

**ALASKA BOARD OF FISHERIES  
STATEWIDE DUNGENESS CRAB, SHRIMP, AND MISC. SHELLFISH  
MARCH 17-20, 2015**

**PROPOSAL 234 - 5 AAC 38.411. Fishing seasons for sea cucumbers in Registration Area**

**J.** Establish weather criteria to delay opening of commercial fishing periods for sea cucumbers in the Kodiak District of Registration Area J, as follows:

Opening of a weekly sea cucumber fishing period in all sections of the Kodiak Area will be delayed for 24-hours if the National Weather Service marine forecast for Area 138 (Shelikof Strait) and/or Area 132 (Marmot Island to Sitkinak) issued at 4:00 a.m. on the day before and the day of the scheduled opening date contains gale warnings. If after the initial delay, the 4:00 a.m. forecast for the current day plus the following day again contains a gale warning, the weekly fishing period opening will be delayed an additional 24-hours. Delays may continue on a rolling 24-hour basis until gale warnings are no forecasted for the day before and day of the scheduled opening.

**What is the issue you would like the board to address and why?** Establish criteria to delay opening of a weekly sea cucumber fishing period in the Kodiak Area based on poor weather. The Kodiak sea cucumber fishery occurs during October and November when poor weather and rough seas are common. During some years vessels are unable to safely reach the fishing grounds prior to opening of the weekly fishing periods due to poor weather. Additionally, water visibility is reduced for cucumber divers diving in rough seas. Delaying the start of weekly fishing periods based on the marine forecast will improve safety for all vessels and divers and ensure an equal opportunity for small vessels to participate in the fishery.

**PROPOSED BY:** Brian Vitt/Kadma (HQ-F14-002)

\*\*\*\*\*

**PROPOSAL 235 - 5 AAC 38.411. Fishing seasons for sea cucumbers in Registration Area**

**J.** Modify the Chignik District fishing season for sea cucumbers to open two weeks earlier than the remainder of Registration Area J, as follows:

In Registration Area J, a person may take sea cucumbers only from October 1 through April 30 and only under the authority of a permit issued by the commissioner; except in the Chignik Area where a person may take sea cucumbers only from the September 15 through April 30 and only under the authority of a permit issued by the commissioner.

**What is the issue you would like the board to address and why?** Provide more opportunity for sea cucumber harvest in the Chignik Area. There is no local processor in Chignik so all cucumbers must be delivered to Kodiak. An earlier start date may allow for cucumber fishing during a time of year with better weather and safer operation and transport.

**PROPOSED BY:** Brian Vitt/Kadma (HQ-F14-003)

\*\*\*\*\*

**PROPOSAL 236 - 5 AAC 32.410. Fishing seasons for Registration Area J.** Establish an earlier season closure for the Kodiak, Chignik, Alaska Peninsula, and Aleutian districts' commercial Dungeness crab fisheries, as follows:

5 AAC 32.410(a) is amended to read:

**5 AAC 32.410. Fishing seasons for Registration Area J.** (a) In the Kodiak, Chignik, Alaska Peninsula, and Aleutian Districts, male Dungeness crab may be taken or possessed from 12:00 noon May 1 until 11:59 p.m. **November 1** [DECEMBER 30], except that in the waters of the Kodiak District south of the latitude of Boot Point at 56° 49.98' N. lat., and east of longitude of Boot Point at 153° 46.10' W. long. and waters south of the latitude of Cape Ikolik at 57° 17.40' N. lat., and west of the longitude of Boot Point at 153° 46.10' W. long., male Dungeness crab may be taken or possessed only from 12:00 noon June 15 until 11:59 p.m. **November 1** [DECEMBER 30].

**What is the issue you would like the board to address and why?** In the Kodiak, Chignik, and Alaska Peninsula districts, less than five percent of the total annual Dungeness crab harvest occurs after November 1. Reports from the Alaska Wildlife Troopers and fishery stakeholders indicate Dungeness crab gear loss is higher in November and December due to winter storms compared to summer and fall months. Lost or unretrievable pots may increase Dungeness, Tanner and king crab mortality through ghost fishing and result in gear conflicts with other fisheries that occur after the Dungeness crab seasons close.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-106)  
\*\*\*\*\*

**PROPOSAL 237 - 5 AAC 02.466. Customary and traditional subsistence uses of shellfish stocks and amount necessary for subsistence uses.** Amend the customary and traditional (C&T) use finding for shellfish in the Kodiak Area by adding Tanner crab to the list of shellfish stocks customarily or traditionally taken for subsistence, as follows:

5 AAC 02.466(a) is amended to read:

(a) The Alaska Board of Fisheries (board) finds that the following shellfish stocks are customarily and traditionally taken or used for subsistence:

(1) king crab in the Kodiak Area, as described in 5 AAC 02.400, except for the Semidi Island Overlap, the North Mainland, and the South Mainland Sections, as described in 5 AAC 35.505(a);

(2) Dungeness crab and miscellaneous shellfish, on the south side of the Alaska Peninsula between Kilokak Rocks 156° 19' W. long. and Cape Kumlik 157° 27' W. long.;

**(3) Tanner crab in the Kodiak Area, as described in 5 AAC 02.400, except for the Semidi Island Overlap, the North Mainland, and the South Mainland Sections, as described in 5 AAC 35.505(a).**

**What is the issue you would like the board to address and why?** In 5 AAC 02.466 there is no C&T finding for Tanner crab although there is a subsistence Tanner crab fishery provided under

5 AAC 02.425. Tanner crab were included in the original customary and traditional use worksheet presented to the Alaska Board of Fisheries; however, Tanner crab were not on the agenda at that meeting so no finding was made at that time. This proposal would add a C&T finding for Tanner crab to 5 AAC 02.466.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-108)  
\*\*\*\*\*

**PROPOSAL 238 - 5 AAC 38.425. Closed waters for scallops in Registration Area J.** Amend scallop closed waters description, as follows:

5 AAC 38.425(3) is amended to read:

**5 AAC 38.425. Closed waters for scallops in Registration Area J.**

(3) all waters enclosed by a line from Cape Chiniak at 57° 37.20' N. lat., 152° 09.37' W. long. to a point offshore at 57° 38.00' N. lat., 152° 09.00' W. long., continuing to a point offshore at 57° 38.00' N. lat., 151° 47.00' W. long., continuing to Cape St. Hermogenes on Marmot Island at 58° 15.00' N. lat., 151° 47.00' W. long., and a line from Marmot Cape at 58° 10.00' N. lat., 151° 52.00' W. long., to Pillar Cape on Afognak Island at 58° 08.90' N. lat., 152° 06.77' W. long., and a line from Inner Point on Kodiak Island to Afognak Point at 152° 47.75' W. long.;

**What is the issue you would like the board to address and why?** During the March 2012 Alaska Board of Fisheries (board) meeting the board adopted a proposal submitted by the Alaska Department of Fish and Game (department) to update and standardize scallop closed waters boundary descriptions in the Kodiak Area. At that time, the closed-waters boundary line from Cape Chiniak to Marmot Island was inadvertently modified reversing a longstanding bottom trawl and dredge gear closure area. Prior to the start of the 2013 and 2014 scallop fisheries, the department used emergency order authority to close this area to scallop dredging consistent with the pre-2012 regulation. This proposal would correct this error in regulation.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-107)  
\*\*\*\*\*

**PROPOSAL 239 - 5 AAC 32.052. Dungeness crab pot gear storage requirements.** Remove Registration Area A from the 72-hour Dungeness crab pot storage limitation requirement, as follows:

5 AAC 32.052(b)(2)(A) any portion of Registration Areas D and H; or  
Eliminate area A from this clause.

**What is the issue you would like the board to address and why?** Current regulation does not allow enough time for removal of stored pots following the closure of most of the waters of area A. As written, all pots must be removed from the water within 72 hours of the closure during the

darkest and stormiest part of the year. By contrast seven days are allowed following the closure in August and the closure in February.

**PROPOSED BY:** Peter Roddy

(EF-C14-119)

\*\*\*\*\*

**PROPOSAL 240 - 5 AAC 77.518. Personal use clam fishery.** Reduce the personal use bag and possession limits for razor clams in eastern Cook Inlet, as follows:

I recommend limiting the daily harvest limit in eastern Cook Inlet, from the mouth of the Kenai River to the southernmost tip of the Homer Spit to 15 clams per day, and 15 clams in possession. The new regulation would read:

**“In the personal use taking of clams, there are no bag, possession, or size limits for clams, except that from the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first 15 clams harvested and the possession limit is 15 clams.”**

**What is the issue you would like the board to address and why?** I would like the board to address the current Pacific razor clam harvest limit listed in 5 AAC 77.518(2)(A).

The regulation cited above reads, “In the personal use taking of clams, there are no bag, possession, or size limits for clams, except that from the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first 60 clams harvested and the possession limit is 120 clams.

