

# **ALASKA DEPARTMENT OF FISH AND GAME**

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

### **FOR THE ALASKA PENINSULA – ALEUTIAN ISLANDS MANAGEMENT AREA**



### **ALASKA BOARD OF FISHERIES MEETING ANCHORAGE, ALASKA FEBRUARY 2-6, 2010**

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, February 2-6, 2010 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 2010 ALASKA PENINSULA-ALEUTIAN ISLANDS MANAGEMENT AREA PROPOSALS

### Committee A

Proposal #	Department Position	Issue
101	S	Clarify demarcation line separating South Alaska Peninsula and Bering Sea-Aleutian Islands management areas
102	S	Repeal regulation language that allows groundfish to be taken at any time
103	N	Limit vessel size greater than 58 feet in length from participating in the South Alaska Peninsula Area parallel Pacific cod fishery
104	N	Limit vessel size greater than 58 feet in length from participating in the South Alaska Peninsula Area parallel Pacific cod fishery
105	N	Exclude longline gear from the South Alaska Peninsula Area parallel groundfish fishery
106	N	Establish pot and jig gear as the only legal gear types in South Alaska Peninsula Area parallel groundfish fisheries, and limit legal gear to 60 pots or 5 mechanical jig machines
107	O/N	Implement gear and vessel size restrictions, and a separate Pacific cod harvest quota for the parallel Pacific cod fishery in South Alaska Peninsula Area, and modify existing regulations in the state –waters Pacific cod fishery
108	N	Increase South Alaska Peninsula Area annual Pacific cod guideline harvest level
109	N	Increase South Alaska Peninsula Area annual Pacific cod guideline harvest level
110	N	Implement a 7-day stand down period between the federal/parallel Pacific cod season and South Alaska Peninsula state-waters Pacific cod season
111	N/S	Close waters of Unalaska Bay to groundfish fishing with trawl gear
112	S	Modify groundfish pot storage requirements
113	S	Specify that pot gear may be fished on a longline
114	N	Allow pot vessels 100 feet or less to participate in the Pacific cod B season

### Committee B

Proposal #	Department Position	Issue
160	N	Modify the length of seine webbing used as a lead for set gillnet gear from 10 fathoms to 50 fathoms
161	N	Modify the length of seine webbing used as a lead for set gillnet gear from 10 fathoms to 50 fathoms
162	N	Modify the length of seine webbing used as a lead for set gillnet gear from 10 fathoms to 25 fathoms
115	N	Require participation in a chum pool
116	O/N	Reinstate the 8.3 percent allocation of the pre-season Bristol Bay sockeye salmon forecast
117	N	Modify the depth of drift and set gillnet gear
118	N	Modify the Post-June Salmon Management Plan fishing schedule
119	N	Modify the Post-June Salmon Management Plan fishing schedule

## SUMMARY OF DEPARTMENT POSITIONS ON 2010 ALASKA PENINSULA-ALEUTIAN ISLANDS MANAGEMENT AREA PROPOSALS (Continued)

### Committee B (Continued)

Proposal #	Department Position	Issue
120	N	Modify the Post-June Salmon Management Plan fishing schedule
121	N	Modify the Post-June Salmon Management Plan fishing schedule
122	N	Modify the Post-June Salmon Management Plan fishing schedule
123	N	Modify the Post-June Salmon Management Plan fishing schedule
124	N	Address current commercial salmon fishing opportunity
125	N	Allow commercial salmon fishing in all terminal areas
126	O/N	Extend existing terminal areas
127	O/N	Repeal the immature salmon test fishery management plan language or increase the threshold
128	O/N	Allow the seine fishery based on a ratio of the number of immature salmon caught
129	N	Extend the commercial salmon fishing season to October 31
130	N	Modify the depth of drift and set gillnet gear
131	N	Reduce minimum mesh size restrictions for set gillnets

### Committee C

Proposal #	Department Position	Issue
158	N	Change the Dutch Harbor food and bait herring set gillnet allocation
159	N	Allow seine gear in the Adak herring fishery
132	N	Allow harvest opportunity in SEDM
133	O/N	Establish a schedule in SEDM of 72-hour fishing periods
134	N	Modify the percentage of sockeye salmon caught in SEDM
135	N	Modify SEDM allocation criteria
136	N	Modify the level of sockeye salmon harvest ensured to Chignik Management Area
137	N	Modify the allocation to allow incremental fishing time in SEDM
138	N	Allow concurrent fishing periods in SEDM and Chignik areas
139	S	Modify the description of closed waters in Grub Gulch
140	N	Repeal the closed waters near Kupreanof Point
141	N	Open Kupreanof Area to fishing for both Area M and Chignik fishermen on alternating schedules
142	N	Open waters of Dorenoi Bay to commercial salmon fishing from June 1 through July 25
143	N	Open waters of Dorenoi Bay to commercial salmon fishing before July 25

## SUMMARY OF DEPARTMENT POSITIONS ON 2010 ALASKA PENINSULA-ALEUTIAN ISLANDS MANAGEMENT AREA PROPOSALS (Continued)

### Committee C (Continued)

Proposal #	Department Position	Issue
144	O	Modify the description of all closed waters in Stepovak Bay

### Committee D

Proposal #	Department Position	Issue
163	S	Simplify bag and possession limits for king salmon in Alaska Peninsula and Aleutian Islands Area
29	O/N	Allow Area T permit in Alaska Peninsula Area, January 1 – December 31
30	O/S	Allow Area T permit in Alaska Peninsula Area, January 1 – December 31
145	O/N	Amend the weekly opening and closing times in Inner Port Heiden and Ilnik sections
146	N	Amend the weekly opening and closing times in Cinder River Section
147	O/N	Restrict openings in Northern District unless local escapement goals are met
148	O/N	Institute windows in Northern District
149	O/N	Modify the management of Ilnik Section
150	O/N	Close Outer Port Heiden Section to gillnet fishing from June 20 to July 15
151	O/N	Close Outer Port Heiden Section
152	O/N	Modify Northern District Fisheries Management Plan
153	N	Allow purse seine gear inside Ilnik Lagoon
154	O/N	Change the gear mesh depth to 45 meshes in Northern District
155	N	Allow set gillnet gear in Outer Port Heiden Section
156	N	Change seaward gillnet distance in Cinder River, Port Heiden, and Ilnik sections
157	N	Change the angle of the boundary line in Outer Port Heiden Section

*Note:*

N = Neutral

S = Support

O = Oppose

O/N = Oppose, but Neutral on Allocative Aspects

NP = No Position

S/N = Support, but Neutral on Allocative Aspects



**COMMITTEE A: SOUTH ALASKA PENINSULA GROUND FISH  
14 Proposals**

**PROPOSAL 101 – 5 AAC 28.550. Description of South Alaska Peninsula Area and 5 AAC 28.600. Description of Bering Sea-Aleutian Islands Area.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal would place into regulation the demarcation line separating South Alaska Peninsula and Bering Sea-Aleutian Islands (BSAI) management areas.

**WHAT ARE THE CURRENT REGULATIONS?** Boundary line coordinates separating South Alaska Peninsula (5 AAC 28.550) and BSAI (5 AAC 28.600) waters are not defined in regulation.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would clearly define the South Alaska Peninsula/BSAI demarcation line in regulation and reduce confusion by fishermen, law enforcement, and fishery managers. Specifically, this proposal would place into regulation the latitude and longitude of landmarks that define the southern boundary of BSAI waters and the northern boundary of South Alaska Peninsula waters (Figure 101-1).

The department considers this proposal a housekeeping action to bring state groundfish regulations in line with corresponding federal groundfish regulations. If adopted, the department does not anticipate any changes with respect to groundfish management in South Alaska Peninsula or BSAI management areas.

**BACKGROUND:** The proposed demarcation line is based on the federal boundary line used by National Marine Fisheries Service (NMFS) to differentiate between the federal Bering Sea and Gulf of Alaska (GOA) management areas. Although not in state regulation, fishermen, fishery managers, and law enforcement have recognized the federal demarcation line in state-managed fisheries since the inception of state groundfish areas in 1996.

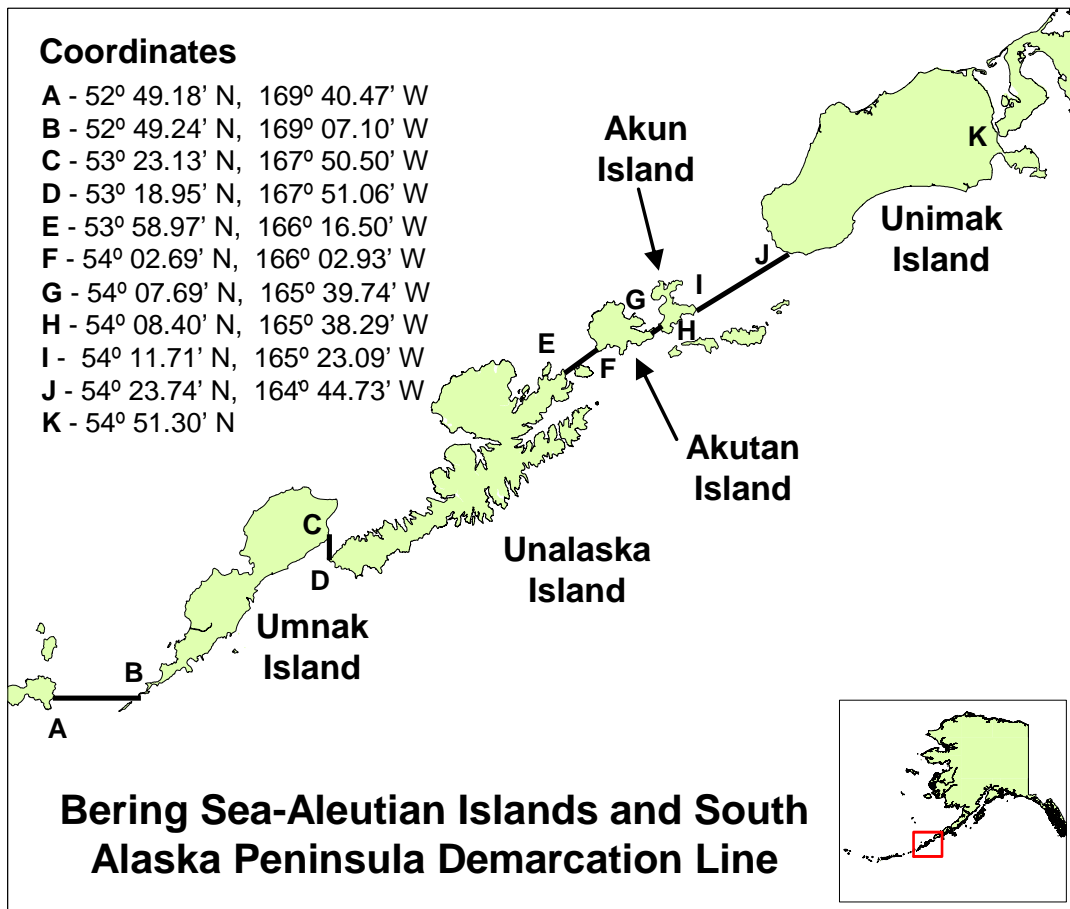


Figure 101-1.—Map of proposed demarcation line separating Bering Sea-Aleutian Islands and South Alaska Peninsula management areas.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal. After further review, the coordinates published in the original proposal submitted by the department do not match exactly the demarcation line coordinates published in federal register 50 CFR 679. Substitute language containing the correct coordinates in 50 CFR 679 will be introduced in committee and brought before the board prior to final consideration. The corrected substitute language does not alter the intent or effect of this proposal.

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

**PROPOSAL 102 – 5 AAC 28.560. Fishing Seasons for South Alaska Peninsula; 5 AAC 28.610. Fishing Seasons for Bering Sea-Aleutian Islands Area; and 5 AAC 28.710. Fishing Seasons for Chukchi-Beaufort Area.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WILL THE PROPOSAL DO?** Repeal language that states groundfish may be taken at any time in the South Alaska Peninsula, BSAI, and Chukchi-Beaufort areas. In practice, fishing seasons are specifically defined elsewhere in area groundfish regulations, as well as in the global emergency order issued by the department prior to annual groundfish fisheries.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 28.560. *Fishing Seasons for South Alaska Peninsula*; 5 AAC 28.610. *Fishing Seasons for Bering Sea-Aleutian Islands Area*; and 5 AAC 28.710. *Fishing Seasons for Chukchi-Beaufort Area* all state that unless otherwise specified, groundfish may be taken at any time.

Groundfish may only be taken from state waters when parallel or state-waters seasons are open to commercial fishing (e.g., 5 AAC 28.070, 5 AAC 28.086, 5 AAC 28.087; 5 AAC 560; 5 AAC 28.577; 5 AAC 28.610; 5 AAC 28.640, 5 AAC 28.647; 5 AAC 28.710.)

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

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

Removing language that states groundfish may be taken at any time in the Chukchi-Beaufort Area is consistent with recent federal regulations that prohibit commercial groundfish fishing in Arctic waters under the newly-adopted Arctic Fisheries Management Plan.

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

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

**PROPOSAL 103 – 5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.**

**PROPOSED BY:** King Cove Advisory Committee.

**WHAT WILL THE PROPOSAL DO?** Restrict vessels greater than 58 feet in length from participating in the South Alaska Peninsula Management Area parallel Pacific cod fishery (0 to 3 nm).

**WHAT ARE THE CURRENT REGULATIONS?** Currently, there are no size restrictions for vessels participating in the parallel Pacific cod fishery in the South Peninsula Area. During the parallel fishery, Pacific cod may be taken by pot, longline, jig, and trawl gear, although most state waters in South Alaska Peninsula Area are closed to bottom trawling, 5 AAC 39.164.

By regulation 5 AAC 28.577, vessels participating in the separate state-managed South Alaska Peninsula state-waters Pacific cod fishery may not exceed 58 feet in length.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the department does not anticipate any significant changes with respect to management of South Alaska Peninsula parallel Pacific cod fisheries. The department would continue to open the parallel fishery concurrent to the federal fishery and adopt most other federal regulations and NMFS management actions. A 58-foot length limit within the parallel fishery may require some additional law enforcement oversight as the requirements to participate in parallel waters would be different between state and federal waters.

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

- **Status quo harvest:** A 58-foot vessel limit would likely decrease the number of vessels that participate in the parallel Pacific cod fishery. However, in recent years most Pacific cod harvested in the parallel fishery were taken by vessels 58 feet or less, suggesting harvests from parallel waters may remain relatively stable at current participation levels (Table 103-1).
- **Decreased effort/harvest:** Vessels greater than 58 feet that do not hold federal fishery endorsements would be excluded from the federal/parallel fishery in South Alaska Peninsula Area. Alternatively, some vessels greater than 58 feet with federal fishery endorsements may opt out of the WGOA federal fishery based on safety or economic concerns if excluded from the parallel fishery. Excluding larger vessels from the parallel fishery may reduce effort and limit harvests inside parallel waters (0 to 3 nm). On average, from 2001-2009, vessels greater than 58 feet accounted for 22% of the parallel fishery Pacific cod harvest.

- Increased effort/harvest:** Despite a 25% reduction in the number of vessels 58-feet or less fishing from 2006 to 2009, the percentage of Pacific cod harvested by those vessels increased from 59% to 85% (Table 103-1). Moreover, harvests by vessels 58 feet or less have been as high as 96% (2002) of the total parallel fishery Pacific cod catch. Based on these trends, vessels 58 feet or less may continue to harvest disproportionate amounts of the WGOA Pacific cod total allowable catch (TAC) in the parallel fishery. Excluding larger vessels from the parallel fishery may reduce competition and potentially, increase harvests by the 58-foot and under fleet.

Table 103-1.—A-season parallel waters Pacific cod harvest and effort by vessel size in South Alaska Peninsula Area, 2001-2009.

Year	<i>Vessels 58 Feet and Under</i>			<i>Vessels Over 58 Feet</i>			Total Harvest
	Harvest (lbs)	Percent Harvest	Number of Vessels	Harvest (lbs)	Percent Harvest	Number of Vessels	
<b>2001</b>	3,712,856	86%	61	593,454	14%	14	4,306,311
<b>2002</b>	4,975,951	96%	45	228,473	4%	6	5,204,424
<b>2003</b>	9,362,915	92%	46	867,759	8%	10	10,230,674
<b>2004</b>	8,604,912	80%	65	2,165,513	20%	16	10,770,425
<b>2005</b>	6,243,612	73%	61	2,293,896	27%	13	8,537,508
<b>2006</b>	8,704,530	59%	51	6,120,505	41%	20	14,825,035
<b>2007</b>	5,525,051	71%	47	2,294,665	29%	16	7,819,716
<b>2008</b>	4,502,496	82%	41	968,660	18%	10	5,471,157
<b>2009</b>	5,190,786	85%	38	947,204	15%	7	6,137,990
<b>Avg</b>	<b>6,313,679</b>	<b>78%</b>	<b>51</b>	<b>1,831,125</b>	<b>22%</b>	<b>12</b>	<b>8,144,804</b>

The federal WGOA groundfish management area boundary extends into a portion of Chignik Management Area (Figure 103-1). Vessels greater than 58 feet in length excluded from the South Alaska Peninsula parallel fishery would not be excluded from fishing in a portion of the Chignik Management Area parallel fishery during the WGOA season. It is unknown how this proposal would effect Chignik Management Area parallel waters effort and harvest.

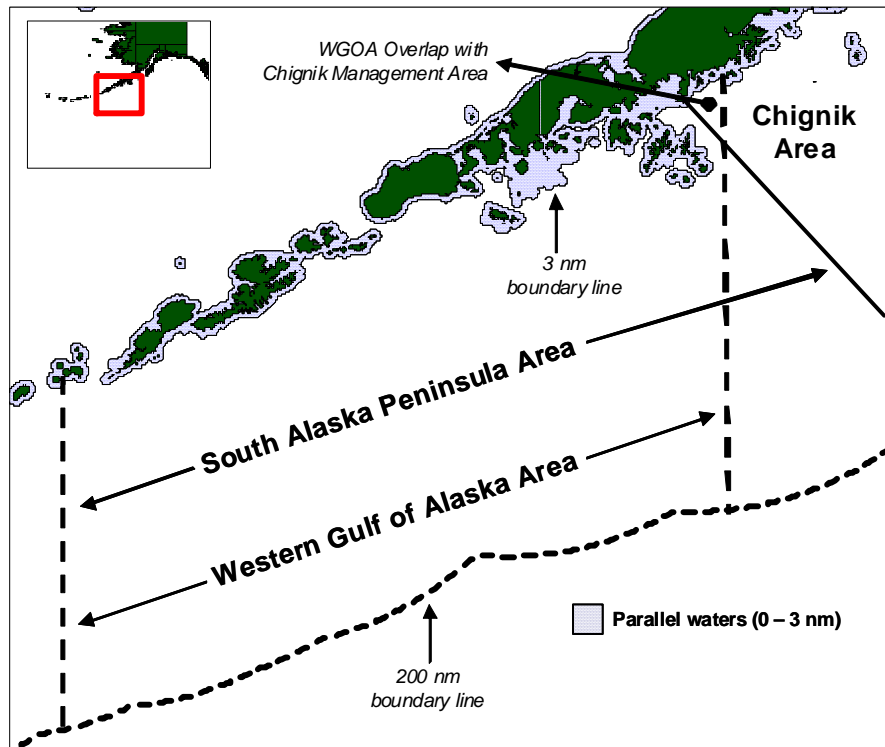


Figure 103-1.—Map depicting Western Gulf of Alaska and South Alaska Peninsula management areas.

**BACKGROUND:** *This proposal was previously considered by the board during the 2006/2007 meeting cycle. It was tabled to the Joint Board/Council Protocol Committee for additional review and scheduled for action during the 2009/2010 meeting cycle.*

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

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

The WGOA federal/parallel Pacific cod A season is fully harvested in most years. Currently, there are no restrictions for entry or participation in the parallel portion of the WGOA Pacific cod fishery. There are, additionally, no restrictions on the amount of

Pacific cod that can be harvested from state waters during the parallel fishery. Most Pacific cod are harvested by pot and bottom trawl vessels in the federal/parallel fishery, although longline vessel harvests have steadily increased in recent years (Table 103-2). Mechanical jig and pelagic trawl harvests are minimal, generally averaging less than 1% of the total catch combined. Pacific cod harvests from the parallel fishery have ranged from 4.3 to 14.8 million pounds since 2001 (Table 103-1). On average, vessels 58 feet or smaller harvested approximately 78% of all Pacific cod taken in parallel waters during A-season fisheries from 2001 to 2009 (Table 103-1).

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council's action establishes Pacific cod allocations for 6 sectors in WGOA. The action is intended to enhance stability in the WGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery and eroding historic catch shares of those dependent on GOA Pacific cod fisheries. Vessels not federally-permitted will continue to have access to federal TAC in the state-waters parallel fishery.

Table 103-2.—Federal/parallel A-season Pacific cod harvest (millions lbs) and percent total harvest by gear type in South Alaska Peninsula Management Area, 2001-2009.

	Bottom Trawl		Longline		Pot		Total Harvest
	Harvest (lbs)	Percent Harvest	Harvest (lbs)	Percent Harvest	Harvest (lbs)	Percent Harvest	
2001	12,612,320	56%	6,967,767	31%	2,980,134	13%	22,560,221
2002	10,477,910	46%	4,970,988	22%	6,875,800	31%	22,324,697
2003	2,644,925	12%	3,628,138	17%	15,013,892	70%	21,286,955
2004	3,613,305	16%	3,757,999	17%	15,035,342	66%	22,406,646
2005	9,015,218	42%	1,107,451	5%	11,299,344	52%	21,422,014
2006	10,265,609	41%	1,899,054	8%	12,217,714	49%	24,382,377
2007	9,240,192	46%	2,688,696	13%	7,906,086	40%	19,834,973
2008	9,432,238	41%	4,200,408	18%	9,186,912	40%	22,819,558
2009	3,902,804	21%	5,963,328	33%	8,270,807	45%	18,136,939

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

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

**PROPOSAL 104 – 5 AAC 28.570. Lawful Gear for South Alaska Peninsula.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WILL THE PROPOSAL DO?** Restrict vessels greater than 58 feet in length from participating in the South Alaska Peninsula Management Area parallel Pacific cod fishery (0 to 3 nm).

**WHAT ARE THE CURRENT REGULATIONS?** Currently, there are no size restrictions for vessels participating in the parallel Pacific cod fishery in South Peninsula Area. During the parallel fishery, Pacific cod may be taken by pot, longline, jig, and trawl gear, although most state waters in South Alaska Peninsula Area are closed to bottom trawling, 5 AAC 39.164.

By regulation 5 AAC 28.577, vessels participating in the separate state-managed South Alaska Peninsula state-waters Pacific cod fishery may not exceed 58 feet in length.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the department does not anticipate any significant changes with respect to management of South Alaska Peninsula parallel Pacific cod fisheries. The department would continue to open the parallel fishery concurrent to the federal fishery and adopt most other federal regulations and NMFS management actions. A 58-foot length limit within the parallel fishery may require some additional law enforcement oversight as the requirements to participate in parallel waters would be different between state and federal waters.

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

- **Status quo harvest:** A 58-foot vessel limit would likely decrease the number of vessels that participate in the parallel Pacific cod fishery. However, in recent years most Pacific cod harvested in the parallel fishery were taken by vessels 58 feet or less, suggesting harvests from parallel waters may remain relatively stable at current participation levels (Table 104-1).
- **Decreased effort/harvest:** Vessels greater than 58 feet that do not hold federal fishery endorsements would be excluded from the federal/parallel fishery in South Alaska Peninsula Area. Alternatively, some vessels greater than 58 feet with federal fishery endorsements may opt out of the WGOA federal fishery based on safety or economic concerns if excluded from the parallel fishery. Excluding larger vessels from the parallel fishery may reduce effort and limit harvests inside parallel waters (0 to 3 nm). On average, from 2001-2009, vessels greater than 58 feet accounted for 22% of the parallel fishery Pacific cod harvest.
- **Increased effort/harvest:** Despite a 25% reduction in the number of vessels 58-feet or less fishing from 2006 to 2009, the percentage of Pacific cod harvested by those vessels increased from 59% to 85% (Table 104-1). Moreover, harvests by vessels 58



feet or less have been as high as 96% (2002) of the total parallel fishery Pacific cod catch. Based on these trends, vessels 58 feet or less may continue to harvest disproportionate amounts of WGOA Pacific cod TAC in the parallel fishery. Excluding larger vessels from the parallel fishery may reduce competition and potentially, increase harvests by the 58-foot and under fleet.

Table 104-1.–A-season parallel waters Pacific cod harvest and effort by vessel size in South Alaska Peninsula Area, 2001-2009.

Year	<i>Vessels 58 Feet and Under</i>			<i>Vessels Over 58 Feet</i>			Total Harvest
	Harvest (lbs)	Percent Harvest	Number of Vessels	Harvest (lbs)	Percent Harvest	Number of Vessels	
<b>2001</b>	3,712,856	86%	61	593,454	14%	14	4,306,311
<b>2002</b>	4,975,951	96%	45	228,473	4%	6	5,204,424
<b>2003</b>	9,362,915	92%	46	867,759	8%	10	10,230,674
<b>2004</b>	8,604,912	80%	65	2,165,513	20%	16	10,770,425
<b>2005</b>	6,243,612	73%	61	2,293,896	27%	13	8,537,508
<b>2006</b>	8,704,530	59%	51	6,120,505	41%	20	14,825,035
<b>2007</b>	5,525,051	71%	47	2,294,665	29%	16	7,819,716
<b>2008</b>	4,502,496	82%	41	968,660	18%	10	5,471,157
<b>2009</b>	5,190,786	85%	38	947,204	15%	7	6,137,990
<b>Avg</b>	<b>6,313,679</b>	<b>78%</b>	<b>51</b>	<b>1,831,125</b>	<b>22%</b>	<b>12</b>	<b>8,144,804</b>

The federal WGOA groundfish management area boundary extends into a portion of Chignik Management Area (Figure 104-1). Vessels greater than 58 feet in length excluded from the South Alaska Peninsula parallel fishery would not be excluded from fishing in a portion of the Chignik Management Area parallel fishery during the WGOA season. It is unknown how this proposal would effect Chignik Management Area parallel waters effort and harvest.

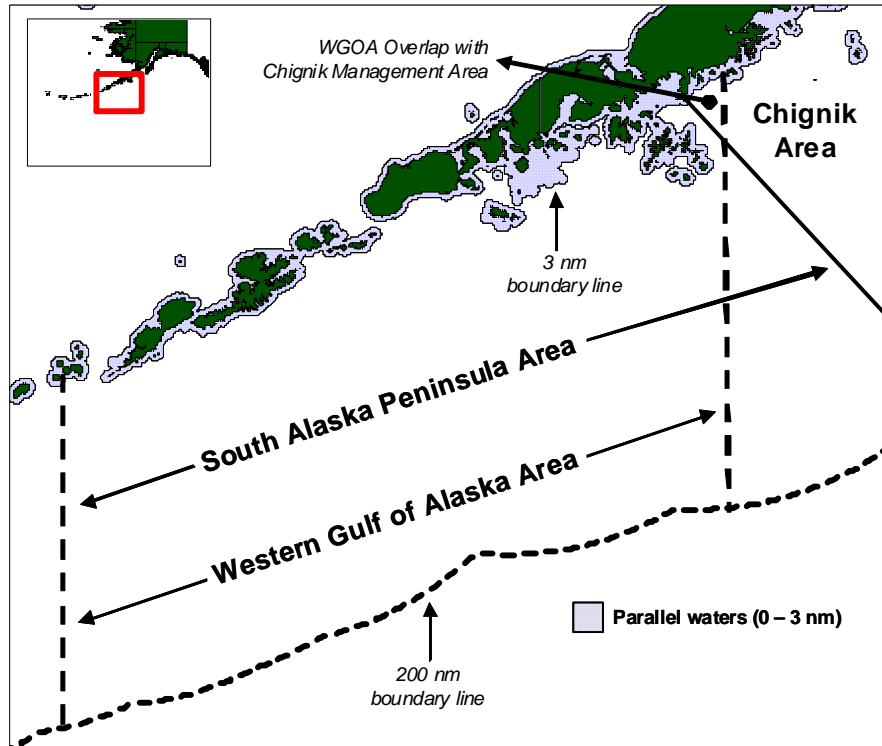


Figure 104-1.—Map depicting Western Gulf of Alaska and South Alaska Peninsula Management areas.

**BACKGROUND:** *This proposal was previously considered by the board during the 2006/2007 meeting cycle. It was tabled to the Joint Board/Council Protocol Committee for additional review and scheduled for action during the 2009/2010 meeting cycle.*

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

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

The WGOA federal/parallel Pacific cod A season is fully harvested in most years. Currently, there are no restrictions for entry or participation in the parallel portion of the WGOA Pacific cod fishery. There are, additionally, no restrictions on the amount of Pacific cod that can be harvested from state waters during the parallel fishery. Most

Pacific cod are harvested by pot and bottom trawl vessels in the federal/parallel fishery, although longline vessel harvests have steadily increased in recent years (Table 104-2). Mechanical jig and pelagic trawl harvests are minimal, generally averaging less than 1% of the total catch combined. Pacific cod harvests from the parallel fishery have ranged from 4.3 to 14.8 million pounds since 2001 (Table 104-1). On average, vessels 58 feet or smaller harvested approximately 78% of all Pacific cod taken in parallel waters during A-season fisheries from 2001 to 2009 (Table 104-1).

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council’s action establishes Pacific cod allocations for 6 sectors in WGOA. The action is intended to enhance stability in WGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery and eroding historic catch shares of those dependent on the GOA Pacific cod fisheries. Vessels that are not federally-permitted will continue to have access to the federal TAC in the state-waters parallel fishery.

Table 104-2.–Federal/parallel A-season Pacific cod harvest (millions lbs) and percent total harvest by gear type in South Alaska Peninsula Management Area, 2001-2009.

	Bottom Trawl		Longline		Pot		Total Harvest
	Harvest (lbs)	Percent Harvest	Harvest (lbs)	Percent Harvest	Harvest (lbs)	Percent Harvest	
<b>2001</b>	12,612,320	56%	6,967,767	31%	2,980,134	13%	22,560,221
<b>2002</b>	10,477,910	46%	4,970,988	22%	6,875,800	31%	22,324,697
<b>2003</b>	2,644,925	12%	3,628,138	17%	15,013,892	70%	21,286,955
<b>2004</b>	3,613,305	16%	3,757,999	17%	15,035,342	66%	22,406,646
<b>2005</b>	9,015,218	42%	1,107,451	5%	11,299,344	52%	21,422,014
<b>2006</b>	10,265,609	41%	1,899,054	8%	12,217,714	49%	24,382,377
<b>2007</b>	9,240,192	46%	2,688,696	13%	7,906,086	40%	19,834,973
<b>2008</b>	9,432,238	41%	4,200,408	18%	9,186,912	40%	22,819,558
<b>2009</b>	3,902,804	21%	5,963,328	33%	8,270,807	45%	18,136,939

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

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

**PROPOSAL 105 – 5 AAC 28.570. Lawful Gear for South Alaska Peninsula.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WILL THE PROPOSAL DO?** Exclude longline gear from parallel groundfish fisheries in South Alaska Peninsula Management Area.

**WHAT ARE THE CURRENT REGULATIONS?** During parallel groundfish fisheries, the state adopts most federal fishing regulations, 5 AAC 28.070, .081, .086, .087, and .577. In South Alaska Peninsula Management Area, groundfish may be taken by pot, jig, longline, and trawl gear, although most South Alaska Peninsula Management Area state waters are closed to bottom trawling. There are no restrictions on vessel size or the amount of gear permitted during WGOA parallel fisheries in South Alaska Peninsula Area.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, the department does not anticipate any significant changes with respect to management of South Alaska Peninsula Area parallel Pacific cod fisheries. The department would continue to open parallel waters concurrent to the federal fishery and adopt most other federal regulations and NMFS management actions.

If adopted, this proposal would prohibit longline vessels from participating in WGOA parallel groundfish fisheries (0 to 3 nm) in South Alaska Peninsula Area. Excluding longline gear from the South Alaska Peninsula Area parallel Pacific cod fishery may provide additional opportunity for the pot, jig, and trawl gear sectors. During the 2009 WGOA Pacific cod A-season, longline vessels harvested approximately 1.2 million pounds, or 20%, of all Pacific cod harvested in South Alaska Peninsula parallel waters (Table 105-1). Prior to 2009, longline harvests of Pacific cod ranged from 0% to 6% of the total parallel fishery harvest.

If adopted, longline vessels with federal fishing endorsements could continue to participate in the WGOA federal waters fishery (3 to 200 nm). Longline vessels without federal fishing endorsements would be excluded entirely from the federal/parallel fishery within South Alaska Peninsula Area waters. However, the federal WGOA groundfish management area boundary extends into a portion of Chignik Management Area. Longline vessels excluded from the South Alaska Peninsula parallel fishery would not be excluded from fishing in a portion of the Chignik Area parallel fishery during the WGOA season. It is unknown how this proposal would effect Chignik Area parallel fishery effort and harvest.

Table 105-1.–Parallel waters A-season Pacific cod harvest (pounds) and percent harvest by gear type in South Alaska Peninsula Area, 2001 – 2009.

	Bottom Trawl		Pot		Longline		Pelagic Trawl		Jig		Total Harvest
	Pounds	%	Pounds	%	Pounds	%	Pounds	%	Pounds	%	
<b>2001</b>	1,844,618	43%	2,386,092	55%	41,464	1%	34,054	1%	82	0%	<b>4,306,311</b>
<b>2002</b>	433,548	8%	4,736,692	91%	0	0%	34,183	1%	0	0%	<b>5,204,424</b>
<b>2003</b>	98,519	1%	10,023,803	98%	46,165	0%	62,186	1%	0	0%	<b>10,230,674</b>
<b>2004</b>	907,992	8%	9,595,164	89%	4,237	0%	7,838	0%	255,194	2%	<b>10,770,425</b>
<b>2005</b>	2,646,180	31%	5,386,487	63%	389,611	5%	20,294	0%	94,937	1%	<b>8,537,508</b>
<b>2006</b>	5,747,280	39%	8,550,044	58%	172,487	1%	355,225	2%	0	0%	<b>14,825,035</b>
<b>2007</b>	2,395,503	32%	4,889,408	64%	248,579	3%	65,840	1%	0	0%	<b>7,599,330</b>
<b>2008</b>	739,159	13%	4,398,986	80%	347,604	6%	10,459	0%	0	0%	<b>5,496,208</b>
<b>2009</b>	134,421	2%	4,753,336	77%	1,254,858	20%	46,982	1%	0	0%	<b>6,189,597</b>

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

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

The WGOA federal/parallel Pacific cod A season is fully harvested in most years. Currently, there are no restrictions for entry or participation in the South Alaska Peninsula Area parallel Pacific cod fishery. There are, additionally, no restrictions on the amount of Pacific cod that can be harvested from parallel waters. Traditionally, most Pacific cod are harvested by pot and bottom trawl vessels in the federal/parallel fishery (Table 105-1). Mechanical jig and pelagic trawl harvests are minimal, generally averaging less than 1% of the total catch combined.

Most longline effort for Pacific cod occurs in the federal fishery, although longline harvests in the parallel fishery have increased in recent years. Despite consistent effort, longline harvests during the parallel fishery increased from approximately 347 thousand pounds in 2008 to over 1.2 million pounds in 2009 (Table 105-2).

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council’s action establishes Pacific cod allocations for 6 sectors in WGOA. The action is intended to enhance stability in the WGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel

fishery and eroding historic catch shares of those dependent on GOA Pacific cod fisheries. Vessels that are not federally-permitted will continue to have access to the federal TAC in the state-waters parallel fishery.

Table 105-2.-Federal/parallel A-season Pacific cod longline vessel harvest and effort in South Alaska Peninsula Area, 2001 – 2009.

	Parallel		Federal		Total	
	<i>Pounds</i>	<i>Vessels</i>	<i>Pounds</i>	<i>Vessels</i>	<i>Pounds</i>	<i>Vessels</i>
<b>2001</b>	41,464	4	6,926,303	7	<b>6,967,767</b>	<b>11</b>
<b>2002</b>	0	0	4,970,988	5	<b>4,970,988</b>	<b>5</b>
<b>2003</b>	46,165	1	3,581,972	5	<b>3,628,138</b>	<b>6</b>
<b>2004</b>	4,237	1	3,753,762	3	<b>3,757,999</b>	<b>4</b>
<b>2005</b>	389,611	7	717,841	4	<b>1,107,451</b>	<b>11</b>
<b>2006</b>	172,487	4	1,726,567	4	<b>1,899,054</b>	<b>8</b>
<b>2007</b>	248,579	8	2,440,117	9	<b>2,688,696</b>	<b>17</b>
<b>2008</b>	347,604	10	3,852,805	6	<b>4,200,408</b>	<b>16</b>
<b>2009</b>	1,254,858	10	4,708,470	19	<b>5,963,328</b>	<b>29</b>

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

The intent of this proposal was to exclude longline gear from the South Alaska Peninsula Area parallel Pacific cod fishery. If adopted as written, this proposal would exclude longline gear from all current and future parallel fisheries (i.e., Atka mackerel, sharks, and skates) should they develop. Thus, the board may want to consider limiting the effects of this proposal to the parallel Pacific cod fishery only to avoid unforeseen conflicts with other parallel groundfish fisheries.

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

## **PROPOSAL 106 –5 AAC 28.570. Lawful Gear for South Alaska Peninsula Area**

**PROPOSED BY:** Dale Pederson.

**WHAT WILL THE PROPOSAL DO?** If adopted, this proposal would establish pot and jig gear as the only legal gear types in South Alaska Peninsula Area parallel groundfish fisheries. This proposal would also limit the amount of legal gear to no more than 60 pots or 5 mechanical jig machines.

**WHAT ARE THE CURRENT REGULATIONS?** Groundfish may be taken by pot, longline, jig, and trawl gear during WGOA parallel fisheries although most South Alaska Peninsula Area state-waters are closed to bottom trawling, 5 AAC 39.164. There are no restrictions on vessel size or the amount of gear permitted during South Alaska Peninsula Area WGOA parallel fisheries.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would prohibit longline and trawl vessels from participating in WGOA parallel groundfish fisheries (0 to 3 nm) within South Alaska Peninsula Area. Excluding longline and trawl gear from South Alaska Peninsula Area parallel Pacific cod fisheries may reduce the amount of Pacific cod harvested in state waters during some years. Gear limits imposed on pot and jig vessels would also likely reduce harvest in the parallel fishery.

During the 2009 WGOA Pacific cod A-season, longline vessels harvested approximately 1.2 million pounds or 20% of all Pacific cod harvested in the South Alaska Peninsula parallel fishery (Table 106-1). Prior to 2009, longline harvests of Pacific cod ranged from 0% to 6% of the total parallel fishery harvest. Harvest of Pacific cod by bottom trawl vessels in parallel fisheries varies significantly, ranging from 1% to 43% of the total annual harvest from 2001 to 2009 (Table 106-1).

If adopted, longline and bottom trawl vessels with federal fishing endorsements could continue to participate in the WGOA federal fishery (3 to 200 nm). Longline and bottom trawl vessels without federal fishing endorsements would be excluded entirely from the federal/parallel fishery within South Alaska Peninsula Area waters. However, the federal WGOA groundfish management area boundary extends into a portion of Chignik Management Area. Longline vessels excluded from the South Alaska Peninsula parallel fishery would not be excluded from fishing in a portion of the Chignik Area parallel fishery during the WGOA season. It is unknown how this proposal would effect Chignik Area parallel fishery effort and harvest.

Table 106-1.–Parallel fishery A-season harvest (pounds) and percent harvest by gear type in South Alaska Peninsula Area, 2001 – 2009.

	Bottom Trawl		Pot		Longline		Pelagic Trawl		Jig		Total Harvest
	Pounds	%	Pounds	%	Pounds	%	Pounds	%	Pounds	%	
<b>2001</b>	1,844,618	43%	2,386,092	55%	41,464	1%	34,054	1%	82	0%	<b>4,306,311</b>
<b>2002</b>	433,548	8%	4,736,692	91%	0	0%	34,183	1%	0	0%	<b>5,204,424</b>
<b>2003</b>	98,519	1%	10,023,803	98%	46,165	0%	62,186	1%	0	0%	<b>10,230,674</b>
<b>2004</b>	907,992	8%	9,595,164	89%	4,237	0%	7,838	0%	255,194	2%	<b>10,770,425</b>
<b>2005</b>	2,646,180	31%	5,386,487	63%	389,611	5%	20,294	0%	94,937	1%	<b>8,537,508</b>
<b>2006</b>	5,747,280	39%	8,550,044	58%	172,487	1%	355,225	2%	0	0%	<b>14,825,035</b>
<b>2007</b>	2,395,503	32%	4,889,408	64%	248,579	3%	65,840	1%	0	0%	<b>7,599,330</b>
<b>2008</b>	739,159	13%	4,398,986	80%	347,604	6%	10,459	0%	0	0%	<b>5,496,208</b>
<b>2009</b>	134,421	2%	4,753,336	77%	1,254,858	20%	46,982	1%	0	0%	<b>6,189,597</b>

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

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

The WGOA federal/parallel Pacific cod A season is fully harvested in most years. Currently, there are no restrictions for entry or participation in the South Alaska Peninsula Area parallel Pacific cod fishery. There are, additionally, no restrictions on the amount of Pacific cod that can be harvested from state waters. Most Pacific cod are harvested by pot and bottom trawl vessels, although longline harvests have increased in recent years (Table 106-1). Mechanical jig and pelagic trawl harvests are minimal, generally averaging less than 1% of the total catch combined (Table 106-2).



Table 106-2.—Federal/parallel fishery B-season harvest (pounds) and percentage of TAC harvested in South Alaska Peninsula Area, 2001 – 2009.

Year	Federal	Bottom	Pelagic			Jig	Total	Percent Harvested
	TAC	Trawl	Trawl	Longline	Pot			
2001	16,137,818	342,362	419,357	14,207	2,750,219	345,850	3,871,995	24%
2002	14,858,036	40,914	216,011	3,381,742	5,183,287	414,459	9,236,414	62%
2003	13,624,552	18,836	0	1,253,118	6,164,235	101,353	7,537,542	55%
2004	14,953,937	0	16,943	609,220	6,913,609	142,508	7,682,280	51%
2005	13,833,550	0	60,398	482,049	2,987,443	5,754	3,535,645	26%
2006	17,761,521	0	75,493	44,027	736,866	1,468	857,854	5%
2007	17,761,521	1,667	68,132	1,222,064	2,301,867	3,678	3,597,408	20%
2008	17,151,062	0	338,565	1,455,593	4,080,583	118,557	5,993,298	35%
2009 <sup>ab</sup>	14,264,112	37,426	325,304	2,359,289	4,179,941	392,314	7,294,274	51%

<sup>a</sup> Harvest reported on AFG&G fish tickets through November 1, 2009.

<sup>b</sup> 2009 WGOA federal/parallel Pacific cod B-season closed to directed fishing November 22 when B-season TAC achieved.

Gear restrictions during the parallel Pacific cod fishery may require additional department management staff and law enforcement oversight as gear limits would be different between parallel and federal waters. Pot vessels with federal Pacific cod fishing endorsements could simultaneously fish in both federal and state waters. In these situations, vessels would be allowed to operate unlimited amounts of gear in federal waters while restricted to no more than 60 pots while in state waters. Department buoy tags and increased law enforcement presence may be necessary to impose the 60 pot gear limit.

Dissimilar gear requirements between state and federal waters may have other unintended enforcement consequences. For example, a vessel actively fishing 60 pots in state waters would be in violation of state regulations if that vessel transited state waters (0 to 3 nm) with any additional groundfish pots, even if those pots were from federal waters and on the deck of the vessel. Similarly, there are jig gear limits for state-waters Pacific cod.

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council's action establishes Pacific cod allocations for 6 sectors in WGOA. The action is intended to enhance stability in the WGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery and eroding historic catch shares of those dependent on the GOA Pacific cod fisheries. Vessels not federally-permitted will continue to have access to the federal TAC in the state-waters parallel fishery.

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

The intent of this proposal is to implement pot and jig gear limits in the WGOA parallel Pacific cod fishery in South Alaska Peninsula Area. However, as written, this proposal would place pot and jig gear restrictions on all parallel groundfish fisheries in South Alaska Peninsula Area, including the parallel walleye pollock fishery. The parallel walleye pollock fishery is prosecuted using pelagic trawl gear and is managed

independently of the parallel Pacific cod fishery. Thus, the board may want to consider limiting the effects of this proposal to the parallel Pacific cod fishery to avoid unforeseen conflicts with other parallel groundfish fisheries.

Additionally, this proposal would limit legal gear types during A and B season parallel Pacific cod fisheries. The A season TAC is fully harvested in most years. In contrast, B season (starting September 1) TACs are not fully harvested in most years (Table 106-2). Inclement weather, poor market conditions, halibut bycatch restrictions, and high operating costs often limit B season harvests in the WGOA. Since B season TACs are not fully utilized in most years, the board should consider if further constraining B season parallel Pacific cod harvests in the WGOA is warranted.

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

**PROPOSAL 107 – 5 AAC 28.577 (b), (e), and (g). South Alaska Peninsula Area Pacific Cod Management Plan.**

**PROPOSED BY:** Alaska Peninsula Coastal Fisheries Association.

**WHAT WILL THE PROPOSAL DO?** As interpreted by the department, this proposal would 1) implement vessel and gear restrictions in the WGOA parallel Pacific cod fishery; 2) create a separate Pacific cod harvest quota for the WGOA parallel fishery; and 3) remove existing regulations that allow for late season management flexibility in the state-waters Pacific cod fishery.

In practice, vessel size restrictions, gear limits, and guideline harvest levels (GHL) would be the same for the WGOA parallel Pacific cod fishery and the South Alaska Peninsula Area state-waters Pacific cod fishery. This proposal also seeks to remove provisions within the *South Alaska Peninsula Management Plan* that allows the department to remove vessel size and gear limits, as well as relax area registration requirements after October 30 in the state-waters Pacific cod fishery if the commissioner determines the state-waters fishery GHL will not be reached by December 31. It is unclear if this proposal seeks to remove these provisions as they apply to the state-waters fishery or exclude these, or similar provisions, from applying to the WGOA parallel fishery should this proposal be adopted.

**WHAT ARE THE CURRENT REGULATIONS?** During WGOA parallel fisheries Pacific cod may be taken by pot, longline, jig, and trawl gear, although most state waters in South Alaska Peninsula Area are closed to bottom trawling, 5 AAC 39.164. There are no restrictions on vessel size or the amount of gear permitted during WGOA parallel fisheries in South Alaska Peninsula Area.

