

ALASKA BOARD OF FISHERIES

November 14-16, 2004

CHIGNIK FINFISH

PROPOSAL 34 - 5 AAC 28.5XX. Logbook Requirement for the Chignik Area. Create a new regulation to establish a logbook requirement for vessels participating in the black rockfish fishery as follows:

- (a) An operator of a vessel fishing for black rockfish in the Chignik Area shall maintain an accurate logbook of all fishing operations for each gear type used.
- (b) A logbook described in (a) of this section
 - (1) for mechanical jig or hand troll gear must include date, the specific location of harvest by latitude and longitude, the number of hooks per line used, the average depth fished, the hours fished for each line, and the number of bycatch fish taken, by species; for the target species the following is required:
 - (2) the number retained;
 - (3) the number discarded;
 - (4) must be updated, within 24 hours after midnight local time on the day of operation; and
 - (5) must be retained, with its original pages, for a period of two years by the vessel owner or operator of the vessel.
- (c) A logbook described in (a) of this section must be kept onboard the vessel while operating gear, during transits to and from a port of landing, and for five days after delivering groundfish.
- (d) A logbook described in (a) of this section must be made available to a local representative of the department or personnel from the Bureau of Wildlife Enforcement upon request.
- (e) A copy of the page of the logbook described in (a) of this section pertaining to a landing must be attached to the fish ticket documenting the landing.
- (f) A person may not make a false entry into the logbook described in (a) of this section.

PROBLEM: Black rockfish are long-lived species that are susceptible to overfishing. Many literature citations, as well as a position statement from the American Fisheries Society, call for very conservative management of rockfishes; most suggesting a target exploitation at or below the level of natural mortality. For black rockfish this is an approximate harvest rate of 9 percent of the population in any given year.

Black rockfish also exhibit a strong degree of site fidelity. Adult fish are often associated with high-relief structures such as reefs and large cobble boulder fields and do not tend to move a great deal, making them susceptible to localized depletion by repeated harvest efforts on the same structures.

In recent years, the black rockfish fishery in the Chignik Area has become fully utilized. The department cannot track harvest from areas with smaller resolution than statistical areas that are one degree of longitude by one-half degree of latitude. This level of resolution does not allow the department to track effort on specific reefs and habitats to ensure depletion is not occurring.

The department does collect fishing location information during confidential interviews from commercial landings. These interviews do not always provide the detail needed for discreet area resolution and do not occur for all landings of black rockfish. Logbooks have been approved by the board in black rockfish fisheries in Southeastern Alaska Area and in the South Alaska Peninsula Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will be unable to accurately track harvest by specific location over time. Without the necessary level of spatial resolution, the population may be depleted in certain small-scale habitats.

A recent workshop on black rockfish fisheries within the state of Alaska focused on the need for accurate harvest data, including detailed harvest location. Vessel operator logbook data comprise the only effective means to obtain this data.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Users of the black rockfish resource should benefit from responsible, long-term management.

WHO IS LIKELY TO SUFFER? Commercial vessel operators will be required to accurately fill out logbooks for their fishing activities and ensure logbook pages are submitted with fish tickets at the time of landing.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-241)

PROPOSAL 35 - 5 AAC 28.537(c). Chignik Area Pacific Cod Management Plan. Amend this regulation as follows:

We are requesting that the jig quota be raised to 25 percent from its current 15 percent. In addition, we want the boats to be able to register for only one modality, for example only jigging or only pot fishing.

PROBLEM: Not jig quota for the amount of boats entering the fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the problem is not rectified the competition will become too great and new entrants will not be able to compete.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Fishermen will choose which area is best for them allowing them to focus solely on ideas to better their fish quality.

WHO IS LIKELY TO BENEFIT? It will be good for new entrants because they will need less gear to fairly compete. It will also help keep the playing field equal so that small jigging boats are not competing with larger boats that would typically only pot fish. It would also benefit local fishermen so that people with smaller boats and less gear could fish close to home.

WHO IS LIKELY TO SUFFER? It would hurt those large boats that pot fish and then switch over and take a sizeable chunk of jig quota.

OTHER SOLUTIONS CONSIDERED? No other solutions at this time.

PROPOSED BY: Daniel M. Campbell (HQ-04-F-130)

PROPOSAL 36 - 5 AAC 28.537. Chignik Area Pacific Cod Management Plan. Amend this regulation as follows:

The state cod in the Chignik Area will open on April 1, 2005. This is the date that some of the small vessels in the Chignik Area would like to see the cod fishery open.

PROBLEM: The date of the state cod fishery in the Chignik Area. March 1 is too early in the Chignik Area for small, local fishing vessels 42 feet and smaller to fish because of the severe winter weather the month of March. The winter weather is still too dangerous for small vessels to fish and fishing vessels are unable to keep crew, when most of March we are waiting on weather.

