

Submitted by CDFU  
December 5, 2011

**RC** 58

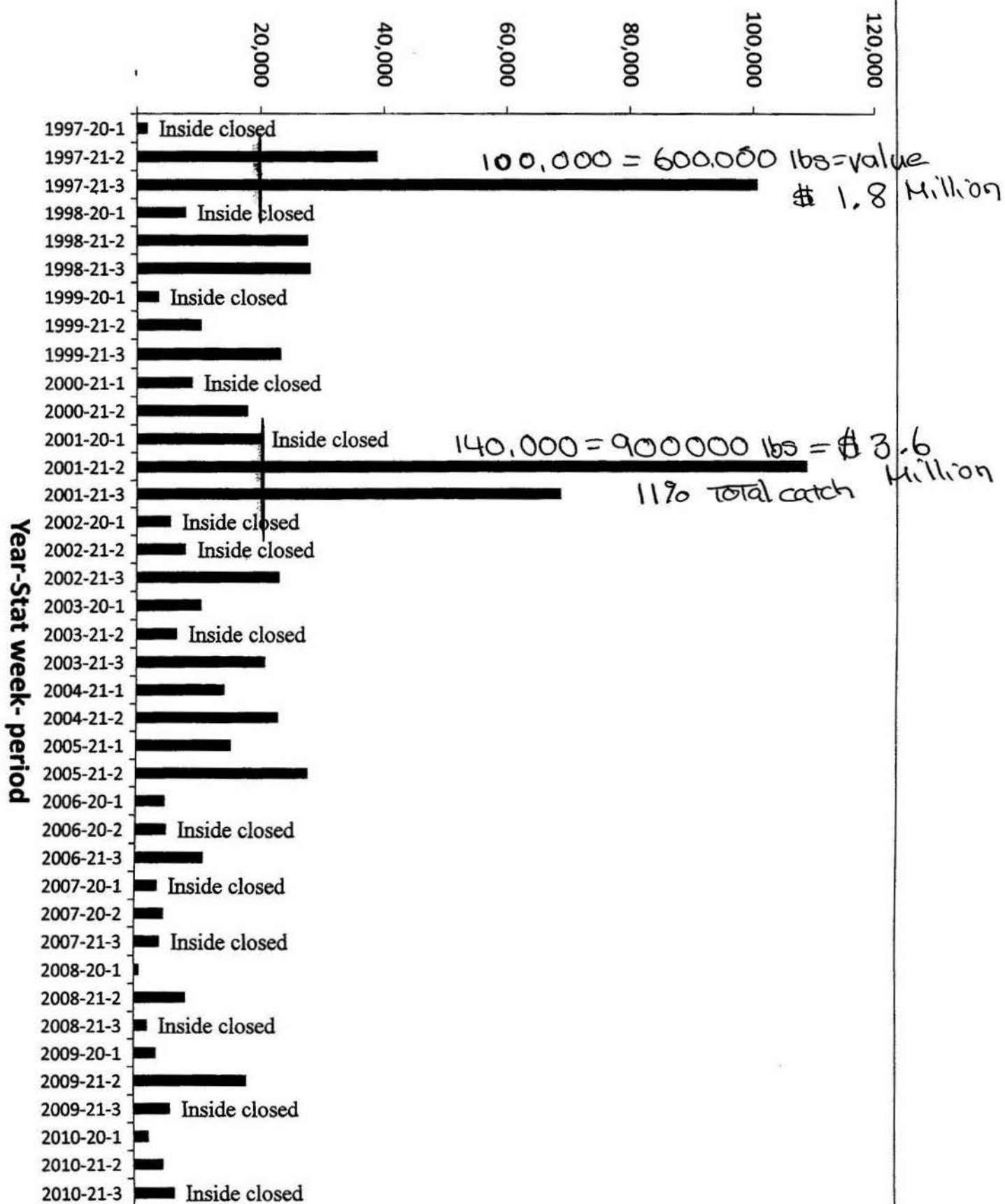
**Proposal 118**

The attached graph represents the effects of mandatory inside closures in times of abundance and the associated economic losses to the commercial gillnet fleet.