On May 28, 2013, the Alaska Department of Fish and Game (ADF&G) issued Emergency Order (EO) 2-RCL-7-13-13, which reduced the razor clam harvest limit to 25 clams per day, and 25 clams in possession from the mouth of the Kenai River to the southernmost tip of the Homer Spit. This EO expired on December 31, 2013. On March 11, 2014, the ADF&G issued EO 2-RCL-7-10-14, which closes Ninilchik Beach areas to the taking of clams from the north bank of Deep Creek north to a marker located approximately 3.2 miles north of the Ninilchik River. Additionally, the bag and possession limit for razor clams was again reduced to the first 25 razor clams harvested for the remaining eastside Cook Inlet beaches extending from the mouth of the Kenai River to the southernmost tip of the Homer Spit.

ADF&G staff has cited poor recruitment, low abundance, and few age classes at Ninilchik as motivating factors behind the EOs. ADF&G publications indicate that abundance at Ninilchik Beach was the lowest on record in 2013. The declining population at Ninilchik Beach cannot sustain the harvest rate currently cited in 5 AAC 77.518(2)(A), and will not be able to sustain it any time in the near future, especially if the ADF&G continues to observe a trend of low recruitment. The department’s own publication, “Recreational Fisheries in the Lower Cook Inlet Management Area, 2011–2013, with updates for 2010” states “Significant annual recruitment needs to occur for several years for the abundance to rebound at Ninilchik Area beaches.”

Historically, most razor clam harvest has occurred at Ninilchik Beach. Recreational diggers will move to other beaches in the region, which may not be able to sustain the harvest pressure. Reducing the razor clam harvest limit in the Alaska Administrative Code will help to protect and preserve declining razor clam populations in eastern Cook Inlet.

**PROPOSED BY:** Ivan Z. Encelewski (EF-C14-107)  
\*\*\*\*\*

**PROPOSAL 241 - 5 AAC 77.518. Personal use clam fishery.** Reduce the personal use bag and possession limits for razor clams in eastern Cook Inlet, as follows:

5 AAC 77.518

- (2) there are no bag, possession, or size limits of clams, except that
  - (A) from the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first **25** [60] clams **dug** [harvested] and the possession limit is **25 razor** [120] clams.

**What is the issue you would like the board to address and why?** Reduce the personal use harvest and possession limits on razor clams because populations of humans and sea otters are increasing and the razor clam populations cannot support the liberal bag limit.

**PROPOSED BY:** Homer Fish and Game Advisory Committee (EF-C14-152)  
\*\*\*\*\*

**PROPOSAL 242 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for Cook Inlet-Resurrection Bay Saltwater Area.** Reduce the sport bag and possession limits for razor clams in eastern Cook Inlet, as follows:

5 AAC 58.022(a)

- (14) razor clams: may be taken from January 1-December 31 as follows:
  - (A) from the mouth of the Kenai River to the southernmost tip of the Homer Spit: the bag limit is the first **25 razor** [60] clams **dug** [harvested]; the possession limit is **25 razor** [120] clams.

**What is the issue you would like the board to address and why?** Reduce the harvest and possession limits of razor clams because populations of humans and sea otters are increasing and the razor clam populations cannot support the liberal bag limit.

**PROPOSED BY:** Homer Fish and Game Advisory Committee (EF-C14-151)  
\*\*\*\*\*

**PROPOSAL 243 - 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.** Close east Cook Inlet beaches to all razor clam harvest, as follows:

Close East Side beaches to all razor clam harvest until such time as the resource recovers.

**What is the issue you would like the board to address and why?** East Side beaches in Cook Inlet have a lack of razor clams due to over harvest.

**PROPOSED BY:** Jim St. Peter (HQ-F14-001)

\*\*\*\*\*

**PROPOSAL 244 - 5 AAC 77.518. Personal use clam fishery.** Establish personal use bag and possession limits for razor clams in West Cook Inlet, as follows:

I recommend implementing a baseline harvest limit of 60 clams per day and 120 clams in possession for West Cook Inlet. I also recommend that the Alaska Department of Fish and Game implement regular monitoring of this population.

The new regulation would read:

5 AAC 77.518 In the personal use taking of clams,

.....

(2) there are no bag, possession, or size limits for clams, except that

.....

(D) in West Cook Inlet [describe specific area] the bag limit for razor clams is the first 60 clams harvested and the possession limit is 120 clams.”

**What is the issue you would like the board to address and why?** With regards to razor clam harvesting in West Cook Inlet, I would like the board to address the current regulation 5 AAC 77.518(2).

The regulation cited above reads, “In the personal use taking of clams, there are no bag, possession, or size limits for clams”.

There are currently no harvest limits in West Cook Inlet. This area has become very popular for recreational razor clam digging, as more people are accessing the area by private/chartered boat/plane than in the past. Reduced harvest limits and an emergency order closing Ninilchik Beach in East Cook Inlet may result in even more harvest in West Cook Inlet.

The ADF&G does not currently conduct regular monitoring of the West Cook Inlet razor clam population. Comprehensive data are lacking for growth, abundance, and fecundity. There is not enough information available to determine whether the West Cook Inlet razor clam population can sustain unlimited harvest.

Implementing a harvest limit for razor clams in West Cook Inlet will help to protect and preserve this highly exploited, unstudied population.

**PROPOSED BY:** Ivan Z. Encelewski (EF-C14-126)  
\*\*\*\*\*

**PROPOSAL 245 - 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan.** Change harvest allocation guidelines under the Prince William Sound noncommercial shrimp fishery management plan, as follows:

Revisit the *Spot Shrimp Management Plan*. The plan called for a sport fish allocation of 60% to commercial harvest of 40% after subsistence was taken from the surplus harvest amount.

**What is the issue you would like the board to address and why?** Return the allocation to the sport fishery for spot shrimp in Prince William Sound. Three years ago the Board of Fisheries was misled about the intentions of the proposal which took the allocation away from sport fish. There was no public input to this. There was not a proposal that spoke to taking away an allocation and making a guideline harvest level. The fishery should be on the conservative side of management based on the fact of the failure of the Alaska Department of Fish and Game to manage sustainable shellfish fisheries in Southcentral Alaska.

**PROPOSED BY:** Mike Crawford (HQ-F14-048)  
\*\*\*\*\*

**PROPOSAL 246 - 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan.** Change harvest strategies under the Prince William Sound noncommercial shrimp fishery management plan, as follows:

The Alaska Department of Fish and Game shall determine harvest strategies so that sport fishers shall harvest 60% of spot shrimp harvest.

**What is the issue you would like the board to address and why?** Restore sport allocation and tools to achieve allocation in spot shrimp fishery in Prince William Sound. The Board of Fisheries (board) removed the allocation in the last meeting changing it to a guideline harvest level (GHL) using a proposal that was directed toward closing the commercial fishery. This violated board protocol and should be fixed.

**PROPOSED BY:** Joe Hanes (HQ-F14-044)  
\*\*\*\*\*

**PROPOSAL 247 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area; 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan; and 5 AAC 77.553. Personal use shrimp fishery.** Modify pot limits per person and household, and increase the pot limit from five to 10 shrimp pots per vessel, as follows:

People would save money in gas, and the activity would be considerably safer if we were allowed to take another person with pots to check both households pots on one boat during the same trip out.

Also, a change from 'person' to 'household' would prevent people from abusing the five pot limit by getting five pots for additional family members.

Therefore, I would recommend changing the regulation from 'five pots per person, to five pots per household'. I would also recommend the change from max. five pots per vessel, to max. ten pots per vessel'.

New language:

"Five shrimp pots per household, with a maximum of ten pots per vessel may be used."

**What is the issue you would like the board to address and why?** Currently in Prince William Sound you are allowed 'five shrimp pots per person, maximum five per vessel'. Gas prices have increased over the years and it costs a lot more money to take your boat out to check your family's shrimp pots. Also, during times of strong currents and higher winds it is dangerous to check your pots by yourself.

Currently in the southeast you are allowed 'Five shrimp pots per person with a maximum of ten pots per vessel'.

**PROPOSED BY:** Daniel Mott

(EF-C14-154)

\*\*\*\*\*

**PROPOSAL 248 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area; 5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan; and 5 AAC 77.553. Personal use shrimp fishery.** Modify reporting requirements for sport and personal use shrimp fishing in the Prince William Sound Area, including monthly reporting, as follows:

Sport and personal use shellfish fisheries in Prince William Sound shall be required to record and log catch results immediately upon harvest, while on the fishing grounds, on a department issued permit and harvest record. In addition, and until the harvest record (permit) is returned to the Alaska Department of Fish and Game (ADF&G) at the end of the season by existing regulation, monthly reporting of effort and catch results by statistical area will be submitted to ADF&G for resource management by the permit holder; due by the 1st of each month while a permit is in possession. Timely reporting would allow sound management decisions to be made in season, if necessary, for the health of this fisheries resource.

Proposed administrative code would take the form of the following:

5 AAC 55.055 Prince William Sound noncommercial shrimp fishery management plan

(a)

...