WHAT WILL HAPPEN IF NOTHING IS DONE? The bigger vessels from other areas will move in to fish the Chignik Area. The cod fisheries in the Chignik Area are the only fisheries the local residents from Chignik, Chignik Lagoon, Perryville and Ivanoff can rely on to make some kind of living since our salmon fishery have been taken away from us.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Fishing vessels would be able to pick their pots regularly. Tenders would be able to get to all fishing areas; this would eliminate running with fish onboard to meet the tender because of weather. Smaller fishing vessels would be able to unload regularly. It will enable two canneries to take cod in the Chignik Area.

WHO IS LIKELY TO BENEFIT? All cod fishermen will benefit from being able to fish in better weather.

WHO IS LIKELY TO SUFFER? No one will suffer, federal season for cod sometimes does not end until March.

OTHER SOLUTIONS CONSIDERED? We are asking the board to find a date between March 1 and April 15 that will enable all vessels to fish in the Chignik Area. March in the Chignik Area has two to three weeks of severe weather, enabling fishing vessels to fish everyday. The small vessels spend most of the month trying to keep their boat and crew safe from icing down and freezing weather.

PROPOSED BY: Dale Carlson (HQ-04-F-159)

PROPOSAL 37 - 5 AAC 27.XXX. Use of Global Positioning System (GPS). Clarify how boundary and area lines are identified as follows:

In the Chignik Area, boundaries, lines, and coordinates are identified with the global positioning system (GPS). If the global positioning system is not operating, the boundaries, lines, and coordinates are as identified by department regulatory markers.

PROBLEM: In the Chignik Management Area, current commercial herring fishing regulations do not describe that all coordinates are identified with global positioning system. Confusion has occurred within the fleets since outdated LORAN technology was used to obtain coordinates currently in regulation. GPS technology is more accurate than LORAN in obtaining precise longitude and latitude coordinates, and is the preferred technology. Adoption of this proposal will also aid in the enforcement of existing longitude and latitude lines avoiding confusion among the commercial salmon fishing fleets.

WHAT WILL HAPPEN IF NOTHING IS DONE? Possible confusion among the fishing fleets, the department, and enforcement staff over the physical location of boundary lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All commercial fishermen, the department, and enforcement.

WHO IS LIKELY TO SUFFER? Slight increases or decreases in fishing area may occur between coordinates obtained using LORAN versus GPS technology. Additional costs may be incurred for those fishermen that do not have GPS equipment on their vessels.

OTHER SOLUTIONS CONSIDERED? None. GPS is presently the best technology available for determining longitude and latitude coordinates.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-238)

PROPOSAL 38 - 5 AAC 27.550. Description of the Chignik Area. Update area boundary lines as follows:

The Chignik Area includes all waters of Alaska on the south side of the Alaska Peninsula **bounded by a line extending 135° southeast for three miles from a point near Kilokak Rocks at 57°10.34' N. lat., [ENCLOSED BY] 156°20.22' W. long., (the longitude of the southern entrance to Imuya Bay) then due south, and a line extending 135° southeast from [AND A LINE EXTENDING SOUTHEAST (135°) FROM THE SOUTHERNMOST TIP OF] Kupreanof Point at 55°33.98' N. lat., 159°35.88' W. long.**

PROBLEM: Defining the Chignik Management Area in the herring regulations to be congruent with salmon and subsistence regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued confusion over the boundary lines for the Chignik Management Area in regulations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All commercial fishers and the department should benefit from standardizing the area description in regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because the description on the Chignik Management Area should be consistent in all regulations.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-239)

PROPOSAL 39 - 5 AAC 27.560(c). Fishing seasons and weekly fishing periods for Chignik Area. Add the requirement to register with the department for the sac roe fishery in the Chignik Area as follows:

(c) A CFEC permit holder must register with the department before participation in the **sac roe or food and bait fisheries** [FISHERY].

PROBLEM: Chignik herring stocks are relatively small and keeping current on harvests and effort levels has been problematic. Requiring registration for the herring sac roe fishery will give the department a better indication of interest and effort.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will continue have difficulties in determining effort levels in the Chignik Management Area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? This proposal will give the department additional tools to manage the herring fishery in the Chignik Management Area.

WHO IS LIKELY TO SUFFER? This change will require commercial fishers who intend on herring sac roe fishing to register with the department, this may add a slight inconvenience to the permit holder.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected on the grounds that the current regulations allow herring fishing on small stocks without giving the department any notice.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-240)

PROPOSAL 40 - 5 AAC 01.4XX. Use of Global Positioning System (GPS). Clarify how boundary and area lines are identified as follows:

In the Chignik Area, boundaries, lines, and coordinates are identified with the global positioning system (GPS). If the global positioning system is not operating, the boundaries, lines, and coordinates are as identified by department regulatory markers.

PROBLEM: In the Chignik Management Area, current subsistence fishing regulations do not describe that all coordinates are identified with global positioning system. Confusion has occurred with fishers since outdated LORAN technology was used to obtain coordinates currently in regulation. GPS technology is more accurate than LORAN in obtaining precise longitude and latitude coordinates, and is the preferred technology. Adoption of this proposal will avoid confusion among the salmon fishers.

