

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

PROPOSAL INDEX

Following is a list of proposals that will be considered at the above meeting sorted by general topic. A board committee roadmap will be developed and distributed prior to the meeting.

**PROP
NO. (145)**

SUBJECT

Southeast Groundfish (25)

General (2)

- 199 Amend groundfish area registration to specify registration by vessel.
- 200 Clarify use of post-processed and reported commercial fish as bait.
- 201 *Proposal 201 does not exist.*

Closed Waters (4)

- 141 Prohibit fishing for bottomfish and shellfish near Cache Island by all users. *(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)*
- 142 Prohibit nonresidents from fishing for bottomfish and shellfish in a portion of Behm Canal. *(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)*
- 143 Prohibit nonresidents from fishing for bottomfish and shellfish near Naha Bay. *(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)*
- 144 Prohibit nonresidents from fishing for bottomfish and shellfish near Cedar Island. *(This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting.)*

** Note: Proposals 202-205 do not exist as they are duplicates of proposals 141-144.*

Dogfish (2)

- 206 Create a commercial spiny dogfish pot fishery in the Ketchikan area.
- 207 Increase the dogfish daily bag limit.

Pacific Cod (1)

- 208 Establish commercial fishing seasons for Pacific cod for the Eastern Gulf of Alaska area.

Rockfish (5)

- 209 Establish commercial fishing seasons for black rockfish for the Eastern Gulf of Alaska area.
- 210 Require release of demersal shelf rockfish at depth.
- 211 Require release of rockfish at 40 feet or greater.
- 212 Increase the sport allocation of demersal shelf rockfish to 25 percent.

213 Establish a point system for retention of rockfish.

Sablefish (3)

- 214 Standardize sablefish retention and reporting requirements in regulation.
215 Amend the sablefish fishing season to allow permit holders to participate in stock assessment surveys.
216 Repeal the nonresident sablefish annual limit.

Lingcod (8)

- 217 Amend lingcod allocation between commercial fisheries.
218 Allow for retention of lingcod in other commercial fisheries.
219 Increase the allocation for commercially caught lingcod in North Southeast Outside Section.
220 Reallocate a portion of the Eastern Yakutat Section lingcod GHL.
221 Increase sport allocation of lingcod in Central Southeast Outside and Southern Southeast Outside sections.
222 Increase the lingcod GHL in EYKT Section.
223 Clarify dinglebar gear in the lingcod fishery allows only one line.
224 Allow lingcod to be used as commercial bait.

Southeast Herring (21)

Spawn on Kelp (2)

- 225 Allow combining two units of gear in herring spawn-on-kelp fishery.
226 Amend spawn-on-kelp gear marking and removal requirements.

Gillnet Sac Roe (3)

- 227 Amend to clarify that only the purse seine fishery is an equal quota share fishery.
228 Remove the mesh restriction in the Gillnet Sac Roe Herring Fishery.
229 Remove the mesh restriction in the Gillnet Sac Roe Herring Fishery.

Seine Sac Roe (8)

- 230 Revise the commercial herring fishery management plan for Sitka Sound.
231 Amend management for the herring sac roe fishery GHL in Sections 13-A and 13-B.
232 Repeal regulations for establishing the herring fishery GHL for Sections 13-A and 13-B.
233 Establish an equal-share fishery for herring sac roe in Sitka Sound.
234 Establish an equal-share fishery for herring sac roe in Sitka Sound.
235 Restrict fishing vessels from entry into the announced fishing area prior to openings in the Sitka Sound commercial herring fishery.
236 Change specifications for herring purse seines to reduce depth of nets for the Sitka Sound commercial herring fishery.
237 Change specifications for herring purse seine to reduce length of nets for the Sitka Sound commercial herring fishery.

Allocation (8)

- 238 Establish closed waters for the Sitka Sound commercial herring fishery in order to provide an area only open for subsistence.
- 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.
- 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.
- 241 Revise the herring allocation for Hobart Bay to eliminate winter bait and to provide all the available GHL for gillnet sac roe.
- 242 Increase threshold for the West Behm Canal Herring Fishery from 6,000 tons to 15,000 tons.
- 243 Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe fishery and allow only gillnet sac roe fishing.
- 244 Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe fishery and allow only gillnet sac roe fishing.
- 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.

Southeast Sport (22)

Management Plan (2)

- 246 Clarify that the management measures for the use of two rods is for king salmon only.
- 247 Develop a management plan to protect and enhance the Juneau roadside sport fisheries.

General Provisions (3)

- 248 Change the definition of “bag limit” for anglers fishing from a vessel.
- 249 Establish nonresident annual limits for sockeye, coho, chum, and pink salmon in the Southeast Alaska Area.
- 250 Allow retention of king salmon in the fresh waters of the Southeast Alaska Area.

Methods and Means (3)

- 251 Allow the use of two rods by non-guided anglers in salt water.
- 252 Allow the use of power assisted reels by disabled anglers only.
- 253 Establish system for distinguishing between vessels participating in hand troll and guided charter fishing in Southeast Alaska.

Special Provisions (14)

- 254 Allow youth and disabled anglers to use bait in high use and small cutthroat lakes.
- 255 Establish a Taku River king salmon sport fishery.
- 256 Prohibit snagging at the mouth of Auke Creek.
- 257 Prohibit the use of bait in Cowee Creek.
- 258 Reopen Sitkoh Bay Sockeye sport fishery.

- 259 Make fishing within the Sitka Historical Park on the Indian River a fly fishing only, catch and release fishery.
- 260 Liberalize king salmon regulations in the vicinity of Ketchikan.
- 261 Increase king salmon bag limits in the vicinity of Neets Bay.
- 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.
- 263 Prohibit the use of bait in the Klawock River.
- 264 Allow the use of bait in the Klawock River.
- 265 Repeal Klawock River regulations applying to adipose fin-clipped steelhead.
- 266 Clarify Klawock Harbor area closed to snagging and retention of sockeye.
- 267 Align Post Office Lake regulations with the Yakutat roadside systems regulations.

Southeast Subsistence and Personal Use (14)

General (3)

- 268 Clarify where personal use finfish regulations apply.
- 269 Establish a catch report card system for subsistence, personal use, and sport finfish fisheries.
- 270 Require a permit for subsistence or personal use harvest of sablefish.

Groundfish (1)

- 271 Clarify prohibitions to commercial, subsistence, and personal use fishing by commercial sablefish permit holders.

Herring (2)

- 272 Clarify subsistence herring and herring spawn customary and traditional use findings for waters of Sections 3-A and 3-B.
- 273 Require a permit for subsistence herring eggs on branches in Sitka Sound or alter the harvest monitoring program to measure landed weights.

Salmon (8)

- 274 Modify the personal use fishery for salmon in Southeast Alaska to target king and coho and to include additional gear types.
- 275 Remove the horsepower limit for the Klawock subsistence area.
- 276 Change the subsistence sockeye fishery in the Klawock River from five to seven days per week.
- 277 Allow dip nets in the Taku River for personal use.
- 278 Extend the personal use fishery season on the Taku River from mid-June through August.
- 279 Increase Taku River sockeye salmon daily and annual bag limit per household based on number of persons in the household.
- 280 Clarify that subsistence in District 15 includes Lutak Inlet and opens the day before commercial openings.
- 281 Allow 75 fathom gillnet length in the Yakutat Bay subsistence fishery.

Southeast Commercial Salmon (63)

Management Plan (3)

- 282 Modify the Situk-Ahrnklin and Lost River King Salmon Management Plan to redefine closed waters, specify nonretention, and clarify action points.
- 283 Revise the *Situk River Management Plan* to delink Situk escapement from a spring troll in Yakutat Bay.
- 284 Establish increased fishing periods for troll when the directed drift gillnet fishery is open in Sections 11-A and 11-B.

Seine (7)

- 285 Repeal the 58' vessel limit in the Southeast salmon purse seine fishery.
- 286 Increase length limit for Southeast salmon seine vessel to 75 feet.
- 287 Exclude stern ramps and rollers in the 58 foot length limit for the Southeast Alaska area.
- 288 Allow seine vessels to transport two seine nets.
- 289 Close District 10 to seining and open to gillnet fishing.
- 290 Increase seining and reduce gillnet fishing in District 6 in September.
- 291 Allow harvest of pink salmon along the Pt. Adolphus shoreline in District 14 during years of large pink salmon returns.

Gillnet (8)

- 292 Change gillnet fishery openings from noon Sundays to 8:00 a.m. on Mondays.
- 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.
- 294 Require reporting of commercially-caught salmon and steelhead retained for personal use.
- 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.
- 296 Open gillnet fishery in Section 6-D all season to provide pink salmon fishery.
- 297 Open gillnet fishery in Section 6-D during pink season when not open to seining.
- 298 Limit District 5 seine fishery to 2 days per week to increase gillnet pink salmon harvest in District 6.
- 299 Extend commercial closed waters in Taku Inlet to Point Greely–Point Bishop.

Setnet (7)

- 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.
- 301 Relocate boundary for commercial setnet fishing on Tsiu River to provide a separate sport fishing area.
- 302 Prohibit using power boats to drive fish into nets on the Tsiu River.
- 303 Establish criteria to determine the first commercial opening on the Tsiu River.
- 304 Amend Ankau Creek closed waters.
- 305 Amend Akwe River closed waters.
- 306 Change the day when allowable gear increases on the Alsek River from Monday to Sunday.

Troll (16)

- 307 Allow downriggers in the commercial hand troll fishery all season.
- 308 Allow six trolling lines on specified inside waters of Southeast Alaska to increase the harvest of enhanced salmon.
- 309 Allow four hand troll gurdies in the summer troll fishery following the initial king salmon retention period.
- 310 Amend the winter king salmon guideline harvest range by adding hatchery-produced kings.
- 311 Change beginning date for coho salmon retention in the spring king salmon fishery from June 15 to June 1.
- 312 Require 10-day mid-August troll closures for conservation and allocation based on the department's midseason assessment.
- 313 Extend season for the troll coho fishery in Southeast to September 30 but closed earlier by emergency order when warranted.
- 314 Through September lengthen the troll season in Districts 1, 6, and 8 each week gillnet fisheries are opened in these districts.
- 315 In Section 1-E redefine the area open for trolling and extend the summer closure date from September 20 to September 30.
- 316 In Section 1-E redefine the area open for trolling.
- 317 Extend the summer closure date in a portion of Section 1-E to September 30.
- 318 Clarify when Section 1-F is open to trolling.
- 319 Increase troll opening in Chichagof Pass to seven days a week to access enhanced Anita Bay chum.
- 320 Increase the area of Section 11-A open to trolling in the directed Taku king salmon fishery.
- 321 Amend closed waters for the Situk River troll fishery.
- 322 Amend closed waters for the Situk River troll fishery.

Allocation Plans (4)

- 323 Revise basis for the *Southeast Alaska Area Enhanced Salmon Allocation Management Plan* to include only production by regional associations.
- 324 Create separate enhanced salmon allocation plans for northern and southern Southeast Alaska.
- 325 Redirect spring troll fishery management to target chum salmon to address the enhanced salmon allocation imbalance.
- 326 Provide a targeted chum salmon fishery for troll gear in Section 11-A to address the enhanced salmon allocation imbalance.

Special Harvest Area (4)

- 327 Define open fishing periods in regulation for DIPAC, Southern Southeast Regional Aquaculture Association, and Prince of Wales Hatchery Area special harvest areas.
- 328 Allow new gear type for broodstock capture in Districts 12 and 13.
- 329 Adopt a new Special Harvest Area for the Port Saint Nicholas hatchery in District 3.
- 330 Close a portion of Bear Cove in the Silver Bay Special Harvest Area to protect broodstock and provide for safety.

Terminal Harvest Area (14)

- 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.
- 332 Change the Neets Bay hatchery management plan to provide common property access based on enhanced salmon allocation status.
- 333 Remove 1:1 gillnet to seine fishing rotation schedule for Neets Bay hatchery common property openings after the 2011 season.
- 334 Continue 1:1 gillnet to seine fishing rotation in Anita Bay THA through 2017.
- 335 Continue 1:1 gillnet to seine fishing rotation in Deep Inlet THA through 2017.
- 336 Allow for a rotational seine and gillnet fishery in the Nakat Inlet THA.
- 337 Establish a new Herring Cove THA management plan to distribute harvest between commercial, sport, and personal use fisheries.
- 338 Expand the Kendrick Bay THA to include McLean Arm for commercial seining.
- 339 Change the opening date for the Anita Bay THA to May 1.
- 340 Modify the open area in the Anita Bay THA to enhance salmon quality.
- 341 Establish a THA in Southeast Cove for seine and troll gear.
- 342 Establish a registration fishery for the Hidden Falls THA to replace cost recovery harvest with tax assessment.
- 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.
- 344 Revise the western Deep Inlet THA boundary and season to increase troll fishery access to enhanced king salmon.

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PROPOSAL 199 - 5 AAC 28.020. Groundfish area registration. Amend groundfish area regulation to specify registration by vessel as follows:

Delete [PERMIT HOLDER] and add the word vessel. Currently a vessel with 2 or more permit holders on board can circumvent the intent of the Icy Bay subdistrict superexclusive lingcod fishery. There have been instances of the captain registering in the East Yakutat Fishery, and the crewmember registering in the Icy Bay Subdistrict.

ISSUE: Currently the way the code is written superexclusive goes by the permit holder instead of the vessel.

WHAT WILL HAPPEN IF NOTHING IS DONE? Some boats will be able to continue harvesting more than a fair amount of lingcod as prescribed by the intent of superexclusive registration.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Fishermen who pick an area and followed the intent of super exclusion.

WHO IS LIKELY TO SUFFER? Those fishermen who do not.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Yakutat Advisory Committee (HQ-F11-337)

PROPOSAL 200 - 5 AAC 28.190. Harvest of bait by commercial permit holders in Eastern Gulf of Alaska Area. Clarify use of post-processed and reported commercial fish as bait as follows:

(1) except for sablefish, lingcod, and thornyhead, shortraker, rougheye, and yelloweye rockfishes, groundfish may be taken at any time; sablefish, lingcod, and thornyhead, shortraker, rougheye, and yelloweye rockfish, may not be taken for bait or used for bait, except that the head, tail, fins, and viscera of delivered and processed commercial sablefish, lingcod, and thornyhead, shortraker, rougheye, and yelloweye rockfish may be used for bait;

ISSUE: The Alaska Board of Fisheries prohibited use of sablefish for bait in 2003, as well as lingcod and thornyhead, shortraker, rougheye, and yelloweye rockfishes in 2006. The primary reasons behind this were that these species were either fully allocated or long-lived and that

groundfish taken for bait use were rarely reported on fish tickets; therefore, the department had little information to gauge the extent of the unreported mortality. An unforeseen result of this regulation was that all parts of these species were prohibited for bait use, including the head, tail, fins, and viscera. The intention of this regulation was not to prohibit the use of post-processed and reported fish parts.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial fishermen will not be able to take advantage of using processing plant waste products from these species. Crab fishermen who use sablefish heads for bait may unknowingly be in violation of this regulation.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen who will have the opportunity to reduce the amount of bait previously purchased.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-270)

Note: This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting

PROPOSAL 141 - 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 38.XXX. Closed waters. Prohibit fishing for bottomfish and shellfish near Cache Island by all users as follows:

Establish Marine Conservation Zone around Cache Island. For indefinite: create a marine conservation zone around this tiny micro island where bottom fish and shellfish are prohibited from, fishing and harvesting. A no fishing boundary of 1500 feet from lands end will mark the conservation area. In conjunction with several islands being classified as marine conservation lands in the Clover Pass area where development is prohibited on land; we are taking one step further and creating a conservation area for all bottom fish and shellfish surrounding the island.

ISSUE: Depleted bottom fish and shell fish stocks in the area. Crab shrimp and all mollusks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fish stocks will never have a chance to regenerate from the pressures of overfishing and harvesting. Future generations will not have access to these limited resources.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Something is better than nothing at this point. By providing a small no fish area reduces stress on a limited supply of bottom fish whose populations are

already overfished and stressed to the max. There has to be some effort to help conserve and repopulate the stocks that are left. Hope fully it is not too late.

WHO IS LIKELY TO BENEFIT? Bottom fish and shellfish and mollusks are first; a part of a natural food chain. The immediate benefit will be to those marine animals that feed on bottom fish, shellfish and mollusks. And to animals that feed on animals that feed off of bottom fish. Squid, octopus feed on bottom fish and are favorite foods for halibut. It is all interconnected. The greatest benefit will be the environment to help sustain the ecosystem. Ideally this no fish zone will regenerate and spill over stocks to regenerate surrounding areas.

Second; the next benefit will be to man. Whoever this resource user is; resident or nonresident, subsistence fishermen or guided fishermen, all users of a limited resource will benefit from natural fish, shellfish, mollusks stocks being managed and conserved for regeneration not only for this moment in time but for future generations.

WHO IS LIKELY TO SUFFER? Users of a depleted bottom fish and shellfish stocks are already suffering from little if any proper management of these resources. No additional harm will increase what users are already experiencing.

OTHER SOLUTIONS CONSIDERED? Expand marine conservation zones around Naha Bay to Traitors Cove and all off shores areas in between.

Establish marine conservation zones for 10 year periods. Reopen zones for limited time periods to ensure regeneration of fish stocks.

Establish marine conservation zones for limited users. Allow fishing for only residents.

PROPOSED BY: Naha Conservation (HQ-F11-159)

Note: This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting

PROPOSAL 142 - 5 AAC 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 38.XXX. Closed waters. Prohibit nonresidents from fishing for bottomfish and shellfish in a portion of Behm Canal as follows:

Establish Marine Conservation Zone for limited users for off shore waters, bays, inlets and coves from Indian Point to Behm Canal area to Bushy Point and all coves and inlets in between. For indefinite: create a marine conservation zone around this point and surrounding islands and land points where bottom fish and shellfish stocks are open for resident fishing and harvest only. Nonresidents are prohibited from fishing and harvesting within this limited conservation zone. In conjunction with several islands being classified as Marine Conservation Islands in the Clover Pass area where development is prohibited on land; we are taking it one step further and creating a limited conservation area for all bottom fish and shellfish surrounding the bay and island.

ISSUE: Depleted bottom fish and shell fish stocks in the area. Crab, shrimp and all mollusks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fish stocks will never have a chance to regenerate from the pressures of overfishing and harvesting. Future generations will not have access to these limited resources.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Something is better than nothing at this point. By providing a small no fish area for nonresidents reduces stress on a limited supply of bottom fish whose populations are already overfished and stressed to the max. There has to be some effort to help conserve and repopulate the stocks that are left.

WHO IS LIKELY TO BENEFIT? Bottom fish and shellfish and mollusks are first; a part of a natural food chain. The immediate benefit will be to those marine animals that feed on bottom fish, shellfish and mollusks. And to animals that feed on animals that feed off of bottom fish. Squid, octopus feed on bottom fish and is a favorite food for halibut. It is all inter-connected. The greatest benefit will be the environment to help sustain the eco system. Ideally this no fish zone will regenerate and spill over stocks to regenerate surrounding areas.

Second; the next benefit will be to man. Whoever this resource user is; resident or nonresident' subsistence fishermen or guided fishermen; all users of a limited resource will benefit from natural fish, shellfish, mollusks, stocks being managed and conserved for regeneration only for this moment in time but for future generations.

WHO IS LIKELY TO SUFFER? Users of a depleted bottom fish and shellfish stocks are already suffering from little if any proper management of these resources. No additional harm will increase what users are already experiencing.

OTHER SOLUTIONS CONSIDERED? Establish marine conservation zones open for resident fishing only for a 10 year period. Reopen zones for all fishing on a limited time period to ensure regeneration of fish stocks.

PROPOSED BY: Naha Conservation (HQ-F11-162)

Note: This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting

PROPOSAL 143 - 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 38.XXX. Closed waters. Prohibit nonresidents from fishing for bottomfish and shellfish near Naha Bay as follows:

Establish Marine Conservation Zone for limited users from Naha Bay to Donnelly Point from Donnelly Point to Cache Island from Cache Island to Indian Point all places in between.

For indefinite: create a limited marine conservation zone around this bay and surrounding islands and land points where bottom fish and shellfish stocks are open for resident fishing and harvest only. Non residents are prohibited from fishing and harvesting within this limited conservation zone. In conjunction with several islands being classified as Marine conservation islands in the Clover Pass area where development is prohibited on land; we are taking in one step further and creating a limited conservation area for all bottom fish and shellfish surrounding the bay and islands.

ISSUE: Depleted bottom fish and shell fish stocks in the area. Crab, shrimp and all mollusks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fish stocks will never have a chance to regenerate from the pressures of overfishing and harvesting. Future generations will not have access to these limited resources.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Something is better than nothing at this point. By providing a small no fish area for nonresidents reduces stress on a limited supply of bottom fish whose populations are already overfished and stressed to the max. There has to be some effort to help conserve and repopulate the stocks that are left.

WHO IS LIKELY TO BENEFIT? Bottom fish and shellfish and mollusks are first; a part of a natural food chain. The immediate benefit will be to those marine animals that feed on bottom fish, shellfish and mollusks. And to animals that feed on animals that feed off of bottom fish. Squid, octopus feed on bottom fish and are favorite foods for halibut. It is all inter-connected. The greatest benefit will be the environment to help sustain the eco system. Ideally this no fish zone will regenerate and spill over stocks to regenerate surrounding areas.

Second; the next benefit will be to man. Whoever this resource user is; resident or nonresident' subsistence fishermen or guided fishermen; all users of a limited resource will benefit from natural fish, shellfish, mollusks, stocks being managed and conserved for regeneration only for this moment in time but for future generations.

