

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON SUBSISTENCE, PERSONAL USE, SPORT AND COMMERCIAL FINFISH REGULATORY PROPOSALS

FOR THE CHIGNIK MANAGEMENT AREA



ALASKA BOARD OF FISHERIES MEETING ANCHORAGE, ALASKA JANUARY 10-12, 2008

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, January 10-12, 2008 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 of Fisheries.

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Summary of Department Positions on the 2008 Chignik proposals

Committee and Proposal #	Position *	Issue
Committee A 23	S	Amend regulation to allow fishing in Chignik Lake tributaries.
24	S	Amend regulation to restrict gillnets from fishing no more than one half of wetted width of any fish stream.
25	S	Amend regulation to allow the Eastern District to open independently of the Chignik Bay and Central districts.
26	O	Restrict commercial fishing in Chignik to improve subsistence fishing opportunities
27	N/O	Amend regulation to include Castle Bay in the Central District.
28	N	Open the Western and Perryville districts in June and early July with the Chignik Bay and Central districts.
29	N	Repeal the closed waters area near Kupreanof Point.
30	N/S	Repeal the coho cap in the Chignik fishery.
31	S	Amend regulation to allow fishing periods in the Western and Perryville districts based on pink, chum, coho, and sockeye salmon.
32	S	Develop a coho salmon management plan.
33	N	Allow drift gillnet gear in the Chignik Area.
34	N/O	Allow hand and power trolling in the Chignik Area.

* Postion - N=Neutral, S=Support, O=Oppose, NA=No Action, N/S=Neutral on Allocation-but Support, N/O=Neutral on Allocation-but Oppose

COMMITTEE OF THE WHOLE – Commercial Fish
(12 Proposals)

PROPOSAL 23 - 5 AAC 01.475. Waters closed to subsistence fishing.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation to allow subsistence salmon fishing in the Chignik Lake tributaries of Clark River and Home Creek from their confluence with Chignik Lake upstream one linear mile.

WHAT ARE THE CURRENT REGULATIONS? Salmon may not be taken in Black Lake, or any tributary to Black Lake or Chignik Lake.

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IS ADOPTED? This proposal, if adopted, would provide additional harvest opportunities for harvesting subsistence salmon specifically late in the season.

Proposed regulatory language as follows:

5 AAC 01.475. Waters closed to subsistence fishing. (2) in Black lake, or any tributary to Black Lake or Chignik Lakes **except those waters of Clark River and Home Creek from their confluence with Chignik Lake upstream one linear mile.**

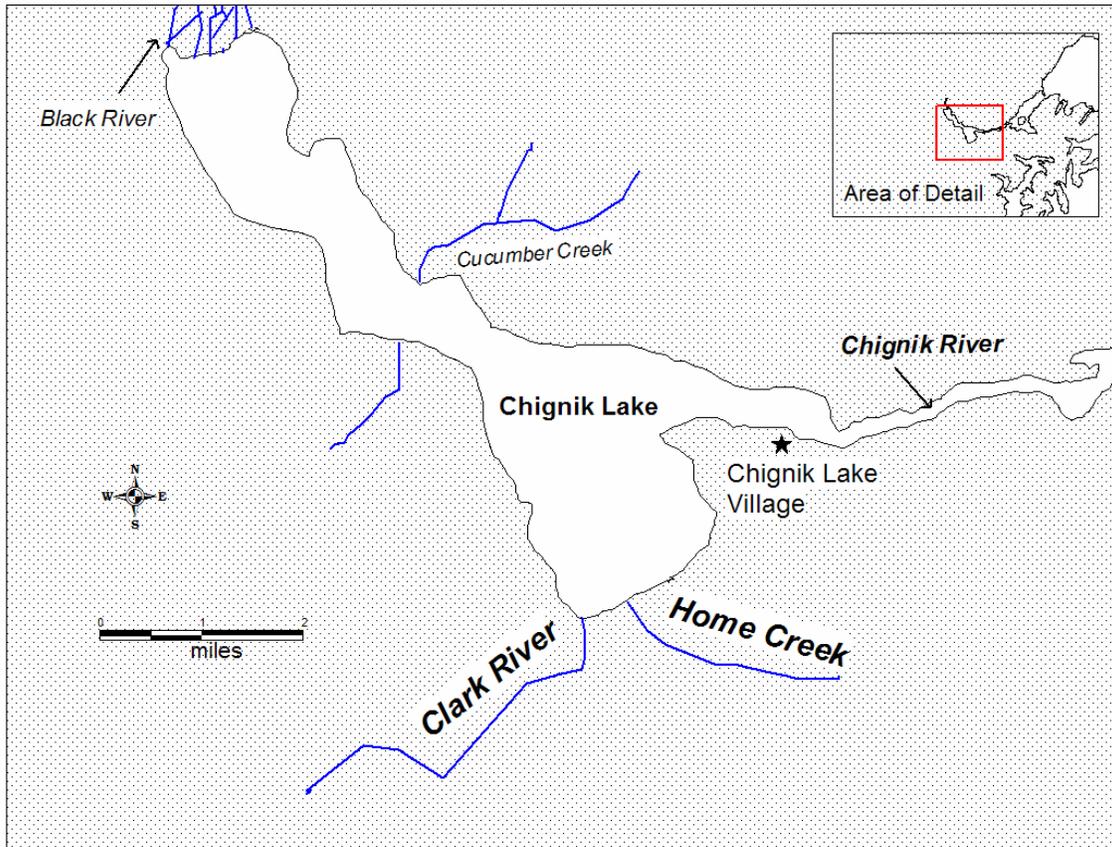
BACKGROUND: The current regulation was adopted in 1985 and amended in 1993 and 2005. In recent years, subsistence users have reported difficulty in obtaining late season subsistence salmon and expressed interest in harvesting smaller amounts of salmon for immediate consumption rather than the larger amounts typically harvested in the areas currently open to subsistence salmon fishing. Limiting subsistence fishing from the confluence of both tributaries upstream one linear mile precludes harvesting salmon on or near active spawning grounds.

Both Clark River and Home Creek have been traditionally used for subsistence fishing by local residents (Figure 1). This proposal is especially intended for the subsistence use of sockeye salmon taken in the late season for drying (Table 1).

Table 1. Chignik Lake subregion (including Clark River and Home Creek) subsistence sockeye harvests from 2002 through 2006.