Annually, NPFMC adopts an acceptable biological catch (ABC) for Pacific cod in each of the three GOA management units (Eastern, Central, and Western). The ABC is primarily based on NMFS groundfish trawl surveys. Based on current survey data, 39% of the total GOA ABC is allocated to WGOA. The WGOA ABC is further apportioned into a total annual catch (TAC), which limits harvests in the federal/parallel fisheries, and a GHL, which limits harvests in the state-waters fisheries. NPFMC sets the federal/parallel fisheries TAC, while the board sets the South Alaska Peninsula Area GHL.

During the South Alaska Peninsula state-waters Pacific cod fishery, vessel size is restricted to a maximum length of 58 feet and gear is limited to 60 pots or 5 mechanical jig machines, 5 AAC 28.577.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would prohibit longline and trawl vessels from participating in WGOA parallel groundfish fisheries (0 to 3 nm) within South Alaska Peninsula Area. Excluding longline and trawl gear from South Alaska Peninsula Area parallel Pacific cod

fisheries may reduce the amount of Pacific cod harvested in state waters during some years.

This proposal would also exclude pot and jig vessels greater than 58 feet in length from the South Alaska Peninsula Area parallel Pacific cod fishery and limit allowable gear to no more than 60 pots and 5 jig machines. Limiting vessel size and allowable gear may reduce effort and harvest levels in state waters.

If adopted, this proposal would additionally create a separate Pacific cod allocation for the parallel fishery. Currently, WGOA federal/parallel Pacific cod fisheries are regulated using a single TAC. Provisions of this proposal would create a stand-alone TAC for parallel waters that would increase over time such that if the initial allocation of 15% of the WGOA ABC was reached in any calendar year, the TAC would increase beginning the next calendar year to 20% of the WGOA ABC. If the 20% TAC was reached in any calendar year after it had been implemented, the TAC would be increased beginning the next calendar year to the maximum 25% of the WGOA ABC. Creating a separate parallel waters TAC would restrict 50% of the total WGOA Pacific cod ABC to vessels under 58-feet in length, and to pot and jig gear only.

As written, this proposal would also remove existing provisions within the South Alaska Peninsula Area Pacific cod management plan that allow for late season management flexibility during the state-waters Pacific cod fishery. This action would have no effect on the parallel fishery as those provisions only apply to the state-waters fishery, which is prosecuted independent of the WGOA federal/parallel fishery.

Ultimately, this proposal would modify significant portions of the *South Alaska Peninsula Area Pacific Cod Management Plan* (5 AAC 28.577). Although the existing management plan addresses some parallel fisheries regulations, the intent of the management plan is to guide the South Alaska Peninsula Area state-waters Pacific cod fishery. This proposal may add uncertainty to the management plan by combining or overlapping provisions for the state-waters and parallel fisheries under a single set of regulations. In practice, the two fisheries are independent of one another and additional work and consideration is needed to develop management plans that address the unique characteristics of the parallel and state-waters fisheries.

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

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

The WGOA federal/parallel Pacific cod A season is fully harvested in most years. Currently, there are no restrictions for entry or participation in the WGOA Pacific cod parallel fishery. There are, additionally, no restrictions on the amount of Pacific cod that can be harvested during parallel fisheries. Traditionally, most Pacific cod are harvested by pot and bottom trawl vessels, although longline vessel harvests have steadily increased in recent years (Table 107-1). Mechanical jig and pelagic trawl harvests are minimal, generally averaging less than 1% of the total catch combined. In total, parallel Pacific cod harvests have ranged from 4.3 to 14.8 million pounds since 2001. On average, vessels 58 feet or smaller harvested approximately 80% of all Pacific cod taken in parallel waters during A season fisheries from 2001 to 2009.

Table 107-1.-Parallel fishery A-season harvest (pounds) and percent harvest by gear type in South Alaska Peninsula Area, 2001 – 2009.

	Bottom Trawl		Pot		Longline		Pelagic Trawl		Jig		Total Harvest
	Pounds	%	Pounds	%	Pounds	%	Pounds	%	Pounds	%	
<b>2001</b>	1,844,618	43%	2,386,092	55%	41,464	1%	34,054	1%	82	0%	<b>4,306,311</b>
<b>2002</b>	433,548	8%	4,736,692	91%	0	0%	34,183	1%	0	0%	<b>5,204,424</b>
<b>2003</b>	98,519	1%	10,023,803	98%	46,165	0%	62,186	1%	0	0%	<b>10,230,674</b>
<b>2004</b>	907,992	8%	9,595,164	89%	4,237	0%	7,838	0%	255,194	2%	<b>10,770,425</b>
<b>2005</b>	2,646,180	31%	5,386,487	63%	389,611	5%	20,294	0%	94,937	1%	<b>8,537,508</b>
<b>2006</b>	5,747,280	39%	8,550,044	58%	172,487	1%	355,225	2%	0	0%	<b>14,825,035</b>
<b>2007</b>	2,395,503	32%	4,889,408	64%	248,579	3%	65,840	1%	0	0%	<b>7,599,330</b>
<b>2008</b>	739,159	13%	4,398,986	80%	347,604	6%	10,459	0%	0	0%	<b>5,496,208</b>
<b>2009</b>	134,421	2%	4,753,336	77%	1,254,858	20%	46,982	1%	0	0%	<b>6,189,597</b>

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council’s action establishes Pacific cod allocations for 6 sectors in WGOA. The action is intended to enhance stability in the Western GOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery and eroding historic catch shares of those dependent on the GOA Pacific cod fisheries. Vessels not federally-permitted will continue to have access to the federal TAC in the state-waters parallel fishery.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Pending clarification, the department **OPPOSES** the aspects of this proposal that seek to limit inseason management flexibility as they apply to the state-waters Pacific cod fishery.

**COST ANALYSIS:** Approval of this proposal is expected to result in an additional direct cost for a private person to participate in this due to buoy tag purchases.

**PROPOSAL 108 –5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal would increase the South Alaska Peninsula Area annual Pacific cod guideline harvest level (GHL) from 25% to 50% of the total WGOA ABC.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, the South Alaska Peninsula Area state-waters Pacific cod fishery GHL is 25% of the estimated annual WGOA Pacific cod ABC, 5 AAC 28.577(e)(2).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The GHL for the state-waters Pacific cod fishery would increase from 25% to 50% of the federal WGOA ABC (Table 108-1). This proposal would restrict 50% of the WGOA Pacific cod ABC to vessels under 58-feet in length, and to pot and jig gear only. A redistribution of WGOA ABC would likely result in smaller harvests, shorter seasons, and increased competition among gear sectors during the WGOA federal/parallel Pacific cod fisheries. In contrast, additional GHL in the state-waters fishery may extend the length of the season and provide additional opportunity for vessels eligible to participate in the state-waters fishery.

Table 108-1.–Western Gulf of Alaska Pacific cod ABC current apportionment by fishery and proposed allocation by year, 2000 – 2009.

<b>Year</b>	<b>WGOA ABC (lbs)</b>	<b>75% WGOA Federal TAC (lbs)</b>	<b>25% SAP State Waters GHL (lbs)</b>	<b>Proposed 50/50 Split</b>
<b>2000</b>	60,627,050	45,470,288	15,156,763	<b>30,313,525</b>
<b>2001</b>	53,792,728	40,344,546	13,448,182	<b>26,896,364</b>
<b>2002</b>	49,526,788	37,145,091	12,381,697	<b>24,763,394</b>
<b>2003</b>	45,415,172	34,061,379	11,353,793	<b>22,707,586</b>
<b>2004</b>	49,846,458	37,384,844	12,461,615	<b>24,923,229</b>
<b>2005</b>	46,111,832	34,583,874	11,527,958	<b>23,055,916</b>
<b>2006</b>	59,205,070	44,403,803	14,801,268	<b>29,602,535</b>
<b>2007</b>	59,205,070	44,403,803	14,801,268	<b>29,602,535</b>
<b>2008</b>	57,170,206	42,877,654	14,292,551	<b>28,585,103</b>
<b>2009</b>	47,547,040	35,660,280	11,886,760	<b>23,773,520</b>

**BACKGROUND:** *This proposal was previously considered by the board during the 2006/2007 meeting cycle. It was tabled to the Joint Board/Council Protocol Committee for additional review and scheduled for action during the 2009/2010 meeting cycle.*

NPFMC annually adopts an ABC for Pacific cod in each of the three GOA management units (Eastern, Central, and Western). The ABC is primarily based on NMFS groundfish trawl surveys. Based on current survey data, 39% of the total GOA ABC is allocated to WGOA. WGOA ABC is further apportioned into a TAC which limits harvests in the federal/parallel fisheries, and a GHL which limits harvests in the state-waters fisheries.

NPFMC sets the federal/parallel fisheries TAC, while board sets the South Alaska Peninsula Area GHL.

In 1996, the board adopted state-waters Pacific cod management plans for fisheries in five management areas, including South Alaska Peninsula Area, 5 AAC 28.081. The initial harvest level for South Alaska Peninsula Area was set at 15% of the WGOA ABC. The percentage allocated from the WGOA ABC to South Alaska Peninsula Area was designed to increase over time such that if the 15% GHL was reached in any calendar year, the GHL would increase beginning the next calendar year to 20% of the WGOA ABC. If the 20% GHL was reached in any calendar year after it had been implemented, the GHL would be increased beginning the next calendar year to the maximum 25% of the WGOA ABC. The South Alaska Peninsula Area fishery achieved the final GHL step-up increment in 2000.

The state-waters season opens seven days after the WGOA federal/parallel fishery closes. South Alaska Peninsula Area state-waters seasons typically open each year during the month of March. Currently, 85% of the South Alaska Peninsula Pacific cod GHL is allocated to the pot gear, while 15% of the GHL is managed for jig gear. Overall, the total South Alaska Peninsula Area state-waters Pacific cod GHL has been fully harvested in most years (Table 108-2). However, since 2004, jig harvests totaled less than the 15% of the jig GHL management target, resulting in either reallocation of GHL to the pot fleet or minor amounts of foregone harvest (Figure 108-1). Pot vessel allocations have been achieved every year since the final GHL step-up increment in 2000. Since that time, the length of the state-waters season for pot vessels has averaged approximately three weeks. The total exvessel value of the fishery has ranged from \$2.8 million to over \$7.5 million since 2000 (Table 108-2).

Table 108-2.–South Alaska Peninsula Area state-waters Pacific cod fishery GHL, fishery dates, effort, and value by year, 2000 – 2009.

	<b>State-Waters GHL (lbs)</b>	<b>Season Start Date</b>	<b>Season End Date</b>	<b>Total Harvest</b>	<b>Total Vessels</b>	<b>Exvessel Value (\$)</b>	<b>Price Per Pound (\$)</b>
<b>2000</b>	15,156,763	11-Mar	8-Apr	15,044,104	93	4,362,790	0.29
<b>2001</b>	13,448,182	6-Mar	13-Apr	13,463,726	124	3,365,931	0.25
<b>2002</b>	12,381,697	5-Mar	24-Mar	12,716,283	116	2,797,582	0.22
<b>2003</b>	11,353,793	24-Feb	11-Mar	11,560,663	106	3,121,379	0.27
<b>2004</b>	12,461,615	2-Mar	24-Mar	12,442,442	95	2,986,186	0.24
<b>2005</b>	11,527,958	3-Mar	24-Mar	11,436,172	78	2,859,043	0.25
<b>2006</b>	14,801,268	9-Mar	29-Mar	11,715,820	55	4,217,695	0.36
<b>2007</b>	14,801,268	15-Mar	17-Apr	12,678,151	60	5,958,731	0.47
<b>2008</b>	14,292,551	7-Mar	1-Apr	13,262,149	99	7,559,425	0.57
<b>2009</b>	11,886,760	4-Mar	4-Apr	11,528,904	71	3,112,804	0.27

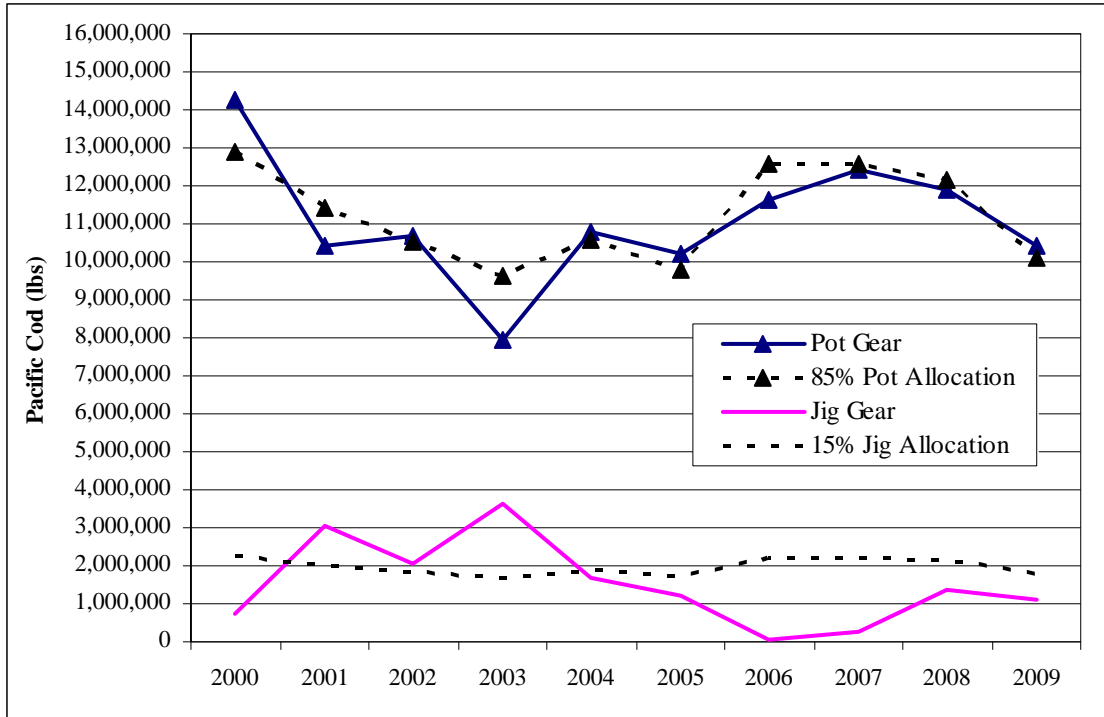


Figure 108-1.–Harvest and allocation of Pacific cod by gear type and year, 2000 – 2009.

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council’s action establishes Pacific cod allocations for 6 sectors in the WGOA. The action is intended to enhance stability in the Western GOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery and eroding historic catch shares of those dependent on the GOA Pacific cod fisheries. Vessels not federally-permitted will continue to have access to the federal TAC in the state-waters parallel fishery.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this allocative proposal. However, this proposal would effectively double the amount of Pacific cod available to the jig fleet at a time when the existing GHL is not fully harvested. If adopted, the department would need guidance from the board regarding GHL allocations between pot and jig gear to ensure full utilization of South Alaska Peninsula Area Pacific cod resources.

**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 109 – 5 AAC 28.577(e). South Alaska Peninsula Area Pacific Cod Management Plan.**

**PROPOSED BY:** King Cove Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal would increase the South Alaska Peninsula Area annual Pacific cod guideline harvest level (GHL) from 25% to 50% of the total WGOA ABC.

**WHAT ARE THE CURRENT REGULATIONS?** Currently the South Alaska Peninsula Area state-waters Pacific cod fishery GHL is 25% of the estimated annual WGOA Pacific cod ABC, 5 AAC 28.577(e)(2).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The GHL for the state-waters Pacific cod fishery would increase from 25% to 50% of the federal WGOA ABC (Table 109-1). This proposal would restrict 50% of the WGOA Pacific cod ABC to vessels under 58-feet in length, and to pot and jig gear only. A redistribution of the WGOA ABC would likely result in smaller harvests, shorter seasons, and increased competition among gear sectors during the WGOA federal/parallel Pacific cod fisheries. In contrast, additional GHL in the state-waters fishery may extend the length of the season and provide additional opportunity for vessels eligible to participate in the state-waters fishery.

Table 109-1.–Western Gulf of Alaska Pacific cod ABC current apportionment by fishery, and proposed allocation by year, 2000 – 2009.

<b>Year</b>	<b>WGOA ABC (lbs)</b>	<b>75% WGOA Federal TAC (lbs)</b>	<b>25% SAP State Waters GHL (lbs)</b>	<b>Proposed 50/50 Split</b>
<b>2000</b>	60,627,050	45,470,288	15,156,763	<b>30,313,525</b>
<b>2001</b>	53,792,728	40,344,546	13,448,182	<b>26,896,364</b>
<b>2002</b>	49,526,788	37,145,091	12,381,697	<b>24,763,394</b>
<b>2003</b>	45,415,172	34,061,379	11,353,793	<b>22,707,586</b>
<b>2004</b>	49,846,458	37,384,844	12,461,615	<b>24,923,229</b>
<b>2005</b>	46,111,832	34,583,874	11,527,958	<b>23,055,916</b>
<b>2006</b>	59,205,070	44,403,803	14,801,268	<b>29,602,535</b>
<b>2007</b>	59,205,070	44,403,803	14,801,268	<b>29,602,535</b>
<b>2008</b>	57,170,206	42,877,654	14,292,551	<b>28,585,103</b>
<b>2009</b>	47,547,040	35,660,280	11,886,760	<b>23,773,520</b>

**BACKGROUND:** NPFMC annually adopts an ABC for Pacific cod in each of the three GOA management units (Eastern, Central, and Western). The ABC is primarily based on NMFS groundfish trawl surveys. Based on current survey data, 39% of the total GOA ABC is allocated to the WGOA. The WGOA ABC is further apportioned into a TAC which limits harvests in the federal/parallel fisheries, and a GHL which limits harvests in the state-waters fisheries. NPFMC sets the federal/parallel fisheries TAC, while the board sets South Alaska Peninsula Area GHL.

In 1996, the board adopted state-waters Pacific cod management plans for fisheries in five management areas, including South Alaska Peninsula Area, 5 AAC 28.081. The

initial harvest level for South Alaska Peninsula Area was set at 15% of the WGOA ABC. The percentage allocated from the WGOA ABC to South Alaska Peninsula Area was designed to increase over time such that if the 15% GHL was reached in any calendar year, the GHL would increase beginning the next calendar year to 20% of the WGOA ABC. If the 20% GHL was reached in any calendar year after it had been implemented, the GHL would be increased beginning the next calendar year to the maximum 25% of the WGOA ABC. South Alaska Peninsula Area fishery achieved the final GHL step-up increment in 2000.

The state-waters season opens seven days after the WGOA federal/parallel fishery closes. South Alaska Peninsula Area state-waters seasons typically open each year during the month of March. Currently, 85% of the South Alaska Peninsula Pacific cod GHL is allocated to the pot gear, while 15% of the GHL is managed for jig gear. Overall, the total South Alaska Peninsula Area state-waters Pacific cod GHL has been fully harvested in most years (Table 109-2). However, since 2004, jig harvests totaled less than the 15% jig GHL management target resulting in either reallocation of GHL to the pot fleet or minor amounts of foregone harvest (Figure 109-1). Pot vessel allocations have been achieved every year since the final GHL step-up increment in 2000. Since that time, the length of the state-waters season for pot vessels has averaged approximately three weeks. The total exvessel value of the fishery has ranged from \$2.8 million to over \$7.5 million since 2000 (Table 109-2).

Table 109-2.–South Alaska Peninsula Area state-waters Pacific cod fishery GHL, fishery dates, effort, and value by year, 2000 – 2009.

	<b>State-Waters GHL (lbs)</b>	<b>Season Start Date</b>	<b>Season End Date</b>	<b>Total Harvest</b>	<b>Total Vessels</b>	<b>Exvessel Value (\$)</b>	<b>Price Per Pound (\$)</b>
<b>2000</b>	15,156,763	11-Mar	8-Apr	15,044,104	93	4,362,790	0.29
<b>2001</b>	13,448,182	6-Mar	13-Apr	13,463,726	124	3,365,931	0.25
<b>2002</b>	12,381,697	5-Mar	24-Mar	12,716,283	116	2,797,582	0.22
<b>2003</b>	11,353,793	24-Feb	11-Mar	11,560,663	106	3,121,379	0.27
<b>2004</b>	12,461,615	2-Mar	24-Mar	12,442,442	95	2,986,186	0.24
<b>2005</b>	11,527,958	3-Mar	24-Mar	11,436,172	78	2,859,043	0.25
<b>2006</b>	14,801,268	9-Mar	29-Mar	11,715,820	55	4,217,695	0.36
<b>2007</b>	14,801,268	15-Mar	17-Apr	12,678,151	60	5,958,731	0.47
<b>2008</b>	14,292,551	7-Mar	1-Apr	13,262,149	99	7,559,425	0.57
<b>2009</b>	11,886,760	4-Mar	4-Apr	11,528,904	71	3,112,804	0.27

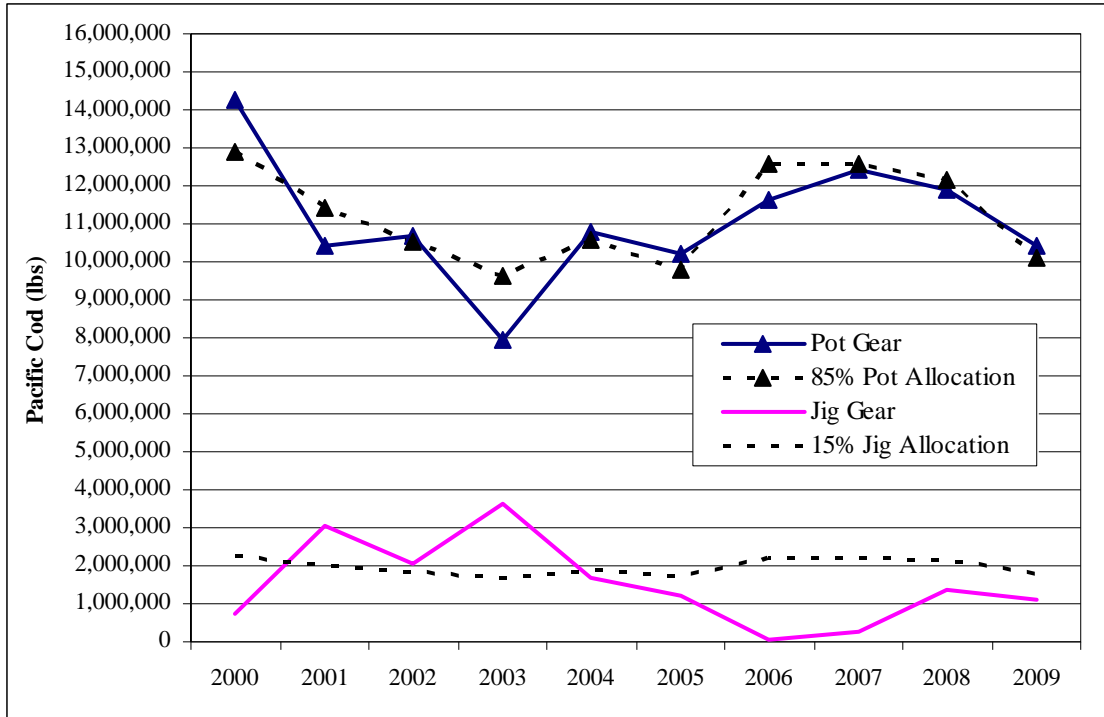


Figure 109-1.–Harvest and allocation of Pacific cod by gear type and year, 2000 – 2009.

NPFMC took final action in December to establish sector allocations of Pacific cod in the WGOA management area. The Council’s action establishes Pacific cod allocations for six sectors in WGOA. The action is intended to enhance stability in the WGOA Pacific cod fisheries, reduce competition among the sectors, and preserve historic distribution of catch among sectors. The action also includes a provision to preclude federally-permitted vessels that do not have LLP licenses from participating in the GOA Pacific cod parallel fishery and eroding historic catch shares of those dependent on the GOA Pacific cod fisheries. Vessels not federally-permitted will continue to have access to the federal TAC in the state-waters parallel fishery.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this allocative proposal. However, this proposal would effectively double the amount of Pacific cod available to the jig fleet at a time when the existing GHL is not fully harvested. If adopted, the department would need guidance from the board regarding GHL allocations between pot and jig gear to ensure full utilization of South Alaska Peninsula Area Pacific cod resources.

**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 110 –5 AAC 28.577. South Alaska Peninsula Area Pacific Cod Management Plan.**

**PROPOSED BY:** King Cove Advisory Committee.

**WHAT WILL THE PROPOSAL DO?** Require vessels to stand down seven days between the closure of the BSAI federal/parallel Pacific cod season and entry into the South Alaska Peninsula Area state-waters Pacific cod season.

**WHAT ARE THE CURRENT REGULATIONS?** By regulation, the South Alaska Peninsula Area state-waters fishery opens seven days after the closure of the WGOA federal/parallel Pacific cod fishery, 5 AAC 28.577. There is no stand down period between the BSAI federal/parallel fishery and the South Alaska Peninsula Area state-waters fishery. The WGOA and BSAI federal/parallel A season Pacific cod fisheries open annually on January 1.

Vessels participating in the South Alaska Peninsula state-waters fishery are limited to 58 feet in length or less and pot and jig gear only, 5 AAC 28.577. South Alaska Peninsula Area vessel registration is required for all vessels prior to fishing in the state-waters fishery.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** In some years, this proposal may delay or exclude eligible vessels from participating in the South Alaska Peninsula state-waters fishery. Vessels that voluntarily choose to leave the BSAI fishery before their gear sector is closed to directed fishing could not register to participate in the South Alaska Peninsula state-waters fishery until their BSAI sector closed. Delaying entry or excluding BSAI vessels from entering the South Alaska Peninsula state-waters fishery may reduce competition among current participants, as well as prevent vessels that have not historically participated from entering the state-waters fishery.

**BACKGROUND:** The South Alaska Peninsula Area state-waters Pacific cod fishery is an exclusive registration area fishery. Once a vessel registers for South Alaska Peninsula Area, it cannot be registered to fish for Pacific cod in any other exclusive or super-exclusive registration area in the state for the remainder of that calendar year. Area registration requirements do not apply to the federal/parallel fisheries. Vessels using pot gear are restricted to a maximum of 60 pots. Buoy tags, supplied by the department during registration, must be attached to all pot gear operated during the state-waters season.

Beginning in 2003, Pacific cod resources were allocated among the various gear types and fishing operations (sectors) in the BSAI federal/parallel fishery. Under this program, catcher vessels under 60 feet in length using fixed gear (pot and longline) are allocated a unique portion of the BSAI Pacific cod TAC each year. When the under 60 foot TAC is harvested, that sector is closed to directed fishing even though the BSAI area may remain

open to other gear sectors. Thus, there is no common closure date for the entire BSAI area as there is for WGOA.

Prior to 2007, the BSAI under 60 foot fixed gear sector closed to fishing after the South Alaska Peninsula Area state-waters season ended. Under the conditions of this proposal, all BSAI vessels would have been excluded during 2003 – 2006 from participating in the state managed fishery. From 2007 to 2009, the BSAI fishery closed before the South Alaska Peninsula season ended, and fishing time would have ranged from 3 to 12 days (Table 110-1) under this proposal.

Table 110-1.–BSAI and South Alaska Peninsula Area (SAP) fishery dates and proposed fishing opportunities by year, 2003 – 2009.

<b>Year</b>	<i>BSAI</i> Federal < 60' Catcher Vessel Season	<b>South Alaska Peninsula</b> State-Waters Season		Proposed <b>SAP</b> Fishing Opportunity
	<b>Close Date</b>	<b>Open Date</b>	<b>Close Date</b>	<b>Fishing Days</b>
2003	22-Apr	24-Feb	11-Mar	None
2004	31-Dec	2-Mar	24-Mar	None
2005	19-Apr	3-Mar	24-Mar	None
2006	17-Apr	9-Mar	29-Mar	None
2007	30-Mar	15-Mar	17-Apr	11
2008	21-Mar	7-Mar	1-Apr	3
2009	16-Mar	4-Mar	4-Apr	12

Prior to 2007, Pacific cod harvested by vessels that fished in the BSAI fishery prior to participating in the South Alaska Peninsula state-waters fishery were minimal (Table 110-2). Beginning in 2007, this trend reversed and harvests increased significantly. From 2007 to 2009 harvests ranged between 822 thousand and 3 million pounds representing between 6% and 24% of the total South Alaska Peninsula Area state-waters Pacific cod harvest. Between 8 and 11 BSAI vessels participated in the fishery during this time.

Table 110-2.–Harvest of Pacific cod in the South Alaska Peninsula (SAP) state-waters fishery by vessels that also participated in the BSAI federal/parallel fishery by year, 2003 – 2009.

	<b>Jig Harvest</b> (lbs)	<b>Pot Harvest</b> (lbs)	<b>Total Harvest</b>	<b>SAP GHL</b>	<b>Percent Harvest</b>	<b>Number Vessels</b>
<b>2003</b>	2,472	62,763	65,235	11,560,663	1%	3
<b>2004</b>	<i>Confidential Information</i>					
<b>2005</b>	0	0	0	11,436,172	0%	0
<b>2006</b>	0	0	0	11,715,820	0%	0
<b>2007</b>	170	3,041,434	3,041,604	12,678,151	24%	10
<b>2008</b>	2,401	819,482	821,883	13,262,149	6%	11
<b>2009</b>	117,866	1,384,200	1,502,066	11,497,941	13%	8

\* Through September 1, 2009.

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

The intent of this proposal is to implement a stand down period for pot gear vessels that participate in the BSAI federal/parallel fishery. However, this proposal would additionally impose a stand down requirement for jig vessels. The BSAI jig sector TAC has not been harvested and the jig sector season has not been closed since sector allocations were created in 2003. If adopted, any jig vessels that participate in the BSAI federal/parallel fishery would likely be excluded from the South Alaska Peninsula Area state-waters fishery. Currently, jig harvests in both management areas (BSAI and South Alaska Peninsula) are relatively minor (Table 110-2) and those vessels typically alternate between the two areas based on prevailing weather conditions. Given jig sector allocations of Pacific cod in both areas are not fully exploited in most years, this proposal may impose unnecessary restrictions on jig vessels and the board may want to consider if further restricting jig harvests is warranted.

**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 111 – 5 AAC 28.650. Closed Waters in the Bering Sea-Aleutian Islands Area.**

**PROPOSED BY:** Unalaska/Dutch Harbor Fish and Game Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to close the waters of Unalaska Bay south of a line from 54° 00.314' N latitude, 166° 37.674' W longitude to 54° 00.50' N latitude, 166° 22.50' W longitude to commercial fishing for groundfish with trawl gear.

**WHAT ARE THE CURRENT REGULATIONS?** Current parallel fishery regulations, implemented by the global emergency order, allow for harvest of groundfish in state waters of Unalaska Bay using pelagic trawl gear provided that there is a fishery employing that gear type concurrently open in adjacent federal waters.

Waters of Unalaska Bay enclosed by a line from Cape Cheerful (54° 01' N latitude, 166° 40' W longitude) to Cape Kalekta (54° 00.50' N latitude, 166° 22.50' W longitude) are closed to fishing with non-pelagic trawl gear (5 AAC 39.164 (b) (4) (B)) (Figure 111-1).

Vessels participating in the federal/parallel walleye pollock fishery using pelagic trawl gear are required to have observer coverage (5 AAC 28.053) for 30% of their fishing days if the vessel is less than 125 feet in overall length (OAL), and observer coverage for 100% of their fishing days if the vessel is greater than or equal to 125 feet OAL. In addition, a vessel participating in the federal/parallel walleye pollock fishery is required to carry an active vessel monitoring system.

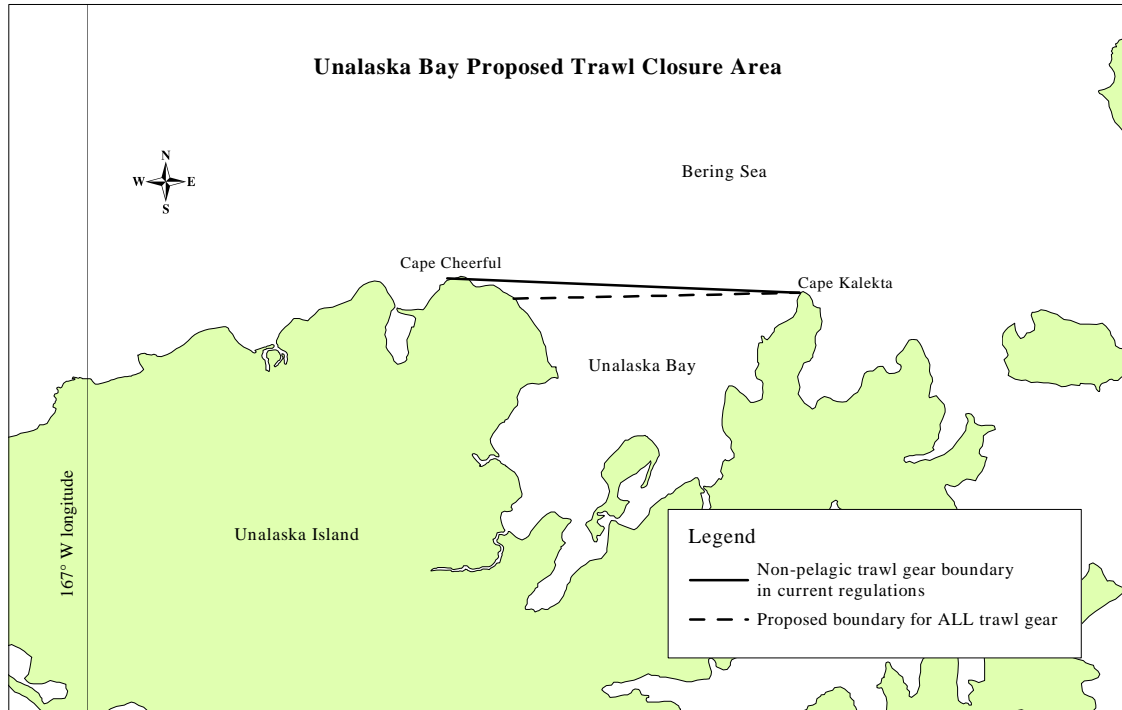


Figure 111-1.—Map depicting Unalaska Bay with existing non-pelagic trawl gear boundary and proposed boundary for all trawl gear.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal were adopted Unalaska Bay would be closed to groundfish fishing with trawl gear.

Since 2004, a maximum of 19 vessels have fished in Unalaska Bay with pelagic trawl gear during a single season (Table 111-1). From 2004 to 2008 walleye pollock harvest in Unalaska Bay has ranged from 405 tons in 2006 (0.03% of BSAI total) to 5,705 tons in 2004 (0.44% of BSAI total) (Table 111-1). If this proposal is adopted, these vessels would be displaced to other fishing areas. The effect of that displaced fishing effort is unknown.

Table 111-1.—Bering Sea/Aleutian Islands walleye pollock harvest with Unalaska Bay component separated, 2004-2008.

Year	Unalaska Bay		Bering Sea / Aleutian Islands		Percent of Unalaska Bay to BSAI Harvest
	Harvest	Vessels	Harvest	Vessels	
2004	5,705	19	1,286,763	114	0.44%
2005	1,017	11	1,296,679	111	0.08%
2006	405	8	1,305,048	109	0.03%
2007	1,877	12	1,184,231	110	0.16%
2008	CF	6	860,738	108	CF

Note: CF = confidential. Harvest shown in metric tons.



**BACKGROUND:** State-waters of Unalaska Bay are open to trawling for walleye pollock with pelagic trawl gear during the federal/parallel B season which may run from June 10 through November 1. Unalaska Bay waters are part of the federal South Bering Sea Pollock Restriction Area and are closed to fishing for walleye pollock during the A season.

Pelagic trawl gear typically has a lower crab bycatch rate than is observed with non-pelagic gear. Walleye pollock trawlers fishing in Unalaska Bay caught an estimated total of 29 Tanner crabs from 2004-2007. In addition to Tanner crabs, trawl vessels were estimated to have taken 17 tons of Pacific salmon and 26 tons of Pacific herring as bycatch in that same period of time (Table 111-2).

Table 111-2.–Walleye pollock harvest and associated bycatch from trawl gear in Unalaska Bay, 2004-2008. Source: ADF&G fish ticket database.

Year	Walleye Pollock	Tanner Crab	Pacific Salmon	Pacific Herring	Pacific Halibut
2004	5,705	NA	10	1	<1
2005	1,017	0	2	10	<1
2006	405	<1	<1	12	<1
2007	1,877	<1	5	2	<1
2008	CF	CF	CF	CF	CF

*Note:* CF = Confidential; NA = Not Available. Harvest shown in metric tons.

Unalaska Bay supports subsistence and commercial fisheries for salmon, halibut, herring, crab, and groundfish. These fisheries are usually prosecuted by smaller vessels using longline, pot, gillnet, and purse seine gear. The department has received anecdotal reports from subsistence and commercial fishermen using longline and pot gear who have experienced gear conflicts with walleye pollock trawlers in Unalaska Bay and have lost fishing gear or been forced out of desirable, nearshore fishing areas.

Sockeye and coho salmon runs returning to Unalaska Bay streams are relatively small and fully exploited by local fisheries. Current restrictions in sport fishing regulations include partial to complete drainage closures for several streams and conservative area wide bag limits applied to both marine and fresh water harvests.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but **SUPPORTS** management measures that reduce bycatch and gear conflicts. If the board were to adopt this proposal, it may wish to consider aligning the pelagic trawl closure boundary with the current non-pelagic trawl closure boundary for Unalaska Bay.

**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 112 – 5 AAC 28.632. Groundfish Pot Storage Requirements for Bering Sea-Aleutian Islands Area.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to amend the current groundfish pot storage requirements for BSAI Area to include a specific amount of time that a vessel operator is allowed to leave pot gear in deep-water storage before moving to long-term storage following a fishery closure.

**WHAT ARE THE CURRENT REGULATIONS?** Current regulations state that during the closed season, groundfish pots must either be removed from the water or stored in waters no more than 25 fathoms deep (5 AAC 28.632). Stored pots must be unbaited and have the doors secured open. Regulations do not define how long a vessel operator has after the closure of a fishery to comply with the pot gear storage regulations.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, vessel operators would be allowed seven days after the closure of a state-waters or parallel groundfish fishery to remove unbaited groundfish pot gear from the water or store the pot gear in waters no more than 25 fathoms deep.

**BACKGROUND:** Most fisheries in Westward Region employing pot gear are structured so that at the time of the fishery closure, all pot gear must be unbaited with the doors secured open. In addition, vessel operators are permitted a specific amount of time to remove that unbaited gear from the fishing grounds and store it on land or in a designated long-term wet storage area.

In BSAI, a specific amount of time to move unbaited gear off the fishing grounds into long-term storage is not currently specified in regulation. This regulatory oversight creates a situation where fishermen must have all of their pot gear out of the water or in designated wet storage at the time of the fishery closure. The unintended effect of the current storage regulation is that fishermen are not able to utilize all of the fishing time available to them. To address this problem, and to be consistent throughout the region, the department has allowed fishermen, by policy, to store unbaited pot gear in deep water immediately after the closure of the fishery and move it into designated long-term storage areas within several days of the closure. Adoption of this proposal would specify long and short-term groundfish pot storage requirements for fishermen, enforcement personnel, and the department.

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

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

**PROPOSAL 113 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to clarify in regulation that groundfish pots may be longlined in the Aleutian Islands District state-waters Pacific cod fishery.

**WHAT ARE THE CURRENT REGULATIONS?** Current regulations specify that Pacific cod may be taken with groundfish pots, mechanical jigging machines, longline, non-pelagic trawl gear, and hand troll gear (5 AAC 28.647). Longlining of pot gear is not addressed in the current regulation.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If this proposal is adopted, regulations would reflect the currently allowed practice of longlining pot gear.

**BACKGROUND:** The Aleutian Islands District state-waters Pacific cod fishery began in 2006 and is open to mechanical jigging machines, longline gear, non-pelagic trawl gear, hand troll gear, as well as groundfish pots. Since the fishery began, fishermen have been allowed to longline their pots or fish them in a single-pot fashion to comport with parallel rules for pot gear in the Aleutian Islands Pacific cod parallel fishery.

The number of vessels using longlined or single pot gear in this fishery is shown in Table 113-1. Pot vessel participation has ranged from zero pot vessels in the 2009 B season to eight pot vessels in the 2008 B season. In all instances, except for the 2007 A season, at least half of the participating pot vessels longlined their pots.

Table 113-1.—Participation and harvest for vessels utilizing longline and single pot gear in the Aleutian Islands District state-waters Pacific cod fishery.

Year	Season	Number of Longline-Pot Vessels	Number of Single-Pot Vessels	Total Pot Vessels
2006	A	1	0	1
	B	2	0	2
2007	A	2	4	7 <sup>a</sup>
	B	3	1	5 <sup>a</sup>
2008	A	2	2	6 <sup>b</sup>
	B	5	2	8 <sup>a</sup>
2009	A	4	0	4
	B	0	0	0

<sup>a</sup> Data not available for one vessel.

<sup>b</sup> Data not available for two vessels.

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

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

**PROPOSAL 114 – 5 AAC 28.647. Aleutian Islands District Pacific Cod Management Plan.**

**PROPOSED BY:** Daniel T. Gunn.

**WHAT WOULD THE PROPOSAL DO?** This proposal would allow pot vessels 100 feet or less in overall length (OAL) to participate in the Aleutian Islands District state-waters Pacific cod B season if less than 50% of the available GHL has been harvested by August 1.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 28.647(d)(3)(B) limits the size of vessels to take Pacific cod in the Aleutian Islands District Pacific cod B season to 60 feet OAL for all gear types.

**WHAT WOULD BE THE EFFECT IF THIS PROPOSAL WERE ADOPTED?** If this proposal is adopted, pot gear vessels 100 feet or less OAL could harvest Pacific cod in the Aleutian Islands District B season if less than 50% of the available B season GHL has been harvested by August 1.

Under current vessel size limits, the department is able to effectively manage the fishery inseason and would be able to continue doing so if the board were to adopt this proposal.

**BACKGROUND:** The harvest level for the state-waters Pacific cod fishery is based on three percent of the federal BSAI Pacific cod ABC. The state-waters guideline harvest level is apportioned 70% to the A season and 30% to the B season. The harvest history by A and B season is provided in Table 114-1. Any harvest remaining from the A season is rolled into the B season. The state-waters fishery A season opens after the initial parallel/federal Pacific cod catcher-vessel trawl sector season is closed, and remains open until the state-waters A season GHL is attained, or no later than June 9. Beginning June 10, the state-waters B season opens and remains open until the B season GHL is reached or on September 1, when the parallel/federal catcher-vessel pot fishery season for vessels over 60 feet OAL opens. If adequate state-waters GHL is available after the closure of the parallel/federal Pacific cod catcher-vessel pot season for vessels over 60 feet OAL closes, then the B season state-waters fishery re-opens.

Since the fishery began in 2006, pot vessels in the B season have ranged from 58 feet to 125 feet OAL, with an average length of 97 feet OAL (Table 114-2). Considering all gear types in the B season, vessel size has ranged from 34 feet to 125 feet OAL, averaging 66 feet OAL.

The 2009 season was the first year that the state-waters B season was restricted to vessels 60 feet or less. Prior to 2009 pot vessels in the B season could be up to 125 feet in length. As of November 15, 2009 no pot vessel has participated in the B season, and all harvest has been taken by longline and jig gear. The 2009 B season GHL is 6.3 million pounds. The B season harvest is confidential, but harvest is expected to be well under the GHL.

From 2006-2009, an average of 4 pot vessels participated in the B season (Table 114-2). From 2006-2009, during the B season, an average of 23% of the fleet are pot vessels over 100 feet OAL and 8% are pot vessels between 60 feet and 100 feet OAL. Pot vessels in the 60 – 100 feet size range harvested 7% of the B season total harvest since the fishery began. Pot vessels over 100 feet OAL accounted for 64% of the B season harvest since the fishery began in 2006.

In 2008, B season vessels utilizing pot gear ranged from 58 feet to 125 feet OAL, with an average length of 94 feet OAL (Table 114-2). During 2008 B season, pot vessels took 89% of the total Pacific cod harvest. The 2008 B season closed on July 9 and the GHL was achieved.

In 2006, the Aleutian Islands state-waters Pacific cod B season was closed by regulation on September 1 and 3.5 million pounds of the remaining GHL was made available for harvest in federal/parallel fisheries (Table 114-1). Harvest data for the 2006 state-waters B season is confidential due to limited processor participation.

The 2007 B season GHL was not achieved by the September 1 closure and was re-opened on October 1. The 2007 season closed on December 3 with the GHL essentially achieved.

Table 114-1.—Aleutian Islands District state-waters Pacific cod fishery guideline harvest level (GHL) and harvest apportionment, 2006 - 2009.

Year	Season	Season Dates		Season Length <sup>a</sup>	Initial GHL <sup>b</sup>	Harvest <sup>b</sup>	% of GHL Harvested
		Opened	Closed				
2006	A season	15-March	24-March	9	8,981,540	8,502,781	95%
	B season	10-June	1-Sep	83	3,849,232 <sup>c</sup>	CF	CF
	TOTAL			92	12,830,772	CF	CF
2007	A season	16-March	23-March	7	8,148,202	8,229,931	101%
	B season	10-June	1-Sep	83	3,492,086 <sup>d</sup>	2,143,310	
		1-Oct	3-Dec	63		1,265,760	98%
TOTAL			153	11,640,288	11,639,001	100%	
2008	A season	10-March	18-March	8	8,148,202	7,477,507	92%
	B season	10-June	9-July	29	3,492,086 <sup>e</sup>	4,241,692	121%
	TOTAL			37	11,640,288	11,719,199	101%
2009	A season	25-March	1-April	7	8,425,981	1,705,157	
		7-April	9-June	64		4,032,140	68%
	B season	10-June	1-Sept <sup>f</sup>	83	3,611,135 <sup>g</sup>	CF	CF
TOTAL				12,037,116	CF	CF	

Note: CF = Confidential.

<sup>a</sup> In days.

<sup>b</sup> In whole pounds.

<sup>c</sup> ADF&G made 3.5 million pounds of the GHL available to NMFS effective on September 1.

<sup>d</sup> 81,729 pounds were deducted from the B season due to an overage during the A season. As a result, the GHL at the opening of the B season was 3,410,357 pounds.

<sup>e</sup> 669,288 pounds remained from the A season and was rolled into the B season. As a result, the GHL at the opening of the B season was 4,161,374 pounds.

<sup>f</sup> GHL had not been caught as of the regulatory September 1 closure and is not expected to re-open in 2009.

<sup>g</sup> 2,688,684 million pounds rolled over into the B season, for a GHL of 6,267,267 pounds.

Table 114-2.—Aleutian Islands District state-waters B season Pacific cod fishery fleet and harvest composition.