WHO IS LIKELY TO SUFFER? Users of a depleted bottom fish and shellfish stocks are already suffering from little if any proper management of these resources. No additional harm will increase what users are already experiencing.

OTHER SOLUTIONS CONSIDERED? Establish marine conservation zones open for resident fishing only for a 10 year period. Reopen zones for all fishing on a limited time period to ensure regeneration of fish stocks.

PROPOSED BY: Naha Conservation (HQ-F11-160)

Note: This proposal is also scheduled for consideration during the Southeast and Yakutat Crab, Shrimp, Miscellaneous Shellfish meeting

PROPOSAL 144 - 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area; 5 AAC 32.150. Closed waters in Registration Area A; 5 AAC 38.XXX. Closed waters. Prohibit nonresidents from fishing for bottomfish and shellfish near Cedar Island as follows:

Establish Marine Conservation Zone for limited users around Cedar Island. For indefinite: create a marine conservation zone around this tiny micro island where bottom fish and shellfish stocks are open for resident fishing only. Nonresidents are prohibited from fishing and harvesting within a no fishing boundary of 1500 feet from lands end will mark the conservation area. In conjunction with several islands being classified as Marine Conservation Islands in the Clover Pass area where development is prohibited on land; we are taking it one step further and creating a limited conservation area for all bottom fish and shellfish surrounding the island.

ISSUE: Depleted bottom fish and shell fish stocks in the area. Crab, shrimp and all mollusks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fish stocks will never have a chance to regenerate from the pressures of overfishing and harvesting. Future generations will not have access to these limited resources.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Something is better than nothing at this point. By providing a small no fish area for nonresidents reduces stress on a limited supply of bottom fish whose populations are already overfished and stressed to the max. There has to be some effort to help conserve and repopulate the stocks that are left.

WHO IS LIKELY TO BENEFIT? Bottom fish and shellfish and mollusks are first; a part of a natural food chain. The immediate benefit will be to those marine animals that feed on bottom fish, shellfish and mollusks. And to animals that feed on animals that feed off of bottom fish. Squid, octopus feed on bottom fish and are favorite foods for halibut. It is all inter-connected. The greatest benefit will be the environment to help sustain the eco system. Ideally this no fish zone will regenerate and spill over stocks to regenerate surrounding areas.

Second; the next benefit will be to man. Whoever this resource user is; resident or nonresident' subsistence fishermen or guided fishermen; all users of a limited resource will benefit from natural fish, shellfish, mollusks, stocks being managed and conserved for regeneration only for this moment in time but for future generations

WHO IS LIKELY TO SUFFER? Users of a depleted bottom fish and shellfish stocks are already suffering from little if any proper management of these resources. No additional harm will increase what users are already experiencing.

OTHER SOLUTIONS CONSIDERED? Establish marine conservation zones open for resident fishing only for a 10 year period. Reopen zones for all fishing on a limited time period to ensure regeneration of fish stocks.

PROPOSED BY: Naha Conservation (HQ-F11-161)

PROPOSAL 206 - 5 AAC 28.084. Fishing seasons. Landing requirements, and utilization for sharks. Create a spiny dogfish fishery in Ketchikan area as follows:

Directed pot fishery for spiny dog fish. Season duration pot limits, tunnel size, escapement rings and legal size retention (slot size) to be determined by ADF&G.

ISSUE: No directed spiny dog fish fishery. Under article VIII of the Alaska Constitution the Predator Control Program is a tool for the state to manage fish and wildlife populations for sustained yields. It is the state's constitutional duty to arrest the unabated growth of spiny dogfish population. By having a fishery for spiny dogfish the state will fulfill its constitutional duty.

WHAT WILL HAPPEN IF NOTHING IS DONE? A fish resource will continue to be unharvested that resource would multiply unabated competing for food and displacing other fish resources (halibut, black cod, rockfish and salmon).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Fishers who want to fish for spiny dog fish.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Longline fishery but that would have to deal with bycatch of unwanted species.

PROPOSED BY: Ketchikan Advisory Committee (HQ-F11-142)

PROPOSAL 207 - 5 AAC 47.020. General Provisions. Increase the dogfish daily bag limit as follows:

Increase the bag limit of spiny dog fish from 5 to 10 daily with no annual limit.

ISSUE: Increase bag limit of spiny dog fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers won't get enough access to an abundant resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it allows anglers ample opportunity to retain spiny dog fish while bottom fishing.

WHO IS LIKELY TO BENEFIT? Anglers who want to retain spiny dogfish.

WHO IS LIKELY TO SUFFER? Nobody will suffer, not even the spiny dogfish.

OTHER SOLUTIONS CONSIDERED? Not limit was considered but not accepted by all who reviewed the information.

PROPOSED BY: Ketchikan Advisory Committee (HQ-F11-143)

PROPOSAL 208 - 5 AAC 28.XXX. **Pacific cod fishing seasons for Eastern Gulf of Alaska Area.** Establish commercial fishing seasons for Pacific cod for the Eastern Gulf of Alaska Area:

5AAC 28.XXX. Pacific cod fishing seasons for Eastern Gulf of Alaska Area. In the Eastern Gulf of Alaska Area, Pacific cod may be taken from January 1 through December 31, unless otherwise provided in this section or closed by emergency order.

ISSUE: There is currently no regulation that defines a season for Pacific cod in the Eastern Gulf of Alaska Area. The directed Pacific cod season is open on a year-round basis. The guideline harvest range for Pacific cod is defined in 5 AAC 28.160. Adoption of this proposal would define the season in regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will be required to open this fishery by emergency order at the start of each fishing season.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public would benefit by having commercial seasons defined in regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-264)

PROPOSAL 209 - 5 AAC 28.XXX. **Black rockfish fishing seasons for Eastern Gulf Of Alaska Area.** Establish commercial fishing seasons for black rockfish for the Eastern Gulf of Alaska Area:

5AAC 28.XXX. Black rockfish fishing seasons for Eastern Gulf Of Alaska Area. In the Eastern Gulf of Alaska Area, black rockfish may be taken from January 1 through December 31, unless otherwise provided in this section, or closed by emergency order.

ISSUE: There is currently no regulation that defines a season for black rockfish in the Eastern Gulf of Alaska Area. The directed black rockfish season is open on a year-round basis. Guideline

harvest limits for the directed black rockfish fishery are defined in 5 AAC 28.160. Adoption of this proposal would define the season in regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will be required to open this fishery by emergency order at the start of each fishing season.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public would benefit by having commercial seasons defined in regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-263)

PROPOSAL 210 - 5 AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management. Require release of demersal shelf rockfish at depth as follows:

Amend 5 AAC 47.065 to add a management tool to require release of demersal shelf rockfish (DSR) in excess of an angler’s bag, possession, or annual limit to be released at a depth sufficient to allow recompression.

ISSUE: DSR caught in excess of sport limits are sometimes being released dead on the surface.

WHAT WILL HAPPEN IF NOTHING IS DONE? Mortality of DSR caught above sport limits, which are released on the surface, it at our near 100%. Although more research is needed, recent studies suggest that releasing DSR at depth can result in some of them surviving.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? All fishermen would benefit from conservation of the DSR resource.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Southeast Alaska Guides Organization (HQ-F11-135)

PROPOSAL 211 - 5 AAC 47.021. Special provisions for seasons, bag, Possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Require release of rockfish at 40 feet or greater as follows:

In all water of Southeast Alaska, all non-pelagic rockfish required to be released must be released immediately and without further harm to a depth of at least 40'. No non-pelagic rockfish may be released at the surface.

ISSUE: Sport caught rockfish are dying when released because of embolism injury. Recent scientific studies show up to 80% survival in fish that are released at depth as soon as possible after being caught. Short handling time is essential to this survival. Current bag limits and bag limit reductions have not reduced mortality but have increased wastage (which may not be accurately reported).

WHAT WILL HAPPEN IF NOTHING IS DONE? Because current regulations don't require anglers to stop fishing when they have caught their rockfish bag limit, or non-pelagic rockfish bag limit, most rockfish in excess of the bag limit will die at the surface. These numbers are poorly accounted for and create significant mortality to the fully allocated resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The rockfish that are released at depth will have a reasonable chance at survival rather than floating away.

WHO IS LIKELY TO BENEFIT? All users of the rockfish stocks will be less impacted by wastage. Managers will also have a better estimate of rockfish mortality since released fish will have lower mortality rates.

WHO IS LIKELY TO SUFFER? There is a learning curve to recompression release devices so that will take time for anglers in the beginning to learn the technique. However, devices can be as simple as a weighted inverted milk crate, so it is not unduly time consuming nor difficult to deploy.

OTHER SOLUTIONS CONSIDERED? None as re-compression devices are the only means to significantly reduce mortality of released sport-caught rockfish. There are many different types of homemade and commercially manufactured devices. Any particular style might work well or poorly in a particular situation so we did not endorse any specific device.

PROPOSED BY: Sitka Advisory Committee (HQ-F11-131)

PROPOSAL 212 - 5 AAC 28.160. Harvest guidelines and ranges for Eastern Gulf of Alaska Area. Increase the sport allocation of demersal shelf rockfish to 25 percent as follows:

Amend 5 AAC 28.160 to allocate **75%** [84%] of the DSR Total Allowable Catch (TAC) to the commercial fishery, and **25%** [16%] to the sport fishery.

ISSUE: Inadequate Demersal Shelf Rockfish (DSR) sport allocation in the Southeast Outside (SEO) subdistrict will likely jeopardize sport fishing for salmon and halibut in future years.

WHAT WILL HAPPEN IF NOTHING IS DONE? The sport limits for DSR have already been drastically reduced (1 yelloweye per day, 1 per season in 2010), but the sport allocation has still been exceeded in 3 of 5 years since being established in 2006. Because DSR is an unavoidable bycatch while sport fishing for salmon and halibut, and release mortality is very high, sport anglers will likely face time and area closures for all fishing, not just DSR, in the near future.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Preserving an uninterrupted sport season for salmon and halibut fishing enables guided sport operators to continue to market a high quality fishing trip. Time and area closures due to DSR bycatch would greatly diminish the quality and marketability of this product.

WHO IS LIKELY TO BENEFIT? Sport fishermen and guided sport operators on the outer coast of Southeast Alaska. The economy of Southeast Alaska and many small non-charter businesses in local fishing communities will also benefit from the money spent by sport anglers and charter clients.

WHO IS LIKELY TO SUFFER? Potentially commercial longliners, but it's hard to envision any actual harm when the total commercial harvest of DSR averaged less than 60% of TAC from 2006-2010, despite being allocated 84%. By a large margin, the commercial sector has more allocation than is needed to allow for DSR bycatch in the commercial IFQ halibut fishery.

OTHER SOLUTIONS CONSIDERED? Rejected status quo. Both high value fisheries (commercial halibut IFQ and sport) need enough DSR bycatch allowance (allocation) to engage in their respective fisheries.

PROPOSED BY: Southeast Alaska Guides Organization (HQ-F11-122)

PROPOSAL 213 - 5 AAC 47.024. Harvest record required; annual limit. Establish a point system for retention of rockfish as follows:

Replace the daily and possession limits of pelagic rockfish & non-pelagic rockfish with a point system in which the angler is allowed a maximum number of points per day and in possession. In the same manner as the current bag limits are set, the Board of Fish in consultation with staff and public, then would set a point value for each species or group of species of rockfish.

For instance, the board could determine that the daily point limit for a nonresident angler is 100 points and the daily bag limit for a resident angler is 130 point; and that yelloweye rockfish were valued at 60 points, other non-pelagic rockfish valued at 15 points, and pelagic rockfish valued at 10 points. An angler would be required to release any rockfish that would cause him to exceed his

limit. At the Board's discretion the current mandatory retention policy for non-pelagic rockfish could be retained or eliminated.

While these point values are provided only as examples, the expectation is that in comparison to the current system, an angler would be allowed to keep more of the species for which management concerns are minimal if they refrain from retaining yelloweye or other species of concern. This would provide an incentive to not target yelloweye that does not exist in the current system.

ISSUE: Beginning with the summer of 2011, clients on a significant fraction of the sport charter fleet will be prohibited from fishing for halibut. Some of this fishing effort that historically had been directed at halibut will likely be displaced to rockfish. Harvest levels of the non-pelagic rockfish group is already at the maximum allowed under current allocations throughout most of outer Southeast despite ever increasing restrictions. Sport fish managers and anglers face the prospect of seasonal and/or area closures if effort on these species increases further. Current regulations do not provide individual anglers with any incentive to voluntarily reduce their take of species of concern. This proposal presents an alternative to these more common restrictions by harnessing the "balloon-effect" to direct effort on to species that are better able to tolerate additional harvest.

WHAT WILL HAPPEN IF NOTHING IS DONE? Further restrictions on sport rockfish harvest including season or area closures on nonresident yelloweye harvest and annual limits on residents will need to be imposed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Since each angler will be allowed to choose the specie or species that are most valuable to him to harvest, the perceived worth of the total sport harvest under an aggregate limit system will be greater than the perceived worth of the same amount of fish harvested under the current system where all anglers are allocated the same bag limit for all species.

WHO IS LIKELY TO BENEFIT? All sport anglers that have specific species that they prefer.

WHO IS LIKELY TO SUFFER? Anglers that are trying to maximize the total number of high-value fish or total pounds, or are trying to see if they can "limit-out" on multiple species in the same day.

OTHER SOLUTIONS CONSIDERED? Changes to allocation- not a sustainable solution. Restrictions on the use of metal jigs and rubber tail jigs while halibut fishing- has merit but difficult to determine when an angler is targeting halibut. Season /area closures- effective, but they create significant hardships. Further reductions in bag limits- not much more room to reduce; also traditional bag limits don't provide any incentive for anglers to voluntarily avoid targeting particular desirable species. Encourage the use of re-compression devices- Has much promise- These two changes in conjunction with one another would be superior to either one alone.

PROPOSED BY: Sitka Advisory Committee

(HQ-F11-130)

PROPOSAL 214 - 5 AAC 28.170. Sablefish possession and landing requirements for Eastern Gulf of Alaska Area. Standardize sablefish retention and reporting requirements in regulation as follows:

(g) Except as provided in (j) of this section, in the Southern Southeast Inside Subdistrict, the holder of a CFEC permit or interim use permit for sablefish may not retain more sablefish in the directed fishery than the annual amount of sablefish equal quota share specified by the department. **A permit holder must retain all visibly injured or dead sablefish. Sablefish that are not visibly injured or dead may be released unharmed, but the permit holder must record the live releases in a logbook by gear settings.** The department shall determine the annual amount of sablefish equal quota share by dividing the annual harvest objective by the number of CFEC permits and interim use permits eligible to be fished in the fishery. The department shall use the best available information, including harvest rate and biological data, to set the annual harvest objective.

ISSUE: During the 2003 Alaska Board of Fisheries meeting, a regulation was passed clarifying that live release of small sablefish was allowed in the Northern Southeast Inside (NSEI) sablefish fishery. At the time, the proposal was directed only at this area and did not include provisions for the Southern Southeast Inside (SSEI) Subdistrict. There is currently no prohibition on release of small sablefish in SSEI and it is difficult to determine the degree to which small fish are released in this fishery. This proposal would standardize the regulations in these two fisheries, require that all visibly injured or dead sablefish be retained, clarify that the live release of uninjured sablefish is allowed, and also require reporting of any releases that occur in the fishery. This reporting requirement will provide better information on the discard of small fish and could be a useful indicator of incoming recruitment and more accurate catch per unit of effort information in the fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be a discrepancy in the regulations for the NSEI and SSEI sablefish fisheries, as well as a lack of a reporting requirement for sablefish that are released in SSEI.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Small sablefish are less desirable in the marketplace so harvest quality will improve for those permit holders who currently do not release small sablefish and who begin releasing them due to adoption of this proposal. No changes will occur for permit holders who already release small fish.

WHO IS LIKELY TO BENEFIT? The public will benefit by having consistent regulations. SSEI permit holders who do not currently release small sablefish may see additional revenue if they are allowed to release small fish below the market standard. Fishery managers may gain additional information on stock status.

WHO IS LIKELY TO SUFFER? Permit holders who may not wish to retain visibly injured or dead sablefish would be required to retain them.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F11-266)

PROPOSAL 215 - 5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

Amend the sablefish fishing season to allow permit holders to participate in stock assessment surveys as follows:

(c) Notwithstanding (a) of this section, sablefish may be taken outside of established seasons in order to provide information on stock condition and other research questions, as provided in this subsection. The commissioner shall request that permit holders who are interested in fishing outside of established seasons for that purpose notify the department. The commissioner will randomly select from those permit holders [, AND]. Selected permit holders shall fish under terms specified by the commissioner.

ISSUE: The department is responsible for determining annual harvest objectives and setting annual personal quota shares (PQS) for the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) sablefish fisheries. The department uses independent survey data to estimate total biomass of sablefish available in each fishing area. The data collected from the surveys represent a historical time series of information and are used by the department to track trends in the population. The surveys impact the total allowable harvest available to the fishery because the estimated survey harvest is deducted from the allowable biological catch (ABC) prior to setting the annual harvest objective (AHO) for each the fisheries.

In an effort to reduce the impact surveys have on the fisheries, the department would like to include eligible sablefish permit holders during surveys and allow them to harvest the catch on their respective PQS. Since surveys occur prior to the start of the fishery, the department must comply with 5 AAC 28.110. Currently, regulation 5 AAC 28.110(c) allows permit holders to take fish out of season, but requires the department to go through a burdensome call for interest process and then randomly select eligible permit holders to fish outside the normal fishing season. In addition, due to state procurement regulations, the effort to include sablefish permit holders is further restricted and may result in unworkable arrangements between permit holders and vessel owners, preventing selected permit holders from being included on the surveys.

This proposal will allow the department to provide a competitive bid process to select and include sablefish permit holders on future department surveys, and for those permit holders to be eligible to sell harvested fish under their respective PQS.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will continue to issue a call for interest to sablefish permit holders to participate in department surveys under guidelines established in 5 AAC 28.110(c). It is possible that due to state procurement regulations, these permit holders may not meet the vessel requirements needed to complete the survey. The department may have to implement to a full competitive bid for vessel contracts only to discover

that bid results do not provide an agreeable arrangement to include permit holders, and result in no permit holders participating in the longline survey and no net savings to the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Sablefish permit holders will benefit through a reduction in decrements to the AHO and the resultant increase in PQS. The department will benefit from a more streamlined method for contracting vessels for the surveys.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Administratively split the revenue from the sale of survey fish among all permit holders within the fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-272)

PROPOSAL 216 - 5 AAC 47.020. General provisions for seasons, and bag, possession, annual, and size limits for the alt waters of the Southeast Alaska Area. Repeal the nonresident sablefish annual limit as follows:

Sablefish (black cod), bag limits is 4 fish, 4 in possession, no size limit and no annual limit. Sablefish harvest will continue to be recorded in charter logbooks.

ISSUE: Unnecessary annual limits and reporting requirements for nonresident sportfishers harvesting sablefish. Limits placed on sablefish were based on inflated harvest projections at the 2009 SE finfish meeting. Actual harvest numbers as indicated by charter logbook data are substantially less than the numbers used in order to justify and annual limit. Reasonable daily bag and possession limits along with the difficulty of largeling sablefish will prevent excessive harvest by nonresidents.

WHAT WILL HAPPEN IF NOTHING IS DONE? Nonresident anglers will continue to be burdened by unnecessary annual limits and required reporting on individual licenses. Those few anglers that wish to target sablefish will continue to be restricted to as little as two days of fishing opportunity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Nonresident anglers harvesting sablefish.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Repeal of the daily bag, possession and annual limits...rejected.

PROPOSED BY: Stan Malcom

(HQ-F11-138)

PROPOSAL 217 - 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area. Amend lingcod allocation between commercial fisheries as follows:

The 66.66% allocation for commercial shall be split among user groups as follows. 10% bycatch to longline fishery, 10% bycatch to troll fishery and 46% to directed fishery (dingle bar). The sport fishery will remain at 33.33%.

ISSUE: Increase total GHM for Icy Bay Subdistrict from 100,000 to 120,000 lbs. and provide percentage allocation to all user groups.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will continue to be closed to other gear groups when the directed fishery (dingle bar) harvest the principal amount allocated to commercial users for area. Usually by the end of May. Thereby limiting other commercial fisheries access to resource and promoting a lot of bycatch mortal releases.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. The bycatch fisheries will allow harvest of fish that may otherwise be forced to released. Decreasing the mortality of dead fish bycatch by these user groups.

WHO IS LIKELY TO BENEFIT? The fishermen in all gear groups will be allowed to harvest there bycatch.

WHO IS LIKELY TO SUFFER? The small reduction in percentage to the directed fisheries.

OTHER SOLUTIONS CONSIDERED? Closing the directed fishery. The directed fishery is a important management tool providing Catch Per Unit Effort statistical data as well as harvesting a underutilized resource in a time of year when no other active fisheries are available in this area.

PROPOSED BY: Yakutat Advisory Committee

(HQ-F11-340)

PROPOSAL 218 - 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area. Allow for retention of lingcod in other commercial fisheries as follows:

That 5 AAC 28.150(b) Notwithstanding (a) of this section, lingcod may be retained in the halibut longline **and troll fishery** in the waters described (a) of this section, as limited by the provisions of 5 AAC 28.173(a).

ISSUE: Trollers who fish outside closed waters under 5 AAC 28.150(a) cannot legally fish inside closed waters with lingcod bycatch on-board. There are no current conservation concerns for lingcod in these closed waters.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers will not be allowed to keep lingcod in areas that have been rebuilt (Sitka Sound).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Trollers who are fishing for salmon could then retain lingcod as bycatch if these waters were opened.