Year	Harvest prior to July 5	Harvest on or after July 5	Total
2002	460	2,345	2,805
2003	798	1,608	2,491
2004	303	673	976
2005	473	797	1,270
2006	394	1,044	1,438
Average	486	1,293	1,796

Figure 1. Map of Chignik Lake depicting locations of Clark River and Home Creek.



DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal. The approval of this proposal may increase the total harvest amount reported, and better document the location of subsistence harvests. ADF&G does not believe this proposal, if adopted, would significantly increase the actual subsistence harvest.

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

Subsistence Regulation Review:

1. Is This Stock In A Non-Subsistence Area? No.
2. Is The Stock Customarily And Traditionally Taken Or Used For Subsistence? Yes. The Alaska Board of Fisheries (BOF) has found that salmon and finfish other than salmon are customarily and traditionally taken or used for subsistence purposes in the Chignik Area (5 AAC 01.466(a)).
3. Can a Portion of the Stock Be Harvested Consistent with Sustained Yield? Yes.

4. What Amount is Reasonably Necessary for Subsistence Use? In 2004 the BOF established a combined “Amount Reasonable Necessary” (ANS) for the Chignik Bay, Central, and Eastern districts of 5,200-9,600 early-run sockeye salmon, 2,000-3,800 late-run sockeye salmon, 100-150 king salmon, and 400-700 salmon other than sockeye or kings(5 AAC 01.466(b)). For the Western and Perryville districts combined, 1,400–2,600 coho salmon, and 1,400-2,600 salmon other than coho salmon were established as reasonably necessary for subsistence (5 AAC 01.466(b)).

5. Do the Regulations Provide a Reasonable Opportunity for Subsistence Use? This is a BOF determination.

6. Is It Necessary To Reduce or Eliminate Other Uses to Provide A Reasonable Opportunity for Subsistence Use? This is a BOF determination.

PROPOSAL 24 - 5 AAC 01.470(a). Lawful gear and gear specifications.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify the legal use of subsistence gillnets; restricting subsistence gillnets to obstruct no more than one half the wetted width of any fish stream open to subsistence salmon fishing.

WHAT ARE THE CURRENT REGULATIONS? 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.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal, if adopted, would prevent subsistence gillnets from spanning the entire width of small streams and tributaries while still allowing for subsistence fishing opportunities in these areas.

Salmon returning to small streams and tributaries open to subsistence salmon fishing may be over exploited or prevented from reaching local spawning grounds during specific times of the year under the current regulation. Over harvest of salmon stocks in local streams and tributaries may limit future subsistence fishing opportunities.

Proposed regulatory language as follows:

5 AAC 01.470. Lawful gear and gear specifications. (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. **Subsistence gear may not obstruct more than one half the wetted width of any fish stream open to subsistence salmon fishing.**

BACKGROUND: The current regulation specifies subsistence gear types and specifications but not the provisions under which that gear may be used. In the Chignik Management Area (CMA), subsistence gillnets are often long enough to span the entire width of small streams that may be opened to subsistence salmon fishing.

DEPARTMENT COMMENTS: ADF&G 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.

Subsistence regulation review:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes. The BOF has found that salmon and finfish other than salmon are customarily and traditionally taken or used for subsistence purposes in the Chignik Area (5 AAC 01.466(a)).

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence use? In 2004, the BOF established a combined ANS in the Chignik Bay, Central, and Eastern districts of 5,200-9,600 early-run sockeye salmon, 2,000-3,800 late-run sockeye salmon, 100-150 king salmon, and 400-700 salmon other than sockeye or kings (5 AAC 01.466(b)). For the Western and Perryville districts combined, 1,400–2,600 coho salmon, and 1,400-2,600 salmon other than coho salmon were established as reasonably necessary for subsistence (5AAC 01.466(b)).

5. Do the regulations provide a reasonable opportunity for subsistence use? This is a BOF determination.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? This is a BOF determination.

PROPOSAL 25 - 5 AAC 15.357(c)(1). Chignik Area Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation where the Eastern District in the CMA is always open concurrently with the Chignik Bay and Central districts during June.

WHAT ARE THE CURRENT REGULATIONS? During June, the commercial salmon fishery opens concurrently with the Chignik Bay, Central and Eastern districts, and the openings are based on achieving the Black Lake sockeye salmon escapement goals.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal, if adopted, would allow ADF&G to better document effort and manage the fishery by opening or closing the Eastern District independently from the Chignik Bay and Central districts when Black Lake sockeye salmon escapement objectives are achieved.

Proposed regulatory language as follows:

5 AAC 15.357 (c). Chignik Area Salmon Management Plan. (1) during June, the commercial salmon fishery **may** [SHALL] open concurrently with the Chignik Bay and Central districts, and the openings shall be based on achieving the Black Lake sockeye salmon escapement goals;

BACKGROUND: The current regulation opens the Eastern District concurrently with the Chignik Bay and Central districts during June. Historically, the majority of fishing effort in the Eastern District occurs during June, when fishers are targeting early-run Chignik River sockeye salmon as they enter the CMA. However, given the remote location and reduction in fleet size, fishing effort in the Eastern District can be sporadic, and ADF&G often does not know the amount of effort occurring in this district. Early season management actions rely heavily on commercial harvest information from the Eastern District and other outlying locations as this is often the best indication of sockeye salmon run timing and magnitude. Consequently, obtaining accurate and timely fishery information is necessary for effective management during June. Opening the Eastern District upon request would allow ADF&G to better document effort, track and obtain fishery performance data, and make informed decisions.

Post June, the Eastern District is managed independently of the Chignik Bay and Central districts based on ADF&G's evaluation of local pink, chum, and coho salmon stocks as well as sockeye salmon returning to the Chignik River.

DEPARTMENT COMMENTS: ADF&G submitted this proposal in an attempt to obtain accurate and timely fishery information from Eastern District fishers, which is necessary for effective management of the Black Lake sockeye salmon run during June. ADF&G has successfully used similar strategies of opening the Eastern, Western, and Perryville districts, upon request, when salmon are in excess to escapement requirements during the

CMA salmon season, when effort is low or sporadic. However, after discussing this proposal with the public, ADF&G is considering an amended version of this proposal which may provide the desired outcome without changing a long standing regulation.

