RC 2

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON STATEWIDE DUNGENESS CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH REGULATORY PROPOSALS

ALASKA BOARD OF FISHERIES MEETING

ANCHORAGE, ALASKA

MARCH 20–24, 2012

Regional Information Report No. 4K12-01

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries meeting, March 20–24, 2012 in Anchorage, Alaska and are prepared to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on subsistence, personal use, sport, and commercial Dungeness crab, shrimp and miscellaneous shellfish regulatory proposals. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) meeting, March 20–24, 2012 in Anchorage, Alaska to assist the public and board. The stated staff comments should be considered preliminary and subject to change, if or when new information becomes available. Final department positions will be formulated after review of written and oral testimony presented to the board.

Key words: Alaska Board of Fisheries, staff comments, subsistence, personal use, sport, commercial, regulatory proposals.

This document should be cited as:

ADF&G (Alaska Department of Fish and Game). 2012. Alaska Department of Fish and Game staff comments on statewide Dungeness crab, shrimp, and miscellaneous shellfish regulatory proposals, Alaska Board of Fisheries meeting Anchorage, Alaska March 20-24. Alaska Department of Fish and Game, Division of Commercial Fisheries, Regional Information Report 4K12-01, Kodiak.

TABLE OF CONTENTS

TABLE OF CONTENTS (Continued)

TABLE OF CONTENTS (Continued)

SUMMARY OF DEPARTMENT POSITIONS

Proposal #	Dept. Position	Issue
345	**S**	Close Dungeness crab season December 31, rather than January 1, and update regulatory coordinates in fishing season regulation.
346	**S**	Amend regulatory description of registration area and districts.
347	**N**	Change fishing season to June 15 through December 31.
348	**N**	Implement 1,000 pot limit per vessel.
349	**N**	Designate Kodiak District a superexclusive registration district.
350	**O**	Allow scallop harvest from multiple registration areas when an observer is aboard.
351	**S**	Establish new management district subsections for scallop in PWS.
352	**O**	Open specified waters currently closed in Registration Area M to scallop fishing.
353	**N**	Open specified waters currently closed in Registration Area M to scallop fishing.
354	**S**	Amend regulatory description for Registration Area J in description of the area, fishing seasons and closed waters.
355	**S**	Establish octopus management plan for Registration Area J.
356	**S**	Align pot shrimp season with guideline harvest range.
357	**S**	Amend regulatory description of Registration Area J, districts, and sections.
358	**N**	Close the commercial shrimp pot fishery in PWS.
359	**N**	Close the commercial shrimp pot fishery in PWS.
360	**N**	Close the commercial shrimp pot fishery in PWS.
361	**N**	Close the commercial shrimp pot fishery in PWS.
362	**O**	Amend regulatory fishing hours for commercial pot shrimp.
363	**N**	Open Nellie Juan Fjord to commercial shrimping.
364	**O**	Amend gear marking requirements for commercial shrimp pot gear.
365	**S**	Restrict operation of sport, personal use, and subsistence shrimp pot gear by persons or vessels participating in the commercial shrimp pot fishery.
366	**S**	Amend shrimp pot fishery registration from superexclusive to exclusive.
367	**S**	Include references to the noncommercial shrimp fishery management plan in subsistence and personal use regulations.
368	**S**	Allow retention of octopus only as bycatch to other directed groundfish and shellfish fisheries.
369	**S**	Repeal the reference to razor clam guideline harvest levels.
370	**S**	Require a commissioner's permit for the commercial harvest of clams.
371	**N**	Extend the eastern boundary for the North Gulf Coast personal use shrimp fishery to Cape Fairfield.
372	**S**	Reduce the bag limit for hardshell clams in Cook Inlet to 80 clams of any species.
373	**NA**	Re-establish Tyonek subsistence clam harvest area.
374	**S**	Clarify restriction on use of sport, personal, or subsistence-caught shellfish by owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services.
375	**S**	Require that commercial shellfish pots constructed of rigid mesh have a biodegradeable escape mechanism identical to that required for subsistence, personal use, and sport shellfish pots.
376	**S**	Clarify regulations regarding use of hook and line when taking octopus.

SUMMARY OF DEPARTMENT POSITIONS (Continued)

Proposal #	Dept. Position	Issue
377	**N**	Establish a sustainable Dungeness crab policy.
378	**N**	Establish a sustainable all-species shrimp policy.
379	**N**	Establish a sustainable miscellaneous shellfish policy.
380	**S**	Establish a definition for "anchor roller."
381	**S**	Norton Sound crab.
382	**O**	Aleutian Islands golden king crab harvest level.
383	**S**	Bristol Bay registration.
384	**S**	Bristol Bay red king crab harvest strategy minimum total allowable catch.
385	**S/N**	Yukon summer chum.
386	**S**	Ring net marking.

Note: N = Neutral
S = Support
O = Oppose
NA = No action

COMMITTEE OF THE WHOLE
(17 PROPOSALS)

Scallops (5 proposals)

Westward Scallops (3 proposals)

PROPOSAL 352 – 5 AAC 38.425. Closed Waters for Scallops in Registration Area J.

PROPOSED BY: Alaska Scallop Association.

WHAT WOULD THE PROPOSAL DO? Open waters to commercial scallop fishing beyond three nautical miles (nmi) from shore near Mitrofania Island in the Alaska Peninsula scallop registration area (Figure 352-1).

WHAT ARE THE CURRENT REGULATIONS? The Alaska Peninsula scallop area extends from Cape Kumlik on the east to Scotch Cap Light on the west. By regulation, most state waters and some federal waters in the Alaska Peninsula Area are closed to scallop fishing (Figure 352-1).

The entire Alaska Peninsula Area is currently closed to scallop fishing due to low scallop stock abundance. When the fishery is open, scallops may be taken toward the annual guideline harvest level (GHL) in open waters from July 1 through February 15. The annual guideline harvest level for the Alaska Peninsula Area may not exceed 100,000 pounds (5 AAC 38.430 (3)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow additional fishing opportunity for weathervane scallops in a portion of the Alaska Peninsula Area that is currently closed. Given the lack of historical effort and scallop population assessment data in the proposed area, the extent of scallop resource is unknown.

BACKGROUND: Weathervane scallops in waters of the Exclusive Economic Zone (EEZ) off Alaska are managed by the State of Alaska and the federal government. The scallop Fishery Management Plan (FMP) developed by the North Pacific Fishery Management Council (NPFMC) defers most management to the state, although a License Limitation Program (LLP) implemented by the federal government restricts fleet size. The statewide fishery is limited to a total of nine vessels; seven vessels using two 15-foot dredges and two vessels using a single six-foot dredge. In recent years a total of four vessels have participated in the statewide scallop fishery. When the fishery is open, scallop vessels in the Alaska Peninsula Area are required to carry an onboard observer.

When the scallop fishery is open a crab bycatch cap of one percent of the surveyed crab population is used when a directed commercial crab fishery in the area occurs during the same year. If an area has not opened to commercial crab fishing during the most recent season, a crab bycatch cap of one-half of one percent of the total Tanner crab population estimate is applied to

the scallop fishery. Scallop fishing is closed when the GHL is attained, the crab bycatch exceeds the established limit, or inseason scallop performance does not meet preseason expectations.
From the 1996/97 season to the 1999/00 season, the Alaska Peninsula scallop GHL was established at 200,000 pounds. Total harvest during those years ranged between 12,560 and 75,610 pounds (Table 352-1). The GHL was reduced to 33,000 pounds prior to the 2000/01 season and the Alaska Peninsula scallop fishery was closed during the 2001/02 and 2002/03 seasons due to concerns about localized depletion of the scallop stock. The fishery reopened in 2003/04 although waters between 160° and 161° W longitude (Figure 352-1) which provided the bulk of the catch during the 1990s remained closed to allow the stock to rebuild. From 2003/04 to 2008/09 effort and harvest was low. The Alaska Peninsula scallop fishery was closed prior to the 2009/10 season, and remains closed, due to poor fishery performance and high crab bycatch during the 2008/09 season.

Waters within the proposed area support known quantities of Tanner crab that currently support commercial crab fisheries. The proposed waters near Mitrofania Island were closed to scallop fishing in 1984 to protect declining king and Tanner crab stocks. In recent years, Tanner crab abundance in the proposed area has rebounded allowing for commercial Tanner crab fisheries in 2011 and 2012. The red king crab stock is still severely depressed. The 2011 Chignik District Tanner crab GHL was 600,000 pounds. Approximately 390,000 pounds of the total 600,000 pound Chignik Area GHL were harvested in waters in and around the proposed area. During the 2011 Alaska Department of Fish and Game Tanner crab trawl survey, approximately 46 percent of all Tanner crab observed during the Chignik District survey were located within or adjacent to the proposed area.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal given recent poor scallop fishery performance in the Alaska Peninsula Area, the board's previous decision to close this area to protect crab habitat, and the proximity of a rebounding Tanner crab resource in the area proposed for opening.

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

Table 352-1.–Alaska Peninsula Area weathervane scallop catch and effort data, 1996/97–2011/12.

Season	GHL	Number Vessels	Harvest (lbs meat)	CPUE	Exvessel Value	Bycatch (number) Tanner Crab	Bycatch (number) King Crab
1996/97	200,000	2	12,560	38	$79,128	19,045	0
1997/98	200,000	4	51,616	29	$335,504	21,971	0
1998/99	200,000	4	63,290	39	$405,056	47,780	0
1999/00	200,000	5	75,610	37	$472,563	28,160	1
2000/01	33,000	3	7,660	24	$42,130	2,636	1
2001/02	Fishery Closed						
2002/03	Fishery Closed						
2003/04	10,000	No Effort					
2004/05	10,000	No Effort					
2005/06	20,000	No Effort					
2006/07	25,000	2	155	2	$1,256	4,693	0
2007/08	10,000	No Effort					
2008/09	10,000	1	2,460	16	$15,596	18,302	0
2009/10	Fishery Closed						
2010/11	Fishery Closed						
2011/12	Fishery Closed						

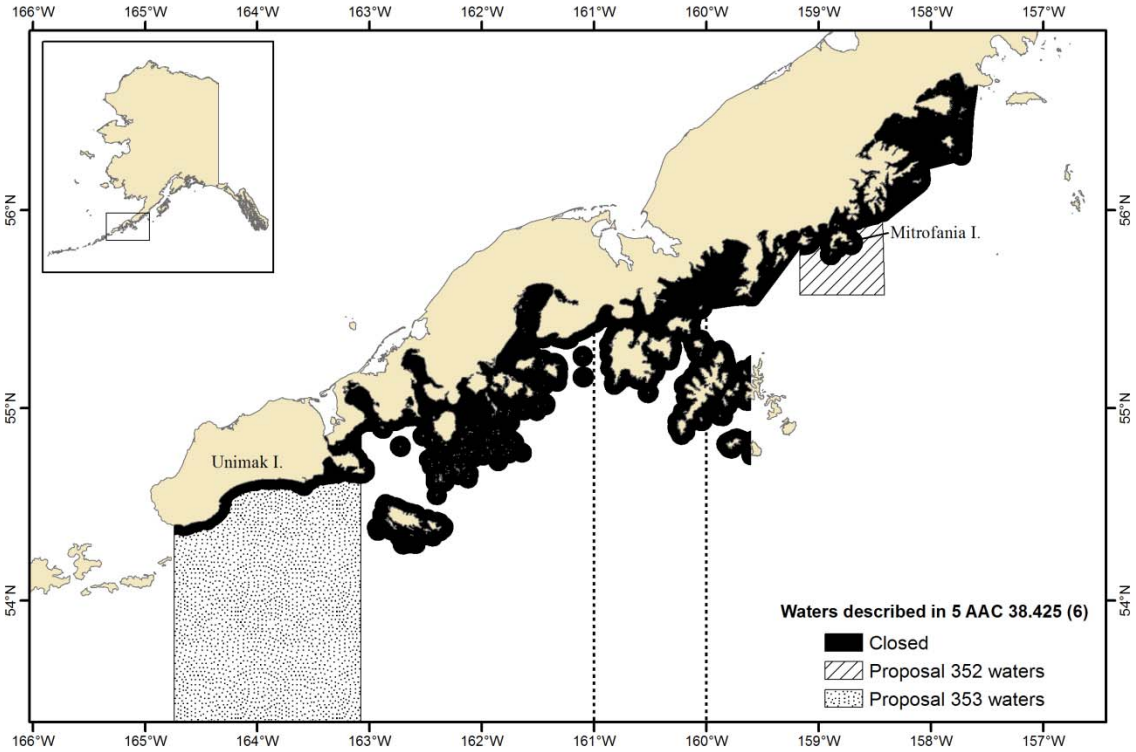


Figure 352-1.–Map depicting scallop fishery closed waters near Mitrofania Island.

PROPOSAL 353 – 5 AAC 38.425. Closed Waters for Scallops in Registration Area J.

PROPOSED BY: Alaska Scallop Association.

WHAT WOULD THE PROPOSAL DO? Open waters to commercial scallop fishing beyond three nautical miles (nmi) from shore south of Unimak Island (Figure 353-1).

WHAT ARE THE CURRENT REGULATIONS? The Alaska Peninsula scallop area extends from Cape Kumlik on the east to Scotch Cap Light on the west. By regulation, most state and federal waters south of Unimak Island are closed to weathervane scallop fishing (Figure 353-1).

The Alaska Peninsula Area is currently closed to scallop fishing due to low scallop stock abundance. When the fishery is open, scallops may be taken toward the annual guideline harvest level (GHL) in open waters from July 1 through February 15. The annual guideline harvest level for the Alaska Peninsula Area may not exceed 100,000 pounds (5 AAC 38.430 (3).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow additional fishing opportunity for weathervane scallops in a portion of the Alaska Peninsula Area that is currently closed. Given the lack of fishery data, there is no information on the scallop population south of Unimak Island. The department does not survey these waters, therefore there is no crab assessment data.

BACKGROUND: Weathervane scallops in waters of the Exclusive Economic Zone (EEZ) off Alaska are managed by the State of Alaska and the federal government. The scallop Fishery Management Plan (FMP) developed by the North Pacific Fishery Management Council (NPFMC) defers most management to the state, although a License Limitation Program (LLP) implemented by the federal government restricts fleet size. The statewide fishery is limited to a total of nine vessels: seven vessels using two 15-foot dredges and two vessels use a single six-foot dredge. In recent years a total of four vessels have participated in the statewide scallop fishery. When the fishery is open in the Alaska Peninsula Area, scallop vessels are required to carry an independent onboard observer while fishing.

When the scallop fishery is open a crab bycatch cap of one percent of the surveyed crab population is used when a directed commercial crab fishery occurs during the same year. If an area has not opened to commercial crab fishing during the most recent season, a crab bycatch cap of one-half of one percent of the Tanner crab population estimate is applied to the scallop fishery. Scallop fishing is closed when the GHL is attained, the crab bycatch exceeds the established limit, or inseason scallop performance does not meet preseason expectations.

From the 1996/97 season to the 1999/00 season, the Alaska Peninsula scallop GHL was established at 200,000 pounds. Total harvest during those years ranged between 12,560 and 75,610 pounds (Table 352-1). The GHL was reduced to 33,000 pounds prior to the 2000/01 season and the Alaska Peninsula scallop fishery was closed during the 2001/02 and 2002/03 seasons due to concerns about localized depletion of the scallop stock. The fishery re-opened in 2003/04 although waters between 160° and 161° W longitude (Figure 352-1) which provided the bulk of the catch during the 1990s remained closed to allow the stock to rebuild. From 2003/04

to 2008/09 effort and harvest was low. The Alaska Peninsula scallop fishery was closed prior to the 2009/10 season, and remains closed, due to poor fishery performance and high crab bycatch during the 2008/09 season.

Waters south of Unimak Island closed to commercial scallop fishing in 1975 to protect declining king crab stocks. There are no recent crab surveys south of Unimak Island and the department has no anecdotal information, but king crab are believed to be at low levels based on surveys in adjacent waters. Declining Tanner crab abundance in the Alaska Peninsula prompted closure of the commercial Tanner crab fishery during the 1990s and early 2000s, however, Tanner crab stocks have rebounded in areas east of Unimak Island allowing commercial Tanner crab fisheries to occur annually since 2005. The 2011 South Alaska Peninsula Area – Western Section Tanner crab GHL was 1,400,000 pounds. All commercial harvest during the 2011 Tanner crab season occurred outside of the proposed waters.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal as there is no information on scallop or crab stocks in this area. Should the board adopt this proposal, the department recommends an exploratory fishery under the provisions of a commissioner's permit. A commissioner's permit issued by department staff provides the department flexibility with respect to establishing precautionary scallop GHLs and crab bycatch limits.

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

Table 353-1.–Alaska Peninsula Area weathervane scallop catch and effort data, 1996/97–2011/12.

Season	GHL	Number Vessels	Harvest (lbs meat)	CPUE	Exvessel Value	Bycatch (number)	
						Tanner Crab	King Crab
1996/97	200,000	2	12,560	38	$79,128	19,045	0
1997/98	200,000	4	51,616	29	$335,504	21,971	0
1998/99	200,000	4	63,290	39	$405,056	47,780	0
1999/00	200,000	5	75,610	37	$472,563	28,160	1
2000/01	33,000	3	7,660	24	$42,130	2,636	1
2001/02	Fishery Closed						
2002/03	Fishery Closed						
2003/04	10,000	No Effort					
2004/05	10,000	No Effort					
2005/06	20,000	No Effort					
2006/07	25,000	2	155	2	$1,256	4,693	0
2007/08	10,000	No Effort					
2008/09	10,000	1	2,460	16	$15,596	18,302	0
2009/10	Fishery Closed						
2010/11	Fishery Closed						
2011/12	Fishery Closed						

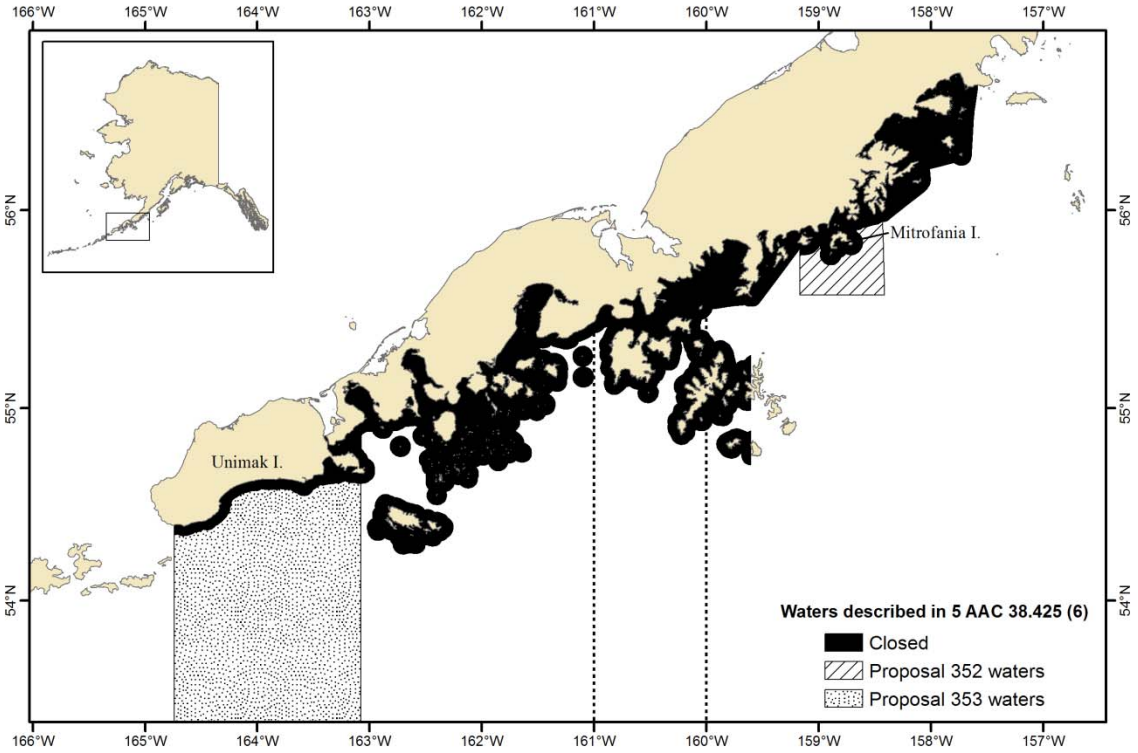


Figure 353-1.–Map depicting scallop fishery closed waters south of Unimak Island.

