

SUMMARY OF ACTIONS
ALASKA BOARD OF FISHERIES

Lower Cook Inlet Finfish
November 11 – 13, 2004
Anchorage, Alaska

DESIGNATED REPORTER: Sherry Wright

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.

STOCKS OF CONCERN

Remove Anchor River Chinook as a stock of concern ACTION: Carried

Department estimates achieved through sonar and weir reports were much higher than previously estimated. Board removed Anchor River chinook as a stock of management concern.

PROPOSALS

PROPOSAL NO. 1

ACTION: Tabled to January 2005

DESCRIPTION: Increase the GHL for Cook Inlet Pacific cod fishery to 6 percent of the federal Central Gulf TAC.

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 2

ACTION: Tabled to January 2005

DESCRIPTION: Include a vessel size limitation of 58 feet in Cook Inlet.

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 3

ACTION: Carried as amended

DESCRIPTION: Allow unbaited pots to remain in the water indefinitely after the pot closure.

AMENDMENT: Allow pots to remain on the grounds for up to five days following the season closure, with doors tied open.

DISCUSSION: The smaller fleet has a reduced ability to move gear, particularly in poor weather conditions. Fish and Wildlife Protection opposed leaving gear on the grounds indefinitely, but supported allowing an additional five days as a workable solution. This allows permit holders to work around poor weather conditions.

PROPOSAL NO. 4

ACTION: Carried as amended

DESCRIPTION: Calculate the jig percentage of Pacific cod GHL based on historical average harvest.

AMENDMENT: Amended allocation to 75 percent pot, 25 percent jig gear.

DISCUSSION: The Cook Inlet state waters Pacific cod GHL has been achieved only once since 1997. The jig allocation has not been achieved to date in this fishery. Board based amendment on the harvest data provided by the department. Gulf of Alaska total allowable catch for 2005 numbers are slightly lower.

PROPOSAL NO. 5

ACTION: Tabled to January 2005

DESCRIPTION: Allow a directed hook-and-line commercial shark fishery and allow sale of sharks taken as bycatch

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 6

ACTION: Failed

DESCRIPTION: Delete Resurrection Bay from closed waters designation for commercial lingcod fishery.

DISCUSSION: This fishery has been closed since 1993 for recovery purposes. Jig survey conducted in 1998 indicated the density of lingcod in Resurrection Bay was substantially lower than in waters outside the bay. There is no new data to support a sustainable directed sport fishery. Given potential fishing effort, allowing harvest at this time could quickly deplete localized stocks. Board asked department to provide more information on an estimated timeframe to rebuild this population.

PROPOSAL NO. 7

ACTION: Tabled to January 2005

DESCRIPTION: Limit the directed rockfish jig fishery to black rockfish and implement a logbook requirement.

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 8

ACTION: Tabled to January 2005

DESCRIPTION: Require full retention of all rockfish bycatch in directed groundfish and halibut fisheries.

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 9

ACTION: Tabled to January 2005

DESCRIPTION: Adopt a management plan for sablefish in Cook Inlet that includes a July 1 registration deadline, logbook requirement and a GHL divided equally among registered participants.

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 10

ACTION: Carried

DESCRIPTION: Allow the commissioner to require lingcod be delivered with head on in commercial deliveries, and other requirements.

DISCUSSION: The department will be able to record evidence of gender during the fishery. Size and age of sexual maturity is basic to sound stock management. Otoliths may be taken without reducing the value of the final product. These are small fisheries. The board noted that there may be some cost to participants related to amount of fish the vessel can hold.

PROPOSAL NO. 11

ACTION: Tabled to January 2005

DESCRIPTION: Open a new directed longline fishery for spiny dogfish in Cook Inlet.

DISCUSSION: The board deferred this proposal to the January 2005 Kodiak meeting in accordance with the protocol agreement with the North Pacific Fishery Management Council, in order to allow time for comments.

PROPOSAL NO. 12

ACTION: Carried

DESCRIPTION: Clarify the definition of the minimum size limit of lingcod to provide a measurable reference point for determining head-off length.