Proposed amendments as follows:

- 1) Require fishers to formally register with the local ADF&G management staff prior to harvesting salmon in the Eastern District.
- 2) Require salmon tenders in the Eastern District to report commercial fish ticket harvests to the local ADF&G staff within 24 hours after delivery from individual harvesters.
- 3) Develop an informal agreement between fishery stakeholders and ADF&G which specifically outlines the methods and means for directly reporting Eastern District harvests to ADF&G management staff in a timely manner. This agreement would be implemented at the annual ADF&G/industry pre-season stakeholder meeting in Chignik.

ADF&G asks for guidance from the BOF to further develop this proposal such that public concerns are addressed while still allowing for the desired harvest information requested by ADF&G.

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

PROPOSAL 26 - 5 AAC 15.357. Chignik Area Salmon Management Plan.

PROPOSED BY: Chignik Lagoon Village Council.

WHAT WOULD THE PROPOSAL DO? This proposal would restrict commercial salmon fishing in the CMA before June 5 of each year or before 30,000 to 40,000 fish pass the Chignik weir. Although the author did not specify which species of salmon should be included in the proposed minimum escapement objective, ADF&G interprets the 30,000 to 40,000 fish specifically as sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? The June commercial salmon fishery in the Chignik Bay and Central districts opens by emergency order when 20,000 sockeye salmon have escaped into the Chignik River; however, if ADF&G determines that a strong buildup of sockeye salmon exists in Chignik Lagoon and that 20,000 sockeye salmon would escape in the Chignik River then the commercial fishery may open before 20,000 sockeye salmon pass the Chignik weir.

WHAT WOULD BE THE EFFECT OF THE PROPOSAL IS ADOPTED? This proposal, if adopted, would restrict commercial salmon fishing in the CMA before June 5 of each year or before 30,000 to 40,000 fish pass the Chignik weir. Delaying the start of commercial salmon fishing may increase harvest opportunities for salmon subsistence users by allowing more sockeye salmon to escape the commercial fishery.

During years with an early or large sockeye salmon run to the Chignik River, restricting the first commercial fishing period to a fixed date or a minimum escapement objective would limit management actions aimed at preventing over escapement and achieving the established sustainable escapement goals for Chignik River sockeye salmon. The current early-run sockeye salmon escapement goal range is 350,000 to 400,000 fish.

BACKGROUND: When the Chignik Area Salmon Management Plan was adopted in 1999, the first commercial salmon fishing period could occur by regulation when; (1) a minimum escapement of 40,000 sockeye salmon passed the Chignik River weir by June 12, or if a subsequent interim escapement objective had been met, and (2) there was a strong build-up of sockeye salmon in Chignik Lagoon, as determined by ADF&G's test fishery program.

This regulation was repealed at the December 2002 BOF regulatory meeting in response to department and industry concerns that the reduced fleet capacity under the newly adopted cooperative management plan would not be able to control large pulses of sockeye salmon escapement common to early June. At that time, it was stipulated that as long as the cooperative fishery existed and ADF&G could limit early season harvest under the cooperative management plan, the criteria for opening the first commercial fishing period was no longer relevant and that commercial salmon fishing could start as early as June 1.

At the November 2004 BOF meeting, subsistence users reported difficulty obtaining subsistence fish under the provisions of the cooperative management plan during early June.

In response, the BOF amended a proposal to limit commercial fisheries before June 7 and directed ADF&G to open the first commercial fishery when 20,000 sockeye salmon have escaped into the Chignik River or would escape into the Chignik River.

With the exception of 2003 and 2004 (by regulation, years without minimum thresholds for opening the fishery) the first commercial salmon fishery occurred with escapement levels in excess to those proposed by the author and ADF&G's June 5 established interim objectives (Tables 1 and 2).

Table 1. Date and sockeye salmon escapement at the time of the first commercial salmon fishery in the Chignik Management Area by year, 1998-2007.

Year	Opening Date	Sockeye Salmon Escapement
1998	16-Jun	139,238
1999	13-Jun	68,888
2000	11-Jun	81,962
2001	16-Jun	215,378
2002	10-Jun	60,794
2003	4-Jun	17,555
2004	4-Jun	11,272
2005	5-Jun	37,095
2006	13-Jun	51,273
2007	15-Jun	102,439

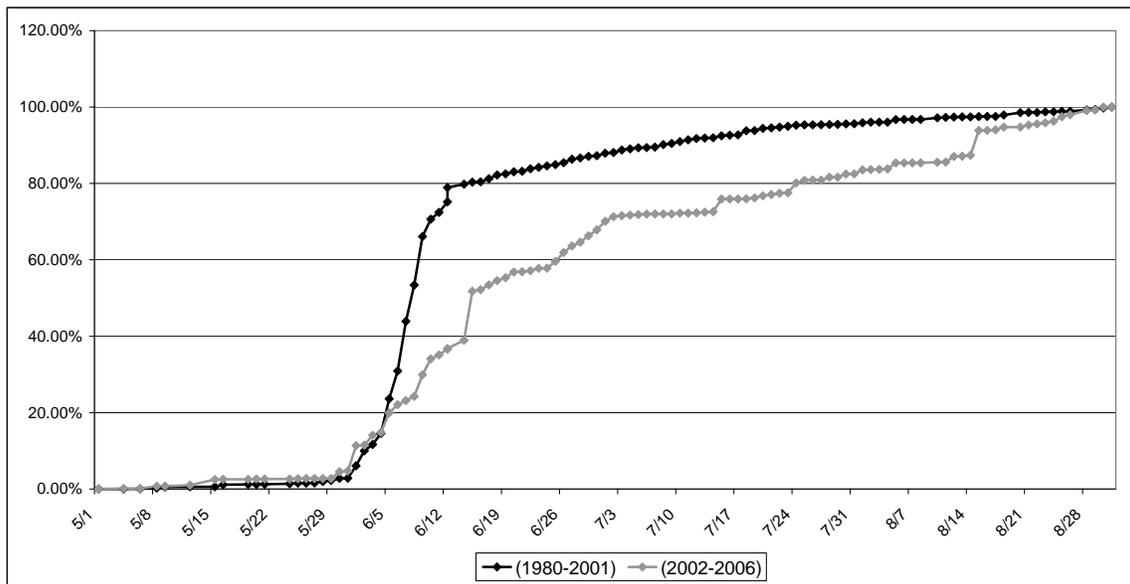
Table 2. Early-run sockeye salmon interim escapement objectives by date.

