

**ALASKA BOARD OF FISHERIES**  
**February 24- March 4, 2012**  
**SOUTHEAST AND YAKUTAT FINFISH**

**PROPOSAL SUMMARY OF ACTIONS**

*(This board summary is for informational purposes only and the actions below will have legal affects in regulations that provide the sole legal action of the board.)*

**C=Carried, F=Failed, C/A= Carried as Amended, N/A=No Action**  
 (Vote Count)

**PROP**                      **SUBJECT**  
**NO. (145)**

<b>Southeast Groundfish (25)</b>		
<b>General (2)</b>		
<b>C/A</b> (7-0)	199	Amend groundfish area registration to specify registration by vessel. <i>(Amended with substitute language reflected in RC #132.)</i>
<b>C</b> (7-0)	200	Clarify use of post-processed and reported commercial fish as bait.
<b>Closed Waters (4)</b>		
<b>N/A</b>	141	Prohibit fishing for bottomfish and shellfish near Cache Island by all users. <i>(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)</i> <i>(No action based on the need of a resolution to be forwarded to the legislature.)</i>
<b>N/A</b>	142	Prohibit nonresidents from fishing for bottomfish and shellfish in a portion of Behm Canal. <i>(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)</i> <i>(No action based on Department of Law's advice.)</i>
<b>N/A</b>	143	Prohibit nonresidents from fishing for bottomfish and shellfish near Naha Bay. <i>(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)</i> <i>(No action based on Department of Law's advice.)</i>
<b>N/A</b>	144	Prohibit nonresidents from fishing for bottomfish and shellfish near Cedar Island. <i>(This proposal was also considered during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)</i> <i>(No action based on Department of Law's advice.)</i>
* Note: Proposals 202-205 do not exist as they are duplicates of proposals 141-144.		
<b>Dogfish (2)</b>		

<b>F</b> (1-6)	206	Create a commercial spiny dogfish pot fishery in the Ketchikan area.
<b>F</b> (1-6)	207	Increase the dogfish daily bag limit.
<b><i>Pacific Cod (1)</i></b>		
<b>C</b> (7-0)	208	Establish commercial fishing seasons for Pacific cod for the Eastern Gulf of Alaska area.
<b><i>Rockfish (5)</i></b>		
<b>C</b> (7-0)	209	Establish commercial fishing seasons for black rockfish for the Eastern Gulf of Alaska area.
<b>C/A</b> (7-0)	210	Require release of demersal shelf rockfish at depth. <i>(Amended with substitute language reflected in RC #88.)</i>
<b>N/A</b>	211	Require release of rockfish at 40 feet or greater. <i>(No action based on actions taken on proposal #210.)</i>
<b>F</b> (0-6-1)	212	Increase the sport allocation of demersal shelf rockfish to 25 percent. <i>(Board Member Jensen abstained.)</i>
<b>F</b> (0-7)	213	Establish a point system for retention of rockfish.
<b><i>Sablefish (3)</i></b>		
<b>C</b> (7-0)	214	Standardize sablefish retention and reporting requirements in regulation.
<b>C</b> (7-0)	215	Amend the sablefish fishing season to allow permit holders to participate in stock assessment surveys.
<b>C/A</b> (6-1)	216	Repeal the nonresident sablefish annual limit. <i>(Amended with substitute language reflected in RC #46.)</i>
<b><i>Lingcod (8)</i></b>		
<b>C/A</b> (7-0)	217	Amend lingcod allocation between commercial fisheries. <i>(Amended with substitute language reflected in RC #92.)</i>
<b>F</b> (0-7)	218	Allow for retention of lingcod in other commercial fisheries.
<b>F</b> (0-7)	219	Increase the allocation for commercially caught lingcod in North Southeast Outside Section.

<b>F</b> (0-7)	220	Reallocate a portion of the Eastern Yakutat Section lingcod GHL.
<b>F</b> (0-7)	221	Increase sport allocation of lingcod in Central Southeast Outside and Southern Southeast Outside sections.
<b>F</b> (0-7)	222	Increase the lingcod GHL in EYKT Section.
<b>C/A</b> (7-0)	223	Clarify dinglebar gear in the lingcod fishery allows only one line. <i>(Amended with substitute language reflected in RC #125.)</i>
<b>F</b> (0-7)	224	Allow lingcod to be used as commercial bait.
<b>Southeast Herring (21)</b>		
<b>Spawn on Kelp (2)</b>		
<b>C/A</b> (6-0-1)	225	Allow combining two units of gear in herring spawn-on-kelp fishery. <i>(Amended with substitute language reflected in RC #126.) (Board Member Jensen abstained.)</i>
<b>C/A</b> (7-0)	226	Amend spawn-on-kelp gear marking and removal requirements. <i>(Amended with substitute language reflected in RC #127.)</i>
<b>Gillnet Sac Roe (3)</b>		
<b>C</b> (7-0)	227	Amend to clarify that only the purse seine fishery is an equal quota share fishery. However vote on 243 repealed purse seine fishery.
<b>C</b> (7-0)	228	Remove the mesh restriction in the Gillnet Sac Roe Herring Fishery.
<b>N/A</b>	229	Remove the mesh restriction in the Gillnet Sac Roe Herring Fishery. <i>(No action based on actions taken on proposal #228.)</i>
<b>Seine Sac Roe (8)</b>		
<b>F</b> (0-7)	230	Revise the commercial herring fishery management plan for Sitka Sound.
<b>F</b> (0-7)	231	Amend management for the herring sac roe fishery GHL in Sections 13-A and 13-B.
<b>F</b> (0-7)	232	Repeal regulations for establishing the herring fishery GHL for Sections 13-A and 13-B.
<b>F</b> (1-6)	233	Establish an equal-share fishery for herring sac roe in Sitka Sound.
<b>F</b> (1-6)	234	Establish an equal-share fishery for herring sac roe in Sitka Sound.

N/A	235	Restrict fishing vessels from entry into the announced fishing area prior to openings in the Sitka Sound commercial herring fishery. <i>(Author withdrew support for this proposal.)</i>
N/A	236	Change specifications for herring purse seines to reduce depth of nets for the Sitka Sound commercial herring fishery. <i>(Author withdrew support for this proposal.)</i>
N/A	237	Change specifications for herring purse seine to reduce length of nets for the Sitka Sound commercial herring fishery. <i>(Author withdrew support for this proposal.)</i>
<b>Allocation (8)</b>		
C/A (6-1)	238	Establish closed waters for the Sitka Sound commercial herring fishery in order to provide an area only open for subsistence. <i>(Amended with substitute language reflected in RC #90)</i>
N/A	239	Exclude commercial herring fishing within a defined core spawning area within Sitka Sound to allow for a harvest of herring spawn to meet the amount reasonably necessary for subsistence. <i>(No action based on actions taken on proposal #238.)</i>
N/A	240	Re-allocate Sitka Sound herring to provide up to 1,000 tons of herring for commercial bait when the sac roe fishery GHL exceeds 10,000 tons. <i>(Author withdrew support for this proposal.)</i>
F (0-7)	241	Revise the herring allocation for Hobart Bay to eliminate winter bait and to provide all the available GHL for gillnet sac roe.
F (1-6)	242	Increase threshold for the West Behm Canal Herring Fishery from 6,000 tons to 15,000 tons.
C (4-3)	243	Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe fishery and allow only gillnet sac roe fishing.
N/A	244	Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe fishery and allow only gillnet sac roe fishing. <i>(No action based on actions taken on proposal #243.)</i>
N/A	245	Allocate of equal shares in the Southeast sac roe fishery in Section 1-E and 1-F by designation of permit holders to harvest herring for others. <i>(No board authority.)</i>
<b>Southeast Sport (22)</b>		
<b>Management Plan (2)</b>		
C/A (7-0)	246	Clarify that the management measures for the use of two rods is for king salmon only. <i>(Amended with substitute language reflect in RC #148)</i>
N/A	247	Develop a management plan to protect and enhance the Juneau roadside sport fisheries. <i>(No board authority.)</i>
<b>General Provisions (3)</b>		

<b>F</b> (0-7)	248	Change the definition of “bag limit” for anglers fishing from a vessel.
<b>F</b> (0-7)	249	Establish nonresident annual limits for sockeye, coho, chum, and pink salmon in the Southeast Alaska Area.
<b>F</b> (0-7)	250	Allow retention of king salmon in the fresh waters of the Southeast Alaska Area.
<b><i>Methods and Means (3)</i></b>		
<b>F</b> (0-7)	251	Allow the use of two rods by non-guided anglers in salt water.
<b>F</b> (1-6)	252	Allow the use of power assisted reels by disabled anglers only.
<b>C/A</b> (7-0)	253	Establish system for distinguishing between vessels participating in hand troll and guided charter fishing in Southeast Alaska. <i>(Amended with substitute language reflected in RC #149)</i>
<b><i>Special Provisions (14)</i></b>		
<b>C/A</b> (7-0)	254	Allow youth and disabled anglers to use bait in high use and small cutthroat lakes. <i>(Amended with substitute language reflected in RC # 84.)</i>
<b>F</b> (0-7)	255	Establish a Taku River king salmon sport fishery.
<b>C</b> (7-0)	256	Prohibit snagging at the mouth of Auke Creek.
<b>C/A</b> (5-2)	257	Prohibit the use of bait in Cowee Creek. <i>(Amended with substitute language reflected in RC #160)</i>
<b>C</b> (7-0)	258	Reopen Sitkoh Bay Sockeye sport fishery.
<b>F</b> (0-7)	259	Make fishing within the Sitka Historical Park on the Indian River a fly fishing only, catch and release fishery.
<b>F</b> (0-7)	260	Liberalize king salmon regulations in the vicinity of Ketchikan.
<b>F</b> (0-7)	261	Increase king salmon bag limits in the vicinity of Neets Bay.
<b>C</b> (7-0)	262	Extend the open season and the period bait may be used in City Park Ponds until August 31, and modify the bag and possession limit for cutthroat trout, king, and coho salmon.
<b>C</b> (7-0)	263	Prohibit the use of bait in the Klawock River.

<b>F</b> (0-7)	264	Allow the use of bait in the Klawock River.
<b>C</b> (7-0)	265	Repeal Klawock River regulations applying to adipose fin-clipped steelhead.
<b>C</b> (7-0)	266	Clarify Klawock Harbor area closed to snagging and retention of sockeye. <i>(Carried with a friendly amendment to change oil dock to Cannery dock.)</i>
<b>C</b> (7-0)	267	Align Post Office Lake regulations with the Yakutat roadside systems regulations.
<b>Southeast Subsistence and Personal Use (14)</b>		
<b>General (3)</b>		
<b>N/A</b>	268	Clarify where personal use finfish regulations apply. <i>(Department withdrew support for the proposal.)</i>
<b>F</b> (0-7)	269	Establish a catch report card system for subsistence, personal use, and sport finfish fisheries.
<b>C/A</b> (5-2)	270	Require a permit for subsistence or personal use harvest of sablefish. <i>(Amended with substitute language reflected in RC #47.)</i>
<b>Groundfish (1)</b>		
<b>C</b> (7-0)	271	Clarify prohibitions to commercial, subsistence, and personal use fishing by commercial sablefish permit holders.
<b>Herring (2)</b>		
<b>C</b> (7-0)	272	Clarify subsistence herring and herring spawn customary and traditional use findings for waters of Sections 3-A and 3-B.
<b>F</b> (1-6)	273	Require a permit for subsistence herring eggs on branches in Sitka Sound or alter the harvest monitoring program to measure landed weights.
<b>Salmon (8)</b>		
<b>F</b> (0-7)	274	Modify the personal use fishery for salmon in Southeast Alaska to target king and coho and to include additional gear types.
<b>C/A</b> (6-1)	275	Remove the horsepower limit for the Klawock subsistence area. <i>(Amended as outlined in RC #151.)</i>
<b>F</b> (0-7)	276	Change the subsistence sockeye fishery in the Klawock River from five to seven days per week.
<b>F</b> (1-6)	277	Allow dip nets in the Taku River for personal use.

<b>F</b> (0-7)	278	Extend the personal use fishery season on the Taku River from mid-June through August.
<b>F</b> (0-7)	279	Increase Taku River sockeye salmon daily and annual bag limit per household based on number of persons in the household.
<b>C</b> (7-0)	280	Clarify that subsistence in District 15 includes Lutak Inlet and opens the day before commercial openings.
<b>F</b> (2-5)	281	Allow 75 fathom gillnet length in the Yakutat Bay subsistence fishery.
<b>Southeast Commercial Salmon (63)</b>		
<b>Management Plan (3)</b>		
<b>C</b> (7-0)	282	Modify the Situk-Ahrnklin and Lost River King Salmon Management Plan to redefine closed waters, specify nonretention, and clarify action points.
<b>C</b> (7-0)	283	Revise the <i>Situk River Management Plan</i> to delink Situk escapement from a spring troll in Yakutat Bay.
<b>F</b> (0-6-1)	284	Establish increased fishing periods for troll when the directed drift gillnet fishery is open in Sections 11-A and 11-B. <i>(Board Member Jensen abstained.)</i>
<b>Seine (7)</b>		
<b>F</b> (1-5-1)	285	Repeal the 58' vessel limit in the Southeast salmon purse seine fishery. <i>(Board Member Jensen abstained.)</i>
<b>F</b> (0-6-1)	286	Increase length limit for Southeast salmon seine vessel to 75 feet. <i>(Board Member Jensen abstained.)</i>
<b>F</b> (1-5-1)	287	Exclude stern ramps and rollers in the 58 foot length limit for the Southeast Alaska area. <i>(Board Member Jensen abstained.)</i>
<b>C/A</b> (7-0)	288	Allow seine vessels to transport two seine nets. <i>(Amended with substitute language reflected in RC #180)</i>
<b>N/A</b>	289	Close District 5 to seining and open to gillnet fishing. <i>(Author withdrew support for the proposal.)</i>
<b>N/A</b>	290	Increase seining and reduce gillnet fishing in District 6 in September. <i>(Author withdrew support for the proposal.)</i>
<b>N/A</b>	291	Allow harvest of pink salmon along the Pt. Adolphus shoreline in District 14 during years of large pink salmon returns. <i>(Author withdrew support for the proposal.)</i>
<b>Gillnet (8)</b>		
<b>F</b> (0-7)	292	Change gillnet fishery openings from noon Sundays to 8:00 a.m. on Mondays.

C/A (7-0)	293	Provide minimum mesh size of six inches in districts 1, 6, 8, 11, or 15 by emergency order when needed to conserve sockeye and access chum. <i>(Amended with substitute language reflected in RC #147)</i>
C/A (7-0)	294	Require reporting of commercially-caught salmon and steelhead retained for personal use. <i>(Amended with substitute language reflected in RC #129.)</i>
N/A	295	Modify drift gillnet fishery in Zimovia Strait and Chichagof Pass based on chum:sockeye ratio to provide for increased terminal seine harvest of enhanced chum in the Anita Bay THA. <i>(Author withdrew support for the proposal.)</i>
N/A	296	Open gillnet fishery in Section 6-D all season to provide pink salmon fishery. <i>(Author withdrew support for the proposal.)</i>
N/A	297	Open gillnet fishery in Section 6-D during pink season when not open to seining. <i>(Author withdrew support for the proposal.)</i>
N/A	298	Limit District 10 seine fishery to 2 days per week to increase gillnet pink salmon harvest in District 6. <i>(Author withdrew support for the proposal.)</i>
F (0-6-1)	299	Extend commercial closed waters in Taku Inlet to Point Greely–Point Bishop. <i>(Board Member Jensen abstained.)</i>
<b>Setnet (7)</b>		
C (4-3)	300	Allow multiple permit holders to fish from the same vessel and to pool and divide harvests on fish tickets in Yakutat Area salmon fishery. <i>(Amended with substitute language reflected in RC #182.)</i>
F (3-4)	301	Relocate boundary for commercial setnet fishing on Tsiu River to provide a separate sport fishing area. <i>(Proposal was reconsidered due to new information reflected in RCs #128, #133 #135, 137, 139, 140, 141,142, and 143.)</i>
F (1-6)	302	Prohibit using power boats to drive fish into nets on the Tsiu River.
F (1-6)	303	Establish criteria to determine the first commercial opening on the Tsiu River.
C (7-0)	304	Amend Ankau Creek closed waters.
C (7-0)	305	Amend Akwe River closed waters.
C/A (7-0)	306	Change the day when allowable gear increases on the Alsek River from Monday to Sunday. <i>(Amended with additional language added reflected in RC #165.)</i>
<b>Troll (16)</b>		

F (0-7)	307	Allow downriggers in the commercial hand troll fishery all season.
N/A	308	Allow six trolling lines on specified inside waters of Southeast Alaska to increase the harvest of enhanced salmon. <i>(Author withdrew support for the proposal.)</i>
C/A (6-0-1)	309	Allow four hand troll gurdies in the summer troll fishery following the initial king salmon retention period. <i>(Amended with substitute language reflected in RC #145.) (Board Member Jensen abstained.)</i>
C (4-2-1)	310	Amend the winter king salmon guideline harvest range by adding hatchery-produced kings. <i>(Board Member Jensen abstained.)</i>
C (5-1-1)	311	Change beginning date for coho salmon retention in the spring king salmon fishery from June 15 to June 1. <i>(Board Member Jensen abstained.)</i>
N/A	312	Require 10-day mid-August troll closures for conservation and allocation based on the department's midseason assessment. <i>(Author withdrew support for this proposal.)</i>
N/A	313	Extend season for the troll coho fishery in Southeast to September 30 but closed earlier by emergency order when warranted. <i>(Author withdrew support for this proposal.)</i>
C/A (6-0-1)	314	Through September lengthen the troll season in Districts 1, 6, and 8 each week gillnet fisheries are opened in these districts. <i>(Amended with substitute language reflected in RC #146.) (Board Member Jensen abstained.)</i>
N/A	315	In Section 1-E redefine the area open for trolling and extend the summer closure date from September 20 to September 30. <i>(No action based on actions taken on proposal #314.)</i>
C (7-0)	316	In Section 1-E redefine the area open for trolling.
N/A	317	Extend the summer closure date in a portion of Section 1-E to September 30. <i>(No action based on actions taken on proposal #314.)</i>
C/A (7-0)	318	Clarify when Section 1-F is open to trolling. <i>(Amended with substitute language reflected in RC #123.)</i>
F (0-6-1)	319	Increase troll opening in Chichagof Pass to seven days a week to access enhanced Anita Bay chum. <i>(Board Member Jensen abstained.)</i>
N/A	320	Increase the area of Section 11-A open to trolling in the directed Taku king salmon fishery. <i>(No action based on actions taken on proposal #284.)</i>
C (7-0)	321	Amend closed waters for the Situk River troll fishery.
N/A	322	Amend closed waters for the Situk River troll fishery. <i>(No action based on actions taken on proposal #321.)</i>

#### ***Allocation Plans (4)***

N/A	323	Revise basis for the <i>Southeast Alaska Area Enhanced Salmon Allocation Management Plan</i> to include only production by regional associations. <i>(Author withdrew support for this proposal.)</i>
N/A	324	Create separate enhanced salmon allocation plans for northern and southern Southeast Alaska. <i>(Author withdrew support for this proposal.)</i>
C/A (6-0-1)	325	Redirect spring troll fishery management to target chum salmon to address the enhanced salmon allocation imbalance. <i>(Amended with substitute language reflected in RC #97.) (Board Member Jensen abstained.)</i>
N/A	326	Provide a targeted chum salmon fishery for troll gear in Section 11-A to address the enhanced salmon allocation imbalance. <i>(Author withdrew support for this proposal.)</i>
<b><i>Special Harvest Area (4)</i></b>		
C (7-0)	327	Define open fishing periods in regulation for DIPAC, Southern Southeast Regional Aquaculture Association, and Prince of Wales Hatchery Area special harvest areas.
N/A	328	Allow new gear type for broodstock capture in Districts 12 and 13. <i>(Author withdrew support for the proposal.)</i>
C (7-0)	329	Adopt a new Special Harvest Area for the Port Saint Nicholas hatchery in District 3.
C (7-0)	330	Close a portion of Bear Cove in the Silver Bay Special Harvest Area to protect broodstock and provide for safety.
<b><i>Terminal Harvest Area (14)</i></b>		
C/A (7-0)	331	Revise the Neets Bay hatchery management plan to allow cost recovery and distribute harvests according to the Southern Southeast Regional Aquaculture Association board of director's annual plan for allocation. <i>(Amended with substitute language reflected in RC #82.)</i>
N/A	332	Change the Neets Bay hatchery management plan to provide common property access based on enhanced salmon allocation status. <i>(Author withdrew support for this proposal.)</i>
N/A	333	Remove 1:1 gillnet to seine fishing rotation schedule for Neets Bay hatchery common property openings after the 2011 season. <i>(Author withdrew support for the proposal.)</i>
C/A (6-0-1)	334	Continue 1:1 gillnet to seine fishing rotation in Anita Bay THA through 2017. <i>(Amended with substitute language reflected in RC #153, page 1.) (Board Member Jensen abstained.)</i>
C (6-0-1)	335	Continue 1:1 gillnet to seine fishing rotation in Deep Inlet THA through 2017. <i>(Amended with substitute language reflected in RC #153page 2) (Board Member Jensen abstained.)</i>
N/A	336	Allow for a rotational seine and gillnet fishery in the Nakat Inlet THA. <i>(Author withdrew support for this proposal.)</i>

C/A (6-0-1)	337	Establish a new Herring Cove THA management plan to distribute harvest between commercial, sport, and personal use fisheries. <i>(Amended with substitute language reflected in RC #23.) (Board Member Jensen abstained.)</i>
C/A (6-0-1)	338	Expand the Kendrick Bay THA to include McLean Arm for commercial seining. <i>(Amended with substitute language reflected in RC #153, page 3.) (Board Member Jensen abstained.)</i>
C (7-0)	339	Change the opening date for the Anita Bay THA to May 1.
C/A (7-0)	340	Modify the open area in the Anita Bay THA to enhance salmon quality. <i>(Amended with substitute language reflected in RC #153, page 4.)</i>
C/A (6-0-1)	341	Establish a THA in Southeast Cove for seine and troll gear. <i>(Amended with substitute language reflected in RC #153, page 7-8, Option B.) (Board Member Jensen abstained.)</i>
C/A (6-0-1)	342	Establish a registration fishery for the Hidden Falls THA to replace cost recovery harvest with tax assessment. <i>(Amended with substitute language reflected in RC #153, page 5-6.) (Board Member Jensen abstained.)</i>
C/A (7-0)	343	Open the Hidden Falls THA August 1 through September 20 to allow trolling for enhanced coho and provide for an area during the troll closure. <i>(Amended with substitute language reflected in RC #166.)</i>
C (5-1-1)	344	Revise the western Deep Inlet THA boundary and season to increase troll fishery access to enhanced king salmon. <i>(Board Member Jensen abstained.)</i>

#### Miscellaneous Business:

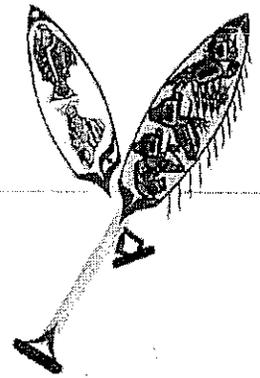
1. The board agreed to delegation to relocate the regulations for the Arctic to the Kotzebue region and remove them from the Yukon Area.
2. Board Member Jensen provided an update on the recent North Pacific Management Council Meeting he had attended and also provide a copy of the meeting report and future meeting dates reflected in RC #178,
3. The Board of Fisheries discussed and agreed to move forward with scheduling a Joint Board Meeting and to open the Call for Proposals to all regulations under the Joint Board Regulations (5 AAC Chapters 96, 97, and 98). They also agreed to the timeline that has been approved by the Joint Board Committee reflected in RC #174 pages 2-3.
4. Board Member Jensen reminded fellow board members of the upcoming Joint Protocol Committee Meeting scheduled for Monday, March 19, 2012. Agenda is reflected in RC #174 page 4.
5. Chairman Johnstone brought up the concern regarding the Herring bait fishery in Districts 3-B and 4 reflected in RC #113. There was no interest from fellow board members to pursue a board generated proposal for this fishery.