(2) a harvest recording form is required as specified in 5 AAC 75.016;

**(A) the department shall collect from this record, at a minimum, the harvest date, catch weight, number of pots pulled, and statistical area.**

5 AAC 55.022 General provisions for seasons, bag, possession, and size limits, and methods and means for Prince William Sound Area

(b)

...

(5)

(D) only under a permit issued by the department; a harvest recording form under 5 AAC 75.016 is required;

**(i) shall be in possession of the permit holder while engaged in harvesting shrimp;**

**(ii) shall be used to immediately upon harvest, record all required catch information;**

**(iii) and while a sport or personal use permit is issued, and has not yet been returned to the department, permit harvest information shall be reported to the department monthly, by online or other methods as determined by the department, no later than the 1st of each month during open fishing periods.**

**What is the issue you would like the board to address and why?** There is currently no reporting required of sport and personal use shrimp fishers in Prince William Sound. Because of this, it is impossible to ensure harvest remains within stated management Guideline Harvest Level (GHL) allocations.

Sport and personal use fishers comprise 60% of the shrimp total allowable harvest for this region; however, reporting how much is harvested is not required. There has been continued growing interest and participation in this fishery by recreational participants, which places increasing pressure on the fishery. The lack of timely and actual catch data can only lead to the speculation of harvest levels or reliance on the inaccurate and incomplete statewide sport fish creel survey, which is not available until long after the season closes by regulation. Harvest reporting by all user groups is essential for the sustainable management of this fishery.

**PROPOSED BY:** Brett Wilbanks

(EF-C14-130)

\*\*\*\*\*

**PROPOSAL 249 - 5 AAC 02.210. Subsistence shrimp fishery.** Create a subsistence permit for shrimp in the Prince William Sound management area.

Make available a subsistence permit to Alaska residents. Review the *Spot Shrimp Management Plan*. All Alaskans should be able to harvest under the state subsistence regulations.

**What is the issue you would like the board to address and why?** The *Spot Shrimp Management Plan* talks about a subsistence allocation. This is to be taken out before other allocation issues are decided. There is no subsistence permit offered. How does the Alaska Department of Fish and Game figure out the subsistence part of the allocation? Just a guess?

**PROPOSED BY:** Wynn Gilbertson (HQ-F14-046)  
\*\*\*\*\*

**PROPOSAL 250 - 5 AAC 31.206. Area E registration.** Clarify that a person may only register one vessel each season for the Registration Area E shrimp pot fishery, as follows:

5 AAC 31.206 is amended by adding a new subsection to read:

**(c) A person may register only one vessel to participate in the Registration Area E shrimp pot fishery.**

**What is the issue you would like the board to address and why?** A principal component of the management plan for the Prince William Sound Area E commercial shrimp pot fishery is a vessel pot limit. Registration for this fishery needs to be clearly limited to one vessel per person in order to prevent one person from operating more than one limit of gear. Clarification of this will aid managers, law enforcement, and participants.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-102)  
\*\*\*\*\*

**PROPOSAL 251 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.** Amend the boundary between shrimp pot fishing areas in Registration Area E, as follows:

5 AAC 31.210(a) is amended to read:

(a) In the waters of the Inside District west of a line from Middle Point at 60° 20.00' N. lat., 147° W. long., north to a point at 60° 40.00' N. lat., 147° W. long., then northeast to the Coast Guard marker light on Goose Island at 60° 42.78' N. lat., 146° 43.63' W. long., to a point on Knowles head at 60° 41.00' N. lat., 146° 37.50' W. long., shrimp may be taken from April 15 through September 15, as established by emergency order. Fishing in this area will be rotated on a tri-annual basis between the following waters:

- (1) the waters north of 60° 40.00' N. lat. [,] and east of 148° W. long.;
- (2) the waters south of those waters described in (1) of this section and north **and west of a line from 60° 30.00' N. lat., 147° 57.70' W. long to 147° W. long.** [OF 60° 25.00' N. LAT.]
- (3) the waters south of **60° 30.00' N. lat.** [60° 25.00' N. LAT.]

**What is the issue you would like the board to address and why?** The current boundary line between Area 2 ((5 AAC 31.210(a)(2)) and Area 3 (5 AAC 31.210(a)(3)) splits three statistical areas. Moving it north will align the boundary with statistical area boundaries. This will result is a small loss of area to Area 2 and a concurrent gain of area to Area 3. In 2012, the Alaska Board of Fisheries opened additional waters in Area 2 to commercial shrimp pot fishing; the loss of the area proposed will not significantly impact the fishery when it occurs in Area 2.

Conversely, Area 3 has a relatively low abundance of shrimp, and the additional area proposed should positively impact the fishery, when it occurs in Area 3.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-103)

\*\*\*\*\*

**PROPOSAL 252 - 5 AAC 31.235. Closed waters in Registration Area E.** Add additional waters closed to the taking of shrimp with trawl gear and correct coordinates within the closed waters section, as follows:

5 AAC 31.235(a) is amended to read:

- (a) The following waters are closed to the taking of shrimp with trawl gear:
  - (1) waters enclosed by a line from Point Whitshed to Point Bentinck, a line from Cape Hinchinbrook Light to Seal Rocks Light to Zaikof Point **at 60° 18.48' N. lat., 146° 55.10' W. long.** [(60° 19.00' N. LAT., 146° 55.00' W. LONG.)], and by a line from a point at 60° 11.00' N. lat., 147° 20.00' W. long. on the northwest side of Montague Island, north to a point at 60° 30.00' N. lat., 147° 20.00' W. long., then east to a point at 60° 30.00' N. lat., 147° 00.00' W. long., then northeast to Knowles Head (60° 41.00' N. lat., 146° 37.50' W. long.);

...

- (3) waters of Port Gravina north of a line from Gravina Point at 60° 37.37' N. lat., 147° 15.22' W. long. to Red Head at 60° 40.25' N. lat., 147° 30.22' W. long.;**
- (4) waters of Port Valdez north of 61° 01.00' N. lat.**

**What is the issue you would like the board to address and why?** Port Gravina and Port Valdez are both important Tanner crab habitat. In order to protect the Tanner crab population, these waters should be closed to the taking of shrimp with trawl gear. In addition, precisely defining the coordinates of geographical points is important and has become more common in the regulations. Coordinates that define Zaikof Point in this regulation do not match those in

5 AAC 28.263, which were updated at the December 2011 Alaska Board of Fisheries meeting. Accuracy and consistency within regulations will benefit fishery managers, participants, and enforcement.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-104)  
\*\*\*\*\*

**PROPOSAL 253 - 5 AAC 31.206. Area E registration; and 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.** Change Registration Area E shrimp pot commercial fishery designation from exclusive to superexclusive area and season closing date from September 15 to August 1, as follows:

If there must be a commercial harvest then more restrictive dates need to be implemented. A later opening such as June 15 with a smaller allocation to leave room for miscalculations of subsistence harvest and misrepresentations of population estimates. Return the superexclusive language to the commercial permit. No vessel should be able to participate in this fishery and any other commercial fishery in the state. Close this fishery no later than August 1.

**What is the issue you would like the board to address and why?** Restrict commercial spot shrimp harvest. Questionable information on populations. This should not be open to commercial fishing. Sport and commercial gear types are not compatible. Bycatch or the slow escapement of undersize shrimp out of a large number of commercial pots has not been accounted for. There is still egg bearing shrimp in the early commercial fishery. History shows that this cannot withstand the pressure of the commercial fishery.

**PROPOSED BY:** Mike Crawford (HQ-F14-049)  
\*\*\*\*\*

**PROPOSAL 254 - 5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E.** Increase the current 25 percent statistical area harvest cap or restriction to 50 percent of the total commercial guideline harvest level (GHL), as follows:

We propose that the Alaska Department of Fish and Game (ADF&G) statistical area cap be changed from 25% to 50% of the guideline harvest level (GHL).

**What is the issue you would like the board to address and why?** There is currently a 25% cap of the commercial GHL which can be caught in any one ADF&G statistical areas. This is regardless of shrimp habitat and populations. Many of the ADF&G statistical areas have little to no shrimp habitat and populations, and the most productive ADF&G statistical areas have shown that they can produce a sustainable catch much greater than the 25% cap allows. This 25% cap has made it so that the commercial fleet cannot utilize their allotted GHL because once forced out of areas that have a lot of good shrimp habitat and therefore populations, they cannot find enough shrimp to keep catching the GHL.

This still allows a very conservative regulatory measure to be on the books, and is more consistent with how shrimp are caught mainly in a very few highly productive habitat rich

ADF&G statistical areas in the non-commercial fishery year after year, and it will allow the commercial fishers to fully utilize a sustainable resource.

**PROPOSED BY:** Whittier Fish and Game Advisory Committee (EF-C14-141)  
\*\*\*\*\*

**PROPOSAL 255 - 5 AAC 31.226. Shrimp pot marking requirements for Registration Area**

**E.** Increase the minimum number of commercial shrimp pots, or require a distance greater than 300 feet between first and last pot, before a buoy must be placed on each end of the longline in Registration Area E, as follows:

31.226

...

