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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON CHIGNIK FINFISH REGULATORY PROPOSALS AND STELLER SEA LION PROTECTION MEASURES

ALASKA BOARD OF FISHERIES MEETING

ANCHORAGE, ALASKA

JANUARY 16–19, 2011

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The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, January 16–19, 2011 in Anchorage, Alaska and are prepared to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on Statewide (General Provisions) subsistence, personal use, sport, and commercial finfish regulatory proposals. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, January 16–19, 2011 in Anchorage, Alaska to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

Key words: Alaska Board of Fisheries, staff comments, subsistence, personal use, sport, commercial, regulatory proposals, finfish, salmon, Steller sea lion.

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SUMMARY OF DEPARTMENT POSITIONS

Proposal #	Dept. Position	Issue
83	**N**	Establish 58-foot vessel size limit in parallel Pacific cod fisheries
84	**N**	Modify Pacific cod fishery registration requirements
85	**N**	Reduce jig allocation to 5 percent for state-waters Pacific cod fishery
86	**N**	Establish rollover criteria for state-waters Pacific cod jig allocation
87	**N**	Reduce jig allocation to 5 percent for state-waters Pacific cod fishery; however, pot fleet may take jig allocation if no registered jig gear
88	**N**	Change season opening date for state-waters Pacific cod fishery to March 15
90	**N**	Establish preseason registration deadline to participate in state-waters Pacific cod fishery
91	**NP**	Implement prior participation requirements for registering for the state-waters Pacific cod fishery
92	**N**	Allow deep water pot gear storage prior to the opening of the state-waters Pacific cod fishery
93	**S**	Repeal one type of mechanical jigging machine gear
94	**S**	Modify fishing season regulation that allows groundfish to be taken at any time in the Chignik area
332	**N**	Steller sea lion protection measures in Aleutian Islands
95	**N**	Open area to subsistence fishing
96	**N**	Open area to subsistence fishing
97	**N**	Open commercial salmon fishing concurrently with the Chignik Bay and Central District in the Western District
98	**N**	Increase Chignik purse seine length
99	**O**	Modify the salmon management plan
100	**O**	Reduce king salmon bag limit to 1 per day with annual limit of 2
101	**O**	Prohibit barbed hooks and bait

Note: N = Neutral
S = Support
O = Oppose
NP = No position

COMMITTEE A: GROUNDFISH
(12 PROPOSALS)

PROPOSAL 83 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Chignik Marketing Association.

WHAT WOULD THE PROPOSAL DO? Restrict vessels greater than 58 feet in length from participating in the Chignik Area parallel Pacific cod fishery (0 to 3 nm).

WHAT ARE THE CURRENT REGULATIONS? Currently, there are no size restrictions for vessels participating in the Chignik Area parallel Pacific cod fishery. During the federal/parallel fishery, Pacific cod may be taken by pot, longline, jig, and trawl gear, although Chignik Area state waters are closed to bottom trawling. By regulation, 5 AAC 28.537(e), vessels participating in the separate Chignik Area state-waters Pacific cod fishery may not exceed 58 feet in length and are limited to using pot and jig gear only.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the department does not anticipate any significant changes with respect to management of Chignik parallel Pacific cod fisheries. The department would continue to open the parallel fishery concurrent to the federal fishery and adopt most other federal regulations and National Marine Fisheries Service (NMFS) management actions. A 58-foot vessel length limit within the parallel fishery may require some additional law enforcement oversight since the requirements to participate in parallel fishery would be different from federal waters.

Historically, vessel size has not been a condition for determining eligibility in parallel Pacific cod fisheries. Therefore, a range of effects may result from a redistribution of effort in the parallel fishery.

- **Status quo harvest:** A 58-foot vessel limit may decrease the number of vessels that participate in the parallel Pacific cod fishery. However, during most years vessels 58 feet or less account for the majority of Pacific cod harvested during the parallel fishery, which suggests effort and harvest from parallel waters may remain relatively stable (Table 83-1).

- **Decreased effort and harvest:** Vessels greater than 58 feet that do not hold federal fishery permits would be excluded from the federal/parallel fishery in the Chignik Area. Excluding larger vessels from the parallel fishery may reduce effort and limit harvests inside parallel waters (0 to 3 nm). On average, from 1999 to 2010, vessels greater than 58 feet accounted for only 5% of the parallel fishery Pacific cod harvest.

- **Increased effort and harvest:** Vessels 58 feet or less harvest 95% (Table 83-1) of Pacific cod taken during the Chignik Area parallel fishery. Excluding larger vessels from the parallel fishery may reduce competition and potentially increase harvests by the 58-foot and under fleet. However, federal regulations prohibit certain types of commercial fishing

activities within those portions of the Chignik Area that have been identified as important habitat for Steller sea lions. Given that Steller sea lion protection measures close a substantial amount of the Chignik Area to commercial groundfish fishing (Figure 83-1), the magnitude of increased effort or harvest as a result of this proposal may be mitigated.

BACKGROUND: The federal (3 to 200 nm) Pacific cod fishery in the Central Gulf of Alaska (CGOA) is managed by NMFS. The parallel (0 to 3 nm) Pacific cod fishery in Chignik Area is prosecuted concurrent to the federal CGOA fishery and is opened by the State of Alaska under the authority of a department emergency order. With some exceptions, fishing seasons, allowable gear, and bycatch levels established for the federal fishery also apply to the parallel fishery unless superseded by Alaska Board of Fisheries (board) regulations.

Pacific cod harvested from federal and parallel fisheries count against the same CGOA Pacific cod total allowable catch (TAC). However, Pacific cod TACs are allocated to inshore (90%) and offshore (10%) processing sectors, and are apportioned seasonally as well, with 60% of the annual CGOA TAC allocated to the A season and 40% allocated to the B season. Annually, the A season starts on January 1 and the B season starts on September 1. Each season closes to directed fishing when the allocated TAC has been harvested.

The CGOA federal/parallel Pacific cod season TACs are fully harvested in most years. Currently, there are no restrictions for entry or participation in the parallel portion of the CGOA Pacific cod fishery. Additionally, there are no restrictions on the amount of Pacific cod that can be harvested from parallel waters. Given the limited number of vessels that participate in the Chignik Area parallel Pacific cod fishery, harvest information for each gear type is mostly confidential. However, pot vessels have harvested 90% of all Pacific cod taken during the parallel fishery from 2000 to 2010. The remaining harvest is divided between longline and pelagic trawl vessels. There are no recorded jig harvests during the Chignik Area parallel fishery.

The North Pacific Fishery Management Council (council) took final action in December 2008 to establish sector allocations of Pacific cod in the CGOA management area. The council's action establishes Pacific cod allocations for seven sectors in the CGOA. This action is intended to enhance stability in federal Pacific cod fisheries, reduce competition among the sectors, and preserve historical distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have license limitation program (LLP) licenses from participating in the CGOA Pacific cod parallel fishery and eroding historical catch shares of those dependent on the fishery. Vessels not federally permitted will continue to have access to federal TAC in the parallel fishery (Figure 83-2).

During January 2010, the board adopted a similar proposal in the South Alaska Peninsula Area. The adopted proposal limits all Pacific cod vessels in the South Alaska Peninsula Area parallel fishery to a maximum length of 58 feet. The provisions of this proposal are identical to the proposal implemented in the South Alaska Peninsula Area.

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 83-1.–Parallel waters Pacific cod harvest and effort by vessel size in the Chignik Area, 1999–2010.

	Vessels 58 feet and under			*Vessels Over 58 Feet*			
Year	Number of Vessels	Average Harvest (Lb)	Percent Harvest	Number of Vessels	Average Harvest (Lb)	Percent Harvest	**Total Harvest**
1999-2001	26	443,857	92%	8	39,286	8%	**483,144**
2002-2004	10	250,387	100%	3	554	0%	**250,940**
2005-2007	8	70,223	93%	4	4,985	7%	**75,208**
2008-2010	14	342,917	95%	5	17,700	5%	**360,617**
Average	**15**	**276,846**	**95%**	**5**	**15,631**	**5%**	**292,477**

Note: Years combined to maintain confidentiality.

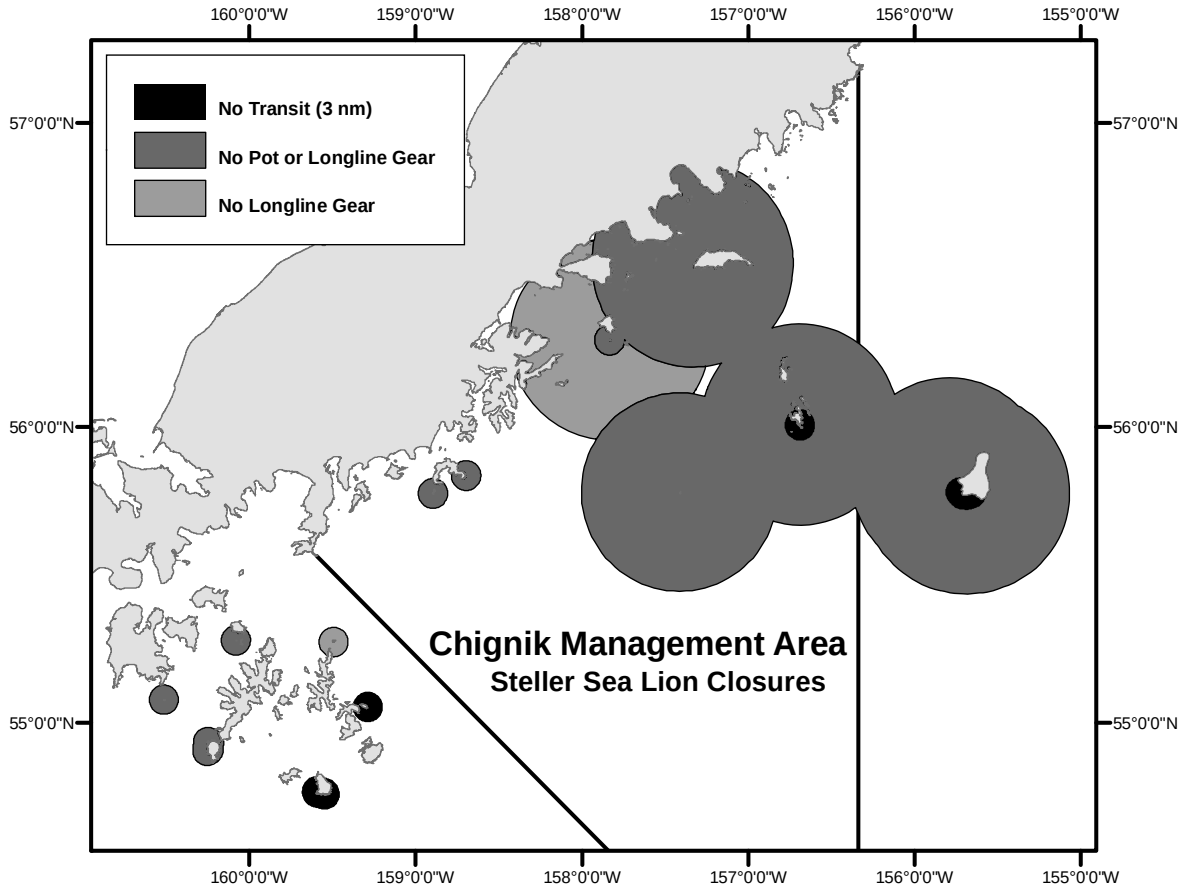

Figure 83-1.–Steller sea lion groundfish closure areas.

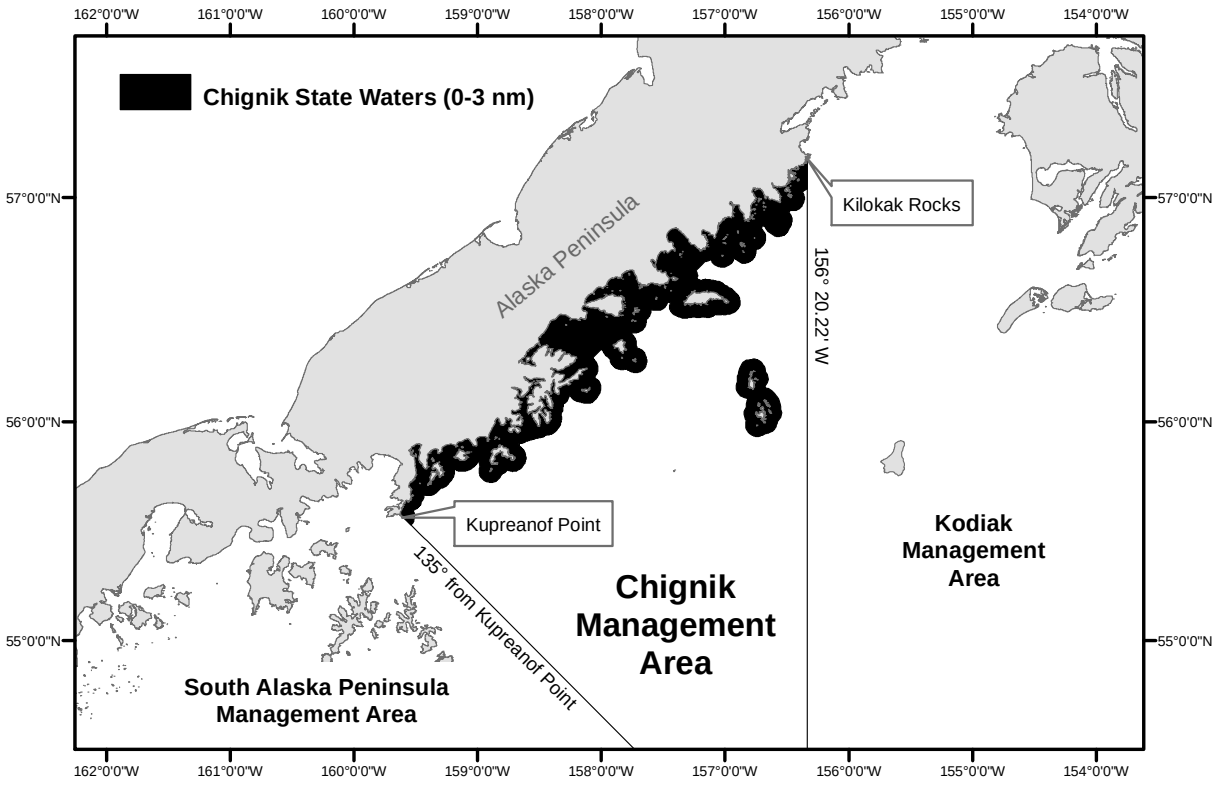

Figure 83-2.–Map depicting Chignik Area for groundfish.