WHAT WILL HAPPEN IF NOTHING IS DONE? Possible confusion among the fishing fleets, the department, and enforcement over the physical location of boundary lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All subsistence fishers, the department, and enforcement.

WHO IS LIKELY TO SUFFER? Slight increases or decreases in fishing area may occur between coordinates obtained using LORAN versus GPS technology. Additional costs may be incurred for those fishers that do not have GPS equipment on their vessels.

OTHER SOLUTIONS CONSIDERED? None. GPS is presently the best technology available for determining longitude and latitude coordinates.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-224)

PROPOSAL 41 - 5 AAC 01.450. Description of the Chignik Area. Amend the boundary lines to be consistent with area descriptions in other fisheries as follows:

The Chignik Area includes all waters of Alaska on the south side of the Alaska Peninsula **bounded by a line extending 135° southeast for three miles from a point near Kilokak Rocks at 57°10.34' N. lat., [ENCLOSED BY] 156°20.22' W. long., (the longitude of the southern entrance to Imuya Bay) then due south, and a line extending 135° southeast from [AND A LINE EXTENDING SOUTHEAST (135°) FROM THE SOUTHERNMOST TIP OF] Kupreanof Point at 55°33.98' N lat., 159°35.88' W. long.**

PROBLEM: Defining the Chignik Management Area in subsistence regulations to be congruent with the salmon and herring regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued confusion over the boundary lines for the Chignik Management Area in regulations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All subsistence fishers and the department should benefit from standardizing the area description in regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because the description on the Chignik Management Area should be consistent in all regulations.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-225)

PROPOSAL 42 - 5 AAC 01.475. Waters closed to subsistence fishing. Amend closed waters to provide for additional subsistence fishing opportunities as follows:

Salmon may not be taken in **that portion of** the Chignik River, **within 100 yards upstream or downstream of** [FROM] the department weir [SITE OR COUNTING TOWER]. **Additionally, salmon may not be taken in the Chignik River upstream from the department weir to Chignik Lake from June 30 to August 31.[,] Except where allowed in the Chignik River, salmon may not be taken in** Black Lake **or** [, AND] any tributary to Black and Chignik Lakes.

PROBLEM: Provide additional subsistence fishing opportunities in the Chignik Management Area while providing protection to ripening and spawning king salmon.

WHAT WILL HAPPEN IF NOTHING IS DONE? Subsistence fishing will continue to be allowed only in Chignik Lake and downstream of the Chignik Weir.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All subsistence users in the Chignik River.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because the department determined that additional subsistence fishing opportunity was warranted and will not adversely affect the Chignik River salmon stocks.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-226)

PROPOSAL 43 - 5 AAC 01.485. Restrictions on commercial fishermen. Increase the subsistence harvest opportunity for commercial fishing license holders as follows:

(a) During the 24 [FROM 48] hours before the first commercial salmon fishing opening in the Chignik Area a commercial fishing license holder may not subsistence fish for salmon.

(b) When the first commercial salmon fishing period begins commercial fishing license holders may subsistence fish for salmon by registering with the department at the Chignik weir.

(1) Commercial fishing license holders in the open (competitive) fishery may subsistence fish for salmon by registering with the department during a commercial fishing period for the cooperative fleet. In addition, commercial fishing license holders in the competitive fishery may not subsistence fish for salmon 24 hours before or 12 hours after a competitive fishery's commercial fishing period.

(2) Commercial fishing license holders in the cooperative fishery may subsistence fish for salmon by registering with the department during a commercial fishing period for the open (competitive) fishery. In addition, commercial fishing license holders in the cooperative fishery may not subsistence fish for salmon 24 hours before or 12 hours after a cooperative fishery's commercial fishing period.

(3) Commercial fishing license holders registered with the department as cooperative fishery members, but not registered with the department to commercial fish, may subsistence fish for salmon using gillnets during commercial fishery periods by registering with the department.

PROBLEM: Increasing the subsistence harvest opportunity for commercial fishing license holders in the Chignik Management Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued confusion regarding subsistence fishing by commercial fishing license holders.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All commercial license holders who utilize subsistence fish.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because of the need for increased subsistence harvest opportunity for commercial license holders.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-227)

PROPOSAL 44 - 5 AAC 15.XXX. Use of Global Positioning System (GPS). Clarify how boundary and area lines are identified as follows:

In the Chignik Area, boundaries, lines, and coordinates are identified with the global positioning system (GPS). If the global positioning system is not operating, the boundaries, lines, and coordinates are as identified by department regulatory markers.

PROBLEM: In the Chignik Management Area, current commercial salmon fishing regulations do not describe that all coordinates are identified with global positioning system. Confusion has occurred within the fleets since outdated LORAN technology was used to obtain coordinates currently in regulation. GPS technology is more accurate than LORAN in obtaining precise longitude and latitude coordinates, and is the preferred technology. Adoption of this proposal will also aid in the enforcement of existing longitude and latitude lines avoiding confusion among the commercial salmon fishing fleets.