Date	Escapement	
	Lower	Upper
June 2	500	1,000
June 4	2,000	3,000
June 6	5,000	7,000
June 8	10,000	14,000
June 10	20,000	25,000
June 12	30,000	40,000
June 14	50,000	70,000
June 16	75,000	110,000
June 18	125,000	160,000
June 20	175,000	220,000
June 22	225,000	275,000
June 25	275,000	325,000
June 28	300,000	350,000
July 1	325,000	375,000
July 4	350,000	400,000

DEPARTMENT COMMENTS: Division of Subsistence researchers have observed that CMA subsistence fishers traditionally prefer to harvest sockeye salmon in late May or early June and again in the fall to early winter for several reasons, including: efficiency of effort, acquired taste, cooler weather, and better processing conditions (fewer flies).

Traditionally, many families in the CMA communities gather at camps and harvest locations in late May and early June when the first sockeye salmon run arrives in Chignik Lagoon to harvest, process, and store subsistence salmon prior to the start of the commercial salmon season (Figure 1). Many of these families also participate in the commercial fishery and prefer to complete their subsistence fishing before the first commercial openings occur. Families work together to harvest, process and store all or the majority of subsistence spring-caught salmon in a short amount of time for efficiency and cost-effectiveness. Also, the late spring and early summer is cooler than later in the summer and there are fewer “blow flies” that have hatched that lay eggs on the smoking or drying salmon and that can ruin the fish. Finally, elders and others in the communities prefer the taste of salmon caught in May and early June.

Figure 1. Cumulative percentage of sockeye salmon subsistence harvests by date between May 1 and August 31 of 1980-2001, and 2002-2006 for Chignik Bay, Lagoon and Lake regions.



Since 2006, the number of permit holders actively participating in the CMA salmon fishery has significantly decreased. Since 1988 (excluding years during the cooperative fishery), approximately 97 percent of all permit holders actively participated in the fishery. However, during 2006 and 2007 participation was only about 50 percent. Given the current reduced commercial fleet, ADF&G is concerned about preventing over escapement during June which is the historic peak of the sockeye salmon early run.

ADF&G is **OPPOSED** to this proposal on the basis that it may limit actions to effectively manage the fishery early in June. The timing and magnitude of sockeye salmon returning to the Chignik River varies from year to year. Limiting the first opening to a fixed date and escapement level reduces ADF&G’s ability to manage the fishery based on inseason data, particularly with the current number of participating permit holders.

If approved, ADF&G would need clarification from the BOF to better define the 30,000 to 40,000 fish escapement level necessary to open the first commercial salmon fishing period.

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 27 - 5 AAC 15.200(c)(1). Fishing Districts.

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would remove Castle Bay and offshore waters adjacent to Castle Bay (excluding waters ¼ mile from the tip of Castle Cape) from the Western District and include those waters in the Central District of the CMA, while leaving waters within ¼ mile of the tip of Castle Cape within the Western District.

WHAT ARE THE CURRENT REGULATIONS? Castle Bay and offshore waters adjacent to Castle Bay (statistical area 273-94) are part of the Castle Cape Section in the Western District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? All waters within Castle Bay and seaward (excluding waters ¼ mile from the tip of Castle Cape) would be included in the Outer Chignik Bay Section of the Central District rather than the Western District. This would result in earlier openings in those waters (typically early June rather than July 6) as well as increase the area open to commercial salmon fishing in the Central District. If adopted, Castle Bay and the remainder of the Central District would open concurrently with the Chignik Bay District in June based upon achieving early-run sockeye salmon interim escapement objectives. If left as part of the Western District, Castle Bay waters would continue to open July 6, or later based on ADF&G's evaluation of local pink, chum, and coho salmon stocks as well as Chignik River sockeye salmon escapement.

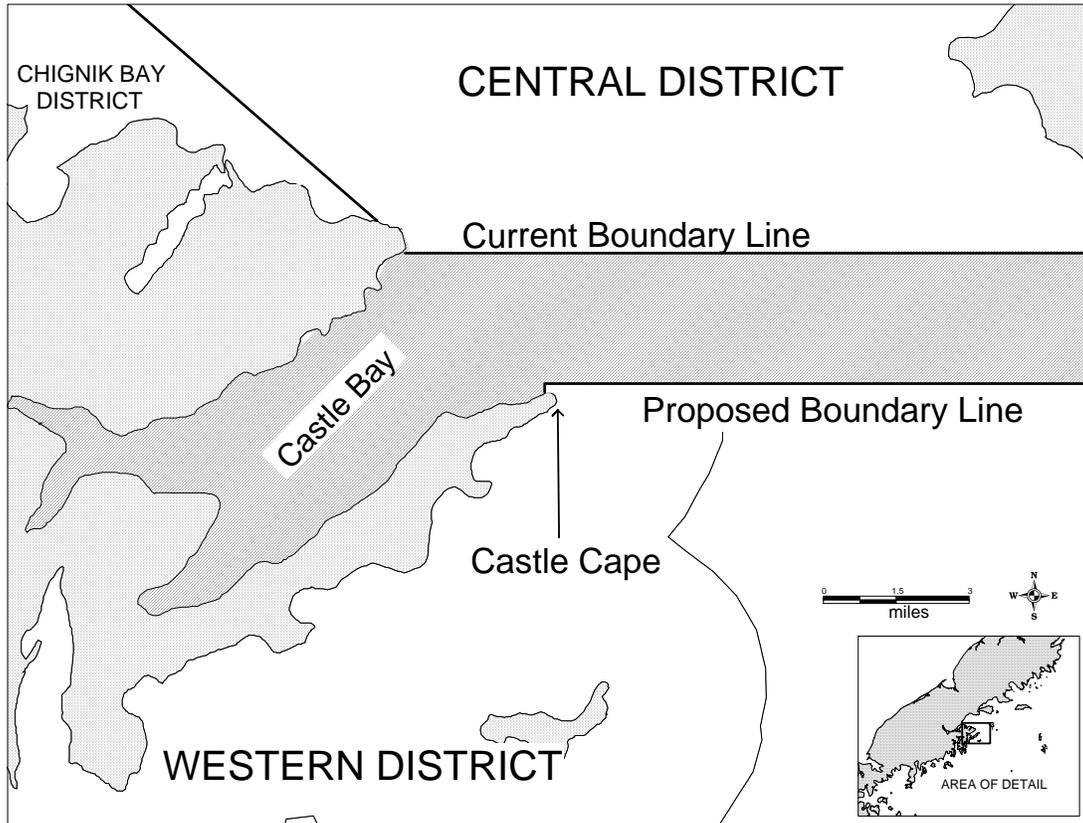
BACKGROUND: Historically, Castle Bay, Castle Cape, and the offshore waters of Castle Cape have been included in the Western District (Figure 1) and opened to commercial fishing by regulation, no earlier than July 6. At this time there are no records of fishery effort, harvest, or stock composition in the Castle Cape Section during June. Post June, salmon harvests in Castle Bay, Castle Cape, and the offshore waters of Castle Cape (Statistical Area 273-94) account for a negligible amount of the total post June harvest in the CMA (Table 1).