PROPOSAL 84 – 5 AAC 28.506. Chignik Area Registration.

PROPOSED BY: Chignik Marketing Association.

WHAT WOULD THE PROPOSAL DO? Restrict vessels that participate in a state-waters or parallel Pacific cod fishery outside of the Chignik Area from registering for the Chignik Area state-waters Pacific cod season during the same calendar year.

WHAT ARE THE CURRENT REGULATIONS? The Chignik state-waters Pacific cod fishery is a superexclusive registration area fishery, 5 AAC 28.506(a). Once a vessel is registered for the Chignik Area superexclusive Pacific cod fishery that vessel cannot participate in any other state-waters Pacific cod fishery for the remainder of the same calendar year. Conversely, any vessel that participated in a state-waters Pacific cod fishery outside of Chignik is not eligible to register for the Chignik superexclusive fishery during the same calendar year. Currently, superexclusive registration criteria do not apply to federal/parallel Pacific cod fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal may exclude Pacific cod pot vessels that have historically participated in the Chignik Area state-waters Pacific cod fishery. Foregone harvest by vessels excluded by this proposal would likely be reallocated to vessels that only participate in the Chignik Area state-waters Pacific cod fishery.

BACKGROUND: In 1996, the board adopted state-waters Pacific cod management plans for fisheries in five management areas, including the Chignik Area. The intent of the state-waters management plans was to provide Pacific cod fishing opportunities for local fleets in each of the five management areas. As each of the state-waters fisheries developed, area fishermen submitted proposals requiring specific registration requirements to preserve local fishing opportunities. The Chignik Area state-waters Pacific cod fishery has been a superexclusive registration area fishery since 2000.

The Chignik Area state-waters Pacific cod guideline harvest level (GHL) is based on 8.75% of the annual total allowable harvest for the Central Gulf of Alaska (CGOA). The state-waters fishery opens by regulation on March 1 annually. Pot and jig gear are the only allowable gear types and vessels are restricted to 58 feet or less in overall length.

In addition to the Chignik Area state-waters fishery, some vessels regularly target Pacific cod during separate parallel/federal fisheries. Concurrent to federal Pacific cod fisheries, the state opens parallel fisheries inside state waters (0 to 3nm). The state adopts most federal fishing regulations, although vessels that fish exclusively inside parallel waters do not need federal fishing permits. Parallel Pacific cod fisheries occur throughout the Gulf of Alaska and the Bering Sea and Aleutian Islands.

On average, 18% of pot vessels that fished during the Chignik Area state-waters fishery from 2000 to 2010 also participated in a parallel Pacific cod fishery outside of the Chignik Area (Table 84-1). These vessels predominantly fished in either the Kodiak Area or South Alaska

Peninsula Area parallel Pacific cod fisheries, in addition to the Chignik Area state-waters Pacific cod fishery. Since 2000, vessels that participated in a Pacific cod fishery outside of the Chignik Area harvested an average of 23% of the total annual Chignik Area state-waters Pacific cod harvest.

In recent years, the number of vessels that fished during the Chignik Area state-waters season and in a Pacific cod fishery outside of Chignik has increased. During 2010, those vessels harvested 2.1 million pounds, or 25% of the 8.5 million pound state-waters season pot gear GHL (Table 84-1).

Since 2001, federal fishing regulations prohibit certain types of commercial fishing activities within areas identified as important habitat for Steller sea lions (SSL). In the Chignik Area, SSL protection measures close a substantial portion of federal/parallel waters to commercial Pacific cod fishing (Figure 84-1). Thus, Chignik Area federal/parallel season Pacific cod harvests are considerably lower compared to federal/parallel harvests in the adjacent Kodiak and South Alaska Peninsula areas. Most SSL restrictions do not apply to state-waters Pacific cod 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 84-1.–Effort and harvest by pot gear vessels that participated in the Chignik Area state-waters Pacific cod fishery and a parallel Pacific cod fishery outside of the Chignik Area during the same year, 2000–2010.

	Number of pot vessels participating in the Chignik state-waters Pacific cod fishery	**Number of pot vessels participating in the Chignik state-waters fishery and a parallel fishery outside of Chignik during same year**	**Pounds of Pacific cod harvested during the Chignik state-waters fishery by vessels using pot gear**	**Pounds of Pacific cod harvested during the Chignik state-waters fishery by vessels that also fished in a parallel fishery during same year**
2000	18	2 (11%)	1,737,326	Confidential
2001	15	0 (0%)	2,731,243	0
2002	12	0 (0%)	3,903,320	0
2003	15	3 (20%)	4,034,504	1,118,093 (28%)
2004	17	2 (12%)	5,608,763	Confidential
2005	15	3 (20%)	5,650,595	1,333,557 (24%)
2006	12	0 (0%)	3,439,521	0
2007	16	4 (25%)	5,699,461	1,034,024 (18%)
2008	22	7 (32%)	6,838,934	2,068,826 (30%)
2009	13	4 (31%)	5,679,678	2,241,879 (39%)
2010[a]	16	4 (25%)	8,491,278	2,133,104 (25%)
Average	**16**	**3 (18%)**	**4,892,238**	**1,103,276 (23%)**

[a] Through July 31, 2010.

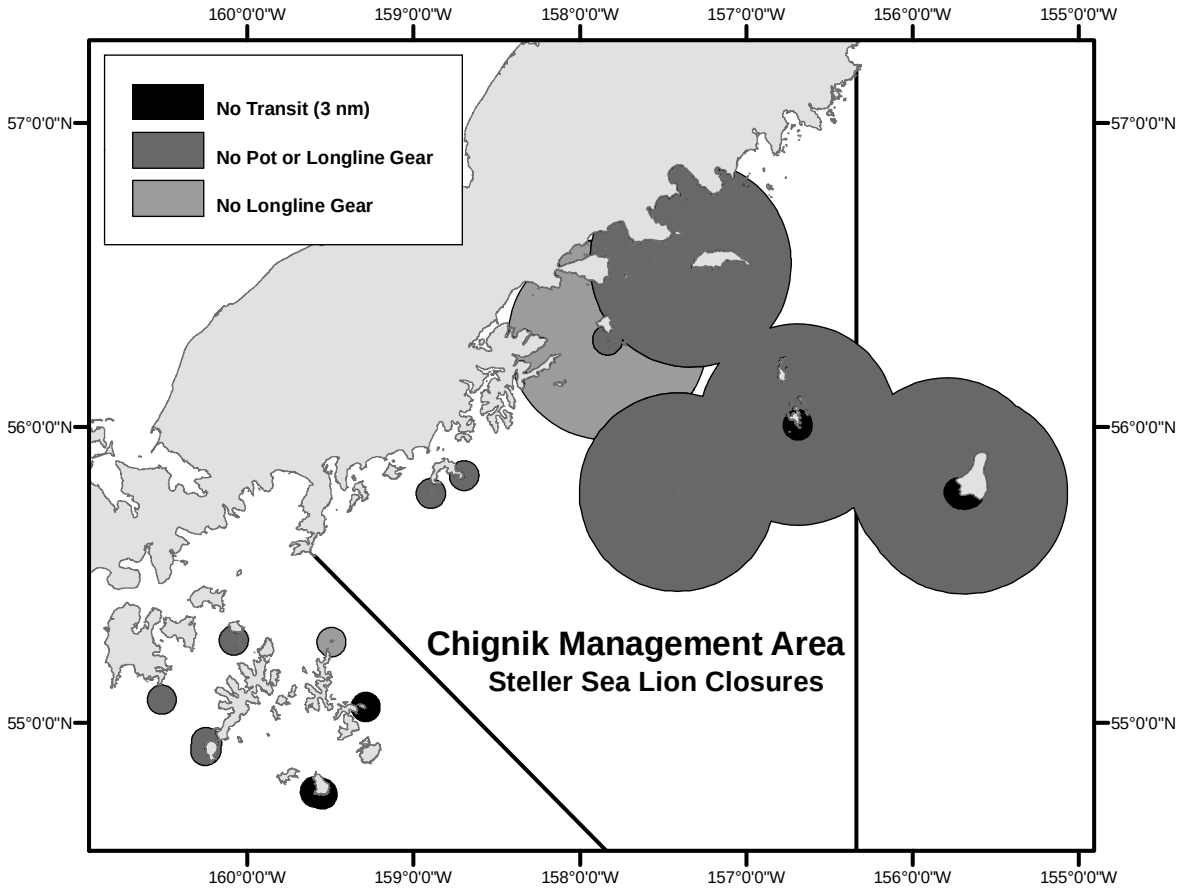

Figure 84-1.–Steller sea lion groundfish closure areas.

PROPOSAL 85 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan

PROPOSED BY: Endurance Fisheries, Inc.

WHAT WOULD THE PROPOSAL DO? Reduce the jig gear harvest allocation of Pacific cod from 10% to 5% of the total Chignik Area state-waters guideline harvest level (GHL).

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod GHL is based on 8.75% of the annual total allowable harvest for the Central Gulf of Alaska (CGOA), 5 AAC 28.537(e)(2). Annually, pot vessels are allocated 90% of the GHL while mechanical jig and hand troll vessels are allocated 10% of the GHL, 5 AAC 28.537 (c)(1&2), (Table 85-1).

If 10% of the GHL is not taken by jig vessels before August 15, the state-waters season will close and a fishing season would immediately reopen during which both pot and jig gear may be used 5 AAC 28.537(c)(3). Similarly, if at any time after October 30 the commissioner determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used, and, if necessary, without restriction on vessel size 5 AAC 28.537(g)(1&3).

If the jig allocation is fully harvested in any calendar year, the allocation will be increased by an additional 5% of the GHL the following year. If the jig gear allocation is fully harvested in any year thereafter, the allocation will be again be increased an additional 5% the next calendar year until the allocation for jig gear reaches 25% of the GHL, 5 AAC 28.537(j).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would increase fishing opportunity for pot vessels and may decrease fishing opportunity for jig vessels targeting Pacific cod during the Chignik Area state-waters Pacific cod fishery.

BACKGROUND: When the *Chignik Area Pacific Cod Management Plan* (5 AAC 28.537) was adopted in 1996, the amount of Pacific cod available for harvest was not divided among the two legal gear types (pot and jig). As the fishery developed, the preponderance of Pacific cod GHL was harvested by pot vessels before most jig vessels started fishing for the season. To ensure adequate opportunity for entry level fishing vessels, the board allocated 15% of the annual GHL to jig vessels following the 1999 season. At that time, a rollover date of August 15 was additionally implemented in the event jig vessels were unable to harvest the newly allocated GHL. The GHL allocation was modified to 90% pot gear and 10% jig gear in 2005 in response to continued foregone harvest of jig quota.

Chignik Area jig vessels have not fully harvested annual jig gear GHLs since they were adopted in 1999 (Table 85-2). Although unharvested jig GHL is often reallocated to both pot and jig gear on August 15, few pot vessels have historically targeted Pacific cod after this date. Market availability, poor fishing conditions, and access to other fisheries (i.e., salmon and halibut) likely limit pot vessel participation during late summer and fall. Similarly, jig landings rarely occur after August 15. Since 2006, Chignik Area jig effort has been nominal (Table 85-2).

The Chignik Area state-waters Pacific cod fishery is largely regulated using landing data derived from the electronic fish ticket reporting system (eLandings) combined with voluntary daily vessel harvest reports. The department also relies on processor production reports, although most Pacific cod harvested in the Chignik Area are tendered long distances to shore-based processors outside of the management area. Thus, processor reporting is often delayed, resulting in uncertainly for department management staff when projecting future management actions.

Annually, the department manages for the overall Chignik Area state-waters fishery Pacific cod GHL. If the pot gear allocation is inadvertently exceeded during any given year, that portion of harvest which exceeds the pot gear allocation must be deducted from the jig gear allocation. During the final days of the 2010 pot gear season, Chignik Area pot vessels harvested on average 500,000 total pounds of Pacific cod per day. If during 2010, the Chignik Area jig allocation was established at the proposed 5% level (473,020 pounds), less than 24 hours of unintended pot vessel fishing would result in an areawide closure for both gear types for the remainder of the year.