WHAT WILL HAPPEN IF NOTHING IS DONE? Possible confusion among the fishing fleets, the department, and enforcement staff over the physical location of boundary lines.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All commercial fishermen, the department, and enforcement.

WHO IS LIKELY TO SUFFER? Slight increases or decreases in fishing area may occur between coordinates obtained using LORAN versus GPS technology. Additional costs may be incurred for those fishermen that do not have GPS equipment on their vessels.

OTHER SOLUTIONS CONSIDERED? None. GPS is presently the best technology available for determining longitude and latitude coordinates.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-228)

PROPOSAL 45 - 5 AAC 15.350(1). Closed waters. Clarify closed water markers as follows:

(1) Chignik Lagoon:

[(B)](A) **Mallard Duck and Schooner Bays: south [SOUTHWEST] of a line from the tip of Green Point at 56°16.75' N. lat., 158°33.90' W. long. to Chignik Island at 56°16.63' N lat., 158°34.90' W. long. and south of a line from 56°16.53' N. lat., 158°37.87' W. long. to Chignik Island at 56°16.35' N. lat., 158°35.97' W. long. and as specified by emergency order:**

[(A)](B) **Humes Point: south of a line from the [WEST OF A LINE FROM THE] tip of Humes Point at 56°17.67' N. lat., 158°36.89' W. long. to [THE NORTH SIDE OF] Chignik Island at 56°17.42' N lat., 158°35.50' W. long., or**

(C) Mensis Point: southwest of a line from the tip of Mensis Point at 56°16.90' N. lat., 158°38.51' W. long., to a point on the south bank of the Chignik River at 56°16.56' N. lat., 158°38.40' W. long., or

(D) Pillar Rock: southwest of a line from the north bank of the Chignik River at 56°16.74' N. lat., 158°39.01' W. long., to a point on the south bank of the Chignik River at 56°16.57' N. lat., 158°38.84' W. long.

PROBLEM: Commercial fishing closed waters regulatory markers at Humes Point have been supplemented with closed waters markers at Mensis Point and at Pillar Rock for the Chignik River upstream markers for commercial salmon fishing. Placing these markers in regulation will help alleviate confusion over closed water in the Chignik Bay District.

WHAT WILL HAPPEN IF NOTHING IS DONE? The most upstream markers for the commercial salmon fishery will continue to be established and described by emergency orders.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. If fishing has been closed for more than two to three days in Chignik Lagoon the department reopens the fishery to Humes Point. After 24 hours the department opens the fishery to Mensis Point or Pillar Rock. This allows water marked salmon time to migrate through the area before opening the upper lagoon to commercial fishing.

WHO IS LIKELY TO BENEFIT? This proposal serves as a placeholder so the board can review the department's past emergency order actions in regards to closed waters within the Chignik Lagoon and River area.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo was rejected because the boundaries used to manage the Chignik commercial fishery should be in regulation.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-229)

PROPOSAL 46 - 5 AAC 15.357(d). **Chignik Area Salmon Management Plan. Amend this regulation as follows:**

(d) In the Western and Perryville Districts **and Jack's Box**, the department may open the commercial salmon fishery beginning July 6, except that...

(2)(B)(i) those portions of the Western and Perryville Districts north of a line from Cape Ikti at 56°00.32' N. lat., 158°32.02' W. long., to Coal Cape at 55°53.42' N. lat., 159°00.45' W. long. to Cape Alexander at 55°47.22' N. lat., 159°24.57' W. long., and **those portions of the Chignik Bay and Central Districts referred to as Jack's Box which includes those state waters of the Chignik Bay and the Central District east of 158° 15.360' W. long., south of 56° 20' N. lat., and west of 158° 10' W. long.**

PROBLEM: A fishing area surrounding Jack's Point located in both the Chignik Bay and Central Districts needs to be defined in the management plan.

WHAT WILL HAPPEN IF NOTHING IS DONE? This proposal is largely a housekeeping measure to decrease the length of both news releases and emergency orders. If the board chooses not to address this issue the department will continue to define “Jack’s Box” in both news releases and emergency orders.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishers and the department will benefit from having this area clearly defined.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Continuing the status quo was rejected due to the length of news releases and emergency orders.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-234)

PROPOSAL 47 - 5 AAC 15.357. Chignik Area Salmon Management Plan. Amend this regulation to provide the following:

When department observers determine that a significant number of immature sockeye are caught in the areas around Metrofania Island the area shall close by executive order until these fish are no longer in the area or for the remainder of the season if necessary.

PROBLEM: The harvest of immature sockeye salmon in the Metrofania Island area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Future returns of sockeye will suffer because these fish are harvested before they are mature.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Everyone, as more, larger fish will be available in future years when these fish return.

WHO IS LIKELY TO SUFFER? The few boats willing to continue harvesting these fish.

OTHER SOLUTIONS CONSIDERED? Just close the area, however it seemed too harsh at the present time.