RC133

# Yakutat Tlingit Tribe

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## RESOLUTION 12-05

### Request Board of Fish to revisit Proposal 301

**WHEREAS**, the Yakutat Tlingit Tribe (YTT) is the federally recognized governing body of the Tribal members of Yakutat, Alaska: which is comprised of the five clans of the Yakutat area and;

**WHEREAS**, the Yakutat Tlingit Tribe can demonstrate a relationship of shared group identity which can be reasonably traced historically or prehistorically between the present-day Yakutat Tribes and earlier groups inhabiting the aboriginal territory and;

**WHEREAS**, the Tsui River Area from approximately Strawberry Point to Icy Bay is the traditional tribal land of the Gaaly'ax Kaagwaantaan, and;

**WHEREAS**, the historical boundaries of the Yakutat people have extended from Strawberry Point in Controller Bay to Lituya Bay and;

**WHEREAS**, the City and Borough of Yakutat boundaries stretch from southern tip of Cape Suckling to Cape Fairweather, and;

**WHEREAS**, the fisherman from Yakutat have been Commercial Fishing on the Tsui River since 1932, and;

**WHEREAS**, the Yakutat Tlingit Tribal members and their families derive a majority of their livelihood from the rivers in the Yakutat Area and the depressed fishing economy requires Tribal members to fish more than one river in the Yakutat Area in order to make a living, and;

**WHEREAS**, the Yakutat Tlingit Tribal members and their families rely on and exercise their rights to commercial fish on the rivers in the Yakutat Area, and;

**WHEREAS**, there has been a substantial increase in sport fishing and guiding on the Yakutat Rivers, and;

**WHEREAS**, Board of Fish proposal 301 relocated the boundary for commercial fishing boundaries for the Tsui River; Upstream from ADF&G regulatory markers located one half of the distance between Duck Camp Island and the river terminus, and;

*To preserve, maintain and protect the unique culture, land & resources of Yakutat Tlingit people,  
to maximize our social, health & well being while creating economic development benefits to all tribal members.*



Yakutat Tlingit Tribe

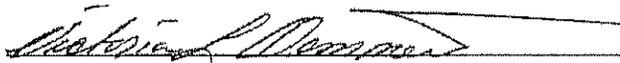
**WHEREAS**, the Board of Fish Proposal's new boundary would reduce the commercial fishing area from 2.7 miles to 1.5 miles on the Tsui River, and;

**WHEREAS**, over 50 percent of the 2011 commercial harvest catch came from the newly closed area, and;

**WHEREAS**, the new Board of Fish Proposal 301 will interfere with current commercial fishing harvest levels and the lively hood of the families involved

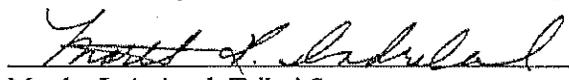
**NOW THEREFORE BE IT RESOLVED**, the Yakutat Tlingit Tribe requests the Board of Fish to revisit Proposal 301 to consider this new information.

**PASSED THIS 29<sup>TH</sup> DAY OF FEBUARY, 2012 .**

  
\_\_\_\_\_  
Victoria L. Demmert, Tribal President

**CERTIFICATION**

This is to certify that I, Martha Indreland, am the Secretary of the Yakutat Tlingit Tribe and that Council consists of five duly elected members, and that this Resolution No. 2012-05 was considered and adopted at a duly convened meeting of the Yakutat Tlingit Tribe at which a quorum of the members was present and voting, and that taken was \_ For \_ Against, and \_ Abstaining.

ATTEST:   
\_\_\_\_\_  
Martha Indreland, Tribal Secretary



New Information pertaining to reconsideration of Proposal 301

1. Yakutat Seafoods actively sells Blush and Redskin quality Gillnet coho from the Tsiu River per attachment.
2. The new ADFG markers per Proposal 301 will eliminate 13 Gillnet holes in a 3 mile long Tsiu River situation and 19 holes in a 4 mile long Tsiu River situation. Over 50% of the 2011 commercial catch came from the holes that would be eliminated. See attachment Google Earth.
3. Average income per permit in Yakutat Setnet fishery 2010 was \$16,989.00 CFEC has not released 2011 data.
4. 2010 Yakutat Setnet fishery income for the Tsiu River was \$284,560.31. Total permits fishing the Tsiu River was 16, average earnings per permit was \$17,785. Lose of 50% of earnings due to lost area to commercial fish would amount to \$8,892.50(\$17,785/2) Based on average income per permit (see #3 above) this would amount to losing 52% of each permits annual income(\$8,892/\$16,989)
5. Of the 16 permits that fished the Tsiu River in 2010, 11 are full time residents of Yakutat and of those 11 permits 7 are members of the Yakutat Tlingit Tribe.

Thank you for your time and consideration on this new information. Please contact me at 907-784-3392 at work or 907-784-3180 if you have any questions or need additional information.

Greg Indreland, Managing Owner Yakutat Seafoods.

RC135

Calkins + Burke Ltd



# Purchase Order

Date Issued 12/6/11

Purchase Order # 41263

Please show this Purchase Order Number on all correspondence, invoices, shipping papers and packages

## Double E Foods, LLC

3625 First Avenue S, Seattle, WA 98134  
Ph: (206) 768-8979 Fax: (206) 768-8985  
www.eefoods.com

To:  
Yakutat Seafoods 2

Ship To:  
Double E Foods, LLC  
801 South Fidalgo Street  
Suite 100  
Seattle, WA 98108

Vendor ID	Sales Order #	Cust Invoice #	Ship Via / FOB	Terms
269723		172124-FY	FOB Seattle, WA	Net 30 Days
Quantity	Item	Inventory Lot Number / Description	Unit Cost	Extended Cost
5,000.00	COH	#1 Frozen 6+ RS Coho H&G		
594.00	COH	#1 Frozen 6+ BL Coho H&G		
8,606.00	COH	#1 Frozen Un6 RS Coho H&G		
1,433.00	COH	#1 Frozen 4+ Coho H&G		
408.00	COH	#1 Frozen 2/4 Coho H&G		
1,813.00	COH	#2 Frozen 6/9 Coho H&G		
4,848.00	COH	#2 Frozen 4/6 Coho H&G		
1,041.00	COH	#1 Frozen Mixed Troll Coho H&G		
1,250.00	COH	#2 Frozen 6+ Troll Coho H&G		
2,294.00	COH	#2 Frozen 4/6 Troll Coho H&G		
63,172.30	1COMM	Commission RCS BOL 528868		

TOTAL \$ [REDACTED]

Authorized Signature \_\_\_\_\_

1. Please send \_\_\_\_\_ copies of your invoice.
2. Order is to be entered in accordance with prices, delivery and specifications shown above.
3. Notify us immediately if you are unable to ship as specified.

RC135



# Purchase Order

Date Issued

10/31/11

Purchase Order #

41082

Please show this Purchase Order Number on all correspondence, invoices, shipping papers and packages

## Double E Foods, LLC

3625 First Avenue S, Seattle, WA 98134  
Ph: (206) 768-8979 Fax: (206) 768-8985  
www.eefoods.com

To:  
Yakutat Seafoods 2

Ship To:  
Double E Foods, LLC  
801 South Fidalgo Street  
Suite 100  
Seattle, WA 98108

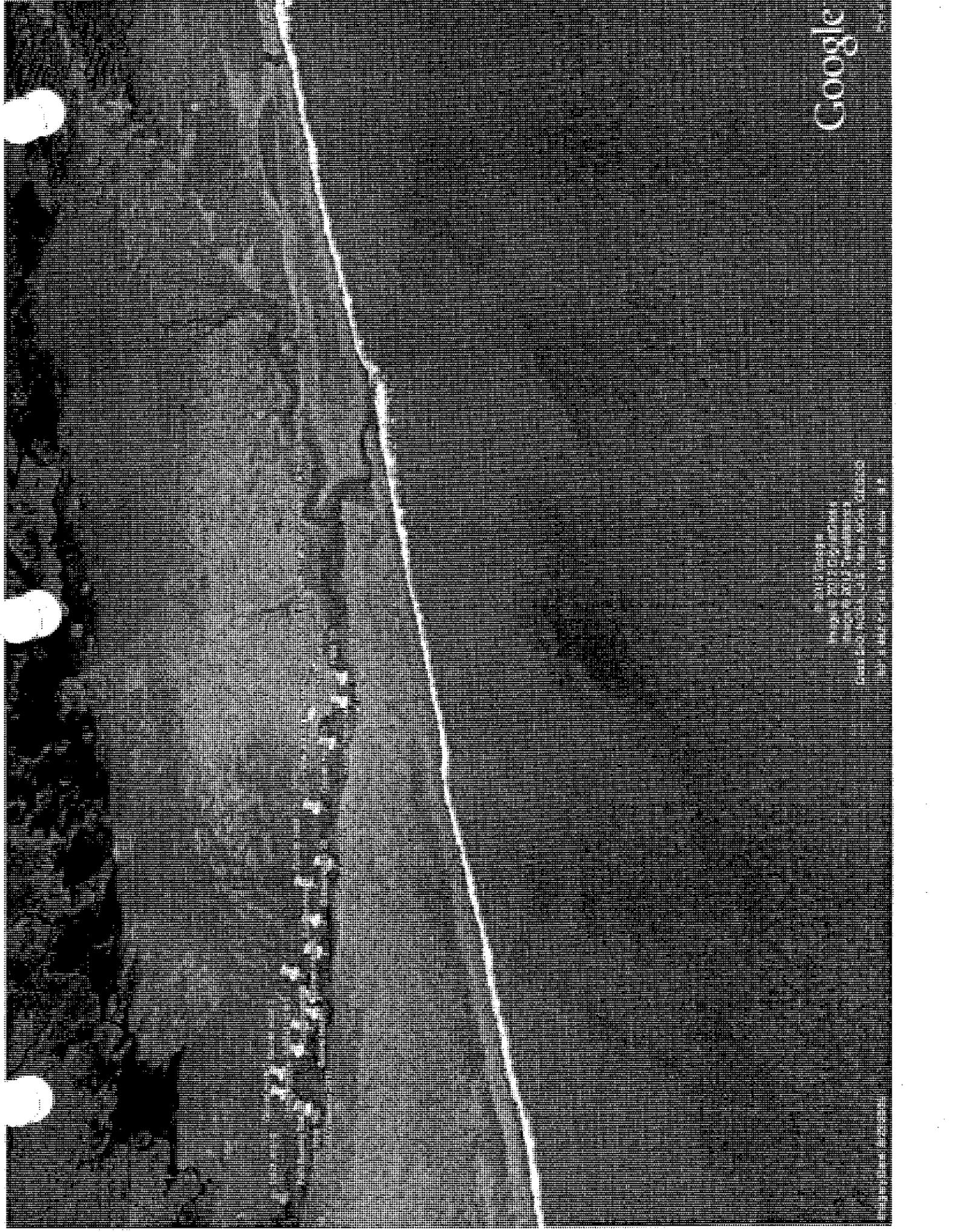
Vendor ID	Sales Order #	Cust Invoice #	Ship Via / FOB	Terms	
269723		171950-F	FOB Seattle, WA	Net 30 Days	
Quantity	Item	Inventory Lot Number / Description		Unit Cost	Extended Cost
5,000.00	COH	#1 2/4 Frozen Coho H&G GN			
27,114.00	COH	#1 4/6 Frozen Coho H&G GN			
11,274.00	COH	#1 6/9 Frozen Coho H&G GN			
3,750.00	COH	#1 6/9 Frozen Coho H&G TSIU			
11,250.00	COH	UN/6 Frozen Coho H&G GN BL			
6,250.00	COH	UN/6 Frozen Coho H&G GN BL			
18,750.00	COH	6/UP Frozen Coho H&G GN BL			
2,500.00	COH	#3 Frozen Scar Coho H&G GN			
248,330.00	1COMM	Commission RCS BOL 528419, 528428			

TOTAL \$ [REDACTED]

Authorized Signature \_\_\_\_\_

1. Please send \_\_\_\_\_ copies of your invoice.
2. Order is to be entered in accordance with prices, delivery and specifications shown above.
3. Notify us immediately if you are unable to ship as specified.

Digitized by Google



If there were 19 places to actually fish in the upper river there would be plenty of room for everyone. As there are normally only 6 to 12 nets in the entire river. There are only about 4 good holes in the upper area.

It has been my observation that the nets that fish the upper holes do so for part of the year then move closer to the mouth of the river where the fish are more plentiful and less blush. Often moving nets in the same day.

The counts on the fish tickets do NOT account for this. It is very likely that IF those permits did indeed contribute 20% to the total catch, a good amount of those fish recorded came from other locations closer to the mouth of the river

I have also witnessed half full totes of fish move from net to net being filled along the way. When the hole peters out its time to move. They move because very few fish make it up the river past all the other nets at the mouth. Those holes will not fill back in with fish. So it is reasonable to state that there is no way to determine where the fish were actually caught.

It is also reasonable to state that the majority of the fresh fish are caught on the incoming and outgoing tides tide closer to the mouth of the river. As the tide comes and goes the netters are leap frogging each other for the best position. The nets can be moved many times in just a few hours. Which also complicates determining the location where the fish were actually caught.

Please refer to the public comments that in 2010 there was only about 1 mile of river to place nets because of low water and it was the 2<sup>nd</sup> largest catch of all time. About 80,000. With as many as 20 or more nets at times.

The Department agrees that the netters on those upper holes do pick up their gear and move to fish other locations throughout the season. **DISCLOSURE:** There is no Department data to support this. But it is widely known that is what historically happens.

Compromise options:

- a. Write the regulation so that the closed waters can be opened at the fisheries managers discretion. 9 out of 10 years the lower half of the river is where most of the fish are netted. 2010 they fished exclusively at the mouth. 2011 there was 50% effort above the half way point.
- b. Go back to the original proposal as written with the 500 yard closed at the mouth and closing 1.5 miles below Duck Camp Island. With stipulation that closed waters may be opened at managers discretion.
- c. Since those upper nets rarely use powered boats – keep all waters open to netting but no driving of the fish with powered boats in the upper half. According to Mr. Cain, enforcing who is actually driving fish and who is just doing donuts in front of a net for fun would not be possible.

Note: Closing only 400 yards more below the existing F & G marker is irrelevant. There are no holding pools in this area. Remember there are only about 4 good holes in the first 2.5 miles of river below the F & G marker. It is after that point there gets to many more areas to set net.

Thank you once again ☺ Dan Ernhart Tsiu River Coalition

Pls print for me.  
Thanks  
Mike

Begin forwarded message:

**From:** greg indreland <  
**Date:** March 1, 2012 9:42:34 AM AKST  
**To:** Mike Smith <  
**Subject:** information talked about last night

Hi Mike,

Once again thank you for taking the time to talk to us last night. We greatly appreciate you taking time out of your evening. The people in attendance at the teleconference last night were:  
Victoria Demmert YTT President  
Martha Indreland YTT Secretary/Treasurer  
Jonathon Pavlik Tsiu river set net fisherman  
Jermiah Pavlik Tsiu river set net fisherman  
Jessee Pavlik Yakutat Fishermans Alliance  
Gary Johnson long time Tsiu buyer(1979 to present day)  
Greg Indreland Managing Owner Yakutat Seafoods

A quick overview of our discussion last night.

1. The new ADFG marker as approved by BOF Proposal 301 would shorten the commercial fishable area from 2.7 miles in 2011 to 1.5 miles under the new regulation. In 2011 50% of the commercial catch came from the newly closed area. We are going to try and send a print out of Google Earth in a later email to try and show the detail of the lost area which is comprised of the best holes for commercial fishing on the Tsiu River.
2. Yakutat Seafoods purchases and sell both blush and redskin tsiu river coho into the frozen h/g market. There is a strong demand for these fish from both hot smokers and steakers. It is also illegal for any seafood company to discard commercial caught fish, this action would lead to a Wanton Waste ticket. Yakutat Seafoods and the commercial setnet permit holders prove this by flying to Yakutat spawned out Pink Salmon that are caught at the Tsiu river even though there is no commercial value to the fish to stay within the covenants of the law and the permit holder is charged for the cost of flying the pinks to Yakutat.
3. Yakutat Seafoods is the only seafood company in Yakutat, last year the tsiu accounted for 10% of the total fish purchased by Yakutat Seafoods. In 2010 which was a very strong run the Tsiu accounted for 15% of the total fish purchased by Yakutat Seafoods. Total fish purchased by Yakutat Seafoods from 2005 to present has ranged from 3.5 million to 6 million pounds. With the cuts in the halibut quota over the same period of over 50% in the Gulf of Alaska already reducing the purchases of Yakutat Seafoods, reducing the commercial catch at the Tsiu River may lead to closure of the plant in Yakutat due to not enough fish to overcome overhead cost.
4. The reduced commercial catch area would lead to at least half of the commercial permits leaving the Tsiu River and returning to the Situk River in Yakutat to fish gillnet coho. Currently the Situk has over 60 permits fishing the coho run on it, it is comprised of the older generation because of the ease of fishing there and the easy access to Yakutat because there is a road that

connects the Situk and Yakutat. Introducing the younger more aggressive permit holders that currently fish the Tsiu that would be displaced by the new proposal would add to a already congested commercial fishery at the Situk River. Adding additional permits to the Situk would also lead to lower earnings per permit at the Situk because of even though you are adding additional permits the catch would not increase. Adding additional permits would also lead to a more dangerous situation for the new permits because the only additional setnet sites would be in the breakers or other

extremely dangerous areas. The uprooting of permits from the Tsiu which would lead to lower earnings per permit at the Situk would put additional pressure on the Sockeye fishery because permit holders would know that their earnings are going to be lower Coho fishing because of additional competition.

5. The 2010 average earnings for Yakutat Setnetters per CFEC was \$16,989. 2010 was the highest total catch of salmon in the last 10 years and was 143% of the 10 year average.

6. I think that it is important to point out that the relationship between all lodge clients and commercial gillnet permit holders is not strained. Most Lodges on the Tsiu River work with the commercial fleet with no animosity. Several sport clients find the commercial fishery a "Deadliest Catch" experience and enjoy their interaction between themselves and the commercial fleet.

7. The average number of days fished on the Tsiu River by the commercial fleet over the last 7 years has been 12 24 hour openings. Several of these openings have been curtailed due to weather or catching all of the coho that can be moved by airplane in a shorter period than 24 hours. The sport fishery averages 50 days per year. The sport lodges have unlimited access to the Tsiu River and its tributaries regardless if the commercial fishery is open or not. The sport lodges also have access to the Kaliakh river which is less than two miles from the Tsiu and is known as holding the largest coho's in the state.

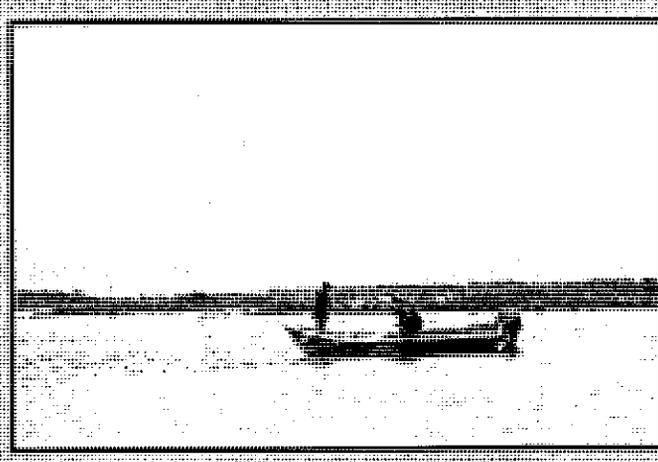
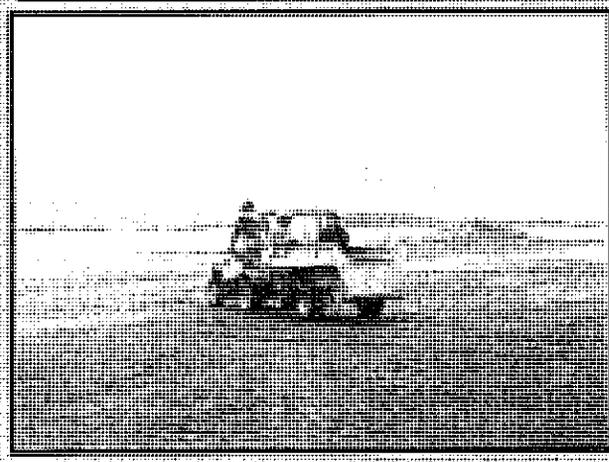
Once again thank you for your time and consideration on this issue. We will be attempting to send a Google Earth map of the Tsiu River showing the visual effect of the new proposal.

Greg

# TSIU RIVER: FISHERIES AND LAND MANAGEMENT REPORT

Submitted by Yakutat AG - RC 140  
City/Borough Yakutat - RC 141  
Yakutat - RC 142  
Yakutat - RC 143

## City and Borough of Yakutat



Prepared by  
**Shainberg Associates**

Alaska Map Company

### MARCH 2009

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## Acknowledgements

### City and Borough of Yakutat Assembly

Dave Stone, Mayor  
Cindy Bremner  
Eileen Henninger  
Nelson Inada  
Dora Jacobson  
Rhoda Jensen  
Carol Pate

### City and Borough of Yakutat Planning and Zoning Commission

Kathy Jacobsen, Chair  
Russell Gordon  
Reg Krkovich  
Judy Ramos

### Staff Contributions

Cathy Bremner, Clerk  
LaDonna James, Sales Tax Clerk  
Connie Klushkan, Finance Director  
Bill Lucey, Yakutat Salmon Board

Skip Ryman, CBY Manager  
Tina Ryman, CBY Assistant Clerk  
Cathy Wassillie, Billings Clerk

### State of Alaska Contributors

Kurt Iverson, Commercial Fisheries Limited Entry Commission  
Brian Marston, Yakutat Area Fisheries Biologist, ADF&G, Division of Sport Fisheries  
Karl Marx, Alaska Licensing Examiner  
Sgt. Robin Morrisett, Alaska State Trooper  
Gordie Woods, Yakutat Area Fisheries Biologist, ADF&G, Division of Commercial Fisheries

### Partial List of Those Interviewed for this Report *(14 others names were not recorded)*

Sean Brownell, commercial fisher	Tom Kruzich, sport fisher
AJ Carsunki, guide	Tony Lertola, sport fisher
Greg Davis, guide	James Mancuso, sport fisher
Greg Dierck, lodge owner	Hans and Tanya Munich, Yakutat Coastal Airlines
Dan Ernhart, guide	Jeremiah Pavlik, commercial fisher
Les and Debbie Hartley, Alsek Air	Larry Powell, Yakutat Salmon Board
Allen Humphries, sport fisher	Tom Prijatelj, lodge owner
Greg Indreland, Yakutat Seafoods, LLC Manager	Jeff Thomas, sport fisher
Jimmy Jensen, commercial fisher	John Vale, commercial fisher
Gary Johnson, Yakutat Seafoods LLC buyer	Gerald A. Watler, sport fisher

### Sheinberg Associates, Consultant Team

Community Planning - Sheinberg Associates, Barbara J. Sheinberg, AICP  
GIS Analysis, Mapping and Imagery Acquisition - Alaska Map Company, Gary Greenberg, GISP  
Fisheries Research - Lindsey Bloom

*Photographs in report courtesy of Alaska Map Company*

## **EXECUTIVE SUMMARY**

In the early 2000s the City and Borough of Yakutat (CBY) acquired approximately 21,500 acres of land west of Icy Bay area from the State of Alaska as part of its municipal entitlement. This included the mouth and first mile or so of several salmon bearing streams and rivers including the Tsiu River with its productive coho salmon run. Subsistence, commercial and sport fishers all utilize Tsiu River coho.

State leases (lodges, airstrips, cabins) on this new CBY land were transferred from the State to the borough in about 2005. Recent activity in the area includes five-six sport fishing and hunting lodges (one lodge did not operate in 2008) that together have about a 100-bed capacity and hosted approximately 875 anglers (2007), up to six air carriers bringing in day-fishers, a commercially used airstrip and fish buying station supporting 10-12 set gillnetters fishing commercially and staying in personal cabins.

Most of the activity occurs during the 6-8 week coho fishing season in August to early October. The fishable portion of the Tsiu River is quite small. It is, depending on weather and sea conditions, about 3-3.5 miles long, 20 to 60 feet wide (though it can be as wide as 150 feet depending on conditions) and 2 to 3 feet deep. Above the fishable part of the river is a "lake system" that is a braided swampy area approximately 5 to 7 miles wide with no clear channel to funnel fish in a concentrated way (so not good for fishing). Both commercial and sport fishers target the deeper (3-4 feet) holes in the Tsiu River where fish congregate.

There is almost 50 years of run data for the Tsiu as it has been commercially fished and managed by the Alaska Department of Fish and Game (ADF&G) since the 1960s. Over that time period the coho run has averaged 56,000 fish. In 2008, the Tsiu River coho run was just under 75,000 fish and 49,300 were harvested commercially. The 2008 sport fisher harvest number is not available yet but it was probably similar to 2007 when 2,750 coho were harvested by sport fishers.

In 2007 tension among user groups escalated due to a combination of factors: a below average run size (36,300 fish); more anglers than average; sport fishers got used to "having the river to themselves" in 2002-2004 when low salmon prices prevented a commercial fishery; high rainfall the last few years has enlarged the lake and shortened the already small river; and the lack of regular enforcement in the area causing allegations of illegal commercial fishing acts.

In the last few years there have been several requests to lease CBY land in this area for additional sport fish lodges. At the same time sport and commercial fisherman and lodge owners are complaining that conditions are already overcrowded and that there is conflict among user groups.

In December 2007 the CBY Assembly declared a moratorium on issuing any borough land use or business permits in this area until the situation could be reviewed. The CBY contracted this Tsiu River Fisheries and Land Management report to analyze the situation and provide information so the Yakutat planning commissioners and Assembly could be better positioned to make decisions on land lease and use issues and requests.

Both sport and commercial fishing at the Tsiu generate borough revenue, creates jobs, and brings money that circulates through Yakutat that would not otherwise be there.

In 2007, tax revenue generated from sport fishing related activity in the Tsiu area was just over \$65,500, just under 4% of all CBY tax revenue. Sport fishing lodge leases also brought in \$36,000 in revenue to the borough in 2007. In addition, two Yakutat-based air carriers generate sales from Tsiu-bound sport fishing customers, and one local resident is a lodge owner.

Commercially harvested Tsiu cohos generate both local 1% salmon tax revenue to the borough and also state raw fish tax revenue to the borough. The relative amount of fish tax that can be attributed to Tsiu River cohos varies year to year based on the relative strength of this run versus other Yakutat area salmon fisheries and the price. Yakutat Seafoods LLC estimates that approximately 5-8% of Yakutat's 1% local fish tax can be attributed to Tsiu cohos. In FY 2008 the 1% Yakutat salmon sales and use tax generated just under \$33,700, thus Tsiu cohos would account for approximately \$2,000-\$3,000 in local tax revenue. Half of the State raw fish tax collected from Yakutat Seafoods is shared by the State with the CBY. In FY 2008 this was just over \$200,000. If the same ratio of value is true for State fish tax as the Yakutat 1% fish tax this would attribute \$10-\$16,000 to Tsiu cohos. In addition, Yakutat Seafoods employs approximately 60 during the height of the season at its Yakutat processing plant (7 were reported to be local residents in 2008) as well as generating local sales at grocery and other stores. Also, one Yakutat-based air carrier generates significant revenue transporting fish for Yakutat Seafoods.