Historical data shows that mandatory inside closures in years of abundance, specifically 1997 and 2001, would have cost the fleet approximately \$1.8 million and \$3.6 million respectively. In 2001, this data represents approximately 11% of the total harvest.

Further, this would have serious repercussions for management. Resulting large escapements past the Miles Lake sonar forces the Dept. to increase fishing time in the mid to later parts of the run in an attempt to prevent lost opportunity and poor distribution of escapements.

# Number of fish



RC59

**Joint Board of Fisheries and Game  
November 21, 2011  
Discussion and Review of Potential Regulatory Amendments  
to 5 AAC Chapter 96, Advisory Committee Regulations**

**Meeting Summary**

A committee of the Joint Board of Fisheries Game met by teleconference on November 21, 2011 for the purpose of reviewing and discussing potential recommendations to the Joint Board for regulatory amendments to Advisory Committee regulations, 5 AAC, Chapter 96. The full committee was present for the discussion; those committee members included: Cliff Judkins and Teresa Sager Albaugh from the Board of Game, and Mike Smith, and Tom Kluberton from the Board of Fisheries. Listen in sites for the public were provided at the Fairbanks and Anchorage Legislative Information Offices, and the Juneau ADF&G office building.

The committee members discussed a number of potential regulatory changes including:

- Removal of advisory committee members for cause
- Disciplinary action by committees under Roberts Rules of Order
- Process and monitoring the submission of advisory committee minutes prior to testifying at board meetings
- Nonsubsistence area boundaries
- Advisory Committee membership composition and community representation
- Definition of "subsistence way of life" under 5 AAC 99.005 and possible application to both boards

The committee agreed to report back to each board a recommendation for scheduling a joint board meeting at the next regular scheduled individual board meeting. The committee also agreed upon recommending to each board, a process for soliciting comments from the public and advisory committees concerning the scope and kind of potential changes to regulations under the authority of the joint boards. The committee would then review the comments and report back to each board a recommendation for the scope of the meeting before issuing a Call for Proposals