Year	Vessel type	Number Participating	Average Length	Number of catcher vessels	Number of catcher-processors	% of Harvest
2006	Pot vessel over 100'	2	103'	1	1	CF
	Other vessels under 60'	3	54'	3	0	CF
	TOTAL	5	73'	4	1	
2007	Pot vessels 60' and under	1	58'	1	0	CF
	Pot vessels between 60' and 100'	1	90'	1	0	CF
	Pot vessels over 100'	3	115'	0	3	CF
	Other vessels under 60'	7	52'	7	0	30%
	TOTAL POT VESSELS	5	99'	2	3	70%
	TOTAL <sup>a</sup>	12	72'	9	3	
2008	Pot vessels 60' and under	2	59'	2	0	CF
	Pot vessels between 60' and 100'	2	95'	1	1	CF
	Pot vessels over 100'	4	112'	1	3	69%
	Other vessels under 60'	10	45'	9	1	11%
	TOTAL POT VESSELS	8	94'	4	4	89%
	TOTAL <sup>b</sup>	18	67'	13	5	
2009	TOTAL POT VESSELS	0	NA	0	0	0%
	OTHER VESSELS <sup>b</sup>	5	47'	5	0	100%
	TOTAL <sup>a</sup>	5	47'	5	0	

Note: OAL = Vessel length in overall length; CF = Confidential.

<sup>a</sup> One vessel used both longline and jig gear.

<sup>b</sup> Two vessels used both longline and jig gear.

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

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



## **COMMITTEE B: SALMON: GEAR REQUIREMENTS, JUNE, AND POST JUNE FISHERIES**

### **20 Proposals**

#### **GEAR EQUIPMENT**

##### **PROPOSAL 160 – 5 AAC 09.331(b)(5). Gillnet specifications and operations.**

**PROPOSED BY:** Edgar Smith.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to increase the length of leads used with set gillnets to 50 fathoms. In addition, this proposal provides mesh size and depth requirements for gillnet leads and a new definition of where the shoreward end of a lead may be attached.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.331(b)(5) allows use of 10 fathoms of seine webbing on the shoreward end of a set gillnet in Unimak, Southwestern, South Central, and Southeastern districts. The shoreward end of the seine webbing must be attached to the beach above low tide.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal may result in increased catching power of set gillnets. Longer leads would be allowed throughout the entire season in Unimak, Southwestern, South Central, and Southeastern districts.

**BACKGROUND:** The legal length of 10 fathoms of seine webbing used as a lead for set gillnet gear has remained in regulation since 1968 for the Unimak, Southwestern, South Central and Southeastern districts. Prior to 1968, no regulation allowed or prohibited the use of seine webbing as leads for set gillnet gear in these districts.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. It is not possible to know what the full effects of this proposal might be. Because of its allocative nature, additional conflicts between gear groups may arise. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area.

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

**PROPOSAL 161 – 5 AAC 09.331. Gillnet specifications and operations.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposals seeks to increase the length of leads used with set gillnets to 50 fathoms.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.331(b)(5) allows use of 10 fathoms of seine webbing on the shoreward end of a set gillnet in Unimak, Southwestern, South Central, and Southeastern districts. The shoreward end of the seine webbing must be attached to the beach above low tide.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal may result in increased catching power of set gillnets. Longer leads would be allowed throughout the entire season in Unimak, Southwestern, South Central, and Southeastern districts.

**BACKGROUND:** The legal length of 10 fathoms of seine webbing used as a lead for set gillnet gear has remained in regulation since 1968 for Unimak, Southwestern, South Central and Southeastern districts. Prior to 1968, no regulation allowed or prohibited the use of seine webbing as leads for set gillnet gear in these districts.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. It is not possible to know what the full effect of this proposal might be. Because of its allocative nature, additional conflicts between gear groups may arise. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area.

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

**PROPOSAL 162 – 5 AAC 09.331(b)(5). Gillnet specifications and operations.**

**PROPOSED BY:** John A. Foster.

**WHAT WOULD THE PROPOSAL DO?** This proposals seeks to increase the length of leads used with set gillnets to 25 fathoms.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.331(b)(5) allows use of 10 fathoms of seine webbing on the shoreward end of a set gillnet in Unimak, Southwestern, South Central, and Southeastern districts. The shoreward end of the seine webbing must be attached to the beach above low tide.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal may result in increased catching power of set gillnets. Longer leads would be allowed throughout the entire season in Unimak, Southwestern, South Central, and Southeastern districts.

**BACKGROUND:** The legal length of 10 fathoms of seine webbing used as a lead for set gillnet gear has remained in regulation since 1968 for Unimak, Southwestern, South Central and Southeastern districts. Prior to 1968 no regulation allowed or prohibited the use of seine webbing as leads for set gillnet gear in these districts.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. It is not possible to know what the full effects of this proposal might be. Because of its allocative nature, additional conflicts between gear groups may arise. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area.

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

## **JUNE FISHERY**

### **PROPOSAL 115 – 5 AAC 09.355. Salmon processor and buyer reporting requirements.**

**PROPOSED BY:** Concerned Area M Fishermen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to require establishment of a chum salmon pool by any salmon processor and buyer who intends to operate in the South Unimak and Shumagin Islands June salmon fishery. This proposal would also provide a definition of a chum salmon pool.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.365(a)-(e) allows the South Unimak and Shumagin Islands June fishery to commence as early as June 7. The fishery is conducted in Unimak and Southwestern districts and Shumagin Islands Section of Southeastern District (Figure 115-1). Fishing time is limited to four 88-hour periods interspersed by 32-hour closures with the final fishing period being 64 hours in duration. These periods are open concurrently for seine, drift gillnet and set gillnet gear types. There are currently no regulations requiring participation in a chum salmon pool. Establishment of and participation in a chum salmon pool is voluntary. Salmon processor and buyer reporting requirements in 5 AAC 09.355 currently outlines information that the department needs prior to conducting processing or buying operations.

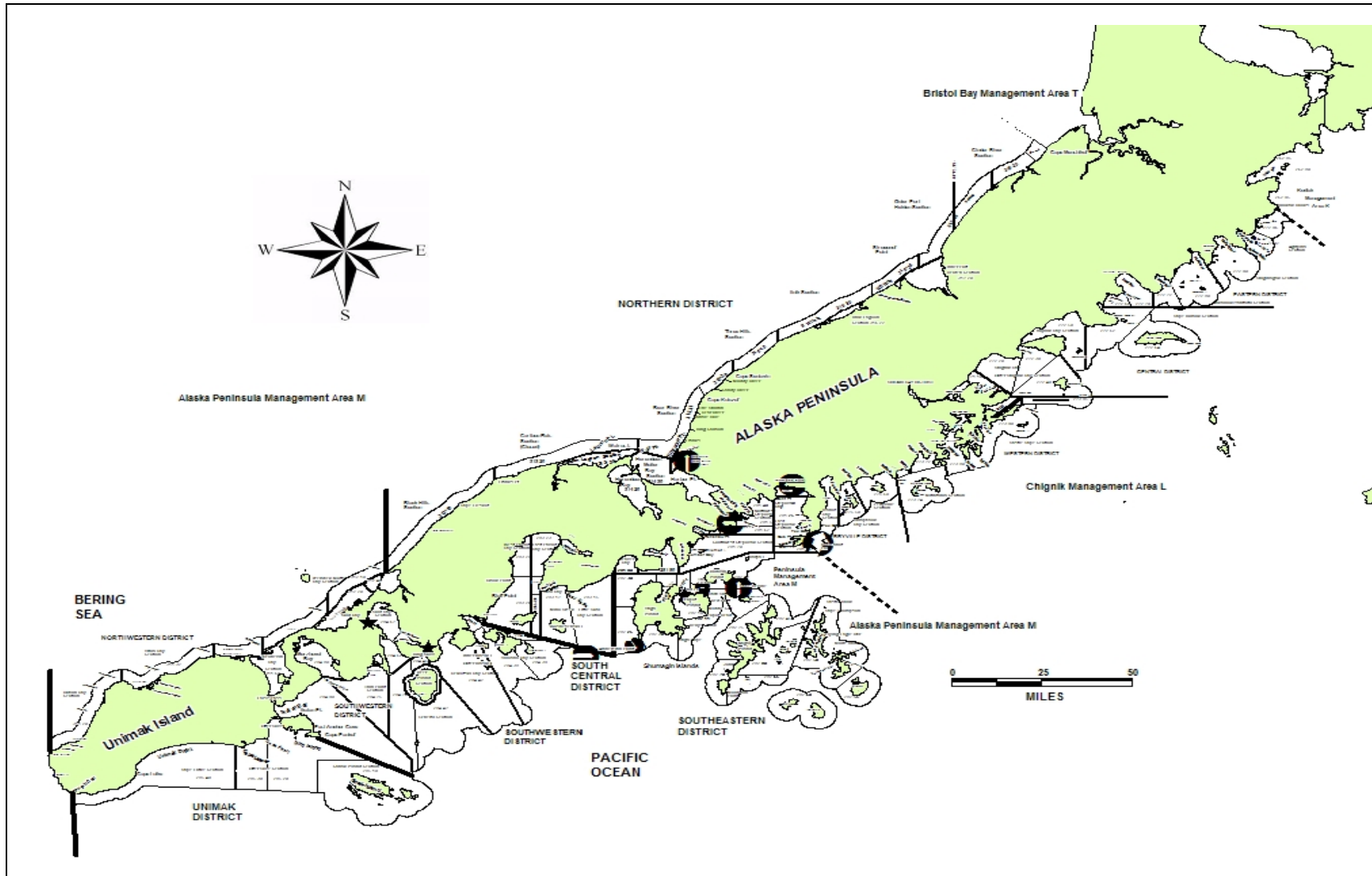


Figure 115.1.—Map of Alaska Peninsula.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The intent of this proposal is to require establishment of and participation in a chum salmon pool for any operation intending to participate in the South Unimak and Shumagin Islands June salmon fishery. The submitter of this proposal also provides a definition of a chum salmon pool:

*“A means to equate compensation to harvesters of chum salmon. There shall be a separate pool for each gear group and each processing operation. The pool should be structured in such a way as to discourage the harvest of chums for individual financial gain.”*

Currently, the establishment of and participation in a chum pool is voluntary.

**BACKGROUND:** The concern over chum salmon harvest during the June fishery is well documented. Initial restrictions on chum salmon harvest came in 1986 when a harvest cap of 400,000 fish was established. The chum salmon cap increased in 1988 to 500,000; in 1990 to 600,000; and again in 1992 to 700,000. In 1998, the chum salmon cap was modified to a range between 350,000 and 600,000 fish based on the previous year’s chum salmon harvest in the Arctic-Yukon-Kuskokwim area. In 2001, the chum salmon harvest cap was eliminated.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal with regard to the South Unimak and Shumagin Islands June fishery. Adoption of this proposal would not affect the manner in which the department manages the June fishery.

Department of Law concluded that the board is not authorized to adopt a chum pool regulation whereby all harvested chum would be pooled and the value split between fishermen.

**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 116 – 5 AAC 09.365. South Unimak and Shumagin Islands June Salmon Fisheries Management Plan and 5 AAC 09.369. Northern District Salmon Fisheries Management Plan.**

**PROPOSED BY:** Kurt Johnson.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to reinstate the 8.3% Bristol Bay forecasted inshore sockeye salmon harvest allocation to the South Unimak and Shumagin Islands June fishery that was in effect before prior to 2001. It would also incorporate the entire Northern District sockeye salmon harvest, prior to July 15, as a part of this allocation.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.365(a)-(e) allows the South Unimak and Shumagin Islands June fishery to commence as early as June 7. Fishing time is limited to four 88-hour periods, interspersed by 32-hour closures, with the final fishing period being 64 hours in duration. These periods are open concurrently for seine, drift gillnet, and set gillnet gear types.

The department has always managed Northern District salmon fisheries separately from South Alaska Peninsula fisheries. Fisheries in Northern District are managed on the basis of salmon abundance as determined by escapement and catch-per-unit-effort information in each section of Northern District as specified in 5 AAC 09.369(b).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The intent of this proposal is to restore the 8.3% Bristol Bay forecasted inshore sockeye salmon harvest allocation to the South Unimak and Shumagin Islands June Fishery. It would also add Northern District sockeye salmon harvest prior to July 15 as a part of the 8.3% allocation. Northern District stretches from Moffet Point to Cape Menshikof, a distance of 235 miles. Northern District has not previously been tied to a Bristol Bay allocation. This proposal would have fisheries in Northern District closed if the 8.3% sockeye salmon allocation was met. If this proposal were adopted, this allocation would likely be met in June since it ties in the entire Northern District salmon harvest and therefore, no commercial fisheries would be allowed in an abundance-based fishery until after July 14. This would likely cause surplus escapement into Nelson, Bear, Sandy, Ilnik, and Meshik rivers annually. Additionally, the department would be hampered in its efforts to manage sockeye salmon returning to the Uria Bay area of Unimak Island.

**BACKGROUND:** From 1975-2000, fishing time in South Unimak and Shumagin Islands fisheries was limited by provisions in the management plan that included sockeye salmon allocations (season harvest totals and weekly season limits), chum salmon caps, sockeye to chum salmon ratios, time limits, and season start date. During several seasons, from 1975-2000, the Shumagin Islands guideline harvest level (GHL) was reached while the South Unimak GHL was not entirely harvested.

During the January 2001 board meeting, harvest guidelines for sockeye salmon and the chum salmon cap that were part of the allocation to the June fisheries for many years

were rescinded. During its February 2004 meeting, the board agreed that actions to further restrict the Area M June fishery that were approved during the 2001 board cycle were unnecessary and caused undue hardship on fishermen of the area. Also, prior South Unimak and Shumagin Island management plans were in effect through June 30 not July 15, and did not include North Peninsula fisheries.

The department does not currently have commercial harvest stock composition data from South Alaska Peninsula June or North Alaska Peninsula fisheries that measures the contribution of any individual stock.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal with regard to the South Unimak and Shumagin Islands June fishery. However, the department **OPPOSES** aspects of proposal that would severely restrict the department's ability to control Northern District salmon escapements. Northern District has never been part of the South Unimak and Shumagin Islands 8.3% June allocation; this would severely reduce sockeye salmon harvest throughout Northern District. The peak of Northern District sockeye salmon fisheries is usually in early July, and if this proposal is adopted, there will likely be significant foregone harvest opportunity on North Peninsula sockeye salmon stocks, specifically at Nelson, Bear, Sandy, Ilnik, and Meshik rivers.

**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 117 – 5 AAC 09.331(a)(b). Gillnet Specifications and Operations.**

**PROPOSED BY:** Concerned Area M Fishermen.

**WHAT WOULD THE PROPOSAL DO?** Adoption of this proposal would modify depth of drift gillnets in Unimak and Southwestern districts and for set gillnets in Unimak, Southwestern, South Central, and Southeastern districts from 90 meshes to 120 meshes. The issue statement in the proposal refers only to the *South Unimak and Shumagin Islands June Management Plan*. Use of gillnets in Northwestern District would still be restricted to 90 meshes in depth.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.331(a)(3) requires that drift gillnets used in Northwestern, Unimak, and Southwestern districts, be limited to a depth not exceeding 90 meshes. Regulation 5 AAC 09.331(b)(1)(C) requires that set gillnets used in Northwestern, Unimak, Southwestern, South Central, and Southeastern districts may not exceed 90 meshes in depth.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would increase maximum depth of drift gillnet gear allowed in Unimak and Southwestern districts and increase maximum depth of set gillnet gear allowed in the Unimak, Southwestern, South Central, and Southeastern districts.

**BACKGROUND:** Concerns over harvests of chum salmon in the 1980s and weak Yukon River chum salmon runs resulted in adoption of gear restrictions prior to the 1990 salmon season, that limited depth of gillnet and seine gear and mesh size of seine gear.

The legal depth of gillnet gear was unlimited, in regulation, until the 1990 salmon season when a proposal was adopted that limited gillnet gear in Northwestern, Unimak, Southwestern, South Central, and Southeastern districts to 90 meshes. Prior to the 1995 salmon season, the mesh size requirements for drift gillnets were also repealed.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. The department has an enforcement concern regarding gear depth differences in adjoining districts within a management area. The board should consider these difficulties when addressing 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.

## **POST JUNE FISHERY**

### **PROPOSAL 118 – 5 AAC 09.366(d). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Concerned Area M Fishermen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to modify the current *Post-June Salmon Management Plan* fishing schedule to three 24-hour fishing periods interspersed by 48-hour closures from July 6 through July 14, and 48-hour fishing periods interspersed by 24-hour closures from July 15 through July 31 (Figure 118-1).

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish by emergency order, six 24-hour fishing periods interspersed by 48-hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48-hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 timeframe may not start before 12:00 noon on July 23 (Figure 118-1).

For the period July 6 through July 21, 5 AAC 09.366(f), allows additional fishing time to be permitted in terminal areas by emergency order if warranted by escapement of pink and chum salmon (sockeye salmon in Cold Bay and Thin Point sections). Terminal areas for the July 6 through July 21 fishing period include Zachary Bay, Canoe Bay, and the East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi Bay sections (Figure 115-1 of Proposal 115). Beginning on July 22, 5 AAC 09.366(g) allows terminal harvest areas to be opened by emergency order from July 22 through July 31. These terminal harvest areas include those areas specified in 5 AAC 09.366(f), as well as the Deer Island, Belkofski Bay, Mino Creek-Little Coal Bay sections, Stepovak Flats Section from July 26 through July 28, and the area near Suzy Creek (ADF&G statistical area 281-65) after July 25 (Figure 115-1 of Proposal 115). Fishing periods are established based on the abundance of local pink and chum salmon stocks.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would result in the same amount (72 hours) of fishing time during the July 6 through July 14 time period as allowed by the current management plan (Table 118-1). The current management plan also allows 177 hours of fishing from July 15 to July 31 (Table 118-1). This proposal would increase fishing time during the July 15 through July 31 time period to 288 hours (an increase of 111 hours). This proposal would allow 360 hours of total fishing time during July (Table 118-1). The current management plan allows 249 hours of fishing time during July (72 hours are from July 6 through July 14).

Table 118-1.—Comparison of commercial salmon fishing opportunities from July 6 through July 14; July 15 through July 31; and total July fishing.

<u>Period</u>	<u>Current</u>	<u>Proposed</u>
July 6 through July 14	72	72
July 15 through July 31	177	288
<u>Total July Fishing</u>	<u>249</u>	<u>360</u>

### JULY 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: Current Management Plan has six 24-hour openings with 48-hour closures from July 6 through July 21 and three 36-hour openings interspersed with 48-hour closures from July 22 through July 31. Proposed Management Plan has three 24-hour openings interspersed by 48-hour closures from July 6 through July 14 and six 48-hour openings interspersed by 24-hour closures from July 15 through July 31.				<div style="display: inline-block; width: 10px; height: 10px; background-color: #cccccc; border: 1px solid black;"></div> <b>Current Management Plan</b>		
				4	5	6
		21 Hours 9:00 PM				24 hours 9:00 PM
	12:01 AM	24 hours 12:00 AM			12:01 AM	24 hours 12:00 AM
4	5	6	7	8	9	10
				9:00 PM		
11	12	13	14	15	16	17
9:00 PM	24 hours 9:00 PM		9:00 PM	24 hours 9:00 PM		9:00 PM
12:01 AM	24 hours 12:00 AM		12:01 AM	48 hours 12:00 AM	12:01 AM	12:00 AM
18	19	20	21	22	23	24
24 hours 9:00 PM		9:00 PM	24 hours 9:00 PM		12:00 PM	36 hours 12:00 AM
12:01 AM	48 hours 12:00 AM		12:01 AM	48 hours 12:00 AM		12:01 AM
25	26	27	28	29	30	31
		36 hours	12:00 PM		12:00 PM	36 hours 12:00 AM
24 hours 12:00 AM	12:01 AM	48 hours 12:00 AM	12:01 AM	12:01 AM	48 hours 12:00 AM	12:01 AM

Figure 118-1.—Calendar of the current Post-June Salmon Management Plan and Proposal 118 July fishing schedule.

**BACKGROUND:** Prior to 1974, the July South Alaska Peninsula fishery was generally open five days per week, with a total season closure on August 10. During the 1974 and 1975 fishing seasons, the fishery was severely restricted to rebuild pink salmon runs. From about 1976 through 1991, the salmon fishery was managed by emergency order based on local stock run strength. Fishing periods from July 6 through about July 18 were based on chum salmon run strength and from July 18 through about August 20, on pink salmon run strength.

In November of 1991, the board established the *Post June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of South Alaska Peninsula from July 6 through 19 was the board's desire to minimize July coho salmon harvests.

In 1998, the board made changes to the *Post-June Management Plan* which defined two distinct fishing periods within the month of July. For the period July 6 through July 21, the board increased non-terminal area fishing opportunities. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapement of pink and chum salmon were warranted. Terminal areas for the July 6 through July 21 fishing period included Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi sections (Figure 115-1 in Proposal 115).

For the period July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours. Each open fishing period was followed by minimum closure of 48 hours. The board also established a coho salmon cap of 60,000 in non-terminal areas from July 22 through July 31. Additional fishing time could be permitted in designated terminal harvest areas if escapements of pink and chum salmon warranted. In addition to the terminal areas listed for the July 6 through July 21 fishing periods, the July 22 through July 31 fishing period included terminal areas in Stepovak Flats Section (from July 26 through July 28), the section near Suzy Creek (after July 25), Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section (Figure 115-1 in Proposal 115).

During its 2001 meeting, the board made only minor changes to the *Post-June Salmon Management Plan for the South Alaska Peninsula*. These changes included modifying terminal harvest area boundaries and clarified the definition of immature salmon during the department's July test fishery. For purposes of the test fishery, immature salmon were defined as those Chinook, sockeye, coho, and chum salmon that were gilled in seine webbing during the test fishery.

In 2004, the board adopted few changes to the *Post-June Salmon Management Plan for the South Alaska Peninsula*. The 60,000 coho salmon cap, enacted in 1998 for non-

terminal areas from July 22 through July 31, was rescinded. The board also determined that the global positioning system (GPS) would be used to determine latitude and longitude coordinates throughout all salmon fisheries in Area M. In 2007, the board did not make any changes to the *Post-June Salmon Management Plan* for the South Alaska Peninsula.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. Because of its allocative nature, additional conflicts between user groups may arise. Though this proposal's fishing periods are not concurrent with existing periods in which additional fishing time is allowed in terminal areas, the department notes that the proposal would not affect management of terminal areas. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. The department does not anticipate a conservation concern for salmon stocks in this area stemming from this proposal.

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

**PROPOSAL 119 – 5 AAC 09.366(d). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Melvin R. Larsen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to modify the current *Post-June Salmon Management Plan* fishing schedule to one that allows a commercial salmon fishing period for seine and drift gillnet gear for 12 hours from 6:00 a.m. to 6:00 p.m., closure for 12 hours from 6:00 p.m. to 6:00 a.m., and open for another 12-hour fishing period from 6:00 a.m. to 6:00 p.m. (Figure 119-1). The second 12-hour fishing period will be followed by a 36-hour closure. This schedule would occur from July 6 through July 20. Set gillnet gear will be open concurrently with seine and drift gillnet gear for 36-hour fishing periods interspersed by 36-hour closures from July 6 through July 20 (Figure 119-1). All gear types may have three 36-hour fishing periods interspersed by 48-hour closures from July 21 through July 31.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish, by emergency order, six 24-hour fishing periods interspersed by 48 hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48 hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23 (Figure 119-2).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would increase the number of hours that seine and drift gillnet gear would be able to fish during daylight hours by approximately 27 hours from July 6 through July 21 (Table 119-1). There is a reduction of daylight hours of approximately 21 hours for seine and drift gillnet gear during the July 22 through July 31 fishing period (Table 119-1). In this instance, “daylight hours” was determined by estimating the total number of hours based on sunrise and sunset for each day and then averaging the total number of daylight hours for each fishing period. Set gillnet gear is not affected by daylight hours in the same manner in which seine gear is because set gillnet gear can be left to soak overnight.

The current management plan allows 249 hours of fishing time during July (141 hours are July 6 through July 21) (Table 119-1). This proposal would provide seine and drift gillnet gear with 228 hours of fishing time (a 21-hour decrease from the current schedule) and 288 hours for set gillnet gear (a 39-hour increase from the current schedule) (Table 119-1). Increase in total number of hours allowed to fish and an increase of daylight fishing hours will increase the harvesting power of all gear types.

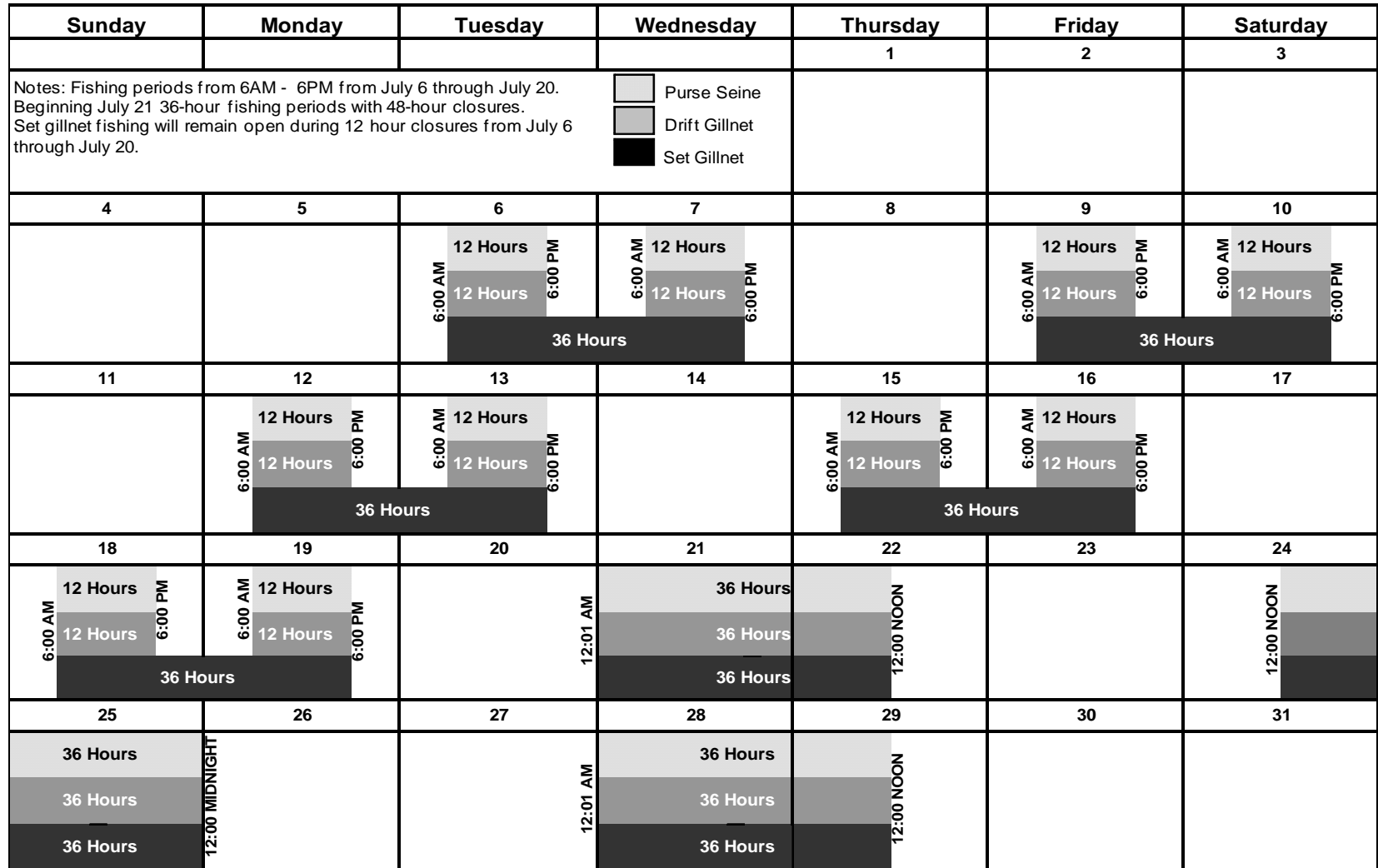
Table 119-1.—Comparison of commercial salmon fishing opportunities and approximate fishing time during daylight hours from July 6 through July 21; July 22 through July 31; and total July fishing opportunity by gear type under the current management plan and proposed management plan.

				Current	Proposed
	Gear Type	Current	Proposed	daylight hrs. <sup>a</sup>	daylight hrs. <sup>a</sup>
July 6 through July 21					
	Purse Seine	141	144	110	137
	Drift Gillnet	141	144	110	137
	Set Gillnet	141	204	110	187
July 22 through July 31					
	Purse Seine	108	84	75	54
	Drift Gillnet	108	84	75	54
	Set Gillnet	108	84	75	54
Total July Fishing					
	Purse Seine	249	228	185	191
	Drift Gillnet	249	228	185	191
	Set Gillnet	249	288	185	241

<sup>a</sup> Daylight hours are determined by estimating the total number of daylight hours from estimated sunrise and sunset times and averaging the total number of daylight hours for each fishing period.



## JULY 2010



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Figure 119-1.–Proposal 119 July calendar.

## July 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: July 6 through July 21: six 24-hour fishing periods interspersed by 48-hour closures. July 22 through July 31: three 36-hour fishing periods interspersed by 48-hour closures.						
4	5	6	7	8	9	10
		12:01 AM 21 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM	
11	12	13	14	15	16	17
9:00 PM	24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		9:00 PM
18	19	20	21	22	23	24
24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		12:00 PM	36 Hours
25	26	27	28	29	30	31
		12:01 AM 36 Hours	12:00 PM		12:00 PM	36 Hours 12:00 Midnight

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Figure 119-2.–Current Management Plan July calendar

**BACKGROUND:** Prior to 1974, the July South Alaska Peninsula fishery was generally open five days per week with a total season closure on August 10. During the 1974 and 1975 fishing seasons, the fishery was severely restricted to rebuild pink salmon runs. From about 1976 through 1991, the salmon fishery was managed by emergency order based on local stock run strength. Fishing periods from July 6 through about July 18 were based on chum salmon run strength and from July 18 through about August 20, on pink salmon run strength.

In November of 1991, the board established the *Post June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of South Alaska Peninsula during July 6 through 19 was the board's desire to minimize July coho salmon harvests.

In 1998, the board made changes to the *Post-June Management Plan* which defined two distinct fishing periods within the month of July. For the period July 6 through July 21, the board increased non-terminal area fishing opportunities. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapement of pink and chum salmon warranted. Terminal areas for the July 6 through July 21 fishing period included Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi sections (Figure 115-1 in Proposal 115).

For the period July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours. Each open fishing period was followed by a minimum closure of 48 hours. The board also established a coho salmon cap of 60,000 in non-terminal areas from July 22 through July 31. Additional fishing time could be permitted in designated terminal harvest areas if escapements of pink and chum salmon warranted. In addition to the terminal areas listed for the July 6 through July 21 fishing periods, the July 22 through July 31 fishing period included terminal areas in Stepovak Flats Section (from July 26 through July 28), the section near Suzy Creek (after July 25), Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section (Figure 115-1 in Proposal 115).

During its 2001 meeting, the board made only minor changes to the *Post-June Salmon Management Plan for the South Alaska Peninsula*. These changes included modifying terminal harvest area boundaries and clarified the definition of immature salmon during the department's July test fishery. For purposes of the test fishery, immature salmon were defined as those Chinook, sockeye, coho, and chum salmon that were gilled in seine webbing during the test fishery.

In 2004, the board adopted few changes to the *Post-June Salmon Management Plan for the South Alaska Peninsula*. The 60,000 coho salmon cap, enacted in 1998 for non-

terminal areas from July 22 through July 31, was rescinded. The board also determined that the global positioning system (GPS) would be used to determine latitude and longitude coordinates throughout all salmon fisheries in Area M. In 2007, the board did not make any changes to the *Post-June Salmon Management Plan for the South Alaska Peninsula*.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Due to its allocation of fishing time, additional conflicts between user groups may arise if this proposal is adopted. The department recognizes that elimination of fishing during darkness promotes safety for fishermen and aids the department and Division of Alaska Wildlife Troopers in enforcement of these gear types. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area.

The department addressed this proposal literally; as written, the proposal would result in a 60-hour closure from 12:00 p.m. July 29 through midnight July 31 because there are not enough hours to allow a 48-hour closure and a 36-hour fishing period. The author of this proposal would need to be consulted to understand the intentions of this proposal and whether there would be a 12-hour fishing period from 12:00 p.m. July 31 through midnight, July 31 or any other variation to the proposed schedule.

**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 120 – 5 AAC 09.366(d). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** King Cove Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to modify the *Post-June Salmon Management Plan* fishing schedule to 48-hour openings interspersed by 24-hour closures for the entire month of July.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish by emergency order, six 24-hour fishing periods interspersed by 48-hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48-hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23 (Figure 120-1).

Under 5 AAC 09.366(i), the department shall conduct a seine test fishery in the Shumagin Islands Section to assess the presence of immature salmon. If 100 or more immature salmon, per set, are present, the commissioner shall close, by emergency order, the seine fishery in an area to be determined by the department. If the seine fishery is closed in an area under this subsection, the set gillnet fishery shall remain open in that area. For the purposes of this subsection, "immature salmon, per set, are present" means the number of immature king, sockeye, coho, and chum salmon observed to be gilled in the seine web.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The current management plan allows for 249 hours of fishing time (Figure 120-1). This proposal would allow a total of 480-hours of fishing time for all gear types (an increase of 231 hours; Figure 120-1).

The department typically conducts an immature salmon test fishery from July 2 through July 5. The proposed schedule suggests opening the post-June commercial salmon fisheries when the department is typically assessing the presence of immature salmon.

### JULY 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: Current Management Plan has six 24-hour openings with 48-hour closures from July 6 through July 21 and three 36-hour openings interspersed by 48-hour closures from July 22 through July 31. Proposed Management Plan has 48-hour openings interspersed by 24-hour closures.				<div style="display: flex; align-items: center;"> <div style="width: 15px; height: 15px; background-color: #cccccc; margin-right: 5px;"></div> <span style="font-size: small;">Current Management Plan</span> </div> <div style="display: flex; align-items: center; margin-top: 5px;"> <div style="width: 15px; height: 15px; background-color: #333333; margin-right: 5px;"></div> <span style="font-size: small;">Proposed Management Plan</span> </div>		
4	5	6	7	8	9	10
		21 Hours			24 Hours	
48 Hours			48 Hours			24 Hours
11	12	13	14	15	16	17
	24 Hours			24 Hours		
24 Hours		48 Hours				48 Hours
18	19	20	21	22	23	24
24 Hours			24 Hours			36 Hours
	48 Hours				48 Hours	
25	26	27	28	29	30	31
		36 Hours				36 Hours
48 Hours			48 Hours			

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Figure 120-1.–Calendar of the current Post-June Salmon Management Plan and Proposal 120 July fishing schedule.

**BACKGROUND:** Prior to 1974, the July South Alaska Peninsula fishery was generally open five days per week with a total season closure on August 10. During the 1974 and 1975 fishing seasons, the fishery was severely restricted to rebuild pink salmon runs. From about 1976 through 1991, the salmon fishery was managed by emergency order based on local stock run strength. Fishing periods from July 6 through about July 18 were based on chum salmon run strength and from July 18 through about August 20, on pink salmon run strength.

In November of 1991, the board established the *Post June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of South Alaska Peninsula July 6 through 19 was the board's desire to minimize July coho salmon harvests.

Beginning in 1998, the board allowed 24-hour fishing periods for South Alaska Peninsula followed by 48-hour closures from July 6 through July 21. From July 22 through July 31, fishing time was limited in non-terminal areas to three periods not to exceed 36 hours in duration and interspersed by closures of at least 48 hours (outside of the Southeastern District Mainland prior to July 26). The amount of fishing area considered "terminal" was increased during the July 22 through July 31 time period as local pink and chum salmon gained in run strength. Terminal areas during the July 22 through July 31 time period include Morzhovoi Bay Section, Thin Point Section, Cold Bay Section, Deer Island Section, Belkofski Bay Section, East and West Pavlof Bay sections (north of the latitude of Black Point), Canoe Bay Section, Mino Creek-Little Coal Bay Section, southern portion of Zachary Bay, the area near Suzy Creek (after July 25), and Stepovak Flats Section from July 26 through July 28 (Figure 115-1 in Proposal 115).

The immature salmon test fishing program was instituted by the department in 1990. In Shumagin Islands Section (Figure 120-2), most purse seine fishing effort has occurred around Popof Island between Popof Head and Red Bluff (Figure 120-3). For this reason test fishing sites were established in these areas. The test fishery is conducted prior to the initial commercial salmon fishing period in July which currently begins on July 6.

In 1998, the board adopted a regulation that defined immature salmon and required the department to conduct an immature salmon test fishery in July (5 AAC 09.366(i)). The board also changed the earliest general opening date of the Post-June fishery in non-terminal areas from July 20 to July 6.

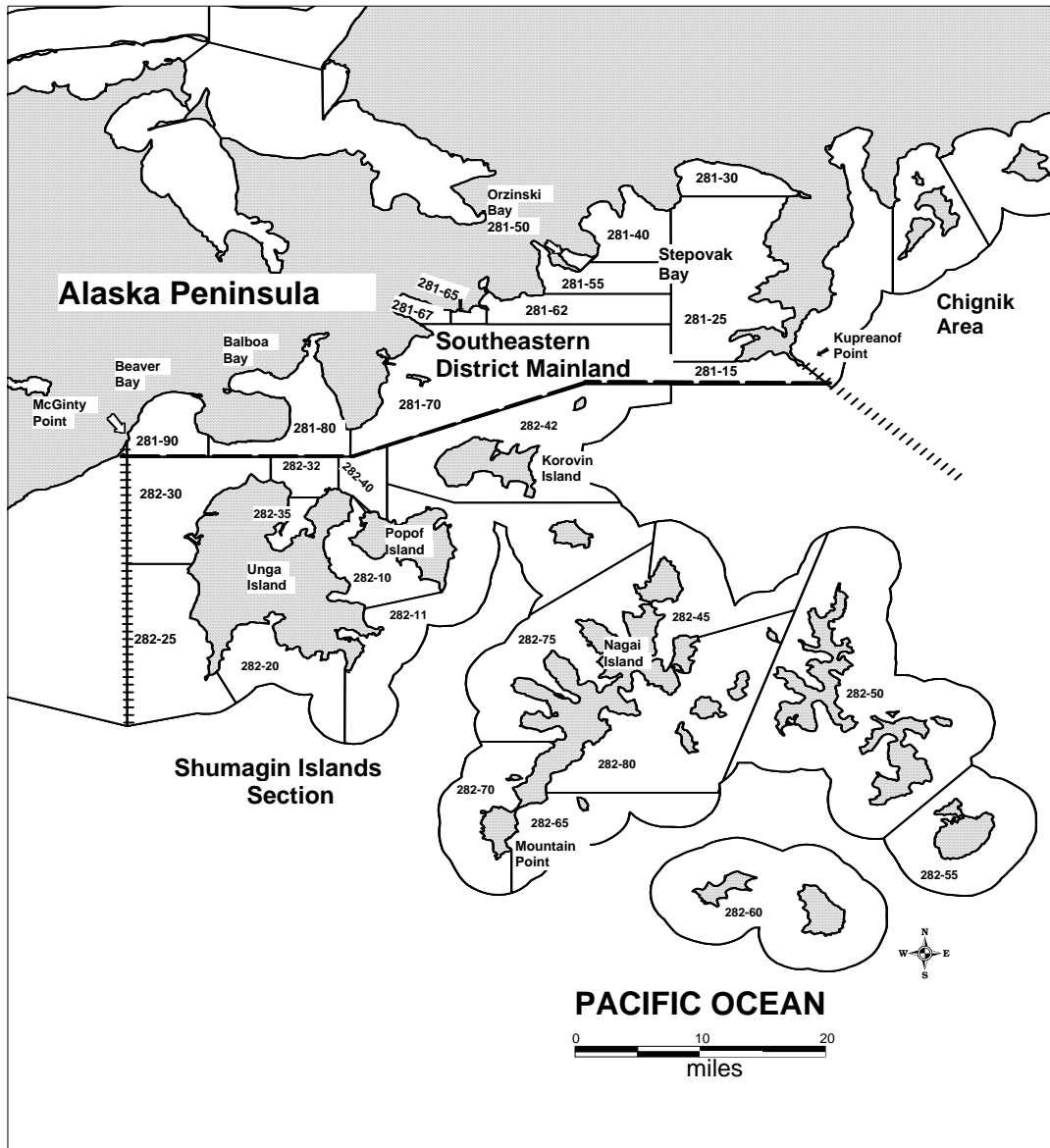


Figure 120-2.—Map of the Alaska Peninsula Area from Kupreanof Point to McGinty Point (Southeastern District) with statistical salmon fishing areas shown.



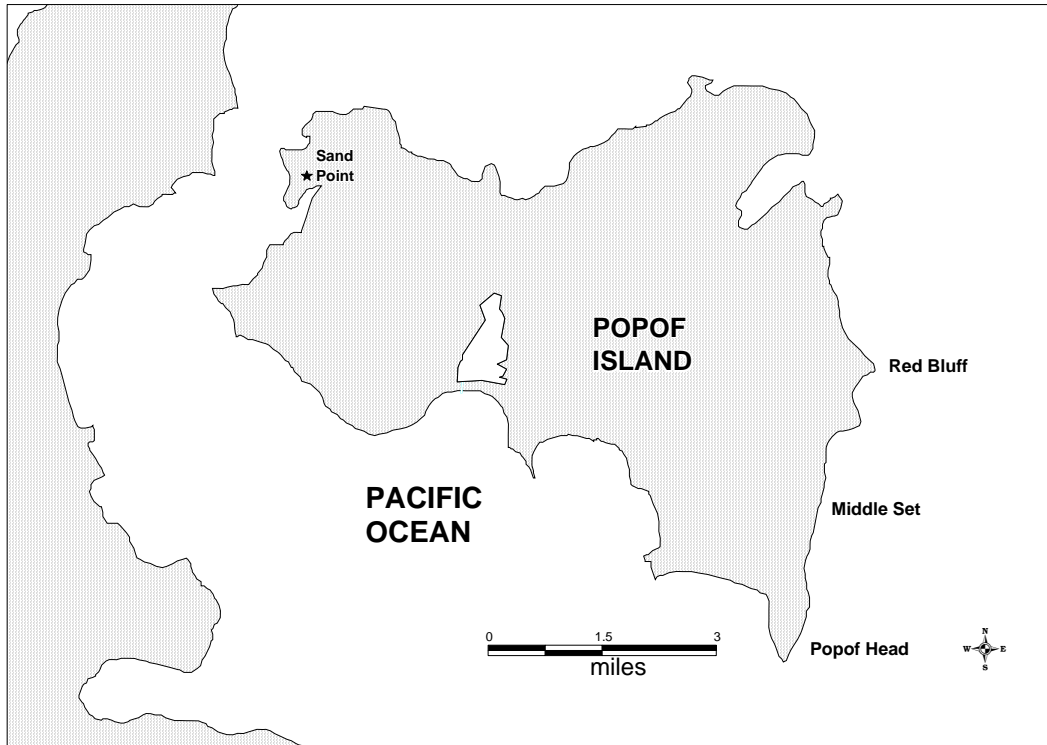


Figure 120-3.—Map of Popof Island with test fishing sites defined.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Because of its allocative nature, additional conflicts between user groups may arise. If this proposal was adopted, the department would seek direction from the board as to when the test-fishery should be conducted. Timing of the test fishery may affect when seiners will be allowed to fish, but will not affect when gillnetters will be allowed to fish. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area.

The department addressed this proposal literally; as written, this proposal would result in a 48-hour closure from 12:01 a.m. July 30 through midnight July 31 because there are not enough hours to allow a 24-hour closure and a 48-hour fishing period. The author of this proposal would need to be consulted to understand the intentions of this proposal and whether there would be a 24-hour fishing period from 12:01 a.m. July 31 through midnight, July 31 or any other variation to the proposed schedule.

**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 121 – 5 AAC 09.366(d). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Danny Cumberlidge.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would modify the fishing schedule for the *Post June Salmon Management Plan for the South Alaska Peninsula*. The proposed schedule would consist of three day openings, interspersed with two day closures beginning July 6. For purposes of this proposal, the department is considering one day to be equivalent to 24 hours and that the proposal intends the fishing schedule to end on July 31.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish by emergency order, six 24-hour fishing periods interspersed by 48 hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48 hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23 (Figure 121-1).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The current management plan allows for a total of 249 hours of fishing time during July. This proposal would allow a total of 360 hours of commercial salmon fishing (an increase of 111 hours) during July.

### JULY 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: Current Management Plan has six 24-hour openings with 48-hour closures from July 6 through July 21 and three 36-hour openings interspersed with 48-hour closures from July 22 through July 31.						
				<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Proposed Management Plan has 72-hour openings interspersed with 48-hour closures</p> </div> <div style="width: 45%;"> <p><span style="display: inline-block; width: 15px; height: 10px; background-color: #cccccc; border: 1px solid black;"></span> <b>Current Management Plan</b></p> <p><span style="display: inline-block; width: 15px; height: 10px; background-color: #333333; border: 1px solid black;"></span> <b>Proposed Management Plan</b></p> </div> </div>		
4	5	6	7	8	9	10
	12:01 AM	21 Hours 9:00 PM	72 Hours	9:00 PM 12:00 AM	24 Hours 9:00 PM	
11	12	13	14	15	16	17
12:01 AM	9:00 PM 72 Hours	9:00 PM 12:00 AM	9:00 PM	24 Hours 9:00 PM	48 Hours 12:01 AM	
18	19	20	21	22	23	24
24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		12:00 PM	36 Hours 12:00 AM
24 Hours 12:00 AM			12:01 AM	72 Hours		12:00 AM
25	26	27	28	29	30	31
	12:01 AM	12:01 AM 36 Hours	12:00 PM 72 Hours		12:00 PM	36 Hours 12:00 AM

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Figure 121-1.—Calendar of the current Post-June Salmon Management Plan and Proposal 121 July fishing schedule.

**BACKGROUND:** Prior to 1974, the July South Alaska Peninsula fishery was generally open five days per week with a total season closure on August 10. During the 1974 and 1975 fishing seasons, the fishery was severely restricted to rebuild pink salmon runs. From about 1976 through 1991, the salmon fishery was managed by emergency order based on local stock run strength. Fishing periods from July 6 through about July 18 were based on chum salmon run strength and from July 18 through about August 20 on pink salmon run strength.

In November of 1991, the board established the *Post June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in the South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of South Alaska Peninsula during July 6 through 19 was the board's desire to minimize July coho salmon harvests.

In 1998, the board made changes to the *Post-June Management Plan* which defined two distinct fishing periods within the month of July. For the period July 6 through July 21, the board increased non-terminal area fishing opportunities. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapement of pink and chum salmon warranted. Terminal areas for the July 6 through July 21 fishing period included Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi sections (Figure 115-1 in Proposal 115).

For the period July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours. Each open fishing period was followed by a minimum closure of 48 hours. The board also established a coho salmon cap of 60,000 in non-terminal areas from July 22 through July 31. Additional fishing time could be permitted in designated terminal harvest areas if escapements of pink and chum salmon warranted. In addition to the terminal areas listed for the July 6 through July 21 fishing periods the July 22 through July 31 fishing period included terminal areas in Stepovak Flats Section (from July 26 through July 28), the section near Suzy Creek (after July 25), Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section (Figure 115-1 in Proposal 115).