WHO IS LIKELY TO SUFFER? A small incidental catch that could effect sport fishermen.

OTHER SOLUTIONS CONSIDERED? There are none.

PROPOSED BY: John Murray (HQ-F11-155)

PROPOSAL 219 - 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area. Increase allocation for commercially caught lingcod in North Southeast Outside Section as follows:

I am asking the Board to consider adding 2,500 pounds of lingcod to North Southeast Outside Section (NSEO) troll lingcod bycatch. This area is between 50-60 miles SE/NW long. It has a relatively small allocation for this large of an area. It is believed that the lingcod population in this area is very healthy.

ISSUE: Trollers who fish in two adjoining sections or areas on a salmon troll trip sometimes will not keep lingcod bycatch because one of the areas closed early to troll lingcod bycatch.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers will continue to leave part of the troll lingcod allocation uncaught in some sections or areas. This is especially true in CSEO (CSOS).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Trollers who are fishing in two different adjoining areas (sections) could usually keep lingcod without rising a violation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Take lingcod from CSEO (CSOS) which has a larger total allocation.

PROPOSED BY: John Murray (HQ-F11-158)

PROPOSAL 220 - 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area. Reallocate a portion of the East Yakutat Section lingcod GHL as follows:

The department shall annually allocate the harvest of lingcod in the East Yakutat Section (EYKT) Sections as follows:

If the annual GHL is at or below 200,000 pounds – 75% to the directed commercial lingcod fishery; 2% to the sport fishery; 15% to bycatch in the commercial longline fishery; 8% to bycatch in the commercial salmon troll fishery.

If the annual GHL is over 200,000 pounds – 4,000 pounds to the sport fishery; 30,000 pounds to bycatch in the commercial longline fishery; 16,000 pounds to bycatch in the commercial salmon troll fishery; and the remainder of the GHL to the directed commercial lingcod fishery.

ISSUE: A large portion of the lingcod longline allocation in the (EYKT) is not harvested each year. The EYKT directed fishery harvests their lingcod allocation in a short period of time, two days in 2009 and two and half days in 2010. The purpose of this proposal is to reallocate 32% of the EYKT lingcod GHL from the commercial longline fisheries to the commercial directed fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be a surplus of unutilized lingcod left over from the longline allocation which would be harvested by the directed lingcod fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? I believe that fish that are caught in a directed fishery are taken better care of than when they are taken as bycatch in another directed fishery. Several participants in this directed lingcod fishery are freezing their catch at sea which makes for a very high quality product.

WHO IS LIKELY TO BENEFIT? The directed dinglebar fishery will certainly benefit from our proposed increase.

WHO IS LIKELY TO SUFFER? The longline fishery will lose a percentage of their lingcod allocation however they have only been using a portion of the allocation in recent years.

OTHER SOLUTIONS CONSIDERED? Status quo, however the directed lingcod fishery will not be able to take advantage of this unutilized allocation.

PROPOSED BY: Krist Martinsen (HQ-F11-157)

PROPOSAL 221 - 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area. Increase sport allocation of lingcod in Central Southeast Outside Section and Southern Southeast Outer Coast as follows:

Change the allocations in 5 AAC 28.165(4)&(5) to: (4) Central Southeast Outside Section: (A) 36 percent to the directed commercial lingcod fishery; (B) **45** [30] percent to the sport fishery; (C) **12** [23] percent to bycatch in the commercial longline fishery; (D) seven percent to bycatch in the commercial salmon troll fishery; (E) **zero** [FOUR] percent to bycatch in the commercial groundfish fishery using hand troll gear and mechanical jigging machines; (5) Southern Southeast Outer Coast Sector: (A) **20** [30] percent to the directed commercial lingcod fishery; (B) **59** [44] percent to the sport fishery; (C) 17 percent to bycatch in the commercial longline fishery; (D) **zero** [SEVEN] percent to bycatch in the commercial groundfish fishery using hand troll gear and mechanical jigging machines; (E) **four** [TWO] percent to bycatch in the commercial salmon troll fishery.

ISSUE: Lingcod allocated to bycatch in the longline fishery in the Central Southeast Outside Section (CSEO) and to the directed lingcod fishery in the SSEOC have been consistently underutilized for the past 5 years. Lingcod allocated to bycatch in the commercial jigging fishery has been almost completely unused in the CSEO and SSEOC for the past 8 years. Allocating these unused lingcod to both the sport fishery and to bycatch in the troll fishery would result in more optimal use of the resource. Trollers have been unable to keep lingcod after mid-August in 5 of the past 8 years in the SSEOC. Current guided sport regulations are a 1 lingcod per year limit with a slot limit of 30-35", or 1 over 55" (completely closed mid-season for CSEO and NSEO sections). Guided recreational anglers view this as overly restrictive.

WHAT WILL HAPPEN IF NOTHING IS DONE? The State and Southeast coastal communities will not be realizing the optimal value of the lingcod resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The quality of guided sport fishing trips would be improved by allowing a reasonable opportunity for an angler to harvest a lingcod on his/her trip.

WHO IS LIKELY TO BENEFIT? Sport Anglers fishing on the outer coast of Southeast Alaska. With more restrictive sport halibut regulations, bottom fish of lower commercial value can be of great benefit to the economic viability of guided sport operators. Trollers will benefit by being able to keep and sell their lingcod bycatch through the entire summer season in the SSEOC.

WHO IS LIKELY TO SUFFER? If current harvest trends continue, no one will suffer. This proposal seeks to move consistently unused lingcod allocation to fisheries where it will be utilized and benefit the economies of coastal communities on the outer coast of Southeast Alaska.

OTHER SOLUTIONS CONSIDERED? Considered but rejected status quo because existing lingcod allocations do not provide for optimal use of the resource.

PROPOSED BY: Southeast Alaska Guides Organization (HQ-F11-216)

PROPOSAL 222 - 5 AAC 28.160. Harvest guidelines and ranges for Eastern Gulf of Alaska Area. Increase the limit of the lingcod GHl in East Yakutat Section as follows:

The Guideline Harvest Level (GHL) for the East Yakutat Section (EYKT) Section is 0 – 425,000 round pounds.

ISSUE: Due to the high abundance of lingcod in this area, we would like to increase the upper limit of the lingcod GHl in the EYKT by 200,000 round pounds with the entire increase allocated to the directed lingcod fishery. We think an increase to the GHl is warranted as we have not seen a change in our daily catch rates for the area we are fishing in numerous seasons.

In the event that this proposal and my proposed change to 5 AAC 28.165(a)(2) were approved and the department was to manage the EYKT Section to the upper end of the GHl, the annual directed commercial lingcod fishery allocation would be 375,000 pounds.

WHAT WILL HAPPEN IF NOTHING IS DONE? What has already happened in this area is we have gone from 7 to 12 boats participating in this directed fishery to 19 boats in 2009. The increased effort in this fishery has shortened the season to as little as two days. Two days hardly constitutes a fishery and the resource seems like it could sustain a much higher level of harvest. An increase in quota would allow for more fishing time for the fleet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The directed fishery produces a high quality lingcod product and also there are several vessels that freeze at sea, further increasing the quality of the product. This proposal would increase the amount of this product available to market.

WHO IS LIKELY TO BENEFIT? The directed dinglebar fishery will certainly benefit from our proposed increase in allocation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? We have considered limited entry for this fishery but there are complications with numbers of people that would qualify, qualifying years, etc.

PROPOSED BY: Krist Martinsen (HQ-F11-156)

PROPOSAL 223 - 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. **A vessel operating dinglebar troll gear may have only one line deployed in the water at any time.**

ISSUE: Reports in past seasons have indicated that some vessels participating in the directed lingcod fishery with dinglebar gear may be operating multiple lines at the same time. There seems to be some confusion within the fleet over what constitutes operation of a single line, and reports have suggested that some vessels may be deploying a second line once retrieval of the first line has begun. This would put a vessel at quite an advantage over vessels operating legally because it takes time to haul gear to the surface, pull the line in and bring lingcod aboard, and then redeploy the gear back to depth. Lingcod are typically associated with the bottom substrate and some fishermen may be under the impression that once hauling of the gear has commenced, or if the gear is trailing behind the vessel on the surface, that it has effectively stopped fishing. Until all hooks from that line are on board, the line is still considered to be fishing. The amended language serves to clarify the intention of this regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? There may continue to be confusion over the interpretation of this regulation by some members of the fleet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public will benefit by having a regulation that more clearly describes the allowable number of lines allowed to be used on a vessel fishing with dinglebar troll gear.

WHO IS LIKELY TO SUFFER? Fishermen who have been confused over the single-line gear restriction and have operated more than one line may be less efficient than in previous fishing seasons.

OTHER SOLUTIONS CONSIDERED? Continue to outline gear restrictions in the directed lingcod fishery news release.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-268)

PROPOSAL 224 - 5 AAC 28.190. Harvest of bait by commercial permit holders in Eastern Gulf of Alaska Area. Allow lingcod to be used as commercial bait as follows:

5 AAC 28.190 (1) except for sablefish, lingcod, thornyhead, shortraker, rougheye and yelloweye rockfish, groundfish may be taken at any time; sablefish, [LINGCOD], thornyhead, shortraker, rougheye, and yelloweye rockfish, may not be taken for bait or used for bait.

ISSUE: I want to use lingcod for halibut bait.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lingcod will continue to proliferate, adversely affecting the health of the lingcod resource, and if this specie continues to grow, it will very likely effect other species 'like halibut' if it hasn't already. Dead and flead lingcod will continue to be wasted.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, halibut will less likely to be mutilated by lingcod. The same for trollers and their salmon.

WHO IS LIKELY TO BENEFIT? Longliners who can "make bait" on the grounds. All halibut users who will most likely see an increase in halibut (both numbers and in weight) if halibut don't have to compete with such a large amount of this very aggressive fish.

WHO IS LIKELY TO SUFFER? Possibly the directed lingcod fishery. The directed lingcod fishery will probably not see an increase in quota until monies are made available to access the biomass: and therein lies the problem.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Tony Guggenbickler (HQ-F11-060)

PROPOSAL 225 - 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. Allow combining two units of gear in herring spawn-on-kelp fishery as follows:

You may combine two legal units of gear in the herring roe on kelp fisheries. No additional kelp shall be allocated for combining pens.

ISSUE: Allow two legal herring pens to be sewn together and remove the panels between them.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued unnecessary tattering of roe on kelp product and additional handling of herring.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, pens edges have increased tatter and product would improve with combination.

WHO IS LIKELY TO BENEFIT? All fishermen and herring.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Combining more than two but need to see further results from connecting two.

PROPOSED BY: Michael Bangs (HQ-F11-128)

PROPOSAL 226 - 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. Amend spawn-on-kelp gear marking and removal requirements as follows:

(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 roe on kelp pound structure and associated equipment in Registration Area A.**

(1) before [KELP OR] a herring [ARE ADDED TO A] pound **is placed in the waters of the state** 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) a permit holder must plainly and legibly mark all floats used in support of the fishery with the ADF&G number of the support vessel; the floats 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 the permit holder's first and last name** 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.

...

(w) [A 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 5 of the following year;**

(2) District 7 **from** [BY] 12:00 noon May 31 **through March 5 of the following year;**

(3) Section 12-A **from** [BY] 12:00 noon June 10 **through March 10 of the following year;**

(4) Section 13-C **from** [BY] 12:00 noon June 10 **through March 10 of the following year.**

(5) in addition, all pounds and associated equipment must be removed from all waters by June 15.

ISSUE: 5 AAC 27.185(g) requires the department to write an emergency order (EO) each season closing this fishery to the capture of herring. Past experience with the fishery has shown that closing the fishery by EO is unnecessary since herring quickly become unavailable to

fishermen after spawning. Herring that have already spawned are not useful for the purpose of producing spawn-on-kelp. The changes proposed to this regulation will close the fishery to the harvest of herring by a specific date, but will still allow the department to close the fishery to the harvest of herring by EO, if necessary, for the conservation of the resource.

Changes to 5 AAC 27.185(k), (l), and (w) address a specific problem: the spawn-on-kelp fisheries take place in areas with relatively high subsistence, recreational, and commercial use areas valued for their fish and wildlife resources, as well as their wilderness character. In some areas, such as Hoonah Sound in Section 13-C, the fishery occurs in an anchorage that is highly used due to the lack of alternative secure anchorages in the area. For many years, some permit holders in this fishery have been leaving a significant amount of gear in the water year-round, which has caused conflicts with other users and uses. During 2010, two specific complaints involved vessels becoming entangled in lines while attempting to anchor during a period of poor weather. One of those incidents resulted in significant damage to the vessel. Over the years, a significant amount of derelict gear has accumulated on area beaches. Residents of the communities near these fisheries have reported that they have become increasingly upset with the poor stewardship practices shown by some permit holders and they have lodged numerous complaints with the department, insisting on better enforcement of regulations. The Alaska Wildlife Troopers (AWT) has suggested that it is difficult to enforce current regulations requiring removal of all gear associated with the commercial spawn-on-kelp fishery. The AWT has stated that requiring permit holders to permanently mark all floating gear and creating a time period in regulation in which pounds and associated equipment must be removed from the waters of Alaska would assist them in enforcing the regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? 5 AAC 27.185(g): the department will have to continue to unnecessarily write an EO each season closing this fishery to the capture of herring.

5 AAC 27.185(k), (l), and (w): if nothing is done, the AWT will continue to find it difficult to enforce regulations in the spawn-on-kelp fishery requiring the removal of gear, leading to some permit holders continuing to leave gear in the water and resulting in continued conflict with other users of the area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Everyone that uses and enjoys these areas for subsistence, recreational, and commercial purposes; AWT; spawn-on-kelp participants who want to improve the aesthetics of the area; those appreciative of habitat quality since lost gear would no longer be as much of an issue; and those to whom improved safety and reduction of social conflicts is important.

WHO IS LIKELY TO SUFFER? Spawn-on-kelp fishermen who prefer not to remove all of their gear from the grounds.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F11-251)

PROPOSAL 227 - 5 AAC 27.197. Sections 1-E and 1-F commercial sac roe herring fishery. Amend to clarify only the purse seine fishery as an equal quota share fishery as follows:

(a) In managing the commercial sac roe herring fishery in Section 1-E and the waters of Section 1-F north of the latitude of South Vallenar Point, the department shall ...

...

(2) determine the equal share quota by dividing the annual harvest objective by the maximum number of CFEC **purse seine** permits eligible to be fished in the fishery; a CFEC **purse seine** permit holder may not retain more herring than the annual amount of the equal share quota specified by the department.

ISSUE: Regulations for the West Behm Canal herring fishery were created to allow fishing in alternate years by either set gillnet or purse seine gear. The set gillnet fishery was intended to be a competitive fishery and the purse seine fishery was intended to be an equal share fishery. 5 AAC 27.197(2) does not specifically say that the equal share rules apply only to the purse seine fishery. The department would like to ensure that regulations include a statement that the equal share fishery is for purse seine gear only in order to reduce the confusion associated with this regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations will continue to be unclear about the designation for the sac roe gillnet herring fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Herring fishermen and the Alaska Department of Fish and Game both benefit from a clear definition of the fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F11-259)

PROPOSAL 228 - 5 AAC 27.131. Gillnet specifications and operations for Southeastern Alaska Area. Remove the mesh restriction in the Gillnet Sac Roe Herring Fishery as follows:

[(F) IN THE SECTION 1-E AND SECTION 1-F HERRING SAC ROE FISHERIES, A GILLNET WITH A MESH SIZE OF LESS THAN TWO AND ONE-FOURTH INCHES MAY NOT BE USED TO TAKE OR ATTEMPT TO TAKE HERRING].

ISSUE: Delete the mesh restriction of not less than 2 ¼ inches in the section 1-E and section 1-F gillnet sac roe herring fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? When a gillnet fishery occurs in West Behm Canal much of the small herring biomass will not be available for harvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Unknown at this time, however; herring harvested would be somewhat smaller than with a larger mesh.

WHO IS LIKELY TO BENEFIT? Sac roe herring gillnetters could expect to harvest their entire quota of smaller herring. In addition, gear expenses would be less.

WHO IS LIKELY TO SUFFER? No one should suffer as only gillnet fishermen would be affected by this gear change.

OTHER SOLUTIONS CONSIDERED? Change mesh size of West Behm Canal only. We would like a uniform gear size for the region.

PROPOSED BY: Arnold Enge (HQ-F11-086)

PROPOSAL 229 - 5 AAC 27.131. Gillnet specifications and operations for Southeastern Alaska Area. Remove the mesh restriction in the Gillnet Sac Roe Herring Fishery as follows:

Repeal 5 AAC 27.131 (f). Making the statewide herring mesh size in 5 AAC 27.050 (c) become the standard for all herring gillnet fisheries in Southeast Alaska.

ISSUE: As stated in the petition submitted in 2011, we are submitting this proposal to request a permanent change to the mesh size for gillnet fisheries in District 1 (West Behm Canal or Kahshakes/Cat Island) to be consistent with mesh size required in the rest of Southeast Alaska and Statewide. Then when the fisheries are opened in District 1 net suppliers are not faced with the need to stock a different size net on short notice or fishermen unable to get web for a fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Likely the allowable harvest would not be taken by the set gillnet fishery in the years they are allowed to fish Section 1-E and Section 1-F (West Behm Canal and Kahshakes/Cat Island Fisheries) as a 2-1/4” minimum mesh size is inappropriate for the size of fish in recent years according to ADFG size data and the reasoning for the larger size mesh requirement from the Statewide Standard of 2-1/8” isn’t documented and the statewide standard of 2-1/8” has been sustainable.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? The commercial set gillnet fishermen and net suppliers.

WHO IS LIKELY TO SUFFER? Those individuals who do not want commercial fisheries on herring stocks and are opposed to the fisheries regardless of the regulations.

OTHER SOLUTIONS CONSIDERED? None, we stated in the petition submitted in 2011 that we would submit this proposal for consideration during the next Southeast BOF cycle.

PROPOSED BY: Southeast Alaska Fisherman's Alliance (HQ-F11-075)

PROPOSAL 230 - 5 AAC 27.190. Herring Management Plan for Southeastern Alaska Area. Revise the commercial herring fishery management plan for Sitka Sound as follows:

- For the management of herring fisheries in the Southeastern Alaska Area, the department
- (1) shall identify stocks of herring on a spawning area basis;
 - (2) shall establish minimum spawning biomass thresholds below which fishing will not be allowed;
 - (3) shall assess the abundance of mature herring for each stock before allowing fishing to occur;
 - (4) except as provided elsewhere, may allow a harvest of herring at an exploitation rate between 10 percent and 20 percent of the estimated spawning biomass when that biomass is above the minimum threshold level;
 - (5) may identify and consider sources of mortality in setting harvest guideline;
 - (6) by emergency order, may modify fishing periods to minimize incidental mortalities during commercial fisheries.

Adding the following to 1-6 of 5AAC 27.190 **for Sitka Sound only**

(7) Age class strength and sex composition;

(8) The ecosystem function of both target and non-target species;

(9) Maintenance of the geographic distribution of the resource.

The plan contains nine specific criteria that must be met prior to consideration of a commercial fishery for herring in Section 13A and 13B.

ISSUE: Improving the herring management plan for Southeastern Alaska area, for Sitka Sound only.

WHAT WILL HAPPEN IF NOTHING IS DONE? The management plan for the Sitka Sound commercial herring sac roe fishery herring will continue to be limited in scope and limited in relevance compared to present scientific data improvements to other Alaska commercial herring sac roe fishery area management plans.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this proposal goes beyond improving the quality of the resource harvested and addresses improving the management of the resources harvested. Additional criteria in the management plan will allow managers to generate an age composition estimate of the overall biomass observed throughout the entire duration of the spawning migration, and facilitates the evaluation of the relative strength of recruiting year classes. An ecosystem function of both target and non-target species includes a set of conditions and

processes whereby an ecosystem maintains its integrity. Managing a forage fish such as herring on a single species approach is inadequate. It fails to consider predator-prey interactions affected by fishing and other ecosystem functions. This proposal also allows managers to maintain the natural geographic distribution, connectivity, and quality of fish habitat, and allows for managers to maintain stock diversity.

WHO IS LIKELY TO BENEFIT? Both commercial and subsistence fishers would benefit from an improved management plan for Southeast Alaska herring.

WHO IS LIKELY TO SUFFER? None.

OTHER SOLUTIONS CONSIDERED? Considered applying the three additional functions to the management plan for all Southeastern Alaska area, districts 1A-16.

PROPOSED BY: Harvey Kitka (HQ-F11-201)

PROPOSAL 231 - 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area. Amend the GHL for the herring sac roe fishery in Section 13-A and 13-B as follows:

When the total commercial herring sac roe harvest is within 10 percent of reaching the GHL, the fishery closes for the year.

(g) The guideline harvest level for the herring sac roe fishery in Section 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 (\text{Spawning Biomass (in tons)} / 25,000)$$

Add to 5 AAC 27.160 (g): When the total commercial herring sac roe harvest is within 10 percent of reaching the guideline harvest level, the fishery closes for the year.

ISSUE: The commercial herring sac roe fishery harvest exceeding the Guideline Harvest Level (GHL). Since 1979, the commercial herring sac roe harvest has exceeded the GHL over 60% of the time (1979, 1980, 1981, 1982, 1984, 1986, 1987, 1988, 1989, 1992, 1993, 1994, 1995, 1997, 1999, 2001, 2003, 2005, and 2009).

WHAT WILL HAPPEN IF NOTHING IS DONE? The commercial herring sac roe fishery will continue to harvest over the GHL without liability and without repercussions. The excess harvest is not even factored into determining the guideline harvest level for a future year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal improves management by authorizing the department to close the fishery in order to control exceeding the GHL.