## RC #60

Submitted By ADF&G staff at the request of the board

12/6/2011

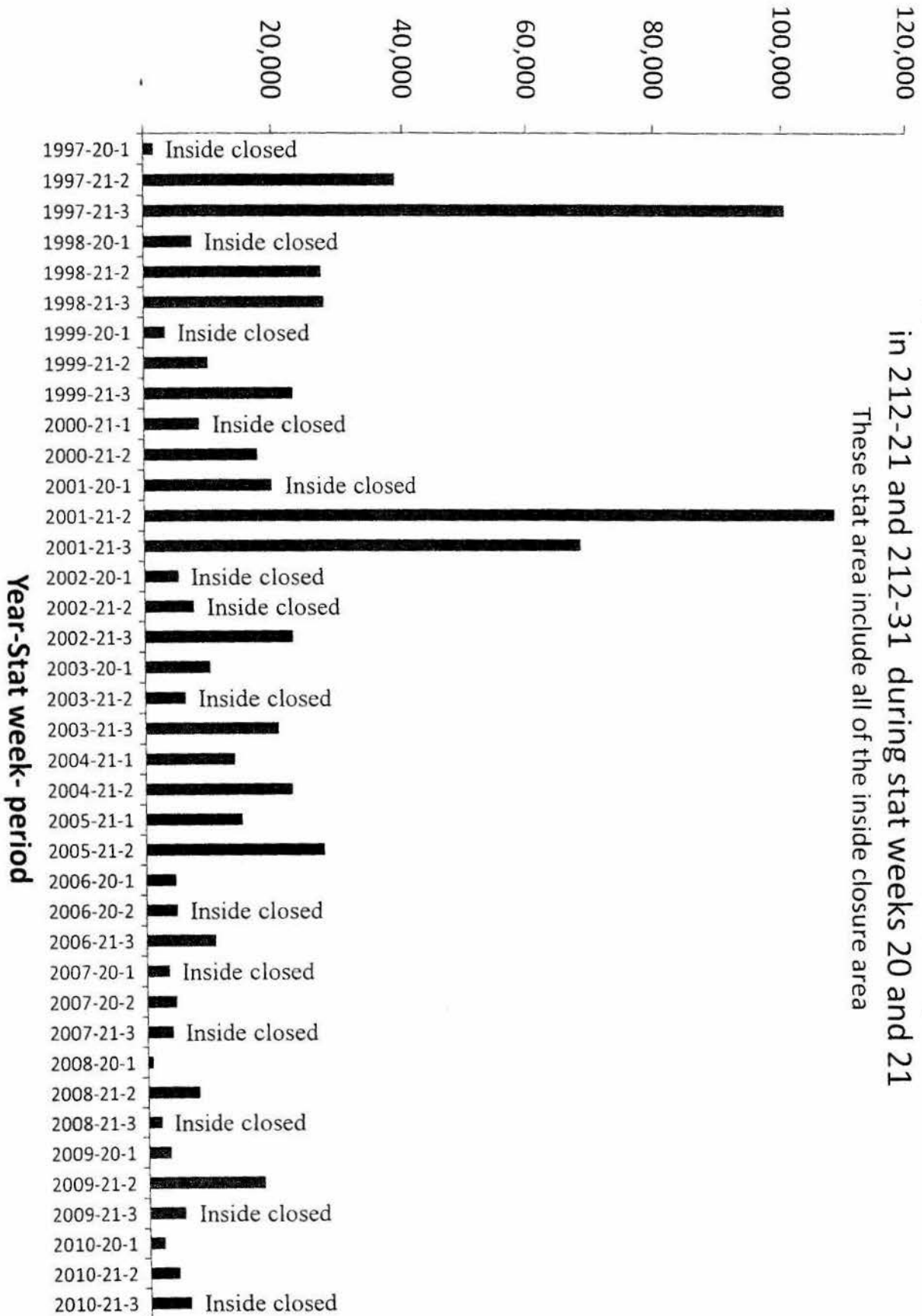
-Copper River Commercial Harvest data for statistical weeks 20 and 21