Conflict at the Tsiu River centers on competition for the river's relatively few fishing spots; the manner in which commercial fishing is occurring; certain sport fish guides fostering antagonist behavior to commercial fisherman who then retaliate causing ever-escalating tension; and the lack of an enforcement presence in the area during the short but intense harvest.

Sport clients are looking for a remote experience and do not want to be fishing in the middle of a commercial fishery. Commercial fishermen want to protect their access to the fish and it is difficult to accommodate fast paced commercial operations around individual sport fishermen. There is little enforcement of regulations in either fishery since there is no Alaska State Trooper, police, or Village Public Safety Officer presence and only one Alaska Department of Fish and Game employee on the ground, whose purpose is to monitor the run and escapement not enforce regulations or mediate user group conflicts.

This investigation shows that conflicts on the Tsiu are not biological or sustainability issues; they are fishery, land and behavior management issues. ADF&G area biologists believe there are adequate numbers of coho to support both fisheries. Much of the spawning and rearing habitat is protected in the Yakataga State Game Refuge, helping to ensure the run's long term sustainability.

Several individuals interviewed for this report noted that sport, commercial and subsistence users did not have a problem sharing harvest of the Tsiu River coho resource in the past. Tension and conflict heightened in 2007 and 2008 and virtually everyone interviewed expressed an interest in finding ways to de-escalate tension.

#### Recommendation One

Assemble a group of Tsiu River users and a skilled facilitator to discuss concerns and help users reach agreement on a package of solutions to reduce tension and conflict. About 20 different solutions to reduce conflict were suggested during research and interviews conducted as part of this project. Possible solutions look at land management (CBY purview), permitting and tax policy (CBY purview), behavior management (all users responsible), fishery management (ADF&G and Alaska Board of Fisheries purview) and other. Solution options are listed on pages 21 and 22 in this report, and there are likely others not yet identified.

The Alaska Board of Game, Federal Subsistence Board, Yukon River Panel and other regulatory boards have used facilitated groups such as this to address conflict among user groups. When parties impacted help craft solutions the likelihood of a successful outcome is much higher. In this case the City and Borough of Yakutat, the Alaska Board of Fisheries, Yakutat Seafoods, lodges owners, sport and commercial fishers and guides, air transporters, and ADF&G fishery managers all have a stake in resolving conflict in the Tsiu River.

If this effort fails, or parties do not participate in good faith, the CBY could initiate a Special Area Management Plan under the Alaska Coastal Management Program for the Tsiu River area to establish enforceable policies to better manage this recreation area.

#### Recommendation Two

The CBY should not issue new sport fish lodge leases for Tsiu River area; practically/ geographically defined as area between Seal River and Kaliakh River. (Leases for other uses may be permissible and better marketing of lodges in other parts of the western borough could help relieve pressure in the area).

## Introduction and Project Purpose

The City and Borough of Yakutat is located on the northern coast of the Gulf of Alaska between Cape Suckling (144<sup>o</sup> latitude) and Cape Fairweather to the south (Location Map, page 5). It is the only community of significant size in the nearly 400 miles between Cordova and the northern southeast panhandle. The western boundary of the borough, located in the Wrangell-St. Elias National Park east of Icy Bay, bisects the Malaspina Glacier, the largest in the region. Mount Saint Elias is one of the tallest mountains in North America.

In the early 2000s the City and Borough of Yakutat (CBY) acquired approximately 21,500 acres of land west of Icy Bay area from the State of Alaska as part of its municipal entitlement. City and Borough of Yakutat land is colored light pink on the Land Status Map (page 7) and accounts for approximately 1.3% of the total land base from Icy Bay west to Cape Suckling.

<b>Land Owner</b>	<b>% total land base in CBY west of Icy Bay</b>	<b>Acres</b>
Federal (NPS, BLM, FAA)	66.0%	1,123,402
State or State selected (including UA, AMHT)	31.6%	537,168
<b>City and Borough of Yakutat</b>	1.3%	21,681
Private (Chugach Alaska, Chugach selections, native allotments, other)	1.1%	19,159
	<b>100.0%</b>	<b>1,701,410</b>

Yakutat’s municipal entitlement includes the mouth and first mile or so of several salmon bearing streams and rivers including the (from east to west) Kiklukh, Tashlich, Seal, Tsiu, Tsivat, Chiuki, Kaliakh and Duktoth Rivers. The Tsiu River has the most productive coho salmon run in the area, but most of these rivers have coho, chum, sockeye and pink salmon runs as well as cutthroat and rainbow trout, steelhead and dolly varden.

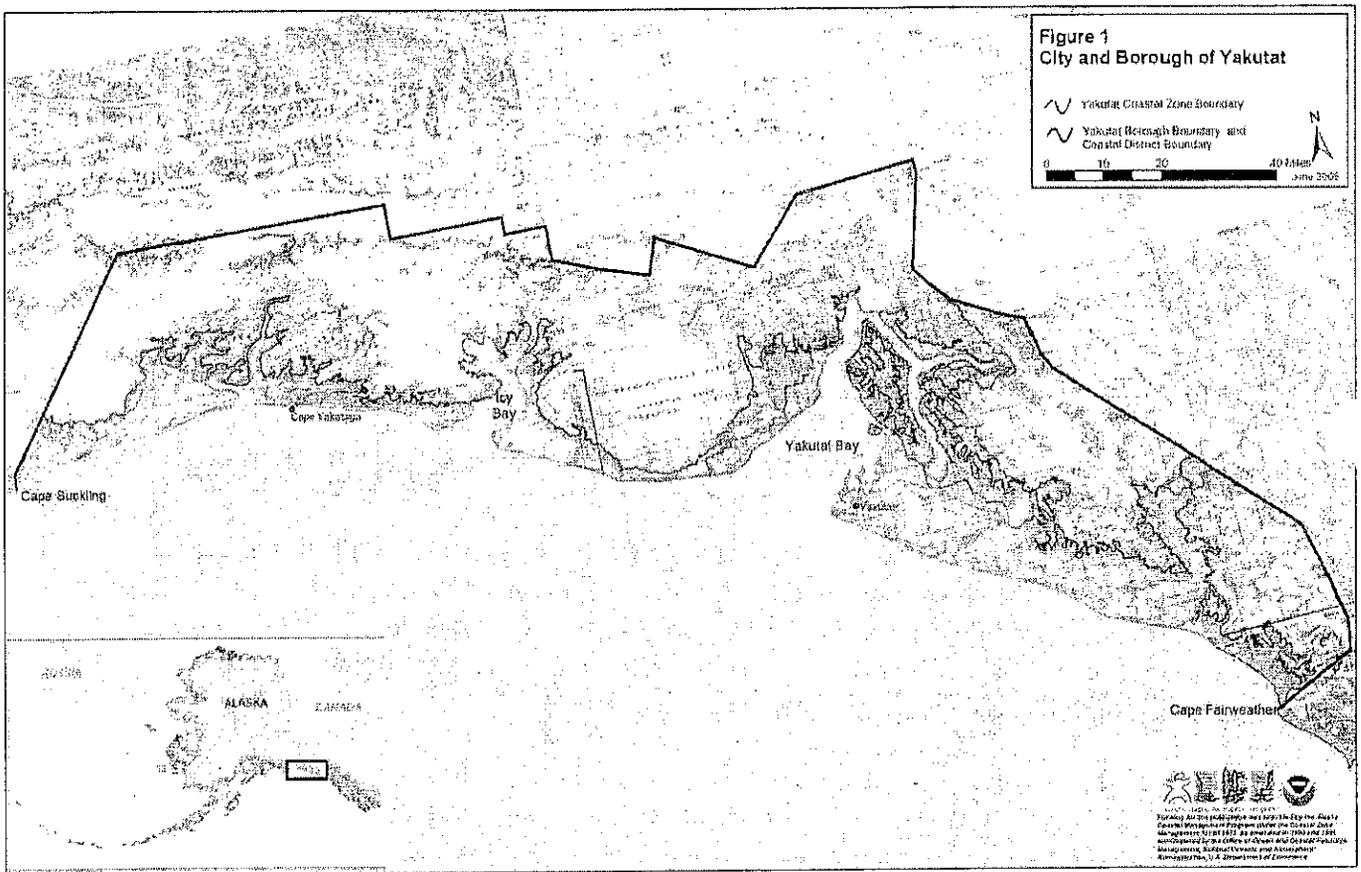
State leases on this new CBY land were transferred from the State to the borough in about 2005, including leases for four sport fishing lodges in the Tsiu area, a commercially used airstrip and fish buying station, and some personal use (setnet) cabin leases. There are now six sport fishing or hunting lodges in the Tsiu River area. Lodges, cabins, airstrips and other features in the area can be seen on the Infrastructure Map on page 8.

In the last few years there have been several requests to lease CBY land in this area for sport fish lodges. At the same time sport and commercial fisherman and lodge owners are complaining that conditions are already overcrowded and that there is conflict among user groups.

The fishable portion of the popular Tsiu River is quite small. It is, depending on weather and sea conditions, only about 3-3.5 miles long, 20 to 60 feet wide (though it can be as wide as 150

feet depending on conditions), and 2 to 3 feet deep. Above the fishable part of the river is a "lake system" that is a braided swampy area approximately 5 to 7 miles wide with no clear channel to funnel fish in a concentrated way (so not good for fishing).

Both commercial and sport fishers target the deeper (3-4 feet) holes in the Tsiu River where fish congregate. Tension between these user groups has been escalating during the 6-8 week coho fishing season in August to early October with reports of deliberate acts of mischief and antagonistic actions between users. Lack of regular enforcement in the area has also resulted in allegations of illegal fishing acts.



In December 2007 the CBY Assembly declared a moratorium on issuing any borough land use or business\*permits in this area until the situation could be reviewed. The CBY hired Sheinberg Associates, a Juneau-based community planning firm, to assist them in defining the land use and fishery situation in the area so that the borough planning commission and Assembly could be better positioned to make decisions on land lease and use issues and requests.

To accomplish this work Sheinberg Associates, with team member Alaska Map Company:

1. Researched and gathered fishery data;
2. Researched and gathered plat, survey and lease ownership data from the State Recorders Office to construct lodge and infrastructure as-builts;
3. Acquired high resolution imagery compatible with the Borough Geographic Information System (GIS);
4. Travelled to the Tsiu River in September 2008 to observe the situation, conduct interviews and accurately document and map infrastructure the area for entry into borough GIS with precision GPS equipment<sup>1</sup>; and
5. Conducted over 30 interviews with commercial setnetters; sports anglers; Yakutat Seafoods LLC managers; sport fishing guides, employees and lodge owners; Alaska Department of Fish and Game (ADF&G) sport and commercial fishery biologists; Alaska State Troopers; air carriers that provide fly-in fish services, etc).

Subsistence, commercial and sport fishers all utilize Tsiu River Coho. ADF&G area biologists believe there are adequate numbers of Coho to support both fisheries. This investigation shows that conflicts on the Tsiu are not biological or sustainability issues; they are fishery, land and behavior management issues.

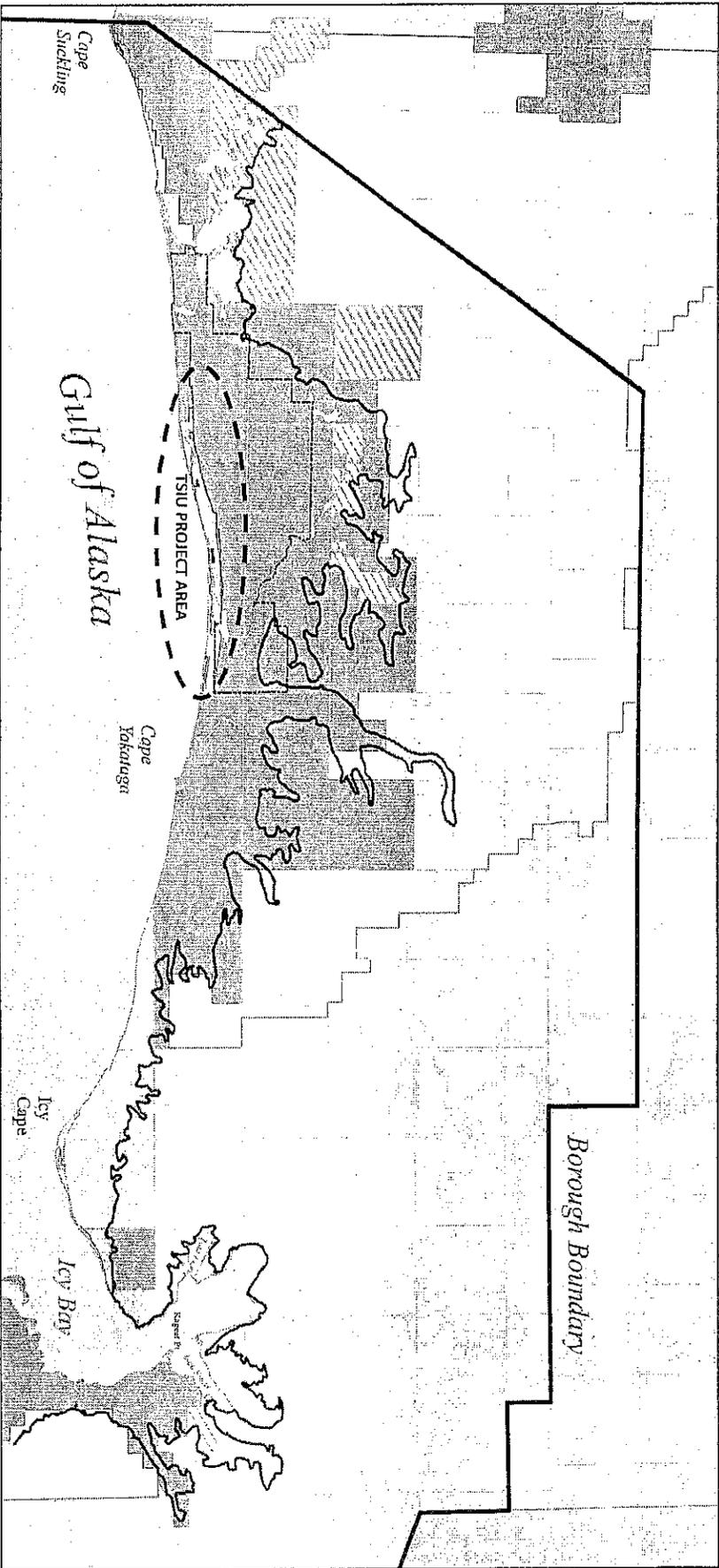


**Leaving the Upland Trail and Heading into Lake on way to Tsiu River**

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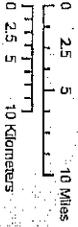
<sup>1</sup> Thanks are due to ADF&G for use of its cabin and ATV, Greg Dierick for logistical support to enable this trip, and Bill Lucey for logistical support and participating in the field trip.

# Tsiu River Area - Land/Fisheries Uses and Management

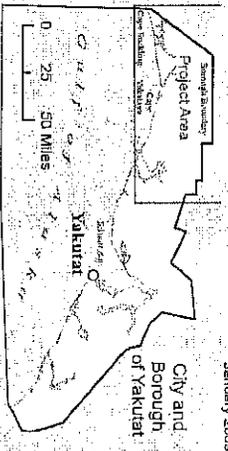
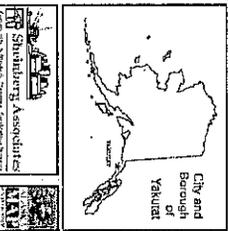


## Land Status Map

Southern Part, Section of Alaska Land Information System  
 Design By GAC  
 Director, NW 63  
 Project: Tsiu River Area, State Plan No. 2

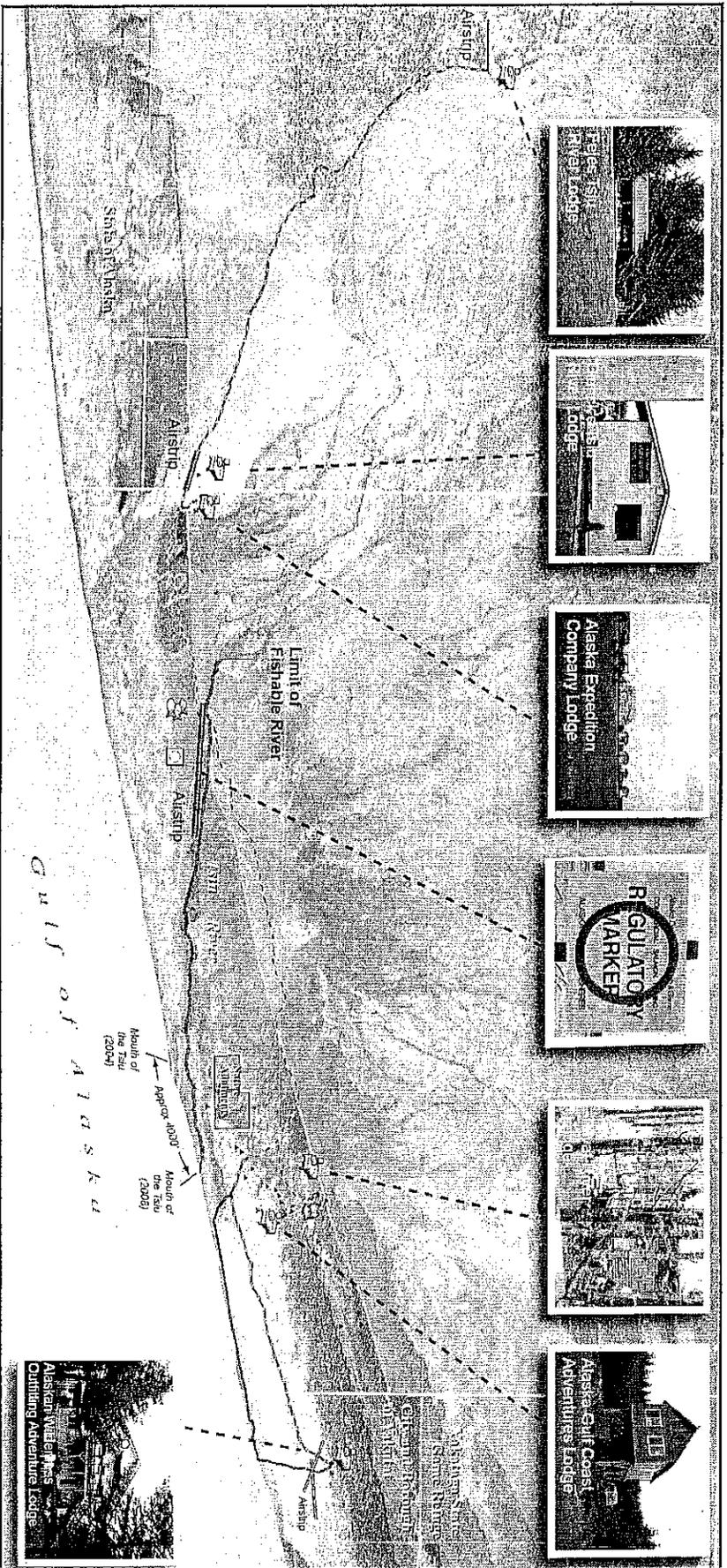


Land Status	
	State Land
	Private Land
	National Park Service Land
	State Wildlife Refuge
	State Game Refuge
	State Fishery Refuge
	State Recreation Refuge
	State Forest Land
	State Game Refuge
	State Fishery Refuge
	State Recreation Refuge
	State Forest Land
	State Game Refuge
	State Fishery Refuge
	State Recreation Refuge
	State Forest Land



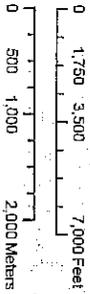
# Tsiu River Area - Land/Fisheries Uses and Management

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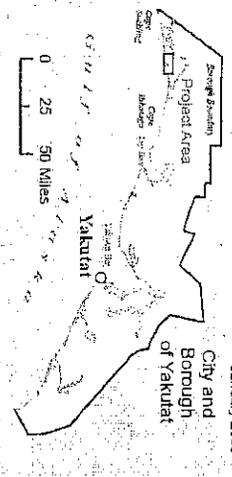
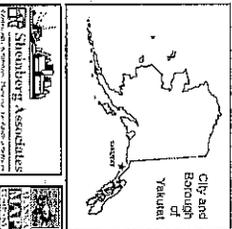


## Infrastructure Map

Project Name: Tsiu River Land/Fisheries Uses and Management - Final Report  
 Prepared for: ADASG, Alaska Department of Natural Resources  
 Project Location: Tsiu River, Alaska  
 Project Number: 2009-01-001  
 Date: January 2009



Legend	
	ADASG Cabin
	ADASG Regulatory Market
	Buying Shack
	Fishing Lodge
	Personal Use Cabins
	Beach Trail
	Hurdle Trail
	Upward Trail

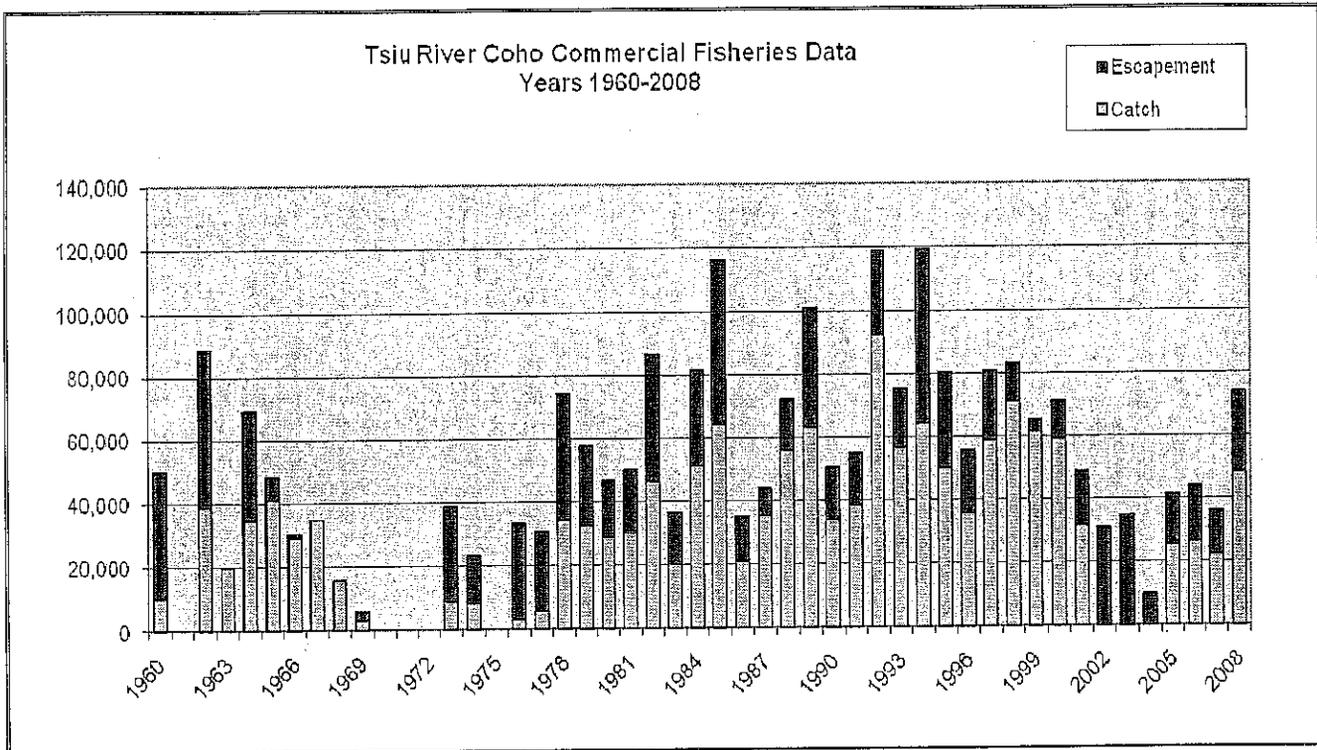


January 2009

## Tsiu River Commercial Setnet Fishery

### Commercial Catch and Run Size

The Tsiu River is home to a productive Coho run during a 6-8 week window in August to early October. The Coho run has averaged 56,000 fish annually between 1960 and 2008, varying from a low of 6,157 fish in 1969 to a high of 119,160 fish in 1994. In 2008 the run size was above average with 74,492 fish.



### Tsiu River Set Gillnet Fishery

The only type of commercial fishing allowed in the Yakataga district is set gillnetting. Commercial setnet fishery openings are based on observed escapement of spawning fish above an ADF&G regulatory marker. Generally, one

**TABLE 2- RECENT TSIU RIVER COHO RUN & COMMERCIAL EFFORT**

Year	Catch	# of Permits Fished	Escapement	Total Run
2000	59,075	22	12,000	71,097
2001	31,734	10	17,000	48,744
2002	0	0	31,000	31,000
2003	0	0	35,000	35,000
2004	0	0	9,800	9,800
2005	25,429	8	16,000	41,437
2006	26,438	12	17,500	43,950
2007	22,318	12	14,000	36,330
2008	49,292	10	25,200	74,492

Source: ADF&G Commercial Fisheries, Yakutat

ADF&G staff is stationed in the field on the Tsiu to count escapement above the regulatory marker and biologists fly over the Tsiu a few times a season to observe escapement higher up river. Once the biologists see a minimum number of fish by a certain date they will allow commercial fishing openings that occur generally every other 24 hours. The lower end for Coho escapement is 10,000 fish; ADF&G biologists believe this level is virtually always achieved - even years when fewer fish were documented (when there is no commercial fishery ADF&G does not send an airplane the area to count).