WHO IS LIKELY TO BENEFIT? Current managers.

WHO IS LIKELY TO SUFFER? Commercial herring sac roe permit holders.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Harvey Kitka (HQ-F11-203)

PROPOSAL 232 - 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area. Repeal regulations for establishing the herring fishery GHL for in Sections 13-A and 13-B as follows:

Delete the following from 5 AAC 27.160:

[(g) THE GUIDELINE HARVEST LEVEL FOR THE HERRING SAC ROE FISHERY IN SECTION 13-A AND 13-B SHALL BE ESTABLISHED BY THE DEPARTMENT AND WILL BE A HARVEST RATE PERCENTAGE THAT IS NOT LESS THAN 12 PERCENT, NOT MORE THAN 20 PERCENT, AND WITHIN THAT RANGE SHALL BE DETERMINED BY THE FOLLOWING FORMULA:

Harvest Rate Percentage = $2 + 8 (\text{Spawning Biomass (in tons)} / 25,000)$

ISSUE: The inconsistency with regulation 5 AAC 27.160 and regulation 5 AAC 27.190 in Section 13A and 13B. The Sitka Sound commercial herring sac roe fishery is mandated by the herring management plan for Southeastern Alaska area, 5 AAC 27.190. The harvest rate percentage for Sitka should be re-written to default to the harvest rate percentage equation used for the rest of Southeast Alaska.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sitka Sound commercial herring sac roe fishery will continue to use a separate harvest rate percentage, compared to the rest of Southeastern Alaska which uses a harvest rate percentage that is not less than 10 percent, not more than 20 percent, and within that range shall be determined by the following formula:

Harvest Rate Percentage = $8 + 2 (\text{Spawning Biomass (in tons)} / 25,000)$.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal improves management by using the same harvest rate formula on herring stocks throughout the Southeastern Alaska area.

WHO IS LIKELY TO BENEFIT? Current managers.

WHO IS LIKELY TO SUFFER? Commercial herring sac roe permit holders.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Harvey Kitka (HQ-F11-205)

PROPOSAL 233 - 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.
Establish an equal share fishery for herring sac roe in Sitka Sound as follows:

Regulation 5 AAC 27.195 would contain a section or clause that provides for an equally shared GHF divided among all the GO1A permit holders or some other such regulation providing for an equally shared fishery.

ISSUE: The Olympic style of fishing sac roe herring in Sitka is continuing to jeopardize the safety of the participants in the fishery. Collisions and damage to vessels and their gear has been increasing every year. The competitive nature of the fishery has evolved from individual fishermen vying against each other to groups and “combines” of fishermen blocking and pushing vessels away from the opportunity to catch fish. Group members have deliberately set nets in front of other vessels with no intention of catching fish for the purpose of blocking boats away from one of the partner boats attempting to make the catch. In other instances group members will position their vessels in front of others so their partner vessels can have a clean shot at a school of fish. Safety is the first concern.

WHAT WILL HAPPEN IF NOTHING IS DONE? Over the last decade more groups have formed and the environment during the openings has become increasingly combative and dangerous. Safety, at this point, is of paramount concern. Collisions and gear damage have been on the rise and insurance adjusters are beginning to take notice. It is no longer an issue of if a significant causality will occur it is a matter of when.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? An equally shared fishery will better pace the harvest and processing over less time from when fish are killed to the time they are frozen. This will better enhance quality. Processors could anticipate landing volumes and adjust their operations more efficiently. Roe recovery would also improve because fish could be harvested in the areas with the best tests rather than those areas with lesser tests but the right amount of volume for a competitive opening.

WHO IS LIKELY TO BENEFIT? The entire fishery benefits from this proposal. The fishery will be made more predictable and safer. Collisions and run over nets will be a thing of the past. Insurance claims and lawsuits will dramatically decrease. Management will have an easier time overseeing and prosecuting the fishery and enforcement costs will be significantly reduced. Additionally, the overall resource value will be improved, quality will improve, and the fishery will remain viable and sustainable in the long term.

WHO IS LIKELY TO SUFFER? No fishermen will really suffer, some of the most consistent fishermen will lose their high liner status but as they will be equal with the rest of the fleet they will not suffer greatly. Many with above average landings have achieved those landings participating as part of a “combine” group where all the proceeds are divided equally among the participants in the group. Essentially, many of these fishermen are already involved in their own equal split fishery.

OTHER SOLUTIONS CONSIDERED? This proposal is a subject that has been long discussed. Everyone in the fishery should realize safety in the fishery has deteriorated to a despicable level and something needs to be done. Those wishing to maintain status quo have brought no other alternative to the table to improve safety and those in favor of equal split see it as a good solution because it provides the most safely benefits as well as other increased benefit.

PROPOSED BY: Bill Menish (HQ-F11-039)

PROPOSAL 234 - 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.
Establish an equal-share fishery for herring sac roe in Sitka Sound as follows:

The Board of Fish needs to change the Sitka Sac Roe fishery into an Equal Harvest Share with a new management plan.

ISSUE: The Sitka Sac Roe Fishery can be managed better to ensure a safer, better managed fishery that is responsive to potential conservation concerns as well as to a more stable and robust subsistence fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will continue to be a “derby” fishery where the fleet will potentially impact the resource in a negative fashion in the future.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The quality harvested will increase substantially as the ability to test areas for the best quality will exist in a non-competitive, non-rushed fishery.

WHO IS LIKELY TO BENEFIT? All herring fishermen in Sitka will benefit. The subsistence users will also benefit with a fishery that is dispersed and not concentrated so tightly. Also the herring stock will benefit as this management approach will ensure that there will not be a population crash that is accompanied by “overfishing”. Under the Equal Harvest Share (EHS) fishery, there cannot be overfishing.

WHO IS LIKELY TO SUFFER? No one. There was a myth that some fishermen caught consistently more than others. However, the CFEC numbers show that there isn’t a single fisherman in Sitka who has doubled the fleet average and the majority of fishermen are huddled around the middle zone.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Sitka Herring Group (HQ-F11-179)

PROPOSAL 235 - 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.
Restrict fishing vessels from entry into the announced fishing area prior to openings in the Sitka Sound commercial herring fishery as follows:

(3) once the ADF&G has announced an opener, defined boundaries, and set the 2 hour notice period, no purse seine vessel, seine skiff, or tender may enter the announced area. Vessels participating in the Sitka Sound sac roe fishery may only enter the defined open area once the 2 hour notice period has ended and the ADF&G has completed the “10, 9, 8...1” (countdown) and announced the fishery “open.”

The ADF&G will give adequate time for all participating vessels to leave the announced open area prior to the start of the 2 hour notice period. For example it is 12:30, the department announces the boundary, says the opener will be around 3:00 p.m. and tells the fleet they must all be out of the defined area by 1:00 p.m.

ISSUE: Over the past several years, the Sitka sac roe fishery has become beyond the point of “competitive”. Even though all the other sac roe fisheries in the Sate (PWS, Cook Inlet, Kodiak and Togiak) had traditionally been conducted in more confined areas, with far more vessels, and with much shorter openings, competition was very stiff – but there were rarely any vessel collisions. If there were, they were accidentally, and fishermen settled these incidents amicably.

Now-a-days in Sitka, however, it is common for vessels to purposely and intentionally smash into other vessels, mainly because they can’t maneuver properly; and they use this as a tactic for stopping other boats from catching the fish.

These actions are totally unnecessary. People can be super competitive (like all the other fisheries) and not purposely bash into you, to try to stop you from catching fish. We are proposing a management style, similar to what is used at times in some of the Canadian purse seine herring fisheries, that would easily and effectively remove most if not all of these ridiculous activities. This is a very simple solution, and would dramatically reduce these kind of altercations.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Sitka fishery will become more unpleasant, lawsuits (unnecessary) will occur, property will be damaged, and someone may become insured.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, just the quality of the fishery experience.

WHO IS LIKELY TO BENEFIT? All seiners, crew, insurance companies, etc. involved in the Sitka fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo. That seems more and more unpleasant.

PROPOSED BY: Alaska Herring Seiners Association (HQ-F11-081)

PROPOSAL 236 - 5 AAC 27.132. Seine specifications and operations for Southeastern Alaska Area. Change specifications for herring purse seines to reduce depth of nets for the Sitka Sound commercial herring fishery as follows:

- (a) A herring purse seine may not be more than 200 fathoms in length.
- (b) **For the herring sac roe fishery in Sitka Sound** a herring purse seine may not be more than [1700] **1025** meshes in depth, **1000 meshes of which must be 1 1/2” or less.** **“Border” or hanging strips of up to 5 meshes are allowed on corkline, ribline and leadline.**

ISSUE: The Sitka sac roe fishery has become more and more contentious. If we were to reduce the catching power of our seines, by reducing the depth of these seines, we believe that the ADF&G could manage the fishery a bit more liberally. This would hopefully take place in the form of larger areas, longer openers, and more openers. If the fish were harder to catch, we would have less success rates, and make more sets in a given opening. We believe this would create an atmosphere of much less urgency, and would therefore reduce the frenzied activity prior to most openings which occurs now. Because of the enormous catching power of our deep seines, the department is forced to be much more cautious with their management style. This means we tend to be compressed into smaller areas with shorter times – which naturally makes everyone act more crazy.

As quotas come down, this problem will only increase. We believe that by reducing the harvest potential now, it will lead to reduced gear conflict and allow the fishery to be prosecuted in a much more pleasant manner.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued altercations, potential for over harvest with larger seines, more compressed fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Possibly – better % roe herring can sometimes be found in shallower water.

WHO IS LIKELY TO BENEFIT? All fishermen will benefit from a more pleasant and less contentious fishery.

WHO IS LIKELY TO SUFFER? There will be a cost associated with shallowing up your seines.

OTHER SOLUTIONS CONSIDERED? Status quo – is becoming more and more unpleasant. Also possibly shortening to 150 fathoms.

PROPOSED BY: Alaska Herring Seiners Association (HQ-F11-082)

PROPOSAL 237 - 5 AAC 27.132. Seine specifications and operations for Southeastern Alaska Area. Change specifications for herring purse seine to reduce length of nets for the Sitka Sound commercial herring fishery as follows:

- (c) A herring purse seine may not be more than [200] **150** fathoms in length, **for the Sitka Sound Sac Roe Fishery.**

ISSUE: Vessel collisions, gear conflict, overzealous fishermen and an overall unpleasant fishery in Sitka Sound. Reducing the catching power of our seines will allow the ADF&G to manage the fishery more liberally. This could take place in the form of larger areas, longer openings, and more openings.

We believe this would create an atmosphere of much less urgency, thus reducing the frenzied activities prior to, and during most of our Sitka sac roe openings.

Shortening the seine length from 200 fathoms to 150 fathoms along with shallowing them to 5 strips, will be very effective towards this goal. As our quotas diminish, these problems will only increase, unless we do something about it now.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued altercations, potential for overharvest with larger seines, more compressed fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Possibly – spreading out the harvest could possibly increase roe percent.

WHO IS LIKELY TO BENEFIT? All fishermen and the fishery and community.

WHO IS LIKELY TO SUFFER? It will cost all seiners some money to shorten their seines.

OTHER SOLUTIONS CONSIDERED? Status quo – is becoming more and more unpleasant.

PROPOSED BY: Alaska Herring Seiners Association (HQ-F11-083)

PROPOSAL 238 - 5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area. Establish closed waters for the Sitka Sound commercial herring fishery in order to provide an area only open for subsistence as follows:

Establishment of a Subsistence-Only Zone which is closed to commercial sac-roie harvesting activity. The Subsistence Only Zone must be easily accessible, include different areas that are protected from wind and waves from different directions, and be of the size and location necessary to provide a reasonable opportunity to harvest the Amount of high quality herring roe Necessary for Subsistence. Commercial sac-roie fishing shall continue to be allowed in all other areas.

Potentially, the following boundary could be used:

Inside of the perimeter running from Signal Island south to Makhnati Island, then northeast to Aleutski Island, and northeast to the Baranof Island shore at the O'Connell Bridge, then north along the Halibut Point Road shoreline to Harbor Point, then southwest to South Gavanski Island, continuing southwest to the northern end of Crow Island, then to Bieli Rock and from there to Signal Island.

ISSUE: Subsistence herring roe harvests in Sitka Sound have been inconsistent despite the recent very high herring population. Commercial fishing activity on this herring stock has increased in proportion to the biomass while subsistence harvest has not. When intensive competitive seining occurs in the area traditionally utilized for subsistence it can cause even the surviving fish to act and spawn in an unpredictable fashion. This results in subsistence roe-on-hemlock harvesters being unable to place their branches for optimal harvest.

WHAT WILL HAPPEN IF NOTHING IS DONE? When the commercial pressure in the traditional subsistence areas disturbs the fish, subsistence harvesters will continue to attempt to compensate. Fishermen will set more hemlock trees, competing with one another and will fish in other areas that are often more dangerous to reach in small boats or produce lower quality roe due to the presence of waves contaminating the eggs with sand. In these ways subsistence harvest becomes more difficult and less productive in years of high herring abundance. In years when the commercial harvest is high but the subsistence harvest is down, relations within the community suffer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The core subsistence area has historically been the source of the highest quality and quantity subsistence roe. This area is close to town and safely accessible to small boats, so that many people can fully participate in harvesting there. Of the areas that the herring spawn regularly, this includes the areas that are most protected from ocean surge, which can degrade roe quality by stirring sediment into the eggs. It includes both areas far enough from town to avoid sediment or pollution associated with development and areas on the road system for those unable to go farther afield.

WHO IS LIKELY TO BENEFIT? Sitka subsistence gatherers will be able to safely harvest high quality roe-on-hemlock as they have done for thousands of years. Others throughout the state with who eat the roe will be able to enjoy greater quantity and quality herring eggs as well.

WHO IS LIKELY TO SUFFER? If in any given year the herring stage and spawn nearly exclusively within the sanctuary area, the commercial fleet may not be able to completely harvest their quota. This has more potential to be a problem in times of low biomass, as during the current high biomass regime, there should be plenty of fish outside of the subsistence-only zone to allow the commercial fleet to catch their GHL. If the herring do not stage and spawn in significant numbers within the sanctuary area, then the subsistence harvesters will see no benefit.

OTHER SOLUTIONS CONSIDERED? To the extent that even herring that avoid being captured in the sac-roe fishery are subsequently unexploitable for subsistence harvesters, alternatives short of establishing a meaningful sanctuary are ineffective. However, the particular

boundaries of the area could be modified from the above example so long as the designated area was close to town, sufficiently protected from weather, and was large enough and with high enough egg deposition to provide for a reasonable opportunity to harvest the Amount Necessary for Subsistence.

PROPOSED BY: Sitka Advisory Committee

(HQ-F11-134)

PROPOSAL 239 - 5 AAC 01.716. Customary and traditional subsistence users of fish stocks and amount necessary for subsistence uses. 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 as follows:

In managing the commercial sac roe fishery in Area 13-B north of the latitude of Cape Aspid (Sitka Sound), the department shall ... (2) distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses specified in 5 AAC 01.716(b) and (3) not allowing the commercial fishery to harvest in the core subsistence fishing area of Sitka Sound including, but not limited to: all marine waters from Signal Island south to Makhnati Island, then east to Aleutski Island, then north to the Baranof Island shore at the O'Connell Bridge, then northwest to Harbor Point along the Halibut Point Road system, then west to the northern end of Big Gavanski Island, then southwest to the northern end of Crow Island, continuing on to Bieli Rocks, and ending at Signal Island.

ISSUE: The Sitka commercial herring sac-roe harvest in the core Traditional subsistence herring roe harvesting areas is affecting the quality and quantity of the subsistence harvest for herring roe on branches and kelp. Subsistence harvesters have been unable to harvest the amount reasonably necessary for subsistence in 2001, 2005, 2007, and 2008. As such, we ask that the Board designate a Subsistence Fishery Area to allocate a subsistence resource to local subsistence users as defined in BOF Policy 79-47-FB.

WHAT WILL HAPPEN IF NOTHING IS DONE? Subsistence herring roe harvesters will continue to experience a depreciated harvest any time the commercial fleet is allowed to harvest a significant portion of its' quota from one area in the most prolific Traditional subsistence herring roe gathering areas. The commercial herring sac-roe fishery will continue to disturb pre-spawning herring in this area, thus affecting the subsistence fishery, which in recent years, occurs after the commercial fishery

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Provides a measure to ensure that the reasonable subsistence opportunity, required by state law, is provided during the Sitka Sound commercial herring sac-roe fishery. A reduction in the amount of herring that the commercial fishery targets in the traditional subsistence area will contribute to insuring the adequacy of the subsistence harvest of the amount reasonably necessary for subsistence (defined in regulation as 136,000-227,000 pounds).

WHO IS LIKELY TO BENEFIT? Traditional subsistence herring roe gatherers from all communities of Southeast Alaska

WHO IS LIKELY TO SUFFER? The commercial herring sac-roe fleet will not benefit from this proposal in those instances when the major portions of the biomass are staged in this proposed area. However their vessels are larger and more able to fish open waters further away from the protected areas relied on by the Traditional subsistence roe harvesters.

OTHER SOLUTIONS CONSIDERED? MOA between Sitka Tribe of Alaska and ADF&G was not able to remedy negative impacts to Traditional subsistence herring roe harvesting.

PROPOSED BY: Harvey Kitka (HQ-F11-214)

PROPOSAL 240 - 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery. 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 as follows:

Five percent of the Sitka Sound herring resource will be designated as a winter bait herring fishery in years when the Sitka Sac Roe GHL exceeds a minimum threshold of 10,000 tons. The winter bait herring fishery will have a cap of 1,000 tons to the fishery in this area. A winter bait herring fishery will not be conducted in years when the minimum threshold of 10,000 tons is not met.

ISSUE: There has been a shortage of good quality bait herring available to processors and the long line fleet in central to northern Southeast Alaska. Since herring surveys transitioned from acoustic to spawn deposition methods traditional areas have not been accessed. No new areas have been surveyed. Tenakee Inlet has provided inconsistent supply even when above threshold level. The only consistent quota for bait herring has been in the Meares Pass Noyes Island area. This herring is typically small and of less desirable quality after being tendered to processors in northern Southeast.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be a shortage of high quality southeast bait herring available to the longline fleet and local processors. This will result in lower per hook catch rates which requires additional bait to run more gear. The importing of higher priced bait as an alternative will increase, placing added economic burden on the local fishing industry.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposed bait fishery allocation is from a resource which is currently managed by conservative models. No increased impacts or conservation concerns would result from the existing resource being allocated to a bait fishery. The bait allocation is conservative. Fishing would be conducted in close proximity to existing processing capacity. The expected quality would surpass existing bait herring standards. The value of the resource as a bait fishery would exceed levels obtained in the roe fishery.

WHO IS LIKELY TO BENEFIT? Regional southeast fishermen will benefit from participating in a winter bait fishery. Local processors and employees will gain additional income during a time of year where processing is low or non-existent. Processors will further benefit from being able to provide the fishing fleet with a high quality bait which will increase vessel landings in the area and improve purchasing opportunity for customers sales. The local economy will experience a contribution to retail sales and services industry.

WHO IS LIKELY TO SUFFER? The roe herring fleet would experience a five percent reduction in their quota during years when the GHL is between 10,000 and 20,000 tons.

OTHER SOLUTIONS CONSIDERED? Matching processor contributions with ADF&G funding for the purpose of conducting herring surveys could open up additional areas for a winter bait fishery. This is unlikely given the level of ADF&G budgets.

PROPOSED BY: Craig Shoemaker, John Baird, and Randy Lantiegne (HQ-F11-090)

PROPOSAL 241 - 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area. Revise the herring allocation for Hobart Bay to eliminate winter bait and to provide all the available GHL for gillnet sac roe as follows:

[(f) THE GUIDELINE HARVEST LEVEL FOR THE DISTRICT 10 SET GILLNET FISHERY DESCRIBED IN 5 AAC 27.160(b)(2)(C) IS THE PORTION OF THE ANNUAL HARVEST AMOUNT ESTABLISHED FOR THE DISTRICT 10 WINTER FOOD AND BAIT FISHERY UNDER 5 AAC 27.190 THAT IS NOT TAKEN BY THAT FISHERY].

ISSUE: Delete the allocation language that gives sac roe gillnetters the left over quota after a winter food and bait fishery in Hobart Bay.

WHAT WILL HAPPEN IF NOTHING IS DONE? Seymour Canal and Hobart Bay may well be one stock of herring. If a bait fishery occurs, herring gillnetters will lose some opportunity to fish a stock of herring that is allocated to their fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, in most cases sac roe herring are of higher value than winter food and bait herring.

WHO IS LIKELY TO BENEFIT? Sac roe gillnetters would be more confident that they would be able to harvest all of the available quota in the district.

WHO IS LIKELY TO SUFFER? Some bait fishing harvest would be lost.

OTHER SOLUTIONS CONSIDERED? No other solution would solve this problem.

PROPOSED BY: Arnold Enge (HQ-F11-089)

PROPOSAL 242 - 5 AAC 27.197. Sections 1-E and 1-F commercial sac roe herring fishery. Increase threshold for the West Behm Canal Herring Fishery from 6,000 tons to 15,000 tons as follows:

Raise the fishery threshold for the West Behm Canal Herring Fishery from 6,000 ton to 15,000 ton.

ISSUE: The West Behm Canal Spawning Biomass has fluctuated greatly over the last decade even with no directed fishery prosecuted. The last time this fishery took place was in 1999 and the following season (1999-00) forecast was for over 10,000 ton however only 3,000 ton showed in the spring. Again in 2003-04 there was a 9,366 ton forecast and only 400 ton showed in the spring. Because these stocks show a history of collapsing by as much as 9,000 ton with no fishery we think it prudent that the fishery threshold be raised.

