

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS

**ON SUBSISTENCE, PERSONAL USE, SPORT, GUIDED SPORT, AND
COMMERCIAL FINFISH REGULATORY PROPOSALS**

**FOR THE PRINCE WILLIAM SOUND-
UPPER COPPER/UPPER SUSITNA MANAGEMENT AREAS**

**ALASKA BOARD OF FISHERIES MEETING
VALDEZ, ALASKA**

DECEMBER 1-6 , 2005



The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (Board) meeting, December 1-6, 2005 in Valdez, Alaska. The comments are forwarded to assist the public and Board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the Board.

This book is organized by Board Subcommittee. A listing of staff comment page numbers by proposal number appears after the Table of Contents on page vi.

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**COMMITTEE A: COPPER RIVER SALMON
(14 PROPOSALS)**

Chitina Subdistrict

PROPOSAL 3, PAGE 6, 5 AAC 01.616 CUSTOMARY AND TRADITIONAL USES OF FISH STOCKS.

Proposal requests a redetermination of subsistence criteria (C&T) for the Chitina Subdistrict.

WHAT WOULD THE PROPOSAL DO? The proposal would establish a positive customary and traditional use determination for the salmon stocks of the Chitina Subdistrict and change the classification of the Chitina Subdistrict dip net fishery from a personal use fishery to a subsistence fishery.

WHAT ARE THE CURRENT REGULATIONS? There is a negative C & T finding for the salmon stocks of the Chitina Subdistrict and therefore the dip net fishery in the Chitina Subdistrict operates under personal use regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? The Chitina Subdistrict salmon fishery would be reclassified as a subsistence fishery.

BACKGROUND: Under the state subsistence statute, the Board is required to identify those fish stocks, or portions of those stocks, that support customary and traditional (C & T) subsistence uses. The Board applies the Joint Board's C & T procedures ("the eight criteria") to make these determinations (5 AAC 99.010). Prior to 1984, the Chitina dipnet fishery operated under subsistence regulations. At its February 1984 meeting, the Board found that salmon stocks in the Glennallen Subdistrict supported C & T uses while those of the Chitina Subdistrict did not. The fishwheel and dipnet fishery in the Glennallen Subdistrict continued to operate under subsistence regulations while the Chitina dipnet fishery became a personal use fishery. After the passage of the current state subsistence law in 1992, the Board affirmed its 1984 determination. At its December 1999 meeting in Valdez, however, the Board examined the available data under the eight criteria for the Chitina Subdistrict and reversed its earlier finding, making a positive C & T finding and reclassifying the fishery as a subsistence fishery.

In 2000, the Division of Subsistence of ADF&G, the Copper River Native Association, the CheeshNa' Tribal Council (Chistochina), and the Chitina Tribal Council conducted a study of characteristics of the subsistence fisheries of the Glennallen and Chitina subdistricts in order to update existing information. (The study was funded by the Office of Subsistence Management of the US Fish and Wildlife Service.) For the January/February 2003 Board of Fisheries meeting, the Division of Subsistence summarized this new information in a staff report in the

form of a customary and traditional use worksheet. At that meeting, the Board, reviewed the staff report and other available information provided during public testimony, and then adopted Proposal 42, reversing its December 1999 decision by making a negative customary and traditional use determination for the Chitina Subdistrict salmon stocks. Since 2003, therefore, the Chitina dipnet fishery has been managed by ADF&G as a personal use fishery.

The Federal Subsistence Board beginning in 2002 has authorized a subsistence salmon fishery in the Chitina Subdistrict for qualified rural Alaska residents (primarily residents of Copper River basin and Upper Tanana communities). Legal gear includes fishwheels, dip nets, and rod and reel. Permits are issued by the National Park Service.

The department has no new information to provide for a C & T analysis of these stocks. We believe that the 2003 staff report remains an accurate description of the state-managed Chitina Subdistrict fishery and will provide copies of that staff report at the board meeting.

DEPARTMENT COMMENTS: The Department is NEUTRAL on this proposal. We recommend that the board review the information in the 2003 staff report, as well as any information provided during public testimony, to determine if there is any new information that warrants re-examination of the Board's negative customary and traditional use determination from the February 2003 meeting. Information about the Chitina Subdistrict fishery, as well as comparative information for the Glennallen Subdistrict, is organized according to the eight criteria in the 2003 staff report/worksheet.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? No, as determined by the Board in February 2003.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes
4. What amount is reasonably necessary for subsistence use? There is presently no amount necessary for subsistence (ANS) finding for this fishery because of the negative C & T finding. If Proposal 3 is adopted, the Board will need to review recent harvest and participation data to make an ANS finding.

5. Do the regulations provide a reasonable opportunity for subsistence use? The Board will need to make this determination if Proposal 3 is adopted.

6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? In the department's judgment, no.

PROPOSAL NO. 10, PAGE 10, - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend this regulation to include the following:

A 24-hour mandatory checkpoint five miles from Chitina, manned by authorized Department personnel, will check fishing permits and salmon harvested by permit holders who have harvested salmon within the vicinity of Chitina.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would require Chitina Subdistrict personal use fishery permit holders to stop at a Department checkpoint to have their harvest and permit verified by Department personnel.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.591(d). A personal use salmon fishing permit holder shall record all harvested salmon on the permit, in ink, before concealing the salmon from plain view or transporting the salmon from the fishing site. Permits must be returned to the Department and the conditions specified in 5 AAC 77.015(c) must be met. For the purposes of this subsection, "fishing site" means the location where the salmon is removed from the water and becomes part of the permit holder's bag limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would require a checkpoint located approximately 5 miles from Chitina where all Chitina Subdistrict permit holders must stop and have their harvest and permit verified by Department personnel.

BACKGROUND:

The sockeye salmon escapement goal (measured at the Miles Lake sonar) has been met every year except one since 1984. While there have been citations for over limits and failure to record harvest on the permit (estimated 200 citations/year by ABWE officer), the actual number of fish taken above the household limit has not been documented. The Department believes this number is small relative to total harvest.

The Department permit office located near the Chitina Airport was closed following the 2000 fishing season. The Edgerton Highway at the proposed check

point location is a narrow, two lane highway with minimal area for vehicle staging. There can be 800-1,000 permit holders participating in the fishery during weekends. If this proposal was adopted the Department would have to substantially bolster staff.

The average return rate of Chitina Subdistrict permits was 96% (1991-2000) and 85% from 2001 – 2004. Since 2001, harvests from the personal use fishery have been estimated and are adjusted for non-permit return bias. Prior to 2001, harvests were considered a complete census based on the high permit return rates.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal since it places an unnecessary burden on the participants and the Department to address an issue that has not been fully documented.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Chitina Subdistrict Personal Use fishery. This proposed change would cause a substantial increase in operational costs to the Department to collect harvest data that would be redundant.

PROPOSAL NO. 12, PAGE 12, - 5 AAC 77.005. Personal use fishing permits. Amend this regulation to include the following:

Personal use fishing permits must be submitted to the Department office from which the permit was issued at a time specified by the Department.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would require that Chitina Subdistrict personal use fishery permits be returned to the Department office from which they are issued, at the time requested by the Department, which is already in statewide personal use fishing regulations.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.015 (6). Personal use fishing reports must be completed on forms provided by the Department and submitted to the Department office from which the permit was issued at the time specified by the Department for each particular area and fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

None, as the proposal, as worded, is already in regulation.

BACKGROUND:

Through 2000 a seasonal Department office was located near the Chitina Airport for the purpose of issuing and receiving Chitina Subdistrict fishing permits. This

office and the department office in Glennallen were the only sites where Chitina Subdistrict personal use fishing permits were available. These permits were required to be returned to the Chitina office following the completion of each fishing trip. Estimates of harvest and participation were produced from returned fishing permits for the previous week. If permit holders had not caught their limit of salmon, they would return to the office and be reissued their permit. The Chitina office was closed permanently following the 2000 fishing season. Chitina Subdistrict fishing permits became available at three ADF&G offices in 2000 (Anchorage, Fairbanks, Glennallen) and in 2001 at the same three ADF&G offices, plus 40 license vendors located in southcentral and interior Alaska. As a result, weekly harvest and participation estimates were not longer available after 1999. Weekly harvest and participation estimates were not necessary for management of the fishery as outlined in the Copper River Personal Use Dip Net Salmon Fishery Management Plan (5 AAC 77.591).

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal, as current permit reporting requirements provide information necessary for the Department to manage the Chitina personal use fishery as specified in the Copper River Personal Use Dip Net Salmon Fishery Management Plan.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Chitina Subdistrict personal use fishery. This proposed change would cause a substantial increase in operational costs to the Department to collect harvest data that would be redundant.

PROPOSAL NO. 13, PAGE 12, - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend this regulation to include the following:

The annual limit for king salmon in the personal use dip net fishery in the Chitina Subdistrict is five. The limit can be taken throughout the season or all at one time.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would increase the current bag limit from 1 king salmon per household to 5 king salmon per household.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.591(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would increase the king salmon harvest in the Chitina Subdistrict personal use fishery. Using harvest and participation data from the Chitina Dipnet fishery from previous years and a 5 fish bag limit, a minimum of 4,500 and a maximum of 11,000 king salmon could be harvested under this proposed bag limit change.

BACKGROUND:

The Copper River king salmon stocks have been considered fully allocated since 1991. Up to 1996, the Chitina Subdistrict limit for king salmon was 5 fish. As a result of the Board adopting the Copper River king salmon management plan in 1996, the king salmon limit was reduced to 4 fish as part of a 5% king salmon harvest reduction. Since 2000, the king salmon limit has been 1 fish. This reduction occurred following the 1999 board meeting when the fishery was classified as a subsistence fishery. King salmon harvests have averaged 3,854 fish (1994-1996), while from 1997 – 1999 the harvest averaged 5,834 fish. The Board believed that increased king salmon harvests were a result of increasing participation and efficiency of dipnetters. To return harvests to historic levels the Board instituted a 1 fish limit. The king salmon harvest has averaged 2,540 from 2000 – 2004; participation has dropped from 9,678 permits (1997 – 1999) to 7,854 permits (2000 – 2004). The reduction in participation could be responsible for keeping the king salmon harvests below 3,000 fish.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Chitina Subdistrict personal use fishery.

PROPOSAL NO. 14, PAGE 13, - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend this regulation to include the following:

In the Chitina Subdistrict, dipnetters will not be allowed to keep any king salmon in the month of June.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would prohibit the retention of king salmon in the Chitina Subdistrict personal use fishery during the month of June.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.591(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would potentially reduce the Chitina Subdistrict personal use fishery king salmon harvest by 50%.

BACKGROUND:

Since 2000, the household limit for king salmon in the Chitina Subdistrict personal use fishery has been one. From 2000 – 2004 the average total harvest was 2,540 fish, of which 53% (1,132 fish) were taken in June. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board’s allocation criteria.

The sport fisheries in the Gulkana and Klutina rivers open January 1st, and close July 20th (Gulkana River) and August 1st (Klutina River). Based on radio-telemetry data, king salmon start entering the Gulkana River in early June and in the Klutina River in late June. In the Gulkana River, the king salmon run is complete by the end of July and in the Klutina River by mid-August. Department data indicate that 90% of the Gulkana River run and 50% of the Klutina River run are beyond the Chitina Subdistrict by the end of June. The actual number of fish added to the Gulkana and Klutina river runs from precluding retention of king salmon in June is difficult to estimate, however it would certainly increase the number of fish returning to these systems.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Chitina Subdistrict personal use fishery.

PROPOSAL NO. 15, PAGE 13, - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend this regulation to include the following:

Every member of a household is allowed one king salmon. In other king salmon fisheries a license holder is allowed four or five king for the season, and a member of a household should be able to keep one king salmon in the dip net fishery in the Chitina Subdistrict on the Copper River.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would change the king salmon limit in the Chitina Subdistrict from one king per household to one king per household member.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.591(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would increase the overall harvest of king salmon in the Chitina Subdistrict. The proposed regulation would allow one king for every household member.

BACKGROUND:

Since 2000, the household limit for king salmon in the Chitina Subdistrict personal use fishery has been one fish per household. From 2000 – 2004, an average of 28% of households participating in the Chitina Subdistrict personal use fishery harvested a king salmon. Household size during this period averaged 3 members and if each member harvested a king salmon this would translate to an overall harvest of 6,700 king salmon if this proposal is adopted. From 1994 – 1996, when a 5 fish limit had been in place in the Chitina Subdistrict, households that harvested king salmon averaged 2 king salmon per permit. If this trend remained under the proposed regulation, the minimum estimated harvest of king salmon would increase to 4,477 fish. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board’s allocation criteria.

The king salmon bag limit for the Upper Copper/Upper Susitna Area sport fisheries is a daily limit of one with an annual limit of four per angler. In the Glennallen Subdistrict subsistence fishery, the annual limit is five king salmon per household if taken by dip net.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Chitina Subdistrict personal use fishery.

PROPOSAL NO. 16, PAGE 14, - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend this regulation to include the following:

(e) The annual limit for a personal use fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than **two** [ONE] may be a king salmon...

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would double the current harvest limit for king salmon in the Chitina Subdistrict personal use fishery.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 77.591(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than one may be a king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would increase the current king salmon limit of one for the Chitina Subdistrict personal use fishery to two and likely increase the overall harvest of king salmon in the Chitina Subdistrict.

BACKGROUND:

Since 2000, the limit for king salmon in the Chitina Subdistrict personal use fishery has been one fish per household. From 2000 – 2004, an average of 28% of households participating in the Chitina Subdistrict personal use fishery harvested a king salmon. From 1994 – 1996, when a 5 fish limit had been in place in the Chitina Subdistrict, households that harvested king salmon averaged 2 king salmon per permit. If this trend continues under the proposed regulation, the minimum estimated harvest of king salmon would increase to 4,477 fish. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board’s allocation criteria.

The king salmon bag limit for the Upper Copper/Upper Susitna Area sport fisheries is a daily limit of one with an annual limit of four per angler. In the Glennallen Subdistrict subsistence fishery, the annual limit is five king salmon per household if taken by dip net.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Chitina Subdistrict personal use fishery.

Glennallen Subdistrict and Batzulnetas

PROPOSAL NO. 4, PAGE 6, - 5 AAC 01.620 (c). Lawful gear and gear specifications. Amend this regulation to include the following:

The holder of every fish wheel permit is responsible for ensuring the wheel is physically checked and all fish caught removed from the box at least once every 24 hours. The permit holder is responsible for anyone using their wheel.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would require that fishwheels be checked and all fish caught removed from the fishwheel, at least once in a 24 hour period.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.620 (c) Fish wheels used for subsistence fishing may be operated only as follows:

- (1) the owner of a fish wheel shall register that fish wheel with the Department; the Department shall issue a registration number for the fish wheel; that registration number, and either the owner's name and address or the owner's permanent identification number from a valid Alaska driver's license or a state identification card, must be permanently affixed and plainly visible on the fish wheel on a wood, metal, or plastic plate that is at least 12 inches high by 12 inches wide, in letters and numerals at least one inch high, when the fish wheel is in the water; only the registration number from the current year may be affixed to the fish wheel; any other registration number must be removed from the fish wheel;
- (2) the owner of a fish wheel registered under (1) of this subsection is responsible for the fish wheel when the fish wheel is in the water;
- (3) when the permit holder is a person other than the owner of the fish wheel, in addition to the requirements of (1) of this subsection, an additional plate of wood, metal or plastic, that is at least 12 inches high by 12 inches high bearing the permit holder's name and address in letters and numerals at least one inch high must be attached to each fish wheel so that the name and address are plainly visible;
- (4) a permit holder may operate only one fish wheel at a time;
- (5) a person may not set or operate a fish wheel within 75 feet of another fish wheel;
- (6) a fish wheel
 - (A) may not have more than two baskets;
 - (B) must be removed from the water at the end of the permit period; and
 - (C) may not be rented, leased, or otherwise used for personal gain.
- (e) The permit holder must personally operate the fish wheel or dip net. A subsistence fish wheel or dip net permit may not be loaned or transferred except as permitted under 5 AAC 01.011.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal sets a time requirement for when fishwheels must be checked and emptied of fish. There currently is no time requirement; however most users check their fishwheels daily.

BACKGROUND:

Current regulations for fish wheels in the Glennallen Subdistrict have no requirement for how frequently a fish wheel must be checked. Three other management areas in the state do have fish wheel attendance requirements: the Cook Inlet Area, Kuskokwim Area and the Yukon-Northern area.

Local Alaska Bureau of Wildlife Enforcement (ABWE) officers support this proposal. No citations for wanton waste have been issued for this fishery, but ABWE officers believe it occurs, yet it is extremely difficult to enforce.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this proposal as a means to assist enforcement personnel and provide guidelines to fish wheel permit holders.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Glennallen Subdistrict fishery.

PROPOSAL NO. 5, PAGE 6, - 5 AAC 01.620 (c). Lawful gear and gear specifications. Amend this regulation to include the following:

A fish wheel may be operated only by one permit holder at one time; the permit holder must have the fish wheel marked as required by 5 AAC 01.620(c)(1) and (3) during fishing operations; that permit holder must check the fish wheel at least once every 24 hours and remove all fish.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would require that fishwheels be checked and all fish caught removed from the fishwheel, at least once in a 24 hour period.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.620 (c) Fish wheels used for subsistence fishing may be operated only as follows:

(1) the owner of a fish wheel shall register that fish wheel with the Department; the Department shall issue a registration number for the fish wheel; that registration number, and either the owner's name and address or the owner's permanent identification number from a valid Alaska driver's license or a state identification card, must be permanently affixed and plainly visible on the fish wheel on a wood, metal, or plastic plate that is at least 12 inches high by 12 inches wide, in letters and numerals at least one inch high, when the fish wheel is in the water; only the registration number from the current year may be affixed to

- the fish wheel; any other registration number must be removed from the fish wheel;
- (2) the owner of a fish wheel registered under (1) of this subsection is responsible for the fish wheel when the fish wheel is in the water;
- (3) when the permit holder is a person other than the owner of the fish wheel, in addition to the requirements of (1) of this subsection, an additional plate of wood, metal or plastic, that is at least 12 inches high by 12 inches high bearing the permit holder's name and address in letters and numerals at least one inch high must be attached to each fish wheel so that the name and address are plainly visible;
- (4) a permit holder may operate only one fish wheel at a time;
- (5) a person may not set or operate a fish wheel within 75 feet of another fish wheel;
- (6) a fish wheel
- (A) may not have more than two baskets;
 - (B) must be removed from the water at the end of the permit period; and
 - (C) may not be rented, leased, or otherwise used for personal gain.
- (e) The permit holder must personally operate the fish wheel or dip net. A subsistence fish wheel or dip net. A subsistence fish wheel or dip net permit may not be loaned or transferred except as permitted under 5 AAC 01.011.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal sets a time requirement for which fish wheels must be checked and emptied of fish. There currently is no time requirement on how frequently a fish wheel must be checked. The majority of fish wheel users do check their fish wheels at least once daily.

BACKGROUND:

Current regulations for fish wheels in the Glennallen Subdistrict have no requirement for how frequently a fish wheel must be checked. Three other management areas in the state do have fish wheel attendance requirements: the Cook Inlet Area, Kuskokwim Area and the Yukon-Northern area.

Local Alaska Bureau of Wildlife Enforcement (ABWE) officers support this proposal. No citations for wanton waste have been issued for this fishery, but ABWE officers believe it occurs, yet it is extremely difficult to enforce.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this proposal as a means to assist enforcement personnel and provide guidelines to fish wheel permit holders.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Glennallen Subdistrict fishery.

PROPOSAL NO. 7, PAGE 8, - 5 AAC 01.630 (e). Subsistence fishing permits. Amend this regulation to include the following:

Only the fish wheel owner and up to 25 authorized households listed with the Department may take salmon.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would limit the number of households that could use a fish wheel to the owner and 25 additional households.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.630 (e)(6) a fish wheel may be operated only by one permit holder at one time; that permit holder must have the fish wheel marked as required by 5 AAC 01.620 (c)(1) and (3) during fishing operations;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would limit the number of households that could use a fish wheel to the owner and 25 additional households. Current regulations do not limit the number of households that can use a fish wheel during the season, but only one household (permit holder) may operate the fish wheel at a time. This proposal could reduce the subsistence user opportunity or increase the number of fish wheels on the Copper River.

BACKGROUND:

Currently, fish wheel owners provide a list of authorized users to the Department at the time the fish wheel is registered. Fish wheels can only be registered at the Glennallen and Tok ADF&G offices, or the National Park Service office in Copper Center. Only those persons on the authorized users list are issued a fish wheel permit for that specific fish wheel. From 2000 - 2004 an average of 130 fish wheels were registered for the Glennallen Subdistrict. Of these, 10% (13 fish wheels) had authorized user's lists that exceeded 25 households, and 3% (4 fish wheels) had more than 25 households that actually receive a permit and used the fish wheel.

Enforcement officers are regularly provided the fish wheel owners list as it is updated.

No wanton waste citations have been issued in the Glennallen Subdistrict.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal due to the potential for reducing subsistence harvest opportunity to participants in the Glennallen Subdistrict fishery.

COST ANALYSIS: Adoption of this proposal could result in additional direct costs for private individuals to participate in the Glennallen Subdistrict fishery.

This would include the costs of building a fish wheel or purchasing/leasing land on which to operate a fish wheel.

PROPOSAL NO. 8, PAGE 9, - 5 AAC 01.620. Lawful gear and gear specifications. Amend this regulation to include the following:

A live fish box must be installed on fish wheels in the Glennallen Subdistrict unless the fish wheel is closely attended. Closely attended means the fish wheel is checked at least once every four hours.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would require fish wheels to have a live box or be checked and fish removed once every four hours.

WHAT ARE THE CURRENT REGULATIONS?

There are currently no regulations requiring a live box or how frequently a fish wheel must be checked in the Glennallen Subdistrict.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would require fish wheels to attach a live box to the fish wheel or for the permit holder to check the fish wheel at least once every 4 hours.

BACKGROUND:

Within the Prince William Sound Area, fish wheels operated in the Batzulnetas subsistence salmon fishery are required to be equipped with a live box or be monitored at all times (5 AAC 01.647 (i)(6)). In contrast, Cook Inlet Area, fish wheels operated in the Upper Yentna river subsistence salmon fishery (5 AAC 01.593 (3)) are required to be equipped with a live box and that live box must contain no less than 45 cubic feet of water volume. Fish wheel permit holders must also attend the fish wheel at all times while the fish wheel is in operation.

No citations for wanton waste have been issued for this fishery, but ABWE officers believe it occurs, yet it is extremely difficult to enforce. A 24-hour inspection requirement would provide guidelines to the Glennallen Subdistrict users, and while difficult to enforce (ABWE officers would have to determine that a fish wheel was not checked during a 24-hour period), it would likely be easier to enforce than wanton waste.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** this proposal. However we defer to ABWE regarding enforcement aspects.

COST ANALYSIS: Adoption of this proposal will result in additional direct costs for private individuals to participate in the Glennallen Subdistrict fishery.

PROPOSAL NO. 9, PAGE 10, - 5 AAC 01.647. Copper River subsistence salmon fisheries management plans. Amend this regulation to include the following:

A 24 hour mandatory checkpoint, five miles from Chitina, manned by authorized Department personnel, will check fishing permits and salmon harvested by permit holders who have harvested salmon within the vicinity of Chitina.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would require Glennallen Subdistrict subsistence fishery permit holders that fish from the Chitina Airport downstream to the Chitina-McCarthy Bridge to have their harvest and permit verified by Department personnel.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.630 (e)(8) a subsistence permit holder shall record all harvested fish on the permit, in ink, before concealing the fish from plain view or transporting the fish from the fishing site; for the purposes of this paragraph, “fishing site” means the location where the fish is removed from the water and becomes part of the permit holder’s bag limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would require a checkpoint located approximately 5 miles from Chitina where all Glennallen Subdistrict permit holders who fish from the Chitina Airport downstream must stop and have their harvest and permit verified by Department personnel. The Edgerton Highway at the proposed location is a narrow, two lane highway with minimal area for vehicle staging.

The Department would have to substantially bolster staff (at a large expense) to operate this checkpoint.

BACKGROUND:

Based upon participation and reported harvests from 2000 – 2004, approximately 632 permits (57% of permits issued) and 44 fish wheels (33% of all fishwheels registered) were fished in that portion of the Glennallen Subdistrict from the Chitina Airport to the Chitina-McCarthy Bridge. During this same period, these permits and fishwheels accounted for 52% of the reported harvest.

The average return rate of Glennallen Subdistrict permits from 2001 – 2004 was 91% and 92% during 1991 – 2000. Since 2001, harvests for the subsistence fishery have been estimated and account for non permit return bias. Prior to 2001, harvests were considered a census based on the high permit return rates.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal since it does not address all fish wheels and participants in the Glennallen

Subdistrict. In addition, it places an unnecessary burden on the participants and the Department to address an issue that has not been fully documented.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Glennallen Subdistrict subsistence fishery. This proposed change would cause a substantial increase in operational costs to the Department to collect harvest data that would be redundant.

PROPOSAL 11 - 5 AAC 01.647(j). Copper River Subsistence salmon fisheries management plans. Amend the regulation as follows:

(j)(2) salmon may be taken only from **May 8** [MAY 15] through September 30;

WHAT WOULD THE PROPOSAL DO? The proposal would amend 5 AAC 01.647 (j)(2) to allow subsistence gillnetting of salmon in the Copper River beginning May 8, one week prior to the usual commercial opening of the Copper River on about May 15.

WHAT ARE THE CURRENT REGULATIONS? The current regulation (5 AAC 01.647) states that Copper River Salmon may be taken for subsistence purposes in the waters of the Copper River District only from May 15 until two days before a commercial opening; during the commercial salmon season, only during open commercial salmon periods, and from two days following the closure of the commercial salmon season until September 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow subsistence harvesting of salmon in the Copper River District beginning May 8, one week prior to the usual May 15 start of the commercial season.

BACKGROUND: The recent practice has been to open the commercial season on or about May 15. Mid-May opening dates do not allow subsistence harvesters the opportunity to harvest salmon outside of the commercial fishing season. For commercial harvesters who are also subsistence harvesters, salmon for home use must be taken from their commercial harvest or they must forgo commercial harvesting in order to participate in the subsistence fishery.

Both Copper River sockeye and Chinook salmon are fully allocated fisheries. Allowing a week of subsistence fishing prior to the commercial season could result in significant harvests of both species if commercial fishing vessels are used to subsistence fish. Chinook salmon have been near the lower end of the escapement goal range for the past 5 years and are particularly vulnerable during early to mid May. An identical proposal was rejected by the board of Fisheries in 1999.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. The department is concerned that adoption of this proposal would result in an increase in effort and harvest prior to the start of monitoring at the Miles Lake sonar site. Copper River Chinook salmon are already fully allocated. Additionally, the department links subsistence and commercial fishing periods together to eliminate potential violations and enforcement confusion by commercial operators that are involved in the subsistence harvest. In addition, for the reasons stated in the “subsistence regulation review,” below, the department recommends that if the board chooses to take action on this proposal, it consider adopting an “amount necessary for subsistence uses” (ANS) finding for the salmon stocks of the Copper River District in regulation.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes (5 AAC 01.616(a)(4), based on a customary and traditional use finding made at the December 1996 Board of Fisheries meeting.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes
4. What amount is reasonably necessary for subsistence use? The board has not adopted an amount necessary for subsistence (ANS) finding for the salmon stocks of the Copper River District in regulation. At its December 1996 meeting, the board made an administrative finding that a range of 25,000 to 35,000 salmon was the amount necessary for subsistence uses. This was based on household survey data provided by the Division of Subsistence and included salmon harvested in the subsistence fishery, with rod and reel, and fish removed from commercial harvests for home use. If the board takes action on this proposal, it might consider reviewing its past ANS finding and adopting the ANS finding in regulation.
5. Do the regulations provide a reasonable opportunity for subsistence use? The board will need to make this determination as it considers this proposal.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? As noted above, the department considers Copper River Chinook stocks fully allocated. If changes to the subsistence fishing regulations are projected to result in significant additional harvests of Copper River Chinook, adjustments to regulations governing other fisheries might be necessary.

PROPOSAL NO. 6, PAGE 7, - 5 AAC 01.647. Copper River subsistence salmon fisheries management plans. Amend this regulation to include the following:

- (i) Salmon, other than Chinook salmon, may be taken in the vicinity of the former Native village of Batzulnetas under the following conditions:...
- (3) salmon may be taken [ONLY IN THOSE WATERS OF THE COPPER RIVER BETWEEN ADF&G REGULATORY MARKERS LOCATED NEAR THE MOUTH OF TANADA CREEK AND APPROXIMATELY] one-half mile downstream from [THAT MOUTH AND IN] Tanada Creek [BETWEEN THE REGULATORY MARKERS IDENTIFYING THE OPEN WATERS OF THE CREEK];
- (4) fishwheels and dip nets only may be used on the Copper River; dip nets, spears **and fyke nets** only may be used in Tanada Creek;
- (5) salmon may be taken May 15 through September 30 [ONLY FROM JUNE 1 THROUGH SEPTEMBER 1] or until closed by emergency order;
- (6) **Delete**
- ...
- (8) the permit must be returned to the Department's Glennallen office no later than October 31 [SEPTEMBER 30].