ADF&G regulations governing the commercial setnet fishery in the Yakataga district's Tsiu River are at 5 AAC 30 and include:

- Fishing Season. Opening and closing dates will be made by emergency order.
- Fishing Periods. Salmon may be taken by set gillnets only, during openings, from 9:00 a.m. Sunday to 9:00 a.m. Monday, and from 9:00 a.m. Tuesday to 9:00 a.m. Wednesday.
- Gillnet Specifications and Operations.
  - The individual and aggregate lengths of any and all set gillnets aboard a vessel or in use by a person may not be more than one of the following in hung measure: one net not to exceed 15 fathoms.
  - Set gillnets may not obstruct more than one-half of the waterway. In the intertidal zone this applies at all stages of the tide.
- Minimum Distances Between Units of Gear. No part of a set gillnet may be set or operated within 75 yards of any part of another gillnet.
- Closed Areas. Salmon may not be taken upstream of regulatory marker.

The number of commercial set gillnetters fishing the Tsiu has decreased over time (Tables 2 and 3). The heyday of the commercial effort was from 1978 through 2001. The fishery was not utilized commercially in 2002-2004 due to low salmon prices. Since 2005 there have been fewer commercial fishers on the river, who collectively are harvesting an average of two-thirds the number of fish caught in the big years prior to 2002. Almost all the commercial setnetters are Yakutat residents or those with family in Yakutat. This activity is considered traditional; commercial and subsistence catch of Tsiu River fish has been occurring for generations. At one time there were about 40 setnet camps and cabins in the area used by local families. About half are now dilapidated and no longer usable; most are on borough land with a few on a Native Allotment.

<b>YEARS</b>	<b>Average No. Permits</b>	<b>Average Commercial Catch (No. Fish)</b>
1960-1977	9	14,090
1978-2001	24	47,354
2002-2004	0	0
2005-2008	11	30,671

*Source: ADF&G Commercial Fisheries Division*

Coho salmon from the Tsiu have a reputation for quality including their excellent roe byproduct. Fish are transported by airplane to market; Yakutat Seafoods (YS) out of Yakutat is currently the sole commercial buyer. YS flies DC-3s two-four times/day during the season, weather permitting, to a small buying station near the Tsiu River lagoon to transport these set

gillnet caught fish to Yakutat. In a good year there are generally about 10-12, 24-hour openings during the season, each lasting approximately 24 hours. When this schedule is followed relations between sport and commercial fishers are less stressful; when weather interferes and openings become less predictable tension rises.

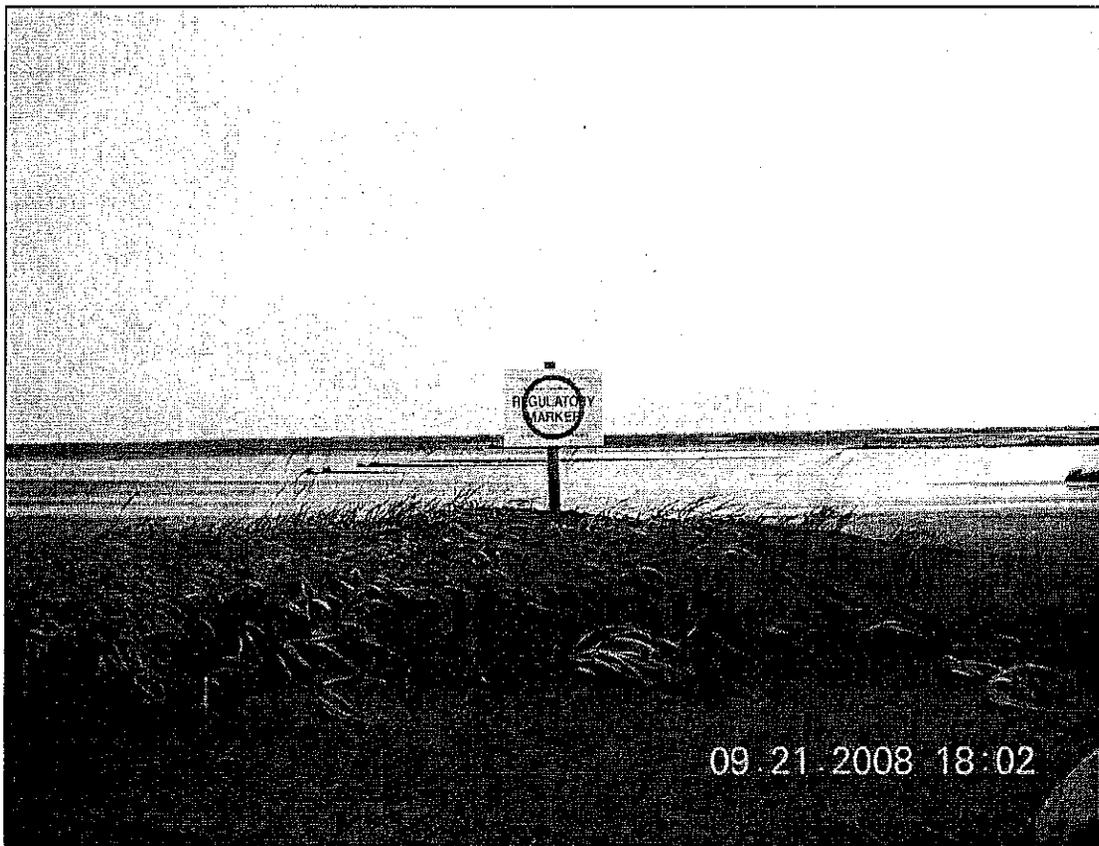
Commercially harvested Tsiu cohos generate both local 1% salmon tax revenue to the borough and also state raw fish tax revenue to the borough. The relative amount of fish tax that can be attributed to Tsiu River cohos varies year to year based on the relative strength of this run versus other Yakutat area salmon fisheries and the price. Yakutat Seafoods LLC estimates that recently approximately 5-8% of Yakutat's 1% local fish tax can be attributed to Tsiu cohos. In FY 2008 the 1% Yakutat salmon sales and use tax generated just under \$33,700, thus Tsiu cohos would account for approximately \$2,000-\$3,000 in local tax revenue. Half of the State raw fish tax collected from Yakutat Seafoods is shared by the State with the CBY. In FY 2008 this was just over \$200,000. If the same ratio of value is true for State fish tax as the Yakutat 1% fish tax this would attribute \$10-\$16,000 to Tsiu cohos. In addition, Yakutat Seafoods employs approximately 60 during the height of the season at its Yakutat processing plant (7 were reported to be local residents in 2008) as well as generating local sales at grocery and other stores. In addition one Yakutat-based air carrier generates significant revenue transporting fish for Yakutat Seafoods.



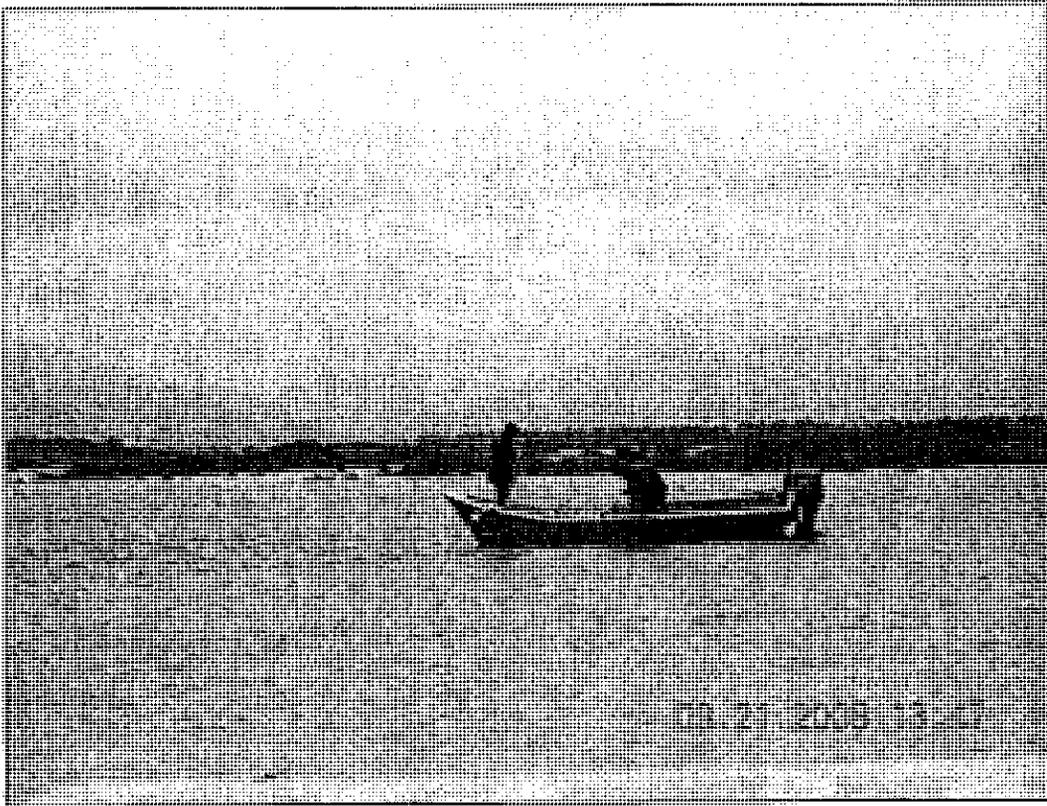
**Tsiu River Set Gillnet Fishery**



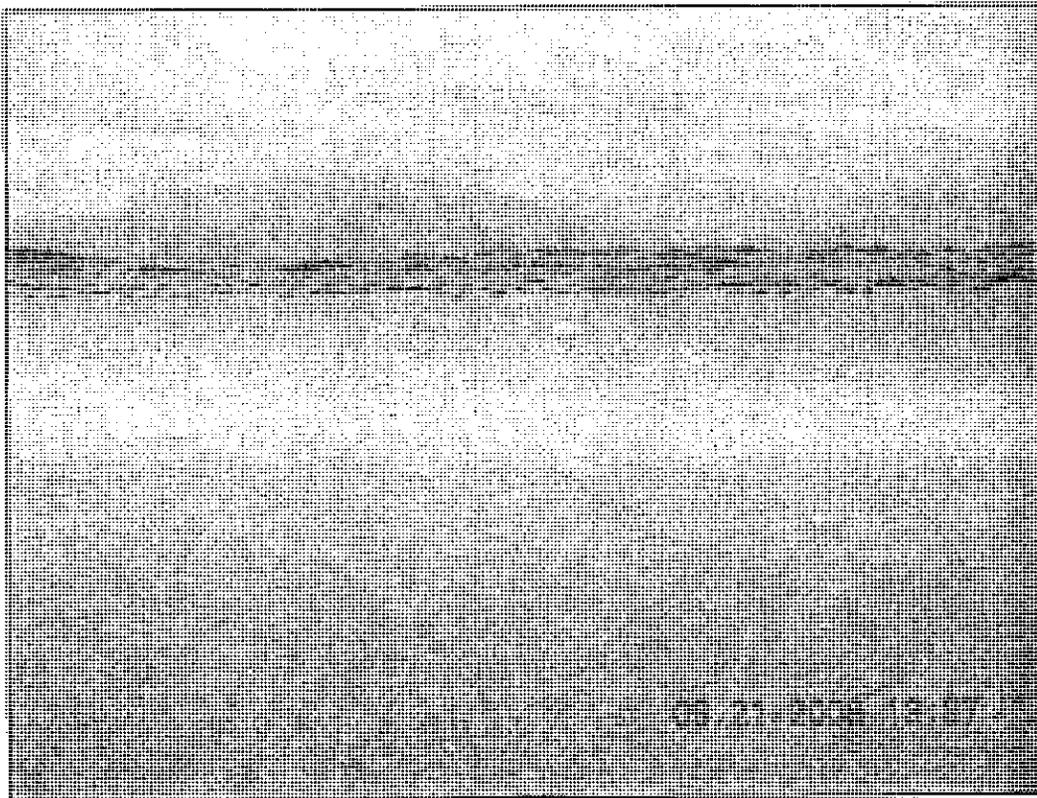
Waiting for plane to land to pick-up setnet fishery Coho to fly into Yakutat



ADF&G Regulatory Marker



Tsiu River Set Gillnet Fishery



### Tsiu River Sport Fishing

Sport fishing at the Tsiu has been occurring since the early 1980s. Alaska Wilderness Outfitting was an early outfitter and started as a tent camp on Duck Camp Island at the northwest end of the lake. Data from ADF&G sport fish license surveys shows that since 1996 the number of anglers sport fishing the Tsiu River has ranged from a low of 187 in 1998 to a high of 910 in 2003 (Table 4). The second highest number of sport fishers was in 2007, with 877 anglers who fished an average of 3.5 days on the river, catching 12,000 coho and harvesting 2,750 fish. In 2007 there were 5 businesses with 17 registered guides on the river who reported 1,503 clients.

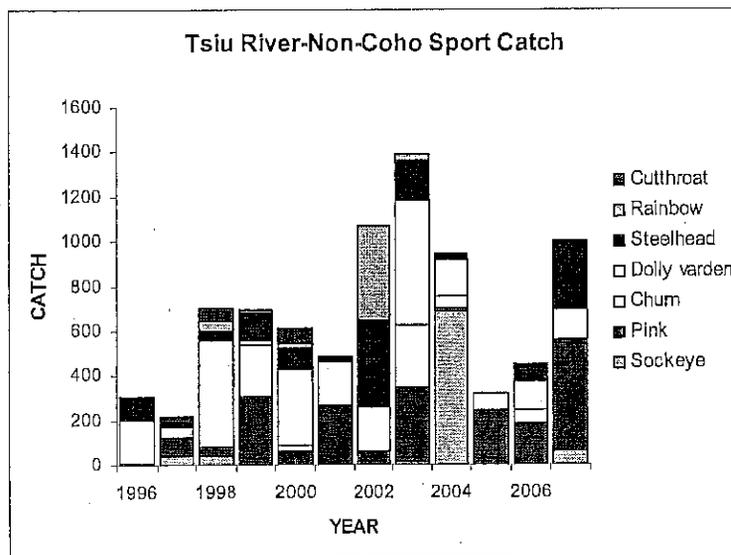
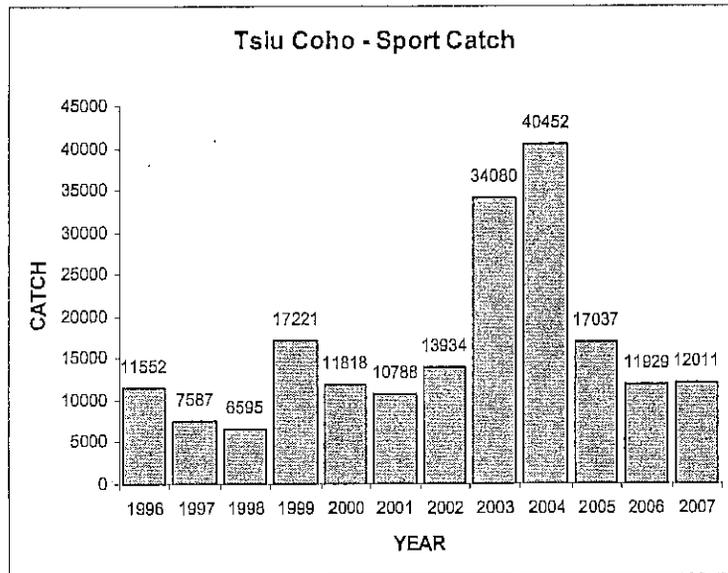
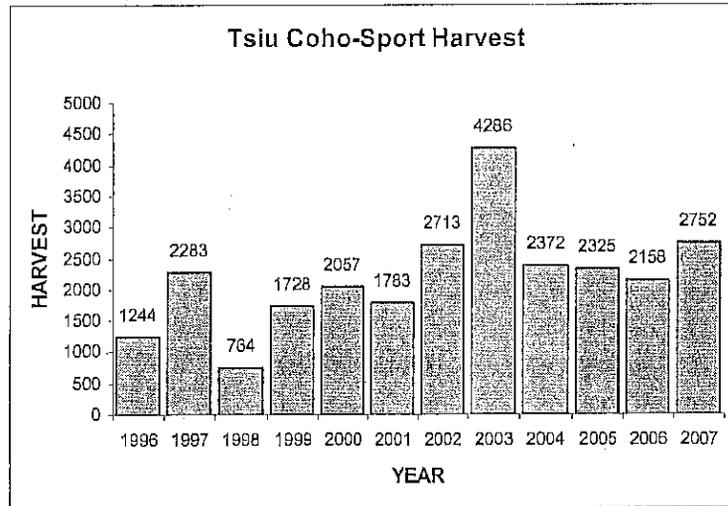
The sport harvest of Coho has averaged about 4% of the Coho run when both fisheries going. In addition to Coho, there is sport catch and harvest of cutthroat trout, rainbow trout, steelhead, dolly varden, and chum, pink and sockeye salmon on the Tsiu River, though numbers are much smaller than Coho salmon.

<b>TABLE 4</b>		
<b>SPORT FISHING EFFORT, TSIU RIVER</b>		
<b>Year</b>	<b>No. Anglers</b>	<b>No. Days Fished</b>
1996	328	773
1997	506	1366
1998	187	788
1999	494	1418
2000	529	1576
2001	397	1307
2002	519	1883
2003	910	2891
2004	683	2060
2005	610	1771
2006	514	1904
2007	877	3090
12 year average	546	1736

*Source: ADF&G Sport Fish Division*



Tsiu River Sport Fishermen



## Lodges

Sport fishers either stay at one of six lodges in the Tsiu River area when they fish the area or fly-in and out on the same day with small air carriers out of Cordova, Yakutat or Anchorage. At its peak there can be 100-120 sport fisherman/day along this generally 20-60 foot wide, 2-3 mile long stretch of river. Several individuals estimated that when the weather is good about 15% of those fishing the river are fly-in day-fishers.

The six lodges (from east to west) are:

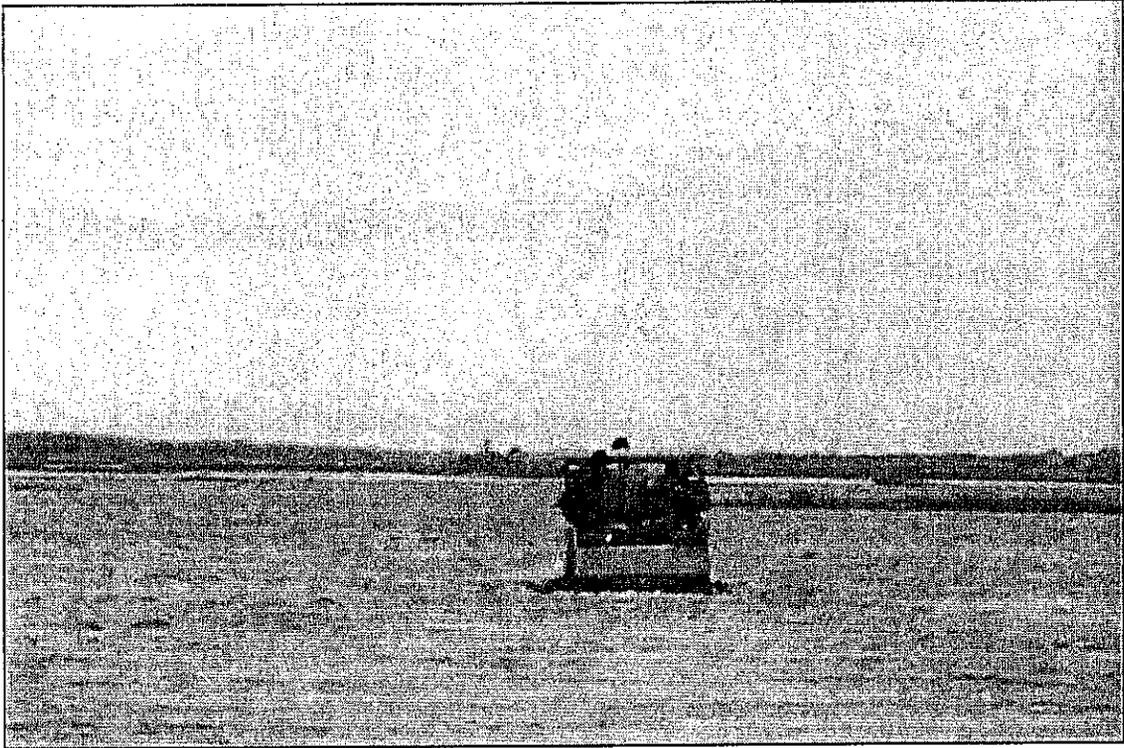
1. Sam Fejes Tsiu River Lodge
2. Greg Dierick's Tsiu River Lodge
3. Charles Allen, Alaska Expedition Company Driftwood Lodge on the Tsiu River
4. Harold Perantie, Tsiu River Lodge
5. Dennis Meyer, Alaska Gulf Coast Adventures (this used to be George Davis's Three Rivers Camp in the Kiklukh and Tsiu areas, but now George Davis is in Icy Bay only)
6. Tom Prijatel, Alaska Wilderness Outfitting Company's Adventure Lodge.

Aerial photos with surveys for all lodges can be found at Appendix A; the Infrastructure Map on pg 5 shows the location of area lodges.

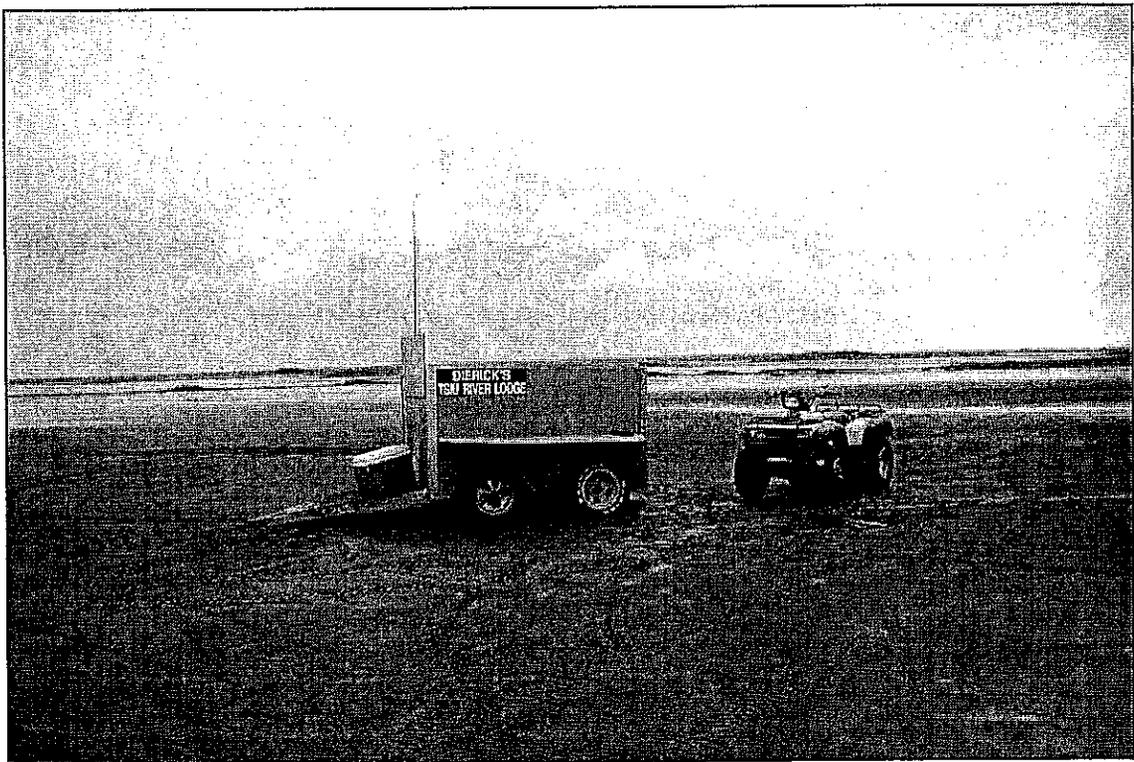
The six lodges have about a 100-bed capacity. In 2007, all lodges reported operating revenue subject to borough tax. In 2008, five lodges were open (Tsiu River apparently operated the first half of the year only, Alaska Gulf Coast Adventures did not operate).

In 2007, tax revenue generated from sport fishing related activity in the Tsiu area was just over \$65,500, just under 4% of all CBY tax revenue. Sport fishing lodge leases also brought in \$36,000 in revenue to the borough in 2007. In addition, two Yakutat-based air carriers generate sales from Tsiu-bound sport fishing customers, and one local resident is a lodge owner.





Sport fishers crossing the lake to get to Tsiu River fishing area



Typical 4-wheeler transport to fishing area

## ***Conflicts***

ADF&G area biologists believe there are adequate numbers of Coho to support both fisheries. Further, much of the spawning and rearing habitat is protected in the Yakataga State Game Refuge, helping to ensure the run's long term sustainability. Conflicts on the Tsiu are not biological or sustainability issues; they are fishery, land and behavior management issues.