-Inside closure information



# Sockeye salmon

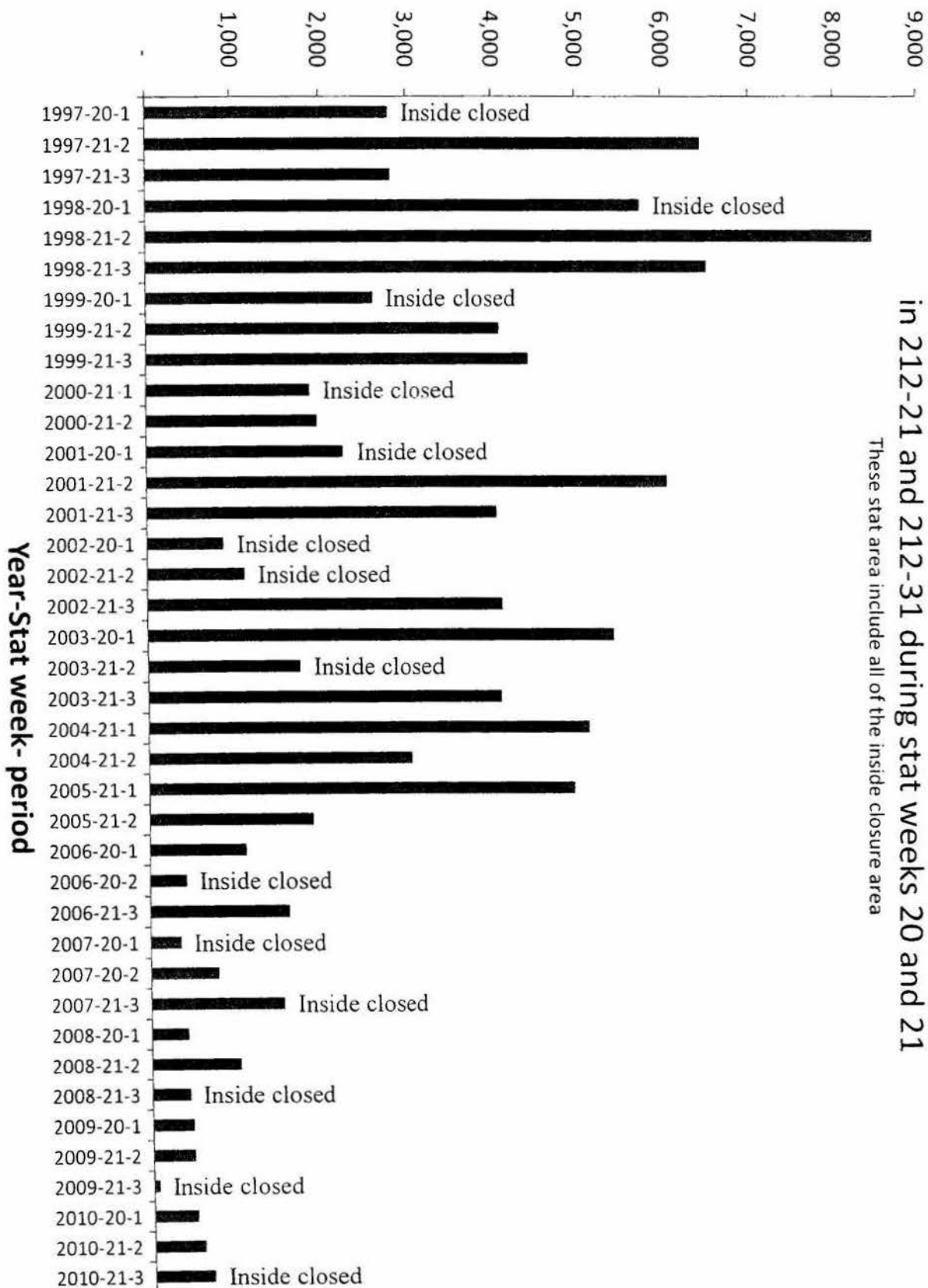
Copper River District commercial harvest of sockeye salmon  
 in 212-21 and 212-31 during stat weeks 20 and 21  
 These stat area include all of the inside closure area



# Chinook salmon

## Copper River District commercial harvest of Chinook salmon in 212-21 and 212-31 during stat weeks 20 and 21

These stat area include all of the inside closure area





## Copper River sockeye and Chinook salmon commercial harvest for stat weeks 20 and 21, 1997-2010.

Provided by ADF&amp;G

Year	Stat Week	Period	Sockeye	Chinook	Inside closed ?
1997	20	1	1,729	2,809	Inside closed
1997	21	2	38,931	6,455	
1997	21	3	100,684	2,832	
1998	20	1	7,945	5,766	Inside closed
1998	21	2	27,633	8,475	
1998	21	3	28,026	6,530	
1999	20	1	3,549	2,621	Inside closed
1999	21	2	10,409	4,098	
1999	21	3	23,269	4,448	
2000	21	1	9,002	1,895	Inside closed
2000	21	2	17,926	1,977	
2001	20	1	19,962	2,279	Inside closed
2001	21	2	108,863	6,072	
2001	21	3	68,795	4,062	
2002	20	1	5,529	903	Inside closed
2002	21	2	7,982	1,140	Inside closed
2002	21	3	23,068	4,125	
2003	20	1	10,500	5,460	
2003	21	2	6,612	1,768	Inside closed
2003	21	3	20,846	4,112	
2004	21	1	14,257	5,165	
2004	21	2	22,937	3,061	
2005	21	1	15,363	4,992	
2005	21	2	27,771	1,901	
2006	20	1	4,825	1,132	
2006	20	2	5,073	437	Inside closed
2006	21	3	11,047	1,627	
2007	20	1	3,705	363	Inside closed
2007	20	2	4,841	807	
2007	21	3	4,209	1,554	Inside closed
2008	20	1	860	442	
2008	21	2	8,369	1,045	
2008	21	3	2,208	451	Inside closed
2009	20	1	3,672	491	
2009	21	2	18,235	501	
2009	21	3	5,969	71	Inside closed
2010	20	1	2,465	525	
2010	21	2	4,851	607	
2010	21	3	6,602	713	Inside closed