WHAT WOULD THE PROPOSAL DO?

This proposal would add fyke nets to the allowable gear in the Batzulnetas fishery. In addition, this would open the season 17 days earlier and extend the season 30 days later. This proposal would also allow the harvest of king salmon and allow permits to be returned to the Department a month later.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 01.647 (i) Salmon, other than Chinook salmon, may be taken in the vicinity of the former Native village of Batzulnetas under the following conditions:

- (1) unless modified by this subsection, 5 AAC 01.001 – 5 AAC 01.040 and 5 AAC 01.600 – 5 AAC 01.645 apply to this fishery;
- (2) salmon may be taken only under the authority of a Batzulnetas subsistence salmon fishing permit issued by the Department;
- (3) salmon may be taken only in those waters of the Copper River between ADF&G regulatory markers located near the mouth of Tanada Creek and approximately one-half mile downstream from that mouth and in Tanada Creek between ADF&G regulatory markers identifying the open waters of the creek;

- (4) fish wheels and dip nets only may be used on the Copper River; dip nets and spears only may be used in Tanada Creek;
- (5) salmon may be taken only from June 1 through September 1 or until the season is closed by emergency order; fishing periods are to be established by emergency order and are two days per week during the month of June and 3.5 days per week for the remainder of the season;
- (6) Chinook salmon taken must be released to the water unharmed; fish wheels must be equipped with a livebox or be monitored at all times;
- (7) annual bag and possession limits are as specified in 5 AAC 01.630(e);
- (8) the permit must be returned to the Department's Glennallen office not later than September 30 of each year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would align the state and federal subsistence regulations for the Batzulnetas fishery. Fyke nets would be added to the allowable gear, the season would be extended 47 days, the harvest of king salmon would be allowed, and permits would be returned to the Department a month later than currently required.

BACKGROUND:

In 2005, the National Park Service – Wrangell-St. Elias National Park and Preserve enforced NPS regulation 36 CFR 2.3 that allows fishing to be conducted within national park boundaries only with closely attended rod and reel. Part 13 of the NPS regulations does allow subsistence uses by rural resident zone community residents within national park boundaries. The enforcement of these regulations prohibited the subsistence fishing by non-rural residents in that portion of the Copper River upstream of Indian River (which includes approximately 15 river miles of the Glennallen Subdistrict and the Batzulnetas fishery) and required a federal subsistence fishing permit to use a fish wheel or dip net within the boundaries of Wrangell-St. Elias National Park and Preserve. Only those rural residents that qualified for federal subsistence salmon harvest in the Glennallen Subdistrict were issued permits to fish in this area. As a result, no state subsistence fishing permits were issued for this portion of the Glennallen Subdistrict in 2005. Since 2001, only federal permits have been issued for the Batzulnetas fishery, the last state permit for this fishery was issued in 1999.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal, due to current park service regulations; state subsistence permits for this area cannot be issued.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Batzulnetas subsistence fishery.

**COMMITTEE B- PRINCE WILLIAM SOUND SALMON
(36 PROPOSALS)**

Prince William Sound Subsistence

NOTE: Proposals 1 and 2 are identical, and have identical staff comments.

PROPOSAL 1 & 2 PAGE 1 - 5 AAC 01.648. Prince William Sound subsistence salmon fisheries management plans. Amend this regulation as follows:

(a) Salmon may be taken for subsistence purposes in those waters of the Southwestern District, as described in 5 AAC 24.200, and along the northwestern shore of Green Island from the westernmost tip of the island to the northernmost tip, only as follows:

...

(3) salmon may be taken **year round** [ONLY FROM MAY 15 THROUGH SEPTEMBER 30];

(4) **the fishing period** [PERIODS] **is** [ARE],

(A) **all year** [FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THE SOUTHWESTERN DISTRICT, SEVEN DAYS PER WEEK];

(B) **in no connection to the open commercial salmon fishing periods** [DURING THE COMMERCIAL SALMON FISHING SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS];

(C) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON SEASON UNTIL SEPTEMBER 30, SEVEN DAYS PER WEEK;]

...

(6) **there is a daily limit of 250 fish per permit holder (not per household) and a possession limit of the same** [THERE ARE NO BAG AND POSSESSION LIMITS FOR THIS FISHERY];

...

(b) Salmon may be taken for subsistence purposes in those waters north of a line from Porcupine Point to Granite Point, and south of a line from Point Lowe to Tongue Point, only as follows:

...

(3) salmon may be taken **year round** [ONLY FROM MAY 15 THROUGH OCTOBER 31];

(4) fishing periods are,

(A) **all year** [FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THE EASTERN DISTRICT, SEVEN DAYS PER WEEK];

(B) **in no connection to the open commercial salmon fishing periods** [DURING THE COMMERCIAL SALMON FISHING SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS];

(C) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON SEASON UNTIL OCTOBER 31, SEVEN DAYS PER WEEK;]

...

(6) there **is a daily bag limit of 250 fish per permit holder (not per household) and a possession limit of the same** [ARE NO BAG AND POSSESSION LIMITS FOR THIS FISHERY]; ...

WHAT WOULD THE PROPOSAL DO? This proposal would open the PWS subsistence season on a year round basis and eliminate the May 15 to September 30 or October 31 season. It would also eliminate the concurrent opening with commercial fishing periods and set a bag limit on daily harvest.

WHAT ARE THE CURRENT REGULATIONS? Subsistence harvest of salmon in the PWS Management Area is usually allowed; from May 15 until two days before a commercial opening; during the commercial salmon fishing season, only during open commercial salmon fishing periods; and from two days following the closure of the commercial salmon season until September 30, seven days per week in the Southwestern District and Green Island area, and until October 31, seven days per week in the Eastern District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Qualified subsistence users would be able to harvest salmon in PWS waters open to subsistence fishing year round with a daily limit of 250 fish per permit holder and a possession limit of the same.

BACKGROUND: Department records from 1988 through 2004 indicate that the number of subsistence permits issued and returned for the Southwestern District /Green Island area and Eastern District have varied throughout the years. As many as eighteen permits were issued in 1993 for subsistence fishing in the Eastern District while twenty-two Southwestern District subsistence permits were issued during the same year. Catch by species has varied as well. Subsistence catch has predominantly been sockeye and coho salmon, although during some years the harvest of pink or chum salmon predominated.

DEPARTMENT COMMENTS: The department is NEUTRAL with respect to this proposal. The department is concerned that adoption of this proposal could result in an increase in effort and harvest. Anadromous streams with small returns of wild stock pink and chum salmon may be subject to increased exploitation especially during years when wild stock escapement is less than anticipated. Within the Eastern, Northern, Montague, and Southwestern districts there are also small populations of sockeye and coho salmon that could be subjected to higher exploitation rates. While weekly aerial surveys to assess the strength of wild stock pink and chum salmon returns are conducted, the department does not have adequate information to assess the effects of increased exploitation on wild stock coho and sockeye populations found in some areas of the Sound. Additionally, the

end date provides a due date for subsistence harvest reporting. Harvest reporting at that time of year is crucial to complete the annual catch and management reports. Minimal salmon are present in PWS at times outside the current season. Lack of an expanded season would not limit subsistence harvest opportunity. The department ties subsistence and commercial fishing periods together to eliminate potential violations and enforcement confusion by commercial operators that have subsistence permits.

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

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes. The board has made a positive customary and traditional use finding for the salmon stocks of the Southwestern District and the waters along the northwestern shore of Green Island (5 AAC 01.616(a)(2)), and for the salmon stocks in the waters north of a line from Porcupine Point to Granite Point and south of a line from Point Lowe to Tongue Point (5 AAC 01.616(a)(3)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes
4. What amount is reasonably necessary for subsistence use? The board has not made an “amount reasonably necessary finding” (ANS) finding for these salmon stocks that appears in regulations. Staff will provide background and harvest data that the board may use if it chooses to make an ANS finding as part of its action on this proposal.
5. Do the regulations provide a reasonable opportunity for subsistence use? The board must make this determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? In the department’s judgment, no.

Prince William Sound Allocation Plan

PROPOSAL 17, - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend this regulation to allow the following:

Salmon seine permit holders in Prince William Sound shall have the right to form coops. The Department of Fish and Game shall manage the fishery in a manner that equitably divides the resource between coop members and non-coop members. If 200 permit holders participate in the fishery and 100 of those participants are in a coop or coops and 100 fishermen are not in a coop, 50 percent of the resource shall go to the non-coop fishermen and 50 percent shall be awarded to the coop or coops based on the size of each coop in relationship to the percentage they make up of the

total participants that year. A group of 50 permit holders in a coop would garner 25 percent of the resource (if 200 permit holders were active that year). Permit holders that do not fish or join a coop shall not be awarded any of the resource.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation as follows: Salmon seine permit holders in Prince William Sound shall have the right to form cooperatives.

WHAT ARE THE CURRENT REGULATIONS? Currently, there is no regulation regarding the formation of a seine permit holder cooperative in Prince William Sound.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effects of this proposal are unclear. This proposal will add additional allocation issues to the Prince William Sound Management and Salmon Enhancement Allocation Plan. The Chignik allocation formula for the cooperative fishery is specified in 5 AAC 15.359(d) which indicates that a percentage of any harvestable sockeye salmon surplus will be allocated to the cooperative fishery based on the number of participants in the cooperative. The current cooperative allocation is not based on the members' historical harvest.

BACKGROUND: Many issues must be considered and resolved in the adoption of this proposal. Some of these issues would include the proportion of the fleet participating in a cooperative, the number of cooperatives, a deadline to join cooperatives, the harvest allocation between cooperatives and non cooperative members, the duration of cooperatives (annual vs permanent), and the BOF cooperative review schedule (annual or other). During the January 2002 Board of Fisheries (BOF) meeting, the BOF recognized the need for majority support of a cooperative fishery by the Chignik CFEC permit holders and the same would apply to Prince William Sound permit holders. The BOF also realized that not all fishers would wish to join the co-op. The BOF determined that participation in the cooperative fishery of a majority of permit holders was reasonable before it could be allowed annually. Therefore, the cooperative fishery plan required participation by at least a majority of permit holders participating in the cooperative. The current regulation, 5 AAC 15.359(b)(1), requires that at least 51 Chignik CFEC salmon purse seine permit holders must register with the cooperative in order for an annual cooperative fishery to occur. There are 101 CFEC salmon purse seine permits in Chignik. The BOF also required that a CFEC permit holder had until March 15 of each year to choose to join the cooperative.

Informal cooperatives are already effectively operating in Prince William Sound without formal regulatory oversight. These informal cooperatives are formed by a single processor's fleet operating in cooperation. Typically, this results in a portion of the processor's fleet harvesting the plant capacity for a given day. In this fashion, vessels can be utilized to their greatest potential when in operation. Informal cooperatives eliminate the requirement of an allocation and management plan between groupings of purse seine permit holders. The department can

manage the Prince William Sound commercial salmon fishery with or without a seine permit holder cooperative. This proposal would create the need to allocate harvest between cooperative members and non-cooperative members adding to an already complex allocation plan.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. However, the department is opposed to the formation of more than three groups in the fishery due to the increased difficulties in managing for multiple allocations. Because the criteria for group formation are not detailed in the proposal, the variation and composition of groups from year to year cannot be determined. Excessive partitioning of the fleet will affect how the department manages the fishery; however, the specific effects on management methods cannot be determined until the groups are formed and the allocation plan is determined.

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

PROPOSAL 18, - 5 AAC 24.370(D)(5). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Purse seine gear is the only commercial salmon gear allowed in the Coghill District May 25 through September 30.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation as follows: Purse seine gear is the only commercial salmon gear allowed in the Coghill District May 25 through September 30.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that the Coghill District is open to only drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominately pink salmon by number. Seine gear may be used prior to July 21 by emergency order for the purpose of preventing the deterioration of fish quality of the harvestable surplus of chum salmon that is not being adequately harvested by the gillnet fleet or if the seine fleet does not achieve 40% of the total exvessel value for Area E in the preceding year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reallocate all of the Coghill District salmon harvest currently taken by the drift gillnet fleet to the purse seine fleet.

BACKGROUND: Proposals pertaining to the PWS allocation plan have been before the BOF since it became effective in 1991. An excellent history and analysis of the allocation plan through the 1996 BOF meeting is available in BOF Finding 97-02-FB. Many if not all of the issues identified in the finding have

been at the heart of the discussions since then, including this board cycle. It was at the 1996 BOF meeting that the “piggy bank” concept was introduced as a remedy to either the drift gillnet or purse seine fleet should they experience a significant allocation shortfall. The trigger point for these remedies was originally 25 percent or less of the total exvessel value of Area E for either fleet. At the 2003 BOF meeting, the trigger point was changed to 40 percent or less for either fleet and the board endorsed a management plan for the purse seine fleet to share the Esther Subdistrict prior to July 21. At the 2004 BOF ACR meeting, a buffer zone was established to reduce drift gillnet harvest of enhanced chum salmon outside of the Esther Subdistrict. However, the buffer zone has not been effective in reducing the drift gillnet enhanced chum salmon harvest.

Proposal 18. Table 1. Estimated exvessel value of the total commercial salmon harvest by gear type, Prince William Sound, 1994 - 2004.

Purse Seine											
Species	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Chinook	1,104	1,169	570	3,422	4,386	7,427	2,706	5,435	1,353	924	1,270
Sockeye	432,156	205,178	111,337	151,532	127,854	141,923	195,169	539,388	58,142	847,966	46,573
Coho	208,661	327,260	314,773	125,946	124,325	329,317	965,404	398,532	69,207	226,619	121,688
Pink	12,537,403	6,736,581	4,445,231	6,795,323	8,565,392	9,456,108	13,728,606	9,584,465	2,425,505	10,716,380	4,293,551
Chum	164,181	152,047	386,967	1,742,759	950,912	3,128,816	3,964,546	2,863,466	2,423,525	1,717,083	1,228,965
Total	\$13,343,505	\$7,422,236	\$5,258,878	\$8,818,982	\$9,772,869	\$13,063,591	\$18,856,431	\$13,391,287	\$4,977,731	\$13,508,972	\$5,692,047
Drift Gillnet											
Chinook	1,534,059	3,573,848	2,259,958	2,367,538	3,341,148	5,510,840	2,698,417	2,791,619	2,691,215	3,810,019	4,050,947
Sockeye	9,209,486	12,864,113	23,037,225	19,796,170	13,223,761	20,048,000	13,554,212	14,158,076	14,964,894	13,791,971	13,436,808
Coho	7,129,685	4,207,678	1,450,095	57,798	379,366	733,022	2,486,184	790,544	2,027,738	1,762,604	3,561,659
Pink	127,997	165,462	12,028	83,398	249,293	43,612	177,559	144,896	23,889	27,904	12,134
Chum	2,393,837	1,709,831	1,229,842	1,567,526	1,035,808	1,529,765	3,550,614	3,371,206	2,206,854	821,818	976,553
Total	\$20,395,065	\$22,520,932	\$27,989,149	\$23,872,430	\$18,229,376	\$27,865,239	\$22,466,986	\$21,256,342	\$21,914,590	\$20,214,316	\$22,038,101
Set Gillnet											
Chinook	121	182	148	159	25	592	2,902	787	765	0	189
Sockeye	638,164	181,653	697,572	1,055,286	177,723	407,497	912,603	844,123	1,701,077	1,070,058	454,709
Coho	3,513	2,003	612	340	336	1,877	3,346	1,686	388	1,611	1,635
Pink	117,298	18,892	2,373	20,477	16,659	8,721	53,160	22,048	10,848	6,324	7,439
Chum	18,675	21,018	11,312	17,242	337	13,630	25,641	20,045	27,638	6,742	17,261
Total	\$777,770	\$223,747	\$712,017	\$1,093,504	\$195,079	\$432,317	\$997,652	\$888,689	\$1,740,716	\$1,084,735	\$481,233
Average Earnings											
	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Purse Seine	\$78,032	\$39,691	\$58,432	\$77,359	\$65,590	\$93,983	\$143,942	\$88,101	\$41,481	\$127,443	\$54,210
Drift Gillnet	\$39,990	\$43,477	\$54,989	\$45,909	\$34,922	\$53,280	\$41,994	\$39,731	\$41,039	\$39,327	\$42,219
Set Gillnet	\$29,914	\$8,606	\$26,371	\$42,058	\$12,192	\$20,587	\$35,630	\$27,772	\$62,168	\$38,741	\$17,823
Number of Permits Fished											
Purse Seine	171	187	90	114	149	139	131	152	120	106	105
Drift Gillnet	510	518	509	520	522	523	535	535	534	514	522
Set Gillnet	26	26	27	26	16	21	28	32	28	28	27

Proposal 18. Table 2. Coghill District harvest by year, gear and species.

Year	Sockeye	Coho	Pink	Chum
Drift Gillnet				
1994	12,928	50,879	58,334	554,181
1995	57,797	29,343	161,493	379,659
1996	177,530	20,926	59,447	612,969
1997	227,231	5,618	154,969	689,977
1998	59,463	2,925	383,604	347,317
1999	106,028	1,114	32,408	689,210
2000	176,452	82,869	88,228	1,643,801
2001	87,539	3,185	308,707	1,142,449
2002	59,758	784	6,457	1,660,443
2003	161,872	9,900	44,419	726,431
2004	216,156	10,200	20,081	534,959
2005	87,962	53,308	181,898	899,126
10-Year Average (1994-2003)	112,660	20,754	129,807	844,644
Purse Seine				
1994	21,060	30,517	3,538,760	3,575
1995	20,670	5,337	917,200	2,597
1996	2,640	5,319	1,484,422	463
1997	5,694	1,269	1,875,617	33,139
1998	1,702	1,531	2,845,157	21,600
1999	3,229	338	3,509,722	621,349
2000	2,984	31,991	3,271,314	1,338
2001	2,398	356	648,335	3,802
2002	2,068	2,431	1,271,180	794,794
2003	125,641	724	11,439,915	750,834
2004	195	133	23,609	386,042
2005	12,365	1,579	2,917,107	249,299
10-Year Average (1994-2003)	18,809	7,981	3,080,162	223,349

Proposal 18. Table 3. Coghill District chum salmon harvest by gear and year

Year	Purse Seine	Gillnet	Difference
1994	3,575	554,181	550,606
1995	2,597	379,659	377,062
1996	463	612,969	612,506
1997	33,139	689,977	656,838
1998	21,600	347,317	325,717
1999	621,349	689,210	67,861
2000	1,338	1,643,801	1,642,463
2001	3,802	1,142,449	1,138,647
2002	794,794	1,660,443	865,649
2003	750,834	726,431	(24,403)
2004	386,042	534,959	148,917
2005	249,299	899,126	649,827
Average (1994-2005)	239,069	823,377	584,308

DEPARTMENT COMMENTS: The department is NEUTRAL on this allocative proposal. The department believes that as long as wild stocks remain in the exvessel value calculation of the allocation plan, the historical allocation percentages will not be realized in the long-term. The underlying reason for the inequity between the purse seine and gillnet fleets is the successful marketing and corresponding high prices of Copper River Chinook and sockeye salmon relative to pink and chum salmon, during the period since the inception of the allocation plan. The higher salmon prices received by Copper River drift gillnetters over the past 15 years are not reflected in the initial calculation of historical exvessel percentages that formed the basis of the allocation plan (50% drift gillnet;49% purse seine;1% set gillnet). These allocation percentages are unattainable with current pink and chum salmon price trends. Even with record pink salmon runs in 2003 and 2005, the purse seine caught exvessel value percentages were 39% and 41%, respectively. Clearly, producing record run after record run of pink salmon is not possible. Rather, a more realistic average return will soon result in an exvessel value percentage for the purse seine fleet below those for 2003 or 2005.

The remedies to bring the fleets to equity under the current plan are not sufficient to accomplish the task and will further polarize the gear groups. Making the Coghill District a purse seine only area would allow the purse seine fleet to harvest all of the available enhanced chum salmon. However, the purse seine fleet will not effectively target Coghill River wild sockeye salmon except possibly during the peak of the run because the low volume of fish and because concurrent fisheries are more lucrative. This may leave a large portion of the Coghill sockeye stock unharvested. The additional harvest above the share the purse seiners already harvest from the Wally Noerenberg chum salmon run would amount to 584,000 fish on average, which at current market price equals to \$1.2 million. While in some years, this amount may push the exvessel value percentage above 40%, it would take a near record pink salmon run to even do that.

Additionally, the Prince William Sound allocation plan is the only allocation plan that attempts to allocate by value in a wild and enhanced fishery. There are examples of successful allocation plans that allocate by harvest percentage of wild fish only (ie. Bristol Bay sockeye salmon), or that allocate by value for enhanced fish only (ie. Southeast Enhanced Salmon Allocation Plan). It is the department's position that the PWS management and salmon enhancement allocation plan is unworkable as currently written. Applying an allocation plan to enhanced stocks only would enable the BOF to set fair, historically based, and achievable allocation goals and for the department and PWSAC to plan and manage for them.

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

PROPOSAL 19 - 5AAC 24.370(e). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete (e)(1) which allows the driftnet fleet access to Port Chalmers if it caught 40 percent or less the previous year.

WHAT WOULD THE PROPOSAL DO? This proposal would remove drift gillnet access to the Port Chalmers Subdistrict of the Montague District in PWS during years when in the previous year the gillnet fleet has harvested less than 40 % of the exvessel value of the total common property stocks in the PWS area.

WHAT ARE THE CURRENT REGULATIONS? The current regulation under 5 AAC 24.370(e) states that if the drift gillnet fleet harvests 40% or less of the exvessel value of the total common property stocks in PWS as calculated by the Commercial Operator Annual Report (COAR), then during the following year, they will have exclusive access to enhanced stocks in the Port Chalmers Subdistrict from June 1-July 30 during periods established by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would make Port Chalmers Subdistrict a purse seine only district and take away any remedy should the drift gillnet fleet experience a shortfall in allocation.

BACKGROUND: Refer to comments for Proposal 18.

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

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

PROPOSAL 20 - 5AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Using a five-year rolling average, the catch value percentage for each gear group shall be determined. This will be determined by October 1 of each year. If either the seine fleet or the drift gillnet fleet is more than 5 percent below their allocation percentage, that gear group shall have exclusive access to the entire Esther Subdistrict for the entire salmon season the next year.

WHAT WOULD THE PROPOSAL DO? This proposal would allow either the drift gillnet or purse seine fleet exclusive access to the Esther Subdistrict for an entire season if that gear group is more than 5% below their allocated percentage as calculated from an average of the previous five seasons exvessel value of the total common property stocks for wild and enhanced salmon in the Prince William Sound Area as calculated by the department under 5AAC 24.370(b). Moreover, the annual estimation of each fleet's harvest would have to be completed by October 1.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow exclusive access to the Port Chalmers Subdistrict by the drift gillnet gear group in years following a harvest of 40% or less of the ex-vessel value of the total common property stocks for wild and enhanced salmon in the Prince William Sound Area as calculated by COAR. In years where the purse seine fleet harvests 40% or less of the ex-vessel value, the purse seine fleet will have access in the following year to the Esther Subdistrict, to harvest enhanced salmon returns from June 1 through July 20 along with the drift gillnet fleet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED This proposal would eliminate the alternating-gear-group-with-equal-time-but-not-necessarily-equal-area clause of the current allocation plan. It would also determine which gear group would be allowed exclusive access for an entire season to the Esther Subdistrict based on a five-year average instead of the single-year exvessel value clause of the current allocation plan. This proposal would also create the potential for a purse seine only season in the Esther Subdistrict whereas the current plan allows for drift gillnet only or a shared season in the Esther Subdistrict.

BACKGROUND: The proposal would have the exvessel value percentage by gear type to be determined by October 1 of each year. The catch numbers are still preliminary on that date. Exvessel value is not finalized by the department until the year following the season, making it impossible to determine accurate gear specific exvessel value percentages by October 1 of each year. Refer to background comments for Proposal 18. See inserted table for rolling 5-year averages and single year averages.

Proposal 20, Table 1- Ex-vessel values of wild and enhanced common property harvests from PWS including the Copper and Bemg River Districts showing 5-year rolling average harvests by gear group.