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. It is not possible to know what the full effects of this proposal might be. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area, though there would be additional opportunity provided in terminal areas which may effect progress of escapements in these areas.

The department addressed this proposal literally; as written, this would result in a 72-hour closure from 12:01 a.m. July 29 through midnight July 31 because there are not enough hours to allow a 48-hour closure and a 72-hour fishing period. The author of this proposal would need to be consulted to understand the intentions of this proposal and whether there would be a 24-hour fishing period from 12:01 a.m. July 31 through midnight, July 31, or any other variation to the proposed schedule.

**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 122 – 5 AAC 09.366(d). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Alaska Peninsula Coastal Fishermen Association.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would allow set gillnet fishermen an additional 14 hours of fishing time prior to each opening during the month of July (Figure 122-1). This proposal does not seek to change the current fishing schedule for the month of July for seine or drift gillnet fishermen.

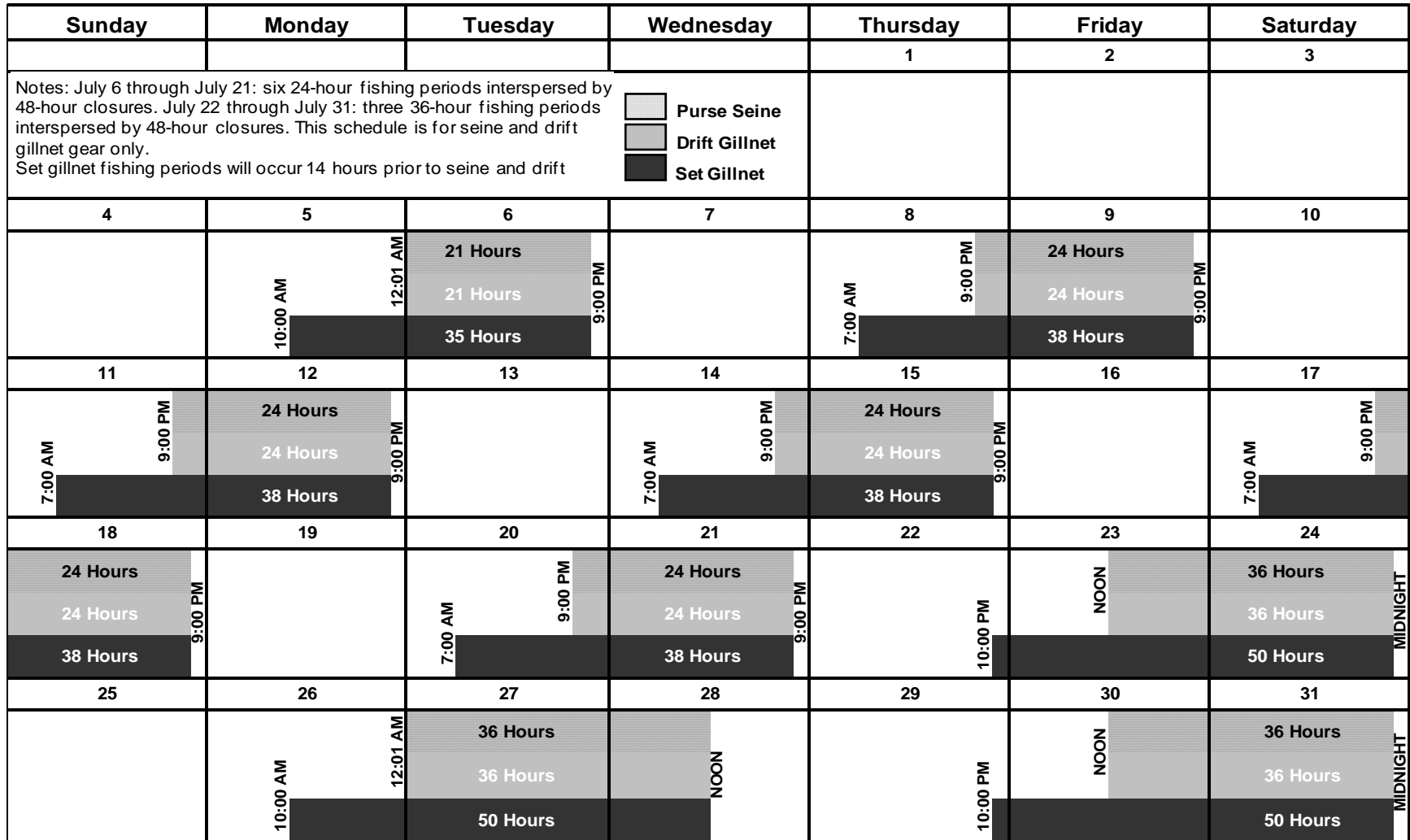
**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish by emergency order, six 24-hour fishing periods interspersed by 48-hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48-hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23 (Figure 122-2).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The current management plan allows for 249 hours of fishing time (Table 122-1). This proposal would increase fishing time for set gillnet gear to 375 hours (an increase of 126 hours; Table 122-1). Table 1 shows the difference in fishing opportunity for each gear type between the proposed management and the current management strategies. In addition to providing an overall increase of fishing time, this proposal would provide additional daylight hours for setting set gillnet gear.

Table 122-1.–Comparison of current and proposed commercial salmon fishing hours allowed from July 6 through July 21; July 22 through July 31; and total hours for July by gear type.

Period	Gear Type	Current	Proposed
July 6 through July 21	Purse Seine	141	141
	Drift Gillnet	141	141
	Set Gillnet	141	225
July 22 through July 31	Purse Seine	108	108
	Drift Gillnet	108	108
	Set Gillnet	108	150
Total July Fishing	Purse Seine	249	249
	Drift Gillnet	249	249
	Set Gillnet	249	375

## JULY 2010



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Figure 122-1.-Calendar of proposed fishing periods by each gear type.

## July 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: July 6 through July 21: six 24-hour fishing periods interspersed by 48-hour closures. July 22 through July 31: three 36-hour fishing periods interspersed by 48-hour closures.						
4	5	6	7	8	9	10
		12:01 AM 21 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM	
11	12	13	14	15	16	17
9:00 PM	24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		9:00 PM
18	19	20	21	22	23	24
24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		12:00 PM	36 Hours
25	26	27	28	29	30	31
		12:01 AM 36 Hours	12:00 PM		12:00 PM	36 Hours 12:00 Midnight

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Figure 122-2.-Current Management Plan calendar.



**BACKGROUND:** Prior to 1974, the July South Alaska Peninsula fishery was generally open five days per week with a total season closure on August 10. During the 1974 and 1975 fishing seasons, the fishery was severely restricted to rebuild pink salmon runs. From about 1976 through 1991, the salmon fishery was managed by emergency order based on local stock run strength. Fishing periods from July 6 through about July 18 were based on chum salmon run strength and from July 18 through about August 20, on pink salmon run strength.

In November of 1991, the board established the *Post June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of South Alaska Peninsula during July 6 through 19 was the board's desire to minimize July coho salmon harvests.

In 1998, the board made changes to the *Post-June Management Plan* which defined two distinct fishing periods within the month of July. For the period July 6 through July 21, the board increased non-terminal area fishing opportunities. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapement of pink and chum salmon warranted. Terminal areas for the July 6 through July 21 fishing period included Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi sections (Figure 115-1 in Proposal 115).

For the period July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours. Each open fishing period was followed by a minimum closure of 48 hours. The board also established a coho salmon cap of 60,000 in non-terminal areas from July 22 through July 31. Additional fishing time could be permitted in designated terminal harvest areas if escapements of pink and chum salmon warranted. In addition to terminal areas listed for the July 6 through July 21 fishing periods, the July 22 through July 31 fishing period included terminal areas in Stepovak Flats Section (from July 26 through July 28), the section near Suzy Creek (after July 25), Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section (Figure 115-1 in Proposal 115).

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Because of its allocation of fishing time, there may be additional conflicts between gear groups. Adoption of this proposal would not significantly change management of salmon fisheries in the South Alaska Peninsula. Adoption of this proposal is not anticipated to create a conservation concern for salmon stocks in this area.

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

**PROPOSAL 123 – 5 AAC 09.366(d). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Dale Pedersen.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would allow seine and drift gillnet gear to be fished during the current July scheduled 24- and 36-hour openings and allow set gillnet gear to be fished during the current July scheduled 48-hour closures. This proposal would not increase fishing time for seine and drift gillnet gear but would increase fishing time for set gillnet gear, and allow set gillnet gear to fish between Popof Head and Dark Cliffs (Popof Island).

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish by emergency order, six 24-hour fishing periods interspersed by 48 hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48 hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23 (Figure 123-1).

Under 5 AAC 09.330(f), in Southeastern District (Figure 120-2 in Proposal 120), salmon may be taken only with set gillnets, purse seines, and hand purse seines, except that (1) salmon may be taken only with purse seines and hand purse seines in the area between Popof Head and Dark Cliffs (Popof Island) (Figure 120-3 in Proposal 120) from June 1 through August 31; however, salmon may be taken by set gillnet during periods when the seine fishery is closed by emergency order due to the presence of immature salmon.

Under 5 AAC 09.366(i), the department shall conduct a seine test fishery in Shumagin Islands Section (see Figure 120-2 in Proposal 120) to assess presence of immature salmon. If 100 or more immature salmon, per set, are present, the commissioner shall close, by emergency order, the seine fishery in an area to be determined by the department. If the seine fishery is closed in an area under this subsection, the set gillnet fishery shall remain open in that area. For purposes of this subsection, "immature salmon, per set, are present" means the number of immature king, sockeye, coho, and chum salmon observed to be gilled in the seine web.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** The current management plan allows for 249 hours of fishing time (Table 120-1). This proposal would allow a total of 375 hours of fishing time for set gillnet gear (an increase of 126 hours; Table 120-1; Figure 120-2). Current regulation (5 AAC 09.330(f)(1)) allows set gillnet gear to fish between Popof Head and Dark Cliffs during periods in which seine gear is closed to commercial salmon fishing due to presence of immature salmon.

Table 123-1.—Comparison of current and proposed commercial salmon fishing hours allowed from July 6 through July 22; July 23 through July 31; and total hours for July by gear type.

Period	Gear Type	Current	Proposed
July 6 through July 22			
	Purse Seine	141	141
	Drift Gillnet	141	141
	Set Gillnet	141	243
July 23 through July 31			
	Purse Seine	108	108
	Drift Gillnet	108	108
	Set Gillnet	108	132
Total July Fishing			
	Purse Seine	249	249
	Drift Gillnet	249	249
	Set Gillnet	249	375

## July 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: July 6 through July 21: six 24-hour fishing periods interspersed by 48-hour closures. July 22 through July 31: three 36-hour fishing periods interspersed by 48-hour closures.						
4	5	6	7	8	9	10
		12:01 AM 21 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM	
11	12	13	14	15	16	17
9:00 PM	24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		9:00 PM
18	19	20	21	22	23	24
24 Hours 9:00 PM		9:00 PM	24 Hours 9:00 PM		12:00 PM	36 Hours
25	26	27	28	29	30	31
		12:01 AM 36 Hours	12:00 PM		12:00 PM	36 Hours 12:00 Midnight

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Figure 123-1.—Current Management Plan calendar.

## JULY 2010

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
Notes: July 6 through July 21: six 24-hour fishing periods interspersed by 48-hour closures. July 22 through July 31: three 36-hour fishing periods interspersed by 48-hour closures. This schedule is for seine and drift gillnet gear only. Set gillnet fishing periods is open only during the 48-hour closures.			<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightgray; border: 1px solid black; margin-right: 5px;"></span> Purse Seine</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: gray; border: 1px solid black; margin-right: 5px;"></span> Drift Gillnet</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: darkgray; border: 1px solid black; margin-right: 5px;"></span> Set Gillnet</li> </ul>			
4	5	6	7	8	9	10
		21 Hours 21 Hours 12:01 AM 9:00 PM		9:00 PM 48 Hours	24 Hours 24 Hours 9:00 PM 48 Hours	
11	12	13	14	15	16	17
9:00 PM 48 Hours	24 Hours 24 Hours 9:00 PM 48 Hours		9:00 PM 48 Hours	24 Hours 24 Hours 9:00 PM 48 Hours		9:00 PM 48 Hours
18	19	20	21	22	23	24
24 Hours 24 Hours 9:00 PM 48 Hours		9:00 PM 48 Hours	24 Hours 24 Hours 9:00 PM 39 Hours		NOON 36 Hours 36 Hours MIDNIGHT	
25	26	27	28	29	30	31
48 Hours	12:01 AM 36 Hours 36 Hours	36 Hours 36 Hours NOON 48 Hours			NOON 36 Hours 36 Hours MIDNIGHT	

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Figure 123-2.-Proposal 123 management plan calendar.

**BACKGROUND:** Prior to 1974, the July South Alaska Peninsula fishery was generally open five days per week with a total season closure on August 10. During the 1974 and 1975 fishing seasons, the fishery was severely restricted to rebuild pink salmon runs. From about 1976 through 1991, the salmon fishery was managed by emergency order based on local stock run strength. Fishing periods from July 6 through about July 18 were based on chum salmon run strength and from July 18 through about August 20, on pink salmon run strength.

In November of 1991, the board established the *Post June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in the South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of the South Alaska Peninsula from July 6 through 19 was the board's desire to minimize July coho salmon harvests.

In 1998, the board made changes to the *Post-June Management Plan* which defined two distinct fishing periods within the month of July. For the period July 6 through July 21, the board increased non-terminal area fishing opportunities. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapement of pink and chum salmon warranted. Terminal areas for the July 6 through July 21 fishing period included Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi sections (Figure 115-1 in Proposal 115).

For the period July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours. Each open fishing period was followed by minimum closure of 48 hours. The board also established a coho salmon cap of 60,000 in non-terminal areas from July 22 through July 31. Additional fishing time could be permitted in designated terminal harvest areas if escapements of pink and chum salmon warranted. In addition to terminal areas listed for the July 6 through July 21 fishing periods, the July 22 through July 31 fishing period includes terminal areas in Stepovak Flats Section (from July 26 through July 28), the section near Suzy Creek (after July 25), Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section (Figure 115-1 in Proposal 115).

Immature salmon have been most prevalent in Shumagin Islands Section (Figure 120-2 in Proposal 120), and concern for catching immature salmon is restricted to purse seine gear. Under current regulations, seine mesh size may not exceed 3½ inches except for the first 25 meshes above the lead line, which may not exceed 7 inches. Set gillnet gear has larger mesh size (minimum of 5¼ inches) which allows immature salmon to pass through. After 1979, regulations were adopted curtailing only purse seine fishing in affected areas. Immature salmon usually migrate out of the Shumagin Islands area by July 23, although 1992 closures remained in effect until July 29.

In 1990, the department's test fishing program was instituted in Shumagin Islands to determine presence and abundance of immature salmon in South Alaska Peninsula waters prior to commercial purse seine fishing periods in July. In Shumagin Islands Section, most purse seine fishing effort occurs in nearshore waters of Popof Island from Popof Head to Red Bluff (Figure 120-3 in Proposal 120). The department has established three test fishing sites at popular set locations in this area (Figures 123-1 and 123-2.).

In 1998, the board adopted a regulation that defined immature salmon and required the department to conduct an immature salmon test fishery in July (5 AAC 09.366(i)). The board also changed the earliest general opening date of the Post-June fishery in non-terminal areas from July 20 to July 6. Before 1998, the department conducted a test fishing program in mid July to assess presence of immature salmon in Shumagin Islands. Since 1998, the test fish program has been conducted in early July. After test fishing operations cease, the department continues to monitor the commercial fishery with on-the-water surveys for immature salmon catch.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Adjustment to 5 AAC 09.330(f)(1) would need to include allowable open waters for set gillnet gear between Popof Head and Dark Cliffs during the 48-hour commercial salmon fishing closure for seine and drift gillnet gear. The board would need to determine if this would be in addition to current regulation that allows set gillnet gear to fish between Popof Head and Dark Cliffs when this area is closed to seine gear due to presence of immature salmon, or a modification to 5 AAC 09.330(f)(1) that allows set gillnet gear to fish between Popof Head and Dark Cliffs during its 48-hour fishing period.

Under the current fishing schedule there is a clear distinction between terminal and non-terminal fishing opportunity. If the proposed schedule is adopted, it will provide daily fishing opportunity to at least one gear group, throughout the month of July. The department would seek guidance from the board as to how to manage terminal areas under the proposed schedule.

As a side note; the department acknowledges that if this proposal were to be adopted, it would also affect the subsistence salmon fishery. Since at least one commercial salmon gear type will be allowed to fish everyday from July 6 through July 31, subsistence fishermen would be also allowed to fish continuously from July 1 through July 4, and then from July 6 through July 31. The department is in favor of increased fishing opportunity for subsistence-caught salmon, but feels that continuous fishing opportunity may be difficult to distinguish between subsistence salmon fishing and commercial salmon fishing and may promote selling subsistence-caught salmon with commercially-caught salmon. The department recommends the board consult enforcement personnel concerning enforcement issues related to continuous subsistence salmon fishing from July 6 through July 31.

**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 124 – 5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** The intent of this proposal is unclear. The issue statement points to a lack of fishing openings and opportunity during July in the *Post-June Salmon Management Plan*, but does not suggest any changes or direction for discussion.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.366(d) Notwithstanding (c)(1) of this section, the commissioner may establish by emergency order, six 24-hour fishing periods interspersed by 48-hour closures from July 6 through July 21, and three 36-hour fishing periods interspersed by 48-hour closures from July 22 through July 31. The first commercial fishing period of the July 22 through July 31 period may not start before 12:00 noon on July 23 (Figure 123-1 in Proposal 123).

Under 5 AAC 09.366(f), additional fishing time may be permitted in terminal areas by emergency order if warranted by the escapement of pink and chum salmon (sockeye salmon in Cold Bay and Thin Point sections) from July 6 through July 21. Terminal areas for the July 6 through July 21 fishing period include Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi Bay sections (Figure 115-1 of Proposal 115). Beginning July 22, 5 AAC 09.366(g) allows terminal harvest areas to be opened by emergency order from July 22 through July 31. These terminal harvest areas include those areas specified in 5 AAC 09.366(f), as well as Deer Island, Belkofski Bay, Mino Creek-Little Coal Bay sections, Stepovak Flats Section from July 26 through July 28, and the area near Suzy Creek (ADF&G statistical area 281-65) after July 25 (Figure 115-1 of Proposal 115). Fishing periods are established based on abundance of local pink and chum salmon stocks.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal does not provide any suggested changes to the management plan so it is difficult to determine what the effects of this proposal might be.

**BACKGROUND:** The board adopted the *Post-June Management Plan* prior to the 1992 season. The plan essentially limited fishing from July 6 through July 19 to designated terminal areas. From 1993 through 1997, harvests in the July 6 through July 19 period in South Alaska Peninsula were significantly lower than pre-1993 harvests for the same period. One reason for closing most of South Alaska Peninsula during July 6 through July 19 was the board's desire to minimize July coho salmon harvests.

In 1998, the board made changes to the *Post-June Management Plan* which defined two distinct fishing periods within the month of July. For the period July 6 through July 21, the board increased non-terminal area fishing opportunities. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapements warranted.



Terminal areas for the July 6 through July 21 fishing period included Zachary Bay, Canoe Bay, and East Pavlof Bay, West Pavlof Bay, Cold Bay, Thin Point, and Morzhovoi sections.

For the period July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours. Each open fishing period was followed by a minimum closure of 48 hours. The board also established a 60,000 coho salmon cap in non-terminal areas from July 22 through July 31. Additional fishing time could be permitted in designated terminal harvest areas if escapements warranted. In addition to terminal areas listed for the July 6 through July 21 fishing periods, the July 22 through July 31 fishing period includes Stepovak Flats Section (from July 26 through July 28), the section near Suzy Creek (after July 25), Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section.

The number of extensions and total number of hours extended in terminal harvest areas of South Alaska Peninsula in July of 2007, 2008, and 2009 have been provided to demonstrate the department's efforts to provide additional fishing opportunity when warranted to harvest salmon in excess of escapement needs (Table 124-1).

Table 124-1.—Comparison of the number of extensions and total number of hours extended in terminal harvest areas of South Alaska Peninsula in July of 2007, 2008, and 2009.

Terminal Area	July 6 through July 21					
	Number of Extensions			Total Hours Extended		
	2007	2008	2009	2007	2008	2009
Morzhovoi Bay	0	0	0	0	0	0
Thin Point Section	0	0	0	0	0	0
Cold Bay Section	1	3	0	39	135	0
East Pavlof Section	1	3	0	39	135	0
West Pavlof Section	1	3	0	39	135	0
Canoe Bay	1	2	0	39	96	0
Zachary Bay	1	2	0	39	96	0

Terminal Area	July 22 through July 31					
	Number of Extensions			Total Hours Extended		
	2007	2008	2009	2007	2008	2009
Morzhovoi Bay	0	0	0	0	0	0
Thin Point Section	0	1	0	0	48	0
Cold Bay Section	2	2	0	96	96	0
Belkofski Bay Section	2	1	0	96	48	0
Deer Island Section	0	3	0	0	125	0
East Pavlof Section	2	2	0	96	96	0
West Pavlof Section	2	2	0	96	96	0
Canoe Bay	2	2	0	96	96	0
Mino Creek-Little Coal Bay Section	3	3	0	125	132	0
Zachary Bay	2	2	0	96	96	0
Stepovak Flats Section	0	0	0	0	0	0

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Additional fishing opportunity in terminal areas is based on escapement of sockeye, pink, and chum salmon into their relative systems, and in the past, the department has used its emergency order authority to increase fishing time, when appropriate. The proposal does not ask the board to take any specific action that the department can respond to.

**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 125 – 5 AAC 09.366(f). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to modify the *Post-June Management Plan* terminal areas as defined in 5 AAC 09.366(f) (Figure 125-1), and allow additional terminal harvest areas as defined in 5 AAC 09.366(g) (Figure 125-2) to be opened as early as July 6 if pink and chum salmon are present.

**WHAT ARE THE CURRENT REGULATIONS?** The current regulation, 5 AAC 09.366(f), defines terminal harvest areas as Zachary Bay (south of the latitude of 55° 22.60' N. lat) in Southeastern District, East and West Pavlof Bay sections north of the latitude of Black Point (55° 24.48' N. lat), and Canoe Bay in South Central District, and Cold Bay, Thin Point, and Morzhovoi Bay sections of Southwestern District. Between July 6 and July 21, these terminal harvest areas may be opened by, emergency order, based on abundance of pink and chum salmon (Figure 125-1).

Beginning on July 22, 5 AAC 09.366(g) allows terminal harvest areas to be opened by emergency order from July 22 through July 31. These terminal harvest areas include those areas specified in 5 AAC 09.366(f), as well as the area near Suzy Creek (ADF&G statistical area 281-65) after July 25, Stepovak Flats Section from July 26 through July 28, Mino Creek-Little Coal Bay Section, Belkofski Bay Section, and Deer Island Section. Fishing time in terminal areas is established based on abundance of local pink and chum salmon stocks (Figure 125-2).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow for opening of terminal harvest areas as early as July 6 based on abundance of local salmon stocks.

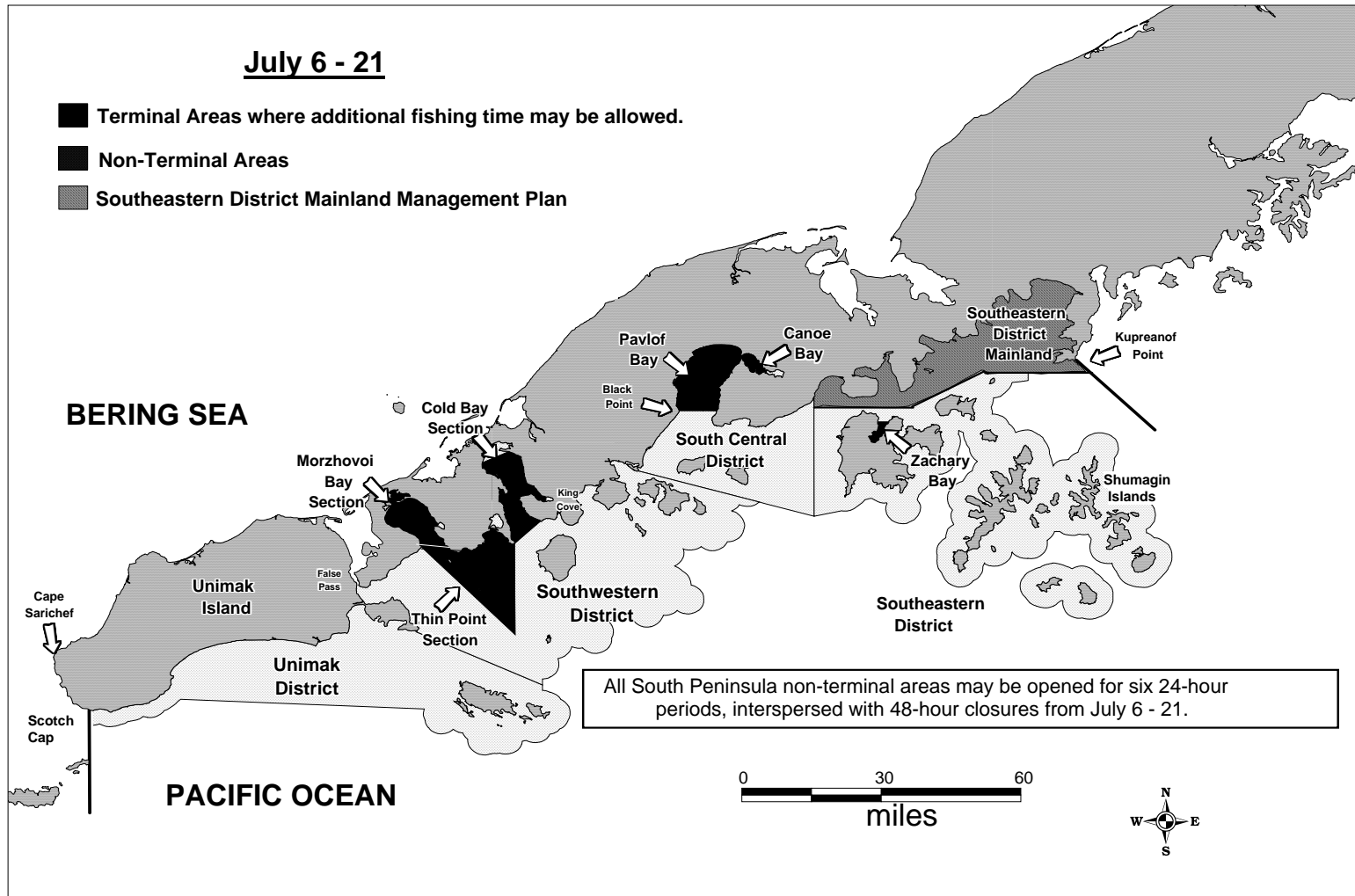


Figure 125-1.—Map of South Alaska Peninsula Post-June fishery with terminal areas defined, July 6 through July 21.

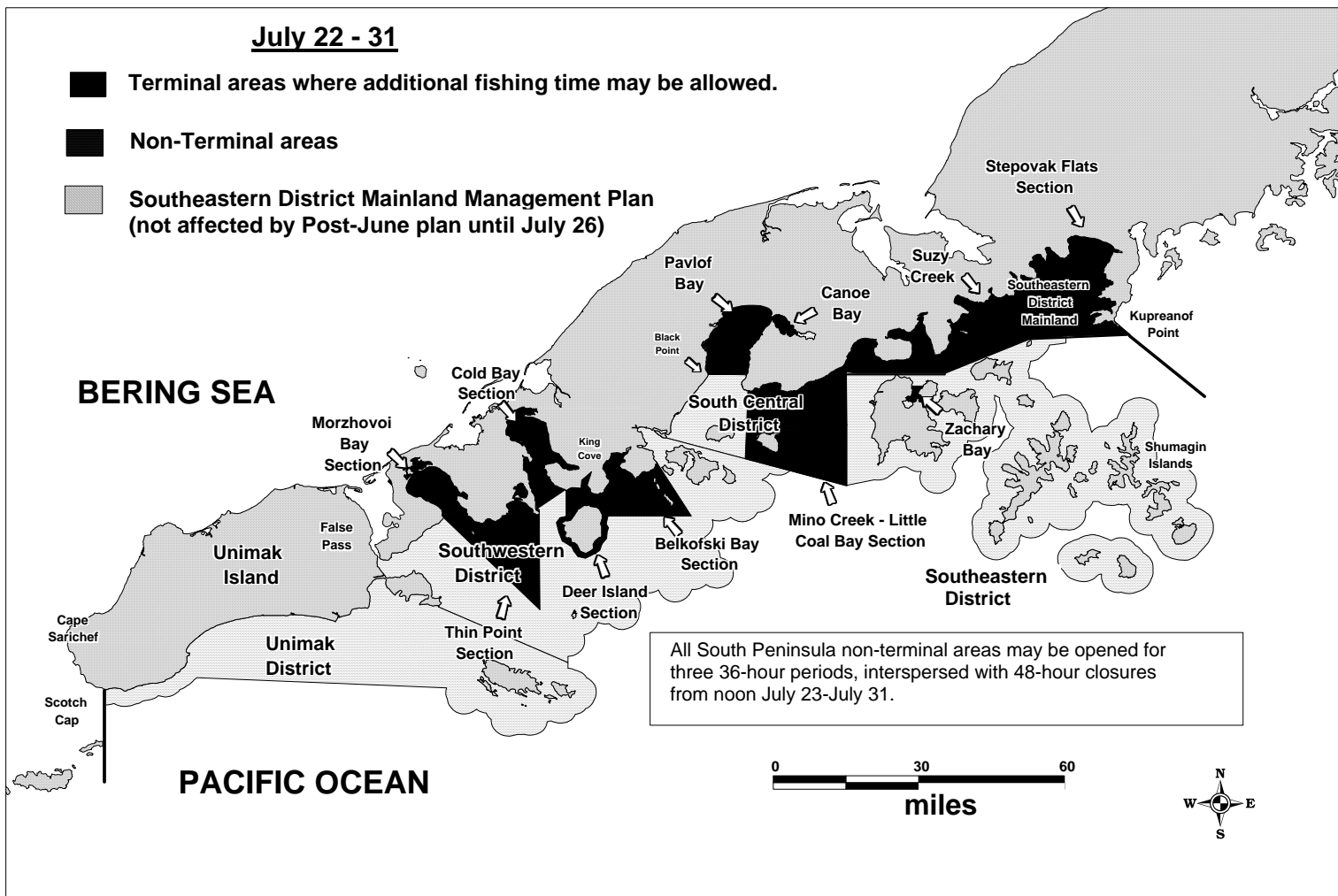


Figure 125-2.—Map of South Alaska Peninsula Post-June fishery with terminal areas defined, July 22 through July 31.

**BACKGROUND:** In November 1991, the board established the *Post-June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). This plan allowed harvest of local stocks through July 19 in terminal areas only, closing the remainder of South Alaska Peninsula formerly opened in July. The board's decision was partially based on the rationale that local pink and chum salmon could be caught in terminal areas early in the season without sacrificing product quality, while simultaneously allowing migratory salmon to pass through South Alaska Peninsula waters. After July 19, the board concluded that South Alaska Peninsula fishermen needed to harvest pink salmon in traditional cape fishing areas to maintain product quality and to better accommodate available processing capacity. Under this plan, commercial salmon fishing from July 6-19 was restricted to terminal fishing areas opened by emergency order, and was based on local stock run strength as determined by harvests and escapements. These areas include Zachary Bay and the northern portion of Pavlof Bay, Cold Bay, Thin Point, Canoe Bay, and Morzhovoi Bay sections (Figure 125-1). From July 20 through the remainder of the commercial salmon season, the entire South Alaska Peninsula could be opened to commercial salmon fishing by emergency order, if warranted by local run stock strength (except in the SEDM fishery, through July 25; 5 AAC 09.366).

In 1998, the board increased non-terminal area fishing opportunities from July 6 through July 21. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapements warranted (Figure 125-1).

From July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours from July 22 through July 31. Each open fishing period was followed by minimum closure of 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapements warranted (Figure 125-2).

Additional harvest within terminal harvest areas is primarily based on abundance of pink and chum salmon (with the exception of Cold Bay Section and Thin Point Section that are also based on sockeye abundance). Historically, additional terminal areas listed in 5 AAC 09.366(g) (Deer Island Section, Belkofski Bay Section, Mino Creek-Little Coal Bay Section, area near Suzy Creek, and Stepovak Flats Section), tend to have later pink and chum salmon run timing (Table 2). Additionally, areas near Suzy Creek and Stepovak Flats Section are currently managed under the *Southeastern District Mainland Management Plan* until July 25. Therefore, inclusion of these additional terminal areas during the July 22 through July 31 fishing period is based on historical escapement information and a prevention of overlap in management plans. The number of extensions and total number hours extended in terminal harvest areas of South Alaska Peninsula in July of 2007, 2008, and 2009 have been provided to demonstrate the department's efforts to provide additional fishing opportunity when warranted to harvest excess salmon stocks (Table 125-1.).

Table 125-1.—Comparison of the number of extensions and total number of hours extended in terminal harvest areas of South Alaska Peninsula in July of 2007, 2008, and 2009.

Terminal Area	July 6 - July 21					
	Number of Extensions			Total Hours Extended		
	2007	2008	2009	2007	2008	2009
Morzhovoi Bay	0	0	0	0	0	0
Thin Point Section	0	0	0	0	0	0
Cold Bay Section	1	3	0	39	135	0
East Pavlof Section	1	3	0	39	135	0
West Pavlof Section	1	3	0	39	135	0
Canoe Bay	1	2	0	39	96	0
Zachary Bay	1	2	0	39	96	0

Terminal Area	July 22 - July 31					
	Number of Extensions			Total Hours Extended		
	2007	2008	2009	2007	2008	2009
Morzhovoi Bay	0	0	0	0	0	0
Thin Point Section	0	1	0	0	48	0
Cold Bay Section	2	2	0	96	96	0
Belkofski Bay Section	2	1	0	96	48	0
Deer Island Section	0	3	0	0	125	0
East Pavlof Section	2	2	0	96	96	0
West Pavlof Section	2	2	0	96	96	0
Canoe Bay	2	2	0	96	96	0
Mino Creek-Little Coal Bay Section	3	3	0	125	132	0
Zachary Bay	2	2	0	96	96	0
Stepovak Flats Section	0	0	0	0	0	0

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Over the past three years (2007 through 2009), additional harvest has been permitted in terminal areas. The department does not anticipate a conservation concern stemming from this proposal. In addition, if this proposal is adopted, it would not affect the manner in which the department manages terminal harvest opportunity.

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

**PROPOSAL 126 – 5 AAC 09.366(f). Post June Salmon Management Plan for the South Alaska Peninsula**

**PROPOSED BY:** Melvin R. Larsen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to extend the definition of terminal harvest areas in the South Alaska Peninsula Post-June fishery to all waters of Southwestern District, South Central District, and portions of Southeastern District (Figure 126-1). The proposal is unclear as to which portion of Southeastern District is to be included in the extension of the terminal harvest area. However, the department assumed that the proposer was referring to Shumagin Islands Section of Southeastern District due to their acknowledgement of Southeastern District Mainland being a part of a different management strategy.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.366(b)(c)(d) set forth criteria for establishment of fishing periods in Southeastern, South Central, Southwestern, and Unimak Districts.

Current regulation, 5 AAC 09.366(f), defines terminal harvest areas as Zachary Bay (south of the latitude of 55° 22.60' N. lat) in Southeastern District, East and West Pavlof Bay sections north of the latitude of Black Point (55° 24.48' N. lat) and Canoe Bay in South Central District, and Cold Bay, Thin Point, and Morzhovoi Bay sections of Southwestern District,. Between July 6 and July 21, these terminal harvest areas may be opened by emergency order based on the abundance of local salmon returns (Figure 126-2).

From July 22 through July 31, 5 AAC 09.366(g) allows for additional terminal harvest areas to be opened. These terminal harvest areas include those areas specified in 5 AAC 09.366(f), as well as the area near Suzy Creek (after July 25), Stepovak Flats Section (from July 26 through July 28), Mino Creek-Little Coal Bay, Belkofski Bay, and Deer Island sections (Figure 126-3). Fishing periods are established based on abundance of local salmon returns.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would expand the definition of terminal harvest areas to include all waters of Southwestern District, South Central District, and Shumagin Islands portion of Southeastern District. Expansion of these waters as district wide terminal areas could increase harvest of both local stocks and stocks bound for other areas in the state.

**BACKGROUND:** In November 1991, the board established the *Post-June Salmon Management Plan for the South Alaska Peninsula* (5 AAC 09.366). This plan allowed harvest of local stocks through July 19 in terminal areas only, closing the remainder of South Alaska Peninsula formerly opened in July. The board's decision was partially based on the rationale that local pink and chum salmon could be caught in terminal areas early in the season without sacrificing product quality, while simultaneously allowing migratory salmon to pass through South Alaska Peninsula waters. After July 19, the



board concluded that South Alaska Peninsula fishermen needed to harvest pink salmon in traditional cape fishing areas to maintain product quality and to better accommodate available processing capacity. Under this plan, commercial salmon fishing from July 6 through July 19 was restricted to terminal fishing areas opened by emergency order, and was based on local stock run strength as determined by harvests and escapements. These areas include Zachary Bay and the northern portion of Pavlof Bay, Cold Bay, Thin Point, Canoe Bay, and Morzhovoi Bay sections (Figure 126-2). From July 20 through the remainder of the commercial salmon season, the entire South Alaska Peninsula could be opened to commercial salmon fishing by emergency order, if warranted by local run stock strength (except in the SEDM fishery through July 25; 5 AAC 09.366).

During the 1998 board meeting, the following changes were enacted. From July 6 through July 21, the board increased non-terminal area fishing opportunities in early July. Fishing periods were limited to a maximum of 24 hours followed by a closure of at least 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapements warranted.

From July 22 through July 31, the board reduced overall fishing time and restricted continuous fishing in late July in non-terminal areas. Fishing periods in non-terminal areas were limited to 36 hours between July 22 and July 31. Each open fishing period was followed by minimum closure of 48 hours. Additional fishing time could be permitted in designated terminal harvest areas if escapements warranted.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. The department is **OPPOSED** to the biological aspects of this proposal. Extending the definition of terminal areas to encompass entire districts would allow for directed fisheries on salmon not destined for South Alaska Peninsula streams. The department has been successful in controlling escapement and meeting escapement goals under current regulations.

Currently, additional fishing opportunity (in addition to scheduled fishing periods) in terminal areas is provided when local sockeye, pink, and chum salmon are in excess of escapement needs. If this proposal were to be approved, the department would require guidance from the board as to how to manage additional harvest opportunities in district wide terminal areas (i.e., whether it would be based on the escapement of local sockeye, pink, and chum salmon runs, or based on a different management strategy that would need to be defined by the board).

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

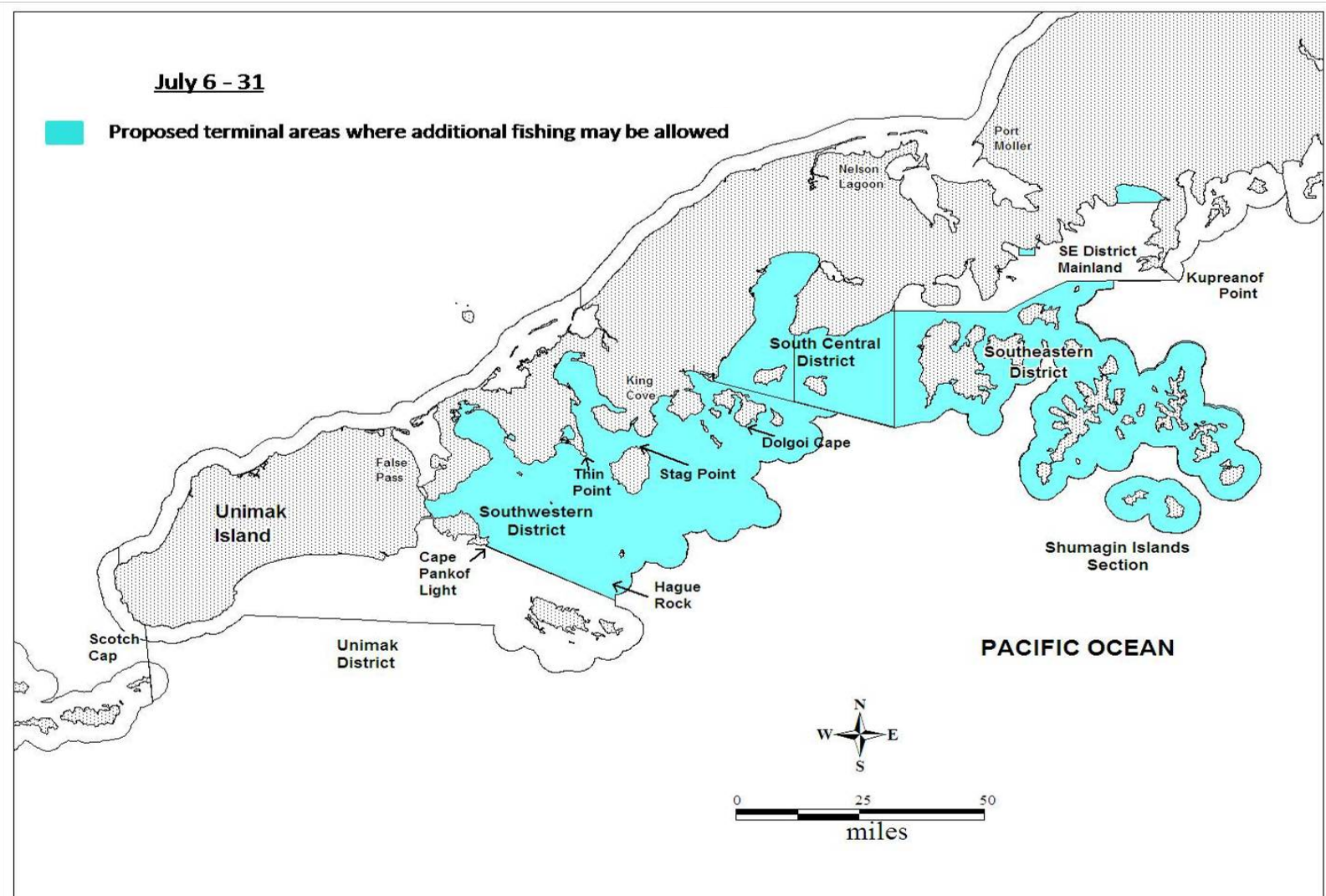


Figure 126-1.-Proposal 126 terminal areas defined, July 6 through July 31.

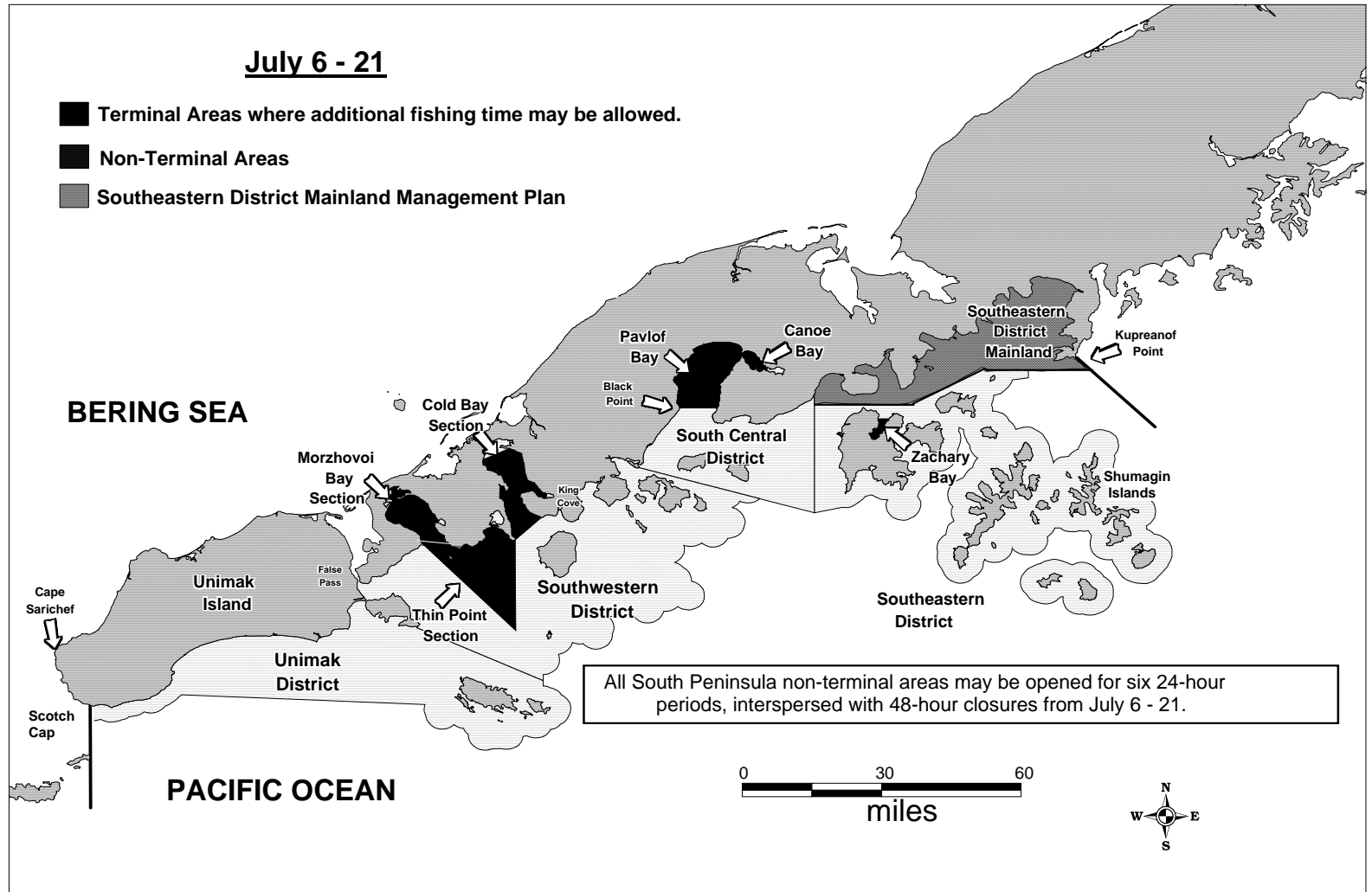


Figure 126-2.-Map of South Alaska Peninsula Post-June fishery with terminal areas defined, July 6 through July 21.

