

# SUMMARY OF ACTIONS ALASKA BOARD OF FISHERIES

**Chignik Finfish  
November 14 – 16, 2004  
Anchorage, Alaska**

**DESIGNATED REPORTER:** Joe Chythlook

*This summary of actions is for information purposes only and is not intended to detail, reflect or fully interpret the reasons for the Board's actions.*

## **GROUND FISH**

### **PROPOSAL NO. 34**

**ACTION: Carried**

**DESCRIPTION:** Establish a logbook requirement for black rockfish.

**DISCUSSION:** The board agreed that the adoption of this would give the department an important tool to provide valuable information on the harvest location, retention, and by-catch information. They also agreed that the benefits would outweigh any concerns expressed by some individual participants.

### **PROPOSAL NO. 35**

**ACTION: Carried as amended**

**DESCRIPTION:** Increase Pacific cod jig allocation to 25 percent and restrict registration to one gear type.

**AMENDMENTS:** Change the state waters jig quota in the Chignik Area 10 percent, increasing at 5 percent intervals each year, up to 25 percent, if the annual quota is met; remove superexclusive language in reference to registration for both pot and jig gear over the course of the state waters season.

**DISCUSSION:** The board changed the allocation to provide opportunity for the users of the small Pacific cod jig fishery to harvest the GH L, with room for growth as market becomes available.

### **PROPOSAL NO. 36**

**ACTION: Failed**

**DESCRIPTION:** Change Pacific cod state waters season opening to April 1.

**DISCUSSION:** The board agreed that a season opening on April 1 would lessen the opportunity to harvest the established GH L and to have a market, as that opening date would be too close to the start of the salmon fishery.

### **PROPOSAL NO. 453**

**ACTION: Carried**

**DESCRIPTION:** Allow trawl gear for vessels 60 feet and under in the Adak Area Pacific cod fishery.

**AMENDMENTS:** Allow small vessels to use trawl gear to harvest Pacific cod in the area described by 5 AAC 28.690(a) Vessel Length Restriction for the Bering Sea-Aleutian Islands Area.

**DISCUSSION:** The board agreed that this would provide additional gear type and opportunity for smaller vessels to harvest more Pacific cod by those that already fish in state waters near Adak, while legalizing the taking of Pacific cod in these areas that have been historically fished.

## **HERRING**

### **PROPOSAL NO. 37**

**ACTION: Carried**

**DESCRIPTION:** Use GPS for all regulatory coordinates.

**DISCUSSION:** The board deemed this as housekeeping.

### **PROPOSAL NO. 38**

**ACTION: Carried**

**DESCRIPTION:** Define area consistent with salmon and subsistence regulations.

**DISCUSSION:** The board agreed with the department that this would avoid further confusion and enhance enforcement of the Chignik boundary lines.

**PROPOSAL NO. 39****ACTION: Carried**

**DESCRIPTION:** Amend the registration requirement to include the sac roe fishery.

**DISCUSSION:** The board agreed with the department that this will avoid confusion and enforcement of the Chignik herring sac roe fisheries.

**SALMON****Subsistence****PROPOSAL NO. 40****ACTION: Carried**

**DESCRIPTION:** Use GPS for all regulatory coordinates.

**DISCUSSION:** The board deemed this as housekeeping.

**PROPOSAL NO. 41****ACTION: Carried**

**DESCRIPTION:** Define area consistent with herring and subsistence regulations.

**DISCUSSION:** The board referenced its discussion on proposal 38, and agreed that this provides clarification to existing subsistence herring area and regulations.

**PROPOSAL NO. 42****ACTION: Carried as amended**

**DESCRIPTION:** Amend the closed waters to provide an increase in subsistence opportunity.

**AMENDMENTS:** From July 1 to August 31.

**DISCUSSION:** The board agreed and the department supported providing additional subsistence opportunity suggested by this proposal.

**PROPOSAL NO. 43****ACTION: Carried**

**DESCRIPTION:** Decrease the restrictions on commercial fishing license holders.

**DISCUSSION:** The board supported the department's proposal to provide additional subsistence opportunity when possible.