In 2007 tension among user groups escalated due to a combination of factors: a below average run size (36,300 fish); more anglers than average; sport fishers got used to "having the river to themselves" in 2002-2004 when low salmon prices prevented a commercial fishery; high rainfall the last few years has enlarged the lake and shortened the already small river; and the lack of regular enforcement in the area causing allegations of illegal commercial fishing acts.

Taken together, 'attitude' is brewing unchecked and tension is rising resulting in deliberate acts of antagonism occurring in 2008.

Interviews with 29 individuals who either sport or commercial fish or guide along the Tsiu River were conducted in September- December 2008; most interviews occurred at the Tsiu. Of the 24 who offered a rating of their experience, over half (58 percent) call it good, 9 say poor (33 percent) and 2 rate it as excellent. However, 22 (91 percent) say the experience has changed and there is now more conflict. Differences and perceived conflicts are described as follows:

- "More aggressive commercial fisherman"
- "Too many commercial fishermen now"
- "There are a lot more sport fisherman now"
- "Fishing area has shrunk by 70 percent due to river and mouth changes and rain"
- "River is much shorter now"
- "River is more crowded with commercial fisherman"
- "More nets in the river"
- "More sport fisherman now"
- "Too many sport fisherman"
- "Commercial and sport fishers are antagonizing each other"
- "Don't like the fish herding"
- "Don't like clearing the whole river of fish at once as is done now"
- "Too many motors and noise, spent a lot of money to get here to get away from this"
- "Some guides have poor attitude"
- "Guide is telling us to get out"

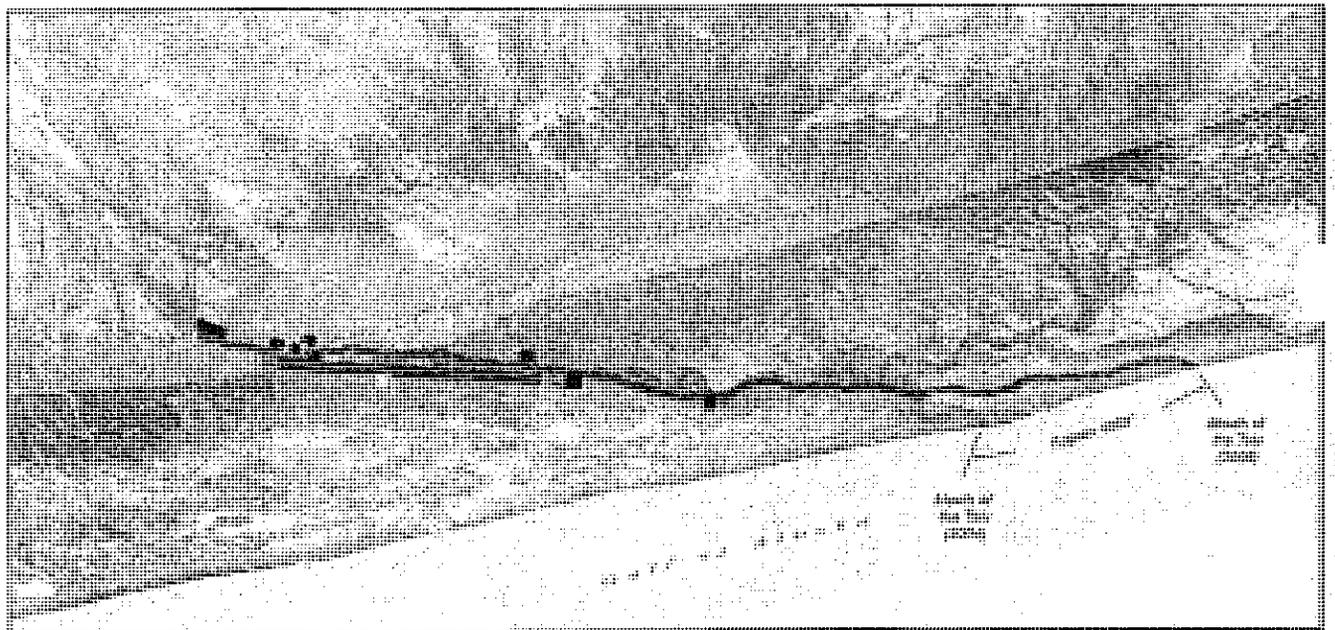
Lodge owners say that business has been declining since 2005; that they are now running at 60-80% capacity. The high number of anglers fishing the river in 2007 likely reflects increased fly-in fisher numbers. Some suggest that 50-60 sport fishers on the river feels acceptable but when there are 100 anglers it feels like combat.

Problems center on competition for the river's relatively few fishing spots; the manner in which commercial fishing is occurring; certain sport fish guides fostering antagonist behavior to

commercial fisherman who then retaliate causing ever-escalating tension; and the lack of an enforcement presence in the area during the short but intense harvest.

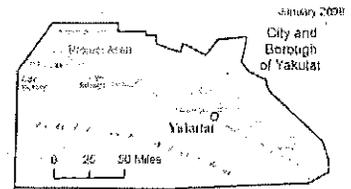
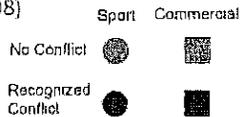
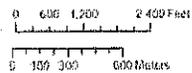
Sport clients are looking for a remote experience and do not want to be fishing in the middle of a commercial fishery. Commercial fishermen want to protect their access to the fish and it is difficult to accommodate fast paced commercial operations around individual sport fishermen. There is little enforcement of regulations in either fishery since there is no Alaska State Trooper, police, or Village Public Safety Officer presence and only one ADF&G employee on the ground, whose purpose is to monitor the run and escapement not enforce regulations or mediate user group conflicts.

### Tsiu River Area - Land/Fisheries Uses and Management



#### Fishermen Interviews - Conflict Recognition (Sept 21-22, 2008)

Map prepared by: [illegible]  
 Date: [illegible]  
 Scale: [illegible]  
 [illegible text]



## ***Recommendations and Solution Options***

Several individuals interviewed for this report noted that sport, commercial and subsistence users did not have a problem sharing harvest of the Tsiu River coho resource in the past. Tension and conflict heightened in 2007 and 2008 and virtually everyone interviewed expressed an interest in finding ways to de-escalate tension. Close to 20 different solutions to reduce conflict were offered during research and interviews conducted as part of this project.

Several individuals interviewed for this report noted that sport, commercial and subsistence users did not have a problem sharing harvest of the Tsiu River coho resource in the past. Tension and conflict heightened in 2007 and 2008 and virtually everyone interviewed expressed an interest in finding ways to de-escalate tension.

### **Recommendation One**

Assemble a group of Tsiu River users and a skilled facilitator to discuss concerns and help users reach agreement on a package of solutions to reduce tension and conflict. About 20 different solutions to reduce conflict were suggested during research and interviews conducted as part of this project. Possible solutions look at land management, permitting and tax policy (CBY purview), behavior management (all users responsible), fishery management (ADF&G and Alaska Board of Fisheries purview) and other (solution options are listed below, and there are likely others not yet identified).

The Alaska Board of Game, Federal Subsistence Board, Yukon River Panel and other regulatory boards have used facilitated groups such as this to address conflict among user groups. When parties impacted help craft solutions the likelihood of a successful outcome is much higher. In this case the City and Borough of Yakutat, the Alaska Board of Fisheries, Yakutat Seafoods, lodges owners, sport and commercial fishers and guides, air transporters, and ADF&G fishery managers all have a stake in resolving conflict in the Tsiu River.

If this effort fails, or parties do not participate in good faith, the CBY could initiate a Special Area Management Plan under the Alaska Coastal Management Program for the Tsiu River area to establish enforceable policies to better manage this recreation area.

### **Recommendation Two**

The CBY should not issue new sport fish lodge leases for Tsiu River area; practically/geographically defined as area between Seal River and Kaliakh River. (Leases for other uses may be permissible; better marketing of lodges in other parts of the western borough could help relieve pressure in the area).

Suggested solutions take many different forms; they are presented below organized in four categories: land management, permitting and tax policy (CBY purview), behavior management (all users responsible), fishery management (ADF&G and Alaska Board of Fisheries purview) and other.

#### **Land Management, Permitting and Tax Policy Options**

1. Establish a special area management plan for the Tsiu River area.
2. When there are over 70 or so anglers the river is too congested and feels like combat. Protect the experience that sport fishers are paying top dollar for and protect the investment that current lodge owners have made by prohibiting issuance of leases or sale of land for new lodges in the Tsiu River area.
3. Encourage sport fishing and related lodges to spread-out and use the area from Cape Suckling to the Seal River, and from the east side of the Kaliakh River to Icy Bay by making land available to lease in these areas and approving development permits. (Others have suggested not leasing land anywhere in the western borough until a land use, mapping and management intent has been updated.)
4. Tax policy, permitting and enforcement should be equitable among types of landowners and users. Sport fish lodges are paying property taxes whereas many commercial fishing cabin owners are not (it appears that four are on the CBY property tax roll).
5. Enforce CBY Code Title 11 provisions regarding nuisances and litter in order to clean up the appearance of the area, reduce erosion and decay of material into fish bearing waters.
6. Levy financial penalties for rule violations.

#### **Behavior Management Options**

7. Provide either a CBY police or VPSO officer or a State Trooper on site for periodic inspections and visits, or for the 6-8 week season. An enforcement presence would curtail illegal fishing activity and defuse bad behavior. Levy financial penalties for rule violations.
8. Create a behavior/ etiquette guide that lodge owners, guides, all fishers, and air transporters must read and sign. Managing people's expectations about what they will encounter on the fishing grounds will go a long way to reduce conflict. For example, one fishing lodge owner and his guides tells clients that they will encounter commercial fisherman out on the river and asks them to understand that this is how these 10 individuals make their living, and that it may interfere with sport fishing for a few hours but to be respectful and find ways to share the river. Another example is one commercial fisher interviewed always makes a point of talking to the sport fishers in the area before he begins his operation to let them know what he will be doing and that it will be noisy and he'll be running his boat for the next hour and herding fish, but to please understand that he too is trying to feed his family and make a living. Both the sport fishing lodge owner and guides

and the commercial fisherman say that just talking to each other has by and large eliminated their conflicts.

9. Promote a day of bird and wildlife photography, trout fishing in clear water streams feeding the Chiuki, and other activities to diversify and spread out fishing trips to Tsiu.
10. Manage expectations through marketing. Market a premier fishing, but not a complete wilderness, experience. Let clients know commercial fishing may occur during part of their visit.

### **Fisheries Management Options**

Different users favor and oppose various fishery management options. All options listed here were suggested by various parties interviewed; there are surely others as well. Inclusion of any of these options in a solution package would depend upon consensus of all user groups and must be within the management authority given to local ADF&G managers by the Alaska Board of Fisheries.

11. Move the ADF&G Regulatory Marker (above which no commercial fishing is allowed) a  $\frac{1}{4}$  to  $\frac{1}{2}$  mile farther downstream to give sport fishers more room and allow access to fishing holes.
12. Prohibit sport fishing below the marker when commercial fishing is going on.
13. When weather changes the 24 on/off openings, allow sport fishing only from 5-10am, both to fish from 10 am to 5:00 pm, then commercial fishing only from 5 pm to 5 am.
14. Divide fishing times to make sport only and commercial only fishing periods.
15. Allow sport fishing only from the mouth to a  $\frac{1}{4}$  mile up river, from 7am to 7 pm.
16. Eliminate use of motors for commercial fishing; make it a net-only fishery. The same amount of fish (and dollar value) would still be caught it would just take a longer.
17. Allow fishing boats to herd fish only 500 feet from net rather than  $\frac{1}{8}$  to  $\frac{1}{4}$  mile from net as they sometimes do now.

### **Other Options**

18. Limit the number of fly-in fishers that can fish the Tsiu River per day. (Implementing this would involve work with transporter licensing and regulations.)

**Substitute Language for Proposal 309**

Submitted by ADF&G at the request of board member Mike Smith

**5 AAC 29.120. GEAR SPECIFICATIONS AND OPERATIONS.**

(b) The maximum number of trolling lines that may be operated from a salmon troll vessel is as follows:

(2) from a hand troll vessel:

(A) from each hand troll gurdy: only one line to which multiple leaders and hooks may be attached;

(B) from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader; a downrigger may not be used in conjunction with a fishing rod;

(C) an aggregate of no more than four fishing rods or an aggregate of no more than two hand troll gurdies may be operated from [OR ON BOARD] a hand troll vessel, except that following the closure of the initial summer fishery king salmon retention period and before the opening of the winter troll fishery under 5 AAC 29.070 (b),

(i) an aggregate of no more than [FOUR FISHING RODS OR AN AGGREGATE OF NO MORE THAN] four hand troll gurdies may be on board a hand troll vessel; and

(ii) in the waters of the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer, no more than four hand troll gurdies may be operated from a hand troll vessel.

**Substitute Language for Proposal 314**

Submitted by ADF&G at the request of board member Mike Smith

**5 AAC 29.110. MANAGEMENT OF THE COHO SALMON TROLL FISHERY.**

- (a) Coho salmon may be taken from June 15 through September 20. However, the commissioner, in years [OF HIGH COHO SALMON ABUNDANCE,] **when wild coho salmon abundance is expected to meet escapement needs after considering harvest and effort,** may extend, by emergency order, the coho salmon fishery in any portions of Districts 1-16 for up to 10 days after September 20.

Substitute Language for proposal 275

Submitted by ADF&G at the request of Board Member John Jensen

5AAC 01.750. Vessel Specifications and Operations <sup>Cannery</sup> In the waters of Klawock Inlet enclosed by a line from Klawock Light to the Klawock ~~Oil~~ Dock, [NO] a person may subsistence salmon fish from a vessel that is powered [ONLY] by [A] hand or an outboard motor [OF GREATER THAN] <sup>50</sup> ~~35~~ HORSEPOWER].

1  
of no greater <sup>50</sup> than 50 HP.



01 710(e)   
77 682(h)(2) 

47.021(i)(1) 

RC 153

ADF&G

March 1, 2012

**Substitute Language for Proposal 334**

**Submitted by ADF&G at the request of Board Member Webster**

**5AAC 33.383 DISTRICT 7: ANITA BAY TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN.** <sup>(d)</sup> <sub>(b)(3)</sub>  
in establishing emergency order season openings for the seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of two to one; however, if approximately equal numbers of salmon are not being harvested by the two gear groups, the ratio and timing of openings may be altered, and beginning with the first emergency order of 2012 [2009] season through the last emergency order of the 2014 [2011] season the time ratio for gillnet openings to seine openings is one to one.

**Substitute Language for Proposal 335**

Submitted by ADF&G at the request of Board Member Webster

<sup>33.376</sup>  
5AAC ~~33.76~~ DISTRICT 13: DEEP INLET TERMINAL HARVEST AREA MANAGEMENT PLAN. (b)(1) (B) the time ratio for gillnet openings to seine openings is two to one, except beginning with the first emergency order of 2012 [2009] season through the last emergency order of the 2014 [2011] season the time ratio for gillnet openings to seine openings is one to one.

Substitute Language for Proposal 338

Submitted by ADF&G at the request of Board Member Webster

**5 AAC 33.377. District 2: Kendrick Bay Terminal Harvest Area Salmon Management Plan**

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the Kendrick Bay Terminal Harvest Area which includes those waters of Kendrick Bay west of 131° 59' W. long. and those waters of McLean Arm west of 131° 57.80 W. long. from June 15 through September 30 to provide for the harvest of hatchery-produced chum salmon by purse seine gear, unless closed earlier by emergency order.

**Substitute Language for Proposal 340**

Submitted by ADF&G at the request of Board Member Webster

**5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan. (a)**

The Anita Bay Terminal Harvest Area consists of the waters of Anita Bay south and west of a line from the tip of Anita Point to 56° 14.26' N. lat., 132° 23.92' W. long.

(b) The commissioner shall open and close, by emergency order, fishing seasons and periods to manage the common property fisheries to harvest excess salmon returning to the Anita Bay Terminal Harvest Area. The Terminal Harvest Area will be **opened and** closed to the harvest of salmon as follows:

**(1) from June 15 through July 10, waters within one-quarter mile of the northern shoreline of Anita Bay west of a line from 56° 12.31' N. lat, 132° 26.22' W. long., to 56° 12.06' N. lat, 132° 26.22' W. long and east of a line from 56° 11.96' N. lat, 132° 29.58' W. long. to 56° 11.73' N. lat., 132° 29.36' W. long. will be open;**

**(2) waters south and west of the waters specified in (b)(1) of this subsection, will be closed as follows:**

(A) from June 15 through June 25, the waters of the Anita Bay Terminal Harvest Area that are west of 132° 26.22' W. long. will be closed to the harvest of salmon;

(B) from June 26 through July 1, the waters of the Anita Bay Terminal Harvest Area that are west of 132° 26.98' W. long. will be closed to the harvest of salmon;

(C) from July 2 through July 10, the waters of the Anita Bay Terminal Harvest Area that are west of 132° 28.00' W. long. will be closed to the harvest of salmon;

**(3) waters within the Anita Bay Terminal Harvest not described in (b)(1) &(2) of this subsection will be open.**

**Substitute Language for Proposal 342****Submitted by ADF&G at the request of Board Member Webster**

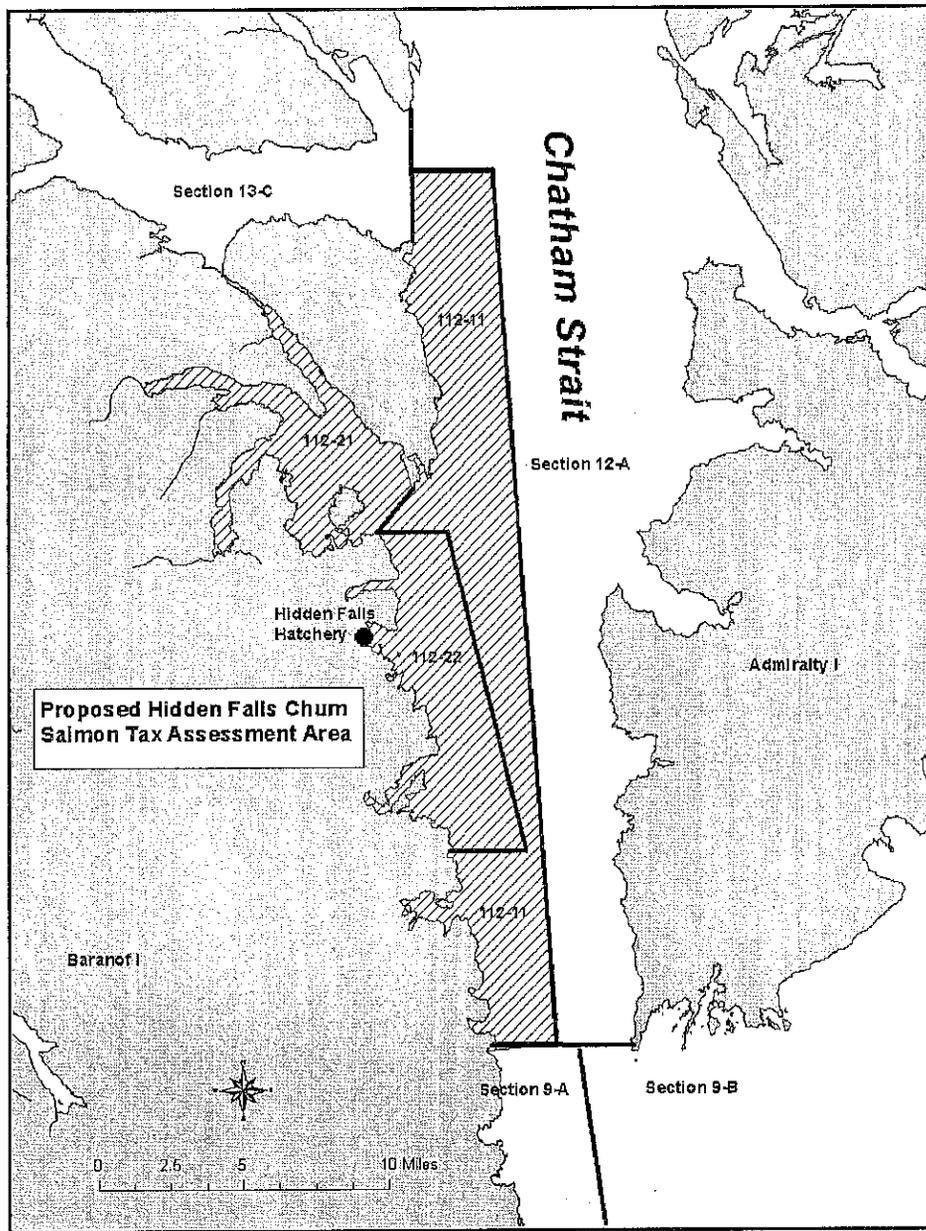
5 AAC 33.374 is amended by adding a new subsection to read:

(f) In lieu of harvest of hatchery chum salmon for cost recovery by the hatchery permit holder, the commissioner may, after consultation with the hatchery operator, by emergency order, open a joint common property/cost recovery special assessment fishery for chum salmon as specified in AS 16.10.455, from June 15 through July 31, only in the waters of Section 12-A south of 57° 27.00' N. lat., north of 57° 01.00' N. lat. and west of a line from 57° 27.00' N. lat. 134° 45.50' W. long. to 57° 01.00' N. lat., 134° 41.50' W. long.

Substitute Language for Proposal 342

Submitted by ADF&G at the request of Board Member Webster

Map of Hidden Falls chum salmon tax assessment area as proposed in substitute language for proposal 342.



**Substitute Language for Proposal 341**

Submitted by ADF&G at the request of Board Member Webster

**5 AAC 33.3XX. DISTRICT 9: SOUTHEAST COVE TERMINAL HARVEST AREA.**

District 9: Southeast Cove Terminal harvest Area Salmon Management Plan. (a) The intent of this management plan is to distribute the harvest of hatchery-produced salmon in the area described in (b) of this section.

(b) The Southeast Cove Terminal Harvest Area consists of the waters of Keku Strait enclosed by a line from a rocky point on the northern end of Kuiu Island located on the east side of Southeast Cove at 56° 52.95' N. lat., 134° 01.33' W. long. to the northwest, corner of Hound Island at 56° 53.12' N. lat., 133° 56.77' W. long. then northwest, connecting points along the northern shore of Keku Islands at 56° 53.98' N. lat., 133° 57.58' W. long. to 56° 54.90' N. lat., 133° 59.53' W. long. to 56° 55.93' N. lat., 134° 00.97' W. long. to 56° 55.95' N. lat., 134° 02.15' W. long. to 56° 55.22' N. lat., 134° 02.53' W. long. to 56° 56.37' N. lat., 134° 06.62' W. long. then to the northwest corner of Payne Island 56° 57.45' N. lat., 134° 08.75' W. long. then south to a point on Kuiu Island at 56° 55.08' N. lat., 134° 09.25' W. long.

(c) From the third Sunday in June through the first Saturday in August, the commissioner, in consultation with the Kake Non-Profit Fisheries Corporation (KNFC) may open and close, by emergency order, fishing seasons and periods to harvest hatchery-produced salmon returning to the Southeast Cove THA in excess of broodstock and cost recovery needs.

**Option A**

(d) This management plan distributes the harvest of hatchery-produced chum salmon among the purse seine, troll, and gillnet fisheries when there are excess fish not being harvested by the hatchery operator.

(e) The department shall manage the Southeast Cove Terminal Harvest Area to distribute the harvest of excess hatchery-produced chum salmon as follows:

- (1) salmon may taken by troll gear at any time;

(2) in establishing emergency order season openings for the seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of two to one; however, if approximately equal numbers of salmon are not being harvested by the two gear groups, the ratio and timing of openings may be altered, and beginning with the first emergency order of the 2012 season through the last emergency order of the 2014 season, the time ratio for gillnet openings to seine openings is one to one.

(f) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

**Option B**

(d) This management plan distributes the harvest of hatchery-produced chum salmon among the purse seine and troll fisheries when there are excess fish not being harvested by the hatchery operator.

(e) The department shall manage the Southeast Cove Terminal Harvest Area to distribute the harvest of excess hatchery-produced chum salmon as follows:

(1) the gear group the furthest from its allocation of enhanced salmon will have the first rotation;

(2) purse seine openings will be limited to a maximum of two fishing days per week in the terminal harvest area in order to harvest surplus chum salmon;

(3) troll openings will be limited to a maximum of five fishing days per week in the the terminal harvest area in order to harvest surplus chum salmon.

**Option C**

(d) This management plan distributes the harvest of hatchery-produced chum salmon among the purse seine, troll, and gillnet fisheries when there are excess fish not being harvested by the hatchery operator.

(e) The department shall manage the Southeast Cove Terminal Harvest Area to distribute the harvest of excess hatchery-produced chum salmon as follows:

(1) the gear group the furthest from its allocation of enhanced salmon will have the first rotation;

(2) troll openings will be limited to a maximum of five fishing days per week in the terminal harvest area in order to harvest surplus chum salmon.

(3) in establishing emergency order season openings for the seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of one to one;

(A) purse seine and gillnet openings will be limited to a maximum of two fishing days per week in the terminal harvest area in order to harvest surplus chum salmon;

(f) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

Substitute Language for Proposal 306 requested by board member Vince Webster

**5AAC 30.331. Gillnet Specifications and Operations.**

- (a) Set gillnets with mesh size smaller than eight inches may not be deeper than 45 meshes and set gillnets with mesh size eight inches or larger may not be deeper than 35 meshes. The individual and aggregate lengths of any and all set gillnets aboard a vessel or in use by a person may not be more than one of the following in hung measure:

(2) In the Yakutat District

- (J) Sudden River, one net not to exceed 25 fathoms, except that starting the first [MONDAY] Sunday, two nets not to exceed 25 fathoms each and an aggregate length not to exceed 50 fathoms;

**Substitute Language for Proposal 343**

Submitted by ADF&G at the request of Board Member Webster

5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area salmon management plan.