(c) Shrimp pots deployed on a longline, including six [FIVE] or more pots or with a distance greater than 300 feet between the first and last pot, must have a buoy attached to each end of the longline...

**What is the issue you would like the board to address and why?** Current regulation limits the number of shrimp pots fished on one string to four with a buoy and line to the surface on one end. When five or more pots are fished on a string, current regulation requires a second line and buoy attached to the other end. In practice the vast majority of gear in Prince William Sound is fished in four pot strings. I would like the board to consider increasing the legal limit of pots fished with one line and buoy, from four pots to five.

Fishing five pots per string is often desirable to better anchor your string to reduce gear loss and also to reduce the amount of line and buoys required to deploy your legal compliment of gear, which in a fishery designed and intended for small boats is an issue worthy of consideration. Furthermore, ADF&G always sets the pot limit as a multiple of five which in the very common case of 30 or 50 pots forces you to fish an entire extra string of gear for two pots. Requiring a second line and buoy on a long string of gear makes sense, but not for a string of five pots.

Past arguments against this concept have claimed the second buoy is needed to help see where the gear is set and avoid gear conflicts. However in areas of concentrated effort, the second buoy can easily be confused as a separate string if gear, so the desired goal is not accomplished. Instead of requiring a second buoy when fishing five pots, establishing a maximum distance between the first pot and the last pot on a string of five or less pots would better accomplish the effort to reduce conflict and allow the individual fishermen the advantages listed above. A limitation of 300 feet in string length would insure that any actually longlines would still have two buoys to mark their location and assist in recovery in case of a broken line, as these concerns are legitimate in an actual longline context. Three hundred feet allows for five pots 75 feet apart or for four pots 100 feet apart, but is still approximately half the length of the associated buoy line. This is more than sufficient marking for separation purposes. If the board feels that the length restriction is unnecessary the length restriction could be dropped, and just up the string limit from four to five.

It is important to realize that adding one pot to a string is for most fishermen an increase of 50-80 feet of stringer line in the water, whereas an extra buoy line is an additional 500-700 feet of line depending on depth. It is fairly clear which is a higher risk for entanglement with other gear. In fact, it is likely that an increase from four to five pots on a string and the resulting 20% decrease in buoys and buoy line would actually result in a significant reduction in tangles and gear conflict between boats in the commercial fishery as well as recreational fishermen. Furthermore, the 20% reduction in line would be a significant reduction in both line required and would increase efficiency in actual gear operation a similar amount. The significant benefits of an increase in string limit from four to five pots appear to be offset by virtually no negatives and merits consideration.

**PROPOSED BY:** Joseph Person (EF-C14-125)  
\*\*\*\*\*

**PROPOSAL 256 - 5 AAC 31.226. Shrimp pot marking requirements for Registration Area E.** Increase the minimum number of commercial shrimp pots before a buoy must be placed on each end of the longline in Registration Area E, as follows:

Change regulation to: Shrimp pots deployed on a longline with six [FIVE] or more pots must have a buoy attached to both ends of the longline.

**What is the issue you would like the board to address and why?** Existing commercial shrimp regulations read: Shrimp pots deployed on a long line with five or more pots must have a buoy attached to both sides of the longline. I am asking for that number to be increased to six. Being able to fish a string of five pots with one buoy would reduce the amount of rope and related gear necessary to conduct this fishery. This is intended to be a small boat fishery, making this adjustment would be in line with that intent. In addition, the Alaska Department of Fish and Game always issues pot limits in multiples of five this would be in line with those decisions.

**PROPOSED BY:** Richard Person (EF-C14-143)  
\*\*\*\*\*

**PROPOSAL 257 - 5 AAC 31.245. Reporting requirements for Registration Area E.** Amend the reporting requirements for the commercial shrimp pot fishery in Registration Area E, as follows:

(a) .....

(b) [THE OPERATOR OF A CATCHER-SELLER VESSEL OR A CATCHER-PROCESSOR VESSEL USED TO TAKE SHRIMP IN REGISTRATION AREA E SHALL COMPLETE AN ADF&G FISH TICKET BEFORE ANY SHRIMP ARE REMOVED FROM THE VESSEL.] Before landing shrimp, the operator of a shrimp pot [CATCHER-SELLER VESSEL OR CATCHER-PROCESSOR] vessel operating in Registration Area E shall contact the Cordova office at a telephone number provided by the department at the time of registration and provide the following information:

- (1) the CFEC permit holder's name;
- (2) the name of the vessel and the ADF&G number of the registered vessel;

- (3) the following information for each ADF&G fish ticket that pertains to that trip:
- (A) the preprinted fish ticket number, **when available**;
  - (B) the date of landing;
  - (C) the statistical areas fished;
  - (D) the number of pot lifts in each statistical area;
  - (E) the round weight of all shrimp taken by species and statistical area.

(c) Each **trip** [week], the operator of a shrimp pot vessel operating in Registration Area E shall contact, by telephone, the local area office in Cordova **no earlier than 24 hours before fishing** [BEFORE 12:00 NOON WEDNESDAY] at a telephone number provided by the department at the time of registration and provide the following information:

- (1) the CFEC permit holder's name;
- (2) the name of the vessel and the ADF&G license number of the registered vessel;
- (3) the following information for each [ADF&G FISH TICKET THAT PERTAINS TO THAT] trip:
  - (A) the number of **pots intended to be operated from the vessel** [POT LIFTS IN EACH STATISTICAL AREA];
  - (B) the [ROUND WEIGHT OF ALL SHRIMP TAKEN BY SPECIES AND] statistical area **the vessel is intending to fish; and**
  - (C) the intended length of trip.**

**(d) The operator of a catcher-seller vessel or a catcher-processor vessel used to take shrimp in Registration Area E shall complete an ADF&G fish ticket before any shrimp are removed from the vessel.**

**(e) The commissioner may require additional reporting during periods of high effort.**

**What is the issue you would like the board to address and why?** The current reporting requirements specify a Wednesday call-in (5 AAC 31.245(c)) which does not meet the management needs of this fishery: it provides incomplete and not always relevant information. In addition, it is often difficult for participants to comply with. Eliminating the Wednesday call-in requirement and requiring all vessels to contact the Alaska Department of Fish and Game (department) prior to fishing will allow accurate estimation of effort and potential catch rates; this will assist the department in making timely management decisions and reduce the reporting burden on participants.

The current reporting requirements also specify that catcher-sellers and catcher-processors call in a landing report to the department upon landing. Some vessels operate as both catcher-sellers and catchers only, occasionally during the same trip; this leads to confusing and incomplete reporting. Requiring all vessel operators to call in a landing report will simplify the regulation and facilitate accurate accounting of harvest and effort.

Adding additional reporting requirements, if necessary, will ensure flexibility within the management plan to address periods of potential high effort.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F14-105)  
\*\*\*\*\*

**PROPOSAL 258 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**  
Close the commercial shrimp pot fishery in Prince William Sound, as follows:

Close the commercial fishery. Open only to state subsistence fishery. At the very least close the commercial fishery, and give a state subsistence priority to this fishery.

**What is the issue you would like the board to address and why?** Prince William Sound (PWS) spot shrimp. This is not a viable fishery in its current state. The Alaska Department of Fish and Game (ADF&G) is making guesses on population estimates. When we see a dramatic decline it will be too late. When did Kachamak close to sport shrimping? How long does it take for PWS to recover from the last time of overharvest by commercial fisheries? Explain the lack of shrimp in Area 3. The board was told that there were plenty of shrimp there. The ADF&G has no successes in shellfish management in Southcentral Alaska. Be conservative to the management of this fishery. This fishery is a family event to provide for Alaska families. Revisit the management plan.

**PROPOSED BY:** Michael Crawford (HQ-F14-047)  
\*\*\*\*\*

**PROPOSAL 259 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**  
Close the commercial shrimp pot fishery in Prince William Sound, as follows:

Close all commercial spot shrimp fisheries in Prince William Sound

**What is the issue you would like the board to address and why?** Close all commercial spot shrimp in Prince William Sound (PWS). If current catch reports are accurate every commercial fisher in PWS is losing money. Why are we giving our resources away? Conflict continues between commercial and sport users. Catch per unit effort continues to fall in non-commercial zones due to the fact that more sport fishers are crowded into non-commercial zones to avoid conflict.

**PROPOSED BY:** Jeff Benkert (HQ-F14-043)  
\*\*\*\*\*

**PROPOSAL 260 - 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.**  
Close the commercial shrimp pot fishery in Prince William Sound, as follows:

Close the commercial spot shrimp fishery in Prince William Sound (PWS).

**What is the issue you would like the board to address and why?** Mismanagement of the fragile spot shrimp in PWS. There is history of overharvest by commercial fisheries for spot shrimp in PWS. The Alaska Department of Fish and Game (ADF&G) has a terrible record for management of shellfish in Southcentral Alaska. This has been a mistake from the beginning. The fishery was fully allocated before the commercial harvest was started. ADF&G told the Board of Fish that they had this in control. Look to the closure of Area 3 to show that they have no idea what is going on with shrimp. The method of counting shrimp has to be suspect. Please do not crash this fishery again. This has been a fun family fishery.

