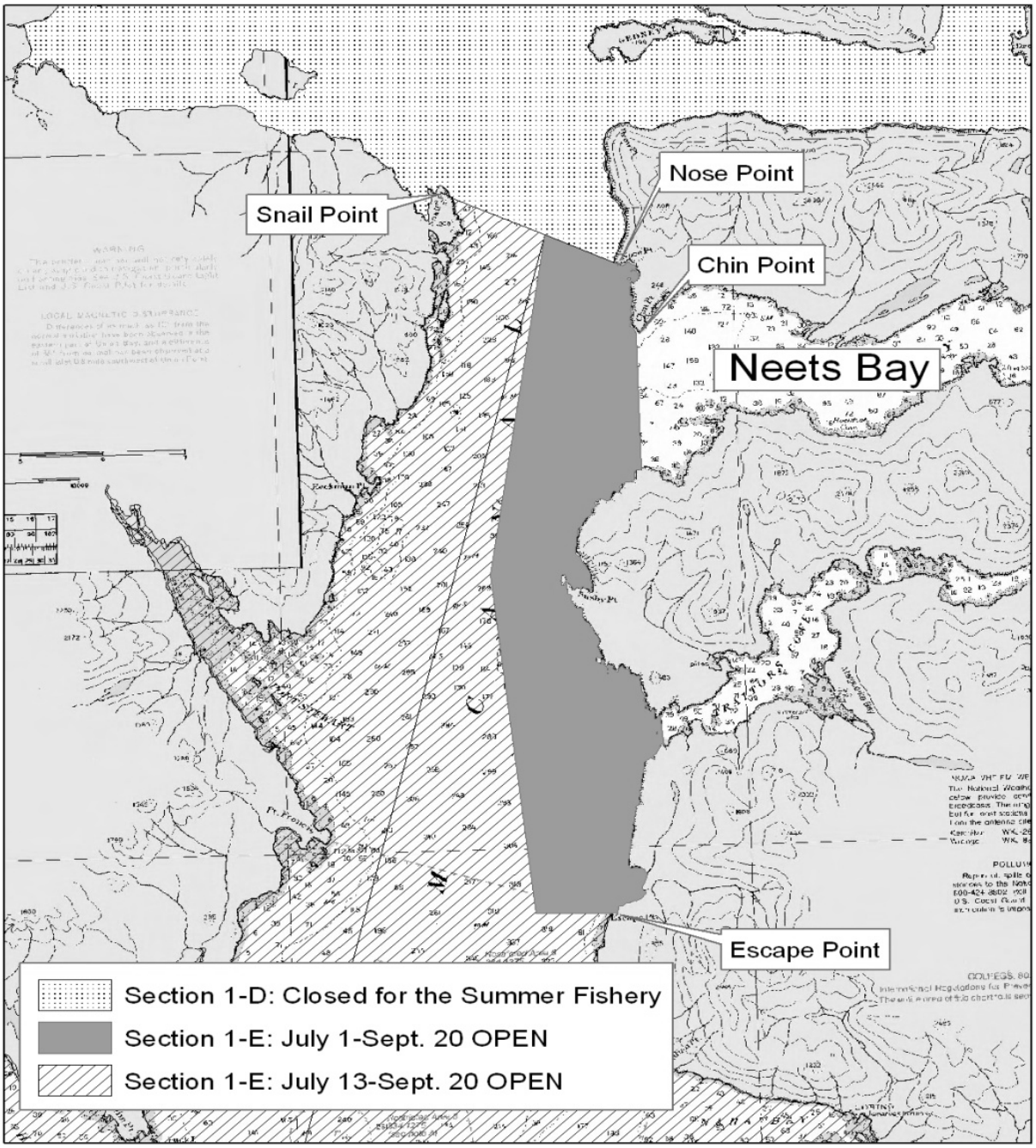

Figure 315.1–Waters open to trolling in 2010 and 2011 are shaded in solid gray.

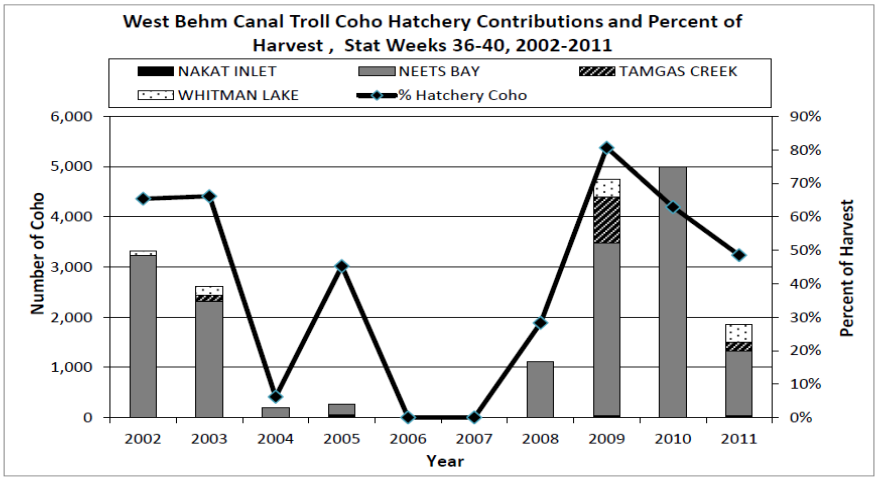

Figure 315.2–Alaska hatchery coho salmon contribution to troll harvest during September.

PROPOSAL 316 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would redefine the area open for trolling in West Behm Canal (Section 1-E) during the summer fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open a portion of Section 1-E to troll gear within a mile of the shoreline from July 1–September 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would improve troll access to waters adjacent to the Neets Bay Terminal Harvest Area (THA), as well as simplify the boundaries of the open area. This change would allow trollers to keep their gear in the water as they fish along the THA boundary. Currently, the boundary line is defined as one mile off the shoreline, which results in a small closed area in the mouth of Neets Bay.

BACKGROUND: The waters of Section 1-E in West Behm Canal north of Escape Point and south of Nose Point has traditionally been open to trolling within one nautical mile of the Revillagigedo Island shore from July 1 through September 20. The troll fleet concentrates on waters outside of the Neets Bay THA during the time that chum salmon are returning to the Neets Bay Hatchery. The THA is closed to trolling from July 1–August 1, while Southern Southeast Regional Aquaculture Association (SSRAA) conducts cost-recovery fishing operations. When the troll fishery is occurring and the Neets Bay THA is closed to trolling, there is a break in the northern and southern sections of open area near the mouth of Neets Bay. The line is described as within one mile of the shoreline, but because the mouth of Neets Bay is wider than two miles, there is a small closed section between the northern and southern areas that does not allow a troll vessel to legally fish without removing gear from the water when fishing between the southern section and the northern section. This proposed change in the area description would redefine this Section 1-E fishery, allowing trollers to fish historical drags and to keep their gear in the water while fishing outside of the THA. This line change went into effect by emergency order (EO) during the 2010 and 2011 summer troll seasons. This proposal seeks to put what has been done by EO into regulation.

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

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

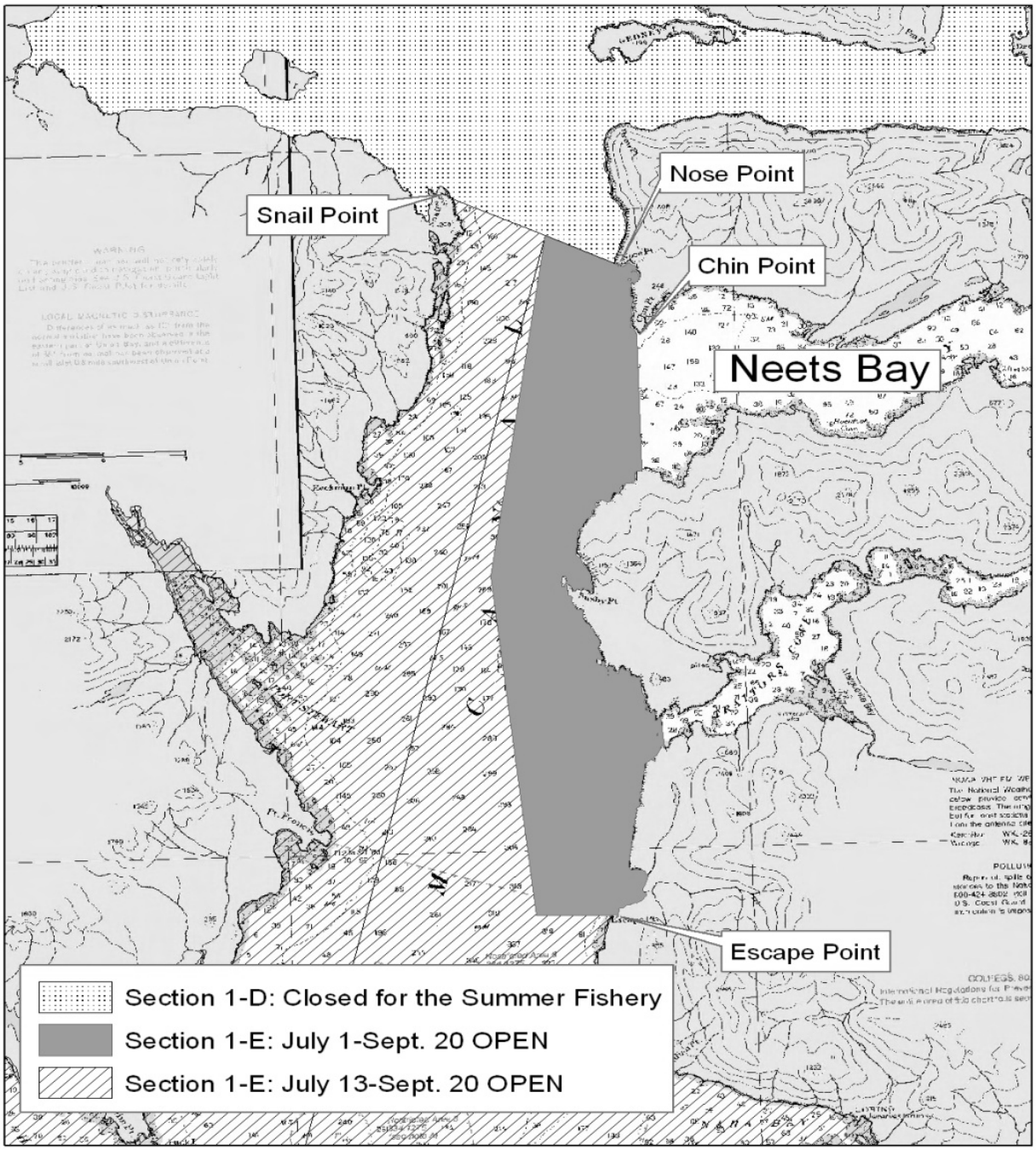

Figure 316.1–Waters open to trolling in 2010 and 2011 are shaded in solid gray.

PROPOSAL 317 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would extend the summer troll fishery in a portion of Section 1-E (Figure 317.1) so that it would close on September 30 rather than September 20. The area proposed is located in West Behm Canal, between Indian Point and Nose Point.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow for troll harvest of coho salmon after September 20 only in years of high coho salmon abundance. The fishery may remain open for up to 10 additional days in all or part of the region.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would establish a commercial troll fishery in West Behm Canal to target coho salmon returning to the Neets Bay Hatchery through September 30. The proposed area would remain open whether or not the summer troll fishery was extended in other parts of the region and regardless of projected wild coho salmon abundance. The harvest of enhanced, as well as wild, coho salmon stocks returning to Behm Canal systems would likely increase.

This fishery has the potential to increase the proportion of coho salmon harvested by the troll fishery compared to other gear groups.

BACKGROUND: The summer troll fishery closes by regulation on September 20, unless extended by 10 days during years of high coho salmon abundance. The proportion of hatchery fish normally increases in the coho salmon troll fishery as the season progresses. During the past three years, the Alaska hatchery contribution ranged from 49% to 81% during September (Figure 317.2). Prior to the 1990s, coho salmon catch rates and troll participation declined significantly by September 20 during many years, so that the closure date was not a big issue. That changed during the years 1991–1993, when coho salmon returns were extremely late and strong. New regulations adopted by the Alaska Board of Fisheries in 1994 allowed trollers to benefit from a potential season extension during years of high coho salmon abundance. The fishery has been extended in 10 of the 18 years since 1994.

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of allowing increased fishing time in a mixed-stock area outside of a terminal harvest area based only on the presence of hatchery-produced fish.

The department has concerns for the effect that an additional 10 days of fishing would have on wild king and coho salmon stocks migrating through West Behm Canal, especially during years

of low to average coho salmon abundance. Systems of potential concern include the Chickamin River and its tributaries, Unuk River and its tributaries, Herman Creek, Grant Creek, Klahini River, Hatchery Creek, and several others. The area described in this proposal would be open to trolling during high coho salmon abundance years when the season is extended through September 30, as part of the general summer fishery.

The department is **NEUTRAL** on the allocative implications of this proposal. This proposal has the potential to increase the proportion of coho salmon harvested by the troll fishery compared to other gear groups.

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

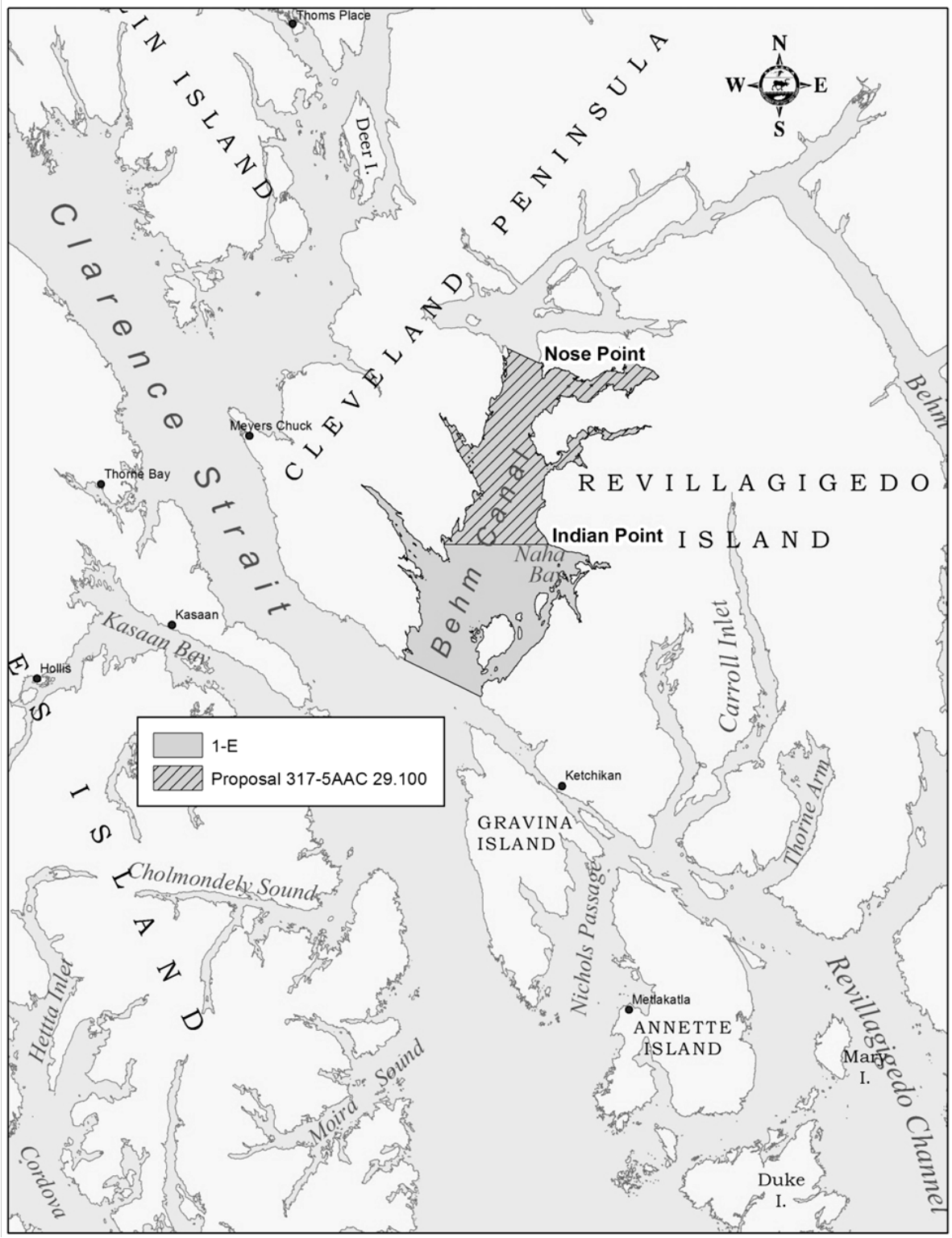

Figure 317.1–Area proposed to remain open to trolling through September 30.

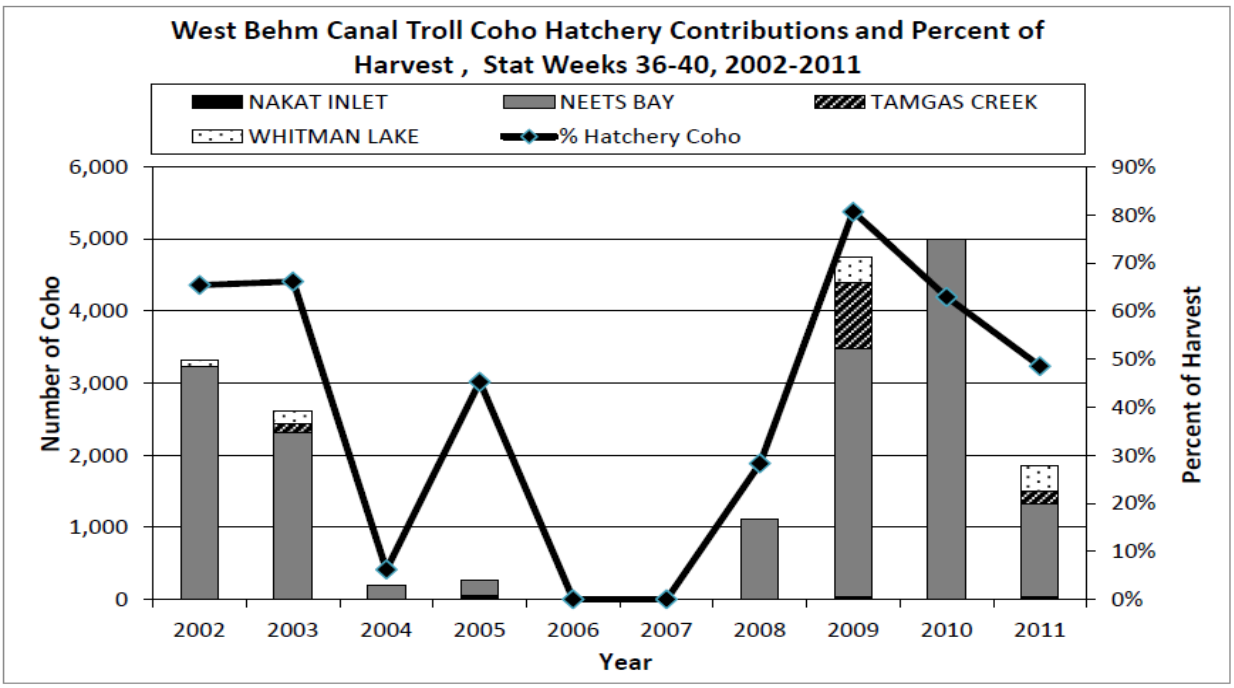

Figure 317.2–Alaska hatchery coho salmon contribution to troll harvest during September.

PROPOSAL 318 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify what areas are open and closed to troll gear in District 1 during the summer fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations describe waters within District 1, near Behm Canal, which are closed to troll gear during specific portions of the summer troll fishery to protect wild king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would clarify when portions of Section 1-F are open and closed to trolling.

BACKGROUND: Section 1-F is located in the Ketchikan Management Area and includes waters surrounding Gravina, Duke, and Mary islands. Most waters of Section 1-F are open to trolling during the summer fishery, with the exception of two relatively small areas within Section 1-F. These two areas are closed during all or part of July to protect wild king salmon returning to rivers in Behm Canal and Boca de Quadra (Figure 318.1). The existing regulation is incorrect as written, since it does not specify when waters of Section 1-F are open outside of those two restricted areas.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The current regulation is incorrect and confusing as written. Department staff, state enforcement agencies, and troll permit holders have been confused by the existing regulatory language and will benefit from the proposed clarifying correction to the regulatory language.

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

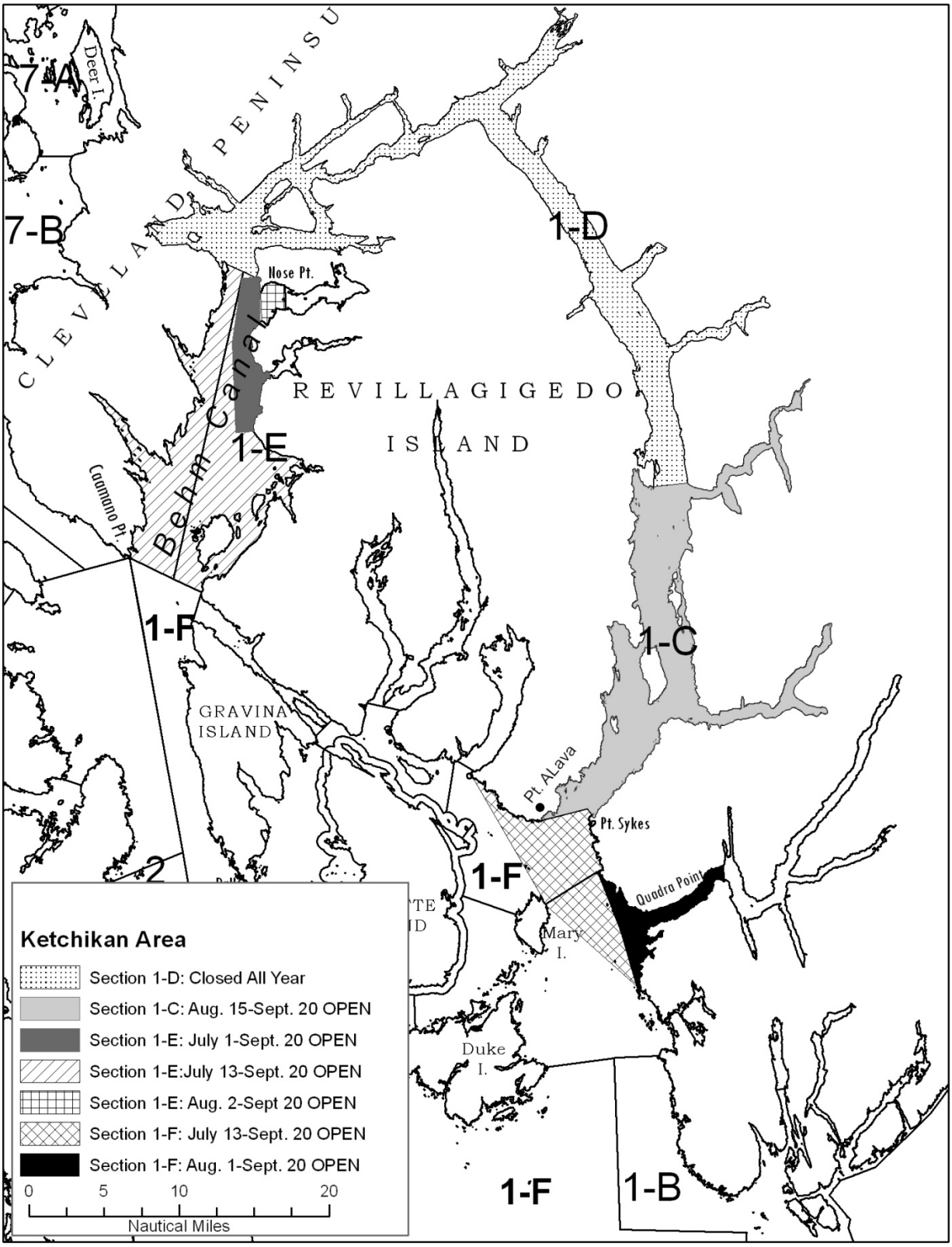

Figure 318.1–Areas open and closed to trolling in District 1 during the summer fishery.

PROPOSAL 319 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery; and 5 AAC 29.112. Management of Chum Salmon Troll Fishery.

PROPOSED BY: Wrangell Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would open a portion of Chichagof Pass, in District 8, to troll gear seven days a week, beginning July 1. Troll fishing periods would no longer be the same as drift gillnet fishing periods.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require troll fishing periods be the same as those for drift gillnet gear in District 8.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would de-link summer troll fishery openings from drift gillnet openings in one portion of District 8. The number of days open to trolling in Chichagof Pass would increase and troll harvest of both wild and enhanced salmon may increase, including Anita Bay chum salmon and Stikine River king salmon. The proposed change would fall within the Pacific Salmon Treaty accounting period for Stikine River king salmon, which is June 30 to approximately July 16.

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 in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000. In 2001, the Southern Southeastern Regional Aquaculture Association (SSRAA) transferred release of king, coho, and chum salmon from Earl West Cove to Anita Bay. In 2003, the outer terminal harvest area (THA) line was moved to the mouth of the bay. Also in 2003, three lines were established in the head of the bay to reduce Dungeness crab gear and net conflicts. These lines are time-restricted. As the season progresses, the net fisheries are allowed further in the bay. In 2002, the first common property harvest occurred on hatchery returns in the Anita Bay THA. The 2003 season was the first season that a significant amount of chum salmon were harvested in the THA.

In 2011, over 140,000 chum salmon were harvested by drift gillnet gear, compared with 511 chum salmon harvested by troll gear (Table 319.1). From 2003–2011, purse seine gear harvested a total of 656,061 chum salmon, drift gillnet gear harvested a total of 469,171 chum salmon, and troll gear harvested a total of 593 chum salmon in the Anita Bay THA (Table 319.2). Gillnetters have harvested significant numbers of chum salmon outside of the THA in waters of District 8. Statistical areas 108-10 and 108-20 encompass the waters of Zimovia Strait, Chichagof Pass, and a section of Stikine Straits. Drift gillnet chum salmon harvests in this area have ranged from 37,490 to 258,750 fish since 2005 (Table 319.3). The majority of these chum salmon are enhanced chum salmon heading the Anita Bay THA. These harvests have taken place during common property openings in traditional fishing areas of District 8 that are open during sockeye or pink salmon management. The District 8 drift gillnet

fishery is managed for Stikine River king salmon from June 30 to roughly July 16, for sockeye salmon from June until approximately August 1, and for coho salmon beginning around September 1.

Commercial troll, purse seine, and drift gillnet permit holders pay an enhancement tax at the time they sell salmon, which is 3% of the exvessel value of their catch. These funds support Alaska hatchery salmon production. Enhanced salmon allocation ranges were developed by the Southeast Allocation Task Force (SATF) within the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan*, which was adopted by the Alaska Board of Fisheries (board) in 1994. The plan specified a troll salmon enhanced value range of 27–32%. From 1994 to 2010, the values of enhanced troll harvests have fallen within that target range only four times during that 17-year period, with a recent five-year average (2006–2010) of 17%.

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of allowing increased fishing time in a mixed-stock area outside of a THA based only on the presence of hatchery-produced fish.

The department is **NEUTRAL** on the allocative implications of this proposal. The reason for asking for increased fishing time in this particular portion of District 8 was not stated in the proposal. During the summer, trollers can fish seven days per week in the Anita Bay THA, as well as in waters of Zimovia Straits immediately outside the THA. Most waters of Southeast Alaska are open to trolling during the summer fishery, with the exception of portions of districts 1, 8, 11, and 15. Closed waters listed under 5 AAC 29.150 also apply during the summer troll fishery.

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

Table 319. 1–2011 District 8 days open, chum harvest, and boats by gear.

Week	Days	Gillnet Chum Harvest	Gillnet Effort	Troll Chum Harvest	Troll Effort
27	4	1,082	49	*	*
28	4	5,034	48	4	3
29	2	8,423	30	*	*
30	3	19,052	61	*	*
31	3	32,444	73	*	*
32	3	51,544	65	*	*
33	3	18,238	57	252	5
34	2	1,975	45	0	3
35	2	668	33	0	4
36	2	391	29	0	4
37	3	549	48	*	*
38	3	282	21	*	*
39	2	154	27	-	-
40	2	17	11	-	-
Total	**41**	**140,250**	**-**	**511**	**-**

Note: * indicates that data is confidential. Blank cells indicate no effort.

Table 319.2–Chum salmon harvest in the Anita Bay THA.

Year	Seine	Seine Effort	Gillnet	Gillnet Effort	Troll	Troll Effort	Total
2003	-	-	2,263	15	-	-	2,263
2004	*	*	43,197	67	-	-	43,203
2005	66,506	14	57,146	109	-	-	123,652
2006	261,103	97	88,043	126	-	*	349,146
2007	40,805	87	92,576	226	32	14	133,413
2008	46,345	67	28,651	192	-	*	74,996
2009	31,917	53	28,521	233	-	4	60,438
2010	142,551	119	61,587	296	-	6	204,138
2011	66,828	42	67,183	278	561	25	134,572
Total	**656,061**		**469,171**		**593**		**1,125,825**

Note: * indicates that data is confidential. Blank cells indicate no effort.

Table 319.3–Drift gillnet harvest in numbers of fish in 108-10 and 108-20, 2002–2011.

Year	King	Sockeye	Coho	Pink	Chum
2002	10	112	736	266	1,535
2003	70	679	4,588	4,067	6,445
2004	401	1,262	9,378	2,779	7,997
2005	1,229	4,437	7,249	19,442	79,321
2006	2,023	5,254	12,318	15,347	258,750
2007	4,473	6,465	6,122	14,787	114,055
2008	3,725	1,382	11,046	7,715	50,486
2009	1,732	5,089	8,433	6,734	134,483
2010	1,475	2,516	17,899	3,000	37,490
2011	2,925	3,508	4,899	17,863	115,133

CLOSED WATERS (2)

PROPOSAL 321 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery; 5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan.

PROPOSED BY: Yakutat Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would adjust the northern boundary of an area near the Situk River, which is closed to troll gear during the summer fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations describe waters adjacent to the Situk-Ahrnklin Inlet which are closed to troll gear from August 7 through September 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would move the northern boundary of the closed area approximately one and one-half miles to the northwest, while maintaining the current southern boundary. This change would enlarge the area that is closed to trolling adjacent to the Situk-Ahrnklin Inlet by four and one-half square miles. The proposal also specifies that the northern boundary would become permanent and would not be moved further to the northwest in future years, even if the Situk River mouth continues to migrate in that direction. This would ensure that the most productive area, near Ocean Cape, remains open to trolling. Troll exploitation on Situk River king and coho salmon stocks might be reduced to some degree, potentially allowing more fish to move into the Situk River and Estuary, where they would be accessible to the setnet and inriver fisheries or available for escapement.

BACKGROUND: This closed area has been in regulation for at least 30 years and was originally proposed by the Yakutat Advisory Committee. At that time, there was a large power troll fleet in Yakutat, and it fished outside the area open to set gillnet gear. The closure was implemented in order to reduce troll exploitation of Situk River coho salmon by troll gear (5 AAC 29.100(i)(2)). The same closed area was implemented in order to reduce troll exploitation of Situk River king salmon (5 AAC 30.365). Reducing troll exploitation on these stocks would allow more fish to move into waters open to set gillnet gear.

The regulation closes a rectangle of ocean waters adjacent to the terminus of the Situk-Ahrnklin Inlet a distance of approximately 10 miles north and south of the terminus of the inlet. The terminus of the inlet has been migrating northward along the beach such that the closed water rectangle extends now from approximately 15 miles south of the terminus to approximately five

miles to the north. This proposal would adjust the closed waters boundary lines to reflect the changing geography.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. While reducing troll exploitation has the potential to increase escapement to the Situk River, the level of escapement would depend on the level of exploitation by the set gillnet fleet once fish migrate to inside waters.