(e) The Hidden Falls Terminal Harvest Area will be open to coho salmon retention by troll gear from June 15 through September 20 unless closed by emergency order. During seasons when the general summer troll season is extended in District 12 the Hidden Falls Terminal Harvest Area will also be extended. During the mid-August troll closure, the Hidden Falls Terminal Harvest Area will be open, and the open area will be restricted to an area within one nautical mile from shore south of 57°15.00' N. lat., north of 57°10.00' N. lat. and west of a line from 57°15.00' N. lat., 134°48.60' W. long. to 57°10.00' N. lat., 134°46.40' W. long. [THE HIDDEN FALLS TERMINAL HARVEST AREA TROLL GEAR COHO SALMON FISHERY WILL BE MANAGED BY EMERGENCY ORDER TO HARVEST COHO SALMON SURPLUS AFTER BROODSTOCK AND COST RECOVERY NEEDS ARE MET.]

**ALASKA BOARD OF FISHERIES**

Southeast and Yakutat Finfish Meeting  
February 24-March 4, 2012  
Ketchikan, Alaska

**MISCELLANEOUS BUSINESS AGENDA**

1. Request delegation to relocate the regulations for the Arctic to the Kotzebue region and remove them from the Yukon Area. - [Tonkin]
2. North Pacific Fishery Management Council Meeting Update – [Jensen]
3. Update and recommendation on future Joint Board Meeting – [Kluberton and Smith]
  - a. Proposed Joint Board Meeting Timeline
4. Joint Protocol Committee Meeting Update – [Jensen]
5. Herring bait fishery in Districts 3-B and 4 emergency petition or Board-generated proposal request outline in RC#22. – [Chairman Johnstone]

Submitted by Alaska Department of Fish and Game, Board Support Section

**Joint Board of Fisheries and Game Committee  
Timeline Recommendation**

1. February / March 2012 BOF and BOG Meetings:
  - a. Under Miscellaneous Business, committee members will recommend scheduling a joint board meeting.
  - b. Each Board will review, discuss, and vote on recommendations presented by the Joint Board Committee members.
  - c. If meeting is agreed upon, the committee will recommend opening the Call for Proposals for all of the Joint Board Regulations (5 AAC Chapters 96, 97, and 99). The committee chose to exclude Chapter 98 (Areas of Jurisdiction of Antlerless Moose Seasons) because it is a BOG regulation.
  - d. Date (duration) and Meeting Location: The proposed dates for the joint board meeting will either follow or precede the BOF Work Session, scheduled for October 9-10, 2013 in Girdwood. The location will be Anchorage rather than Girdwood.
- \* 2. March, 2012: The Call for Proposals will be issued following approval by the boards.
3. April, 2012: Boards Support will submit bid and secure meeting venue.
4. April - May 2012: Executive Directors for each Board will work with Department of Fish and Game Leadership to further discuss budget impacts and numerous details in preparation for a Joint Board Meeting.
5. May 2012: Joint Board Committee meeting to be scheduled for the purpose of discussing and providing input on proposed regulatory changes to the uniform rules of operation (5 AAC 96.060) for advisory committee regulations, particularly those that were of issue at the May 13, 2011 Joint Board meeting.
6. May - July, 2012: Boards Support, other department staff, and committee members to develop/finalize proposal language for advisory committee review in the fall.
7. August - November, 2012: Boards Support staff to circulate proposed language and solicit advisory committee input on changes to AC Uniform Rules.
- \* 8. November 30, 2012: Recommended proposal deadline which provides advisory committees opportunity to participate since many committees have limited meetings.
9. December 2012: Proposal book preparation.
10. January 2013: Proposal book printing and posting on website.
11. January - October 2013: Advisory Committee and public review period.
12. April - September 2013: ADF&G preparation for developing comments and reports.
13. September/October, 2013: Public Comment Deadline (3 weeks prior to meeting start date).
14. October 2013: Proposed Joint Board Meeting in Anchorage (following or preceding the BOF Work Session).

Regulations Under Joint Board Authority

**Chapter 96 – Local F&G Advisory Committees & Regional Councils**

- Article 1: Advisory Committee Regulations (Committee makeup & process)
- Article 2: Regional F&G Councils (No longer used, but left in regulation)
- Article 3: Administration of Local F&G Committees (Board assistance & attendance at meetings.)
- Article 4: Administration of Regional F&G Councils
- Article 5: Adoption of F&G Regulations:
  - o Meetings
  - o Procedures for developing regulation
  - o Joint Board Petition Policy
  - o Subsistence proposal Policy

**Chapter 97 – Advisory Committee Closures**

- Article 1: Areas of Jurisdiction (for advisory committees)
- Article 2: Advisory committee emergency closures

~~Chapter 98 – Areas of Jurisdiction for Antlerless Moose Seasons~~

- ~~Article 1: Areas of jurisdiction of antlerless moose seasons~~

**Chapter 99 – Subsistence Hunting, Fishing, and Trapping**

- **Subsistence Uses**
  - o Boards of Fisheries subsistence finding standards
  - o Boards of fisheries and game subsistence procedures
  - o Joint Board non-subsistence areas
  - o Activities permitted in a nonsubsistence area
  - o Definition
  - o Customary and traditional uses of game populations
  - o Eligibility for subsistence and general hunts

## TENTATIVE MEETING AGENDA

Joint Protocol Committee of the  
Alaska Board of Fisheries and the North Pacific Fishery Management Council

Monday, March 19, 2012  
Anchorage, Alaska  
Hilton Hotel - Aleutian Room  
10:00 am to 4:00 pm

Board members: John Jensen, Mike Smith, and Sue Jeffrey  
Council members: Eric Olson, Dave Benson, and Ed Dersham

1. Opening Business (Mr. Jensen will Chair)
  - Call to order
  - Introductions
  - Approve Agenda
  
2. Staff Reports:
  - A. Status of Tanner Rebuilding
    - i. Review pending actions
  
  - B. Status of GOA Halibut Bycatch
    - i. Review pending action
  
  - C. Status of Salmon Bycatch
    - i. Review of actions on BS Chinook
    - ii. Review of actions on GOA Chinook
    - iii. Review of pending action on BS chum salmon bycatch
  
  - D. Status of GOA Pacific cod (discussion papers)
    - i. Reverse parallel jig fishery
    - ii. Revise "A" season opening date in GOA
    - iii. Limiting other gear on board while jig fishing
  
  - E. Close state waters to bottom gear in Prince William Sound
  
3. Public Testimony
  
4. Committee discussion on reports
  
5. Determination of next committee meeting and/or full Joint Board meeting
  
6. Miscellaneous business
  
7. Adjourn

Eric A. Olson  
Chairman  
Chris Oliver  
Executive Director

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# News & Notes

## North Pacific Fishery Management Council

February 2012

### Election of Officers and new appointments

The Council's Advisory Panel unanimously re-elected Tom Enlow from Unisea as Chair and elected Lori Swanson and Becca Robbins-Gisclair co-Vice Chairs. The Council's Scientific and Statistical Committee re-elected Pat Livingston for chair and Farron Wallace as vice chair. Chairman Olson announced that Joe Rehuss has been appointed to the Observer Advisory Committee as a representative of the observers, and Dr. Jason Cooper of NMFS has been appointed to the Crab Plan team. Dave Little was appointed to the IFO Implementation Committee.

Welcome aboard!

### Industry Thank You

The Council would like to thank all members of industry and the many sponsors who contributed to the reception given during the Council meeting. Delicious seafood and music were enjoyed by all.



NPFMC Newsletter  
February 2012  
Page 1

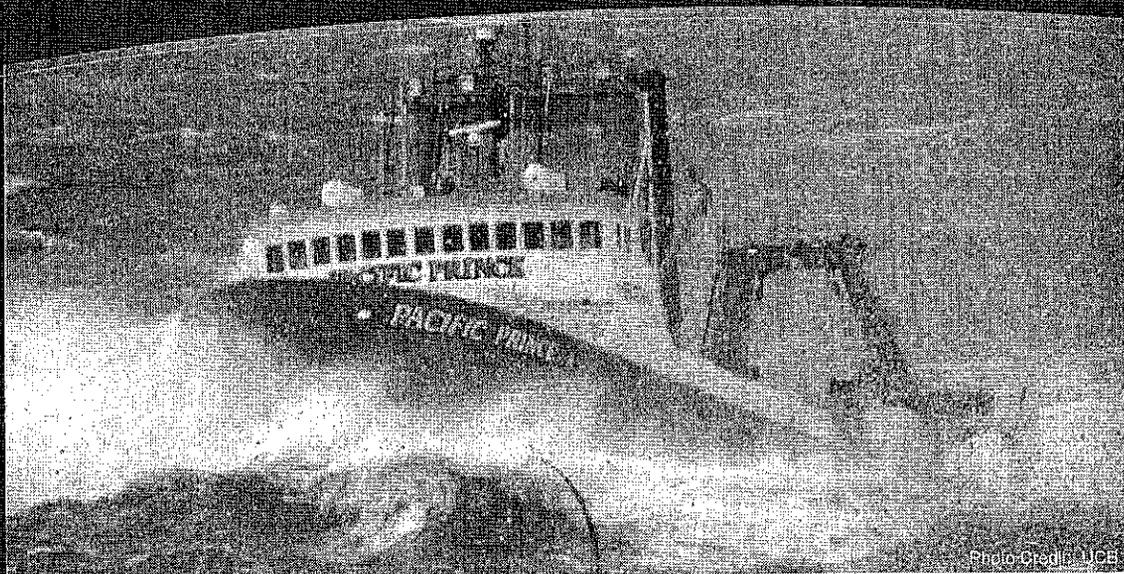


Photo Credit: UICE

### GOA Chinook Bycatch

In December 2010, the Council initiated two sequential amendments to consider bycatch measures for Chinook salmon in the GOA, first for the pollock fisheries, and then for the non-pollock trawl fisheries. These measures included establishing Chinook salmon prohibited species catch (PSC) limits. The Council approved PSC limits for the pollock fishery in June 2011. At this meeting, the Council revised the problem statement and alternatives for moving forward with measures for the GOA non-pollock trawl fisheries. The alternatives propose PSC limits of 5,000, 7,500, 10,000, or 12,500 Chinook salmon for non-pollock groundfish trawl fisheries in the Central GOA and Western GOA management areas. The limits would operate as a "hard cap," whereby NOAA Fisheries would close fisheries if attained. Under options, the overall limit could be apportioned between the two management areas or between operation types (CV/CP), based on historic average Chinook catch rates in the respective areas and operation types. The Council also advanced an alternative for analysis that would mandate full retention of Chinook salmon in these fisheries, to advance biological sampling and genetic identification of Chinook salmon intercepted as bycatch in the groundfish fisheries. Staff contact is Diana Evans.

### Email Comments Now Accepted

On a trial basis, and in time for the March/April meeting, and in response to many requests from the public, the Council will begin accepting email comments at one email address: [npfmc.comments@noaa.gov](mailto:npfmc.comments@noaa.gov). The comments must identify the submitter by legal name, affiliation, and date, and must also identify the specific agenda item by number (C-1(a) for example), and must be submitted by the comment deadline. Comments received under these conditions will be sorted, copied, and included in the Council notebooks. PDF attachments will be accepted, as long as the above criteria are met. Comments received after the deadline will not be copied and distributed, but will be treated the same as written late comments.

Emails submitted for the comments must be to the above address, and not to specific Council staff or Council members.

Additionally, email comments will only be accepted on items that are on the scheduled agenda. While a return receipt will be issued automatically upon receipt of the electronic comment, as always, submitters may always call the office to confirm.

Details will be noted in the agenda, and on our website.

## EFH Consultation

The Council received further information on the NMFS Essential Fish Habitat (EFH) consultation process, following up on a comprehensive report to the Council in December. Under current practice, NMFS notifies the Council, or Council staff, of a pending action that may affect habitats of direct concern to the Council. Nationally, no Councils have developed explicit criteria for when NMFS should inform a Council about EFH consultation issues and seek Council involvement, however, the agency recommended that any criteria that be developed be flexible and fairly broad. The Council asked both the Ecosystem Committee and the State of Alaska to provide input and recommendations on suggested criteria that might apply to consultations resulting in recommendations for mitigation. The final report and the follow-up letter are available at <http://www.alaskafisheries.noaa.gov/habitat/>. Staff contact is Diana Evans.

## GOA Pollock reapportionment

The Council heard a report from staff about the possible benefits to Chinook salmon bycatch and potential challenges with Steller sea lion protection measures with reapportioning Western GOA pollock D-season TAC to the A-, B-, or C-seasons. Due to uncertainty in Chinook bycatch reduction, the potential for competition among CGOA and WGOA fisheries, and the likelihood that a formal consultation under Section 7 of the U.S. Endangered Species Act would be required, the Council elected to take further action. Staff contact is Steve MacLean.

## Halibut Bycatch

The Council reviewed an initial draft analysis that examined proposed changes to the management of commercial groundfish fisheries in the Gulf of Alaska (GOA). The proposed action would occur through an amendment to the GOA Groundfish Fishery Management Plan to set Prohibited species catch (PSC) limits on removals of Pacific halibut in federal regulations instead of the annual harvest specifications process. In addition to the No Action Alternative, the proposed alternative (Alternative 2) includes options for reductions of a) 5 percent, b) 10 percent, and c) 15 percent of the 2,000 mt halibut PSC limit on trawlers and 300 mt halibut PSC limit on fixed gear groundfish operations.

The Council approved the release of the analysis for public review, with some revisions. The Council requested that the analysts incorporate 1) updated information on Pacific halibut from staff documents from the January 2012 International Pacific Halibut Commission meeting, 2) expanded descriptions of IPHC methods on lost yield, migration, and apportionment of bycatch of halibut among those under 26 inches, between 26 inches and 32 inches, and over 32 inches, and 3) responses to SSC recommendations, as possible.

The Council also made several changes to the range of alternatives, as described below.

1. Add a new suboption under Option 2, Suboption 3 that would allow the Am. 80 sector to roll unused halibut from one season to the subsequent season, similar to the non-Am. 80 sectors.
2. Remove Suboption 3.1, which would apply the full trawl PSC limit reduction to the 5th season only.
3. Add a new suboption under Option 2, Suboption 3 to allow available trawl halibut PSC in the 2nd season deep and shallow water complexes to be aggregated and made available for use in either complex from May 15 through June 30. Halibut PSC sideboards for the Am. 80 and AFA sectors would continue to be defined as deep and shallow water complexes in the second season.

To accommodate the April 2012 schedule for a halibut "bycatch" work shop to be conducted by the Council and International Pacific Halibut Commission and inform the Council on this action, the Council set the date for final action for June 2012. NMFS advised that the likely timeline for implementation is 2014. Jane DiCosimo is the Council contact for this action.

## Halibut / Sablefish IFQ Program

Under its staff tasking agenda, the Council reviewed a paper on the status of four discussion papers for IFQ proposals submitted under the 2009 call for Individual Fishing Quota (IFQ) proposals. These include:

- allowing the retention of 4A halibut incidentally caught while targeting sablefish with pots in the Bering Sea and Aleutian Island regulatory areas;
- allowing the use of pots in the Gulf of Alaska sablefish fishery;
- exploring problem of unharvested halibut IFQ in Area 4; and
- for sablefish, removing the block program A shares and increase the A share only cap

The Council referred discussion of whether to proceed with these discussion papers to the IFQ Implementation Committee, which will convene prior to the next Council meeting. Note that the IFQ committee will also review a discussion paper on vessel monitoring systems that previously had been requested by the Council. The Council will consider the committee recommendations on IFQ discussion papers at its next meeting. But neither the committee nor the Council is considering new IFQ proposals at this time.

The Council also scheduled final action on a previously prepared IFQ amendment to allow halibut IFQ derived from Category D QS to be fished on Category C vessels in Area 4B.

The Council discussed its continued interest in the IPHC halibut stock assessment and expressed its interest in contributing to peer review of the model. The Council acknowledged the strong relationship between the two agencies, as evidenced by the jointly sponsored halibut workshop scheduled for April 24-25, 2012 in Seattle. Information on the workshop is posted on the Council website. Jane DiCosimo is the Council contact for halibut management.



## CQE Program in Area 4B

The Council approved an amendment to establish a Community Quota Entity (CQE) Program in Area 4B of the Aleutian Islands. Adak is the only community in Area 4B which meets the proposed eligibility criteria, which includes being a small, rural, non-CDQ communities in Area 4B with commercial halibut and sablefish participation. The overall intent of the program is to allow a community non-profit organization to represent Adak for the purpose of purchasing Area 4B halibut catcher vessel quota share (QS), and Aleutian Islands sablefish catcher vessel QS, to promote long-term community access to the commercial halibut and sablefish fisheries.

The Council adopted the preliminary preferred alternative, identified at initial review in October 2011, with two minor changes (the final motion is posted on the Council website). The Council acknowledged that some of the provisions of the Area 4B CQE program are slightly different than those that apply to the program in the GOA, however it was noted that the remoteness of Adak and its unique circumstances warranted minor adjustments to the way the program is applied. Under the Council's preferred alternative, Adak would be allowed to purchase up to 15% of the Area 4B halibut QS pool, and up to 15% of the AI sablefish QS pool. IFQ resulting from the community QS may be leased to individuals that are not residents of Adak for a period of up to five years after the effective date of implementation of the program. After that time, the CQE may only lease IFQ to residents of Adak. Staff contact is Diana Evans.

## AFA Vessel Replacement

At the February 2012 meeting, the Council reviewed a discussion paper on AFA vessel replacement and its potential impacts on the GOA groundfish sideboard fisheries. The Council requested the discussion paper because of AFA vessel replacement language included in the U.S. Coast Guard Authorization Act of 2010 (Act), which was signed into law on October 15, 2010. Specifically, Section 602 of the Act addresses the replacement of vessels eligible to participate in the Bering Sea pollock fishery under the American Fisheries Act.

After reviewing the discussion paper, the Council developed a purpose and need statement and alternatives intended to prevent increased participation in Gulf of Alaska groundfish fisheries by vessels replaced under the Act. The Council's purpose and need statement specifies that the action would be intended to "prevent increased capacity in the Gulf of Alaska fisheries by AFA vessels." To address this intent, the Council developed alternatives to address ambiguities in the Act that might allow for capacity increases of AFA vessels while also increase capacity of those vessels in Gulf of Alaska fisheries. Alternatives under consideration would require replacement or rebuilt sideboarded vessels (which are subject to catch limits in the Gulf fisheries) to comply with either: 1) the most restrictive maximum length overall (MLOA) limit on the vessel's Gulf endorsed licenses at the time of vessel replacement or removal, or 2) the most restrictive maximum length overall (MLOA) limit on the vessel's Gulf endorsed licenses at the time of approval of the Coast Guard Act (October 15, 2010). In addition, the Council requested staff to analyze a rule that would not allow a sideboarded vessel to fish in the Gulf if

its replacement vessel was 10 percent greater in length, horsepower, or tonnage. The Council also adopted an alternative for analysis that would remove any Gulf sideboard exemption from any replacement vessel of length greater than the exempt vessel it replaces. An additional alternative would clarify that any Gulf sideboard exempt AFA vessel that is removed from the AFA fishery without replacement would not be permitted to transfer its exemption (but that the exemption would expire). Staff contact is Jon McCracken.

## Deep Sea Coral Research Plan

The Council received a report from Dr Chris Rooper, of the NMFS Alaska Fisheries Science Center, on the Alaska Coral and Sponge Initiative that began this year. NOAA is sponsoring a three-year field research program in the Alaska region for deep sea coral and sponges, in order to better understand the location, distribution, ecosystem role, and status of deep sea coral and sponge habitats. Dr Rooper provided information on the eleven projects that are planned for the initiative, which include: developing a coral habitat map for the GOA and AI, and a geologically interpreted substrate map for Alaska; investigations of *Primnoa* corals in the Gulf of Alaska; estimation of the effects of commercial fixed gear fishing on coral and sponge using underwater cameras; and measurements of oxygen and pH and increased collections of coral and sponge specimens from the summer bottom trawl surveys. The Initiative is intended to result in management products that can be of utility to the Council, for example in the annual Ecosystem Assessment, the AI Fishery Ecosystem Plan, or the 2015 5-year EFH review. Further reports will be provided to the Council as fieldwork proceeds. Staff contact is Diana Evans.

## HAPC Skate Areas

The Council made an initial review of designating areas of skate egg concentration as Habitat Areas of Particular Concern (HAPC). The Council voted to expand the analysis and current suite of alternatives and options for initial review at a future meeting.

The analysis examines three action alternatives and five options for conservation and management: Alternative 1, status quo; Alternative 2, identify areas as HAPCs; and Alternative 3, identify and conserve areas of skate egg concentration as HAPCs. Under Alternative 3, the Council may choose to adopt any combination of gear use restrictions to prevent fishing activity that makes contact with the sea floor.

Under the Council's motion, Alternative 2 will include a discussion on potential industry and agency monitoring, reporting, and accountability mechanisms, and a statement of intent to discourage adverse fishing activities within the HAPC sites. Alternative 3 will be revised to include HAPC area boundaries consistent with the Enforcement Committee's recommendations. Option e will be reworded to suggest adding research and monitoring of areas of skate egg concentration to the annual research priority list.

The expanded analysis will also include a lengthier history of fishing activities in the proposed sites, discussion on the ability to minimize the areas closed to fishing while complying with enforcement requirements, an economic analysis of impacts on the proposed closure sites, including buffers, and the amount of actual bycatch of egg casings by gear type in each HAPC site, where known. The analysis will also incorporate recommendations and comments to the extent practicable from the SSC and Ecosystem and Enforcement Committees. Council staff is Sarah Melton.

## SSC Workshop

SSC held a workshop on recruitment issues during this meeting. The key issues identified for discussion included: criteria for moving from Tier 3 to Tier 1 based on whether a spawner-recruit (SR) relationship was credible (and had a corresponding pdf for Fmsy), detecting regimes for when an SR relationship changed, estimation of an SR relationship within the assessment or outside, and how much weight to give the SR relationship if inside the assessment.

A series of presentations were given by stock assessment authors and other scientists. The SSC minutes contain a detailed summary of the various presentations as well as the discussion forum held afterwards. The SSC recommended a follow up workshop by members of the crab and groundfish plan teams as well as outside expertise to develop guidelines on how to address environmental changes in the SR relationship into biological reference points and how to model environmental forcing in stock projection models. The SSC also suggested that some Groundfish Plan Team members attend the May Crab Plan Team meeting to provide input into these recruitment issues as they relate to the Tanner crab rebuilding analysis. This workshop will ideally be held prior to the May CPT meeting. Further details on the workshop to be posted on the Council's website as available. Staff contact is Diana Stram.

## Pribilof Island Blue King Crab Rebuilding Plan

The Council reviewed several discussion papers regarding issues relative to the forthcoming Pribilof Island blue king crab (PIBKC) rebuilding plan analysis. The Council has reviewed iterations of this rebuilding plan analysis at multiple meetings, most recently at final action in October 2011, when the Council changed the range of rebuilding plan alternatives to include an option to Alternative 2, and a new Preliminary Preferred Alternative (PPA) that involves a year-round closure to the Pacific cod pot fishing in the Pribilof Island Habitat Conservation Zone and a prohibited species catch (PSC) limit that triggers a larger area closure to additional fisheries. At the December 2011 meeting, the Council was informed of some analytical changes to the qualified fisheries for the analysis as well as received in public comments some requests to consider additional elements in the analysis and suite of alternatives. As a result, the Council rescheduled final action on this document and requested that staff provide an update at this meeting on many of the elements discussed for inclusion in the analysis. The Council requested additional information on the following: the survey distribution of PIBKC in conjunction with observed bycatch; the boundaries of the State PIBKC registration district including rationale for the boundaries as well as the process by which registration areas can be modified; information on how a cap in numbers of crab vs. weight of crab is calculated; draft results of seasonal apportionment strategy; rollover mechanics of unused PIBKC PSC, increased observer coverage, whole haul sampling, seasonal apportionment of PIBKC PSC, and incorporation of discard mortality rates in in-season management; and any additional issues regarding qualified fisheries.

The Council revised their PPA at this meeting to include only the year-round closure of the PIHCZ to Pacific cod pot fishing (Alternative 2d) due to concerns about the appropriate PIBKC stock boundary and made some modifications to Alternative 6. The Council specifically added an option to Alternative 6 for seasonal allocations of the PSC cap. The Council clarified that final action for this analysis will now be scheduled for June 2012 in order to allow for further discussion by the Crab Plan Team and SSC on the appropriate stock boundary for PIBKC for the OFL prior to Council action. A discussion of the stock boundary and alternative methods to establish an OFL

(rather than based on average catch) will be provided at the May CPT meeting in Anchorage to be held the week of May 9<sup>th</sup>. Recommendations by the CPT will be forwarded to the SSC for their review in June and final recommendations provided to the Council in conjunction with the final action on this analysis. The Council motion and current suite of alternatives are posted on the Council's website. Staff contact is Diana Stram.