**Area coordinates, Lines, Closed waters, Dates****PROPOSAL NO. 44****ACTION: Carried**

**DESCRIPTION:** Use GPS for all regulatory coordinates.

**DISCUSSION:** The board deemed this as housekeeping.

**PROPOSAL NO. 45****ACTION: Carried**

**DESCRIPTION:** Place closed waters markers in Chignik Lagoon into regulation.

**DISCUSSION:** Placing water markers into regulation will provide clarity for the department, for the users, and for fish and wildlife protection.

**PROPOSAL NO. 46****ACTION: Carried**

**DESCRIPTION:** Define "Jack's Box."

**DISCUSSION:** The board agreed this would simplify management of the Chignik Management Area commercial salmon fishery by reducing the complexity of emergency orders. Largely a housekeeping proposal. Provides opportunity for small vessels to catch salmon when weather prevents travelling further out in the Western and Perryville districts. Simplifies/clarifies language describing the location.

**PROPOSAL NO. 47****ACTION: Failed**

**DESCRIPTION:** Close portions of the Western District when immature salmon are present.

**DISCUSSION:** The board noted the department opposed the proposal because it would be impractical to implement due to added labor costs and current staff shortages.

**PROPOSAL NO. 48**

**ACTION: Failed**

**DESCRIPTION:** Open Kupreanof Point to salmon fishing.

**DISCUSSION:** The board agreed with the Department of Law that the legal notice of this meeting did not extend to take action on proposals that affect Area M.

**PROPOSAL NO. 49**

**ACTION: Carried as amended**

**DESCRIPTION:** Open commercial fishing on June 7.

**AMENDMENTS:** Direct the department to open for commercial when 20,000 sockeye have gone through the weir.

**DISCUSSION:** The Board agreed this would provide more opportunity for subsistence uses and address concerns expressed by some local users that the subsistence fishery in the area might be affected by the department's new method management style in dealing with the cooperative purse seine fishery. The board also made it understood that the department would still have to manage for the biological escapement goal (BEG) in response to the strength of the sockeye run at that time.

Gear specifications and definitions

**PROPOSAL NO. 50**

**ACTION: Failed**

**DESCRIPTION:** Amend purse seine gear and create and define beach seine gear.

**DISCUSSION:** Adoption of this proposal would likely cause a reallocation between users, because some permit holders may not be able to purchase larger vessels that would likely be needed to handle the larger nets.

Cooperative management plan

**PROPOSAL NO. 51**

**ACTION: No action**

**DESCRIPTION:** Repeal the cooperative for two years.

**DISCUSSION:** The board took no action due to action taken on proposal 53.

**PROPOSAL NO. 52**

**ACTION: No action**

**DESCRIPTION:** Limit fishing groups to less than 52 members.

**DISCUSSION:** The board took no action due to action taken on proposal 53.

**PROPOSAL NO. 53**

**ACTION: Failed**

**DESCRIPTION:** Limit any group's allocation to less than or equal to 50 percent.

**DISCUSSION:** The board discussed various allocation formulas, and decided to keep the regulation as it currently exists in regulation.

**PROPOSAL NO. 54**

**ACTION: No action**

**DESCRIPTION:** Adjust each fleet's allocation and fishing time based on the forecasted harvest.

**DISCUSSION:** The board took no action due to action taken on proposal 53.

**PROPOSAL NO. 55**

**ACTION: No action**

**DESCRIPTION:** Allocate all excess escapement by fleet.

**DISCUSSION:** The board took no action due to action taken on proposal 53.

**PROPOSAL NO. 56**

**ACTION: No action**

**DESCRIPTION:** Allow nonactive CFEC permit holders to sell their allocation.

**DISCUSSION:** The board took no action due to action taken on proposal 53.

**PROPOSAL NO. 57**

**ACTION: Carried as amended**

**DESCRIPTION:** Require all CFEC permit holders to have a current permit prior to joining the cooperative.

**AMENDMENTS:** Add: "Holder of a current, valid CFEC permit" to the regulation for the Chignik area cooperative purse seine salmon fishery management plan.