PROPOSAL 354 – 5 AAC 38.400. Description of Registration Area J; 5 AAC 38.420. Fishing Seasons for Scallops in Registration Area J; and 5 AAC 38.425. Closed Waters for Scallops in Registration Area J

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Amend the regulatory boundary description for scallops in Registration Area J by updating historical boundary coordinates.

WHAT ARE THE CURRENT REGULATIONS? Regulatory descriptions of Registration Area J scallop boundaries are located in 5 AAC 38.400 Description of Registration Area J; 5 AAC 38.420 Fishing Seasons for Scallops in Registration Area J; and 5 AAC 38.425 Closed Waters for Scallops in Registration Area J.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would update and clarify regulatory descriptions of scallop boundaries delineating closed waters in the Kodiak and Alaska Peninsula areas. The department does not anticipate any changes with respect to management of the Area J commercial scallop fishery.

BACKGROUND: The department recently reviewed all previously established Registration Area J commercial scallop boundary descriptions in an effort to provide concise and consistent regulations. During this process, the department identified three locations in Alaska Administrative Code (5 AAC 38.400, 38.420, and 38.425) that describe scallop boundary locations. Most existing scallop boundary descriptions were established in the early 1980s using National Oceanic and Atmospheric Administration (NOAA) nautical charts as a basis for boundary coordinates. At that time, common landmarks without specific global positioning (GPS) coordinates were often used to establish and describe boundaries. Current NOAA charts and GPS allow for better precision when identifying and describing geographic coordinates.

Most of the proposed changes are minor and only increase the precision of existing boundary line coordinates (lat/long). Notable proposed changes occur in the Outer Shumagin Islands, and Castle Cape (Figure 354-1).

Outer Shumagin Islands: State-waters (0-3 nmi) of the outer Shumagin Islands are currently open to scallop fishing although all other state waters within the Alaska Peninsula Area are closed to scallop fishing. After reviewing scallop regulations and historical board documents, the department determined state waters of the outer Shumagin Islands as depicted in Figure 354-1 were not closed as originally intended. There is no documented scallop harvest within the proposed closure area.

Castle Cape: Near-shore waters east and west of Castle Cape are currently closed to scallop fishing. However, the boundary line used to delineate those closed waters is not consistent with the 3 nmi boundary line that is used to describe all other near-shore closed waters in the Alaska Peninsula Area. Adopting the 3 nmi boundary as the basis for closed waters near Castle Cape simplifies regulations for scallop fishermen and managers.

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

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

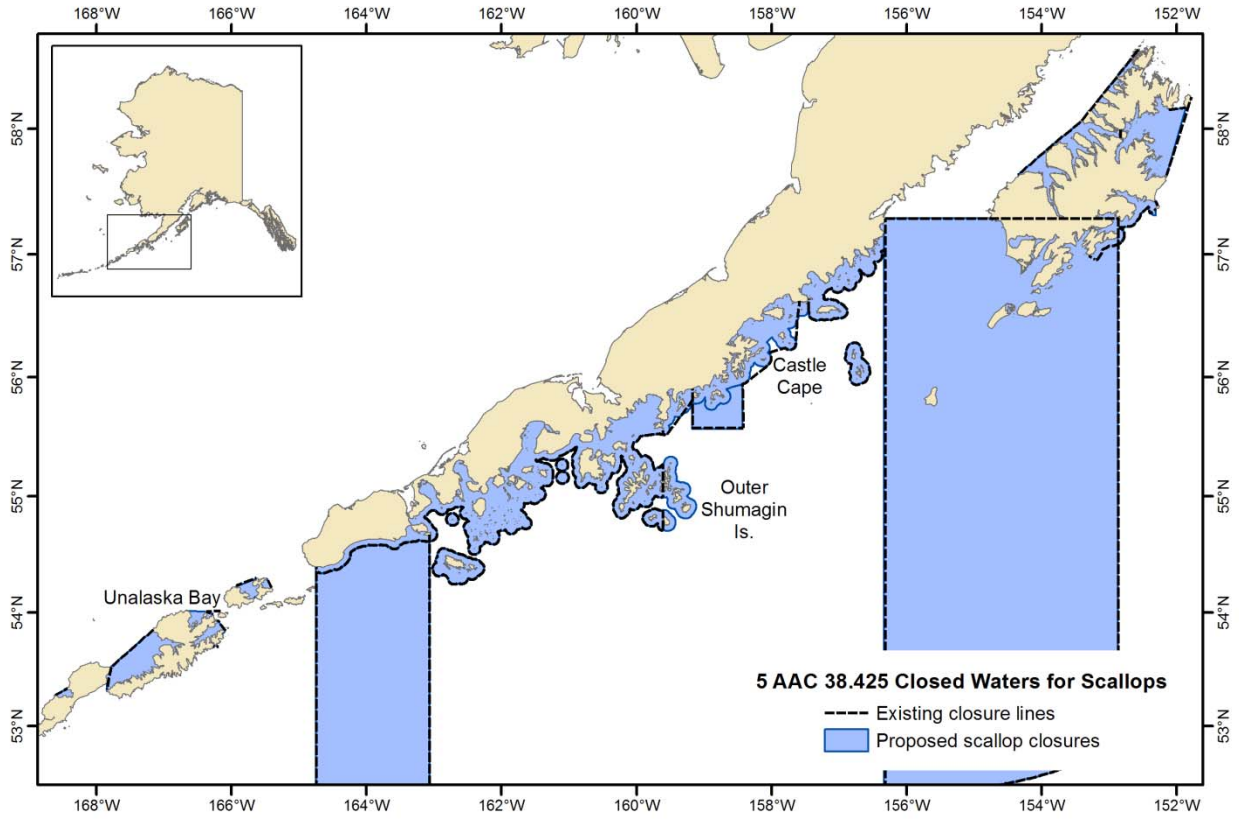


Figure 354-1.–Existing (dashed line) and proposed (shaded) closed waters for scallops in the Kodiak and Alaska Peninsula scallop registration areas.

Prince William Sound Scallops (1 proposal)

PROPOSAL 351 – 5 AAC 38.205. Description of Registration Area E Districts and Sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would establish two management district subsections for scallops within the Eastern Section of the Outside District of the Prince William Sound (PWS) Area.

WHAT ARE THE CURRENT REGULATIONS? Current regulations define the harvest area in a broad geographical context. Regulation 5 AAC 38.220 specifies that scallops may only be taken in the Eastern Section of the Outside District (Figure 351-1). Regulation 5 AAC 38.224 specifies closed waters north of 60°00' N lat, between 144°00' W long, and 146°00' W long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, scallop management subsections would be established and reference to these geographic areas simplified.

BACKGROUND: The scallop fishery in Registration Area E occurs in the proximity of Kayak Island within the Eastern Section of the Outside District. Since the late 1990s, the department has managed for separate guideline harvest levels (GHLs) east and west of the longitude of Cape Saint Elias at the southern tip of Kayak Island. Reference to the two harvest areas by latitude and longitude boundaries is cumbersome and subject to misinterpretation. Establishing and naming east and west management subsections in regulation would readily facilitate reference to these areas.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Regulatory consistency and clarity benefit department staff and the public.

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

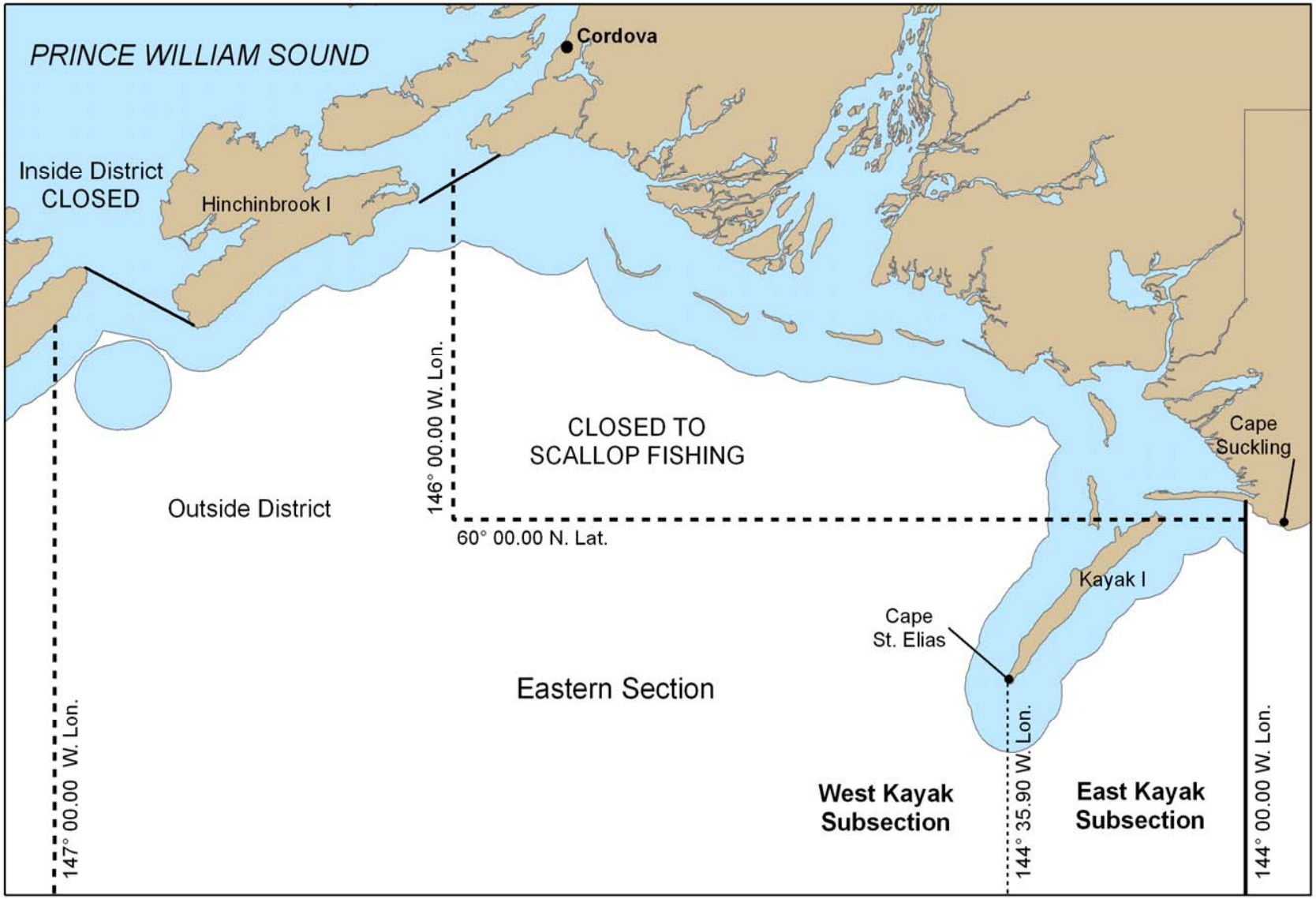


Figure 351-1.–Prince William Sound proposed commercial scallop management subsections.

Statewide Scallops (1 proposal)

PROPOSAL 350 – 5 AAC 38.076. Alaska Scallop Fishery Management Plan.

PROPOSED BY: Alaska Scallop Association.

WHAT WOULD THE PROPOSAL DO? Allow a commercial weathervane scallop vessel that carries an independent onboard observer to simultaneously register for more than one registration area at a time.

WHAT ARE THE CURRENT REGULATIONS? There are nine regulatory scallop registration areas in Alaska (Figure 350-1). A vessel must be registered with the department prior to fishing in any scallop registration area and may only be registered for one area at a time, 5 AAC 38.076 (c) and (d). A Commercial Fisheries Entry Commission (CFEC) scallop permit holder must check in with the department before fishing in a registration area and check out before departing the area, 5 AAC 38.076 (l). Fish tickets must be completed on a weekly basis, 5 AAC 38.076 (p) and turned into the department within 7 days of offloading product.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow a weathervane scallop vessel carrying an onboard observer to register and target weathervane scallops in multiple registration areas. Allowing a vessel to register for multiple registration areas may reduce operating costs for scallop vessels although this practice could reduce the quality of data collected by onboard observers if observers are collecting low-quality data before detection by department staff. Differing gear and observer requirements for Cook Inlet could create issues for vessels moving between Cook Inlet and other areas.

BACKGROUND: Weathervane scallops within state waters (0 to 3 nautical miles; nmi) are managed by Alaska Department of Fish & Game. Within the Exclusive Economic Zone (EEZ; 3 to 200 nmi) off Alaska, weathervane scallops are managed by the Alaska Department of Fish and Game and the federal government. The scallop Fishery Management Plan (FMP) developed by the North Pacific Fishery Management Council (NPFMC) defers most management to the state, although a License Limitation Program (LLP) implemented by the federal government restricts fleet size in federal waters. Fleet size in state waters is restricted by the Commercial Fisheries Entry Commission vessel-based limited entry program. The statewide fishery is limited to a total of nine vessels. During recent years four vessels have participated in the scallop fishery and most vessels have formed a voluntary cooperative.

Each registration area is managed independently of other registration areas making catch accounting critical. Registration areas are managed towards a guideline harvest level and some registration areas have multiple guideline harvest levels to distribute effort within the registration area. Fishing activity at the boundary of the Prince William Sound (Area E) and Yakutat (Area D) areas may result in catch accounting issues if vessels are permitted to fish in multiple areas.

With the exception of scallop vessels operating in Cook Inlet, all vessels are required to carry an onboard observer while fishing. The primary purpose of the onboard scallop observer program is

to collect biological attributes of the retained and discarded scallop catch, summarize catch data, monitor bycatch, and document activities for regulatory compliance. Data collected by observers includes crab bycatch, discarded scallop catch, retained scallop catch and processed meat weight, bycatch species composition, scallop meat-weight recovery, and time, location, and depth fished. The total retained scallop meat weight processed each day is documented by observers using information provided by vessel staff and observers verify that information by performing independent assessments of average case weight and number of cases of scallop meat produced. Observers also monitor and document all product offloads to further verify a vessel's total retained scallop meat weight. Observer collected data are used to manage the fishery inseason and provide information instrumental in setting future harvest levels. Onboard observer coverage is funded by industry through direct payments to independent observer contracting companies.

Prior to deployment on fishing vessels, observers attend department-approved training and must pass an exam with 90 percent proficiency. Observers new to the scallop fishery are deployed as observer trainees. An observer trainee may become a certified scallop observer after demonstrating proficiency in collecting accurate data at sea.

Most vessels currently participating in the weathervane scallop fishery catch, process, and freeze scallops at sea (catcher/processors) which typically results in long fishing trips and few deliveries throughout the season. From the 2009/10 season to the 2011/12 season, the average fishing trip for observed scallop vessels was 17 days. Due to the diversity and magnitude of data collected by observers, department staff debrief observers after each trip to ensure observer collected information conforms to department data quality standards. Department staff also conduct midtrip debriefings, particularly for trainee observers to ensure data collected by trainee observers conforms to department data quality standards. On average, department staff debrief observers on 25 occasions during a typical season. Approximately half of all debriefings are midtrip debriefings. Observer debriefing times range between two and six hours.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal as written; multiple area vessel registration may be appropriate in specific cases provided check-in and check-out procedures for each registration area are followed, vessels are limited to registering for no more than two registration areas at a time, the vessel completes fish tickets within each management area prior to checking out, the vessel has a department certified scallop observer aboard that is briefed for each management area, and dual area vessel registration would not be allowed for management areas that share a common boundary with active fishing.

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.

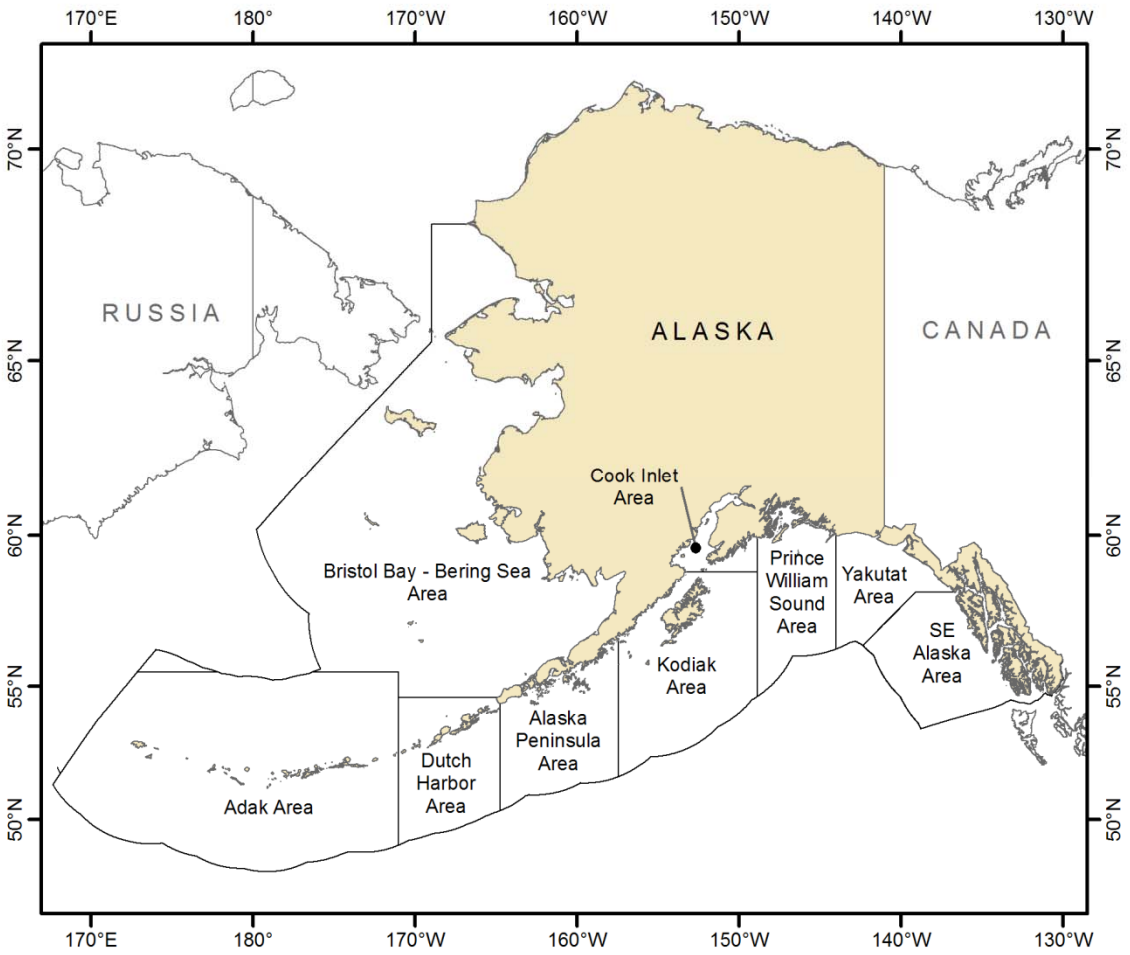


Figure 350-1.–Map depicting state scallop registration areas.

Statewide (8 proposals)

PROPOSAL 374 – 5 AAC 75.XXX. Closed Waters and Prohibited Acts; 5 AAC 77.XXX. Methods, Means, and General Restrictions and; 5 AAC 02.XXX. Methods, Means, and General Restrictions.

PROPOSED BY: Alaska Department of Public Safety.

WHAT WOULD THE PROPOSAL DO? This proposal would prohibit lodging, food, or sport fishing guide service providers, or their employees, from operating sport, personal use, or subsistence shellfish gear with clients present, and would also explicitly prohibit furnishing sport, personal use, or subsistence-caught shrimp, Dungeness crab, and miscellaneous shellfish to paying clients unless the shellfish were caught and consumed by the clients or in the client's presence. This proposal would continue to allow clients to deploy, operate, and retrieve their own sport, personal use, or subsistence gear with assistance from their sport fishing guide service provider.