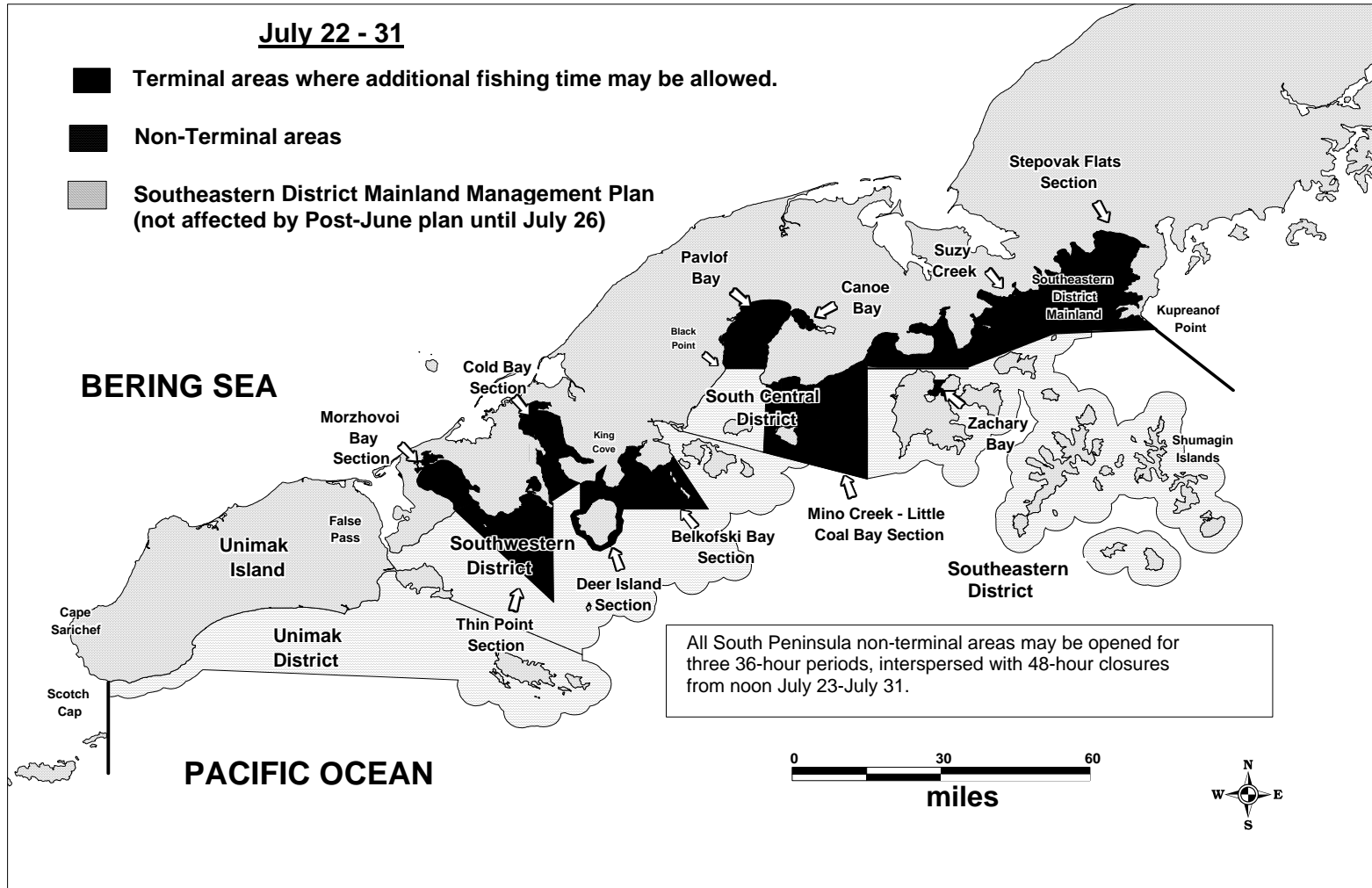


Figure 126-3.-Map of South Alaska Peninsula Post-June fishery with terminal areas defined, July 22 through July 31.

**PROPOSAL 127 – 5 AAC 09.366. Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Jack Berntsen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to repeal the test fishery language in the *Post-June Salmon Management Plan* or increase the immature threshold to 700-800 per set.

**WHAT ARE THE CURRENT REGULATIONS?** The *Post-June Salmon Management Plan*, 5 AAC 09.366(i), states that the department shall conduct a seine test fishery in Shumagin Islands Section to assess abundance and presence of immature salmon. If 100 or more immature salmon, per set, are present, the commissioner shall close, by emergency order, the seine fishery in an area to be determined by the department. If the seine fishery is closed in an area under this subsection, the set gillnet fishery shall remain open in that area. For purposes of this subsection, “immature salmon, per set, are present” means the number of immature Chinook, sockeye, coho, and chum salmon observed to be gilled in the seine web.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal suggests two alternative changes to the seine test fishery in the *Post-June Salmon Management Plan*. The first alternative would repeal the test fishery. If adopted, this proposal would potentially increase fishery-dependent mortality levels of immature salmon. The department would not conduct test fisheries in Shumagin Islands Section and the number of immature salmon caught by seine gear may increase. The department would have no advance notice of immature salmon concerns in Shumagin Islands until July 6 when South Alaska Peninsula is scheduled to open to commercial salmon fishing and department observers were able to assess the fishery.

The second alternative to the test fishery in the *Post-June Management Plan* would increase the threshold to 700-800 immature salmon per set, if repeal of the test fishery is not approved. An increase of the threshold to 700-800 immature salmon per set may allow fishing opportunity when substantial numbers of immature salmon could be harvested.

**BACKGROUND:** Immature salmon harvests were first brought to the department’s attention in 1963. Presence of immature salmon in South Alaska Peninsula waters has warranted restrictions to commercial fishing in some years. These restrictions were applied to all gear types in affected areas from late June into July in 1963, 1968, 1969, 1974, 1979, and after 1979 regulations were adopted curtailing only purse seine fishing, which placed restrictions during the 1989 through 1992, 1999, 2001, 2003, and 2008 seasons. Immature salmon usually migrate out of the Shumagin Islands area by July 23, although in 1992 closures remained in effect until July 29.

Immature salmon have been most prevalent in Shumagin Islands Section and concern for catching immature salmon is restricted to purse seine gear. Under current regulations,

seine mesh size may not exceed 3½ inches except for the first 25 meshes above the lead line, which may not exceed 7 inches (5 AAC 09.332(a)). Set gillnet gear has larger mesh size (minimum of 5¼ inches 5 AAC 09.331(b)(3)), which allows immature salmon to pass through.

In 1990, the department's test fishing program was instituted in Shumagin Islands Section to determine presence and abundance of immature salmon in South Alaska Peninsula waters prior to commercial purse seine fishing periods in July. In Shumagin Islands Section, most purse seine fishing effort occurs in near shore waters of Popof Island from Popof Head to Red Bluff. The department has established three test fishing sites at popular set locations in this area (Figures 127-1 and 127-2.).

In 1998, the board adopted a regulation that defined immature salmon and required the department to conduct an immature salmon test fishery in July (5 AAC 09.366(i)). The board also changed the earliest general opening date of the Post-June fishery in non-terminal areas from July 20 to July 6. Before 1998, the department conducted a test fishing program in mid July to assess presence of immature salmon in Shumagin Islands. Since 1998, the test fish program has been conducted in early July.

After test fishing operations cease, the department continues to monitor the commercial fishery with on-the-water surveys for immature salmon catch. Table 127-1 is provided to demonstrate results of the test fishery from 1992 to 2009 by providing the number of adult salmon caught, the number of immature salmon caught, average number of salmon caught per set, and a ten year average.

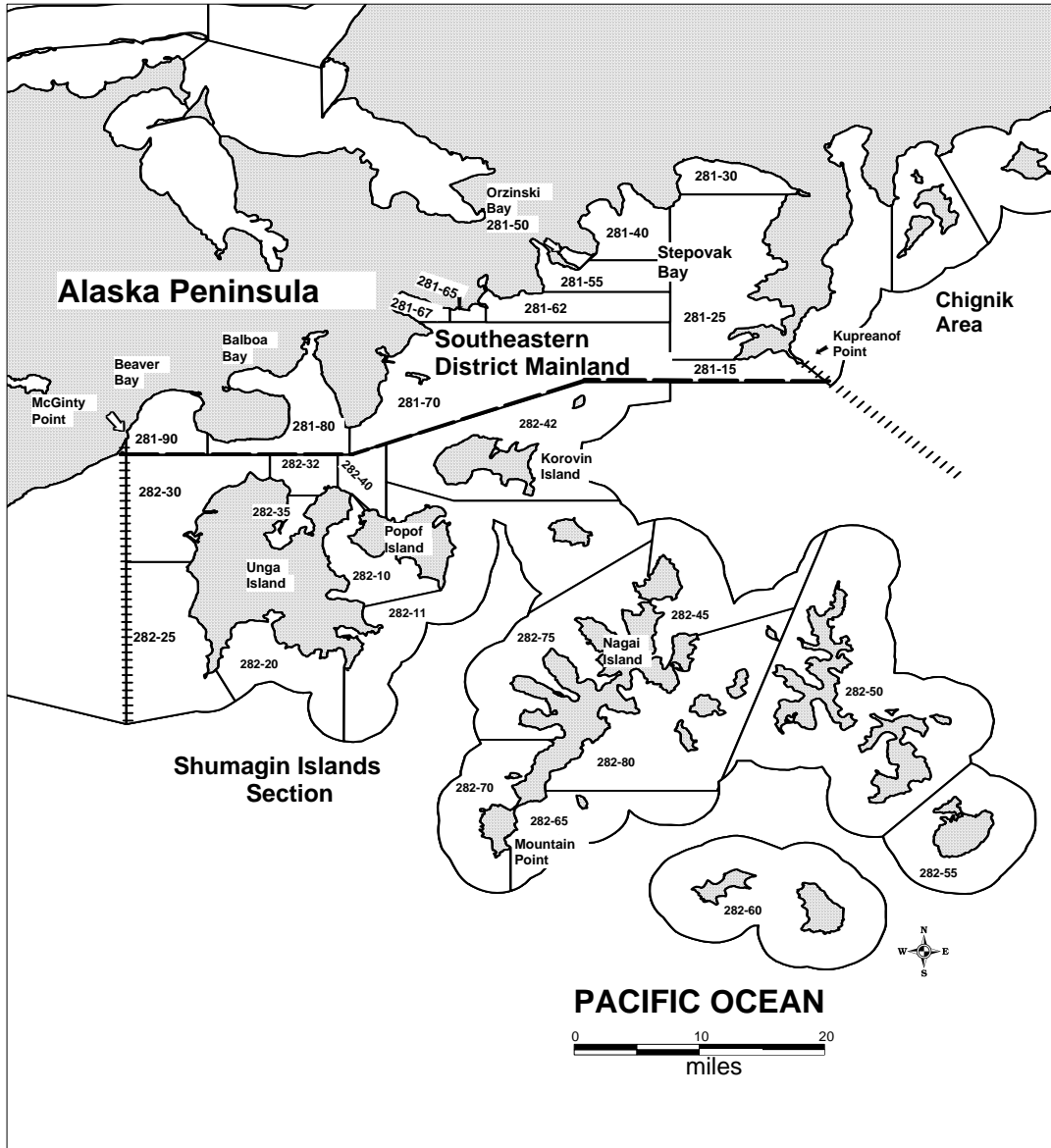


Figure 127-1.—Map of the Alaska Peninsula Area from Kupreanof Point to McGinty Point (Southeastern District) with statistical salmon fishing areas shown.

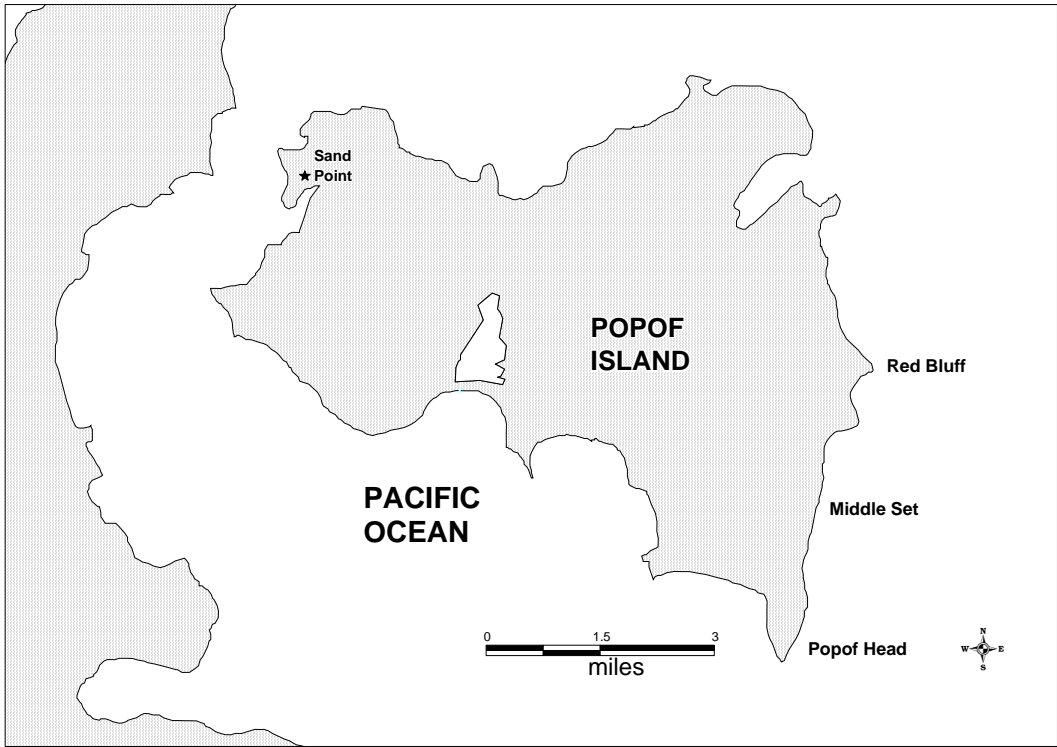


Figure 127-2.—Map of Popof Island with test fishing sites defined.



Table 127-1.—Annual summary of Shumagin Islands Section July salmon test fishery, 1992-2009.

Year	Duration	Number of sets	Number of Adult Salmon						Number of Immature Salmon				
			Chinook	Sockeye	Coho	Pink	Chum	Total	Chinook	Sockeye	Coho	Chum	Total
1992	July 10 - 29	44	134	2,413	3,695	10,167	4,388	20,797	892	13,449	5	2,087	16,433
		Avg/Set	3.0	54.8	84.0	231.1	99.7	472.7	20.3	305.7	0.1	47.4	373.5
1993	July 12 - 18	24	259	1,804	4,892	2,944	827	10,726	393	2,188	0	139	2,720
		Avg/Set	10.8	75.2	203.8	122.7	34.5	446.9	16.4	91.2	0.0	5.8	113.3
1994	July 14 - 27	31	99	1,171	4,221	8,530	2,657	16,678	135	3,685	2	11	3,833
		Avg/Set	3.2	37.8	136.2	275.2	85.7	538.0	4.4	118.9	0.1	0.4	123.6
1995	July 12 - 17	30	122	4,000	3,671	8,456	2,592	18,841	215	221	0	390	826
		Avg/Set	4.1	133.3	122.4	281.9	86.4	628.0	7.2	7.4	0.0	13.0	27.5
1996	July 12 - 18	35	188	2,093	15,187	7,010	7,391	31,869	211	520	4	234	969
		Avg/Set	5.4	59.8	433.9	200.3	211.2	910.5	6.0	14.9	0.1	6.7	27.7
1997	July 12 - 19	39	373	2,716	3,536	4,925	4,075	15,625	3,361	674	32	182	4,249
		Avg/Set	9.6	69.6	90.7	126.3	104.5	400.6	86.2	17.3	0.8	4.7	108.9
1998	July 02 - 03	10	6	711	33	1,200	499	2,449	5	24	0	0	29
		Avg/Set	0.6	71.1	3.3	120.0	49.9	244.9	0.5	2.4	0.0	0.0	2.9
1999	July 01 - 07	26	26	12,284	18	12,340	4,680	29,348	13	2,132	0	42	2,187
		Avg/Set	1.0	472.5	0.7	474.6	180.0	1128.8	0.5	82.0	0.0	1.6	84.1
2000	July 03 - 05	13	9	1,597	101	2,946	1,919	6,572	13	77	0	126	216
		Avg/Set	0.7	122.8	7.8	226.6	147.6	505.5	1.0	5.9	0.0	9.7	16.6
2001	July 02 - 16	50	318	6,258	3,353	9,382	10,772	30,083	1,265	3,241	17	1,382	5,905
		Avg/Set	6.4	125.2	67.1	187.6	215.4	601.7	25.3	64.8	0.3	27.6	118.1

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Table 127-1.--Page 2 of 2.

Year	Duration	Number of sets	Number of Adult Salmon						Number of Immature Salmon				
			Chinook	Sockeye	Coho	Pink	Chum	Total	Chinook	Sockeye	Coho	Chum	Total
2002	July 02 - 04	15	29	1,020	11	443	1,227	2,730	325	911	1	280	1,517
		Avg/Set	1.9	68.0	0.7	29.5	81.8	182.0	21.7	60.7	0.1	18.7	101.1
2003	July 02 - 20	28	26	819	1,279	4,646	2,275	9,045	1,419	8,640	43	512	10,614
		Avg/Set	0.9	29.3	45.7	165.9	81.3	323.0	50.7	308.6	1.5	18.3	379.1
2004	July 07 - 08	10	81	507	542	1,131	1,827	4,088	42	111	0	279	432
		Avg/Set	8.1	50.7	54.2	113.1	182.7	408.8	4.2	11.1	0.0	27.9	43.2
2005	July 02 - 05	22	68	1,197	2,137	7,117	2,140	12,659	1,110	263	2	211	1,586
		Avg/Set	3.1	54.4	97.1	323.5	97.3	575.4	50.5	12.0	0.1	9.6	72.1
2006	July 02 - 05	15	21	1,211	440	2,254	7,855	11,781	69	356	0	66	491
		Avg/Set	1.4	80.7	29.3	150.3	523.7	785.4	4.6	23.7	0.0	4.4	32.7
2007	July 02 - 05	17	12	11,389	781	7,036	1,300	20,518	2	951	0	9	962
		Avg/Set	0.7	669.9	45.9	413.9	76.5	1206.9	0.1	55.9	0.0	0.5	56.6
2008	July 03 - 08	23	12	9,310	1,901	14,838	11,436	37,497	22	2,167	0	391	2,580
		Avg/Set	0.5	404.8	82.7	645.1	497.2	1630.3	1.0	94.2	0.0	17.0	112.2
2009	July 03 - 05	18	28	1,587	389	21,101	3,825	26,930	76	644	3	260	983
		Avg/Set	1.6	88.2	21.6	1172.3	212.5	1496.1	4.2	35.8	0.2	14.4	54.6
Average 2000-2009		21	76	4,362	1,367	8,862	5,572	20,238	543	2,170	8	440	3,161
		Avg/Set	3	212	57	428	264	964	20	84	0	19	123

<sup>a</sup> Test fishing is standardized to purse seine gear, conducting 20 minute sets at Popof Head, Middle Set, and Red Bluff located on Popof Island; additional sets are made if time allows.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but **OPPOSES** the conservation aspects of it.

Specific stock composition of immature salmon taken in the Post-June fishery is unknown, although it is likely that the fishery takes immature salmon from multiple stocks. Immature salmon are not marketable and their catch results in a loss of adult salmon in future years. The department uses the test fishery to provide advance notice to Area M fishermen concerning time, area, and gear restrictions for the scheduled July 6 opening. Lack of advance notice would cause confusion among fishermen and unnecessary delays in closing areas that could potentially harvest thousands of immature salmon, salmon that are not sold or processed.

If the new threshold of 700-800 immature salmon were to be approved, the department requests that the board clearly define “immature salmon” and the threshold so there is no ambiguity as to how the test fishery is to be managed.

**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 128 – 5 AAC 09.366(i). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Melvin R. Larsen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to modify the regulation that guides the department in assessment of immature salmon presence in Shumagin Islands Section by eliminating the seine test fishery and establishing new fishing periods in July. Abundance of immature salmon would be based on a ratio of immature salmon to the total volume of salmon caught at the time of delivery. If the seine fleet is closed to fishing due to the presence of immature salmon, that time will be recaptured from the scheduled 48-hour closures.

**WHAT ARE THE CURRENT REGULATIONS?** The *Post-June Salmon Management Plan*, 5 AAC 09.366(i), states that the department shall conduct a seine test fishery in Shumagin Islands Section to assess abundance and presence of immature salmon. If 100 or more immature salmon, per set, are present, the commissioner shall close, by emergency order, the seine fishery in an area to be determined by the department. If the seine fishery is closed in an area under this subsection, the set gillnet fishery shall remain open in that area. For purposes of this subsection, “immature salmon, per set, are present” means the number of immature Chinook, sockeye, coho, and chum salmon observed to be gilled in the seine web.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would potentially increase fishery-dependent mortality levels of immature salmon. The department would not conduct test fisheries in Shumagin Islands Section and the number of immature salmon caught by seine gear may increase. The department would have no advance notice of immature salmon concerns prior to an opening or during the fishery as data would be collected after fishing was completed. As stated in the proposal, data on immature salmon would come from deliveries. This proposal also seeks to recapture any time lost due to a presence of immature salmon exceeding the threshold ratio by allowing fishing periods equivalent to the time lost during current 48-hour closures.

It is unclear to the department as to how the proposer suggests managing the test fishery based on a ratio of salmon to the total volume caught at time of delivery. There is no suggestion as to what the threshold ratio would be, the length of a closure if it is determined that the threshold ratio of immature salmon has been exceeded, or how the fishery could be reopened once the fishery has been closed.

**BACKGROUND:** Immature salmon harvests were first brought to the department’s attention in 1963. Presence of immature salmon in South Alaska Peninsula waters has warranted restrictions to commercial fishing in some years. These restrictions were applied to all gear types in affected areas from late June into July in 1963, 1968, 1969, 1974, 1979, and after 1979, regulations were adopted curtailing only purse seine fishing, which placed restrictions in 1989 through 1992, 1999, 2001, 2003, and 2008. Immature

salmon usually migrate out of Shumagin Islands area by July 23, although 1992 closures remained in effect until July 29.

Immature salmon have been most prevalent in Shumagin Islands Section, and a concern for catching immature salmon is restricted to purse seine gear. Under current regulations, seine mesh size may not exceed 3½ inches except for the first 25 meshes above the headline, which may not exceed 7 inches (5 AAC 09.332(a)). Set gillnet gear has larger mesh size (minimum of 5¼ inches 5 AAC 09.331(b)(3)), which allows immature salmon to pass through.

In 1990, an ADF&G test-fishing program was instituted in Shumagin Islands to determine presence and abundance of immature salmon in South Alaska Peninsula waters prior to commercial purse seine fishing periods in July. In Shumagin Islands Section, most purse seine fishing effort occurs in nearshore waters of Popof Island from Popof Head to Red Bluff. The department has established three test fishing sites at popular set locations in this area. Provided below is Table 128-1 to depict the number of adult salmon caught and the number of immature salmon caught each year from 1992-2009 during test-fishing. Ratios are provided to demonstrate variation in the number of adult salmon compared to immature salmon caught during test-fishing from 1992-2009 (Table 128-2).

In 1998, the board adopted a regulation that defined immature salmon and required the department to conduct an immature salmon test fishery in July (5 AAC 09.366(i)). The board also changed the earliest general opening date of the Post-June fishery in non-terminal areas from July 20 to July 6. Before 1998, the department conducted a test fishing program in mid July to assess presence of immature salmon in Shumagin Islands. Since 1998, the test fish program has been conducted in early July.

After test-fishing operations cease, the department continues to monitor the commercial fishery with on-the-water surveys for immature salmon catch.

Table 128-1.-Annual summary of Shumagin Islands Section July salmon test fishery, 1992-2009.

Year	Duration	Number of sets <sup>a</sup>	Number of Adult Salmon					Number of Immature Salmon					
			Chinook	Sockeye	Coho	Pink	Chum	Total	Chinook	Sockeye	Coho	Chum	Total
1992	July 10 - 29	44	134	2,413	3,695	10,167	4,388	20,797	892	13,449	5	2,087	16,433
		Avg/Set	3.0	54.8	84.0	231.1	99.7	472.7	20.3	305.7	0.1	47.4	373.5
1993	July 12 - 18	24	259	1,804	4,892	2,944	827	10,726	393	2,188	0	139	2,720
		Avg/Set	10.8	75.2	203.8	122.7	34.5	446.9	16.4	91.2	0.0	5.8	113.3
1994	July 14 - 27	31	99	1,171	4,221	8,530	2,657	16,678	135	3,685	2	11	3,833
		Avg/Set	3.2	37.8	136.2	275.2	85.7	538.0	4.4	118.9	0.1	0.4	123.6
1995	July 12 - 17	30	122	4,000	3,671	8,456	2,592	18,841	215	221	0	390	826
		Avg/Set	4.1	133.3	122.4	281.9	86.4	628.0	7.2	7.4	0.0	13.0	27.5
1996	July 12 - 18	35	188	2,093	15,187	7,010	7,391	31,869	211	520	4	234	969
		Avg/Set	5.4	59.8	433.9	200.3	211.2	910.5	6.0	14.9	0.1	6.7	27.7
1997	July 12 - 19	39	373	2,716	3,536	4,925	4,075	15,625	3,361	674	32	182	4,249
		Avg/Set	9.6	69.6	90.7	126.3	104.5	400.6	86.2	17.3	0.8	4.7	108.9
1998	July 02 - 03	10	6	711	33	1,200	499	2,449	5	24	0	0	29
		Avg/Set	0.6	71.1	3.3	120.0	49.9	244.9	0.5	2.4	0.0	0.0	2.9
1999	July 01 - 07	26	26	12,284	18	12,340	4,680	29,348	13	2,132	0	42	2,187
		Avg/Set	1.0	472.5	0.7	474.6	180.0	1128.8	0.5	82.0	0.0	1.6	84.1
2000	July 03 - 05	13	9	1,597	101	2,946	1,919	6,572	13	77	0	126	216
		Avg/Set	0.7	122.8	7.8	226.6	147.6	505.5	1.0	5.9	0.0	9.7	16.6
2001	July 02 - 16	50	318	6,258	3,353	9,382	10,772	30,083	1,265	3,241	17	1,382	5,905
		Avg/Set	6.4	125.2	67.1	187.6	215.4	601.7	25.3	64.8	0.3	27.6	118.1

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Table 128-2.-Page 2 of 2.

Year	Duration	Number of sets	Number of Adult Salmon					Number of Immature Salmon					
			Chinook	Sockeye	Coho	Pink	Chum	Total	Chinook	Sockeye	Coho	Chum	Total
2002	July 02 - 04	15	29	1,020	11	443	1,227	2,730	325	911	1	280	1,517
		Avg/Set	1.9	68.0	0.7	29.5	81.8	182.0	21.7	60.7	0.1	18.7	101.1
2003	July 02 - 20	28	26	819	1,279	4,646	2,275	9,045	1,419	8,640	43	512	10,614
		Avg/Set	0.9	29.3	45.7	165.9	81.3	323.0	50.7	308.6	1.5	18.3	379.1
2004	July 07 - 08	10	81	507	542	1,131	1,827	4,088	42	111	0	279	432
		Avg/Set	8.1	50.7	54.2	113.1	182.7	408.8	4.2	11.1	0.0	27.9	43.2
2005	July 02 - 05	22	68	1,197	2,137	7,117	2,140	12,659	1,110	263	2	211	1,586
		Avg/Set	3.1	54.4	97.1	323.5	97.3	575.4	50.5	12.0	0.1	9.6	72.1
2006	July 02 - 05	15	21	1,211	440	2,254	7,855	11,781	69	356	0	66	491
		Avg/Set	1.4	80.7	29.3	150.3	523.7	785.4	4.6	23.7	0.0	4.4	32.7
2007	July 02 - 05	17	12	11,389	781	7,036	1,300	20,518	2	951	0	9	962
		Avg/Set	0.7	669.9	45.9	413.9	76.5	1206.9	0.1	55.9	0.0	0.5	56.6
2008	July 03 - 08	23	12	9,310	1,901	14,838	11,436	37,497	22	2,167	0	391	2,580
		Avg/Set	0.5	404.8	82.7	645.1	497.2	1630.3	1.0	94.2	0.0	17.0	112.2
2009	July 03 - 05	18	28	1,587	389	21,101	3,825	26,930	76	644	3	260	983
		Avg/Set	1.6	88.2	21.6	1172.3	212.5	1496.1	4.2	35.8	0.2	14.4	54.6
Average 2000-2009		21	76	4,362	1,367	8,862	5,572	20,238	543	2,170	8	440	3,161
		Avg/Set	3	212	57	428	264	964	20	84	0	19	123

<sup>a</sup> Test fishing is standardized to purse seine gear, conducting 20 minute sets at Popof Head, Middle Set, and Red Bluff located on Popof Island; additional sets are made if time allows.

Table 128-2.—Annual summary of Shumagin Islands Section July salmon test fishery, 1992-2009.

Year	Duration	Number of sets <sup>a</sup>	Ratio of Adults to Immature <sup>b</sup>				Total
			Chinook	Sockeye	Coho	Chum	
1992	July 10 - 29	44	0.15	0.18	739.00	4.87	0.27
1993	July 12 - 18	24	0.66	0.82		21.18	0.30
1994	July 14 - 27	31	0.73	0.32	2110.50	775.45	0.69
1995	July 12 - 17	30	0.57	18.10		21.68	3.14
1996	July 12 - 18	35	0.89	4.03	3796.75	29.96	7.63
1997	July 12 - 19	39	0.11	4.03	110.50	27.06	0.96
1998	July 02 - 03	10	1.20	29.63			17.21
1999	July 01 - 07	26	2.00	5.76		293.81	2.14
2000	July 03 - 05	13	0.69	20.74		23.38	8.88
2001	July 02 - 16	50	0.25	1.93	197.24	6.79	1.82
2002	July 02 - 04	15	0.09	1.12	11.00	1.58	0.81
2003	July 02 - 20	28	0.02	0.09	29.74	9.07	0.21
2004	July 07 - 08	10	1.93	4.57		4.05	4.23
2005	July 02 - 05	22	0.06	4.55	1068.50	33.73	1.35
2006	July 02 - 05	15	0.30	3.40		34.15	16.00
2007	July 02 - 05	17	6.00	11.98		781.78	1.35
2008	July 03 - 08	23	0.55	4.30		37.95	4.43
2009	July 03 - 05	18	0.37	2.46	129.67	81.16	3.89
Average 2000-2009		21	0.14	2.42	167.67	18.84	1.72

<sup>a</sup> Test fishing is standardized to purse seine gear, conducting 20 minute sets at Popof Head; Middle Set, and Red Bluff located on Popof Island; additional sets are made if time allows.

<sup>b</sup> Ratios left blank indicate that there were no immature salmon caught during the test fishing. A number above zero indicates more adults to immatures and a number less than zero indicates more immatures to adults being caught during test fishing.



**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but **OPPOSES** the conservation aspects of it. Specific stock composition of immature salmon taken in the post-June fishery is unknown, although it is likely that the fishery takes immature salmon from multiple stocks. Immature salmon are not marketable and their catch results in a loss of adult salmon in future years. Managing on a ratio may lead to a situation where large numbers of immature salmon are being harvested, as long as the number of adults being harvested is also large.

The department uses the test fishery to provide advanced notice to Area M fishermen concerning time, area, and gear restrictions for the scheduled July 6 opening. Lack of advance notice would cause confusion among the fishermen and unnecessary delays in closing areas that could potentially harvest thousands of immature salmon that are not sold or processed. Quality of data collected would also be of concern because the information would be collected at the time of delivery, not on the fishing grounds, and under proposed management, there would be an incentive to discard immature salmon prior to delivery.

If this proposal were to be adopted, the department would need clarification on the ratio of immature to total harvest caught at the time of delivery and what the immature salmon threshold would be. A new definition of immature salmon would be required to guide department representatives in assessment of immature salmon as stipulated in the proposal. Currently, the department does not have additional resources required to oversee the number of deliveries needed to ensure that immature salmon are being caught under the provided threshold.

**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 129 – 5 AAC 09.366(c). Post-June Salmon Management Plan for the South Alaska Peninsula.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to extend the commercial salmon fishing season in Southeastern, South Central, Southwestern, and Unimak districts until October 31, with fishing periods from 9:00 a.m. to 8:00 p.m.

**WHAT ARE THE CURRENT REGULATIONS?** The commercial salmon fishery in South Alaska Peninsula may open by emergency order under 5 AAC 09.310(c),(d),(e), and (f), and salmon may be taken only June 1 through September 30 in Unimak District, Southwestern District, South Central District, and Southeastern District. Also under the *Post-June Management Plan in South Alaska Peninsula*, 5 AAC 09.366(c)(3) and (h)(2), fishing periods for September are from 9:00 a.m. to 8:00 p.m., and commercial salmon fishing may be open by emergency order from September 1 through September 30. Fishing periods shall be based on abundance of coho salmon stocks, although the department may consider abundance of late pink and chum salmon stocks.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would lengthen the commercial salmon fishing season in South Alaska Peninsula to October 31.

**BACKGROUND:** Recently, most post-August commercial fishing effort occurs in Southeastern District with set gillnet gear. Under the present management plan, the length of commercial fishing periods in Southeastern District is determined by catch per unit effort (CPUE) of coho salmon by set gillnet gear. CPUE is defined as the number of coho salmon harvested per permit holder or delivery. The amount of fishing time allowed per week is 59 hours if CPUE is below the recent historical average, 83 hours if the CPUE is near average, and 107 hours if CPUE is above average. Coho salmon are present in local streams beginning in late August. CPUE of coho salmon in this fishery is believed to be an indicator of the strength of local Southeastern District coho salmon stocks. The majority of post August harvest is usually sockeye salmon. Based on catch and escapement data, the department believes that local sockeye salmon stocks do not contribute substantially to harvest in Southeastern District fisheries after August. By September 1, most pink and chum salmon have entered Southeastern District streams, and they are not caught in large quantities in the fall fishery (Table 129-1: October 1 through October 31 fall fishery from 1985-2009).

In response to requests by processors and fishermen, the department has frequently extended the commercial salmon season in Southeastern District into October. In recent years, the fishery has remained open into October until the last permit holder ceased fishing (5 AAC 09.310 (f)).

Table 129-1.—The number of salmon caught in South Alaska Peninsula from October 1 through October 31.

Year	Number of Salmon				
	Chinook	Sockeye	Coho	Pink	Chum
1985 <sup>a</sup>					
1986 <sup>a</sup>					
1987	0	71	3	0	0
1998	0	25	2	0	0
1989	0	200	4	0	2
1990	0	547	34	0	10
1991 <sup>a</sup>					
1992	0	60	28	0	0
1993	0	70	41	0	1
1994 <sup>a</sup>					
1995	0	892	110	0	0
1996	0	1,400	116	0	0
1997	2	14,780	538	0	0
1998	0	1,815	66	0	5
1999	0	0	0	0	0
2002	0	51	0	0	0
2003	0	605	90	0	0
2004 <sup>a</sup>					
2005 <sup>a</sup>					
2006 <sup>a</sup>					
2007 <sup>a</sup>					
2008 <sup>a</sup>					
2009 <sup>a</sup>					

<sup>a</sup> No fishery from October 1 through October 31.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Though there has been commercial salmon fishing during the month of October, current regulations have established the fishing season to be between June 1 and September 30. Adoption of this proposal would not significantly change management of the South Alaska Peninsula fall fishery, and could be managed similarly to management strategies during September by allowing 59-hour fishing periods each week, with extensions (up to 48 hours) based on the comparison of the current coho salmon CPUE to historical coho salmon CPUE data.

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

**PROPOSAL 130 – 5 AAC 09.331(a)(b). Gillnet Specifications and Operations.**

**PROPOSED BY:** Concerned Area M Fishermen.

**WHAT WOULD THE PROPOSAL DO?** Adoption of this proposal, as submitted, would modify depth of drift gillnets in Unimak and Southwestern districts and for set gillnets in Unimak, Southwestern, South Central, and Southeastern districts(see Figure 1 in Proposal 115) from 90 meshes to 150 meshes. The issue statement in the proposal refers only to the *Post-June Management Plan*.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.331(a)(3) requires that drift gillnets used in Northwestern, Unimak and Southwestern districts be limited to a depth not exceeding 90 meshes. Regulation 5 AAC 09.331(b)(1)(C) requires that set gillnets used in Northwestern, Unimak, Southwestern, South Central, and Southeastern districts may not exceed 90 meshes in depth.

Current regulations (5 AAC 09.331(b)(3)) also stipulate that set and drift gillnet gear may not have mesh smaller than five and one-quarter inches during the Post-June fishery.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would increase maximum depth of drift gillnet gear allowed in Unimak and Southwestern Districts and increase the maximum depth of set gillnet gear allowed in Unimak, Southwestern, South Central, and Southeastern districts. Increasing depth of gillnet gear would likely result in increased catching power for both drift and set gillnet fleets during the Post-June fishery.

**BACKGROUND:** Concerns over harvests of chum salmon in the 1980s and weak Yukon River chum salmon runs resulted in adoption of gear restrictions for the entire South Alaska Peninsula. The legal depth of gillnet gear was unlimited in regulation until just prior to the 1990 salmon season, when a proposal was adopted that limited gillnet gear in Northwestern, Unimak, Southwestern, South Central, and Southeastern districts to 90 meshes.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. It is recommended that the board consult with enforcement personnel concerning issues relative to gear depth differences in adjoining districts within a management area. The department does not anticipate a conservation concern stemming from the adoption of this proposal. Although the catching power of the fleet may increase during the Post-June fishery, under the current management plan, the department would maintain the ability to regulate fishing opportunity by time and area.

**COST ANALYSIS:** Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery unless they choose to increase the depth of their fishing gear.

**PROPOSAL 131 - 5 AAC 09.331(b)(3). Gillnet Specifications and Operations.**

**PROPOSED BY:** Patrick Brown.

**WHAT WOULD THE PROPOSAL DO?** Adoption of this proposal would reduce minimum mesh size restrictions for set gillnets in Southeastern District Mainland (SEDM) after July 25 and in Shumagin Islands Section of Southeastern District after July 31 (see Figure 115-1 in Proposal 115).

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.331(b)(3) establishes that the mesh size of a set gillnet may not be less than five and one-quarter inches, except (a) in Northern District and Northwestern District; and (b) in South Unimak and Shumagin Islands fisheries described in 5 AAC 09.365(b) and (c) when the commissioner opens fishing periods under 5 AAC 09.365(d).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would remove minimum mesh size restrictions for gillnets in SEDM after July 25 and in Shumagin Islands after July 31. Reduction of gillnet mesh size would likely result in increased catching power of pink salmon for set gillnet gear in Southeastern District.

**BACKGROUND:** Concerns over harvests of chum salmon in the 1980s and weak Yukon River chum salmon runs resulted in adoption of gear restrictions. The requirement that gillnet mesh size to be no less than five and one-quarter inches has been in regulation since statehood.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. The department does not anticipate a conservation concern stemming from the adoption of this proposal. With reduced mesh size, the ability of set gillnet fishermen to target pink salmon may improve but would not reduce the department's ability to regulate fishing opportunity in the Southeastern District.

**COST ANALYSIS:** Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery unless they choose to increase the depth of their fishing gear.

## **COMMITTEE C: HERRING AND SALMON**

### **15 Proposals**

#### **HERRING**

#### **PROPOSAL 158 – 5 AAC 27.655(a)(3). Dutch Harbor Food and Bait Herring Fishery Allocation Plan.**

**PROPOSED BY:** Daniel F. Veerhusen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to allow harvest of any remaining Dutch Harbor herring food and bait gillnet allocation by purse seine gear once the purse seine gear allocation has been harvested.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 27.655, the Dutch Harbor herring food and bait guideline harvest level (GHL) is allocated 86% to seine gear and 14% to gillnet gear. These allocations are non-transferrable between gear types.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow any remaining gillnet herring allocation to be harvested by purse seine gear once the purse seine allocation was met. In most years the seine allocation is harvested before the gillnet allocation is actualized or by the end of the gillnet herring season. The seine fleet is subject to an overharvest penalty if it exceeds the current year's allocation. The amount of herring harvested above the seine GHL is deducted from the next year's allocation. There is uncertainty if this clause would affect the gillnet allocation if the seine fleet exceeds the gillnet GHL. If this adopted, this proposal may create new gear conflicts.

**BACKGROUND:** From 1981 to 1986 and 1990 to 2000, only purse seine gear was used to harvest herring in the Dutch Harbor food and bait fishery. However, between 1987 and 1989, and again in 1997, gillnet permit holders recorded landings. In 2001, the board adopted a regulation that allocated 7% of the total Dutch Harbor GHL to the gillnet fleet. From 2001 to 2003, the number of gillnet fishermen increased from 6 to 13 vessels. In 2004, the gillnet harvest allocation was further increased to 14%. However, since 2004 the gillnet allocation has not been fully harvested (Table 1).

Table 158-1.--Dutch Harbor herring food and bait fishery allocations (tons) and harvest (tons), by gear type, 2004-2009.

		2004	2005	2006	2007	2008	2009
All Gear Types	Allocation	1,899	1,365	1,715	1,779	1,722	1,600
	Harvest	1,254	1,159	954	1,254	1,575	1,334
Gillnet Fishery	Allocation	266	191	240	249	241	224
	Harvest	216	0	1	6	39	24
Seine Fishery	Allocation	1,633	1,174	1,475	1,530	1,481	1,323 <sup>a</sup>
	Harvest	1,038	1,159	953	1,248	1,536	1,310

<sup>a</sup> Original allocation was 1,376 tons but decreased by 53 tons due to overharvest penalty from previous year.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. If adopted, the department would seek direction from the board as to when the deadline would be instituted to allow purse seiners to harvest the remaining gillnet quota.

**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 159 – 5 AAC 27.655(a)(3). Dutch Harbor Food and Bait Herring Fishery Allocation Plan.**

**PROPOSED BY:** Daniel F. Veerhusen.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to allow use of seine gear to harvest herring in Adak District.

**WHAT ARE THE CURRENT REGULATIONS?** 5AAC 27.657, *Alaska Peninsula-Aleutian Islands Herring Management Plan*, stipulates that 500 tons of herring may be harvested in that portion of Adak District between 175 30' W. Long. and 177 W. Long. (Figure 1), by gillnet gear, from June 24 through February 28.

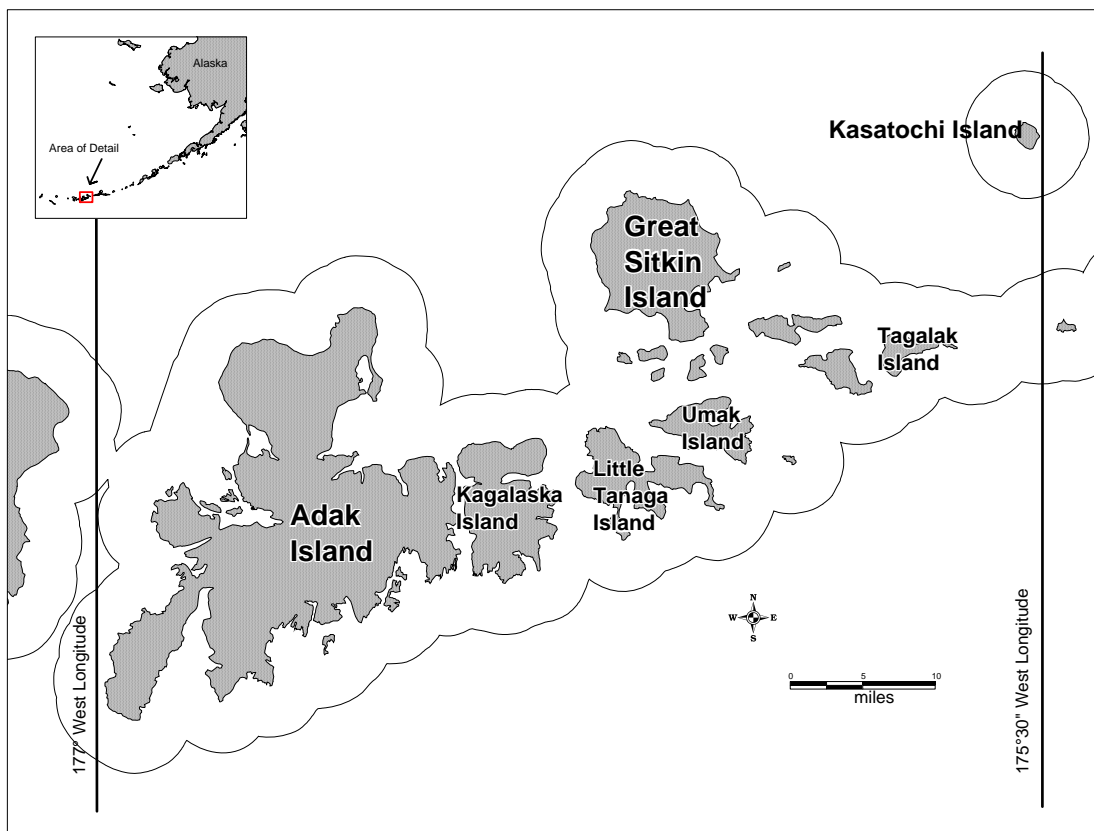


Figure 159-1.–Map of Adak District between 175 30' W. Long. and 177 W. Long.



**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow use of seine gear to harvest herring in Adak District. This could potentially create gear conflicts where there were none previously. By allowing seine gear to harvest herring in the Adak area, there may be some participation in this fishery.

**BACKGROUND:** Multiple exploitation of Bering Sea herring stocks has been a concern since the 1981 re-establishment of the Dutch Harbor herring food and bait fishery. From 1983 to 1985, the board implemented a harvest ceiling of 3,527 tons per year for the Alaska Peninsula-Aleutian Islands Management Area herring food and bait harvest. This was reduced to 2,453 tons in 1986 and 2,332 in 1987, corresponding to the percent reduction of observed Togiak herring spawning biomass between 1985 and 1987. In 1988, the board implemented the *Bering Sea Herring Fisheries Management Plan* (5 AAC 27.060) which established biological criteria for calculating the allocation for the Alaska Peninsula-Aleutian Islands Management Area food and bait fishery. The “Dutch Harbor” herring food and bait fishery is allocated 7% of Togiak District’s harvestable herring biomass after a 1,500-ton deduction for the Togiak spawn-on-kelp fishery.

Prior to 2000, exploratory herring sac roe fishing in Aleutian Islands could occur from April 15 through June 15, during periods established by emergency order. The season was closed from June 16 through 12:00 noon on July 15. All South Alaska Peninsula fishing areas without guideline harvest levels were open for exploration; however, no more than 25 tons of herring could be harvested from waters near any single island or bay. Industry did not participate in this fishery, and in 2000 the department discontinued exploratory fishing in Aleutian Island waters because of the lack of information available about stocks in the area and concerns for overharvesting local herring stocks.