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

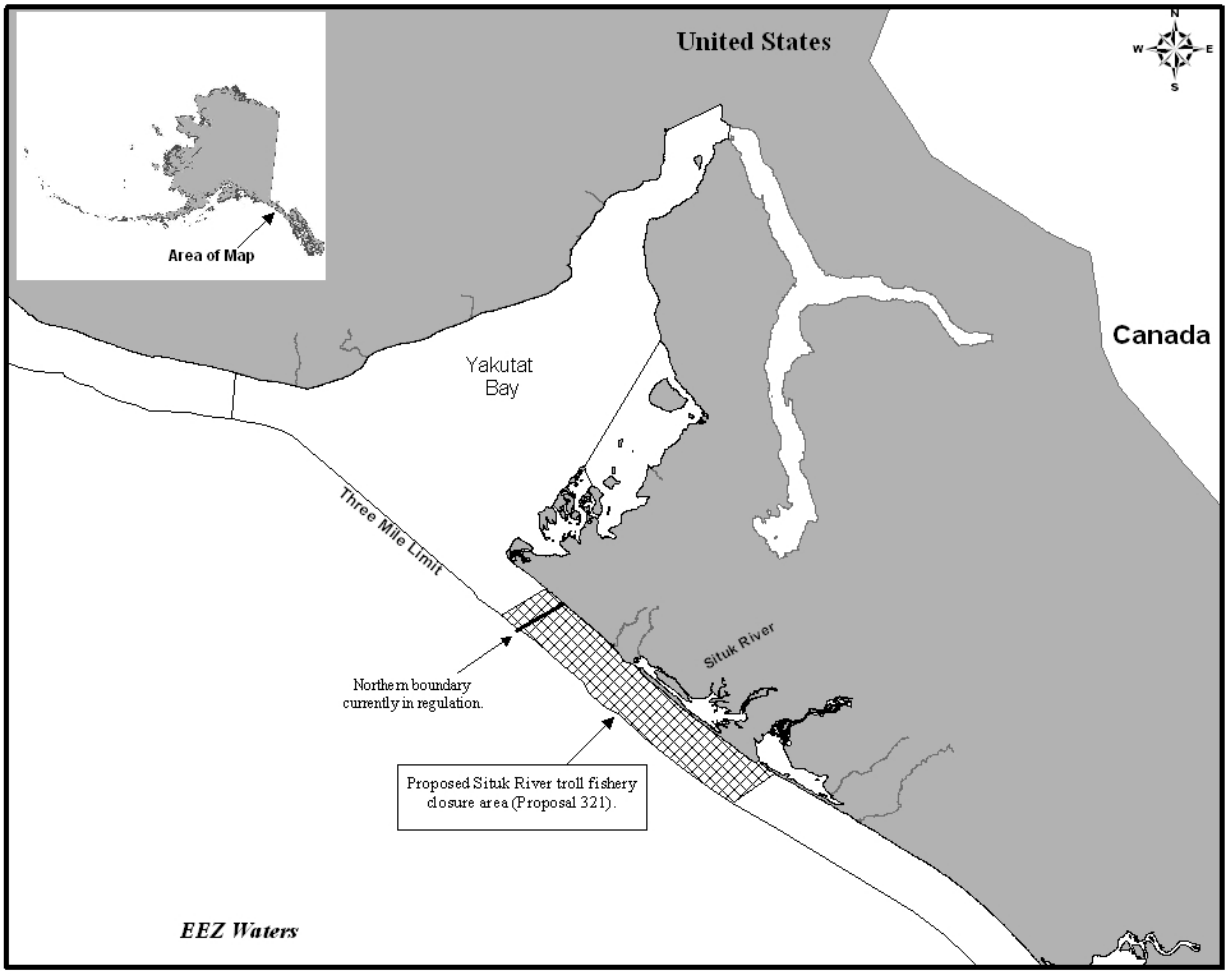

Figure 321.1–Proposed closed area boundaries and current boundaries near Situk River.

PROPOSAL 322 – 5 AAC 29.100. Management of the Summer Salmon Troll Fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would readjust the lines of the waters closed to trolling off the mouth of the Situk River estuary to reflect the original intent of the closure, which was intended to reduce troll exploitation on Situk River king and coho salmon. The original closure lines were 10 miles either side of the mouth of the Situk estuary. The mouth of the estuary has migrated northward along the coastline, and this proposal would reset the lines at 10 miles, while recognizing the new geography.

WHAT ARE THE CURRENT REGULATIONS? Current regulations describe waters adjacent to the Situk-Ahrnklin Inlet that are closed to troll gear from August 7 through September 20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would move both the north and south troll closure lines north along the coast until the original distance of 10 miles either side of the mouth of the Situk River estuary is again attained. The intent of this department proposal was not to reallocate fish, but to recognize the need to reposition the boundaries of the existing troll closure in regulation. As written, this proposal could reduce troll harvests and increase setnet harvests because it would close trolling around Ocean Cape, which is an effective fishing location for trollers. Proposal 321 may address the same problem with less effect on allocations.

BACKGROUND: The current regulation has been in effect for over 30 years. Originally, it provided a troll closure of state waters adjacent to the mouth of the Situk River estuary for a distance of 10 miles both north and south of the mouth of the estuary. The closure was initially proposed by the Yakutat Fish and Game Advisory Committee and was allocative in nature. It provided an area of separation between the troll and set gillnet gear groups targeting salmon destined for the Situk-Ahrnklin Inlet.

DEPARTMENT COMMENTS: The department **SUPPORTS** readjustment of the troll closure lines north and south of the Situk River estuary to 10 miles, as provided for in the original regulation, in order to reduce troll exploitation on Situk River king and coho salmon stocks. The mouth of the Situk River estuary has migrated north along the coast to the point that the original lines in regulation are obsolete. If adopted, this proposal would readjust the lines while maintaining the original intent of the regulation. However, the department recognizes the allocative implications of this proposal and is **NEUTRAL** on them.

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

NET (12)

SEINE (3)

PROPOSAL 287 – 5 AAC 39.117. Vessel Length; Bulbous Bow; and 5 AAC 27.XXX. New Regulation.

PROPOSED BY: Scott McAllister.

WHAT WOULD THE PROPOSAL DO? This proposal requests a new regulation that would exclude stern ramps and rollers in the 58-foot overall seine vessel length limit for Southeast Alaska, allowing vessels configured for out-of-state drum seining to participate in the purse seine fishery without removing their stern ramps and rollers.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 39.117 is the only regulation that references vessel length; it provides that the bulbous bow is the only part of the vessel can exceed the vessel length requirement (excluding anchor rollers). 5 AAC 39.160, *Maximum length of salmon seine vessel*, was cited in the proposal, but was repealed in 1991. The following statute is relevant to this proposal:

> AS 16.05.835. *Maximum Length of Salmon Seine and Certain Hair Crab Vessels*.
>
> (a) Unless the Board of Fisheries has provided by regulation for the use of a longer vessel in a salmon seine fishery, a salmon seine vessel may not be longer than 58 feet overall length except vessels that have fished for salmon with seines in waters of the state before January 1, 1962, as 50-foot, official Coast Guard register length vessels.
>
> (c) In this section "overall length" means the strait line length between the extremities of the vessel excluding anchor rollers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow seine vessels configured for drum seining out-of-state to participate in the Southeast Alaska purse seine fishery without removing the stern ramp and rollers that would put them out of compliance with current seine vessel overall length limitations.

BACKGROUND: The original 58-foot seine vessel limit was enacted to prevent larger out-of-state vessels, such as herring seiners, from moving into the salmon seine fishery, and greatly increasing the effort. The original 1960 statute specified that no seiner could be longer than 50 feet registered length. In 1962, this was changed to 58-feet overall length, exempting vessels that had fished before 1962 as 50-foot registered length vessels. The statute was changed in

January 2005, authorizing the Alaska Board of Fisheries (board) to adopt a regulation changing the length of salmon seine vessels. In 2008, 5 AAC 39.117 was adopted, allowing seine vessels retrofitted with a bulbous bow to exceed the established vessel overall length limitation if it is only the added bulbous bow that causes the vessel to exceed the limitation.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. It would be an advantage to purse seine permit holders who fish from vessels also participating in out-of-state drum seine fisheries. Allowing these vessels to retain their stern ramps would effectively provide them with somewhat greater deck space to stack their purse seine and operate deck gear, making them slightly more efficient. It would be a greater advantage logistically, because those fishermen will not have to remove from their vessels and store the stern ramp and rollers before participating in the Southeast Alaska purse seine fishery. This proposal would not allow vessels larger than those complying with current overall vessel length limitations to participate in the fishery, and it will have little to no effect on the catching-power or packing ability of these vessels. Approval of this proposal would not affect the department's ability to manage purse seine fisheries in Southeast Alaska.

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

PROPOSAL 288 – 5 AAC 39.240(a). General gear specifications and operations.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow a purse seine vessel to have two legal limits of seine gear on board a vessel in Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? Regulations allow only one legal limit of salmon gear on a fishing vessel or any boat towed by that vessel. Provisions allow for unhung gear for mending purposes to be carried. In Southeast Alaska, seines can be from 150–250 fathoms in length, 150 meshes–450 meshes in depth, and the mesh size limit is four and one-half inches; except for the first 25 meshes above the lead line, the mesh can be up to seven inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide a specific exception for Southeast Alaska to the statewide regulation, 5 AAC 39.240, which would allow salmon fishing vessels in Southeast Alaska to have more than one limit of gear on board the permit holder's vessel. Vessels fishing in terminal harvest areas (THAs) and wild-stock fisheries could have on board gear for deep or shallow water, depending on the circumstances. The effect of this would increase overall efficiency of gear, change fishing practices, and increase fishing in shallower waters near stream mouths. Opportunities would arise in wild-stock fisheries where nets designed for shallow water could harvest fish that otherwise, without a specialized net, would have contributed to escapement.

BACKGROUND: Seine gear regulation can be traced to at least 1950, when Alaska fisheries were managed by the federal government. Since statehood, this regulation has remained relatively unchanged.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal, as written, since it could have somewhat unpredictable, yet potentially deleterious effects on wild-stock fisheries and could jeopardize escapements. Long-standing fishing patterns could change and management would need to change in response. In part, management of the fishery works well now since many regulations have been in place for decades, and management has adapted to the combined effects of the regulations. There is no resource concern in THAs where enhanced fish may be accessed and quality improved, but the effects in traditional wild-stock fisheries are unknown and more difficult to foresee. It is likely that large-boat fishermen would take advantage of this additional opportunity and many would eventually carry a second net. The department would need to be vigilant and management would need to be more conservative, especially with respect to positioning stream markers. Changing marker locations is both difficult and expensive for the department, and in some cases, years pass between the times that markers can be accessed. A large-scale change within the fleet that allows the use of multiple

nets could lead to changes in quality and total harvest depending on the department's ability to respond to changes in long-standing fishing practices.

Enforcement of net specifications would likely be more complex and time consuming for the Alaska Wildlife Troopers since it may need to check two nets instead of one for compliance with gear specifications. Alaska Wildlife Troopers should be asked to comment on how enforcement of seine specifications would be affected by the use or transport of two nets on board purse seine vessels.

The department is **NEUTRAL** on the allocative aspect of this proposal that could afford fishermen with larger seine boats increased overall opportunity. However, the department would require additional resources should it become necessary to reposition regulatory markers in many locations around the region due to changing overall effectiveness of gear. Additional fishery and escapement aerial surveys may be needed to support timely inseason management actions.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 294 – 5 AAC 39.010. Retention of fish taken in a commercial fishery; 5 AAC 30.395. Reporting requirements; 5 AAC 33.394. Landing of steelhead; and 5 AAC 39.130. Reports required of fishermen, processors, buyers, and operators of certain commercial fishing vessels; transporting requirements.

PROPOSED BY: Peter B. Wright.

WHAT WOULD THE PROPOSAL DO? This proposal would change how commercially-harvested salmon or steelhead trout that are retained, but not sold, are reported and quantified. It would require commercial fisheries to report harvest of salmon and steelhead trout taken in the commercial fishery, but retained for personal use, to be reported to creel census personnel at the point of offloading; commercial fishers would not be required to report these fish on fish tickets.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 39.010. *Retention of fish taken in a commercial fishery*.

(a) A person engaged in commercial fishing may retain finfish from lawfully taken commercial catch for that person's own use, including for the use as bait in a commercial fishery. Finfish retained under this section may not be sold or bartered.

(b) Except as otherwise specified in 5 AAC 01–5 AAC 39, a commercial fisherman shall report on an ADF&G fish ticket, at the time of delivery of the commercial catch, the number of steelhead retained from the commercial catch but not sold. For the purposes of this subsection, "delivery" means the offloading of the finfish for sale or for transport to a buyer for later sale.

5 AAC 39.130. *Reports required of fishermen, processors, buyers, and operators of certain commercial fishing vessels; transporting requirements*.

(c) The first purchaser of raw fish, a catcher-seller, and an individual or company that catches and processes or exports that individual's or company's own catch or has that catch processed or received by another individual or company, shall record each delivery on an ADF&G fish ticket….shall submit a completed ADF&G fish ticket, or an equivalent document containing all of the information required on an ADF&G fish ticket, to the department before the fish are transported out of the jurisdiction of this state. At the time of delivery, or as otherwise directed by the department, fish tickets must include the following:

(10) The number of fish of any species retained by a commercial fisherman for that person’s own personal use as specified in 5 AAC 39.010.

5 AAC 30.395. *Reporting requirements*. The commissioner may, by emergency order, close a commercial salmon fishing season and immediately reopen a commercial salmon fishing season during which a CFEC permit holder shall be required to report on an ADF&G fish ticket, at the

time of delivery, the number of steelhead and the number of king salmon, 28 inches or greater in length, taken but not sold.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The accuracy of salmon or steelhead harvests, reported as retained, but not sold, may not improve due to lack of an adequate program to effectively record these harvests. If a sampling program were to be developed, by either adding to existing creel programs or a standalone program, there would be a substantial financial burden placed on the department to develop and fund the program.

BACKGROUND: All commercially-harvested fish sold must be reported to the department on ADF&G fish tickets. The sale of steelhead trout harvested in commercial fisheries has been prohibited since 1994. The Southeast Alaska harvest of all steelhead trout reported in commercial fisheries declined from an average of 2,853 fish from 1969–1993, when they could be sold, to an average of 295 from 1994–2005. At the 2006 Alaska Board of Fisheries meeting in Southeast Alaska, regulations were adopted that resulted in a fish ticket reporting requirement for retained, but not sold, steelhead and king salmon, 28 inches or larger, that would be triggered by emergency order. The department requested these regulations for new fisheries and times and areas where sustainability concerns exist, or when basic biological data is lacking, and for the potential of improving stock assessment projects. The department implemented these regulations when recently-reinstituted directed king salmon fisheries occurred in districts 8 and 11 in 2006 through 2009. The average number of steelhead reported on fish tickets for, districts 8 and 11 following this regulation change, 2006 through 2011, is 91 fish. In 2008, additional regulations were added to statewide regulations, 5 AAC 39.010 and 39.130, that required reporting of any species retained, but not sold. It is unclear if these two regulations supersede the regulations adopted in 2006.

The department utilizes different reporting and sampling programs for fish harvested in commercial and sport fisheries. The numbers of commercially-harvested fish are solely derived from fish ticket reporting. A commercial port sampling program is utilized to collect stock composition data from the commercial harvest. Commercial harvests are sampled primarily at fish processing plants when the fish are being offloaded. A creel survey program is utilized to derive harvest numbers and collect stock composition data from sport fish harvests. Sport fish harvest information is gathered at key locations where and when sport anglers commonly return to offload their harvests. These locations most commonly include harbors, but can include remote boat-launch sites.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department utilizes its commercial fish ticket system and accompanying regulations to record this information. The information gained from implementing a creel-type sampling program would not likely obtain better harvest information due to the difficulties in sampling the commercial fleet. Additionally, costs to the department to develop and implement a program would be substantial. It would be difficult to modify existing sampling programs, due primarily

to the amount of sampling design modification needed to accomplish the additional sampling objectives. A creel census program is typically designed to sample a portion of the harvest. The potential to get accurate and complete information with fish tickets is greater than with a port sampling program because any false reporting is subject to citation and penalty.

The department recognizes the current regulations may lead to confusion as to what fish ticket reporting requirements are currently required, and supports action to clarify current regulations. The confusion stems from whether regulations adopted in 2008 supersede those adopted in 2006, rendering the 2006 regulations no longer effective.

COST ANALYSIS: Approval of this proposal could result in additional direct cost for a private person to participate in this fishery. If commercial fishermen were required to seek out samplers to report their harvested fish retained, but not sold, costs in fuel prices and, more importantly, potential lost fishing time would likely occur.

GILLNET (3)

PROPOSAL 292 – 5 AAC 33.310. Fishing season and periods for net gear.

PROPOSED BY: Otto Florschutz.

WHAT WOULD THE PROPOSAL DO? If adopted, the proposal would change the time in regulation when weekly drift gillnet fishing can start, to 8:00 a.m. Monday from 12:00 noon Sunday.

WHAT ARE THE CURRENT REGULATIONS? Salmon may be taken by drift gillnets only during fishing periods established by emergency order (EO) that start on Sunday and close by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The earliest that weekly drift gillnet fishing periods could open would change from noon on Sunday to 8:00 a.m. on Monday. Changing gillnet openings to Mondays would delay the drift gillnet fishing periods to later in the week. This, in turn, would impact the weekly gillnet announcement that is issued on Thursday, delaying it until Friday. In areas open for five consecutive days, opening on Mondays could limit the manager's ability to provide the fleet with complete catch information.

BACKGROUND: Prior to statehood, and during the 1960s, gillnet periods opened on Mondays in all areas. From 1961 through 1964, split openings were employed, with District 1 opening on Sundays and all other districts opening on Mondays. From 1965 through 1976, gillnet periods were changed to open on Sundays in all districts. From 1977 through 1981, split openings were reinstated, with District 1 opening on Sundays and all the other districts opening on Mondays. The split openings created difficulties for managers in that catch data was not accurate when boats transported a portion of their catch to other areas. In 1982, the current regulations for drift gillnet openings by EO starting on Sundays in all areas, was adopted by the Alaska Board of Fisheries (board). In 2003, the board adopted regulations for directed king salmon fisheries in districts 8 and 11, which open on Mondays, from the first Monday in May through the Tuesday before Memorial Day weekend in District 8 (5 AAC 33.368), and from the first Monday in May through the third Sunday in June in District 11 (5 AAC 33.310(4)(A).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department prefers Sunday openings. This schedule provides time during the work-week to compile and analyze data needed to effectively manage the fisheries. These openings typically are short and ample time is available to compile and analyze data.

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

PROPOSAL 293 – 5 AAC 33.331(d) and (e). Gillnet specifications and operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the commissioner to establish a minimum mesh size of six inches in districts 1, 6, 8, 11, or 15 by emergency order (EO) when deemed appropriate.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 33.331. *Gillnet specifications and operations*.

(d) In Districts 11 and 15, through the fourth Saturday in June, the maximum gillnet mesh size is six inches.

(e) In Districts 1, 6, 8, 11, and 15, during periods established by emergency order the minimum gillnet mesh size is six inches, except that

(2) in District 11, from the first Monday in May through the third Saturday in June, during periods established by emergency order, the minimum mesh size is seven inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal will eliminate confusion with existing regulations and allow currently-accepted fishery practices to continue.

BACKGROUND: Drift gillnet mesh-size restrictions have been established in regulation since well before statehood to assist in management of the fishery. A variety of minimum and maximum mesh sizes were established over the years to protect or target all species of salmon while prosecuting the drift gillnet fisheries in districts 1, 6, 8, 11, and 15. Between 1985 and 1996, there were up to 11 separate regulations for minimum or maximum mesh size, each for specific districts and dates, or specifically for conservation of one species of salmon while directed fishing occurred for another. The mesh-specific regulations were reduced to four for the period 1997–2005; those were further consolidated into current regulations in 2006.

The maximum gillnet mesh size of six inches (5 AAC 33.331(d)) was originally established to conserve king salmon in districts 11 and 15 through the fourth Saturday in June. With the rebound in king salmon abundance and establishment of directed king salmon fisheries in District 11, 5 AAC 33.331(e)(2) was added requiring a seven-inch minimum mesh size through the third Saturday in June during seasons with a directed king salmon fishery.

5 AAC 33.331(e), as written, prohibits use of gillnet mesh size less than six inches during traditional drift gillnet fisheries in districts 1, 6, 8, 11, and 15. This is in conflict with currently-

allowed practices where fishermen utilize drift gillnets with a range of mesh sizes smaller than six inches to target sockeye and pink salmon.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The six-inch maximum mesh size in 5 AAC 33.331(d) was established to conserve king salmon in districts 11 and 15. With the rebound in king salmon abundance and the establishment of directed king salmon fisheries in District 11, 5 AAC 33.331(e)(2) was added requiring a seven-inch minimum mesh size through the third Saturday in June during seasons with a directed king salmon fishery. In such a year, 5 AAC 33.331(d) requires fishermen to fish with a six-inch maximum mesh size through the fourth Saturday in June, requiring a fisherman to switch to the smaller, less efficient mesh size for a week when there is no conservation concern for king salmon. This was an oversight that occurred when regulations for the directed king salmon fisheries in District 11 were developed, and confusion will be eliminated by removing "District 11" from 5 AAC 33.33(d).

Current management practices allow drift gillnet fishermen to fish the mesh size of their choice during normal fishing periods, unless there is a conservation concern for a particular species or stock. The wording of the existing regulation, 5 AAC 33.331(e), states that the minimum mesh size is six inches during periods established by EO in districts 1, 6, 8, 11, and 15, technically prohibiting any mesh size smaller than six inches. The intent of this regulation is to allow the commissioner to establish a six-inch minimum mesh size for a fishing period, if necessary. As written, this regulation is confusing for fishermen trying to determine what mesh size may be used in the drift gillnet fishery, as well as for law enforcement in its efforts to ensure all regulations are complied with. In the fall of 1985, the Alaska Board of Fisheries (board) recognized that large numbers of hatchery-produced chum salmon from the then state-operated Snettisham Hatchery would be available for harvesting by gillnet gear in District 11 and, based on the results of a mesh-selectivity study conducted earlier that year, adopted a regulation establishing a minimum gillnet mesh of six inches to harvest chum salmon, while minimizing interception of smaller sockeye salmon. Since that time, hatchery production of chum salmon has increased in Southeast Alaska. Rewriting this regulation to allow the commissioner to establish a six-inch minimum mesh during a fishing period, but not requiring it at all times, allows for exploitation of enhanced chum salmon returns while conserving wild sockeye salmon transiting a fishery area. This will also alleviate confusion among fishermen and law enforcement because the current regulation appears to prohibit currently allowed activity.

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

PROPOSAL 299 – 5 AAC 33.350(l)(6). Closed Waters.

PROPOSED BY: Taku Users Group.

WHAT WOULD THE PROPOSAL DO? If adopted, the proposal would extend waters closed to commercial salmon fishing with net gear in Taku Inlet by moving the northern boundary to a line from Point Bishop to Point Greely.

WHAT ARE THE CURRENT REGULATIONS? The waters closed to commercial salmon fishing with gillnet gear in Taku Inlet are north of a line from Annex Creek Powerhouse to a point at 58° 17.50′ N. lat., 134° 01.00′ W. long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the area available to the commercial gillnet fishery in Taku Inlet north of the latitude of Circle Point by 49%, increasing congestion and competition amongst drift gillnet fishermen in the remaining area. Fishermen may be displaced to other drift gillnet fisheries.

BACKGROUND: Prior to 1962, the northern boundary of waters open to commercial fishing in Taku Inlet varied somewhat over the years, but was always in the vicinity of Taku Point, several miles further upriver than the current northern boundary. In 1962, closed waters were defined as those waters north of a line from the Annex Creek Powerhouse to Troller's Anchorage, restricting the area allowed for commercial fishing in Taku Inlet; in 1980, the line was more precisely defined, with the latitude and longitude of the point on the eastern shoreline described in the current regulation. The District 11 drift gillnet fishery occurs in the waters of sections 11-B and 11-C (Figure 299.1). Section 11-B includes the waters of Taku Inlet, Port Snettisham, and Stephens Passage north of the latitude of the Midway Islands and targets wild salmon from the Taku River, Port Snettisham, and local area streams, and enhanced chum and sockeye salmon from hatchery and remote-release sites in Gastineau Channel, Limestone Inlet, and Port Snettisham. The waters of Section 11-C, in Stephens Passage south of the latitude of Midway Islands, are managed for wild pink salmon returning to local streams and historically contribute only a small percentage to the total gillnet salmon harvest from District 11. For management purposes, the waters of Section 11-B are often split at the latitude of Circle Point, with different time or gear restrictions north and south of this line, depending on the strength of salmon stocks returning to the Taku River and those originating in Stephens Passage and Port Snettisham.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The proposed reduction in fishing area is not necessary for conservation of the Taku River salmon resource. Salmon escapements fluctuate naturally from year to year, and the District 11 drift gillnet fishery is managed in accordance with the Pacific Salmon Treaty (PST), with established

escapement goals and above-border targets agreed to by the U.S. and Canada. Since implementation of the PST, these goals have been met or exceeded, with very few exceptions (Table 299.1). There are no conservation concerns for Taku River salmon stocks that cannot be readily addressed by the department's existing stock assessment program and authorities to regulate fishery time and area by emergency order. Management of the District 11 drift gillnet fishery is based on a long-term data set of effort and harvests from specific areas within the district. Adoption of this proposal would bias future effort and harvest data, and would make management of this district more difficult until a long-term data set from the revised area is available. The department recognizes the allocative implications of this proposal.

Taku Inlet, statistical area 111-32, is the most productive portion of the District 11 drift gillnet fishery area. Statistical area 111-32 closely corresponds to the management area north of the latitude of Circle Point (Figures 299.1 and 299.2). Fish ticket data indicate that in the last ten years, 60% of all salmon harvested in the District 11 drift gillnet fishery have come from statistical area 111-32. By species, 95% of king, 47% of sockeye, 82% of coho, 52% of pink, and 65% of all chum salmon harvested in District 11 came from these waters. This proposal would reduce the most productive area in the District 11 drift gillnet fishery by approximately 49% (Figure 299.2).

Based on preliminary 2011 fish ticket data, 71% of the approximately $6.6 million exvessel value of the District 11 drift gillnet fishery came from the waters of 111-32 (Figure 299.3).

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

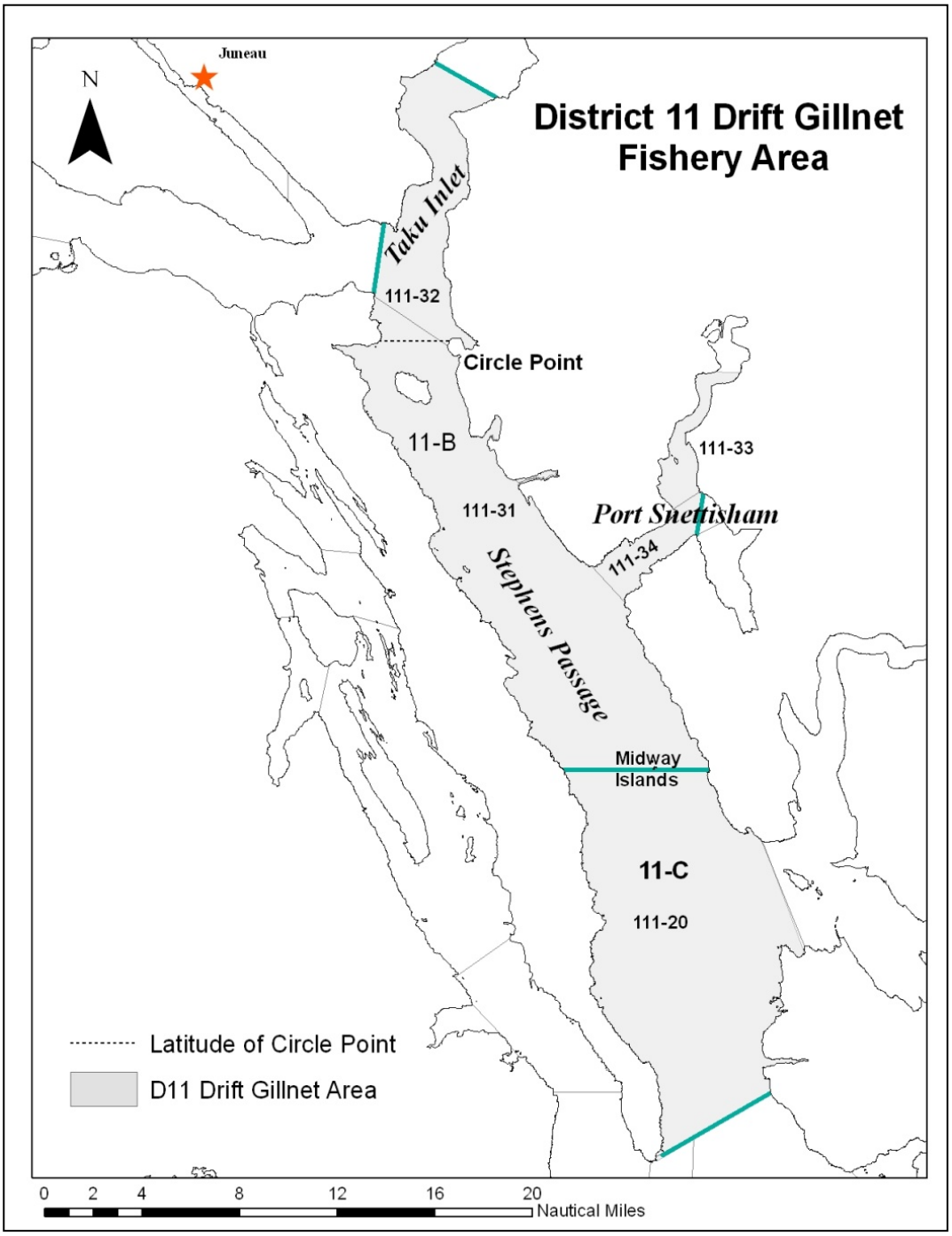

Figure 299.1–District 11 drift gillnet fishing areas.

Table 299.1–Salmon escapements to the Taku River, 1984–2010. Dashes (-) indicate no data available.

Year	Sockeye (D. 9) escapement goal 71,000–80,000	King (D. 11) escapement goal 19,000–36,000	Coho (D. 13) Above-border minimum 38,000
1984	113,962	-	-
1985	109,563	-	-
1986	100,106	-	-
1987	82,136	-	55,457
1988	79,674	-	39,450
1989	95,263	40,329	56,808
1990	96,099	52,142	72,196
1991	129,493	-	127,484
1992	137,514	-	84,853
1993	108,625	-	109,457
1994	102,579	-	96,343
1995	113,739	33,805	55,710
1996	92,626	79,019	44,635
1997	71,086	114,938	32,345
1998	70,715	31,039	61,382
1999	92,555	16,786	60,768
2000	87,225	34,997	64,700
2001	144,287	46,644	104,394
2002	103,507	55,044	219,360
2003	160,366	36,435	183,112
2004	106,688	75,032	134,538
2005	120,053	38,725	135,558
2006	146,151	42,296	122,384
2007	87,763	14,854	74,326
2008	68,059	27,383	95,360
2009	71,811	20,762	103,950
2010	87,423	29,307	95,133

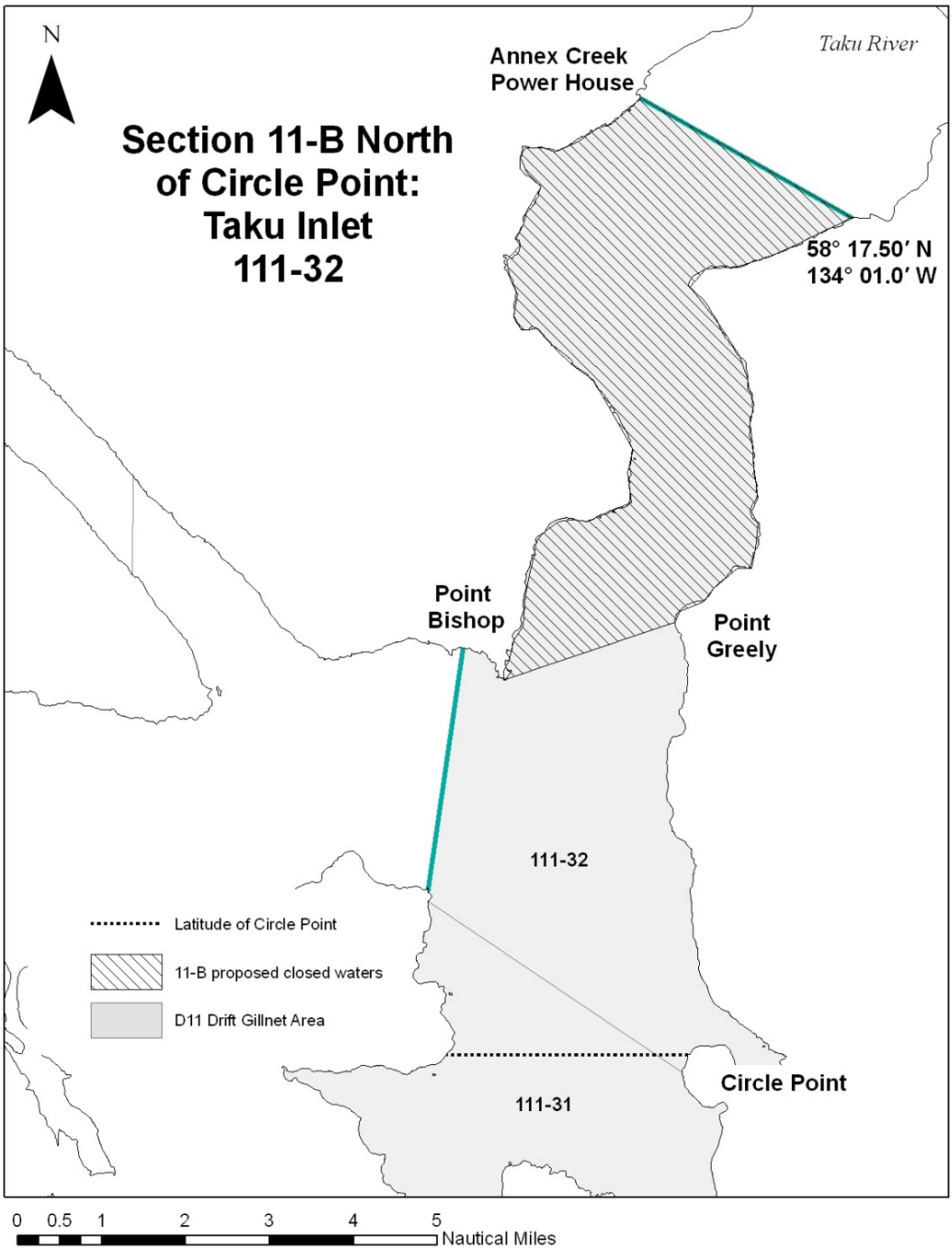

Figure 299.2–Section 11-B drift gillnet area north of Circle Point showing proposed closed waters.