**PROPOSED BY:** Wynn Gilbertson (HQ-F14-045)  
\*\*\*\*\*

**PROPOSAL 261 - 5 AAC 41.070. Prohibitions on importation and release of live fish.**  
Modify prohibitions on importation and release of live fish to specifically address amphibians in Alaska, as follows:

Our organization prefers the following action:

Modification of the language in 5 AAC 41.070(a) to read: Except as provided in (b) - (d) and (f) of this section, no person may import any live fish into the state for purposes of stocking or rearing in the waters **or lands** of the state.

Modification of the language in 5 AAC 41.070(c) to read: Ornamental fish not raised for human consumption or sport fishing purposes may be imported into the state, but may not be reared in or released into the waters **or onto the land** of the state. Fish wastes and waste water from ornamental fish may not be released directly into the waters of the state.

Addition of language in 5 AAC 41.070 to read:

**(f) Live amphibians originating from wild stocks or cultured stocks may be imported for captive rearing purposes providing that the animals:**

**(1) Are not capable of surviving in the wild in Alaska;**

**(2) Are not capable of causing genetic alteration of a species that is indigenous to Alaska;**

**(3) Are not capable of causing significant reduction in the population of a species that is indigenous to Alaska;**

**(4) Are not capable of transmitting a disease to species that are indigenous to Alaska;**

**(5) Do not otherwise present a threat to the health or population of a species that is indigenous to Alaska;**

**(6) Are not captured from the wild for use as a pet;**

**(7) Do not present a conservation concern in the species' native habitat outside of the state;**

**(8) Can be reasonably maintained in good health in private ownership and;**

**(9) Do not present a likelihood that concerns about, or threats to human health and safety will lead to adverse consequences to captive animals**

**What is the issue you would like the board to address and why?** Six native species of amphibians occur in the state of Alaska, and several non-native species of amphibians have established viable populations. We know very little about the basic population parameters for Alaska's amphibians, and to date there has been no regulatory action directly pertaining to the conservation of this taxonomic group in the state. To begin to rectify the situation, we are asking that several regulations be modified or created to address pressing conservation concerns.

The above language mimics that which is applied to "game" under the "clean list" regulations in 5 AAC 92.029(h). We also recommend that a "clean list" of amphibian species be established to limit the import of non-native species that pose substantial threats to the state's native amphibians. In addition, we believe that the state should consider joining 19 other states by hiring a full-time dedicated herpetologist to expand our knowledge of Alaska's amphibian populations and to address conservation issues pertaining to this taxonomic group.

The term "ornamental fish" in 5 AAC 41.070(c) does not adequately define the inclusion of "amphibians," which are defined as "fish" as per AS 16.05.940, nor does it address amphibians that exhibit terrestrial life stages. The statute reads:

"Ornamental fish not raised for human consumption or sport fishing purposes may be imported into the state, but may not be reared in or released into the waters of the state. Fish wastes and waste water from ornamental fish may not be released directly into the waters of the state."

As written, the statute fails to distinguish which amphibians would qualify as "ornamental species." The statute does prevent release "into the waters of the state," but fails to restrict release on land.

In addition to the above concerns, Alaska's native amphibians are not protected from imported species in the same manner as "game" under the clean list established in 5 AAC 92.029(h).

Without clarification, potentially invasive amphibian species may be brought to the state and released, consequently harming native amphibian species through competition, predation, genetic modification and disease transmission. Invasive amphibian species also have the potential to impact other native taxa, including fish. A verified account of a non-native species, the blue-spotted salamander, being introduced onto state "land" near Chugiak and subsequently surviving the winter was documented in 2013. Several other examples are available.

Bullfrogs in particular are considered a major threat to native amphibian species where they do not occur naturally. They are a voracious and aggressive predator that frequently consume other amphibians. In addition, they are known to frequently carry diseases that could significantly

impact native amphibian populations. Many states have taken action to prevent the import and release of this species.

It does not make sense to our organization that amphibians are defined as fish in the state. Most management and regulatory decisions made for fish do not apply to amphibians. More information on Alaska's amphibians and the threats facing them can be obtained from the Alaska Herpetological Society's (AHS) website: [www.akherpsociety.org](http://www.akherpsociety.org). AHS is recognized by the State of Alaska as a non-profit organization and its IRS 501(c)3 application is pending.

**PROPOSED BY:** Alaska Herpetological Society (EF-C14-047)

\*\*\*\*\*

**PROPOSAL 262 - 5 AAC 41.005. Permit required.** Modify permitting requirements to specifically address the collection, transport, and possession of amphibians in Alaska, as follows:

Our organization prefers the following:

Modification of the language in 5 AAC 41.005 (a) to read:

No person may transport, possess, export from the state, or release into the waters **or onto the lands** of the state, any live fish unless the person holds a fish transport permit issued by the commissioner or his authorized designee, and the person is in compliance with all conditions of the permit and the provisions of this chapter, **unless otherwise provided in the provisions of (e) and (f) of this section.** A fish transport permit will be issued for a fixed term subject to the provisions of (c) of this section.

Addition of language in 5 AAC 41.005 to read:

**(e) species of native amphibians may be handled, collected, transported, possessed and displayed as pets, educational aids, or research specimens without a permit provided that:**

**(1) the individual engaging in these activities holds a valid fishing license and is a resident of Alaska**

**(2) no more than 4 adults, and 25 eggs, tadpoles or larvae of each species are handled, collected, transported, possessed or displayed by an individual each calendar year**

**(3) reasonable precautions are undertaken to prevent the spread of disease including but not limited to the use of latex gloves and the disinfecting of clothing and gear**

**(4) records of collection date, species, number, and location are maintained by the individual**

**(5) no wild-caught amphibian is sold, traded, bartered or used as a prize**

**(6) no wild-caught amphibian nor its offspring are bred for commercial purposes or exported from the state**

**(7) there is no known threat to or decline in the population from which the amphibians are collected as determined and advertised by the Alaska Department of Fish and Game**

**(8) individuals not returned under the provisions of (9) of this section are kept in captivity for the entirety of their lives or humanely euthanized**

**(9) they only be returned to the wild if**

**A) they originated in the wild and are being returned to the exact same location that they were collected from**

**(B) they have not been held in captivity with any other reptile or amphibian**

**(C) they have not been in captivity more than 30 days**

**(D) there are no obvious signs or symptoms of disease**

The above solution mirrors the regulations of the Maryland Department of Natural Resources, the Ohio Department of Natural Resources and Idaho Fish and Game.

Addition of language in 5 AAC 41.005 to read:

**(f) a non-native species of “ornamental fish” may be possessed as a pet in Alaska without a permit provided that provisions 5 AAC 41.070 regarding prohibitions on importation and release of live fish, and 18 AAC 36.005 regarding the import of animals are met in their entirety.**

**What is the issue you would like the board to address and why?** By adding the above exemptions for the collection of wild amphibians, there would be less demand for the import of non-native amphibians as pets and educational aids. This could limit the risk of introduced invasive species and pathogens that could harm native amphibian populations. Native amphibians may also benefit from increased educational opportunities provided by legal collections and possessions.

An alternative would be to establish an entire chapter in Title 5 pertaining to the management and conservation of amphibians in Alaska. While this would bring the state in line with most other states by explicitly addressing issues related to this taxonomic group, the task would require far more expertise, labor, and resources than are provided here. Still, we recommend that the state begin to formally address and manage amphibians separately from fish and that the state hire a professional full-time herpetologist that is vested with the authority to oversee the management and conservation of these species. Nineteen other states have secured at least one dedicated herpetologist for these purposes.

No statute or regulation currently addresses the collection of live native fish for use as pets. One statute, 5 AAC 41.005(a), does stipulate that:

No person may transport, possess, export from the state, or release into the waters of the state, any live fish unless the person holds a fish transport permit issued by the commissioner or his authorized designee, and the person is in compliance with all conditions of the permit and the provisions of this chapter. A fish transport permit will be issued for a fixed term subject to the provisions of (c) of this section.

To date, the Alaska Department of Fish and Game has not developed a mechanism for obtaining permits for the transport or possession of fish as pets. For amphibians (legally defined as fish as per AS 16.05.940), many people import these species when moving to the state, many residents collect native amphibians for pets or for use in classrooms as educational aids, and pet stores regularly sell several amphibian species. This is apparently in violation of 5 AAC 41.005 (a).

If this problem is not resolved, people will continue to collect, transport and possess amphibian species as pets without a permit and without proper oversight. This puts pressure on native amphibians by removing individuals from natural breeding populations indiscriminately and by increasing the risk of invasive species introductions and exposure to pathogens through greater demand on the pet trade. It also causes individuals that are engaging in these activities to be knowingly or unknowingly in violation of the law.