**Copper River District inside closures in the commerical fishery, 1996-2011.**

Year	Period	Stat week	Start Date	Period hours	Comments
1996	NA	NA		NA	No inside closures
1997	1	20		24	Closures to achieve the 5% reduction in harvest potential (5AAC??)
1998	1	20		24	Closures to achieve the 5% reduction in harvest potential (5AAC??)
1999	1	20		12	Closures to achieve the 5% reduction in harvest potential (5AAC??)
2000	1	20		12	Closures to achieve the 5% reduction in harvest potential (5AAC??)
2001	1	20		12	Closures to achieve the 5% reduction in harvest potential (5AAC??)
2002	1	20		6	Closures to achieve the 5% reduction in harvest potential (5AAC??)
2002	2	21		12	Closures to achieve the 5% reduction in harvest potential (5AAC??)
2003	2	21		12	Inside closure for 6 hours of the 12 hour period -- during the low tide
2004	NA	NA		NA	No inside closures
2005	NA	NA		NA	No inside closures
2006	2	20	05/19	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2007	1	20	05/14	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2007	3	21	05/21	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2008	3	21	05/22	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2009	3	21	05/21	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2009	4	22	05/25	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2009	5	22	05/28	36	Inside closures not required in regulation, but considered necessary to achieve SEG
2009	6	23	06/01	36	Inside closures not required in regulation, but considered necessary to achieve SEG
2009	7	23	06/04	24	Inside closures not required in regulation, but considered necessary to achieve SEG
2009	8	24	06/08	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2010	3	21	05/20	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2010	4	22	05/24	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2010	5	22	05/27	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2010	6	24	06/07	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2010	7	24	06/10	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2011	1	21	05/16	12	Regulatory inside closures (5AAC 24.350(1)(b) and 5 AAC 24.361(B)
2011	2	21	05/19	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2011	3	22	05/23	12	Inside closures not required in regulation, but considered necessary to achieve SEG
2011	4	22	05/26	36	Inside closures not required in regulation, but considered necessary to achieve SEG
2011	5	23	05/30	36	Inside closures not required in regulation, but considered necessary to achieve SEG

Submitted by Bill Brown

**5 AAC 24.361. Copper River King Salmon Fishery Management Plan.**

5 AAC 24.361(b) is repealed and readopted to read:

(b) In the commercial fishery, during the statistical weeks of 20 and 21, the commissioner may not open more than one fishing period within the inside closure area of the Copper River District described in 5 AAC 24.350(1)(B).

**5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.**

5 AAC 77.591(b) is amended to read:

(b) Salmon may be taken from June 7 [JUNE 1] through September 30. The commissioner shall establish a preseason schedule, including fishing times, for the period June 7 [JUNE 1] through August 31 based on daily projected sonar counts at the sonar counter located near Miles Lake. This abundance-based preseason schedule will distribute the harvest throughout the season. The commissioner may close, by an emergency order effective June 7 [JUNE 1], the Chitina Subdistrict personal use salmon fishing season and shall reopen the season, by emergency order, on or before June 15 [JUNE 11] depending on the run strength and timing of the sockeye salmon run. Adjustments shall be made to the preseason schedule based on actual sonar counts compared to projected counts. If the actual sonar count at Miles Lake is more than the projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which additional fishing times will be allowed. If the actual sonar count at Miles Lake is less than projected sonar count, the commissioner shall close, by emergency order, the season and immediately reopen it during which fishing times will be reduced by a corresponding amount of time.

As it relates to Proposals 118, 76, 51, 52, and the overall management of the Copper River District Subsistence Fishery, the Native Village of Eyak requests clarification for the record from the Board of Fisheries, Department of Fish and Game, and Department of Law on the interpretation of the inside closure area of the Copper River District as it relates to the prosecution of the subsistence fishery.