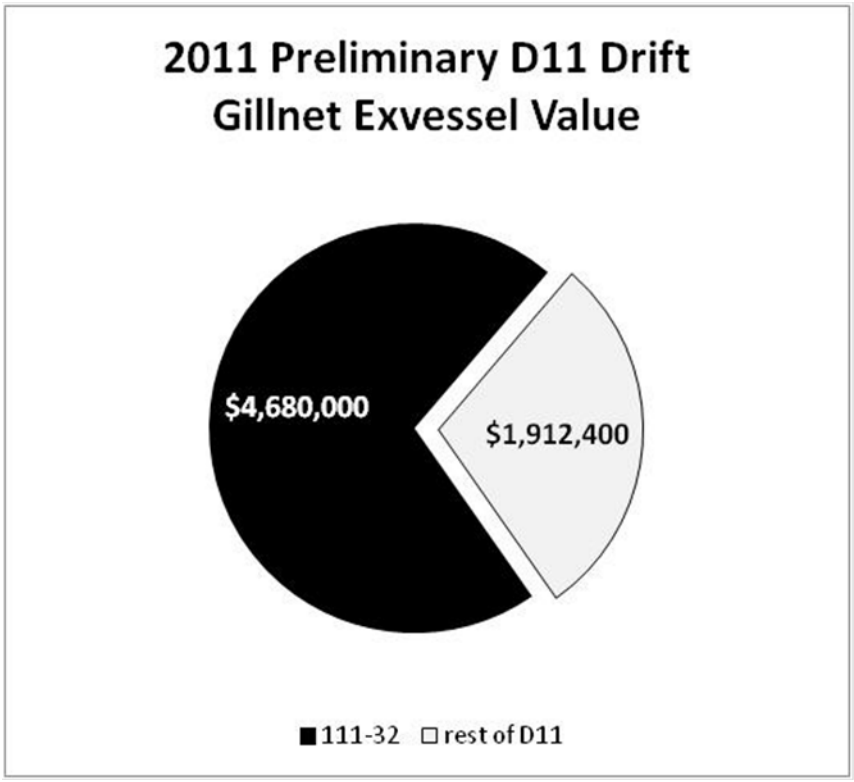

Figure 299. 3–2011 preliminary exvessel value of District 11 drift gillnet fishery.

SETNET (6)

PROPOSAL 303 – 5 AAC 30.310. Fishing Seasons.

PROPOSED BY: Tsiu River Coalition.

WHAT WOULD THE PROPOSAL DO? This proposal would establish some minimum level of coho salmon escapement (5,000 to 10,000) needed to be seen in the Tsiu River before a commercial set gillnet fishery could be opened.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 30.310. *Fishing Seasons*. (1) in the Yakataga District opening and closing dates will be made by emergency order;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would change the criteria for the commercial fishery opening date on the Tsiu River based on a level of observed escapement prior to an initial opening. If adopted some commercial harvest may be foregone since this fishery is highly weather dependent.

BACKGROUND: The commercial opening dates for all marine and freshwater systems in the Yakutat Area, including the Tsiu River, are based on traditional run timing. Most areas in Yakutat open by regulation: the Alsek River opens on the first Sunday in June, Yakutat Bay opens on the second Sunday in June, the Situk River opens on the third Sunday in June, and all other systems in the area follow these openings. Areas in the Yakataga portion of Area D, which includes the Tsiu River, open and close by emergency order (EO) and there are no opening dates specified by regulation. Management strategies focus on individual salmon runs as they could be described by a bell curve: the run starts slowly, builds to a peak in the middle, and gradually drops off during the late portion of the run. Opening by traditional run timing allows both harvest and escapement from all portions of the run, while maintaining the integrity of run timing. In the Tsiu River, for instance, this management strategy recognizes that two 24-hour openings at the beginning of the salmon run will be followed by additional returns and adjustments in time and area from that point on can be used to ensure adequate escapement.

An examination of the 42 years' worth of escapement data since 1970 reveals that in 35 of those years, the BEG was either met or exceeded (24 times within the BEG and 11 times over the top end). During four years, 1970 through 1972, and 1975, no commercial effort was recorded, and no surveys were flown. During three years, 1987, 1999, and 2004, the peak aerial survey did not attain the bottom end of the BEG. In 1987, a peak count of 8,500 was obtained on September 1, 1987. In 1999, the peak count of 4,000 was recorded on September 9, and in 2004, 9,800 were recorded on September 1. No further aerial surveys were recorded in those three years due to

inclement weather. Due to the timing, it is highly probable that the BEG was at least attained in 1987 and 2004, and may have been in 1999.

A facilitated public meeting was held in Yakutat in 2009 to address problems associated with the Tsiu River fishery, and both sport and commercial interests were represented. All members of both user groups, including the author of this proposal, agreed that abundance of fish was not a problem on the Tsiu River. Other problems were addressed, but it was agreed that there were plenty of fish for everyone. That abundance is one direct result of current management strategies on the Tsiu River. Managing for the current BEG has consistently produced sustainable yield in terms of abundance. The Tsiu River is as healthy now, in terms of productivity, as it has ever been in its history. In this proposal, in the first paragraph under "Issue", it is stated that the traditional opening date does not guarantee escapement. Discounting the four years in the early 1970s without harvest or escapement information, and in at least 37 out of 38 years, beginning the fishery on the traditional opening date did lead to adequate escapement, and the level of escapement attained consistently provided harvest opportunities for both user groups on the portions of the stocks that were surplus to escapement needs.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The biological escapement goal (BEG) for the Tsiu River is 10,000 to 29,000 coho salmon. The BEG is arrived at through a spawner/recruit analysis, statistical examination of the productivity of a system, and the point at which escapement will provide for sustainable yield over time. Under current practices there is a good track record of achieving the BEG.

An additional concern with this proposal is that foregone harvest early in the return, followed by potentially more aggressive harvest later in the return, might alter salmon adaptations and run timing that has evolved and resulted in current run timing. The consequences of such alterations on future returns are uncertain, but if adaptive traits are lost, then future productivity might be reduced. A further concern with the proposal is that the BEG range is more likely to be exceeded and therefore, productivity would be reduced. For this very remote fishery, weather patterns can preclude access to fish at the times when they are available for harvest, as well as preclude access to biologists to complete timely aerial surveys to determine escapement. Delays in harvest can lead to reduced quality, but more importantly, reduced access to substantial portions of the return would lead to overescapement.

In summary, this proposal seeks to supplant a management strategy that is scientifically justifiable, that has consistently provided sustainable yield in terms of abundance for over 40 years, and that has continued to provide for optimal harvest for both user groups while maintaining sustainable escapement levels. It offers in its place, a management strategy that is not scientifically defensible. In addition, it is a management strategy that has no guarantee that it will be beneficial, and some indication that it could be detrimental.

The department recommends consulting Department of Law relative to potential issues associated with language in the proposal that appear to direct fiscal and administrative actions of the department.

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

PROPOSAL 300 – 5 AAC 30.3XX. New Regulation.

PROPOSED BY: Yakutat Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would allow multiple permits to fish from the same vessel and to split their catch under terms of a partnership.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 39.130. *Reports Required of Processors, Buyers, Fishermen and Operators of Certain Commercial Fishing Vessels; Transporting Requirements*.

(e) A fisherman shall furnish to the buyer factual catch data necessary for the completion of reports required by the commissioner.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow Yakutat set gillnet permit holders to "co-op" their catch when two or more permit holders were working from the same vessel. Under current regulations, if Fisherman A catches 150 salmon and Fisherman B catches 50 salmon, Fisherman A would record 150 salmon and Fisherman B would record 50 salmon on individual fish tickets. If this proposal is adopted, these two fishermen could split the total harvest, with each fish ticket recording 100 salmon, or some other previously-arranged split of fish.

BACKGROUND: Under the current regulation, catch from each individual fisherman must be recorded on a fish ticket at the time of sale. The regulation does not allow multiple permits to split the harvest or have the split reflected on fish tickets. The current regulation is a statewide regulation and there are few exceptions to it. 5 AAC 06.333 is cited in the proposal and does allow two Bristol Bay drift gillnet permit holders to concurrently fish from the same vessel and jointly operate up to 200 fathoms of drift gillnet gear. However, 5 AAC 06.331(f) is more analogous to what is being requested in the proposal. It allows setnetters in Bristol Bay to assist in operation or transportation of additional setnet gear when the Commercial Fisheries Entry Commission interim-use or entry permit card holder is present.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal does not address a biological concern, and, if adopted, would not change how the Yakutat set gillnet fishery is either conducted or managed. This proposal addresses a reporting requirement. For management purposes, the department needs an accurate count of fish caught in the aggregate, but does not necessarily need to know what individual fishermen caught. If Fisherman A and Fisherman B catch 200 salmon between them, it does not matter for management purposes whether the fish tickets show that one fisherman caught 150 and the other caught 50 or whether each fish ticket has 100 fish recorded. The total number or 200 fish is the important number.

Yakutat set gillnet permit holders have traditionally split fish that were taken in partnership. This has involved two or more permit holders fishing from the same vessel. Partnership arrangements have also involved family members, with two or three relatives fishing as individuals and then splitting both the fish and the money paid for the fish on an equal basis. Technically, this is against the law, but as a practice in Yakutat, it predates statehood.

There may, however, be enforcement concerns to be considered.

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

PROPOSAL 302 – 5 AAC 30.331. Gillnet Specifications and Operations.

PROPOSED BY: Tsiu River Coalition.

WHAT WOULD THE PROPOSAL DO? The proposal would prohibit any driving of salmon into nets on the Tsiu River with the use of boats.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 39.190. *Driving of Salmon Prohibited*. It is unlawful to drive salmon from waters closed to salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would eliminate the commercial fishing strategy of driving salmon into nets within waters open to fishing with use of power boats on the Tsiu River. This would likely reduce harvest in the commercial setnet fishery on the Tsiu River.

BACKGROUND: 5 AAC 39.190 states that it is unlawful to drive salmon from waters closed to salmon fishing. It makes no mention of driving salmon in waters that are open to salmon fishing. By default, the activity of driving fish in open waters is legal and has long been an accepted strategy by commercial fishermen in the Tsiu River. In the Yakutat Area, the practice of driving fish is only practicable in what are termed "pothole" fisheries. These are rivers and streams shallow enough that salmon tend to school up in pools in the rivers, areas that are a little deeper than the main stream, where fish can hold. Three rivers in the Yakutat Area have this distinction: the Tsiu River, the Akwe River, and the East Alsek River. The fishing strategy involves setting a set gillnet at the bottom (downstream) end of a pothole full of fish. The permit holder then takes the skiff to the top end of the pothole and starts a series of what are called "donuts" with the skiff, running the skiff down into the pothole in 360 degree circles that get tighter and tighter as the skiff approaches the net, until the last circle runs right along the upstream side of the net. The fish in the potholes get spooked, the only outlet is downstream, where they encounter and get caught by the net.

If the use of skiffs is most prevalent in the driving of salmon, it is not the only method used to do so. If the water is sufficiently shallow, a permit holder and one or two helpers can enter the top of the pothole on foot, usually in chest waders, and head downstream as a group, slapping the water with sticks or boat oars to drive fish into the net at the bottom of the pothole. This proposal makes no mention of this strategy, and if adopted, would probably not prohibit it.

DEPARTMENT COMMENTS: While **NEUTRAL** on the allocative implications of this proposal, the department is **OPPOSED** to this proposal since there are currently no known conservation concerns for this stock. Tsiu River escapements have consistently remained within

the BEG, and at times, counts have exceeded the upper end of the BEG range. The fishing methodology proposed to be prohibited has not negatively affected escapements at this time.

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

PROPOSAL 304 – 5 AAC 30.350 (a)(3). Closed Waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Present closed waters on Ankau Inlet are delineated by a line in the regulation book described by latitudes and longitudes. This proposal would establish visible markers at the mouth of the creek at mean low tide and eliminate confusion caused by the latitude/longitude designation.

WHAT ARE THE CURRENT REGULATIONS? Ankau Inlet is closed inside of a line from 59° 32.85′ N. lat., 139° 49.70′ W. long., to 59° 32.78′ N. lat., 139° 49.70′ W. long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would replace the existing latitude/longitude designation of closed waters with two visible markers delineating the mouth of Ankau Inlet at mean low tide.

BACKGROUND: The current regulation is an attempt to define the separation of the marine waters of Yakutat Bay from the fresh waters of Ankau Inlet. Marine waters are open to the commercial set gillnet fishery as part of the waters of Yakutat Bay. The freshwater environment of Ankau Inlet is closed to commercial fishing. A closure based on a latitude/longitude line assumes the mouth of Ankau Inlet is fixed in geographical position and does not change with time. A closure delineated by a latitude/longitude line does not take into account the shifting nature of the mouth of the inlet. The mouth of the inlet shifts from east to west, and, under the influence of ocean currents, both elongates and shortens itself over time. This movement negates the effectiveness of a latitude/longitude closure line.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. In 2010, while investigating a possible commercial fishing violation of closed waters in Ankau Inlet, the Alaska Wildlife Troopers (AWT) discovered that the "lat/long" line in the regulation book did not physically cross the mouth of Ankau Inlet. Changes in the physical nature of the mouth over time made the line in regulation obsolete. By emergency order, the department put up two visible markers at the mouth of the inlet at mean low tide to delineate closed waters. The lat/long designation of those two markers was recorded, but it is recognized that due to the shifting nature of the mouth of the inlet that these markers may need to be reevaluated on a yearly basis. Maintaining visible markers, as opposed to fixed lat/long lines, will eliminate confusion in determining waters open and closed to commercial fishing in Ankau Inlet.

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

PROPOSAL 305 – 5 AAC 30.350. (a)(6). Closed Waters.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would move the lower Akwe River regulatory marker from one-half mile from the terminus of Akwe Lagoon at mean low water to 500 yards above the confluence of the Akwe and New Italio rivers.

WHAT ARE THE CURRENT REGULATIONS? The Akwe River is closed downstream from the ADF&G regulatory markers located one-half mile from the terminus of the Akwe Lagoon at mean low water.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would move the downstream regulatory markers from their current position to a point 500 yards above the confluence with the New Italio River. This marker movement would afford protection to New Italio River fish stocks.

BACKGROUND: Prior to 1987, the New Italio River existed itself as an entity and flowed into the Gulf of Alaska some distance west of the mouth of the Akwe River. The New Italio historically supported commercial set gillnet fisheries for both sockeye and coho salmon. In 1987, the New Italio broke through the sand dune barrier between the two rivers and became a tributary of the Akwe River. Concurrent with this breakthrough, New Italio River salmon productivity went into decline, and the New Italio has not been opened to a directed fishery for salmon since 1987. The confluence of the New Italio River with the Akwe River is upstream of the lower regulatory markers on the Akwe River, and set gillnet permits targeting Akwe River fish can intercept stocks destined for the New Italio River. In the years since 1987, markers have been placed 500 yards above the confluence, by emergency order, to minimize interception of New Italio stocks. The situation on the ground is now stable and unlikely to change in the future, and the Akwe River lower marker movement protecting New Italio River stocks should now be placed in regulation.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. If adopted, it will not affect the Akwe River commercial set gillnet fishery and it will protect New Italio River fish stocks.

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

PROPOSAL 306 – 5 AAC 30.331. Gillnet Specifications and Operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would increase allowable gear in the Alsek River from 50 to 75 fathoms of gear on the third Sunday, as opposed to the third Monday, in July.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 30.331. *Gillnet Specifications and Operations*. (1)(I)(i) before the third Monday in July, no CFEC salmon permit holder may operate more than three set gillnets, and the aggregate length of set gillnets may not exceed 50 fathoms;

(ii) from the third Monday in July no CFEC salmon permit holder may operate more than 75 fathoms of set gillnet in the aggregate;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would change the day of the increase in allowable gear in the Alsek River from 50 to 75 fathoms from the third Monday in July to the third Sunday in July. The department will not need to write an emergency order each year to clarify that gear is in effect on Sunday.

BACKGROUND: In 2006, the weekly opening day for all fishing periods in the Yakutat Area was changed from Monday to Sunday by regulation. All other fishing regulations were supposed to have been changed to Sunday at that time to reflect the new opening day. The regulation changing the day of the increase in allowable gear in the Alsek River from the third Monday to the third Sunday in July was not changed in the regulation book merely due to an oversight. This regulation needs to be changed to bring it into compliance with all other regulations that have established Sunday as the opening date for each fishing period.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This proposal would correct an oversight and bring Alsek River regulations into compliance with all other Yakutat Area regulations concerning the change from a Monday to a Sunday opening date.

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

COMMITTEE C: SPORT/SUBSISTENCE/PERSONAL (26 PROPOSALS)

SPORT (16)

GENERAL PROVISIONS (2)

PROPOSAL 248 – 5 AAC 47.030. Methods, means, and general provisions – Finfish. (*This proposal was erroneously cited under* 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.)

PROPOSED BY: Juneau Douglas Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would provide "boat" limits for the Southeast Alaska Area sport fisheries. Anglers would be allowed to continue to retain fish after filling their bag limit, accounting for the excess harvest on the unfilled bag limits of other anglers on board the same vessel. It also proposes that charter captains and crew may or may not be included as part of this change.

WHAT ARE THE CURRENT REGULATIONS? A "bag limit" is defined in statewide regulations, 5 AAC 75.995, as the maximum legal take per person per day, in the area in which the person is fishing, even though part or all of the fish are immediately preserved; a fish when landed and killed becomes a part of the bag limit of the person originally hooking it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would create a regionwide exception to the statewide definition of bag limit. In Southeast Alaska, it would increase harvest by anglers fishing from a vessel by an unknown amount. The resulting increase in harvest may need to be addressed through other management measures should it cause harvest to exceed the current allocations in the king salmon, lingcod, and demersal shelf rockfish fisheries. The catch-and-release mortality in the king salmon and nonpelagic rockfish sport fish fisheries is accounted for under the current sustainable management of these fisheries.

BACKGROUND: "Boat limits", as proposed, have been prohibited since statehood; however, there are no regulatory boat or vessel limits on gear, such as the 6-rod limit on board Southeast Alaskan vessels and vessel limits on the number of shellfish pots.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The definition of "bag limit" is consistent across the state. The intended and legal definition of bag limit has always been focused on an individual's harvests and the department continues to support that definition. When conservation concerns warrant, other regulations, such as requiring anglers to stop fishing

once a bag limit is reached, would be more effective at reducing catch-and-release mortality than the proposed regulatory change.

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

PROPOSAL 250 – 5 AAC 47.022. General provisions for seasons and bag, possessions, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Taku Users Group.

WHAT WOULD THE PROPOSAL DO? This proposal would establish king salmon sport fisheries in the fresh waters of Southeast Alaska east of the longitude of Cape Fairweather.

WHAT ARE THE CURRENT REGULATIONS? In fresh waters east of the longitude of Cape Fairweather, king salmon sport fishing is closed (5 AAC 47.022(b)), except for streams containing only Alaska hatchery fish, such as Blind Slough ((5 AAC 47.023(h)) near Petersburg and all fresh waters draining into the Sitka Sound Special Use Area (5 AAC 47.023(g)). The department has also opened other freshwater systems by emergency order (EO) to provide for terminal harvests of hatchery king salmon; these systems include Fish Creek (near Juneau) and Pullen Creek (near Skagway).

In fresh waters between the longitude of Cape Suckling and the longitude of Cape Fairweather, king salmon may be taken from January 1–December 31. The bag and possession limit is one king salmon 20 inches or greater in length; the bag and possession limit for king salmon less than 20 inches is 10 fish (5 AAC 47.022(c)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow additional fishing opportunity for king salmon and increase king salmon harvests in fresh water. Resulting effort and harvest could lead to conservation concerns for naturally-occurring king salmon stocks in the fresh waters of Southeast Alaska east of the longitude of Cape Fairweather, particularly in systems that support small populations.

BACKGROUND: In the fresh waters of Southeast Alaska, there are 34 known populations of naturally-occurring king salmon. Twenty-five of these king salmon populations occur east of the longitude of Cape Fairweather; on average, 15 of these produce fewer than 1,500 fish annually, eight produce between 1,500 and 10,000 fish annually, and two produce more than 10,000 fish annually (Taku and Stikine rivers; Figure 250.1).

In the fresh waters of Southeast Alaska east of the longitude of Cape Fairweather, king salmon sport fishing has been closed since 1963 in order to protect and rebuild king salmon populations.

King salmon management in Southeast Alaska falls under the authority of the U.S./Canada Pacific Salmon Treaty (PST), and as such, is constrained to an all-gear quota determined annually by calculation of a preseason abundance index for coastwide abundance. Further, in February 2005, the U.S. and Canada reached bilateral harvest-sharing agreements to allow

directed fishing for king salmon near the transboundary Taku and Stikine rivers under Chapter 1 ("Transboundary Rivers") of the PST. The agreement essentially allows additional catches to occur near the mouths of these two transboundary rivers when projected escapements are forecast to be in excess of established goals; the additional "allowable catch" (AC) does not count toward the all-gear quota unless the AC is exceeded. The Alaska Board of Fisheries (board) soon thereafter approved emergency regulations to establish directed sport and commercial fisheries in districts 8 and 11. In February 2006, the board passed management provisions for District 8 specific to the Stikine River (5 AAC 47.057) and District 11 for the Taku River (5 AAC 47.021(e)). Since 2006, an AC has been estimated for the districts 8 and 11 king salmon fisheries, allowing for increased sport harvest opportunities every year, except 2010, in District 8, and in 2007 and 2008 for District 11.

The board adopted the Lynn Canal and Chilkat River king salmon fishery management plan in 2003. This plan does not provide for a sport king salmon fishery in fresh water, but does provide for increased sport harvest opportunity in Chilkat Inlet when the inriver run return of king salmon is greater than 3,600 fish, but is not part of PST Transboundary River provisions. Since 2003, under the plan, the sport fishing bag and possession limits in Chilkat Inlet have been increased above the regional limit in 2004 and 2010.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal for all systems due to potential conservation concerns, the exceptions being the Taku, Stikine, and Chilkat rivers. The naturally-occurring king salmon populations in the fresh waters of Southeast Alaska, east of the longitude of Cape Fairweather, occur in small clearwater systems, or in larger glacial rivers having small clearwater tributaries with subpopulations that are too small to support directed sport fishing, with the exception of the Taku, Stikine, and Chilkat rivers.

The department is **NEUTRAL** on the allocative implications of this proposal in regards to Taku and Stikine river sport fisheries in years of directed king salmon fisheries that occur in years of surplus escapement as detailed in the PST (2009 Annex; Chapter One, Paragraph 3(a)(3) for the Stikine River and Paragraph 3(b)(3) for the Taku River). However, the department is also **OPPOSED** to this proposal in the Taku and Stikine rivers in years with no harvestable surplus (no AC) as this would establish a new directed fishery that would not comply to terms of the recently renegotiated PST (Chapter One, Paragraph 3).

The department is **NEUTRAL** on the allocative implications of this proposal in regards to Chilkat River king salmon fisheries, which has a management plan and supporting stock assessment program, with no specific directed fisheries references to the PST, which may afford this opportunity.

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

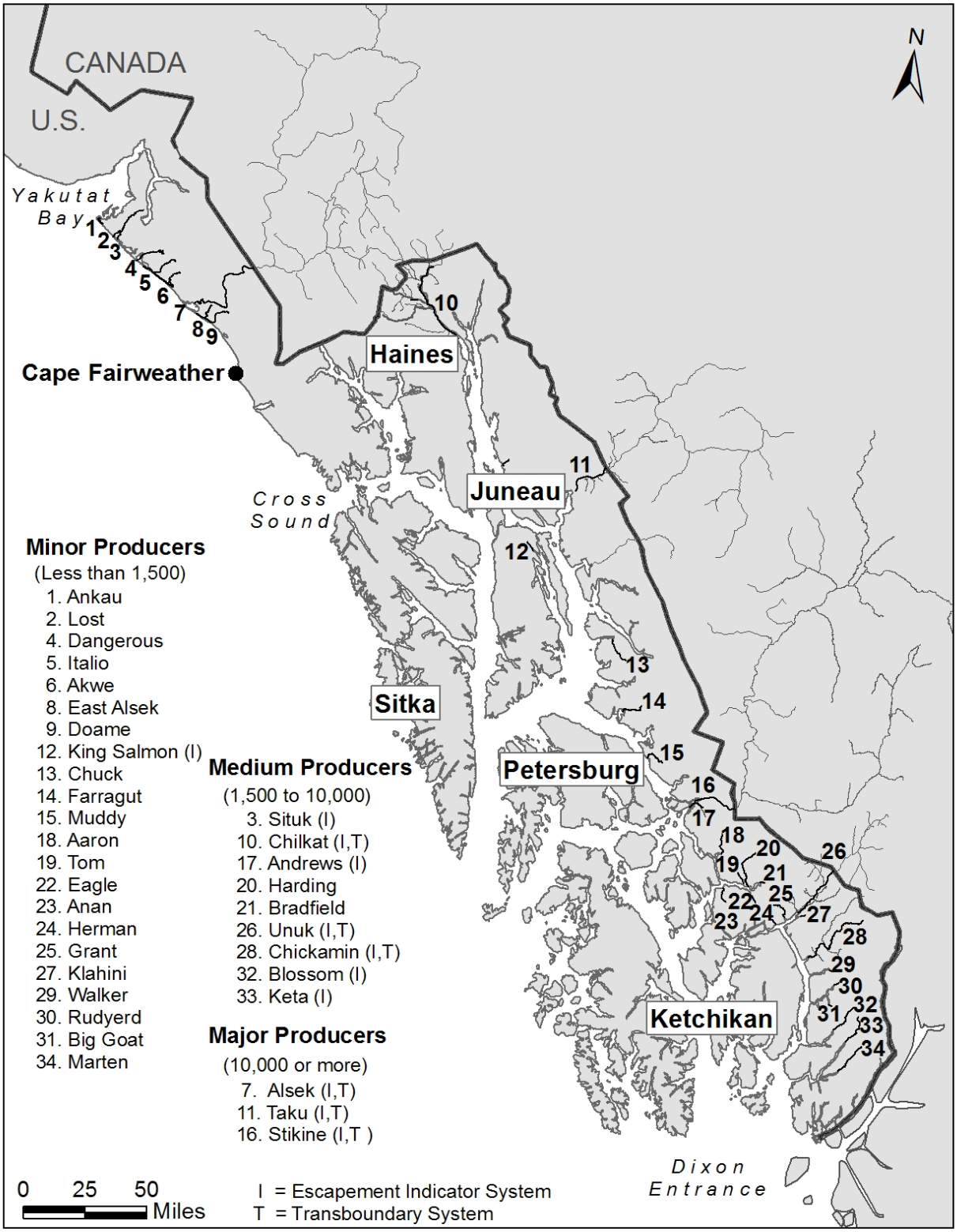

Figure 250.1–King salmon systems in the Southeast Alaska management area.

MANAGEMENT PLAN (1)

PROPOSAL 246 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to clarify existing regulatory language pertaining to whether or not an angler may retain species other than king salmon when the use of two rods is allowed under the *Southeast Alaska King Salmon Management Plan*.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* directs the department to implement the use of two rods for all anglers from October through March at king salmon abundance indices of 1.51 or greater. At abundance indices less than or equal to 1.50, the plan directs the department to implement regulations allowing resident anglers to use two rods, specifically while king salmon fishing from October through March.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would clarify that anglers may not retain species other than king salmon during periods when fishing with two rods is implemented under the *Southeast Alaska King Salmon Management Plan*.

BACKGROUND: Confusion exists over whether or not anglers may retain species other than king salmon when fishing with two rods as permitted under the *Southeast Alaska King Salmon Management Plan*. The plan states that at abundance indices (AI) from 1.50 to 1.1, two rods are allowed for resident anglers from October through March when fishing for king salmon; however, for AI greater than 1.51, it merely states that anglers may use two rods from October through March. The department asserts that the reason for allowing the use of two rods is to increase harvest opportunity for king salmon, not for other species.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The public, enforcement officers, and the department will benefit from the Alaska Board of Fisheries (board) clarifying current language in the *Southeast Alaska King Salmon Management Plan* regarding retention of other species when anglers are allowed to fish with two rods.

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

METHODS AND MEANS (2)

PROPOSAL 251 – 5 AAC 47.030. Methods, means, and general provisions – Finfish. (*This proposal was erroneously cited under* 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.)

PROPOSED BY: Jeff Fujioka.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of two rods by resident anglers fishing from an unguided vessel in marine waters.

WHAT ARE THE CURRENT REGULATIONS? In the Southeast Alaska Area, sport fishing may be conducted only by use of a single line per angler, and not more than six lines may be fished from a vessel unless provided for in regulation (5 AAC 47.030).

The *Southeast Alaska King Salmon Plan* allows anglers to use two rods from October through March at king salmon abundance indices of 1.51 and greater; at king salmon abundance indices from 1.2 to 1.5, resident anglers may use two rods for king salmon from October through March (5 AAC 47.055).

The *Stikine River King Salmon Management Plan* allows anglers to use two rods in District 8 when the projected preseason or inseason abundance level indicates presence of an allowable catch of Stikine River king salmon (5 AAC 47.057). Anglers are also allowed to use two rods from April 25–June 30 in District 11, in a year with an allowable catch of Taku River king salmon (5 AAC 47.021).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Fishing opportunity for residents and harvest of salmon and groundfish could increase. The resulting increase in harvests may need to be addressed through other management measures should it cause harvests to exceed current allocations in the king salmon, lingcod, and demersal shelf rockfish (DSR) fisheries.

BACKGROUND: Prior to 2005, use of two rods was not allowed in Southeast Alaska marine waters. Since 2005, regulations have been implemented which allow use of two rods to increase king salmon harvest in areas and times when harvest of other species would be low. In 2005, the ADF&G commissioner signed an emergency regulation that allowed up to two rods per angler in specific saltwater areas near Juneau (District 11), and Petersburg and Wrangell (District 8) to provide additional opportunity to harvest Taku and Stikine river king salmon surplus to

escapement needs. Bag limits and annual limits were increased in these areas and use of two rods per angler was allowed. Boats with one or two anglers most commonly took advantage of the opportunity to fish with extra rods.

In 2006, the Alaska Board of Fisheries (board) modified the *Southeast Alaska King Salmon Management Plan* to include provisions that allowed anglers to use two rods from October through March at abundance indices above 1.5. Approximately 2% of the Southeast Region king salmon harvest occurs during October through April. The increased king salmon harvest generated by allowing two rods during this time period was expected to be low; it was also expected that resident anglers would be the primary beneficiaries of the increased harvest opportunity because few nonresidents fish during this time. Regulations allowing the use of two rods under the plan have been implemented every year since 2006, except in 2008 when the king salmon abundance index was 1.07.

In 2006, the board adopted regulations for the districts 8 and 11 sport king salmon fisheries to allow use of two rods during years with an allowable catch (AC) for Taku and Stikine river king salmon. Regulations allowing use of two rods under the plan have been implemented most years since 2006 for these fisheries, except in 2010 for the District 8 fishery and in 2007 and 2008 for the District 11 fishery.

Information to specifically estimate changes in harvest due to the use of two rods regionally from March through October is not available. Creel data from 2005–2011 indicates the two rod regulation increased rod hours fished by an average of 24% in District 11 and 2% in District 8. During the liberalized time period within these areas, 38% of boat trips in District 11 took advantage of two rods (making up 46% of the total salmon rod-hours fished), where only 6.2% of boat trips utilized two rods in District 8 (making up only 5.7% of the total salmon rod-hours fished). Creel data indicate that king salmon harvest increased by approximately 15% in the Juneau area due to this regulation for District 11.

In 2009, the board modified the *Southeast Alaska King Salmon Management Plan* by adding provisions which allow use of two rods while fishing for king salmon by resident anglers at abundance indices from 1.2 to 1.5. To date, these provisions have not been implemented.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal due to allocative implications. If the board does adopt this proposal, the resulting increase in harvests may need to be addressed through other management measures should it cause harvests to exceed the current allocations in the king salmon, lingcod, and DSR fisheries.

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

PROPOSAL 253 – 5 AAC 29.155. Vessel Identification; and 5 AAC 47.041. Sport fishing from commercially licensed vessels; charter vessel registration. (*This proposal was erroneously cited under* 5 AAC 29.155. Vessel Identification; *and* 47.XXX. New Regulation.)

PROPOSED BY: Ed Hansen.

WHAT WOULD THE PROPOSAL DO? The intent of this proposal is to clearly identify vessels participating in hand troll or sport charter fishing in order to prevent the sale of sport-caught fish from vessels that are dually-registered for both commercial hand troll and sport charter fisheries. Suggested in the proposal is a requirement that, after registration in one fishery, there would be a stand-down period of at least five days in the other fishery and a requirement that vessels display only identification specific to the fishery for which they are currently active.

WHAT ARE THE CURRENT REGULATIONS? No person may buy, sell, or barter sport-caught fish or their parts. A person may not engage in sport fishing guide services unless the charter vessel is registered with the department and displays a current charter vessel decal. A charter vessel is defined as a vessel used for hire in the sport, personal use, or subsistence taking of fish or shellfish, and not used on the same day for any other commercial fishing purpose.

A commercial fishing vessel must display its permanent vessel license plate and the license number must be inscribed on both sides of the hull. Registered salmon hand troll vessels must also display the letters "HT" on both sides of the vessel's hull or cabin. A person may sport fish from a registered commercial salmon hand troll or power troll vessel. Persons sport fishing from a commercially-licensed vessel, in waters closed to commercial salmon fishing, must immediately, upon bringing a salmon on board, mark the salmon by removing its dorsal fin. Sport fishing from a commercially-licensed vessel while commercially-caught salmon are in possession, is illegal in waters closed to commercial salmon fishing.