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

The department strives for consistent and accurate management actions with respect to GHL allocations. However, many factors such as weather conditions, Pacific cod distribution and abundance, vessel effort, tender availability, and tides, strongly influence inseason management precision and the resulting amount of harvest opportunity for each gear type. To reduce management uncertainty, the department recommends adopting inseason mandatory daily harvest reporting by the pot fleet if the jig harvest allocation is reduced to 5%. Mandatory inseason harvest reporting was implemented in the adjacent South Alaska Peninsula Area state-waters Pacific cod fishery in 2007.

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 85-1.–Current state-waters Pacific cod GHL allocations, by gear type and management area.

	Management Area				
Gear Type	**Chignik**	Kodiak	South Alaska Peninsula	Cook Inlet	Prince William Sound
Pot	**90%**	50%	85%	75%	60%
Jig	**10%**	50%	15%	25%	40%[a]

[a] 40% of the Prince William Sounds Pacific cod GHL available to both jig and longline gear types.

Table 85-2.–Chignik Area Pacific cod GHL, effort and harvest, by gear type, 2000–2010.

	Pot Gear			Jig Gear		
Year	GHL (millions Lb)	Vessels	Harvest (Lb)	GHL (millions Lb)	Vessels	Harvest (Lb)
2000	5.70	20	1,756,305	1.01	5	38,453
2001	5.10	15	2,371,243	0.90	13	277,411
2002	4.17	12	3,903,320	0.74	14	324,227
2003	3.83	15	4,034,504	0.68	16	433,067
2004	5.80	17	5,608,763	1.10	14	141,697
2005	5.75	15	5,650,595	0.63	8	136,872
2006	6.57	12	3,439,521	0.73	1	Confidential
2007	6.57	16	5,699,461	0.73	0	0
2008	6.58	23	6,838,934	0.73	2	Confidential
2009	5.47	11	5,679,676	0.61	1	Confidential
2010	8.51	15	8,491,185	0.95	1	Confidential

PROPOSAL 86 – 5 AAC 28.537(c)(3). Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? Rollover unharvested jig guideline harvest level (GHL) as follows:

1) If by March 21 no jig vessels register to fish during the state-waters Pacific cod fishery, the fishery will close and immediately reopen to both pot and jig gear under one combined GHL.
2) If by April 1 one or more jig vessels register for the fishery but not actively fish, the state-waters season will close and immediately reopen to both pot and jig gear under one combined GHL.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod GHL is based on 8.75% of the annual total allowable harvest for the Central Gulf of Alaska (CGOA), 5 AAC 28.537(e)(2). Annually, pot vessels are allocated 90% of the GHL while mechanical jig and hand troll vessels are allocated 10% of the GHL, 5 AAC 28.537 (c)(1&2) (Table 85-1).

If 10% of the GHL is not taken by jig vessels before August 15, the state-waters season will close and a fishing season would immediately reopen during which both pot and jig gear may be used 5 AAC 28.537(c)(3). Similarly, if at any time after October 30 the commissioner determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used, and, if necessary, without restriction on vessel size 5 AAC 28.537(g)(1&3).

If the jig allocation is fully harvested in any calendar year, the allocation will be increased by an additional 5% of the GHL the following year. If the jig gear allocation is fully harvested in any year thereafter, the allocation will be again be increased an additional 5% the next calendar year until the allocation for jig gear reaches 25% of the GHL, 5 AAC 28.537(j).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would eliminate the GHL allocation between pot and jig vessels on March 21 or April 1 if no jig vessels register or participate in the fishery. A March or April GHL rollover date would increase fishing opportunity for pot vessels and likely decrease fishing opportunity for jig vessels during the Chignik Area state-waters Pacific cod fishery.

If by March 21, one or more jig vessels register and make at least one landing, then 90% of the annual state-waters Pacific cod GHL will be allocated to pot vessels, while the remaining 10% of the GHL would be allocated to jig vessels.

Ultimately, this proposal would establish GHL rollover dates based on the historical timing of pot gear harvest. The Chignik Area state-waters season opening date has changed on multiple occasions, and is proposed to be modified again during the 2011 board cycle. Thus, the timing

of harvest has varied considerably throughout the history of the Chignik Area state-waters Pacific cod fishery.

BACKGROUND: When the *Chignik Area Pacific Cod Management Plan* (5 AAC 28.537) was adopted in 1996, the amount of Pacific cod available for harvest was not divided among the two legal gear types (pot and jig). As the fishery developed, the preponderance of Pacific cod GHL was harvested by pot vessels before most jig vessels typically entered the fishery. To ensure adequate opportunity for entry level fishing vessels, the board allocated 15% of the annual GHL to jig vessels following the 1999 season. At that time, a rollover date of August 15 was additionally implemented in the event jig vessels were unable to harvest their allocated GHL. The GHL allocation was modified to 90% pot gear and 10% jig gear in 2005 in response to continued foregone harvest of jig quota.

Chignik Area jig vessels have not fully harvested the annual jig gear GHLs since they were adopted in 1999 (Table 86-1). Although unharvested jig GHL is often reallocated to both pot and jig gear on August 15, few pot vessels have historically targeted Pacific cod after this date. Market availability, poor fishing conditions, and access to other fisheries (i.e., salmon and halibut) likely limit pot vessel participation during late summer and fall. Similarly, jig landings rarely occur after August 15. Since 2006, Chignik Area jig effort has been nominal (Table 86-1).

Notably, the North Pacific Fishery Management Council (council) took final action in December 2008 to establish sector allocations of Pacific cod in the CGOA. The council's action establishes Pacific cod allocations for seven sectors, including a jig gear sector. This action is intended to enhance stability in the CGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historical distribution of catch among gear types. At this time it is unknown how the newly established sector allocations will influence inseason management of the federal/parallel or state-waters Pacific cod fisheries. The board will be addressing state-waters Pacific cod fisheries as they relate to federal sector allocations during fall 2011.

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

The department cautions against establishing new regulations which may become obsolete or ineffective if the season opening date were modified as requested in Proposal 88 or when the board considers changes to state-waters fisheries in 2011 in response to federal Pacific cod sector allocations.

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 86-1.–Chignik Area Pacific cod GHL, effort and harvest, by gear type, 2000–2010.

	Pot Gear			Jig Gear		
Year	GHL (millions Lb)	Vessels	Harvest (Lb)	GHL (millions Lb)	Vessels	Harvest (Lb)
2000	5.70	20	1,756,305	1.01	5	38,453
2001	5.10	15	2,371,243	0.90	13	277,411
2002	4.17	12	3,903,320	0.74	14	324,227
2003	3.83	15	4,034,504	0.68	16	433,067
2004	5.80	17	5,608,763	1.10	14	141,697
2005	5.75	15	5,650,595	0.63	8	136,872
2006	6.57	12	3,439,521	0.73	1	Confidential
2007	6.57	16	5,699,461	0.73	0	0
2008	6.58	23	6,838,934	0.73	2	Confidential
2009	5.47	11	5,679,676	0.61	1	Confidential
2010	8.51	15	8,491,185	0.95	1	Confidential

PROPOSAL 87 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: Chignik Marketing Association.

WHAT WOULD THE PROPOSAL DO? Allocate all Chignik Area state-waters Pacific cod guideline harvest level (GHL) to pot vessels if no jig vessels register for the Chignik Area state-waters Pacific cod season. If one or more jig vessels register for the state-waters Pacific cod season, allocate 5% of the annual Pacific cod GHL to jig vessels and 95% of the annual GHL to pot vessels. The proposal did not specify a date by which jig vessels must register to receive 5% of the annual GHL.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod GHL is based on 8.75% of the annual total allowable harvest for the Central Gulf of Alaska (CGOA), 5 AAC 28.537(e)(2). Annually, pot vessels are allocated 90% of the GHL while mechanical jig and hand troll vessels are allocated 10% of the GHL, 5 AAC 28.537 (c)(1&2), (Table 85-1).

If 10% of the GHL is not taken by jig vessels before August 15, the state-waters season will close and a fishing season would immediately reopen during which both pot and jig gear may be used 5 AAC 28.537(c)(3). Similarly, if at any time after October 30 the commissioner determines the GHL will not be reached by December 31, the state-waters season will close and immediately reopen without restrictions on the amount of pot or jig gear that may be used, and, if necessary, without restriction on vessel size 5 AAC 28.537(g)(1&3).

If the jig allocation is fully harvested in any calendar year, the allocation will be increased by an additional 5% of the GHL the following year. If the jig gear allocation is fully harvested in any year thereafter, the allocation will be again be increased an additional 5% the next calendar year until the allocation for jig gear reaches 25% of the GHL, 5 AAC 28.537(j).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow pot vessels to harvest the total Chignik Area Pacific cod GHL during some years. Alternatively, this proposal would allocate 5% of the annual GHL to jig vessels if one or more jig vessels registered before an unspecified date.

BACKGROUND: When the *Chignik Area Pacific Cod Management Plan* (5 AAC 28.537) was adopted in 1996, the amount of Pacific cod available for harvest was not divided among the two legal gear types (pot and jig). As the fishery developed, the preponderance of Pacific cod GHL was harvested by pot vessels before most jig vessels typically entered the fishery. To ensure adequate opportunity for entry level fishing vessels, the board allocated 15% of the annual GHL to jig vessels following the 1999 season. At that time, a rollover date of August 15 was additionally implemented in the event jig vessels were unable to harvest their allocated GHL. The GHL allocation was modified to 90% pot gear and 10% jig gear in 2005 in response to continued foregone harvest of jig quota.

Chignik Area jig vessels have not fully harvested annual jig gear GHLs since they were adopted in 1999 (Table 87-1). Although unharvested jig GHL is often reallocated to both pot and jig gear

on August 15, few pot vessels have historically targeted Pacific cod after this date. Market availability, poor fishing conditions, and access to other fisheries (i.e., salmon and halibut) likely limit pot vessel participation during late summer and fall. Similarly, jig landings rarely occur after August 15. Since 2006, Chignik Area jig effort has been nominal (Table 87-1).

Notably, the North Pacific Fishery Management Council (council) took final action in December 2008 to establish sector allocations of Pacific cod in the CGOA. The council's action establishes Pacific cod allocations for seven sectors, including a jig gear sector. This action is intended to enhance stability in the CGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historical distribution of catch among gear types. At this time it is unknown how the newly established sector allocations will influence inseason management of the federal/parallel or state-waters Pacific cod fisheries. The board will be addressing state-waters Pacific cod fisheries as they relate to federal sector allocations during fall 2011. The department cautions against adopting state-waters season rollover regulations based on historical Chignik Area fishing dates until the impacts of upcoming sector allocations are fully identified.

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

The department cautions against adopting state-waters season rollover regulations based on historical Chignik Area fishing dates until the impacts of upcoming sector allocations are fully identified.

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 87-1.–Chignik Area Pacific cod GHL, effort and harvest, by gear type, 2000–2010.

	Pot Gear			Jig Gear		
Year	GHL (millions Lb)	Vessels	Harvest (Lb)	GHL (millions Lb)	Vessels	Harvest (Lb)
2000	5.70	20	1,756,305	1.01	5	38,453
2001	5.10	15	2,371,243	0.90	13	277,411
2002	4.17	12	3,903,320	0.74	14	324,227
2003	3.83	15	4,034,504	0.68	16	433,067
2004	5.80	17	5,608,763	1.10	14	141,697
2005	5.75	15	5,650,595	0.63	8	136,872
2006	6.57	12	3,439,521	0.73	1	Confidential
2007	6.57	16	5,699,461	0.73	0	0
2008	6.58	23	6,838,934	0.73	2	Confidential
2009	5.47	11	5,679,676	0.61	1	Confidential
2010	8.51	15	8,491,185	0.95	1	Confidential

PROPOSAL 88 – 5 AAC 28.537. Chignik Area Pacific Cod Management Plan.

PROPOSED BY: City of Chignik.

WHAT WOULD THE PROPOSAL DO? Change the Chignik Area state-waters Pacific cod fishery opening date from March 1 to March 15.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod season opens by regulation on March 1, 5 AAC 28.537(c).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would open the Chignik Area state-waters Pacific cod fishery on March 15 rather than March 1. Overall, the effects of this proposal on effort and harvest rates are unknown; therefore, a range of effects may occur.

- **Status quo effort and harvest:** Factors such as poor weather, limited access to markets, and relatively small Pacific cod quotas compared to the adjacent Kodiak and South Alaska Peninsula state-waters Pacific cod fisheries limit participation and interest in the Chignik Area fishery. Based on these factors, delaying the season start date to March 15 may have no direct effect on effort or harvest rates.

- **Increased effort and harvest – Small Vessels:** A later start date may increase harvest opportunity for smaller vessels since they would be less susceptible to inclement weather common to the Chignik Area during winter and early spring. Prosecuting the fishery later in the year may also improve safety conditions for those vessels. Providing more opportunity to smaller vessels may increase the rate of harvest during the state-waters season.