Similar proposals were presented at the 1999 and 2002 BOF meetings. No action was taken by the BOF on both occasions.

Table 1. Post June salmon harvest in Castle Bay, Castle Cape, and the offshore waters of Castle Cape (Statistical Area 273-94) by species, 1998 to 2007.

Year	Chinook	Sockeye	Coho	Pink	Chum
1998	33	184	802	2,450	523
1999	5	345	352	7,041	642
2000	5	175	379	1,155	281
2001	0	63	624	1,650	189
2002	25	860	1,456	1,672	2,152
2003	2	330	889	4,366	522
2004	No Harvest				
2005	8	14	18	440	33
2006	1	226	389	2,435	215
2007	2	218	793	10,713	284
Total	80	2,416	5,702	31,920	4,841

Figure 1. Map of Castle Bay, Castle Cape, and the offshore waters of Castle Cape depicting the current and proposed boundary lines and those waters (shaded) that would be opened to commercial salmon fishing during June if this proposal is adopted.



DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal.

However, ADF&G is **OPPOSED** to biological and enforcement aspects associated with this proposal. Due to the lack of salmon stock composition data in the proposed area during June, the impacts of this proposal on harvest levels and subsequent management

cannot be accurately determined at this time. Moving the boundary line may also impact salmon escapement goal review criteria (currently under review) and historic reporting practices. Additionally, given the close proximity (¼ mile from the tip of Castle Cape), it is unknown if there will be enforcement challenges associated with distinguishing between open and closed waters. ADF&G believes the current boundaries are adequate to target Chignik bound sockeye salmon and Castle Bay stocks.

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

PROPOSAL 28 - 5 AAC 15.357(d). Chignik Area Salmon Management Plan.

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would open the Western and Perryville districts to commercial salmon fishing concurrently with the Chignik Bay, Central, and Eastern districts during June and early July and directs ADF&G to manage those waters similar to the Chignik Bay, Central, and Eastern districts.

WHAT ARE THE CURRENT REGULATIONS? The Western and Perryville districts may open on July 6, independent of the Chignik Bay, Central, and Eastern districts based on ADF&G's evaluation of local pink, chum, and coho salmon and the escapement objectives of Chignik Lake sockeye salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, the Western and Perryville districts would open concurrently with the Chignik Bay, Central, and Eastern districts. This would roughly double the area open to commercial salmon fishing in the CMA during June and early July. Increased fishing time and area would likely increase sockeye salmon fishing effort and harvest in the Western and Perryville districts. Approval of this proposal would also likely disperse the fleet and reduce effort in the Chignik Bay and Central districts.

BACKGROUND: Historically the Western and Perryville districts remained closed to commercial salmon fishing during June and early July; thus no harvest information is available. These districts typically open during early to mid-July largely to target local pink and chum salmon stocks although commercial fishers actively target sockeye salmon in these districts. On average, during post-June fisheries, the Western District has yielded approximately 2 percent, and the Perryville District has yielded approximately 1 percent of the total CMA sockeye salmon harvest since 1970 (Table 1).

In contrast, the Western and Perryville districts account for the majority of post-June coho, pink, and chum salmon harvests in the CMA (Table 1).

Table 1. Average annual post June salmon harvest in the Western and Perryville districts, by species since 1970.

Salmon Species	Western District		Perryville District		Total CMA Harvest
	Harvest	% Total	Harvest	% Total	
Chinook Salmon	628	19%	205	6%	3,294
Sockeye Salmon	30,888	2%	15,363	1%	1,362,648
Coho Salmon	43,141	38%	12,508	11%	112,171
Pink Salmon	316,899	41%	135,893	17%	780,669
Chum Salmon	65,035	41%	20,410	13%	160,510

During 2007, 55 commercial salmon permit holders participated in the Chignik Area salmon fishery. Of these, 17 permit holders fished in the Western District, which was above the 5-year average (11 permits), but below the 10-year (18 permits) and 20-year

(36 permits) averages. Only 2 permit holders fished in the Perryville District in 2007, which matched the 5-year average (2 permits) but was below the 10-year (6 permits) and 20-year (17 permits) averages. The Western District was open to commercial salmon fishing for approximately 54 days during 2007, while the Perryville District was open to commercial salmon fishing for approximately 37 days.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. At this time, reliable salmon stock identification information is not available in the Western and Perryville districts during June. As a result, ADF&G does not know what effects this proposal would have on the management of local or adjacent salmon fisheries.

If approved, this proposal would direct ADF&G to manage the Western and Perryville districts similar to the Eastern District during June. However, proposal 25 seeks to amend how the Eastern District is managed during the same time period. If proposal 25 is approved, ADF&G would need direction from the BOF to clarify intent.

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 29 - 5 AAC 15.350(20). Closed Waters.

PROPOSED BY: Chignik Seiners Association.

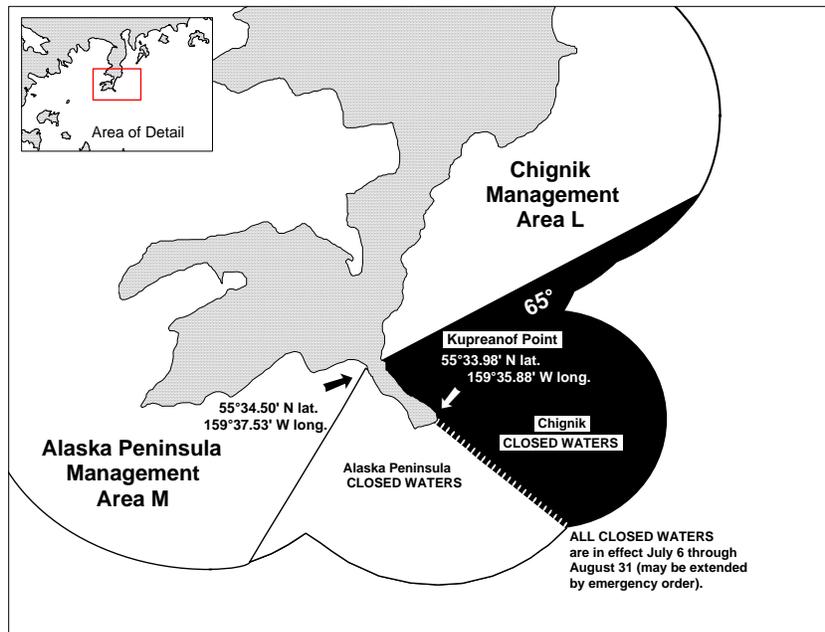
WHAT WOULD THE PROPOSAL DO? This proposal would repeal the closed waters near Kupreanof Point in the Ivanof Bay Section of the Perryville District.