WHAT WILL HAPPEN IF NOTHING IS DONE? The west Behm Canal Herring have shown that their spawning biomass can collapse by as much as 9,000 ton in a single year without being fished so prosecuting a fishery at a 6,000 ton threshold could render a collapse in the biomass so significant that the fish are unable to recover for decades.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Currently the herring in West Behm Canal are small. Raising the threshold would allow these fish to grow to a larger size and increase the spawning biomass, which would make them more valuable on the market and could create a sustainable fishery. Under the current Management plan this fishery has proven itself to be unsustainable.

WHO IS LIKELY TO BENEFIT? The herring and all the mammals and fish that feed upon them and eventually the fishermen.

WHO IS LIKELY TO SUFFER? No one. This fishery hasn't been prosecuted in 12 years. If we fish them too soon it will take another 12 years to rebuild the stock. Under the current management plan with alternating gear groups, a fishermen may get to fish West Behm Canal two or three times in his lifetime for a miniscule quota. So why even bother having the fishery? It would be better to rebuild the stock sufficient to have a sustainable fishery in the future.

OTHER SOLUTIONS CONSIDERED? Considered proposing closing the West Behm Canal herring fishery, but if we can sufficiently rebuild the stock then we should fish them.

PROPOSED BY: Ketchikan Guided Sportfish Association (HQ-F11-111)

PROPOSAL 243 - 5 AAC 27.197. Sections 1-E and 1-F commercial sac roe herring fishery. Eliminate rotational fishery opportunity for purse seining in West Behm Canal Herring Sac Roe Fishery and allow only gillnet sac roe fishing as follows:

5 AAC 27.197 (a)(1) Delete language that describes purse seine and gillnet harvest sharing. (2) Delete all. (d) Delete purse seine fishery from this language. (f) Delete all of this language.

ISSUE: Eliminate the alternating rotational fishery with purse seiners in the West Behm Canal herring sac roe fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Herring gillnetters who have seen significant disruption in traditional fisheries; will have less opportunity to have a economical fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, gillnet herring should be somewhat larger than seine herring from this area.

WHO IS LIKELY TO BENEFIT? Herring gillnetters should see more opportunity on a more consistent basis.

WHO IS LIKELY TO SUFFER? Purse seiners would lose what opportunity they might see from this fishery.

OTHER SOLUTIONS CONSIDERED? No other solutions would solve this issue.

PROPOSED BY: Arnold Enge (HQ-F11-087)

PROPOSAL 244 - 5 AAC 27.110. Fishing seasons for Southeastern Alaska Area. Eliminate rotational fishing opportunity for purse seining in West Behm Canal herring sac roe Fishery and allow only gillnet sac roe fishing as follows:

[(1) IN THE PURSE SEINE FISHERY, HERRING MAY BE TAKEN ONLY IN THE FOLLOWING SECTIONS.

(A) SECTION 1-E, SECTION 1-F NORTH OF THE LATITUDE OF SOUTH VALLENAR POINT.]

ISSUE: Eliminate the alternating rotational fishery with purse seines in the West Behm Canal herring sac roe fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Herring gillnetters who have seen significant disruption in traditional fisheries will have less opportunity to have a economical fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, gillnet herring should be somewhat larger than seine herring from this area.

WHO IS LIKELY TO BENEFIT? Herring gillnetters should see more opportunity on a more consistent basis.

WHO IS LIKELY TO SUFFER? Purse seiners would lose what opportunity they might see from this fishery.

OTHER SOLUTIONS CONSIDERED? No other solutions would solve this issue.

PROPOSED BY: Arnold Enge (HQ-F11-088)

PROPOSAL 245 - 5 AAC 27.197. Sections 1-E and 1-F commercial sac roe herring fishery. 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 as follows:

(a)(2) determine the equal share quota by dividing the annual harvest objective by the maximum number of CFEC permits eligible to be fished in the fishery: a CFEC permit holder(s) may [NOT RETAIN MORE HERRING THAN THE ANNUAL AMOUNT OF THE] **designate another CFEC permit holder to catch is equal share** quota as specified by the department.

ISSUE: The sac roe fisheries in sections 1-E and 1-F have a minimum threshold biomass of 6,000 tons and the 2011 GHL was 1,276 tons for Behm Canal. 5 AAC 27.197 (a)(2) allows for an equal share harvest. It is impractical for 48 seine permit holders to each harvest 26 tons. Therefore, the regulation needs to specify that permit holders may allocate their share to a specific permit holder/harvest boat.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the regulation is not modified the fishery becomes uneconomical at low population biomasses.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it will improve quality by having fewer boats harvesting the small GHL in an orderly fashion.

WHO IS LIKELY TO BENEFIT? The permit holders, processors, and department.

WHO IS LIKELY TO SUFFER? No one will suffer if the proposal is adopted.

OTHER SOLUTIONS CONSIDERED? Considering existing regulation which makes the fishery uneconomical.

PROPOSED BY: Southeast Herring Conservation Alliance (HQ-F11-106)

PROPOSAL 246 - 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Clarify that the management measures for the use of two rods is for king salmon only as follows:

(c) When the king salmon abundance index is greater than 2.0, the commissioner may, by emergency order, implement the following management measures:

(1) a sport fish angler may use two rods when fishing for king salmon from October through March;

...

(d) When the king salmon abundance index is 1.76 to 2.0, the commissioner may, by emergency order, implement the following management measures:

(1) a sport fish angler may use two rods when fishing for king salmon from October through March;

...

(e) When the king salmon abundance index is 1.51 to 1.75, the commissioner may, by emergency order, implement the following management measures:

(1) a sport fish angler may use two rods when fishing for king salmon from October through March;

ISSUE: The management provisions that allow the use of two rods under the Southeast Alaska King Salmon Management Plan are not consistent; 5 AAC47.055(c)(1), (d)(1), and (e)(1) specify the use of two rods, whereas 5 AAC 47.055(f)(4), (g)(5), and (h)(4) specify the use of two rods while fishing for king salmon. This inconsistency makes it unclear if two rods may be used to fish for species other than king salmon under the Southeast Alaska King Salmon Management Plan.

WHAT WILL HAPPEN IF NOTHING IS DONE? Confusion over whether to retain or release other species when fishing with two rods as allowed under the Southeast Alaska King Salmon Management Plan will continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public, department managers, and enforcement personnel who need clearly defined regulations to guide sport fishing activities.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-317)

PROPOSAL 247 - 5 AAC 47.XXX. New Regulation. Develop a management plan to protect and enhance a roadside sport fishery in Juneau as follows:

The ADF&G Sport Fish Division in Juneau will develop and implement a management plan to protect and enhance the Juneau Roadside Sport Fishery within one (1) year of adoption of the proposal.

Juneau Roadside Fishery Management Plan Outline

Objective: Enhance the Juneau roadside sport fishery as a joint venture between ADF&G, the USFS, DIPAC and other participating organizations and agencies.

Methods:

1. Participating agencies adopt a cooperative, “can do” attitude that puts words into actions.
2. Develop single points of contact between all participating organizations/agencies.
3. Determine when, where and how a small demonstration project can be initiated.
4. Establish short and long term goals necessary to enhance the sport fishery along the Juneau road system
5. Include enhancement of Juneau roadside sport fishery as a specific line item in participating agencies operating budgets.

Scope of Work:

Possible options include but are not limited to the following:

- A. Conduct summer creel census on roadside streams and lakes;
- B. Update Mike Bethers July 1, 1985 Recreational Fisheries Maintenance and Enhancement Report;
- C. Designate critical streams or parts thereof as catch and release areas;
- D. Analyze and compare the genetics of wild, Lake Florence cutthroat trout and wild, local cutthroat trout stocks;
- E. Transport wild cutthroat trout and other species and stock suitable lakes;
- F. Use DIPAC facilities to incubate, rear and hold fish used for stocking;
- G. Stock sterile fish in suitable lakes;
- H. Follow the successful Hunter Safety model and institute a sport fishing education curriculum for middle school students;
- I. Identify and secure easements to protect public access to roadside streams, lakes and ponds;
- J. Use the Juneau Empire Outdoor column and other media outlets to keep the public informed.

ISSUE: Urban growth and fishing pressure threaten the valuable sport fishery on drainages that cross the Juneau road system. No management plan is in place.

WHAT WILL HAPPEN IF NOTHING IS DONE? Critical fresh water riparian habitat has been destroyed as pressure on the fresh water fishery increases.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the quality of sea run cutthroat trout, Dolly Varden char and coho harvests will improve and be sustained by this plan.

WHO IS LIKELY TO BENEFIT? Young and adult sport fishers without boats and retailers that sell tackle and gear will benefit as well as visiting anglers and tourists.

WHO IS LIKELY TO SUFFER? Jet ski operators on Auke Lake, off road 4 wheel users on Montana Creek and miners may suffer.

OTHER SOLUTIONS CONSIDERED? Direct appeals to ADF&G Sport Fish have failed.

PROPOSED BY: Greg Capito (HQ-F11-003)

PROPOSAL 248 - 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Change the definition for “bag limit” for anglers fishing from a vessel as follows:

Change the definition of daily bag limit to allow an angler on board a vessel to voluntarily retain a fish whether or not that person hooks or reels the fish in. In essence, allow a "boat" limit which would be the sum of a daily bag limit for all legal anglers on board the vessel. The captain and crew could be included or excluded if the vessel is a charter boat. In reality, this solution merely legalizes what is currently practiced by most anglers: resident or nonresident, guided or unguided.

5 AAC 75.995(4) Daily bag limit would mean the maximum legal take per person per day in the area in which the person is fishing even if part or all of the fish are immediately preserved. A fish when landed and killed can become the bag limit for any person legally authorized to fish on a vessel whether or not that person actually hooks the fish. While fishing from a vessel a person may land and kill more than the daily bag limit as long as the number of fish for any species on the boat does not exceed the sum of the number of legal anglers on the vessel times the daily bag limit for that species.

ISSUE: Ambiguity of wanton waste and conservation of sport caught fish, relative to hooking and catching.

WHAT WILL HAPPEN IF NOTHING IS DONE? Some sport caught fish of most species will continue to be wasted because of regulation concerning the definitions of hooking and catching. Demersal shelf rockfish, such as the highly desirable yelloweye are very susceptible to barotraumas as well as gill and gut hooking mortality. Other highly desirable species such as halibut and salmon are most susceptible to gill and gut hooking mortality.

Current daily bag limits for some species such as king salmon, halibut and yelloweye rockfish are very restrictive, one or two per person, depending on residency, location and time of year. Catch and release of at least one species is highly likely in the course of a day of fishing, even if one is trying to catch another species to retain. A change in the definition of daily bag limit to allow a person to voluntarily retain a fish whether that person hooks or reels the fish in will minimize this kind of mortality.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. As in most endeavors, some anglers are better than others, and most anglers who sport fish in Alaska fish for food not sport. Current regulations

allow an angler to continue fishing even though the angler may have taken a bag limit of one or more species. In the case of demersal shelf rockfish (DSR,) the angler Must retain all DSR until the bag limit has been reached. Once a person has retained a daily bag limit, all fish subsequently caught of that species must be released. A couple of examples will help to clarify the need for change in this regulation. 1) Recreational fishing methods are not 100 percent selective, i.e. a vessel may anchor and target halibut, but catch rockfish and salmon, or a vessel may troll for salmon and catch rockfish, ling cod and halibut. In this example one angler retains a daily bag of one yelloweye rockfish and a halibut. He/she hooks another yelloweye rockfish and brings it to the surface. Under current regulation, he/she must release the yelloweye, which is nearly 100 percent certain of death due to barotrauma. Hypothetically, this angler could catch numerous yelloweye and is required to release them all, except the first one. A change in the definition would allow another angler(s) on board to retain those yelloweye until the boat limit is reached. Ideally, the boat limit of halibut would be reached before an excess of yelloweye are brought to the surface, and all anglers stop fishing. 2) A family of four goes trolling for king salmon. They want to be sure they take at least a couple kings so the first two that are hooked are reeled in by mom and dad. Soon another king is hooked and dad calls their two kids who are in the cabin to come and get the pole. They are both slow, and dad grabs the pole and reels up the slack and fights the fish for about 15 seconds. Junior comes out and takes the pole and reels in the 35 pound king which is hooked and bleeding profusely from the gill. Under current regulation, dad must release the king, since he is the person who originally hooked the fish and has retained his daily bag of one king salmon. Gill hooked, bleeding salmon probably have no more than a ten percent chance of surviving if released, whether the hook is a treble hook or a single barbless hook. A change in the definition would allow the family to retain this king and come ashore with up to four kings, regardless of who hooked or reeled them in, assuming they were all in agreement of that process.

WHO IS LIKELY TO BENEFIT? We believe that having the flexibility to retain or release fish based on a boat limit and mortal wounds, rather than based solely on an individual limit will benefit the resource. This flexibility will minimize the number of hookups and in effect, minimize catch and release of dead fish until each person catches their bag limit.

WHO IS LIKELY TO SUFFER? This regulation change will benefit all users, by minimizing unwanted mortality. Furthermore, we believe the practice is widely practiced and seldom enforced.

OTHER SOLUTIONS CONSIDERED? Stop fishing when bag limit is reached. This is rejected because of nonselectivity of methods, i.e. there is no current method which will only target a specific species. To stop fishing for one species would prevent you from fishing for other species.

PROPOSED BY: Juneau Douglas Advisory Committee (HQ-FII-342)

PROPOSAL 249 - 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area; 5 AAC 47.022. General revisions for seasons and bag, possession, annual, and size limits for the salt waters

of the Southeast Alaska Area. Establish nonresident annual limits for sockeye, coho, chum, and pink salmon in the Southeast Alaska Area as follows:

In the Southeast Alaska Region: Nonresident and resident harvest record and annual limits: (a) Nonresident anglers are required to have a non-transferable harvest record in possession when angling for [KING] salmon, steelhead, shark, lingcod, yelloweye rockfish, and sablefish (Black Cod); an annual limit is also established for these species.

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

(2) salmon, other than king salmon: may be taken from January 1 - December 31; no annual limit **for residents. The annual limit for nonresidents is XX silver salmon, XX sockeye salmon, XX pink salmon and XX chum salmon;** no size limit;

5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area

(b) (2) salmon, other than king salmon: may be taken from January 1 - December 31; no annual limit **for residents. The annual limit for nonresidents is XX silver salmon, XX sockeye salmon, XX pink salmon and XX chum salmon;** no size limit;

(c) (2) salmon, other than king salmon: may be taken from January 1 - December 31; no annual limit **for residents. The annual limit for nonresidents is XX silver salmon, XX sockeye salmon, XX pink salmon and XX chum salmon;** no size limit;

ISSUE: It is the opinion of the Southeast Alaska Subsistence Regional Advisory Council that abuses to sport fishing bag and possession limits by some nonresident anglers are well known. These behavior patterns by a few nonresidents are contributing to conservation issues that are difficult to address on a case by case basis. One of the first pieces of information required to assess the impacts of nonresident anglers is to document the total harvest of salmon by this group. Personal Use and subsistence fisheries for Chinook, silver and sockeye salmon generally have annual limits that are recorded in the field on a harvest record. Nonresident anglers currently have annual limits for Chinook salmon, steelhead, shark, lingcod, yelloweye rockfish and sablefish. It would not be a significant additional administrative burden for nonresidents to include the harvest of all salmon on their harvest record.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current mail out survey is not adequate to identify salmon fishery use patterns and total harvest from nonresident fishers. A separate accounting system is necessary to document where, when and how many salmon are taken by nonresidents. It is the opinion of the Council that the lack of this type of information is masking potential conservation issues. The residents of this region place a high value on the salmon resource that is not shared by those that want to pay for their trip to Alaska with boxes of fish. An annual limit will allow some anglers the satisfaction to catch their limit without impacting others rights and opportunities to enjoy this resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The residents of Alaska would benefit by providing a meaningful limit on the number of salmon that can be harvested and subsequently removed from the State by nonresident fishermen. The management of all salmon fisheries would benefit because the total harvest by nonresident anglers would be accurately documented.

WHO IS LIKELY TO SUFFER? There will be some additional recordkeeping by nonresident salmon fishermen. This should not be a substantial burden as catch records are already required for Chinook salmon, steelhead, shark, lingcod, yelloweye rockfish and sablefish.

OTHER SOLUTIONS CONSIDERED? The Council rejected the idea of suggesting what the annual limits should be but intended the values to be determined by the stakeholders in a public process.

PROPOSED BY: Southeast Alaska Subsistence RAC (HQ-F11-080)

PROPOSAL 250 - 5 AAC 47.022. General provisions for seasons and bag, possessions, annual, and size limits for the fresh waters of the Southeast Alaska Area. Allow for retention of king salmon in freshwater streams in Southeast Alaska Area as follows:

Remove the blanket prohibition against king salmon fishing in freshwater streams of Southeast Alaska to fishing for king salmon. Fish and Game could then close specific streams or sections of streams to sport fishing for king salmon to protect specific stocks or sections important to propagation or rearing of kings.

ISSUE: All rivers and streams in Southeast Alaska are closed to sport fishing for king salmon with rod and reel while the rest of Alaska can enjoy this opportunity on the streams and rivers in their areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? All other rivers of Alaska except those of Southeast Alaska are open to king salmon fishing with rod and reel. Only Southeast Alaska sport fishermen are discriminated against in this way.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? More fishing opportunity will benefit sportsmen and their suppliers and outfitters. Fishing effort will be more dispersed offering a better fishing experience.

WHO IS LIKELY TO SUFFER? Catch limits and catch allocations will keep negative effects to negligible levels,

OTHER SOLUTIONS CONSIDERED? To achieve equity in harvest opportunity close all rivers and streams of Alaska to sport king salmon fishing with a blanket prohibition as Southeast.

PROPOSED BY: Taku Users Group (HQ-F11-127)

PROPOSAL 251 - 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Allow the use of two rods by non-guided anglers in salt water as follows:

Current regulations and management plans as provided in special provisions for SE saltwater (5 AAC 47.021) should contain a provision so that: Resident boat anglers fishing from unguided vessels in Southeast Alaska may use year around two rods apiece, up to a maximum of six rods per boat.

ISSUE: Resident sport anglers harvest less than 40% of the total Chinook sport harvest in Southeast Alaska and also experience a Chinook salmon success rate about half that of guided anglers (per Dept report to BOF 2009). This is due in part because salmon boat anglers fishing alone or with only one partner are at a disadvantage fishing only one rod each compared to typical guided vessels that typically carries multiple clients and can deploy multiple rods. Anglers aboard a multi-angler vessel has the benefit of covering multiple lure depths, bait or lure combinations to determine the depth, bait or lure, or action that is effective during a particular fishing trip. One or two anglers fishing together have much less ability to test the range of depths or bait presentations to determine the effective depth/lure combination.

WHAT WILL HAPPEN IF NOTHING IS DONE? While the current SE king Salmon Management Plan has allowed the use of two rods per angler during the winter months when effort is quite low, this has done little to decrease the disparity between the success rate and harvest level of resident and nonresident anglers. Resident anglers who fish for personal and resident consumption typically fish alone or with a single companion often in small boat and skiffs. The proposed regulation would lessen the advantage a guided vessel typically has. A guided vessel also has the advantage of being skippered by a professional operator who is on the grounds everyday and is familiar with the most recent fish concentrations and depth and bait preferences. The regulations restricting resident anglers to one rod should be modified to improve the success of local anglers and attain more use of our resource for resident households.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A small but increased proportion of the harvested resource will go to the benefit of resident households, where more of it will be consumed fresh, or processed into value added product such as smoked and canned.

WHO IS LIKELY TO BENEFIT? Resident anglers who typically fish alone or with one companion and resident households who will share in the small but increased proportion of the harvested resource taken by resident anglers.

WHO IS LIKELY TO SUFFER? Commercial Sportfishing operations may experience slightly smaller shares of the sport fish harvest.

OTHER SOLUTIONS CONSIDERED? Resident marine anglers may fish one additional rod per boat up to a maximum 6 rod per boat. I chose the other alternative as being slightly simpler to interpret.

PROPOSED BY: Jeff Fujioka (HQ-F11-052)

PROPOSAL 252 - 5 AAC 75.020. Sport fishing gear. Allow the use of power assisted reels by disabled anglers only as follows:

Amend 5 AAC 75.020 section (d) A power-assisted fishing reel may only be used to sport fish if the:

- (1) power-assisted fishing reel is mounted on a fishing rod by means of a reel seat;
- (2) power-assisted fishing reel assembly, motor, gearbox, fishing line, reel-mounted battery, or other reel-mounted attachments weigh no more than 15 pounds in total when detached from the fishing rod.

ISSUE: Amend 5 AAC 75.020 section (d) A power-assisted fishing reel may only be used to sport fish if the:

- (1) power-assisted fishing reel is mounted on a fishing rod by means of a reel seat;
- (2) power-assisted fishing reel assembly, motor, gearbox, fishing line, reel-mounted battery, or other reel-mounted attachments weigh no more than 15 pounds in total when detached from the fishing rod.

(3) angler is legally handicapped or disabled when fishing in the Southeast Alaska and Yakutat management area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Advisory Committees of this region will lose faith in the Board of Fish process. During the 2010 board of fish cycle, an overwhelming number of the advisory committees in this management region opposed the use of power assisted reels while sport fishing, except for the legally handicapped and disabled anglers. The Board of Fish for this reason should support the Advisory committees of the region and amend 5 AAC 75.020 section (d) specifically for the Southeast Alaska and Yakutat region.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this proposal preserves the integrity of what the definition of sport fishing truly is and it improves the image of Southeast Alaska's sport fishery and its sport fishermen.