Vessels that are dually-registered for both commercial troll and sport charter fisheries may display markings for both fisheries while fishing in a commercial troll or sport charter fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The suggested five-day stand-down period between the date of registration and participation in a fishery may lead to a reduction in both sport and commercial fishing opportunities. Businesses that derive income from charter or troll fisheries may also be negatively impacted.

BACKGROUND: In the 1960s, the Alaska Board of Fisheries (board) passed a regulation requiring all persons sport fishing from a commercially-registered boat, in waters closed to commercial fishing, to mark all king salmon brought on board by removing the dorsal fin. This

regulation was later amended to include all salmon. The intent of this regulation was to prevent sport-caught fish from being sold. Over the last five years (2007–2011), an average of 30 vessels has been dually-registered and active in charter and commercial troll fisheries. This represents about 1.5% of the registered commercial troll fleet and about 3% of the registered sport charter fleet in Southeast Alaska.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since regulations are already in place to prevent sport-caught fish from being sold.

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

SPECIAL PROVISIONS (11)

PROPOSAL 255 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Taku Users Group.

WHAT WOULD THE PROPOSAL DO? This proposal would open sport fishing for king salmon in the Taku River.

WHAT ARE THE CURRENT REGULATIONS? King salmon sport fishing is closed in the fresh waters east of the longitude of Cape Fairweather, including the fresh waters of the Taku River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A sport fishery for king salmon on the Taku River, in years when there is no allowable catch (AC), would be considered a new fishery by the Pacific Salmon Commission, and therefore, violate terms of the Pacific Salmon Treaty (PST). This proposal would increase harvest of Taku River king salmon by an unknown, but relatively small, amount.

BACKGROUND: Sport fishing for king salmon has been closed since 1963 in the fresh waters of Southeast Alaska east of the longitude of Cape Fairweather, including the Taku River drainage. No freshwater harvest and effort data exist for the period prior to 1963. The only king salmon harvests currently allowed within fresh waters of the Taku River are bycatch in the sockeye salmon personal use fishery held from July 1–July 31. The personal use fishery occurs regardless of the existence of an AC because it is not a directed king salmon fishery.

In 2005, following new harvest-sharing agreements between the U.S. and Canada for the transboundary Taku and Stikine rivers, the Alaska Board of Fisheries (board) established directed king salmon fisheries in the salt waters of District 111 to target Taku River king salmon in years when an AC exists. An AC is established when the terminal run is expected to exceed the escapement target, plus base-level catches. The U.S. and Canada base-level catch is 5,000 large king salmon, which is the average sport, commercial, and Canadian Aboriginal harvest seen from 1985 to 2003. Another 1,400 large king salmon is included in the base-level catch for test fishing as part of the long-term stock assessment program. For AC calculations, the escapement target is the midpoint of the escapement goal range (27,500 large king salmon), a conservative measure, when based off of the preseason forecast of terminal run. However, when more detailed inseason information and projections of terminal run are available, the escapement target switches to the escapement goal point estimate (25,500 large king salmon), a more defined

measure. The AC calculations and base-level catches are detailed in the PST, 2009 Annex, under Chapter One, Paragraph 3(b)(3)(xi) and Paragraph 3(b)(3)(xii), respectively.

Directed sport king salmon fisheries in District 111 have occurred in five of seven years since 2005. Management measures adopted by the board for the directed fisheries consist of liberalized harvest limits and methods and means for the sport fishery, and increased fishing time for the commercial troll and gillnet fisheries; however, when the AC is very low, the commercial gillnet fishery does not typically open. In a year of directed king salmon fishing in District 111, all harvest that exceeds the base-level catch counts toward the AC for that year.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal in the Taku River in years with no harvestable surplus (no AC) as this would establish a new directed fishery that would not comply with the existing terms of the recently renegotiated PST, 2009 Annex, under Chapter One, Paragraph 3(b)(3)(xii) for the Taku River.

The department is **NEUTRAL** on the allocative aspects of this proposal in regards to the Taku River in years of directed king salmon fisheries that occur in years of surplus escapement as detailed in the PST, 2009 Annex, Chapter One, Paragraph 3(a)(3) for the Stikine River and Paragraph 3(b)(3) for the Taku River.

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

PROPOSAL 256 – 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit snagging within a 200-yard radius that extends seaward of the department stream mouth marker at Auke Creek.

WHAT ARE THE CURRENT REGULATIONS? Unless otherwise prohibited, snagging is allowed in salt water statewide. The department has prohibited snagging at the mouth of Auke Creek during the months of July and August by emergency order (EO) since 2003 to protect sockeye salmon returning to the Auke Lake drainage.

Sport fishing for sockeye salmon is closed in the salt waters at the head of Auke Bay, which includes the proposed no-snagging area. Sport fishing for sockeye salmon is also closed in the fresh waters of Auke Lake, its tributaries, and the outlet stream downstream to Glacier Highway. Auke Creek downstream from Glacier Highway is closed to sport fishing for all species.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Anglers, department staff, and enforcement staff will benefit if regulations implemented for the area at the mouth of Auke Creek are established in regulation and effective year-round, rather than issued inseason by EO.

BACKGROUND: Prior to the mid-1970s, anglers were allowed to harvest sockeye salmon at the mouth of Auke Creek under a bag and possession limit of three fish per day. Over roughly a ten-year period starting in the mid-1970s, Auke Lake sockeye escapements declined substantially, from an average of nearly 7,000 fish (1963–1981) to about 2,000 fish (1982 to present). Since 1983, retention of sockeye salmon has been prohibited by regulation in Auke Lake and in the salt waters at the head of Auke Bay, which include the area proposed for no snagging. Auke Creek has been closed to fishing for all species since 1975 (Figure 256.1).

The department initiated a king salmon enhancement program in Juneau in the early 1990s. Anglers targeting hatchery king salmon that returned to the mouth of Auke Creek were frequently observed snagging sockeye salmon. To protect sockeye salmon, the department initially closed the area at the creek mouth by EO during the weeks that sockeye salmon were present. However, since 2003, in an effort to maintain shoreline fishing opportunity for hatchery king salmon at this site, the department's EOs have allowed sport fishing, but prohibited snagging at the creek mouth when sockeye salmon are present.

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

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

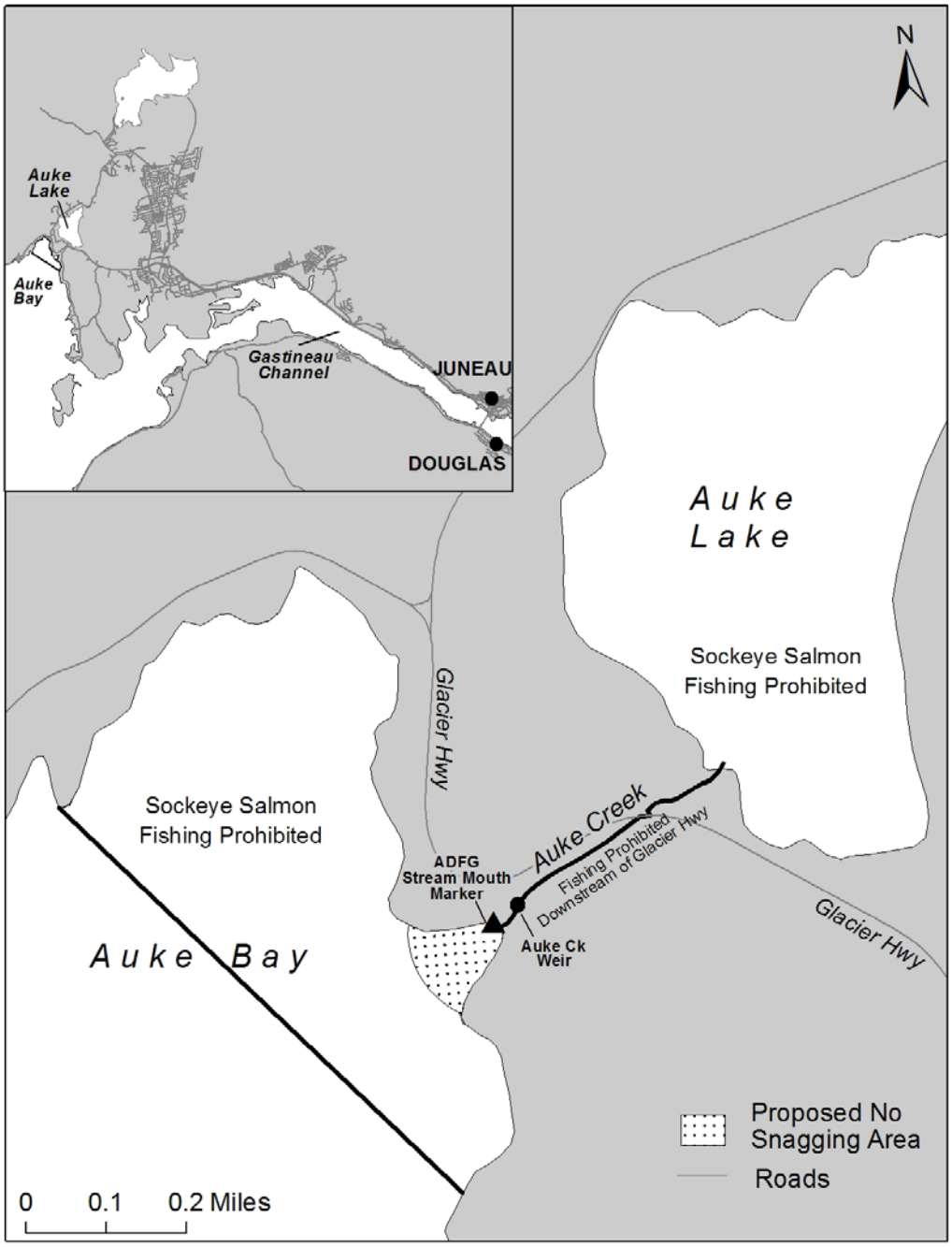

Figure 256.1–Map of Auke Bay and Auke Lake drainage showing areas closed to sockeye salmon fishing and the proposed no-snagging area.

PROPOSAL 257 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Tony Soltys.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit use of bait on Cowee Creek.

WHAT ARE THE CURRENT REGULATIONS? Use of bait is allowed on Cowee Creek from September 15 through November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce diversity of fishing opportunity; and may cause directed coho salmon fishing effort to shift from Cowee Creek to smaller Juneau roadside streams where use of bait in the fall is allowed. Because the frequency of bait use and the number of released fish caught with bait in Cowee Creek are not known, it is not possible to assess the effect this proposal would have on reducing overall fish mortality, thereby improving catch rates for cutthroat trout or coho salmon. This proposal would reduce mortality of released fish caught with bait by some unknown amount.

BACKGROUND: In 1994, for trout conservation, the Alaska Board of Fisheries (board) adopted a regional 10-month bait prohibition for nearly all Southeast Alaska streams, including Cowee Creek, in conjunction with restrictive minimum size limits intended to protect trout from harvest until they reach spawning maturity. Studies have shown that mortality rates of released fish caught in fresh water using bait are higher than for fish caught with artificial lures, and that mortality rates of fish caught using bait vary depending on variables such as handling and hook removal techniques, hook location, and proximity to salt water. The board's decision to allow bait for two months in the fall was based on comments from anglers wanting to use bait for coho salmon. In 1994, the board also established year-round bait prohibitions for "high-use" lakes, those with more developed access and higher levels of fishing effort; this included Windfall Lake on the Juneau road system. In 2003, the board adopted a proposal, submitted by the department, recommending that the year-round bait prohibition for cutthroat conservation be implemented on three other Juneau road system lakes: Mendenhall Lake, Auke Lake, and the Peterson Creek saltchuck. Other waters on the Juneau road system where bait is prohibited year-round are Glacier and Moraine lakes since 1997, and the Montana Creek drainage since 1985.

Cowee Creek is the largest of three streams on the Juneau road system which support the majority of sport fishing effort during the fall months, the other two being Montana Creek, where bait is prohibited year-round, and the substantially smaller Peterson Creek, where bait is allowed only in the fall upstream of the saltchuck. Coho salmon and cutthroat trout have been documented in the mainstem of Cowee Creek six miles upstream from salt water, 3.5 miles up

the South Fork tributary, and 2.5 miles up the Davies Creek tributary. Anglers access the creek at the Glacier Highway Bridge, which is located approximately 1.5 miles upstream from salt water, and the majority of fishing effort occurs in the mainstem within about one mile of the highway bridge. Some anglers are known to use bait, but the proportion of fishing effort with bait and the proportion of released fish caught using bait are not known.

Based on Statewide Harvest Survey data, average sport harvest of coho salmon in Cowee Creek from 2006–2010 is estimated to be 594 fish annually, roughly equal to the average harvest that occurred from 2001–2005, but 27% greater than the average harvest during the period 1996–2000 (Table 257.1). The average harvest per unit of effort (HPUE) for coho salmon during these three periods has remained the same. The average catch for the recent five-year period (2006–2010) was 23% greater than the average for the prior five years (2001–2005), and 57% greater than the average during the period 1996–2000. The average catch per unit of effort (CPUE) for each of these three five-year periods has remained essentially the same.

Cutthroat trout populations are relatively small in Southeast Alaska and abundance in streams is low compared to other species. The majority of cutthroat trout caught in streams are typically caught incidentally by anglers targeting salmon and Dolly Varden. Sport harvest limits for cutthroat trout on the road system are the most conservative in the region; the estimated sport harvest of cutthroat trout in Cowee Creek is low. Telemetry and tagging studies on cutthroat trout in the Juneau area have shown that they move from drainages with lakes, where they overwinter, to other drainages for spawning. Cutthroat trout that were tagged as they emigrated from Windfall Lake and Auke Lake in the spring were later observed at other streams along the Juneau road system, with many of the Windfall Lake emigrants observed in Cowee Creek.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal because there are no known conservation concerns caused by use of bait in the Cowee Creek sport fishery and it would unnecessarily reduce diversity in freshwater sport fishing opportunity. Any reduction in the mortality rate and subsequent improvement in sport catch rates associated with extending the current 10-month bait prohibition to a full year is likely small especially for coho salmon at higher escapement levels. Anglers wishing to use bait for coho salmon would be restricted to smaller streams on the road system where bait is allowed in the fall, but coho salmon stocks are smaller. Stock assessment studies on coho salmon stocks in Southeast Alaska have shown that they are capable of sustaining high levels of fishery exploitation, including that which occurs in both commercial and sport fisheries. Coho salmon escapements in Cowee Creek, in recent years, are likely at the same relatively low levels as those in nearby streams where stock status is monitored. However, stable harvest rates in the sport fishery suggest that the current sport fishery is sustainable under these levels of escapement.

Lastly, sport fishing regulations for cutthroat trout, Dolly Varden, and coho salmon on the Juneau road system are already the most conservative in the Southeast Region; if a conservation concern should arise, the department has the authority to impose inseason restrictions, as needed, on the sport fishery through its emergency order authority.

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

Table 257.1–Cowee Creek sport fishing effort, and coho salmon and cutthroat trout catch and harvest, 1996–2010.

Year	Effort (angler days)	Coho salmon				Cutthroat trout			
		Harvest	HPUE	Catch	CPUE	Harvest	HPUE	Catch	CPUE
1996	1,639	361	0.22	570	0.35	0	0.00	158	0.10
1997	1,555	271	0.17	674	0.43	0	0.00	49	0.03
1998	2,135	735	0.34	1,631	0.76	0	0.00	202	0.09
1999	1,522	393	0.26	1,450	0.95	0	0.00	204	0.13
2000	2,594	575	0.22	804	0.31	36	0.01	150	0.06
1996–2000 Average	1,889	467	0.24	1,026	0.56	7	0.00	153	0.08
2001	3,087	312	0.10	903	0.29	12	0.00	72	0.02
2002	1,845	644	0.35	1,238	0.67	7	0.00	84	0.05
2003	2,989	989	0.33	1,584	0.53	65	0.02	347	0.12
2004	2,250	456	0.20	1,381	0.61	0	0.00	208	0.09
2005	2,489	588	0.24	1,423	0.57	10	0.00	40	0.02
2001–2005 Average	2,532	598	0.24	1,306	0.54	19	0.01	150	0.06
2006	2,507	498	0.20	818	0.33	0	0.00	157	0.06
2007	1,703	230	0.14	481	0.28	0	0.00	97	0.06
2008	2,222	468	0.21	826	0.37	0	0.00	265	0.12
2009	4,252	1,270	0.30	3,250	0.76	22	0.01	199	0.05
2010	2,803	505	0.18	2,673	0.95	0	0.00	117	0.04
2006–2010 Average	2,697	594	0.20	1,610	0.54	4	0.00	167	0.07

Source: Statewide Harvest Survey, Howe et al. 1996, 2001 a-d; Walker et al. 2003; Jennings et al. 2004, 2006a-b, 2007, 2009a-b; G.B. Jennings, Sport Fish Program Coordinator ADF&G, Anchorage, personal communication.

PROPOSAL 258 – 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Sitka Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would rescind closure of the sockeye salmon sport fishery in Sitkoh Bay. The regionwide bag limit of six sockeye salmon, greater than or equal to 16 inches, and 10 sockeye salmon less than 16 inches would apply in these waters.

WHAT ARE THE CURRENT REGULATIONS? Sitkoh Bay is closed to sport fishing for sockeye salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would restore sport angling opportunity in Sitkoh Bay. A small increase in harvest is expected, but department mark-recapture estimates indicate that there is a harvestable surplus available.

BACKGROUND: Aerial and foot counts for sockeye salmon in the Sitkoh Lake drainage during the mid-1980s showed a low number of escaping sockeye salmon. This, in conjunction with anecdotal information from the public, led to concern over the sustainability of the Sitkoh Lake sockeye salmon population. Regulations adopted in 1989 closed the Sitkoh Lake drainage and Sitkoh Bay to sport fishing for sockeye salmon, and prompted a closure of the Sitkoh Lake subsistence fishery. In 1995, the department began conducting annual mark-recapture studies to estimate Sitkoh Lake sockeye salmon escapement. Estimates from those studies indicated that the Sitkoh Lake sockeye salmon population was healthy and a harvestable surplus was available (Table 258.1). Subsequently, in 2001, the subsistence fishery in both the Sitkoh Lake drainage and Sitkoh Bay was reopened under discretionary permit authority.

In 2006, the Sitka Fish and Game Advisory Committee submitted Proposal 214 which requested that the sockeye sport fishery be reopened in Sitkoh Lake drainage and Sitkoh Bay. The Alaska Board of Fisheries adopted Proposal 214, but due to a clerical error in the committee report, the sockeye sport fishery was reopened in the Sitkoh Lake freshwater drainage only.

The reported subsistence harvest from Sitkoh Bay ranged from 75 to 1,020 sockeye salmon from 2000–2010. Reported effort over that same time period ranged from 8 to 31 permits (Table 258.2).

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department anticipates that the Sitkoh Lake sockeye salmon population could sustainably support the potential increase in sockeye salmon harvest that would occur if this proposal is adopted.

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

Table 258.1–Estimated number of sockeye salmon in Sitkoh Lake study area only and expanded estimate encompassing entire lake, 1997–2010.

Year	Estimated Sockeye in Study Area of Sitkoh Lake	Whole Lake
1997[a]	4,500	6,000
1998[a]	4,400	6,600
1999[a]	8,300	10,500
2000[a]	12,400	17,000
2001[b]	8,800	14,100
2002[a]	7,300	11,900
2003[a]	5,100	8,700
2004[c]	2,100	3,700
2005[d]	6,400	13,400
2006[e]	6,700	14,800
2010[f]	9,665	15,000

[a]Conitz, J. M., and M. A. Cartwright. 2005. Kanalku, Sitkoh, and Kook Lakes subsistence sockeye salmon project: 2003 annual report and 2001–2003 final report. Alaska Department of Fish and Game, Fishery Data Series No. 05-57, Anchorage.
[b]Conitz, J., and M. Cartwright. 2002. Kanalku, Hasselborg, and Sitkoh subsistence sockeye, salmon stock assessment, 2001, annual report. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 1J02-29, Juneau
[c]Conitz, J. M., and M. A. Cartwright. 2007. Kanalku and Sitkoh Lakes subsistence sockeye salmon project: 2004 annual report. Alaska Department of Fish and Game, Fishery Data Series No. 07-01, Anchorage.
[d]Burril, S. E., and J. M. Conitz. 2007. Kanalku and Sitkoh Lakes subsistence sockeye salmon project: 2005 annual report. Alaska Department of Fish and Game, Fishery Data Series No. 07-68, Anchorage.
[e]Conitz, J. M., and S. E. Burril. 2008. Kanalku and Sitkoh Lakes subsistence sockeye salmon project: 2006 annual report. Alaska Department of Fish and Game, Fishery Data Series No. 08-29, Anchorage.
[f]Van Alen, B. W. and C. J. Mahara. Sitkoh Lake sockeye salmon stock assessment, 2010 Annual Report for Study 10-605, Juneau

Table 258.2–Number of subsistence permits fished and subsistence harvest of sockeye salmon in the Sitkoh Bay subsistence fishery, 1985–2011.

Year	Permits[c]	Sockeye Salmon[c]
1985	40	313
1986	48	677
1987	36	636
1988	25	322
1989	16	248

-continued-

Table 258.2-continued (page 2 of 2)

Year	Permits[c]	Sockeye Salmon[c]
1990	18	181
1992	Confidential[a]	-
1994	Confidential[a]	-
1995	Confidential[a]	-
1996	3	50
1997	6	60
1998	2	16
1999	6	36
2000	8	75
2001	17	276
2002	7	184
2003	20	647
2004	32	1,055
2005	11	275
2006	11	350
2007	Confidential[a]	
2008	3	101
2009	16	676
2010	7	164
2011[b]	18	330

[a] Confidential harvest is less than three reporting.

[b] 2011 data is likely incomplete. Final numbers will not be available until July of 2012.

[c] Only includes returned permits.

PROPOSAL 259 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: David Rice.

WHAT WOULD THE PROPOSAL DO? This proposal seeks to limit anglers to fly-fishing-only, and prohibit retention of all fish in the half-mile section of Indian River between the Sawmill Creek Road Bridge and salt water.

WHAT ARE THE CURRENT REGULATIONS? Indian River, downstream of the Sawmill Creek Bridge, is closed to sport fishing for pink, chum, coho, and sockeye salmon, but open to king salmon fishing, providing anglers the opportunity to harvest stray hatchery-released king salmon. Indian River steelhead, cutthroat trout, and Dolly Varden sport fisheries are managed under regional regulations.

In Indian River, sport fishing may be conducted only by use of a single line attached to not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. Use of bait is allowed September 15 through November 15 and prohibited for the remainder of the year.

In waters designated as fly-fishing only, allowable gear is defined in 5 AAC 75.024 as 1) with not more than one unweighted, single-hook fly with gap between point and shank three-eighths inch or less; and 2) weights may be used 18 inches or more ahead of the fly. Additionally, there would be no retention of fish in this area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the lowest one-half mile of Indian River would be designated as fly-fishing only. This would result in a reduction of fishing opportunity. Prohibiting retention would result in a reduction in harvest opportunity and, likely, harvest.

BACKGROUND: In 1962, Indian River was closed to sport fishing for salmon due to low salmon escapements and remained closed until 2006. In 1992, salmon passage was improved through a fish pass above the Sheldon Jackson College Dam. Since 1994, peak pink salmon aerial counts have ranged from 14,000 to 376,000 and averaged 122,000 annually. These minimum estimates of escapement indicate that the Indian River pink salmon population is healthy. The sustainability of Indian River steelhead, cutthroat, and rainbow trout populations is protected by conservative regionwide regulations that allow a majority of cutthroat and rainbow trout to spawn at least once before being available to harvest, and allow less than 5% of steelhead to be harvested. There are no known conservation concerns for Dolly Varden in the Indian River drainage.

In 2005, the Sitka Fish and Game Advisory Committee, with input from Sitka National Historical Park staff, submitted a proposal to the Alaska Board of Fisheries (board) that sought to open the Indian River pink salmon fishery upstream of the Sawmill Creek Road Bridge. Leaving the pink salmon fishery closed below the bridge sought to minimize potential habitat damage and facilitate nonconsumptive wildlife viewing opportunities within the Sitka National Historical Park. In 2006, the board adopted that proposal into regulation during its Southeast/Yakutat Finfish meeting.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because there are no biological or conservation reasons for limiting anglers to fly-fishing only and prohibiting retention of all fish in this relatively short section of Indian River. The department is **NEUTRAL** on the social or allocative implications of this proposal seeking to establish fly-fishing only waters.

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

PROPOSAL 262 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would increase angler opportunity to harvest hatchery-stocked fish by extending the fishing season, allowing use of bait in Ketchikan City Park Ponds until August 31, and establishing a rainbow trout, and king and coho salmon bag and possession limit, in combination of five fish, any size; regulations for cutthroat trout would revert to regional trout regulations for fresh waters.

WHAT ARE THE CURRENT REGULATIONS? In City Park Ponds, sport fishing is allowed only from the first Saturday in June through the first Sunday in July; bait may be used from the first Saturday in June through the first Sunday in July; the bag and possession limit for rainbow and cutthroat trout, in combination, is five fish; no size limit (5 AAC 47.023(i)(3)). The regional bag limit and possession limit for coho, chum, pink, and sockeye salmon under 16 inches in length, is 10 fish, in combination. Regional regulations prohibit the harvest of king salmon in fresh water.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would increase angling opportunity for rainbow trout, and king and coho salmon, in the City Park Ponds, by two months. This would allow increased harvest and fishing opportunity of hatchery-produced fish not harvested during the annual "Kids' Fishing Day".

BACKGROUND: The annual Kids' Fishing Day has been held in the Ketchikan City Park Ponds since the mid-1990s. The Deer Mountain Hatchery, in cooperation with the U.S. Forest Service, has annually stocked the ponds with rainbow trout, and king or coho salmon for this event. Annual releases of up to 2,200 fish have provided fishing opportunity for 200–400 kids and parents. In 1997, the Alaska Board of Fisheries adopted a proposal opening City Park Ponds for a 30-day period to allow for this event and one month of fishing opportunity. In recent years, the department, Deer Mountain Hatchery, and Alaska Wildlife Troopers have fielded calls regarding anglers (mostly children) wanting to fish in the ponds in the summer months after the season has closed. An extended fishing season to August 31 would allow anglers (youth and adults) additional sport fishing opportunities to harvest remaining stocked fish. The Deer Mountain Hatchery is currently permitted to stock the ponds with rainbow trout, and king and coho salmon. In order to provide fishing opportunity for these species, regulations need to be modified to reflect the species that are stocked.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. There are no conservation concerns in City Park Ponds and this proposal allows for additional

fishing opportunities on the hatchery-stocked rainbow trout, and king and coho salmon in City Park Ponds.

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

PROPOSAL 263 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: William Russell.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit use of bait in the Klawock River, requiring the use of unbaited, artificial lures.

WHAT ARE THE CURRENT REGULATIONS? In the Klawock River drainage, only unbaited, artificial lures may be used (5 AAC 47.023(k)(5)).

In seven of the last 12 years, the department has issued emergency orders (EOs), based on 5 AAC 75.003(2)(B), opening a section of Klawock River below the hatchery weir to use of bait during the coho salmon season, when the number of returning coho salmon was sufficient to meet escapement and broodstock needs.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would clarify the intent of the Alaska Board of Fisheries (board) regarding use of bait in the Klawock River drainage during the coho salmon recreational fishery. The proposal could result in a decrease in sport harvest of coho salmon in the Klawock River relative to harvests taken during years when bait has been allowed. This proposal may cause some fishing effort to shift from the Klawock River to other Prince of Wales Island roadside streams with wild coho salmon populations and more liberal bait regulations.

BACKGROUND: In 1994, the board prohibited use of bait in all Southeast Alaska streams known to contain populations of fall steelhead; this action included the Klawock River. During the 2000 board cycle, the department submitted Proposal 294, which requested the Klawock Lake drainage be designated as a "high-use" cutthroat trout system. This designation increased the cutthroat trout minimum size limit from 12 inches to 14 inches and prohibited use of bait year-round. However, during the same 2000 board cycle, a member of the public submitted Proposal 301, which requested that bait be allowed in the Klawock River to primarily target hatchery-produced coho salmon. The board adopted the "high use" regulations for the Klawock drainage, but directed the department to use its EO authority to provide an opportunity to harvest coho salmon with bait, while monitoring the fishery for effects on the fall steelhead and trout populations.

Since 2000, the department has issued EOs allowing use of bait in the lower Klawock River during the coho salmon season in seven of the last 12 years. Harvests during 2000–2010, as estimated by the Statewide Harvest Survey, averaged 43 cutthroat trout, 22 rainbow trout, and three steelhead trout, while coho salmon harvests during the same time period averaged 1,650

fish (Table 263.1). Although the department has concerns about the use of bait increasing mortality of steelhead and trout in the freshwater sport fisheries across Southeast Alaska, these concerns have been minimized in the Klawock River watershed by limiting the time and area where the use of bait is allowed. Fall-run steelhead typically do not begin entering the Klawock River until late November, and the department's EOs allowing use of bait expire in mid-October. The majority of the Klawock River trout are in areas of the watershed outside the area where the department allows use of bait; trout are typically in the lake or in upstream tributaries above the lake. In addition, hooks used by anglers targeting coho salmon with bait are typically larger than those used for trout, which reduces incidental hooking of juvenile fish due to their smaller mouth sizes.

The department has issued these EOs using the authority granted by the board under 5 AAC 75.003(2)(B), whereby methods and means of harvest can be liberalized if "hatchery-produced fish escape through existing fisheries to designated harvest areas in numbers that exceed broodstock needs, and natural spawning requirements, or cost-recovery goals of private nonprofit hatcheries". In the Klawock River, coho salmon pass through a weir and enter the Klawock Hatchery raceway, at which point they can be passed upstream for escapement, held for broodstock, or harvested for cost recovery. The majority of the early-returning fish are harvested for cost recovery. Therefore, it is often unknown if escapement and broodstock needs will be met until late into the return. This prevents the department from issuing an EO until late in the season (or not at all) in most years, despite coho salmon returns in excess of escapement and broodstock needs.

There does not appear to be a strong correlation between the use of bait and the harvest of coho salmon in the sport fishery (Figure 263.1). Factors that affect sport harvest of coho salmon in the lower Klawock River are limits (which remain unchanged at six per day), fishing effort, number of fish returning to the stream (although there is not a strong correlation between fish numbers and harvest), and stream conditions.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Without further regulatory direction from the board, the department will not continue to allow use of bait in the Klawock River under EO authority since it is in conflict with existing regulations prohibiting bait in the Klawock River drainage.

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

Table 263.1–Statewide Harvest Survey estimates of cutthroat trout, rainbow trout, steelhead, and coho salmon harvest in Klawock River, 2000–2010.

Year	Cutthroat trout	Rainbow trout	Steelhead	Coho salmon
2000	130	106	0	1,194
2001	48	8	0	367
2002	108	42	0	961
2003	65	32	15	1,246
2004	0	0	8	1,687
2005	74	22	0	717
2006	0	11	0	2,540
2007	15	12	0	2,792
2008	0	0	0	3,997
2009	20	13	0	1,500
2010	12	0	9	1,148
2000–2010 Average	43	22	3	1,650

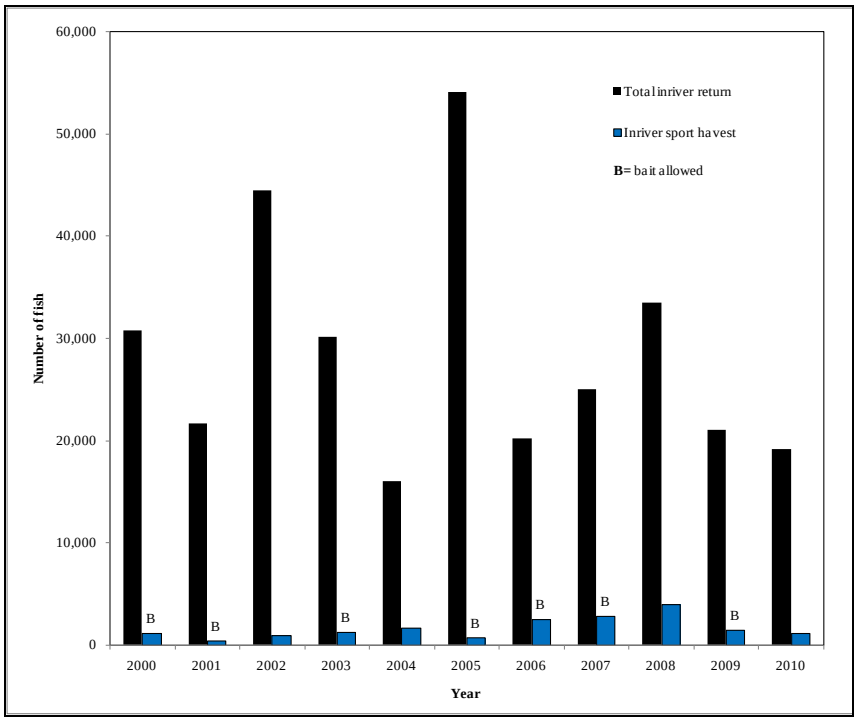

Figure 263.1–Klawock River coho salmon total inriver return, sport harvest, and years when bait was allowed.

PROPOSAL 264 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Robert Tremewan.

WHAT WOULD THE PROPOSAL DO? This proposal would allow use of bait in the Klawock River during coho salmon season.

WHAT ARE THE CURRENT REGULATIONS? In the Klawock River drainage, only unbaited, artificial lures may be used (5 AAC 47.023(k)(5)).