**PROPOSED BY:** Alaska Herpetological Society (EF-C14-048)  
\*\*\*\*\*

**PROPOSAL 263 - 5 AAC 21.331. Gillnet specifications and operations.** Reduce the length of drift gillnet gear, as follows:

Shorter (half-size) nets for entire fishing, limited days to dipnetting, one tide a day only, more fees from out of state residents, and prohibit motors on the Kenai.

**What is the issue you would like the board to address and why?** This one is for Cook Inlet, where I do have chances to fish as crewmen in the August. My proposal in long battle with different fish parties, is to all drift fleet half of net only. So set net, one net per permit only. It is worth of trying. We all will make, perhaps a little less in pay, but more salmon will escape.

**PROPOSED BY:** Pavel R. Vitek (HQ-F14-064)  
\*\*\*\*\*

**PROPOSAL 264 - 5 AAC 06.331. Gillnet specifications and operations.** Modify length of drift and set gillnets based on pre-season sockeye salmon forecast, as follows:

Having Fish and Game boats to patrol set net sites and cite violators. Also, Department of Natural Resources to inspect legality of each site. There is not supposed to be any spare sites, as some people have. I would like to propose to install chips on each lease, that way helicopters can find illegal sets. Chip to outside 50 fathom buoys.

**What is the issue you would like the board to address and why?** I set net in Kwichak District. Every spring, forecast for escapement goals are announced. Last year only 16,000,000 fish. My proposal is, ones is below certain amount of fish, then all of drift and setnet fleet should be allowed only half nets to fish. They may not like it, but 75 fathoms of drift, 25 fathoms of set for permit only. But this emergency order will help escapement goals earlier and as result will be more fish for most of us. It takes only short time to restock longer gear. Longer nets not necessary catch more fish. It is worth trying.

**PROPOSED BY:** Pavel R. Vitek (HQ-F14-065)  
\*\*\*\*\*

**PROPOSAL 265 - 5 AAC 75.XXX. Use of earthworms as bait.** Ban the use of live earthworms as bait in freshwater sport fishing, as follows:

Proposed language under statewide sport fishing regulations, freshwater sport fishing:

"Freshwater sport fishing: (1) Fish may not be taken in fresh water by means of

...

(e) live bait, including earthworms."

**What is the issue you would like the board to address and why?** Freshwater sport fishing regulations should explicitly prohibit the use of live earthworms as bait to prevent the spread of invasive earthworms that can damage Alaska's natural systems. Earthworms sold for and used as fishing bait in Alaska are not native here, but have now become established at some boat launches in Alaska, apparently from their use as live bait and subsequent dumping of live earthworms or earthworm-containing media onto the ground. These earthworms have been documented to be detrimental to native plants and wildlife in other parts of northern North America and may cause similar harm here in Alaska.

Further reading:

<http://greatlakeswormwatch.org/>

<http://worms.biology.ualberta.ca/>

[http://arctos.database.museum/mediaUploads/mbowser/Saltmarsh\\_DM\\_2012.pdf](http://arctos.database.museum/mediaUploads/mbowser/Saltmarsh_DM_2012.pdf)

The statewide regulations may not be under review in this meeting, but I want to at least draw attention to this issue.

**PROPOSED BY:** Matt Bowser (EF-C14-35)

\*\*\*\*\*

**PROPOSAL 266 - 5 AAC 39.645. Shellfish onboard observer program.** Modify procedure for assigning observer coverage in king and Tanner crab fisheries, as follows:

That if a vessel was chosen for an observer one year that vessel would be excluded the following year but can be put on the reserve list.

**What is the issue you would like the board to address and why?** The random selection of observers for king & Tanner pot fishery in the Bering Sea, because it's uneven.

**PROPOSED BY:** David Harris F/V Arctic Mariner (EF-C14-62)

\*\*\*\*\*

**PROPOSAL 267 - 5 AAC 75.023. Freshwater sport fishing.** Repeal exception for use of footgear with felt soles while sport fishing in fresh water, as follows:

Repeal: 5 AAC 75.022(d):

(d) Beginning January 1, 2012, the use of footgear with absorbent felt or other fiber material on the soles is prohibited while sport fishing in fresh water.

**What is the issue you would like the board to address and why?** The Board of Fisheries ban on wearing felt soles while fishing, making wading and rafting while fishing unsafe and dangerous for people. Anyone who has spent much time in the field—or worse, had unexpected “swims”—knows how dangerous our cold waters are and how quickly one could lose their life. Even a quick dunk can be unforgiving and have dire consequences. The difference between wearing felt and wearing rubber or caulked boots is like night and day. Unfortunately, there are no alternatives, regardless of what you are told. If you are personally unaware of this fact, then you have little experience wading rivers or streams in Alaska and need to better educate yourself on the issue. Safety wise, it is the same as driving without a seat belt, or running a chainsaw without a pair of chaps. Sure you may get by without them, but do you want to get into an accident without your seat belt on? In essence, that’s what the Board of Fisheries (and the Board of Game) ban does. Your ban states loud and clear that our safety—our lives life, and that of our children’s and loved ones—is unimportant to you.

While your attempt to thwart the spread of invasive plants and animals is noteworthy, your lack of adequate analysis of the scientific data on this subject is both troubling and reckless. People will die--drown and perish while fishing, due to our cold water temperatures because of your decision. It’s as simple as that. Can felt soles transport invasive plants and animals?

Unfortunately, yes they can. But please look at the research—which is extremely limited at best. This small amount of research, much which has not been peer reviewed, has indicated that felt soles can spread such invasives as Didymo (rock snot), possibly whirling disease, and one New Zealand mudsnail was proven to be transported by a felt boot. One! Research has also proven that these invasives can be carried and transported to other waters on shoe laces, socks, inside the wading boots themselves, on the wading material itself and even on rubber wading boots. Furthermore, research has also proven invasives can be transported from one water body to another by boat trailers and through bilge water of boats and float planes traveling to and from different water bodies. Even Darwin wrote many years ago, about migrating waterfowl transporting plants and animals from one water body to another, both internally and externally. Why not ban all of these vectors then? Your ban on felt soles is as sensible as an open season on waterfowl, float planes and boats. Perhaps you should just ban people all together. Please—research the information yourself, not just the data and information you have been spoon fed by environmental alarmists.

Your mandate is to manage fish—not people. Seasons, catch limits, methods of fishing, fishing areas etc. —not wardrobes, and definitely not personal safety equipment. Your ban is an inherent attack on our personal freedoms to travel afield as we see fit. And your ban is making law abiding citizens break the law. Our safety and that of our children is more important than any of the perceived benefits you believe are achieved by this ban---especially when there are so

many other vectors which you have not addressed. The last time I looked, this country is a free one, with “inalienable rights” of life, liberty, and the pursuit of happiness, (which for many of us is the pursuit of fish and game!). When did we give up the right to decide what we should wear and not wear while in the field? What legal authority gives you the right to ban articles of clothing and make our travels less safe and even dangerous? Every time we allow another entity to take away our rights, we lose more of our personal freedoms and your taking of our right to travel afield as we see fit is an abuse of your power. None of us want to see invasive plants and animals overtake our waters and lands, but your ban on felt soles is baseless, unwarranted, poorly thought out, and most of all reckless. The next drowning of an Alaskan fisherman, possibly a young fisherman, may well be because of your poorly thought out decision to ban felt soles. Their blood may well be on your hands because of your decision. If you’re okay with that and that doesn’t bother you, you need to rethink your service to the people of Alaska.

A better and more proactive approach would be to educate people on invasives and how to prevent spreading them instead of “outlawing” personal protective equipment. Use ADF&G’s internal education program to educate people on how to treat their felt soles, waders, bilge water etc. before and after being in Alaskan waters. According to ADF&G personnel, their concern is not so much with Alaskans spreading invasives as it is with tourists bringing them into the state. Why punish Alaskans then? Why not educate and target the tourists when they come into the State? Some effort has been done in this regard but it could be more, and your "ban" should be removed.

**PROPOSED BY:** Jake Sprankle (EF-C14-90)  
\*\*\*\*\*

**PROPOSAL 268 – 5 AAC 35.508. Bering Sea District *C. bairdi* Tanner crab harvest strategy.** Reduce the size of exploitable legal male Tanner crab, from 5.5 to 5.0 inches carapace width, for calculating total allowable catch in waters east of 166° W long. in the Bering Sea District, as follows:

5 AAC 35.508(e)(1) is amended to read:

(1) that portion of the Bering Sea District east of 166° W long. may not exceed 50 percent of the estimated biomass of male *C. bairdi* Tanner crab, that are **127 millimeters (five inches)** [140 MILLIMETERS (FIVE AND ONE-HALF INCHES)] or greater in carapace width, including the lateral spines, discounted by fishery selectivity, that would survive in the absence of fishing mortality until the estimated mean time of mating; and

5 AAC 35.508(g)(5) is amended to read:

(5) “ $C_{E,MSY}$ ” means the catch biomass of male *C. bairdi* Tanner crab in the portion of the Bering Sea District east of 166° W long. that are **127 millimeters (five inches)** [140 MILLIMETERS (FIVE AND ONE-HALF INCHES)] or greater in carapace width, including the lateral spines, resulting from fishing on the estimated mature male biomass at the estimated mean time of mating at the full-selection  $F_{MSY}$  rate or a proxy for the  $F_{MSY}$  rate;

**What is the issue you would like the board to address and why?** The legal size limit for Bering Sea District *C. bairdi* Tanner crab east of 166° W long. was revised from 5.5 inches to 4.8 inches at the March 2011 Alaska Board of Fisheries meeting. Tanner crab pot escape rings and pot mesh size were reduced by the board in March 2014 to reflect industry preference for market size of 5.0 inches. The size distribution of Tanner crab landed during the 2013/14 season was consistent with industry preference of 5.0 inches and larger.