DISCUSSION: This housekeeping proposal clarifies regulations by providing a definitive basis for length measurements when the head of a lingcod has been removed.

PROPOSAL NO. 13

ACTION: Failed

DESCRIPTION: Allow setnet gear equal time to purse seine gear in Halibut Cove Subdistrict.

DISCUSSION: Enhanced fish are the primary targeted harvest and a snag fishery occurs later in the season. Department stated funding for stocking program is primarily for recreational users, which is being fully utilized at this time. The initial program began with an agreement that the enhanced fishery would not be a detriment to the commercial fishery. Season openings vary from year to year depending on the runs. While this could reduce potential conflict produced by seiners in place when setnetters return to the fishery, the board recognized that the fishery is fully utilized at this time.

PROPOSAL NO. 14

ACTION: Carried as amended

DESCRIPTION: Change the opening date for the Southern District to June 1.

AMENDMENT: Department may open the gillnet season by emergency order authority, no earlier than June 1.

DISCUSSION: Approximately 200 additional kings could be harvested – fish would most likely be destined for the two enhancement projects (Halibut Cove and Seldovia Bay). Proponent was looking for a more definitive opening date. The board discussed the fact that an opening on “the first Monday” can vary as much as six days. The board also discussed whether an earlier opening would have detrimental affects on the overall run. A consistent opening date for the entire area would not be an enforcement problem. This proposal gives fishermen an opportunity to keep the markets viable.

PROPOSAL NO. 15

ACTION: Carried as amended

DESCRIPTION: Make all of Resurrection Bay a cost recovery special harvest area for CIAA.

AMENDMENTS: The department shall manage the commercial harvest of enhanced Bear Lake sockeye salmon surplus to inriver escapement requirements for a 50/50 allocation in numbers of fish between the commercial seine fleet and the Trail Lakes Hatchery operators in waters of Resurrection Bay are described in the amendment. The exclusionary area remains intact.

DISCUSSION: In Resurrection Bay enhancement originally was for recreational users. Bear Lake is fertilized to ensure the food source remains stable in the enhancement program. Fish spend only the winter in that system. Additional smolt are released at the weir, bypassing the Lake entirely. 50/50 split is between the cost recovery and the commercial fleet. The only cost recovery that has taken place thus far has been in fresh water.

PROPOSAL NO. 16

ACTION: Failed

DESCRIPTION: Close all waters of Cook Inlet north of the Kenai River to sport fishing.

DISCUSSION: The board saw no biological reason for the closure. The recreational fishery accounts for less than 1 percent of the salmon harvested.

PROPOSAL NO. 17

ACTION: Failed

DESCRIPTION: Apply slot limit to waters of Cook Inlet south of the Kenai River.

DISCUSSION: Sport fishing opportunity would be lost in the eastern Cook Inlet marine waters without measurable increase in the five-ocean fish component of the Kenai River inriver escapement. This is a mixed stock fishery.

PROPOSAL NO. 18

ACTION: No action

DESCRIPTION: Prohibit anchoring north of Anchor Point during commercial drift openings.

DISCUSSION: The board took no action based on action taken on proposal 20.

PROPOSAL NO. 19

ACTION: No action

DESCRIPTION: Prohibit anchoring north of 59°45.00 during commercial drift openings.

DISCUSSION: The board took no action based on action taken on proposal 20.

PROPOSAL NO. 20

ACTION: Tabled to Jt Protocol Comm.

DESCRIPTION: Prohibit anchoring south of the Kalgin buoy when drift boats are present.

DISCUSSION: The board has authority to regulate only the fishing activities of an anchored vessel in fisheries in which it has jurisdiction. Over 75 percent of the charter vessels are fishing in federal waters. The board also does not regulate the sport halibut fishery. Further work and research is needed to consult with federal counterparts regarding this issue. The board will bring this to the North Pacific Fishery Management Council's attention, and schedule it for a Joint Board/Council Protocol Committee meeting.