- **Increased effort and harvest – Large Vessels:** A later start date may increase opportunity by larger vessels commonly referred to as "Super 58" vessels. In recent years, most state and federal Pacific cod fisheries in the Gulf of Alaska and Bering Sea closed to Pacific cod fishing by early to mid March, when their respective harvest quotas were attained. As a result, the Chignik Area state-waters fishery is often the only remaining area open to Pacific cod fishing in the Westward Region. A March 15 start date may allow more vessels without previous Chignik Area catch history to enter the fishery, resulting in increased competition and shorter seasons.

- **Decreased effort and harvest:** This proposal may alternatively result in slower harvest rates and longer seasons during some years. Pacific cod typically form spawning aggregations in the Gulf of Alaska between January and April. Fish are most concentrated during this time, which typically results in strong harvest rates. The percentage of spawned Pacific cod in samples from Chignik Area commercial landings reached 50% by March 20 or earlier during the 2008 through 2010 seasons (Figure 88-1). After spawning, Pacific cod tend to disperse. Fishermen may encounter higher percentages of spawned-out Pacific cod during seasons that start on March 15, resulting in slower harvest rates or less marketable fish.

BACKGROUND: The Chignik Area state-waters fishery opens by regulation on March 1. In contrast, the Kodiak and South Alaska Peninsula state-waters Pacific cod fisheries open by emergency order seven days after Gulf of Alaska federal/parallel Pacific cod fisheries close. Since the inception of the fishery in 1997, the Chignik Area state-waters season opening date has changed on multiple occasions (Table 88-1). Previous changes to the Chignik Area state-waters season opening date represent fishing preferences among the fleet and were not implemented based on stock conservation or management concerns.

The Chignik Area state-waters Pacific cod fishery GHL is based on 8.75% of the federal Central Gulf of Alaska total allowable harvest. Pot vessels are allocated 90% of the annual GHL, while mechanical jig and hand troll vessels are allocated 10% of the annual GHL. Annual pot gear GHL allocations are typically attained, while jig gear allocations have not been fully harvested during any year since implementation of the jig gear GHL allocation in 2000.

Beginning in 2008, pot vessel harvest rates began to increase, which resulted in consecutively shorter seasons (Table 88-1). The 2010 pot gear season closed on April 6, which was the shortest Chignik Area state-waters pot season on record. The length of the Chignik Area state-waters pot gear season was 37 days, compared to 16 days in the Kodiak Area and 18 days in the South Alaska Peninsula.

From 2008 to 2010, the average weekly harvest of Pacific cod by pot vessels increased substantially as the season progressed (Figure 88-2). During those years, peak harvests, which averaged over 1.5 million pounds of Pacific cod per week, occurred just prior to the season closure dates (early to mid April). During time periods of 2005 to 2007 and 2002 to 2004, the highest average weekly harvests also occurred during early to mid April. However, average weekly harvests during those years rarely exceeded 600,000 pounds. Unlike the 2008–2010 seasons, weekly average harvests steadily declined after peak harvest until the directed fishing seasons were closed or vessels ceased fishing for the year. The Pacific cod GHLs during 2002, 2006, and 2007 were not fully harvested and the state-waters seasons during those years did not close to directed fishing for Pacific cod.

The North Pacific Fishery Management Council (council) took final action in December 2008 to establish sector allocations of Pacific cod in the CGOA. The council's action establishes Pacific cod allocations for seven sectors, including a jig gear sector. This action is intended to enhance stability in the CGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historical distribution of catch among gear types. At this time it is unknown how the newly established sector allocations will influence inseason management of the federal/parallel or state-waters Pacific cod fisheries. The board will be addressing state-waters Pacific cod fisheries as they relate to federal sector allocations during fall 2011.

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 88-1.–Chignik Area state-waters Pacific cod pot gear effort, harvest, and season dates by year, 2000–2010.

Year	Pot Gear GHL (millions Lb)	Vessels	Harvest (Lb)	Season Opening Date	Season Closure Date
2000	5.70	20	1,756,305	15-Apr	31-Dec
2001	5.10	15	2,371,243	11-Mar	31-Dec
2002	4.17	12	3,903,320	1-Mar	31-Dec
2003	**3.83**	**15**	**4,034,504**	**1-Mar**	**11-Apr**
2004	**5.80**	**17**	**5,608,763**	**1-Mar**	**13-May**
2005	**5.75**	**15**	**5,650,595**	**1-Mar**	**10-May**
2006	6.57	12	3,439,521	1-Mar	31-Dec
2007	6.57	16	5,699,461	1-Mar	31-Dec
2008	**6.58**	**23**	**6,838,934**	**1-Mar**	**17-Apr**
2009	**5.47**	**11**	**5,679,676**	**1-Mar**	**8-Apr**
2010	**8.51**	**15**	**8,491,185**	**1-Mar**	**6-Apr**

Bold denotes years when the full pot gear GHL was harvested

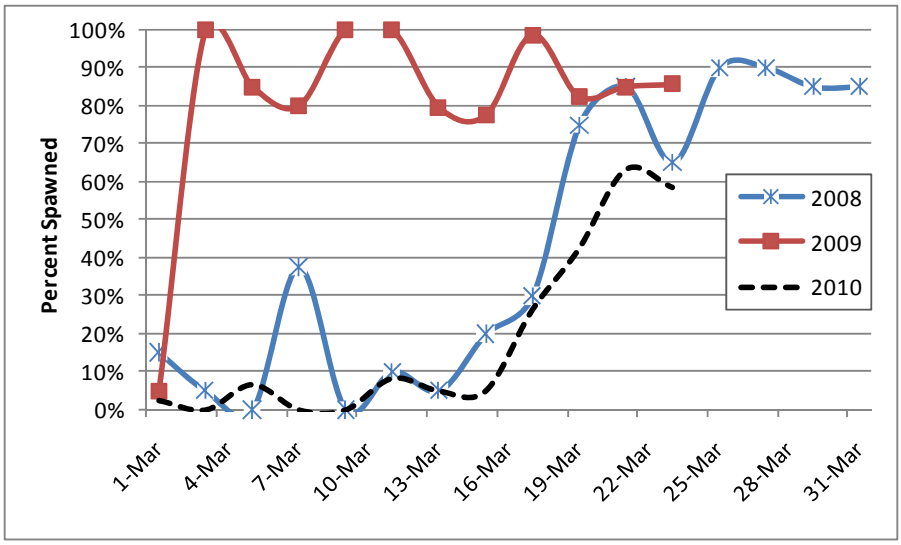

Figure 88-1.–Percentage of spent (spawned out) Pacific cod from samples collected during the Chignik Area state-waters Pacific cod fishery, by week, 2008–2010.

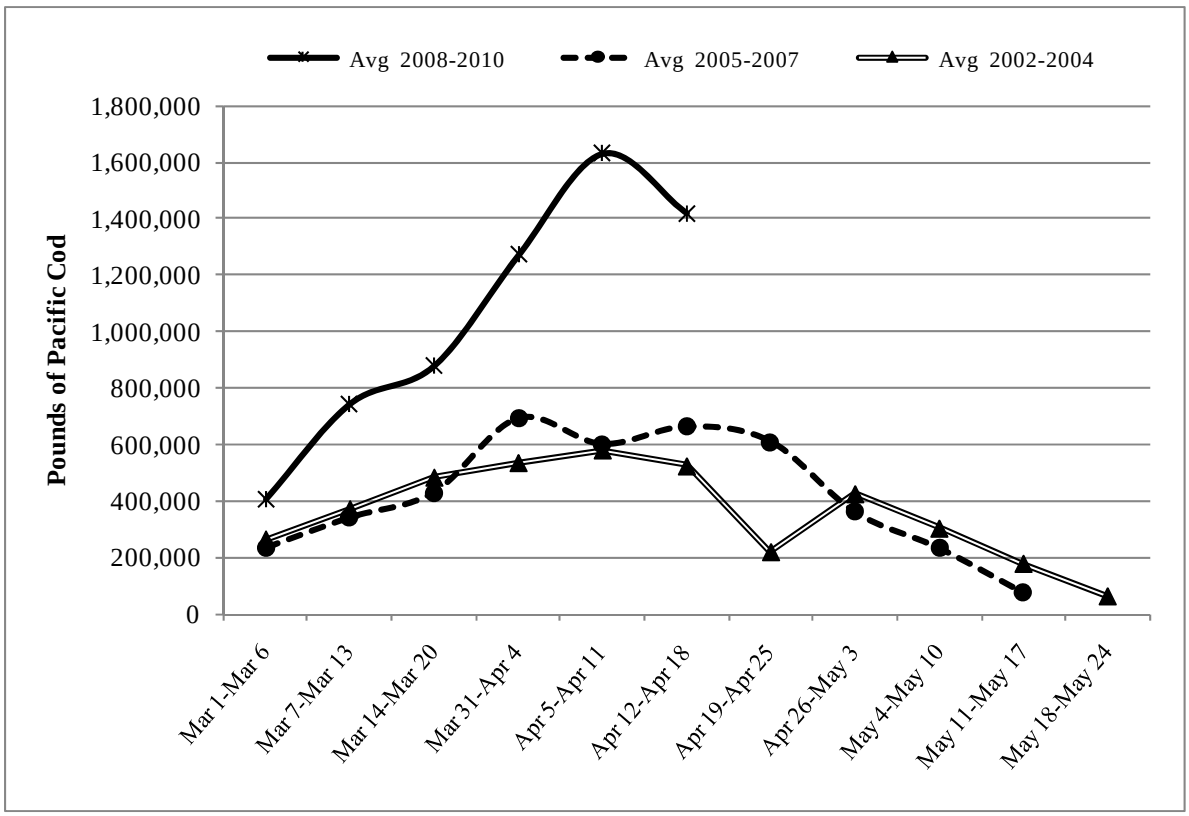

Figure 88-2.–Average weekly harvests of Pacific cod by pot vessels, 2002–2010.

PROPOSAL 90 – 5 AAC 28.506. Chignik Area Registration.

PROPOSED BY: Chignik Marketing Association.

WHAT WOULD THE PROPOSAL DO? Establish a preseason registration deadline of January 15 for the Chignik Area state-waters Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery, 5 AAC 28.506(a). Prior to participating in the fishery, vessel operators must obtain an interim use fishing permit from the Commercial Fisheries Entry Commission (CFEC) and register their vessel with department groundfish management staff. Pot vessels must additionally obtain and affix department buoy tags to all pot gear used during the fishery. Vessels may register at any time before or during the state-waters fishing season, which begins by regulation on March 1 annually.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would exclude any vessel that was not registered with the department prior to January 15 from participating in the Chignik Area state-waters Pacific cod fishery. As written, this proposal would apply to both pot and jig vessels. Preseason registration has never been a condition for eligibility in this fishery; therefore, the following effects may be possible:

Status quo effort: A preseason registration deadline of January 15 may have no effect on the number of vessels that participate in the fishery. Factors such as exvessel value, market availability, and the amount of Pacific cod available for harvest likely regulate annual vessel participation. Once vessel operators become accustomed to early registration, this proposal may have little impact on current effort levels.

Decreased effort: Conversely, winter Pacific cod fisheries in the Gulf of Alaska are dynamic. Season duration, catch rates, exvessel value, and weather patterns are often highly variable. Thus, some vessel operators make inseason decisions regarding where and when to fish based on these patterns. These vessel operators may opt out of the Chignik Area state-waters fishery if required to register prior to January 15.

BACKGROUND: The Chignik Area state-waters Pacific cod fishery has been a superexclusive registration area fishery since 2000. Once a vessel is registered for the Chignik Area superexclusive fishery, that vessel cannot participate in any other state-waters Pacific cod fishery for the remainder of the same calendar year. Conversely, any vessel that participated in state-waters fishery outside of Chignik is not eligible to register for the Chignik superexclusive fishery during the same year. All vessels are restricted to 58 feet or less in length and gear is limited to either 60 pots or 5 mechanical jigging machines per vessel.

Beginning in 2008, pot vessel harvest rates increased, which resulted in consecutively shorter seasons (Table 90-1). The 2010 pot gear season closed on April 6, which was the shortest Chignik Area state-waters pot season on record. The length of the Chignik Area state-waters pot gear season was 37 days, compared to 16 days in the Kodiak Area and 18 days in the South Alaska Peninsula. Since 2000, the number of pot vessels registered for the fishery has been

variable, ranging between 11 and 23 vessels per year. The number of vessels registered for the jig fishery has been minimal in recent years.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. If the board were to approve this proposal, the board may wish to consider exempting jig vessels since jig gear GHL allocations have not been fully harvested during any year since they were first implemented in 2000. Preseason registration would only serve to further limit the jig 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 90-1.–Chignik Area state-waters Pacific cod pot gear effort, harvest, and season dates by year, 2000–2010.

Year	Pot Gear GHL (millions Lb)	Vessels	Harvest (Lb)	Season Opening Date	Season Closure Date
2000	5.70	20	1,756,305	15-Apr	31-Dec
2001	5.10	15	2,371,243	11-Mar	31-Dec
2002	4.17	12	3,903,320	1-Mar	31-Dec
2003	**3.83**	**15**	**4,034,504**	**1-Mar**	**11-Apr**
2004	**5.80**	**17**	**5,608,763**	**1-Mar**	**13-May**
2005	**5.75**	**15**	**5,650,595**	**1-Mar**	**10-May**
2006	6.57	12	3,439,521	1-Mar	31-Dec
2007	6.57	16	5,699,461	1-Mar	31-Dec
2008	**6.58**	**23**	**6,838,934**	**1-Mar**	**17-Apr**
2009	**5.47**	**11**	**5,679,676**	**1-Mar**	**8-Apr**
2010	**8.51**	**15**	**8,491,185**	**1-Mar**	**6-Apr**

PROPOSAL 91 – 5 AAC 28.506. Chignik Area Registration.