WHAT ARE THE CURRENT REGULATIONS? Statewide regulations restricting the use and sale of shellfish, including Dungeness, shrimp, and miscellaneous shellfish, harvested in noncommercial fisheries are found in the appropriate subsistence, personal use, and sport chapters:

> 5 AAC 01.010. *Methods, means, and general provisions.* (d) "Unless otherwise specified in this chapter, it is unlawful to buy or sell subsistence-taken fish, their parts, or their eggs, except that it is lawful to buy or sell a handicraft made out of the skin or nonedible byproducts of fish taken for personal or family consumption."
>
> 5 AAC 75.015. *Sale of sport-caught fish unlawful*. "No person may buy, sell or barter sport-caught fish or their parts."
>
> 5 AAC 77.010. *Methods, means, and general restrictions.* (b) "It is unlawful to buy, sell, trade or barter fish or their parts taken under the regulations in 5 AAC 77."

In March 2011, the Alaska Board of Fisheries (board) passed the following regulations to prohibit lodging, food, or sport fishing guide service providers or their employees from furnishing sport, personal use, or subsistence-harvested Tanner and king crab to persons with whom they concurrently have a service provider-client relationship:

5 AAC 75.057. *Prohibitions for use of sport-caught shellfish*; 5 AAC 77.027. *Prohibitions for use of personal use-taken shellfish*; and 5 AAC 02.027. *Prohibitions for use of subsistence-taken shellfish*.

(a) An owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or sport fishing guide services may not furnish to a client or guest of that enterprise, king or Tanner crab that has been taken under this chapter, unless the

(1) king or Tanner crab has been taken with gear deployed and retrieved by the client or guest;

(2) gear has been marked with the client's or guest's name and address, as specified in 5 AAC XX.XXX; and

(3) king or Tanner crab is to be consumed by the client or guest or is consumed in the presence of the client or guest.

(b) The captain and crew members of a charter vessel may not deploy, set, or retrieve their own gear in a subsistence fishery when that vessel is being chartered.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would specifically define noncommercial use, and, in some instances, could reduce the impact of noncommercial harvest on the resource. Additionally, this proposal would provide regulatory consistency by including shrimp, Dungeness crab, and miscellaneous shellfish to the regulations for Tanner and king crab passed by the board in March 2011.

BACKGROUND: Commercial operations, such as lodges, charter boat operators, and crew, who pull their own sport, personal use, or subsistence shellfish pots and provide shellfish to paying clients are engaging in commercial use of noncommercial harvests. Regulations 5 AAC 02.199 and 5 AAC 02.499 clearly prohibit this practice in subsistence shellfish fisheries in Southeast Alaska and Kodiak; 5 AAC 47.036 and 5 AAC 77.699 further prohibit this activity in personal use and sport shellfish fisheries in Southeast Alaska. Regulations for areas outside of Southeast Alaska and Kodiak do not clearly state that owners, operators, or employees of any enterprise that provides lodging, food, or sport fishing guide services are prohibited from setting and retrieving noncommercial shellfish pots while paying clients are present, and prohibit supplying their customers with noncommercially-caught shellfish. Therefore, the commercial use of sport, personal use, or subsistence-caught shellfish is occurring and difficult to enforce.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department supports specific regulatory language that prohibits the commercial use of subsistence, sport, and personal use-caught resources by guides and lodges. The department also supports the clarification of regulations for improved understanding by the public and enforcement personnel.

Should the board adopt this statewide proposal, the department recommends the existing regional prohibitions be repealed to avoid having redundant regulations.

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 375 – 5 AAC 39.145. Escape Mechanism for Shellfish and Bottomfish Pots (4).

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would define the biodegradable escape mechanism for rigid-mesh pots used in a commercial shellfish or groundfish fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations apply the rigid mesh biodegradable escape mechanism definition only to shellfish and groundfish pots used in subsistence, personal use, and sport fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, it would apply the existing biodegradable escape mechanism for rigid-mesh pots to commercial shellfish and groundfish pots.

BACKGROUND: The biodegradable escape mechanism for pots constructed of rigid mesh currently applies only to noncommercial pots. Commercial fishermen using rigid-mesh pots lack a regulatory definition for the biodegradable escape mechanism needed for their gear. However, a definition exists for noncommercial pot gear and this should be applied to commercial rigid-mesh pots as well.

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 376 – 5 AAC 75.035. New Regulation.

PROPOSED BY: John T. Parker Sr.

WHAT WOULD THE PROPOSAL DO? This proposal would allow the use of hook and line as a legal sport fishing method of taking octopus.

WHAT ARE THE CURRENT REGULATIONS? Hook and line is not a legal method for the sport taking of shellfish other than crab:

5 AAC 75.995(38) "shellfish" means all shellfish and marine invertebrates;

5 AAC 75.035. *Sport fishing gear for shellfish*. Unless otherwise provided in 5 AAC 47–5 AAC 75, shellfish may only be taken as follows:

(1) On a keg or buoy attached to each pot, the sport fisherman shall plainly and legibly inscribe the fisherman's first initial, last name, home address, and the name or division of motor vehicles boat registration number, issued under 2 AAC 70, of the vessel used to operate the pot;

(4) crab may be taken only with pots, ring nets, diving gear, dip nets, hooked or hookless lines either operated by hand or attached to a pole or rod, or by hand;

(5) shrimp may be taken only with pots and ring nets;

(6) clams may be taken only by hand, or with rakes, shovels, or manually operated clam guns.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow octopus to be harvested in the sport fishery with hook and line gear. It is not likely to significantly increase the harvest of octopus since they are not typically targeted, but are occasionally caught while fishing for other species.

BACKGROUND: It is unlikely the Alaska Board of Fisheries considered octopus when creating the regulations for the sport harvest of shellfish. Although the department does not produce an estimate of sport-caught octopus harvest, it is assumed to be minimal, with some anecdotal reports of harvest of incidentally caught octopus from shrimp and crab pots and hook and line.

DEPARTMENT COMMENTS: The department **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.

PROPOSALS 377, 378, and 379 – 5 AAC 32.XXX, 5 AAC 31.XXX, and 5 AAC 38.XXX. New Regulation.

PROPOSED BY: Pioneer Alaska Fisheries.

WHAT WOULD THE PROPOSALS DO? These proposals seek to establish regulatory guiding policies for development of sustainable management strategies for Dungeness crab, shrimp, and all miscellaneous shellfish species, similar to those in place for king and Tanner crab, and salmon.

WHAT ARE THE CURRENT REGULATIONS? Currently, there are no such policies that guide adoption of management strategies for resources addressed by these proposals.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would create policies to guide the Alaska Board of Fisheries (board) and the Alaska Department of Fish and Game (department) in the development of management strategies for sustainable Dungeness crab, shrimp, and miscellaneous shellfish fisheries.

BACKGROUND: In 1990, the *Policy on King and Tanner Crab Resource Management Goal and Benefits* (K&T policy) was adopted into regulation by reference in 5 AAC 34.080 and 5 AAC 35.080. This policy was developed by the department, who worked with the board, following collapse of these resources in order to guide future management of depressed king and declining or depressed Tanner crab stocks. The policy addresses basic management elements, such as maintenance of broodstock, as well as multiple size and age classes; routine monitoring; protection during biologically sensitive periods, such as mating and molting; minimization of handling and bycatch mortality; and adoption of regulations aimed at improving socioeconomic aspects of management. Subsequently, in 1997, the board began adopting the "14-point management plan" regulations which closely mirror the K&T policy. These, without exception, have been repealed. Most recently, the board has begun repealing reference to regulation 5 AAC 28.089, *Guiding Principles for Groundfish Fishery Regulations*, which also reference ideas similar to the K&T policy and the 14-point management plans. During deliberations on proposals to repeal the management plans and guiding principles, the board expressed both a belief that it already considers the many management aspects described in the policy and its intent to continue that process to the logical end of sustainable fisheries.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals. If the board wishes to develop policies for future development of the resources described in these proposals, the department would assist the board in that effort.

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

PROPOSAL 380 – 5 AAC 39.975 (XX). Definitions. Establish a definition for "anchor roller".

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO? This proposal would clearly define what an anchor roller on a commercial fishing vessel is.

WHAT ARE THE CURRENT REGULATIONS? Currently there is no definition in statute or regulation for the term "anchor roller" on a statewide basis as the term is used in AS 16.05.835.

Area commercial salmon regulations for Bristol Bay define what an anchor roller is for drift net vessels in 5 AAC 06.341 (b)(1); "anchor roller" means a device used solely in aid of deploying and retrieving anchor gear, and does not provide any additional flotation, planing surface, or structural support to the vessel;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would clearly define, on a statewide basis, what an anchor roller on a commercial fishing vessel is.

BACKGROUND: During summer months of 2011, reports were received by the Alaska Department of Public Safety that commercial purse seine fishing vessels longer than the allowable overall length were being used to take salmon. The Alaska Legislature has limited the allowable length of purse seine vessels in Alaska to 58 feet in "overall length" (AS 16.05.835). The Alaska Legislature defines "overall length" as the straight line length between the extremities of the vessel, excluding anchor rollers. The term "anchor roller" is not defined on a statewide basis.

It was found that vessels of more than 58 feet in overall length had been modified by removing a section of the bow (in one case, several feet of vessel hull length), and then bolting the bow section back on. The owner then considered this hull section to be an "anchor roller." A clear definition on a statewide basis is needed to clarify what is and is not an "anchor roller."

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. A clear definition of "anchor roller" is needed to provide commercial fishermen, department personnel, and enforcement with a consistent standard.

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

PROPOSAL 386 – 5 AAC 02.010. Methods, means and general restrictions; 5 AAC 75.035. Methods and means; and 5 AAC 77.010. Methods, means and general restrictions. Add marking requirements for ring nets in the subsistence, sport, and personal use shellfish fisheries.

PROPOSED BY: Alaska Board of Fisheries.

WHAT WOULD THE PROPOSAL DO? This proposal would require all subsistence, sport, and personal use fishermen to mark buoys attached to ring nets used to take shellfish with the name and address of the fisherman and the registration number of the vessel used to operate the ring nets.

WHAT ARE THE CURRENT REGULATIONS? There are currently no requirements for subsistence, sport, or personal use fishermen to put markings on buoys attached to ring nets used to harvest shellfish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, it would require all subsistence, sport, and personal use fishermen who utilize ring nets to take shellfish to mark ring net buoys in the same way that shellfish pots are currently required to be marked with the name and address of the fisherman and the registration number of the vessel operating the pots.

BACKGROUND: At the Alaska Board of Fisheries' (board) January 2012 Southeast and Yakutat Shellfish meeting, the board adopted Proposal 149, which limits the number of subsistence, sport, and personal use ring nets that can be operated by individuals from vessels. During the process, it came to light that there are presently no marking requirements for ring nets. The board has generated this proposal to require marking of ring net buoys statewide.

Marking requirements for ring-net buoys have been previously overlooked in regulation. If the use of ring nets increases, it may lead to conservation concerns as enforcement would be difficult if harvesters were not required to mark unattended gear. Additionally, it is difficult to return gear to owners when it is recovered after being stolen or lost if there are no markings on the buoys indicating the operator. The practice of using ring nets to harvest shellfish is uncommon at present.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The public, shellfish resource, and enforcement will benefit from passage of this proposal as persons operating ring nets unlawfully could more easily be held accountable. Required marking for ring net buoys will deter unlawful activity, in general.

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

Cook Inlet Miscellaneous Shellfish (2 proposals)

PROPOSAL 372 – 5 AAC 02.310. Subsistence miscellaneous shellfish fishery; 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area; and 5 AAC 77.518. Personal use clam fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the subsistence, sport, and personal use bag limits for littleneck and butter clams in the Cook Inlet Area to 80 clams of any species, in combination.

WHAT ARE THE CURRENT REGULATIONS? The bag, possession, and size limits for clams in the Cook Inlet Area are the same for subsistence, sport, and personal use fisheries. The bag and possession limit for littleneck clams is 1,000 and the minimum size is 1.5 inches in length across the widest part of the shell. The bag and possession limit for butter clams is 700 and the minimum size is 2.5 inches in length across the widest part of the shell.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would reduce the harvest of hardshell clams. The amount of harvest reduction is uncertain; based on bag limit analyses, the harvest is estimated to be potentially reduced by up to 65%.

BACKGROUND: Since 1997, sport, personal use, and commercial hardshell clam fisheries have been managed by the *Southern District Hardshell Clam Fishery Management Plan* (5 AAC 38.318). The plan limits the annual noncommercial (sport, personal use, and subsistence) and commercial and harvests to 160,000 pounds and 40,000 pounds, respectively. The noncommercial bag and possession limits of 1,000 littleneck clams and 700 butter clams was believed to be restrictive enough to facilitate enforcement of commercial closures by preventing recreational harvest from entering commercial markets. In 2007, the Alaska Board of Fisheries made a positive customary and traditional (C&T) use finding for shellfish in the portion of the Cook Inlet Area outside the Anchorage-Matsu-Kenai Peninsula Nonsubsistence Area, established an amount necessary for subsistence (ANS) uses of 6,800–10,200 pounds (round weight) of hardshell clams within the subsistence area, and required a harvest permit for participation in subsistence clam fisheries. In 2003, the most recent year a comprehensive subsistence survey was completed in Lower Cook Inlet, 450 gallons of hardshell clams were harvested by residents of Nanwalek and Port Graham, or a total of 1,350 pounds of hardshell clams (Table 372-1). Between 2008 and 2011, a total of 39 permits was issued. Ten harvest reports were returned, seven reported no harvest effort, and three reported a total harvest of 26 gallons of butter clams from Jakolof and Kasitsna bays. In 2010, department staff received reports from Nanwalek residents that hardshell clams were difficult to find locally and residents had to travel outside the area to find clams.

The commercial harvest is comprised of littleneck clams (Table 372-2). From 1997–2010, the total annual harvest has averaged 15,532 lb and ranged from 1,222 lb in 2006 to 31,549 lb in 1997. Since 2006, interest in the commercial fishery has diminished and harvest occurred only in 2008, when four permits were issued.

The Statewide Harvest Survey (SWHS) estimates annual sport and personal use harvest of hardshell clams in gallons, but the survey does not provide species composition, nor estimate harvest by specific beaches. To ensure harvest is below the guideline harvest level, the SWHS harvest estimate of gallons is converted to pounds (1 gallon = 8.5 pounds). From 1997–2010, the annual hardshell clam harvest has averaged 71,431 lb and ranged from 24,191 lb in 2010 to 124,925 lb in 2000. Since 2006, the sport and personal use harvest has dropped sharply (~67%) from the 1997–2010 average.

The department has conducted hardshell clam abundance surveys throughout Kachemak Bay since the mid-1990s. The primary beach sections surveyed were Chugachik Island, China Poot Bay, and Jakolof Bay. These beach sections were selected for longer-term monitoring based on where commercial and/or noncommercial digger effort had been traditionally high. At each location, abundance was assessed through an estimate of clam density (the number of clams per square meter). The density of legal-sized clams was estimated from the samples, and the number of sub-legal clams was also evaluated.

Hardshell clam abundance surveys indicate a decrease in the densities of legal-size clams at all three beaches that are sampled (Table 372-3).

- Jakolof Bay (2001–2010): legal-size littleneck and butter clams decreased 83% and 64%, respectively;
- China Poot Bay (1999–2009): legal-size littleneck and butter clams decreased 93% and 51%, respectively; and
- Chugachik Island (1999–2008): legal-size littleneck and butter clams decreased 68% and 42%, respectively.

Although complete enumeration of sub-legal hardshell clams has not been assessed at any beach section, the number of sub-legal hardshell clams found in the abundance surveys suggests poor littleneck clam recruitment; however, butter clam recruitment has remained fairly stable or increased (Table 372-3).

- Jakolof Bay (2001–2010): sub-legal littleneck clams decreased 12% and butter clams increased 28%, respectively;
- China Poot Bay (1999–2009): sub-legal littleneck clams decreased 16% and butter clams increased 9%, respectively; and
- Chugachik Island (1999–2008): sub-legal littleneck and butter clams increased 9% and 23%, respectively.

The cause(s) of the declines in abundance and poor recruitment of littleneck clams are unknown.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. It is necessary to reduce the current bag limits of 1,000 littleneck and 700 butter clams to reflect current levels of abundance; current limits were established when abundance was high and were set only to allow enforcement to discern commercial from noncommercial harvesters. A bag limit of 80 clams of both species combined still provides for the regulatory ANS of 6,800 to 10,200 pounds (round weight) of hardshell clams.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 02.311(a), that shellfish stocks in that portion of the Cook Inlet Area outside the nonsubsistence area described in 5 AAC 99.015(a)(3) are customarily and traditionally taken or used for subsistence.

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

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 850–1,275 gallons or 6,800–10,200 pounds (round weight) of hardshell clams are reasonably necessary for subsistence purposes in that portion of Cook Inlet Area described in (a) of this section from the easternmost point of Jakolof Bay to Point Pogibshi (5 AAC 02.311(b)(1)).

5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.

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

Table 372-1.–Port Graham and Nanwalek subsistence harvest of hardshell clams in Lower Cook Inlet, 2003.

	Estimated Harvest (gal)		Estimated Harvest (lb)		Per Capita Harvest (lb)	
	Port Graham	Nanwalek	Port Graham	Nanwalek	Port Graham	Nanwalek
Butter Clams	87	325	261	974	1.7	4.2
Littleneck Clams	8	30	25	90	0.2	0.4
Total harvest	450 gal		1350 lb			

Table 372-2.–Sport, personal use, and commercial hardshell clam harvests, Kachemak Bay, 1981–2011.

	Sport/PU Harvest		Commercial Harvest (lb)				
	Hardshell Clams		Number of	Number of	Pacific	Butter	Total
Year	(gal)	(lb)	Permits	Landings	Littleneck	Clams	
1981	8,132	69,122				No commercial harvest	
1982	5,135	43,648				No commercial harvest	
1983	16,110	136,935				No commercial harvest	
1984	8,891	75,574				No commercial harvest	
1985	10,334	87,839				No commercial harvest	
1986	20,212	171,802	5	18	17,303	0	17,303
1987	23,577	200,405	8	69	12,214	206	12,420
1988	26,597	226,075	2	32	14,449	0	14,449
1989	18,195	154,658	9	41	2,584	13,675 [a]	16,259
1990	11,821	100,479	19	62	36,794	0	36,794
1991	10,476	89,046	19	78	47,486	85	47,571
1992	9,993	84,941	21	117	54,631	0	54,631
1993	8,350	70,975	33	159	63,676	0	63,676
1994	13,279	112,872	32	104	44,291	0	44,291
1995	20,311	172,644	21	93	66,723	4,267	70,990
1996	29,163	247,886	25	102	53,524	233	53,757
1997	9,426	80,121	15	67	31,525	0	31,525
1998	12,431	105,664	12	40	23,465	0	23,465
1999	7,971	67,754	12	24	18,520	0	18,520
2000	14,697	124,925	11	63	20,798	0	20,798
2001	13,141	111,699	8	45	20,575	0	20,575
2002	12,047	102,400	9	33	14,310	0	14,310
2003	10,074	85,629	5	55	17,956	0	17,956
2004	8,399	71,392	8	49	11,557	[b] confidential	11,557
2005	11,571	98,354	10	34	8,525	0	8,525
2006	4,210	35,785	3	6	1,222	[b] confidential	1,222
2007	4,144	35,224				No commercial harvest	
2008	3,562	30,277	4	7	2,400	0	2,400
2009	3,132	26,622				No commercial harvest	
2010	2,846	24,191				No commercial harvest	
2011	Data not available					No commercial harvest	
Averages							
1997-2005	11,084	94,215	10	46	18,581		18,581
2006-2010	3,579	30,420	4	7	1,811		1,811
1997-2010	8,404	71,431	9	38	15,532		15,532

[a] Includes 13,348 pounds sold as otter food as a result of *Exxon Valdez* oil spill.