## Tanner Crab Rebuilding Plan and workshop

The Council was informed of progress on the development of an Aleutian Islands golden king crab model and a Tanner crab stock assessment model following a NPFMC sponsored crab modeling workshop held in Seattle January 9-13<sup>th</sup>, 2012. Reports from the model workshop were reviewed by the SSC and are posted on the Council's website. The CPT will review the Tanner crab model at the May CPT meeting in Anchorage. Discussions of the use of the model for assessment purposes in the 2012/13 cycle will be held as well as the intent to use the model for projections of rebuilding for the forthcoming Tanner crab rebuilding plan. The Council will review alternatives for the Tanner crab rebuilding plan in June with initial review scheduled for October 2012. Staff contact is Diana Stram.

## Observer restructuring

Under several agenda items, the Council discussed the interrelationship of approved and proposed Council management measures (for example, GOA tanner crab area closures and Pribilof Islands blue king crab area closures) with the restructured observer program that is in the process of being implemented. The Council noted that NMFS will be providing a report at the April Council meeting on the process that will be undertaken, annually, to develop a deployment plan for observer coverage for fisheries that fall into the less than 100% coverage category. The Council requested that the report include a discussion of how the Council might express priorities for observer coverage in geographically designated areas, as well as for specific gear types or seasons.

## GOA Trawl Sweeps

At the February 2012 meeting, the Council released for public review an analysis evaluating the requirement for elevating devices on nonpelagic trawl sweeps for vessels targeting flatfish in the Central Gulf of Alaska. The purpose of the action is to reduce unobserved crab mortality in the Central Gulf of Alaska from the potential adverse effects of nonpelagic trawl gear used for flatfish fishing. The Council initiated this action in conjunction with final action on the GOA Tanner crab PSC measures, which created area closures around Kodiak to protect Tanner crab.

The proposed action would be to combine a gear and performance standard to raise the elevated section of the sweep at least 2.5 inches, measured next to the elevating device. To achieve this performance standard, elevating devices would be required along the entire length of the elevated section of the sweep. To allow for some flexibility around the requirement, there would be two possible sweep configurations that meet the performance standard. In the first configuration, elevating devices that are spaced up to 65 feet apart must have a minimum clearance height of 2.5 inches when measured next to the elevating device. In the second configuration, the elevating devices may be spaced up to 95 feet apart, but they must have a minimum clearance height of 3.5 inches when measured next to the elevating device. In either case, the minimum spacing of the elevated devices is no less than 30 feet.

The Council also added a new element to the analysis, based on the experience in the BS flatfish fisheries using modified trawl sweeps. The proposed action would extend slightly the exempted area on the net bridles and door bridles from 180' to 185' to accommodate hammerlocks attached to net and door bridles. This change would apply to both the BS and the Central GOA.

Final action is currently scheduled for April Council meeting. Staff contact is Jon McCracken.

## Bristol Bay Red King Crab EFH

The Council reviewed an expanded discussion paper on issues that were raised by the Crab Plan Team during the 2010 EFH 5-year review, about the effects of fishing on crab habitat. The discussion paper addressed both general issues about the methodology used to determine the effects of fishing, as well as specific concerns about red king crab and the need to protect mature females in southwestern Bristol Bay. The Council directed staff to expand the discussion paper to consider the broad context of recruitment and protection of red king crab throughout its distribution, including the efficacy of existing closures for minimizing bycatch, especially in cold versus warm years. The Committee recommends that the discussion paper include conceptual management approaches the Council might want to consider to address potential risks to crab recruitment in cold versus warm years. The paper should include options for dynamic management in response to projections of whether the coming year will be cold or warm, or other measures, such as differential bycatch controls to protect female crab, or seasonal closures. The discussion paper should also address the ability of industry to respond to adaptive management measures outside of a strictly regulatory environment. The paper will also incorporate the results of a planned 2012 nearshore survey for red king crab, to occur this summer. Staff contact is Diana Evans.

## Bering Sea Flatfish Specifications Flexibility

The Council reviewed a staff discussion paper concerning the development of a flexibility mechanism that would allow Amendment 80 cooperatives and CDQ groups to harvest individually allocated flatfish (rock sole, flathead sole, and yellowfin sole) in excess of their species-specific allocations, provided those harvests can be maintained below the species-specific acceptable biological catch (ABC), and within an aggregate total catch assigned to those species. The Council postponed consideration of whether to develop an analysis of such a flexibility mechanism until after it receives the reports of the Amendment 80 cooperatives (which will be presented to the Council at the April meeting). The Council also directed staff to continue to work with agency staff and industry to develop a workable mechanism that achieves the desired flexibility while meeting management goals. Staff contact is Diana Evans.



Testifiers during the Council meeting on Halibut PSC.

## Upcoming Meetings

### Charter Management

#### Implementation Committee:

February 22, 10 am Anchorage  
Old Federal Building (605 West  
4<sup>th</sup>) and March 27 4-7 pm,  
Anchorage Hilton.

#### Statewide teleconference on

Chum salmon bycatch analysis:  
February 24<sup>th</sup>, 9-11 AM. 877-214-  
2906 Participant Pin: 1214

#### Scallop Plan Team meeting:

February 27<sup>th</sup>, 2012 9am-5pm.  
Old Federal Building, Anchorage.

#### Joint Protocol Committee March

19 - Hilton, Aleutian Room, 9-4.

#### IFC Implementation Committee

March 25 or 26 (T), Anchorage  
Hilton

#### Halibut Workshop: April 24-25,

2012 at Crowne Plaza Hotel,  
downtown Seattle

#### Joint Groundfish Plan Team

Meeting to recommend Pacific  
cod models: May 1, 2012 AFSC  
and teleconference

#### Crab Plan Team meeting: May

7-10, 2012 Anchorage, AK  
(location TBD)

## Protected Species Report

The Council received a report regarding a draft Memorandum of Understanding between the U.S. Fish and Wildlife Service (FWS) and NMFS to conserve migratory birds. The MOU contains several provisions that are designed to reduce bycatch-related injury to migratory birds, and emphasizes the need for NMFS and FWS to work with the Councils to incorporate seabird bycatch reduction measures in FMPs. Comments on the draft MOU are due on April 13, 2012.

The Council also received a brief report on a draft Environmental Assessment from the FWS Pacific Region evaluating an application from NMFS Pacific Islands Region for a Migratory Bird Treaty Act permit to authorize takes of Laysan Albatross, Black-footed Albatross, Sooty Shearwater, Northern Fulmar, and Short-tailed Albatross in the shallow-set longline fishery. If authorized, this permit would be the first issued under Special Purpose permitting regulations. Neither the FWS or NMFS anticipates that these sorts of permits will be required in federally managed fisheries in the GOA, BSAI, or Arctic in the near future. Council staff continues to monitor this process and will inform the Council of any new developments.

On January 9, 2012, the Alaska Region of NMFS received a Supplemental Biological Opinion from NMFS Northwest Region regarding authorization of the GOA groundfish fisheries and their potential impacts on ESA-listed Chinook salmon. The Northwest Region concluded that GOA groundfish fisheries are not likely to jeopardize the continued existence of either the Upper Willamette River or Lower Columbia River Chinook salmon Evolutionary Significant Units (ESUs), nor are they likely to affect designated critical habitat for either ESU. Therefore, NMFS reaffirmed the provisions of the Incidental Take Statement in the 2007 Supplementary BiOp, including a bycatch limit of 40,000 Chinook salmon in the GOA groundfish fisheries.

NMFS has extended the deadline for the final decision regarding ESA listing of four subspecies of ringed seal and two Distinct Population Segments (DPSs) of bearded seals. The new deadline is June 10, 2012.

NMFS Alaska Fisheries Science Center announced the 2011 abundance estimates for the endangered

Cook Inlet beluga whale population is 284 animals, almost 20% lower than the 2010 estimate of 340. However, the 2011 estimate stays within the range of the ten-year population trend for Cook Inlet belugas, which shows an annual decline of 1.1 percent.

The 12-month finding on the petition to delist the Eastern DPS of Steller sea lions, originally due on 8/31/2011, is not yet complete. NMFS reports that they are continuing to work toward completion of the draft Status Review, with an anticipated publication date of sometime in March.

The Council also received a report about the State of Alaska et al. lawsuit against NMFS et al. regarding the BSAI groundfish FMP Biological Opinion. Judge Burgess found that NMFS did not comply with NEPA standards in developing an Environmental Assessment and Finding of No Significant Impact rather than an Environmental Impact Statement (EIS) evaluating the impacts of their Reasonable and Prudent Alternative. Judge Burgess, however, allowed the Biological Opinion and Interim Final Rule to stand. Parties in the lawsuit have until February 8 to provide additional briefs to the Court before Judge Burgess decides on a remedy. The Council also received a draft timeline for development of an EIS from NMFS staff. The Council expressed to NMFS their desire to remain "meaningfully" involved in the process to develop an EIS and encouraged NMFS to work with the Council and the Mitigation Committee as the process unfolds.

The Council approved the Statement of Work (SoW) Terms of Reference (ToR) for a Center for Independent Experts (CIE) review of the 2010 Final Biological Opinion of the BSAI groundfish FMP. The ToR were drafted cooperatively at a meeting on November 8, 2011 by representatives of NMFS, the Council, and the states of AK and WA. The SoW and ToR result in production of a report with two chapters: (1) a CIE desk review of the Final BiOp using data and materials available to NMFS as of the close of public comment (9/3/2010), and (2) a review of the BiOp following a one-day public panel, including public testimony and information available to NMFS after publication of the Final BiOp. NMFS reported that any CIE SoW and ToR would need to be reviewed by their office of Science and Technology, and that the Council would be informed of any suggested changes to the SoW and ToR before the CIE contract was finalized. Staff contact is Steve MacLean.

## Crab EDR

The Council selected a preferred alternative to modify the crab fishery economic data reports (crab EDR). The Council's purpose and need statement – adopted at its April 2011 meeting – states that the action is intended to address data inaccuracies, redundancy of the crab EDR with other data collections, and the cost and burden of the program. The Council's action made several modifications to the program, eliminating data elements that could be estimated with data from existing sources (such as fishing time, which can be estimated from fish tickets and landing reports). The Council elected to continue the collection of captain and crew compensation data, but elected not to expand the collection by requiring the submission of crew contracts and settlement sheets, as that

requirement could be very costly and could pose certain confidentiality risks. Although the Council eliminated the collection of several cost items due to challenges associated with submitting accurate data, the Council elected to require the submission of fuel use and bait and food and provision costs by vessels and processing labor costs. In addition, the Council elected to maintain collection of landings revenues by IFQ share type and product revenue data to provide information concerning markets that are unavailable from other sources. The Council also focused the collection of leasing data on arm's length monetary transactions and expanded the collection of custom processing data to improve the information collected on lease values and expanded the collection of. The Council

also elected to maintain blind formatting of the EDR data, which is intended to protect confidentiality of submitters. Under the program, a third party manages EDR data, providing it to analysts in a format that does not reveal the submitters' identities. The Council specifically requested that the analysis of the removal of blind formatting examine the potential for inadvertent releases of data that could arise as a result of the distribution to analysts of data identifying the submitter. The Council also requested the opportunity to review forms developed to implement the data collection (and any future revisions to those forms) to ensure that the forms collect data consistent with the Council's intent. Staff contact is Mark Fina.

## Groundfish PSEIS

At the February meeting, the Council considered a discussion paper providing an annual review of its groundfish management policy, and the status of implementation of that policy. The groundfish management policy was adopted by the Council in 2004, following the comprehensive review of the fisheries in the Alaska Groundfish Fisheries Programmatic SEIS (PSEIS). The paper also discussed the factors that may influence the timing of and process for when the Council may wish to supplement or revise the 2004 Groundfish PSEIS. The Council asked NMFS to provide some examples of how an updated PSEIS could address efficiencies in our analytical or regulatory process, and requested that the SSC provide scientific guidance on the continued relevance of the analysis in the 2004 Groundfish PSEIS. **The Council also requests stakeholder input on whether the existing groundfish management objectives continue to be relevant, or are in need of revision.** To that end, the Council endorsed holding a stakeholder listening session during an evening of the April Council meeting, and accepting written comments from those that cannot attend that meeting. The stakeholder input will be compiled in a report to the Council, who will review stakeholder and SSC input at their June meeting. A flyer announcing the listening session is attached to this newsletter. Staff contact is Diana Evans.

**DRAFT NPFMC THREE-MEETING OUTLOOK - Updated 2/13/12**

March 26 - April 3, 2012 Anchorage, AK	June 4 - 12, 2012 Kodiak, AK	October 1-9, 2012 Anchorage, AK
<p>AFA Pollock Cooperative and JPA Reports Amendment 80 Cooperative Reports CGOA Rockfish Cooperative Reports SSL: <i>Review Notice of Intent</i> EFH Consultation Process: <i>Update</i> SOPP: <i>Review and Approve</i> Observer Program: <i>Update</i> Halibut CSP: <i>Review and action as necessary</i> Halibut Area 4B Fish-up: <i>Final Action</i> Joint Protocol Committee: <i>Report</i> GOA Pacific cod A-season opening dates: <i>Discussion paper</i> P. Cod Jig Management: <i>Revised Discussion Paper</i> Limit Other Gear on Jig Vessels: <i>Discussion Paper</i></p>	<p>Halibut workshop report: <i>Review</i></p> <p>GOA Halibut PSC: <i>Final Action</i> GOA comprehensive halibut bycatch amendments: <i>Disc paper</i> BSAI halibut PSC limit: <i>Discussion paper (T)</i></p> <p>Halibut/Sablefish IFQ Leasing prohibition: <i>Discussion paper</i> Halibut/sablefish IFQ changes: <i>Discussion paper (T)</i></p> <p>BSAI Greenland turbot allocation: <i>Discussion paper</i></p> <p>BSAI Crab Binding Arbitration - GKC: Workgroup report</p> <p>Binding Arbitration Issues (lengthy season, publishing decisions, IPO Initiation): <i>Discussion Paper</i></p> <p>Revise BS FLL GOA cod sideboards: <i>Discussion paper (T)</i> FLL Vessel Replacement: <i>Initial Review/Final Action</i></p> <p>BSAI Flatfish specification flexibility: <i>Discussion Paper</i></p> <p>Crab Plan Team Report: <i>Set Catch Specifications for 4 stocks</i> Pbilior BKC Rebuilding Plan: <i>Final Action</i></p> <p>HAPC - Skate sites: <i>Final Action</i></p>	<p>SSL EIS scoping (T)</p> <p>BSAI Chum Salmon Bycatch: <i>Final Action</i></p> <p>GOA Chinook Bycatch All Trawl Fisheries: <i>Initial Review (T)</i></p>
<p>Northern Bering Sea Research: <i>Discussion paper</i></p> <p>BS Habitat Conservation Area Boundary: <i>Review</i></p> <p>BSAI Chum Salmon Bycatch: <i>Initial Review</i></p> <p>GOA Flatfish Trawl Sweep Modifications: <i>Final Action</i></p> <p>BSAI Crab ROFR Workgroup: <i>Report; action as necessary (T)</i></p> <p>Scallop SAFE: <i>Approve harvest specifications</i> BS Tanner crab model: <i>SSC review</i></p> <p>BSIERP Management Strategy Evaluation: <i>Report</i> Groundfish PSEIS: <i>Discuss schedule</i></p> <p>HAPC - Skate sites: <i>Initial Review</i></p> <p>VMS Use and Requirements: <i>Discussion paper</i></p> <p>PSEIS status review: <i>SSC only</i> Grenadiers: <i>Discussion paper (T)</i> GOA pollock EFP: <i>Review (T)</i></p>	<p>BSAI Greenland turbot allocation: <i>Discussion paper</i></p> <p>BSAI Crab Binding Arbitration - GKC: Workgroup report</p> <p>Binding Arbitration Issues (lengthy season, publishing decisions, IPO Initiation): <i>Discussion Paper</i></p> <p>Revise BS FLL GOA cod sideboards: <i>Discussion paper (T)</i> FLL Vessel Replacement: <i>Initial Review/Final Action</i></p> <p>BSAI Flatfish specification flexibility: <i>Discussion Paper</i></p> <p>Crab Plan Team Report: <i>Set Catch Specifications for 4 stocks</i> Pbilior BKC Rebuilding Plan: <i>Final Action</i></p> <p>HAPC - Skate sites: <i>Final Action</i></p> <p>PSEIS: <i>Review comments &amp; reports; action as necessary</i> Total catch and ACLs: <i>Discussion paper - SSC only (T)</i></p>	<p>BSAI Crab active participation requirements: <i>Initial Review</i> BSAI Crab Cooperative Provisions for Crew: <i>Discussion paper</i></p> <p>AFA Vessel Replacement GOA Sideboards: <i>Initial Review (T)</i></p> <p>Groundfish Catch Specifications: <i>Adopt proposed specifications</i></p> <p>BSAI Tanner Crab rebuilding plan: <i>Initial Review</i></p>
<p>AI - Aleutian Islands AFA - American Fisheries Act BIOP - Biological Opinion BSAI - Bering Sea and Aleutian Islands BKC - Blue King Crab BOF - Board of Fisheries COE - Community Quota Entity CDO - Community Development Quota EDR - Economic Data Reporting EFP - Exemplified Fishing Permit EIS - Environmental Impact Statement EFH - Essential Fish Habitat FLL - Freezer longliners GOA - Gulf of Alaska</p>	<p>GKC - Golden King Crab GHL - Guideline Harvest Level HAPC - Habitat Areas of Particular Concern IFQ - Individual Fishing Quota IBQ - Individual Bycatch Quota MPA - Marine Protected Area PSEIS - Programmatic Supplemental Impact Statement PSC - Prohibited Species Catch RKC - Red King Crab ROFR - Right of First Refusal SSC - Scientific and Statistical Committee SAFE - Stock Assessment and Fishery Evaluation SSL - Steeler Sea Lion TAC - Total Allowable Catch</p>	<p>ITEMS BELOW FOR FUTURE MEETINGS</p> <p>Crab PSC numbers to weight: <i>Discussion paper</i> Crab bycatch limits in BSAI groundfish fisheries: <i>Disc paper</i> AI P cod Processing Sideboards: <i>Initial Review</i> BBRKC spawning area/fishery effects: <i>Updated Disc paper (Dec)</i> MPA Nominations: <i>Discuss and consider nominations</i></p>
<p><b>Future Meeting Dates and Locations</b></p> <p>March 26-April 3, 2012 - Hilton Hotel, Anchorage June 4-12, 2012 - Best Western, Kodiak October 1-9, 2012 - Hilton Hotel, Anchorage December 3-11, 2012 - Anchorage February 4-12, 2013 - Portland April 1-9, 2013, Anchorage June 3-11, 2013, Juneau September 30-Oct 6, 2013 Anchorage December 9-17, 2013, Anchorage</p> <p>(T) Tentatively scheduled</p>		

# The North Pacific Fishery Management Council is evaluating its Groundfish Programmatic SEIS



The Council developed its current groundfish management policy in 2004, following a comprehensive review of the BSAI and GOA groundfish fisheries. The Alaska Groundfish Fisheries Programmatic Supplemental Environmental Impact Statement (PSEIS) evaluated the cumulative changes in the management of the groundfish fisheries since the implementation of the Fishery Management Plans (FMPs) around 1980, and considered a broad array of policy-level, programmatic alternatives. On the basis of the analysis, the Council adopted a management approach statement, and 9 policy goal statements, with 45 accompanying objectives.

The Council is considering whether the time is right to revise the 2004 Groundfish PSEIS. The decision will take into account many different factors, but one important element is whether the Council wants to change the objectives, policy statements, or overall management approach for the groundfish fisheries. Consequently, the Council is asking for stakeholder input on the following questions:

- Are the Council's current groundfish management approach, policy goal statements, and objectives still relevant?
- How is the Council doing relative to achieving its groundfish management objectives?
- Are there new objectives that ought to become part of the groundfish management policy?

## OPPORTUNITIES FOR PUBLIC INPUT

A stakeholder listening session will be held Thursday evening during the April Council meeting. Members of the public will have an opportunity to provide any comments, which will be compiled by staff and presented to the Council in a report at the June Council meeting. The session will be:

5:30-8pm, Thursday, March 29, 2012, in the AP room at the Hilton Hotel, Anchorage, AK

You may also submit written comments to the Council, which will be included in the report. Written comments must be received at the Council office before 5pm on May 1st. Send letters by mail or fax (see below), or email to [npfmc.comment@noaa.gov](mailto:npfmc.comment@noaa.gov). If submitting comment by email, please include PSEIS in the subject line.

The Council's groundfish management approach, policy goal statements, and specific objectives are posted on the Council website, along with the discussion paper on this issue that was presented to the Council in February 2012. More information will be posted on the Council website a week before the listening session.

[www.alaskafisheries.noaa.gov/npfmc/public-meetings/committees-related-meetings.html](http://www.alaskafisheries.noaa.gov/npfmc/public-meetings/committees-related-meetings.html)

5 AAC 30 is amended with a new section to read:

**5 AAC 30.345. Requirements and specifications for use of two units of gear in the Yakutat Area.** (a) ACFEC permit holder who holds two Yakutat Area set gillnet permits may operate two units of set gillnet gear as described in 5AAC 30.331, 5AAC 30.335, 5AAC 30.340, and 5AAC 30.334.

(b) Before operating two units of set gillnet gear under this section the holder of two Yakutat Area set gillnet permits shall register by contacting a representative of the Yakutat ADF&G office and providing information required by the department; and before terminating the use of two units of set gillnet gear under this section and operating only a single unit of gear the permit holder shall contact a representative of the Yakutat ADF&G office and provide information required by the department.

(c) When a CFEC permit holder operates two units of set gillnet gear under this section

(1) the permit holder is responsible for ensuring that both units of gear are operated in a lawful manner, and

(2) the buoy on the outer end of each set net shall be clearly marked as described in 5 AAC 39.280, and, additionally, both of the CFEC permit holders five digit permit serial numbers followed by the letter "D" shall be placed on outer net buoys. All markings must be displayed in a manner that is plainly visible, unobscured, and in a color that contrasts with the background.

(d) Operation of CFEC permits under this section is restricted to the Situk-Ahrnklin Inlet, the marine waters of Yakutat Bay north of a line from Point Manby to Ocean Cape, and the Kaliakh River.

(e) When the projected escapement of king salmon in the Situk River is less than 750 fish, 28 inches or greater, a CFEC permit holder who holds two Yakutat Area set gillnet permits may not operate more than one unit of gear in the Situk-Ahrnklin Inlet, or in the marine waters of Yakutat Bay north of a line from Point Manby to Ocean Cape.

5 AAC 30.331(a)(1) is amended by adding a new subparagraph to read:

**(K) Notwithstanding 5 AAC 39.240(a), a person may assist in operation or transportation of additional set gillnet gear when the CFEC interim-use or entry permit card holder of the additional gear is present in compliance with 5 AAC 39.107;**

Submitted by the Alaska Department of Fish and Game at the request of board member Johnstone  
February 23, 2012

Proposed substitute language for proposal 337:

**5 AAC 33.XXX. District 1: Herring Bay Terminal Harvest Area Salmon Management**

**Plan.** (a) The management plan in this section allows for a harvest of Whitman Lake hatchery-produced king salmon by the troll, personal use, and sport fisheries.

(b) The Herring Bay Troll Terminal Harvest Area consists of those waters of subdistricts 101-40, 101-44, and 101-45: in those waters of Revillagigedo Channel north and west of a line from the easternmost tip of Carroll Point across to Spire Island light on the eastern shore of Annette Island, Carroll Inlet south of the latitude of the southernmost tip of California Head, George Inlet south of 55°20.80' N. lat., and south of a line from a point located on the southeastern shore of Gravina Island at 55°17.65' N. lat., 131°37.03' W. long., to a point on the southwest shore of Tongass Narrows at 55°18.63' N. lat., 131°35.20' W. long., and east of a line from the southernmost tip of Gravina Point located on the southeast shore of Gravina Island to then northernmost tip of Walden Point located on the northeast tip of Annette Island.

(c) The Herring Bay Troll Terminal Harvest Area is open for commercial salmon trolling from July 1 through August 30, unless closed earlier by emergency order.

(d) Personal use fishing will be open at all times that the Commercial Salmon Troll Terminal Harvest Area is open for commercial salmon troll gear. The Herring Bay Personal Use Terminal Harvest Area will consist of those waters of Herring Cove west of a line running from the southern entrance of Hole-In-The-Wall harbor to an unnamed creek one-eighth of a mile north of Whitman Creek (signed and red painted rocks) to the fresh/saltwater boundary signs (signed and green painted rocks) located at the mouth of Herring Cove Creek. The conditions in a personal use salmon fishing permit issued under 5 AAC 77.682 will include the following:

- (1) salmon may be taken for personal use only by drift gillnets;
- (2) a drift gillnet may be 10 fathoms or less in length; a gillnet may not be anchored or attached to a boat; a gillnet may be any mesh size; and

(3) the daily bag and possession limit for king salmon shall be 50 unless specified by emergency order; any incidental harvest of other species shall be listed on a Ketchikan personal use permit.

(e) Sport fishing will be open from June 1 through July 31, in the Herring Bay Sportfish Terminal Harvest Area. Open waters will consist of those waters of Nichols Pass north of the latitude of Driest Point, Revillagigedo Channel north of the latitude of Harbor Point, Tongass Narrows south of the latitude of the Lewis Reef light as follows:

(1) the bag and possession limit is six king salmon, no size limit;

(2) king salmon harvested in this area do not count toward the nonresident annual limit; and

(3) the sport fishery possession limit may be reduced by emergency order to assure adequate return of hatchery broodstock.



Chairman Karl Johnstone  
Alaska Board of Fisheries  
February/March SE Finfish Meeting

Proposal 216; Amended language establishing bag, possession and annual limit on Blackcod

Chairman Johnstone, Board Members,

As an alternative to a region wide annual limit or no annual limit, why not apply the annual limit only in the area of concentrated harvest as identified in the Department staff presentation?