In seven of the last 12 years, the department has issued emergency orders (EOs), based on 5 AAC 75.003(2)(B), opening a section of Klawock River below the hatchery weir to the use of bait during the coho salmon season, when the number of returning coho salmon was sufficient to meet escapement and broodstock needs.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would clarify the intent of the Alaska Board of Fisheries (board) regarding use of bait in the Klawock River drainage during the coho salmon recreational fishery. The proposal could result in an increase in sport harvest of coho salmon in the Klawock River in some years. Effort may increase by anglers who prefer to use bait while fishing for coho salmon.

BACKGROUND: In 1994, the board prohibited use of bait in all Southeast Alaska streams known to contain populations of fall steelhead; this action included the Klawock River. During the 2000 board cycle, the department submitted Proposal 294, which requested the Klawock Lake drainage be designated as a "high-use" cutthroat trout system. This designation increased the cutthroat trout minimum size limit from 12 inches to 14 inches and prohibited use of bait year-round. However, during the same 2000 board cycle, a member of the public submitted Proposal 301, which requested that bait be allowed in the Klawock River to primarily target hatchery-produced coho salmon. The board adopted the "high-use" regulations for the Klawock drainage, but directed the department to use its EO authority to provide an opportunity to harvest coho salmon with bait, while monitoring the fishery for effects on the fall steelhead and trout populations.

Since 2000, the department has issued EOs allowing use of bait in the lower Klawock River during the coho salmon season in seven of the last 12 years. Harvests during 2000–2010, as estimated by the Statewide Harvest Survey, averaged 43 cutthroat trout, 22 rainbow trout, and three steelhead trout, while coho salmon harvests during the same time period averaged 1,650 fish (Table 263.1). Although the department has concerns about the use of bait increasing mortality of steelhead and trout in the freshwater sport fisheries across Southeast Alaska, these

concerns have been minimized in the Klawock River watershed by limiting the time and area where the use of bait is allowed. Fall-run steelhead typically do not begin entering the Klawock River until late November, and the department's EOs allowing use of bait expire in mid-October. The majority of the Klawock River trout are in areas of the watershed outside the area where the department allows use of bait; trout are typically in the lake or in upstream tributaries above the lake. In addition, hooks used by anglers targeting coho salmon with bait are typically larger than those used for trout, which reduces incidental hooking of juvenile fish due to their smaller mouth sizes.

The department has issued these EOs using the authority granted by the board under 5 AAC 75.003(2)(B), whereby methods and means of harvest can be liberalized if "hatchery-produced fish escape through existing fisheries to designated harvest areas in numbers that exceed broodstock needs, and natural spawning requirements, or cost-recovery goals of private nonprofit hatcheries". In the Klawock River, coho salmon pass through a weir and enter the Klawock Hatchery raceway, at which point they can be passed upstream for escapement, held for broodstock, or harvested for cost recovery. The majority of the early-returning fish are harvested for cost recovery. Therefore, it is often unknown if escapement and broodstock needs will be met until late into the return. This prevents the department from issuing an EOs until late in the season (or not at all) in most years, despite coho salmon returns in excess of escapement and broodstock needs.

There does not appear to be a strong correlation between the use of bait and the harvest of coho salmon in the sport fishery (Figure 263.1). Factors that affect the sport harvest of coho salmon in the lower Klawock River are limits (which remain unchanged at six per day), fishing effort, number of fish returning to the stream (although there is not a strong correlation between fish numbers and harvest), and stream conditions.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. If the board chooses to allow use of bait by regulation, the department recommends that it be allowed only in the lower Klawock River downstream of the hatchery weir in order to minimize any effects on the trout population in the drainage, and that use of bait not be allowed past mid-October, to protect fall steelhead.

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

Table 264.1–Statewide Harvest Survey estimates of cutthroat trout, rainbow trout, steelhead, and coho salmon harvest in Klawock River, 2000–2010.

Year	Cutthroat trout	Rainbow trout	Steelhead	Coho salmon
2000	130	106	0	1,194
2001	48	8	0	367
2002	108	42	0	961
2003	65	32	15	1,246
2004	0	0	8	1,687
2005	74	22	0	717
2006	0	11	0	2,540
2007	15	12	0	2,792
2008	0	0	0	3,997
2009	20	13	0	1,500
2010	12	0	9	1,148
2000–2010 Average	43	22	3	1,650

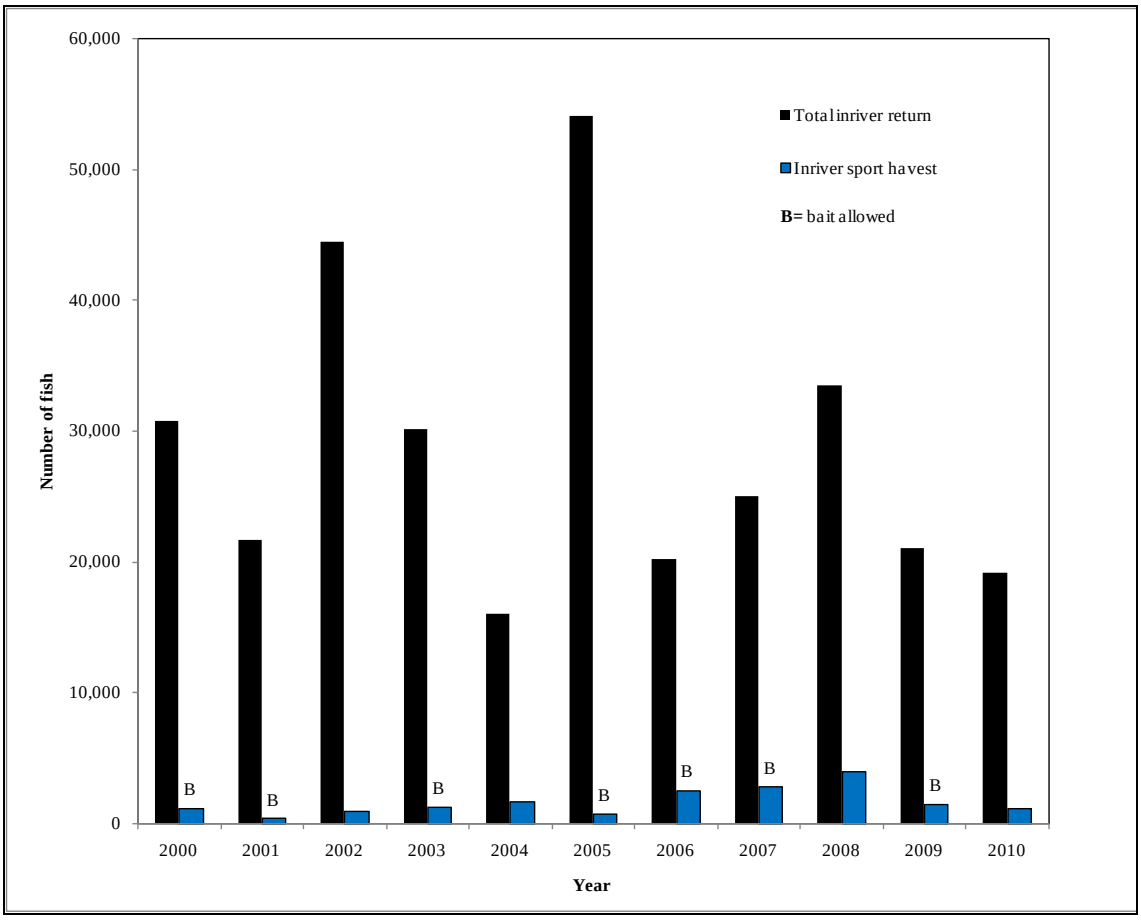

Figure 264.1–Klawock River coho salmon total inriver return, sport harvest, and years when bait was allowed.

PROPOSAL 265 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the Klawock River drainage regulation that allows harvest of hatchery-produced steelhead.

WHAT ARE THE CURRENT REGULATIONS? In Southeast Alaska, the steelhead bag limit is one fish, the possession limit is two, the minimum size limit is 36 inches or greater in length, and there is an annual limit of two. In the Klawock River drainage, the bag and possession limit for steelhead is two fish (any size) if one of the fish has a clipped adipose fin, as evidenced by a healed scar.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Adoption of this proposal would apply regional steelhead regulations (only) to the Klawock River drainage.

BACKGROUND: Hatchery-produced steelhead are no longer released into the Klawock River drainage, making this regulation unnecessary.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The current regulation is unnecessary and can be confusing to the public.

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

PROPOSAL 266 – 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Adoption of this proposal would clarify sport fishing regulations by amending the area description where snagging and retention of sockeye salmon is prohibited within Klawock Harbor.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 47.021(i) In the Prince of Wales Island vicinity: 1) the waters of Klawock Harbor between the Klawock River Bridge and a line from the Klawock blinker light to the Klawock oil dock are closed to (A) snagging; a fish hooked anywhere other than in the mouth must be released immediately; (B) sport fishing for sockeye salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would clarify that snagging is allowed in a small portion of Klawock Harbor, which does not lie directly between the bridge and the line described in regulation.

BACKGROUND: This regulation became an issue in recent years when Alaska Wildlife Troopers observed anglers snagging sockeye and coho salmon in a portion of Klawock Harbor that did not lie directly between the bridge and boundary line of the harbor mouth (Figure 266.1).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department also suggests that the Alaska Board of Fisheries replace the term "Klawock oil dock" with "Klawock Cannery dock" for additional clarification. The term "oil dock" appears to be a relic from a time in the past when fuel was stored or sold at this location. Most members of the public do not know what the oil dock is or where it is located. The cannery dock describes the same location and is well known by the public.

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

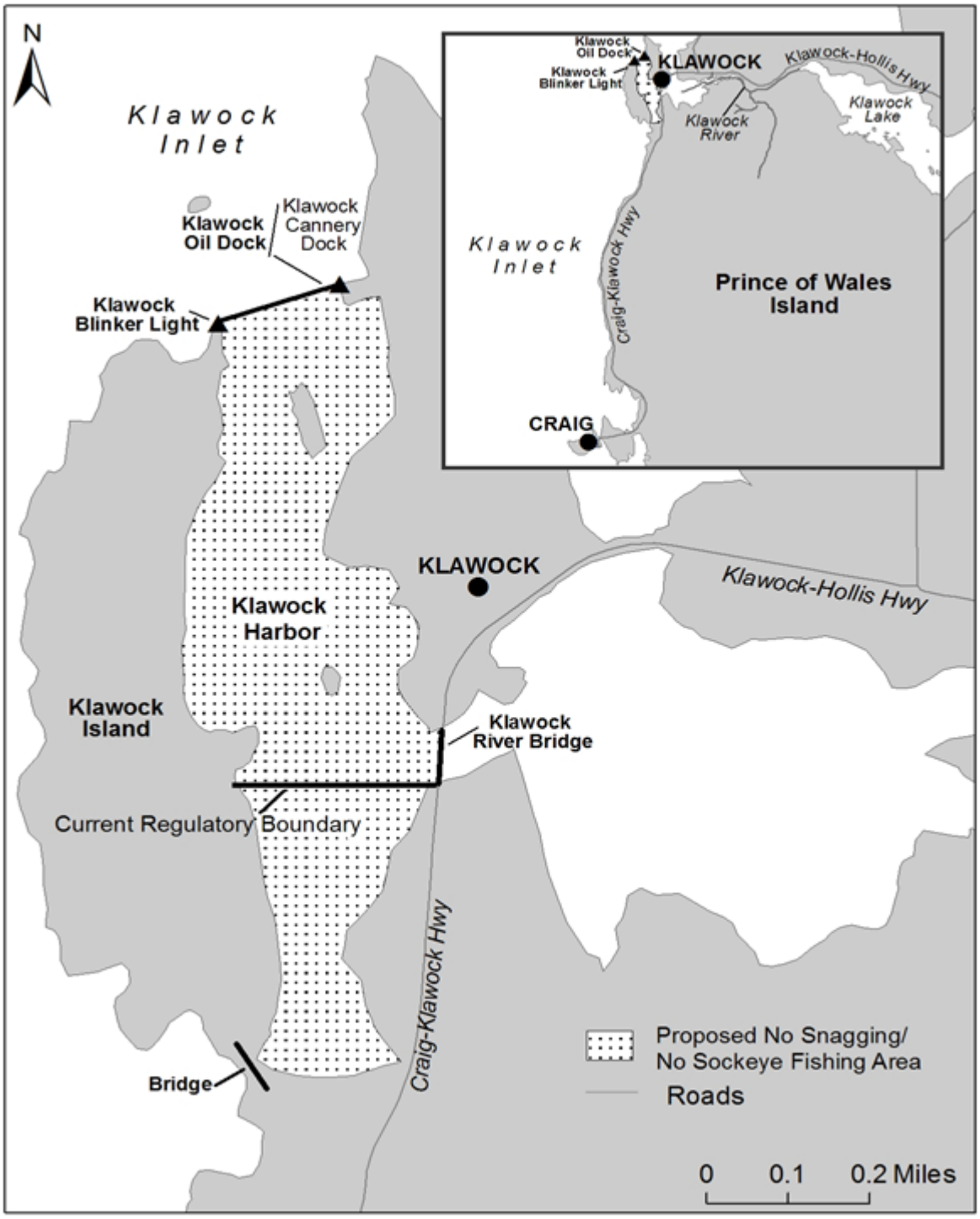

Figure 266. 1–Current Klawock Harbor regulatory boundary for area closed to sockeye salmon fishing and prohibiting snagging, and proposed area closed to sockeye salmon fishing and prohibition on snagging.

PROPOSAL 267 – 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce Yakutat's Post Office Lake bag and possession limits, for coho salmon 16 inches or greater in length, from a bag limit of four fish and an eight-fish possession limit to a bag and possession limit of two fish. This proposal would also prohibit use of bait in the lake.

WHAT ARE THE CURRENT REGULATIONS? In Post Office Lake, for coho salmon 16 inches or greater in length, the bag limit is four fish, with a possession limit of eight fish and bait may be used from January 1–December 31.

In the freshwater drainages in the Yakutat vicinity that are crossed by the Yakutat road system, and all streams draining into Yakutat Bay between Ocean Cape and Point Latouche, the bag and possession limit for coho salmon, 16 inches or greater in length, is two fish and only unbaited, artificial lures may be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce angler opportunity to allow recolonization of coho salmon in the Yakutat Post Office drainage. It would also make regulations for Post Office Lake identical to those in the surrounding area.

BACKGROUND: In 2009, the department successfully eradicated the nonindigenous Northern pike population in the Yakutat's Post Office Lake drainage with rotenone treatments. Use of bait, which was allowed prior to treatments to increase harvest of the invasive Northern pike, is no longer needed and may, in fact, hinder reestablishment of salmonids in this system. During post treatment assessment sampling in 2010, the department confirmed that recolonization of the Yakutat Post Office Lake system by coho salmon, pink salmon, and Dolly Varden was occurring.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. In order to maximize the potential for rebuilding of the coho salmon population in the Post Office Lake drainage, the Yakutat road system bag and possession limit of two coho salmon is more appropriate than the current bag limit of four fish and possession limit of eight fish.

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

SUBSISTENCE AND PERSONAL USE (10)

GENERAL (1)

PROPOSAL 269 – 5 AAC 01.1XX. New Regulation; and 5 AAC 77.6XX. 47.024. Harvest record required; annual limit. (*This proposal was erroneously cited only under* 5 AAC 47.024. Harvest record required; annual limit.)

PROPOSED BY: Clay Bezenek.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a biannual catch report card system for recording harvest of finfish in the subsistence, personal use, and sport finfish fisheries, and implement a penalty for late reporting.

WHAT ARE THE CURRENT REGULATIONS? In the Southeast Alaska Area, subsistence harvest of eulachon in the Unuk River, and personal use and subsistence harvest of salmon, trout, char, and herring spawn on kelp are allowed under the authority of a subsistence fishing permit. Recording stipulations of these subsistence and personal use permits require each subsistence fisherman to keep accurate daily records of the harvest involved, showing the number of species, location, and date of the harvest, and other information that the department may require for management or conservation purposes. In the Yakutat Area, subsistence permits for harvest of salmon, trout, and char are required and stipulate the same reporting requirements as subsistence permits in the Southeast Alaska Area.

A sport fishing guide is required to report effort, catch, and harvest of sport fish by persons who are clients for each trip in the department's guide logbook if operating in fresh waters. There are no reporting requirements for unguided sport anglers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Requiring a finfish catch report for subsistence, personal use, and sport anglers would provide an additional method of tracking, and in some cases, more detailed information, of finfish harvests. This proposal would have a prohibitive budgetary impact on the department due to the cost of producing catch reports, collection of the reports biannually, and entering and analyzing the data.

BACKGROUND: The department collects Southeast Alaska subsistence and personal use harvest information for salmon, steelhead, trout, char, eulachon (in the Unuk River), and herring spawn on kelp annually on permit harvest calendars. Similar information is not collected by the department for other finfish species by permit. In the federal subsistence halibut fishery, information about incidental harvests of lingcod and rockfish is obtained from a mail-out survey.

Currently, the department collects sport angler catch and harvest information via dockside creel survey interviews, mandatory charter boat logbooks, and postal surveys of anglers through the annual Statewide Harvest Survey program.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. A new reporting program of this magnitude would be very expensive, and in some cases, would duplicate current data collection programs. When more detailed harvest information than is currently available is needed for sustainable management of fishery resources or to meet the Alaska Board of Fisheries' allocation goals, the department anticipates submitting specific proposals to meet those objectives.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has made several positive customary and traditional use findings for salmon, eulachon, herring, and other finfish at 5 AAC 01.716(a).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established several amounts reasonably necessary for subsistence for salmon and herring spawn in the Southeast Alaska area, at 5 AAC 01.716 (b) and (c).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

SALMON (8)

PROPOSAL 274 – 5 AAC 77.682(c) and (g)(5). Personal use salmon fishery.

PROPOSED BY: Mike Fox.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the department to issue personal use salmon permits in Southeast Alaska for the directed taking of king and coho salmon, and allow the use of additional gear for the taking of personal use salmon, including a line attached to a pole or rod, power troll, and hand troll gear.

WHAT ARE THE CURRENT REGULATIONS? Statewide personal use regulations under 5 AAC 77.001 provide the Alaska Board of Fisheries' (board's) findings concerning its intent on personal use regulations. In summary, personal use fisheries are warranted since a fishery is not commercial, when there is not a customary and traditional (C&T) subsistence use, when gear is different from that associated with sport fishing, and/or when the fishery is targeting a hatchery stock.

Southeast Alaska personal use salmon regulations under 5 AAC 77.682 state that salmon may only be taken under the authority of a personal use fishing permit. The department will not issue a permit for the taking of king or coho salmon, but king and coho salmon taken incidentally by gear operated under the terms of a personal use permit for other salmon are legally taken and possessed for personal use purposes. The holder of a personal use salmon permit shall report any king or coho salmon taken in this manner on that permit holder's permit calendar. The possession limit for king salmon is two fish and the possession limit for coho salmon is six fish. Salmon may be taken by gear listed in 5 AAC 01.010(a) except as may be restricted on a personal use permit and except that salmon may not be taken by the use of a line attached to a pole or rod.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal were adopted, personal use fishery regulations would be much more liberal and harvest and effort level in the personal use fishery would generally increase, targeting coho and king salmon. This proposal may potentially result in conservation issues for small stocks of king and coho salmon.

Resource, management, and enforcement issues would vary depending on the harvest limits, seasons, and areas open to fishing under this proposed regulation. Effects may include impacts to existing fishery allocations. In marine waters, opportunity for king salmon is constrained by the Pacific Salmon Treaty (PST); therefore, there are PST implications concerning king salmon. Under the PST, in years when preseason forecasts of Taku and Stikine river king salmon

abundance provides no allowable catch (AC), a directed personal use fishery for king salmon on the Taku and Stikine rivers would be considered a new fishery. There are enforcement issues in areas where fisheries with similar gear overlap and there are different bag and possession limits, seasons, and other restrictions.

BACKGROUND: Under current regulations, the department may not issue personal use permits for king and coho salmon, except to target hatchery returns. King and coho salmon may be retained if caught incidentally while personal use salmon fishing for other species, under the stipulations of the permit, with incidental bycatch bag and possession limits the same as sport limits for king and coho salmon. Current sport fish regulations allow the use of a pole with line attached, and existing bag limits, in most cases, limit a resident's daily take and possession, but allow unlimited annual harvests of these species.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Allowing use of a line attached to a pole (sport fishing gear) or commercial gear for personal use fishing would likely create resource issues. Fishermen could potentially use the same gear in the same area, but may have different bag and possession limits depending on the fishery. Under the PST, in years when the preseason forecast of Taku River king salmon abundance provides no AC, a directed personal use fishery for king salmon on the Taku and Stikine rivers would not be allowed and would violate conditions of current obligations in the U.S./Canada PST since it would establish a new fishery that has not been negotiated. Adoption of this proposal would be unusual since it would duplicate the existing sport fishery for residents. In these respects, the proposal appears to go beyond the board's intent when it created personal use regulations.

The department is **NEUTRAL** on the allocative implications of this proposal that may reallocate the available king and coho salmon resource among user groups.

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

PROPOSAL 275 – 5 AAC 01.750. Vessel Specifications and Operations.

PROPOSED BY: Michael Douville.

WHAT WOULD THE PROPOSAL DO? This proposal would remove the 35-horsepower limit that is currently in place in the Klawock subsistence area and prohibit use of seine power skiffs (Figure 275.1).

WHAT ARE THE CURRENT REGULATIONS? In the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock Oil Dock, no person may subsistence salmon fish from a vessel that is powered by a motor greater than 35 horsepower.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would remove the maximum 35-horsepower outboard restriction in the Klawock Inlet subsistence area and would prohibit use of seine power skiffs. The efficiency of fishing gear may increase, which could result in increased harvests, but the amount is unknown.

BACKGROUND: In 1986, the Klawock Fish and Game Advisory Committee (AC) submitted a proposal to the Alaska Board of Fisheries (board) to rebuild the depressed Klawock River sockeye salmon stock. One part of this plan was to close Klawock Harbor to use of seine power skiffs to harvest salmon for subsistence uses.

The AC indicated that large power skiffs allowed increased harvests, were used to harass the fish, and presented a dangerous situation to other subsistence fishermen. The board addressed this issue during a special meeting in April 1987. During deliberations, concerns were raised that large horsepowered seine skiffs could tow large seines, with increased catch rates. Resulting regulations passed that prohibited use of vessels powered by a motor greater than 35 horsepower.

Sockeye salmon stocks have been steadily rebuilding during recent years and escapements for the last 10 years have averaged 16,000 sockeye salmon counted through the Klawock River weir. The Klawock River sockeye salmon escapement in 2011 has been the lowest in recent years. Over the last 10 years, annual subsistence sockeye salmon harvest, based on returned permits, has ranged from 250 to 5,500 fish, and harvests of between 2,000 to 4,000 fish are typical (Figure 275.2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, but has concerns about any changes to regulations that would increase harvest during years of low abundance. The department does not have the ability to manage this fishery inseason because escapement counts through the Klawock River weir peak in the middle of August, after the subsistence fishery has closed.

When this proposal was adopted in 1987, Klawock River sockeye salmon escapements were in a depressed state. With the exception of 2011, Klawock River sockeye salmon escapements over the last 10 years have been positive and stable, and a limited increase in efficiency of harvest would not jeopardize the sustainability of the resource. Although approval of this proposal would allow larger vessels to participate, gear would still be restricted by permit conditions to a hand beach seine, prohibiting large seines.

If the board chooses to adopt this proposal, regulations would need to be added that define a seine power skiff or modify the maximum horsepower limit. Seine skiffs generally utilize large inboard engines. Recent increases in technology allow for vessels to have large horsepower engines. The department is unsure that prohibiting seine power skiffs will make a difference in fishing effort or harvest.

COST ANALYSIS: Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this fishery should they have to repower a vessel to be in compliance.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden, and steelhead trout in Section 3-B in waters, east of a line from Point Ildefonso to Tranquil Point, are customarily and traditionally taken or used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board finds that 9,068–17,503 salmon in districts 1–4 are reasonably necessary for subsistence (5 AAC 01.716(c)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

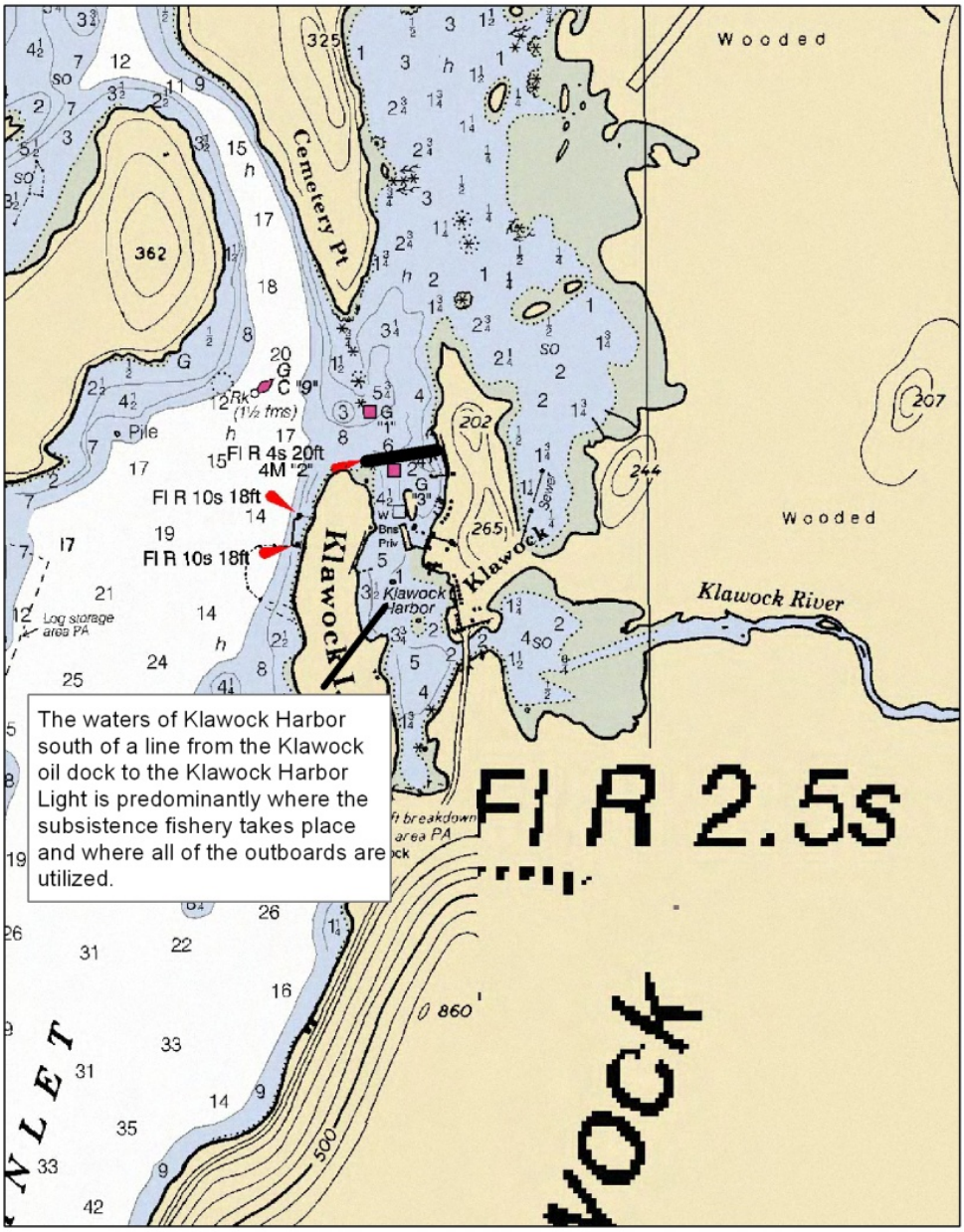

Figure 275.1–The Klawock 35-horsepower use area.

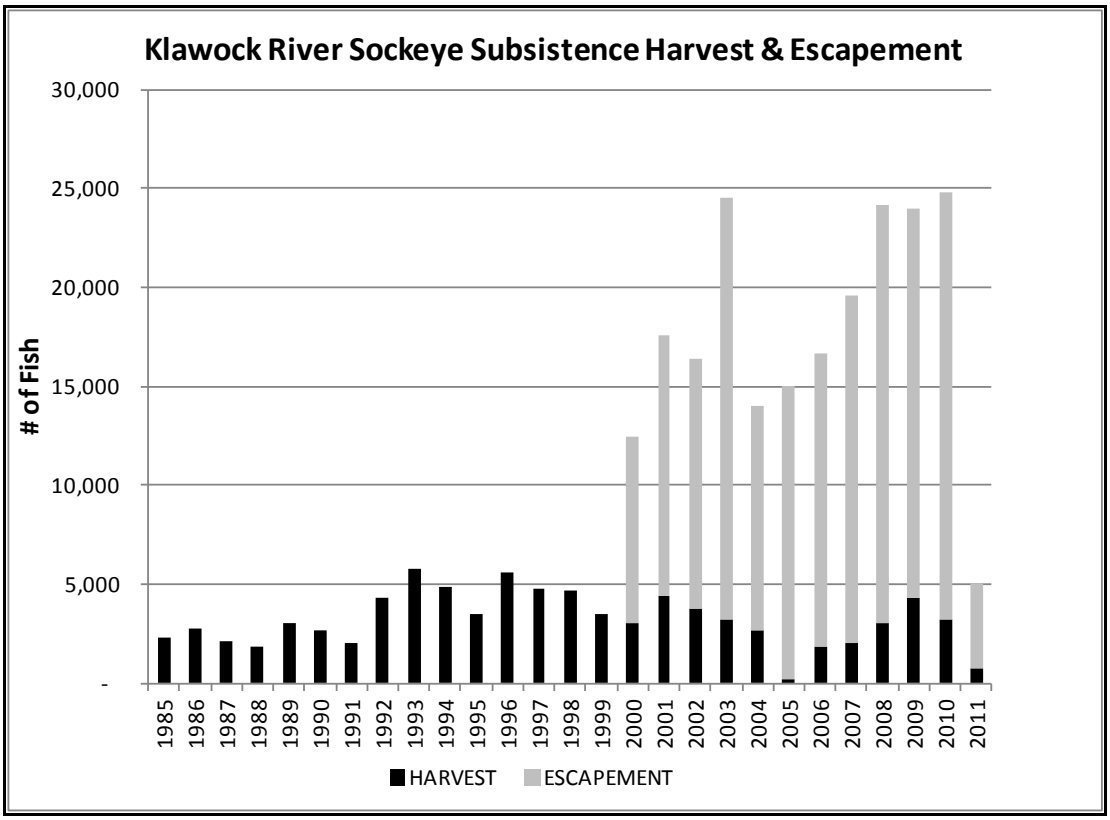

Figure 275.2–Klawock River sockeye subsistence harvest (based on returned permits) and escapement.

PROPOSAL 276 – 5 AAC 01.710. Fishing Seasons.

PROPOSED BY: Michael Douville.

WHAT WOULD THE PROPOSAL DO? This proposal would change the Klawock River subsistence sockeye fishery from five to seven days per week.

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide an area, a season of July 7–August 7, and fishing periods from 8:00 a.m. Monday until 5:00 p.m. Friday.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would open the Klawock River subsistence fishery seven days per week.

BACKGROUND: In 1986, the Klawock Fish and Game Advisory Committee (AC) submitted a proposal to the Alaska Board of Fisheries (board) to rebuild the depressed Klawock River sockeye salmon stock. One part of this plan was to close fishing on weekends in order to discourage other residents of Prince of Wales Island from participating in the Klawock River subsistence fishery.

The AC worked closely with the department and provided an action plan to the board to help rebuild the sockeye salmon stocks while still maintaining opportunity for subsistence sockeye salmon needs of Klawock residents to be met. Justifications included: 1) a huge increase in sockeye salmon subsistence permits to the system, 2) Craig residents requesting the same number of permits as Klawock residents, and 3) a highly-developing road system creating additional subsistence fishing pressure from other Prince of Wales and Southeast Alaska towns.

Among the recommendations was a closure during the weekend and a general timing closure confining the subsistence season to July 7 to July 31. Both were adopted into regulation, with the intent of the weekday only fishery to exclude those participants who worked during the week.

During the 2009 board cycle, after years of stable returns of sockeye salmon into the Klawock River, the board extended the season from July 7 to August 7 to allow for additional harvest closer to the peak run timing. The weekend closure remained in effect.

During recent years, annual subsistence sockeye salmon harvests, based on returned permits, have ranged from 250 to 5,500 fish, though typically harvests of between 2,000 to 4,000 fish are more common (Figure 275.1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal, but has concerns about changes to regulations that would increase harvest during years of low abundance. The department does not have the ability to manage this fishery inseason because escapement counts through the Klawock River weir peak in the middle of August, after the subsistence fishery has closed.

Allowing fishing on two additional weekend days has the potential to dramatically increase harvest of sockeye salmon on the Klawock River. If this proposal is passed, the department may reduce possession limits on subsequent years' permits if a downward trend in sockeye salmon escapement is observed through the weir.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden, and steelhead trout in Section 3-B, in waters east of a line from Point Ildefonso to Tranquil Point, are customarily and traditionally taken or used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board finds that 9,068–17,503 salmon in districts 1–4 are reasonably necessary for subsistence (5 AAC 01.716(c)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 277 - 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Taku Users Group.

WHAT WOULD THE PROPOSAL DO? This proposal would allow dip nets as legal gear for personal use permit holders fishing for salmon in the Taku River drainage.