[b] Includes both littleneck and confidential butter clam harvest totals.

Table 372-3.–Pacific littleneck and butter clams density per square meter and percentage sublegal at Kachemak Bay survey beach locations, 1999–2010.

Jakolof Bay						
	Littleneck density per square meter			Butter density per square meter		
Year	Legal	Sublegal	% Sublegal	Legal	Sublegal	% Sublegal
1999[a]	-	-	-	-	-	-
2000[a]	-	-	-	-	-	-
2001	20.6	7.5	27%	3.0	1.1	27%
2002[a]	-	-	-	-	-	-
2003	17.3	9.5	35%	1.7	1.3	43%
2004[a]	-	-	-	-	-	-
2005	7.1	1.6	19%	0.8	0.7	48%
2006[a]	-	-	-	-	-	-
2007[a]	-	-	-	-	-	-
2008	4.8	1.0	18%	1.1	0.9	44%
2009[a]	-	-	-	-	-	-
2010	3.4	0.6	15%	1.1	1.3	55%
Rate of Change	-83%	-92%	-12%	-64%	+15%	+28%

China Poot Bay (Lower Island)						
	Littleneck density per square meter			Butter density per square meter		
Year	Legal	Sublegal	% Sublegal	Legal	Sublegal	% Sublegal
1999	41.9	60.6	59%	40.9	27.2	40%
2000	44.2	85.1	66%	44.2	19.0	30%
2001	21.1	32.6	61%	43.8	28.8	40%
2002	28.9	56.7	66%	42.3	26.8	39%
2003	5.2	8.2	61%	43.2	31.1	42%
2004[a]	-	-	-	-	-	-
2005	3.1	2.5	45%	36.0	24.9	41%
2006[a]	-	-	-	-	-	-
2007[a]	-	-	-	-	-	-
2008[a]	-	-	-	-	-	-
2009	2.9	2.2	43%	19.9	19.2	49%
2010[a]	-	-	-	-	-	-
Rate of Change	-93%	-96%	-16%	-51%	-29%	+9%

Chugachik Island						
	Littleneck density per square meter			Butter density per square meter		
Year	Legal	Sublegal	% Sublegal	Legal	Sublegal	% Sublegal
1999	42.0	8.8	16%	5.7	4.3	43%
2000	44.5	12.9	22%	3.2	2.4	43%
2001	49.6	12.6	20%	2.8	3.4	55%
2002	30.9	13.4	31%	2.0	2.4	55%
2003	31.1	14.3	32%	3.7	3.5	49%
2004	19.8	5.9	23%	2.3	4.8	68%
2005	12.1	5.1	29%	2.1	6.8	76%
2006	10.9	3.5	24%	4.0	5.7	59%
2007[a]	-	-	-	-	-	-
2008	13.6	4.7	25%	3.3	6.4	66%
2009[a]	-	-	-	-	-	-
2010[a]	-	-	-	-	-	-
Rate of Change	-68%	-47%	+9%	-42%	+49%	+23%

[a] No survey.

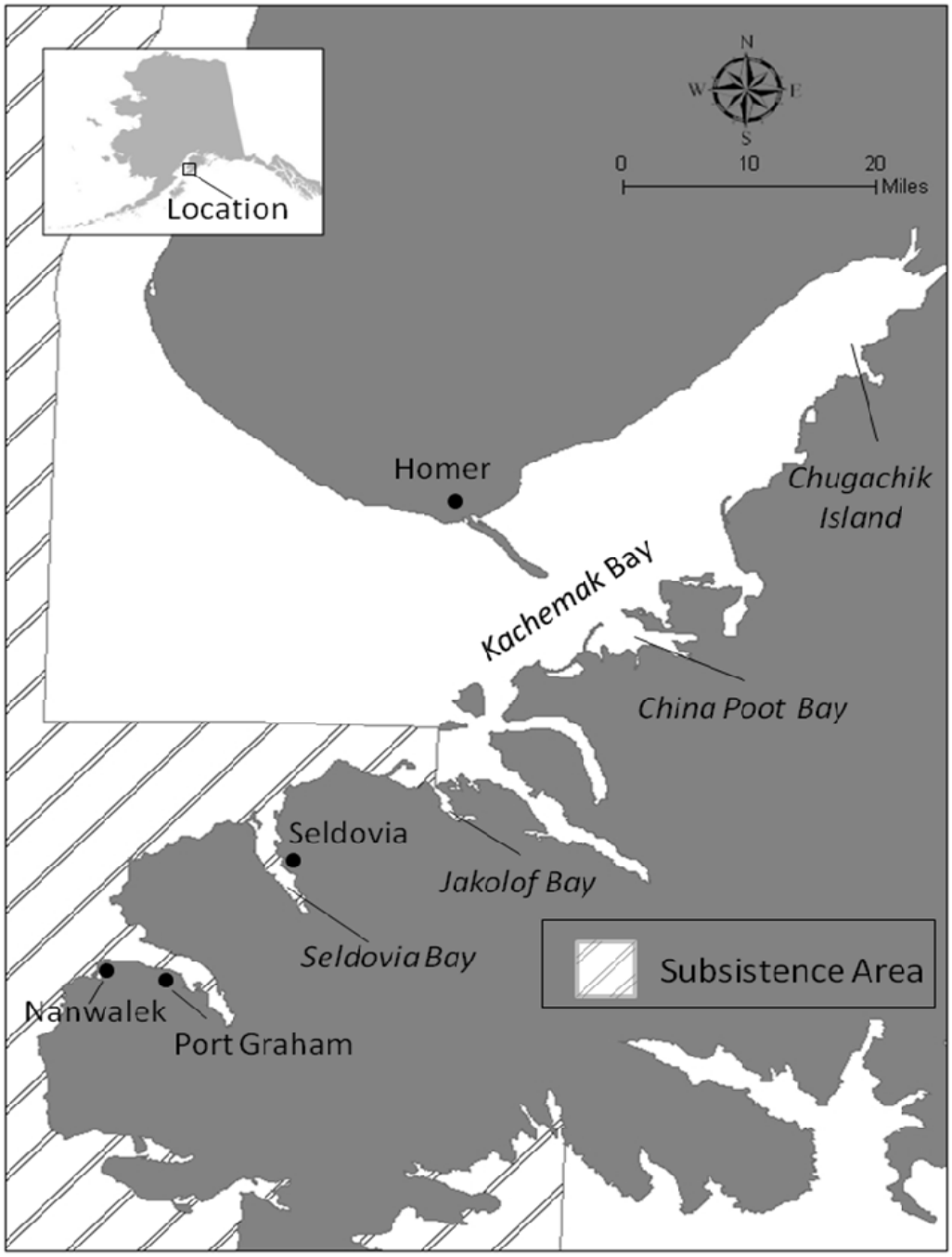


Figure 372-1.–Kachemak Bay and long term abundance monitoring locations.

PROPOSAL 373 – 5 AAC 02.310. Subsistence miscellaneous shellfish fishery.

PROPOSED BY: Tyonek Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to adjust boundaries of the Anchorage-Matsu-Kenai Nonsubsistence Area so that beaches located two miles north of Polly Creek may be opened to subsistence-only razor clam harvest.

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 99.015, *Joint Board nonsubsistence areas* (a)(3) creates the Anchorage-Matsu-Kenai Nonsubsistence Area that is classified as a nonsubsistence use area. Regulations governing sport and personal use razor clam harvest on the west side of Cook Inlet provide a year-round open season with no bag, possession, or size limits. Commercial harvest of razor clams occurs in the Polly Creek certified beach described in regulation 5 AAC 38.314(b).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would establish an area in which all razor clam harvest could be restricted to subsistence harvests.

BACKGROUND: The department does not assess razor clam abundance on the west side of Cook Inlet. The area generally described in the proposal supports sport and personal use fisheries. Commercial harvest occurs in the Polly Creek certified area and is adjacent to the area described in the proposal.

DEPARTMENT COMMENTS: The department recommends **NO ACTION** on this proposal. The Anchorage-Matsu-Kenai Nonsubsistence Area was established by the Joint Board of Fisheries and Game and under AS 16.05.258(c). Any adjustment to that area requires action by that body before subsistence regulations could be adopted.

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

Bristol Bay Salmon (1 proposal)

PROPOSAL 383 – 5AAC 06.370. Registration and reregistration.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would allow Bristol Bay commercial salmon CFEC drift gillnet permit holders to complete initial district registration by registering electronically on the department's website.

WHAT ARE THE CURRENT REGULATIONS? Initial district registration of a Bristol Bay commercial salmon Commercial Fisheries Entry Commission (CFEC) drift gillnet permit holder must be done by submitting a completed form to the department office in Dillingham or King Salmon. Transferring between districts (reregistration) electronically has been allowed since the December 2008 Alaska Board of Fisheries (board) meeting.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Electronic initial registration would provide more flexibility to permit holders and streamline the processing of district registration, allowing dissemination of that information to the public more quickly than is currently possible with manual entering of registration forms. Electronic registration will reduce the burden of handling paper registration cards by department staff, reduce errors by permit holders, record every action pertaining to each permit, and provide immediate feedback regarding each permit holder's legal status (e.g., vessel fees, permit fees, T-sticker, district registration).

BACKGROUND: At the December 2009 board meeting, 5 AAC 06.370. *Registration and reregistration* was modified allowing Bristol Bay drift gillnet permit holders to transfer between districts electronically on the department's website. Initial registration was not included as an electronic option at that time in order to determine how electronic reregistration would be received by industry and if it would be a viable option for the department.

The electronic reregistration system has been in place for two seasons and is widely accepted by fishermen and industry. The department has found the system to be secure and efficient, and would like to add the option to allow commercial salmon CFEC drift gillnet permit holders to complete initial district registration electronically on the department's website.

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.

Yukon Salmon (1 proposal)

PROPOSAL 385 – 5AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

PROPOSED BY: Doug Karlberg and Gary Nelson.

WHAT WOULD THE PROPOSAL DO? This proposal would provide the department emergency order (EO) authority to allow fish wheel gear only to be operated in the commercial fishery to selectively harvest summer chum salmon during commercial fishing periods in Subdistrict 4-A (Figure 385-1). Commercial fish wheels would have to be closely attended and equipped with a live box or chute to facilitate releasing king salmon to the water alive during times of king salmon conservation.

WHAT ARE THE CURRENT REGULATIONS? Fish wheels and set gillnets are legal commercial gear in Districts 4–6. Currently, there are no regulations that allow the department to issue an EO requiring commercial fish wheels to be closely attended and to have a live box or chute to release king salmon alive during a commercial fishing period. Additionally, the department does not have EO authority in the commercial fishery to allow only fish wheels to operate during a commercial fishing period. In 5 AAC 01.220. *Lawful gear and gear specifications* (n)(2) and (o), the department may require fish wheels to have a live box or chute and be closely attended to return all king salmon to the water alive during a subsistence fishing period when it is necessary for the conservation of king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal could allow additional commercial fishing time to target surplus summer chum salmon with fish wheels only that are closely attended and that have a live box or chute to release king salmon alive during times of king salmon conservation.

BACKGROUND: Since 2001, the subsistence salmon fishery has been based on a schedule implemented chronologically by the department, and consistent with migratory timing as the runs progress upstream in most of the drainage. During poor runs, the department may reduce subsistence fishing time to less than the regulatory schedule. In 2009, subsistence fishing was closed during one pulse of the king salmon run for approximately 10 days in duration. In 2011, subsistence fishing periods were closed during two pulses of the king salmon run. These closures were approximately five days each in duration. The commercial fishery has been delayed to conserve king salmon and closed during subsistence salmon fishing closures established beyond the regulatory fishing schedule within a district/subdistrict, which reduces the amount of commercial fishing time.

In Subdistrict 4-A, legal commercial gear includes separate Commercial Fisheries Entry Commission permits for set gillnets and fish wheels. Historically, the Subdistrict 4-A commercial fishery has targeted summer chum salmon with fish wheels, typically dominating the effort and harvest (Table 385-1). Only a handful of king salmon were sold annually until 1994 and none since then. In the 1980s and 1990s, summer chum salmon roe was extracted by fishermen and sold separately. The number of females and males harvested to produce salmon

roe sold to buyers was estimated through a sampling program. Poor summer chum salmon runs from 1998–2002 and declining markets resulted in no commercial harvest in Subdistrict 4-A from 1998–2006. Since 2007, there has been renewed market interest with buying operations at Kaltag and Anvik.

During the 2010 commercial fishing season, the buyer in Kaltag did not purchase fish from set gillnet fishermen in an effort to reduce incidental harvest of king salmon. It is easier to release salmon alive from fish wheels than set gillnets. Additionally, the buyer has requested that fish wheel operators closely attend their fish wheels and release all king salmon alive back to the water. In 2011, the Kaltag plant did not operate.

According to the *Yukon River Summer Chum Salmon Management Plan*, a commercial fishery may be opened to harvest summer chum salmon when the projected run size is more than one million fish. Large surpluses of summer chum salmon have gone unharvested since 2007, as indicated by Pilot Station sonar passage estimates.

	Summer Chum Sonar Passage	Unharvested Surplus
2007	1.7	0.7
2008	1.7	0.7
2009	1.3	0.3
2010	1.3	0.3
2011	1.8	0.8

Note: Numbers in millions.

Although not all of the surplus could have been taken with the current level of processing capacity, the commercial harvest was less than it could have been because of reduced fishing time to conserve king salmon.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal as a means of providing more commercial fishing opportunity for surplus summer chum salmon while conserving king salmon in the Yukon River. The department is **NEUTRAL** on allocative implications of this proposal. In the past, the department has had staff onsite to monitor the fishery. If the fishery does take place in the future, staff will monitor harvest and release of live king salmon.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery because of labor associated with closely attending fish wheels and modifications to fish wheels to release king salmon alive.

Table 385-1.–Number of permits fished and summer chum salmon commercial harvest, by gear type, Subdistrict 4-A, Yukon Area, 1990–2011.

	Fish Wheels		Set Gill Nets		Total	
Year	Permits Fished	Estimated Harvest	Permits Fished	Estimated Harvest	Permits Fished	Estimated Harvest
1992	61	149,871	12	34,300	73	184,171
1993	41	26,772	12	11,424	53	38,196
1994	30	105,814	12	25,980	42	131,794
1995	52	351,925	16	67,763	68	419,688
1996	52	298,296	13	58,642	65	356,938
1997	22	94,908	2	5,481	24	100,389
1998	–	–	–	–	–	–
1999	–	–	–	–	–	–
2000	–	–	–	–	–	–
2001	–	–	–	–	–	–
2002	–	–	–	–	–	–
2003	–	–	–	–	–	–
2004	–	–	–	–	–	–
2005	–	–	–	–	–	–
2006	–	–	–	–	–	–
2007 [a]	5	7,304	0	0	5	7,304
2008 [a]	7	23,592	1	154	8	23,746
2009 [a]	5	2,278	1	2,311	6	4,589
2010 [b]	5	44,207	0	0	5	44,207
2011	–	–	–	–	–	–
Average 1992–1997	43	171,264	11	33,932	54	205,196
Average 2007–2010	6	19,345	1	616	6	19,962

Note: Unless otherwise noted, estimated harvest is the number of fish sold in the round, plus the estimated number of females and the estimated number of unsold males harvested to produce the roe sold. Endash indicates no commercial fishing activity occurred.

[a] The number of female fish from which roe were extracted is the number harvested. Males were not purchased, but accounted for as caught, but not sold, and are included in personal use totals.

[b] Both males and females were purchased and are included in the number harvested.

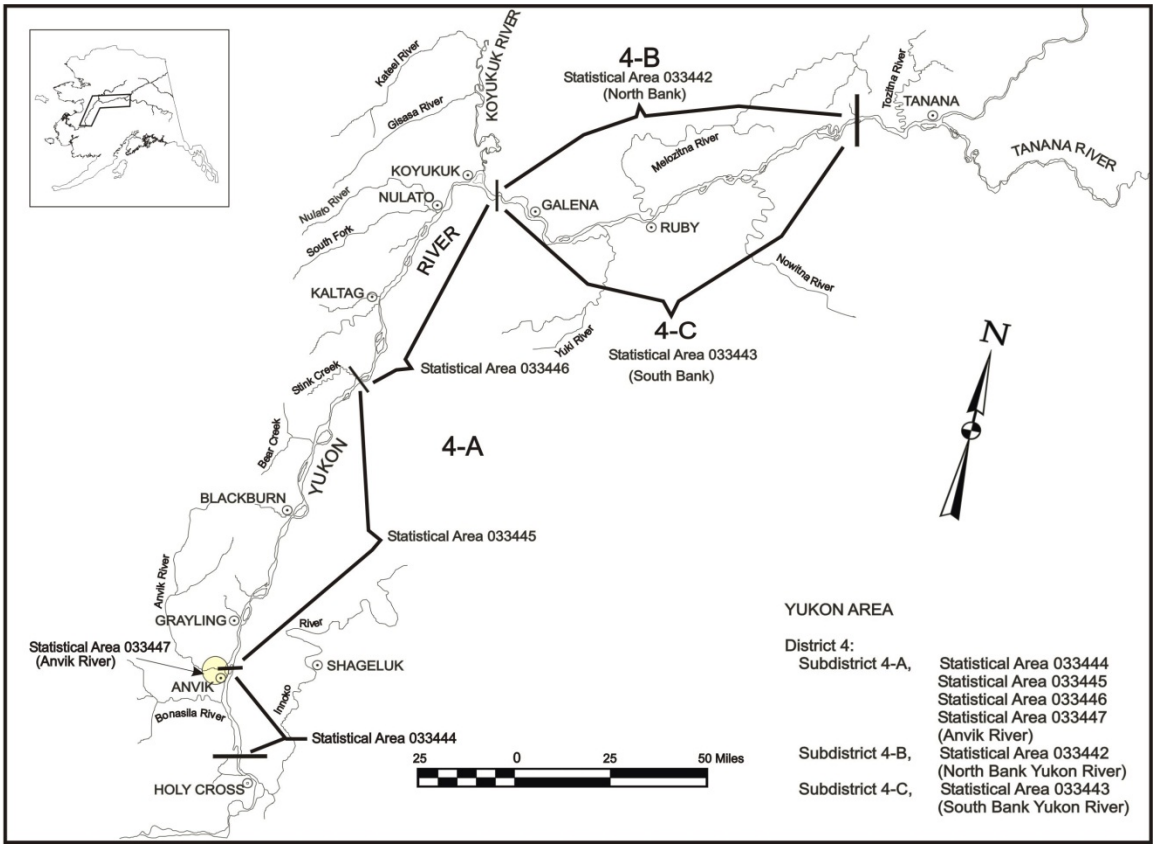


Figure 385-1.–Map of District 4, Yukon River.

COMMITTEE A: WESTWARD
(11 PROPOSALS)

Westward Dungeness Crab (2 proposals)

PROPOSAL 345 – 5 AAC 32.410. Fishing Seasons for Registration Area J.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would close the Dungeness crab season in the Kodiak, Chignik, Alaska Peninsula and Aleutian Districts on December 31 and identify regulatory landmarks in the Kodiak District with latitude and longitude coordinates.

WHAT ARE THE CURRENT REGULATIONS? Dungeness crab may be taken in Kodiak, Chignik, Alaska Peninsula, and Aleutian Districts from 12:00 noon May 1 until 12:00 noon January 1, except that in the Kodiak District south of the latitude of the southernmost tip of Boot Point and south of the latitude of the southernmost tip of Cape Ikolik, male Dungeness crab may only be taken from 12:00 noon June 15 until 12:00 noon January 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The commercial Dungeness crab season would close midnight December 31 rather than noon on January 1. Additionally, Boot Point and Cape Ikolik in the Kodiak District would be described by latitude and longitude coordinates.

BACKGROUND: There are no guideline harvest levels for Dungeness crab in Registration Area J. The commercial fishery is managed by regulating sex, size, and season ('3-S' management). Under 3-S management, only male crab 6.5 inches carapace width or larger may be retained during the open fishing season. There are no pot limits or vessel size restrictions for Dungeness fishing in Registration Area J.