PURSE SEINE	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Chinook	2,044	379	1,104	1,169	570	3,422	4,386	7,427	2,706	5,435	1,353	924.00	1,270
Sockeye	313,794	169,236	432,156	205,178	111,337	151,532	127,854	141,923	195,169	539,388	58,142	847,966.00	46,573
Coho	277,682	21,288	208,661	327,260	314,773	125,946	124,325	329,317	965,404	398,532	69,207	226,619.00	121,688
Pink	2,950,733	1,469,531	12,537,403	6,736,381	4,445,231	6,795,323	8,565,392	9,456,108	13,728,606	9,584,465	2,425,505	10,716,380.00	4,293,551
Chum	125,639	22,344	164,181	152,047	386,967	1,742,759	950,912	3,128,816	3,964,546	2,863,466	2,423,525	1,717,083.00	1,228,965
	\$2,669,892	\$1,682,778	\$13,348,505	\$7,422,236	\$5,258,878	\$8,818,982	\$9,772,869	\$13,063,391	\$18,856,431	\$13,391,287	\$4,977,731	\$13,508,972	\$5,692,047
DRIFT GILLNET													
Species													
Chinook	2,504,789	1,180,382	1,534,039	3,573,848	2,239,938	2,367,538	3,341,148	5,510,840	2,698,417	2,791,619	2,691,215	3,810,019	4,050,947
Sockeye	18,901,370	11,767,820	9,209,486	12,864,113	23,037,225	19,796,170	13,223,761	20,048,000	13,554,212	14,158,076	14,964,894	13,791,971	13,436,808
Coho	4,155,833	2,702,999	7,129,685	4,207,678	1,430,095	57,798	379,366	733,022	2,486,184	790,544	2,027,738	1,762,604	3,361,659
Pink	213,996	115,040	127,997	165,462	12,028	83,398	249,293	43,612	177,559	144,896	23,889	27,904	12,134
Chum	1,037,032	3,091,611	2,393,837	1,709,831	1,229,842	1,367,526	1,035,808	1,529,765	3,530,614	3,371,206	2,206,854	821,818	976,553
	\$26,813,021	\$18,857,852	\$20,395,065	\$22,520,932	\$27,989,149	\$23,872,430	\$18,229,376	\$27,865,239	\$22,466,986	\$21,256,342	\$21,914,590	\$ 20,214,316	\$ 22,038,101
SET GILLNET													
Species													
Chinook	1,973	848	121	182	148	159	25	392	2,902	787	765	0	189
Sockeye	1,355,943	517,182	638,164	181,653	697,572	1,055,286	177,723	407,497	912,603	844,123	1,701,077	1,070,058	454,709
Coho	8,321	4,343	3,513	2,003	612	340	336	1,877	1,686	1,886	388	1,611	1,635
Pink	248,170	48,618	117,298	18,892	2,373	20,477	16,659	8,721	53,160	22,048	10,848	6,324	7,439
Chum	22,316	97,911	18,675	21,018	11,312	17,242	337	13,630	25,641	20,045	27,638	6,742	17,261
	\$1,636,724	\$668,901	\$777,770	\$223,747	\$712,017	\$1,093,504	\$195,079	\$432,317	\$997,652	\$888,689	\$1,740,716	\$1,084,735	\$481,233
Total Combined	\$32,119,637	\$21,209,531	\$34,516,340	\$30,166,915	\$33,960,044	\$33,784,916	\$28,197,324	\$41,361,147	\$42,321,069	\$35,536,318	\$28,633,038	\$34,808,023	\$28,211,381
AVERAGE EARNINGS													
Purse Seine	\$17,729	\$11,686	\$78,032	\$39,691	\$38,432	\$77,359	\$65,590	\$93,983	\$143,942	\$88,101	\$41,481	\$127,443	\$54,210
Drift Gillnet	\$30,782	\$36,688	\$39,990	\$43,477	\$54,989	\$45,909	\$34,922	\$33,280	\$41,994	\$39,731	\$41,039	\$39,327	\$42,219
Set Gillnet	\$34,537	\$22,297	\$29,914	\$8,606	\$26,371	\$42,058	\$12,192	\$20,387	\$35,630	\$27,772	\$62,168	\$38,741	\$17,823
NUMBER OF PERMITS FISHED													
Purse Seine	207	144	171	187	90	114	149	139	131	152	120	106	105
Drift Gillnet	528	514	510	518	509	520	522	523	535	535	534	514	522
Set Gillnet	30	30	26	26	27	26	16	21	28	32	28	28	27
PERCENTAGE OF TOTAL COMMON PROPERTY STOCK HARVESTED BASED UPON THE EX-VESSEL VALUE THAT YEAR													
Purse Seine	11.4%	7.9%	38.7%	24.6%	15.5%	26.1%	34.7%	31.6%	44.6%	37.7%	17.4%	38.8%	20.2%
Drift Gillnet	83.5%	88.9%	59.1%	74.7%	82.4%	70.7%	64.6%	67.4%	53.1%	59.8%	76.5%	58.1%	78.1%
Set Gillnet	5.1%	3.2%	2.3%	0.7%	2.1%	3.2%	0.7%	1.0%	2.4%	2.3%	6.1%	3.1%	1.7%
5-YEAR ROLLING AVERAGE PERCENTAGE OF TOTAL COMMON PROPERTY STOCK HARVESTED BASED UPON THE EX-VESSEL VALUE													
Purse Seine	37.9%	30.6%	29.3%	22.7%	19.6%	22.6%	27.9%	26.5%	30.5%	34.9%	33.2%	34.0%	31.7%
Drift Gillnet	59.1%	66.3%	67.1%	74.0%	77.7%	75.1%	70.3%	72.0%	67.6%	63.1%	64.3%	63.0%	65.1%
Set Gillnet	3.0%	3.1%	3.6%	3.3%	2.7%	2.3%	1.8%	1.6%	1.9%	2.0%	2.5%	3.0%	3.2%

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

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

PROPOSAL 21, PAGE 17, 5AAC 24.370(d)(5)(C)(1). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

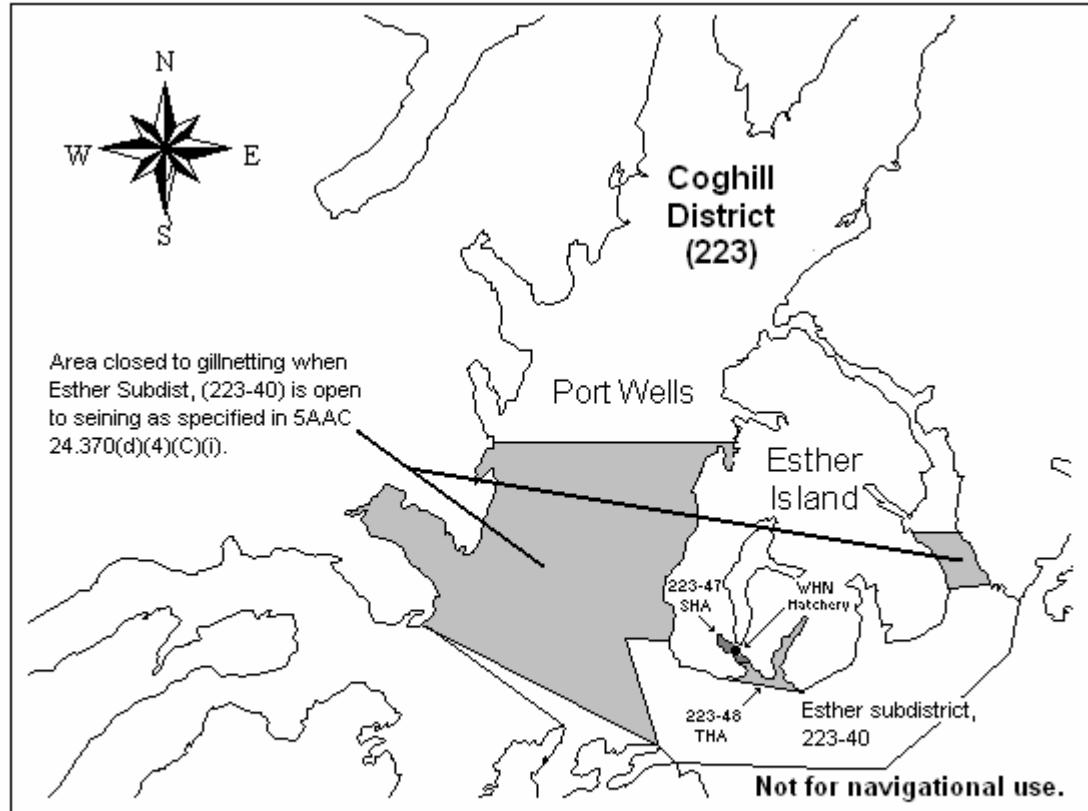
Change “fishing periods” to “a year” to be consistent with the Coghill District:
(i) during **a year** [FISHING PERIODS] when the Esther Subdistrict...

WHAT WOULD THE PROPOSAL DO? This proposal would close the buffer zone associated with the Esther Subdistrict to the drift gillnet fleet for the entire season rather than just during specific fishing periods from June 1 through July 20, if in the previous season the purse seine exvessel harvest was 40% or less of the total value of the PWS salmon fishery. This would allow the enhanced chum salmon currently harvested by the drift gillnet fleet in the buffer zone to be harvested in the Esther Subdistrict.

WHAT ARE THE CURRENT REGULATIONS? The current regulations state that, in seasons where the purse seine fleet has access to Esther Subdistrict as the result of a harvest disparity in the previous year as described in 5AAC 24.370, “during fishing periods where the Esther Subdistrict is open to purse seine gear, the waters of Port Wells south of 60 degrees 52.71’N lat. Buffer zone line and the waters of Esther Passage south of 60 degrees 50.84’ N lat. Buffer zone line are closed to the operation of drift gillnet gear.”

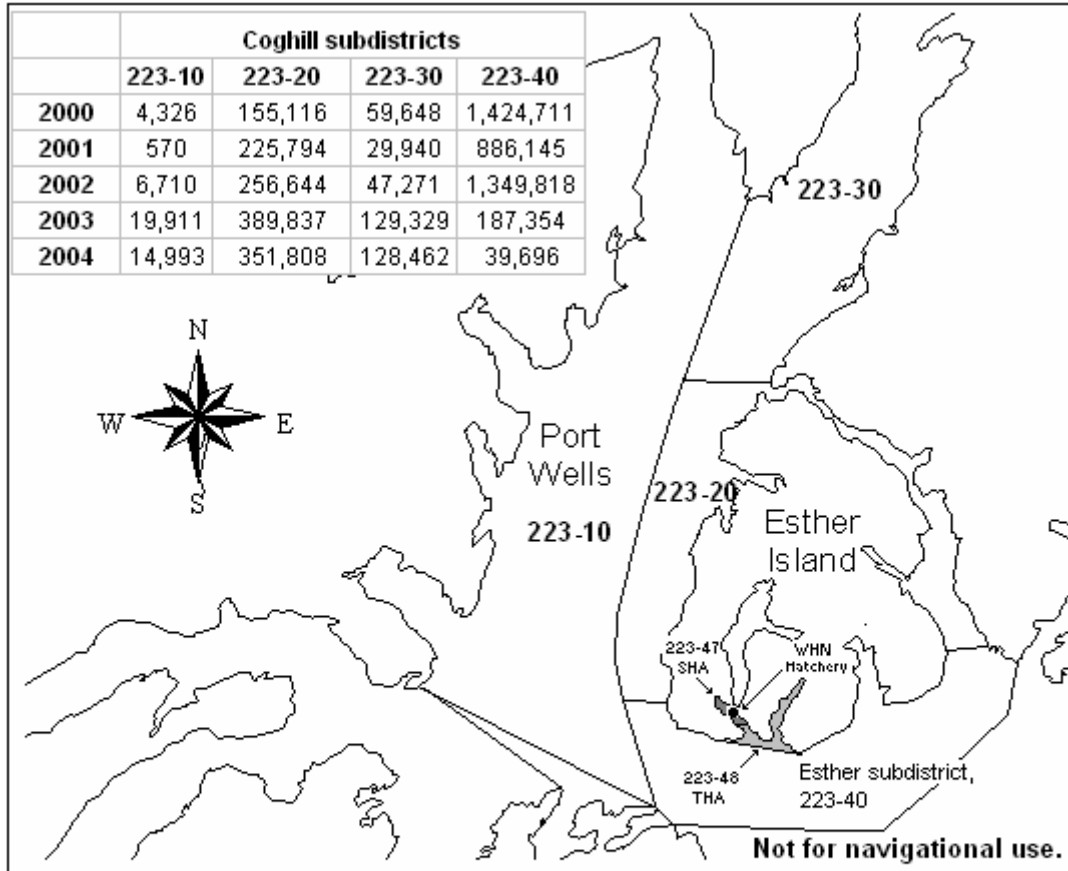
WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED
The proposal would remove the drift gillnet fleet from lower Port Wells and Esther Passage during years when the seine fleet has access to the Esther subdistrict.

BACKGROUND: In years following a harvest disparity where the purse seine fleet harvests 40% or less of the total exvessel value of common property stocks in PWS, the purse seine fleet will have access to the Esther Subdistrict. Furthermore during the periods when the purse seiners are fishing in the Esther Subdistrict, the drift gillnet fleet is prohibited from fishing in lower Port Wells and Esther Passage. However, the drift gillnet fleet is able to fish in the buffer zone during open periods in the Coghill District as long as the purse seine fleet is not fishing the Esther Subdistrict. See Figure 1.



Proposal 21, Figure 1- Showing areas in lower Port Wells and SE Esther Passage that would be closed to drift gillnet harvesting in years when purse seine harvesting is permitted in the Esther subdistrict, (223-40).

It is during these times that the drift gillnet fleet harvests significant numbers of enhanced chum salmon along the west side of Esther Island in subdistrict 223-20. Additionally, enhanced chum salmon appear to mill in the buffer zone for more than one day, so were this proposal to pass, there may be a need to open the buffer zone periodically. See Figure 2 and refer to background comments for Proposal 18.



Proposal 21, Figure 2- Showing common property gillnet harvests of chum salmon from Coghill subdistricts. Ignoring common property harvests that occur in 223-40 after hatchery cost recovery, the majority of chum harvested in the Coghill district are harvested in 223-20, along the western shore of Esther Island.

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

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

PROPOSAL 22, PAGE 17 - 5 AAC 24.370(d)(5)(B). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete provisions for the Coghill District in (5)(B): beginning July 21, purse seine gear may be operated throughout the district during periods established by EO while the harvestable surplus is predominately pink salmon by number;

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation as follows: beginning July 21, purse seine gear may be operated throughout the Coghill District during periods established by EO. This would allow the purse seine fleet to harvest enhanced coho salmon returning to Wally Noerenberg Hatchery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that the Coghill District is open to only drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominantly pink salmon by number.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reallocate some portion of the Coghill District enhanced coho salmon harvest currently taken by the drift gillnet fleet to the purse seine fleet.

BACKGROUND: Refer to background comments for Proposal 18. From 1994 to 2004 the gillnet fleet harvested an average of 12,527 more coho salmon in the Coghill District than the purse seine fleet.

Proposal 22. Table 1. Coghill District CPF coho salmon harvest by gear and year.

Year	Purse Seine	Gillnet	Difference
1994	30,517	50,879	20,362
1995	5,337	29,343	24,006
1996	5,319	20,926	15,607
1997	1,269	5,618	4,349
1998	1,531	2,925	1,394
1999	338	1,114	776
2000	31,991	82,869	50,878
2001	356	3,185	2,829
2002	2,431	784	-1647
2003	724	9,900	9,176
2004	133	10,200	10,067
Average	7,268	19,795	12,527

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

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

PROPOSAL 23, - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Allow chum salmon seine harvest from June 1 to July 15 in entire terminal harvest area and special harvest area.

WHAT WOULD THE PROPOSAL DO? Amend the regulation as follows:
Allow chum salmon seine harvest from June 1 to July 15 in the entire AFK Hatchery Terminal Harvest Area (THA) and Special Harvest Area (SHA).

WHAT ARE THE CURRENT REGULATIONS? This terminal fishery is currently prosecuted by EO authority using time and area openings in consultation with PWSAC.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?
The area to harvest enhanced chum salmon would be increased.

BACKGROUND: There is an enhanced chum salmon run to AFK Hatchery that is harvested only by the purse seine fleet. Currently no cost recovery harvest is conducted on these fish, although cost recovery may occur on these fish in the future. Enhanced chum salmon production was experimentally started in the mid-1990s and subsequently discontinued in the late 1990s. Recently, enhanced chum salmon production has increased again. The most recent chum salmon production was started to diversify the AFK commercial common property fishery harvests, to increase chum salmon harvest opportunity, and to have returns to a SHA so that PWSAC would have the option of conducting future cost recovery. Harvests are expected to increase over the next few years but the long term return rate is unknown. The department manages the Port San Juan and Point Elrington subdistricts in consultation with PWSAC.

Proposal 23. Table 1. Southwestern District chum and sockeye salmon harvest by year.

Year	Sockeye Salmon	Chum Salmon
1994		9,375
1995		8,334
1996	706	13,200
1997	1,516	6,656
1998	113	4,030
1999	32	11,303
2000	1,165	428,665
2001	1,961	229,670
2002	10,862	54,845
2003	491	25,624
2004	0	338
2005	345	17,390
Average		67,453

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. Currently, the department opens the AFK SHA prior to July 18 by EO for 156-hour periods to harvest enhanced chum salmon. In the past, sockeye salmon of unknown origin have also been harvested in the SHA. The department is concerned that a regulation opening also the THA in addition to the SHA could increase wild sockeye salmon interception. With a regulation opening both the THA and the SHA, combined with 156-hour periods, the department would not be able to detect large numbers of wild stock interception until too late.

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

PROPOSAL 24 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete sections (2)(A) and (B), the Southwest District, from 5 AAC 24.370(d). Add Southwestern District to 5 AAC 24.370 (d)(1), so that it would also open and close by EO based on strength of wild and enhanced stocks.

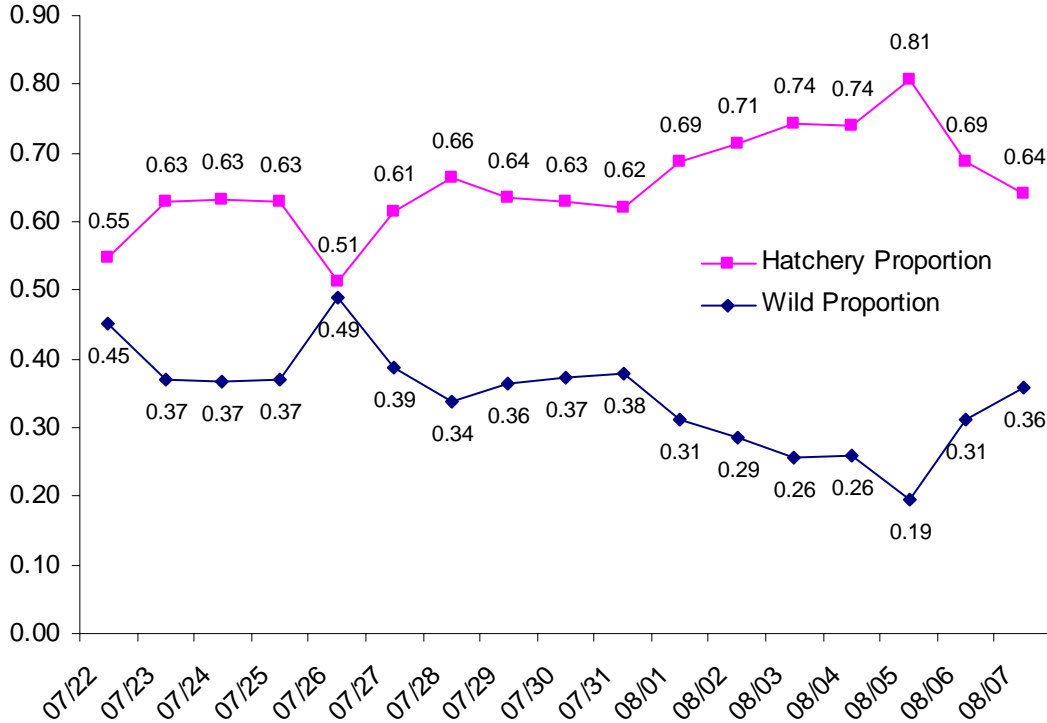
WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation as follows: Delete sections (2)(A) and (B), which allow salmon fishing in the Southwestern District after July 18 based on the strength of the pink salmon stocks, from 5 AAC 24.370(d). The proposal would also add Southwestern District to 5 AAC 24.370 (d)(1) to open and close by EO based on strength of wild and enhanced stocks.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not allow the purse seine fleet to harvest fish in the Southwestern District prior to July 18.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow the purse seine fleet to harvest salmon in the Southwestern District prior to July 18.

BACKGROUND: The Southwestern District contains the primary migration route of salmon returning to Prince William Sound. Multiple stocks of wild and enhanced pink, chum, sockeye and coho salmon pass through this area and are vulnerable to harvest. The July 18 opening date for the Southwestern District was selected to limit the interception of early-run wild sockeye, pink, and chum salmon. The department operates a test fishery in the Southwestern District in mid to late July to determine when fishing may occur to minimize interception of wild pink salmon. Data from this test fishery indicate that the proportion of wild stock pink salmon decreases markedly in the latter days of July. According to

current management practices, commercial fishing does not occur prior to this event. Test fishery data also indicate that the majority of salmon migrate through this corridor after July 18. Wild stock chum, pink and Eshamy Lake sockeye salmon escapement shortfalls have occurred in western Prince William Sound.



Proposal 24. Figure 1. The average proportion of hatchery and wild pink salmon in Southwestern District departmental test fishery from 1997 to 2003.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The wild pink, chum, and sockeye salmon runs and the enhanced pink and sockeye salmon runs to western Prince William Sound cannot be assessed to any degree prior to July 18. The department does not believe that opening a commercial fishery in this migration corridor without this information would be prudent.

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

PROPOSAL 26 -.5AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. . Amend the regulation as follows:

Determine a five-year rolling average for the sockeye price that the set gillnet fleet has received in the preceding five years, as well as determine a five-year rolling

average of the total harvest value for Prince William Sound. Then use this five-year average price to calculate the current year set gillnet harvest value, stopping the set gillnet harvest for the remainder of the fishing season when the set gillnet harvest value equals 1.5 percent of the total Prince William Sound five-year rolling average harvest value.

WHAT WOULD THE PROPOSAL DO? The proposal would close the Eshamy District set gillnet fishery when the set gillnet harvest reaches 1.5% of the total exvessel value of an average year based upon the five-year rolling average of the total Prince William Sound salmon harvest value.

WHAT ARE THE CURRENT REGULATIONS? Currently there is no regulatory mechanism in place whereby the set gillnet “fleet” is restricted to their 1% harvest allocation as specified in 5 AAC 24.370(a)(3).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The set gillnet fleet would be restricted to no more than 1.5% of the 5-year average exvessel value of Area E with their fishery closing upon reaching this level.

BACKGROUND: In 1991 the BOF drafted 5 AAC 24.370 allocating 1% of the exvessel value of wild and enhanced fish to the set gillnet gear group. Over the 12-year period from 1993-2004, this gear group harvested an average of 2.41% of the total exvessel value of the common property harvest. The maximum harvest percent was 6.08% in 2002, and the minimum harvest percentage was 0.69% in 1998. See background comments for Proposal 18.

Proposal 26, Table 1- Ex-vessel percentage of total common property salmon harvest based on ex-vessel value. See Proposal 20, Table 1 for 5-year rolling average harvest percentages and more extensive data.

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Purse Seine	24.6%	15.5%	26.1%	34.7%	31.6%	44.6%	37.7%	17.4%	38.8%	20.2%
Drift Gillnet	74.7%	82.4%	70.7%	64.6%	67.4%	53.1%	59.8%	76.5%	58.1%	78.1%
Set Gillnet	0.7%	2.1%	3.2%	0.7%	1.0%	2.4%	2.5%	6.1%	3.1%	1.7%

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

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

PROPOSAL 27 - 5AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

The long-term solution is to delete wild salmon from the formula for the allocation of enhanced salmon. All PWSAC production is marked and therefore distinguishable from wild with a very high level of confidence.

(a) The purpose of the management and allocation plan contained in this section is to provide a fair and reasonable allocation of the harvest of [WILD AND] enhanced salmon among the drift gillnet, seine, and set gillnet commercial fisheries, and to reduce conflicts among these users. With these objectives in mind, it is in the intent of the Board of Fisheries (board) to allocate the [WILD AND] enhanced salmon stocks in the Prince William Sound Area to maintain the long-term historic balance between competing commercial users....

(b) Each year, the department shall determine the ex-vessel value of [WILD AND] enhanced salmon taken in the drift gillnet, seine, and set gillnet fisheries in the Prince William Sound Area...

Delete the provisions in (d)(5)(c)(i) and (ii), and (5)(D) for the Esther Subdistrict.

Delete the provisions in (e)(1) and (e)(2) describing actions the department will take if either fleet catches 40 percent or less of ex-vessel value of stocks.

WHAT WOULD THE PROPOSAL DO? This proposal would eliminate wild stocks from the Prince William Sound management and salmon enhancement allocation plan. This proposal would also eliminate the provisions for the buffer zone associated with the Esther Subdistrict and it would eliminate provisions describing actions the department will take if either fleet catches 40% or less of the exvessel value of total common property stocks for wild and enhanced salmon in the Prince William Sound Area.

WHAT ARE THE CURRENT REGULATIONS? Exvessel value allocation percentages and values, (5 AAC 24.370(a) and (b)) are calculated from harvests of both wild and enhanced stocks.

During a year when the purse seine fleet is allowed in the Esther Subdistrict prior to July 21 because of an allocation shortfall in the previous year, the buffer zone associated with the Esther Subdistrict is closed when the Esther Subdistrict is open to purse seine gear (5 AAC 24.370(d)(5)(C)(i) and (ii)).

If in the previous year, the drift gillnet fleet catches 40% or less of the total exvessel value of salmon for the PWS Area, the drift gillnet fleet shall have exclusive access to the Port Chalmers Subdistrict from June 1 through July 30 (5 AAC 24.370(e)(1))

If in the previous year, the purse seine fleet catches 40% or less of the total exvessel value of salmon for the PWS Area, the purse seine fleet shall be allowed to fish in the Esther Subdistrict from June 1 through July 20, along with the drift gillnet fleet, for alternating fishing periods of equal time but not necessarily equal area (5 AAC 24.370(e)(2)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

Allocation percentages would be based solely upon hatchery produced salmon. There would be no consequences for allocation shortfalls in terms of additional fishing opportunity for either the drift gillnet fleet or the purse seine fleet and the buffer zone associated with the Esther Subdistrict would not be necessary and would be deleted from regulation.

BACKGROUND: For the entire history of the allocation plan, allocation has been based on common property harvests of both enhanced and wild stocks. See background comments for Proposal 18.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department SUPPORTS the removal of wild stocks from the Prince William Sound management and salmon enhancement allocation plan.

The department believes that as long as wild stocks remain in the exvessel value calculation of the allocation plan, the historical allocation percentages will not be realized in the long-term. The underlying reason for the inequity between the purse seine and gillnet fleets is the successful marketing and corresponding high prices of Copper River Chinook and sockeye salmon relative to pink and chum salmon, during the period since the inception of the allocation plan. The higher salmon prices received by Copper River drift gillnetters over the past 15 years are not reflected in the initial calculation of historical exvessel percentages that formed the basis of the allocation plan (50% drift gillnet;49% purse seine;1% set gillnet). These allocation percentages are unattainable with current pink and chum salmon price trends. Even with record pink salmon runs in 2003 and 2005, the purse seine caught exvessel value percentages were 39% and 41% (preliminary estimate for 2005), respectively. Clearly, producing record run after record run of pink salmon is not possible. Rather, a more realistic average return will soon result in an exvessel value percentage for the purse seine fleet below those for 2003 or 2005.

Additionally, the Prince William Sound allocation plan is the only allocation plan that attempts to allocate by value in a wild and enhanced fishery. There are examples of successful allocation plans that allocate by harvest percentage of wild fish only (ie. Bristol Bay sockeye salmon), or that allocate by value for enhanced fish only (ie. Southeast Enhanced Salmon Allocation Plan). It is the department's position that the PWS management and salmon enhancement allocation plan is

unworkable as currently written. Applying an allocation plan to only enhanced stocks would enable the BOF to set fair, historically based, and achievable allocation goals and for the department and PWSAC to plan and manage for them.

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

PROPOSAL 28 - 5 AAC 24.370(e). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete paragraph (e) of 5 AAC 24.370. The change would result in Pt. Chalmers becoming seine only area, and the Coghill District becoming gillnet only area only prior to July 21.

WHAT WOULD THE PROPOSAL DO? This proposal would delete paragraph (e) of 5 AAC 24.370. The change would result in Pt. Chalmers becoming a seine only area and the Coghill District becoming gillnet only area prior to July 21.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that the Coghill District is open to only drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominately pink salmon by number. Seine gear may be used prior to July 21 by emergency order for the purpose of preventing the deterioration of fish quality of the harvestable surplus of chum salmon that is not being adequately harvested by the gillnet fleet or if the seine fleet does not achieve 40% of the total exvessel value of the PWS area in the preceding year. If the gillnet fleet catches less than 40%, they have exclusive access to the Port Chalmers Subdistrict to harvest enhanced salmon returns from June 1 to July 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would reallocate some portion of the Coghill District salmon harvest currently taken by the purse seine fleet, as a result of an allocation shortfall in the previous year, to the drift gillnet fleet. This proposal would also eliminate any fishing by the gillnet fleet as an allocation remedy in the Port Chalmers Subdistrict.

BACKGROUND: Refer to background comments for Proposal 18.

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

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

PROPOSAL 29 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete (a), (b), (c), and (e)

WHAT WOULD THE PROPOSAL DO? This proposal would delete (a), (b), (c), and (e) from 5 AAC 24.370. This proposal would eliminate the allocation percentages for each gear type and the regulatory remedies for allocation shortfalls.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 24.370 (a) sets exvessel value allocation percentages of 50% for drift gillnet, 49% for purse seine, and 1% for set gillnet. 5 AAC 24.370 (b) directs the department to determine the exvessel value of wild and enhanced salmon caught by the three gear types using the commercial operator annual reports for all participating processors. Section (c) directs the department not to make inseason adjustments to achieve the allocation percentages. Section (e) describes management directives in the event of an allocation shortfall in the previous year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would effectively eliminate the Prince William Sound management and salmon enhancement allocation plan. The only remaining section of the plan describes areas and timeframes where each gear type may fish. The effect of the proposal would be that each gear group would fish their respective areas without regard for allocation.

BACKGROUND: Refer to background comments for Proposal 18.

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

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

PROPOSAL 30 - 5AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Rewrite the regulation as the original Prince William Sound management and salmon enhancement allocation plan was written in the 1991-1992 Cook Inlet/Prince William Sound commercial fishing regulations. This was the working that the seine, drift gillnet, and set gillnet fleets agreed to in 1991.

WHAT WOULD THE PROPOSAL DO? This proposal would rewrite 5AAC 24.370 based on the 1991-1992 Cook Inlet/Prince William Sound commercial fishing regulations.

WHAT ARE THE CURRENT REGULATIONS? The current set of regulations (5AAC 24.370) are an evolution from the 1991-1992 regulations and have been amended and significantly modified.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The current set of allocation regulations in 5 AAC 24.370 would be replaced by regulations similar to those in the 1991 regulation book.

BACKGROUND: This proposal is nearly identical to Proposal 29. See comments for proposals 18 and 29.

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

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

PROPOSAL 31 - 5 AAC 24.370(d)(3) Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

(d)(3) Perry Island Subdistrict:

(A) before July **10** [21], the Perry Island Subdistrict is closed to salmon fishing;

(B) on or after July **10** [21], purse seines may be operated during periods established by emergency order based on the strength of pink salmon stocks;

WHAT WOULD THE PROPOSAL DO? This proposal would open Perry Island Subdistrict to salmon fishing with purse seine gear on July 10.

WHAT ARE THE CURRENT REGULATIONS? Current regulation 5AAC 24.370(d)(3) specifies that the Perry Island Subdistrict is closed to salmon fishing prior to July 21, after which purse seines may be operated during periods established by emergency order based on the strength of the pink salmon stocks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow salmon fishing, with purse seine gear, in the Perry Island Subdistrict beginning July 10.

BACKGROUND: The Perry Island Subdistrict is an important migration route of salmon returning to the Coghill and Eshamy Districts. Multiple stocks of wild and enhanced pink, chum, sockeye, and coho salmon pass through this area and are

vulnerable to interception. The July 21 date was selected to limit the interception of early-run wild sockeye and chum salmon. Wild stock chum, pink and Eshamy Lake sockeye salmon escapement shortfalls have occurred in western Prince William Sound. The Department already has the authority to open the Perry Island Subdistrict by EO prior to July 21 if hatchery cost recovery and wild stock salmon escapement allows.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. An opening date of July 10 would allow interception of wild and enhanced chum and sockeye salmon bound for the Coghill and Eshamy Districts.