WHAT ARE THE CURRENT REGULATIONS? Salmon may not be taken from July 6 through August 31, in all waters of Alaska in the Ivanof Bay Section, between a line extending 135° from Kupreanof Point at 55° 33.98' N. lat., 159° 35.88' W. long., and a line extending from 65° from 55°34.90' N. lat., 159° 37.10' W. long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, the closed waters near Kupreanof Point in the CMA would be opened to commercial salmon fishing. Reducing the closed waters near Kupreanof Point would increase cape fishing opportunities in the Perryville District.

BACKGROUND: Kupreanof Point is the historic dividing line between the CMA (Area L) and the Alaska Peninsula (Area M). In response to conflicts between Area L and Area M fishermen, the BOF closed both sides of Kupreanof Point to commercial salmon fishing in 1996. At the 2004 BOF meeting, a proposal to open Kupreanof Point for both Area L and Area M failed based on Department of Law comments that stated legal notice of that BOF meeting was not sufficient to take action on proposals that affected Area M. In contrast, this proposal only requests the reduction of closed waters in the CMA (Figure 1).

Figure 1. Map of Kupreanof Point closed waters.



DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal but notes that since this area has been closed, conflicts between Area L and Area M fishers have been resolved in this location.

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 30 - 5 AAC 15.357(d)(2)(A). Chignik Area Salmon Management Plan.

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would repeal the 60,000 coho salmon cap in the Western and Perryville districts of the CMA.

WHAT ARE THE CURRENT REGULATIONS? From July 22 to July 31 no more than 60,000 coho salmon may be taken in the Western and Perryville districts, excluding terminal areas identified under 5 AAC 15.357(d)(2)(B).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, the 60,000 coho salmon harvest cap would be removed from regulation in the Chignik Area Salmon Management Plan.

BACKGROUND: The 60,000 coho salmon cap in the CMA was adopted at the January 2002 BOF meeting based upon a similar Area M coho salmon cap that was adopted in 1996. At that time, the BOF agreed that regulations in one area should also be applicable to similar adjacent areas. The coho salmon cap in Area M was later repealed in 2004.

Under the provisions of the harvest cap, coho salmon harvests have ranged from a high of 17,511 coho salmon in 2002 to a low of zero coho salmon in 2004 and 2005. At this time there are no coho salmon escapement goals in the CMA although ADF&G believes that all coho runs in the CMA are healthy.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on any allocative aspects of this proposal. However, ADF&G **SUPPORTS** other aspects of this proposal as it would simplify management of the Western and Perryville districts and coho management would be similar to Area M fisheries. Coho salmon harvests in the Western and Perryville districts have never exceeded the 60,000 fish harvest cap since this regulation was adopted and currently, ADF&G believes there are no coho salmon conservation concerns in the CMA.

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

PROPOSAL 31 - 5 AAC 15.357(d)(3). Chignik Area Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation that opens the Western and Perryville districts on approximately August 20 based solely on ADF&G's evaluation of local coho salmon runs and the Chignik lake sockeye salmon run.

WHAT ARE THE CURRENT REGULATIONS? From approximately August 20 until the end of the fishing season, fishing periods shall be based on ADF&G's evaluation of local coho salmon runs, and it's evaluation of the Chignik Lake sockeye salmon run.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? If adopted, this proposal would allow ADF&G to open portions of the Western and Perryville districts for targeted harvest of surplus late season pink and chum salmon when local coho and Chignik Lake sockeye salmon escapements are not achieved. The Western and Perryville districts would otherwise be restricted or closed to commercial salmon fishing under these conditions.

In some years this may result in additional late season harvest opportunities for pink and chum salmon.

Proposed substitute regulatory language as follows:

5 AAC 15.357(d). Chignik Area Salmon Management Plan. (3) From approximately August 20 until the end of the fishing season, fishing periods shall be based on ADF&G's evaluation of local **pink, chum, and** coho salmon runs, and it's evaluation of the Chignik Lake sockeye salmon run.

BACKGROUND: On average, over 50 percent of all pink and chum salmon harvested in the CMA are caught in the Western and Perryville districts during July and August. In recent years, Chignik fishers have been increasingly targeting pink and chum salmon stocks in those districts due to better market conditions. In 2007, approximately 1.2 million pink salmon were harvested in the Western District which was the one of the largest pink salmon harvests on record. Approximately 65,000 of these pink salmon were harvested in the Western District after August 20 due to adequate escapements of local coho and Chignik Lake sockeye salmon. By regulation this opportunity would be lost if sockeye salmon escapements were below minimum interim goals or if ADF&G determined coho salmon abundance was not adequate for a commercial fishery.

DEPARTMENT COMMENTS: ADF&G submitted and **SUPPORTS** this proposal as it would allow for more flexibility to manage pink and chum salmon stocks in the Westward Districts.

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

PROPOSAL 32 - 5 AAC 15.357 (xxx). Chignik Area Salmon Management Plan.

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would create a management plan to facilitate a coho salmon fishery when Chignik Lake sockeye salmon escapements are below minimum management objectives.

WHAT ARE THE CURRENT REGULATIONS? From mid-July to September 14, fishing periods in the Chignik Bay and Central districts are based on Chignik Lake late-run sockeye salmon escapement objectives. Beginning September 15, fishing periods may be no more than 48-hours per week and are based on sockeye salmon run strength and subsistence needs for Chignik Lake late-run sockeye salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? As written, the full effect of this proposal cannot be determined without additional development. However, the intent of this proposal would allow for coho salmon harvest when sockeye salmon escapement is below management objectives in the Chignik Bay and Central districts. In some years this may result in additional harvest opportunities for coho salmon and a longer fishing season.