The season in most of the registration area runs from mid-May through noon January 1. In most years, the regulatory closure date of the Dungeness crab season in Registration Area J is inconsequential because most fishermen have stopped fishing earlier in the fall. However, in some years, fishermen have made deliveries on January 2, which requires catch accounting for one day in the new year (Table 345-1). Landings made in early January require a new Commercial Fisheries Entry Commission (CFEC) card even though the fishing activity may have occurred in the prior year.

The Registration Area J Dungeness crab season closure was changed in the mid-1980s from February 1st to 14 days prior to the Tanner crab season (effectively January 1). In the mid-1990s the season closure was changed from being defined in relation to the Tanner crab season opening to a fixed date of January 1.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The proposal lists December 31 as the closure date; however, because landing requirements

allow vessels to deliver up to 24 hours after the season closure, the department recommends the regulatory season close on December 30 rather than December 31 so that all fishing and landing activity is completed within the calendar year on one CFEC permit card.

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

Table 345-1.–Date of first and last Dungeness landing in Registration Area J, 2007–2011.

	2007	2008	2009	2010	2011
First Landing	May 31	May 6	May 10	June 10	June 7
Last Landing	December 31	January 2	December 31	December 10	November 21

PROPOSAL 346 – 5 AAC 32.400. Description of Registration Area J; and 5 AAC 32.405 Description of Registration Area J Districts.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Amend the regulatory boundary description for commercial Dungeness crab fisheries in Registration Area J by updating historical boundary line coordinates.

WHAT ARE THE CURRENT REGULATIONS? Regulatory descriptions of Registration Area J crab boundaries are located in 5 AAC 32.400 Description of Registration Area J; and 5 AAC 32.405 Description of Registration Area J Districts.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would update and clarify regulatory descriptions of Dungeness crab boundaries in the Kodiak, Chignik, Alaska Peninsula, North Peninsula and Aleutian districts (Figure 346-1). The department does not anticipate any changes with respect to Dungeness crab stock management.

BACKGROUND: The department recently reviewed all previously established Registration Area J commercial Dungeness crab fishing district boundary descriptions in an effort to provide concise and consistent regulations. Most of the proposed changes are minor as they only increase the precision of existing boundary line coordinates (lat/long) or align Dungeness crab boundary lines with similar boundary lines established for other shellfish fisheries. The department identified two locations where a small change in the regulatory boundary is different from current regulation.

Most current Dungeness boundary descriptions were established in the 1970s using National Oceanic and Atmospheric Administration (NOAA) nautical charts as a basis for boundary lines. At that time, common landmarks without specific global positioning (GPS) coordinates were often used to establish and describe boundary lines. Current NOAA charts and GPS allow for better precision when identifying and describing geographic coordinates.

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

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

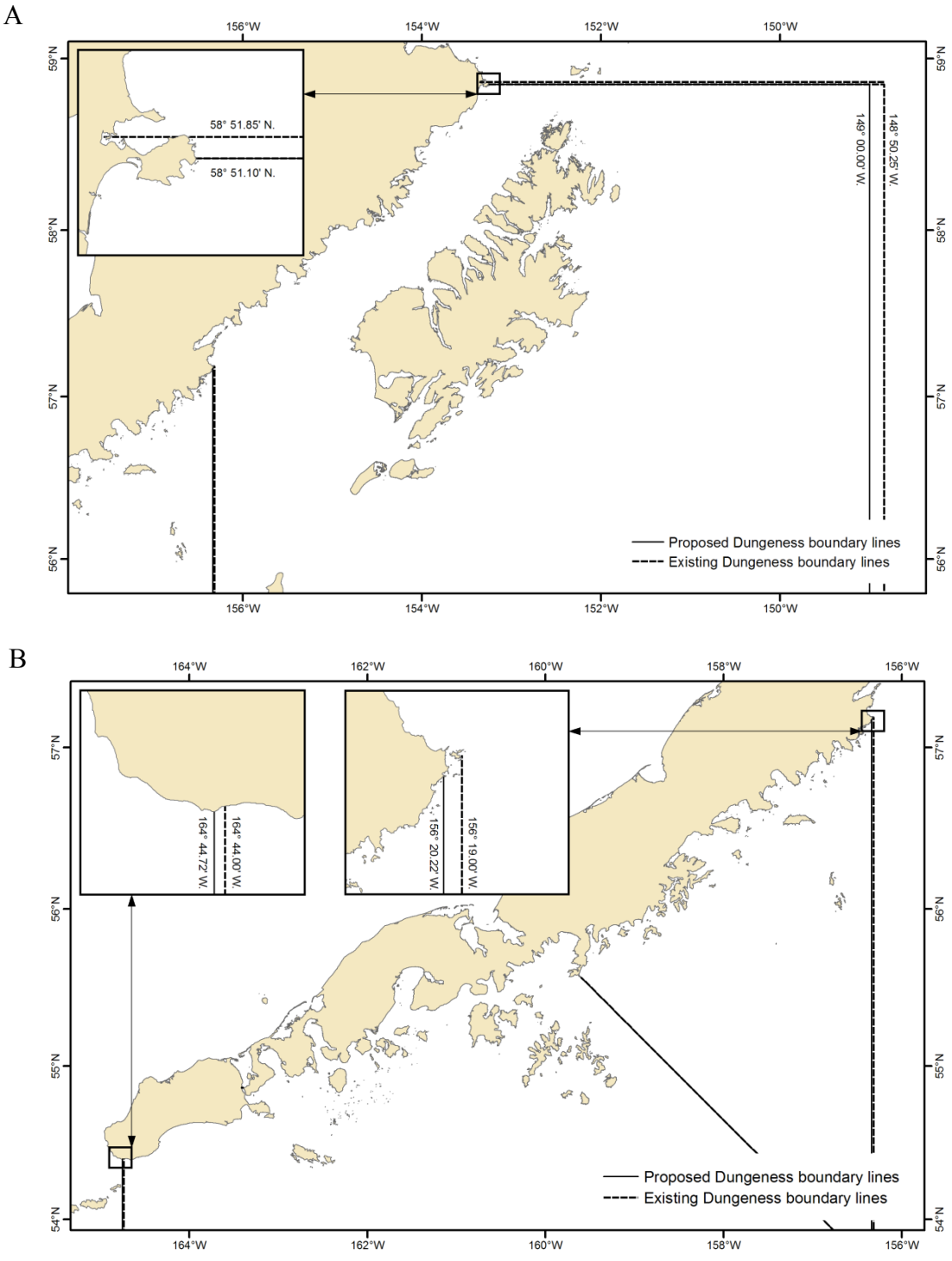


Figure 346-1.–Existing and proposed Dungeness crab boundary lines for Registration Area J for (A) the northern and eastern boundary for the Kodiak District, and (B) western boundary for the Chignik District and eastern boundary for the Alaska Peninsula District.

Kodiak Dungeness Crab (3 proposals)

PROPOSAL 347 – 5 AAC 32.410. Fishing Seasons for Registration Area J.

PROPOSED BY: Mike Clark.

WHAT WOULD THE PROPOSAL DO? This proposal would change the season opening date for Dungeness crab in the Kodiak District from May 1 to June 15. The opening date in the southern portion of the Kodiak District that opens June 15 (south of Boot Point and Cape Ikolik) would remain unchanged.

WHAT ARE THE CURRENT REGULATIONS? Dungeness crab may be taken in the Kodiak District from 12:00 noon May 1 until 12:00 noon January 1, except south of the latitude of the southernmost tip of Boot Point and south of the latitude of the southernmost tip of Cape Ikolik, male Dungeness crab may only be taken from12:00 noon June 15 until 12:00 noon January 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The opening of the Dungeness crab season in the entire Kodiak District would be on June 15, which is the current opening date for the southern portion of the Kodiak District.

BACKGROUND: There are no guideline harvest levels for Dungeness crab in Registration Area J. The commercial fishery is managed by regulating sex, size, and season ('3-S' management). Under 3-S management, only male crab 6.5 inches carapace width or larger may be retained during the open fishing season. There are no pot limits or vessel size restrictions for Dungeness crab fishing in Registration Area J.

Prior to 1969 all of Area J had year-round seasons (Table 347-1). Starting in 1969, the southern end of Kodiak had a seasonal closure to protect molting king crab. After season dates were defined in the late 1970s, the southern portion of the Kodiak District opened June 15.

The first landing of Dungeness crab in the last five years has ranged from May 6 to June 10 (Table 347-2). The department has records on soft-shell crab that have been delivered; however, since soft-shell crab are not desirable by processors, most soft-shell crab are not kept by fishermen and are sorted on the fishing grounds. The department does not deploy observers in this fishery and does not have data on soft-shell prevalence in commercial pot lifts on the fishing grounds. The department conducts confidential interviews with skippers on a portion of landings. From 2007–2011 about 30 percent of vessel operators were interviewed during their landing. During the confidential interview, the skipper was asked if they encountered soft-shell crab (presence/absence data). Soft-shell crab presence among interviewed vessels was highest in August (Figure 347-1; Figure 347-2). Molt timing has not been studied in Kodiak; however, research in Southeast Alaska has shown a protracted molting period with a lot of spatial and interannual variability (G. Bishop personal communication). Mature male Dungeness crab in Southeast Alaska generally molt late December through early July (G. Bishop personal communication).

Dungeness crab seasons vary throughout Alaska; Table 347-3 summarizes most of the seasons.

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.

Table 347-1.–History of Area J, Dungeness crab season dates.

Regulatory Season	Area J[a]	Southern end of Kodiak
1968 and prior	Open year-round	Open year-round
1969 through 1974	Open year-round	June 15–April 30
1975	Open year-round	June 15–April 30
1976 through 1980	May 1–December 31	June 15–December 31
1981 through 1984	May 1–February 1	June 15–February 1
1985 through 1996/1997	May 1–14 days prior to Tanner crab season	June 15–14 days prior to Tanner crab season
1997/1998 through current	May 1–noon January 1	June 15–noon January 1

[a] Excluding the southern end of the Kodiak District and the North Peninsula District.

Table 347-2.–Date of first and last Dungeness crab landing in the Kodiak District, 2007–2011.

	2007	2008	2009	2010	2011
First Landing	May 31	May 6	May 10	June 10	June 7
Last Landing	December 31	January 2	December 31	December 10	November 21

Table 347-3.–Current Dungeness crab season dates in Alaska by registration area.

Registration Area	Season Dates
Southeast Alaska (A)	June 15–August 15 and October 1–November 30
Section 13-B	October 1–February 28
Sitka Sound Special Use Area	October 1–November 30
Yakutat (D)	May 15–July 14 and November 1–February 28
Prince William Sound (E)	No open season
Cook Inlet (H)	No open season
Westward Area (J)	May 1–noon January 1
Southern Kodiak	June 15–noon January 1
North Peninsula District	May 1–October 18

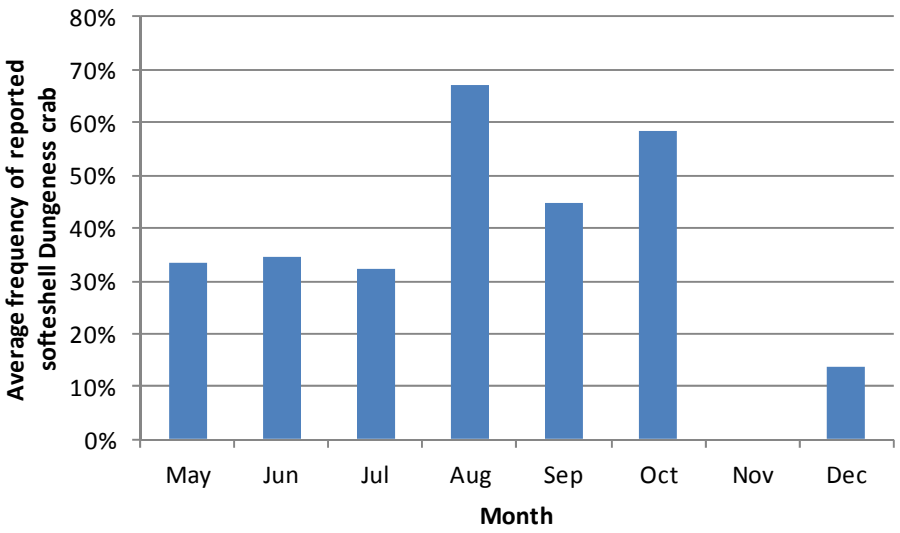


Figure 347-1.–Average frequency of interviews with reports of soft-shell Dungeness crab, 2007–2011.

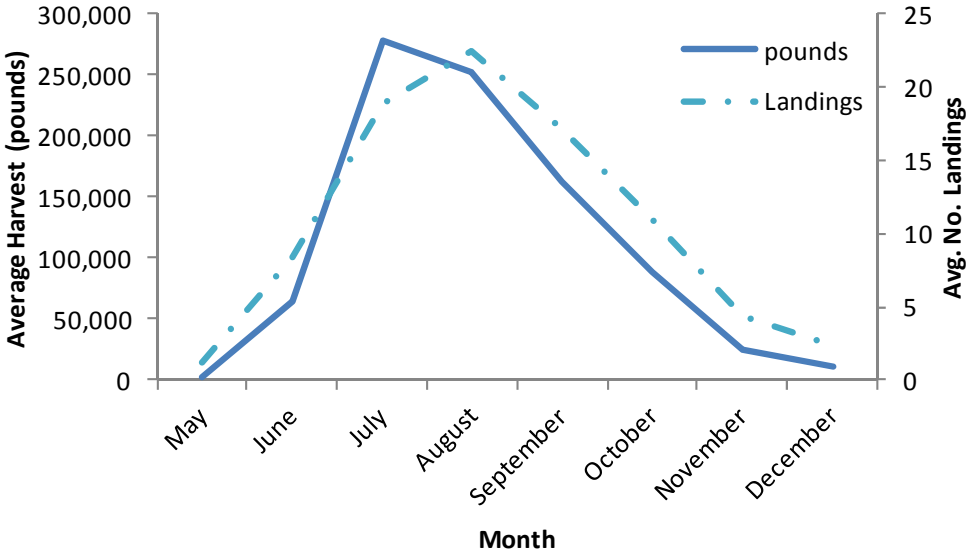


Figure 347-2.–Average Dungeness crab harvest and landings per month, 2007–2011.

PROPOSAL 348 – 5 AAC 32.425. Lawful Gear for Registration Area J.

PROPOSED BY: Mike Clark.

WHAT WOULD THE PROPOSAL DO? This proposal would limit the amount of gear vessels may use in the Kodiak District Dungeness crab fishery to 1,000 pots.

WHAT ARE THE CURRENT REGULATIONS? Dungeness crab may only be taken with Dungeness pots or ring nets; there is no pot limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would cap the amount of pot gear a vessel could use at 1,000 pots. Similar to other areas that limit the number of pots, vessels would be required to obtain identification tags (buoy tags) from the department.

BACKGROUND: There are no guideline harvest levels for Dungeness crab in Registration Area J. The commercial fishery is managed by regulating sex, size, and season ('3-S' management). Under 3-S management, only male crab 6.5 inches carapace width or larger may be retained during the open fishing season. There are no pot limits or vessel size restrictions for Dungeness fishing in Registration Area J. Prior to the season, vessel operators are required to register their vessel and indicate the amount of gear they intend to use.

Kodiak has averaged 18 vessels the last 5 years and the number of pots registered has ranged from a few hundred to over 1,000 (Table 348-1). The total number of pots registered has averaged 11,587 pots. If a pot limit of 1,000 pots had been in place, the average number of pots registered would have decreased to 10,877 pots. Vessels participating in the fishery range from less than 40 feet to over 60 feet (Table 348-2).

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

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Vessel operators may be required to purchase buoy identification tags. Regulations that slow the pace of the pot gear fishery would likely cause pot vessels to use more fuel and purchase more supplies.

Table 348-1.–Number of vessels and registered pots in the Kodiak District Dungeness crab fishery, 2007–2011.

Year	No. Vessels	No. Pots/ vessel Range	No. Pots/ vessel Average	Total Pots Registered	No. pots if Proposal Adopted
2007/08	12	100-1,200	617	N/A	N/A
2008/09	15	100-1,650	724	10,854	9,904
2009/10	17	160-1,800	709	11,351	10,150
2010/11	19	270-1000	692	N/A	N/A
2011/12	11	400-1000	740	7,400	7,400
avg. 2007-2011	15		696	9,868	9,151

Table 348-2.–Number of vessels per size class, Kodiak District Dungeness crab fishery, 2007/08–2011/12

Vessel Size (ft)	2007/08	2008/09	2009/10	2010/11	2011/12
Less than 40	4	3	4	6	1
40 - 50	3	7	5	6	6
51-60	3	2	2	2	1
61-70	0	1	3	2	1
71-80	1	1	2	3	2
81-90	0	0	0	0	0
91-100	1	1	1	0	0
Total	12	15	17	19	11

PROPOSAL 349 – 5 AAC 32.406. Area J Registration.

PROPOSED BY: Mike Clark.

WHAT WOULD THE PROPOSAL DO? This proposal would designate the Kodiak District a superexclusive registration district for Dungeness crab.

WHAT ARE THE CURRENT REGULATIONS? Vessel registration for Dungeness crab in Area J is nonexclusive, except the Alaska Peninsula District and the Chignik District are superexclusive. The Dungeness crab registration year is January 1–December 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the Kodiak District were designated superexclusive registration, a vessel registered for the Kodiak District would be restricted from fishing in any other Dungeness crab registration area or district during the same registration year. A vessel registered for any other Dungeness crab area or district would be restricted from fishing in the Kodiak District during that registration year.

BACKGROUND: There are no guideline harvest levels for Dungeness crab in Registration Area J. The commercial fishery is managed by regulating sex, size, and season ('3-S' management). Under 3-S management, only male crab 6.5 inches carapace width or larger may be retained during the open fishing season. There are no pot limits or vessel size restrictions for Dungeness fishing in Registration Area J. There have been some fishermen that have fished in Kodiak and the North Peninsula District in the same registration year.

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.

Table 349-1.–Number of vessels making landings in the Kodiak District Dungeness crab fishery, 2000/01–2011/12

Year	No. Vessels
2000/01	12
2001/02	21
2002/03	18
2003/04	17
2004/05	11
2005/06	14
2006/07	12
2007/08	12
2008/09	15
2009/10	17
2010/11	19
2011/12	11

Westward Octopus (1 proposal)

PROPOSAL 355 – 5 AAC 38.41X. Registration Area J Octopus Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would create a state-waters regulatory management plan for octopus in Area J consistent with current management practices. The proposed management plan provides for octopus bycatch provisions in both groundfish and shellfish fisheries in state waters, and allows directed fishing for octopus under a commissioner's permit in state waters.

WHAT ARE THE CURRENT REGULATIONS? Octopuses are managed in state waters by the Alaska Department of Fish & Game under miscellaneous shellfish regulations. Octopuses are managed in federal waters as groundfish under federal fishery management plans. Under state of Alaska general provisions there is no closed season for octopus (5 AAC 38.061). Gear, location, and reporting requirements for directed octopus fishing are stipulated through a commissioner's permit (5 AAC 38.062).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would not change current management practices for octopus in state-waters of registration Area J. This proposal would place bycatch management practices into regulation and reiterate how directed fishing for octopus may occur.

BACKGROUND: State regulation of octopus bycatch management has been unclear because octopuses are considered a shellfish in state-waters and there are no regulations governing shellfish bycatch for either shellfish or groundfish fisheries in registration Area J. In state waters within Area J, octopuses are primarily harvested as bycatch in Pacific cod fisheries. From 2007–2011 only three commissioner's permits for directed octopus fishing were issued in Area J. No harvest is attributable to these commissioner's permits for directed octopus fishing. Some fishermen have purchased Commercial Fishery Entry Commission (CFEC) octopus cards with the intent to either record bycatch on the CFEC card (to demonstrate fishing history) or with the belief that the CFEC octopus card allowed a higher bycatch rate.

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.