Scale pattern analysis studies have shown that the Togiak District spawning stock migrates southwest along Alaska Peninsula and into the Eastern Aleutians during summer. Area M salmon fishermen have reported large biomasses of herring present in Aleutian Islands waters in mid June. Based on travel time from Togiak, some fishermen believe a significant amount of herring found in the Dutch Harbor area are from stocks other than those specified in the *Bering Sea Fisheries Management Plan* on which the Alaska Peninsula-Aleutian Islands food and bait fishery allocation is based. Some fishermen believe these stocks spawn north of Togiak, while others believe they are from western Aleutian Islands.

In 2004, the board enacted the *Alaska Peninsula-Aleutian Islands Herring Management Plan* (5 AAC 27.657). This plan established a herring gillnet fishery in the Adak Island area with a 500 ton allocation independent of the Dutch Harbor food and bait allocation. Herring can be harvested as food and bait from June 24 until February 28.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. Since establishment of the 500 ton gillnet herring allocation in the Adak area, there has been no participation in the fishery. Participation in this fishery could provide the department with information on herring in the Adak area.

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

## **SOUTHEAST DISTRICT MAINLAND**

### **PROPOSAL 132 – 5 AAC 09.360(b), (c), and (d). Southeastern District Mainland Salmon Management Plan.**

**PROPOSED BY:** Jim Smith.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to allow fishing opportunity in Southeastern District Mainland (SEDM) from June 1 through July 25, after Chignik fishermen have begun to harvest salmon and if Chignik River sockeye salmon escapement goals are being achieved, the department will manage SEDM in order to achieve the 7.6% allocation. Adoption of this proposal would remove Chignik Management Area (CMA) sockeye salmon harvest thresholds of 300,000 and 600,000 fish from the *Southeastern District Mainland Management Plan*.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.360(b) and (c), commercial salmon fishing opportunity in SEDM shall be curtailed in order to allow a harvest in Chignik Area of at least 300,000 sockeye salmon through July 8. After July 8, if at least 300,000 sockeye salmon have been harvested in Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area is at least 600,000 fish through July 25. As stated in 5 AAC 09.360(d), when harvestable surplus is expected to be more than 600,000 fish and the department determines that the runs are as strong as expected, the department will manage SEDM so that harvest approaches, as near as possible, 7.6 percent of sockeye salmon harvested in Chignik Area. From June 1 through July 25, 80% of the sockeye salmon harvested in East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay sections and prior to July 1 in Northwest Stepovak Section, are considered Chignik bound (5 AAC 09.360(f)). In addition, 5 AAC 09.330(f)(3) stipulates that only gillnet gear is allowed in SEDM prior to July 11, after which both gillnet and seine gear is allowed in SEDM.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, this proposal would remove sockeye salmon harvest thresholds of 300,000 and 600,000 fish. Removing thresholds would eliminate regulation 5AAC 09.360(b), (c) and, (d). This would allow commercial salmon fishing in the SEDM area to commence as soon as commercial fishing began in Chignik Area in order to obtain the 7.6% allocation through July 25. In most years, this would allow for earlier fishing opportunity in SEDM and most likely more fishing opportunity overall.

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on the harvest of sockeye salmon in Chignik Area, Cape Igvak Section of KMA, and in SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to allocation of Chignik sockeye salmon stocks to the fishery and definition of local

stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of sockeye salmon harvested in CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as 100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board stipulated that sockeye salmon harvested in Northwest Stepovak Section (NWSS) beginning July 1 would not be counted toward the Chignik allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-hour periods per week, with no more than 48 hours of consecutive fishing time during a seven-day period. Since the last board meeting in 2007, there has only been one year that a fishery has occurred in SEDM prior to July 25. The limited opportunity in SEDM was due to Chignik River having poor or late sockeye salmon runs.

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

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

**PROPOSAL 133 – 5 AAC 09.360. Southeastern District Mainland Salmon Management Plan.**

**PROPOSED BY:** Jack R. Foster Jr.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would create a fishing schedule for the SEDM area of South Alaska Peninsula. The proposed schedule would consist of 72-hour openings, interspersed with 48-hour closures from June 6 through July 20. The first fishing period of this schedule would occur at 12:00 midnight on June 6.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.360(b) and (c), commercial salmon fishing opportunity in SEDM shall be curtailed in order to allow a harvest in Chignik Area of at least 300,000 sockeye salmon through July 8. After July 8, if at least 300,000 sockeye salmon have been harvested in Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area is at least 600,000 fish through July 25. As stated in 5 AAC 09.360(d) when harvestable surplus is expected to be more than 600,000 fish and the department determines that the runs are as strong as expected, the department will manage SEDM so that harvest approaches as near as possible 7.6 percent of sockeye salmon harvested in Chignik Area. From June 1 through July 25, 80% of sockeye salmon harvested in East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay sections and prior to July 1 in Northwest Stepovak Section, are considered Chignik bound (5 AAC 09.360(f)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would establish a fishing schedule in Southeastern District Mainland area from June 6 through July 20, which would provide 648 hours of fishing time (Figures 133-1 and 133-2). It is unclear if this proposal seeks to have the allocation criteria (5 AAC 09.360(b)-(i)) removed from the *Southeastern District Mainland Salmon Management Plan* or if it would remain in place. Removal of allocation criteria would also affect management of Northwest Stepovak Section (NWSS) July 1 through July 25, because this area is managed based on local stock escapement. Managing NWSS on a schedule would hamper the department's ability to manage for escapement goals. The proposal as written would make management for an allocation difficult if not impossible. In addition, the proposal does not state how the department should manage the SEDM area after July 20.

# June 2010

June 2010						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
Notes: One small block = Two hours. All fishing periods start at 12:01 AM and end at 12:00AM. All closures between fishing periods are for 48 hours.						
6	7	8	9	10	11	12
12:01 AM	72 Hours				12:01 AM	48 hours
13	14	15	16	17	18	19
24 Hours			12:01 AM	72 Hours		
20	21	22	23	24	25	26
	12:01 AM	72 Hours				12:01 AM
27	28	29	30			
48 Hours						

Figure 133-1.-Proposal 133 June calendar.

July 2010						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes: One small block = Two hours. All fishing periods start at 12:01 AM and end at 12:00AM. All closures between fishing periods are for 48 hours.				1	2	3
				12:01 AM	72 Hours	12:00 midnight
4	5	6	7	8	9	10
		12:01 AM	72 Hours	12:00 midnight		
11	12	13	14	15	16	17
12:01 AM	72 Hours	12:00 midnight			12:01 AM	
18	19	20	21	22	23	24
24 Hours						
25	26	27	28	29	30	31

Figure 133-2.-Proposal 133 July calendar.

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on harvest of sockeye salmon in Chignik Area, Cape Igvak Section of KMA, and in SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to allocation of Chignik sockeye salmon stocks to the fishery and definition of local stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of sockeye salmon harvested in CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as 100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board stipulated that sockeye salmon harvested in NWSS beginning July 1 would not be counted toward the Chignik allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-hour periods per week with no more than 48 hours of consecutive fishing time during a seven-day period.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. If this proposal is approved, the department would need guidance on managing the SEDM area from July 20 through July 25. The department is **OPPOSED** to the establishment of a set fishing schedule would limit the department's ability to manage local stocks from July 1 through July 25. This may create a conservation concern for these local 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 134 – 5 AAC 09.360(f)(g). Southeastern District Mainland Salmon Management Plan.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** The proposal presents two options for change in current regulations. The first option of the proposal seeks to eliminate the estimate of sockeye salmon considered to be destined for Chignik River as specified in 5 ACC 09.360(f) in the *Southeastern District Mainland Salmon Management Plan*. The second option seeks to reduce the percentage of fish that are considered to be destined for Chignik River from 80% to 40%.

**WHAT ARE THE CURRENT REGULATIONS?** In June, 80% of sockeye salmon harvested in SEDM are considered to be destined for Chignik Area. From July 1 to July 25, salmon harvested in NWSS are considered to be 100% local origin while 80% of sockeye salmon harvested in the remainder of SEDM are considered to be Chignik bound. SEDM is allocated 7.6% of the sockeye salmon harvest in CMA through July 25.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** Removal of the 80% estimate of fish destined for Chignik River from the SEDM management plan would eliminate the allocative connection between SEDM and CMA. Subsequently the 7.6% allocation would need to be addressed. A reduction of SEDM-harvested sockeye salmon considered to be bound for Chignik River by 50% would likely increase fishing time and increase salmon harvest opportunity in SEDM under the current management plan.

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on harvest of sockeye salmon in Chignik Area, Cape Igvak Section of KMA, and in SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to the allocation of Chignik sockeye salmon stocks to the fishery and the definition of local stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of the sockeye salmon harvested in the CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as 100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board stipulated that sockeye salmon harvested in NWSS beginning July 1 would not be counted toward the Chignik allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-hour periods per week with no more than 48 hours of consecutive fishing time during a seven-day period.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. If the removal of the 80% estimate of Chignik River bound sockeye salmon is approved, the department would seek guidance from the board in implementation of a new management plan for SEDM.

**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 135 – 5 AAC 09.360(b), (c), and (d). Southeastern District Mainland Salmon Management Plan.**

**PROPOSED BY:** Alaska Peninsula Coastal Fishermen’s Association.

**WHAT WOULD THE PROPOSAL DO?** This proposal seeks to modify harvestable surplus guidelines that determine the regulatory subsection in which SEDM area is managed. In addition, this proposal seeks to modify harvest thresholds for CMA as described in the *Southeastern District Mainland Salmon Management Plan*, 5 AAC 09.360(b), (c), and (d). The intent of this proposal is to link the harvest thresholds to a set amount per “active and participating Chignik salmon permits.”

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.360(b) and (c), commercial salmon fishing opportunity in SEDM shall be curtailed in order to allow a harvest in Chignik Area of at least 300,000 sockeye salmon through July 8. After July 8, if at least 300,000 sockeye salmon have been harvested in Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area is at least 600,000 fish through July 25. As stated in 5 AAC 09.360(d) when harvestable surplus is expected to be more than 600,000 fish and the department determines that the runs are as strong as expected, the department will manage SEDM so that harvest approaches as near as possible 7.6 percent of sockeye salmon harvested in Chignik Area. From June 1 through July 25, 80% of sockeye salmon harvested in East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay sections and prior to July 1 in NWSS, are considered Chignik bound (5 AAC 09.360(f)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** The first aspect of this proposal addresses harvestable surplus guidelines. The first sentence of 5 AAC 09.360(b), (c), and (d) provide the criteria, based on expected harvestable surplus of Chignik River system sockeye salmon and the current year’s fishery performance, for how SEDM will be managed. The criteria for expected harvestable surplus of Chignik River system sockeye salmon is 600,000 fish. This proposal would modify those expectations to 6,000 times the number of “active and participating Chignik salmon permits.” With this proposed language, the harvest threshold outlined in the SEDM management plan would not reach the current 600,000 fish harvest threshold because CMA has had less than a 100 permits issued since 2007 (Table 135-1).

The second aspect of this proposal suggests modifying harvest thresholds outlined in the SEDM management plan. As submitted, the proposal suggests a sockeye salmon harvest of 3,000 times the number of “active and participating Chignik salmon permits” in Chignik Area. After July 8, if a sockeye salmon harvest of at least 3,000 times the number of “active and participating Chignik salmon permits” has been achieved, and escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area will be at least 6,000 times the number of “active and participating Chignik salmon permits.” Table 135-1 illustrates

comparison of the past three years issued permits and those permits that were actively fished.

Table 135-1.–Comparison of Chignik Management Area permits issued and those fished.

	Permits Issued	Active Permits	Percentage of Permits Active	Purposed Harvest Threshold (fish)
2007	92	56	60.87%	336,000
2008	92	55	59.78%	330,000
2009	91	54	59.34%	324,000

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on harvest of sockeye salmon in Chignik Area, Cape Igvak Section of the KMA, and in the SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to allocation of Chignik sockeye salmon stocks to the fishery and definition of local stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of the sockeye salmon harvested in CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as 100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board stipulated that sockeye salmon harvested in NWSS beginning July 1 would not be counted toward the Chignik allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-hour periods per week with no more than 48 hours of consecutive fishing time during a seven-day period.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. This proposal is not clear as to when determination of the number of active permits is to occur. The total number of active permits could fluctuate over the course of the season, individual fishing periods, or during the June 1 through July 25 allocation timeframe. The department would seek guidance from the board with regards to adjusting thresholds based on active permits.

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

**PROPOSAL 136 – 5 AAC 09.355(B). Salmon processor and buyer reporting requirements.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal was submitted under 5 ACC 09.355. The department assumes the proposer meant 5 ACC 09.360. This proposal seeks to modify harvest thresholds for CMA as described in the *Southeastern District Mainland Salmon Management Plan*, 5 AAC 09.360(b), (c), and (d). The intent of this proposal is to link harvest thresholds to the percentage of permits being fished in CMA through July 25.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.360(b) and (c), commercial salmon fishing opportunity in SEDM shall be curtailed in order to allow a harvest in Chignik Area of at least 300,000 sockeye salmon through July 8. After July 8, if at least 300,000 sockeye salmon have been harvested in Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area is at least 600,000 fish through July 25. As stated in 5 AAC 09.360(d), when harvestable surplus is expected to be more than 600,000 fish and the department determines that runs are as strong as expected, the department will manage the SEDM so that harvest approaches as near as possible 7.6 percent of sockeye salmon harvested in Chignik Area. From June 1 through July 25, 80% of the sockeye salmon harvested in East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay sections and prior to July 1 in NWSS, are considered Chignik bound (5 AAC 09.360(f)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** As submitted, the proposal suggests that if 40% of Chignik Area permits are fished, the harvest threshold should be 240,000 sockeye salmon, and if 50% of permits are fished 300,000 sockeye salmon. The department assumes the proposer seeks to apply the harvest threshold determination beyond 40% and 50% (Table 136-1). Adoption of this proposal would likely result in increased fishing opportunity for Area M fishermen in some years. The most significant impact of this proposal is that opportunity in SEDM may be allowed in years of low Chignik sockeye salmon abundance. Under the current management plan, fishing opportunity in SEDM is severely restricted under the same circumstances.

Table 136-1.–Proposed Chignik sockeye salmon harvest based on percentage of active permits.

Percent of Active Permits	Chignik Harvest
5%	30,000
10%	60,000
15%	90,000
20%	120,000
25%	150,000
30%	180,000
35%	210,000
40%	240,000
45%	270,000
50%	300,000
55%	330,000
60%	360,000
65%	390,000
70%	420,000
75%	450,000
80%	480,000
85%	510,000
90%	540,000
95%	570,000
100%	600,000

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on harvest of sockeye salmon in Chignik Area, Cape Igvak Section of KMA, and in SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to the allocation of Chignik sockeye salmon stocks to the fishery and definition of local stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of sockeye salmon harvested in CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as 100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board stipulated that sockeye salmon harvested in NWSS beginning July 1 would not be counted toward the Chignik bound sockeye salmon allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-

hour periods per week with no more than 48 hours of consecutive fishing time during a seven-day period.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. The proposal is not clear on when determination of the number of permits fished is to occur. The total number of permits fished could fluctuate over the course of the season, individual fishing periods, or during the June 1 through July 25 allocation timeframe.

**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 137 – 5 AAC 09.355. Salmon processor and buyer reporting requirements.**

**PROPOSED BY:** John A. Foster.

**WHAT WOULD THE PROPOSAL DO?** This proposal was submitted under 5 ACC 09.355. The department assumes the proposer meant 5 ACC 09.360. This proposal seeks incremental fishing time in SEDM, for set gillnet gear, related to the harvest of sockeye salmon in CMA.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.360(b) and (c), commercial salmon fishing opportunity in SEDM shall be curtailed in order to allow a harvest in Chignik Area of at least 300,000 sockeye salmon through July 8. After July 8, if at least 300,000 sockeye salmon have been harvested in Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area is at least 600,000 fish through July 25. As stated in 5 AAC 09.360(d) when harvestable surplus is expected to be more than 600,000 fish and the department determines that the runs are as strong as expected, the department will manage SEDM so that harvest approaches as near as possible 7.6 percent of sockeye salmon harvested in Chignik Area. From June 1 through July 25, 80% of the sockeye salmon harvested in East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay sections and prior to July 1 in Northwest Stepovak Section, are considered Chignik bound (5 AAC 09.360(f)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** Adoption of this proposal, would provide set gillnet fishermen in SEDM with 48 hours of fishing time after the first 200,000 sockeye salmon are harvested in CMA. An additional 48 hours would be provided to SEDM fishermen after 400,000 sockeye salmon have been harvested in Chignik Area. The proposal is unclear as to what would happen when the sockeye salmon harvest in Chignik Area exceeds 400,000. This proposal would also remove Chignik Area harvest thresholds from the *Southeastern District Mainland Salmon Management Plan* (5 AAC 09.360).

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on harvest of sockeye salmon in Chignik Area, Cape Igvak Section of KMA, and in SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to allocation of Chignik sockeye salmon stocks to the fishery and the definition of local stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of sockeye salmon harvested in CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as 100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board



stipulated that sockeye salmon harvested in NWSS beginning July 1 would not be counted toward the Chignik bound sockeye salmon allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-hour periods per week with no more than 48 hours of consecutive fishing time during a seven-day period.

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

The proposal is unclear because it does not speak to what happens if harvest exceeds 400,000 sockeye salmon. As written, fishermen in SEDM may not get more than an additional two days of fishing. It is not clear if this proposal seeks removal of allocation language in the *Southeastern District Mainland Salmon Management Plan* (5 AAC 09.360). The proposal does not provide a mechanism for modifying fishing time in order to achieve an allocation. Set fishing time based on harvest would make it very difficult to manage for an allocation. Additionally, there is no mention of how fishing time would be established for other gear types in this area.

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

**PROPOSAL 138 – 5 AAC 09.355. Salmon processor and buyer reporting requirements.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal was submitted under 5 ACC 09.355. The department assumes the proposer meant 5 ACC 09.360. This proposal seeks elimination of the harvest thresholds for CMA as described in the *Southeastern District Mainland Salmon Management Plan*, 5 AAC 09.360(b), (c), and (d), and establishment of concurrent fishing periods in SEDM and CMA.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.360(b) and (c), commercial salmon fishing opportunity in SEDM shall be curtailed in order to allow a harvest in Chignik Area of at least 300,000 sockeye salmon through July 8. After July 8, if at least 300,000 sockeye salmon have been harvested in Chignik Area, and if escapement goals are being met, the department shall manage the fishery so that the number of sockeye salmon harvested in Chignik Area is at least 600,000 fish through July 25. As stated in 5 AAC 09.360(d) when harvestable surplus is expected to be more than 600,000 fish and the department determines that runs are as strong as expected, the department will manage SEDM so that harvest approaches as near as possible 7.6 percent of sockeye salmon harvested in Chignik Area. From June 1 through July 25, 80% of the sockeye salmon harvested in East Stepovak, Stepovak Flats, Southwest Stepovak, Balboa Bay, and Beaver Bay sections and prior to July 1 in NWSS, are considered Chignik bound (5 AAC 09.360(f)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, this proposal would remove sockeye salmon harvest thresholds of 300,000 and 600,000 fish as stated in 5 AAC 09.360(b), (c), and (d). This would allow for commercial salmon fishing in SEDM area to commence as soon as commercial fishing began in Chignik Area in order to obtain the 7.6% allocation. With no harvest thresholds in CMA, fishing opportunity would increase for SEDM fishermen. The most significant impact of this proposal is that opportunity in SEDM may be allowed in years of low Chignik sockeye salmon abundance. Under the current management plan, fishing opportunity in SEDM is severely restricted under the same circumstances.

**BACKGROUND:** In 1985, the board developed a management plan for SEDM based on the Kodiak Management Area (KMA) *Cape Igvak Salmon Management Plan* (5 AAC 18.360), which included Chignik Area harvest thresholds and an allocation based on harvest of sockeye salmon in Chignik Area, the Cape Igvak Section of the KMA, and in SEDM. This harvest allocation criterion has fluctuated between 6% and 7% since its introduction. Since then, the board has made modifications to the management plan including changes to allocation of Chignik sockeye salmon stocks to the fishery and definition of local stocks. The most recent change occurred in 2007 when the allocation was recalculated to 7.6% of sockeye salmon harvested in CMA. This removed the Cape Igvak sockeye salmon harvest component from the SEDM management plan allocation. The proportion of sockeye salmon harvested in SEDM (excluding areas designated as

100% local stocks) considered to be Chignik Area bound has been determined in regulation to be 80%, based on a 1961 tagging study conducted in East Stepovak Section. In 1998, the board stipulated that sockeye salmon harvested in Northwest NWSS beginning July 1 would not be counted toward the Chignik bound sockeye salmon allocation. In addition, beginning July 1, fishing time in NWSS, excluding Orzinski Bay, may not be more than four 24-hour periods per week with no more than 48 hours of consecutive fishing time during a seven-day period. Sockeye salmon harvest thresholds in CMA were not met prior to the end of the allocation period in 2007 and 2008 (Table 138-1). Because of this, fishing opportunity in SEDM was severely restricted in these years.

Table 138-1.—Comparison of total hours fished between June 1 through July 25 of 2007, 2008, and 2009 for Chignik Management Area (CMA) and Southeastern District Mainland (SEDM).

	2007	2008	2009
CMA Hours Fished	572	422.5	581
SEDM Hours Fished	0	0	106

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

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

**PROPOSAL 139 – 5 AAC 09.350(35). Closed Waters.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** This proposal would modify closed waters of Grub Gulch.

**WHAT ARE THE CURRENT REGULATIONS?** Currently waters of Grub Gulch north and east of a line from 55° 48.25' N. Lat., 159° 56.20' W. Long. to 55° 48.00' N. Lat., 159° 58.40' W. Long. are closed to commercial salmon fishing (Figure 139-1).

**WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** Adoption of this proposal would change the description of closed waters in Grub Gulch and provide approximately one-quarter mile of additional shoreline available for fishing opportunity.

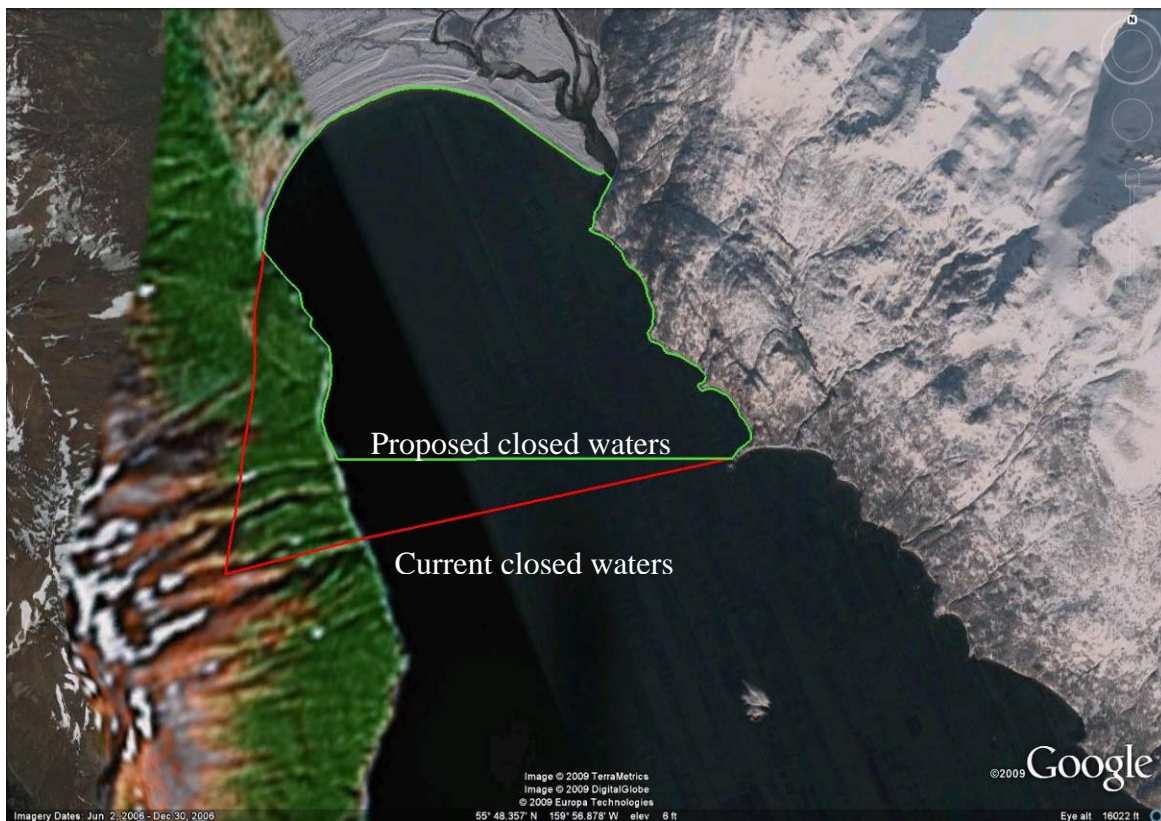


Figure 139-1.–Map of Grub Gulch with the current and proposed closed waters defined.

**BACKGROUND:** Prior to 1998, closed waters of Grub Gulch were defined as waters north and east of a line from 55° 48' 18" N. lat., 159° 56' 06" W. long. to 55° 49' 00" N. lat., 159° 58' 12" W. long. In 1998, closed waters were changed to their current definition. The current description of where closed waters lie in relation to the line is incorrect; it should read “north and west...” not “north and east...” In addition, when

plotted, the point at “55° 48.00’ N. lat., 159° 58.40’ W. long.” is well inland of the shoreline, which has caused confusion.

**DEPARTMENT COMMENTS:** The department **SUPPORTS** this proposal as it would clarify the closed waters boundary. The department considers this proposal a housekeeping measure to correct an error in regulation.

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

**PROPOSAL 140 - 5 AAC 09.350. Closed Waters; and 5 AAC 15.350. Closed Waters.**

**PROPOSED BY:** Alaska Board of Fisheries.

**WHAT WILL THE PROPOSAL DO?** This proposal would repeal closed waters near Kupreanof Point in Alaska Peninsula and Chignik Management areas.

**WHAT ARE THE CURRENT REGULATIONS?** Regulation 5 AAC 09.350(37) specifies that from July 6 through August 31, in waters of Alaska in East Stepovak 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 207° from 55° 34.50' N. Lat., 159° 37.53' W. Long.; from September 1 through September 30, the commissioner shall close, by emergency order, waters specified in this paragraph when waters specified in 5 AAC 15.350(20) are closed to conserve coho salmon (Figure 140-1).

Regulation 5 AAC 15.350(20) specifies that from July 6 through August 31, in waters of Alaska in 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 (Figure 140-1).

**WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, closed waters near Kupreanof Point in Alaska Peninsula and Chignik Management areas would be opened to commercial salmon fishing. Reducing closed waters near Kupreanof Point would increase fishing opportunities for boats in both areas.

**BACKGROUND:** Kupreanof Point is the historic dividing line between Alaska Peninsula (Area M) and Chignik (Area L) management areas. In response to conflicts between Area M and Area L fishermen, the board closed both sides of Kupreanof Point to commercial salmon fishing in 1996 (Figure 140-1). At the 2004 board meeting, a proposal to open Kupreanof Point for both Area L and Area M failed based on Department of Law comments stating that legal notice of that board meeting was not sufficient to take action on proposals that affected Area M.

At the January 10-12, 2008 Chignik Finfish Board of Fisheries meeting, the board considered a proposal (Proposal 29, 2007/2008 cycle) that sought to repeal closed waters near Kupreanof Point in the Western District portion of CMA. The board heard support from Chignik permit holders for reopening the area and approved the proposal on the condition that it was also approved on the Area M side.

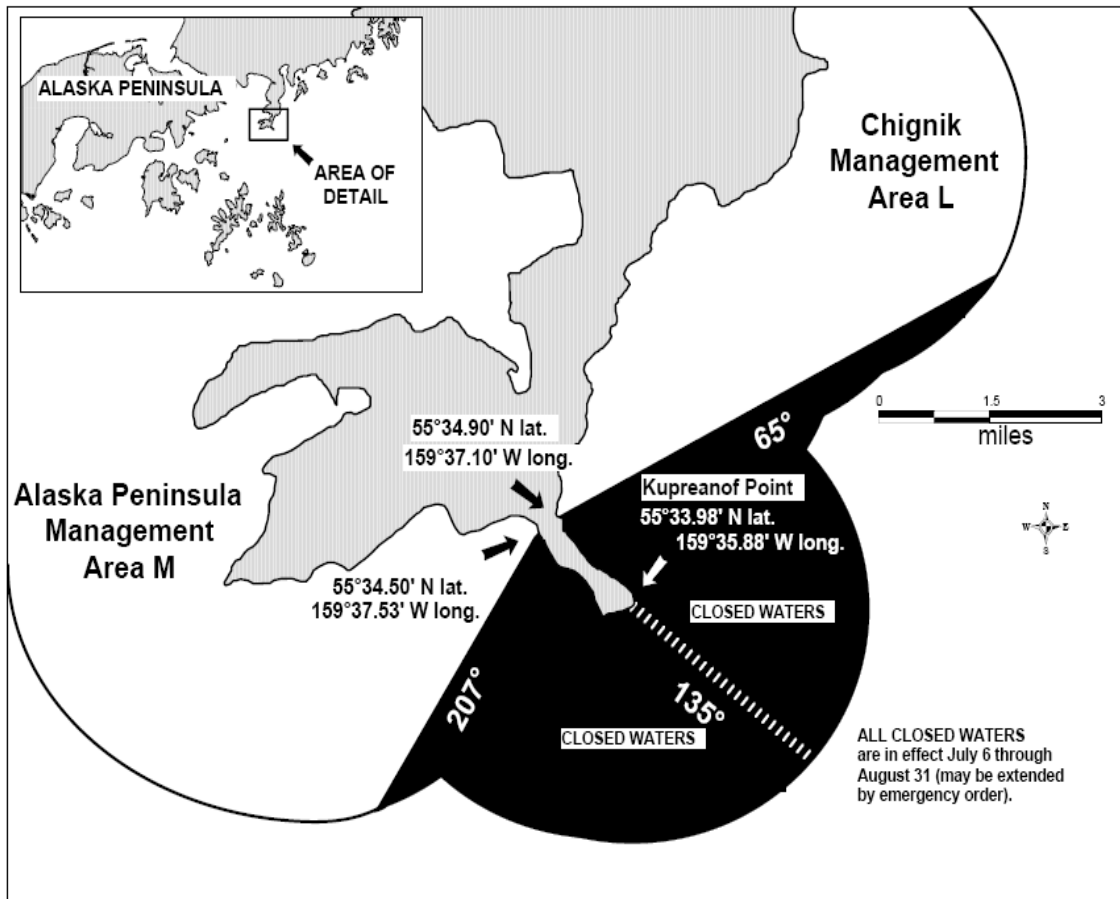


Figure 140-1.—Map of Kupreanof Point closed waters.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. This area was closed because Area M and Area L fishermen could not resolve a continuing complaint brought several times before the board concerning salmon interception issues on both sides of the area boundaries. The department points out that since this area has been closed, conflicts between Area L and Area M fishermen 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 141 – 5 AAC 09.350. Closed Waters.**

**PROPOSED BY:** Jack Berntsen.

**WHAT WILL THE PROPOSAL DO?** This proposal would repeal closed waters near Kupreanof Point in Alaska Peninsula and Chignik Management areas (Figure 141-1). This proposal would also seek equal fishing time for both Area M and Area L fishing fleets in the Kupreanof Point area, though openings would not be concurrent.

**WHAT ARE THE CURRENT REGULATIONS?** Regulation 5 AAC 09.350(37) specifies that from July 6 through August 31, in waters of Alaska in the East Stepovak 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 207° from 55°34.50' N. Lat., 159° 37.53' W. Long.; from September 1 through September 30, the commissioner shall close, by emergency order, waters specified in this paragraph when waters specified in 5 AAC 15.350(20) are closed to conserve coho salmon (Figure 141-1).

Regulation 5 AAC 15.350(20) specifies that from July 6 through August 31, in waters of Alaska in 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 (Figure 141-1).

**WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, closed waters near Kupreanof Point in Alaska Peninsula and Chignik management areas would be opened to commercial salmon fishing. Reducing closed waters near Kupreanof Point would increase fishing opportunities for boats in both areas.

Providing equal fishing time to both Area M and Area L fleets in this area may be problematic. Perryville District of CMA may not open to commercial salmon fishing prior to July 6, whereas SEDM can open as early as June 1. In years with early opportunity in SEDM (June), the Area L side of Kupreanof Point will remain closed under the current management plan. This may lead to one fleet having opportunity at fish that the other fleet does not.

Additionally, the SEDM area is allocatively tied to CMA through July 25. In years of low sockeye salmon harvest in CMA, Area M fishermen will be restricted in opportunity in the Kupreanof Point area, while Area L fishermen can fish area during openings in Perryville District.

**BACKGROUND:** Kupreanof Point is the historic dividing line between Alaska Peninsula (Area M) and Chignik (Area L) management areas. In response to conflicts between Area M and Area L fishermen, the board closed both sides of Kupreanof Point to commercial salmon fishing in 1996 (Figure 141-1). At the 2004 board meeting, a proposal to open Kupreanof Point for both Area L and Area M failed based on Department of Law comments stating that legal notice of that board meeting was not sufficient to take action on proposals that affected Area M.



At the January 10-12, 2008 Chignik Finfish Board of Fisheries meeting, the board considered a proposal (Proposal 29, 2007/2008 cycle) that sought to repeal closed waters near Kupreanof Point in the Western District portion of CMA. The board heard support from Chignik permit holders for reopening the area and approved the proposal on the condition that it was also approved on the Area M side.

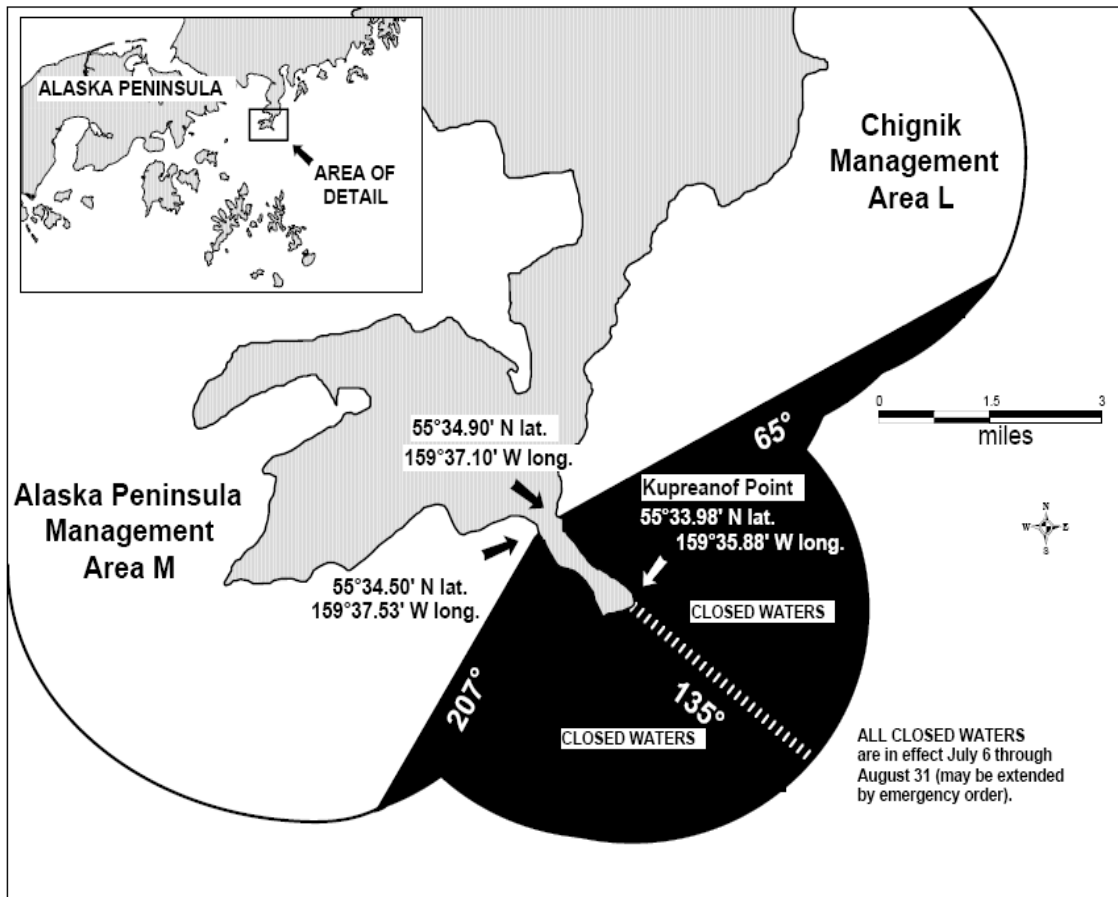


Figure 141-1.–Map of Kupreanof Point closed waters.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. This area was closed because Area M and Area L fishermen could not resolve a continuing complaint brought several times before the board concerning salmon interception issues on both sides of the area boundaries. The department points out that since this area has been closed, conflicts between Area L and Area M fishermen have been resolved in this location. The SEDM area is allocatively tied to CMA, from June 1-July 25. During this timeframe, openings in SEDM are based on performance of sockeye salmon runs to Chignik River and harvest in CMA. As previously mentioned, commercial salmon fishing is not allowed in Perryville District of CMA until July 6. If this proposal is adopted, the *Chignik Salmon Management Plan* and

the *Southeastern District Mainland Salmon Management Plan* would need restructuring to allow for equal fishing time in this area.

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

**PROPOSAL 142 – 5 AAC 09.350(32). Closed Waters.**

**PROPOSED BY:** Jim Smith.

**WHAT WILL THE PROPOSAL DO?** This proposal seeks to open waters of Dorenoi Bay from June 1 through July 25 when fishing is allowed in SEDM or NWSS.

**WHAT ARE THE CURRENT REGULATIONS?** Regulation 5 AAC 09.350(32)(A) specifies that from June 1 through July 25, waters north and west of a line from the tip of Renshaw Point to the opposite shore at 55° 38.40' N. Lat., 160° 19' W. Long. are closed to commercial salmon fishing; and (B), after July 25, waters within 500 yards of the terminus of any salmon stream (Figure 142-1).

**WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, closed waters of Dorenoi Bay may be opened to commercial salmon fishing with NWSS or with SEDM from June 1 through July 25. This would provide more opportunity for Area M fishermen by increasing the area available for the fleet to fish and may reduce gear conflicts. This proposal does not specify any criteria in which to manage the Dorenoi Bay area.

**BACKGROUND:** There are two streams at the head of Dorenoi Bay that support runs of salmon. Historical escapement estimates of pink and chum salmon into these streams is widely variable. Historical run timing of pink and chum salmon to SEDM is between mid-July and mid-September, with peak escapement typically in late August. Closed waters of Dorenoi Bay have been in regulation since 1960. No directed fisheries have been allowed between June 1 and July 25 since that time.

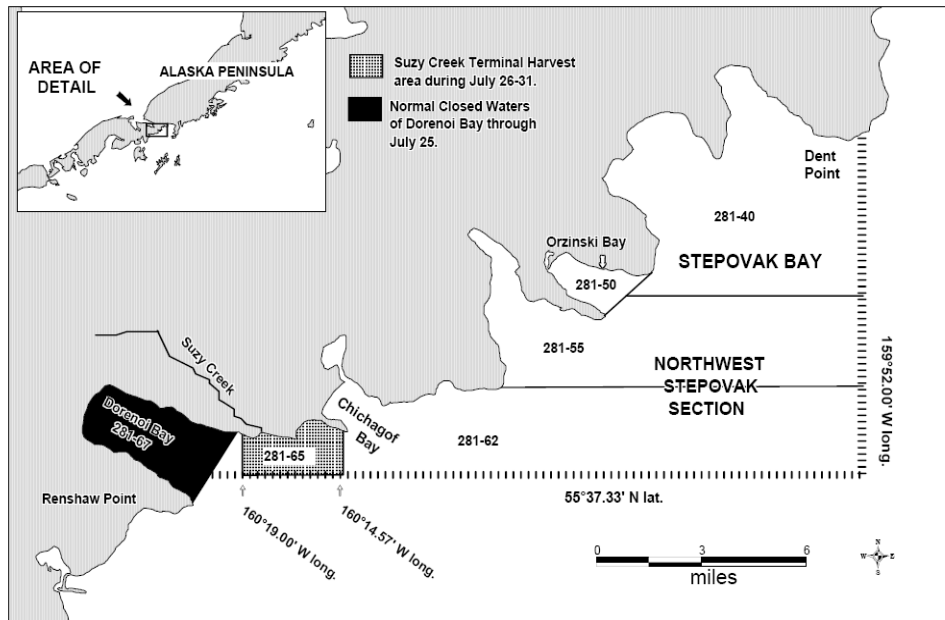


Figure 142-1.–Map of Dorenoi Bay closed waters.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. The department does not anticipate a conservation concern stemming from adoption of this proposal since the department would maintain the ability to regulate fishing opportunity in this area. Since statehood, no directed fishery has occurred in this area from June 1 through July 25. Additionally, pink and chum salmon returning to rivers in Dorenoi Bay peak after July 25. Under the current management plan, the department may provide opportunity on salmon returning to Dorenoi Bay streams before these local runs typically peak. If adopted the department would seek direction from the board as to whether this area would be managed as a part of the allocation area or with local stocks of NWSS from July 1-25.

**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 143 – 5 AAC 09.350(32)(A). Closed Waters.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WILL THE PROPOSAL DO?** This proposal seeks to open waters of Dorenoi Bay prior to July 25. Although it is not stated in the proposal, the department believes this proposal seeks to allow fishing opportunity in Dorenoi Bay between June 1 and July 25, the current dates it is closed to commercial salmon fishing.

**WHAT ARE THE CURRENT REGULATIONS?** Regulation 5 AAC 09.350(32)(A) specifies that from June 1 through July 25, waters north and west of a line from the tip of Renshaw Point to the opposite shore at 55° 38.40' N. Lat., 160° 19' W. Long. are closed to commercial salmon fishing; and (B), after July 25, waters within 500 yards of the terminus of any salmon stream (Figure 143-1).

**WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, closed waters of Dorenoi Bay will open to commercial salmon fishing prior to July 25. This would provide more opportunity for Area M fishermen by increasing the area available for the fleet to fish and may reduce gear conflicts. This proposal does not specify any criteria under which to manage the Dorenoi Bay area.

**BACKGROUND:** There are two streams at the head of Dorenoi Bay that support runs of salmon. Historical escapement estimates of pink and chum salmon into these streams is widely variable. Historical run timing of pink and chum salmon to SEDM is between mid-July and mid-September, with peak escapement typically in late August. Closed waters of Dorenoi Bay have been in regulation since 1960. No directed fisheries have been allowed between June 1 and July 25 since that time.

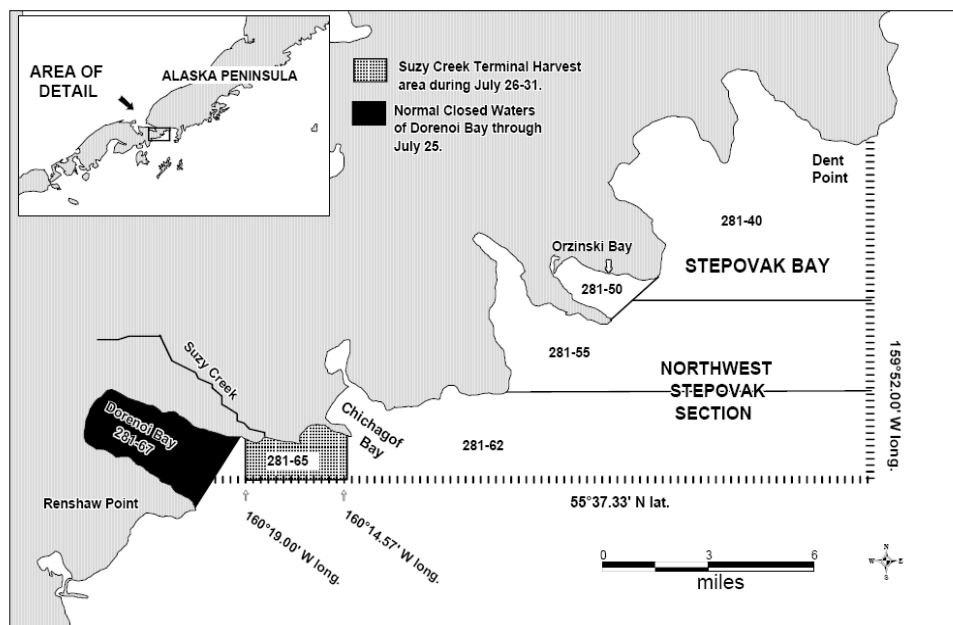


Figure 143-1.–Map of Dorenoi Bay closed waters.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on allocative aspects of this proposal. The department does not anticipate a conservation concern stemming from adoption of this proposal since the department would maintain the ability to regulate fishing opportunity in this area. Since statehood, no directed fishery has occurred in this area from June 1-July 25. Additionally, pink and chum salmon returning to rivers in Dorenoi Bay peak after July 25. Under the current management plan, the department may provide opportunity on salmon returning to Dorenoi Bay streams before these local runs typically peak. If adopted the department would seek direction from the board as to whether this area would be managed as a part of the allocation area, or with local stocks of NWSS from July 1-25.

**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 144 – 5 AAC 09.350(36)(A). Closed Waters.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WILL THE PROPOSAL DO?** This proposal seeks to modify 5 AAC 09.350(36)(A) and (B) to open waters of Stepovak Bay from June 1 through September 30 to within 500 yards of any salmon stream or lagoon (Figure 144-1).

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.350(36) Stepovak Bay: (A) specifies that from June 1 through July 28, waters within 500 yards of any salmon stream or lagoon, unless otherwise specified; (B) from July 29 through September 30, waters north of a line extending east from Dent Point at 55° 47.25' N. lat., 159° 52.00' W. long. to a point on the Kupreanof Peninsula at 55° 46.93' N. lat., 159° 38.70' W. long.

**WHAT WILL BE THE EFFECT IF THE PROPOSAL IS ADOPTED?** If adopted, commercial salmon fishing would be allowed in closed waters of Stepovak Bay as described in 5 AAC 09.350(36)(A) from June 1 through September 30. The proposal does not specify the department's criteria for establishing fishing periods in this area.

**BACKGROUND:** Closed waters of Stepovak Bay have been in regulation since at least 1962. Under the current management plan, this area is closed from July 29 through September 30 to conserve schooling chum salmon. Glacial runoff into Stepovak River and Big River makes it nearly impossible to assess pink and chum salmon abundance prior to fish making it to the spawning grounds.