**DISCUSSION:** The board agreed with the department and Department of Law that this provides clear direction to the users and managers as the allocation is determined for both users of the fishery before the season begins.

**PROPOSAL NO. 58**

**ACTION: Carried**

**DESCRIPTION:** Allow the department to open and close separate or concurrent periods and areas for each fleet.

**DISCUSSION:** The board agreed that this would give the department flexibility to put both fleets in the same location at the same time when necessary to harvest the run as it develops.

**PROPOSAL NO. 59**

**ACTION: Carried**

**DESCRIPTION:** Allow gear to be anchored or to go dry in the Mensis Point to Pillar Rock reach of the Chignik River.

**DISCUSSION:** Placing into regulation this longstanding practice will provide clarity for the department, for the users, and for fish and wildlife protection.

**PROPOSAL NO. 60**

**ACTION: Carried**

**DESCRIPTION:** Allow cooperative fixed leads by commissioner's permit.

**DISCUSSION:** The board referred to its discussion under proposal 59.

**PROPOSAL NO. 61**

**ACTION: Carried**

**DESCRIPTION:** Allow extra gear aboard a vessel by commissioner's permit.

**DISCUSSION:** The board referred to its discussion under proposal 59.

**PROPOSAL NO. 62**

**ACTION: Carried**

**DESCRIPTION:** Allow live salmon to be held in a cooperative fish pen by commissioner's permit.

**DISCUSSION:** The board referred to its discussion under proposal 59.

**PROPOSAL NO. 63**

**ACTION: Carried**

**DESCRIPTION:** Allow cooperative fishermen to record multiple deliveries on a single fish ticket.

**DISCUSSION:** The board referred to its discussion under proposal 59.

**PROPOSAL NO. 64**

**ACTION: Carried**

**DESCRIPTION:** Repeal the provision for an annual Chignik cooperative Board of Fisheries meeting.

**DISCUSSION:** The board stated that the initial details and adjustments have been made and addressed in the Chignik Area purse seine cooperative management plan and it is time to return to the normal, three-year Board Fisheries cycle to address any further necessary changes.

**PROPOSAL A**

**ACTION: Carried**

**DESCRIPTION:** Adopt an escapement objective of additional 25,000 sockeye in the Chignik River in August (to raise the total to 75,000 sockeye.)

**DISCUSSION:** The board agreed with the staff evaluation that additional effort may be needed to harvest the for subsistence needs when the current total August escapement was about 20,000 fish less than during the few years.

### **EMERGENCY PETITIONS**

#### Chignik Area Villages Petition

**ACTION: Failed**

**DESCRIPTION:** Terminalize the fisheries in the intercept areas for the post-June fishery (Area M – South Unimak and Shumagin districts).

**DISCUSSION:** The board agreed that this did not meet the petition criteria for finding an emergency.

#### City of Hoonah

**ACTION: Failed**

**DESCRIPTION:** Change the boundaries of the commercial Dungeness crab area.

**DISCUSSION:** The board found that this request does not fit the emergency petition criteria. The board also noted that this area in Southeast Alaska will be addressed during the next regulatory cycle (2005/2006).

#### Eastern Interior Regional Advisory Council

**ACTION: Failed**

**DESCRIPTION:** Change the gillnet depth allowed in Yukon River.

**DISCUSSION:** The board found that this request does not fit the emergency petition criteria. The board noted that the same request was addressed by the board in February 2004.

### **MISCELLANEOUS BUSINESS**

#### Subsistence Halibut Harvest

**ACTION: Carried**

**DESCRIPTION:** Review the department's subsistence halibut harvest report, and update the board's recommendations to the North Pacific Fishery Management Council (NPFMC).

**DISCUSSION:** After hearing the staff report, the board discussed locations where members of tribes recognized by NPFMC can subsistence fish for halibut but currently live in a nonrural area or nonsubsistence area. The department stated it wants a couple more years to gather subsistence halibut survey information. The board discussed hook limits and noted that its original recommendations to the NPFMC were developed after an extensive public process. The board noted that lower hook limits do not create problems with reasonable opportunity or patterns of harvest. The board supports the department's detailed recommendations. The recommendations will be provided to the NPFMC during its December 2004 meeting, and are available from Boards support Section offices.