PROPOSED BY: Jim Walters (HQ-04-F-012)

Identical proposals were submitted by each individual listed at the bottom of the proposal. The submissions are reproduced here as one proposal for publishing purposes:

PROPOSAL 48 - 5 AAC 15.200(d)(3). Fishing districts. Amend this regulation as follows:

The closed area in both Chignik and Area M will be returned to the pre-1996 boundary. Further, fisheries will not be conducted in Chignik and Area M area simultaneously.

PROBLEM: The closed area around Kupreanof Point that was established in 1996 precludes Chignik and Area M fishermen from utilizing the full fishing area for both groups.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen from both areas will continue to be precluded from fishing this historical fishing area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Salmon caught on the capes are better quality. Salmon caught in the Ivanof section (275-50) are closer to the market, Trident Sand Point, as an example, is several hours closer than the Chignik processors.

WHO IS LIKELY TO BENEFIT? Both Chignik and Area M fishermen would benefit by being allowed to fully utilize their respective fishing areas.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Closing just the Area M side of Kupreanof Point that would allow full access to Chignik fishermen. It was decided this would not work, because it would be unfair to the Area M fishermen. No other solutions can be thought of.

PROPOSED BY: Knud Olsen (HQ-04-F-099)
David Wilson (HQ-04-F-101)

PROPOSAL 49 - 5 AAC 15.310. Fishing seasons. Amend this regulation in the Chignik Area as follows:

The Chignik salmon fishing area will open on June 7, 2005 for commercial fishing. Subsistence fishing in the Chignik Area will be open until June 6, at noon. Please contact the Chignik weir for details.

PROBLEM: The subsistence fishing in the Chignik Area. With the commercial fishing openings on June 1, residents are unable to get their subsistence fishing done in May.

WHAT WILL HAPPEN IF NOTHING IS DONE? Residents and elders that rely on subsistence for a way of life are unable to get their fish for winter. Elders like the spring fish because the fish are fatter at that time. Residents run out of time to put up fish in the summer months with all the other projects that have to be done before winter. Fall fish cannot be used for smoking or canning because they have no fat. We are losing our traditional way of life and our historical area to subsistence fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Subsistence fishing quality depends on when and how the residents put their fish away. Most residents would like to put their fish up the first week in June; this is when the fish are the fattest and the best looking. June has always been the month that residents put up the most subsistence fish in the Chignik area.

WHO IS LIKELY TO BENEFIT? All residents that still subsistence the traditional ways.

WHO IS LIKELY TO SUFFER? No one will suffer.

OTHER SOLUTIONS CONSIDERED? There are no other solutions, we need our subsistence way of life and no one should have the right to stop residents from getting their subsistence fish for the winter in any area.

PROPOSED BY: Chignik Lagoon Council (HQ-04-F-158)

PROPOSAL 50 - 5 AAC 15.332. Seine specifications and operations. Amend this regulation as follows:

Beach seines would be 225 fathoms with metal rings and purse seines would be 430 fathoms.

PROBLEM: The independent fishermen are not allowed to reduce cost and increase quality.

WHAT WILL HAPPEN IF NOTHING IS DONE? Resentment will arise between the two fleets. Independent fleet does not have the same gear so it will financially hurt the independents.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Fish would be caught faster and in greater number to allow for live fish deliveries.

WHO IS LIKELY TO BENEFIT? Everyone with a spare seine.

WHO IS LIKELY TO SUFFER? The ones without a spare seine.

OTHER SOLUTIONS CONSIDERED? 250 fathoms for beach seine, 450 fathoms for purse seine. These numbers would allow two seines to be made in to one without waste. Because was just asking for equity with co-op group.

PROPOSED BY: Daniel M. Campbell (HQ-04-F-129)

PROPOSAL 51 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation as follows:

Chignik will have a two-year period of normal (pre-cooperative) fishing in order to fully evaluate the impact of how the allocated cooperative has affected everyone involved.

PROBLEM: With the three-year trial period over, the allocated cooperative should now be shut down for two years while an environmental, economic and social impact statement is done by an impartial, independent organization or firm.

WHAT WILL HAPPEN IF NOTHING IS DONE? The public needs to know the truth about how the allocated cooperative has affected the cooperative members, nonmembers, processors and villages--environmentally and economically--so the full impact is known for future impact of the cooperative.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Possibly, everyone needs to slow down and assess the negative and positive impacts of what this allocated cooperative has done.

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER? Cooperative, if its operation is put on hold for two years.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Paul R. Johnson (HQ-04-F-188)

PROPOSAL 52 - 5 AAC 15.359. Chignik Area Cooperative Purse Seine Salmon Fishery Management Plan. Amend this regulation as follows:

Any fishing group in the Chignik Area cannot have over 51 fishing permits in one group. One group can never have the control of the Chignik fisheries. All group members have to declare where they live in the winter months. All fishing groups have to be treated equal.

PROBLEM: The Chignik fisheries allocation.