PROPOSED BY: Ronald Kavanaugh.

WHAT WOULD THE PROPOSAL DO? Require three years of previous participation history with a minimum annual harvest of 100,000 pounds or five deliveries prior to being eligible to register for the Chignik Area state-waters Pacific cod fishery.

WHAT ARE THE CURRENT REGULATIONS? The Chignik Area state-waters Pacific cod fishery is an open access, superexclusive registration area fishery, 5 AAC 28.506(a). Prior to participating in the fishery, vessel operators must obtain an interim use fishing permit from the Commercial Fisheries Entry Commission (CFEC) and register their vessel with department groundfish management staff.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

See department comments.

BACKGROUND:

See department comments.

DEPARTMENT COMMENTS: The Alaska Department of Law has determined that the board does not have authority to limit entry into the Chignik Area state-waters Pacific cod fishery as specified in this proposal. Provisions of this proposal fall under the authority of CFEC. The department therefore takes **NO POSITION** on this proposal.

COST ANALYSIS: Not applicable.

PROPOSAL 92 – 5 AAC 28.532. Groundfish Pot Storage Requirements for Chignik Area.

PROPOSED BY: Endurance Fisheries.

WHAT WOULD THE PROPOSAL DO? Allow open and unbaited groundfish pots to be stored in waters greater than 25 fathoms for seven days prior to the start of the Chignik Area state-waters Pacific cod season.

WHAT ARE THE CURRENT REGULATIONS? Following the closure of a parallel or state-waters season for Pacific cod, groundfish pots may be stored open and unbaited in waters greater than 25 fathoms for no more than seven days following the closure, 5 AAC 28.532 (b)(2). After seven days following a closure, groundfish pots must be removed from the water or stored in waters not more than 25 fathoms deep with bait and bait containers removed and all doors secured open, 5 AAC 28.532 (a). Vessels with valid federal fishing licenses may store gear in federal waters (3 to 200 nm) at any depth before or after any Pacific cod season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow registered pot vessels to place open and unbaited pot gear at depth (greater than 25 fathoms) during the seven days prior to the start the state-waters season. Allowing vessels to place gear directly on the fishing grounds prior to the season opening would likely reduce operating costs as well as improve safety conditions associated with transporting gear.

BACKGROUND: By regulation, pot vessels participating in the Chignik Area state-waters Pacific cod fishery may not exceed 58 feet in overall length or operate more than 60 groundfish pots. Most vessels register and operate the maximum limit of 60 pots permissible in regulation, although few vessels have the capacity to safely transport all 60 pots from storage to the fishing grounds in a single trip. Thus, prior to the season opening, most vessels must transport their gear from port to shallow water storage areas near the fishing grounds in multiple loads. Once the season opens, those vessels must then transport their gear from the storage areas to the fishing grounds.

The state-waters Pacific cod seasons in the adjacent Kodiak and South Alaska Peninsula areas open seven days after the federal/parallel Pacific cod seasons close. Therefore, pot vessels in those areas may store open and unbaited groundfish pots on the fishing grounds (greater than 25 fathoms) for the seven days between seasons. In contrast, the Chignik Area state-waters Pacific cod season opens by regulation on March 1, and the 2009 and 2010 Central Gulf of Alaska (CGOA) federal/parallel Pacific cod seasons closed four weeks prior to the March 1 state-waters opening date. As a result, the amount of time between the closure of the federal/parallel season and start of the Chignik Area state-waters season precluded vessels from storing pots on the fishing grounds between seasons.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. If adopted, the department does not anticipate any significant changes with respect to management of the fishery.

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

PROPOSAL 93 – 5 AAC 28.530(f)(2). Lawful Gear for Chignik Area

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would repeal the Chignik Area definition of mechanical jigging gear that provides for a single continuous line with not more than 150 hooks.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow mechanical jigging machines to have either five lines with a maximum of 30 hooks per line or a single continuous line with not more than 150 hooks, 5 AAC 28.530(f).

5 AAC 39.105 (25) *Types of Legal Gear* defines mechanical jigging machines as a device that deploys a line with lures or baited hooks and retrieves that line with electrical, hydraulic, or mechanically-powered assistance; a mechanical jigging machine allows the line to be fished only in the water column; a mechanical jigging machine must be attached to a vessel registered to fish with a mechanical jigging machine; and the mechanical jigging machine may not be anchored or operated unattached from the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would prohibit use of a single continuous line with 150 hooks. This proposal would not influence or modify the current definition of mechanical jig machines or the practice of using five machines with 30 hooks per line. To date, there has been no documented use of a single continuous line in a Chignik Area state-waters Pacific cod or rockfish fishery.

BACKGROUND: Since the inception of state-waters groundfish fisheries in 1996, new fisheries regulations have been developed and existing regulations have been modified to address changing fishery and management needs. When the state-waters Pacific cod seasons were adopted, the definition of jig gear was amended in response to a user whose testimony described a continuous loop of line with 150 hooks that was fished across the deck and under the hull amidships. The gear has not been adopted into common use and the definition has proven misleading to some users based on reports that a single line with 150 hooks has been used in the same fashion as longline gear, which is prohibited during Chignik Area state-waters Pacific cod fisheries.

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 94 – 5 AAC 28.510(a). Fishing Seasons for Chignik Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WILL THE PROPOSAL DO? Repeal regulation that states groundfish may be taken at any time in the Chignik Area. In practice, fishing seasons are specifically defined elsewhere in area groundfish regulations, as well as in the global emergency order issued by the department prior to annual groundfish fisheries.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 28.510 (a) *Fishing Seasons for Chignik Area* states that unless otherwise specified, groundfish may be taken at any time.

In practice, groundfish may only be taken from state waters when parallel or state-waters seasons are open to commercial fishing (e.g., 5 AAC 28.070, 5 AAC 28.086, 5 AAC 28.087, 5 AAC 28.510, 5 AAC 28.537).

WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide for clear and consistent regulatory language regarding fishing seasons. This proposal would not influence or modify any current groundfish management practices in the Chignik Area. The department considers this proposal a housekeeping action to clarify existing regulations by removing language that is inconsistent with actual groundfish management practices.

BACKGROUND: Since the inception of state-waters groundfish fisheries in 1996, new fisheries regulations have been developed and existing regulations have been modified to address changing fishery and management needs. In some instances, general provisions are replaced by area-specific regulations. Currently, groundfish may only be taken inside state waters (0 to 3 nm) during specific state-waters or parallel seasons as defined by regulation or emergency order.

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 332 – 5 AAC 28.640. Aleutian Islands District and Western District of the South Alaska Peninsula Area Sablefish Management Plan; and 5 AAC 28.647 Aleutian Islands District Pacific Cod Management Plan.

PROPOSED BY: Alaska Board of Fisheries on behalf of the National Marine Fisheries Service (NMFS).

WHAT WILL THE PROPOSAL DO? This proposal would close waters within three nautical miles of the Kanaga Island/Ship Rock rookery to state-waters sablefish and state-waters Pacific cod for the protection of Steller sea lions (SSLs).

WHAT ARE THE CURRENT REGULATIONS? Waters within three nautical miles are currently open to the state-waters sablefish fishery and the state-waters Pacific cod fishery.

WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Waters within three nautical miles of Kanaga Island/Ship Rock would be closed to fishing for sablefish and state-waters Pacific cod. SSL protection measures are presently part of the state-waters Pacific cod fishery management plan (5 AAC 28.647 (g)); however, there are currently no SSL protection measures for state-waters sablefish.

Harvest and vessel effort for sablefish and state-waters Pacific cod from statistical area 775133 (Figure 332-1), in relation to total fishery harvests are provided in Table 332-1. Statistical area 775133 encompasses the west and north shores of Kanaga Island and encompass the proposed closure area. Fish ticket landing information for the waters surrounding Kanaga Island is not available. Harvest from this statistical area in relation to the total fishery is provided in Table 332-1. Harvest from the proposed closed area would be a subset of the harvest from statistical area 775133.

BACKGROUND: In August 2010, NMFS released a draft biological opinion on effects of federal and parallel groundfish fisheries on the western distinct population segment (WDPS) of SSLs. The consultation did not apply to the state-waters fisheries in the Aleutian Islands, however the state has previously adopted the same SSL protection measures that apply in the parallel fishery.

Reasonable and prudent alternatives (RPAs) to mitigate for effects of fishing on the WDPS of SSLs include closure of large portions of the Aleutian Islands to commercial groundfish fishing. These proposed RPA closures would apply to federal and parallel fisheries, not to state-waters fisheries; however, NMFS has requested that the board consider adopting a closure of all waters of Alaska within three nautical miles of the SSL site at Kanaga Island/Ship Rock to commercial groundfish fishing. This site has been identified for closure based on breeding behavior that indicates it is an important SSL rearing area. Closure of this area during the state-waters fishery would mirror closures during the federal and parallel fisheries, as well as existing closures around SSL rookery sites.

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

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

Table 332-1.–Harvest and effort of state-waters Pacific cod and sablefish from statistical area 775133 compared to total state-waters fishery harvest and participation.

Aleutian Islands state-waters Pacific cod fishery

	Harvest			Vessels		
Year	775133	Total	Percent	775133	Total	Percent
2006	2,441,308	8,855,602	28%	10	31	32%
2007	328,449	11,499,618	3%	8	38	21%
2008	531,835	11,719,199	5%	11	45	24%
2009	390,818	5,825,611	7%	7	27	26%
2010	1,327,408	8,626,395	15%	8	16	50%
TOTAL	5,019,818	46,526,426	11%	29	72	40%

Aleutian Islands state-waters sablefish fishery

	Harvest			Vessels		
Year	775133	Total	Percent	775133	Total	Percent
2006	18,360	180,730	10%	5	21	24%
2007	62,630	272,559	23%	5	28	18%
2008	43,125	157,250	27%	6	24	25%
2009	73,441	279,795	26%	5	26	19%
2010	51,617	159,649	32%	7	24	29%
TOTAL	249,172	1,049,983	24%	17	65	26%

Note: Statistical area 775133 covers the entire north and west side of Kanaga Island, and therefore is a more broad area than the proposed closure area.

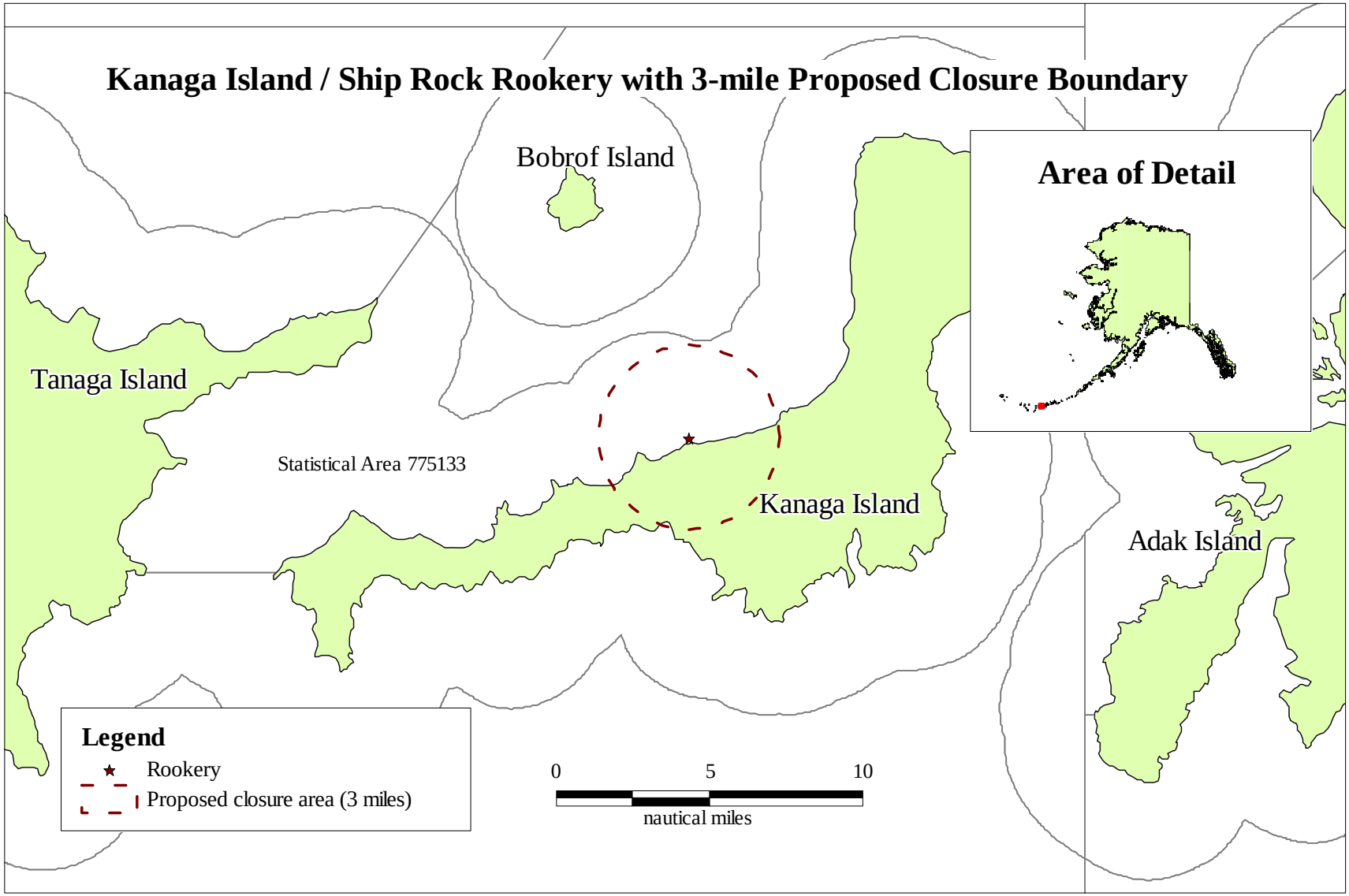

Figure 332-1.–Proposed closed waters around Kanaga Island/Ship Rock for state-waters sablefish and Pacific cod.