#### Appeal for Subsistence Use of Halibut/Area Designation

**ACTION: Failed**

**DESCRIPTION:** Request from Henry Kroll in Tuxedni Bay for inclusion in the area eligible for subsistence halibut permit; make recommendations to the NPFMC.

**DISCUSSION:** The board found that this area is in a nonsubsistence use area and will recommend to the NPFMC that it not be included in areas eligible for subsistence halibut use designations.

#### GOA Groundfish Rationalization

**ACTION: Carried**

**DESCRIPTION:** Approve updated charge statement and position regarding board authorities.

**DISCUSSION:** The GOA groundfish rationalization committee is developing draft options for the board to consider in responding to the federal groundfish rationalization effort through the NPFMC. The committee looked at numerous concepts including moratorium, limited entry, and other scenarios. The committee discussion has currently narrowed to two options: one option is designed to attempt to manage the state waters fisheries under the board's current authority, and

one option requires further authority from the state legislature (see below). The board committee's goals are to protect the groundfish fisheries, and to protect the state's authority over state waters.

If limited to using its current authority, the committee would recommend the board create a "bright line" definition between state and federal waters, including authority over what is termed the parallel fishery that occurs under federal rules within state waters. With Pacific cod as an example, when the fisheries are rationalized the state would be able to manage a only specific allocation of P. cod. The state would manage the allocation, or TAC, and simultaneously try to address the problems with a rationalized federal fishery and the freed-up opportunity to access state waters. In other words, the state would be challenged as to how to slow down the pace of a larger state waters fishery and the possible conservation problems and other conflicts that would arise. The state could also pursue a moratorium or limited entry with this option.

Another option developed by the committee is being called the "dedicated access privilege." This option requires the board seek additional authority from the legislature. Some of the features include: The resource would be owned by the state. There would be no permanent ITQs or IFQs given out regardless of how the state may decide how it could be split among the stakeholders, various user groups. Those are options most other concepts do not embrace. This option does give the state a full range of options, and still allows leeway for new entrants into these fisheries.

In the new charge statement, the board expressed intent that the committee shall advocate the adoption of legislation that would enable the allocation of fishery resources on the basis of historical landings, but only in the Gulf of Alaska groundfish fisheries. Further, the committee shall advocate the adoption of legislation that would enable the allocation of fisheries resources to cooperatives.

#### Salmon Industry Restructuring Panel

**ACTION: Carried**

**DESCRIPTION:** Charge statement to the Salmon Industry Restructuring Panel.

**DISCUSSION:** The board received an update regarding the structure and recent work of the Salmon Industry Restructuring Panel. The board adopted a charge statement for the panel which includes examining policy and other options for the Legislature and the Board of Fisheries to properly consider in evaluating cooperatives and other restructuring proposals for Alaska's commercial salmon industry. The panel will next meet November 18-19 and December 14-15 to continue its work. Updates will be provided to the board at regulatory meetings.

#### Resolution Supporting License Fee Increase

**ACTION: Carried**

**DESCRIPTION:** A resolution in support of increasing resident and nonresident sport fishing license fees and nonresident king salmon tump fees.

**DISCUSSION:** The department will seek legislation next session to increase both sport fishing and hunting license fees. The board agreed to support the department's efforts through a resolution #2004-233-FB (available from the board's office and online on the department's website).

#### Resolution Supporting Funding Increase

**DESCRIPTION:** A resolution in support of increasing the Boards Support Section's FY 06 budget.

**DISCUSSION:** The board adopted a resolution supporting a funding increase of 150.0 for the upcoming budget cycle. The board noted that it believes it is important to travel to all areas of the

state to hold regulatory meetings, and current funding levels do not provide that opportunity. Resolution #2004-232-FB is available from the board's office and online on the department's website.