**PROPOSED BY:** Alaska Bering Sea Crabbers (Formerly ACR 1)  
\*\*\*\*\*

**PROPOSAL 269 – 5 AAC 34.915. Norton Sound Section red king crab harvest strategy.** Amend the Norton Sound Section red king crab harvest strategy to develop a guideline harvest level for the winter and summer commercial seasons, as follows:

**5 AAC 34.915. Norton Sound Section red king crab harvest strategy.** (a) The department shall manage the Norton Sound Section summer **and winter** red king crab **fisheries** [FISHERY] in accordance with 5 AAC 34.080 and 5 AAC 34.910, as follows:

(1) the threshold level of abundance of legal male red king crab biomass is 1.25 million pounds; the Norton Sound red king crab **winter and summer commercial seasons** [SEASON] may open only if analysis of preseason survey data indicates that the population of legal male red king crab exceeds this level;

**(A) if the winter and summer commercial seasons for red king crab are opened, X percent of the guideline harvest level is allocated for the winter fishery; and**

**(B) any remaining winter fishery harvest allocation not taken during the winter season may be taken during the summer commercial season;**

**What is the issue you would like the board to address and why?** Prior to the 2012/13 season, the winter commercial harvest averaged 8,820 pounds per year, which had little effect on the overall harvest. However, the annual winter king crab commercial harvest has averaged 40,303 pounds since 2012. The federal management plan for the Norton Sound red king crab fishery requires that the Alaska Department of Fish and Game must keep the overall combined Norton Sound red king crab harvest (winter commercial plus summer commercial plus subsistence) below the Allowable Biological Catch and Over Fishing Level. Currently, the winter commercial through-the-ice red king crab fishery does not have a harvest strategy in regulation. High prices for crab may result in increasing effort and harvests during the winter commercial season and result in a lower GHF for the summer commercial crab season.

**PROPOSED BY:** Adem Paul Boeckmann (formerly ACR 4)  
\*\*\*\*\*

**PROPOSAL 270 – 5 AAC 34.910. Fishing seasons for Registration Area Q.** Change the duration of the Norton Sound winter through-the-ice commercial king crab fishery, as follows:

5 AAC 34.910(d)(2) is amended to read:

**5 AAC 34.910. Fishing seasons for Registration Area Q.**

...  
(d) In the Norton Sound Section of the Northern District, male red king crab, male blue king crab, and male Hanasaki king crab may be taken only as follows:

...  
(2) through the ice only, **during a fishing season established by emergency order to open on or after January 15 and close April 30, unless extended by emergency order [FROM 12:00 NOON NOVEMBER 15 THROUGH 12:00 NOON MAY 15]** (winter season).

**What is the issue you would like the board to address and why?** This proposal would reduce the length of the winter through-the-ice commercial fishing season. Shortening the winter commercial season will likely reduce crab pot loss during early season ice formation and late season ice deterioration thereby reducing king crab mortality due to ghost fishing. In addition, current season dates and expected changes to the federal harvest specification process will allow commercial harvest of red king crab before the Allowable Biological Catch is set by the North Pacific Fishery Management Council, and before the department's determination of the Norton Sound red king crab guideline harvest level.

**PROPOSED BY:** Alaska Department of Fish and Game *(formerly ACR 5)*  
\*\*\*\*\*

**PROPOSAL 271 – 5 AAC 07.365. Kuskokwim River Salmon Management Plan.** Require four-inch mesh subsistence gillnets to be operated only as set gillnets in the Kuskokwim River during times of king salmon conservation, as follows:

5 AAC 07.365 (d)(2)(A) is amended to read:

**5 AAC 07.365. Kuskokwim River Salmon Management Plan. (d)(2).**

(A) the gillnet mesh size may not exceed four inches **and a gillnet may only be operated as a set gillnet** until sockeye and chum abundance exceeds the king salmon abundance;

**What is the issue you would like the board to address and why?** In January 2013, the Alaska Board of Fisheries adopted a new provision to the Kuskokwim River Salmon Management Plan that includes additional king salmon conservation measures allowing the department to restrict subsistence gillnet mesh size to four inches or less until sockeye and chum salmon abundance

exceeds king salmon abundance, effectively closing the subsistence salmon fishery until sockeye and chum salmon are present in adequate abundance.

During subsistence salmon fishing closures, fishermen may target whitefish and other non-salmon species with a four-inch or less mesh size gillnet, used as either a set or drift gillnet, that may not exceed 60 feet in length. In 2012 and 2014, the department closed the subsistence salmon fishery for up to 31 days and there were reports of subsistence fishermen intentionally targeting king salmon by drifting four-inch mesh gillnets during the closures. The practice of targeting king salmon with drift gillnets during times when king salmon conservation measures are in place will continue to threaten the already diminished Kuskokwim River king salmon resource.

**PROPOSED BY:** Alaska Department of Fish and Game *(formerly ACR 6)*  
\*\*\*\*\*

**PROPOSAL 272 – 5 AAC 01.270. Lawful gear and gear specifications and operation and 5 AAC 07.365. Kuskokwim River Salmon Management Plan.** Provide the Commissioner of the Alaska Department of Fish and Game emergency order authority to restrict gillnet length and other allowable gear during times necessary to conserve king salmon in the Kuskokwim River drainage, as follows:

5 AAC 01.270(n) is amended to read:

**5 AAC 01.270. Lawful gear and gear specifications and operation.**

(n) Notwithstanding (b) and (j) of this section, during times when the commissioner determines it to be necessary for the conservation of king salmon, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which **one or more of** the following gear limitations **may be implemented** [APPLY]:

(1) **for gillnets:**

**(A) a gillnet mesh size may not exceed six inches;**

**(B) a gillnet mesh size may not exceed four inches;**

**(C) a gillnet may not exceed the length specified by the commissioner in the emergency order, except that a longer gillnet may be used if no more than the specified length of the gillnet is in a fishing condition and the remainder of the gillnet is tied up or secured so that it is not in the water in a fishing condition;**

(2) for fish wheels:

(A) a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation;

(B) the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation, and all king salmon in the livebox must be returned alive to the water;

(3) for beach seine gear: any king salmon taken in beach seine gear must be **released immediately and returned to the water unharmed** [RETURNED ALIVE TO THE WATER];

**(4) for dip nets: a person may fish for salmon with a dip net, as defined in 5 AAC 39.105, and all king salmon caught in a dip net must be released immediately and returned to the water unharmed.**

5 AAC 07.365(d)(2) is repealed and readopted to read:

**5 AAC 07.365. Kuskokwim River Salmon Management Plan.**

(d) In the subsistence fishery, in the Kuskokwim River drainage, in the waters of the mainstem of the river and other salmon spawning tributaries, unless otherwise specified by the department,

...

(2) the commissioner may implement one or more of the gear limitations as described in 5 AAC 01.270(n) during times the commissioner determines it to be necessary for the conservation of king salmon;

**What is the issue you would like the board to address and why?** At the October 2014 work session, the Alaska Board of Fisheries adopted Agenda Change Request (ACR) 8 regarding the Kuskokwim River king salmon subsistence fishery. The Alaska Board of Fisheries focused this ACR on potential regulatory actions that could be implemented during the 2015 fishing season to address changes to subsistence gear specifications to provide for conservation of Kuskokwim River king salmon, which are declining in abundance. This draft regulatory language would provide the department with additional management flexibility to implement a suite of gear specification options for the purpose of reducing king salmon harvest during various portions of the run. The proposed regulatory changes provide the department with emergency order authority to restrict gillnet gear length while specifying allowable gillnet mesh size, and to allow a combination of shorter gillnets, fishwheels, and dipnets, or restrict to only one gear type. In combination with the department's discretionary time and area authority, the additional flexibility provided by these regulatory changes would enhance the department's ability to conserve king salmon while providing subsistence harvest opportunity.