WHAT WILL HAPPEN IF NOTHING IS DONE? Our tribal council will be unable to run properly without funds from the federal government, our local high school will close, our local utilities will have to raise their prices. Local stores and community buildings will also have to close. Our community's livelihood relies on the board decision.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The fishing resources will be spread between two canneries. Equality will be addressed by each fishing group in meeting before fishing start to solve issues that may arise between fishing vessel, tenders and canneries. Quality has always been the first concern to fishermen and it will still be addressed as so.

WHO IS LIKELY TO BENEFIT? Everyone, one group will not be able to control the lives of the fishing fleet as it is now.

WHO IS LIKELY TO SUFFER? No one will suffer.

OTHER SOLUTIONS CONSIDERED? The board needs to realize that not only the fishermen get affected by the board's changes, but also the community and the resident that live in them.

PROPOSED BY: Chignik Lagoon Council (HQ-04-F-157)

PROPOSAL 53 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation as follows:

No one fishing group in the Chignik area fishery shall have more than a 50 percent fish allocation.

PROBLEM: Due to the restrictions of fishing time and allocations of only 13 percent of the fish for the 2004 season, independent fleet had no power to negotiate a fair price with the one existing plant. Therefore, no one fishing group in the Chignik area should have control over more than 50 percent of the fish run every year.

WHAT WILL HAPPEN IF NOTHING IS DONE? Due to the independent fleet only receiving 13 percent of the run for 2004, the control of fish by one group forced one buyer out of the area, leaving no room to negotiate a fair price for the independent fleet. Possibility of outside processor was out of the question.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Not applicable.

WHO IS LIKELY TO BENEFIT? All independent fishermen.

WHO IS LIKELY TO SUFFER? Cooperative fishery, they are controlling the total fish run.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Morris O. Jones (HQ-04-F-189)

PROPOSAL 54 - 5 AAC 15.359(e). Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation as follows:

The group with the smallest allocation should be able to choose the fishing period. In this instance that would be the competitive fishing fleet. The fishing period would start after June 11 and conclude when the projected allocation is met. It would be structured much like the Igvak fishery in the Kodiak District. A percentage would be allocated based on run forecast. Fishing time starting at the first daylight high-water Kodiak time, and conclude at the following high-water Kodiak time. This pattern would continue until the allocation is filled, with the exception of closures for escapement as dictated by the department.

PROBLEM: Due to the Chignik coop's monopoly power over market control, independent fishermen have had reduced consecutive fishing days in a row.

WHAT WILL HAPPEN IF NOTHING IS DONE? Independent fisherman will be forced to join the coop or a losing market proposition due to their inability to have a steady enough fishing term to interest processors.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Fish quality would rise because the fish would be held for a shorter period of time. It would also free up the fishermen to make direct deliveries to a processor therefore eliminating unneeded handling.

WHO IS LIKELY TO BENEFIT? The group with the smallest allocation would be able to promise enough steady fishing time to interest processors. This in turn would increase their ability to find new and better markets.

WHO IS LIKELY TO SUFFER? It would harm the group with the larger allocation because it would reduce their monopoly power over the smaller group's ability to gain markets.

OTHER SOLUTIONS CONSIDERED? Another option would be to make equal fishing times for both groups by splitting the days allowed 50:50. This idea would be good in thought for one party; it would be entirely detrimental for the other opposing group.

PROPOSED BY: Daniel M. Campbell (HQ-04-F-131)

PROPOSAL 55 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation as follows:

Any overescapement of fish shall be counted in an allocated manner between the two fishing groups, just like they do when they are actually fishing.

PROBLEM: The overescapement of fish needs to be counted in an allocated manner between the two fishing groups, just like they do when they are actually fishing.

WHAT WILL HAPPEN IF NOTHING IS DONE? We want to prevent the overescapement of fish and to preserve future runs, if the prediction is wrong. One of the allocated groups could be unfairly punished.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? To keep processors from letting overescapement happen because one plant cannot handle the processing of the fish totally.

WHO IS LIKELY TO BENEFIT? All permit holders.

WHO IS LIKELY TO SUFFER? Whoever has the largest allocation could lose more salmon allocation.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Morris O. Jones (HQ-04-F-190)

PROPOSAL 56 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation as follows:

A group of permit holders, who would rather not actively fish, would be formed. They would lease their fishing time to a highest qualifying bidder from a separate group of those who would like to actively fish. This group would be composed of anyone capable of paying the bid and harvesting the fish. It would not be limited to anyone, regardless of permit holder status, or district of registry. However, those who are leasing their time give up their right to place a bid, harvest salmon, and participate in the fishery.

PROBLEM: There are currently no ways for the small allocation group to maximize the value of their fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fewer jobs in the village would require people in the village to move elsewhere to find work, causing the village to shrink making it more difficult for those left behind to exist. For example, cost of power utilities, sewer and trash would all be split between fewer people.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? People who would make the highest quality fish would be able to generate the highest monetary bid.

WHO IS LIKELY TO BENEFIT? People who have permits and would be leasing them out would get a higher income from their permit. Those who are unable to currently fish due to not having a permit would now be able to bid. This would give an opportunity for young people to take part in an industry that has been out of their grasp.