**DEPARTMENT COMMENTS:** The department is **OPPOSED** to this proposal due to conservation concerns for Stepovak Bay pink and chum salmon. Streams that drain into closed waters of Stepovak Bay have large amounts of glacial run-off throughout the year. This makes assessing escapements, by aerial survey, nearly impossible in this area. The department has, under perfect survey conditions, observed large numbers of salmon schooling in Stepovak Bay, with little escapement into Stepovak Bay streams, well after salmon escapements in adjoining areas have peaked.

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

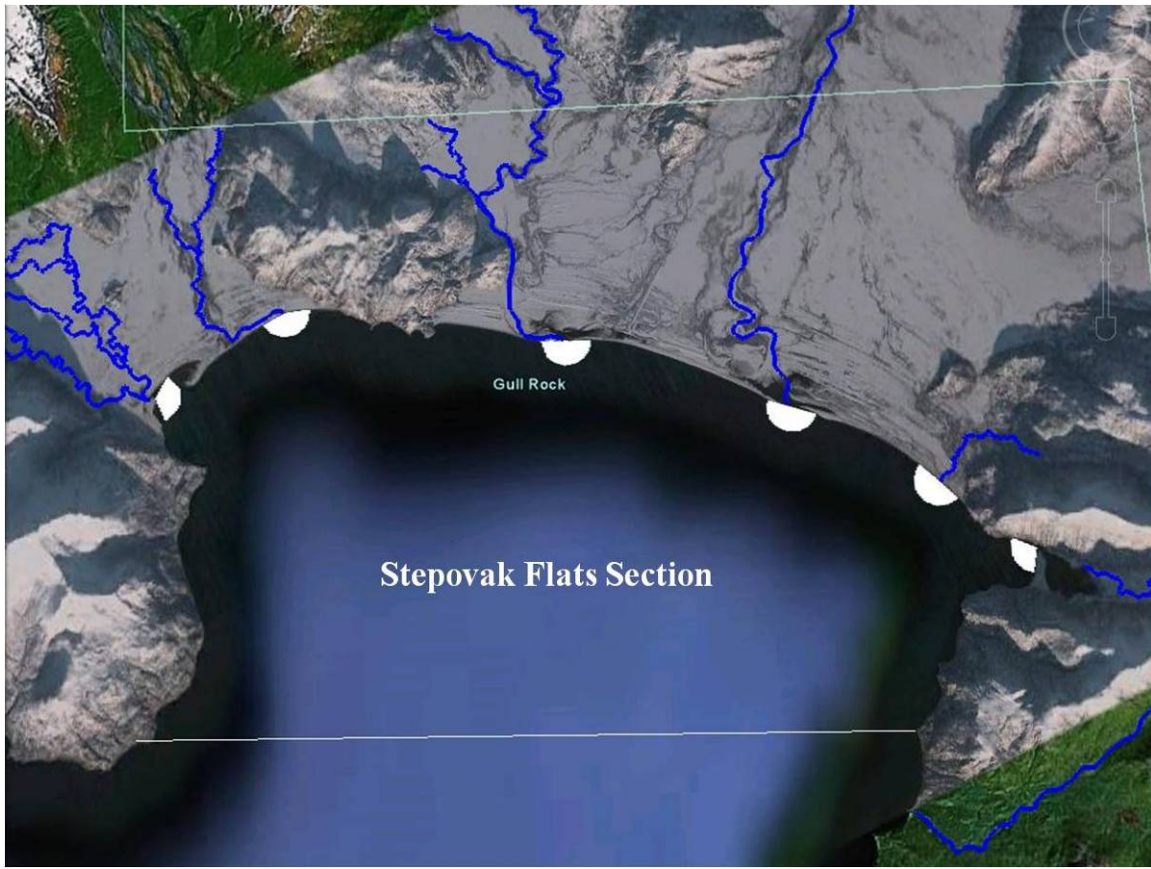


Figure 144-1.—Proposed closed waters of Stepovak Flats Section (500 yards from stream mouths).



**COMMITTEE D: SALMON: SPORT FISH AND NORTH  
PENINSULA MANAGEMENT  
16 Proposals**

**SPORT FISH**

**PROPOSAL 163 –5 AAC 65.020(a)(1). Bag limits, possession limits, and size limits for Alaska Peninsula and Aleutian Islands Area.**

**PROPOSED BY:** Alaska Department of Fish and Game.

**WHAT WOULD THE PROPOSAL DO?** Adoption of this proposal would change the freshwater king salmon daily bag and possession limit for king salmon that are 20 inches or greater in length to two fish.

**WHAT ARE THE CURRENT REGULATIONS?** The freshwater king salmon daily bag and possession limit for salmon 20 inches and greater is three fish, only two of which may be 28 inches or greater in length. The salt water regulations for king salmon include a daily bag and possession limit of two king salmon, regardless of size.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** Adoption of this proposal would simplify the freshwater king salmon regulations. It may reduce harvest by a relatively insignificant amount since very few anglers currently take their maximum bag limit of three fish per day.

**BACKGROUND:** The current freshwater king salmon daily bag and possession limit regulations are complex and potentially confusing while providing relatively little additional harvest opportunity. A recent data analysis using Alaska Peninsula-Aleutian Islands guided angler logbook reports (2005-2007) showed an average daily harvest of one king salmon per person. Additionally, a previous bag limit analysis of Division of Sport Fish Statewide Harvest Survey results (2003-2007) for KMA indicates that only about 5% of Alaska Peninsula-Aleutian Islands fresh water anglers typically harvest three king salmon per day 20 inches or greater in length.

**DEPARTMENT COMMENTS:** The department submitted and **SUPPORTS** this proposal because it simplifies regulations without significantly impacting harvest opportunity. Reducing the freshwater daily bag and possession limit for king salmon 20 inches or greater in length to two fish with no further size restrictions will help simplify sport fishing regulations by aligning both freshwater and saltwater salt water bag limits for the entire Kodiak-AK Peninsula-Aleutians Management Area.

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

## NORTH PENINSULA

### **PROPOSAL 29 –5 AAC 39.120(d). Registration of Commercial Fishing Vessels.**

**PROPOSED BY:** Roland Briggs.

**WHAT WOULD THE PROPOSAL DO?** This proposal, if adopted, would allow Area T (Bristol Bay) vessels to fish during the open season in the inner portion of Cinder River Section (Cinder River Lagoon) and within Inner Port Heiden Section from May through September. It would also allow Area T vessels to fish the entire Ilnik Section beginning August 1, as well as Outer Port Heiden Section from June 20 to July 31. The proposal does not change locations or dates that Area M (Alaska Peninsula) permit holders can fish.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, under *Registration of commercial fishing vessels, 5 AAC 39.120 (d)*, Area T vessels are allowed to fish in Cinder River Lagoon and Inner Port Heiden sections from January 1 through June 30. From August 1 to December 31, Area T vessels are also allowed to fish in the Ilnik Lagoon portion of Ilnik Section, the entire Cinder River Section, and Inner Port Heiden Section. Additionally, under 5 AAC 09.310, *Fishing Seasons (a)(1)*, both Area M and T permit holders must adhere to season closures within the Cinder River Section as follows:

- (A) from May 1 through September 30 within the lagoon into which the Cinder River drains, and
- (B) from August 1 through September 30 throughout this Section.

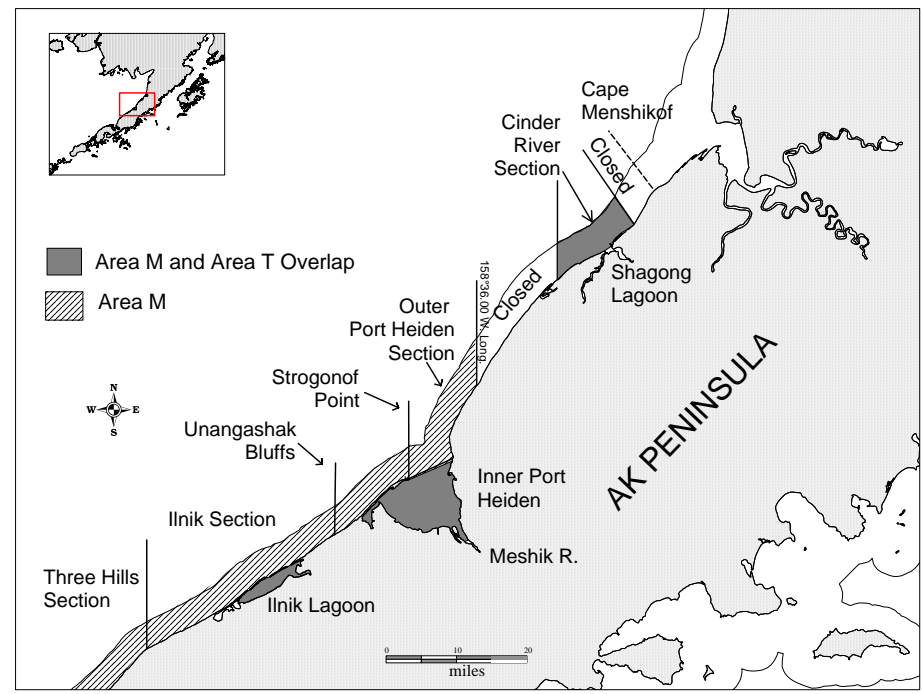


Figure 29-1.—Map of part of North Alaska Peninsula from Three Hills Section to Cape Menshikof, with Area M and Area T overlap areas shown.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would allow Area T permit holders to fish year-round in the inner portion of Cinder River Section and in Inner Port Heiden Section, as well as the Outer Port Heiden Section during open commercial fishing periods, and also in the entire Ilnik Section from August 1 to December 31 (Table 1). However, if this proposal were adopted, only Cinder River Lagoon and Inner Port Heiden Section would be open to Area T permit holders in July since by regulation, 5 AAC 09.310 (a)(1)(A), the outer portion of Cinder River Section does not open until August 1. The requested changes in this proposal do not make any changes to any part of regulation 5 AAC 09.310. *Fishing Seasons*.

The proposed changes would result in additional fishing time for Area T permit holders in three distinct areas:

1. That portion of Cinder River Section located inside the lagoon and Inner Port Heiden Section during July;
2. Outer Port Heiden Section during open fishing seasons (June 20-July 31); and
3. The entire Ilnik Section from August 1-September 30.

Table 29-1.–Current regulations and proposed changes from proposal 29 to the Area T and Area M overlap.

Current Regulations			Proposed Regulations for Proposal 29		
Open Dates			Open Dates		
Section	Area M	Area T	Section	Area T	
Inner portion of Cinder River Section	May 1-Sep 30 within lagoon	Jan 1-June 30 and Aug 1-Dec 31	Inner portion of Cinder River Section	Jan 1-Dec 31	
Entire Cinder River Section	Aug 1-Sep 30	Aug 1-Dec 31	Outer portion of Cinder River Section	Aug 1-Dec 31	
Inner Port Heiden	May 1-Sep 30	Jan 1-June 30 and Aug 1-Dec 31	Inner Port Heiden	Jan 1-Dec 31	
Outer Port Heiden	June 20-July 31	Not open to Area T permit holders	Outer Port Heiden	Jan 1-Dec 31	
Outer portion of Ilnik Section	June 20-Sep 30	Not open to Area T permit holders	Outer portion of Ilnik Section	Aug 1-Dec 31	
Ilnik Lagoon	May 1-Sep 30	Aug 1-Dec 31	Ilnik Lagoon	Aug 1-Dec 31	

**BACKGROUND:** Area T (Bristol Bay) permit holders are allowed to fish during certain times in some waters of Area M (Alaska Peninsula). The Area M and Area T overlap area consists of Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (Figure 1). The overlap area was created shortly after statehood with the intent to allow Bristol Bay fishermen, primarily those residents of Port Heiden and Pilot Point, opportunity to fish close to home before and after the Bristol Bay salmon fishery. Permit holders registered for Bristol Bay Area historically fished for Chinook and coho salmon in Inner Port Heiden Section and occasionally, in Ilnik Lagoon for coho salmon. Pilot

Point area permit holders registered for Bristol Bay Area were given the opportunity to fish in Cinder River Section for Chinook and coho salmon, which they historically have done, and still participate in Bristol Bay sockeye salmon fisheries. The overlap area allows all Area T permit holders opportunity to fish within portions of Alaska Peninsula Management Area.

During every month except July, Area T permit holders are allowed to fish during the open season in Inner Port Heiden and Cinder River Sections. Area T permit holders are also allowed to fish inside Ilnik Lagoon during August and September. Prior to 1990, Area T permit holders were allowed to fish in the entire Ilnik Section during August and September. In 1986, Area T fishermen started operating in Ilnik and Outer Port Heiden Sections. In 1990, the Alaska Board of Fisheries (board) eliminated Area T fishermen from the Ilnik Section (except inside Ilnik Lagoon) and closed Outer Port Heiden Section to all commercial salmon fishing operations by both Area M and Area T fishermen due to concern over potential interception of coho salmon during August and September bound for Inner Port Heiden (Meshik River). In 2007, the board opened a portion of Outer Port Heiden Section to Area M drift gillnet fishermen to harvest sockeye salmon bound for Meshik River. Currently, by regulation Outer Port Heiden Section is open from June 20 until July 31. Area T fishermen are not allowed to fish in Outer Port Heiden Section.

Ilnik Section is managed on the basis of Bear River sockeye salmon from August 1-15, and Ilnik Lagoon bound coho salmon after August 15. Although Ilnik Section is managed for coho salmon after August 15, coho salmon are rarely targeted and are caught incidentally to sockeye salmon. After August 1, all local sockeye salmon runs are over except the late-Bear River run, which is just beginning. In most years, the existing Area M fleet harvests all available late-Bear River sockeye salmon. Additional vessels competing for a limited resource will likely increase conflict between Area T and Area M user groups.

There are 1,863 drift gillnet and 982 set gillnet permit holders fishing in Bristol Bay and if this proposal were adopted, all of these would be permitted to fish in certain areas of the Alaska Peninsula. The department recognizes it is unlikely all available Area T permits would fish in Area M; however, it is likely some Area T vessels would take advantage of fishing Outer Port Heiden Section and extending their commercial fishing season by fishing in Ilnik Section in August. Additional effort in Outer Port Heiden and Ilnik sections would likely create a resource conflict.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. However, the department **OPPOSES** the parts of this proposal that could dramatically increase the number of boats fishing in some locations of Area M, specifically Outer Port Heiden and Ilnik sections. If adopted, this proposal would allow all drift gillnet vessels from Area T to fish in Outer Port Heiden Section, and also allow Area T drift and set gillnet permit holders to fish in the entire Ilnik Section beginning in August. Effort targeting local sockeye salmon stocks in these sections currently harvests the available surplus, and a substantial increase in the number of boats will complicate management of the fishery. If adopted, this proposal would increase effort targeting

Meshik River and late Bear River sockeye salmon and coho salmon runs of North Peninsula.

This proposal may create complications with the Commercial Fisheries Entry Commission (CFEC) Limited Entry Act and would need to be consistent with the purposes of the Limited Entry Act. If the board adopts this proposal, CFEC would require a separate CFEC regulatory proceeding to determine if the new net registration area conforms to the intent of the Limited Entry Act and whether or not the proposed changes would have a substantial negative impact on existing entitlements in a limited entry fishery.

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

**PROPOSAL 30 - 5 AAC 39.120(d). Registration of Commercial Fishing Vessels.**

**PROPOSED BY:** Roland Briggs.

**WHAT WOULD THE PROPOSAL DO?** This proposal would change regulation 5 AAC 39.120(d) to allow Bristol Bay (Area T) permit holders to fish in Cinder River and Inner Port Heiden Sections of the Alaska Peninsula Area from January 1 to December 31.

**WHAT ARE THE CURRENT REGULATIONS?** Currently, Area T vessels are allowed to fish (5 AAC 39.120 (d)) in Cinder River and Inner Port Heiden sections from January 1 through June 30 and from August 1 to December 31, and in the Ilnik Lagoon portion of Ilnik Section from August 1 through December 31.

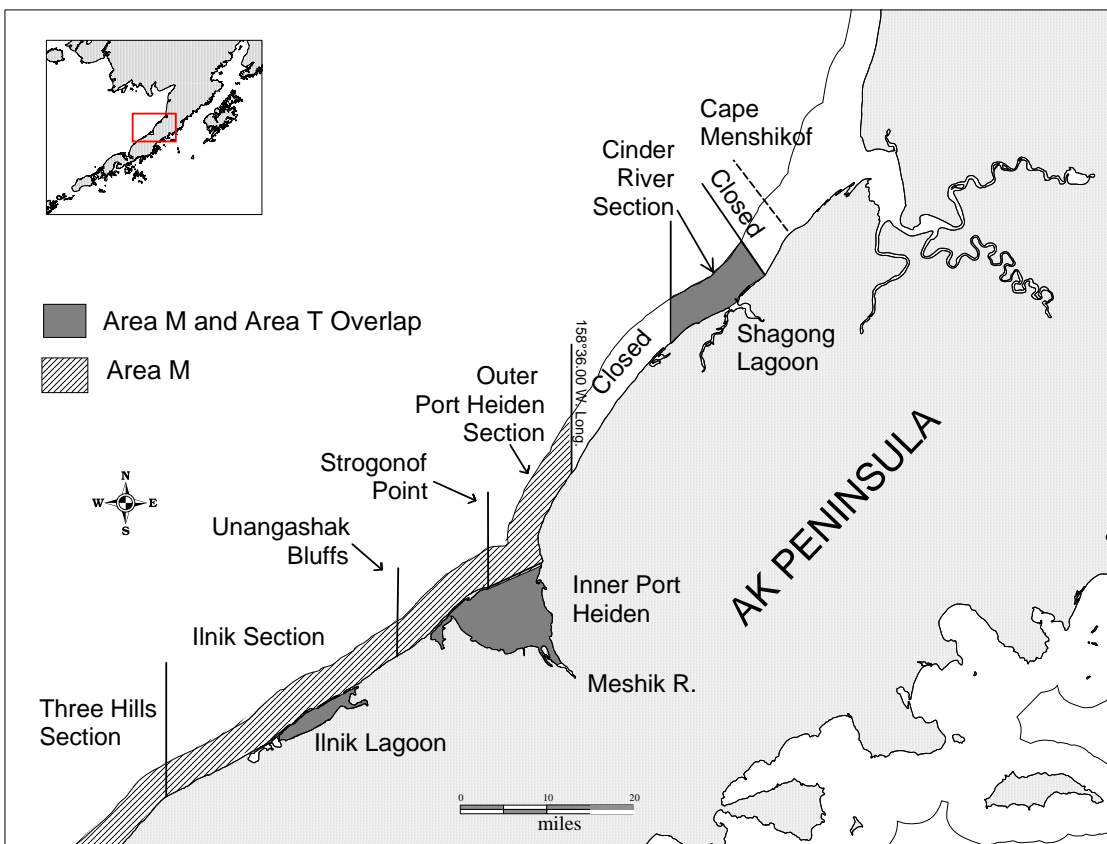


Figure 30-1.—Map of part of the North Alaska Peninsula from Three Hills Section to Cape Menshikof.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would change the language in regulation 5 AAC 39.120 (d) (*Registration of Commercial Fishing Vessels*), which outlines Area M and Area T overlap, and dates Area T vessels are allowed in the overlap. It does not make changes to regulation 5 AAC 09.310. *Fishing Seasons* (a) which define the date range that commercial salmon fishing is allowed in all Northern District Sections, including those affected by the overlap area.

This proposal would change the language of 5 AAC 39.120 (d) to allow Area T permit holders to fish in Inner Port Heiden and Cinder River sections during the month of July. However, if this proposal is adopted, only Cinder River Lagoon and Inner Port Heiden Section would be open to both Area M and T permit holders in July by regulation 5 AAC 09.310 (a)(1)(A) and (2)(A). The outer portion of Cinder River Section does not open until August 1 (5 AAC 09.310 (a)(1)(B)).

Although this proposal would allow Area T permit holders to fish in Cinder River Section year round, regulation 5 AAC 09.310. *Fishing Seasons* (1)(A) only allows commercial fishing from May 1 to September 30 in Cinder River Lagoon and from August 1 to December 31 throughout the section (Table 1).

Table 30-1.–Current regulations and proposed changes from proposal 30 to the Area T and Area M overlap.

Current Regulations			Proposed Regulations for Prop 30		
	Open Dates			Open Dates	
Section	Area M	Area T	Section	Area T	
Inner portion of Cinder River Section	May 1-Sep 30 within lagoon	Jan 1-June 30 and Aug 1-Dec 31	Cinder River	Jan 1-Dec 31	
Entire Cinder River Section	Aug 1-Sep 30	Aug 1-Dec 31	Inner Port Heiden	Jan 1-Dec 31	
Inner Port Heiden	May 1-Sep 30	Jan 1-June 30 and Aug 1-Dec 31	Ilnik Lagoon	Aug 1-Dec 31	
Outer Port Heiden	June 20-July 31	Not open to Area T permit holders			
Outer portion of Ilnik	June 20-Sep 30	Not open to Area T permit holders			
Ilnik Lagoon	May 1-Sep 30	Aug 1-Dec 31			

**BACKGROUND:** Area T (Bristol Bay) permit holders are allowed to fish during certain times in some waters of Area M (Alaska Peninsula). The Area M and Area T overlap area consists of Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (Figure 2). The overlap area was created shortly after statehood to allow Bristol Bay fishermen, primarily those residents of Port Heiden and Pilot Point, opportunity to fish close to home before and after the Bristol Bay salmon fishery. Permit holders registered for Bristol Bay Area historically fished for Chinook and coho salmon in Inner Port Heiden Section and occasionally, in Ilnik Lagoon for coho salmon. Pilot Point area permit holders registered for Bristol Bay Area were given opportunity to fish in Cinder River Section for Chinook and coho salmon, which they historically have done, and still participate in Bristol Bay sockeye salmon fisheries. The overlap area allows all Area T permit holders opportunity to fish within portions of Alaska Peninsula Management Area.

During every month except July, Area T permit holders are allowed to fish during the open season in Inner Port Heiden and Cinder River sections. Area T permit holders are

also allowed to fish inside Ilnik Lagoon from August through September. Prior to 1990, Area T permit holders were allowed to fish in the entire Ilnik Section during August and September. In 1986, Area T fishermen started operating in Ilnik and Outer Port Heiden Sections. In 1990, the board eliminated Area T fishermen from Ilnik Section (except inside Ilnik Lagoon) and closed Outer Port Heiden Section to all commercial salmon fishing operations by both Area M and Area T fishermen due to concern over potential interception of coho salmon during August and September bound for Inner Port Heiden (Meshik River). In 2007, the board opened a portion of Outer Port Heiden Section to harvest sockeye salmon bound for Meshik River. Currently, by regulation, Outer Port Heiden Section can open from June 20 until July 31. Area T fishermen are not allowed to fish in Outer Port Heiden Section. During June, in some years, Area T fishermen residing in the village of Port Heiden have participated in Chinook and sockeye salmon fisheries in Inner Port Heiden Section, although 2006 was the last year this occurred.

Area T permit holders (primarily local Port Heiden fishermen) have targeted Chinook and sockeye salmon in Inner Port Heiden Section during May and June. This fishery has had little or no effort from Area M permit holders. Outer Port Heiden Section has been effective at controlling the escapement into Meshik River. Allowing significant effort to also fish within Inner Port Heiden Section in July may reduce fishing time in Outer Port Heiden Section.

This proposal allows Bristol Bay permit holders to fish during the entire season in Cinder River and Inner Port Heiden sections. Currently, Area T permit holders are not permitted to fish in Cinder River and Inner Port Heiden sections during July when traditionally they would be fishing in Bristol Bay Management Area. Presently, the inner portion of Cinder River Section (Cinder River Lagoon) is open to commercial salmon fishing 2½ days per week, yet little or no fishing has occurred for a variety of reasons that include remoteness of location and difficulty fishing in Cinder River Lagoon.

The 2005-2009 average escapement into Cinder River was about 90,000 sockeye salmon. The sustainable escapement goal (SEG) for Cinder River is 12,000 to 48,000 sockeye salmon. In addition, from 2005-2009, Mud Creek, a tributary which flows into Cinder River Lagoon, has averaged an additional 35,000 sockeye salmon escapement, bringing Cinder River system escapement to roughly 125,000 sockeye salmon per year.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but the department **SUPPORTS** the opportunity to harvest salmon bound for Cinder River. However, these proposed changes may not be an effective way to harvest Cinder River salmon runs. Run timing of Cinder River Chinook and sockeye salmon stocks has typically peaked and is declining by mid July. Furthermore, there are difficulties fishing in Cinder River Lagoon and the logistical challenges of getting harvested fish to markets have limited fishing effort in the lagoon. Currently, the inner portion of Cinder River Section is already open to commercial salmon fishing on a weekly basis to Area M and Area T permits during June, and to Area M permits during June and July, and little or no fishing effort occurs during these times. To date, weekly fishing periods (2 ½ days per week) in the Cinder River Lagoon portion



of Cinder River Section has not proven to be effective at harvesting the Cinder River salmon runs. To effectively do so, it would be necessary to provide opportunity to harvest Cinder River salmon runs in the outer portion of the section.

This proposal may create some complications with the Commercial Fisheries Entry Commission (CFEC) Limited Entry Act and would need to be consistent with the purposes of the Limited Entry Act. If the board adopts this proposal, CFEC would require a separate CFEC regulatory proceeding to determine if the new net registration area conforms to the intent of the Limited Entry Act and whether or not the proposed changes would have a substantial negative impact on existing entitlements in a limited entry fishery.

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

**PROPOSAL 145 –5 AAC 09.320 (a)(3). Fishing Periods.**

**PROPOSED BY:** Lower Bristol Bay Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** This proposal would shift the 2½ day weekly fishing period in Cinder River Section during May and after August 1 to 6:00 a.m. Thursday until 6:00 p.m. Saturday. The weekly fishing period in Ilnik and Inner Port Heiden sections, which is currently 6:00 a.m. Monday to 6:00 p.m. Wednesday, would be reduced to 12 hours in duration from 6:00 a.m. Wednesday to 6:00 p.m. Wednesday. The proposal also eliminates the weekly 2½ day fishing period in Outer Port Heiden Section, as well.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.320 (a)(3), in the Cinder River, Outer Port Heiden, Inner Port Heiden, and Ilnik sections salmon may be taken only from 6:00 a.m. Monday until 6:00 p.m. Wednesday, except that before June 20 in that portion of the Ilnik Section within the Ilnik Lagoon and all waters inside the Seal Islands, salmon may be taken only from 12:00 noon Monday until 11:59 p.m. Wednesday.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would change or eliminate weekly fishing periods in some locations, confuse the fleet, and require the department to issue more news releases and emergency orders to open and close fisheries that currently have weekly fishing periods. If this proposal were adopted, the department would still have the ability to change weekly fishing periods and would have to in order to control escapement into Meshik and Ilnik rivers.

The weekly fishing period in Outer Port Heiden Section, which is currently 6:00 a.m. Monday to 6:00 p.m. Wednesday, would be eliminated. However, lack of an established fishing period would not prohibit fishing opportunities in Outer Port Heiden Section since it would occur using emergency order authority by department staff.

**BACKGROUND:** Weekly fishing periods are used throughout North Peninsula fisheries and change depending on escapement levels of salmon. This proposal seeks to change the weekly fishing period in Cinder River Section during certain times to accommodate flying fresh fish to markets. Department staff has worked with fishermen throughout North Peninsula to accommodate small fisheries and take advantage of market conditions and aircraft schedules. In Cinder River Section, effort that has occurred in recent years has been in September targeting coho salmon. As written, this proposal eliminates the weekly fishing period in Outer Port Heiden Section, reduces the weekly fishing period in Ilnik Section, and does not close either section to commercial salmon fishing. The department would still be permitted to open Outer Port Heiden Section and extend fishing time in Ilnik Section by emergency order. Since 2007, when Outer Port Heiden reopened to commercial salmon fishing, the weekly fishing periods have been used to prosecute this fishery. Ilnik Section weekly fishing periods have been in regulation since statehood.

This proposal appears to accommodate a select fresh fish fly-out market in May for Chinook salmon and after August 1 for coho salmon fisheries that have not yet developed. The department is willing to work with fishermen to provide opportunity to harvest salmon and maximize the available resource.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal which would close Outer Port Heiden Section to commercial salmon fishing, but **OPPOSES** aspects of this proposal which reduce management options or eliminates fishing periods established in regulation for fisheries in Outer Port Heiden, Inner Port Heiden, and Ilnik sections, and adds confusion to regulations. This proposal eliminates the weekly fishing period in Outer Port Heiden Section and changes the weekly fishing period in Inner Port Heiden and Ilnik sections from 60 hours per week to only 12 hours per week.

These changes would not accommodate, as the proposal states, fresh fly-out markets. The department fails to see how changing the weekly fishing period in Cinder River Section to accommodate non-established fresh fly-out markets will be beneficial. The department already has the ability to work with fishermen when they have special circumstances, such as flying fresh fish to market. This has not been an issue; this proposal may not accommodate others that may fish in Cinder River Section in the near future. In addition, plane schedules often change and this proposal may complicate regulations since Cinder River Section would have different weekly fishing periods depending on the month. The department is willing to work with individuals to make sure they maximize the product value, but it is unclear if this proposal will accomplish this.

**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 146 – 5 AAC 09.320 (a)(3). Fishing Periods.**

**PROPOSED BY:** Roland Briggs.

**WHAT WOULD THE PROPOSAL DO?** This proposal would change the 2½ day weekly fishing period in Cinder River Section to 6:00 a.m. Thursday until 6:00 p.m. Saturday.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.320 (a)(3), in Cinder River, Outer Port Heiden, Inner Port Heiden, and Ilnik sections salmon may be taken only from 6:00 a.m. Monday until 6:00 p.m. Wednesday, except that before June 20 in that portion of Ilnik Section within Ilnik Lagoon and all waters inside Seal Islands, salmon may be taken only from 12:00 noon Monday until 11:59 p.m. Wednesday.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would shift the 2½ day weekly fishing period in Cinder River Section from 6:00 a.m. Monday to 6:00 p.m. Wednesday and change it to 6:00 a.m. Thursday until 6:00 p.m. Saturday. This proposal would shift the weekly fishing period to accommodate fishermen that want to fly fish via aircraft and need to meet airplane schedules.

**BACKGROUND:** Sockeye salmon escapement into Cinder River has been over 100,000 fish in recent years, exceeding its escapement goal of 12,000-48,000 fish. Little or no effort has occurred in Cinder River Section over the past 10 years targeting sockeye salmon.

Weekly fishing periods are used throughout North Peninsula fisheries as a guide and are often changed depending on escapement levels of salmon. This proposal seeks to change the weekly fishing period in Cinder River Section during certain times to be able to fly fish to markets. Department staff has accommodated fishermen throughout North Peninsula by providing harvest opportunities to take advantage of market conditions and aircraft schedules. In Cinder River Section, effort that has occurred in recent years has been in September targeting coho salmon.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on this proposal. The department currently has regulatory authority to accommodate alternate fishing schedules and such allowances have been granted in the past. This proposal may not accommodate other fishermen and their schedules that may fish in Cinder River Section in the future. In addition, airplane schedules often change and this proposal may complicate regulations since Cinder River Section would have different weekly fishing periods than other locations. The department is willing to work with individuals to make sure they maximize the product value, but it is unclear if this proposal will accomplish this.

**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 147 – 5 AAC 09.320. Fishing Periods.**

**PROPOSED BY:** Ray Johnson and Brian Hartman.

**WHAT WOULD THE PROPOSAL DO?** This proposal would prohibit a commercial fishing opening in Northern District unless local escapement goals are met.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.369, *Northern District Fisheries Management Plan*, Chinook, sockeye, pink, chum, and coho salmon are managed using guidelines provided under this regulation.

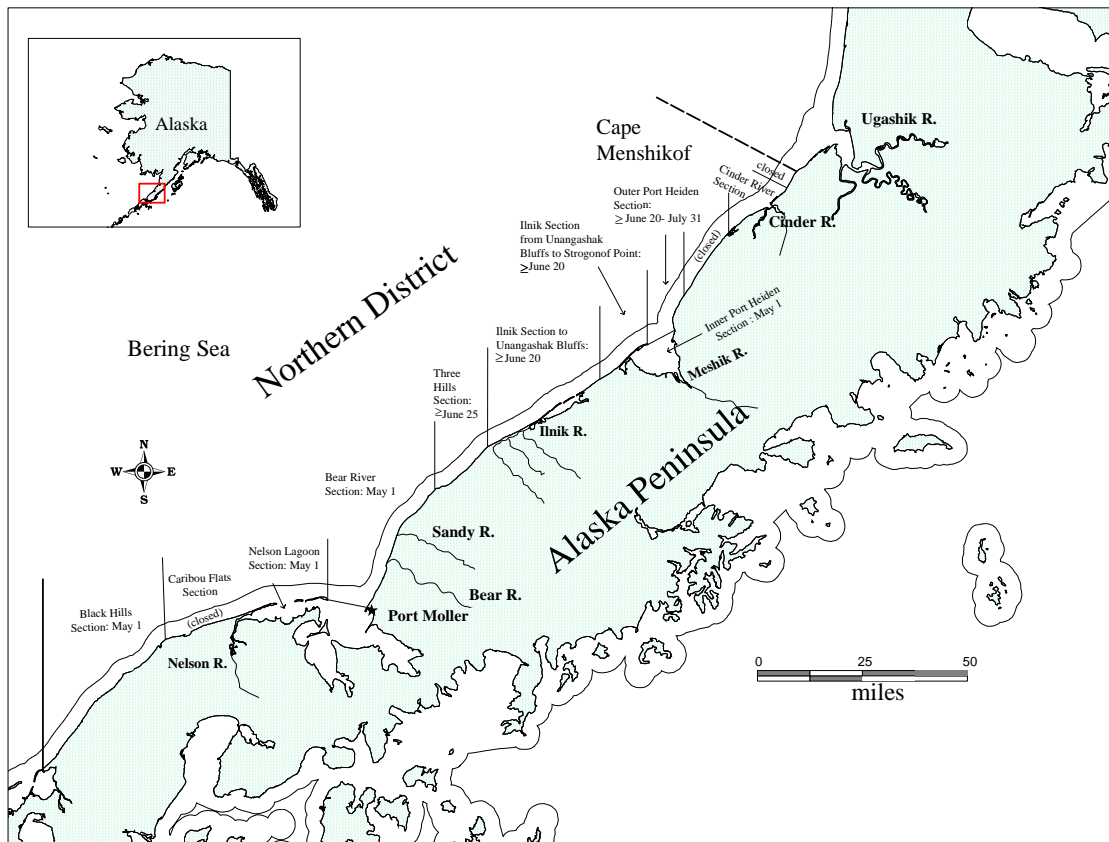


Figure 147-1.–Northern District showing fishing sections and opening dates of commercial salmon fisheries.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would not allow openings in commercial fisheries of Northern District unless local escapement goals were met. It is unclear if the proponents are implying the season ending escapement goal or the interim escapement objectives that occur in many river systems. Currently, the department manages numerous fisheries throughout Northern District to ensure escapement goals are met and to provide harvest on salmon surplus to escapement needs. In some situations, such as in Nelson Lagoon where the first interim escapement objective is June 30, there would be no commercial salmon fishing permitted until that goal is met, which in an average year would eliminate fishing in Nelson Lagoon

Section from June 1 to about June 25 and be a major burden to those that fish in this or other areas. If adopted, this proposal would curtail all Northern District fisheries until local escapement goals are met. This would front-load the escapement for the early portion of the run, and the latter portion of the run would have a higher harvest rate. The quality of the escapement would not be representative of the actually run and would suffer if fisheries were not permitted until the goals were met. Without a way to control escapement, it is likely escapement goals would be exceeded and harvest opportunity would be lost.

**BACKGROUND:** Northern District fisheries are prosecuted based on abundance of salmon. It is often difficult to manage a multi-stock fishery with river terminus's only five miles apart, such as at Bear and Sandy rivers. However, the department has done it successfully, while ensuring escapement objectives are met and providing harvest opportunity on surplus fish. When season and interim objectives are not being met for a river system, the fishery is curtailed to increase the escapement level.

The proposal does not identify specific areas in Northern District, which encompasses waters from Moffet Point to Cape Menshikof, an area that stretches 235 miles. The four salmon systems with salmon counting weirs have interim escapement objectives (goals) on a five-day basis that are used to manage commercial salmon fisheries in Nelson Lagoon, Port Moller Bight, Bear River, Three Hills, and Ilnik sections. In other areas of Northern District that have commercial fisheries, aerial surveys are used to enumerate salmon and fishing periods are based on salmon abundance. These river systems often have season ending escapement goals, but do not have interim objectives. This proposal would not provide any fishing opportunity until the escapement goals were met. All sections are managed based on salmon species that are present. There are dozens of other salmon streams that are managed using aerial surveys and include management actions for all five species of salmon. Under this proposal, no openings would occur in Northern District until escapement goals are met.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but is **OPPOSED** to aspects of this proposal that limit harvest opportunity without biological justification, making it extremely difficult for the department to manage the commercial fisheries in Northern District. The department allows harvest throughout the entire run, in most situations, to prevent targeting specific components of the run too heavily. Reduced opportunity would occur since either season ending goals or interim escapement objectives would need to be met prior to allowing a fishery. This would allow surplus fish to migrate upstream annually, as well as lost opportunity to fishermen and potential impacts to the resource.

**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 148 – 5 AAC 09.320. Fishing Periods.**

**PROPOSED BY:** Ray Johnson and Brian Hartman.

**WHAT WOULD THE PROPOSAL DO?** This proposal would institute windows, mandatory fishery closures, in Northern District fisheries.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.369 (a), *Northern District Fisheries Management Plan*, Chinook, sockeye, pink, chum, and coho salmon are managed using guidelines provided under this regulation.

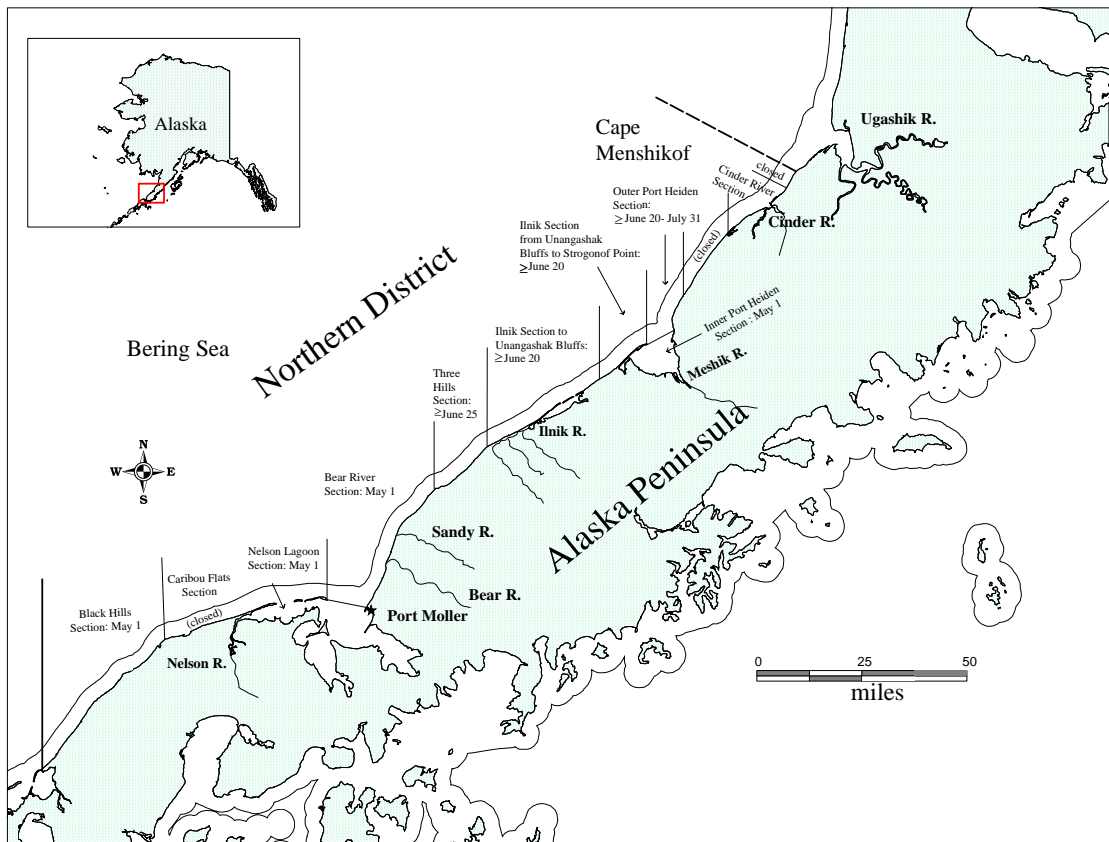


Figure 148-1.–Northern District showing fishing sections and opening dates of the commercial salmon fisheries.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would change existing regulations that have been in effect since 1990. This proposal would impose mandatory windows or closures throughout Northern District fisheries. According to this proposal, fishing time would not depend on run strength of local river systems, but rather, on set closures that would be in regulation but are not specified in the proposal. Unlike the existing abundance based management plan, lost harvest opportunity and surplus escapement would likely occur under this proposal. Surplus escapement and lost fishing opportunity would occur. If adopted, the effect of this proposal is unclear since regulatory language was not specified in the proposal and

the duration of closures was not specified. However, in escapement driven fisheries, it is expected that a mandatory closure specified in regulation would allow more fish to migrate into rivers and likely exceed escapement goals. Repeatedly exceeding escapement goals has caused negative effects to the resource in some areas. Lost harvest opportunity to the fleet would occur if this proposal is adopted.

**BACKGROUND:** Northern District stretches from Moffet Point to Cape Menshikof and encompasses many different fisheries, including chum and pink salmon fisheries in Herendeen and Port Moller bays; sockeye salmon fisheries in Black Hills, Nelson Lagoon, Bear River, Three Hills, Ilnik, Outer Port Heiden, and Inner Port Heiden; and Chinook and coho salmon fisheries in Cinder River Section. The board adopted 5 AAC 09.369 in the 1990s to establish guidelines for the department to manage commercial salmon fishing in Northern District. Four salmon counting weirs, as well as aerial surveys, are used to estimate run strength which dictates the departments' management strategy. When runs are strong, more fishing opportunity is provided to maintain escapement objectives without exceeding objectives and goals. When salmon runs are below escapement objectives, closures occur to try and increase escapement. These types of "windows" already occur, and mandatory windows when the runs are strong would allow more fish to enter rivers and potentially exceed escapement goals. Such windows would reduce ability to control escapement. Furthermore, under current management, Northern District escapement goals have consistently been met.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but **OPPOSES** mandatory windows in the existing abundance based management plan since lost harvest opportunity and surplus escapement would likely occur. Exceeding escapement goals repeatedly has been shown to have negative impacts on production of some rivers. The department currently provides harvest opportunity on surplus fish and ensures escapement goals are met.

**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 149 – 5 AAC 09.369. Northern District Salmon Fisheries Management Plan.**

**PROPOSED BY:** Kurt Johnson.

**WHAT WOULD THE PROPOSAL DO?** This proposal, if adopted, would base management of that portion of Ilnik Section located northeast of Unangashak Bluffs to Strogonof Point on only Kvichak River conservation concerns. However, the proposal does not state how management of the northeast portion of Ilnik Section would be based on Kvichak River conservation concerns. The proposal also states that from June 20 through July 4 in the northeast portion of Ilnik Section, there would be a weekly 100,000 sockeye salmon harvest cap and fishing would be limited to a maximum of 24 continuous hours followed by at least a 24-hour closure. Beginning July 5, there would be no sockeye salmon harvest cap or limits of fishing duration. This proposal does not state how the northeast portion of Ilnik Section would be managed after July 5. If adopted, this proposal would close Outer Port Heiden Section to commercial salmon fishing from June 20 to July 15.

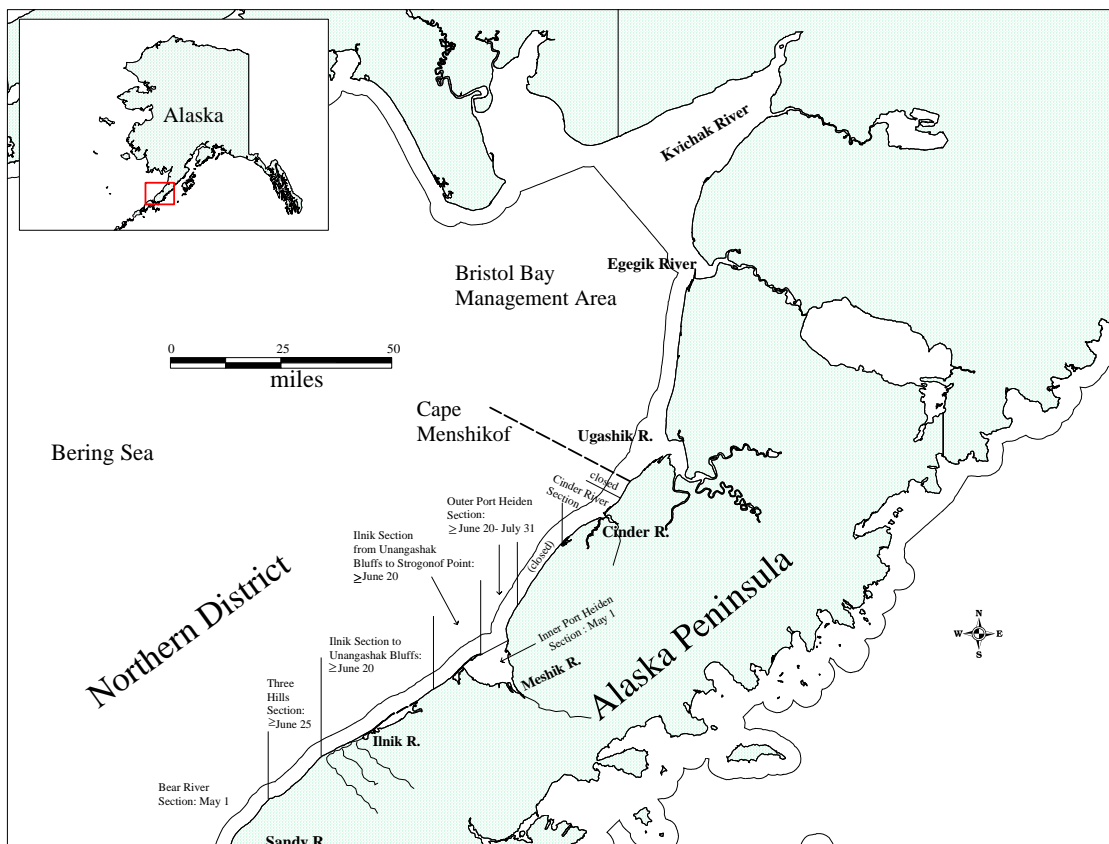


Figure 149-1.—Map of part of Alaska Peninsula from Sandy River to Kvichak River.