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

PROPOSAL 32 - 5 AAC 24.370(d)(2) Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

(d)(2) Southwestern District:

(A) Before July **10**, [18] the Southwestern District is closed to salmon fishing;

(B) On, or after July **10**, [18] purse seines may be operated during periods established by emergency order based on the strength of pink salmon stocks;

WHAT WOULD THE PROPOSAL DO? This proposal would open the Southwestern District to salmon fishing, with purse seine gear, on July 10.

WHAT ARE THE CURRENT REGULATIONS? Current regulation 5AAC 24.370(d)(2) specifies that the Southwestern District is closed to salmon fishing prior to July 18, after which purse seines may be operated during periods established by EO based on the strength of pink salmon stocks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow salmon fishing in the Southwestern District prior to July 18.

BACKGROUND: The Southwestern District is the primary migration route of salmon returning to Prince William Sound. Multiple stocks of wild and enhanced pink, chum, sockeye, and coho salmon pass through this area and are vulnerable to interception. The July 18 opening date for the Southwestern District was selected to limit the interception of early-run wild sockeye, pink, and chum salmon. The department operates a test fishery in the Southwestern District in mid to late July to determine when fishing may occur to minimize harvest of wild pink salmon. Data from this test fishery typically indicate that the proportion of wild stock pink salmon decreases in the latter days of July (see comments Proposal 24. Figure 1). Under current management practices, commercial fishing

would not occur prior to this decrease in proportion of wild stock pink salmon. There are no data to indicate that this might happen before July 18. Wild stock chum, pink and Eshamy Lake sockeye salmon escapement shortfalls have occurred in western Prince William Sound.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. The wild pink, chum, and sockeye salmon runs and the enhanced pink and sockeye salmon runs to western Prince William Sound cannot be assessed to any degree prior to July 18. The department does not believe that opening a commercial fishery in this migration corridor would be prudent without this information.

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

PROPOSAL 33 - 5 AAC 24.370(d)(5) Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

(d)(5) Coghill District:

(A) [EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,] **D** [D]rift gillnet **and seine** gear may be operated throughout the district during periods established by emergency order;

Delete paragraphs (d)(5)(B) through (D).

WHAT WOULD THE PROPOSAL DO? This proposal would allow drift gillnet and purse seine gear to be used during periods established by emergency order in the Coghill District.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that the Coghill District is open to only drift gillnet gear prior to July 21, after which purse seines may also be operated throughout the district while the harvestable surplus is predominantly pink salmon by number. Seine gear may be used prior to July 21 by emergency order for the purpose of preventing the deterioration of fish quality of the harvestable surplus of chum salmon that is not being adequately harvested by the gillnet fleet or if the seine fleet does not achieve the 40% threshold in the preceding year.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? By making this a dual-gear area, much of the Coghill District salmon harvest currently taken by the drift gillnet fleet in the Esther Subdistrict from July 1 until July 21 would be reallocated to the purse seine fleet due to the higher efficiency of seine gear.

BACKGROUND: Refer to background comments for Proposal 18.

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

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

PROPOSAL 34 5AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Close the Southwest, Perry Island, Coghill and Eshamy Districts during periods when Esther Subdistrict is open.

WHAT WOULD THE PROPOSAL DO? When the Esther Subdistrict is open, this proposal would close the Southwestern, Perry Island, Coghill, and Eshamy Districts.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not link the opening of the four areas specified above to the Esther Subdistrict.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be a significant number of missed harvest opportunities in the four specified districts, (Eshamy, Southwestern, Coghill and Perry Island) while the Esther Subdistrict is open. There may also be a significant increase in effort in the Esther Subdistrict.

BACKGROUND: One of the management strategies that the department uses to manage fisheries is to spread the fleets with concurrent openings among multiple districts. This strategy minimizes the possibility of overharvesting any one area, and allows for the harvest of enhanced and wild stock surplus in different districts that are available at the same time. Refer to background comments for Proposal 18.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. This proposal would decrease the department's ability to control and manage wild and enhanced salmon returns.

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

PROPOSAL 35 - 5 AAC 24.370(d) Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

The July 18 start date in the Southwest District should be repealed. One seine opening per week held concurrently with openings in the Copper River District.

WHAT WOULD THE PROPOSAL DO? This proposal would open the Southwestern District once per week concurrent with fishing periods in the Copper River District.

WHAT ARE THE CURRENT REGULATIONS? Current regulation 5AAC 24.370(d)(2) specifies that the Southwestern District is closed to salmon fishing prior to July 18 after which purse seines may be operated during periods established by EO based on the strength of the pink salmon stocks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow salmon fishing, presumably with purse seine gear, in the Southwestern District prior to July 18.

BACKGROUND: The Southwestern District is the primary migration route of salmon returning to Prince William Sound. Multiple stocks of wild and enhanced pink, chum, sockeye, and coho salmon pass through this area and are vulnerable to harvest. The July 18 opening date for the Southwestern District was selected to limit the interception of early-run wild sockeye, pink, and chum salmon. The department operates a test fishery in the Southwestern District in mid to late July to determine when fishing may occur to minimize interception of wild pink salmon. Data from this test fishery typically show the proportion of wild stock pink salmon decreases in the latter days of July (see comments Proposal 24. Figure 1). Under current management practices, commercial fishing would not occur prior to this decrease in proportion of wild stock pink salmon. There is no data to indicate that this might happen before July 18. Wild stock chum, pink and Eshamy Lake sockeye salmon escapement shortfalls have occurred in western Prince William Sound.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The wild pink, chum, and sockeye salmon runs and the enhanced pink and sockeye salmon runs to western Prince William Sound cannot be assessed to any degree prior to July 18. The department does not believe that opening a commercial fishery in this migration corridor would be prudent without this information.

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

Miscellaneous

PROPOSAL 25 – 5 AAC 24.XXX Maximum length of salmon seine and certain hair crab vessels. Create a new regulation as follows:

Remove the 58 foot length limit for salmon harvest vessels in Prince William Sound.

WHAT WOULD THE PROPOSAL DO? Remove the 58 foot length limit for salmon harvest vessels in Prince William Sound.

WHAT ARE THE CURRENT REGULATIONS? Current statute (AS 16.05.835(A)) specifies that the maximum length of a salmon harvest vessel is 58 ft.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If this proposal were adopted, permit holders who could take advantage of the new length limit would have greater harvesting potential than would smaller vessels. Adoption of the proposal could change the character of the seine fishery in Prince William Sound by further decreasing the number of active permits that can obtain a market.

BACKGROUND: In 2005 Prince William Sound had 267 registered purse seine permits but in recent years due to market conditions less than 50% of those have actively fished. Current market conditions have severely limited the availability of markets to seine permit holders. Market trends also tend to favor larger vessels. Larger boats with greater capacity could result in processors using fewer boats in their fleets to catch the same amount of fish. Allowing larger, more efficient boats under the current market and fishery conditions may further decrease the number of permits that can obtain a market for their fish.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal.

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

PROPOSAL 36 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Allow an experimental fishery regulated through assigned harvest share. Management will determine an allowable harvest in appropriate time intervals during the season based on projections and updated as feasible to distribute harvest. Harvest share will be available to permit holders who choose to operate under the experimental regulation. Consideration should be given for history or participation,

production and possibly more. To lower costs, more than one permit holder will be allowed to harvest their shares on the same vessel.

WHAT WOULD THE PROPOSAL DO? This proposal would create a new regulation to allow an experimental fishery regulated through assigned harvest share. Management staff would determine an allowable harvest in appropriate time intervals during the season based on projections and update these projections as feasible to distribute harvest. Harvest share would be available to permit holders who choose to operate under the experimental regulation. Consideration would be given for history or participation, production and possibly more. To lower costs, more than one permit holder will be allowed to harvest their shares on the same vessel.

WHAT ARE THE CURRENT REGULATIONS? This proposal would lead to the creation of new regulation. The following regulations address concerns surrounding this proposal:

5 AAC 39.220. POLICY FOR THE MANAGEMENT OF MIXED STOCK SALMON FISHERIES. (d) Most wild Alaska salmon stocks are fully allocated to fisheries capable of harvesting available surpluses. Consequently, the board will restrict new or expanding mixed stock fisheries unless otherwise provided for by management plans or by application of the board's allocation criteria.

5 AAC 39.222. POLICY FOR THE MANAGEMENT OF SUSTAINABLE SALMON FISHERIES. (a)(2) in formulating fishery management plans designed to achieve maximum or optimum salmon production, the board and department must consider factors including environmental change, habitat loss or degradation, data uncertainty, limited funding for research and management programs, existing harvest patterns, and new fisheries or expanding fisheries.

(b) The goal of the policy under this section is to ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained health of Alaska's fishing communities.

(c)(2)(D) Salmon escapement should be managed in a manner to maintain genetic and phenotypic characteristics of the stock by assuring appropriate geographic and temporal distribution of spawners as well as consideration of size range, sex ratio, and other population attributes.

(c)(3)(C) When wild salmon stocks are fully allocated, new fisheries or expanding fisheries should be restricted, unless provided for by management plans or by application of the board's allocation criteria.

(c)(3)(E)(ii) Protecting salmon habitats and controlling collateral mortality should incorporate procedures to assure effective monitoring, compliance, control, and enforcement.

(c)(3)(I) the board will recommend to the commissioner and legislature that adequate staff and budget for research, management, and enforcement activities be available to fully implement sustainable salmon fisheries principles.

(c)(3)(K) plans and proposals for development or expansion of salmon fisheries and enhancement programs should effectively document resource assessments,

potential impacts, and other information needed to assure sustainable management of wild salmon stocks.

Furthermore section (c)(5) of this same policy calls for a conservative approach when incomplete data or knowledge is applied in management decisions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

The department does not have the forecast abilities to ensure maximum harvest to a salmon quota fishery. It is likely the regular CFEC limited entry purse seine fleet would retain their same harvest potential even with the deletion of an undetermined proportion of permit holders to the ranks of quota fishermen. In essence with the retained harvest potential of the limited entry fleet combined with that of an allocated-harvest quota to another component of the fleet, temporally distributed escapement can be compromised. Escapement deficits can be accrued more quickly and lead to closures of specific fisheries. This proposal also raises concern over the department's enforcement capabilities. There would likely be opportunity for violations when a component of the fishing fleet is allowed to fish while another is not. There is also uncertainty and concern with quota harvest monitoring and reporting. The department has historically strived to conduct fisheries concurrently for multiple districts in order to spread fishing effort among various salmon stocks. If quotas were allowed, it can be assumed that higher value fisheries will be targeted more heavily than lesser valued fisheries, potentially shifting historic fishing patterns and effort on various stocks. Also, less effective fishermen would likely be enticed to participate in a quota program receiving an average individual harvest set by the entire fleet, thus further increasing the overall fleet harvest efficiency. The Prince William Sound is already burdened with short fishing periods and fishing closures. This proposal would further complicate the fishery, place an added burden on the department without appropriate funding, and invite potential commercial fishery violations. With increased harvest potential of the fleet and the inability to spread effort across districts, the department would have to be increasingly conservative in its management.

BACKGROUND: The department has an overall poor record in its forecasting abilities for salmon species within Prince William Sound. Inseason the department is largely incapable of adjusting a forecast to reflect the actual run. The limited entry fleet would likely retain its harvest potential with the deletion of an undetermined number of participants. Furthermore, to grant quotas based on the average of the limited entry harvest would increase harvest potential of less effective fishermen.

Harvest would increase if appropriate management measures were not taken, i.e. time and area reductions for the limited entry fleet to reduce harvest to allow surplus salmon to be harvested by the quota fleet. Most of the sockeye salmon runs in Prince William Sound are comprised of many discreet stocks that have defined run timing curves. Escapement is monitored by aerial surveys when weather and water clarity permits accurate assessments of escapement. There are

windows of time that the department is uncertain of escapement health. To add another layer of uncertainty by increasing harvest potential to an already fully allocated fishery and efficient fleet would jeopardize the department's ability to maximize harvest and provide for proper escapement throughout the run.

For purposes of illustration, escapement is monitored through the use of weirs for both Eshamy Lake and Coghill Lake in the Eshamy and Coghill Districts respectively. Sockeye salmon commitment to inriver migration into these systems is largely dependent upon tides. Usually spring tides, beginning in early July, prompt large numbers of sockeye salmon to inriver migration for these systems. The department's ability to start and stop the fishing fleet en masse is the most significant contributing factor that ensures escapement and maximum harvest.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. The department has met several times to discuss how this proposal would affect management. Enforcement capabilities would be overwhelmed with a continuous fishery over such a large area as Prince William Sound. The department does not have the appropriate funding needed to attempt such a management scenario.

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

PROPOSAL 37 - 5AAC 24.370. Prince William Sound management and salmon enhancement allocation plan.; and 5 AAC 33.364. Southeastern Alaska Area enhanced salmon allocation management plan. Amend these regulations to include the following:

Hatchery chum salmon production for the Prince William Sound and Southeast Alaska areas needs to be reduced by 30 percent.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce hatchery chum salmon production in PWS and SE Alaska by 30%. The intent of this proposal is to minimize competition with wild salmon stocks at sea.

WHAT ARE THE CURRENT REGULATIONS? Current regulations have no provision specifying what the production levels are for given hatcheries. Production levels are determined by the Regional Planning Team in the form of annual management plans.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Returns of hatchery chum salmon to PWS and SE would be reduced by 30%. This would impact local economies and fleets where fisheries targeting enhanced returns are based. There is little data to support the suggestion that the current

production level of hatchery chum salmon is negatively related to returning levels of wild salmon.

BACKGROUND: Hatchery production was originally started in PWS to mitigate the natural high and low return rates of wild salmon stocks. Production levels were selected to allow for an economically viable fishery during years of poor natural runs. Hatchery production levels are specified in the operating permit written for each hatchery. The current production levels are based on the Prince William Sound / Copper River Phase 3 Comprehensive Salmon Plan. The purpose of the Phase 3 Plan is to achieve optimum production of wild and enhanced salmon stocks on a sustained yield basis. The plan establishes three fishery goals: 1) increase fishing opportunities for salmon resource users, 2) achieve equitable allocation of the harvestable surplus of wild and enhanced salmon while minimizing impacts to historic wild stock fisheries, and 3) achieve an economically self-sustaining fishery. Additionally, the Phase 3 Plan recommends that five biological and economic criteria be employed to achieve an optimum production level including: 1) wild stock escapement goals must be achieved over the long term, 2) the proportion of hatchery salmon straying into wild-stock streams must remain below 2% of the wild-stock escapement over the long term, 3) the growth rates of juvenile salmon during the early marine period must be density independent over the long term, 4) the abundance of juvenile salmon predators must be independent of juvenile salmon abundance over the long term, and 5) the long-term average cost of hatchery operation, management, and evaluation must remain below 50% of the value of hatchery production. See Table 1 and Figures 1 and 2 for enhanced pink and chum salmon release numbers and pink salmon adult weight and length data.

Year	Chum salmon	Pink salmon
1996	102,314,530	641,675,427
1997	95,760,631	483,704,011
1998	110,065,833	542,383,070
1999	99,294,184	602,128,903
2000	100,301,928	586,607,038
2001	76,116,325	621,062,096
2002	101,255,366	603,754,659
2003	98,649,705	607,943,252
2004	131,172,881	638,846,859

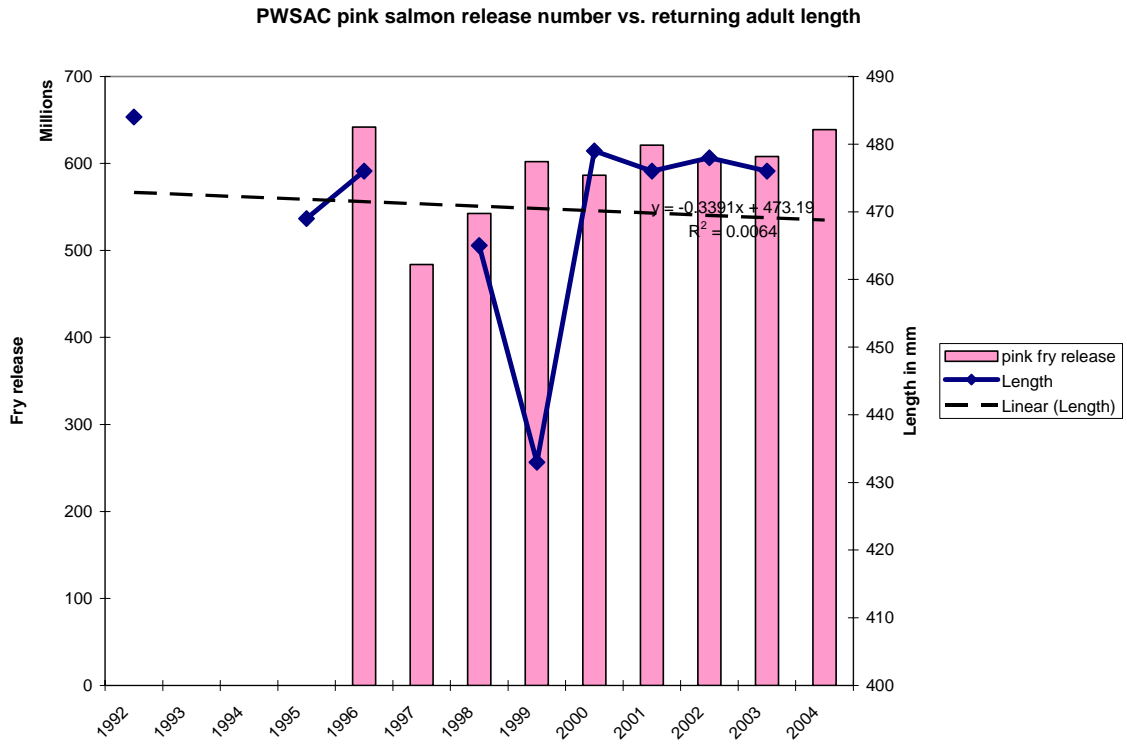


Figure 1, Proposal 37

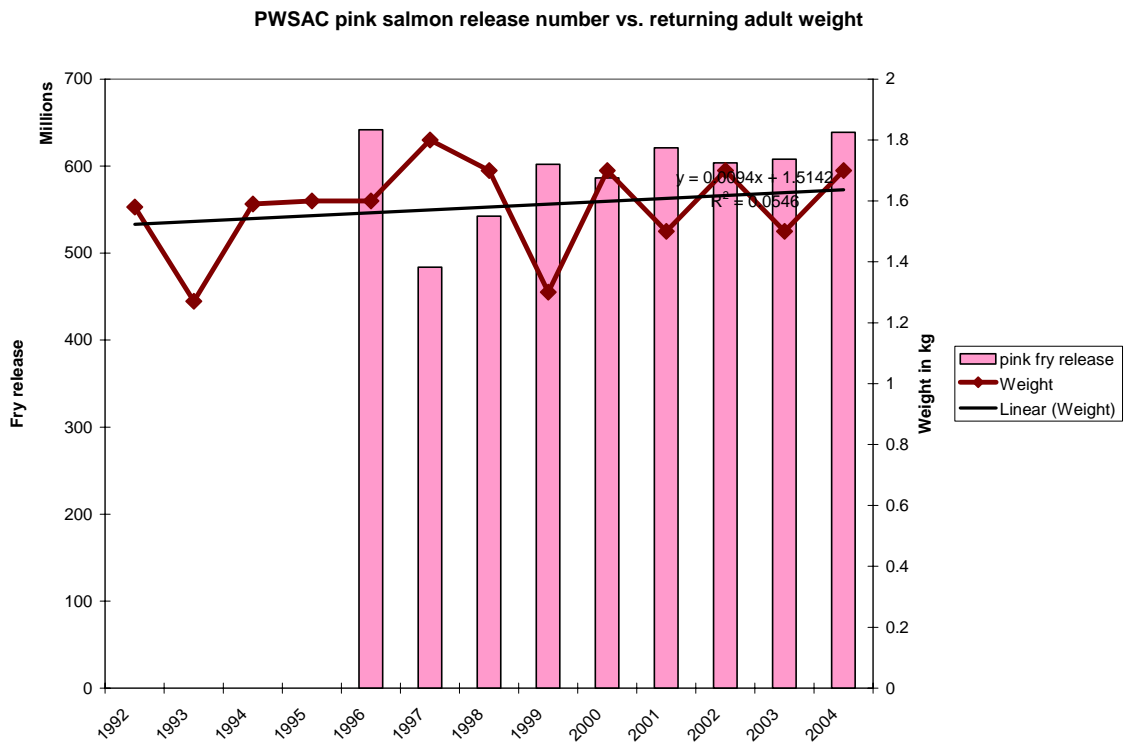


Figure 2, Proposal 37

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. Any forced reductions to area hatchery production levels must be more fully considered and justified, by a number of applicable authorities.

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

PROPOSAL 38 5AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend this regulations as follows:

Reduce hatchery production of pink and chum salmon in Prince William Sound by at least 50 percent of the 2003 production. This reduction is only what the hatchery management promised the board and the governor in RC 360 at the January 2001 board meeting.

Note: A similar proposal is submitted for the Southeast Alaska Area.

WHAT WOULD THE PROPOSAL DO? This proposal would reduce the hatchery production of pink and chum salmon in PWS to 50% of the 2003 production. The intent of this proposal is to minimize competition with wild salmon stocks at-sea.

WHAT ARE THE CURRENT REGULATIONS? Current regulations have no provision specifying what the production levels are for given hatcheries. Production levels are determined by the Regional Planning team in the form of annual management plans.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? At one half of the 2003 production, it is doubtful that PWSAC and VFDA would be viable. Operating costs would decrease by some amount but not by one-half, leaving cost recovery at a larger proportion of the run than it does currently. Reducing the returns of pink and chum salmon would have the greatest effect on the purse seine fleet, further reducing the number of active Area E purse seine permits. The drift gillnet fleet would lose some portion of the Wally Noerenberg Hatchery chum salmon run but would be able to fish other areas including Eshamy District, Coghill District, and Copper and Bering River Districts for sockeye salmon.

BACKGROUND: Hatchery production was originally started in PWS to mitigate the natural high and low return rates of wild salmon stocks. Production levels were selected to allow for an economically viable fishery during years of poor natural returns. Hatchery production levels are specified in the operating

permit written for each hatchery. The current production levels are based on the Prince William Sound / Copper River Phase 3 Comprehensive Salmon Plan. The purpose of the Phase 3 Plan is to achieve optimum production of wild and enhanced salmon stocks on a sustained yield basis. The plan establishes three fishery goals: 1) increase fishing opportunities for salmon resource users, 2) achieve equitable allocation of the harvestable surplus of wild and enhanced salmon while minimizing impacts to historic wild stock fisheries, and 3) achieve an economically self-sustaining fishery. Additionally, the Phase 3 Plan recommends that five biological and economic criteria be employed to achieve an optimum production level including: 1) wild stock escapement goals must be achieved over the long term, 2) the proportion of hatchery salmon straying into wild-stock streams must remain below 2% of the wild-stock escapement over the long term, 3) the growth rates of juvenile salmon during the early marine period must be density independent over the long term, 4) the abundance of juvenile salmon predators must be independent of juvenile salmon abundance over the long term, and 5) the long-term average cost of hatchery operation, management, and evaluation must remain below 50% of the value of hatchery production. See Proposal 37, Table 1 and Figures 1 and 2, for specific information regarding PWSAC chum and pink salmon.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal. Any forced reductions to area hatchery production levels must be more fully considered and justified, by a number of applicable authorities.

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

PROPOSAL 39 - 5AAC 24.200. Fishing Districts, subdistricts, and sections.

Amend the regulation by adding the following:

Create a new subdistrict encompassing waters one mile offshore of the west side of Esther Island and all waters of Esther Pass not already included in the Esther Subdistrict.

WHAT WOULD THE PROPOSAL DO? This proposal would create a new hatchery subdistrict encompassing Esther Passage and all waters within one mile of shore on the west side of Esther Island. The authors of this proposal stipulate that this district would be utilized by PWSAC for the purpose of meeting cost recovery goals.

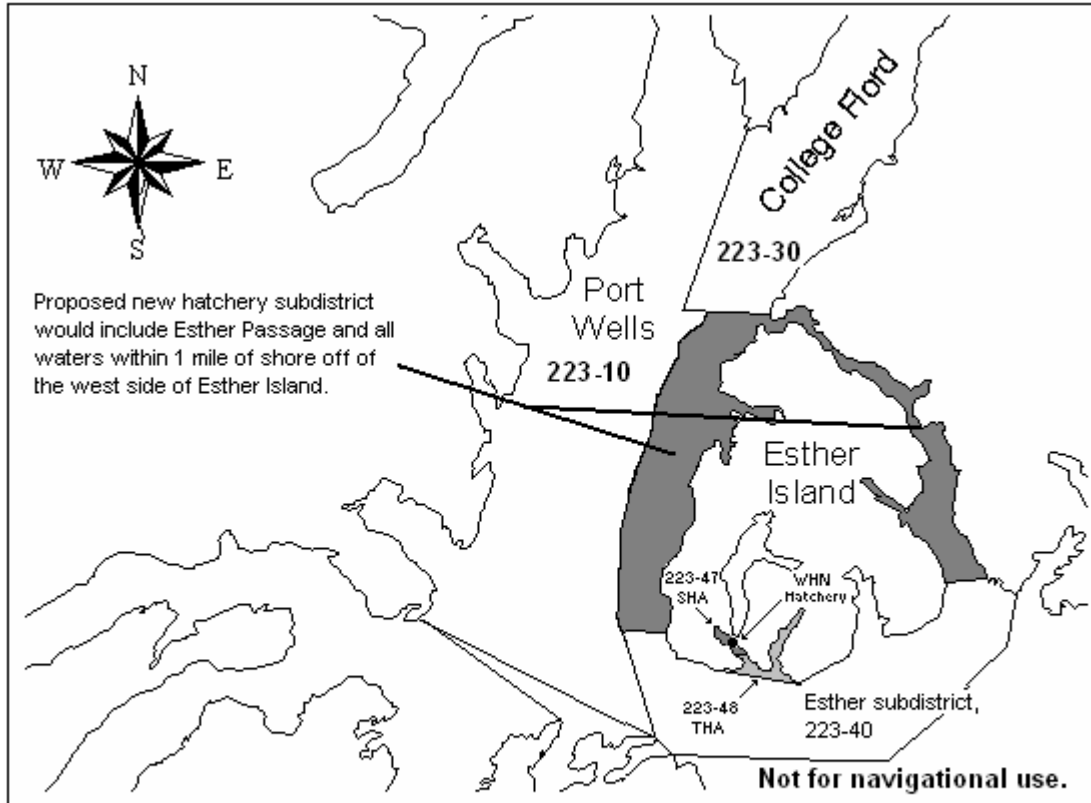
WHAT ARE THE CURRENT REGULATIONS? The current regulations state that in seasons where the purse seine fleet has access to Esther Subdistrict, as the result of a harvest disparity in the previous year as described in 5AAC 24.370, “during fishing periods where the Esther Subdistrict is open to purse seine gear,

the waters of Port Wells south of 60 degrees 52.71'N Lat. buffer zone line and the waters of Esther Passage south of 60 degrees 50.84' N Lat. buffer zone line are closed to the operation of drift gillnet gear.” However, the drift gillnet fleet is able to fish in the buffer zone during open periods in the Coghill District as long as the purse seine fleet is not fishing the Esther Subdistrict. It is during these times that the drift gillnet fleet harvests significant numbers of enhanced chum salmon along the west side of Esther Island in subdistrict 223-20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED

The department would manage the new subdistrict in consultation with PWSAC to manage hatchery cost recovery and the commercial common property harvest of Wally Noerenberg Hatchery chum and pink salmon.

BACKGROUND: The department must be able to effectively manage wild salmon stock interception. Prior to July 21, management in the Coghill District is driven primarily by the wild sockeye salmon run to Coghill Lake, with openings determined by the cumulative escapement level. Frequently permit holders choose to focus on returning enhanced stocks: either in the southern portion of the Coghill District targeting Main Bay sockeye salmon at Culross Point, or along the west shore of Esther Island and in Esther Passage targeting Wally Noerenberg enhanced chum salmon. While the department does not manage for enhanced fish outside of hatchery subdistricts, it can be problematic for managers to open an area with the expectation that the fleet will focus on a specific wild stock, only to have the majority of vessels focus on enhanced fish instead. This proposal would limit the ability of the drift gillnet fleet to harvest a portion of the enhanced chum salmon return outside of the Esther Subdistrict. However, this proposal would also allow managers to more effectively focus fishing effort on returning wild stocks of sockeye salmon.