Table 355-1.–Octopus harvest as reported on octopus or non-octopus commercial fishery entry permit cards in state and federal waters of Area J, 2007–2011.

	State Waters		Federal Waters	
Year	Octopus Card	Non-Octopus	Octopus Card	Non-Octopus
2007	498	252,763	210	327,721
2008	15,837	376,573	20,085	326,929
2009	1,138	341,115	35,497	199,983
2010	0	237,020	135,385	296,917
2011	0	343,967	27,774	494,499

Westward Shrimp (2 proposals)

PROPOSAL 356 – 5 AAC 31.590. Westward Area Shrimp Fisheries Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would align the 15,000-pound commercial shrimp pot fishery section regulatory harvest cap in North Afognak, West Afognak, and Mainland Sections of the Kodiak District with the fishery season dates of May 1 through February 28, rather than a calendar year.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 31.590. Westward Area Shrimp Fisheries Management Plan.

(a) The management plan in this section applies to shrimp fishing with pots in the North Afognak, West Afognak, and Mainland Sections of the Kodiak District.

(b) Shrimp may be taken only from May 1 through February 28, unless closed earlier by emergency order.

(c) The guideline harvest range is 0 to 40,000 pounds, whole weight. No more than 15,000 pounds, whole weight, may be harvested from an individual section during a calendar year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would prevent shrimp harvest from exceeding the regulatory harvest cap (15,000 pounds) from the North Afognak, West Afognak, or Mainland sections during a Kodiak District commercial shrimp pot season. Excessive harvest of shrimp in these sections may result in localized depletion.

BACKGROUND: Pot fishing for shrimp in the Kodiak District began in 1969 although the pot fishery never developed into a large fishery. The largest annual harvest of shrimp with pot gear was less than 19,000 pounds in 1983 (Table 356-1). Although pot harvests were minor compared to trawl harvests, the North Afognak, West Afognak, and Mainland sections of the Kodiak District were closed to all commercial shrimp fishing in 1997 due to inadequate information regarding the biology and stock status of shrimp in the area. In March 2003, the board amended the Westward Area Shrimp Fisheries Management Plan (5 AAC 31.590) and implemented management tools to allow some pot shrimp fishing opportunities in the North Afognak, West Afognak, and Mainland sections. Under the plan, season dates, guideline harvest ranges (GHR), section harvest caps, and mandatory logbook requirements were adopted. In areas outside of the management plan, shrimp may be taken year round with pots.

When the Westward Area Shrimp Fisheries Management Plan was amended in 2003 the board implemented a 15,000 pound per section fishing season harvest cap in the North Afognak, West Afognak, and Mainland sections. However, the harvest cap was structured to limit harvest during a calendar year rather than to the time period when the season is open to pot fishing.

Allowing 30,000 pounds of the total 40,000 GHR to be harvested from any one section is inconsistent with the management approach for shrimp pot fishery in the North Afognak, West Afognak, and Mainland sections of the Kodiak District.

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.

Table 356-1.–Kodiak shrimp pot fishery catch and effort 1980–2011.

Year	Vessels	Landings	Whole Pounds
1980	4	22	4,485
1981	4	7	2,919
1982	6	18	9,754
1983	12	31	18,686
1984	6	21	4,361
1985 – 1989[a]	4	24	8,484
1990 – 1999[a]	4	5	515
2000 – 2011[a]	3	18	3,401

[a] Years combined to maintain confidentiality.

PROPOSAL 357 – 5 AAC 31.500. Description of Registration Area J; and 5 AAC 31.505. Description of Registration Area J District and Sections.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Amend the regulatory boundary description for commercial shrimp fisheries in Registration Area J by updating historical boundary coordinates.

WHAT ARE THE CURRENT REGULATIONS? Regulatory descriptions of Registration Area J shrimp boundaries are located in 5 AAC 31.500 Description of Registration Area J; and 5 AAC 31.505 Description of Registration Area J District and Sections.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would update and clarify regulatory descriptions of shrimp boundaries in the Kodiak and Alaska Peninsula areas (Figure 357-1). The department does not anticipate any changes with respect to shrimp stock management if adopted.

BACKGROUND: The department recently reviewed all previously established Registration Area J commercial shrimp fishing district and section boundary descriptions in an effort to provide concise and consistent regulations. During this process, the department identified two locations in Alaska Administrative Code (5 AAC 31.500 and 31.505) that describe shrimp boundary locations. Most current shrimp boundary descriptions were established in the 1970s using National Oceanic and Atmospheric Administration (NOAA) nautical charts as a basis for boundary lines. At that time, common landmarks without specific global positioning (GPS) coordinates were often used to establish and describe boundary lines. Current NOAA charts and GPS allow for better precision when identifying and describing geographic coordinates.

Most of the proposed changes are minor as they only increase the precision of existing boundary line coordinates (lat/long) or align shrimp boundary lines with similar boundary lines established for other shellfish fisheries. The most notable proposed change occurs in the Mainland Section along Alaska Peninsula west of Kodiak Island. The boundary line that delineates waters of the Mainland District bisects land in several locations. For clarity, the department recommends adopting the 3 nmi state-waters line as the basis for the district boundary.

Trawl fishing for shrimp in the Kodiak District began in 1958 and grew rapidly before the 1964 earthquake and tsunami destroyed most shore-based processing capacity. Following the earthquake the fishery rebounded and a record 82 million pounds were harvested in 1971. After the peak harvest, Kodiak Area shrimp harvests declined through the 1970s and most effort shifted to the Chignik and South Peninsula districts. Recent ADF&G trawl surveys indicate shrimp biomass remains at low levels. Some offshore waters surrounding Kodiak Island remain open to trawl gear from June 15 through February 28, although little effort or harvest has occurred since the mid-1980s.

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

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

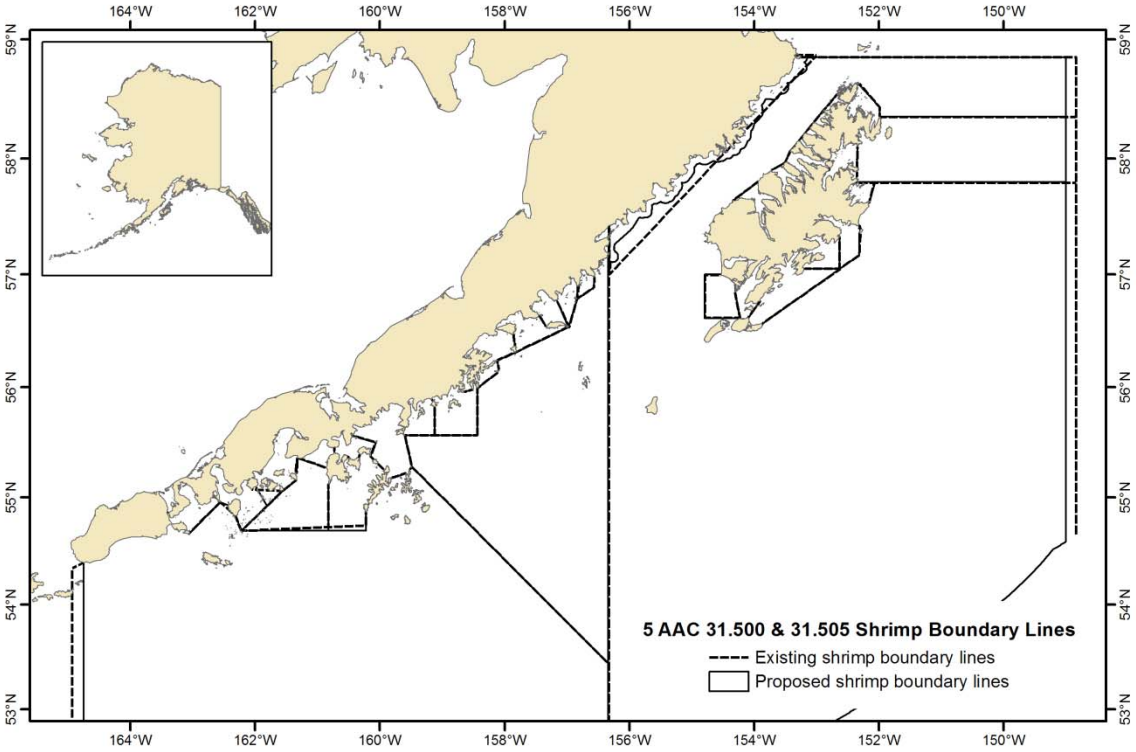


Figure 357-1.–Existing (dashed) and proposed (solid) district and section boundary lines for shrimp in Registration Area J.

Bering Sea–Aleutian Islands Crab (3 proposals)

PROPOSAL 382 – 5 AAC 34.612. Harvest Levels for Golden King Crab in Registration Area O.

PROPOSED BY: Linda Kozak.

WHAT WOULD THE PROPOSAL DO? This proposal would increase the Aleutian Islands golden king crab total allowable catch (TAC) by an unspecified amount.

WHAT ARE THE CURRENT REGULATIONS? Harvest levels for Aleutian Islands golden king crab (AIG) are set in regulation at a fixed amount until a stock assessment model is developed (5 AAC 34.612 *Harvest Levels for Golden King Crab in Registration Area O*). East of 174° W long the regulatory harvest level is 3.15 million pounds and west of 174° W long the regulatory harvest level is 2.835 million pounds. The AIG fishery has been rationalized since the 2005/06 season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvest levels for golden king crab in the Aleutian Islands would be increased by an unspecified amount. The impact of increased harvest levels are unknown and would not likely be immediately detected in the fishery because the generation time of golden king crab is long, and because CPUE is a relative abundance indicator and can be influenced by factors not related to golden king crab stock size. Because a stock assessment survey is unlikely to be developed the department will be dependent for the foreseeable future on fishery performance data, and perhaps in the near future a stock assessment model based on fishery performance and observer collected data.

BACKGROUND: The federal *Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP) establishes a cooperative structure deferring management of Bering Sea and Aleutian Islands king and Tanner crab fisheries to the State of Alaska with federal oversight. Harvest levels or total allowable catch (TAC) are designated as an FMP category 2 management measure, meaning that harvest levels may be set by the state within constraints of certain federal laws and regulations. The TAC and all other sources of fishing mortality may not exceed the annual catch limit (ACL) set by the North Pacific Fishery Management Council (council).

Directed efforts for golden king crab in the Aleutian Islands began in the 1981/82 season. The Aleutian Islands were divided into the Adak Area and the Dutch Harbor Area, split at 172° W long until the 1984/85 season, when the boundary was moved to 171° W long. The Adak Area was managed under size, sex, and season restrictions (3S) only. The Dutch Harbor Area was managed through informal harvest guidelines based on historic fishery performance beginning in the 1985/86 season. Fishery harvest fluctuated annually, depending on participation and effort in the fishery. Peak harvests occurred in the mid-1980s, with the highest harvest in 1986/87 of 14.7 million pounds. Harvest, CPUE, and vessel effort declined overall from the mid-1980s through the 1995/96 season (Table 382-1).

At the March 1996 board meeting, the boundary line between the Adak and Dutch Harbor registration areas moved from 171° W long to 174° W long as the boundary at 171° W long appeared to bisect a single stock of golden king crab. The board also directed the department to manage the AIG fishery conservatively. Beginning in 1996/97 the department managed the stock under a constant-catch harvest strategy, with separate harvest levels for the western Aleutian Islands and eastern Aleutian Islands. The guideline harvest levels (GHL) were based on historical fishery harvests. The eastern Aleutian Islands GHL was set at 3.2 million pounds and the western Aleutian Islands GHL was set at 2.7 million pounds (Table 382-2).

During the 1997/98 season, the GHL was exceeded by nine percent in the eastern AIG fishery. Mark-recapture data and a declining inseason CPUE indicated that removals from the fishery east of 174° W long were at their maximum rate. In order to maintain a long term average harvest of 3.2 million pounds, the GHL in the eastern Aleutian Islands was decreased to 3.0 million pounds. This harvest level remained fixed through 2007/08, with no indication of stock decline. The board increased the TAC both east and west of 174° W long by five percent prior to the start of the 2008/09 season, making the TAC 3.15 million pounds in the eastern AIG fishery and 2.835 million pounds in the western AIG fishery. Legal male CPUE has remained above historical levels.

Fishery CPUE data is difficult to assess due to a variety of confounding factors, such as gear efficiency, soak time, fishing location, and crab abundance. Significant changes in fishing practices occurred with the implementation of Crab Rationalization that likely affected fishery CPUE. These changes include considerable increases in pot soak time, an overall reduction in gear, and a greater ability for the fleet to target areas of high abundance and avoid areas with high concentrations of females and sublegal males. Longer pot soak time allows more opportunity for legal crab to enter a pot, and more time for smaller (sublegal and female) crab to escape. CPUE of legal males sharply increased with rationalization in 2005/06 and remained relatively stable through the 2010/11 season. Observer-based CPUE data of pre-recruit-1 sublegal males (greater than 121 mm carapace length) and data on the percentage of legal males that are recruit-sized does not provide evidence for a recent large recruitment of legal males to explain the increase in fishery CPUE (Figure 382-1).

A limited triennial survey has been conducted since 1997 in the eastern Aleutian Islands from 170°21' W long, to 171°33' W long. The survey scheduled for 2009 was cancelled due to budgetary constraints. The next survey is scheduled for the summer of 2012. Survey CPUE of female and sublegal male golden king crab declined from the 1997 to the 2006 survey, and 2006 legal-male CPUE was close to the same level as in 1997 (Table 382-3).

An effective stock assessment model differentiates between artifacts of fishing practices and fluctuations in stock abundance. The AIG models under development are largely dependent on fishery CPUE. Current revisions to the model involve standardizing fishery CPUE given the changes in fishing practices with the implementation of rationalization. With limited survey data and changes in fishing practices, developing a stock assessment model for the western and eastern AIG stocks has been a long process, involving multiple reviews from the department as well as the council's Crab Plan Team (CPT) and Scientific and Statistical Committee (SSC). The CPT hosted a modeling workshop in January 2012, during which the AIG models were

reviewed. In May 2012, the CPT will again review the models and could recommend them to the SSC in June 2012 for use in setting the ACL for the 2012/13 season.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Although current fishery-dependent relative abundance indicators (CPUE) for legal males are above historical levels, the relationship of stock size to fishery CPUE has not been determined; until a stock assessment model is in place, the department may not be able to determine impacts of increased harvest levels. Because the fisheries are rationalized, it would be difficult for the department to close the fishery inseason if fishery performance issues develop.

Stock assessment and stock assessment model development for both the eastern and western AIG stocks are of high priority to the department, as well as to the Crab Plan Team. The department has discussed ways to improve stock assessment methods with industry representatives and plans to continue these discussions, and work cooperatively to improve data collection and model development.

Harvest levels are a category two management measure under the *Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs*.

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

Table 382-1.–Aleutian Islands golden king crab commercial fishery data, 1981/82–2010/11.

Season	Vessels	GHL/TAC[a]	Harvest[b]	CPUE[c]	Pots Pulled
1981/82	NA	-	1.320	9	27,533
1982/83	NA	-	9.191	10	179,472
1983/84	NA	-	9.939	7	256,393
1984/85	NA	-	4.701	11	88,821
1985/86	NA	-	12.759	12	230,502
1986/87	NA	-	14.739	8	433,020
1987/88	NA	-	9.257	7	306,730
1988/89	NA	-	10.627	8	321,927
1989/90	NA	-	12.022	8	357,803
1990/91	24	-	6.950	8	214,552
1991/92	20	-	7.676	8	234,226
1992/93	22	-	6.291	8	203,221
1993/94	21	-	5.551	6	234,654
1994/95	35	-	8.128	5	386,543
1995/96	28	-	6.960	5	293,021
1996/97	18	5.900	5.816	6	212,727
1997/98	15	5.900	5.946	7	193,214
1998/99	16	5.700	4.939	10	119,298
1999/00	17	5.700	5.839	7	186,169
2000/01	17	5.700	6.019	8	172,790
2001/02	21	5.700	5.919	8	168,151
2002/03	22	5.700	5.462	10	131,021
2003/04	21	5.700	5.666	11	125,119
2004/05	22	5.700	5.575	14	91,694
2005/06	8	5.700	5.520	23	49,401
2006/07	7	5.700	5.262	23	46,533
2007/08	5	5.700	5.508	24	45,783
2008/09	5	5.985	5.680	25	44,206
2009/10	5	5.985	5.912	25	46,188
2010/11	5	5.985	5.969	23	50,324

Note: NA = not available

[a] Guideline harvest level (GHL) and total allowable catch (TAC) in millions of pounds. GHL from 1996/97–2004/05, TAC from 2005/06 to present.

[b] Millions of pounds.

[c] Catch per unit effort in terms of number of legal crabs per pot lift.

Table 382-2.–Aleutian Islands golden king crab harvest, catch per unit effort (CPUE), and average weight of landed crabs based on fish ticket data, 1996/97 through 2010/11 season.

Fishery Season	East of 174° W longitude					West of 174° W longitude				
	GHL/TAC[a]	Registered Pots	Harvest[b]	CPUE[c]	Average Soak[d]	GHL/TAC[a]	Registered Pots	Harvest[b]	CPUE[c]	Average Soak[d]
1996/97	3.200	9,040	3.291	6	5.4	2.700	8,805	2.525	6	7.9
1997/98	3.200	9,720	3.501	7	5.1	2.700	5,240	2.445	7	7.7
1998/99	3.000	8,295	3.248	9	4.3	2.700	1,930	1.691	11	9.4
1999/00	3.000	9,514	3.070	9	4.2	2.700	10,225	2.769	6	10.0
2000/01	3.000	10,598	3.134	10	4.6	2.700	10,564	2.885	7	9.6
2001/02	3.000	12,927	3.179	12	4.4	2.700	8,910	2.740	7	12.3
2002/03	3.000	11,834	2.822	12	4.1	2.700	8,491	2.641	8	12.1
2003/04	3.000	12,518	2.977	11	4.0	2.700	6,225	2.689	10	13.4
2004/05	3.000	13,165	2.887	18	3.7	2.700	7,140	2.688	12	11.6
Pre-CR Avg.	**3.044**	**10,846**	**3.123**	**10**	**4.4**	**2.700**	**7,503**	**2.564**	**8**	**10.4**
2005/06	3.000	8,833	2.867	25	14.1	2.700	4,800	2.654	21	24.2
2006/07	3.000	8,150	2.992	25	11.6	2.700	6,000	2.270	19	19.0
2007/08	3.000	4,200	2.990	28	17.2	2.700	4,800	2.518	20	22.3
2008/09	3.150	4,200	3.144	27	14.9	2.835	4,900	2.536	22	24.0
2009/10	3.150	4,600	3.150	26	16.2	2.835	5,050	2.762	24	26.8
2010/11	3.150	4,600	3.148	26	13.9	2.835	4,675	2.821	21	23.2
Post-CR Avg.	**3.075**	**5,764**	**3.049**	**26**	**14.7**	**2.768**	**5,038**	**2.593**	**21**	**23.3**

Note: CR = crab rationalization. CR began 2005/06, harvest includes individual fishing quota (IFQ), Community Development Quota (CDQ) east of 174° W long, and Adak Community Allocation (ACA) west of 174° W long.

[a] Guideline harvest level, total allowable catch after 2004/05, in millions of pounds.