5 AAC 47.020. General provisions for seasons, bag and possession, size and annual limits for the salt waters of the Southeast Alaska Area.

( ) Blackcod ( Sablefish ) may be taken from January 1 – December 31: **Nonresident bag limit is 4 fish, 4 fish in possession, no size restrictions and no annual limit except, in that portion of NSEI waters identified as Chatham Strait, North of Point Gardner, an 8 fish annual limit will apply.**

Annual limits are an unnecessary burden imposed on every nonresident angler and charter operator when most of the harvest is conducted by a handful of sport fishers and charter operators in a relatively small area of SE.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Stan Malcom".

Stan Malcom

Submitted by Alaska Department of Fish and Game  
February 25, 2012

Substitute language for **Proposal 270**  
Removes reference to annual limit for sablefish.

5 AAC 01.730. Subsistence fishing permits.

(a) Eulachon in the Unuk River, and salmon, trout, char, [AND], herring spawn on kelp, **and sablefish** may only be taken under the authority of a subsistence fishing permit.

**(1) Sablefish subsistence fishing permits will be issued by the department; only one permit may be issued to a household per year. A permit holder shall record sablefish harvest information on harvest recording forms provided by the department.**

5 AAC 77.674. Personal use bottomfish fishery.

**(6) Sablefish personal use fishing permits will be issued by the department; only one permit may be issued to a household per year. A permit holder shall record sablefish harvest information on harvest recording forms provided by the department.**



33.370 (b) (2) (a) openings for seiners and gillnets must be rotated between gear groups with a closure of at least 24 hours between openings; [the first opening must be for gillnets.] During any late summer or fall rotations the first opening shall start with the net group farthest below their enhanced allocation range based on the most recent five year rolling average data.

AFTER  
July 4,

REC from SSRAA re: Proposal 331  
John Burke



# RC # 84

Submitted by Wrangell Advisory Committee and the Alaska Department of Fish and Game

February 27, 2012

Substitute language for proposal #254

5 AAC 47.023

(h) In the Petersburg/Wrangell vicinity,

**(X) In Pats Lake;**

**(X) a person younger than 16 years of age may sport fish in Pats Lake during the four designated youth only fishing days, which will occur on the third and fourth Saturday and Sunday in June. A person under 16 years of age may only fish during these days as follows:**

**(x) bag and possession limit of two fish, no size limit;** *only may fish*

**(x) bait may be used;**

February 27, 2012



RC

**Re: Proposals 210 & 211 – pertaining to deep water release of demersal shelf rockfish**

"5 AAC 47.020(C) A person sport fishing from a charter vessel when releasing a non-pelagic rockfish shall immediately utilize a deep water release mechanism to return the rockfish to the bottom near where the fish was hooked or to at least a 100 feet in depth, whichever is shallower.

The sport fishing guide of a charter vessel is responsible to have at least one functional deep water release mechanism on board and readily accessible for use when sport fishing activities are taking place on marine waters. A deep water release mechanism must be presented for inspection upon request of an employee of the department or a peace officer of the state."

Effective Date: January 1, 2013

Definition – 5 AAC 75.995(X) "deep water release mechanism" means a release device designed to return a rockfish, in marine waters, back to the bottom near where it was hooked or to a specified depth to assist in recompression and improve survival;

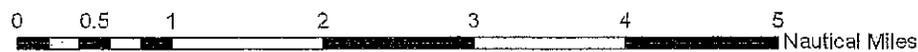
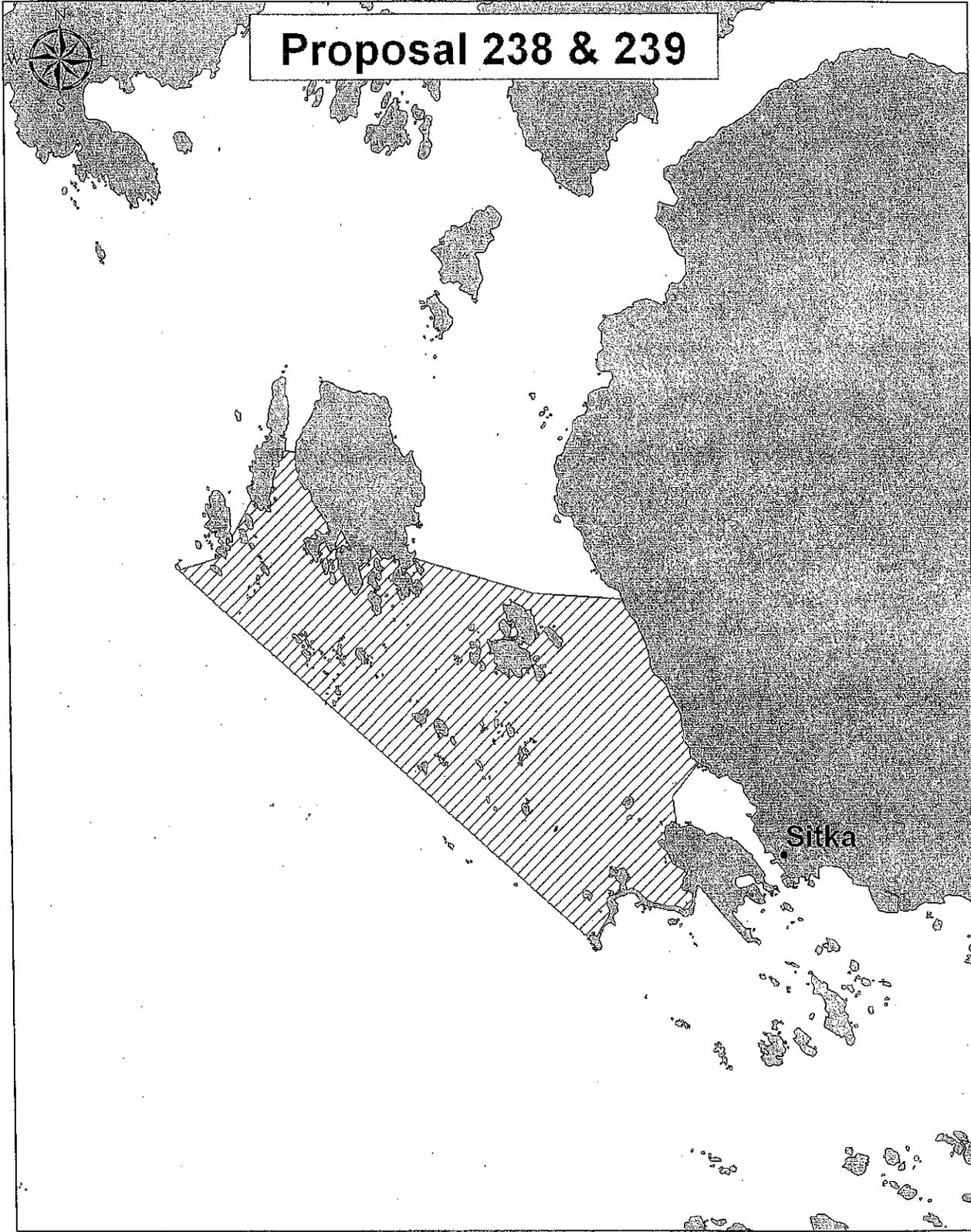
A handwritten signature in cursive script, appearing to read 'Linda Behnken', written over a horizontal line.

Linda Behnken – ALFA

A handwritten signature in cursive script, appearing to read 'Stan Malcom', written over a horizontal line.

Stan Malcom - SEAGO

RC ?? RC90  
RJ



Sitka Sound will be closed to the commercial herring sac roe fishery in the following area:

North and west of the Eliason Harbor Breakwater and Makhnati Island Causeway from the western most tip of Makhnati Island to the eastern most point on Belie Rock to the southernmost tip of Gagarin Island to a point on the eastern shore of Crow Island at 57°6.430' N. lat., 135°28.268' W. long. to a point on western shore of Middle Island at 57°6.407' N. lat., 135°28.105' W. long. to a point on the southeast shore of Middle Island at 57°5.557' N. lat., 135°26.227' W. long. to the green day marker northeast of Kasiana Island, to the Baranof Island shore at 57°5.258' N. lat., 135°22.951' W. long.

February 27, 2012

Alaska Board of Fisheries  
Box 115526  
Juneau, AK 99811

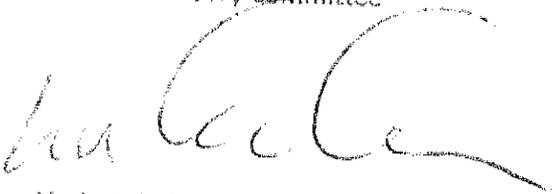
Dear Chairman Johnstone and Board of Fisheries Members:

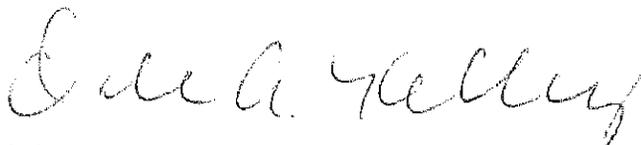
The undersigned groups have developed the following compromise position on Proposal 217, which would amend the allocated percentages of lingcod between the three commercial gear types in Icy Bay subdistrict.

The ~~60.6~~6% allocation for commercial shall be split amongst user groups as follows:

- 46.0% Directed Fishery (dinglebar)
- 12. ~~6~~ Longline
- 8.0% Troll

  
Casey Mapes, Chair  
Yakutat Advisory Committee

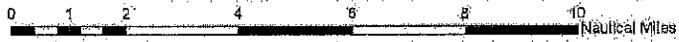
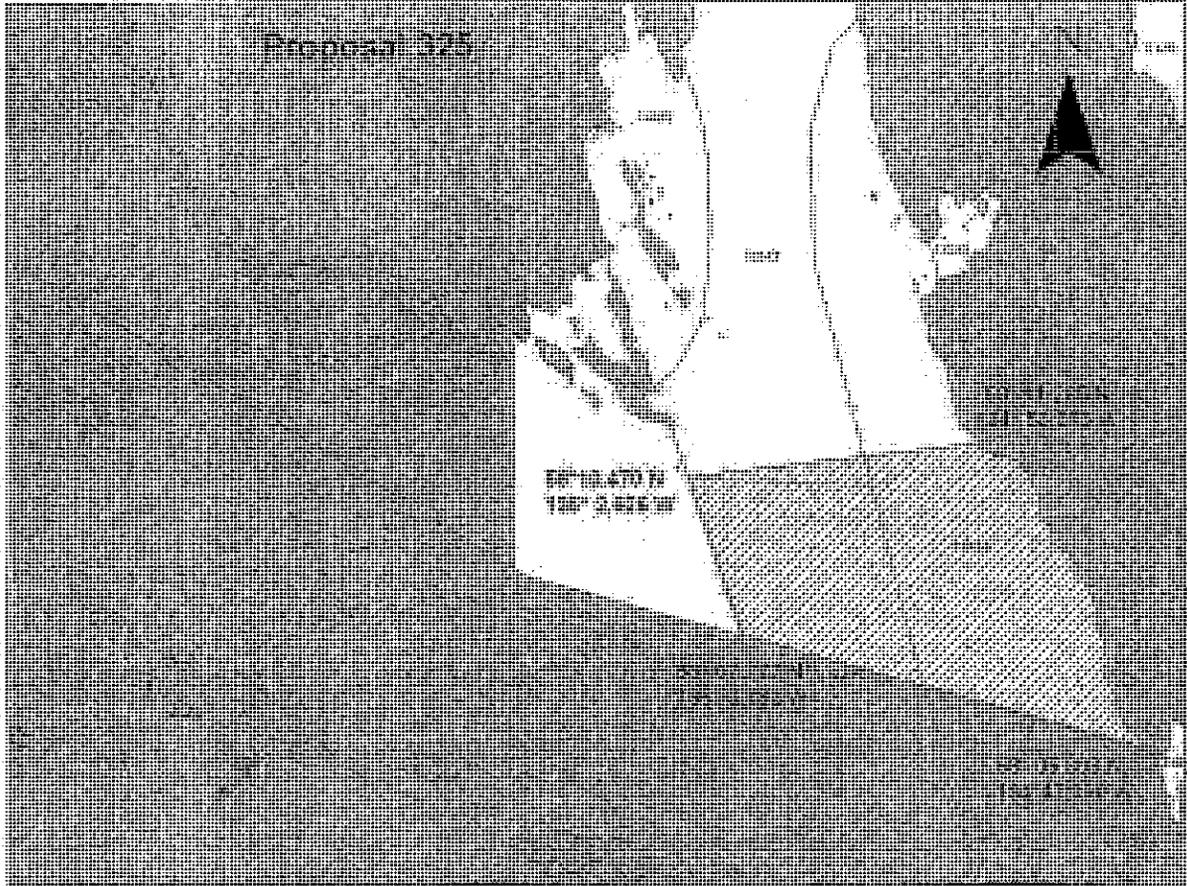
  
Linda Behnken, Executive Director  
Alaska Longline Fishermen's Association

  
Dale Kelley, Executive Director  
Alaska Trollers Association

Substitute Language for Proposal 325 as requested by Chairman Johnstone:

**5 AAC 29.XXX. DISTRICT 12 AND DISTRICT 14 ENHANCED CHUM SALMON TROLL FISHERIES.**

- (a) This plan provides for an orderly development of enhanced chum salmon troll fishery for the directed fisheries in Cross Sound, Icy Strait and Northern Chatham Strait, while providing for the conservation of wild stocks.
- (b) The Northern Chatham area in District 12 may be opened by emergency order in an area enclosed by a line from 58° 11.29' N. latitude, 134° 53.27' W. longitude to 58° 10.40' N. latitude, 135° 02.63' W. longitude to 58° 07.78' N. latitude, 135° 00.78' W. longitude to 58° 05.81', 134° 47.09' W. longitude for up to four weekdays per week beginning the second Monday in June through the last week of June for pink and chum retention only.
- (c) Notwithstanding 5 AAC 29.090. MANAGEMENT OF THE SPRING SALMON TROLL FISHERIES, spring troll fisheries in District 14, will be managed to minimize the harvest of wild chum salmon and may close by emergency order based on wild chum salmon abundance.
- (d) CFEC permit holders targeting chum salmon and buyers shall separate and report the fish harvested from each fishery area on separate fish tickets.
- (e) For the purposes of this section this plan will be in effect through June 30, 2014.



Substitute language for RC 22:

(b) A herring purse seine may not be more than 1,700 meshes in depth, except that for District 4, Section 3-B, and Section 12-A, the commissioner may, by emergency order, open a purse seine herring fishery during which a herring purse seine may not be more than 2,200 [2,125] meshes in depth.

I am submitting this as a solution for a need for Bait Herring. I would like this to be used as a tool to ~~harvest~~ harvest a quota that is not being taken to its full potential in an efficient manner. You can choose to fish a net of any size. This is simply an idea to try and make this an efficient and dependable use of the resource.

Just Rule

The Alaska Wildlife Troopers have concerns with the proposed language in Proposal 318 and suggest that GPS coordinates be added to the location information as follows:

**PROPOSAL 318 - 5 AAC 5 AAC 29.100. Management of the summer troll fishery.** Clarify when Section 1-F is open to trolling as follows:

(d) In Sections 1-C, 1-E, and 1-F, salmon may be taken only as follows:

(1) Section 1-C: open from August 15 through September 20;

(2) Section 1-E:

(A) in the waters of Section 1-E, bounded by a line from Escape Point to Nose Point within one mile of the shoreline, open from July 1 through September 20;

(B) all other waters of Section 1-E open from July 13 through September 20;

**(3) Section 1-F: open from July 1 through September 20, with the following restrictions:**

[SECTION 1-F: EAST OF A LINE FROM THE NORTHERNMOST TIP OF KIRK POINT TO MARY ISLAND LIGHT TO THE SOUTHERNMOST TIP OF CONE ISLAND, FROM JULY 13 THROUGH SEPTEMBER 20;]

(A) from July 1 through July 12, waters of Section 1-F east of a line from the northernmost tip of Kirk Point (54°59.98' N. lat., 131°00.78' W. long.) to Mary Island Light (55°05.90' N. lat., 131°10.89' W. long.) to the southernmost tip of Cone Island (55°14.47' N. lat., 131°19.36' W. long.), will be closed;

(B) from July 13 through July 31, waters of Section 1-F east of a line from the southernmost tip of Black Island (55°07.84' N. lat., 131°04.89' W. long.) to the westernmost tip of Slate Island (55°05.68' N. lat., 131°03.92' W. long.) to the westernmost tip of White Reef (55°03.95' N. lat., 131°02.51' W. long.) to the easternmost tip of Black Rock (55°01.37' N. lat., 131°03.62' W. long.) to the northernmost tip of Kirk Point (54°59.98' N. lat., 131°00.78' W. long.), will be closed. [SECTION 1-F: EAST OF A LINE FROM THE SOUTHERNMOST TIP OF BLACK ISLAND TO THE WESTERNMOST TIP OF SLATE ISLAND TO THE WESTERNMOST TIP OF WHITE] Reef to the easternmost tip of Black Rock to the northernmost tip of Kirk Point, [INCLUDING THE WATERS OF BOCA DE QUADRA NOT CLOSED UNDER 5 AAC 29.150(B)(2), FROM AUGUST 1 THROUGH SEPTEMBER 20.]

Submitted by Alaska Department of Fish and Game at the request of board member Brown.  
March 1, 2012

Substitute language for **Proposal 223**

Clarify that dinglebar gear in the longline fishery allows only one line.

**5 AAC 28.130. Lawful gear for Eastern Gulf Of Alaska Area.** Clarify dinglebar gear in the lingcod fishery allowing for only one line as follows:

(h) In the Eastern Gulf of Alaska Area, dinglebar troll gear is gear that consists of a single line that is retrieved and set with a troll gurdy or hand troll gurdy with a terminally attached weight from which one or more leaders with one or more lures or baited hooks are pulled through the water while a vessel is making way. **Only one troll gurdy or hand troll gurdy with a terminally attached weight may be deployed in the water at any time.**

Submitted by Alaska Department of Fish and Game at the request of board member Brown.  
March 1, 2012

Substitute Language for **Proposal 225**  
Herring pound management plan

5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

**dd) Two closed pounds as described under 5 AAC 27.130 (e) may be combined into one single closed pound structure and operated by multiple permit holders. The kelp allocations per permit holder and all other provisions as describe in 5 AAC 27.185 would apply to a combined pound. Permit holders choosing to operate a combined pound must register with the department prior to placing the pound in the water.**

Submitted by Alaska Department of Fish and Game at the request of board member Brown.  
March 1, 2012

Substitute Language for **Proposal 226**  
Herring pound management plan

5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7

(g) Herring for placement in a closed herring spawn-on-kelp pound may be captured only with power seines or hand purse seines and may only be transferred to a closed pounds in

(1) Section 3-B after 12:00 noon, March 17 until 12:00 noon, May 10 unless closed by emergency order;

(2) District 7 after 12:00 noon, April 1 until 12:00 noon, May 10 unless closed by emergency order;

(3) Section 12-A after 12:00 noon, April 6 until 12:00 noon, May 15 unless closed by emergency order; and

(4) Section 13-C after 12:00 noon, April 6 until 12:00 noon, May 15 unless closed by emergency order.

(k) Marking requirements for spawn on kelp pound structures and associated equipment in Registration Area A.

(1) Before [KELP OR] a herring [ARE ADDED TO A] pound is placed in the water by a permit holder must plainly and legibly mark the permit holder's first and last name and five-digit CFEC permit number in a conspicuous place on the pound. The sign must be vertical, and the markings must be clearly visible and above the surface of the water at all times. The letters and numbers used to identify a pound must be at least six inches high with lines at least one-half inch wide and must contrast with the background. If a pound is being operated as a multiple-permit pound, the first and last names and five-digit CFEC permit numbers of all permit holders operating the pound must be placed on a single sign. The sign must be left on the pound structure or the webbing support system the entire time any part of the pound or pound system is in the water.

(2) all floats and floating objects used in support of the fishery must be plainly and legibly marked with a CFEC permit number of a participating permit holder as specified in (1) above. The floats and floating objects must be permanently marked and clearly visible above the surface of the water at all times.

(3) [L] a permit holder using a tow pound for transporting herring to a closed pound must permanently affix a horizontal sign stating "Tow Pound" and a CFEC permit number of

a participating permit holder to the top surface of the tow pound. The letters must be at least six inches high with lines at least one-half inch wide and must contrast with the background. A permit holder may introduce herring into a tow pound multiple times before transferring the herring to a spawn-on-kelp pound.

**All POUNDS**

(w) ~~A PERMIT HOLDER SHALL COMPLETELY REMOVE~~ permit holder shall completely remove] all pounds and associated equipment must be completely removed from the waters in

- (1) Section 3-B from [BY] 12:00 noon May 31 through March 1 of the following year;
- (2) District 7 from [BY] 12:00 noon May 31 through March 1 of the following year;
- (3) Section 12-A from [BY] 12:00 noon June 10 through March 1 of the following year;
- (4) Section 13-C from [BY] 12:00 noon June 10 through March 1 of the following year.

# Proposal 301

March 1, 2012

I have been guiding on the Tsiu River for 17 years. Out of a 50 day season I am typically on the river for 48 of them. I am usually the first human there in August and the last one to leave in October. So by being on the river every day 10-12 hours a day you get to learn every plane and atv that is landing or driving around. I get to know the netters and their routines.

The netters that utilize the upper holes of the river very rarely have powered boats. They use paddles and other devices to scare the fish. As heard in testimony harvesters cannot catch good numbers of fish without the use of powered boats to herd them into the nets.

The idea that the three nets that are the historical users in this area can take 20% of the catch is a little hard to believe when there are 8-10 other nets in the lower river using powered boats. 20% of 45000(which is average catch ) is 9000. With about 90 fish to a tote would equate to about 100 totes. Or about 10 totes per opener in a 10 opener season.(10 is the average)

It is also common for these netters in this area to not stay the entire season. They usually pull out after about 5 or 6 openers. Thus making the above numbers even more difficult attain.

I see lots of discarded fish the morning after an opener closes. Almost all being of the blush variety. There are hundreds of gull pecking on them everywhere and the bears have had a field day. I have seen hundreds of fish laying on the bottom in this upper part of the river. (About 1.5 mile area)

If you look at the history of the length of the river – about 40 years ago there was less than a mile of river to place nets. That is when the river flowed north to south. The duck camp island marker placement was put in place before sportfishing became mainstream. Probably to protect the blush fish. And at that time it was only a mile or so from the ocean. The river has since gained about 1 tenth of a mile over the last 40 years. A little mathematics will show that about 2.5 miles was the average length over this period of time. The years when there were 40 nets on the river were years that the river was only about 2.5-3 miles long.

With the EO authority of the Department the closed waters approved in action taken on 301 can be opened at any time. There is really no down side. While the commercial fleet provides an important economic base to the city of Yakutat there is another user group now that has become a huge financial contributor to their economy. And if developed properly will be an even greater asset.

Thank you☺

Dan Ernhart      Tsiu River Coalition

Substitute language for proposal 294:

Submitted by ADF&G at the request of Board Member Vince Webster:

**5 AAC 30.395. Reporting requirements. Repealed.** [THE COMMISSIONER MAY, BY EMERGENCY ORDER, CLOSE A COMMERCIAL SALMON FISHING SEASON AND IMMEDIATELY REOPEN A COMMERCIAL SALMON FISHING SEASON DURING WHICH A CFEC PERMIT HOLDER SHALL BE REQUIRED TO REPORT ON AN ADF&G FISH TICKET, AT THE TIME OF DELIVERY, THE NUMBER OF STEELHEAD AND THE NUMBER OF KING SALMON, 28 INCHES OR GREATER IN LENGTH, TAKEN BUT NOT SOLD.]

**5 AAC 33.395. Reporting requirements. Repealed.** [THE COMMISSIONER MAY, BY EMERGENCY ORDER, CLOSE A COMMERCIAL SALMON FISHING SEASON AND IMMEDIATELY REOPEN A COMMERCIAL SALMON FISHING SEASON DURING WHICH A CFEC PERMIT HOLDER SHALL BE REQUIRED TO REPORT ON AN ADF&G FISH TICKET, AT THE TIME OF LANDING, THE NUMBER OF STEELHEAD AND THE NUMBER OF KING SALMON, 28 INCHES OR GREATER IN LENGTH, TAKEN BUT NOT SOLD. FOR THE PURPOSES OF THIS SECTION "LANDING" MEANS THE ACT OF OFFLOADING FISH FROM A CFEC PERMIT HOLDER'S VESSEL.]

Submitted by Alaska Department of Fish and Game at the request of board member Brown.  
March 1, 2012

Substitute language for **Proposal 199**

Makes superexclusive directed fishery registration for lingcod in Icy Bay Subdistrict apply to both vessels and permit holders.

**5 AAC 28.106. Eastern Gulf of Alaska Area registration.** Apply superexclusive directed fishery registration for lingcod in the Icy Bay Subdistrict apply to both vessels and permit holders as follows:

(f) The Icy Bay Subdistrict is a superexclusive registration area for the directed commercial lingcod fishery. Notwithstanding 5 AAC 28.020(b) , a CFEC permit holder who participates in the directed commercial taking of lingcod in the Icy Bay Subdistrict may not participate or have participated in the directed commercial taking of lingcod as a CFEC permit holder in any other registration area or portion of a registration area during that calendar year. **A vessel used in the directed commercial taking of lingcod in the Icy Bay Subdistrict may not be used or have been used in the directed commercial taking of lingcod in any other registration area or portion of a registration area during that calendar year.**