BACKGROUND: Coho salmon begin entering the Chignik River during late August, peak in September, and continue past November. Prior to 1996, the Chignik River weir was removed before August 15 and coho salmon escapements were not enumerated. Since 1996, the weir has been removed between September 3 and 5 annually. During this time period, both late-run sockeye salmon and coho salmon are entering the Chignik River watershed. However, due to the late-season run timing and incomplete escapement data, escapement goals for coho salmon have not been determined and the commercial fishery in the Chignik Bay and Central districts is based solely on ADF&G's evaluation of sockeye salmon abundance.

The 2007 Chignik River coho salmon escapement through September 3 was 10,299 fish which was below the 5-year (18,414) and 10-year (12,503) escapement averages. On average, coho salmon harvest in the Chignik Bay District accounts for approximately 20 percent of the total CMA coho salmon harvest. The vast majority of this harvest occurs after August 15. During the 2003 and 2004 salmon seasons, the Chignik Bay District closed on August 7 and 9 respectively due to low sockeye salmon abundance. A combined total of 547 coho salmon were harvested during those years.

DEPARTMENT COMMENTS: ADF&G generally **SUPPORTS** the intent of this proposal. If approved, ADF&G would need significant direction from the BOF, proposal authors, and fishery stakeholders to clarify management of a late-season coho salmon fishery. In particular, ADF&G would need authority to allow a targeted coho salmon fishery and provide for the non retention of sockeye salmon in the commercial harvest. ADF&G would also need fishing period criteria to allow for harvest after the weir is removed and the escapement is no longer enumerated. Similarly, ADF&G would also

need to know if the maximum fishing period of 48 hours per week after September 14 would still be applicable.

COST ANALYSIS: Depending on the final provisions of a coho management plan, approval of this proposal could result in additional direct costs for a private person to participate in this fishery.

PROPOSAL 33 - 5 AAC 15.330. Gear; and 5 AAC 15.xxx.

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow CFEC Chignik salmon purse seine permit holders to use drift gillnets as an alternative legal gear type in the Eastern, Central, Western and Perryville districts of the CMA.

WHAT ARE THE CURRENT REGULATIONS? Salmon may only be taken by purse seines and hand purse seines in the CMA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Given the limited history of multiple gear types in the CMA, the overall effect of this proposal is uncertain. If approved, current CFEC Chignik salmon permit holders could 1) switch between purse seine and drift gillnet gear during the season, 2) fish drift gillnet gear exclusively, or 3) continue to fish seine gear only. At this time, it is unknown how many permit holders would participate in a drift gillnet fishery. Additionally, the effect of multiple gear types on fishery effort, harvest, and escapement cannot be determined at this time. However, ADF&G's escapement based management strategy would remain unchanged regardless of gear type under the Chignik Area Salmon Management Plan.

As indicated by the proposal authors, drift gillnet gear may reduce operating expenses for Chignik fishers, improve their economic conditions, and promote additional participation in the fishery.

Proposed regulatory language as follows:

5 AAC 15.330. Gear

- (a) Salmon may be taken only by **drift gillnet**, purse seine and hand purse seine.

5 AAC 15.xxx. Gillnet specifications and operations

- (a) **In the Eastern, Central, Western and Perryville districts no gillnet less than 100 fathoms or more than 200 fathoms in length may be used.**
- (b) **In the Chignik Bay District, no gillnets may be used.**
- (c) **No gillnets may be more than 90 meshes in depth**

5 AAC 15.xxx. Identification of gear

- (a) **Each drift gillnet in operation must have at each end a bright red keg, buoy, or a cluster of floats plainly and legibly marked with the permanent vessel license plate (ADF&G) number of the vessel operating the gear, as well as the initials of the operator.**

5 AAC 15.xxx. Registration

- (a) **A person may not fish a vessel simultaneously as a purse seine vessel and a drift gillnet vessel. A person may change gear types anytime during the season if a written request is submitted to, and validated, by the department.**

BACKGROUND: The first recorded commercial harvest of salmon in the Chignik Area occurred in 1888. From that time until 1954 salmon were harvested primarily using pile traps although gillnets and seines were used in some years. Since 1955, seine gear has been the only legal gear type in the CMA.

Pre-statehood peak sockeye salmon harvest occurred in the early 1900s when about 1.4 million fish were caught per year. Commercial harvests of sockeye salmon decreased steadily over the next several decades reaching a low level of about 320,000 fish per year in the 1950s. Harvests of sockeye salmon increased following statehood reaching an all time high of about 1.7 million fish per year in the 1990s. Sockeye salmon harvests have dropped to about 1.1 million fish per year since 2000. Approximately 835,000 sockeye were harvest in the Chignik Area during 2007.

During 2006 and 2007 there were about 96 limited entry permits valid for commercial fishing in the CMA. However, only about 50 percent of the permit holders participated in the fishery. This is in contrast to the previous 20 years when nearly all Chignik permit holders actively participated, despite declining salmon prices.

The average annual exvessel value of the Chignik commercial salmon fishery from 1997 to 2006 was about \$8.1 million, ranging from a low of about \$3.6 million in 2003 to a high of about \$22 million in 1999. The exvessel value of the Chignik salmon fishery in 2007 was about \$5.6 million. Historically, sockeye salmon account for approximately 86 % of the total exvessel value.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. Although many aspects of allowing drift gillnet gear in the Chignik Area are unclear, ADF&G has determined the existing salmon management strategy would likely accommodate multiple gear types without significant modification.

However, ADF&G cautions approval of this proposal as it may result in conflicts between CMA salmon permit holders. Approval of this proposal may increase sockeye salmon harvest outside of the Chignik Bay District and limit harvest opportunities for permit holders that traditionally fish within that district. Additionally, increased effort and multiple gear types could result in gear conflicts in the CMA cape fisheries.

If approved, ADF&G would need direction from the BOF to provide a framework for resolving allocative conflicts between users and gear types as well as clearly define the registration process for switching gear types.

COST ANALYSIS: For permit holders that choose to adopt drift gillnet gear, approval of this proposal may result in additional direct costs for a private person to participate in this fishery.

PROPOSAL 34 - 5 AAC 15.330. Gear; and 5 AAC 15.xxx.

PROPOSED BY: Chignik Seiners Association.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of power and/or hand trolls as legal commercial salmon gear in the Chignik Area. Although unclear, the proposal suggests that any Chignik salmon CFEC permit holder could switch to troll gear, with a troll season starting after August 15 and only in the Eastern, Central, Western, and Perryville districts to target coho salmon. This proposal also includes specific regulatory language for troll gear specifications and operations.