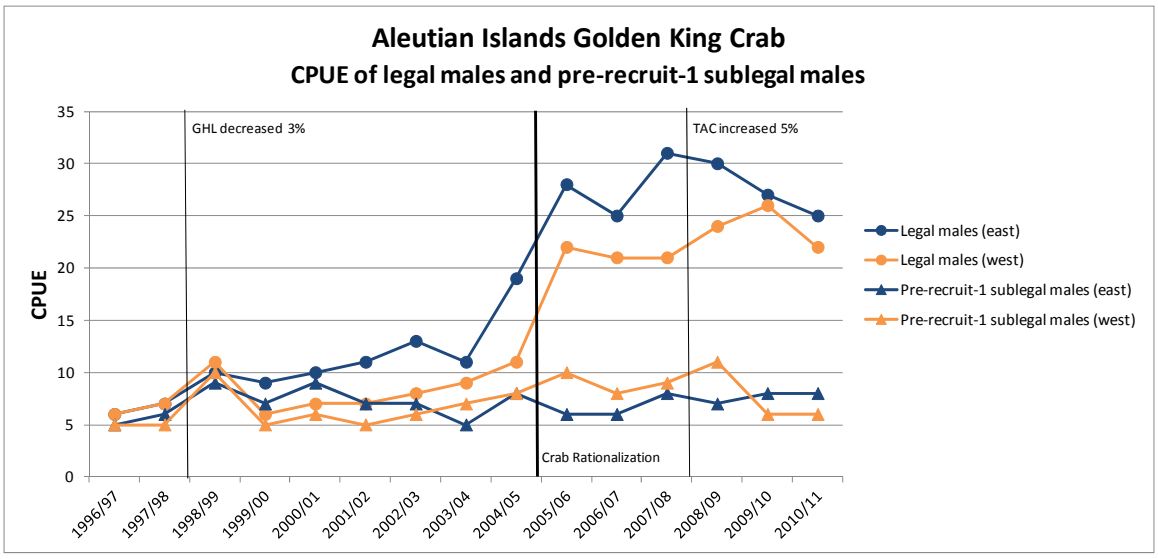
[b] Harvest in millions of pounds, deadloss included.

[c] Average number of legal male crabs per pot lift.

[d] Average pot soak time, in days, from observer sample pot data.

Table 382-3.–Survey CPUE of legal males, sublegal males, and females in the 1997–2003 ADF&G Aleutian Islands golden king crab triennial pot survey for the 61 stations fished in common over all four surveys.

Survey Year	Legal Males	Sublegal Males	Females
1997	4.7	49.7	58.6
2000	3.1	30.7	32.7
2003	2.9	11.9	10.5
2006	4.3	11.9	17.2



Note: CPUE = catch per unit effort. Pre-recruit-1 sublegal males are defined as sublegal male crabs ≥121 mm CL.

Figure 382-1.–CPUE of pre-recruit-1 sublegal males (sublegal males ≥121 mm CL) and legal males in pots randomly sampled by observers.

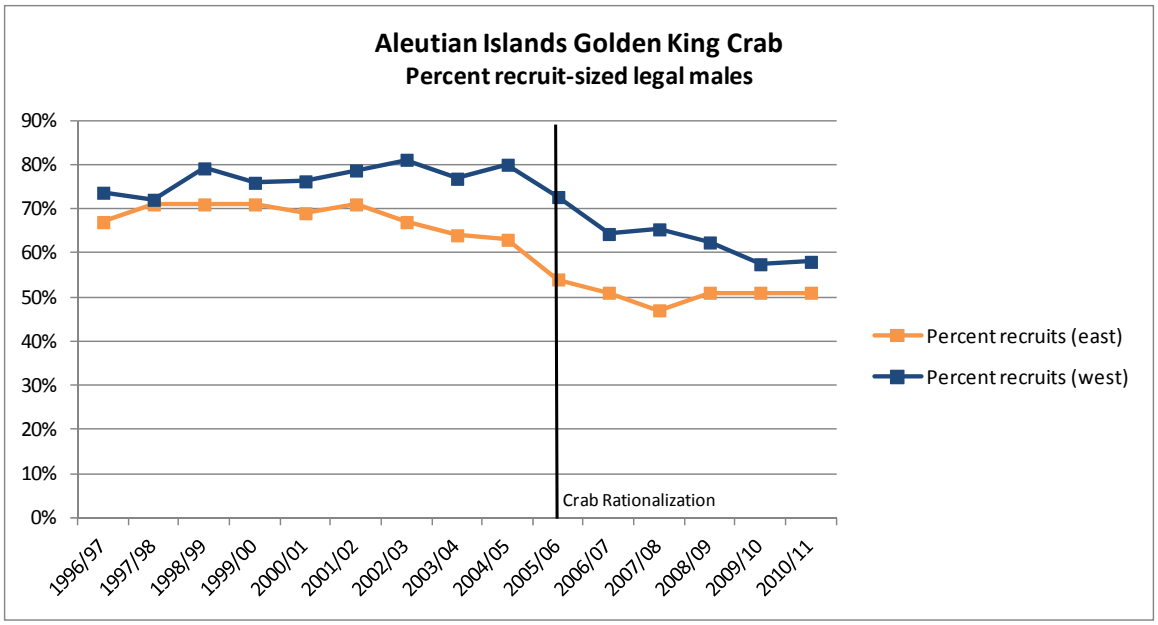


Figure 382-2.–Percent of legal males that were recruit-sized (<151 mm carapace length) in pots randomly sampled by observers.

PROPOSAL 384 – 5 AAC 34.816. Bristol Bay Red King Crab Harvest Strategy

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would remove the minimum total allowable catch (TAC) from the regulatory Bristol Bay red king crab harvest strategy.

WHAT ARE THE CURRENT REGULATIONS? The Bristol Bay red king crab harvest strategy (5 AAC 34.816) minimum TAC threshold is 4,000,000 pounds, not including the CDQ quota. If the individual fishing quota (IFQ) TAC is less than 4,000,000 pounds, neither the IFQ nor CDQ fisheries may open.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the department determines the harvestable surplus of Bristol Bay red king crab is less than 4 million pounds, the fishery would open. Adoption of this proposal would prevent foregone harvest in the event of an IFQ TAC lower than 4,000,000 pounds.

BACKGROUND: The federal *Fisheries Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP) establishes a state/federal cooperative management regime that defers management of the Bristol Bay red king crab fishery to the State of Alaska with federal oversight. Under the FMP the State of Alaska has authority to establish harvest levels for crab stocks. Harvest levels are a category two management measure in the FMP. The state may change how harvest levels are set as long as the harvest level is in compliance with the FMP.

Bristol Bay red king crab was included in the federal crab rationalization program in 2005/06. Prior to the rationalization program the fishery was fast-paced and required inseason management tools, such as the minimum harvest level threshold, to prevent exceeding the guideline harvest level. Since the implementation of the crab rationalization program, the fishery is no longer managed under a guideline harvest level and the department has no further need of a minimum harvest level threshold; fishermen are now responsible for staying within their individual fishing quotas.

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 381 – 5 AAC 34.915. Norton Sound Section red king crab harvest strategy.

PROPOSED BY: Charlie Lean.

WHAT WOULD THE PROPOSAL DO? This proposal would raise the regulatory exploitation rate and reduce the male red king crab (RKC) biomass threshold levels in response to the revised stock assessment model that has lowered the abundance estimate.

WHAT ARE THE CURRENT REGULATIONS? Under regulation 5 AAC 34.915, the threshold level of abundance of legal male RKC biomass allowing for a commercial fishery is 1.5 million pounds. If legal male RKC biomass is less than 2.5 million pounds, an exploitation of no more than 5% of the legal male RKC abundance may be taken. When the legal male RKC biomass is 2.5 million pounds or more, the exploitation rate on legal male RKC is no more than 10%.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the threshold level of abundance and increase harvest rates compared to those observed in recent years, while attempting to mitigate expected decrease in annual guideline harvest levels (GHL) from the revised stock assessment model. There is potential that the proposal, as written, may actually increase harvest rates above sustainable levels and exceed harvest rates allowed under federal guidelines.

BACKGROUND: Regulations for setting the GHL were established in 1999 (5 AAC 34.915 *Norton Sound Section red king crab harvest strategy*), in consultation with National Marine Fisheries Service, prior to implementation of the crab model. A retrospective analysis estimated that the Norton Sound commercial RKC fishery was removing 9–17% of the legal male biomass, rather the maximum 10% described in regulation. Despite fishing for most of the past decade at an exploitation rate higher than the 10% maximum legal male harvest rate limit in the harvest strategy regulation, the crab stock has been stable or increasing, suggesting that the historical harvest rate above 10% has been sustainable. The revised stock assessment model will reduce the abundance estimate and amount of crab available for harvest under current regulation, because model parameters will be adjusted in an attempt to improve model accuracy.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with modification. It is expected that future RKC commercial harvest would be reduced without revision to the current harvest strategy, despite a stable or increasing crab biomass. While the intent of the proposal is to maintain harvest rates that have shown to be sustainable, the proposal, as written, could actually increase harvest rates that may or may not be sustainable. An alternative has been formulated by the department that would maintain the intent of Proposal 381, align with federal regulations, and better reflect harvest levels observed since 2000. A threshold biomass level of 1.5 million pounds of legal male RKC would be required for the summer commercial fishery to open. If legal male biomass is at least 1.5 million pounds, but less than 2 million pounds, the harvest rate is not to exceed 5% of legal male abundance. If legal male biomass is at least 2 million pounds and less than 2.5 million pounds, the harvest rate is not to exceed 10% of legal male abundance. If legal male biomass is at least 2.5 million pounds and less than 3.5 million

pounds, the harvest rate is not to exceed 15% of legal male abundance. If legal male biomass is 3.5 million pounds or more, the maximum harvest rate is 15% of legal male abundance.

Alternative Proposal	
Modeled Biomass	*Exploitation Rate*
<1.5 million lb	0
1.5–2 million lb	Up to 5%
2–2.5 million lb	Up to 10%
2.5–3.5 million lb*	Up to 15%

* Abundances above 3.5 million pounds would have a maximum harvest rate of 15%.

The department alternative is further described in Special Publication No. 12-02, *Norton Sound Red King Crab Harvest Strategy, 2011*, and would maintain recent harvest rates and be aligned with federal regulations limiting harvest rates to below 18%. Because the alternative is developed to maintain harvest levels and not to increase summer commercial harvest except for years of very high abundance, it is not expected to impact population sustainability, subsistence harvest, or winter commercial harvest opportunities.

This proposal is a *Federal Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs* (FMP) Category two guideline harvest level management measure.

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: PRINCE WILLIAM SOUND AND COOK INLET (16 PROPOSALS)

Prince William Sound Shrimp (10 proposals)

PROPOSALS 358, 359, 360, and 361 – 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.

PROPOSED BY: Joseph J. Hanes, Jeff Benkert, Wynn Gilbertson, and Mike Crawford, respectively.

WHAT WOULD THE PROPOSALS DO? These proposals would close the commercial shrimp pot season in Prince William Sound (PWS).

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide a commercial shrimp pot fishery with open-season dates of April 15 to September 15 as established by emergency order (EO) if the estimated total allowable harvest in the waters described in 5 AAC 31.210(a) is more than 110,000 pounds of spot shrimp. The guideline harvest level (GHL) for the commercial pot gear fishery in these waters is 40 percent of the total allowable harvest of spot shrimp for the area, while the GHL for the noncommercial (sport, personal use, and subsistence) pot gear fishery is 60 percent. Additionally, several conservative management elements are built into the commercial management plan, including:

1) Commercial fishing is rotated annually between three harvest areas described in 5 AAC 31.210(a).
2) The department determines, on an annual basis, the number of shrimp pots that may be operated from a vessel based on the total number of registered vessels, the estimated catch per unit effort, and the magnitude of the GHL.
3) Shrimp pot gear may only be deployed and retrieved between the hours of 8:00 a.m. and 4:00 p.m. unless modified by EO.
4) Each week, operators of shrimp pot vessels operating in PWS must contact the department and provide all pertinent harvest information.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? If the proposals were adopted, no commercial shrimp pot fishery in the PWS Area would occur.

BACKGROUND: Commercial shrimp landings from PWS date to 1960 when approximately 5,000 lb were harvested. Historically, 97% of the harvest has been spot shrimp and the fishery has been managed for this species. The shrimp pot fishery expanded rapidly during 1978 to 1982 as local markets were established and major harvest areas located. Despite reduced seasons, harvest and effort continued to increase, with harvest peaking in 1986 at approximately 291,000 lb and effort in 1987 at 86 vessels. By 1988, stock conservation problems were evident and resulted in partial area closures. Following a limited commercial fishery in 1991, the commercial fishery closed by EO due to low abundance. In March 2000, the Alaska Board of Fisheries (board) adopted a regulation closing the commercial shrimp pot fishery due to low stock abundance. The board also adopted new noncommercial fishery regulations. Season dates

were restricted from year-round to April 15 to September 15, gear was restricted from 10 pots per person to 5 pots per person, with a maximum of 5 pots per vessel, and a harvest record/permit was required.

The department began a standardized index survey for PWS spot shrimp in 1989. Survey catches declined through the early 1990s. Beginning in 1998, survey results demonstrated a slow, but steady, increase in abundance and biomass. Data from the department's 2011 survey showed a relative increase in both abundance and biomass of commercially harvestable spot shrimp (≥32 mm carapace length; Figure 358-1). While site-specific data indicate abundance and biomass are relatively stable over the entire survey area, the highest shrimp abundance and biomass in the 2011 survey (and in the history of the survey) occurred at two stations that have recently been open to commercial fishing (Unakwik site in 2010 and Golden site in 2011; Table 358-3).

In August 2009, new regulations were effective for PWS commercial shrimp pot fishery management. The commercial fishery reopened April 15, 2010 after an 18-year closure with a GHL of 55,000 pounds; the fishery closed by regulation on September 15, with a harvest total of 45,349 pounds, approximately 83% of the GHL. The 2011 pot shrimp season in PWS opened on April 15 with a GHL of 52,760 pounds; the fishery closed by EO on July 29, with a harvest total of 52,694 pounds, approximately 100% of the GHL (Table 358-1).

Noncommercial fisheries were monitored with a harvest permit from 2002 to 2005 and 2009 to 2011. Harvest by noncommercial users was 97% of the 57,900 lb allocated to the fisheries in 2009; 106% of the 82,200 lb allocated in 2010; and 75% of the 79,200 lb allocated in 2011 (Table 358-2).

PWS shrimp fisheries have been managed consistent with the management plan; harvest levels have been within the range of the overall GHLs and the department has not identified any conservation issues.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals.

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

Table 358-1.–Prince William Sound commercial pot shrimp fishery harvest, 2010–2011.

Year	Vessels	Commercial Shrimp Pounds					% GHL
		GHL	Spot	Coonstripe	Other	Total	
2010	75	55,000	45,076	263	10	45,349	83
2011	45	52,760	51,446	1,204	44	52,694	100

Table 358-2.–Prince William Sound noncommercial shrimp fisheries estimated participation and harvest from permit records 2002–2005 and 2009–2011.

Year	Number of Permits Issued	Noncommercial Shrimp		% GHL
		GHL	Harvest	
2002	717	n/a	9,288	n/a
2003	1,061	n/a	13,965	n/a
2004	1,649	n/a	25,694	n/a
2005	2,112	n/a	31,950	n/a
2009	2,733	57,900	56,120	97
2010	3,181	82,500	87,699	106
2011	3,309	79,200	59,182	75

Table 358-3.–Prince William Sound spot shrimp survey site specific estimated catch per unit effort (lb/pot) of spot shrimp carapace length 32mm and greater, 2000–2011.

Year	Unakwik	Golden	Culross	Herring Bay	Junction Island	Green Island	Chenega	Prince of Wales	Long's Bay
2000	0.30	0.46	0.47	0.31	0.16	0.27	0.91	0.24	
2001	0.99	1.72	0.57	0.24	0.24	0.31	0.63	0.43	
2002	0.53	2.30	0.96	0.54	0.33		0.69	0.33	
2003	0.40	2.51	0.77	0.49	0.18	0.47	1.11	0.37	
2004	2.10	2.02	0.38	0.48	0.09	0.21	1.05	0.33	
2005	1.22	1.19	0.54	0.39	0.13	0.26	1.07	0.15	
2006	2.44	1.55	0.81	0.19	0.12	0.30	0.84	0.45	
2007	2.78	1.54	0.72	0.34	0.36	0.29	1.56	0.91	
2008	2.77	1.40	0.61	0.69	0.12	0.22	2.27	0.62	
2009	3.70	2.39	1.02	0.87	0.32		2.27	0.59	0.62
2010	2.42	2.33	0.84	0.62	0.15		1.29	0.36	0.87
2011	5.73	3.93	0.67	0.71	0.04		1.23	0.17	1.07

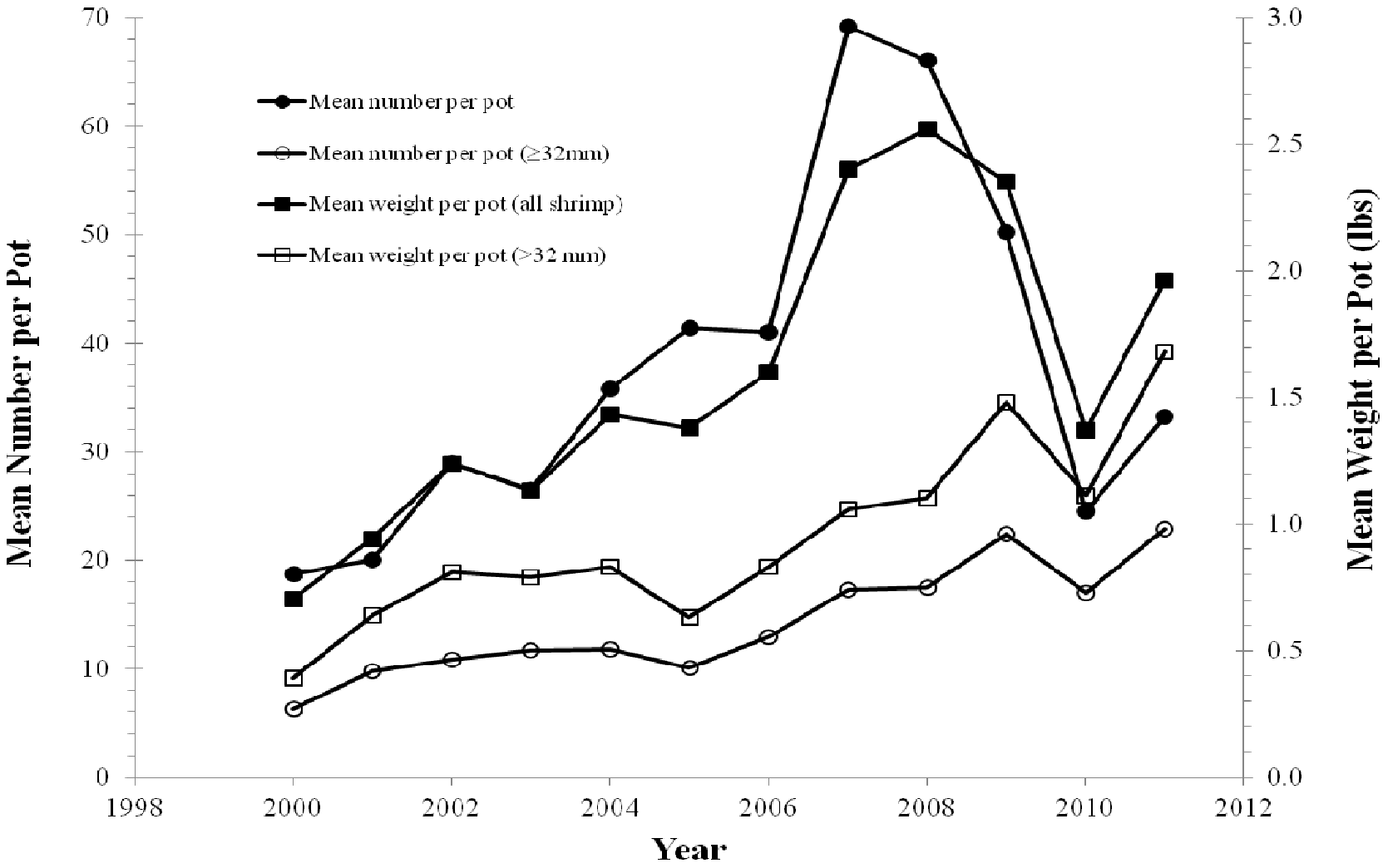


Figure 358-1.–Prince William Sound spot shrimp survey mean number and weight per pot of total shrimp and shrimp 32mm carapace length or greater during 2000–2011.

PROPOSAL 362 – 5 AAC 31.223. Lawful shrimp pot gear for Registration Area E.