WHO IS LIKELY TO BENEFIT? The overwhelming majority of this region’s residents who feel using a power assisted reel is not sport fishing at all. The handicapped and disabled fishermen who fish in the Yakutat and Southeast Alaska management area and want to use an electric reel. Charter fishermen operating in this area who have handicapped and disabled clients that have difficulty reeling a manual reel.

WHO IS LIKELY TO SUFFER? The people who believe that using a power assisted reel for sport fishing fits the definition of sport fishing. Charter fishermen who wanted to use power assisted reels to attract non handicapped clients who don’t want to reel a manual reel while sport fishing.

OTHER SOLUTIONS CONSIDERED? 1. To not allow power assisted reels to be used by anyone who is sport fishing the Yakutat and Southeast Alaska management area. I rejected it first because it would prevent some handicapped and disabled people from the joy of catching fish and second because almost all of the advisory committees of this region agree with that logic.

PROPOSED BY: Steve Merritt (HQ-F11-012)

PROPOSAL 253 - 5 AAC 29.155. Vessel Identification; 47.XXX. New Regulation. Establish system for distinguishing vessels participating in hand troll and guided charter fishing in Southeast Alaska as follows:

Willing to consider any enforceable solution such as the Bristol Bay area registration or the regulation that prohibits sport, personal use or subsistence crab fishing 2 weeks prior to a commercial opening. It could be something like require registration if you own both a commercial salmon hand troll permit and a guided sport fish license and register which fishery you are participating in with a stand down period between activation of registration in the other fishery of at least five days so fish can’t be held and sold later when the registration for the hand troll permit is in effect; and require the charter license sticker to be covered up when hand trolling and selling fish, until sold and require the Commercial ADFG numbers and HT to be covered up when charter vessel fishing with clients on board until clients and fish are landed.

ISSUE: Clarify and make a distinction for when a vessel is commercial hand troll fishing and when the vessel is operating as a licensed guided sport fishing vessel. I see vessels in areas of high king salmon abundance that are closed and other closed areas to commercial fishing and later see them at the processors later that evening selling fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? Illegal fishing will occur by fishing in closed areas; and/or selling sport caught fish caught in closed waters on the hand troll permit under the disguise of hand troll fishing.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Clarifies which fishery the vessel is participating in and makes regulations more clearly defined for enforcement.

WHO IS LIKELY TO SUFFER? Operators who participate in both fisheries will have an additional requirement to comply with. The operator may depending upon the solution will have to make conscious decision to which fishery he/she will be participating in at which times.

OTHER SOLUTIONS CONSIDERED? Prohibition against charter fishing and commercially fishing within the same day with the same vessel.

PROPOSED BY: Ed Hansen (HQ-F11-204)

PROPOSAL 254 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Allow youth and disabled anglers to use bait in high use and small cutthroat lakes as follows:

Allow for the use of bait in high use and small cutthroat lakes to young and disabled persons.

ISSUE: Allow use of bait in the freshwater high use and small cutthroat lakes for persons age 10 and under, and persons with a disability.

WHAT WILL HAPPEN IF NOTHING IS DONE? Young and disabled persons will have limited access to fresh water cutthroat and Dolly Varden fishing. Young children will have a negative fishing experience and not develop a lifelong love for their resource of the sport.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Persons not capable of retrieving artificial lures or flies would benefit.

WHO IS LIKELY TO SUFFER? No one would suffer.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Wrangell Advisory Committee (HQ-F11-150)

PROPOSAL 255 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Establish a Taku River king salmon sport fishery as follows:

Remove the blanket prohibition against king salmon fishing in the Taku.

ISSUE: The Taku River is closed to sport fishing for king salmon with rod and reel while the rest of Alaska (except Southeast) can enjoy this opportunity on the streams and rivers in their areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport fishing for king salmon is being unfairly prohibited on the Taku and fishermen there are being discriminated against when compared to other Alaskans.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? More fishing opportunity will benefit sportsmen and their suppliers and outfitters. Fishing effort will be more dispersed offering a better fishing experience. Sport fishing opportunity equity is also involved. Residents living on the Taku River will not have to travel to saltwater to harvest and enjoy king salmon.

WHO IS LIKELY TO SUFFER? Upriver Canadian commercial fishermen may see a slight reduction in king salmon caught but catch limits and allocations will keep negative effects to negligible levels.

OTHER SOLUTIONS CONSIDERED? To achieve equity in harvest opportunity close all rivers and streams of Alaska to sport king salmon fishing with a blanket prohibition as exists on the Taku and other Southeast Alaska rivers.

PROPOSED BY: Taku Users Group (HQ-F11-126)

PROPOSAL 256 - 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area. Prohibit snagging at the mouth of Auke Creek as follows:

(d) In the Juneau vicinity: in the waters that are adjacent to Juneau City and Borough road system to a distance one-quarter mile offshore:

...

(3) in the waters of Auke Bay, east of a line from Waydelich (Wadleigh) Creek to an ADF&G regulatory marker located approximately one-quarter mile south of the mouth of Auke Creek,

(A) sport fishing for sockeye salmon is closed;

(B) Dolly Varden may be taken only from June 1 – March 31;

(C) snagging or attempting to snag is prohibited within a 200-yard radius seaward of the Alaska Department of Fish and Game markers located approximately 200 feet downstream of the Auke Creek weir, a fish unintentionally hooked elsewhere other than the mouth must be released immediately;

ISSUE: The department has prohibited snagging at the mouth of Auke Creek by emergency order since 2003 to protect sockeye salmon returning to the Auke Lake drainage. This proposal

would establish in regulation a year-round snagging prohibition at the mouth of Auke Creek, which will reduce confusion over where and when snagging is prohibited in this area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will continue to issue emergency orders to prohibit snagging at the mouth of Auke Creek.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Anglers and enforcement staff will benefit if all regulations implemented for the area at the mouth of Auke Creek are established in regulation, rather than issued by emergency order.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-315)

PROPOSAL 257 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Prohibit use of bait on Cowee Creek as follows:

Bait is not allowed in Cowee Creek year- round.

ISSUE: Often when anglers "hit it right" in Cowee Creek during September, they will catch more fish than they can legally take and hence will release several fish after their limit is caught. Bait fishermen often will hook cutthroats and silvers deeply and so when these fish are released they will frequently die in spite of the best of intentions.

WHAT WILL HAPPEN IF NOTHING IS DONE? The cutthroat trout and silver salmon populations will remain lower than Cowee could support. It is my belief based on my own experience and anecdotal evidence that the populations of both species, particularly Cutthroat Trout, are lower than when I started fishing in Cowee in 1977. There is more fishing effort in Cowee Creek now and this trend will probably continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A bait ban should increase the numbers of cutthroat trout and silver salmon available for sport fishing and spawning thus increasing both the sport hook-ups and numbers of fish that spawn successfully.

WHO IS LIKELY TO BENEFIT? Spin and fly fishermen. They should see increased numbers of cutts and silver salmon in Cowee Creek.

WHO IS LIKELY TO SUFFER? Bait fishermen in Cowee Creek will be hurt. Bait is banned until Sept. 15 now but under this proposal bait will be banned year round. I have bait fished, spin fished and fly fished in Cowee Creek since 1977. It is my firm belief that the techniques used by spin fishermen and bait fishermen are very similar and equally productive. The sole difference is that bait fishermen can not release fish without killing a much higher percentage than all other angling methods.

OTHER SOLUTIONS CONSIDERED? Circle hooks. A great idea that would be very unpopular with those who feel that they can't hook fish well with them. Lowered catch limits. I don't believe this is called for if more cutts and silver salmon can be safely released.

PROPOSED BY: Tony Soltys (HQ-F11-009)

PROPOSAL 258 - 5 AAC 47.021. Special provisions for seasons, bag. Possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Reopen Sitkoh Bay Sockeye Sport Fishery as follows:

Rescind the closure of the sockeye sport fishery in Sitkoh Bay.

ISSUE: In the early and mid 1990's the Sitkoh sockeye sport and subsistence fisheries were closed due to low escapement counts and concern from the public. Beginning in 1995 the Department began conducting mark-recapture experiments to better estimate the Sitkoh Lake sockeye escapement. These improved estimates of escapement indicated that the Sitkoh Lake sockeye population is healthy and that a harvestable surplus is available. In 2001 the subsistence fishery reopened and in 2006 the sport fishery in freshwater reopened. The sport fishery in the adjacent saltwater has not been reopened.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers will not have the opportunity to harvest sockeye in Sitkoh Bay.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A sockeye harvested in saltwater will be in better eating condition than the same fish once it reaches freshwater.

WHO IS LIKELY TO BENEFIT? Anglers who want to harvest sockeye in Sitkoh Bay.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED? We considered leaving the saltwater closed - primarily due to concerns about intentional snagging. This concern can be at least partially addressed by a conservative definition of the freshwater-saltwater boundary provided that the boundary is well marked by the Department.

PROPOSED BY: Sitka Advisory Committee

(HQ-F11-132)

PROPOSAL 259 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Make fishing within the Sitka Historical Park on the Indian River a fly fishing only, catch and release fishery as follows:

Fishing within the Sitka Historical Park on Indian River be fly fishing only and catch and release.

ISSUE: Regulations for support fishing inside the Sitka Historical Park (Indian River) are confusing and causing local confrontations. Make fishing within the park boundary fly fish or catch and release only.

WHAT WILL HAPPEN IF NOTHING IS DONE? Confusing regulations. Difficult for Sitka Historical Park personnel to manage the resource and identify people targeting salmon. Simplify by marking the fishery fly fishing and catch and release only.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Helps enforcement. Stop the illegal fishing for salmon. People are retaining coho salmon within the park. Help enforcement separate and identify salmon fishermen.

WHO IS LIKELY TO BENEFIT? Sitka Historical Park personnel, enforcement, local sports fishermen who fish for dolly Varden. Enforcement is having trouble separating trout fishermen from people targeting coho.

WHO IS LIKELY TO SUFFER? No one. No species other than dolly Varden are allowed to be kept. Salmon retention is not allowed! However, some people are fishing for and keeping illegal salmon.

OTHER SOLUTIONS CONSIDERED? Please change/clarify the regulation for 2011.

PROPOSED BY: David R. Rice

(HQ-F11-034)

PROPOSAL 260 - 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. Liberalize king salmon regulations in the vicinity of Ketchikan as follows:

Open an addition to the Ketchikan THA it would start at the south end of the THA in Nichols Passage to Hid Reef. A straight line to the intersection of stat areas 101-29 and 101-25, turning north to South Vallenar Point. Have a two fish daily bag limit that starts the same day as the increased harvest in Ketchikan THA and does not count against annual bag limits.

ISSUE: Access to hatchery raised king salmon in the Ketchikan Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport fishermen will continue to lose opportunity to catch hatchery raised king salmon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Allows access to bright hatchery king salmon before they turn dark.

WHO IS LIKELY TO BENEFIT? All sport fishermen that like to catch king salmon.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Donald E. Westlund (HQ-F11-064)

PROPOSAL 261 - 5 AAC 47.021. Special provisions for seasons, bag. Possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Increase king salmon bag limits in the vicinity of Neets Bay as follows:

Liberalize king salmon bag limits near Neets Bay terminal saltwater area where there is a greater ratio of hatchery king salmon as follows:

Increase king salmon daily bag limit for residents and non residents by (1) additional fish from June 1 through July 31 in areas 101-85 and 101-90 West Behm Canal (including Survey Pt. and Comano Pt.) when the king salmon abundance index is 1.51 or higher. Maintain the existing annual limit for king salmon by non residents.

ISSUE: Neets Bay hatchery king salmon are under utilized by sport fishermen because only a very small and limited terminal area east of Bug Island is opened by E.O. for liberalized bag limits in June. king salmon do not stage in this area and typically pass through quickly with little ability to harvest them.

WHAT WILL HAPPEN IF NOTHING IS DONE? Neets bay hatchery king salmon will continue to pile up at the net pen with few additional harvesting opportunities by sport fishermen in years of high abundance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Sport fishermen targeting Neets Bay hatchery king salmon.

WHO IS LIKELY TO SUFFER? No one. We believe that providing incentive to fish in an area with a higher ratio of hatchery king salmon will decrease pressure in other areas where there is a higher ratio of treaty fish.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Ketchikan Guided Sportfish Association (HQ-F11-112)

PROPOSAL 262 - 5 AAC 47.023. Special Provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. 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 as follows:

(i) In the Ketchikan vicinity:

...

(3) in the City Park Ponds,

(A) sport fishing is allowed only from the first Saturday in June through

August 31 [THE FIRST SUNDAY IN JULY];

(B) bait may be used from the first Saturday in June through **August 31** [THE FIRST SUNDAY IN JULY];

(C) the bag and possession limit for rainbow [AND CUTTHROAT] trout, **king and coho salmon**, in combination, is five fish; no size limit;

ISSUE: The annual “Kids Fishing Day” has been held in the Ketchikan City Park Ponds since the mid 1990s. The Deer Mountain Hatchery has annually stocked the ponds with rainbow trout, king salmon, or coho salmon for this event. In 1997, the Board of Fisheries adopted a proposal opening City Park Ponds for a 30-day period to allow for this event and one month of fishing opportunity. In recent years, the department, Deer Mountain Hatchery staff, and Alaska Wildlife Troopers have fielded calls regarding anglers (usually children) wanting to fish with bait in the ponds during the summer months after the season has closed. Extending the open season and period bait may be used would allow anglers additional sport fishing opportunities to harvest the remaining stocked fish in the ponds. The Deer Mountain Hatchery is currently permitted to stock the ponds with king salmon, coho salmon, or rainbow trout. In order to provide fishing opportunity for these species, regulations need to be modified to reflect the species that are stocked.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers will not have the opportunity to sport fish in the ponds or use bait after the first Sunday in July.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Sport anglers.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSAL 263 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Prohibit use of bait in the Klawock River as follows:

(k) In the Prince of Wales Island Vicinity:

(5) In the Klawock River drainage,

- (A) only unbaited, artificial lures may be used;
- (B) sport fishing for all species from the Klawock River Bridge is closed;
- (C) rainbow and cutthroat trout, in combination, must be no less than 14 inches and no greater than 22 inches in length;
- (D) the bag and possession limit for steelhead is two fish if one of the fish has a clipped adipose fin, as evidenced by a healed scar;
- (E) upstream from the Klawock River Bridge, sport fishing for sockeye salmon is closed;
- (F) **Disallow Use of Bait by Emergency Order.**

ISSUE: Stop the use by Emergency Order allowing the use of bait from Sept 15th to Oct 15th on the Klawock River. The Klawock River is a designated fall run steelhead river and should have the same protection as ten other creeks and drainages listed in the Prince of Wales Island Area region wide regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? The continued incidental catches of native fall steelhead by fishermen targeting silver salmon. Steelhead incidentally hooked on bait are far more likely die because they are hooked deep in the throat and will probably bleed to death.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Protects Native fall run steelhead. The Klawock Hatchery no longer raises Steelhead.

WHO IS LIKELY TO BENEFIT? Native steelhead and sport and subsistence fishermen who fish for them.

WHO IS LIKELY TO SUFFER? Non rural and Nonresident Salmon fishermen wanting to use bait for Silver Salmon. Rural fishermen can continue catching Silver Salmon with bait by getting a federal subsistence permit

OTHER SOLUTIONS CONSIDERED? None.

PROPOSAL 264 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Allow the use of bait in the Klawock River as follows:

The Klawock River on Prince of Wales Island will be open to bait fishing for Coho salmon, for residents and nonresidents.

ISSUE: Bait fishing is only allowed on the Klawock River for out of state fishermen by emergency order for Coho salmon. In making plans to fish on this river you never know if it's going to be open to bait until mid September.

WHAT WILL HAPPEN IF NOTHING IS DONE? It might cause some fishermen to change their plans and go somewhere else, a loss for the community.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? We won't snag and injure so many fish. When you're using bait you always hook them in the mouth. Much easier to release if you so desire.

WHO IS LIKELY TO BENEFIT Nonresidents will have an easier time planning a fishing trip. Fishing will be better for all sportsmen.

WHO IS LIKELY TO SUFFER? There may be a few more fish harvested but I don't think that will be a problem. The community will prosper from the nonresident fishermen.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Robert Tremewan (HQ-F11-048)

PROPOSAL 265 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Repeal Klawock River regulations applying to adipose fin clipped steelhead as follows:

(k) In the Prince of Wales Island vicinity:

...

(5) in the Klawock River drainage,

(D) **repealed** [THE BAG AND POSSESSION LIMIT FOR STEELHEAD IS TWO FISH IF ONE OF THE FISH HAS A CLIPPED ADIPOSE FIN, AS EVIDENCED BY A HEALED SCAR;]

ISSUE: Hatchery-produced steelhead are no longer released into the Klawock River drainage, making this regulation unnecessary.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers will mistakenly believe that hatchery-produced steelhead are present in the Klawock River drainage, and an unnecessary regulation will remain in place.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public, department managers, and enforcement personnel who need clearly defined regulations to guide sport fishing activities.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-320)

PROPOSAL 266 - 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of the Southeast Alaska Area. Clarify Klawock Harbor area closed to snagging and retention of sockeye as follows:

(i) In the Prince of Wales Island vicinity:

(1) **all waters of Klawock Harbor south of a line from the Klawock blinker light to the Klawock oil dock** [THE WATERS OF KLAWOCK HARBOR BETWEEN THE KLAWOCK RIVER BRIDGE AND A LINE FROM THE KLAWOCK BLINKER LIGHT TO THE KLAWOCK OIL DOCK] are closed to:

- (A) snagging; a fish hooked elsewhere other than in the mouth must be released immediately;
- (B) sport fishing for sockeye salmon;

ISSUE: The area description in the current regulation is unclear about whether a small portion of Klawock Harbor is open to sport fishing for sockeye salmon and to snagging.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers may believe that harvesting sockeye salmon and snagging is permitted in a small portion of Klawock Harbor.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public, department managers, and enforcement personnel who need clearly defined regulations to guide sport fishing activities.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-321)

PROPOSAL 267 - 5 AAC 47.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area. Align Post Office Lake regulations with the Yakutat roadside systems regulations as follows:

(b) In the freshwater drainages in the Yakutat vicinity that are crossed by the Yakutat road system and all streams draining into Yakutat Bay between Ocean Cape and Point Latouche:

...

(5) **repealed** [IN POST OFFICE LAKE

(A) THE BAG AND POSSESSION LIMITS FOR COHO SALMON 16 INCHES OR GREATER IN LENGTH IS A BAG LIMIT OF FOUR FISH AND A POSSESSION LIMIT OF EIGHT FISH;

(B) BAIT MAY BE USED FROM JANUARY 1 – DECEMBER 31;]

ISSUE: In 2009, the department successfully eradicated the nonindigenous northern pike population in the Post Office Lake drainage with rotenone treatments. The use of bait, originally allowed to increase harvest of the invasive northern pike, is no longer needed and may hinder reestablishment of coho salmon in this system. In order to rebuild the coho salmon population in the Post Office Lake drainage, the Yakutat road-system bag and possession limit of two coho salmon is more appropriate than the current bag limit of four fish and possession limit of eight fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? Coho salmon may take longer to recolonize the Post Office Lake drainage.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes; this action will assist in recolonization of coho salmon in the Post Office Lake drainage.

WHO IS LIKELY TO BENEFIT? All user groups.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-314)

PROPOSAL 268 - 5 AAC 77.60X. Applicability of personal use regulations in the Yakutat Area; and 5 AAC 77.65X. Applicability of personal use regulations in Southeast Alaska. Amend to clarify where personal use finfish regulations apply as follows:

5 AAC 77.60X. Applicability of personal use regulations in the Yakutat Area. The personal use regulations in Article 13 only apply to areas not specified in 5 AAC 01.666 and 5 AAC 02.108.

5 AAC 77.65X. Applicability of personal use regulations in the Southeast Alaska Area. The personal use regulations in Article 14 only apply to areas not specified in 5 AAC 01.716 and 5 AAC 02.108 or that are identified as non-subsistence areas in the Ketchikan Nonsubsistence Area and the Juneau Nonsubsistence Area as specified in 5 AAC 99.015.

ISSUE: There is confusion amongst the public what about which regulations they can fish under. If adopted, these regulations would clearly state that personal use regulations in Southeast Alaska and Yakutat do not apply to areas with positive customary and traditional use findings. For areas with positive customary and traditional use findings subsistence regulations in Chapters 1 and 2 of the Alaska Administrative Code would apply. Personal use regulations would only apply in nonsubsistence areas and areas that do not have positive customary and traditional use findings which is consistent with the intent of the Alaska Board of Fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued confusion on the part of the public.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? No one. If adopted, this proposal merely clarifies where personal use regulations apply.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-282b)

PROPOSAL 269 - 5 AAC 47.024. Harvest record required; annual limit. Establish a catch report card system for subsistence, personal use and sport finfish fisheries as follows:

Require the use of a catch report card that can be returned by mail or online with the year split into a couple of seasons and a penalty if you fail to return your report on time. (see Washington State regulations regarding their voluntary salmon reports) <http://wdfw.wa.gov/fishing/vtr/>; <http://wdfw.wa.gov/fishing/shellfish/crab/crc.html>; <https://fishhunt.dfw.wa.gov/wa/crabreport>

ISSUE: The sustainability of the resource. Without accurate accounting of all removals of the resource we are going to follow other states on both coasts and damage our resource by under-estimating what is harvested in total. This leads to judging the biomass inaccurately and setting commercial catch limits for fully utilized species at unsustainable levels from ignorance and not by intentionally overfishing the resource. For example, several of the hatchery Chinook releases are being reevaluated based on the cost versus the perceived survival rate. Only the commercial data is being considered in the survival rate as it is the only data that is generated along with a little information provided from charter logbooks. We need all recreational harvests besides what is recorded in the charter logbooks, including personal use and subsistence harvests levels for

salmon (Chinook), and groundfish species accounted for by the use of a catch report card like they use in Washington State for other species.