WHAT ARE THE CURRENT REGULATIONS? Regulations for the Taku River personal use fishery allow fishing for sockeye salmon only in the area upstream from the Taku River Lodge to the U.S./Canada border and only from July 1–July 31. Allowable gear is only by set gillnets up to 15 fathoms in length. There is a total annual limit of five sockeye for a household of one person and 10 sockeye salmon for a household of two or more persons. Regulations prohibit the department from issuing a permit for king or coho salmon, but king or coho incidentally taken may be retained.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would result in higher participation and larger total personal use fishery harvests of Taku River salmon. Dip nets are available at most hardware and sporting goods stores and can be easily fabricated. Fishing effort would likely be more dispersed and some of the local smaller tributaries may experience higher harvest pressure.

BACKGROUND: Primary users of the Taku River personal use salmon fishery are Juneau/Douglas residents who go up the river for recreational purposes. Under current regulations, the fishery is allowed from July 1 to July 31. In the past, timing of the fishery has varied from mid-June to mid-August. The fishery was closed 1977–1984 and 1986–1988, reopening 1989 to present. Personal use harvest of sockeye salmon averaged 502 fish, from an average of 37 permits during 1964–1985. Today, the recent 10-year average harvest is 1,055 sockeye salmon, from an average of 125 permits. Regulations have allowed the taking of salmon in the Taku River drainage only by set gillnets since 1989. In the past, beach seines and drift gillnets had been allowed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal. The Taku River is a U.S./Canada Transboundary River; fisheries resources are managed under signed agreement of the Pacific Salmon Treaty (PST). Commercial sockeye salmon harvest, combined with personal use sockeye salmon harvest, is counted against the U.S. total allowable harvest. Increases in personal use harvest, if significant, could require decreases in commercial harvest since the total allowable harvest number is fixed. Since implementation of the PST in 1985, the total run size of sockeye salmon returning to the Taku River has averaged just over 200,000 fish. Escapement averages just over 100,000 sockeye salmon.

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

PROPOSAL 278 – 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Taku Users Group.

WHAT WOULD THE PROPOSAL DO? This proposal would extend the personal use fishery season in the Taku River drainage from mid-June through August to coincide with commercial gillnet fishery openings.

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide that sockeye salmon may be taken only in waters from the Taku River Lodge upstream to the U.S./Canada border and only from July 1 through July 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would result in higher participation and larger total personal use fishery harvests of Taku River salmon. Fishing in June would increase the incidental harvest of nontargeted Taku River king salmon, while fishing in August would increase the incidental harvest of nontargeted Taku River coho salmon. In years of low king salmon returns, the department may have concerns with interception of king salmon and if that is the case, the fishery may be closed or restricted.

Canada may interpret a fishery in June and August as a "new" or expanded fishery with respect to the Pacific Salmon Treaty (PST).

BACKGROUND: Primary users of the Taku River personal use salmon fishery are Juneau/Douglas residents who go up the river for recreational purposes. Under current regulations, the fishery is allowed to occur from July 1 to July 31. In the past, timing of the fishery has varied from mid-June to mid-August. The fishery was closed 1977–1984 and 1986–1988, reopening from 1989 to present. Personal use harvest of sockeye salmon averaged 502 fish, from an average of 37 permits during 1964–1985. Today, the recent 10-year average harvest is 1,055 sockeye salmon, from an average of 125 permits. Regulations have allowed taking of salmon in the Taku River drainage only by set gillnets since 1989. In the past, beach seines and drift gillnets had been allowed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal. The Taku River is a U.S./Canada Transboundary River; fisheries resources are managed under signed agreement of the PST. Commercial sockeye salmon harvest, combined with personal use sockeye salmon harvest, is counted against the U.S. total allowable PST harvest. Increases in personal use harvest, if significant, could require decreases in commercial harvest since the total allowable harvest number is fixed. Since implementation of the PST in

1985, the total run-size of sockeye salmon returning to the Taku River has averaged just over 200,000 fish. Escapement averages just over 100,000 sockeye salmon.

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

PROPOSALS 279 – 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Taku Users Group.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the Taku River sockeye salmon personal use fishery daily and annual bag limit per household based on number of persons in the household.

WHAT ARE THE CURRENT REGULATIONS? In the Taku River drainage, the total annual limit for each personal use sockeye salmon permit is five sockeye salmon for a household of one person and 10 sockeye salmon for a household of two or more persons. These limits are set in regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would result in larger annual personal use fishery harvests of Taku River sockeye salmon.

BACKGROUND: Primary users of the Taku River personal use salmon fishery are Juneau/Douglas residents who go up the river for recreational purposes. Under current regulations, the fishery is allowed to occur from July 1 to July 31. In the past, timing of the fishery has varied from mid-June to mid-August. The fishery was closed 1977–1984 and 1986–1988, reopening from 1989 to present. Personal use harvest of sockeye salmon averaged 502 fish, from an average of 37 permits during 1964–1985. The recent 10-year average harvest is 1,055 sockeye salmon, from an average of 125 permits.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal. The Taku River is a U.S./Canada Transboundary River; fisheries resources are managed under signed agreement of the Pacific Salmon Treaty (PST). Commercial sockeye salmon harvest, combined with personal use sockeye salmon harvest, is counted against the U.S. total allowable PST harvest. Increases in personal use harvest, if significant, could require decreases in commercial harvest since the total allowable harvest number is fixed. Since implementation of the PST in 1985, the total run-size of sockeye salmon returning to the Taku River has averaged just over 200,000 fish. Escapement averages just over 100,000 sockeye salmon.

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

PROPOSAL 280 – 5 AAC 01.725. Waters closed to subsistence fishing.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would clarify that Lutak Inlet is included in the waters of District 15 exempted from closure when the commercial fishing period is closed (see Figure 280.1). This proposal would also clarify opening times for the Haines Area marine subsistence salmon fishery when the commercial drift gillnet fishery is delayed until Monday.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.725. *Waters closed to subsistence fishing*. (a) The following waters are closed to the subsistence taking of salmon:

(3) in District 15, salt waters of Lynn Canal including Chilkat, Chilkoot, and Lutak Inlets, during closed periods of the commercial salmon net fishery in the district, except that salmon may be taken in salt waters of Chilkoot Inlet north of the latitude of Battery Point, excluding waters of Taiya Inlet north of the latitude of Taiya Point, and in Chilkat Inlet north of the latitude of Glacier Point on the Saturday before any period that the commercial salmon net fishery is open in the waters of Section 15-A.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be clarity in regulation on when and where marine waters of the Haines area salmon subsistence fishery opens and closes.

BACKGROUND: Lutak Inlet has historically been part of the District 15 subsistence salmon fishery. This area is managed in the same way as other marine areas of the Haines subsistence salmon fishery. Currently in regulation, the marine salmon subsistence fishery opens on Saturday before the commercial opening in Section 15-A, which is generally on Sunday. Once each year, the commercial fishery in Section 15-A opens on Monday to avoid conflicts with the Juneau Golden North Salmon Derby. This change in regulation will clarify when and where subsistence fishing opportunity exists and aligns regulation with what is currently common practice.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal since it would clarify the regulation consistently with what is currently common practice.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The Alaska Board of Fisheries (board) has determined, under 5 AAC 01.716(a)(2), that salmon and smelt in all waters of the Chilkat River and Chilkat Inlet north of the latitude of Glacier

Point, and in the Chilkoot River, Lutak Inlet, and Chilkoot Inlet north of the latitude of Battery Point, excluding waters of Taiya Inlet north of the latitude of the tip of Taiya Point, are customarily and traditionally taken or used for subsistence.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board finds that 7,174–10,414 salmon in District 15 are reasonably necessary for subsistence (5 AAC 01.716(c)(5)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

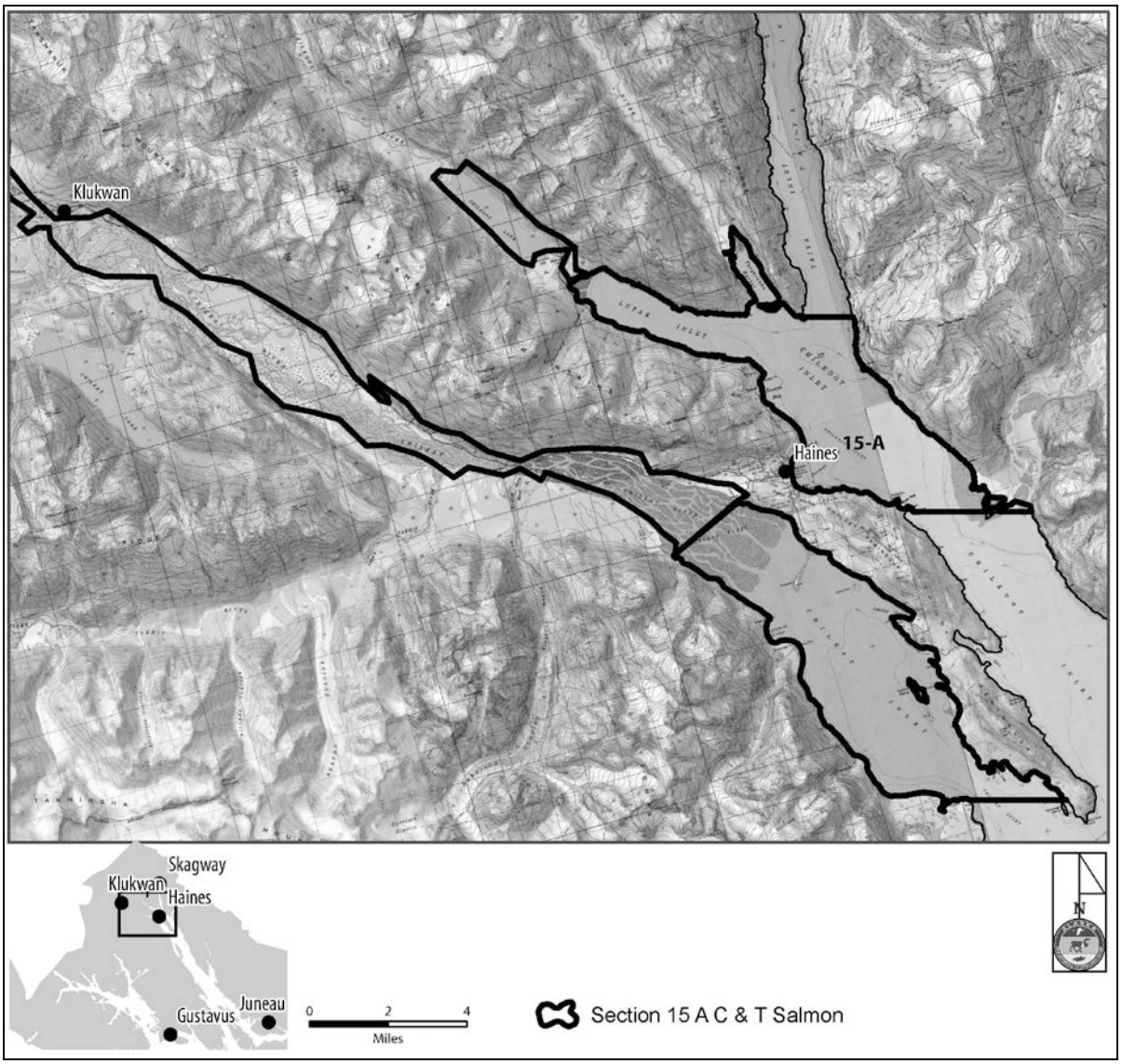

Figure 280.1–Section 15, a customary and traditional use area for salmon.

PROPOSAL 281 – 5 AAC 01.670. Lawful Gear and Gear Specifications.

PROPOSED BY: Yakutat Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would increase allowable gear in the Yakutat Bay subsistence fishery from one net, not to exceed 50 fathoms, to one net, not to exceed 75 fathoms.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.010(c). Gillnets used to subsistence fish for salmon may not exceed 50 fathoms in length unless otherwise specified by the regulations in particular areas set forth in this chapter.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow an increase in net length for subsistence fishing in Yakutat Bay from 50 to 75 fathoms.

BACKGROUND: 5 AAC 01.010 sets the legal gillnet length for subsistence fishing statewide at 50 fathoms unless otherwise specified by regulations in particular areas. Therefore, in the waters of Yakutat Bay, a subsistence gillnet may not be longer than 50 fathoms. The legal limit of gear in the commercial set gillnet fishery in Yakutat Bay is one 75 fathom net.

DEPARTMENT COMMENTS: Any change in gear specifications in the Yakutat Bay subsistence fishery is allocative, so the department is **NEUTRAL** on this proposal. The proposal attempts to establish a common length of 75 fathoms for both commercial and subsistence gillnets for Yakutat Bay, with the intent that the same net could be used for both purposes. Currently, a fisherman who intends to fish Yakutat Bay for both subsistence and commercial purposes may have in his possession two different nets, one of 50 fathoms for subsistence purposes, and one of 75 fathoms for commercial purposes. The standardization of gear for both into one 75-fathom gillnet would simplify the switchover from one purpose to the other and alleviate the need for two different nets in the waters of Yakutat Bay. It is unlikely that adoption of this proposal would significantly change historical Yakutat Bay subsistence usage patterns or harvest numbers.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal may actually reduce the direct cost for a private person by eliminating the need for two sets of gear of different lengths.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The Alaska Board of Fisheries (board) has determined, under 5 AAC 01.666(a)(3), that salmon in the waters of Yakutat Bay and Russell Fjord, inside a line from the westernmost point of Point Manby to the southernmost point of Ocean Cape, are customarily and traditionally taken or used for subsistence.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board finds that 5,800–7,832 salmon in the waters described in 5 AAC 01.666(a)(3) are reasonably necessary for subsistence (5 AAC 01.666(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

HERRING (1)

PROPOSAL 272 – 5 AAC 01.716. Customary and Traditional Subsistence Uses of Fish Stocks and Amount Necessary for Subsistence Uses.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would remove redundant language in customary and traditional (C&T) use regulations.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.716. *Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses*.

(a) The Alaska Board of Fisheries finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

(11) herring and herring spawn in waters of District 2 north of the latitude of the northernmost tip of Chasina Point and west of a line from the northernmost tip of Chasina Point to the easternmost tip of Grindall Island to the easternmost tip of the Kasaan Peninsula, and in waters of Section 3-B in San Alberta Bay north of the latitude of the southernmost tip of Cape Suspiro and east of 133° 20' W. long.;

(13) herring and herring spawn in waters of Section 3-B in San Alberta Bay north of the latitude of the southernmost tip of Cape Suspiro and east of 133° 20' W. long., and in waters of Section 3-A in Tlevak Strait north of the latitude of High Point and south of the latitude of Eolus Point;

(16) herring and herring spawn in waters of Section 3-A in Tlevak Strait north of the latitude of High Point and south of the latitude of Eolus Point, and in waters of Section 3-B in San Alberta Bay north of the latitude of the southernmost tip of Cape Suspiro and east of 133° 20' W. long.;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would clarify C&T use regulations by removing redundant language.

BACKGROUND: When this regulation created, language describing Section 3-B for herring and herring spawn was repeated three times. Language describing Section 3-A was also described three times. In 5 AAC 01.716(11), Section 3-B was added at the end of a District 2 description, creating confusion.

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

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

COMMITTEE D: SALMON MANAGEMENT AND ALLOCATION PLANS AND THAS/SHAS (17 PROPOSALS)

SALMON MANAGEMENT AND ALLOCATION PLANS (4)

SALMON MANAGEMENT PLANS (4)

PROPOSAL 282 – 5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would use the term "escapement", as opposed to "inriver run", as the criteria for triggering management actions in Situk-Ahrnklin and Lost River king salmon management. Additionally, in low king salmon abundance scenarios, a "nonretention" king salmon season would replace a "nonsale" season as a potential conservation measure.

WHAT ARE THE CURRENT REGULATIONS? The *Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan* provides guidelines to the department to attain the biological escapement goal of 730 three-ocean age and older king salmon with a range of 450–1,050 fish. In order to preclude conflicts between various user groups, the plan has action points based on five different projected inriver run sizes, including: less than 350, 350–450, 451–730, 731–1,050, and greater than 1,050. Each action point has varying required or optional management actions for the inriver sport fishery, the subsistence and personal use fisheries in Situk-Ahrnklin Inlet, the commercial setnet fisheries in the Situk-Ahrnklin Inlet and Lost River, and the commercial troll fisheries west of the Situk-Ahrnklin Inlet bounded by the three-nautical-mile limit for state marine waters.

Action points in current regulation reference the "projected inriver run" size. One of the management measures in the current plan includes "nonsale" for the set gillnet fishery.

Boundaries for a troll closure area in marine waters west of the Situk-Ahrnklin Inlet are included in both the *Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan* and *Management of the summer salmon troll fishery*.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, management actions for the *Situk-Ahrnklin and Lost River King Salmon Management Plan* would be based on estimated escapement, not inriver run strength, and in times of low abundance, nonretention of king salmon in the commercial setnet fishery would be a potential conservation measure.

When the department submitted this proposal, suggested revisions of the proposed troll closure boundary were included that would account for migration of the mouth of the Situk-Ahrnklin River and Estuary northward over time. Adjusting these boundaries would reestablish closed waters of similar area that are centered on the mouth of the river and estuary where it enters the Gulf of Alaska. Figure 282.1 shows the current boundaries, as well as the suggested boundaries in Proposal 282. Since the Yakutat Fish and Game Advisory Committee has submitted Proposal 321 and the department has submitted Proposal 322, as separate proposals to address changing of the troll closure area, the department requests that the board take up the area change during discussion of those proposals together and not adopt the suggested troll area language included in this proposal.

BACKGROUND: The *Situk-Ahrnklin and Lost River King Salmon Management Plan* sets forth king salmon management strategies based on an ascending scale of king salmon abundance in the Situk River. In each of the five scenarios, inriver return is the trigger point that establishes which management actions are to be put in place for each of the different scenarios.

Of the five scenarios addressed by the management plan, the first three deal with low king salmon abundance. The first scenario mandates closure of the subsistence, sport, commercial, and personal use fisheries. The next two scenarios allow for sockeye salmon harvest in the commercial set gillnet fishery, with a king salmon conservation measure in place. This measure calls for the "nonsale" of king salmon. King salmon may not be sold, and permit holders are encouraged to release as many live king salmon as possible. King salmon found dead in the net may be retained for personal use.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. "Inriver run" and "escapement" are terms that have different defined meanings per the *Policy for Management of Sustainable Salmon Fisheries*. Use of management triggers based on "inriver run" in the Situk plan is somewhat incongruent with the plan because no target abundances are provided, other than escapement. Use of the term "escapement" as a trigger point eliminates confusion and sets trigger points for management actions based on known escapement goals.

The period 2005 to 2011 has been a period of low king salmon abundance in Situk-Ahrnklin Inlet. Each year from 2005 through 2010, the "nonsale" provision was placed into effect as a conservation measure. Experience has shown that the "nonsale" provision is not effective as a conservation measure. The only thing "nonsale' prevents is actual sale of a fish to a buyer. Permit holders are encouraged to release live fish from the nets, but that is voluntary, and there is no regulation in effect to require them to do so. Fish found dead in the nets have been allowed to be retained for personal use. There is no indication that the "nonsale" provision has succeeded in saving any extra king salmon and no indication that any fewer king salmon were harvested than would normally have been harvested under high king salmon abundance scenarios. Accountability is also a problem under the "nonsale" provision since very few of the king salmon taken are reported to the department.

Under this proposal, "nonretention" would replace "nonsale" as a conservation measure. King salmon could not be retained and all fish would have to be returned to the water. As a conservation measure this is enforceable, since anyone with a king salmon in possession would be in violation. If all fish must be returned to the water, then there is incentive to return them to the water alive, immediately, and unharmed. Concern has been expressed over the potential wastage of dead fish. In 2011, nonretention of king salmon was put into effect in the Situk-Ahrnklin Inlet by emergency order. Dead fish were not allowed to be retained for individual personal use, but were allowed to be turned over to a buyer at the time of sockeye salmon delivery for distribution in the community. This plan was a success; a total of 20 king salmon were turned in for distribution throughout the community and accountability for the department's purposes was maintained. To address concerns about the wastage of fish, this plan could again be put in place during times when nonretention was in effect.

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

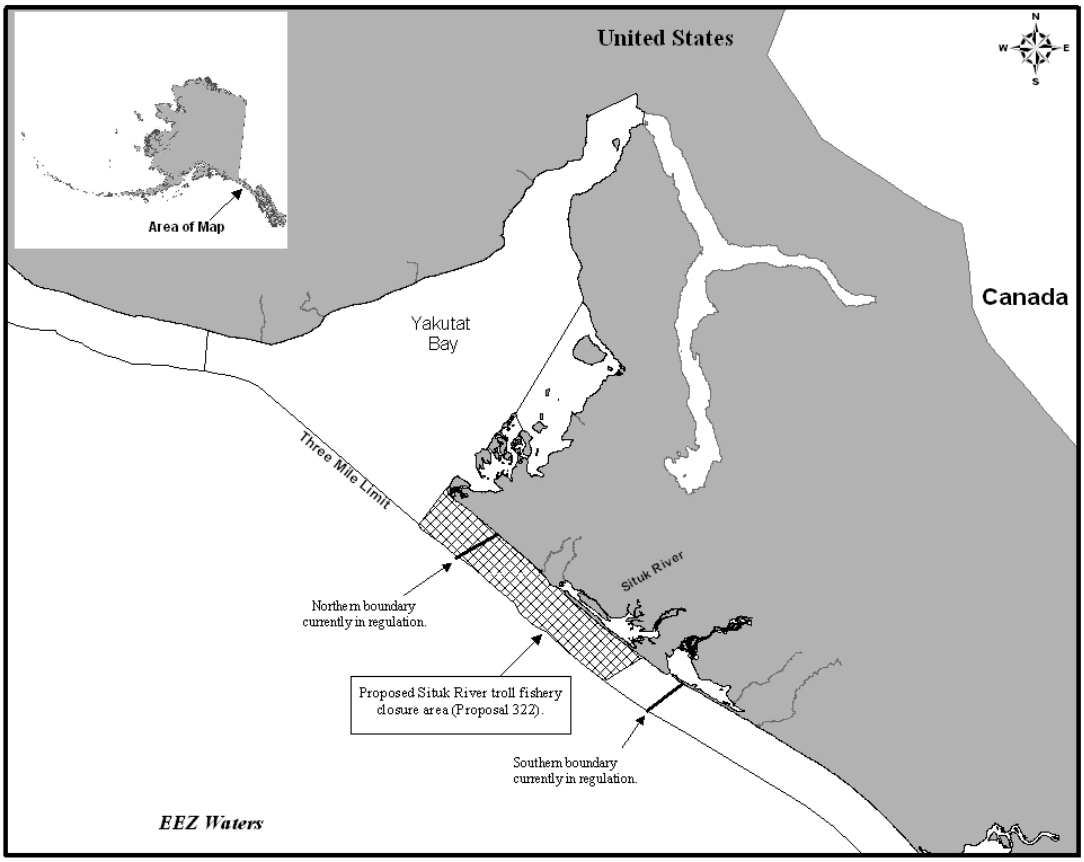

Figure 282.1–Current boundaries for the troll fishery closure in state marine waters west of the Situk-Ahrnklin Inlet estuary and initially-proposed ADF&G boundaries in ADF&G proposals 282 and 322.

Note: In Proposal 321, by the Yakutat AC, the proposed boundaries differ.

PROPOSAL 283 – 5 AAC 30.365(c)(5). Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan; and 5 AAC 29.090. Management of the Spring Salmon Troll Fisheries.

PROPOSED BY: Yakutat Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would revise the *Situk River Management Plan* to remove the projected Situk River king salmon inriver run strength as a trigger for a potential spring troll fishery in Yakutat Bay.

WHAT ARE THE CURRENT REGULATIONS? The *Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan* provides guidelines to the department to attain the biological escapement goal (BEG) of 730 three-ocean age king salmon, within a range of 450–1,050 fish. The management plan provides that a king salmon troll fishery is allowed, provided that the projected inriver run of king salmon to the Situk River weir is greater than 1,050 three-ocean age and older fish, which is the upper range of the BEG. Troll fishery regulations that pertain to the management of the spring salmon troll fisheries allow for opening a spring salmon troll fishery one day per week during May and June in Yakutat Bay east of Point Manby to Ocean Cape, with a maximum allowable harvest of 1,000 king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the decision whether to open a limited troll fishery in Yakutat Bay would no longer be dependent upon a specific run strength projection. The troll fishery would be prosecuted regardless of the Situk River king salmon projection. Based on very limited information, effects on the Situk River king salmon run would be minimal should this proposal be adopted.

BACKGROUND: Spring troll fisheries are conducted along migration routes to, or in proximity to, Alaskan hatcheries which produce king salmon. Spring troll and terminal troll fisheries target Alaska hatchery-produced king salmon, though non-Alaska hatchery or Pacific Salmon Treaty (PST) king salmon are also harvested. While there is no ceiling on the number of king salmon harvested in the spring fisheries, the take of PST king salmon is limited according to the percentage of the Alaskan hatchery fish taken in the fishery. New fishing areas or changes to existing areas may be proposed each year. These proposed areas are then scrutinized by department biologists for potential impacts on local wild stocks and to determine whether the area is one where a substantial portion of the harvest is likely to be of Alaska hatchery-origin.

Spring troll fisheries targeting Alaska hatchery-produced king salmon have not been conducted in Yakutat Bay. Current regulations concerning a potential spring troll fishery in Yakutat Bay were adopted by the Alaska Board of Fisheries (board) in 2006. Since then, the projected king salmon return to the Situk River has been below the threshold that would allow a spring troll fishery to occur, which is a projection greater than 1,050 large fish (Table 283.1). Yakutat Bay

is, however, open to trolling during the winter and summer fisheries. Coded-wire-tag samples collected during the last three weeks of the winter fishery and first two weeks of the summer fishery indicate an Alaska hatchery component of 0%–2% (Table 283.2). Genetic sampling of the 2004 Yakutat winter troll fishery showed that <1% of king salmon come from the Situk River stock (Table 283.3).

The Yakutat commercial troll fleet, as of 2010, consisted of approximately 62 actively-fished permits, of which 44 (71%) were hand troll permits, fished from small vessels. There were 79 troll permits issued in 2010, of which 62 (79%) were hand troll permits.

Yakutat is home to the only commercial set gillnet fleet in the region, with an average of 124 active permits fished annually from 2007–2011. On average, 298 king salmon have been harvested during statistical weeks 24–27 by set gillnet gear in Yakutat Bay (District 183) and another 646 just south of Yakutat Bay in District 182 (Table 283.4). Some individuals hold both troll and set gillnet permits.

Sport fishing in Yakutat Bay for king salmon occurs primarily in the spring and early summer months (April–June), although king salmon can be caught all year. Lodges and other charters with 5–12 guided boats harvest fish in Yakutat Bay, as well as private anglers in personal or rented boats. From 2001–2010, the average annual harvest of king salmon over 28 inches is 593, based on the Statewide Harvest Survey data. Annual hatchery contributions to the sport fishery are listed in Table 283.5. Genetic sampling of the 2009 Yakutat marine boat sport harvest from all anglers showed that <1% of king salmon come from the Situk River stock (Table 283.6).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative implications of this proposal. The concept of a limited troll "test" fishery could have some merit, because it could be one way to collect the stock composition data necessary to help make sound management decisions regarding future troll opportunities in Yakutat Bay. One option would be to lower the maximum annual harvest allowed to 500 king salmon per year. Additional funding would need to be secured to ensure adequate sampling occurs if a spring troll fishery were conducted.

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

Table 283.1–Preseason total run forecast, total run size, and escapement for Situk River large (age 3 or older) king salmon, 2006–2011.

Year	Total Run Forecast	Total Run[a]	Escapement
2006	798	1,183	695
2007	656	929	677
2008	717	566	413
2009	900	1,380	900
2010	1,000	435	167
2011	155	240[b]	240

[a]Total run = escapement plus all harvests.

[b]2011 total run estimate is preliminary.

Table 283.2–Hatchery contributions to Yakutat Bay troll fishery during late April and early July (weeks 16–18, 27–28).

State	2007	2008	2009	2010	2011	Total
Alaska	3	-	164	-	30	197
British Columbia	183	253	14	3	-	452
Oregon	7	5	3	49	53	118
Washington	-	44	56	49	28	178
TOTAL HATCHERY	193	302	236	101	112	945
Total harvest for period	4,175	4,572	7,207	6,748	5,708	28,407
Non-hatchery total	3,982	4,270	6,971	6,647	5,596	27,462
AK hatchery percent	0%	0%	2%	0%	1%	1%
Nonhatchery percent	95%	93%	97%	99%	98%	97%

Note: Contributions provided in number of fish.

Table 283.3–Proportion of Situk River king salmon in 2004 winter troll fishery (preliminary data).

2004					
N =	159	Relative Contribution			
				90% CI	
	Region	Estimate	SD	Lo	Hi
1	Other	0.9999	0.0009	0.9996	1.0000
2	Situk	0.0001	0.0009	0.0000	0.0004

Table 283.4–Set gillnet king salmon effort and harvest in the Yakutat Area, weeks 24–27.

Year	Effort in June	Harvest District 182	Harvest District 183	Total Harvest
2007	67	715	503	1,218
2008	64	550	450	1,000
2009	66	795	314	1,109
2010	61	339	75	414
2011	42	833	146	979
5-year avg.	68	646	298	944

Note: Effort is the average of weekly permits fished during weeks 24–27 (June). King salmon harvest is provided for weeks 24–27, corresponding to the spring troll season. Data are confidential for earlier weeks.

Table 283.5–Hatchery contributions to the Yakutat Bay sport fishery by year.

State	2007	2008	2009	2010	2011	Total
AK	3	2	6	21	-	32
BC	69	21	47	11	12	160
OR	-	1	2	-	-	3
WA	-	2	29	-	3	35
TOTAL HATCHERY	72	27	83	32	16	230

Note: Contributions provided in number of fish.

Table 283.6–Proportion of Situk River king salmon in 2009 sport fishery (preliminary data).

2009					
N =	174	Relative Contribution			
				90% CI	
	Region	Estimate	SD	Lo	Hi
1	Other	0.9999	0.0009	0.9996	1.0000
2	Situk	0.0001	0.0009	0.0000	0.0004

PROPOSAL 284 – 5 AAC 29.097. District 11 King Salmon Management Plan.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would establish longer troll fishing periods when the directed drift gillnet fishery is open in sections 11-A and 11-B. If adopted, there would be two additional days of trolling in Section 11-A each week the gillnet fishery is opened for 24 hours, four additional days of trolling in Section 11-B when the drift gillnet fishery is open for 24 hours, and two additional days of trolling if the drift gillnet fishery is opened for longer than 24 hours.

WHAT ARE THE CURRENT REGULATIONS? The *District 11 King Salmon Management Plan* for the troll fishery provides that when a directed king salmon fishery is opened by emergency order between the first Monday in May through the third Saturday in June, that for specified waters of sections 11-A and 11-B when the gillnet fishery is opened for 24 hours, that the troll fishery will be open Monday through Wednesday for three days, and when the gillnet fishery is open more than 24 hours, that the troll fishery will be open Monday through Friday for five days.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would increase the number of days open to trolling in District 11 during years in which a directed Taku River king salmon fishery is allowed. The number of days open to troll gear in a given week would no longer be linked to the days open to drift gillnet gear. Section 11-A would open to troll gear Monday through Friday, while Section 11-B would open to troll gear Monday through the following Sunday during a week in which a directed Taku River king fishery occurs. This proposed increase in fishing time is likely to increase the troll harvest of Taku River king salmon, to some degree, and has the potential to attract more troll effort to District 11.

BACKGROUND: Prior to 1976, directed drift gillnet and troll fisheries for king salmon were allowed by regulation in District 11 between late April and mid-June. As a result of very low escapements of Taku River king salmon in the early 1970s, the Alaska Board of Fisheries (board) passed regulations instituting closures in the directed troll and gillnet fisheries, delaying 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 king salmon. Taku River king 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 1985–2004 average of 48,500 fish.

An agreement was approved between the U.S. and Canada during the Pacific Salmon Commission meeting held in February 2005 which allowed directed commercial and sport

fisheries on king salmon returning to the Taku River, depending on the run forecast. When the run forecast is sufficient to provide for directed fisheries, each country has a specific allowable catch (AC) that is determined by harvest-sharing arrangements provided by the Pacific Salmon Treaty. In 2005, fisheries were conducted for the first time since 1975.

Separate regulations were adopted by the board in January 2006, which described fishing areas and schedules for troll and gillnet fisheries, and liberalized harvest limits and methods and means of fishing in the sport fishery in years when directed king salmon fishing occurs in District 11. Directed commercial fisheries were allowed in 2005, 2006, and 2009.

During years in which directed drift gillnet and troll fisheries were conducted, the percentage of the harvest taken by troll gear has been low and is confidential due to low effort (Table 284.1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Since drift gillnet, troll, and sport fisheries occur in Section 11-A when a directed king salmon fishery is allowed, any modification to fishing time for either commercial gear type has the potential to affect the other user groups.

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

Table 284.1–District 11 directed Taku River fishery large king salmon harvest.

Year	Directed Drift Gillnet Harvest	Directed Drift Gillnet Days Open	Troll Harvest	Troll Days Open	Sport Harvest
2005	18,098	20	confidential	35	3,143
2006	9,103	8	11	18	2,415
2009	4,430	7	confidential	20	1,203
2010*	-	-	-	-	1,043
2011*	-	-	-	-	1,065

*AC, but no directed commercial fisheries.