COMMITTEE B: SUBSISTENCE/COMMERCIAL/SPORT FISH (7 PROPOSALS)

Subsistence: (2 proposals)

PROPOSAL 95 – 5 AAC 01.470(a). Lawful Gear and Gear Specifications; and 5 AAC 01.475(2). Waters Closed to Subsistence Fishing.

PROPOSED BY: Chignik Lagoon Village Council.

WHAT WOULD THE PROPOSAL DO? This proposal would liberalize the area and method and means to take salmon by subsistence users in the Chignik River watershed (Figure 95-1 and Table 95-1).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.470 (a) Salmon may be taken by seines and gillnets, or with gear specified on a subsistence fishing permit, except that in Chignik Lake salmon may not be taken with purse seines. A gillnet may not be set, staked, anchored, or otherwise fixed in a stream while it obstructs more than one-half of the width of the waterway and any channel or side channel of the waterway.

Waters open to subsistence fishing in the Chignik River watershed include the Chignik River, Chignik Lake, and the lower one mile of both Clark River and Home Creek (Table 95-1). The Chignik River from a point 300 feet above the Chignik weir to Chignik Lake is closed to subsistence fishing from July 1 to August 31 to protect spawning king salmon.

Qualified subsistence users may harvest up to 250 salmon per person per year. Subsistence users may request another permit if they wish to harvest more than 250 salmon. Subsistence fishing by use of hook and line is prohibited per statewide regulation 5 AAC 01.010 (g).

Sport fishing in the Chignik River is open year round, except it is closed to king salmon fishing August 10 – December 31. The limit for salmon, other than king salmon, is five per day, five in possession.

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IF ADOPTED? This proposal would expand the subsistence salmon fishing area to include all waters of the Chignik River watershed. Additionally, spear and hook and line attached to a rod or pole would become legal gear types for most of the watershed (Table 95-1). In years where it is difficult to obtain subsistence-caught salmon, Chignik area subsistence users may benefit from an expanded area open to fishing. However, the addition of hook and line attached to a rod or pole as a legal gear type is likely to cause confusion by the different user groups and protection officers enforcing sport and subsistence fishing regulations.

The proposal would unintentionally prohibit subsistence fishing with beach/hand seines in the remaining Chignik Management Area (CMA), such as Chignik Lagoon, Chignik Bay, and the Perryville Area.

BACKGROUND: The majority of freshwater subsistence fishing occurs in Chignik Lake, Chignik River, and Clark River. Although the waters of Clark River (pre-2008) and Black Lake were closed to subsistence salmon fishing, substantial harvests have been reported in some years (Table 95-2).

Based on subsistence permit data, sockeye salmon constitute the majority of the subsistence harvest in the Chignik River watershed. Division of Subsistence researchers have observed that Chignik subsistence fishermen traditionally prefer to harvest sockeye salmon in late May to July in the waters of Chignik Lagoon using gillnets or purse seines, and near the outlet of Chignik Lake using beach seines or gillnets. Some subsistence users also harvest late-season sockeye salmon in late fall to early winter because of efficiency of effort, acquired taste, and better processing conditions for drying salmon. Division of Subsistence household surveys have documented limited harvests with rod and reel or hook and line for home use of Chignik area residents. Division of Subsistence interviews conducted in October 2010 in Chignik Lake documented that hook and line are used primarily when fishing for spawning or spawned-out sockeye salmon, and occasionally coho salmon. The traditional and current harvest locations in the Chignik River watershed are primarily in Clark River and Home Creek, but also occasionally in many of the other tributaries to Chignik Lake and Black Lake. These household surveys indicate that the percentage of salmon reported to have been taken by hook and line make up less than 1% of the total subsistence harvest in the CMA.

Subsistence users indicated that gillnets are generally not used in the Chignik River watershed to harvest spawning or spawned-out salmon. Gillnets may damage salmon flesh making it unusable for drying and other subsistence uses. Beach seines are generally used in Chignik Lake, at the mouths and tributaries to Chignik Lake, and occasionally, in Black Lake.

In 2005, Chignik subsistence users reported difficulty in obtaining subsistence late-season sockeye salmon. To address these concerns, the board directed the department to manage the commercial salmon fishery to allow for an additional escapement of 25,000 (75,000 total) sockeye salmon in August and 25,000 sockeye salmon in September. Estimated sockeye salmon escapement in August, 2006 to 2010, has been in excess of 75,000 in all years, with an average escapement of 91,747 (Table 95-3). From 2006 through 2010, estimated sockeye salmon escapement in September has averaged 33,336.

Additional late-season subsistence concerns were raised prior to the 2008 Board of Fisheries meeting. To address these concerns, the department submitted, and the board adopted, a proposal to open the lower one mile of both Clark River and Home Creek (Figure 95-1) where no sockeye salmon spawning occurs. The intent of this proposal was to allow subsistence users the opportunity to harvest late-season sockeye salmon for drying.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on expanding the area open to subsistence fishing in the Chignik River watershed. Given that current regulations provide

opportunity for subsistence users to meet their subsistence needs, and the department has not identified a biological concern with expanding the fishery; the proposal is primarily social in nature.

The department is concerned the addition of hook and line attached to a rod or pole may cause confusion when enforcing sport and subsistence fishing regulations. Statewide subsistence provisions under 5 AAC 01.010 prohibit hook and line attached to a rod or pole as a legal means to harvest salmon for subsistence purposes. However, the board has made exceptions and recognized hook and line as legal subsistence gear type in a few Interior Alaska freshwater systems.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use?
   (b)(2) in the Chignik Bay, Central, and Eastern Districts combined:
   (A) 5,200–9,600 early-run sockeye salmon;
   (B) 2,000–3,800 late-run sockeye salmon;
   (C) 100–150 king salmon;
   (D) 400-700 salmon, other than sockeye and king salmon;
   (3) in the Chignik Area:
   (A) 200–300 rainbow/steelhead trout
   (B) 15,200–22,800 pounds of usable weight of finfish, other than salmon.
5. Do the regulations provide a reasonable opportunity for subsistence use? The board must make this determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? In the department's judgment, no.

Table 95-1.–Current and proposed areas open (X) to subsistence fishing, by gear type, in the Chignik River watershed.

	Current				Proposed			
Fishing Location	Gill Net	Hand Seine	Hook/Line	Spear	Gill Net	Hand Seine	Hook/Line	Spear
Chignik Lagoon to Mensis	X	X			X	X	X	X
Chignik River	X	X			X	X		X
Chignik Lake	X	X[a]			X	X	X	X
Lower one mile Clark River	X				X		X	X
Lower one mile Home Creek	X				X		X	X
All Chignik Lake Tributaries					X		X	X
Black River					X		X	X
Black River Tributaries					X		X	X
Black Lake					X		X	X
Black Lake Tributaries					X		X	X

[a]Hand seine may not have a purse line.

Table 95-2.–Reported freshwater sockeye salmon subsistence harvest by location, 2005 to 2009.

	Estimated sockeye salmon harvest.				
Fishing Location	2005	2006	2007	2008	2009
Chignik River	618	378	426	631	184
Below Weir (Chignik River)	[a]	[a]	[a]	[a]	167
Chignik Lake	846	1271	1621	920	553
Hatchery Beach (Chignik Lake)	[a]	[a]	205	111	227
Clark River	467	537	987	374	348
Black Lake	[a]	87	[a]	282	87

[a] No harvest reported.

Table 95-3.–Estimated Chignik River sockeye salmon escapement in August and September 2006–2010.

Year	August	September
2006	111,874	58,942
2007	75,061	28,550
2008	99,650	27,829
2009	92,203	20,729
2010	79,948	30,630
Average	91,747	33,336

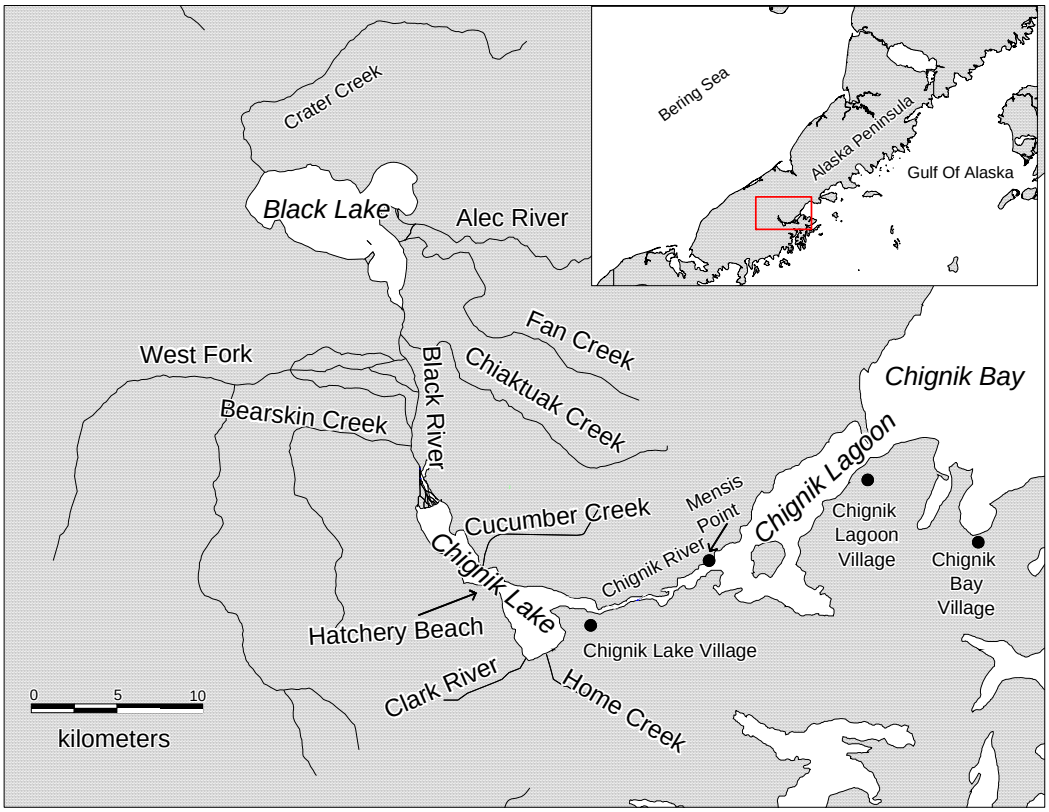

Figure 95-1.–Map of the Chignik River watershed.

PROPOSAL 96 – 5 AAC 01.470(a). Lawful Gear and Gear Specifications; and 5 AAC 01.475(2). Waters Closed to Subsistence Fishing.

PROPOSED BY: Chignik Lake Traditional Council.

WHAT WOULD THE PROPOSAL DO? This proposal would liberalize the area and method and means to take salmon by subsistence users in the Chignik River watershed (Figure 96-1 and Table 96-1).

This proposal differs from Proposal 95. Proposal 95 seeks to expand the area open to subsistence gillnets to include all waters of the Chignik River watershed.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 01.470 (a) Salmon may be taken by seines and gillnets, or with gear specified on a subsistence fishing permit, except that in Chignik Lake, salmon may not be taken with purse seines. A gillnet may not be set, staked, anchored, or otherwise fixed in a stream while it obstructs more than one-half of the width of the waterway and any channel or side channel of the waterway.

Waters open to subsistence fishing in the Chignik River watershed include the Chignik River, Chignik Lake, and the lower one mile of both Clark River and Home Creek (Table 96-1). The Chignik River from a point 300 feet above the Chignik weir to Chignik Lake is closed to subsistence fishing from July 1 to August 31 to protect spawning king salmon.

Qualified subsistence users may harvest up to 250 salmon per person per year. Subsistence users may request another permit if they wish to harvest more than 250 salmon. Subsistence fishing by use of hook and line is prohibited per statewide regulation 5 AAC 01.010 (g).

Sport fishing in the Chignik River is open year round except it is closed to king salmon fishing August 10–December 31. The limit for salmon, other than king salmon, is five per day, five in possession.