**WHAT ARE THE CURRENT REGULATIONS?** From June 20 to July 20, that portion of Ilnik Section northeast of Unangashak Bluffs to Strogonof Point is managed based on Ilnik and Meshik rivers sockeye salmon stocks, while southwest of Unangashak

Bluffs is managed based on Ilnik River sockeye salmon stocks (5 AAC 09.369(j)(1)(A)(i)(ii)). Management actions may also be taken in Ilnik Section if management actions are taken in Egegik District for conservation of Ugashik River sockeye salmon stocks (5 AAC 09.369(j)(1)(B)). There are currently no weekly sockeye salmon harvest caps or limits on fishing time in Ilnik Section. Outer Port Heiden Section is managed on the basis of Meshik River bound sockeye salmon and can open to commercial salmon fishing from June 20 to July 31 (5 AAC 09.369(l)). Management actions may also be taken in Outer Port Heiden Section if there is a management concern for conservation of Ugashik River sockeye salmon stocks.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?**

That portion of Ilnik Section northeast of Unangashak Bluffs to Strogonof Point would not be managed on the basis of local salmon stocks but rather, on Kvichak River sockeye salmon bound for a system located 155 miles from Strogonof Point. If adopted, this proposal would amend the current management plan and establish a weekly sockeye salmon harvest cap of 100,000 fish, with a maximum of 24 hours of continuous fishing followed by at least a 24 hour closure prior to July 5 in that portion of Ilnik Section northeast of Unangashak Bluffs (Figure 149-1). After July 5, there would be no harvest cap or fishing windows.

If adopted, this proposal would close Outer Port Heiden Section to commercial salmon fishing from June 20 until July 15. The board opened Outer Port Heiden Section to commercial salmon fishing in 2007 to harvest sockeye salmon bound for Meshik River. This proposal would limit harvest of Meshik River sockeye salmon to only those that return after July 15 when most of the run has already passed through the section. This would result in more fish entering Meshik River and the escapement goal being exceeded, as has occurred in the past. Meshik River exceeded its escapement goal every year from 2000-2006, when Outer Port Heiden Section was closed to commercial salmon fishing. This proposal would result in Ilnik Section being managed in August based on Kvichak River sockeye salmon stocks, rather than the late Bear River sockeye salmon run (post July 31 to September 30) or Ilnik Lagoon coho salmon runs, as is currently specified in regulation. The Kvichak River sockeye salmon run is complete in July.

**BACKGROUND:** The northern portion of Ilnik Section, located between Unangashak Bluffs and Strogonof Point, is currently managed based on Meshik and Ilnik rivers sockeye salmon stocks from June 20 through July 20. Prior to 2004, this area was closed to commercial salmon fishing until July 15. That portion of Ilnik Section located southwest of Unangashak Bluffs is managed on Ilnik River sockeye salmon stocks prior to July 20. From 1998 to 2003, that portion of Ilnik Section located southwest of Unangashak Bluffs could open to commercial salmon fishing from June 25 to July 5 if certain escapement thresholds indicative of a strong run were met at Ilnik River. If fishing did occur between June 25 and July 4, fishing was not permitted for more than 24 consecutive hours and there had to be at least a 24-hour closure between fishing periods. There was also a harvest cap of 100,000 sockeye salmon, and if the cap was reached, that portion of Ilnik Section located northeast of Unangashak Bluffs to Strogonof Point could not reopen to commercial salmon fishing until July 25. During years when this

regulation was in effect, it was difficult to control escapement into Ilnik River and escapement usually exceeded the escapement goal substantially.

In 2007, the board opened a portion of Outer Port Heiden Section west of 158° 36.00 W. long. to harvest sockeye salmon bound for Meshik River. Currently, by regulation, Outer Port Heiden Section can open from June 20 until July 31. Since 2007, excessive surplus escapements into Meshik River have not occurred. Since the early 1990s, conservation of Ugashik River sockeye salmon has been considered in management of some Northern District fishing sections. This proposal eliminates Ugashik River as a stock to be considered in management of a portion of Ilnik and Outer Port Heiden sections.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but is **OPPOSED** to reducing fishing area or time which may result in surplus escapement and lost harvest opportunities. The present management plan allows for management actions in Outer Port Heiden and Ilnik sections for local Ilnik and Meshik River sockeye salmon stocks, and when concerns arise for conservation of Ugashik River sockeye salmon stocks. If adopted, the department requests board guidance to clarify the duration of this regulation, since as written, the department would manage a portion of Ilnik Section for Kvichak River sockeye salmon through September 30. This proposal also only covers a portion of Ilnik Section prior to July 5. The department seeks guidance on the stocks to be managed in the remaining portion of Ilnik Section after July 5.

**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 150 – 5 AAC 09.310. Fishing seasons.**

**PROPOSED BY:** Kurt Johnson.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would close Outer Port Heiden Section to all gillnet fishing from June 20 to July 15.

**WHAT ARE THE CURRENT REGULATIONS?** Current regulation (5 AAC 09.369 (1)) for Outer Port Heiden Section allows drift gillnet fishermen to fish during open periods from June 20 to July 31. Set gillnet fishermen are not permitted in Outer Port Heiden Section.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would close Outer Port Heiden Section to commercial gillnet fishing from June 20 to July 15. Outer Port Heiden Section could open to commercial salmon fishing from July 16 to July 31; however, this would be too late in the run to adequately harvest sockeye salmon bound for the Meshik River system since the run begins in early June and is complete by late July. Surplus escapement into Meshik River will occur, as will lost harvest opportunity by the fleet.

**BACKGROUND:** In 2007, the board opened a portion of Outer Port Heiden Section to Area M fishermen to allow harvest of sockeye salmon bound for Meshik River. Currently by regulation, Outer Port Heiden Section can open from June 20 until July 31. Prior to 2007, when Outer Port Heiden Section was not opened to commercial salmon fishing, Meshik River exceeded its escapement goal. Since 2007, there has not been excessive surplus escapement into Meshik River.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of the proposal, but **OPPOSES** reducing harvest opportunity on local salmon stocks and allowing surplus escapement into Meshik River. The present management plan allows for management actions in Outer Port Heiden Section for local Meshik River sockeye salmon stocks and when concerns arise for conservation of Ugashik River sockeye salmon stocks. If this proposal is adopted, Meshik River sockeye salmon would not be targeted and escapement goals would likely be exceeded annually.

**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 151 - 5 AAC 09.310. Fishing seasons.**

**PROPOSED BY:** Lower Bristol Bay Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would close Outer Port Heiden Section from May 1 to September 30.

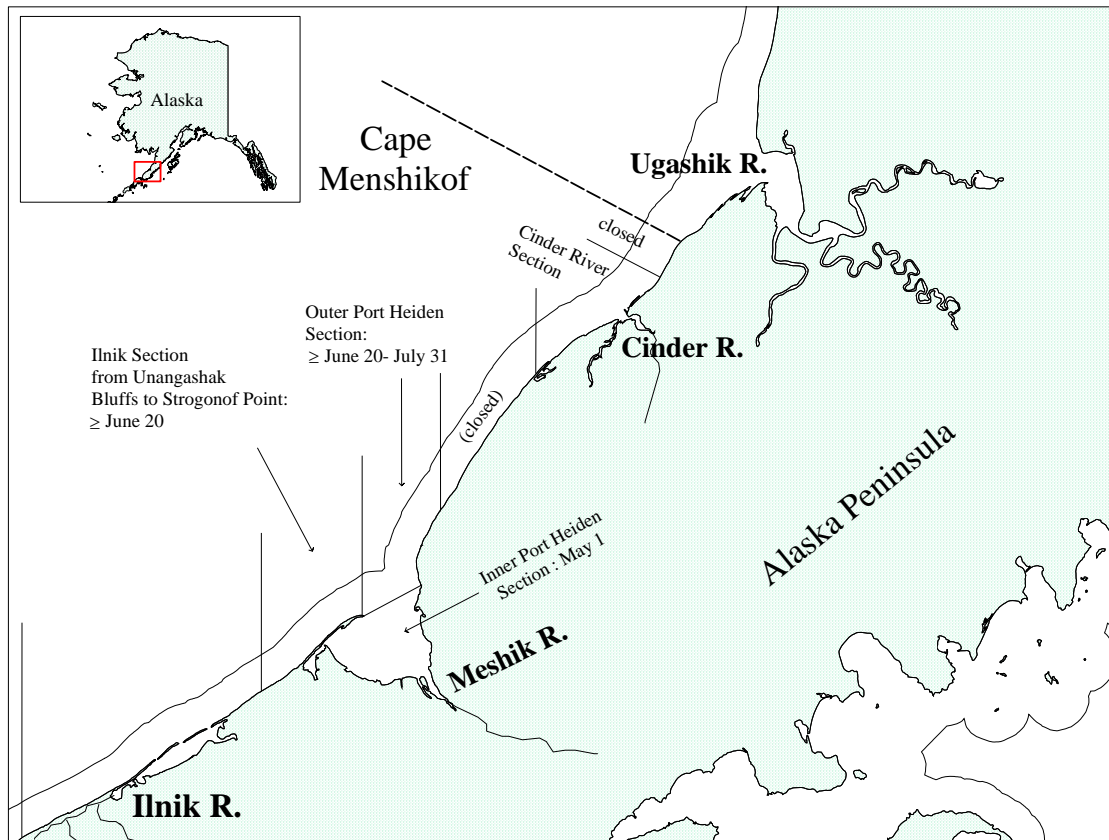


Figure 151-1.—Map showing part of Ilnik Section and Outer Port Heiden and Cinder River sections of Alaska Peninsula.

**WHAT ARE THE CURRENT REGULATIONS?** The current regulation for Outer Port Heiden Section allows Area M drift gillnet fishermen to fish during open periods from June 20 to July 31.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would close Outer Port Heiden Section to commercial salmon fishing from May 1 to September 30. Surplus escapement into Meshik River would likely occur, as well as lost harvest opportunity by the fleet if this proposal were adopted.

**BACKGROUND:** In 2007, the board opened a portion of Outer Port Heiden Section west of 158° 36.00' W. long. to harvest sockeye salmon bound for Meshik River. Currently, by regulation Outer Port Heiden Section can open from June 20 until July 31. Adoption of this proposal would close Outer Port Heiden Section for the duration of all

salmon runs. This will likely result in surplus escapement since there will be no directed fishery on Meshik River salmon stocks. If this proposal is adopted, Meshik River sockeye salmon would not be targeted and escapement goals would be exceeded annually. Since 2007, when Outer Port Heiden Section was reopened to commercial salmon fishing, there has not been excessive surplus escapement into Meshik River.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of the proposal, but **OPPOSES** reducing harvest opportunity on local salmon stocks. The present management plan allows for management actions in Outer Port Heiden Section for local Meshik River sockeye salmon stocks and when concerns arise for conservation of Ugashik River sockeye salmon stocks. If this proposal is adopted, Meshik River sockeye salmon would not be targeted and escapement goals would likely be exceeded annually.

**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 152 – 5 AAC 09.369. Northern District Salmon Fisheries Management Plan.**

**PROPOSED BY:** Roland Briggs.

**WHAT WOULD THE PROPOSAL DO?** This proposal, if adopted, would modify the *Northern District Fisheries Management Plan*, 5 AAC 09.369 (not 5 AAC 09.366 as published in the proposal book). This proposal specifies that only Ugashik River sockeye salmon stocks will be used to manage the outer portion of Ilnik and Outer Port Heiden sections. If Ugashik River escapement falls behind the escapement curve by one day, then the outer portion of Ilnik and Outer Port Heiden sections can fish the weekly fishing schedule of 2½ days per week. If Ugashik River falls two days behind the escapement curve, these areas will be allowed to fish for 48 hours per week, and if Ugashik River falls three days behind the the escapement curve, these sections will be closed. While not specified in the proposal, the department assumes that a regular fishing schedule will be followed in Ilnik and Outer Port Heiden sections if Ugashik River sockeye salmon escapement is on target. The department also assumes that if Ugashik River escapement falls further than three days behind, these sections will remain closed.

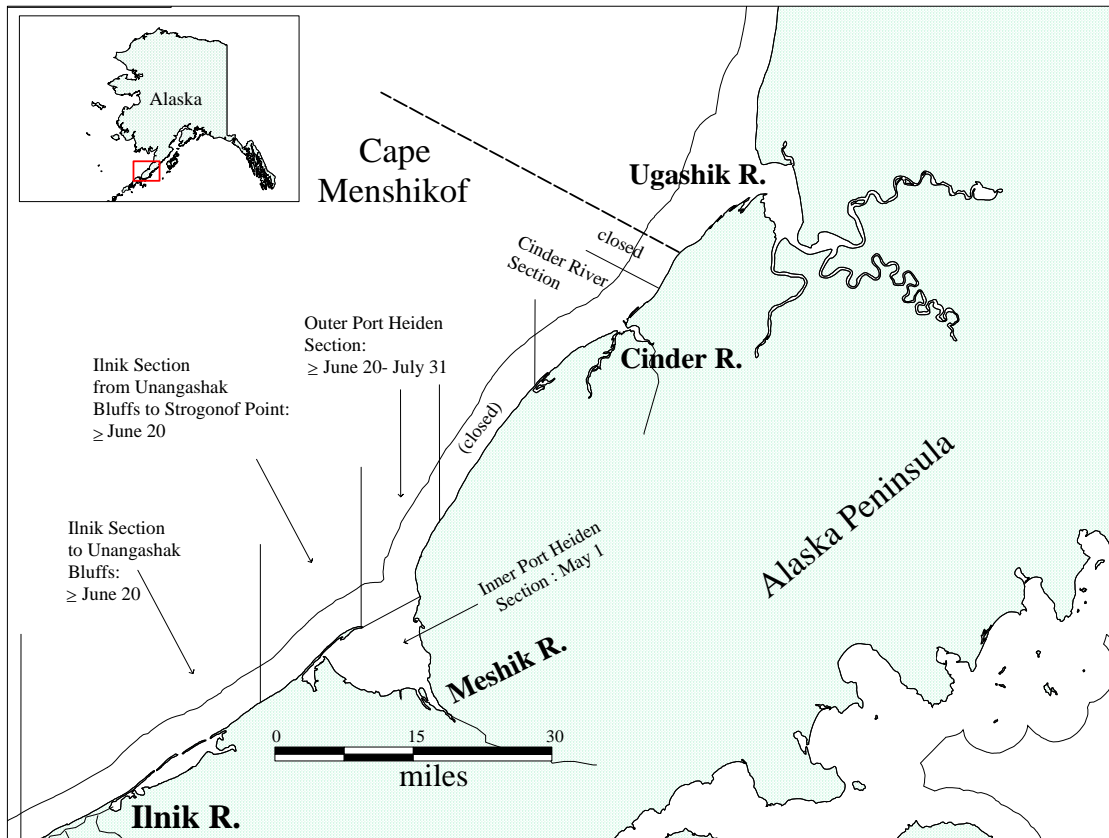


Figure 152-1.–Map showing Ilnik, Outer Port Heiden, and Cinder River sections of Alaska Peninsula and Ugashik District of Bristol Bay Management Area.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.369 (j)(1)(A)(i)(ii), from June 20 to July 20, that portion of Ilnik Section southwest of Unangashak Bluffs is managed on the basis of Ilnik River sockeye salmon, while northeast of Unangashak Bluffs to Strogonof Point is managed based on Ilnik and Meshik rivers sockeye salmon stocks. Management actions may also be taken in Ilnik Section if a management concern exists in Egegik District for Ugashik River sockeye salmon stocks (5 AAC 09.369(j)(B)). Outer Port Heiden Section is managed on the basis of Meshik River bound sockeye salmon and can open to commercial salmon fishing from June 20 to July 31 (5 AAC 09.369 (l)). If management actions are taken in Egegik District for conservation of Ugashik River sockeye salmon, management actions may also be taken for Ugashik River sockeye salmon in Outer Port Heiden Section. Weekly fishing periods of 2½ days per week are used throughout North Peninsula fisheries as a guide, but are often changed based on abundance of local salmon stocks. During times of high abundance, the weekly fishing period is often extended, while during low abundance, the weekly fishing period is reduced or eliminated.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal links management of the outer portion of Ilnik and Outer Port Heiden sections to only the strength of Ugashik River run on a daily basis. Under this proposal, when Ilnik or Meshik River sockeye salmon runs are weak, there could actually be additional fishing in Ilnik and Outer Port Heiden sections since management would be based on Ugashik River sockeye salmon stocks and not local stocks. This proposal would allow a 2½ day weekly fishing period based on Ugashik River stocks even when local runs were weak. Therefore, the department would further jeopardize local runs by providing harvest opportunity when local stocks are weak and Ugashik River stocks were strong, since Ugashik River would be the only stock used to manage the outer portion of Ilnik and Outer Port Heiden sections. Conversely, if Ugashik River sockeye salmon returns are weak and Ilnik and Meshik river returns are strong, fishing in Outer Port Heiden and Ilnik sections would be limited, resulting in surplus escapement and lost fishing opportunity.

**BACKGROUND:** The board opened a portion of Outer Port Heiden Section to commercial salmon fishing in 2007 to harvest sockeye salmon bound for Meshik River. The department has not permitted fishing in Outer Port Heiden Section beyond 2½ days per week over the past three seasons, and in some weeks, fishing was not permitted at all. Because management would not be based on abundance of local sockeye salmon stocks, this proposal would potentially allow fishing in Outer Port Heiden and Ilnik sections during some weeks when it would normally be closed.

The northeast portion of Ilnik Section, located between Unangashak Bluffs and Strogonof Point, is currently managed based on Meshik and Ilnik rivers sockeye salmon stocks between June 20 and July 20. Prior to 2004, this area was closed to commercial salmon fishing until July 15. That portion of Ilnik Section located southwest of Unangashak Bluffs is managed on Ilnik River sockeye salmon stocks prior to July 20. From 1998 to 2003, that portion of Ilnik Section located southwest of Unangashak Bluffs could only open to commercial salmon fishing from June 25 to July 5 if certain escapement thresholds indicative of a strong run were met at Ilnik River. If fishing did occur between



June 25 and July 4, fishing was not permitted for more than 24 consecutive hours and there had to be at least a 24-hour closure between fishing periods. There was also a harvest cap of 100,000 sockeye salmon, and if the cap was reached, that portion of Ilnik Section located northeast of Unangashak Bluffs to Strogonof Point could not reopen to commercial salmon fishing until July 25. During these years when there were restrictive regulations on fishing in Ilnik Section, sockeye salmon escapements were excessive in Ilnik River.

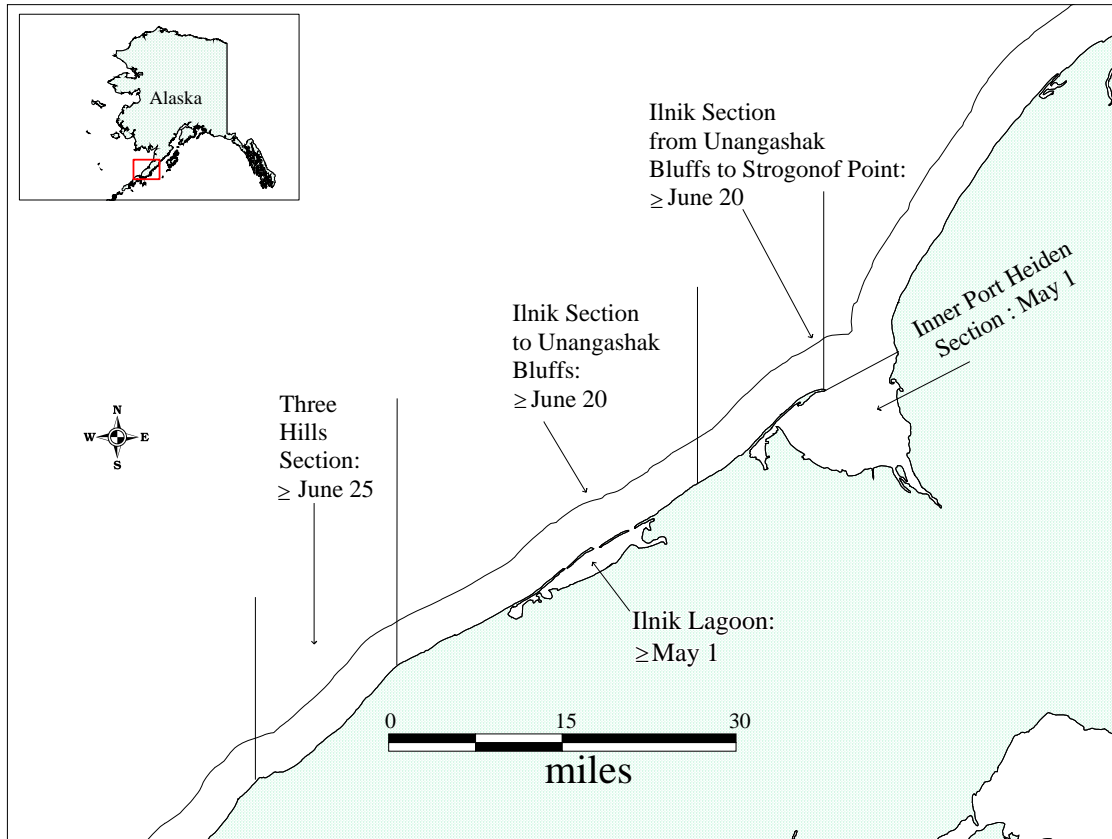
**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but is **OPPOSED** to managing the outer portion of Ilnik and Outer Port Heiden sections on the basis of Ugashik River salmon stocks, which may result in surplus escapement and lost harvest opportunities. The present management plan also allows for management actions in Outer Port Heiden and Ilnik sections when concerns arise for conservation of Ugashik River sockeye salmon stocks. If adopted, the department requests board guidance to clarify implementation of this regulation, since as written, the department would manage the outer portion of Ilnik Section and Outer Port Heiden Section on the basis of only Ugashik River sockeye salmon, long after that run is over, and not on local 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 153 – 5 AAC 09.330 (3). Gear.**

**PROPOSED BY:** Sand Point Advisory Committee.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would open that portion of Ilnik Section located inside Ilnik Lagoon and Seal Islands to purse seine gear.



**Figure 153-1.**–Map showing Three Hills and Ilnik sections and opening dates of areas.

**WHAT ARE THE CURRENT REGULATIONS?** 5 AAC 09.330 (a)(3) allows only drift or set gillnet gear within Ilnik Section. Ilnik Lagoon is part of Ilnik Section.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would allow salmon to be taken using purse seine gear within Ilnik Lagoon. Currently, purse seine gear is not permitted within any portion of Ilnik Section and gear conflicts may occur if set gillnet and drift gillnet effort occurs again inside Ilnik Lagoon.

**BACKGROUND:** This proposal seeks to provide harvest opportunity for purse seine gear in Ilnik Lagoon to harvest fish surplus to escapement needs of Ilnik River. In recent years, 120-135 drift gillnet permit holders and a few set gillnet permit holders fish in the outer portion of Ilnik Section. Although there have been set gillnet operators that have

fished in Ilnik Lagoon in the past, it has been over 10 years since any directed effort has occurred inside Ilnik Lagoon. The reasons are varied, but include lack of tender service prior to June 20 and natural changes to Ilnik Lagoon from winter storms that have made fishing difficult in the lagoon. These storms have changed the location of the main channel of Ilnik Lagoon, as well as some tributaries, which in some years empty directly into Bering Sea and not Ilnik Lagoon. These natural changes have reduced flow into the lagoon and created an access point other than Ilnik Lagoon for fish to enter the Ilnik drainage, both of which increase the difficulty of fishing within the lagoon. In recent years, there has been little or no surplus escapement into Ilnik River system. Changes to regulations by the board over the past six years have allowed the fleet to fish earlier and help prevent surplus escapements into the system.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. If set gillnet or drift gillnet operators decide to fish within Ilnik Lagoon in the future, adding purse seine gear effort may generate gear conflicts.

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

**PROPOSAL 154 – 5 AAC 09.331. Gillnet Specifications and Operations.**

**PROPOSED BY:** Ray Johnson and Brian Hartman.

**WHAT WOULD THE PROPOSAL DO?** If adopted, this proposal would change the gear mesh depth limit in Northern District to 45 meshes.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.331(a)(4), in Northern District, a drift gillnet may not exceed 70 meshes in depth, except that in Nelson Lagoon Section, a drift gillnet may not exceed 29 meshes in depth before August 16 and 38 meshes in depth from August 16 through September 30; a drift gillnet may have only one leadline, which may not exceed 60 fathoms per 50 fathoms of corkline, and no portion of the leadline may exceed 1.5 pounds per fathom.

Under 5 AAC 09.331(b)(4), in Northern District, maximum depth of a set gillnet may not exceed 70 meshes in depth, except that in Nelson Lagoon Section, a set gillnet may not exceed 29 meshes in depth.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** This proposal would change drift and set gillnet maximum mesh depth in Northern District to 45 meshes in depth. There would be a decrease in mesh size depth of drift gillnets in most of Northern District from 70 meshes to 45 meshes, except in Nelson Lagoon Section, it would increase depth of drift gillnets from 29 meshes or 38 meshes (depending on the date) to 45 meshes all season. For set gillnet gear throughout Northern District, mesh size would decrease from 70 meshes in depth to 45 meshes, except in Nelson Lagoon Section depth would increase from 29 meshes in depth to 45 meshes. Drift gillnet gear effectiveness will be reduced, while set gillnet gear effectiveness would increase. There would be a reallocation of harvest from one gear to another.

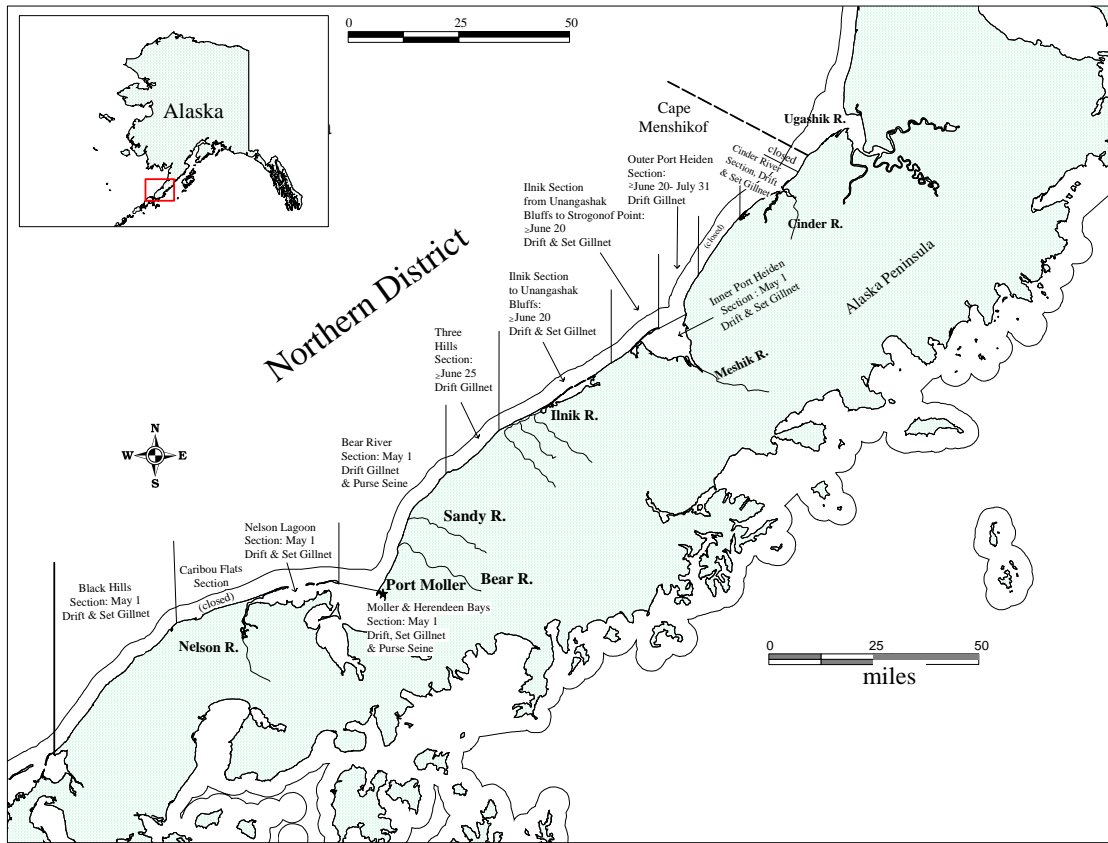


Figure 154-1.—Northern District showing fishing sections and opening dates of commercial salmon fisheries.

**BACKGROUND:** Northern District stretches from Moffet Point to Cape Menshikof and encompasses many different fisheries, including Chinook and coho salmon fisheries in some locations, chum and pink salmon fisheries in Herendeen and Port Moller bays, sockeye salmon fisheries in Black Hills, Nelson Lagoon, Bear River, Three Hills, Ilnik, Outer Port Heiden, Inner Port Heiden, and Cinder River sections. Drift and set gillnet gears are allowed in many areas and gillnet requirements vary throughout the area. Per 5 AAC 09.331(a)(4) and (b)(4), gillnet mesh size depth varies throughout Northern District.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal, but is **OPPOSED** to aspects of this proposal that would reduce drift gillnet mesh depth, and therefore harvesting power, and increase set gillnet depth in some locations. The reduction is not needed as it would reduce the efficiency of the drift gillnet fleet, resulting in surplus fish in local rivers. The increase in mesh depth would make fishing in some locations, such as Nelson Lagoon, difficult because of shallow water.

**COST ANALYSIS:** Approval of this proposal is expected to result in additional direct cost for a private person to participate in this fishery since set and gillnet fishermen would have to reduce or purchase gillnets to conform to the 45 mesh depth.

**PROPOSAL 155 – 5 AAC 09.330 (10). Gear.**

**PROPOSED BY:** Roland Briggs.

**WHAT WOULD THE PROPOSAL DO?** This proposal would open Outer Port Heiden Section to set gillnet gear

**WHAT ARE THE CURRENT REGULATIONS?** Current regulation, 5 AAC 09.330 (a)(10), for, Outer Port Heiden Section allows Area M drift gillnet fishermen only to fish during open periods from June 20 to July 31.

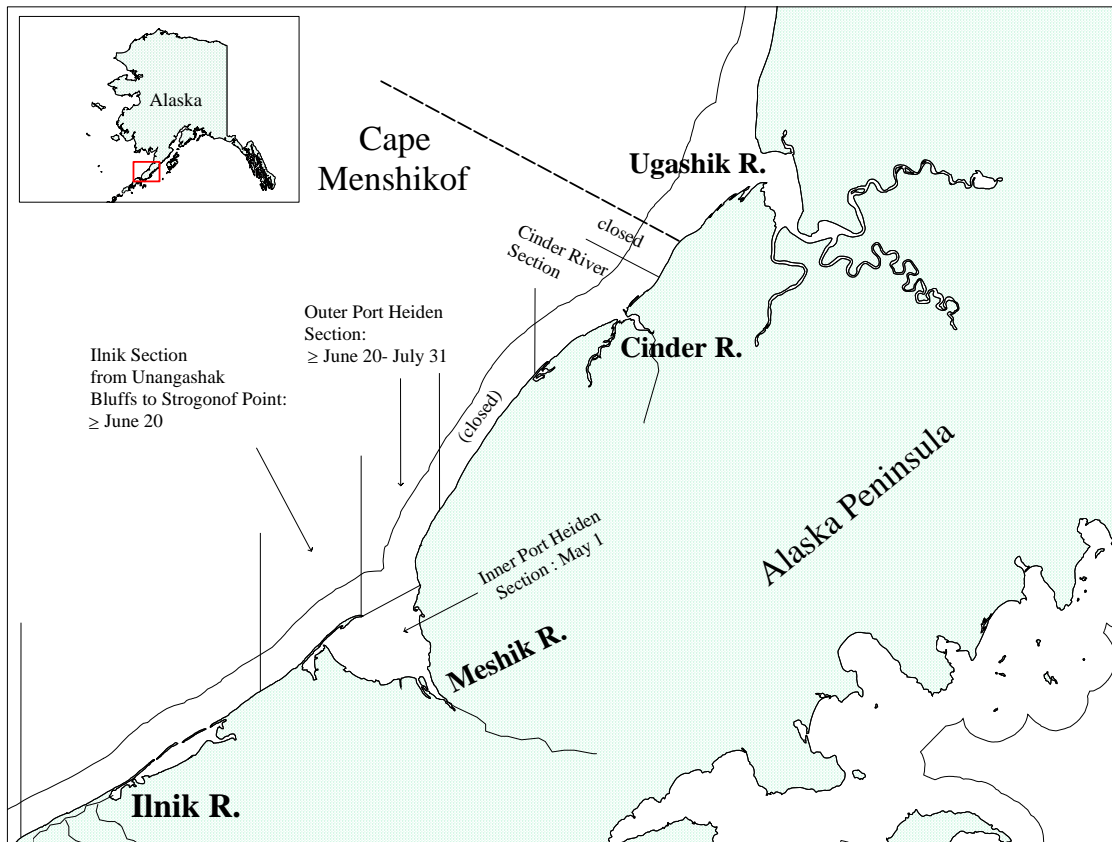


Figure 155-1.—Map showing part of Ilnik Section and Outer Port Heiden and Cinder River sections of Alaska Peninsula.

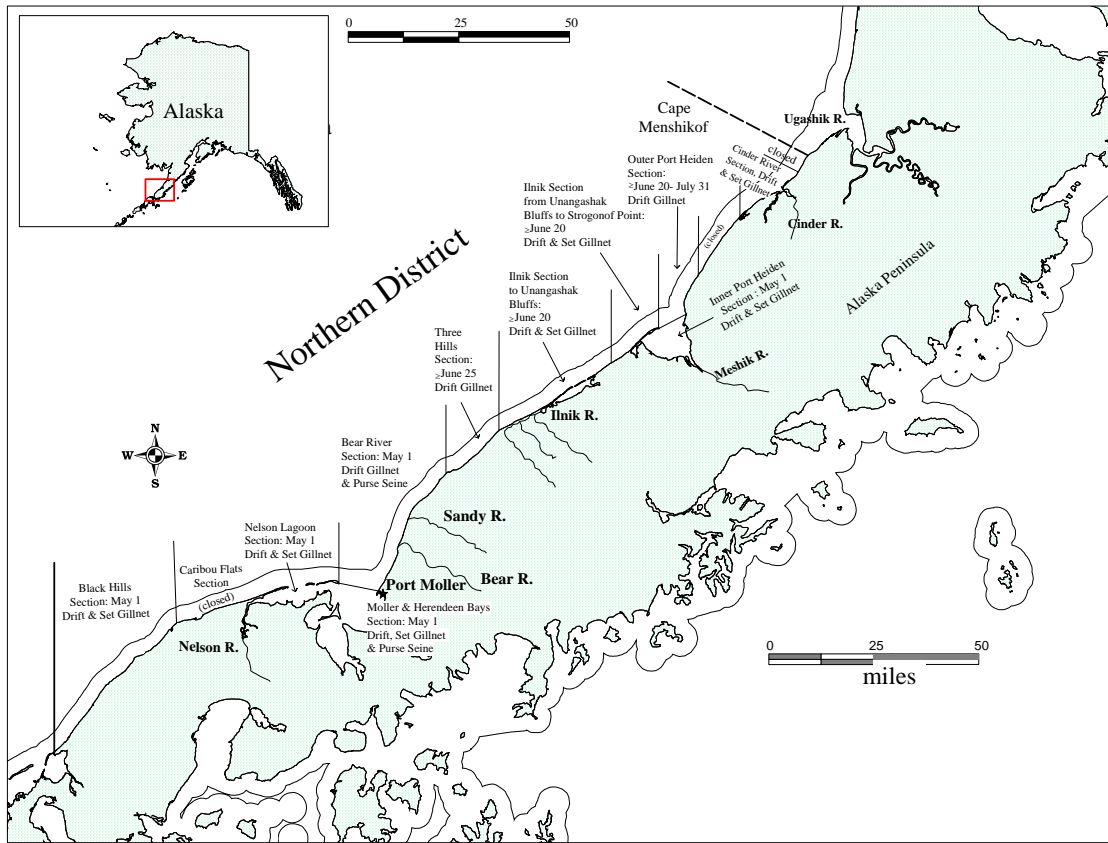


Figure 155-2.—Map showing Northern District with opening dates and allowable gear by section.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow set gillnet gear to fish in Outer Port Heiden Section and would likely result in more effort fishing within Outer Port Heiden Section since all Area M set gillnet gear permit holders would be allowed to fish within Outer Port Heiden Section if this proposal is adopted. Additional effort would likely result in increased harvest. Should harvest increase, it is possible management actions would be taken to protect local stocks, possibly resulting in a reduction of fishing time in Outer Port Heiden and possibly Inlik sections.

**BACKGROUND:** Many sections in Northern District are open to set gillnet fishing; however, there is very little set gillnet effort outside of Nelson Lagoon. In most years since 1985, less than 10 set gillnet permit holders have fished outside of Nelson Lagoon.

In 2007, the board opened a portion of Outer Port Heiden Section for drift gillnet gear to harvest sockeye salmon bound for Meshik River. Currently, by regulation Outer Port Heiden Section can open from June 20 until July 31 to drift gillnet fishermen. Set gillnet gear has never been permitted in Outer Port Heiden Section.



**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. However, if adopted, there could be gear conflicts between set and drift gillnet fishermen.

**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 156 –5 AAC 09.331 (8). Gillnet specifications and operations.**

**PROPOSED BY:** Roland Briggs.

**WHAT WOULD THE PROPOSAL DO?** This proposal would change set gillnet operation in Cinder River, Port Heiden, and Ilnik sections of Northern District so that a person may not place the seaward end of a set gillnet further than one-half mile from the mean high tide mark.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.331 (b)(8), in Cinder River and Ilnik Sections of Northern District, a person may not place the seaward end of a set gillnet further than one-half mile from the permanent vegetation line of the beach, except that in Seal Islands, a person may not place the seaward end of a set gillnet further than one-half mile from the mean high tide mark.

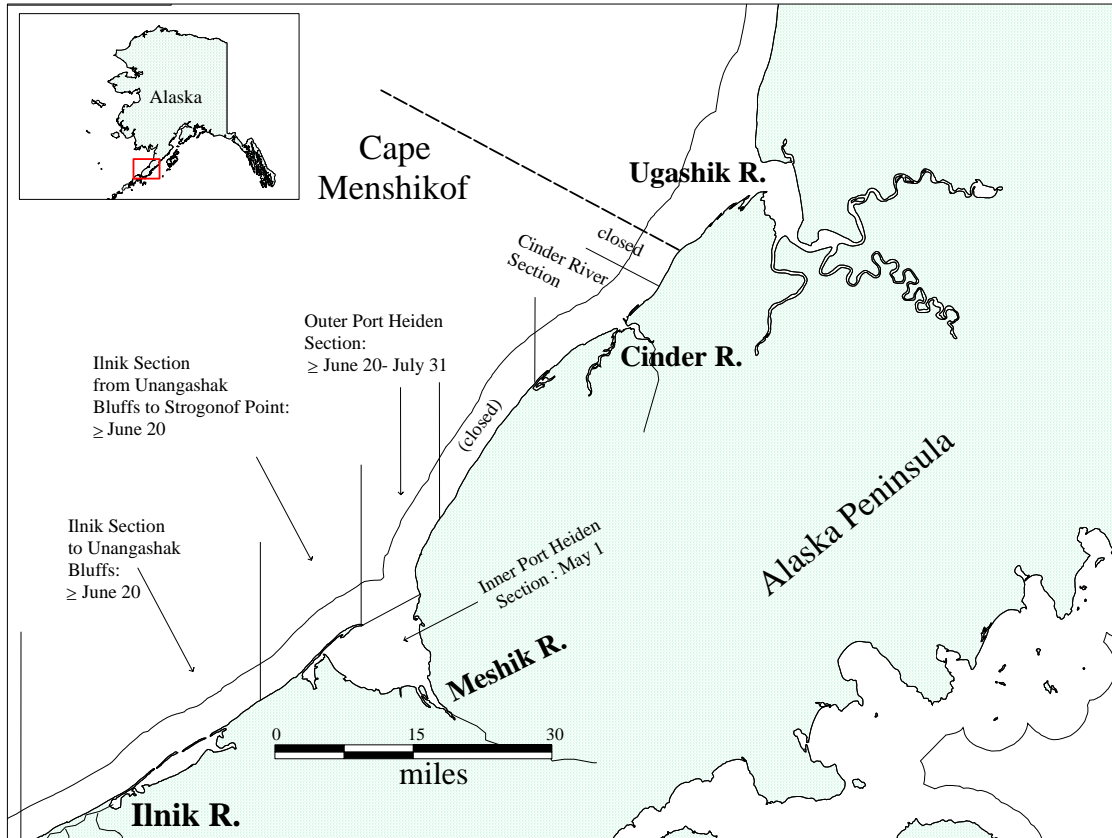


Figure 156-1.–Map showing Ilnik, Outer Port Heiden, Inner Port Heiden, and Cinder River sections of Alaska Peninsula and Ugashik District of Bristol Bay Management Area.

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would allow set gillnet gear to be set within one-half mile from the mean high tide mark. This would allow set gillnet fishermen to set nets slightly further

from the beach than they presently can in Cinder River, Inner Port Heiden, and Ilnik sections (the proposal states Port Heiden; however, under current regulations, set gillnet gear is a legal gear type in Inner Port Heiden, but not Outer Port Heiden). The distance offshore that this proposal would allow the set gillnet fleet to fish varies depending on where the permanent vegetation line is compared to the mean high tide mark, but the difference a set gillnet would be further offshore is likely less than 100 yards in most locations. This may allocate more fish to the set gillnet fleet and cause gear conflicts between drift and set gillnet gears, which has occurred in the past.

**BACKGROUND:** Set and drift gillnet gears are permitted in Cinder River, Inner Port Heiden, and Ilnik sections. In the 1980s and early 1990s when regulations were as proposed in this proposal, there were more conflicts between the two gear types than there is under existing regulations. There was also more set gillnet effort during this time. Although little or no effort occurs in Cinder River and Inner Port Heiden sections, there is and has been gear conflicts between drift gillnet and set gillnet fishermen in Ilnik Section. There are registered set gillnet fishing sites in Ilnik Section that may be affected by this regulation.

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

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

**PROPOSAL 157 –5 AAC 09.350 (3). Closed Waters.**

**PROPOSED BY:** Concerned Area M Fishermen.

**WHAT WOULD THE PROPOSAL DO?** This proposal would change the angle of the northern boundary line of Outer Port Heiden Section.

**WHAT ARE THE CURRENT REGULATIONS?** Under 5 AAC 09.350 (3) waters in Outer Port Heiden Section east of 158° 36.00' W. long. are closed to commercial salmon fishing (5 AAC 09.369 (1)).

**WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?** If adopted, this proposal would change the angle of the closed water line in Outer Port Heiden Section so that the line is not at a steep angle to the beach and create fewer problems in setting nets and having an orderly fishery. The line would be pivoted at the midpoint so that the nearshore portion of the line moves to the east and the offshore portion of the line moves to the west, resulting in no net gain in fishery area from the current closed water line. The proposed description of the Outer Port Heiden Section would allow fishing west of a line from 57° 05.52' N. lat., 158° 34.45' W. long. to 57° 08.85' N. lat., 158° 37.50' W. long.

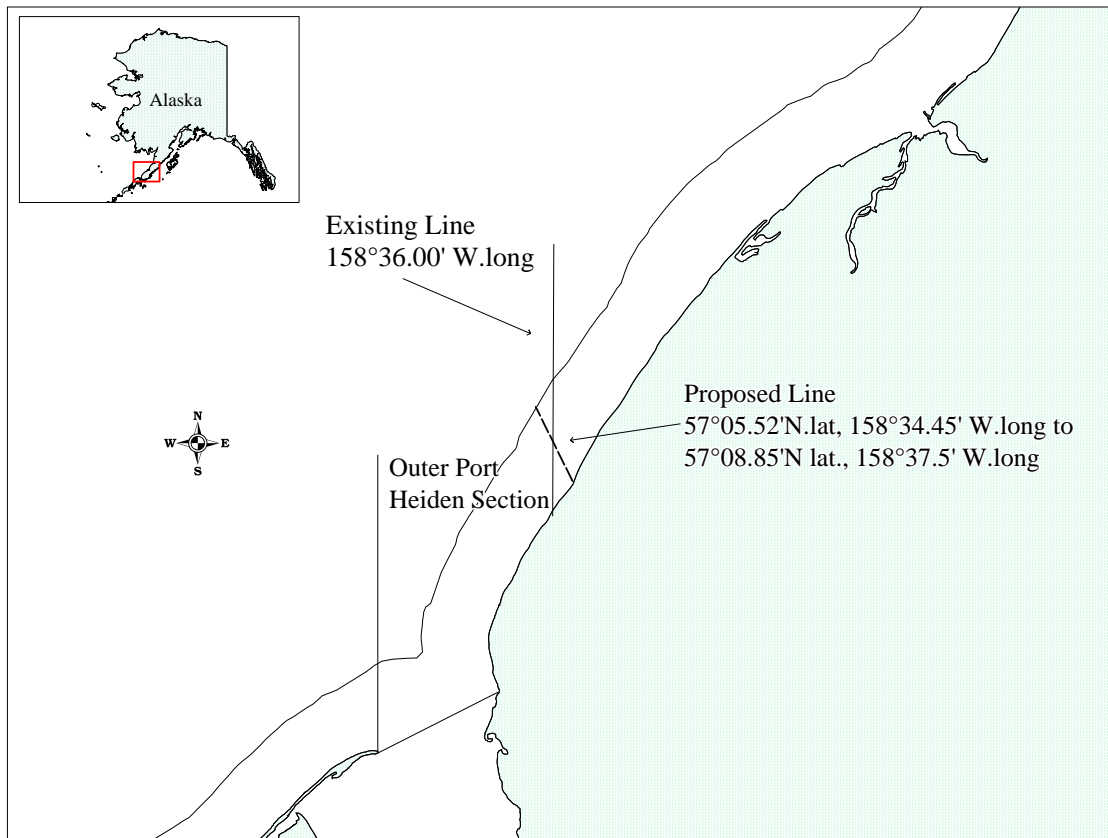


Figure 157-1.–Map of Outer Port Heiden Section showing the existing boundary line and the proposed boundary line.

**BACKGROUND:** In 2007, the board opened a portion of Outer Port Heiden Section to harvest sockeye salmon bound for Meshik River. At that time, a longitude line was drawn at 158° 36.00' W. long. Currently, by regulation, Outer Port Heiden Section can open to commercial salmon fishing from June 20 until July 31 to drift gillnet fishermen. Since 2007, fishermen have informed the department that orientation of the beach in this area makes it difficult for boats to set nets on the ebb without interfering with nearby nets as they drift back off the line. The requested change does not have a net gain in fishing area since the inside portion of the line moves east and the outside half moves west.

**DEPARTMENT COMMENTS:** The department is **NEUTRAL** on the allocative aspects of this proposal. Changing the angle of the line does not change the size of the fishing area; therefore there are no anticipated conservation concerns. The line change is expected to be enforceable by the department and Department of Public Safety staff.

**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.