WHAT WILL HAPPEN IF NOTHING IS DONE? Likely see a decline in most resources over time as we fish beyond sustainable levels.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Our fishery resources will remain sustainable.

WHO IS LIKELY TO SUFFER? It will likely take a little bit of time on everyone's part.

OTHER SOLUTIONS CONSIDERED? The use of tags, with identifier numbers, harder to use on some species than others, but with the use of tags you would only be able to have in your possession, the number of tags for the possession limit of the species. Report cards are being used successfully in Washington State for accounting purposes so when with a system that is already established

PROPOSED BY: Clay Bezenek (HQ-F11-176b)

PROPOSAL 270 - 5 AAC 01.730. Subsistence fishing permits; and 5AAC 77.674. Personal use bottomfish fishery. Require a permit for subsistence or personal use harvest of sablefish as follows:

5 AAC 01.730. Subsistence fishing permits.

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

....

(l) Sablefish subsistence fishing permits are to be issued by the department; only one permit may be issued to a household each year. A permit holder shall record harvest information on forms provided by the department. The department may establish permit possession limits or annual limits prior to the season.

5AAC 77.674. Personal use bottomfish fishery.

...

(6) Sablefish personal use fishing permits are to be issued by the department; only one permit may be issued to a household each year; a permit holder shall record harvest information on forms provided by the department; the department may establish permit possession limits or annual limits prior to the season.

ISSUE: The department has limited information with which to track subsistence and personal use sablefish harvest in Southeast Alaska. Sablefish subsistence use and harvest information is collected during household surveys for communities within Southeast Alaska; however, the surveys do not occur annually. The department has no means by which to track personal use harvest of

sablefish on a regional level. This proposal provides similar improvements in reporting and tracking of sablefish harvest taken by subsistence and personal use users.

WHAT WILL HAPPEN IF NOTHING IS DONE? Very limited information will continue to be available about subsistence and personal use harvest of sablefish. As a result, the department is unable to fully account for sablefish mortality.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All harvesters will benefit because the department will be able to manage the resource more effectively.

WHO IS LIKELY TO SUFFER? A person living in a remote area may have difficulty accessing a department office to register for the permit. NSEI and SSEI sablefish permit holders could experience additional reductions to annual harvest objectives if personal use and subsistence sablefish harvests are higher than the department currently accounts for.

OTHER SOLUTIONS CONSIDERED? Random phone surveys.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-273)

PROPOSAL 271 - 5 AAC 28.180. Prohibitions for Eastern Gulf of Alaska Area. and 5AAC 01.715. Limitations on participation in subsistence finfish fisheries. Clarify prohibitions to commercial, subsistence, and personal use fishing by commercial sablefish permit holders as follows:

5 AAC 28.180. Prohibitions for Eastern Gulf of Alaska Area.

(a) A vessel or a person on board a vessel from which commercial, subsistence, or personal use longline fishing gear was used to take fish in the Northern or Southern Southeast Inside Subdistricts during the 72-hour period immediately before **the start of the commercial sablefish fishery in that subdistrict**, or from which that gear will be used during the 24-hour period immediately after [AN OPEN SABLEFISH FISHING PERIOD] **the closure of the commercial sablefish fishery in that subdistrict**, may not participate in the taking of sablefish in **that** [EITHER] subdistrict during that open sablefish fishing period. **A vessel or a person onboard a vessel who has harvested and sold their entire equal quota share before the final day of the sablefish season in that subdistrict is exempt from the prohibition on fishing longline gear during the 24-hour period immediately following the closure of the sablefish fishery in that subdistrict.**

(b) **A vessel or a person on board a vessel commercial fishing for sablefish in the Northern or Southern Southeast Inside Subdistricts may not operate subsistence or personal use longline gear for groundfish from that vessel until commercial sablefish are offloaded from the vessel.**

5AAC 01.715. Limitations on participation in subsistence finfish fisheries.

A person on board a vessel from which a longline was used to take groundfish for subsistence uses in the Northern Southeast Inside or the Southern Southeast Inside Subdistricts is subject to the restrictions in 5 AAC 28.180 (b).

ISSUE: The language contained in 5AAC 28.180 has been characterized as vague and confusing for department staff and enforcement in terms of the description of the periods in which the operation of longline gear is prohibited prior to the start and following the closure of a sablefish fishing season. The proposed language clarifies that these periods are the 72 hours prior to the start of a fishery and the 24 hours immediately following the closure of a fishery. The language also clarifies that the prohibition on the operation of longline gear by a vessel during the period before and after a fishery is only within the subdistrict that the vessel will be fishing for sablefish.

Additional language exempts vessels from the prohibition on fishing longline gear in the 24 hours following a closure if they have finished harvesting and sold their equal quota share (EQS) prior to the final day of the sablefish season. The EQS sablefish fisheries occur over a lengthy period of time, and vessels that have finished harvesting their EQS prior to the end of the season would no longer be commercial sablefish fishing; the 24 hour prohibition after the closure of the fishery would be irrelevant to other fishing that they may be involved in.

The ambiguity of the regulation language also brought into question a persons' ability to participate in personal use or subsistence groundfish fisheries if he or she participates in either the Northern Southeast Inside (NSEI) or the Southern Southeast Inside (SSEI) sablefish fisheries. The strictest interpretation of the current regulation prohibits a NSEI or SSEI vessel or person aboard that vessel from harvesting subsistence or personal use sablefish from that vessel during the 72 hours prior to the start of the SSEI fishery until 24 hours after the closure of the NSEI fishery, a period of 5.5 months. The department's position on this regulation has been less restrictive and subsequent guidance to the public has been that a vessel cannot fish for subsistence or personal use sablefish during the 72 hours prior to and 24 hours after an opening for the particular subdistrict or during a commercial sablefish fishing trip. This seems appropriate in an EQS commercial fishery where a vessel is limited to a maximum harvest amount.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be confusion between the department, enforcement, and the public on intention of the regulation.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The public, department staff, and enforcement would benefit by having a regulation that is easier to understand.

WHO IS LIKELY TO SUFFER? Commercial longline sablefish fishermen in NSEI and SSEI who may want to fish subsistence or personal use longline gear for groundfish during a commercial sablefish trip would be prohibited from doing so. This proposal will in no way restrict a permit holder from retaining sablefish for personal use from his or her commercial catch as allowed in 5 AAC 39.010.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-271)

PROPOSAL 272 - 5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. Clarify subsistence herring and herring spawn customary and traditional use findings for waters in sections 3-A and 3-B as follows:

(a) The Alaska Board of Fisheries finds that the following fish stocks are customarily and traditionally taken or used for subsistence:

...

(11) herring and herring spawn in the waters of District 2 north of the latitude of the northernmost tip of Chasina Point and west of a line from the northernmost tip of Chasina Point to the easternmost tip of Grindall Island to the easternmost tip of the Kasaan Peninsula, [AND IN WATERS OF SECTION 3-B IN SAN ALBERTA BAY NORTH OF THE LATITUDE OF THE SOUTHERNMOST TIP OF CAPE SUSPIRO AND EAST OF 133°20' W. LONG.]; ...

...

(13) herring and herring spawn in the waters of Section 3-B in San Alberto [ALBERTA] Bay north of the latitude of the southernmost tip of Cape Suspiro and east of 133°20' W. long., and in the waters of Section 3-A in Tlevak Strait north of the latitude of High Point and south of the latitude of Eolus Point; ...

...

(16) repealed [HERRING AND HERRING SPAWN IN THE WATERS OF SECTION 3-A IN TLEVAK STRAIT NORTH OF THE LATITUDE OF HIGH POINT AND SOUTH OF THE LATITUDE OF EOLUS POINT, AND IN THE WATERS OF SECTION 3-B IN SAN ALBERTA BAY NORTH OF THE LATITUDE OF THE SOUTHERNMOST TIP OF CAPE SUSPIRO AND EAST OF 133°20' W. LONG.];

ISSUE: Regulations defining customary and traditional use areas in Sections 3-A and 3-B are confusing and redundant. Regulations describing customary and traditional use findings in Section 3-B are included in three separate locations and are listed at the end of a description of District 2 areas. The department would like to delete two Section 3-B descriptions (5 AAC 01.716 (11) and (16)) and delete one Section 3-A description (5 AAC 01.716(16)).

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulations will contain redundancies which will continue to confuse the public.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The department and the public will both benefit from a clear description of regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-F11-260)

PROPOSAL 273 - 5 AAC 77.672. **Personal use herring fishery; 5 AAC 01.730. Subsistence fishing permits.** Require a permit for subsistence herring eggs on branches in Sitka Sound or alter the harvest monitoring program to measure landed weights as follows:

5 ACC 77.672 Personal Use Herring Fishery.. (8) herring eggs on branches in Sitka Sound require a permit for harvest (or alternatively), Herring eggs on branches harvest shall be surveyed by the department at the six docks in Sitka ten (10) days subsequent to the peak spawn in Sitka Sound.

5 AAC 01.730 Subsistence Fishing Permits....(a)....salmon, trout, char, herring eggs on branches, and... (k) In addition to the reporting requirements under (e) of this section, the department [WILL, TO THE EXTENT PRACTICABLE] shall use a harvest monitoring program with surveys that shall include measuring and weighing eggs on branches at the dock where landed from the sea, and interviews to record the harvest of herring spawn on [BRANCHES], kelp, and seaweed taken in the waters of Section 13-A and Section 13-B north of the latitude of Aspid Canpe.

ISSUE: Subsistence permits or dock side monitoring is not necessary or required in most subsistence harvest areas. However, the ANS for Sitka herring eggs on branches is being used as a wedge issue to purport that the commercial herring fishery is affecting realization of ANS. there is no scientific or mathematical data that supports this proposition. All parties should desire good data for making decisions that will affect fisheries. Preliminary work in Sitka conducted during the herring egg on hemlock branch harvest in 2009 and 2010 developed a methodology that is simple and reliable.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unreliable reports of herring egg harvest will be presented to the Board of Fish. Bad data results in faulty and often harmful decisions.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal does not improve product but does vastly improve product documentation and reliability.

WHO IS LIKELY TO BENEFIT? Everyone benefits from good data, especially the resource when valid science provides valid data.

WHO IS LIKELY TO SUFFER? No one suffers.

OTHER SOLUTIONS CONSIDERED? Household surveys have been used for many years and the data is not scientifically reliable. We need to attempt something different. Good data will provide the Board of Fish with the necessary information to make informed decisions.

PROPOSED BY: Southeast Herring Conservation Alliance (HQ-F11-114)

PROPOSAL 274 - 5 AAC 77.682. Personal use salmon fishery. Modify the personal use fishery for salmon in Southeast Alaska to target king and coho to include additional gear types as follows:

5 AAC 77.682(c) Repealed. 5 AAC 77.682(g)(5) Repealed. 5 AAC 77.682(k) The department shall issue permits allowing personal use fishing for salmon with efficient gear types, such as gill nets, power troll gear, and hand troll gear, in all districts open to commercial salmon fishing.

ISSUE: Southeast residents are precluded from efficiently harvesting salmon to fulfill their personal use needs. Note: 5 AAC 39.010 is a statewide regulation already allowing resident and nonresident commercial fishermen to efficiently fulfill their personal use needs. And in many other areas of the state residents are already issued permits for this need. For example: the Copper River Delta gillnet fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Southeast residents will seek relief in other venues like the state legislature and/or through federal fisheries management.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? This change is in the broad public interest of the residents of Southeast Alaska.

WHO IS LIKELY TO SUFFER? Commercial salmon fishermen will likely see this regulation change as an inconvenience.

OTHER SOLUTIONS CONSIDERED? Buying a hand troll permit. Not cost effective.

PROPOSED BY: Mike Fox (HQ-F11-091)

PROPOSAL 275 - 5 AAC 01.750. Vessel specifications and operations. Remove the horsepower limit in the Klawock subsistence area as follows:

Remove horse power limit. use of seine skiffs/power skiffs would still be prohibited.

ISSUE: 35 horse power limit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Those users that only own outboards greater than 35 horse power cannot fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Subsistence users that only own outboards greater than 35 horse power.

WHO IS LIKELY TO SUFFER? No one should suffer horse power is not a large factor. This regulation was originally to eliminate power skiffs.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Michael Douville (HQ-F11-174)

PROPOSAL 276 - 5 AAC 01.710. Fishing Seasons. Change the subsistence sockeye fishery in the Klawock River from five to seven days per week as follows:

Klawock subsistence sockeye fishery open July 7th to August 7th.

ISSUE: Klawock subsistence fishery July 7th August 7th Monday thru Friday.

WHAT WILL HAPPEN IF NOTHING IS DONE? Those users that work Monday thru Friday will continue to be deprived of opportunity to fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Subsistence users that work week days will be able to fish.

WHO IS LIKELY TO SUFFER? No one should suffer if week end is open.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Michael Douville (HQ-F11-171)

PROPOSAL 277 - 5 AAC 77.682. Personal use salmon fishery. Allow for use of dip nets in the Taku River for personal use as follows:

Allow taking of personal use salmon on the Taku River with dip nets in addition to set nets.

ISSUE: Personal use fishery congestion on the Taku River because there are few suitable sites (3) for set nets on the Taku.

WHAT WILL HAPPEN IF NOTHING IS DONE? Personal use fisher conflicts will increase, safety at the few sites can be an issue depending on river flow levels.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Dip net selectivity allows for a more controlled harvest and reduced by-catch of nontarget species. Non target species or over limit catch can be released with minimal trauma.

WHO IS LIKELY TO BENEFIT? Personal use fishers will because of more opportunity to fish along the Taku. The fishing experience will be enhanced because the expanded sites available to dip net from will eliminate the wait for and pressure on the two available set net spots. The ADF&G fish wheel personnel at Canyon Island will see fewer personal use fishers using the fishing site at their camp below the Canyon Island fish wheel. Dip net selectivity will reduce non target bi-catch mortality, adherence to catch limits and improve catch quality.

WHO IS LIKELY TO SUFFER? Perhaps some of the Canadian commercial fishermen will experience a decrease in the opportunity to harvest because of personal use harvest downriver and may have to increase their effort to catch their quota of the run.

OTHER SOLUTIONS CONSIDERED? Construct structures in the river to create back eddy's that will allow a set gill net to work. This option is not a permitable nor economic for a personal use fishery.

PROPOSED BY: Taku Users Group (HQ-F11-123)

PROPOSAL 278 - 5 AAC 77.682. Personal use salmon fishery. Extend the personal use fishery season on the Taku River from mid-June through August as follows:

Extend the personal use season from mid June through August to coincide with the commercial gill net fishery opening the mouth of the Taku.

ISSUE: Personal use fishery congestion on the Taku River because there are few suitable sites (3) for set nets on the Taku and often one must wait for days to get a chance to fish. Some people with limited time are never afforded an opportunity to wet their net.

WHAT WILL HAPPEN IF NOTHING IS DONE? Personal use fisher conflicts will increase, safety at the few sites can be an issue depending on river flow levels. People expend a great deal of time, effort and money to reach the fishing site at Canyon Island and cannot fish because others are ahead of them waiting for a chance to fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? A longer season will spread out the effort reduce conflicts and wait for the two available set net sites on the Taku.

WHO IS LIKELY TO BENEFIT? Personal use fishers will because of more opportunity to fish along the Taku. The fishing experience will be enhanced because more fishing days will

spread out the effort over more days and thus the wait for and pressure on the two available set net spots.

WHO IS LIKELY TO SUFFER? Perhaps some of the Canadian commercial fishermen will experience a decrease in the opportunity to harvest because of personal use harvest downriver. However catch limits will keep the total take about the same as now (1200 fish) just spread out the catch over a longer time.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Taku Users Group (HQ-F11-124)

PROPOSAL 279 - 5 AAC 77.682. Personal use salmon fishery. Increase Taku River sockeye salmon daily and annual bag limit per household based on number of persons in the household as follows:

Allow households of more than two people to harvest five additional sockeye salmon for each additional person in their household.

ISSUE: Personal use sockeye salmon bag limits on the Taku River are set to five (5) fish person or ten (10) per household.

WHAT WILL HAPPEN IF NOTHING IS DONE? Large families or households of more than two people are limited in the amount of fish they can harvest to ten fish creating an inequitable share of the catch and discrimination against larger households.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Those larger households will be allowed to harvest enough salmon for their personal use. Discrimination against larger households will be eliminated.

WHO IS LIKELY TO SUFFER? Up river Canadian commercial fishermen will see a slight decrease in catch but overall limits will protect escapement.

OTHER SOLUTIONS CONSIDERED? No change to harvest limits but that perpetuates an inequitable situation

PROPOSED BY: Taku Users Group (HQ-F11-125)

PROPOSAL 280 - 5 AAC 01.725. Waters closed to subsistence fishing. Clarify that subsistence in District 15 includes Lutak Inlet and opens time the day before commercial openings as follows:

(3) in District 15, salt waters of Lynn Canal including Chilkat, Chilkoot and Lutak Inlets, during closed periods of the commercial salmon net fishery in the district, except that salmon may be taken in salt waters of Chilkoot **and Lutak** Inlets north of the latitude of Battery Point, excluding waters of Taiya Inlet north of the latitude of Taiya Point and in Chilkat Inlet north of the latitude of Glacier Point on the Saturday before **and the day before** any period that the commercial salmon net fishery is open in the waters of Section 15-A.

ISSUE: The current regulation that opens salmon subsistence fishing in marine waters of District 15 does not include Lutak Inlet, which is part of the District 15 marine subsistence salmon fishing area. Adding Lutak Inlet will align this regulation with 5 AAC 01.716 (2), *Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses*, and put in regulation what is currently common practice. During the week of the Juneau Golden North salmon derby, Section 15-A commercial net fisheries are opened on Monday, rather than on Sunday. Current regulations open subsistence salmon fishing opportunities the Saturday before any period that the commercial salmon net fishery is open in the waters of Section 15-A; therefore, there is confusion by the public and Alaska Wildlife Troopers about when marine waters are open to subsistence salmon fishing when the commercial net fishery in Section 15-A opens on a Monday. By specifying “the Saturday before and day before any period that the commercial salmon net fishery is open in the waters of Section 15-A,” the board would clarify the regulations to reflect what is currently occurring in the District 15 subsistence salmon fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued regulatory confusion in area and times open for marine salmon subsistence fishing in District 15.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Stakeholders in this fishery will benefit because regulations pertaining to where and when salmon subsistence fishing takes place in marine waters of District 15 will be clarified.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-252)

PROPOSAL 281 - 5 AAC 01.670. Lawful gear and gear specifications. Allow 75 fathom gillnet length in the Yakutat Bay subsistence fishery as follows:

Increase the subsistence net length to 75 fathoms in Yakutat Bay. There is far less chance of exceeding the permitted number of subsistence salmon, even though it is a longer net, than the chances of catching too many salmon with a 20 fathom net in the Situk river estuary.

ISSUE: Currently the legal limit for a subsistence gillnet in Yakutat bay is 50 fathoms. The legal limit for a commercial gillnet is 75 fathoms. A commercial fishermen who wishes to use the commercial gillnet they readily have available is currently unable to. Owing and switching over to a shorter net length creates an undue hardship for the subsistence harvester. This is not consistent with policy in other areas of the district where commercial net length is the status quo for subsistence.

WHAT WILL HAPPEN IF NOTHING IS DONE? Status quo, will continue to only be able to use a 50 fathom net thus making it harder for the user.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? This action might make it more feasible for a subsistence harvester to utilize the Yakutat Bay, which is a mixed stock fishery, and there by alleviate some of the pressure of over subsistence harvest levels the Situk/Ahrnklin river estuary is currently experiencing.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Yakutat Advisory Committee (HQ-F11-335)

PROPOSAL 282 - 5AAC 30.365. Situk-Ahrnklin and Lost River King Salmon Management Plan. Modify the Situk-Ahrnklin and Lost River king salmon management plan to re-define closed waters, specify nonretention, and clarify action points as follows:

Amend paragraphs (c)(1) through (5) as follows:

(a) The purpose of the management plan in this section is to provide for the biological escapement goal requirements of spawning king salmon to the Situk-Ahrnklin River systems. This management plan provides guidelines to the department in an effort to preclude allocation conflicts between the various user groups of the king salmon resource. Action points and associated ranges within the plan are intended to be based on the current king salmon escapement goal ranges for the Situk River system.

(b) The biological escapement goal for the Situk River king salmon is 730 three ocean age and older fish, with a range of 450 - 1,050 fish.