PROPOSAL 320 – 5 AAC 29.097. District 11 King Salmon Management Plan.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the area of Section 11-A open to commercial trolling when the directed Taku River king salmon fishery is conducted.

WHAT ARE THE CURRENT REGULATIONS? Current regulations describe the area and time periods open to troll gear in District 11 during May and June.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would slightly increase the size of the area open to trolling in Section 11-A, providing greater opportunity for trollers to share in the Taku king salmon resource during years in which a directed Taku River king salmon fishery is allowed (Figure 320.1).

BACKGROUND: Prior to 1976, directed drift gillnet and troll fisheries for king salmon were allowed by regulation in District 11 between late April and mid-June. As part of a coastwide king salmon rebuilding effort, the Alaska Board of Fisheries (board) passed regulations in the mid-1970s instituting closures in the directed troll and gillnet fisheries, 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 king salmon. Taku River king salmon runs responded to the subsequent decreased exploitation rates with escapements increasing from a 1973–1984 average of 23,300 fish to a 1985–2004 average of 48,500 fish.

An agreement was approved between the U.S. and Canada during the Pacific Salmon Commission meeting held in February 2005, allowing directed commercial and sport fisheries on king salmon returning to the Taku River, depending on the run forecast. This was the first time since 1975 that these directed fisheries were conducted.

Several regulations were adopted by the board in January 2006 that provided guidance for prosecuting directed king salmon fisheries in District 11. Directed fisheries were allowed in 2005, 2006, 2009, and 2010. The District 11 troll fishery management plan specifies the open fishing area in District 11 and links troll openings to the length of the openings for the drift gillnet fishery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Since drift gillnet, troll, and sport fisheries occur in Section 11-A when a directed king salmon

fishery is allowed, any modification to fishing area for either commercial gear type has the potential to affect the other user groups. Under current regulations, each gear is restricted to defined areas, which overlap one another in some places.

During years in which directed drift gillnet and troll fisheries were conducted, the percentage of the harvest taken by troll gear has been low and is confidential due to low effort (Table 320.1). The waters currently open to trolling in Section 11-A have not been productive for trollers targeting king salmon returning to the Taku River. Gillnet catch rates are typically five times greater than troll catch rates. The small area expansion proposed is not likely to result in a significant increase in troll effort or harvest, given the silty glacial water and proximity to the river, which tends to reduce troll catch rates.

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

Table 320.1–District 11 directed Taku River fishery large king salmon harvest.

Year	Directed Drift Gillnet Harvest	Directed Drift Gillnet Days Open	Troll Harvest	Troll Days Open	Sport Harvest
2005	18,098	20	confidential	35	3,143
2006	9,103	8	11	18	2,415
2009	4,430	7	confidential	20	1,203
2010*	-	-	-	-	1,043
2011*	-	-	-	-	1,065

*Allowable Catch (AC) under Pacific Salmon Treaty, but no directed commercial fisheries because of small size of AC.

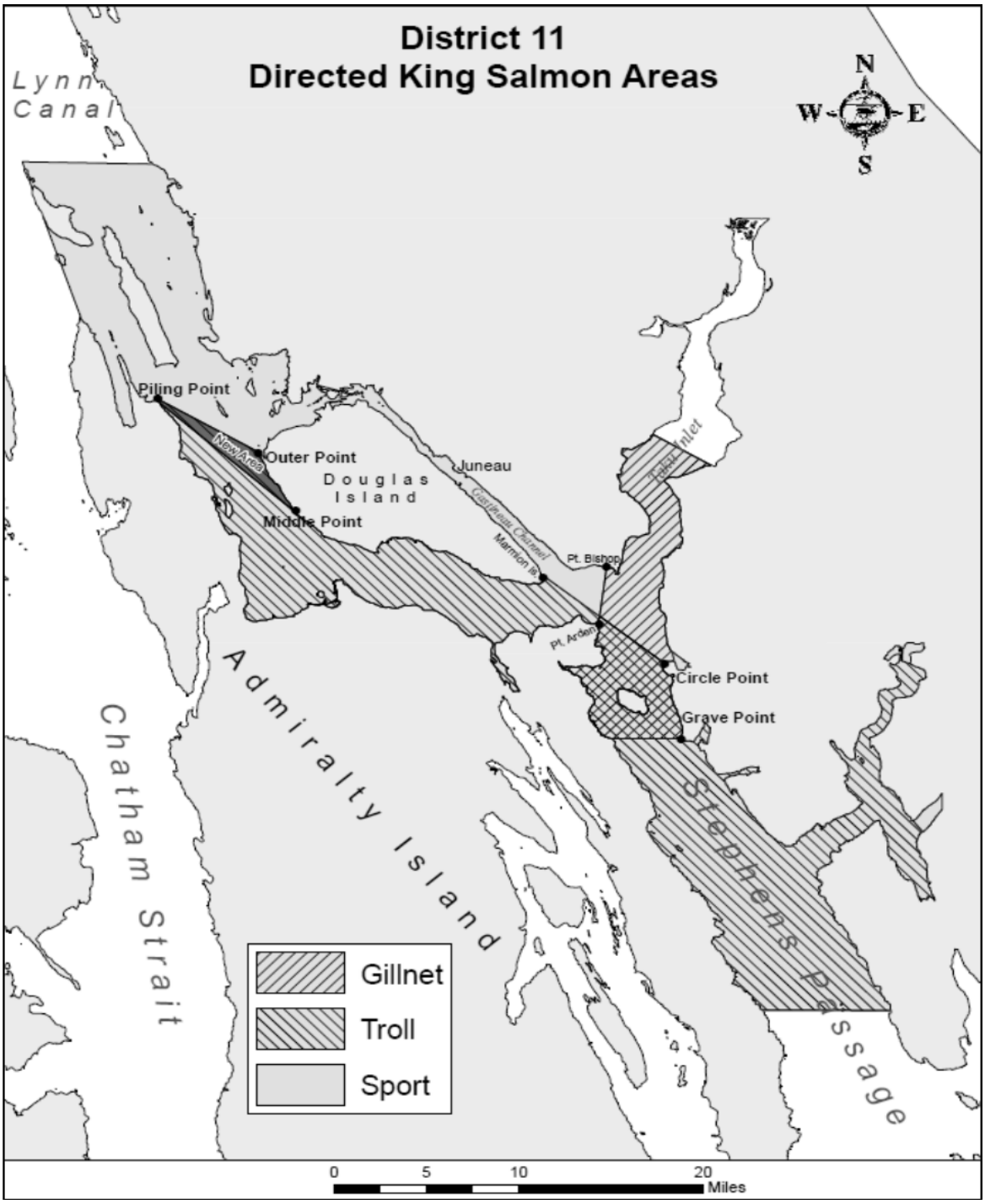

Figure 320.1–District 11 directed Taku River king salmon fishing areas and area proposed to be added.

THAS/SHAS (13)

SHA (4)

<u>PROPOSAL 327</u> – 5 AAC 40.032. District 11: Douglas Island Pink and Chum (DIPAC) Special Harvest Area; 5 AAC 40.041. Herring Bay Special Harvest Area-Ketchikan; 5 AAC 40.043. Neets Bay Special Harvest Area-Behm Canal; and 5 AAC 40.051. District 3: Klawock Inlet and River Special Harvest Area.

<u>PROPOSED BY:</u> Alaska Department of Fish and Game.

<u>WHAT WOULD THE PROPOSAL DO?</u> Adopting this proposal would open and close these long-established hatchery special harvest areas (SHAs) by regulation rather than by emergency order (EO).

<u>WHAT ARE THE CURRENT REGULATIONS?</u>

5 AAC 40.032. *District 11: Douglas Island Pink and Chum (DIPAC) Special Harvest Area*.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. The commissioner shall open and close, by emergency order, fishing periods during which the hatchery permit holder may harvest salmon within the special harvest area.

5 AAC 40.041. *Herring Bay Special Harvest Area – Ketchikan*.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. Fishing periods for the hatchery permit holder will be opened and closed by emergency order by gear type.

5 AAC 40.043. *Neets Bay Special Harvest Area – Behm Canal*.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. Fishing periods for the hatchery permit holder will be opened and closed by emergency order by gear type.

5 AAC 40.051. *District 3: Klawock Inlet and River Special Harvest Area*.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. Fishing periods for the hatchery permit holder will be opened and closed by emergency order by gear type.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would define, in regulation, opening and closing dates for hatchery cost-recovery operations rather than having opening and closing dates issued annually by EO.

BACKGROUND: The current provisions were adopted by the Alaska Board of Fisheries (board) when the SHAs were established (DIPAC in 1984, Herring Bay in 1981, Neets Bay in 1981, and Klawock Inlet in 1997). Opening and closing by EO allows the department the most flexibility when managing a fishery, but requires two EOs to be issued in a timely manner annually for each SHA. Cost-recovery fishing openings and closures in these areas have been consistent over time. The department would retain the authority to change fishing times by EO should unforeseen circumstances arise.

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

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

PROPOSAL 328 – 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (NSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal would allow a floating weir-like structure to be used within special harvest areas (SHAs) at Hidden Falls and Deep Inlet for the purpose of broodstock capture.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations specific to the types of gear allowed for capturing and securing broodstock. The gear proposed may fall under the definition of a "fish trap" and subject to AS 16.10.070, which specifically excludes the use of fish traps in state waters.

The special harvest areas for Hidden Falls and Deep Inlet, where NSRAA's cost recovery takes place, are the same as the terminal harvest areas (THA) where common property fishing takes place. The Deep Inlet SHA and THA are shown in Figure 328.1. The Hidden Falls SHA and THA are shown in Figure 328.2.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide more flexibility and efficiency in NSRAA's ability to secure broodstock at Hidden Falls and Medvejie hatcheries. Disruptions to common property fishing opportunities in the THA will likely be less frequent.

BACKGROUND: Broodstock collection efforts at both Hidden Falls and Deep Inlet often cause disruption to common property harvest opportunities. At Hidden Falls, a barrier net is installed in Kasnyku Bay at the mouth of a cove that leads to the hatchery raceways. To maintain run timing of the stock it is important that broodstock are collected throughout the entire run. Early in the season, as broodstock accumulate near the barrier net, fish are captured by seine vessels and then passed inside the barrier. Later in the season, the barrier net is opened and broodstock are allowed to swim inside the barrier net by periodically opening the net to pass fish. Ensuring that adequate broodstock recruit into Kasnyku Bay often requires fishery restrictions and outright closures of the (THA) to commercial fishing. Closures of the Hidden Falls THA also affect management of traditional seine fisheries because managers are concerned about high effort in areas where run strength is uncertain. Though somewhat different than Hidden Falls, collection of broodstock at Deep Inlet (Medvejie Hatchery) requires passage of fish through a gauntlet of common property fisheries. In recent years, there have been inadequate numbers of broodstock recruiting to Medvejie Hatchery to fulfill broodstock needs, requiring closures of the Deep Inlet THA common property rotational fisheries.

In 2011, the department issued an experimental gear permit to NSRAA to operate a floating weir-like structure in the Hidden Falls THA. A weaker than expected chum salmon return in 2011 did not provide the abundance of fish necessary to adequately assess the efficiency of this broodstock collection method.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department does not foresee wild stock conservation concerns with use of this gear for the purpose of capturing broodstock. Incidental harvests of wild stocks, mostly pink salmon, would be monitored and addressed should concerns arise. More flexible and efficient methods of obtaining broodstock will likely result in less disruption to common property fisheries. The department defers to the Department of Law regarding whether or not gear proposed is consistent with state law prohibiting fish traps.

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

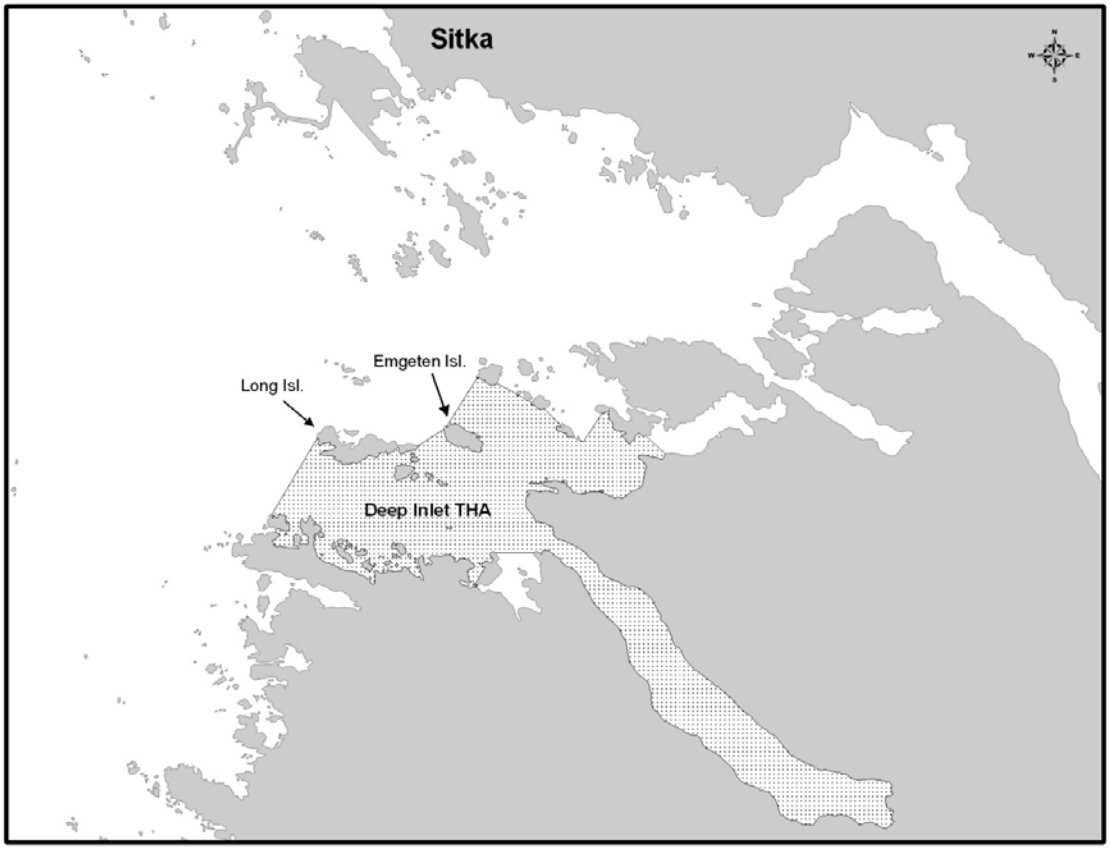

Figure 328.1.–The Deep Inlet Terminal Harvest Area and Special Harvest Area.

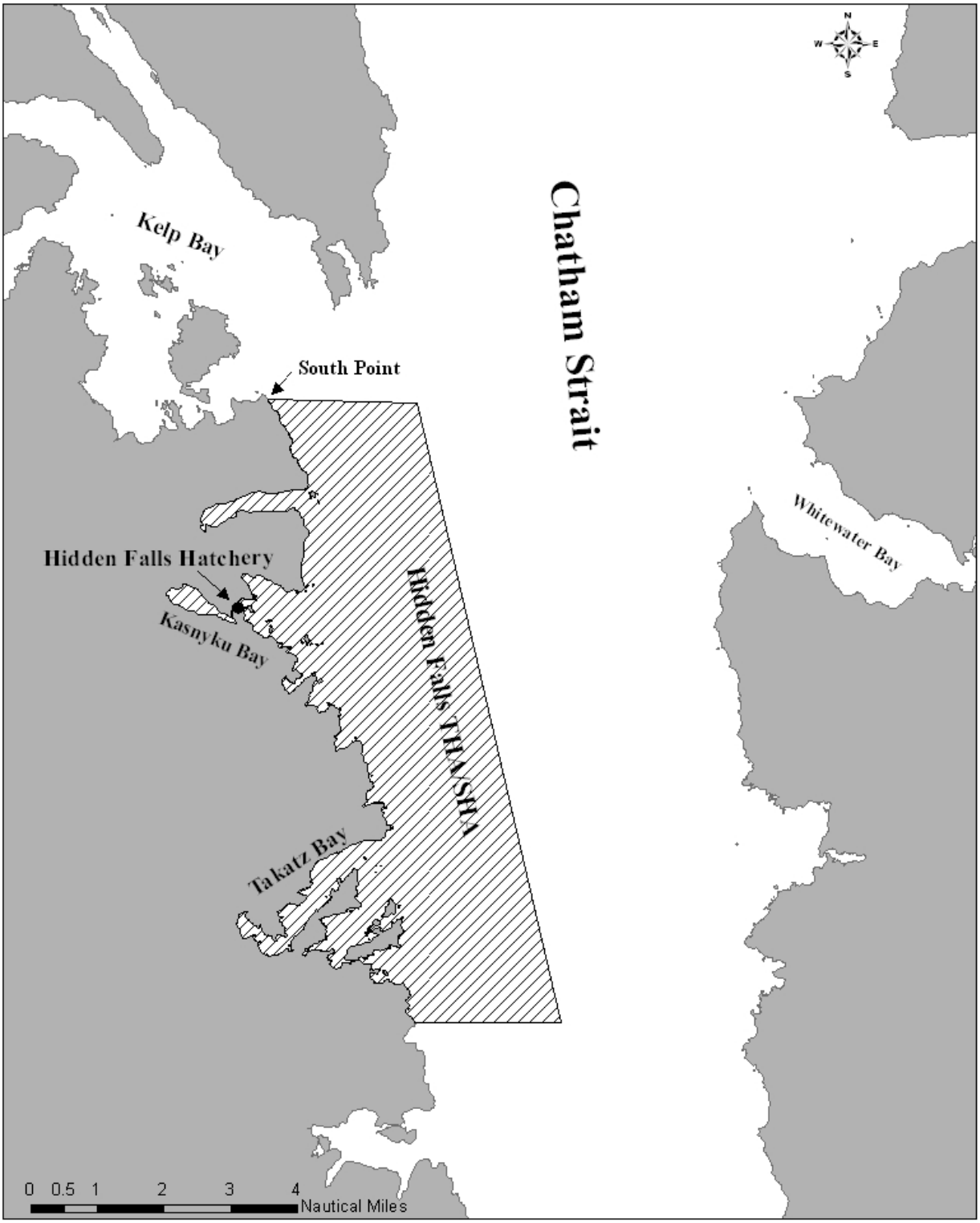

Figure 328.2–Hidden Falls Terminal Harvest Area and Special Harvest Area

PROPOSAL 329 – 5AAC 40.XXX. New Regulation.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would define a special harvest area (SHA), in regulation, where Prince of Wales Hatchery Association (POWHA) may conduct cost-recovery operations in Port Saint Nicholas.

WHAT ARE THE CURRENT REGULATIONS? There is no clear definition in regulation for Port Saint Nicholas SHA cost-recovery activities.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would define a new SHA, establish open fishing periods, and establish permissible gear for a cost-recovery fishery in Port Saint Nicholas.

BACKGROUND: In 2004, POWHA was permitted to operate Port Saint Nicholas Hatchery (PSNH). Port Saint Nicholas Hatchery has a permitted capacity of 770,000 king salmon eggs. Port Saint Nicholas Hatchery has two king salmon release locations: Port Saint Nicholas and Coffman Cove. In 2010, adult king salmon began to return to the Port Saint Nicholas release site in sufficient numbers to allow a cost-recovery fishery, if a plan had been in effect. Instead, the department allowed a personal use fishery to occur. In 2011, an emergency order was issued that allowed POWHA to harvest returning king salmon for cost recovery. The period opened for cost-recovery harvest was 12:01 a.m., Sunday, May 1, 2011, until Wednesday, August 10, 2011. The area open to cost-recovery fishing consisted of those waters of Port Saint Nicholas east of 133° 02' 52" W. longitude and west of 132° 59' 30" W. longitude, located at the mouth of the Port Saint Nicholas head stream (Figure 329.1). Legal gear for the hatchery permit holder in the SHA was purse seine, beach seine, and dip net.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The proposal defines the area, time, and gear that may be used by POWHA for cost-recovery activities in Port Saint Nicholas.

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

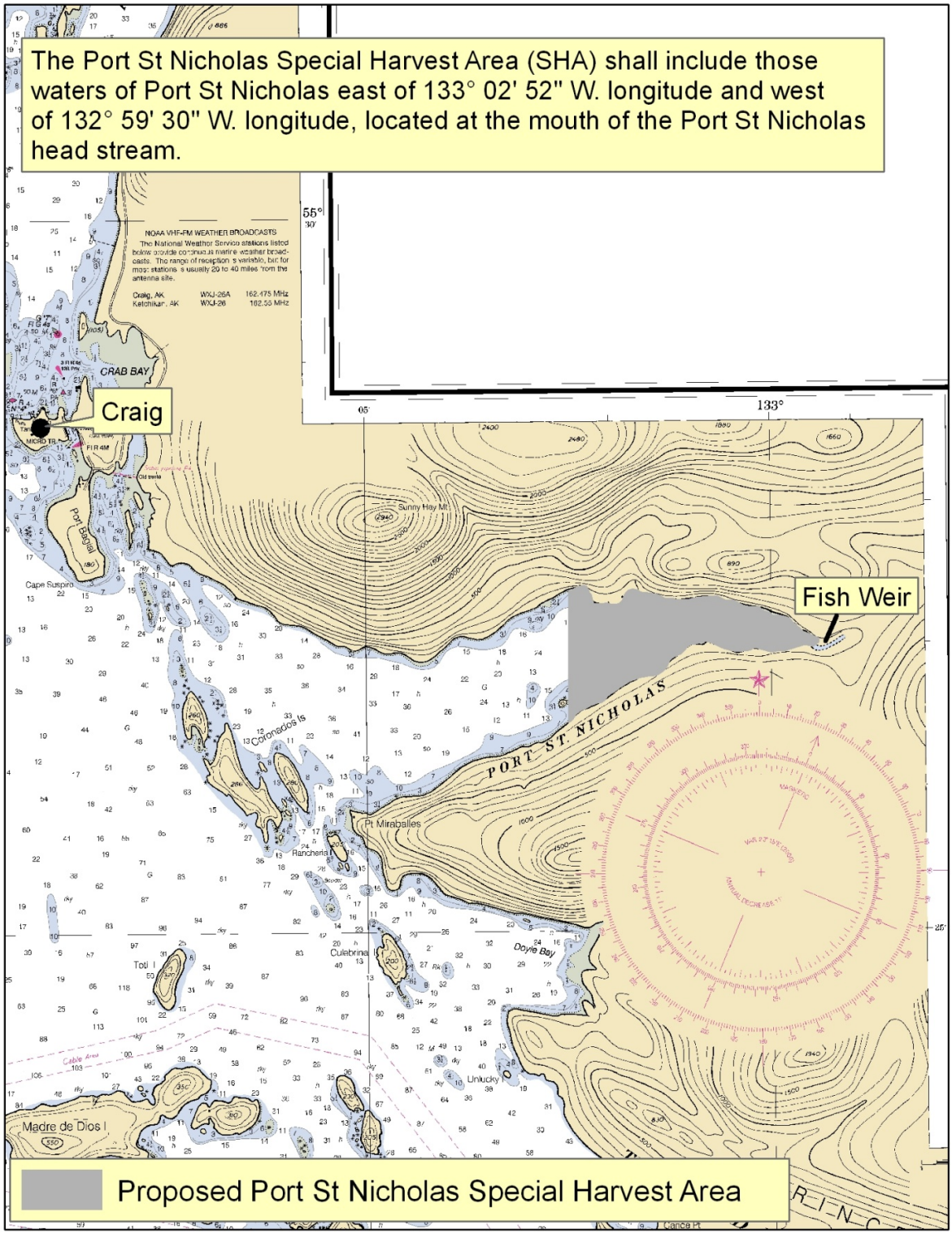

Figure 329.1–Proposed Port St. Nicholas Special Harvest Area for Prince of Wales Hatchery Association

PROPOSAL 330 – 5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (NSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal would close a small portion of NSRAA's Bear Cove Special Harvest Area (SHA) to the commercial troll fishery targeting hatchery-produced king salmon.

WHAT ARE THE CURRENT REGULATIONS? Current regulation allows the department to open and close the waters of Silver Bay, by emergency order (EO), to allow for broodstock escapement and common property harvest of excess salmon returning to NSRAA's Medvejie Creek Hatchery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reduce the harvest of hatchery king salmon by commercial troll gear by closing a small area in Bear Cove where hatchery-produced king salmon are highly concentrated prior to entering the hatchery raceway. Closing this area to commercial trolling could potentially reduce conflicts with sport fishermen. It is also likely that the number of treble hooks entangled and lost in the gear used for hatchery cost recovery would be significantly reduced, which could potentially improve the safe operation of that gear.

BACKGROUND: NSRAA's Medvejie Hatchery, located in Bear Cove, produces a significant number of king salmon, with returns averaging approximately 31,000 fish per year over the past five years. The hatchery is located only eight miles from Sitka and is a popular sport fishing and commercial troll fishing location because of its high concentration of king salmon. In recent years, more and more hand trollers have commenced fishing on the high concentration of high-valued king salmon in front of the hatchery by using rod and reel to cast lures from small skiffs near the base of the raceway. There are no regulations prohibiting retention of foul-hooked king salmon in the commercial troll fishery, resulting in hand trollers specifically using snagging techniques and weighted treble hooks to harvest king salmon. This has resulted in a large number of king salmon with lost hooks attached to their bodies, creating a safety hazard to NSRAA personnel and hired fishing crews when conducting cost-recovery harvests, as well as to personnel involved in egg takes. Other concerns have included damage to nets used by the hatchery for capturing fish, increasing numbers of fish badly scarred by snagging attempts, which reduces the value of the fish harvested for cost recovery, and increased reports of conflict between commercial and sport users.

In the mid-1990s, prior to hand trollers discovering this opportunity, snagging by sport fishermen had caused safety concerns for hatchery workers and seine crews handling fish with snagging

hooks embedded in them. In 1997, to address these concerns the Alaska Board of Fisheries (board) prohibited snagging in Bear Cove by sport anglers.

In 2008 and 2009, NSRAA requested the hand trollers operating in the area use lures rather than snagging gear and make a greater attempt at "fair hooking" king salmon in the area to prevent having to close the area immediately adjacent to the net pens to commercial trolling. This attempt at self-policing failed. In 2010 and 2011, at the request of NSRAA, the department closed an area offshore of the raceway to commercial trolling by EO. This closure has significantly reduced the number of treble hooks and scarred fish in the cost-recovery harvest.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal because it reduces the risk to NSRAA staff, improves the quality of the resource being harvested by all users, and may reduce conflict between user groups. Fish without hook marks are more valuable than those with hook marks, which are generally down-graded, and get a reduced price.

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

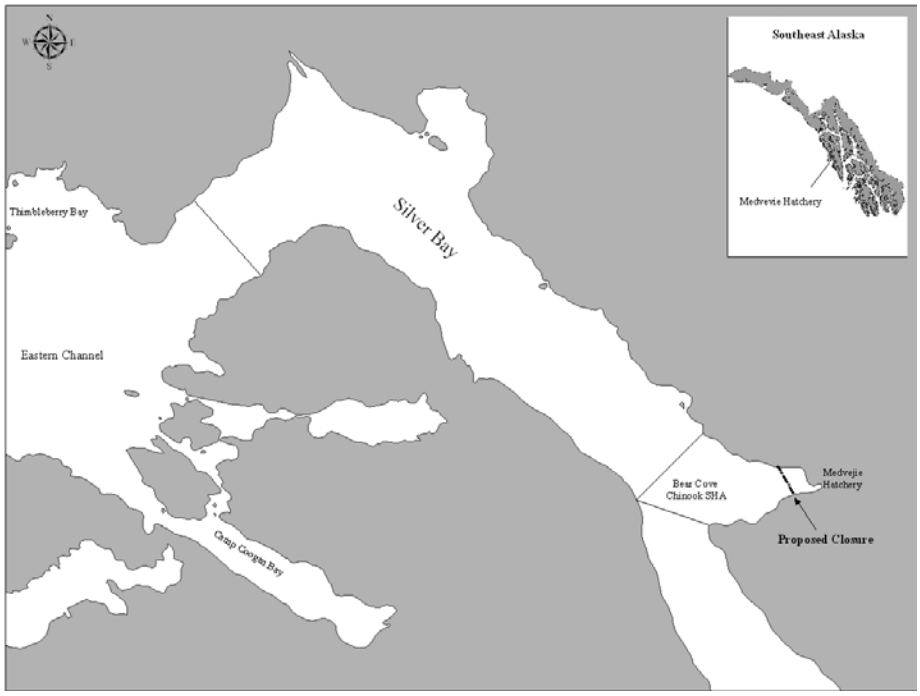

Figure 330.1–Proposed troll closure in the Bear Cove SHA.

THA ROTATIONS (2)

PROPOSAL 334 – 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Joint Northern and Southern Regional Planning Team.

WHAT WOULD THE PROPOSAL DO? If adopted, this proposal would continue the 1:1 gillnet-to-seine fishing rotation in Anita Bay Terminal Harvest Area (THA) through 2017.

WHAT ARE THE CURRENT REGULATIONS? *District 7: Anita Bay Terminal Harvest Area Salmon Management Plan* is to distribute the harvest of excess hatchery-produced king, coho, and chum salmon. Openings are rotated between drift gillnet and purse seine fisheries in the time ratio of 2:1. If harvest numbers of salmon are not approximately equal, beginning with the first emergency order (EO) of 2009, through the last EO of 2011, the time ratio for gillnet to seine openings is 1:1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would effectively reduce the proportion of harvest by the gillnet fleet and increase the proportion harvest by the seine fleet of hatchery chum salmon returning to the Anita Bay THA through 2017.

BACKGROUND: During its 2009 Alaska Board of Fisheries (board) meeting, the board adopted the 1:1 net gear fishing time ratio for the Anita Bay THA, as well as changes to other regulations to address the imbalance in the enhanced salmon allocation. The imbalance has improved slightly since that time, but still exists because the gillnet fleet is still above its value allocation range while the seine and troll fleet are both below their respective allocation percentages (Figure 334.1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, but supports the different salmon gear groups and hatchery operators working together in an effort to achieve the enhanced salmon allocations by making adjustments in fishing times in THAs.

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

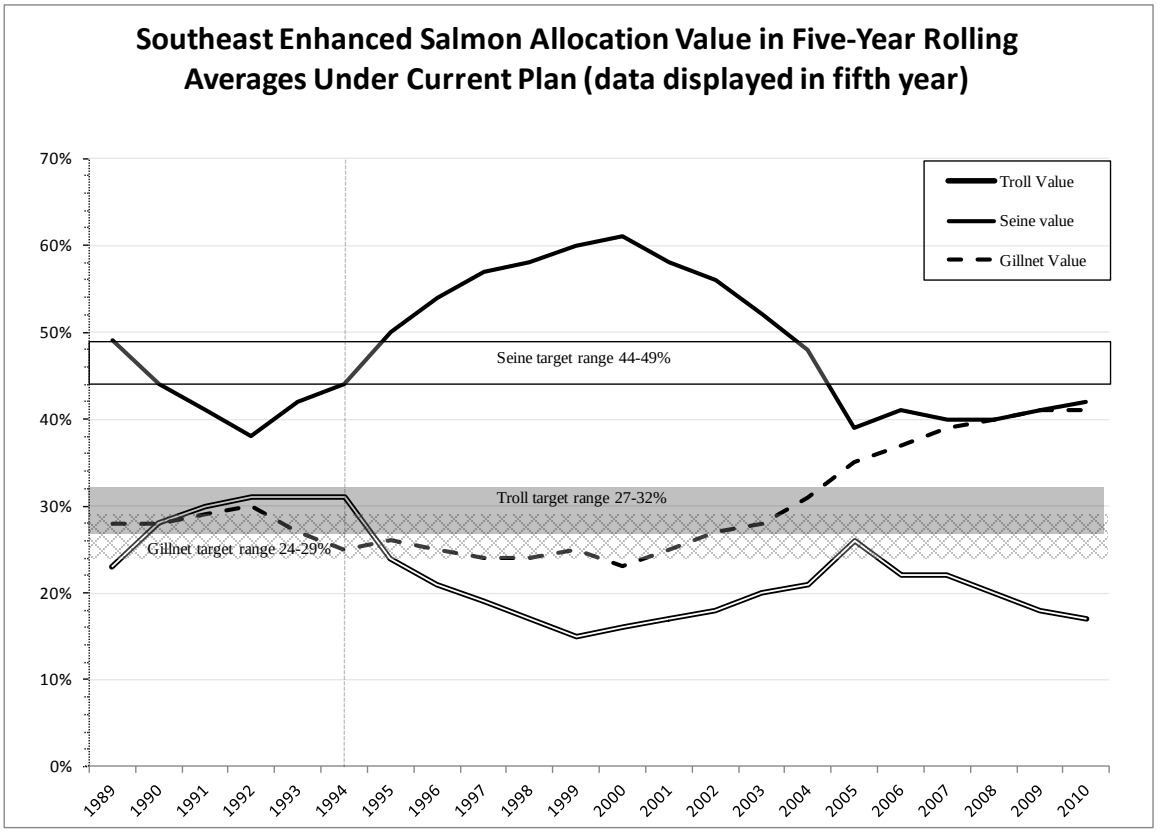

Figure 334.1–Southeast Alaska enhanced salmon values in five-year rolling averages. (2010 data are considered preliminary and the 2011 data will not be produced until spring, 2012.)

PROPOSAL 335 – 5 AAC 33.376(b)(1)(B). District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Joint Northern and Southern Regional Planning Team (JRPT).

WHAT WOULD THE PROPOSAL DO? This proposal extends the 1:1 time ratio of gillnet-to-seine openings in the Deep Inlet Terminal Harvest Area (THA), currently scheduled to sunset at the end of the 2011 season, until after the 2017 season.