PROPOSAL NO. 21

ACTION: No action

DESCRIPTION: Prohibit anchoring near drift net vessels in Cook Inlet marine waters.

DISCUSSION: The board took no action based on action taken on proposal 20.

PROPOSAL NO. 22

ACTION: Carried as amended

DESCRIPTION: Create "Youth Fishing Days" on the Homer Spit Fishery Enhancement Lagoon.

AMENDMENTS: The first Saturday in June for early-run king salmon, the first Saturday in August for early-run coho salmon, and the third Saturday August for late-run coho salmon are set aside for one 24-hour period. Persons 16 years and older accompanying the child may assist, but not participate, in the fishery in the area defined for youth fishery.

DISCUSSION: The Alaska Legislature passed a bill giving the board authority to establish restricted seasons and areas necessary for persons less than 16 years of age to participate in sport fishing. Board believes that by having this on the weekend, more families could participate. Allowing the adult to accompany will allow passing on of knowledge and ethical methods to the children.

PROPOSAL NO. 23

ACTION: Failed

DESCRIPTION: Prohibit catch-and-release fishing when there is a conservation concern.

DISCUSSION: It is unclear to the board to what conservation concern the proponent is referring. Anglers could lose fishing opportunity on fisheries currently open to catch-and-release. This would limit viable management tools of the department.

PROPOSAL NO. 24

ACTION: Failed

DESCRIPTION: Limit guides on Anchor River and Deep Ck to no more than two clients at a time.

DISCUSSION: There is currently no limit on the number of guides on these river systems. The extent of the guided trip is limited by the seasons and areas, equivalent to all other sport fisheries. Walk-in guides are a relatively new concept; however one group may consist of more than two people. The board saw no conservation or fishery development reason to impose this limit.

PROPOSAL NO. 25

ACTION: Carried

DESCRIPTION: Add another weekend to the king salmon season prior to the Memorial Day opening on the Anchor River.

DISCUSSION: The Anchor River was restricted to four 3-day weekends in 2001 based on annual aerial escapement counts below the SEG range in the prior 4 of 6 years. New sonar technology used to count salmon beginning in 2003 and continuing in 2004, found more kings than was

previously thought migrating up the Anchor River. Based on new information the Department recommended cautious liberalization of the fishery and supported the proposal to add a three day opening on the weekend and following Monday, prior to Memorial Day weekend. Water conditions are not ideal for fishing this early in the season and some additional steelhead may be caught.

PROPOSAL NO. 26**ACTION: Carried as amended**

DESCRIPTION: Allow fishing for hatchery king salmon seven days per week on the Ninilchik River.

AMENDMENTS: The daily bag and possession limit is two king salmon, no more than one of which may be a wild fish. Wild fish have an adipose fin. Hatchery fish are recognized by the missing adipose fin, evidenced by a healed fin clip scar where the adipose fin is normally located. A person may not possess a king salmon that has been filleted, mutilated or otherwise disfigured in a manner that prevents the determination that the fish is a hatchery king salmon, until the person has stopped fishing in the Ninilchik River for the day and has moved more than 100 yards away from Ninilchik River waters open to sport fishing.

DISCUSSION: Department sees opportunity for additional fishing on hatchery stocks. Genetic origin of the hatchery fish is from Ninilchik River stock. Broodstock used is from the natural run (no clipped fin), so returning fish are only one generation from wild stock. These fish are also harvested in other Lower Cook Inlet fisheries.

PROPOSAL NO. 27**ACTION: Carried**

DESCRIPTION: Prohibit fishing for jack salmon in waters closed to large salmon.

DISCUSSION: The board discussed closing a loophole that allows catch-and-release king salmon fishing, in waters that are typically closed to salmon fishing for king salmon larger than 20 inches, under the guise of fishing for "jack" salmon which have more liberal bag and possession limits. There is no harvestable surplus of large salmon in the system, and the board is interested in protecting spawning salmon. Allowing anglers to harvest jacks in waters closed to other salmon creates an illegal, but unenforceable catch-and-release fishery.