Proposal 39, Figure 1- Proposed hatchery subdistrict would include Esther Passage and western shore of Esther Island within 1 mile of shore south to northern boundary of 223-40.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department SUPPORTS the intent of the proposal to more efficiently achieve the cost recovery goal. Creating a separate subdistrict that would encompass Esther Passage and all waters within one nautical mile of shore on the west side of Esther Island would also allow managers to focus fishing effort on returning Coghill sockeye.

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

PROPOSAL 40 - 5AAC 24.368. Wally Noerenberg (Esther Island) Hatchery management plan. Amend the regulation to provide the following:

Create a Granite Bay Subdistrict that would include all of Esther Pass and waters within one mile of the western shore of Esther Island. This area would be managed by emergency order to achieve the desired return of chums into the Esther Subdistrict.

WHAT WOULD THE PROPOSAL DO? This proposal would create a new subdistrict encompassing Esther Passage and all waters within one mile of shore on the west side of Esther Island. These districts would be utilized by PWSAC for the purpose of meeting cost recovery goals.

WHAT ARE THE CURRENT REGULATIONS? The current regulations state that in seasons where the purse seine fleet has access to Esther Subdistrict, as the result of a harvest disparity in the previous year as described in 5AAC 24.370, “during fishing periods where the Esther Subdistrict is open to purse seine gear, the waters of Port Wells south of 60 degrees 52.71’N lat. buffer zone line and the waters of Esther Passage south of 60 degrees 50.84’ N lat. buffer zone line are closed to the operation of drift gillnet gear.” However, the drift gillnet fleet is able to fish in the buffer zone during open periods in the Coghill District as long as the purse seine fleet is not fishing the Esther Subdistrict. It is during these times that the drift gillnet fleet harvests significant numbers of enhanced chum salmon along the west side of Esther Island in subdistrict 223-20.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would manage the new subdistrict in consultation with PWSAC to manage hatchery cost recovery and the commercial common property harvest of Wally Noerenberg Hatchery chum and pink salmon.

BACKGROUND: The department must be able to effectively manage wild salmon stock interception. Prior to July 21, management in the Coghill District is driven primarily by the wild sockeye salmon run to Coghill Lake with openings determined by the cumulative escapement level. Frequently permit holders choose to focus on returning enhanced stocks: either in the southern portion of the Coghill District targeting Main Bay sockeye salmon at Culross Point, or along the west shore of Esther Island and in Esther Passage targeting Wally Noerenberg enhanced chum salmon. While the department does not manage for enhanced fish outside of hatchery subdistricts, it can be problematic for managers to open an area with the expectation that the fleet focus on a specific wild stock, only to have the majority of vessels focus on enhanced fish instead. This proposal would limit the ability of the drift gillnet fleet to harvest a portion of the enhanced chum salmon return outside of the Esther Subdistrict. This proposal would also allow managers to more effectively focus fishing effort on returning wild stocks of sockeye salmon.

See proposal 39, Figure 1 for a map of the discussed area.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department SUPPORTS the intent of the proposal to more efficiently achieve the cost recovery goal. Creating a separate subdistrict that would encompass Esther Passage and all waters within one nautical mile of shore on the west side of Esther Island would also allow managers to focus fishing effort on returning Coghill sockeye.

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

PROPOSAL 41 - 5 AAC 24.332. Seine specification and operation. Amend the regulation as follows:

A purse seine is considered to have ceased fishing when both ends of the seine are attached to the fishing vessel.

WHAT WOULD THE PROPOSAL DO? This proposal would amend the regulation as follows: A purse seine is considered to have ceased fishing when both ends of the seine are attached to the fishing vessel.

WHAT ARE THE CURRENT REGULATIONS? 5AAC 39.260(c) reads “Unless otherwise provided in 5 AAC 03 – 5 AAC 38, a purse seine is considered to have ceased fishing when all the rings are out of the water.”

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would make it easier to determine when a seine has ceased fishing and increase the enforceability of the regulation.

BACKGROUND: The intent of this regulation is to identify when a seine has ceased fishing. The Department sets commercial fishing periods with specific start and end times as part of inseason management. Commercial fishing period duration allows a fine degree of control of common property harvest. Precise inseason management of specific harvests may be critical and enforcement of the end time becomes important to control/stop the harvest.

DEPARTMENT COMMENTS: The department SUPPORTS this proposal. Clarifying that a seine has ceased fishing when both ends of the seine are attached to the fishing vessel rather than when the rings are out of the water is more enforceable. The status of a seine, fishing or ceased fishing, may be identified from any direction and from farther away, when both ends of the seine are attached to the boat. With the rings-out-of-the-water definition the boat must be observed from the side where the rings are gathered, and during normal operations the rings may not very far out of the water, making fishing status

uncertain. Use of a half purse seine also increases uncertainty because a large portion of the seine may be stacked on deck before the rings clear the water. The seine is largely done fishing when both ends of the seine are attached to the boat. The Alaska Bureau of Wildlife Enforcement believes this should be a statewide salmon regulation. It is already a statewide regulation in the herring fishery (5AAC 27.050(f)).

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

PROPOSAL 42 - 5AAC 24.200. Fishing Districts, subdistricts, and sections.
Amend the regulation as follows:

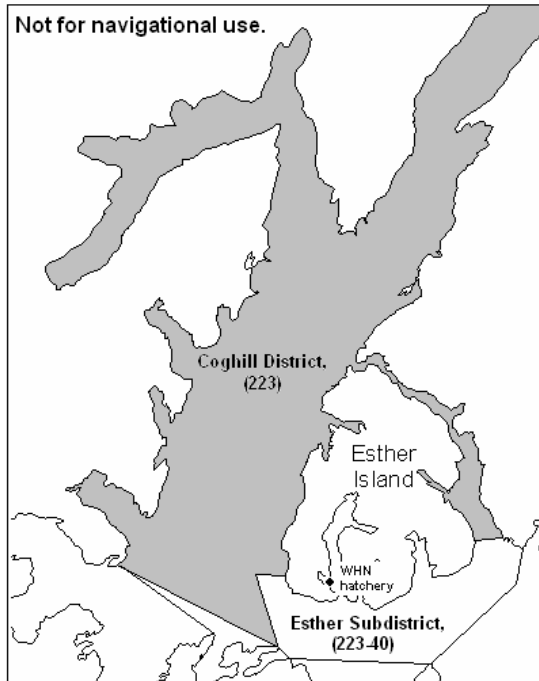
When Esther Subdistrict is open, the current Coghill District line will remain as currently written. When Esther Subdistrict is closed, the southern Coghill District line will be from Esther Rock to Point Pigot at 60° 48.21 N. lat., 148° 20.90 W. long.

WHAT WOULD THE PROPOSAL DO? The proposal would modify the southern Coghill District line so that when Esther Subdistrict is closed, the southern boundary of the Coghill District would be from Esther Rock to Point Pigot. When the Esther subdistrict is open, the southern boundary line will be as currently written: from Point Culross to Pigot Point.

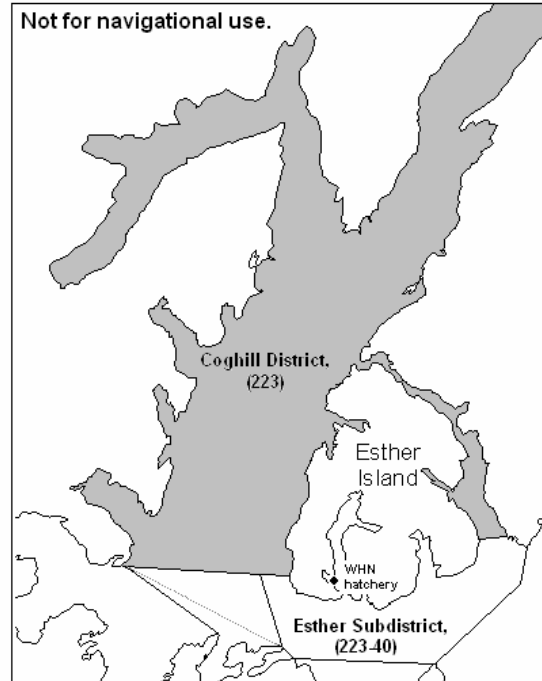
WHAT ARE THE CURRENT REGULATIONS? Current regulations, 5 AAC 24.200(f) describe the southern boundary as "...waters north and west of a line from Point Pigot to Point Culross..."

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?
The department would be able to more effectively manage returning wild stocks of sockeye salmon to Coghill Lake. The drift gillnet fleet would not be able to focus on enhanced fish in the southern part of the Coghill District below Esther Rock as they currently do. If this proposal is adopted, there will be significantly decreased interception of Main Bay enhanced fish at Pt. Culross.

BACKGROUND: Historically, from late May through early July the commercial drift gillnet fleet in the Coghill District targeted wild stocks of sockeye salmon returning to Coghill lake. The 10-year cumulative average for sockeye salmon harvested in the Coghill District is 133,000 fish. During the 2005 season, otoliths were collected from the sockeye salmon harvest between June 20 and July 16 from 8 of the 9 fishing periods open during this time. During these 8 sampled fishing periods, 81,939 sockeye salmon were harvested from the Coghill District. The Main Bay Hatchery component ranged from 17% to 65%, with an average percentage of 46%. The majority of these fish were probably harvested in the lower part of the Coghill District south of Esther Rock.



Proposal 42, Figure 1- Currently the southern boundary of the Coghill District is a line from Pt. Pigot to Culross Pt. to Esther Rock. If proposal 42 is adopted, this line would remain unchanged during periods when the Esther Subdistrict, (223-40) is open to commercial harvest.



Proposal 42, Figure 2- If proposal 42 is adopted, during periods when the Esther Subdistrict is closed to commercial harvest, the southern boundary of the Coghill District would be a line from Pt. Pigot to Esther Rock.

DEPARTMENT COMMENTS: The department is NEUTRAL to the allocative aspects of this proposal. The department SUPPORTS the intent of this proposal in that it would allow for improved management of wild Coghill Lake sockeye salmon stocks by improving the focus of effort on wild stock sockeye salmon.

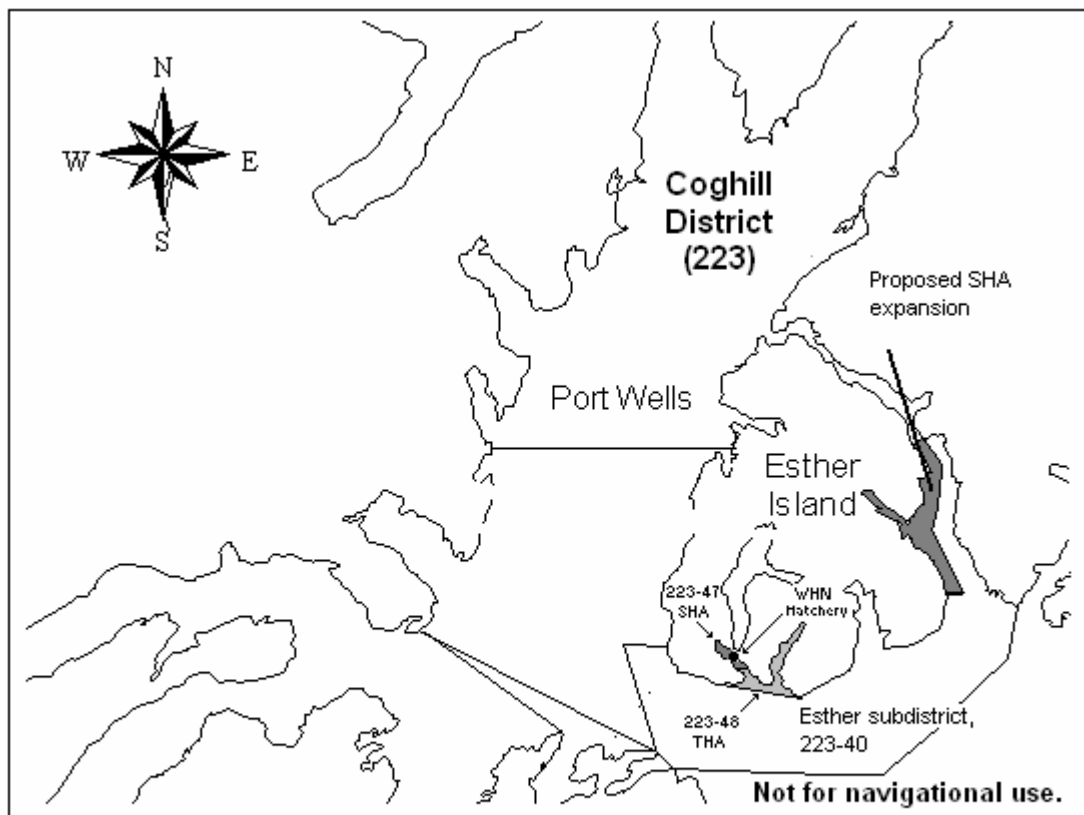
COST ANALYSIS: The department does not believe that approval of this proposal would result in a direct cost for a private person to participate in this fishery.

Hatchery Management Plans

PROPOSAL 43 - 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery management plan. Amend the regulation as follows:

(d) The Wally Noerenberg Hatchery Special Harvest Area consists of the waters of Lake Bay north of $60^{\circ} 47.56' \text{N. lat.}$ **and waters of Esther Passage north of $60^{\circ} 49.51' \text{N. lat.}$ and south of $60^{\circ} 53.30' \text{N. lat.}$ within 300 fathoms of Esther Island.**

WHAT WOULD THE PROPOSAL DO? This proposal would expand the Wally Noerenberg Hatchery SHA to include waters of Esther Passage north of $60^{\circ} 49.51' \text{N. lat.}$ and south of $60^{\circ} 53.30' \text{N. lat.}$ within 300 fathoms of Esther Island..



Proposal 43. Figure 1. Proposed SHA expansion in Esther Passage.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 24.368(d) The Wally Noerenberg Hatchery Special Harvest Area consists of the water of Lake Bay north of $60^{\circ} 47.56' \text{N. lat.}$

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the department's ability to control and manage wild salmon stock escapement and interception.

BACKGROUND: Because there is no way of isolating hatchery fish from wild stocks in the waters of the general purse seine districts, these districts are only opened and closed as the wild stock run strength will allow. Wild stock pink salmon escapement shortfalls have occurred several times in the Coghill District since 1988. Beginning in 1994, the department restricted common property fishery openings in the Esther Subdistrict to within one and a half miles of Esther Island to minimize the harvest of weak pink salmon stocks destined for Port Wells. Permanent expansion of the SHA through regulatory amendment would increase the likelihood of wild stock interception. Recommendations discussed by the Salmon Harvest Task Force have included closing those waters west of Lake Bay to seining during weak wild stock returns, to provide a greater corridor for wild fish transiting the subdistrict. The proposed expanded cost recovery area contradicts the intent of this existing plan. The principle tool available to manage the hatchery pink salmon return remains emergency order manipulation of the Esther and Perry Island Subdistricts.

The Annual Management Plan for WNH includes provisions to allow the expansion of the SHA by emergency order on an as-needed basis, consistent with AS 16.05.060 and AS 16.10.440. The text reads: The department is willing to permit cost recovery operations in waters of Esther Passage west of a line from 60° 51.750' N. lat., 147° 56.171' W. long. to 60° 50.604' N. lat., 147° 56.193' W. long.

The department views PWSAC achieving its revenue goals in a timely and efficient manner as being beneficial for maintaining fish quality and providing for increased common property fishing opportunity. However, the proposed areas are well outside of prescribed cost recovery special harvest areas and hatchery subdistricts; therefore there is concern over the interception of wild stock salmon.

According to the Annual Management Plan, the following requirements must be adhered to for permitted cost recovery operations to be conducted within Esther Passage:

- 1) PWSAC will agree to pay all costs associated with the sampling, otolith preparation, and reading of otoliths from the permitted cost recovery harvest(s). The value of the estimated contribution of wild salmon to the cost recovery harvest(s) from these areas will be determined by the department and PWSAC will reimburse the department for that amount. The reimbursement value of wild stock salmon harvested shall not be used to defray any costs associated with this undertaking or any other PWSAC financial responsibility.
- 2) PWSAC will notify the department three days prior to any cost recovery operations to request an emergency order permitting the activity and to provide notice for the scheduling of sampling personnel. At no time will the department compromise its duties or disrupt personnel schedules to accommodate these cost recovery operations.
- 3) All emergency orders issued permitting cost recovery operations will be for the specific date that PWSAC has requested and will limit operations to a single day.

Cost recovery harvest(s) from these areas will not be mixed with any other harvest at anytime until after sampling. No sorting of cost recovery harvest(s) is permitted until after sampling.

4) No future emergency orders permitting cost recovery operations will be issued until the previous harvest has been evaluated.

5) The department may discontinue permitted cost recovery operations at anytime.

The department required additional sampling of cost recovery harvests from Esther Passage to ensure that no significant wild stock interception was occurring. It is important that wild stock fish not be harvested for cost recovery. Past cost recovery efforts in Esther Passage have had limited success.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. SHA's are expanded on a case by case basis by emergency order authority and evaluated for wild stock interception.

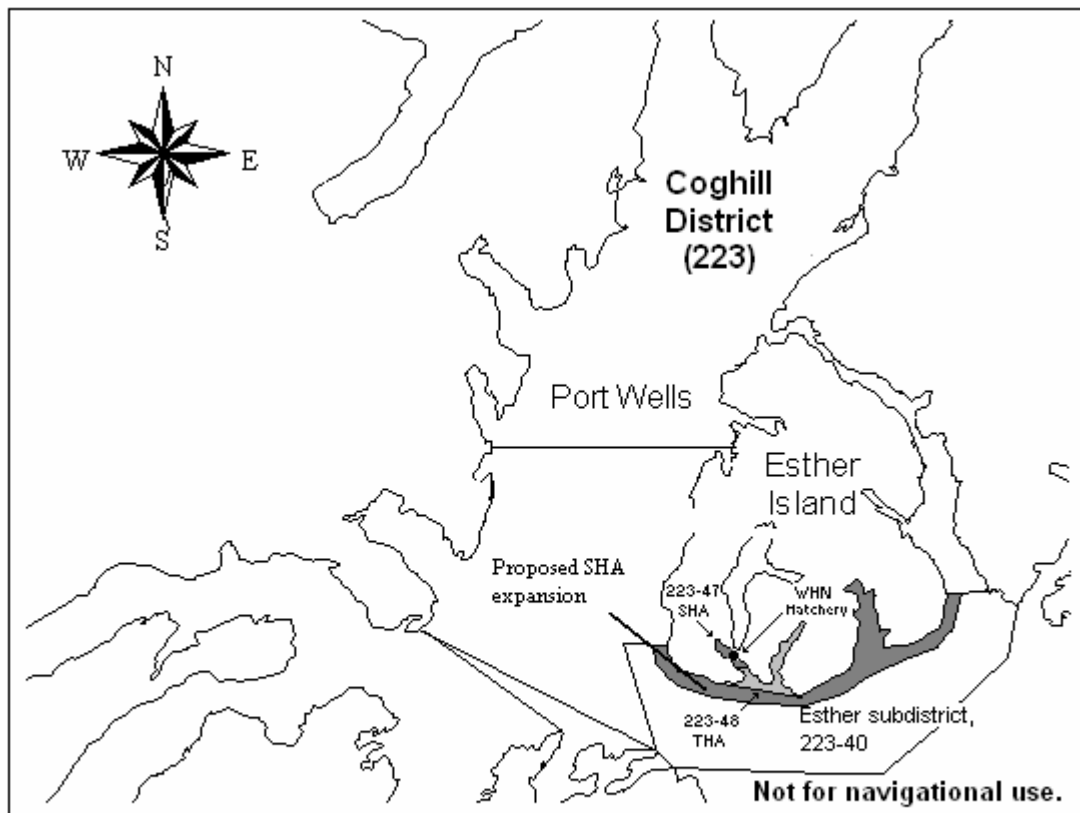
COST ANALYSIS: The department does not believe that approval of this proposal would result in an additional cost for a private person to participate in this fishery.

PROPOSAL 44 - 5 AAC 24.368(d). Wally Noerenberg (Esther Island) Hatchery management plan. Amend the regulation as follows:

Delete section (c), The Wally Noerenberg Hatchery Terminal Harvest Area.

(d) The Wally Noerenberg Hatchery Special Harvest Area consists of the waters of **the Esther Subdistrict within 300 fathoms of Esther Island.** [LAKE BAY NORTH OF 60° 47.56' N. LAT.]

WHAT WOULD THE PROPOSAL DO? This proposal would expand the Wally Noerenberg Hatchery Special Harvest Area into Esther Subdistrict within 300 fathoms of Esther Island and eliminate the Terminal Harvest Area.



Proposal 44. Figure 1. Proposed SHA expansion into Esther Subdistrict.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 24.368(d) The Wally Noerenberg Hatchery Special Harvest Area consists of the waters of Lake Bay north of 60° 47.56' N. lat.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the department's ability to control and manage wild salmon stock escapement and interception.

BACKGROUND: The department must be able to manage wild salmon stock interception. The boundaries of the current SHA were specifically selected to maximize control over wild stock interception. The department has issued EOs to expand the Wally Noerenberg Hatchery SHA into Esther Subdistrict as needed. In mid July of 2005 PWSAC requested an expansion of 300 fathoms off of the shore. The department granted this, expanding the SHA to on-half nautical mile off shore in the Esther Subdistrict, which was nearly double the requested amount of area. EO expansion of the current SHA maintains control over wild stock interception and provides for increased cost recovery when conditions permit. Permanent expansion of the SHA through regulatory amendment would decrease the department's ability to control wild stock interception. It is important that wild stock fish not be harvested for cost recovery. See comments for Proposal 43 for additional information.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. SHAs are expanded on a case by case basis by emergency order authority and evaluated for wild stock interception.

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

PROPOSAL 45 5AAC 24.367. Main Bay Salmon Hatchery harvest management plan. Amend the regulation to provide a new SHA as follows:

(x) The Main Bay Hatchery/Marsha Bay Special Harvest Area consists of the waters of Marsha Bay west of 147° 39.70' W. long.

WHAT WOULD THE PROPOSAL DO? This proposal would create a SHA in the waters of Marsha Bay, Knight Island.

WHAT ARE THE CURRENT REGULATIONS? Before July 18, the Southwestern District is closed to salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A small area in Marsha Bay, west of 147° 39.70 W. long., would be opened to harvest enhanced sockeye salmon returning to Marsha Bay.

BACKGROUND: Marsha Bay has not undergone site specific analysis as outlined in Section 3 of the PWS-CR Phase 3 Comprehensive Salmon Management plan. Adopting this proposal would circumvent the process stipulated in the PWS-CR Phase 3 Comprehensive Salmon Plan as written by the Regional Planning Team in October 1994.

In June, 2005 PWSAC approached the department with a request for a Fish Transport Permit (FTP) to be used to transport up to 1.2 million sockeye salmon smolt to Marsha Lake. The permit that was granted states clearly that,

PWSAC will submit a proposal to establish a Special Harvest Area within Marsha Bay that is acceptable to the Area Management Biologist at the 2005-2006 Board of Fish Area E meeting. The creation of the SHA is necessary to allow commercial and/or cost recovery fishing within Marsha Bay prior to July 18 (5AAC24.370).

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. As laid out in the October 1994 PWS-CR Regional Planning Team Comprehensive Salmon Plan, a set of requirements must be satisfied before a site can be considered as a possible SHA. These concerns include,

- 1) Initial releases conducted on a trial basis to determine straying
- 2) Test fishing conducted prior to release to determine interceptions
- 3) Allocation consequences must be considered if interceptions exist.

While the department cannot support the creation of an SHA at this time in Marsha Bay, based upon the absence of any site evaluation as explicitly required by the Regional Planning Team, the department does support further evaluation of this area as a possible release site and SHA. The release conducted in 2004 will provide important data for use in future evaluation of this site. Before regulations can be drafted creating a SHA in Marsha Bay, all of the requirements for evaluation as outlined in the Comprehensive Salmon Management Plan must be met.

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

PROPOSAL 46 - 5AAC 24.367. Main Bay Salmon Hatchery harvest management plan. Amend the regulation as follows:

(e) The Main Bay Hatchery Special Harvest Area consists of the waters of Main Bay west of a line from 60° 31.61' N. lat., 148° 05.02' W. long. to 60° 31.85' N. lat., 148° 05.42' W. long. **and the waters of Falls Bay west of a line 60° 31.921' N. lat., 147° 59.909' W. long. to 60° 31.136' N. lat., 147° 58.879' W. long.**

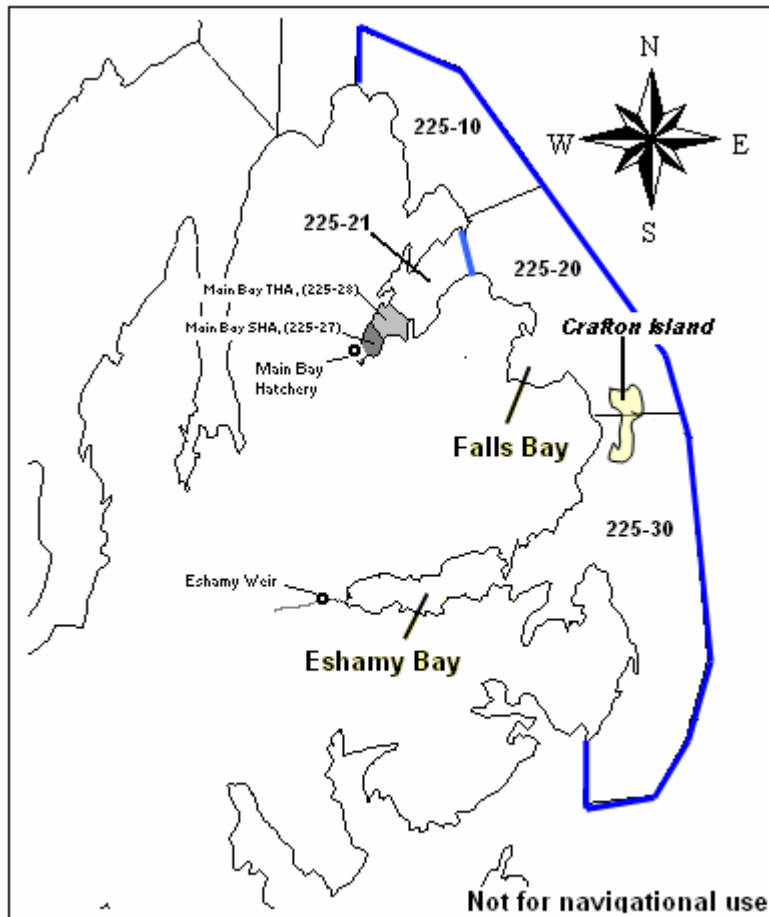
WHAT WOULD THE PROPOSAL DO? The proposal would include the waters of Falls Bay in the Main Bay Special Harvest Area, (SHA) description.

WHAT ARE THE CURRENT REGULATIONS? The current regulations, (5 AAC 24.367 (d)(1)) describe a portion of Main Bay as comprising the hatchery SHA and do not include Falls Bay.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

This proposal would allow cost recovery harvest by PWSAC in the waters of Falls Bay. Additionally it would have a significant impact on common property set and drift gillnet fishers who may be prohibited from fishing during SHA cost recovery operations.

BACKGROUND: The department must be able to manage wild salmon stock interception. The boundaries of the current SHA were specifically selected to maximize control over wild stock interception. The Annual Management Plan, (AMP) for the Main Bay Hatchery contains provisions for allowing an expansion of the SHA provided that stipulations outlined in the AMP are met. Emergency order expansion of the current SHA maintains control over wild stock interception and provides for increased cost recovery when conditions permit. Permanent expansion of the SHA through regulatory amendment would decrease control of wild stock interception. It is important that no wild stock fish be harvested for cost recovery. No testing has been done in this area to determine wild stock interception rates.



Proposal 46, Figure 1- Eshamy District and Main Bay details.

The 2005 Main Bay Hatchery Annual Management Plan included text that specifically addressed this issue. The text reads: “The department is willing to permit cost recovery operations in Falls Bay west of a line from 60° 31.921’ N. lat., 147° 59.909’ W. long. to 60° 31.136’ N. lat., 147° 58.879’ W. long.” The department views PWSAC achieving its revenue goals in a timely and efficient manner as being beneficial for maintaining fish quality and providing for increased common property fishing opportunity. However, the proposed areas are well outside of prescribed cost recovery special harvest areas. Therefore there is concern over the interception of wild stock salmon.