WHO IS LIKELY TO SUFFER? It would not be beneficial to those who are unable to generate a higher quality or lower operation cost. They would not be able to outbid their competitors therefore losing out on an available contract.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Daniel M. Campbell (HQ-04-F-132)

PROPOSAL 57 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation as follows:

All permit holders must have a paid current year permit before being able to join the allocated cooperative fishery.

PROBLEM: Permit holders having a paid current year permit before joining the allocated cooperative before the March 15 deadline instead of before the fishing season starts.

WHAT WILL HAPPEN IF NOTHING IS DONE? After the deadline there could be less cooperative members due to loss of interim permits and therefore affect percentage allocated. If percentage changes a permit holder may not want to join.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Paul R. Johnson (HQ-04-F-187)

PROPOSAL 58 - 5 AAC 15.359(e). Chignik Area cooperative purse seine salmon fishery management plan. Amend this regulation to allow the department flexibility in opening and closing the fishery as follows:

(e) The commissioner may, by emergency order, open and close separate **or concurrent** fishing periods and areas for the cooperative fishery and the open fishery as necessary to achieve the allocation established in (c) of this section. The allocation established under (c) of this section is secondary to escapement and harvest objectives, and the commissioner may, by emergency order, reduce or expand fishing opportunity to ensure escapement and harvest objectives

PROBLEM: This proposal requests that the board review the department's ability to open areas to commercial salmon fishing to both the open (competitive) and the cooperative fleet concurrently.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be confusion over whether the department can have both the open (competitive) and cooperative fleets concurrently in the same and/or different areas at the same and/or different times to harvest salmon surplus to escapement needs.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishers and the department with the added flexibility to manage the Chignik fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Keeping the two fleets separated at all times by area or time was rejected because of lack of flexibility.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-235)

PROPOSAL 59 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Identify legal practices regarding the use of leads as follows:

(i) Vessels attached to a fixed-lead or to a seine attached to a fixed-lead, as described in 5 AAC 15.359, in the Mensis Point to Pillar Rock reach of the Chignik River may let the vessel, seine, and/or the fixed-lead to go dry or be anchored without the purse seine vessel engine running.

PROBLEM: Allowing cooperative fleet vessels to anchor or go dry while connected to a seine attached to a fixed-lead in the Pillar Rock to Mensis Point reach of the Chignik River.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued confusion over allowable practices regarding the fixed-leads and the operation of purse seine vessels in the Chignik River.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen, the department, and enforcement will benefit by clarifying if this is a legal practice.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because people continue to question whether this is a legal practice.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-231)

PROPOSAL 60 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Address the use of leads in the coop salmon fishery as follows:

(h) Fixed-leads may be operated by the cooperative fleet in the Chignik Bay District under the requirements of a commissioner's permit.

PROBLEM: Fixed-leads in the Chignik Bay District of the Chignik Management Area were operated by the cooperative fleet during 2002 and 2003 under the authority of a commissioner's permit. The use of fixed-leads is not addressed in regulation. This proposal is intended to provide the board an opportunity to review and decide if they want to retain the use of fixed-leads in the Chignik Bay District of the Chignik Management Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The legal use of fixed-leads in the Chignik Management Area will continue to be questioned.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen utilizing the fixed-leads.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo was rejected because people continue to question whether fixed-leads are a legal gear type.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-230)

PROPOSAL 61 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Clarify the amount of gear that is legal on board a vessel fishing in the coop fishery as follows:

(j) In the Chignik Management Area, a vessel may have onboard a purse or hand seine and up to two fixed-leads which conform to specifications in a commissioner's permit.

PROBLEM: Allow up to two fixed-leads and one purse seine aboard a cooperative fleet purse seine vessel.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued confusion to the legality of retrieving, carrying, or storing the fixed-leads and a purse seine aboard a single vessel.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen, the department, and enforcement will benefit stating if this is a legal practice or not.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? The status quo was rejected because people continue to question whether this is a legal practice or not.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-232)

PROPOSAL 62 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Allow the use of net pens as follows:

(k) Net pens to hold live salmon prior to processing by the cooperative fleet in the Chignik Bay District of the Chignik Management Area is allowed only under the requirements of a commissioner's permit.

PROBLEM: Net pens used to hold live salmon prior to processing were operated by the cooperative fleet in the Chignik Management Area during the 2002 and 2003 salmon season. The

net pens were allowed under the authority of a commissioner's permit. Currently the use of net pens is not addressed in regulation. This proposal is intended to provide the board an opportunity to review and decide if they want to retain the use of net pens used to hold live salmon prior to processing in the Chignik Management Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The legal use of net pens in the Chignik Management Area will continued to be questioned.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Fish held live until processed should result in an improved quality product.