As it is currently managed by ADF&G through permit stipulation, the subsistence fishery is restricted by both area and time in being opened concurrent to the commercial fishery openings. However, we can find no reference to area in regulation outside 5 AAC 24.200, which includes no mention of the inside closure area. The inside closure area is described in 5 AAC 24.350(1), areas closed to commercial fishing, and is not referenced in any way in 5 AAC 01.647(j) that governs the subsistence fishery in the Copper River District. It is however referenced in 5 AAC 24.361(b), where the language clearly links mandatory inside area closures only in the commercial fishery.

It is our belief that ADF&G has been consistently enacting undue restrictions on the subsistence fishery contrary to the intent of regulation. The Board should request further information on where specifically in regulation it is stated that the inside closure area should extend to the subsistence fishery in this district, as it is currently being managed in practice.

**5 AAC 24.361. Copper River King Salmon Management Plan**

(b) In the commercial fishery, during the statistical weeks 20 and 21, the commissioner may open no more than one fishing period per statistical week within the inside closure area of the Copper River District described in 5 AAC 24.350(1) (B).

**5 AAC 24.350. Closed waters**

The following waters are closed to commercial salmon fishing:

(1) Copper River District:

(B) except as provided in 5 AAC 24.361(b), the inside closure area defined as all waters north of a line from the Steamboat anchorage marker at 60° 22.39' N. lat., 145° 33.09' W. long. to the eastern boundary of Copper Sands at 60° 18.80' N. lat., 145° 30.30' W. long. to the western end of the Grass Island bar at 60° 17.65' N. lat., 145° 27.15' W. long. to the eastern end of the Grass Island bar at 60° 15.00' N. lat., 145° 16.30' W. long. to the western end of the Kokenhenik bar at 60° 14.43' N. lat., 145° 13.94' W. long. to the eastern tip of the Kokenhenik bar at 60° 13.58' N. lat., 145° 08.29' W. long. to the western tip of the Softuk bar at 60° 13.60' N. lat., 145° 05.18' W. long. to the ADF&G regulatory marker at Coffee Creek at 60° 14.09' N. lat., 144° 57.69' W. long.;

**5 AAC 01.647. Copper River Subsistence Salmon Fisheries Management Plans**

(j) Salmon may be taken for subsistence purposes in the waters of the Copper River District described in 5 AAC 24.200, only as follows:

(1) salmon may be taken only with gillnets no longer than 50 fathoms;

(2) salmon may be taken only from May 15 through September 30;

(3) fishing periods are

(A) from May 15 until two days before the commercial opening of the Copper River District, seven days per week;

(B) during the commercial salmon fishing season, only during open commercial salmon fishing periods;

(C) from two days following the closure of the commercial salmon fishing season until September 30, seven days per week.

**5 AAC 24.200. Fishing districts, subdistricts, and sections**

(a) Copper River District: waters surrounding Hinchinbrook Island between the tip of Hook Point and Boswell Rock, including Boswell Bay waters south of a line from Boswell Rock to the radio tower at Whitshed Village, and waters between Whitshed Village and west of a line from a point on the mainland at 60° 10.21' N. lat., 144° 35.57' W. long. to the northernmost tip of Fox Island and then extending south from Fox Island along 144° 36.12' W. long.



RCLB

**ALASKA BOARD OF FISHERIES**

Prince William Sound and Upper Copper River / Upper Susitna River Finfish Meeting  
December 2-7, 2011  
Valdez, Alaska

**MISCELLANEOUS BUSINESS AGENDA**

1. Determination of Pacific cod Meeting scheduled October 11-14, 2012 - [Board]
2. Update on Protocol Committee Meeting - [Jensen]
3. Update on November 21, 2011, Joint Board Committee Meeting - [Kluberton / Smith]
4. Discussion on a future Joint Board Meeting - [Kluberton / Smith]

**Submitted by ADF&G**

(at the request of the board) – December 7, 2011

**Substitute Language – Proposal 88**

5 AAC 24.200 Fishing districts, subdistricts, and sections

(f)(no number) Bettles Bay Subdistrict: waters west of a line from Point Pigot to Point Pakenham.