**PROPOSED BY:** Proposal 272 represents an Alaska Board of Fisheries modification of ACR 8  
(formerly ACR 8)

\*\*\*\*\*

**PROPOSAL 273 – 5 AAC 01.220. Lawful gear and gear specifications.** Allow drift gillnet subsistence fishing after July 15 in the upper section of Yukon River Subdistrict 4-A for the harvest of summer chum salmon as follows:

**5 AAC 01.220. Lawful gear and gear specifications.**

(e) In Districts 4, 5, and 6, salmon may not be taken for subsistence purposes by drift gillnets, except as follows:

(1) In Subdistrict 4-A upstream from the mouth of Stink Creek, king salmon may be taken by drift gillnets from June 10 through July 14, and chum salmon may be taken by drift gillnets after **July 15** [AUGUST 2];

**What is the issue you would like the board to address and why?** Currently there is no opportunity for subsistence fishermen in Subdistrict 4-A upstream from the mouth of Stink Creek to catch abundant summer chum salmon from July 15 to August 2. There are few, if any, set net sites and there are often dangerous conditions on this section of the river from river debris and storms during this time period. Fishermen miss the opportunity to catch summer chum salmon with six inch mesh driftnets in years with early king salmon run timing after the majority of king salmon go by. This proposal seeks the management flexibility to open drift gillnet fishing for chum salmon with gillnets restricted to 6 inch mesh or less earlier than defined in current regulation provided the end of the king salmon run has passed through the area.

**PROPOSED BY:** Fred W. Alexie Sr. *(formerly ACR 9)*  
\*\*\*\*\*

**PROPOSAL 274 – 5 AAC 01.220. Lawful gear and gear specifications.** Allow subsistence fish wheel fishermen in the Yukon Area to retain king salmon when some harvest is justified based upon inseason run assessment, as follows:

**5 AAC 01.220. Lawful gear and gear specification.**

(n)(2) for fish wheels:

**(D) if the commissioner determines that the inseason run assessment will allow for the retention of king salmon, notwithstanding (A)–(C) of this paragraph, the commissioner may establish in an emergency order issued under this paragraph that king salmon caught in a fish wheel may be retained;**

**What is the issue you would like the board to address and why?** In the Yukon Management Area during times of king salmon conservation, current subsistence regulations allow for king salmon to be retained by net gear when that gear is restricted to six-inch or less mesh gillnets but do not allow the retention of king salmon by fish wheel users. Inseason run assessment in 2013 indicated a small incidental harvest of king salmon was allowable and fishing with gillnets restricted to six-inches or less mesh and fish wheels was allowed for short periods of time in between protected groups of king salmon moving through the river. In 2014, gillnets restricted to

six-inch or less mesh were allowed very late in the king salmon run once inseason run assessment data indicated a small incidental harvest of king salmon was allowable. In both years, gillnets restricted to six-inch or less and fish wheels were allowed for the directed harvest of summer chum salmon and other species, while reducing incidental king salmon harvest. There was an expectation that a small incidental harvest of king salmon would occur with six-inch or smaller gillnets and that incidental harvest was deemed acceptable based on inseason run assessment information in both years. Current regulations directed at the conservation of king salmon require all king salmon be released alive from fish wheels and there is no provision for retention of any king salmon. Additionally, the requirement to attend fish wheels at all times in order to release king salmon alive would not be necessary if retention of incidental king salmon caught is allowable.

**PROPOSED BY:** Alaska Department of Fish and Game *(formerly ACR 10)*  
\*\*\*\*\*

**PROPOSAL 275 – 5 AAC 06.350. Closed waters.** Change the Naknek-Kvichak District boundary line at Graveyard Point as follows: **5 AAC 06.350(b)(1)** would be amended to establish coordinates that correspond to the historical location of the upper Graveyard Point marker and factor in the significant shoreline erosion that is occurring.

**What is the issue you would like the board to address and why?** The current **5 AAC 06.350(b)(1)** coordinates for upper Graveyard Point (58° 52.07' N. lat., 157° 00.89' W. long.) eliminate 1½ set net sites our family has long fished. Next season we will be unable to fish our site established in 1980 and more importantly we will be unable to fish 25 fathoms of our dad’s site which he had fished since 1954. Moreover, board clarification is needed soon to clarify the pending criminal charge.

**PROPOSED BY:** Armstrong Family (JoAnn Armstrong, Curt Armstrong, Janet Armstrong Schlager, Allison Tennyson, Rosanne Savo, and Nora Armstrong-Johnson) *(formerly ACR 11)*  
\*\*\*\*\*

**PROPOSAL 276 – 5 AAC 39.117. Vessel length; bulbous bow.** Redefine the method used to determine maximum overall length of salmon purse seine vessels, as follows:

**5 AAC 39.117 (a)** Notwithstanding any other provision in 5 AAC 01 – 5 AAC 39, the addition of a bulbous bow may cause a vessel, other than a vessel engaged in the Bering Sea hair crab fishery, to exceed an established vessel overall length limitation. Only that portion of the vessel comprising the bulbous bow may cause the vessel to exceed a vessel overall length limitation.

....  
**(c) Anchor rollers extending beyond the forward extremity of the bow are not included in the determination of the overall length of a salmon seine vessel as specified in AS 16.05.835 or a regulation of the Board of Fisheries, however when anchor rollers are inset into the bow, or placed behind the bow, the determination of overall length is made using the forward extremity of the bow.**

**(d) For the purposes of this section and as used in AS 16.05.835 (c), “anchor roller” means a device used solely in aid of deploying and retrieving anchor gear, and does not provide any additional flotation, planing surface, deck surface, or structural support to the vessel. The anchor roller may not extend more than 12 inches beyond the overall length restriction for the vessel.**

**What is the issue you would like the board to address and why?**

The current regulation limits Alaska purse seine vessels to a maximum length of 58 feet overall length. Section C states overall length means the straight line length between the extremities of the vessel excluding anchor rollers. The problem is a few vessel owners have modified their vessels to place the anchor roller a few feet into the vessel from the bow and when trooper enforcement attempts to measure the overall length, the vessel owners insists the “overall length” must be measured from behind the anchor roller which in several cases is several feet from the pointy end of the vessel. Thus, they have rendered the 58 foot limit ineffective.

**PROPOSED BY:** Leroy L. Cabana *(Formerly ACR 26)*

\*\*\*\*\*

**PROPOSAL 277 - 5 AAC 06.355 – 5 AAC 06.369. Bristol Bay sockeye salmon fisheries management and allocation plans.** Board generated proposal to consider optimum escapement goals for Bristol Bay sockeye salmon.

**What is the issue you would like the board to address and why?** This proposal would serve as a mechanism for the Alaska Board of Fisheries to establish optimum escapement goals for Bristol Bay sockeye salmon and describe the department’s current escapement management practices in regulation. In 2012 the board agreed to consider optimum escapement goals for Bristol Bay sockeye salmon in 2015 after results of an industry led optimum escapement goal study become available. This study is expected to be available March 6, 2015.

**PROPOSED BY:** Alaska Board of Fisheries

\*\*\*\*\*

**PROPOSAL 278 - 5 AAC 01.270. Lawful gear and gear specifications and operation.** Allow subsistence fishermen to operate fish wheels without a livebox during times necessary to conserve king salmon in the Kuskokwim River drainage, as follows:

5 AAC 01.270(n)(2) is amended by adding a new sub paragraph to read:

**5 AAC 01.270 Lawful gear and gear specifications and operation.**

(n) Notwithstanding (b) and (j) of this section, during times when the commissioner determines it to be necessary for the conservation of king salmon, the commissioner, by emergency order, may close the fishing season in any portion of the Kuskokwim Area and immediately reopen the season in that portion during which the following gear limitations apply:

(2) for fish wheels:

(A) **except as provided in (C) of this paragraph**, a fish wheel used to take fish must be equipped with a livebox that is constructed so that it contains no less than 45 cubic feet of water volume while it is in operation;

(B) the livebox of a fish wheel must be checked at least once every six hours while the fish wheel is in operation, and all king salmon in the livebox must be returned alive to the water; [AND]

**(C) a person may operate a fish wheel without a livebox only if**

**(i) the fish wheel is equipped with a chute that returns fish captured by the fish wheel to the water alive;**

**(ii) the person closely attends the fish wheel while it is operation; and**

**(iii) the person returns all king salmon caught to the water alive;**

**What is the issue you would like the board to address and why?** At the October 2014 work session, the Alaska Board of Fisheries (board) accepted ACR 8 regarding the Kuskokwim River king salmon subsistence fishery and developed board-generated Proposal 272. The board also initiated a Kuskokwim Subsistence Salmon Panel to obtain public input on subsistence fishing regulatory changes, including gear specifications, to provide for the conservation of Kuskokwim River king salmon. During a panel meeting in Bethel in January 2015, there was discussion about fish wheel operators only having the option of using liveboxes to release king salmon during times of king salmon conservation. At this meeting, it was agreed to propose that subsistence fish wheel operators be provided the additional option of using a chute and closely attending a fish wheel to return king salmon caught to the water alive. This would provide more flexibility to provide subsistence opportunity for more abundant fish species while conserving king salmon. This regulatory wording is similar to Yukon River subsistence fishing regulations pertaining to this same issue. In combination with the department’s discretionary time and area authority, the additional flexibility provided by these regulatory changes would enhance conservation of king salmon while providing for subsistence harvest opportunity.

**PROPOSED BY:** Alaska Board of Fisheries

\*\*\*\*\*