WHO IS LIKELY TO BENEFIT? Fishermen and processors utilizing live salmon deliveries.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo was rejected because people continue to question whether a fish pen is legal.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-233)

PROPOSAL 63 - 5 AAC 15.359. Chignik Area cooperative purse seine salmon fishery management plan. Allow fishermen to record multiple deliveries from one vessel to a single tender on one fish ticket with an estimate by species as follows:

(1) In the Chignik Area cooperative purse seine salmon fishery, catcher vessels harvesting salmon for the cooperative fleet may record multiple deliveries from an individual vessel to an single tender on a given day on an individual fish ticket with catch numbers estimated by species. The total pounds and numbers of fish by species from the catcher vessel's harvest must be reported to the department the morning following the delivery date on the fish ticket.

PROBLEM: The style of fishing employed by the cooperative fleet in the Chignik Management Area requires that fish being delivered to tenders, dead or alive, receive minimal handling to maximize quality. This is accomplished by brailing or pumping fish directly from the seine net of catcher vessels to tenders. In 2003 the cooperative fleet received a commissioner's permit that allowed the cooperative fleet to place multiple deliveries to a single tender on a single day on one fish ticket. Numbers of salmon harvested was estimated when delivered to tenders and edited at a later date for weight and number of salmon at the processing facility. These steps were taken to reduce the number of fish tickets generated by the style of fishing employed by the cooperative fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be continued confusion as to the legality of making multiple deliveries with only estimated salmon counts to tenders receiving deliveries from the cooperative fleet on a single fish ticket.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The cooperative fleet and the department should benefit from the reduction of fish tickets.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo was rejected because people continue to question whether multiple deliveries, with estimated salmon numbers, on a single fish ticket is legal and for the added benefit of a reduced volume of fish tickets.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-237)

PROPOSAL 64 - 5 AAC 15.359(f). Chignik Area cooperative purse seine salmon fishery management plan. Remove the annual meeting requirement as follows:

(f) **Repealed.** [NOTWITHSTANDING THE PROVISION OF 5 ACC 39.999, AT IT FIRST MEETING IN THE FALL OF EACH YEAR, THE BOARD MAY CONSIDER WRITTEN REQUESTS FOR REGULATION CHANGES TO THE PROVISIONS OF THIS SECTION THAT ARE SENT TO THE EXECUTIVE DIRECTOR OF THE BOARD AT LEAST 45 DAYS BEFORE THE MEETING. IF THE BOARD ACCEPTS A REQUEST, IT WILL SCHEDULE THE PROPOSED REGULATION CHANGE AS NECESSARY TO CONSIDER THE MERITS OF THE REQUEST.]

PROBLEM: The Chignik Area Cooperative Purse Seine Salmon Management Plan requires that, at the board's first fall meeting of each year, the board consider regulatory changes to the Chignik cooperative management plan. Now that the initial adjustments have been made to the management plan it is time to return the Chignik Management Area to the annual board cycle and not necessarily revisit the Chignik Area Cooperative Purse Seine Salmon Fishery Management Plan annually.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued expense of out-of-cycle board meetings.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, the department, local residents, and processors by having a more stable fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Revisiting the issues involved with the cooperative fishery at yearly out-of-cycle board meetings.

PROPOSED BY: Alaska Department of Fish and Game (HQ-04-F-236)

PROPOSAL 453 - 5 AAC 28.629(d). Lawful gear for Bering Sea-Aleutian Islands Area.
Amend this regulation to provide the following:

In Sitkin Sound, allow trawls as legal gear in the Pacific cod small boat fishery.

PROBLEM: The Adak under 60 foot Pacific cod winter fishing fleet primarily uses trawl gear. The fishing district adjacent to Adak is closed to the use of trawls. This trawl closure necessitates that small boats must travel significant distance from Adak in order to fish. This is extremely hazardous as well as economically inefficient. Currently, there are no small jig or pot vessels working around Adak in the winter so there is no potential for gear conflict if trawling were to be allowed in the Sitkin Sound waters described in 5 AAC 28.690.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board adopted 5 AAC 28.629(d) and (e) in order to facilitate development of a small boat fishing fleet in Adak. A small boat fishing fleet is emerging but it is almost exclusively a trawl fleet during the winter Pacific cod season, and 5 AAC 28.629(d) prohibits the use of trawl gear inside state waters in the areas adjacent to Adak.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The current under 60 foot fleet, fishing out of Adak during the winter Pacific cod season uses trawl gear. There is no other gear type being used by under 60 foot vessels during the winter cod fishery around Adak. Under 60 foot vessels are the only vessels allowed to fish in the state waters of Sitkin Sound, described in 5 AAC 28.690. Nothing is being reallocated by allowing the use of trawl gear in the area.

WHO IS LIKELY TO SUFFER? Efforts to establish an under 60 foot Pacific cod fleet in Adak are thwarted by 5 AAC 28.629(d), which prohibits the use of trawls in adjacent state waters. Small boats need access to local Adak fishing grounds during the winter cod fishery for economic and obvious safety reasons. Without this requested change, most of the under 60 foot fleet will likely be forced to give up on the Adak fishery and return to their previous fisheries.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Joe Childers

(HQ-04-F-347)