The following requirements from the Annual Management Plan must be adhered to for permitted cost recovery operations to be conducted within Falls Bay:

- PWSAC will agree to pay all costs associated with the sampling, otolith preparation, and reading of otoliths from the permitted cost recovery harvest(s). The value of the estimated contribution of wild salmon to the cost recovery harvest(s) from these areas will be determined by the department and PWSAC will reimburse the department for that amount. The reimbursement value of wild stock salmon harvested shall not be used to defray any costs associated with this undertaking or any other PWSAC financial responsibility.
- PWSAC will notify the department three days prior to any cost recovery operations to request an emergency order permitting the activity and to provide notice for the scheduling of sampling personnel. At no time will the department compromise its duties or disrupt personnel schedules to accommodate these cost recovery operations.
- All emergency orders issued permitting cost recovery operations will be for the specific date that PWSAC has requested and will limit operations to a single day.
- Cost recovery harvest(s) from these areas will not be mixed with any other harvest at anytime until after sampling. No sorting of cost recovery harvest(s) is permitted until after sampling.
- No future emergency orders permitting cost recovery operations will be issued until the previous harvest has been evaluated.
- The department may discontinue permitted cost recovery operations at anytime.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. SHAs are expanded on a case by case basis by emergency order authority and evaluated for wild stock interception.

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

PROPOSAL 47 - 24.367. Main Bay Salmon Hatchery harvest management plan. Amend the regulation as follows:

(e) The Main Bay Hatchery Special Harvest Area consists of the waters of Main Bay west of a line from **60° 33.33' N. lat., 148° 02.32' W. long. to 60° 32.86' N. lat., 148° 01.92' W. long.** [60° 31.61' N. LAT., 148° 05.02' W. LONG., to 60° 31.85' N. LAT., 148° 05.42' W. LONG.]

WHAT WOULD THE PROPOSAL DO? This proposal would expand the Main Bay SHA to encompass all of Main Bay.

WHAT ARE THE CURRENT REGULATIONS? According to 5 AAC 24.367(e) The Main Bay SHA consists of the waters of Main Bay west of a line from 60° 31.61' N. lat., 148° 05.02' W. long., to 60° 31.85' N. lat., 148° 05.02' W. long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would allow PWSAC to conduct cost recovery harvest throughout Main Bay.

BACKGROUND: The department must be able to manage wild salmon stock interception and escapement. The boundaries of the current SHA were specifically selected to maximize control over wild stock interception. The Annual Management Plan (AMP), for the Main Bay Hatchery contains provisions for allowing an expansion of the SHA provided that stipulations outlined in the AMP are met. Emergency order expansion of the current SHA maintains control over wild stock interception and provides for increased cost recovery when conditions permit. Permanent expansion of the SHA through regulatory amendment would decrease control of wild stock interception. It is important that no wild stock fish be harvested for cost recovery. No testing has been done in this area to determine wild stock interception rates.

See comments for Proposal 46 for additional information regarding the Main Bay SHA.

DEPARTMENT COMMENTS: The department is OPPOSED to this proposal. SHAs are expanded on a case by case basis by emergency order authority and evaluated for wild stock interception.

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

PROPOSAL 48 - 5AAC 24.367. Main Bay Salmon Hatchery harvest management plan. Amend the regulation as follows:

(a) **The department, in consultation with the hatchery operator, shall manage the Main Bay subdistrict and, before July 21, the Crafton Island subdistrict, to achieve the Prince William Sound Aquaculture Corporation’s escapement goal for the Main Bay Hatchery.** [THE PURPOSE OF THE MAIN BAY SALMON HATCHERY HARVEST MANAGEMENT PLAN IN THIS SECTION IS TO PROVIDE AN EQUITABLE DISTRIBUTION OF HARVEST OPPORTUNITY AND TO REDUCE CONFLICTS BETWEEN USERS IN THE VICINITY OF THE MAIN BAY SALMON HATCHERY]

WHAT WOULD THE PROPOSAL DO? This proposal would establish in regulation 5 AAC 24.367(a) that ADF&G will manage the Main Bay Subdistrict, and before July 21 the Crafton Island Subdistrict, to achieve the PWSAC escapement goal.

WHAT ARE THE CURRENT REGULATIONS? Currently, 5 AAC 24.367(a) stipulates “the purpose of the Main Bay Harvest Plan is to provide an equitable distribution of harvest opportunity and to reduce conflicts between users in the vicinity of the Main Bay Salmon hatchery”. There is no requirement for the department to manage a specific area in consultation with PWSAC to achieve hatchery escapement.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED: This proposal would require the department to manage the Main Bay and Crafton Island Subdistricts in consultation with PWSAC to achieve hatchery escapement. If adopted, this proposal would decrease the department’s ability to control and manage wild salmon stock escapement and interception. Additionally it would have significant impact on common property set and drift gillnet fishers who may be prohibited from fishing in these areas.

BACKGROUND: All other hatchery management plans in Prince William Sound include a provision to manage a hatchery subdistrict in consultation with the hatchery to achieve corporate escapement. While the department has always assumed that to be the case for the Main Bay Hatchery Management Plan, it is not stated in regulation. This proposal would standardize this aspect of joint management of hatchery returns however the department would amend the joint management end date for the Crafton Island Subdistrict to be July 5 rather than July 21 as there is active management for wild stock sockeye salmon once the Eshamy weir is established on July 5.

DEPARTMENT COMMENTS: The department SUPPORTS this proposal with the change noted in the background comments.

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

PROPOSAL 49 - 5 AAC 24.363. Cannery Creek Salmon Hatchery management plan. Amend the regulation as follows:

Delete section (c)(1) Cannery Creek Terminal Harvest Area.

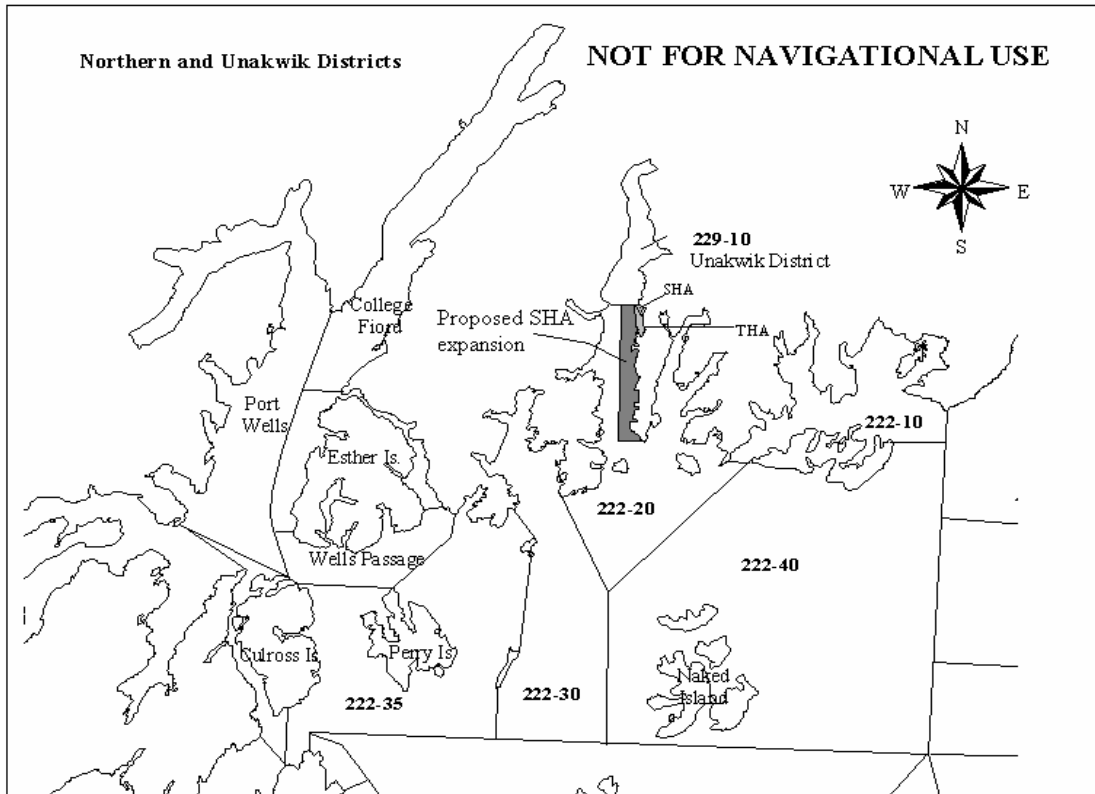
(c)(2) **The** Cannery Creek Hatchery Special Harvest Area **consists of the waters of Cannery Creek subdistrict east of 147° 34.00' W. long.** [: THE WATERS OF UNAKWIK INLET IN THE NORTHERN DISTRICT NORTH AND EAST OF A LINE FROM 61° 00.97' N. LAT., 147° 32.62' W. LONG., SOUTHWARD TO A POINT ON THE SHORE AT 60° 59.96' N. LAT., 147° 31.48' W. LONG.]

WHAT WOULD THE PROPOSAL DO? This proposal would expand the Cannery Creek Hatchery SHA to consist of the waters of Cannery Creek subdistrict east of 147° 34.00' W. long..

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 24.363 (c)(2) Cannery Creek Special Harvest Area: the waters of Unakwik Inlet in the Northern District north and east of a line from 60 o 00.97' N. Lat., 147 o 32.62'W. long. southward to a point on the shore at 60° 59.96 N. lat., 147° 31.48'W. long.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the department's ability to control and manage wild salmon stock escapement and interception.

BACKGROUND: The department must be able to manage wild salmon stock interception. The boundaries of the current SHA were specifically selected to maximize control over wild stock interception. When requested in the past, the department has issued emergency orders to expand the Cannery Creek Hatchery SHA. The Cannery Creek Hatchery Annual Management Plan already allows for the cost recovery area to be expanded to include the THA. The Annual Management Plan text reads: 'The SHA is used by the hatchery operator to harvest hatchery sales fish for cost recovery. THA may be opened for cost recovery by Emergency Order.' Additionally, cost recovery harvests on the west side of Unakwik Inlet would have a higher likely hood of intercepting west side wild stock fish destined for Siwash and Jonah bays and the northern portions of the inlet. It is important that no wild stock fish be harvested for cost recovery.



Proposal 49. Figure 1. Proposed SHA expansion in Unakwik Inlet.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. SHAs are expanded on a case by case basis by emergency order authority and evaluated for wild stock interception.

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

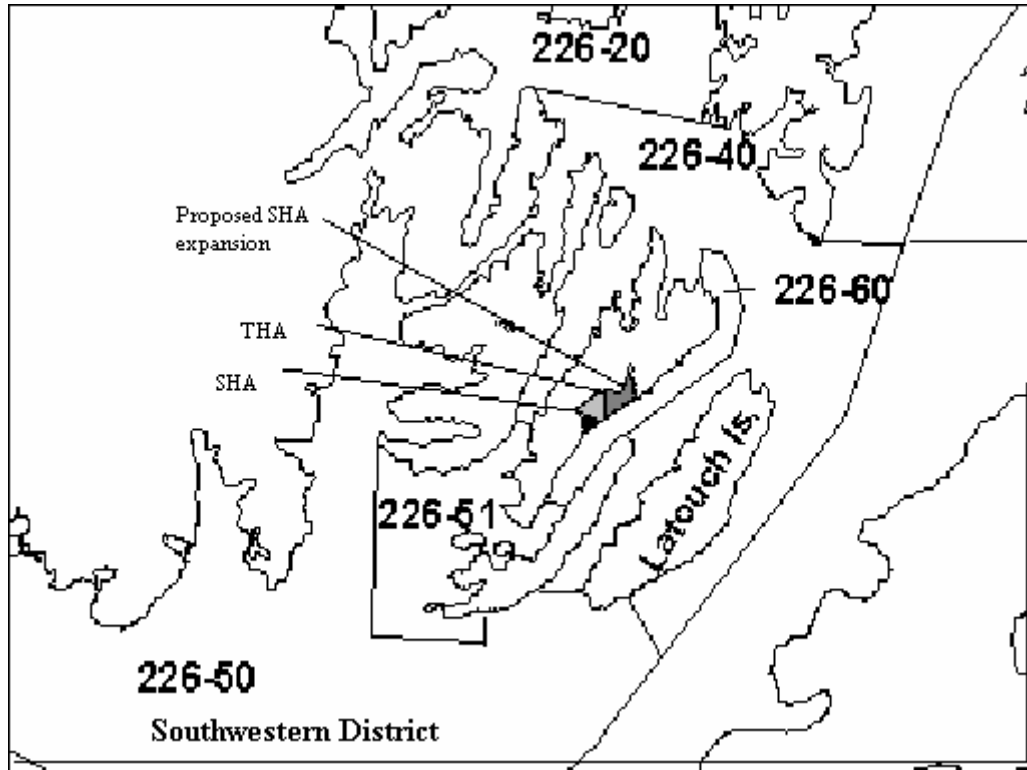
PROPOSAL 50, - 5 AAC 24.365. Armin F. Koernig Salmon Hatchery management plan. Amend the regulation as follows:

Delete section (b), the Armin F. Koernig Hatchery Terminal Harvest Area.

(c) The Armin F. Koernig Hatchery Special Harvest Area consists of the waters of Sawmill Bay (Evans Island) **north and west of a line from 60° 03.63' N. lat., 147° 59.45' W. long., to 60° 02.63' N. lat., 148° 01.70' W. long.** [WEST OF 148° 01.95' W. LONG.]

WHAT WOULD THE PROPOSAL DO? This proposal would expand the AFK Hatchery SHA to include waters north and west of a line from 60° 03.63' N. lat., 147° 59.45' W. long., to 60° 02.63' N. lat., 148° 01.70' W. long.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 24.365(c) The Armin F. Koernig Hatchery Special Harvest Area consists of the waters of Sawmill Bay (Evans Island) west of 148° 01.95' W. long.



Proposal 50. Figure 1. Proposed SHA expansion in Sawmill Bay, Southwestern District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the department's ability to control and manage wild salmon stock escapement and interception.

BACKGROUND: The boundaries of the current SHA were specifically selected to maximize control over wild stock interception. Cost recovery harvesting may occur outside of the SHA on a case by case basis but only under close scrutiny to ensure that wild stocks are not harvested for cost recovery. PWSAC did not consult the department before submitting this proposal to identify possible management concerns.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. SHAs are expanded on a case by case basis by emergency order authority and evaluated for wild stock interception.

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

COMMITTEE C- COPPER RIVER COMMERCIAL AND SPORT FISHERIES (12 PROPOSALS)

PROPOSAL 51 - 5AAC 24.310. Fishing seasons. Amend the regulation as follows:

No gillnetting from Thursday at midnight until Saturday at midnight.

WHAT WOULD THE PROPOSAL DO? This proposal would close the Copper River District from Thursday at midnight until Saturday at midnight.

WHAT ARE THE CURRENT REGULATIONS? Gillnetting in the Copper River District is managed by emergency order openings based on sockeye salmon escapement at the Miles Lake sonar site.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED This proposal would close the Copper River District from Thursday at midnight until Saturday at midnight for the duration of the sockeye salmon season. This would result in missed fishing opportunity and would significantly impact the department's ability to manage this fishery.

BACKGROUND: The author of this proposal indicates that closing the Copper River commercial fishery at midnight on Thursdays would increase the sockeye salmon available to weekend subsistence dipnetters at Chitina. The distance from the Copper River commercial fishing district to Chitina is over 100 river miles. Typically it takes sockeye salmon anywhere from 10 days to over 3 weeks to travel this distance.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department notes that this proposal reduces the flexibility of the department to manage the fishery and may result in lost harvest opportunity and an inability to stay within the escapement goal range for sockeye salmon. The department opposes the loss of management flexibility inherent in this proposal.

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

PROPOSAL 52 - 5AAC 24.361. Copper River king salmon management plan. Amend the regulation as follows:

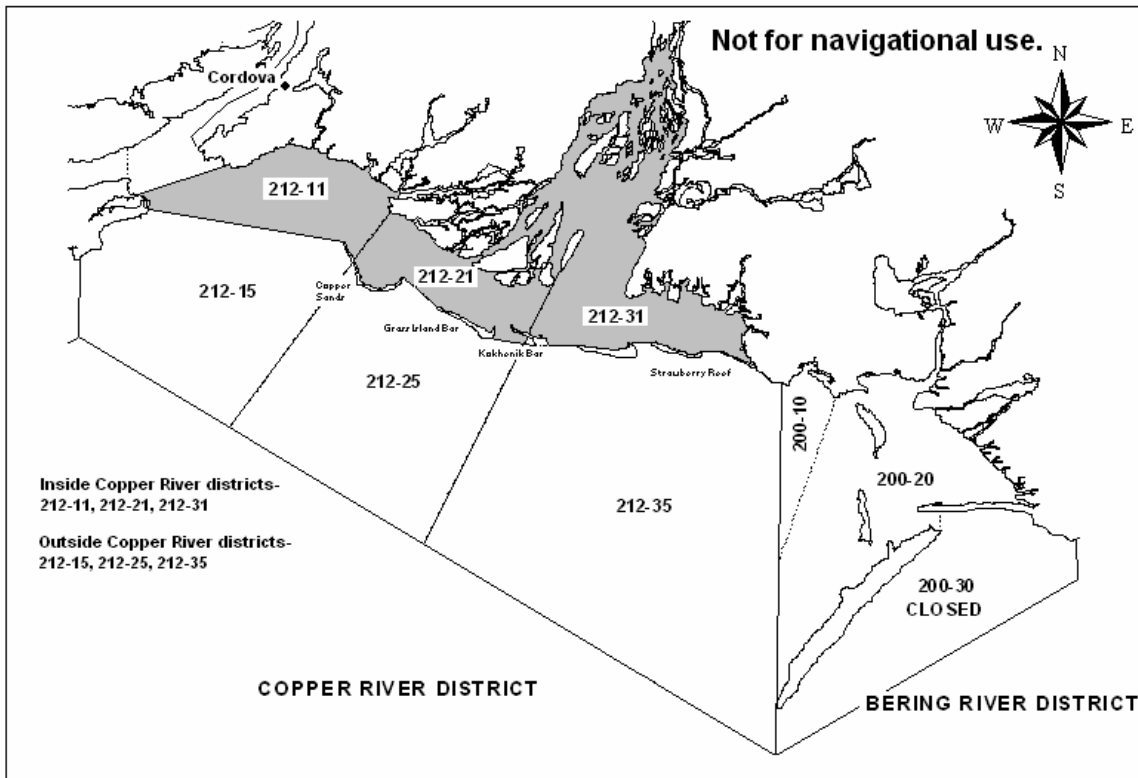
During each of the first three statistical weeks, there can only be one 12-hour opening inside the Barrier Islands.

WHAT WOULD THE PROPOSAL DO? Allow only one 12-hour inside opening per week during the first three weeks of the Copper River District commercial drift gillnet season.

WHAT ARE THE CURRENT REGULATIONS? Current regulations in the management plan (5 AAC 24.361(a)) stipulate that the department will manage the commercial fishery in a manner to achieve an escapement goal of 24,000 or more king salmon. To achieve the escapement goal, the department may apply restrictions within the Copper River statistical areas during statistical weeks 20, 21 and 22.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would decrease the department's ability to control and manage wild sockeye and Chinook salmon escapement and harvest in the Copper River District during the first three weeks of the commercial season.

BACKGROUND: Currently regulations are in place that allow managers the option of closing areas inside the bars in the Copper River District to manage escapement of Chinook and sockeye salmon to meet escapement levels specified for those species in 5AAC24.360(a) and 5AAC24.361(a).



Proposal 52, Figure 1- Showing inside subdistricts, (shaded grey) of the Copper River District.

DEPARTMENT COMMENTS: The department is NEUTRAL on the allocative aspects of this proposal. The department notes that this proposal reduces the

flexibility of the department to manage the fishery and may result in lost harvest opportunity and an inability to stay within the escapement goal range for sockeye salmon. The department opposes the loss of management flexibility inherent in this proposal.

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

PROPOSAL 53 - 5AAC 24.360. Copper River District salmon management plan. Amend the regulation to provide the following:

Increased early run salmon upstream of the Gulkana River to increase harvest opportunity for subsistence users.

WHAT WOULD THE PROPOSAL DO? The proposal does not provide specific regulatory language, but recommends that the board take action to increase the numbers of early-run salmon for upriver subsistence users.

WHAT ARE THE CURRENT REGULATIONS? The Copper River District salmon management plan (5 AAC 24.360) states that the department shall manage the Copper River District to achieve a sustainable escapement goal of 300,000 - 500,000 sockeye salmon in the Copper River. An additional 60,000 - 70,000 sockeye salmon are allocated for the Glennallen Subdistrict personal use harvest and 100,000 - 150,000 for the Chitina Subdistrict personal use harvest. The BOF has directed that the department establish the subsistence component of the inriver goal within the range of 160,000 - 225,000 salmon. The Copper River king salmon management plan (5 AAC 24.361) directs the department to manage the commercial and sport fisheries to achieve a sustainable escapement goal of 24,000 or more for king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The allocation for the Glennallen personal use harvest would either be increased, or a portion of the current allocation would be shifted back in time. This would result in diminished allocation for one of the other user groups; the Copper River commercial drift gillnet fleet, the Chitina Subdistrict personal use dipnet harvesters, or the sport users.

BACKGROUND: The allocation range for the Glennallen Subdistrict in regulation is 60,000 – 70,000. The 5-year average subsistence harvest in the Glennallen Subdistrict is 68,000 sockeye salmon with a range of 59,000 – 84,000. The department sets the Glenallen Subdistrict allocation at 70,000 sockeye salmon which is the top of the range. The escapement goal as measured by the Miles Lake sonar has been above the minimum for each of the most recent 5 years indicating that the subsistence allocations have been met.

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

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

PROPOSAL NO. 54, PAGE 39, - 5 AAC 52.023 (12). Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

(12)(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile [19.2] **14** on the Klutina Lake Road, **catch-and-release fishing only is permitted for king salmon from June 10 – June 14. From June 15 – August 1, king salmon may be taken downstream from Mile 19.2. From August 2 – August 10 downstream from Mile 14 on the Klutina Lake Road fishing for king salmon is catch-and –release only. The king salmon fishery is closed after August 10;** [KING SALMON MAY BE TAKEN ONLY FROM JANUARY 1- JULY 31 WITH A BAG AND POSSESSION LIMIT OF ONE FISH 20 INCHES OR GREATER IN LENGTH , AND A BAG AND POSSESSION LIMIT OF 10 FISH LESS THAN 20 INCHES IN LENGTH.]

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would close king salmon fishing from June 1 to June 9, restrict fishing to catch-and-release from June 10-14 below river mile 14, and extend the king salmon fishing season by 10 days to catch-and-release fishing below river mile 14.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023 (12) in the Klutina River drainage, bait and artificial lures may be used;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina Lake Road, king salmon may be taken only from January 1 – July 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would change the opening and closing dates and geographic boundaries of the king salmon season on the Klutina River. The proposed change would add complexity to the current regulations. It would have no appreciable affect on the harvest (no net increase or decrease) but would increase the overall catch and associated mortality.

BACKGROUND:

Sport harvests of king salmon in the Klutina River have averaged 1,551 fish annually (2000-2004); the catch of king salmon during this same period has average 4,781. Approximately 68% (3,230 fish) of all king salmon caught are released. A hooking mortality study conducted by the Department on the Kenai River reported a 7.6% mortality rate in king salmon that were released. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board's allocation criteria.

Based upon radio-telemetry data collected by the Department the average date when 10% of the Klutina River king salmon run entered the river was June 25. The average date when 90% of the run entered the river was August 8. The mid-point of the run is July 15.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Klutina River king salmon sport fishery.

PROPOSAL NO. 55, PAGE 40, - 5 AAC 52.023 (12). Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

Reinstate season closure to August 10 for king salmon in the Klutina River.

Establish fly fishing only status from the Old Richardson Highway Bridge in Copper Center down to the ADF&G marker in order to balance harvest data with August fishing days.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would extend the current season by 10 days to August 10. It would also create a fly fishing only area from the Old Richardson Highway Bridge to ADF&G markers located at the confluence of the Copper and Klutina rivers.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023 (12) in the Klutina River drainage, bait and artificial lures may be used;

(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile 19.2 on the Klutina Lake Road, king salmon may be taken only from January 1 – July 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would increase the length of the fishing season for king salmon on the Klutina River. It would restrict harvest potential in the lower mile of the river by establishing a fly fishing only area downstream of the Old Richardson Highway Bridge. It is unknown whether the overall affect will be a net increase or decrease in king salmon harvests.

BACKGROUND:

The Klutina River is a swift, semi-glacial river with limited road access. The Klutina Lake Road parallels the river along its north bank from the Richardson Highway, but the surrounding land is private land allowing limited access without a land use permit. Shore anglers fish the various holes along the road and raft anglers launch from Mile 14 or near the lake (approximately Mile 23). There is a public boat launch at the Richardson Highway Bridge. Boat anglers fish upstream to Klutina Lake and downstream to the Copper River. The land between the Richardson Highway Bridge and the old Richardson Highway Bridge consists of private lots and campgrounds. Downstream of the old Richardson Highway Bridge to the Copper River, the land status is private, but a public easement parallels the river on the south bank to the confluence with the Copper River.

In 1996, the Board of Fisheries adopted a proposal that reduced the open season for king salmon from August 10 to July 31. The purpose of the action was to reduce harvests of king salmon in the Copper River tributaries. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board's allocation criteria.

Sport harvests of king salmon in the Klutina River averaged 1,551 fish from 2000 – 2004. Catch of king salmon during this same period has average 4,781; approximately 68% (3,230 king salmon) of all king salmon caught in the Klutina River are released. A creel survey conducted in 1989 found that 86% of the harvest was taken by boat anglers. In general, shore based anglers fish downstream of the Richardson Highway Bridge and boat and raft based anglers fish upstream of the Bridge.

Based upon king salmon radio-telemetry data collected by the Department the average date when 10% of the Klutina run have entered the river is June 25th and 90% of the run by August 8th. The mid-point of the run (when 50% of the run is in the river) is July 15th.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Klutina River king salmon sport fishery.

PROPOSAL NO. 56, PAGE 41, - 5 AAC 52.022. General provisions for season, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

Double the current level of allocation of kings for sport fishing on the Gulkana and Klutina rivers.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would double the number of king salmon currently available to sport anglers on the Gulkana and Klutina rivers.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 24.361. Copper River king salmon management plan. (a) The Department shall manage the Copper River commercial and sport fisheries to achieve a sustainable escapement goal of 24,000 or more for king salmon. For the purposes of managing these fisheries, the Department shall consider the best available information regarding harvest, age composition, and escapement, including escapement information obtained from mark-recapture studies, aerial surveys, or by other means.

(c) In the sport fishery;

(1) in the upper Copper River drainage, the annual limit for king salmon 20 inches or greater in length is four fish;

(2) if the commissioner determines additional conservation measures are necessary to achieve the escapement goals, the commissioner may, by emergency order, use the following management measures in the following priority order:

(A) reduce the annual limit for king salmon;

(B) modify other methods and means not specified in this paragraph;

(C) designate the fishery as a catch-and-release fishery only;

(D) close specific waters to sport fishing for king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would double the number of kings currently available to the sport fisheries on the Gulkana and Klutina rivers.

BACKGROUND:

The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should

be evaluated based on the Board's allocation criteria. The current average harvest levels (2000-2004) by user group are: commercial fishery 38,540 fish (76%), commercial personal use (home pack) 811 (2%), sport fishery 4,934 (10%), Glennallen Subdistrict subsistence fishery 3,813 (8%), and the Chitina Subdistrict personal use fishery 2,554 fish (5%). Upriver spawning escapement during this same period has averaged 27,904. Specific to the Gulkana and Klutina rivers the sport harvest has averaged 3,206 and 1,551, respectively during 2000-2004.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Gulkana and Klutina king salmon sport fisheries.

PROPOSAL NO. 57, PAGE 41, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

On all tributaries of the Copper River, except the Gulkana River, sport fishing for king salmon will be allowed only in the first four miles upstream from the confluence with the Copper River.

On the Gulkana River, king salmon fishing is only allowed from the Sourdough campground to one-fourth mile below the Richardson Highway bridge. One-fourth mile downstream from the Richardson Highway bridge to the confluence of the Copper River is closed to king salmon fishing.

On all tributaries of the Copper River, including the Gulkana, after retaining a king salmon 20 inches or longer, a person can no longer fish for king salmon on that day.

Once a king salmon is removed from the water it is considered retained.

Only single-hooks are allowed.