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IF ADOPTED? This proposal would expand the subsistence salmon fishing area to include all waters of the Chignik River watershed. Additionally, spear and hook and line attached to a rod or pole would become a legal gear type for most of the watershed (Table 96-1). In years where it is difficult to obtain subsistence-caught salmon, Chignik Management Area (CMA) subsistence users may benefit from an expanded area open to fishing. However, the addition of hook and line attached to a rod or pole as a legal gear type is likely to cause confusion by the different user groups and protection officers enforcing sport and subsistence fishing regulations.

The proposal would unintentionally prohibit subsistence fishing with gillnets and beach/hand seines in the remaining CMA such as Chignik Lagoon, Chignik Bay, and the Perryville Area.

BACKGROUND: The majority of freshwater subsistence fishing occurs in Chignik Lake, Chignik River, and Clark River. Although the waters of Clark River (pre-2008) and Black Lake were closed to subsistence salmon fishing, substantial harvests have been reported in some years (Table 96-2).

Based on subsistence permit data, sockeye salmon constitute the majority of the subsistence harvest in the Chignik River watershed. Division of Subsistence researchers have observed that Chignik subsistence fishermen traditionally prefer to harvest sockeye salmon in late May to July in the waters of Chignik Lagoon using gillnets or purse seines, and near the outlet of Chignik Lake using beach seines or gillnets. Some subsistence users also harvest late-season sockeye salmon in late fall to early winter because of efficiency of effort, acquired taste, and better processing conditions for drying salmon. Division of Subsistence household surveys have documented limited harvests with rod and reel or hook and line for home use of Chignik area residents. Division of Subsistence interviews conducted in October 2010 in Chignik Lake documented that hook and line are used primarily when fishing for spawning or spawned-out sockeye salmon, and occasionally coho salmon. The traditional and current harvest locations in the Chignik River watershed are primarily in Clark River and Home Creek, but also occasionally in many of the other tributaries to Chignik Lake and Black Lake. These household surveys indicate that the percentage of salmon reported to have been taken by hook and line make up less than 1% of the total subsistence harvest in the CMA.

Subsistence users indicated that gillnets are generally not used in the Chignik River watershed to harvest spawning or spawned-out salmon. Gillnets may damage salmon flesh making it unusable for drying and other subsistence uses. Beach seines are generally used in Chignik Lake, at the mouths and tributaries to Chignik Lake, and occasionally in Black Lake.

In 2005, Chignik subsistence users reported difficulty in obtaining subsistence late-season sockeye salmon. To address these concerns, the board directed the department to manage the commercial salmon fishery to allow for an additional escapement of 25,000 (75,000 total) sockeye salmon in August and 25,000 sockeye salmon in September. Estimated sockeye salmon escapement in August, 2006 to 2010, has been in excess of 75,000 in all years, with an average escapement of 91,747 (Table 96-3). Estimated sockeye salmon escapement in September, 2006 to 2010, has averaged 33,336.

Additional late-season subsistence concerns were raised prior to the 2008 Chignik board meeting. To address these concerns, the department submitted, and the board adopted, a proposal to open the lower one mile of both Clark River and Home Creek (Figure 96-1) where no sockeye salmon spawning occurs. The intent of this proposal was to allow subsistence users the opportunity to harvest late-season sockeye salmon for drying.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on expanding the area open to subsistence fishing in the Chignik River watershed. Given that current regulations provide opportunity for subsistence users to meet their subsistence needs, and the department has not identified a biological concern with expanding the fishery, the proposal is primarily social in nature.

The department is concerned the addition of hook and line attached to a rod or pole may cause confusion when enforcing sport and subsistence fishing regulations. Statewide subsistence provisions under 5 AAC 01.010 prohibit hook and line attached to a rod or pole as a legal means to harvest salmon for subsistence purposes. However, the board has made exceptions and recognized hook and line as legal subsistence gear type in a few Interior Alaska freshwater systems.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use?

(b)(2) in the Chignik Bay, Central, and Eastern Districts combined:

(A) 5,200–9,600 early-run sockeye salmon;

(B) 2,000–3,800 late-run sockeye salmon;

(C) 100–150 king salmon;

(D) 400–700 salmon, other than sockeye and king salmon;

(3) in the Chignik Area:

(A) 200–300 rainbow/steelhead trout

(B) 15,200–22,800 pounds of usable weight of finfish, other than salmon.

5. Do the regulations provide a reasonable opportunity for subsistence use? The board must make this determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? In the department's judgment, no.

Table 96-1.–Current and proposed areas open (X) to subsistence fishing, by gear type, in the Chignik River watershed.

	Current				Proposed			
Fishing Location	Gill Net	Hand Seine	Hook/Line	Spear	Gill Net	Hand Seine	Hook/Line	Spear
Chignik Lagoon to Mensis	X	X			X	X	X	X
Chignik River	X	X			X	X		X
Chignik Lake	X	X[a]			X	X	X	X
Lower one mile Clark River	X				X		X	X
Lower one mile Home Creek	X				X		X	X
All Chignik Lake Tributaries							X	X
Black River							X	X
Black River Tributaries							X	X
Black Lake							X	X
Black Lake Tributaries							X	X

[a]Hand seine may not have a purse line.

Table 96-2.–Reported freshwater sockeye salmon subsistence harvest by location, 2005 to 2009.

	Estimated sockeye salmon harvest.				
Fishing Location	2005	2006	2007	2008	2009
Chignik River	618	378	426	631	184
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Clark River	467	537	987	374	348
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Average	91,747	33,336

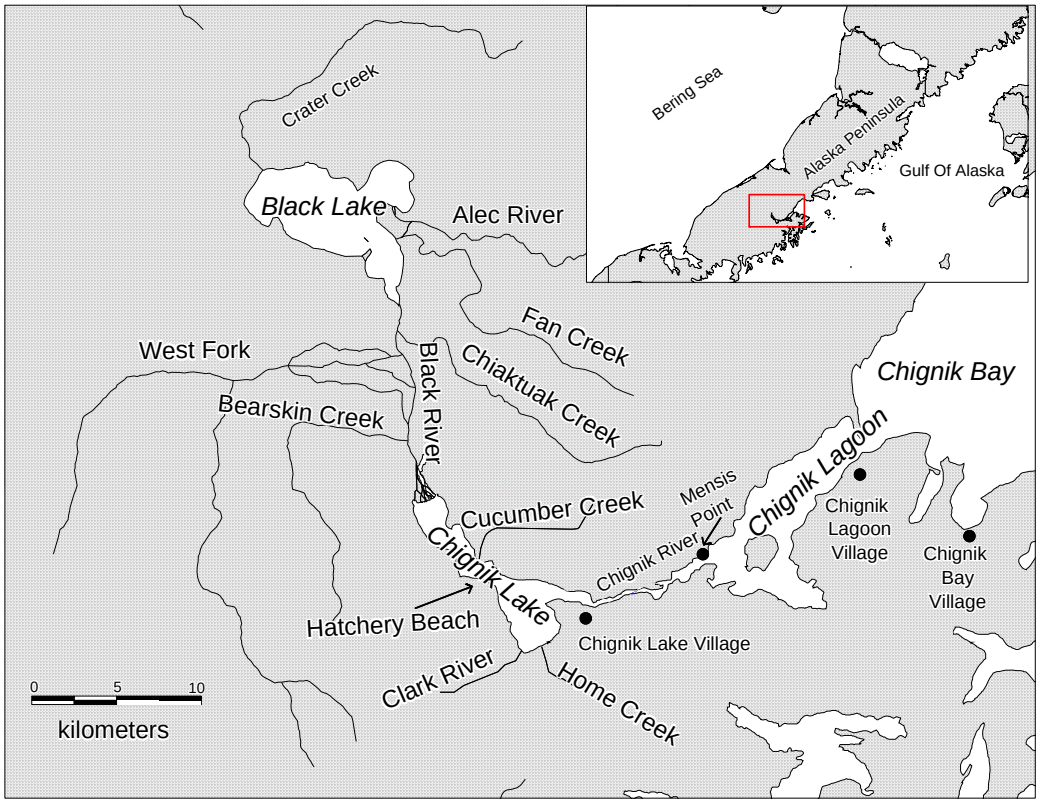

Figure 96-1.–Map of the Chignik River watershed.

PROPOSAL 97 – 5 AAC 15.357(e). Chignik Area Salmon Management Plan.

PROPOSED BY: George Anderson.

WHAT WOULD THE PROPOSAL DO? This proposal, if adopted, would renew regulatory language adopted at the 2008 Chignik board meeting that allows for two 48 hour commercial salmon fishing periods in the Western District of the Chignik Management Area (CMA) from June 1 to July 5. The proposal adopted in 2008 was intentionally set to sunset January 1, 2011 in order for the board to evaluate the effects of the fishery after one board cycle.

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 15.357(e) expired January 1, 2011. In the Western District, excluding the Inner Castle Cape Subsection, the commercial salmon fishery shall open concurrently with the Chignik Bay and Central districts, and the Inner Castle Cape Subsection of Western District, from June 1 through July 5 for no more than two fishing periods of up to 48 hours each, with a closure for a minimum of 48 hours between the fishing periods.

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IF ADOPTED? This proposal would allow Western District to open concurrently with Chignik Bay and Central districts from June 1 to July 5. This proposal, if adopted, would make permanent regulatory language used to manage the 2008, 2009, and 2010 commercial salmon fishing seasons in the CMA. CMA fishermen equipped to fish Western District may benefit from an increased area opened to fishing while fishermen in Chignik Bay District may benefit from a more dispersed fleet.

BACKGROUND: Historically, Western District (Figure 97-1) remained closed to commercial salmon fishing during June and early July when Chignik early-run sockeye salmon transit the district. Since 1970, post-June fisheries in the Western District have accounted for an average of 2% of the total CMA sockeye salmon harvest.

In 2008, the board adopted a proposal allowing up to two 48-hour fishing periods separated by at least 48 hours in the Western District from June 1 to July 5. The intent of this proposal was to increase the area open to commercial salmon fishing to target Chignik bound early-run sockeye salmon.

In 2008, 2009, and 2010, the Western District opened to commercial salmon fishing for both 48-hour fishing periods allowed in regulation. Western District fishing periods in June were generally scheduled to begin 24 to 36 hours after a commercial salmon fishing period was opened in Chignik Bay and Central districts.

Harvest of sockeye salmon ranged from 7,379 in 2010 to 64,844 in 2009 (Table 97-1). Limited fishing effort occurred during the first fishing period in 2008 and during both fishing periods in 2010. Weather limited fishing effort the first day of the 2008 Western District fishing season while fishing effort in 2010 decreased throughout each fishing period as fishermen moved to Central and Eastern districts where better harvest rates were being achieved.

The percentage of Western District sockeye salmon harvested in June compared to total Western District sockeye salmon harvest has ranged 14% in 2010 to 63% in 2009 (Table 97-2). The 2009

Western District June harvest of 64,844 sockeye salmon was 5.4% of the total CMA sockeye salmon harvest.

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

After review of the 2008, 2009, and 2010 Western District June fishing periods, the department concludes there would be no conservation or management concerns if this proposal were 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 97-1.–Western District fishing period dates, deliveries, and salmon harvest in June, by year.

	First	Second		Harvest				
Year	Opening	Opening	Deliveries	Chinook	Sockeye	Coho	Pink	Chum
2008	23-Jun	28-Jun	18	69	18,199	62	30,132	5,316
2009	22-Jun	27-Jun	54	258	64,844	31	256,175	47,629
2010	17-Jun	23-Jun	13	37	7,379	1	3,715	4,634

Table 97-2.–Western District commercial salmon harvest in June, total Western District harvest, and percentage of total Western District harvest in June, 2008–2010.

	2008			2009			2010		
Salmon Species	Harvest	Western Total	% Total	Harvest	Western Total	% Total	Harvest	Western Total	% Total
Chinook Salmon	69	503	14%	258	1,987	13%	37	5,056	1%
Sockeye Salmon	18,199	68,257	27%	64,844	102,803	63%	7,379	52,991	14%
Coho Salmon	62	97,153	0%	31	80,395	0%	1	97,596	0%
Pink Salmon	30,132	1,062,482	3%	256,175	711,890	36%	3,715	197,973	2%
Chum Salmon	5,316	88,078	6%	47,629	116,231	41%	4,634	180,071	3%

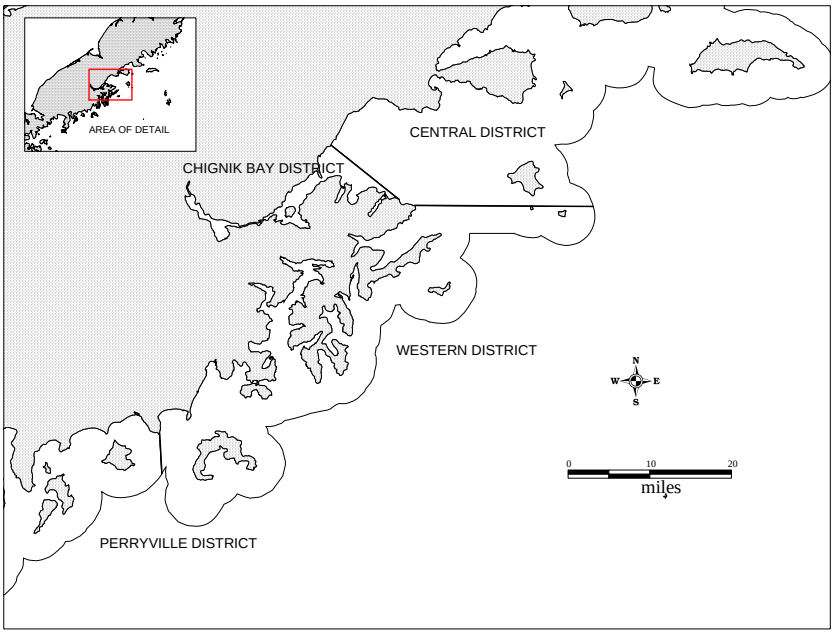

Figure 97-1.–Map of the Western District in the Chignik Management Area.