PROPOSAL NO. 28**ACTION: Carried as amended**

DESCRIPTION: Open Resurrection River drainages to salmon fishing.

AMENDMENTS: Bag limit of three per day, three in possession, only two of which may be coho, with a season of August 1 – December 31.

DISCUSSION: There is a harvestable surplus of coho salmon. CIAA broodstock needs for sockeye salmon have not been met for four of the last five years; however board action on proposal 15 should help address that concern. Department has emergency order authority if a closure is needed to ensure broodstock goals are met. Legal public access to the area of the proposed fishery is limited; however the local advisory committee testified that there is a workable solution.

PROPOSAL NO. 29**ACTION: Carried**

DESCRIPTION: Create "Youth Only Fishing Days" on First Lake.

DISCUSSION: Creating an opportunity in this lake each spring just after stocking will allow youth access to these fish without competition. It will also allow local organizers a better chance to provide for the education about the proper care, respect and handling of renewable resources. Intent is no person 16 years or older may fish.

PROPOSAL NO. 30**ACTION: No action**

DESCRIPTION: Amend existing wild trout regulations to conform to the statewide standards.

DISCUSSION: Individual system regulations would allow review to be accomplished in-cycle by region. Liberalization could result in the overharvest of these trout populations.

PROPOSAL NO. 31

ACTION: Failed

DESCRIPTION: Modify the opening date for the area upstream of the confluence of the North and South forks of the Anchor River.

DISCUSSION: This would direct angling pressure onto spawning king salmon during the peak spawning period, which the board was unwilling to do.

PROPOSAL NO. 32

ACTION: Failed

DESCRIPTION: Set apart fish reserve areas, refuges, and sanctuaries in Southcentral Alaska.

DISCUSSION: Designation would not affect the department's management of this area, nor further protect fishery resources. If adopted, board would make a recommendation to the legislature that sections along the North Fork of the Kashwitna River be added to the Willow Mountain Critical Habitat Area. Board lacked information on intention of the proposal and expressed concern of development and access by the public.

PROPOSAL NO. 33

ACTION: Carried

DESCRIPTION: Repeal the December 31, 2004 sunset date which allows a vessel with two permit holders onboard to fish an additional 50 fathoms of drift gillnet gear in Bristol Bay.

DISCUSSION: The board discussed enforcement issues and found there are no documented difficulties with dual permit violations. Boats with dual permits were very obvious due to the extra shackle of gear on the water. The board stated that the regulation was doing exactly what it was intended to do, including reducing the overhead costs for fishermen participating in Bristol Bay fisheries. The board noted that fishermen who cannot afford to fish their own boat were able to participate by partnering up with another fisherman and therefore benefiting. It was also noted that under different economic circumstances (i.e., higher fish prices) fishermen might not choose to fish dual permits but that under the current economic situation it was beneficial.

PROPOSAL NO. 452

ACTION: Carried

DESCRIPTION: Establish licensing, reporting, vessel registration requirements for sport fishing guide businesses and guides statewide.

AMENDMENTS: Board adopted detailed language which describes how these regulations will be implemented by the department. A copy of the full text is available from Boards Support Section.

DISCUSSION: This proposal enables the board to implement new statutes created by the legislature during the 2004 session. Generally, this proposal has received support by users as it is believed it will provide more complete data on the fishery. Logbooks are designed for specific areas. The board discussed whether to include transporters and outfitters. A new legal notice would be needed to include the transporters and outfitters reporting requirement portion of these regulations this year. Transporters and outfitters would not pay the fees involved in registering as a guide, so there would be no revenue provided to cover expenses of data input. Department expressed concern of ability to implement the current program, and stated that it is unlikely that data received from transporters and outfitters would be beneficial or usable.

MISCELLANEOUS BUSINESS

Delegation of Authority

The board updated its delegation of authority to the commissioner to adopt and amend regulations pertaining to sport fish guiding logbooks and reports. The delegation will be available online at the Board of Fisheries website (# 2004-231-FB), or upon request to the Boards Support Section.