Bait is allowed.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would restrict area and methods and means for king salmon sport fishing in all Copper River tributaries.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.022 (1) in all flowing waters, and in Paxson Lake and Summit Lake, only unbaited, single-hook, artificial lures may be used;

(3) king salmon: may be taken only from January 1 – July 19, as follows;

(A) 20 inches or greater in length; bag and possession limit of one fish; annual limit of four fish; a harvest record is required as specified in 5 AAC 52.024; a

king salmon 20 inches or greater in length that is removed from the water must be retained and becomes part of the bag limit of the person originally hooking it;
(B) less than 20 inches in length; bag and possession limit of 10 fish;
(C) a person may not remove from the water a king salmon that the person intends to release;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would restrict area and methods and means on the major king salmon sport fisheries in the upper Copper River and liberalize regulations for tributaries that are currently closed. In addition, all flowing waters of the Upper Copper/Upper Susitna river drainages that are governed by unbaited, single-hook artificial lure regulations, would be modified to allow baited single hooks. This proposal would confine sport anglers to small sections of rivers, thereby causing undue angler crowding and potentially heighten risk of overexploitation on smaller stocks.

BACKGROUND:

From 2000 – 2004, king salmon harvests and catch averaged 4,937 and 17,218, respectively. Over 97% of all sport king salmon harvest occurs in the Gulkana and Klutina river drainages. These two drainages represent approximately 32% of the Upper Copper River drainage king salmon spawning population. Current time and area closures for the sport fisheries are set to protect spawning king salmon. Tributaries that are currently closed to king salmon fishing were based upon easy access and potential concerns regarding small stocks. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board's allocation criteria.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal due to the overly restrictive nature for fisheries currently open, and potential liberalization of fisheries on small spawning stocks that are currently closed to fishing.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the upper Copper River king salmon sport fishery.

PROPOSAL NO. 58, PAGE 42, - 5 AAC 52.023 (9). Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

The Gulkana River sport fishery below the Richardson Highway Bridge would be modified to allow bait and no hook restrictions for a brief period in early June.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would liberalize the current regulations for this section of the Gulkana River by allowing bait.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023 (9)(A) from June 1 – July 31, only single-hook, artificial flies, with a gap that does not exceed three-quarters inch between the point and shank, may be used in that portion of the Gulkana River downstream from the Richardson Highway Bridge to an ADF&G regulatory marker located approximately 500 yards downstream of the confluence with the Copper River; additional weight may only be used 18 inches or more ahead of the fly;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would likely increase sport harvests of king salmon by liberalizing method and means for an unspecified period in early June. The land downstream of the Richardson Highway Bridge is primarily private land. Access to the approximately 5 miles of river downstream of the bridge is either via river boat, raft, or by foot along the shore below ordinary high water. This proposal would likely increase angler crowding.

BACKGROUND:

The area downstream of the Richardson Highway Bridge has been closed to the use of bait and artificial lures since 1975 in order to reduce harvests of king salmon holding in areas easily accessed by anglers. The use of bait can increase the catch of king salmon by more than 50% which would likely be the case in this area. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board’s allocation criteria.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Gulkana River king salmon fishery.

PROPOSAL NO. 59, PAGE 43, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

No bait, mainstem of Copper River, May 1 – September 1.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would prohibit the use of bait in the Copper River mainstem from May 1 – September 1.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023 (3) in the Copper River drainage, in that portion of the mainstem of the Copper River downstream from the confluence of the Copper River and Slana River,

(A) bait and artificial lures may be used from January 1 through December 31;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

Prohibiting the use of bait would reduce the harvest potential of the king salmon sport fishery in the Copper River mainstem and in several tributary fisheries.

BACKGROUND:

In 1999, the Board adopted a Department proposal to allow only unbaited, single-hook artificial lures in all flowing waters of the Upper Copper/Upper Susitna Management Area to protect rainbow trout populations. This regulation inadvertently affected king salmon and burbot anglers by the prohibition of bait in the Copper River mainstem. During the 2002 fishing season, the Department issued an emergency order to allow the use of bait and multiple hooks in the Copper River to provide for the king salmon fishery that occurred at the mouth of the Klutina River. At the 2003 meeting, the Board adopted a Department proposal to allow bait and multiple hooks in the mainstem Copper River to provide for the king salmon and burbot fisheries that occurred in those waters. The Copper River king salmon stocks are considered by the Board to be fully allocated. Therefore any increase or decrease in harvest within a fishery should be evaluated based on the Board's allocation criteria.

In 2000 and 2001, high water in the Klutina River modified a popular fishing hole at the confluence of the Klutina and Copper rivers. A gravel bar was formed downstream of the confluence that was accessible from shore and during 2002 – 2004 this site became popular with shore based anglers. While no specific harvest information for this location is available, it was believed that a large proportion of the Klutina River king salmon harvest was taken at this site. In 2005, the Copper River channelized around the gravel bar and the site became accessible only by boat and angler effort decreased. Overall harvests in the Klutina River have declined from an average of 3,000 fish (1995-1999) to 1,500 fish during 2000 – 2004. Harvests in the Copper River mainstem averaged 44 and 57 king salmon during these same periods.

DEPARTMENT COMMENTS: The Department is **NEUTRAL** on this proposal due to its allocative aspects.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Klutina River king salmon sport fishery.

PROPOSAL NO. 60, PAGE 44, - 5 AAC 52.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

King salmon gear with multiple, baited hooks shall not exceed four inches in total length.

WHAT WOULD THE PROPOSAL DO?

This proposal would define sport fishing gear for king salmon with two hooks (excluding a plug, spoon, or spinner that may have multiple hooks) cannot exceed four inches in total length.

WHAT ARE THE CURRENT REGULATIONS?

There are no current regulations for king salmon gear in the UCUSMA. Under statewide provisions, 5 AAC 75.020 Sport fishing gear (a) unless otherwise provided in 5 AAC 47 – 5 AAC 75, sport fishing may only be conducted by the use of a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would require that king salmon gear with two hooks not exceed four inches in total length. This gear change could reduce the potential for hooking mortality.

BACKGROUND:

Commercially available king salmon gear such as Okie Drifters are popular terminal gear when fishing the Gulkana and Klutina rivers. In general, the length of commercially available gear is approximately 4 inches from the leading hook eyelet to the furthest point back of the trailing hook. In recent years, some guides and anglers on the Klutina and Gulkana rivers have produced similar gear that is 8 inches in length to increase the likelihood of landing the salmon. There is no published information referencing that longer trailing hooks cause higher hooking mortality.

DEPARTMENT COMMENTS: The Department is **OPPOSED** to this proposal owing to it imposing additional gear restrictions and increased regulation complexity with no measurable biological benefit.

COST ANALYSIS: Adoption of this proposal will result in additional direct costs for private individuals to participate in the UCUSMA king salmon sport fishery. Anglers may have to replace current terminal gear to comply with the regulations.

PROPOSAL 61, PAGE 44, 5 AAC 55.023(1)(A). Special provisions for seasons; bag, possession, and size limits; and methods and means for the Prince William Sound area. Amend this regulation to include the following:

May 1 through October 31, single hook, artificial lure only for salmon for all freshwater drainages crossing the Copper River highway including Clear Creek.

WHAT WOULD THE PROPOSAL DO?

This proposal would restrict legal gear for salmon fishing in all freshwaters crossed by the Copper River Highway to single hook, artificial lures from May 1-October 31.

WHAT ARE THE CURRENT REGULATIONS?

Currently it is legal to use multiple hooks year-round in all freshwaters crossed by the Copper River Highway. Only unbaited, artificial lures are allowed April 15-June 14 to reduce catch of spawning trout.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, limiting the legal terminal gear to single hook, artificial lures for these fisheries would decrease angler success, and likely lower the catch and harvest in a recreational fishery that has a harvestable surplus.

BACKGROUND:

The freshwaters crossed by the Copper River Highway were first designated as separate from other Prince William Sound (PWS) freshwaters by regulation in 1965. The current limit of 3 salmon per day (other than king salmon), 3 in possession has been in effect since 1989, and are some of the most conservative limits for salmon in the Prince William Sound Management Area.

This proposal does not address biological issues. Escapement goals for the Copper River Delta, as measured by Department surveys, have been met or exceeded for sockeye and coho salmon for the last three years (2003-2005). Since sockeye salmon are primarily targeted with single hook, artificial lures, this proposal would mainly affect the recreational coho salmon fishery. In 2004, the last year of complete data, aerial survey estimates were 59,000 coho salmon in drainages crossed by the Copper River Highway. The sustainable escapement goal range for the Copper River Delta is 32,000 to 67,000 coho salmon.

A similar proposal was submitted at the PWS Board meeting in February 2003. That proposal sought to prohibit anglers using salmon roe from participating in the catch and release fishery of coho salmon along the Copper River Highway

(Proposal 71). The board committee recommended supporting an amended regulation requiring that fish removed from the water became part of the anglers bag limit. This amended language, which addressed the issue of anglers mistreating or handling fish intended for release and increasing angling mortality, also maintained angling opportunity along the Cordova road system and was passed by the Board.

DEPARTMENT COMMENTS:

The department is **NEUTRAL** on the allocative aspects of this proposal and **OPPOSES** the concept of reducing angler success rates in a sport fishery without biological justification. Sockeye and coho salmon escapement numbers have met or exceeded escapement goals for the last three years (2003-2005). In years with poor returns, the department is able to restrict commercial and recreational fisheries inseason in order to insure escapement goals for Copper River Delta systems are met.

COST ANALYSIS:

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

PROPOSAL NO. 62, PAGE 45, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

This proposal would close the entire Susitna River drainage upstream of the Oshetna River to salmon sport fishing.

Amend the regulation as follows:

(13) in Lake Louise,

[(A) SPORT FISHING FOR SALMON IS CLOSED; SALMON MAY NOT BE TAKEN OR POSSESSED;]

(26) in Tyone Lake,

[(A) SPORT FISHING FOR SALMON IS CLOSED; SALMON MAY NOT BE TAKEN OR POSSESSED;]

(21) in Susitna Lake,

[(A) KING SALMON MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31, WITH A BAG AND POSSESSION LIMIT OF ONE FISH 20 INCHES OR GREATER IN LENGTH, AND A BAG AND

POSSESSION LIMIT OF 10 FISH LESS THAN 20 INCHES IN LENGTH;]

(27) in the Tyone River drainage,

(A) in all flowing waters,

[(i) KING SALMON MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31, WITH A BAG AND POSSESSION LIMIT OF ONE FISH, 20 INCHES OR GREATER IN LENGTH, AND A BAG AND POSSESSION LIMIT OF 10 FISH, LESS THAN 20 INCHES IN LENGTH,]

(B) in all lakes,

[(i) EXCEPT TYONE LAKE, KING SALMON MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31, WITH A BAG AND POSSESSION LIMIT OF ONE FISH, 20 INCHES OR GREATER IN LENGTH, AND A BAG AND POSSESSION LIMIT OF 10 FISH, LESS THAN 20 INCHES IN LENGTH,]

(XX) in the Susitna River drainage, upstream from the confluence with the Oshetna River, Sport fishing for salmon is closed; salmon may not be taken or possessed;

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would close the Susitna River drainage, upstream from the confluence with the Oshetna River to sport fishing for salmon.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023.

(13) in Lake Louise,

(A) sport fishing for salmon is closed; salmon may not be taken or possessed;

(26) in Tyone Lake,

(A) sport fishing for salmon is closed; salmon may not be taken or possessed;

(21) in Susitna Lake,

(A) king salmon may be taken from January 1 – December 31, with a bag and possession limit of one fish 20 inches or greater in length, and a bag and possession limit of 10 fish less than 20 inches in length;

(27) in the Tyone River drainage,

(A) in all flowing waters,

(i) king salmon may be taken from January 1 – December 31, with a bag and possession limit of one fish, 20 inches or greater in length, and a bag and possession limit of 10 fish, less than 20 inches in length,

(B) in all lakes,

(i) Except Tyone Lake, king salmon may be taken from January 1 – December 31, with a bag and possession limit of one fish, 20 inches or greater in length, and a bag and possession limit of 10 fish, less than 20 inches in length,

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would protect the small spawning populations of Susitna River salmon upstream of the Oshetna River. It would also align the regulations for king salmon in the Susitna River between Devils Canyon and the Oshetna River which is closed to king salmon fishing.

BACKGROUND:

King salmon and other salmon species return to the lower Susitna River drainage, but Devils Canyon is a barrier to most salmon passage to the upper Susitna River drainage, including the Tyone River drainage. King salmon are documented in the Anadromous Waters Catalog and Atlas above Devils Canyon as far as Fog Creek, but limited work has been done above Fog Creek to document other spawning populations. The salmon populations are believed to be small spawning populations that potentially cannot sustain any level of harvest.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Susitna River king salmon sport fishery.

**COMMITTEE D- PRINCE WILLIAM SOUND
MANAGEMENT AREA SPORTFISH,
GROUNDFISH AND HERRING (10
PROPOSALS)**

Prince William Sound Sport Fish

PROPOSAL 65, PAGE 48, 5 AAC 55.022(3)(A)(D). General provisions for seasons; bag, possession, and size limits; and methods and means for the Prince William Sound area.

Modify the bag and possession limit for rainbow/steelhead/cutthroat trout in the fresh water drainages crossed by the Copper River Highway:

(a)(3)(A) in the fresh water drainages crossed by the Copper River Highway from and including the Eyak River to the Million Dollar Bridge, including Clear Creek, Hartney Creek, and Eccles Creek: may be taken only from June 15 – April 14; bag and possession limit of **two** [FIVE] fish, of which only one per day and in possession may be greater than **20** [10] inches in length.

Establish an annual limit for rainbow/steelhead/cutthroat trout in the fresh water drainages in Prince William Sound:

(a)(3)(D) Rainbow/steelhead/cutthroat trout are subject to an annual limit of two fish 20 inches or greater in length, and a harvest record is required.

WHAT WOULD THE PROPOSAL DO?

This proposal allows the board the opportunity to review, and if practical, modify existing wild trout regulations in the Prince William Sound Management Area to conform to the recently adopted Statewide Management Standards for Trout with a bag and possession limit of two fish, of which only one may be greater than 20 inches in length. Rainbow/steelhead/cutthroat are subject to an annual limit of two fish 20 inches or greater in length, and a harvest record is required.

WHAT ARE THE CURRENT REGULATIONS?

Currently the general rainbow/steelhead/cutthroat trout regulations for wild trout in the Prince William Sound Management Area conform to the Statewide Management Plan. Exceptions to the general regulation include the Special Management Area for Trout established by the Board in 1999, which prohibits retention of any rainbow/steelhead/cutthroat trout; and the freshwater drainages crossed by the Copper River Highway. In these waters rainbow/steelhead/cutthroat trout may be taken only from June 15- April 14; bag and possession limit of five fish, of which only one per day, one in possession may be greater than 10 inches in length. There is no annual limit and no recording requirement for trout in any waters of the Prince William Sound Management Area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, the waters of the Special Management Area for Trout would remain unaffected. Bag and possession limit for rainbow/steelhead/cutthroat trout in the freshwater drainages crossed by the Copper River Highway would conform to the Statewide Management Standard of a bag and possession limit of two fish, of which only one per day, one in possession may be greater than 20 inches in length. Rainbow/steelhead/cutthroat trout would be subject to an annual limit of two fish over 20 inches or greater in length, and a harvest record would be required. The spawning season closure, and limits for trout in stocked lakes would not be affected. The number of rainbow/steelhead/cutthroat trout harvested in waters crossed by the Copper River Highway would likely decrease with the more conservative bag limit.

BACKGROUND:

The trout regulations in the Prince William Sound Management Area were modified by the Board in 2003 when the bag, possession and size limits for wild rainbow, steelhead and cutthroat trout were combined. Hybridization of rainbow and cutthroat trout in areas of the Prince William Sound Management Area makes identification of species impractical and it was decided unification of the regulations would benefit anglers and the resource. The waters crossed by the Copper River Highway and the Special Management Area for Trout were excluded from modification, and stocked rainbow trout limits remained at five per day, 10 in possession

DEPARTMENT COMMENTS:

The department **SUPPORTS** this staff proposal. The department supports a consistent regulatory structure that ensures the necessary biological factors of historical size composition and stock levels will be maintained.

COST ANALYSIS:

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

PROPOSAL 72, PAGE 54, 5 AAC 55.022(a)(8). General provisions for seasons; bag, possession, and size limits; and methods and means for the Prince William Sound area.

The total bag and possession limits of a boat shall be less than the sum of the limits of the anglers onboard. I suggest that the boat limits be one-half the sum of the limits of the anglers onboard but the board should consider other percentages. This regulation would apply to recreational boats and charter boats. This proposal will protect the stock without appreciably affecting the boat's fishing activities. It is now common (though illegal) practice for fishermen on a boat to "pool" the limits. Everyone fishes until the boat's limit of two times (number of anglers) is reached.

WHAT WOULD THE PROPOSAL DO?

This proposal seeks to reduce the recreational rockfish harvest in the Prince William Sound Management Area (PWSMA) by creating boat limits, rather than individual angler limits. It would allow for party fishing with a boat limit set at no more than one-half the sum of the present bag limits for each individual angler onboard.

WHAT ARE THE CURRENT REGULATIONS?

May 1 through September 15: the limit for rockfish is five per day, ten in possession; only two per day and in possession may be non-pelagic species.
September 16 through April 30: the limit for rockfish is ten per day, ten in possession; only two per day and in possession may be non-pelagic species.
Also, the first two non-pelagic rockfish that are removed from the water must be retained as part of the bag limit of the person originally hooking them

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, the proposal's intent is to reduce the number of rockfish harvested and allow party fishing as a means to utilize incidental harvest and reduce waste. Data collected by Department port samplers indicates there are a significant number of non-pelagic rockfish caught and released in excess of one fish per angler. So even a party limit equal to half the sum of the present bag limits for the anglers onboard as suggested in this proposal isn't likely to reduce the recreational rockfish kill; rather, it would create inconsistency between individual limits and boats limits, and would cause confusion for anglers.

BACKGROUND:

Lacking adequate data on stock status, the department has taken a conservative approach to managing recreational rockfish fisheries in the PWSMA. Sport bag limits and commercial guideline harvest levels have been reduced steadily during the past decade in recognition of the susceptibility of most rockfish stocks to overharvest. In 1999, the Board increased the daily bag limit for non-pelagic species from one to two fish because department data indicated that anglers often caught in excess of one non-pelagic rockfish per person. The vast majority of these fish die following release due to decompression trauma. The current bag limit is designed to minimize targeting on non-pelagic species while still allowing for retention and utilization of incidental catch.

DEPARTMENT COMMENTS:

The department **OPPOSES** this proposal. We recognize the author's intent to protect rockfish stocks that are vulnerable to overharvest, and share his unease that current regulations may not be sufficient to protect a species with such unique management challenges. The department also appreciates an approach that considers options outside of the usual management tools; however, replacing angler limits with boat limits would not likely be an effective management tool. Party fishing is not consistent with current regulations and is likely to add to already complex regulations without achieving the intended goal. The department

favors the current restrictive limits for longer-lived species to minimize targeted harvest while still allowing for incidental harvest.

COST ANALYSIS:

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

Prince William Sound Commercial

PROPOSAL 73 - 5 AAC 28.263. Spiny dogfish possession and landing requirements in Prince William Sound Area. Establish a new regulation as follows:

An experimental fishery to study the biomass and explore the market.

WHAT WILL THE PROPOSAL DO? This proposal seeks to create an “experimental” directed spiny dogfish fishery in Registration Area E (Prince William Sound).

WHAT ARE THE CURRENT REGULATIONS? Regulations 5 AAC 28.084 and 5 AAC 28.070 specify there is no open season for sharks except that sharks may be retained as bycatch up to 20 percent by weight of the directed halibut and groundfish species aboard the vessel. The regulation also specifies that harvested sharks must be utilized and must have fins, head, and tail attached at the time of sale.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would provide for a directed spiny dogfish fishery. However, the proposal was unclear with regard to gear, areas, or season dates.

BACKGROUND: Spiny dogfish are a long-lived species that are late maturing with low reproductive potential. In areas throughout their range where commercial fisheries have been established, spiny dogfish stocks are often depleted or collapsed. In 1998 the Board of Fisheries (BOF) adopted statewide regulations closing directed commercial shark fishing citing concerns for the potential for rapid development of a shark fishery, the lack of biological information on sharks in Alaska, and the undocumented mortality of sharks in other commercial fisheries. The board committee also, “recommended full reporting of sharks incidentally caught in other fisheries”. At the same meeting, the BOF adopted an annual two-shark sport caught limit (5 AAC 75.012) and recognized the above concerns in the text of the regulation. In 2000, the BOF increased the allowable bycatch retention of spiny dogfish to 35% (5 AAC 28.174) by longline and troll vessels operating in the state’s Eastern Gulf of Alaska Registration Area and allowed full retention of spiny dogfish bycatch in the Yakutat and Icy Bay salmon set gillnet fisheries. Despite liberalization of the bycatch limits, no viable shark fisheries or markets have emerged. In 2004 the BOF allowed directed fishing for spiny dogfish under a

commissioner's permit in the Cook Inlet Area but the department has received no permit requests. Longline is the practical gear type for targeting spiny dogfish and bycatch in the varied habitats of the PWS Area would likely include halibut, sablefish, rockfish and lingcod. Therefore, the value of bycatch discard mortality in waters of Area E would likely exceed the economic viability of a directed spiny dogfish fishery.

DEPARTMENT COMMENTS: The department OPPOSES this proposal as written; it is vague and does not provide specific direction. However, the department would support an incremental increase in bycatch allowance in other directed groundfish fisheries perhaps to the 35 percent level. The department would also encourage the BOF to explore options to account for spiny dogfish discard mortality in directed longline and salmon net fisheries. The biological concerns for which the BOF closed directed shark fishing remain and bycatch to directed fishing with longline gear is likely to be high. Efforts to establish a market for dogfish from the bycatch in the Eastern Gulf longline fisheries, the Yakutat salmon set gillnet fishery, or the Cook Inlet directed fishery, have failed.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. However, the extent of this cost is not known.

PROPOSAL 74 - 5 AAC28.263 Prince William Sound Pollock Pelagic Trawl Management Plan. Amend the regulations as follows:

This is a housekeeping proposal to simplify regulatory language as follows:

(b) Notwithstanding 5 AAC 39.165(1) - (2), during a directed pollock fishery [FOR PELAGIC TRAWL GEAR ONLY,] pelagic trawl gear may be operated ...

(c) During a directed pollock [PELAGIC TRAWL] fishery, no more than...

WHAT WILL THE PROPOSAL DO? The proposal will simplify regulatory language by eliminating unnecessary verbiage.

WHAT ARE THE CURRENT REGULATIONS? The current regulation unnecessarily references pelagic trawl gear twice. (b) Notwithstanding 5 AAC 39.165(1) – (2), during a directed pollock fishery [FOR PELAGIC TRAWL GEAR ONLY,]pelagic trawl gear may be operated....

(c) During a directed Pollock [PELAGIC TRAWL] fishery, no more than....

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would simplify regulatory language and provide for a more concise statement.

BACKGROUND: Regulatory language is drafted by the department and then often modified by the Department of Law. In this instance, efforts to be specific resulted in redundancy.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal.

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

PROPOSAL 75 - 5 AAC28.263 Prince William Sound Pollock Pelagic Trawl Management Plan. Amend this regulation as follows:

(c) During a directed pollock pelagic trawl fishery, no more than **60** [40] percent of the guideline harvest level may be taken from any one section described in (a) of this section.

WHAT WILL THE PROPOSAL DO? The proposal would amend current regulations to provide that 60 percent of the pollock guideline harvest level (GHL) may be taken from any one section of the PWS Inside District.

WHAT ARE THE CURRENT REGULATIONS? Current regulations create three pollock fishing sections, Bainbridge, Knight Island, and Hinchinbrook, and specify that up to 40 percent of the PWS pollock GHL may be taken from any one section. In addition, 5 AAC 28.250 (c) restricts the harvest of pollock by trawl gear near seven Steller sea lion (SSL) haulouts in PWS from June through November.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would allow the fleet greater opportunity to harvest identified pollock aggregations resulting in higher pollock catch rates and lower bycatch rates.

BACKGROUND: In March 2000, the BOF adopted regulations to provide for the spatial separation of pollock harvests and established seasonal pollock trawl fishing closures near seven SSL haulouts. These actions were taken to address concerns for localized prey depletion near haulouts used by endangered Steller sea lions. However, pollock aggregations do not typically occur in all three sections in a given season. As a result, the fishery guideline harvest level has not been achieved in some years and bycatch has increased because the fleet has been forced to fish in areas with relatively low pollock catch rates.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal. Harvests patterns have indicated shifts in pollock distribution among years. For example, in contrast to early years when the entire pollock harvest

occurred in Port Bainbridge, harvest rates in the Hinchinbrook Section have been relatively strong in recent years while those in the Port Bainbridge and Knight Island Sections have moderated. The depth at which the fishery occurs varies by section but, in general, all directed effort is well below 100 fathoms and in the Hinchinbrook Section is below 200 fathoms. The department does not expect that an increased harvest in the Hinchinbrook Section or from other sections would be of consequence to Steller sea lion conservation.

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

PROPOSAL 77 - 5 AAC28.263 Prince William Sound Pollock Pelagic Trawl Management Plan. Amend the regulation as follows:

(d) During a directed pollock pelagic trawl fishery,

(1) the total fishery bycatch weight, apportioned among five species groups may not exceed 5 percent the total round weight of pollock harvested;

(2) the total bycatch from any one management section, apportioned among five species groups, may not exceed 2 percent of the total round weight of pollock harvested from that section;

(3) the bycatch species group apportionments in (1) and (2) above are: rockfish 0.049 percent, salmon 0.04 percent, shark 0.96 percent, squid 3.26 percent, other miscellaneous species 0.23 percent.

WHAT WILL THE PROPOSAL DO? The proposal will:

- 1) Establish a fishery bycatch cap of five percent of the pollock guideline harvest level (GHL), apportioned among five species groups.
- 2) Establish that the total bycatch from a management section not exceed two percent of the total round weight of pollock harvested from that section.
- 3) Establish bycatch group apportionments as: rockfish 0.49 percent, salmon 0.04 percent, shark 0.96 percent, squid 3.28 percent, and miscellaneous groundfish species 0.23 percent

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not specify bycatch caps for the pollock fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would establish in regulation current pollock fishery management with regard to bycatch.

BACKGROUND: Between 1997 – 2000, bycatch in the PWS pollock fishery averaged 0.5% of the directed species by weight but then increased to 1.1% in 2001 and to 10.4% in 2002. Squid has been a dominant component of the bycatch and composed over 50% of the total bycatch in most years. Possible reasons for increased bycatch include fishing practices or changes in the abundance, distribution and availability of pollock and non-target species.

DEPARTMENT COMMENTS: The department submitted and SUPPORTS this proposal. Regulatory notice of the department's approach to bycatch management provides full disclosure to fishery participants. At the BOF meeting in January 2003, the department committed to manage the pollock fishery for the described bycatch caps. Due to the delay in fish ticket reporting, it is difficult to manage the fishery for bycatch caps based upon species or species groups. However, it is feasible to curtail the fishery when a section cap or bycatch cap is approached or has been met. In 2004 the Port Bainbridge Section closed as the section bycatch cap for miscellaneous groundfish species was exceeded. However, 94 percent of the entire GHL was harvested. In 2005 the bycatch cap for miscellaneous groundfish species was exceeded and the bycatch cap for salmon in the Port Bainbridge Section was exceeded. However, 82 percent of the entire GHL was harvested.

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

PROPOSAL 76 - 5 AAC .28.230. LAWFUL GEAR FOR PRINCE WILLIAM SOUND AREA. Amend the regulation to include:

Harvesters of sablefish in Prince William Sound (PWS) may longline pots.

WHAT WILL THE PROPOSAL DO? The proposal would allow PWS sablefish limited entry permit holders to fish with longlined pot gear.

WHAT ARE THE CURRENT REGULATIONS? Gear types in the PWS sablefish fishery are established under the Commercial Fishery Entry Commission's (CFEC) limited entry program and include fixed, pot, and net gears. Statewide regulations (5AAC 28.050) specify that groundfish may be taken in pots. Area regulation 5 AAC 28.230 (c) prohibits longlining groundfish pot gear; "a groundfish pot may not be attached to a line connected to another groundfish pot" and specifies buoy marking requirements for groundfish pots.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal would allow PWS sablefish permit holders to fish for sablefish with longlined pot gear. The proposal did not address pot limits.

BACKGROUND: This desire to adopt pot gear for the PWS sablefish fishery stems from recent problems with whales selectively removing hooked sablefish during longline retrieval. Although reported anecdotally in earlier years of the fishery, the occurrence apparently declined as the fishery intensified prior to adoption of shared quota management. The department received numerous complaints from fishermen, especially during the early spring portion of the season, that they lost 50-80% of hooked sablefish.