PROPOSAL 98 – 5 AAC 15.332. Seine Specifications and Operation.

PROPOSED BY: Endurance Fisheries Inc.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the maximum purse seine length from 225 fathoms to 275 fathoms in the Eastern, Central, Western, and Perryville districts of the Chignik Management Area (CMA).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 15.332(a)(c). In the Eastern, Central, Western, and Perryville districts purse seines may not be less than 100 fathoms or more than 225 fathoms in length. In the Chignik Bay district, purse seines may not be less than 100 fathoms or more than 125 fathoms in length.

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IF ADOPTED? This proposal would allow fishermen in Eastern, Central, Western, and Perryville districts (the "outside" districts of the CMA; Figure 98-1) to use longer purse seines. Longer seine gear may result in a higher catch per unit effort for fishermen with vessels equipped to fish waters outside of Chignik Bay District. Increasing the seine length for outside districts may cause conflict with those fishermen in Chignik Bay District who choose to wait for sockeye salmon to arrive at the Chignik Lagoon from the outside districts. In addition to higher catch rates of targeted adult salmon, the incidental catch of juvenile salmon may increase as well.

BACKGROUND: Regulations limiting seine length to 225 fathoms in Eastern, Central, Western, and Perryville districts were implemented prior to 1970. The maximum seine length of 125 fathoms in Chignik Bay District is necessary due to the higher concentration of fishing effort in the relatively small area of Chignik Lagoon.

This proposal cites a seine length disadvantage with the adjacent management areas of Area K (Kodiak) and Area M (Alaska Peninsula). Area K purse seine length may be no less than 100 fathoms and no more than 200 fathoms in length (Table 98-1). CMA permit holders may fish gear with longer seines (225 fathoms) than are allowed in Area K. However, if Area K permit holders use a lead with their seine gear, the aggregate length of seine plus lead may be up to 250 fathoms.

Area M purse seines may not be less than 100 fathoms nor more than 250 fathoms in length. Area M allows the use of a lead no less than 50 fathoms nor more than 150 fathoms in length in addition to the maximum seine length of 250 fathoms (Table 98-1). The maximum aggregate length of seine and lead is 150 to 400 fathoms, but leads are very rarely used by seine fishermen in Area M.

The number of active commercial salmon fishing permits in the CMA has steadily increased since the Chignik Cooperative Fishery (coop) was disbanded prior to the 2006 fishing season. Since the end of the coop fishery, active permits in the CMA have ranged from a low of 48 in 2006 to a high of 65 in 2010 (Table 98-2).

Sockeye salmon harvest contributes the largest portion of exvessel value in the CMA. From 2006 to 2010, total sockeye salmon harvest in the CMA has ranged from 682,104 fish in 2008 to 1,372,267 fish in 2010. Since 2006, the majority of sockeye salmon have been harvested in the

Chignik Bay District, ranging from 61% (2010) to 80% (2006) of the total CMA sockeye salmon harvest (Table 98-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of the proposal. If adopted, this proposal may increase sockeye salmon harvest outside of Chignik Bay District and limit harvest opportunities for fishermen who traditionally fish within that district. There is the potential for an increase in the incidental harvest of juvenile salmon resulting in localized fishing closures, although adoption of this proposal is not likely to affect the way the department currently manages the CMA 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 unless the person chooses to add up to 50 fathoms of seine.

Table 98-1.–Current legal seine, lead, and aggregate seine plus lead length in fathoms, for Chignik, Kodiak (Area K), and Alaska Peninsula (Area M) management areas.

Management Area	Purse Seine Length	Lead Length	Aggregate Length
Chignik[a]	100-225	0-75	100-225
Kodiak	100-200	0-100	100-250
Alaska Peninsula	100-250	50-150	150-400

[a] Excluding Chignik Bay District

Table 98-2.–Number of total active permits, Chignik Bay; number of permits making deliveries; sockeye salmon harvest; and percentage of total CMA sockeye harvest; outside districts' (Central, Eastern, Western, and Perryville districts) number of permits making deliveries and sockeye salmon harvest, 2006–2010.

	Active	Chignik Bay			Outside Districts[a]	
Year	Permits	Permits	Sockeye	% of CMA harvest	Permits	Sockeye
2006	48	45	719,841	80%	15	175,960
2007	55	47	540,104	65%	20	289,006
2008	54	48	521,860	77%	37	160,244
2009	55	48	868,126	73%	32	328,199
2010	65	57	839,516	61%	45	532,751
5-year average	55	49	697,889	71%	30	297,232

[a] Central, Eastern, Western, and Perryville districts

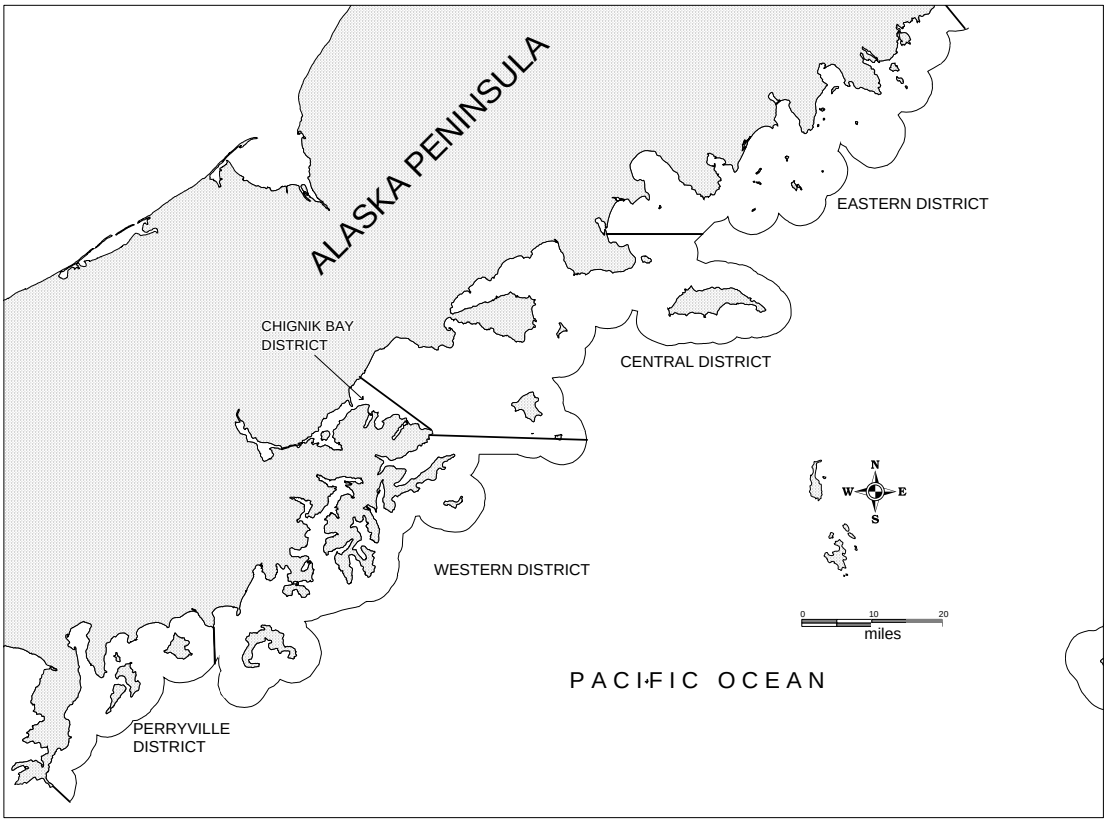

Figure 98-1.–Chignik Management Area district map.

PROPOSAL 99 – 5 AAC 65.020. Bag Limits, Possession Limits, and Size Limits for Alaska Peninsula and Aleutian Islands Area; and 5AAC 15.357. Chignik Area Salmon Management Plan.

PROPOSED BY: Tom Corr.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a Chignik River king salmon bag limit of 1 per day and an annual limit of 2, effective whenever fewer than 1,500 total king salmon have been counted through the department's Chignik River salmon weir. The proposal would also restrict the commercial salmon seine fishery to nonretention of king salmon whenever the king salmon weir count is fewer than 1,500.

WHAT ARE THE CURRENT REGULATIONS? Chignik River king salmon bag limits are as follows:

Less than 20 inches in length – 10 per day;

20 inches or greater in length – 2 per day.

The Chignik River king salmon sport fishery annual limit is 5 fish.

The Chignik Area commercial salmon fishery may harvest king salmon during established fishing periods unless retention has been prohibited by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce opportunity for harvesting Chignik River king salmon in both local sport and commercial fisheries.

BACKGROUND: The escapement goal for the Chignik River king salmon run is 1,300–2,700 fish. The department monitors annual returns of Chignik River king salmon through a counting weir located a short distance above Chignik Lagoon. King salmon escapements are calculated by subtracting upriver sport and subsistence harvests from weir counts. The sport and commercial fisheries are managed inseason based on interim weir counts, historical run timing, expected upriver sport harvests, and reported commercial harvests.

Since 1981, Chignik River king salmon weir counts have ranged between 1,603 and 7,840. Upriver sport harvests have averaged fewer than 300. The current escapement goal has been achieved every year since 1981 and was exceeded during 22 of the last 30 years. Inseason restrictions have been imposed on the sport fishery once: in 2008, when the bag and possession limits were reduced from three to one, the annual limit was lowered from five to two, and the use of bait was prohibited.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department has the authority to restrict king salmon harvests by emergency order, including nonretention in the commercial fishery and reduced bag, possession, and annual limits in the sport fishery, and has used these tools as needed to achieve escapement goals.

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

PROPOSAL 100 – 5 AAC 65.020. Bag Limits, Possession Limits, and Size Limits for Alaska Peninsula and Aleutian Islands Area.

PROPOSED BY: Peter Bumpus.

WHAT WOULD THE PROPOSAL DO? This proposal would establish a Chignik River king salmon bag limit of one per day, an annual limit of two, and prohibit the use of bait.

WHAT ARE THE CURRENT REGULATIONS? Chignik River king salmon bag limits are as follows:

20 inches or greater in length – 2 per day, 2 in possession; 5 fish annual limit;

Less than 20 inches in length – 10 per day, 10 in possession, no annual limit;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce angler opportunity for harvesting Chignik River king salmon.

BACKGROUND: The escapement goal for the Chignik River king salmon run is 1,300–2,700 fish. The department monitors annual returns of Chignik River king salmon through a counting weir located a short distance above Chignik Lagoon. King salmon escapements are calculated by subtracting upriver sport and subsistence harvests from weir counts. The sport fishery is managed inseason based on interim weir counts, historical run timing, and expected upriver harvests.

Since 1981, Chignik River king salmon weir counts have ranged between 1,603 and 7,840 fish. Upriver sport harvests have averaged fewer than 300 fish. The escapement goal has been achieved every year since 1981 and was exceeded during 22 of the last 30 years. Inseason restrictions have been imposed on the sport fishery once: in 2008 the bag and possession limits were reduced from three to one, the annual limit was lowered from five to two, and the use of bait was prohibited.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department has the authority to restrict the king salmon fishery, including reducing bag, possession, annual limits, and use of bait by emergency order, and has used these tools as needed to achieve escapement goals.

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

PROPOSAL 101 – 5 AAC 65.022. Special Provisions for Methods and Means in the Alaska Peninsula and Aleutian Islands Area.

PROPOSED BY: Rodney Anderson.

WHAT WOULD THE PROPOSAL DO? Eliminate the use of barbed hooks and bait in the Chignik River king salmon sport fishery.

WHAT ARE THE CURRENT REGULATIONS? Bait and barbed hooks are allowed in the Chignik River king salmon sport fishery. Multiple hook lures may not have a gap between the hook point and shank larger than one-half inch.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce angler opportunity for harvesting Chignik River king salmon.

BACKGROUND: The escapement goal for the Chignik king salmon run is 1,300–2,700 fish. The department monitors annual returns of Chignik River king salmon through a counting weir located a short distance above Chignik Lagoon. King salmon escapements are calculated by subtracting upriver sport and subsistence harvests from weir counts. The sport fishery is managed inseason based on interim weir counts, historical run timing and expected upriver harvests.

Since 1981, Chignik River king salmon weir counts have ranged between 1,603 and 7,840 fish. Upriver sport harvests have averaged fewer than 300 fish. The escapement goal has been achieved every year since 1981 and was exceeded during 22 of the last 30 years. Inseason restrictions have been imposed on the sport fishery once: in 2008 the bag and possession limits were reduced from 3 to 1, the annual limit was lowered from 5 to 2, and the use of bait was prohibited.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department has the authority to restrict the king salmon fishery, including prohibiting the use of bait and restricting hook type by emergency order, and has used these tools as needed to achieve escapement goals.

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