WHAT ARE THE CURRENT REGULATIONS? Salmon may only be taken by purse seines and hand purse seines in the CMA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Power and/or hand trolling gear would be a legal gear type to commercially harvest salmon in the Chignik Area from August 16 to October 31. As written, the intent of the proposal is to limit this fishery to coho salmon, although other salmon species would likely be harvested. Given the limited history of multiple gear types in the CMA the overall effect of this proposal on local and nonlocal salmon stocks is uncertain. At this time, it is unknown how many permit holders would participate in a troll fishery although it is likely that fishing pressure on local and nonlocal coho and Chinook salmon stocks would increase. Currently there are approximately 96 valid seine permits in the Chignik fishery. In recent years, nearly half of CMA salmon permits have not been active.

The Commercial Fisheries Entry Commission (CFEC) issues fishing permits for Alaska's commercial salmon fisheries. Additional regulation changes may need to be proposed and adopted. Current CFEC troll permits are statewide permits, which could potentially be active in this fishery.

On a larger scale, instituting a commercial troll fishery west of Cape Suckling may have far reaching effects. The United States and Canada formed the Pacific Salmon Commission (PSC) in 1985. While much of their concern is directed at Chinook salmon stocks that migrate through northern Gulf of Alaska waters, there is also concern for other salmon species. Thus, representatives of the United States and Canada signed a Pacific Salmon Treaty. Under Chapter 7, General Obligations, the treaty states that neither party shall initiate new intercepting fisheries nor conduct or redirect fisheries in a manner that intentionally increases interceptions. The North Pacific Fishery Management Council (NPFMC) and the National Marine Fisheries Service (NMFS) salmon fisheries management plan for the Gulf of Alaska recognizes that regulations for Alaska salmon fisheries are made by the BOF, but also states that regulations should be consistent with State and Federal laws and with negotiated agreements of the PSC. Further, the federal salmon fisheries management plan defers management of commercial troll fisheries to the State and the PSC.

The CMA is in the path of Pacific salmon that seasonally migrate through the Gulf of Alaska. Nonlocal stocks of coho and Chinook salmon are likely present, but their origin, migratory timing, abundance, and residence time are not known with any degree of certainty. It is likely that the initiation of a troll fishery in the Chignik Area would be considered as a possible new or redirected fishery that could lead to increased interceptions.

Proposed regulatory language as follows:

5 AAC 15.330. Gear

(a) Salmon may be taken only by hand or power trolling, purse seine and hand purse seine.

5 AAC 15.xxx. Troll gear specifications and operations

(a) Salmon may be taken by hand troll gear and power troll gear after August 15 and only in Eastern, Central, Western and Perryville districts.

(1) to ensure reasonable protection of the Kametolook River coho salmon run at Perryville, the department will, at its discretion, maintain a closed water area of sufficient size in the Perryville District.

(b) The maximum number of trolling lines that may be operated from a salmon troll vessel is as follows:

(1) from a power troll vessel:

(A) No more than six lines may be operated.

(2) from a hand troll vessel

(A) from each hand troll gurdy: only one line to which multiple leaders and hooks may be attached;

(B) from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader;

(C) an aggregate of four fishing rods or an aggregate of two hand troll gurdies may be operated.

(c) A salmon troll vessel may have a fishing rod equipped exclusively for taking bait or a gillnet for taking bait of a mesh size of no more than two and one-half inches and made of no greater than number 20 gillnet thread.

(d) No more than six troll gurdies may be mounted on board any salmon power troll vessel.

(e) No more than two troll gurdies and four fishing rods may be on board any salmon hand troll vessel. A downrigger may not be used in conjunction with a fishing rod.

(f) For purposes of this section

(1) a troll gurdy is a spool- type device that is designed to deploy and retrieve troll lines, weights, and lures' the term "troll gurdy"

(A) includes a downrigger; and

(B) does not include a reel attached to a fishing rod;

(2) a hand troll gurdy is a troll gurdy powered by hand or hand crank that is not mounted on or used in conjunction with a fishing rod and is not considered power troll gear;

(3) a fishing rod is a tapering, often jointed, rode equipped with a hand grip and line guides, upon which is mounted a hand powered reel used to deploy and retrieve the trolling line;

(4) a downrigger is a device designed to be used with a fishing rode to deploy a line to a selected depth and retrieve the downrigger line and weight.

5 AAC 15.xxx. Registration

(a) A person may not fish a vessel simultaneously as a hand troll vessel and a power troll vessel. A person may change gear types anytime during the season if a written request is submitted to, and validated, by the department.

BACKGROUND: Commercial trolling has never been documented in the Chignik Area. Since 1955 only purse seines, and hand purse seines have been legal gear. Chignik salmon fisheries became limited entry in 1975 and only seine gear was institutionalized at that time. Chignik Area salmon harvest strategies and management plans have been developed around gear types and gear levels put in place at that time.

There are approximately 55 streams in the Chignik Area known to produce coho salmon. However, ADF&G's ability to monitor coho salmon escapement is limited due to their late season run timing. Most systems are small and remote, and escapements are primarily estimated by aerial survey with the exception of coho salmon that are counted at the Chignik River weir. The annual Chignik River coho salmon escapement averages approximately 13,000 fish (1998 to 2007) through early September, after which the weir is removed. Since the weir is removed while the coho salmon run is still building, escapement estimates are considered incomplete and escapement objectives are not established.

The annual potential production of wild stock coho salmon in the Chignik Area is unknown. Peak coho salmon harvests occurred in the 1990s when approximately 186,000 fish were harvested annually. The 2007 coho salmon harvest was approximately 73,000 fish. Currently, most coho salmon are taken incidentally during early-run sockeye and pink salmon fisheries, although Chignik River coho salmon are minimally targeted later in the season. Most coho salmon are harvested in the Western District during late July and August.

DEPARTMENT COMMENTS: ADF&G is **NEUTRAL** on the allocative aspects of this proposal. ADF&G **OPPOSES** this proposal, until such time that the effects of troll gear and effort on local and nonlocal stocks can be fully explored. If approved, ADF&G would need significant direction from the BOF, CFEC, and other relevant stakeholders to mitigate the complexity of this proposal with regard to statewide trolling regulations and the Pacific Salmon Treaty.

COST ANALYSIS: Approval of this proposal may result in additional direct costs for a private person to participate in this fishery should fishers adopt troll gear.