The Commercial Fisheries Entry Commission (CFEC) limited entry program for the PWS sablefish fishery adopted three gear types: “fixed gear” (defined in 20 AAC 05.220 to include longline gear and “any other gear as authorized by the BOF that catches fish with fishing hooks”), pots, and nets. Currently, the PWS sablefish limited entry program identifies sixty-one fixed gear permits, zero pot permits and one net permit.

The prohibition against longlining groundfish pots in waters of PWS Area E is largely based on the difficulty in enforcing pot limits on this gear type, conservation concerns surrounding potential gear loss, and gear conflicts. The occurrence of “ghost fishing” by lost or derelict pot gear is well documented and is a source of unquantified mortality on both target and nontarget species. There is a potential for gear conflicts between longlined pot gear and other gears such as longlines and shrimp trawls.

Longline sablefish pot fisheries occur in British Columbia, and state waters of Southeast Alaska and waters of the Aleutian Islands and the Bering Sea. Federal regulations prohibit fishing groundfish with longline pot gear in the Exclusive Economic Zone (EEZ) waters of the Gulf of Alaska.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal but has concerns for the potential gear conflict between longline and longlined-pot gears. Gear loss and the associated, undocumented mortality, were important considerations in the board's decision to adopt a shared quota scheme for the PWS sablefish fishery. If the BOF adopts longline pot gear for sablefish in the PWS area, CFEC will need to be petitioned to amend PWS sablefish limited entry regulations to provide for an additional gear type or a choice between longline and pot gear. The CFEC may wish to comment on any consequences of establishing such a precedent.

If the board allows longlining of groundfish pots, the department recommends the board specifically define the gear and require that each end of a string of pots be buoyed and well-marked. The Department of Public Safety, Bureau of Wildlife Enforcement may wish to comment on the enforcement aspects presented by longlined pot gear.

COST ANALYSIS: The department believes that approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. However, the extent of this cost is not known.

PROPOSAL 78 - 5 AAC 28.210. Fishing Seasons for Prince William Sound Area. (b) Amend the regulation as follows:

Prince William Sound sablefish season will be from March 1 through November 15 for each calendar year.

WHAT WILL THE PROPOSAL DO? This proposal would extend the fishing season for PWS sablefish fishery from March 1 through November 15, or to coincide with the federal fishing season for IFQ halibut.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify sablefish season dates for the Inside District of PWS from March 15 to May 15 and from August 1 to August 21 (5 AAC 28.210 (b)). The registration deadline for the PWS sablefish fishery is March 1 (5 AAC 28.206 (c)). Commercial Fisheries Entry Commission regulations restrict participation and gear type to longline and trawl gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, the proposal will increase the duration of the PWS sablefish fishing season from 83 days to 260 days or more, and compromise the department's ability to sample the sablefish harvest. Whale predation on hooked sablefish, reported as a problem during the 2004 and 2005 seasons, may increase by spreading the harvest over a greater time period.

BACKGROUND: The CFEC limited entry to the PWS sablefish fishery in 1995. Despite control on the number of permits, the pace of the fishery continued to escalate with season duration declining to 24 hours in 2002. Commensurate with the decline in season length were gear conflicts resulting in high levels of gear loss and undocumented sablefish (and other fish) mortality. In 2003, the BOF restructured the PWS sablefish fishery to a shared quota management approach with season length expanding from 1 or 2 days to 83 days. The initial season opening was set to approximately coincide with the federal IFQ halibut fishery and to bracket traditional PWS sablefish fishing season dates. A recognized benefit of the shared quota approach was that it slowed the fishery pace and afforded fishermen holding federal halibut individual fishing quota shares (IFQ) improved opportunity to retain and properly care for halibut caught incidental to their sablefish fishing efforts. The state has relatively little control over the halibut fishery that is prosecuted in the PWS Inside District, including any sablefish bycatch that occurs during halibut fishing. At the time the board considered the shared quota approach for PWS, the department expressed concern, during committee discussions and at deliberations, for the difficulty in adequately sampling the harvest over an extended season due to the additional staffing requirements.

DEPARTMENT COMMENTS: The department OPPOSES this proposal. Extending the season as described in this proposal will compromise the department's ability to adequately sample and monitor the harvest at the dock.

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

Prince William Sound Herring

PROPOSAL 79 - 5 AAC 27.365(C). Prince William Sound herring management plan. Amend the regulation as follows:

Replace the harvest quota by purse seiners to a harvest quota for seine permit holders by gillnet.

WHAT WOULD THE PROPOSAL DO? Allow purse seiners to harvest part of or all of their allocated quota using gillnets.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.365(c). The guideline harvest of herring is allocated by fishery in part as follows: (1) purse seine sac roe fishery: 58.1 percent (2) gillnet sac roe fishery: 3.4 percent.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, this proposal would allow some portion or all of the 58.1 percent of the total PWS herring harvest currently taken by the purse seine fleet to be harvested by the purse seine fleet using gillnets.

BACKGROUND: The PWS herring fishery has been closed for 9 of the past 11 years due to population estimates below the minimum spawning biomass threshold of 22,000 tons. The PWS herring management plan is intended to provide for an optimum sustained yield and an equitable allocation for all user groups. This proposal may alter the intended herring management plan allocation. Purse seining has the potential for over-harvest of mixed age classes of herring due to the lack of control of the amount of fish entrapped in the net. The primary concern associated with gillnet harvest is significant drop-out mortality and age selectivity. Drop-out mortality is defined as fish that are dead or dying that drop out of the net. Drop-out mortality also occurs with purse seines. Gillnet herring fisheries also tend to selectively harvest older age classes. Research has shown that the older age classes have higher recruitment rates and represent an important component of the spawning population.

If this proposal were adopted, management of the fishery would be complicated by having two gear types in one gear group allocation. It is unclear if all purse seine permit holders would have to switch to using gillnets. If some purse seine permit holders elected to continue to use purse seines it is unclear how the quota would be allocated between them and the purse seine permit holders that elect to use gillnets. Furthermore, it is unclear how the fishery would be managed if both the purse seiners using purse seines and purse seiners using gillnets were to operate at the same time.

DEPARTMENT COMMENTS: The department is NEUTRAL on this proposal.

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

PROPOSAL 80 - 5AAC 27.365. Prince William Sound herring management plan.

WHAT WOULD THE PROPOSAL DO? This proposal would establish quota shares of herring for all herring sac roe permit holders in a given season. Each permit holder would have an allocated quantity of herring available for their harvest.

WHAT ARE THE CURRENT REGULATIONS? Current regulations, (5AAC27.310(a)) allow permit holders to harvest herring during periods established by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED Permit holders would be able to harvest their allocated quota at their leisure during the herring season.

BACKGROUND: Currently in PWS, areas with identified herring of known roe percentage are opened for short periods to allow sac roe permit holders the opportunity to harvest herring. This allows the department to spread effort out and to focus it as needed on areas of varying abundance.

DEPARTMENT COMMENTS: The department OPPOSES this proposal. If adopted, this proposal would decrease the departments' ability to control and manage the herring sac roe harvest. Vessels would likely focus on regions that were closest to processors and would put disproportionate pressure on some stocks of herring. Additionally, stocks being targeted would be of unknown roe percentage. This would likely result in a lower overall quality product, as well as a possible waste of product that do not meet buyer standards. This would present an additional enforcement issue.

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

**COMMITTEE D- UPPER COPPER RIVER RESIDENT
SPECIES
(8 PROPOSALS)**

PROPOSAL NO. 63, PAGE 46, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

This proposal would remove regulations for rainbow trout that are not consistent with policy that guide management within the area.

Amend the regulation as follows:

(13) in Lake Louise

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

(21) in Susitna Lake,

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

(26) in Tyone Lake,

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

(27) in the Tyone River drainage,

(B) in all lakes,

[(ii) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would align the rainbow trout regulations in the upper Susitna River drainage with the guidelines of the *Upper Cook Inlet and Copper River Basin Rainbow/Steelhead Trout Management Policy*. The rainbow trout/steelhead regulations for the proposed systems would become a bag and possession limit of 2 fish, of which only one may be 20 inches or greater in length and an open season of January 1 – December 31.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023.

(13) in Lake Louise

(B) the bag and possession limit for rainbow/steelhead trout is 10 fish, of which only one may be 20 inches or greater in length;

(21) in Susitna Lake,

(B) the bag and possession limit for rainbow/steelhead trout is 10 fish, of which only one may be 20 inches or greater in length;

(26) in Tyone Lake,

(B) the bag and possession limit for rainbow/steelhead trout is 10 fish, of which only one may be 20 inches or greater in length;

(27) in the Tyone River drainage,

(B) in all lakes,

(ii) the bag and possession limit for rainbow/steelhead trout is 10 fish, of which only one may be 20 inches or greater in length;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would reduce the current rainbow trout bag and possession limit of 10 fish, one over 20 inches, to a bag and possession limit of 2 fish, one over 20 inches. This change would align the regulations with the guidelines set in the *Upper Cook Inlet and Copper River Basin Rainbow/Steelhead Trout Management Policy*.

BACKGROUND:

Rainbow/steelhead trout are present in the lower Susitna River drainage downstream of Devils Canyon. Scant information exists on rainbow/steelhead trout populations upstream of Devils Canyon. The current regulations for the lakes and flowing waters of the Tyone River drainage are not consistent with the *Upper Cook Inlet and Copper River Basin Rainbow/Steelhead Trout Management Policy*. The policy recommends that the bag limits for naturally occurring stocks of rainbow/steelhead trout not exceed two fish daily and two fish in possession, with one fish over 20 inches. It is currently believed that wild or naturally produced rainbow and steelhead populations that may be resident, or migrate to, or through the upper Susitna River drainage are sparse and have low annual production. Harvest and catch of rainbow trout in the upper Susitna River drainage have been low averaging 22 and 129 fish, respectively.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the upper Susitna River drainage rainbow trout sport fishery.

PROPOSAL NO. 64, PAGE 47, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

This proposal would prohibit the retention of rainbow trout/steelhead within the Tebay River drainage including the Hanagita River.

Amend the regulation as follows:

(23) in the Tebay River drainage,

(B) in the Hanagita River drainage [LOWER HANAGITA LAKE, THAT PORTION OF THE HANAGITA RIVER FROM LOWER HANAGITA LAKE TO THE TEBAY RIVER]; and the Tebay River downstream from the confluence with the Hanagita River; rainbow/steelhead trout may not be retained or possessed and must be released immediately and returned to the water unharmed;

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would restrict the regulations regarding rainbow trout/steelhead to catch-and-release for that portion of the Hanagita River upstream of Lower Hanagita Lake.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.022 (a)(5) rainbow/steelhead trout: may be taken from January 1 – December 31; bag and possession limit of two fish, of which only one may be 20 inches or greater in length;

5 AAC 52.023 (23)(B) in Lower Hanagita Lake, that portion of the Hanagita River from Lower Hanagita Lake to the Tebay River; and the Tebay River downstream from the confluence with the Hanagita River, rainbow/steelhead trout may not be retained or possessed and must be released immediately and returned to the water unharmed;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would align the rainbow/steelhead trout regulations in the Hanagita River drainage. It would protect spawning steelhead trout in the Hanagita River above Lower Hanagita Lake.

BACKGROUND:

Research conducted by the Department during 2001 – 2002 estimated 338 mature steelhead had migrated to Lower Hanagita Lake in the fall of 2001. During spring 2002 spawning steelhead were observed 1 km below Upper Hanagita Lake downstream to Lower Hanagita Lake. Since the 1999 BOF meeting the Department has submitted proposals to align the sport fish regulations in the UCUSMA with the guidelines established in the *Upper Cook Inlet and Copper River Basin Rainbow/Steelhead Trout Management Policy*. Prior to 1999, only that portion of the Hanagita River drainage from and including Lower Hanagita Lake to the Tebay River was catch-and-release, the remainder of the drainage had a 5 fish bag and possession limit. At the 1999 BOF meeting the Board adopted a proposal to make that portion of the Tebay River downstream of the Hanagita River confluence catch-and-release to protect steelhead migrating to the Hanagita River. Since 1990, no steelhead harvest has been reported from the Hanagita River drainage and some catch has been reported. The catch data is not representative of actual numbers as angler responses were minimal. The data indicates that some fishing and catch did occur.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Hanagita River steelhead trout sport fishery.

PROPOSAL NO. 66, PAGE 49, - 5 AAC 52.055. Wild Arctic Grayling Management Plan. Amend this regulation to include the following:

This proposal would amend the regional wild Arctic grayling management plan and add Moose Lake and Our Creek fisheries to the conservative management category.

Amend the regulation as follows:

(g) The department shall manage the Mendeltna Creek [FISHERY], **Moose Lake and Our Creek fisheries** under the conservative management approach.

(x) **The department shall manage the Gulkana River drainage upstream of Paxson Lake (as described in 5 AAC 52.023 (9)(C) and (20)(B)) under the special management approach.**

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would place the Moose Lake/Our Creek Arctic grayling stocks under the conservative management category and the upper Gulkana River Arctic grayling stocks under the special management approach.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.055 (d) Regional management approach. Under the regional management approach, sport anglers may use baited or unbaited artificial lures and the bag and possession limit is five fish. The season is open year round, however there are fisheries where catch-and-release is imposed during part or all of the spawning period from April 1 – May 30.

5 AAC 52.023.

(9) in the Gulkana River drainage,

(C) in all flowing waters upstream of Paxson Lake, and those waters of Paxson Lake within a 100-yard radius of the mouth of the East Fork at the north end of Paxson Lake, upstream to Summit Lake,

(iii) grayling may not be taken or possessed; all grayling caught must be released immediately and returned to the water unharmed;

(20) in the Summit Lake drainage,

(A) in Summit Lake from its outlet to within a 100-yard radius of the mouth of Gunn Creek,

(v) grayling may not be retained or possessed; all grayling caught must be released immediately and returned to the water unharmed;

(B) in Gunn Creek and all waters within a 100-yard radius of its mouth at Summit Lake,

(v) grayling may not be retained or possessed; all grayling caught must be released immediately and returned to the water unharmed;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would reduce the bag limit for Arctic grayling in Moose Lake/Our Creeks from five to two fish per day. This change would place these stocks under the conservative management category. The flowing waters of the Gulkana River upstream of Paxson Lake are currently under catch-and-release regulations and meet the criteria of a special management fishery.

BACKGROUND:

Department data collected from 1999-2001 indicated a decline in the abundance of Arctic grayling migrating from Moose Lake into Our Creek to spawn. The current regulations are in place to protect the Arctic grayling population that spawn in Our Creek. In 2004, the BOF passed an AYK Regional Wild Arctic Grayling Management Plan, which includes fisheries within the Upper Copper/Upper Susitna Management Area. The proposed regulatory changes represent the conservative management approach and would provide protection to the grayling spawning population. The Our Creek spawning population resides in Moose Lake for most of the year and therefore deserves similar protection while residing in the lake. Sport

fishing effort for Moose Lake has averaged 129 days fished (since 1990) with harvest and catch averaging 32 and 227 fish.

Following the adoption of the Wild Arctic Grayling Management Plan, through an oversight of the Department, the portion of the Gulkana River upstream of Paxson Lake was inadvertently left out of the plan as managed under the special management approach. This area of the Gulkana River is currently managed as a trophy catch-and-release fishery, as this portion of the drainage has the highest proportion of Arctic grayling greater than 18 inches in length. Effort, harvest, and catch data for the specific portion of the Gulkana River is not available from the Statewide harvest survey.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the UCUSMA Arctic grayling sport fishery.

PROPOSAL NO. 67, PAGE 50, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

This proposal would change the dates and bag limits for these two fisheries and make them compliant with the Regional wild Arctic grayling management plan. Amend the regulation as follows:

(15) in Moose Lake,

(C) Arctic grayling may be taken only from June 1 – March 31, with a bag and possession limit of two fish.

(17) in Our Creek,

(A) [SPORT FISHING] **Arctic grayling may be taken** [IS ALLOWED] only from **June 1 – March 31** [JUNE 16 – MAY 4], **with a bag and possession limit of two fish.**

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would reduce the bag and possession limit for Arctic grayling in Moose Lake from five fish to two fish and reduce the open season from year round to June 1 – March 31. In Our Creek the bag and possession limit would be reduced from five fish to two fish and the open season would be modified from June 16 – May 4 to June 1 – March 31.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.022 (7) grayling: may be taken from January 1 – December 31; bag and possession limit of five fish, no size limit.

5 AAC 52.023 (17) in Our Creek,

(A) sport fishing is allowed only from June 16 – May 4;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

If adopted, this proposal would provide protection to the Arctic grayling stocks in Moose Lake and Our Creek through the reduction in bag limit and not allowing fishing during the spawning period when these fish are most accessible.

BACKGROUND:

Department weir data collected from 1998-2000 indicate a decline in the abundance of Arctic grayling migrating from Moose Lake into Our Creek to spawn. The current regulations are in place to protect the Arctic grayling population that spawn in Our Creek. In 2004, the BOF passed an AYK Regional Wild Arctic Grayling Management Plan, which includes fisheries within the Upper Copper/Upper Susitna Management Area. The proposed regulatory changes represent the conservative management approach and would provide protection to the grayling spawning population. The Our Creek spawning population resides in Moose Lake for most of the year and therefore deserves similar protection while residing in the lake. Sport fishing effort for Moose Lake has averaged 129 days fished (since 1990) with harvest and catch averaging 32 and 227 fish.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Moose Lake/Our Creek Arctic grayling sport fishery.

PROPOSAL NO. 68, PAGE 51, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

This proposal would impose catch-and-release fishing for Arctic grayling for the entire Gulkana River drainage upstream of Paxson Lake including those lakes and tributaries draining into Summit Lake.

Amend the regulation as follows:

(9) in the Gulkana River drainage,

(C) in all [FLOWING] waters upstream of Paxson Lake, and those waters of Paxson Lake within a 100-yard radius of the mouth of the East Fork at the north end of Paxson Lake, upstream to Summit Lake,

(20) in the Summit Lake drainage,

(B) in **all waters of the** Gunn Creek **drainage** and all waters within a 100-yard radius of [ITS] **the** mouth **of Gunn Creek** at Summit Lake,

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would establish catch-and-release fishing for Arctic grayling in all waters of the Gulkana River drainage upstream of Paxson Lake.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023.

(9) in the Gulkana River drainage,

(C) in all flowing waters upstream of Paxson Lake, and those waters of Paxson Lake within a 100-yard radius of the mouth of the East Fork at the north end of Paxson Lake, upstream to Summit Lake,

(iii) grayling may not be taken or possessed; all grayling caught must be released immediately and returned to the water unharmed;

(20) in the Summit Lake drainage,

(A) in Summit Lake from its outlet to within a 100-yard radius of the mouth of Gunn Creek,

(v) grayling may not be retained or possessed; all grayling caught must be released immediately and returned to the water unharmed;

(B) in Gunn Creek and all waters within a 100-yard radius of its mouth at Summit Lake,

(v) grayling may not be retained or possessed; all grayling caught must be released immediately and returned to the water unharmed;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would align the catch-and-release regulations in the waters above Paxson Lake. Current regulations provide catch-and-release regulations in the flowing waters above Paxson Lake and Summit Lake. Lower and Upper Fish lakes and Gunn lakes fall under the area background regulation of five fish, no size limit.

BACKGROUND:

At the 1996 BOF meeting, the Board adopted a Department proposal to establish a catch-and-release fishery in waters upstream of Paxson Lake. This proposal had been based on research that indicated that the Arctic grayling population above Paxson Lake contained the largest grayling in the drainage, and to maintain the opportunity to catch a grayling greater than 18" the Department requested the

regulatory change to catch-and-release. Current regulatory language provides for catch-and-release fishing in Summit Lake and the flowing waters upstream of Paxson, but not lakes that are in the drainage, specifically Upper and Lower Fish lakes and Gunn lakes. Based upon Department research, the same Arctic grayling populations that reside in the flowing waters upstream of Paxson Lake, utilize these lakes. Since 1997, fishing activity has only been reported in Fish Lakes from 2001 – 2003, no harvest was reported in these years, but effort averaged 56 days fished and catch averaged 227 grayling. No activity has been reported in Gunn lakes.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Gulkana River Arctic grayling sport fishery.

PROPOSAL NO. 69, PAGE 52, - 5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

This proposal would allow the use of bait in all flowing waters of the Tonsina River drainage downstream of Tonsina Lake.

Amend this regulation as follows:

- (25) in the Tonsina River drainage,
 - (A) in all flowing waters [OF THE MAINSTEM] downstream from the outlet of Tonsina Lake, bait and artificial lures may be used;

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would allow the use of bait and multiple hook artificial lures in all flowing waters of the Tonsina River drainage downstream of Tonsina Lake.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.023 (25) in the Tonsina River drainage,

- (A) in all flowing waters of the mainstem downstream from the outlet of Tonsina Lake, bait and artificial lures may be used;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would allow the use of bait and multiple hook artificial lures in the tributaries of the Tonsina River downstream of Tonsina Lake. Currently, bait and

artificial lures are allowed only in the mainstem of the Tonsina River, downstream of Tonsina Lake.

BACKGROUND:

During the 1996 BOF meeting the Board adopted a Department proposal prohibiting the use of bait in the Tonsina River drainage to reduce king salmon harvests. This proposal unintentionally restricted a sport fishery for Dolly Varden and Arctic grayling that primarily occurred in the Tonsina River tributaries, such as the Little Tonsina River. In March 1998, the Board adopted a proposal allowing the use of bait in the Tonsina River drainage on single hooks with a gap less than 3/8". At the 2003 meeting, the Board adopted a proposal that allowed bait and multiple hook artificial lures in the Tonsina River mainstem to allow for the king salmon fishery to occur with bait, as Department research indicated that the king salmon run to the Tonsina River was greater than initially thought. Inadvertently, the language referred to the mainstem Tonsina River and excluded the Dolly Varden and Arctic grayling fisheries that utilized bait in the tributaries.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Tonsina River drainage sport fishery.

PROPOSAL NO. 70, PAGE 52, - 5 AAC 52.XXX. Lake Trout Management Plan. Amend this regulation to include the following:

- (a) **The department shall manage wild lake trout populations in the Upper Copper River and Upper Susitna River Area for sustained yield by employing a conservative harvest regime to maintain harvests below defined maximum sustained yield (MSY).**
- (b) **The commissioner, by emergency order, may take one or more of the management actions specified below if there are conservation concerns for the sustainability of lake trout. The management actions are:**
 - (1) **reduce the bag and possession limits;**
 - (2) **reduce fishing time;**
 - (3) **allow catch-and-release only ;**
 - (4) **modify methods and means of harvest.**
- (c) **The regional background regulation for lake trout is: a bag and possession limit of two fish, no size limit and the season is open year round. The use of setlines is prohibited.**

- (d) If harvest under the regional background regulation exceeds the defined MSY level for two or more consecutive years the commissioner may implement the following restrictions to reduce harvest below MSY:
- (1) reduce the bag and possession limit to one fish, with no size limit, and the season is open year round.
 - (2) establish a minimum length limit and prohibit the use of bait to reduce hooking mortality. Length limits should consider:
 - i. length of maturity: provide at least two years of protection from harvest for spawning fish prior to recruitment to the fishery;
 - ii. lake size: no length limits for populations in lakes < 100 acres;
 - iii. uniformity of length limits: the minimum length limit should be 24" unless there is compelling biological justification for an alternate length limit.
 - (3) If length limit regulations are not sufficient to maintain harvests below MSY, the commissioner may further restrict harvest opportunity as follows:
 - i. seasonal closures: spawning season or winter season closures, or both;
 - ii. gear restrictions: single-hook, artificial lure only, or no bait or both.
 - (4) If the above actions are not sufficient to maintain harvests below MSY, the commissioner may impose a no harvest regulation (catch-and-release).
 - (5) If based upon stock assessment, the department determines that hooking mortality resulting from the no harvest regulation exceeds MSY; the commissioner may close the fishery.
- (e) Regulatory actions taken under this management plan which restrict fishing gear and/or seasons must consider potential effects on fisheries for other species or on subsistence fisheries. The board and department will attempt to minimize potential conflicts with sport fisheries for other species and with current subsistence practices.

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal will provide regulatory guidelines to manage lake trout populations in the UCUSMA. The plan would provide the Board of Fisheries a

means to address proposals submitted by the public and Department. The management plan would set bag, possession, size limits, seasons, and methods and means for lake trout waters based upon current harvest levels and population data.

WHAT ARE THE CURRENT REGULATIONS?

There are no regulations establishing guidelines for management options for lake trout waters in the UCUSMA. There are specific regulations for individual or a collection of lakes within the area, but no standard regulations for lake trout fisheries within the region.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

The plan would provide management guidelines to the Department for the area lake trout waters. These guidelines would provide regulatory options for lake trout waters dependent on current effort and harvest levels, specific population data, and biological characteristics of the water body. This plan would provide consistent, objective-based management for lake trout fisheries throughout the area. It would also provide criteria for the Board, public, and Department to address future proposals directed towards lake trout fisheries.

BACKGROUND:

In the past, the Department and public have developed proposals on a case-by-case basis for specific lake trout fisheries. To prevent fragmentation of the lake trout fisheries and reduce confusion amongst the angling public, there is a need to consolidate the lake trout regulations within the area. In 2004, regional and area staff met to classify the lake trout fisheries within the area and region and developed the regulatory categories outlined in the management plan. These categories were based upon current regulations, fishing effort, characteristics of lakes in which lake trout inhabit, and existing biological information on lake trout stocks within the region. A management plan provides the framework and guidelines to address future regulatory proposals. MSY for a lake is estimated using the Canadian Lake Area Model, which is based upon a sample of over 100 lakes and estimates lake trout productivity of a lake dependent on the size of the lake.

DEPARTMENT COMMENTS: The Department submitted this proposal and continues to **SUPPORT** it.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the UCUSMA lake trout fisheries.

PROPOSAL NO. 71, PAGE 54, - 5 AAC 52.022 (a). General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend this regulation to include the following:

(1) in all flowing waters, and in Paxson Lake and Summit Lake, **April 16 – October 31** only unbaited, single hook, artificial lures may be used; **November 1 – April 15 baited hooks may be used;**

WHAT WOULD THE PROPOSAL DO?

If adopted, this proposal would allow the used of bait in Paxson and Summit lakes from November 1 – April 15.

WHAT ARE THE CURRENT REGULATIONS?

5 AAC 52.022(a)(1). in all flowing waters, and in Paxson Lake and Summit Lake, only unbaited, single-hook, artificial lures may be used;

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED?

This proposal would allow the use of bait in Paxson and Summit lakes from November 1 – April 15. This would allow sport anglers to increase their harvest efficiency on burbot during the period when the burbot fishery has traditionally occurred.

BACKGROUND:

During the 1999 meeting, the Board adopted a proposal that established an unbaited, single-hook artificial lure regulation in flowing waters of the UCUSMA and Paxson and Summit lakes. This proposal was submitted by the Department to protect wild rainbow trout stocks. Since its inception, this regulation has reduced lake trout harvests in Paxson and Summit lakes. From 1995 – 1999, lake trout harvests on Paxson and Summit lakes averaged 361 and 156, respectively. From 2000 – 2004, harvests averaged 260 and 86 for Paxson and Summit lakes. Burbot harvests actually increased in Paxson Lake, from 1995 – 1999 harvests averaged 294 and from 2000 – 2004 harvests averaged 348. This increase does not actually exhibit a trend, but more a result of harvest in 2001 which was 764 burbot. Many winter anglers have voiced concern that this regulation has reduced their efficiency when targeting burbot in Paxson and Summit lakes. In 2003, a proposal to repeal the unbaited, single-hook artificial lure regulations was not adopted by the Board. There were concerns that fishing mortality coupled with harvests could exceed MSY for Paxson Lake. The MSY estimates for Paxson and Summit lakes under current regulations (24” minimum size) are 306 and 243 fish, respectively. During three of the past five years actual harvests have been at or below MSY in Paxson Lake. Proposal 70, the Department’s lake trout management plan would classify Paxson and Summit lakes under the one lake trout any size regulation, which would eliminate most concerns with hooking mortality, as fewer fish would be released and the bag limit reduction would

decrease overall harvest. The MSY estimates for Paxson and Summit lakes under a no size limit regulation would be 585 and 413, respectively.

DEPARTMENT COMMENTS: The Department **SUPPORTS** this proposal with modification. The Department recommends modifying 5 AAC 52.023 (18)(A)(v), (B)(vi) and (20)(A)(vi), (B)(vi) to read “the bag and possession limit for lake trout is one fish, with no size limit”. The Department believes this proposal with modification will allow for a burbot fishery to occur by traditional methods and keep lake trout harvests near or below MSY. This proposal fits within the confines of the Departments proposed lake trout management plan.

COST ANALYSIS: Adoption of this proposal is not expected to result in additional direct costs for private individuals to participate in the Paxson and Summit lakes lake trout fishery.