WHAT ARE THE CURRENT REGULATIONS? The *Deep Inlet THA Management Plan* allows the department, in consultation with NSRAA, to establish seine and gillnet openings by emergency order (EO). Current regulation requires a ratio of gillnet-to-seine openings of 2:1. During the 2009 through the 2011 seasons, beginning the third Sunday in June, the ratio of gillnet-to-seine openings was 1:1; however, this regulation expired at the end of the 2011 season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would effectively reduce the proportion of harvest by the gillnet fleet and increase the proportion of harvest by the seine fleet, of hatchery chum salmon returning to the Deep Inlet THA through the 2017 season.

BACKGROUND: Since 1993, the *Deep Inlet THA Management Plan* had provided for a 2:1 ratio of gillnet-to-seine until the Alaska Board of Fisheries (board) changed the time ratio to 1:1 gillnet-to-seine in 2009. The change to the Deep Inlet rotational schedule in 2009 was one of several recommended by the JRPT to help rectify imbalances in the *Southeast Alaska Enhanced Salmon Allocation Plan*. During the five-year period, 2004–2008, gillnetters harvested 44% and seiners 56% of an average common property harvest of 846,893 chum salmon in the Deep Inlet THA (Table 335.1). For the period 2009–2011, gillnetters harvested 34% and seiners harvested 66%, on average, of the total net harvest, a 10% shift of harvest in favor of seiners since the 1:1 schedule has been in effect. Seiners also harvested significant numbers of hatchery chum salmon in the Sitka Sound traditional seine fishery, with harvests averaging 130,000 chum salmon for the 2004–2011 period.

There are no traditional gillnet fisheries in the Sitka Management Area and most gillnetters must travel long distances from traditional gillnet areas to participate in the Deep Inlet fishery. If the rotational schedule is reduced to a 1:1 time ratio, fewer gillnet boats are likely to travel to Sitka Sound to participate in the Deep Inlet fishery. Conversely, traditional seine fisheries occur in Sitka Sound and surrounding areas. Increased seine opportunity in the Deep Inlet fishery will likely result in increased seine effort in the Sitka Management Area traditional seine fisheries.

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

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

Table 335.1–Deep Inlet THA chum salmon harvests showing total harvest by net gear in numbers of chum and percent harvest by gear, 2002–2011. (Source: NSRAA.)

Year	Total Net Gear Harvest	Seine	Gillnet
2004	1,050,529	60%	40%
2005	841,265	49%	51%
2006	1,589,316	59%	41%
2007	223,439	49%	51%
2008	529,916	60%	40%
2009	397,227	70%	30%
2010	1,093,432	73%	27%
2011	187,170	56%	44%
Average 2004–2008	846,893	56%	44%
Average 2009–2011	559,276	66%	34%

THA PLANS (7)

PROPOSAL 338 – 5 AAC 33.377. District 2: Kendrick Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (SSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal would enlarge the current Kendrick Bay THA to include McLean Arm as an additional harvest area (Figure 338.1).

WHAT ARE THE CURRENT REGULATIONS? *District 2: Kendrick Bay Terminal Harvest Area Salmon Management Plan* provides for harvest of enhanced chum salmon by the purse seine fleet, and allows for sport and personal use fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would add McLean Arm to the Kendrick Bay management plan. McLean Arm would be an additional remote-release site for SSRAA summer chum releases. McLean Arm would be open for continuous fishing, along with Kendrick Bay, for the purse seine fleet.

BACKGROUND: The Kendrick Bay Terminal Harvest Area (THA) is located approximately 33 nautical miles southwest of Ketchikan and is a remote-release site for enhanced chum salmon raised by SSRAA. Kendrick Bay releases of chum salmon began in 1991, with the first commercial harvest taking place in 1994. Kendrick Bay is neither large enough to effectively accommodate a large fishing fleet, nor is it a good net-pen salmon fry rearing site in inclement weather. SSRAA has plans to move its release annually between the two areas, allowing more fishing area and hoping to confuse predators that habitually feed on hatchery salmon fry at one release site.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with the amended boundary line in the following text. There are no significant wild chum or pink salmon stocks in McLean Arm. Additionally, the department feels confident that fishing that takes place inside McLean arm will have little, if any, impact on wild salmon stocks.

The latitude and longitude of the western line in McLean Arm in the proposal book is incorrect. The department, in consultation with SSRAA, has determined the western boundary line to be located at 131°57.80' W. longitude.

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

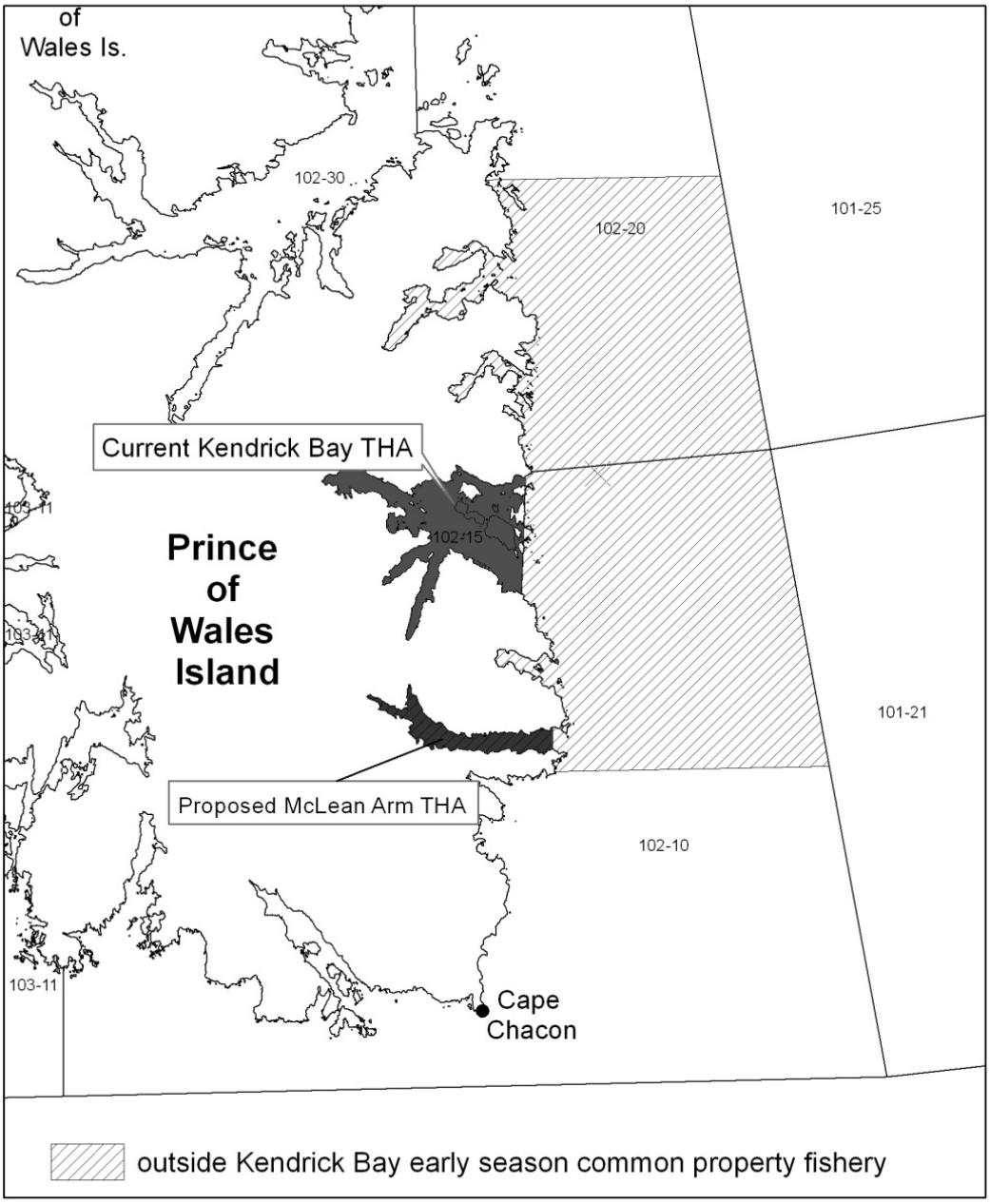

Figure 338.1–Kendrick Bay THA and proposed McLean Arm THA addition.

PROPOSAL 339 – 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would change the start date for the Anita Bay Terminal Harvest Area (THA) from June 1 to May 1.

WHAT ARE THE CURRENT REGULATIONS? *District 7: Anita Bay Terminal Harvest Area Salmon Management Plan* provides that the department shall manage the Anita Bay THA from June 1 through November 10 to distribute harvest of excess hatchery-produced king, coho, and chum salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would align current and expected management practices with regulation.

BACKGROUND: The Anita Bay THA has been opened to commercial salmon harvest on May 1 by emergency order since 2006. The May 1 start date was implemented in order to harvest enhanced king salmon returns to the Anita Bay THA.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to align actual practices in regulation.

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

PROPOSAL 340 – 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Wrangell Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would open an area in Anita Bay Terminal Harvest Area (THA) for the commercial harvest of salmon within 0.25 nm of the northern shoreline of Anita Bay from June 15 to July 11.

WHAT ARE THE CURRENT REGULATIONS? *District 7: Anita Bay Terminal Harvest Area Salmon Management Plan* provides for harvest of excess enhanced king, coho, and chum salmon to be distributed among common property fisheries from June 1–November 10. The area is described in regulation so that the area within Anita Bay incrementally increases between June 15 and July 10 to provide for the Dungeness crab fishery. Under the current plan, the area is open to troll gear at any time. Because harvests between purse seine and drift gillnet are not approximately equal, from the first emergency order (EO) of 2009 through the last EO of 2011, the time ratio for seine-to-gillnet openings is 1:1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would open an area along the northern shore of Anita Bay to commercial salmon harvest (Figure 340.1). This would allow salmon fishermen more area within the Anita Bay THA, which could increase the potential for gear conflicts between Dungeness and salmon fishermen in a traditional Dungeness area. The quality of the salmon harvest may improve, resulting in a higher value. However, the amount of additional harvest, or increase in quality of the harvested salmon, is unknown.

BACKGROUND: Anita Bay was initially used as a remote-release site for Burnett Inlet Hatchery, which was operated by the Alaska Aquaculture Foundation Incorporated (AAFI). Enhanced returns of pink and chum salmon first occurred in 1994. The hatchery went bankrupt in the spring of 1997 and the last returns from AAFI releases occurred in 2000. In 2001, the Southern Southeastern Regional Aquaculture Association (SSRAA) transferred release of king, coho, and chum salmon from Earl West Cove to Anita Bay. In 2002, the first common property harvest occurred on enhanced returns of coho salmon inside the Anita Bay THA.

In 2003, regulations were adopted by the Alaska Board of Fisheries (board) that moved the outer THA boundary to the mouth of the bay and established three areas within the Anita Bay THA to mitigate conflicts between Dungeness crab gear and salmon gear (Figure 340.1). Prior to this area being a release site for AAFI and SSRAA hatchery-produced salmon, the first Dungeness crab harvest was reported from Anita Bay, statistical area 107-35, in the 1997/98 season. The average harvest of Dungeness crab has been 3,242 pounds of crab per year over the 10-year period between the 2001/2002 season and the 2010/2011 season. Prior to 1994, Anita Bay was

part of the Zimovia Strait statistical area. Harvest cannot be separated as occurring wholly within Anita Bay prior to that year. Area restrictions on salmon fishermen in traditional crab grounds are relaxed as the season progresses, allowing salmon harvest to occur further inside the bay.

The line restrictions primarily affect the harvest of king salmon within the THA because the peak harvests falls within the time period when the line restrictions are in effect. Peak harvests of chum salmon within the THA typically do not occur until the last week of July or the first week of August, after the final line restriction is lifted and salmon fishermen have access to the entire THA. The average price per pound is generally higher for king salmon caught outside the THA, as indicated by the average price per pound received from king salmon harvested by gillnetters in District 8. The average price per pound for king salmon harvested inside the THA follows the same declining trend as the average price per pound in District 8. Additionally, there does not appear to be a substantial decrease in the average price paid per pound after the final restriction is lifted (Figure 340.2).

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 to maximize harvests and value while minimizing gear conflicts.

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

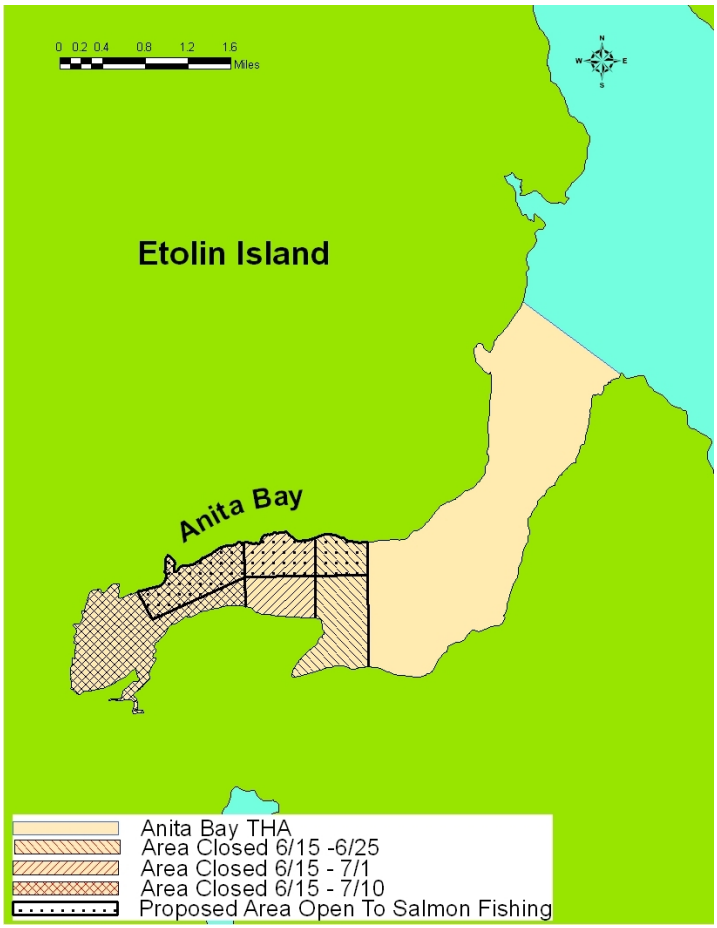

Figure 340.1–Anita Bay THA proposed new salmon harvest area and current harvest area with date restrictions.

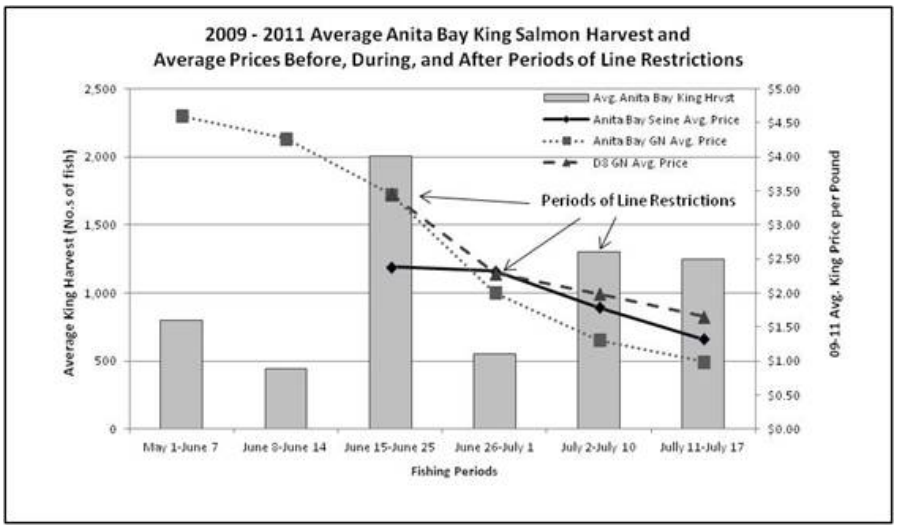

Figure 340.2–2009–2011 average Anita Bay THA king salmon harvest and average price per pound during periods before, during, and after line restrictions.

PROPOSAL 341 – 5 AAC 40.073. District 9: Southeast Cove Special Harvest Area.

PROPOSED BY: Kake Non-Profit Fisheries Corporation.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a terminal harvest area (THA) in Southeast Cove and would create a corresponding management plan allowing common property fisheries to occur within the THA.

WHAT ARE THE CURRENT REGULATIONS? There is a Southeast Cove Special Harvest Area (SHA) defined in regulation in District 9 that allows the Kake Non-Profit Fisheries Corporation to harvest excess salmon for cost-recovery purposes when the area is opened by emergency order (EO).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would establish a framework, in regulation, for common property fisheries to occur within the current Southeast Cove SHA. Harvest of chum salmon returning to Southeast Cove by seiners and trollers could increase. Harvest of wild salmon transiting the Southeast Cove SHA could increase.

BACKGROUND: Gunnuk Creek Hatchery (GCH) is a private nonprofit facility owned and operated by Kake Non Profit Fisheries Corporation (KNFC). The hatchery is located in the City of Kake on the northwestern tip of Kupreanof Island. The hatchery began operations in 1976, and was producing pink salmon. Chum salmon production began in 1977. Pink salmon production was suspended in 1994 and restarted in 2007 to diversify cost-recovery options to take advantage of better market conditions. Additionally, the hatchery started producing coho salmon in 1994. Initially, coho were produced for U.S. Forest Service enhancement projects. Currently, enhanced coho salmon released at GCH provide for broodstock; contribute to sport, troll, and seine fisheries; and provide for some cost-recovery opportunity.

The current permitted capacity is 65 million chum salmon eggs, 20 million pink salmon eggs, and 500,000 coho salmon eggs. Expected returns from maximizing permitted capacities are roughly estimated to be 2.3 million chum, 900,000 pink, and 50,000 coho salmon. However, GCH typically experiences low chum salmon survivals, and, therefore, poorer than expected returns. The largest return of chum salmon for any given year was estimated to be 1.5 million fish. This return was derived from egg takes in excess of 54 million eggs. Therefore, an expected return of 2.3 million chum salmon from a 65 million egg take may be optimistic. It is estimated that, on average, GCH has approximately 30% of its total chum salmon return harvested in traditional common property fisheries.

Pink and coho salmon fry are only released from the hatchery site, whereas, only enough chum salmon fry are released from the GCH to supply broodstock needs. The bulk of the chum salmon fry are released at the Southeast Cove remote-release site. The department limits time that harvests can occur in the Southeast Cove SHA to maximize cost-recovery efforts and to minimize harvests of wild salmon stocks transiting the area. The time period for harvest is typically from the third week of June through the first week of August.

The Southeast Cove SHA lies within a traditional purse seine fishing area. There are numerous pink salmon systems and small summer chum systems in the Keku Straits area. Openings in the Keku Straits area occurred yearly from 1960 to 1974, but have occurred only in five years since that time. Harvests were minimal, with fewer than 20,000 pink salmon harvested in any given season.

DEPARTMENT COMMENTS: The department **SUPPORTS** formation of a THA at Southeast Cove and recommends that development of any hatchery management plan follow harvest guidelines that have been previously implemented for cost-recovery harvest efforts in the SHA.

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

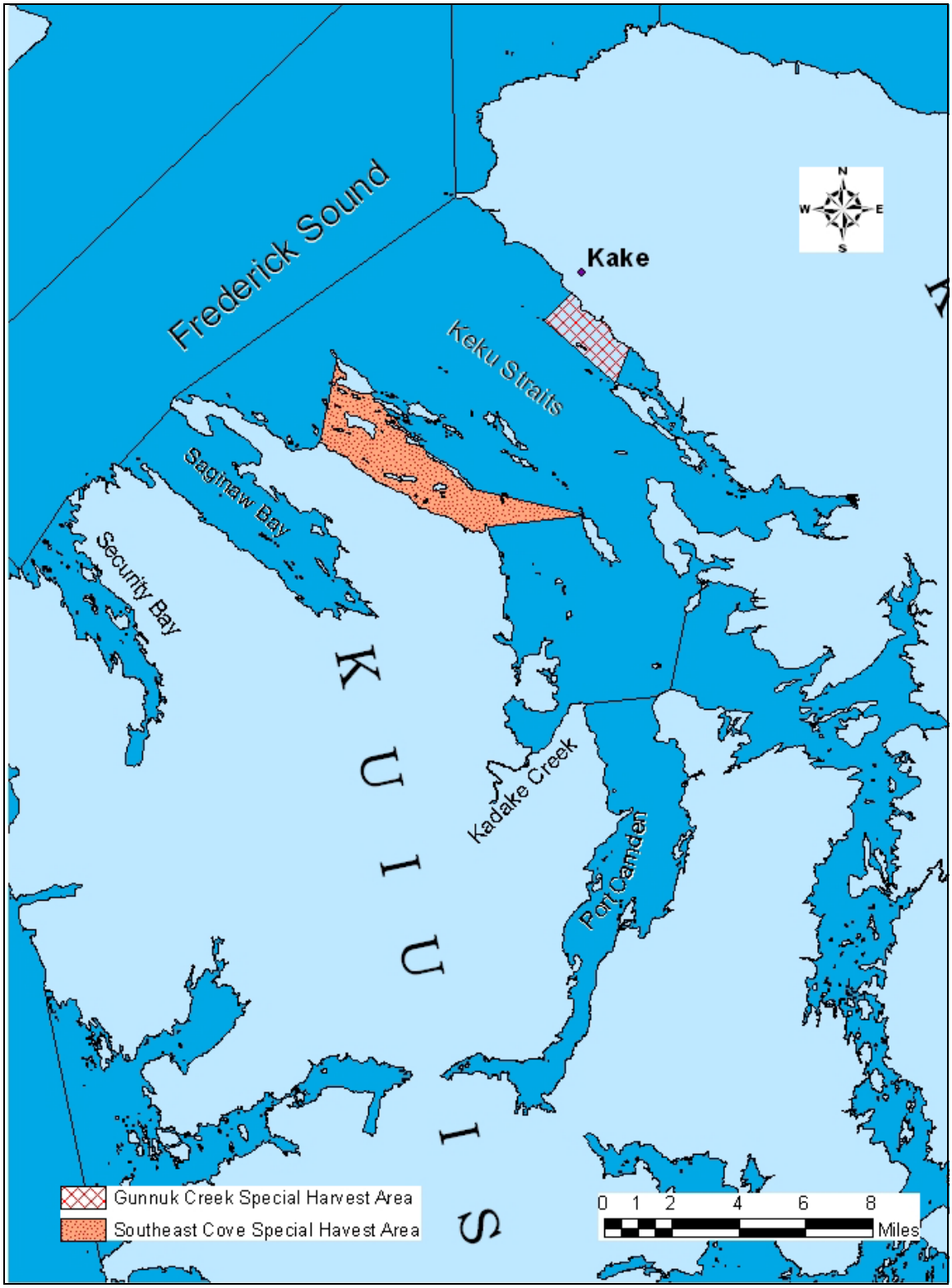

Figure 341.1–Current Southeast Cove and Gunnuk Creek special harvest areas.

PROPOSAL 342 – 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (NSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal is specific to the Hidden Falls Terminal Harvest Area (THA) and would allow the department, by emergency order (EO), to require registration of all seine vessels planning to harvest within the Hidden Falls THA prior to July 31 for the purpose of facilitating enforcement of an assessment tax. Whether cost recovery or an assessment tax is used for the purpose of generating revenue would be at the discretion of the NSRAA Board of Directors.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations specific to vessel registration for participation in any particular traditional or hatchery terminal area salmon fishery in Southeast Alaska. (There is a statewide regulation for vessel registration for net gear that doesn't apply to this proposal.)

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, during seasons when the NSRAA board chose to use a tax assessment for cost recovery, this proposal would require that fishing vessels planning to participate in openings in the Hidden Falls THA, prior to July 31, to register to participate in the fishery.

BACKGROUND: In 2006, the legislature enacted a law allowing for an assessment tax on hatchery salmon harvested in common property fisheries in a hatchery THA in lieu of conducting cost-recovery harvests. The purpose of the tax assessment legislation was to allow an alternative means of securing the necessary revenue for hatchery operations without disruption to common property harvesting opportunities often caused by hatchery cost-recovery harvests. Whether the tax assessment would be implemented during any given season is to be determined by the NSRAA Board of Directors.

On April 26, 2011, a meeting was held at the NSRAA offices that included representatives from the Department of Fish and Game, Department of Revenue, Department of Law, Department of Public Safety, NSRAA, and industry to discuss potential regulatory requirements to implement the new legislation. One of the primary considerations was how to determine what vessels were participating in the Hidden Falls fishery during any given opening(s) and assessed the tax. NSRAA and industry representatives proposed having vessels register to participate in the Hidden Falls fishery as a practical means of enforcing the tax assessment. However, ADF&G representatives said that the added administrative burden on the department's area office to register the large number of boats for every opening was not a workable option. A registration process would not alleviate the need for onsite monitoring and enforcement. The department suggested that registration would not be necessary if there was some level of onsite surveying of

vessels participating in the Hidden Falls fishery, coupled with fish ticket reporting statutes and regulations requiring reporting of the statistical areas in which fish were caught. There was a consensus among the group to use existing reporting requirements as a primary means of enforcement. NSRAA committed to providing personnel for patrolling the fishery to document vessels participating in the THA fishery as a primary means of facilitating enforcing the assessment tax.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department believes that current fish ticket reporting requirements, facilitated with on-the-grounds documentation of vessels participating in the fishery, will be adequate to enforce the tax assessment.

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

PROPOSAL 343 – 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would open the Hidden Falls Terminal Harvest Area (THA) to troll gear from August 1 through September 20 to harvest returning coho salmon. The THA would remain open during any mid-August troll closure, with modified boundaries limiting the area to one nautical mile from shore.

WHAT ARE THE CURRENT REGULATIONS? *District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan* provides for management of a troll gear fishery by emergency order (EO) when broodstock and cost-recovery needs are met.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow trollers to harvest hatchery-produced coho salmon, especially during an August troll closure, when options to fish are limited. The troll harvest of enhanced coho salmon would likely increase, bringing the troll percentage of enhanced salmon value closer to the allocated range. The department would no longer need to write an EO each year to open the THA to trolling during this time period, providing in regulation alignment with actual practice.

BACKGROUND: Currently, the Hidden Falls THA is closed to trolling for coho salmon unless opened by EO. The department, in consultation with the Northern Southeast Regional Aquaculture Association (NSRAA), may open the THA to coho salmon retention by troll gear once NSRAA's broodstock and cost-recovery needs are met. NSRAA has not experienced difficulties meeting those needs in the past, nor does it anticipate having difficulties in the future. Existing regulations allow troll retention of king and chum salmon, with certain limitations, so allowing coho salmon retention, by default, would be more consistent with current regulations for other species. During a mid-August troll closure, the eastern boundary of the THA would be moved to approximately one mile off the Baranof Island shoreline, decreasing the size of THA in order to reduce interception of wild coho salmon stocks. During the rest of the summer troll season, the eastern boundary would be two nautical miles from the Baranof Island shoreline.

Commercial troll, purse seine, and drift gillnet permit holders pay an enhancement tax at the time they sell salmon, which is 3% of the exvessel value of their catch. These funds support Alaska hatchery salmon production. Enhanced salmon allocation ranges were developed by the Southeast Allocation Task Force (SATF) within the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan,* which was adopted by the Alaska Board of Fisheries (board) in 1994. The plan specified a troll salmon enhanced value range of 27–32%. From 1994 to 2010, the values of enhanced troll harvests have fallen within that target range only four times during that seventeen-year period, with a recent five-year average (2006–2010) of 17%.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. This change would adopt into regulation what has been done by EO during the past two years.

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

PROPOSAL 344 – 5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (NSRAA).

WHAT WOULD THE PROPOSAL DO? This proposal would revise the western boundary of the Deep Inlet Terminal Harvest Area (THA) and the time period in which the revision would be in effect in order to increase troll fishery access to enhanced king salmon.

WHAT ARE THE CURRENT REGULATIONS? The *District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan* provides for distribution of harvests between the troll, purse seine, and drift gillnet fleets. Trolling is allowed in the Deep Inlet THA when the area is closed to net gear and trolling shall be closed when NSRAA is conducting cost-recovery harvests.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would increase the area open to trolling, as well as the time that this area would be open to troll gear. The western boundary of the Deep Inlet THA would move eastward by 0.43 nm, enlarging the area open to trolling. This boundary modification would take effect when the THA rotational fishing schedule begins and continue through the third week of June. The number of enhanced king salmon harvested in the troll fishery would likely increase to some degree.

Trollers have harvested an average of 1% of the total king harvest in Deep Inlet over the past six years (Table 344.1); this change may increase that percentage to some degree.

BACKGROUND: King, chum, and coho salmon are produced by the Medvejie Hatchery, located in Sitka Sound, and operated by NSRAA. Most of the chum salmon production is released in Deep Inlet, where rotational fisheries for seine, drift gillnet, and troll gear are conducted. In 2005, the NSRAA Board approved a request to allow rotational fisheries in the Deep Inlet THA to begin earlier than in past years in order to allow net fisheries to intercept enhanced king salmon passing through Deep Inlet. From 2005–2008, the Deep Inlet THA opened in late April or early May. Since 2009, the THA has opened in late May. Beginning in 2005, the western boundary of the Deep Inlet THA was modified to exclude a small area traditionally used by trollers from May 1–21, in order to improve troll access to enhanced king salmon produced at the Medvejie Hatchery. In 2006, the board adopted regulations allowing the same boundary modification to occur each year during that same time period (Figure 344.1).

All commercial gear groups pay an enhancement tax at the time they sell salmon, which is 3% of the value of their catch. These funds help to support Alaska hatchery salmon production.

Enhanced salmon allocation ranges were developed by the Southeast Allocation Task Force (SATF) within the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan*, which was adopted by the board in 1994. The plan specified a troll salmon enhanced harvest range of 27–32%. From 1994 to 2010, enhanced troll harvests have fallen within that target range only four times during that seventeen-year period, with a recent five-year average (2006–2010) of 17%.

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

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

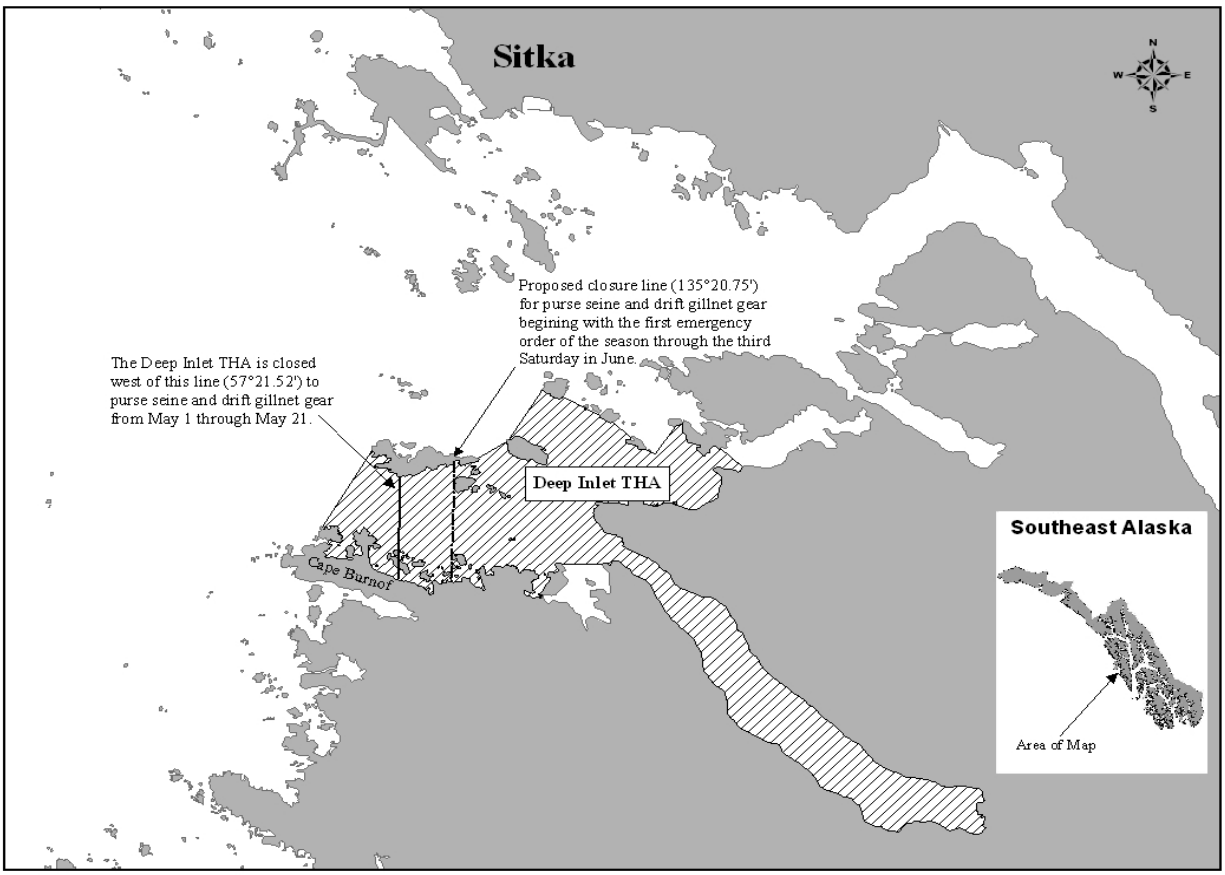

Figure 344.1–Current Deep Inlet THA boundaries and proposed boundary change.