PROPOSED BY: Whittier Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would remove the fishing-hours restriction for commercial shrimp pot gear, allowing the gear to be operated 24 hours per day.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit the period during which commercial shrimp pot gear may be deployed or retrieved to 8:00 a.m. to 4:00 p.m. and provide for this to be modified by emergency order (EO).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, shrimp pot gear could be operated 24 hours per day, potentially increasing the pace of the commercial pot shrimp fishery in the Prince William Sound (PWS) Area.

BACKGROUND: In August 2009, new regulations were effective for the commercial pot shrimp fishery in PWS and the fishery reopened in 2010 after an 18-year closure due to low abundance. Recognizing the need for conservative management of shrimp fisheries in the PWS Area, several conservative management strategies were built into the management plan, including that shrimp pot gear may only be deployed and retrieved between the hours of 8:00 a.m. and 4:00 p.m. unless modified by EO. This also allows for better enforcement of the fishery during daylight hours.

In 2010, when the pace of the fishery became evident, the department extended the hours of gear operation to between 8:00 a.m. and 8:00 p.m. during the second fishing period. Similarly, in 2011, during the latter part of the fishery, when effort had attenuated, the department opened the fishing season with extended hours of 8:00 a.m. to 8:00 p.m. and later extended the hours of gear operation to between 6:00 a.m. and 10:00 p.m. The ability to amend the hours of gear operation has proven a valuable tool in shrimp fishery management. In addition, the department believes that a longer "soak time" on gear allows escape from the pot of smaller unsalable shrimp.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Hours of gear operation is an important management and enforcement tool, common to numerous shellfish fisheries, that provides the department the ability to track the pace of a fishery. The department has demonstrated its willingness to amend hours of gear operation when it is apparent that management will not be jeopardized.

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 363 – 5 AAC 31.235. Closed waters in Registration Area E.

PROPOSED BY: Whittier Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would open commercial shrimping in waters of Port Nellie Juan that are currently closed.

WHAT ARE THE CURRENT REGULATIONS? Regulations close waters to commercial shrimping, including waters of Port Nellie Juan between a line from a point on the southeast side of Culross Island to Nellie Juan Light and a line at 148°20.00' W longitude connecting the northern and southern shores of Port Nellie Juan (Figure 363-1). These waters are open to noncommercial (sport, personal use, and subsistence) shrimping.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, the portion of Port Nellie Juan that is closed would be open to commercial fishing when Area 2 is opened. Harvest in this area would increase by an unknown amount. Because of the rotational harvest scheme for the commercial fishery, these waters would open to commercial harvest once every three years, with the next possible opening in 2014.

BACKGROUND: Regulations for Prince William Sound commercial shrimp pot fishery management were effective in August 2009 and the commercial pot shrimp fishery opened in 2010 for the first time since 1992. The plan considered input from all users and closed certain waters to commercial pot shrimping (Figure 363-1). Noncommercial harvest in Port Nellie Juan waters totaled 3,928 lb in 2009 and 7,016 lb in 2010, 7% and 8% of the total noncommercial harvest for those years, respectively. In 2011, Area 2 was open to commercial shrimping and the commercial harvest in Kings Bay, which is located at the head of Port Nellie Juan beyond the closed area, totaled 11,201 lb or 21.2% of the total commercial harvest.

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

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

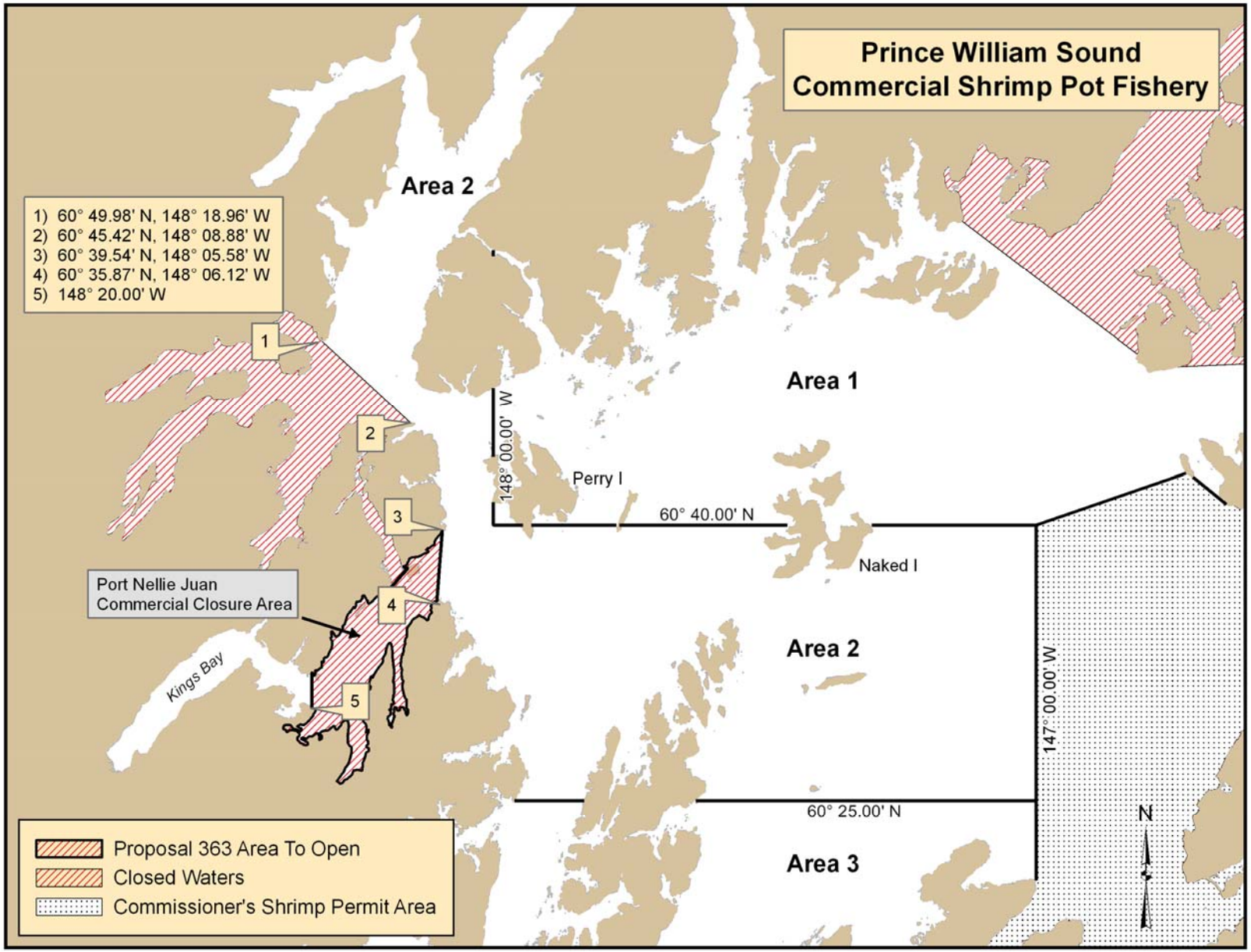


Figure 1.–Prince William Sound commercial shrimp pot fishing closure areas and Proposal 363 area to open.

PROPOSAL 364 – 5 AAC 31.226. Shrimp pot marking requirements for Registration Area E.

PROPOSED BY: Whittier Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would allow commercial shrimp pot gear longlined up to ten pots to be marked with only one buoy.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require that five or more shrimp pots deployed on a longline must have at least one buoy attached to each end of the longline.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, there may be an increase in lost pots, which would continue to "ghost fish," resulting in undocumented fishery removals.

BACKGROUND: The Prince William Sound (PWS) shrimp pot fishery reopened in 2010 after an 18-year closure due to low abundance. The management plan contains numerous gear specifications, including the requirement for a buoy on each end of a longlined pot string containing five or more pots. Buoying both ends of longlined pot gear is required for other fisheries, including shrimp pots in Southeast Alaska and sablefish pot gear in PWS.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Shrimp is a popular resource in PWS. Reducing unintended and undocumented mortality by minimizing the potential for lost gear is desirable.

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 365 – 5 AAC 31.2XX. Operation of other pot gear.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would preclude a person participating in, or a vessel validly registered for, the Prince William Sound (PWS) commercial shrimp pot fishery from simultaneously participating in subsistence, personal use, or sport fisheries for shrimp with pot gear.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow simultaneous participation in commercial and noncommercial (sport, personal use, and subsistence) fisheries. In addition, a commercial fisherman may retain product from his catch for personal use.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, there would be clear separation of commercial and noncommercial (sport, personal use, and subsistence) fisheries, resulting in more accurate shrimp harvest reporting and better management.

BACKGROUND: The commercial shrimp pot fishery in PWS reopened in 2010 after an 18-year closure due to low abundance. One element of the management approach has commercial fishing rotating annually between three harvest areas, resulting in adjacent areas open to commercial and noncommercial fishing. Currently, there is no clear regulatory guidance regarding legal participation in sport, personal use, and subsistence fisheries by participants in the commercial pot shrimp fishery. Having areas open and closed to commercial fishing immediately adjacent to one another increases the possibility for harvest misreporting. Clear separation of the commercial and noncommercial fisheries will benefit all participants.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Because commercially harvested shrimp may be retained for personal use, the opportunity exists for a commercial harvester to obtain shrimp for personal consumption.

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 366 – 5 AAC 31.020. Shrimp area registration; and 5 AAC 31.206. Area E registration.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the shrimp pot fishery registration from superexclusive to exclusive.

WHAT ARE THE CURRENT REGULATIONS? Currently, Registration Area E is a superexclusive registration area for vessels fishing for shrimp with pot gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, the registration would change from superexclusive to exclusive.

BACKGROUND: Prince William Sound (PWS) was designated a superexclusive registration area for the shrimp pot fishery, with the intent that the PWS pot shrimp fishery develop into a local fishery. The term "superexclusive", however, is not defined in shrimp regulations. Statewide regulations describe restrictions on vessels registered for exclusive registration areas (5 AAC 31.020(e)(1)). This definition of exclusive registration captures the board's intent when it adopted the superexclusive registration requirement for PWS.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Users will benefit from having definitions for terms used 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 367 – 5 AAC 02.210. Subsistence shrimp fishery; and 5 AAC 77.553. Personal use shrimp fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would insert reference to the noncommercial shrimp fishery management plan into subsistence and personal use regulations.

WHAT ARE THE CURRENT REGULATIONS? Management of the Prince William Sound (PWS) noncommercial (sport, subsistence, and personal use) shrimp fisheries is guided by the language in the *Prince William Sound Noncommercial Shrimp Fishery Management Plan* found in the PWS sport fisheries chapter (5 AAC 55.055). However, there is no reference to this regulation in PWS subsistence or personal use fisheries regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, users will be more easily able to access and therefore, understand, regulations governing the different fisheries.

BACKGROUND: In March 2009, the Alaska Board of Fisheries adopted the *Prince William Sound Noncommercial Shrimp Fishery Management Plan* (5 AAC 55.055), governing sport and other noncommercial shrimp fisheries in the PWS Area. Although these regulations also apply to the PWS personal use and subsistence fisheries, no reference to the new regulation was incorporated into the PWS subsistence or personal use fisheries regulations.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Users will benefit from having regulations that are consistently referenced for all noncommercial 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.

Prince William Sound Miscellaneous Shellfish (3 proposals)

PROPOSAL 368 – 5 AAC 38.2XX. Area E Octopus Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would establish an octopus management plan for Registration Area E that provides for bycatch retention of octopus with an annual guideline harvest level of 0–35,000 lb.

WHAT ARE THE CURRENT REGULATIONS? Commercial retention of octopus in Registration Area E is governed under 5 AAC 38.062, which provides only for directed harvest of octopus under the terms of a commissioner's permit. There are no regulations allowing octopus to be taken as commercial bycatch in Prince William Sound (PWS) without a commissioner's permit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, commercial fishermen with a valid Commercial Fisheries Entry Commission permit will benefit by being able to retain octopus bycatch for personal use or for sale. This may result in additional harvest.

BACKGROUND: There is no directed fishery for octopus in PWS. Octopus are typically taken as bycatch to longline and pot fisheries for groundfish and shellfish. Fish ticket records for PWS show an average total reported harvest of 3,105 lb between 1989 and 2011, with a maximum harvest of 5,798 lb in 1994. There is increasing interest in retaining octopus for both personal use and for sale as bait and food; 5 AAC 38.062 provides only for directed harvest of octopus under the terms of a commissioner's permit. However, most interest is in retention of octopus as incidental bycatch. Southeast Alaska and Cook Inlet areas both have management plans in place for octopus as a bycatch-only fishery, and vessel operators in the Westward Region may retain octopus bycatch up to 20 percent of the weight of the directed fish on board.

For PWS, a guideline harvest range of 0–35,000 pounds will provide an opportunity to retain incidentally-caught octopus and for the department to gather information on harvest and collect biological samples. In addition, the range provides the department flexibility to respond to rapid changes in harvest. When retention of octopus is prohibited, trapped octopus may be released without harm.

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 369 – 5 AAC 38.215. Guideline harvest levels for clams in Registration Area E.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would repeal the reference to razor clam guideline harvest levels.

WHAT ARE THE CURRENT REGULATIONS? The current regulation states "the guideline harvest level for the commercial and subsistence taking of razor clams from Kanak Island is 100,000 to 150,000 pounds."

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, misleading language would be removed from regulation. This would not affect the ongoing subsistence fishery. There has been no commercial razor clam harvest in the Prince William Sound (PWS) Area since 1994.

BACKGROUND: Although the PWS Area supported a robust commercial razor clam fishery from the early 1900s through the mid-1950s, and again briefly in the 1980s, there has been no commercial razor clam harvest in the PWS Area since 1994. Although ADF&G does not directly assess abundance of razor clams, harvest permit reports from noncommercial (subsistence, personal use, and sport) diggers indicate that razor clam abundance in the eastern Copper River Delta, Katalla, and Controller Bay areas remains very low. This information is also supported by the lack of interest from commercial diggers and the low number of noncommercial harvest permits issued in recent years. There are currently no areas within PWS that are certified for commercial clam harvest by the Alaska Department of Environmental Conservation.

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 370 – 5 AAC 38.206. Area E Registration.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The proposal would require a commissioner's permit for commercial harvest of clams in the Prince William Sound (PWS) Area.

WHAT ARE THE CURRENT REGULATIONS? The season for clams is open year-round.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, the commissioner's permit would provide the department additional tools beyond season and area to manage clam fisheries.

BACKGROUND: There has been no commercial harvest of hardshell clams in the PWS area since the 1970s, and no commercial razor clam harvest since 1994. Although current regulation has the season for clams open year-round, the department does not assess clam abundance and would likely close the season if interest in commercial clam harvests were to develop, pending development of a suitable 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.

Cook Inlet Miscellaneous Shellfish (1 proposal)

PROPOSAL 371 – 5 AAC 77.553. Personal use shrimp fishery.

PROPOSED BY: Seward Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The proposal would extend the eastern boundary of the Cook Inlet personal use shrimp fishery to Cape Fairfield.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 77.11 opens waters between Gore Point to Aialik Cape to personal use shrimping.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the proposal were adopted, additional waters would be open to personal use shrimping, increasing harvest by an unknown amount.

BACKGROUND: In 2006, the Alaska Board of Fisheries (board) reopened the personal use shrimp fishery on the outer Kenai Peninsula. Due to lack of stock assessment data, the board restricted the fishery to personal use, adopted a five-pot limit, and required a harvest reporting permit. Open waters for the fishery were Gore Point to Aialik Cape and closed waters were north of a line from Aialik Cape to Cape Resurrection (Figure 371-1). Permit data indicate that harvest and overall effort have remained relatively low (Table 371-1).

There are no data available to describe shrimp abundance east of Aialik Cape to Cape Fairfield. Shrimp habitat is likely limited by the exposure of this portion of the coast to the Gulf of Alaska.

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

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

Table 371-1.–Cook Inlet personal use shrimp fishery permits issued, returned, and the reported harvest, 2008–2011.

	Number of Permits			Shrimp Harvest	
Year	Issued	Returned	Fished	Gallons	Pounds
2008	123	123	79	31	74
2009	163	158	114	33	79
2010	162	151	113	120	287
2011	120	101	72	150	360

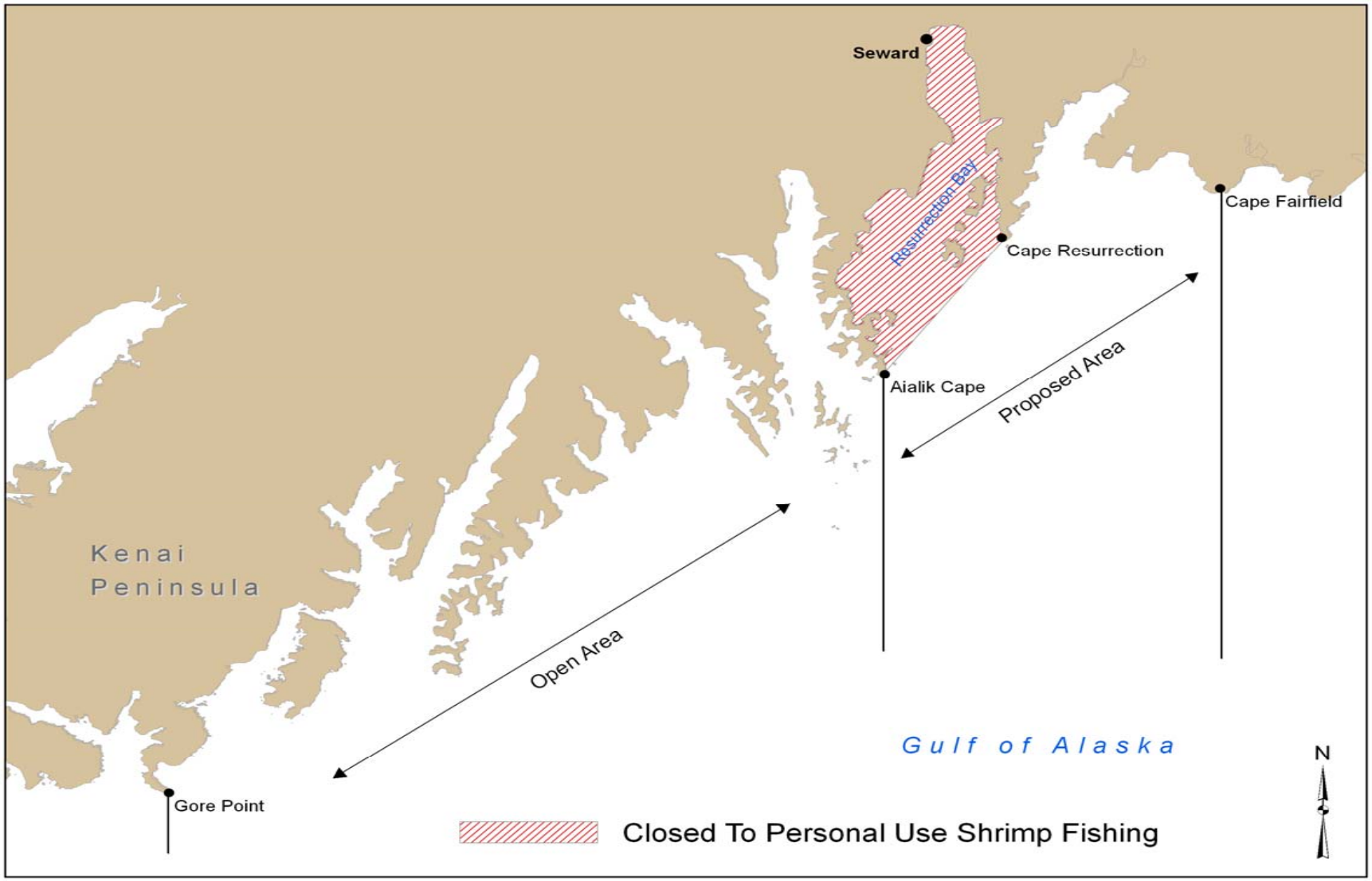


Figure 371-1.–Map showing current Cook Inlet personal use shrimping area and the proposed addition to that area.