(c) The department shall manage the commercial, sport, and subsistence fisheries as follows:

(1) if the projected **escapement** [IN RIVER RUN OF KING SALMON TO THE SITUK RIVER WEIR] is less than 350 three ocean age and older fish, the commissioner shall close, by emergency order, the king salmon

(A) sport fishery in the Situk River;

- (B) subsistence, personal use, and commercial set gillnet fisheries in the Situk-Ahrnklin Inlet and Lost River; and
- (C) commercial troll fishery in the waters of Alaska bounded on the west by the seaward limit of the three-nautical-mile territorial sea and on the north by a line extending seaward from **59°32.49' N. LAT., 139°51.79' W. LONG. (OCEAN CAPE)**, [59°29.70' N. LAT., 139°44.00' W. LONG.] and intersecting the three-nautical-mile limit at **59°39.69' N. LAT., 139°55.49' W. LONG.**, [59°27.77' N. LAT., 139°49.28' W. LONG.,] and on the south by a line extending seaward from **50°21.92' N. LAT., 139°23.15' W. LONG.**, [59°20.30' N. LAT., 139°16.50' W. LONG.] and intersecting the three-nautical-mile limit at **59°19.90' N. LAT., 139°26.39' W. LONG.** [59°18.25' N. LAT., 139° 21.94' W. LONG.];
- (2) if the projected **escapement** [IN RIVER RUN OF KING SALMON TO THE SITUK RIVER WEIR] is 350 - 450 three ocean age or older fish the commissioner
- (A) shall, by emergency order, close the sport fishery for king salmon in the Situk River; and
- (B) may, by emergency order, implement one or more of the following management measures for conservation purposes:
- (i) establish a **nonretention** ["NON-SALE"] king salmon season in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;
- (ii) close the commercial salmon troll fishery in the waters of Alaska bounded on the west by the three-nautical-mile limit and on the north by a line extending seaward from **59°32.49' N. lat., 139°51.79' W. long. (Ocean Cape)**, [59°29.70' N. LAT., 139°44.00' W. LONG.] and intersecting the three-nautical-mile limit at **59°39.69' N. lat., 139°55.49' W. long.**, [59°27.77' N. LAT., 139°49.28' W. LONG.,] and on the south by a line extending seaward from **50°21.92' N. lat., 139°23.15' W. long.**, [59°20.30' N. LAT., 139°16.50' W. LONG.] and intersecting the three-nautical-mile limit at **59°19.90' N. lat., 139°26.39' W. long.** [59°18.25' N. LAT., 139° 21.94' W. LONG.];
- (iii) restrict the weekly fishing periods in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;
- (3) if the projected **escapement** [IN RIVER RUN OF KING SALMON TO THE SITUK WEIR] is 451 - 730 three ocean age or older fish, the commissioner shall, by emergency order, implement one or more of the following management measures for conservation purposes:
- (A) establish a **nonretention** ["NON-SALE"] king salmon season in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries;
- (B) close the commercial salmon troll fishery in the waters of Alaska bounded on the west by the three-nautical-mile limit and on the north by a line extending seaward from **59°32.49' N. lat., 139°51.79' W. long. (Ocean Cape)**, [59°29.70' N. LAT., 139°44.00' W. LONG.] and intersecting the three-nautical-mile limit at **59°39.69' N. lat., 139°55.49' W. long.**, [59°27.77' N. LAT., 139°49.28' W. LONG.,] and on the south by a line extending seaward from **50°21.92' N. lat., 139°23.15' W. long.**, [59°20.30' N. LAT., 139°16.50' W. LONG.] and intersecting the three-nautical-mile limit at **59°19.90' N. lat., 139°26.39' W. long.** [59°18.25' N. LAT., 139° 21.94' W. LONG.];

- (C) restrict the weekly fishing periods in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries; and
 - (D) restrict the sport harvest of king salmon in the Situk River by implementing one or more of the following management measures:
 - (i) close portions of the Situk River to sport fishing for king salmon;
 - (ii) establish a catch and release sport fishery only for king salmon 28 inches or greater in length;
- (4) if the projected **escapement** [IN RIVER RUN OF KING SALMON TO THE SITUK RIVER WEIR] is greater than 730 three ocean age and older fish but less than 1,050 fish, the department shall,
- (A) manage the commercial set gillnet fisheries in the Situk-Ahrnklin Inlet and Lost River based on the sockeye salmon run strength;
 - (B) manage the commercial salmon troll fishery as specified in 5 AAC 29.100 in the waters of Alaska bounded on the west by the three-nautical-mile limit and on the north by a line extending seaward from **59°32.49' N. lat., 139°51.79' W. long. (Ocean Cape)**, [59°29.70' N. LAT., 139°44.00' W. LONG.] and intersecting the three-nautical-mile limit at **59°39.69' N. lat., 139°55.49' W. long.**, [59°27.77' N. LAT., 139°49.28' W. LONG.,] and on the south by a line extending seaward from **50°21.92' N. lat., 139°23.15' W. long.**, [59°20.30' N. LAT., 139°16.50' W. LONG.] and intersecting the three-nautical-mile limit at **59°19.90' N. lat., 139°26.39' W. long.** [59°18.25' N. LAT., 139° 21.94' W. LONG.];
- (5) if the projected **escapement** [IN RIVER RUN OF KING SALMON TO THE SITUK RIVER WEIR] is greater than 1,050 three ocean age and older fish, the department shall manage the commercial, sport, and subsistence fisheries as necessary to harvest large king salmon in excess of the biological escapement goal range; to achieve this goal the commissioner may, by emergency order, implement one or more of the following management measures:
- (A) liberalize seasons, areas, and method and means in the Situk River under 5 AAC 75.003(2);
 - (B) increase the bag and possession limits for king salmon 28 inches or greater in length, to three fish per day and six in possession, with no annual limit;
 - (C) allow for a king salmon troll fishery as specified in 5 AAC 29.090(i);
 - (D) manage the commercial set gillnet fisheries in the Situk-Ahrnklin Inlet and Lost River based on the sockeye salmon run strength;
 - (E) in the Situk-Ahrnklin Inlet and Lost River set gillnet fisheries, allow the use of one additional gillnet that is no more than 20 fathoms in length and no more than 45 meshes in depth, with a mesh size of no less than seven and one-half inches, for the directed taking of king salmon during periods when sockeye salmon may or may not be retained.

ISSUE: Introductory language in the current plan identifies overall management based on king salmon escapement goals established for the Situk River. However, the stipulated target bullets within the plan then suggest management actions based on “in river run” strength. The terms “in river run” and “escapement” are terms that have different defined meanings per the *Policy for Management of Sustainable Salmon Fisheries*. The department is unclear if the board intended

to create inriver run targets for management actions that are different from the escapement goals, and if so, what those targets should be.

A closed area offshore of the Situk River mouth has been included in the plan to reduce the king salmon harvest rate by the commercial troll fishery. The same closed area is applied under 5 AAC 29.100 to reduce troll fishery exploitation on the Situk River coho salmon stock. New coordinates are redetermined that define the closed area in both 5 AAC 30.365 and 5 AAC 29.100(i) because the Situk River mouth has gradually shifted to the north since these plans were originally adopted.

Because of conservation concerns for king salmon on the Situk River, the department recommends “non-sale” be changed to “nonretention”. Low forecasted returns of Situk River king salmon make it imperative that any king salmon possible be released live and not utilized for homepack; “nonretention” communicates that king salmon may not be retained for any reason.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will continue to manage utilizing escapement goal targets per the introductory language in the Situk-Ahrnklin Inlet and Lost River King Salmon Management Plan, but it will be unclear if the exact intent of the current plan is being strictly followed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All Situk River king salmon user groups will benefit from clearer goals and management actions.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Total repeal of plan has been considered, but that could hinder clearly-defined management objectives for Situk and Lost River king salmon management and may result in more perceived allocation conflicts among users.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-240)

PROPOSAL 283 - 5 AAC 30.365. Situk-Ahrnklin Inlet and Lost River King Salmon Fisheries Management Plan. Revise the Situk River Management Plan to delink Situk escapement from a spring troll in Yakutat Bay as follows:

Amend section b(5) (C) [ALLOW FOR A KING SALMON TROLL FISHERY AS SPECIFIED IN 5AAC. 29. 090 (I)].

There is no biological evidence linking a Yakutat Bay troll harvest to the Situk river king salmon run and it should not be considered in the Situk River Management Plan. There is currently a 1000 king salmon spring test troll fishery allocated every year for Yakutat Bay, that has never been implemented because it is currently tied to a 1050 fish projected run of king salmon in the Situk

River. This action will delink the test fishery from the 1050 fish projected run, so the test fishery can take place.

ISSUE: Currently the allocated 1000 king salmon test fishery goes unfished in the Yakutat area because the proposed fishery is tied to the Situk River Management Plan by stating that the fishery cannot happen unless there is a forecasted return of 1050 king salmon to the Situk River.

WHAT WILL HAPPEN IF NOTHING IS DONE? The troll fleet will continue to miss out on the opportunity to harvest a 1000 king salmon, and the biological determining information will go uncollected.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Commercial trollers. The State of Alaska will also gain valuable biological data.

WHO IS LIKELY TO SUFFER? No one. This is scheduled as a one day a week test fishery, chances of it having an impact on anything are very minimal

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Yakutat Advisory Committee (HQ-F11-336)

PROPOSAL 284 - 5 AAC 29.097. District 11 King Salmon Management Plan. Establish increased fishing periods for troll when the directed drift gillnet fishery is open in Sections 11-A and 11-B as follows:

In District 11, the commissioner may open and close, by emergency order, directed Taku River king salmon troll fishing periods, from the first Monday in May through the third Saturday in June, as follows:

- (1) In the waters of Section 11-A that are east and south of a line from Piling Point to Outer Point, then south and west of a line from Marmion Island Light to Circle Point,
 - (A) from 12:01 a.m. Monday through 11:59 p.m. Friday in any week that a directed Taku River king salmon drift gillnet fishery occurs.
- (2) in the waters of Section 11-B that are south of a line from Marmion Island Light to Circle Point,
 - (A) from 12:01 a.m. Monday through 11:59 p.m. Sunday in any week that a directed Taku River king salmon drift gillnet fishery occurs.
- (3) The commissioner will not open a king salmon troll fishing period under this section
 - (A) in the waters of Section 11-A that are east and south of a line from Piling Point to Outer Point, then south and west of a line from Marmion Island Light to Circle Point, from 12:01 a.m. on the Saturday before the Memorial Day weekend to 11:59 p.m. on the Monday after the Memorial Day weekend; and

(B) in the waters of Section 11-B that are south of a line from Marmion Island Light to Circle Point, from 12:01 a.m. on the Saturday before the Memorial Day weekend to 11:59 p.m. on the Monday after the Memorial Day weekend.

ISSUE: Trollers have inadequate access to harvest Chinook in the years that the District 11 directed Taku River King Salmon Fishery is open. We propose that the number of trolling days open be de-coupled from the hours the gillnet fishery is open. A different strategy of allocating commercial fishing time in 11-A and 11-B would provide more reasonable access for trollers.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers will continue to lose opportunity to harvest the Taku River salmon stocks that they helped to rebuild. Limited time and area has impacted the fleet’s ability to catch a fair share of the harvest. Gillnet catch rates are typically 5 times that of a troller. When this fishery was open in 2006, trollers landed just one tenth of a percent (0.001%) of the total harvest. From 2005-2006, trollers averaged only sixteen (16) fish. These low catches are likely to continue if adjustments are not made.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. If trollers are provided additional fishing time they could add more high quality fish to the district harvest.

WHO IS LIKELY TO BENEFIT? Trollers who catch Taku River king salmon they helped to rebuild, local processors, retailers, and consumers who wanted to purchase troll product. Trollers who would like to fish closer to home early in the season.

WHO IS LIKELY TO SUFFER? While some in the other user groups might not want to see trollers in the area, no other fishery is likely to suffer due to these small changes.

OTHER SOLUTIONS CONSIDERED? 1) More area and time in 11-A, but that would increase conflicts unnecessarily. 2) No proposal, but the troll success rate has been so low that only expanded time and area will provide fair and adequate access.

PROPOSED BY: Alaska Trollers Association (HQ-F11-221)

PROPOSAL 285 - 5 AAC 39.117. Vessel length; bulbous bow. Repeal the 58' vessel limit in the Southeast salmon purse seine fishery as follows:

The preferred solution is for the Board to repeal the length limit on salmon seine vessels in Southeast Alaska in combination with a form of permit reduction to reduce capacity and enhance the value of the fishery to all participants.

ISSUE: The Board adoption of excluding the “bulbous bow” from the length measurement of a salmon purse seine vessel was progress. It should now repeal the 58’ limit on the length of vessel in the salmon purse seine fishery coupled with an additional permit requirement to address the problem of potential excesses capacity within the SE Salmon Seine Fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations like this hinder innovation and exploration of new ideas in the seine fishery which, as in any industry, stifle opportunities for economic growth.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, a longer boat would allow fishermen to explore ways to add value to Alaska salmon. Some fishermen may want to process some of their catch at sea and the current limit makes that almost impossible. Even something as simple as how the fish are handled on deck could be improved with more space. Existing 58 foot vessels could be lengthened on the stern for better flotation so aft holds could produce fish with better quality.

WHO IS LIKELY TO BENEFIT? The Alaska purse seine fishermen who wish to pioneer ideas of efficiency in vessel operation and continue to improve quality production of Alaska salmon. Other fishermen will keep informed of the new ideas and can copy those that are successful. Also, taking permits representing latent, potential excess capacity out to the fishery improves overall fishery conditions for the rest of the fleet. This proposal helps all.

WHO IS LIKELY TO SUFFER? Of course proposals of this nature have some degree of opposition as people feel they will suffer for it. If this proposal had good chance of causing any fishermen to suffer huge financial loss it would not have been submitted. This proposal will not be a drastic change to the fishery. Everyone will be fishing with the same net in the same areas for the same amount of time. Hopefully the prospect of using the idea to get rid of excess potential capacity in the fishery will make the removal of the length limit more palatable to those who do not wholly support the change.

OTHER SOLUTIONS CONSIDERED? Eliminating the limit entirely was the original solution. Adding the caveat of requiring an additional permit improves this proposal to benefit others in the fishery.

PROPOSED BY: Eric Rosvold and Ryan Kapp (HQ-F11-092)

Note, a board committee has identified the following proposal as a “restructuring” proposal. A restructuring proposal is one that is likely to have substantial economic, social, or biological impacts and may require significant changes to the management of a fishery. The proposed regulatory change may strive to improve the value of a fishery by providing new and increased opportunities to: 1) raise the revenue generated from harvested fish (e.g. through improved quality); or 2) lower the cost of fishing operations; or 3) improve conservation.

The board is seeking additional information on this proposal in order that it can be fully evaluated. During the October 13-17, 2011 worksession, the board will:

- a) Determine if the proposal complete;*
- b) Determine if there are outstanding questions or information needed;*
- c) Confirm that board has authority to act on proposal; identify any aspects of proposal where board may need additional authority to make decisions;*

- d) Identify whether CFEC, Dept. of Commerce, Dept. of Labor or other agencies need to be consulted on issues raised by the proposal and if so, bring staff together to schedule work and process; and
- e) Identify proposal's review process and schedule.

The additional information requested in order to fully evaluate this proposal can be found in the 11 questions contained in the board's Restructuring Proposal Form (see Page xiv). The board invites the author and the public to submit any additional information to help in the evaluation of this proposal.

PROPOSAL 286 - 5 AAC 39.117. Vessel length. Increase length limit for southeast salmon seine vessels to 75 feet as follows:

No southeast salmon seiner shall be longer than 75 feet hull length.

ISSUE: 58-foot limit on southeast salmon seiners.

WHAT WILL HAPPEN IF NOTHING IS DONE? Opportunity will be lost to increase profit by increasing fuel efficiency and the ability to custom process fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it allows more room for custom processing, fresh packaging or freezing on board.

WHO IS LIKELY TO BENEFIT? Any seiner who wishes to custom process.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Larry Demmert (HQ-F11-038, previously HQ-08F-034)

PROPOSAL 287 - 5 AAC 39.160. Maximum length of salmon seine vessel. Exclude stern ramps and rollers in the 58 foot limit for the Southeast Alaska Area as follows:

I would prefer the board adopt a regulation providing an exception for stern ramps and rollers used for drum seining so the length they add to a vessel do not count towards the 58 foot limit in Area A, Southeast Alaska.

An example may be the exception that the Board provided for the 58 foot, Bering Sea hair crab boats which allows bulbous bows to extend past 58 feet, 5 AAC 39.117.

ISSUE: The problem I would like the board to address is the existing requirement that stern ramps and rollers used for drum seining outside Alaska must be removed and replaced with an entire new stern section before a drum seiner can block seine for salmon in Alaska.

There is no regulation against stern ramps and rollers per say. They have no value for block seining in Alaska and they afford no advantage in a competitive block seine fishery but they must be removed because they extended the deck, not the hull, of a 58 foot boat past the 58 foot limit.

This requirement is unnecessary, time consuming and expensive.

5 AAC 39.160 (the 58 foot limit regulation) was deleted in 1991 but the 58 foot limit still exists in Alaska Statute, Sec. 16.05.835. This statute also states that the board may provide regulation for longer vessels in a fishery.

5 AAC 39.155. This regulation makes drums illegal.

WHAT WILL HAPPEN IF NOTHING IS DONE? The 58 foot limit will continue to unnecessarily complicate and add expense to the yearly activities of fishermen who drum seine outside Southeast Alaska.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Seiners who drum seine outside Southeast Alaska.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED? Eliminate the drum prohibition for all seiners in Southeast Alaska.

Provide a 58 foot limit exemption for all seiners in Southeast Alaska.

These are good ideas if the board cares to consider them but I expect that my proposed solution is the path of least resistance.

PROPOSED BY: Scott McAllister (HQ-F11-027)

PROPOSAL 288 - 5 AAC 39.240. General gear specifications and operations. Allow seine vessels to transport two seine nets as follows:

(a)(1) In Southeast Alaska, purse seine vessels may carry up to two seines on board, provided that both nets are a minimum of 200 fathoms in length and 300 meshes deep, for at least 100 fathoms.

ISSUE: Many seiners own two nets currently. Currently only one net may be on board, even though it is impossible to fish more than one net at a time. We waste money and fuel shuffling nets from town to town and lose opportunity whenever a net is damaged.

WHAT WILL HAPPEN IF NOTHING IS DONE? Purse seiners will continue to be unfairly inconvenienced. Other gear groups may carry extra units of gear on board, even though their gear could easily be combined to exceed the legal gear limit.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Any seiner that chooses to invest in two nets.

WHO IS LIKELY TO SUFFER? No one, as only one net may ever be used at a time.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F11-180)

PROPOSAL 289 - 5 AAC 33.310. Fishing seasons and periods for net gear. Close District 10 to seining and open to gillnet fishing as follows:

5AAC 33.310(a) (5) Subdistricts 105-31 and 105-41 be open no more than 39 hours for Purse Seining in a calendar week.

ISSUE: Restrict Purse Seine time to allow for pink salmon migration into District 6 for opportunity for harvests in the District 6 gillnet fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gillnet fishermen will continue to have limited time and area to adequately harvest pink salmon harvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Gillnet fishermen in District 6.

WHO IS LIKELY TO SUFFER? Purse Seiners would lose some time in some years.

OTHER SOLUTIONS CONSIDERED? Consideration of closing district 5 for seine fishing was dismissed as too extreme.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-195)

PROPOSAL 290 - 5 AAC 33.310. Fishing seasons and periods for net gear. Increase seining and reduce gillnet fishing in District 6 in September as follows:

In the post-pink salmon summer management scheme, purse seiners will be allowed to harvest salmon in September along the District 6 Etolin Island shoreline, up to 12 boat days per week. The harvest will not be in addition to the driftnet fleet's harvest, but will only be allowed so long as the same amount of harvest occurs that would otherwise have occurred under the current fishing plan for driftnetters. In other words, for every salmon the seine fleet catches, there will be a corresponding trade-off with the driftnet fleet so no additional harvest will occur that isn't already occurring.

ISSUE: The purse seine fleet historically has fished in September in District 6 for cohos. Currently, the driftnet fleet has expanded its fishery in District 6 through early October. While most of this district is in driftnet only areas, the Etolin Island, Steamer Pt. corridor is seine area, so seiners should be able to share in the harvest of these salmon. In the overall SE Allocation plan, adopted by the BOF in 1989, the fleets were accorded their historical catch percentages of each species. The purse seine fleet is down by a significant percentage cumulatively on coho harvest, resulting in millions of coho being reallocated to the driftnet fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be a continued lack of balance on the overall allocation plan. The plan was the culmination of a lawsuit begun by USAG. SEAS does not want to go back to court to enforce this plan.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All seiners benefit. The troll and sport fleets will not change a bit as the coho caught by seiners would be coho that would have been caught by driftnetters.

WHO IS LIKELY TO SUFFER? No one except the driftnet fleet.

OTHER SOLUTIONS CONSIDERED? Opening up the region to regular fishing without limitation. Rejected due to the need to delicately manage the wild stocks the driftnet fleet is targeting on in District 6 in September.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F11-185)

PROPOSAL 291 - 5 AAC 33.XXX. New Regulation. Allow harvest of pink salmon along the Pt. Adolphus shoreline in District 14 during years of large pink salmon returns as follows:

A Management Plan for very limited fishing along the Pt. Adolphus shoreline west to Mud Bay and south to Eagle Point and Crist Point should be developed. A conservative approach beginning with limited test fisheries in the region would enhance the department's ability to ensure that the fleet can get on top of the exceptionally large returns. In years of average to below average abundance, no fishery would occur (with the exception of the limited test fisheries).

When Icy Strait was closed to purse seining following the 1973 season, there had not been a pink salmon harvest larger than 40 million since 1949. Under this approach, only “special” seasons, such as 1994, 1999 or perhaps the 2001 seasons would be eligible for actual harvest. But the ability to test fish the area would yield an abundance of knowledge for the fleet and the department. Pt. Augusta alone is too limited a test fishery to indicate the health of the entire north end.

ISSUE: The lack of opportunity to harvest surplus pink salmon in Northern Southeast in years of exceptionally strong pink salmon returns.

WHAT WILL HAPPEN IF NOTHING IS DONE? The larger years of abundance often find the seine fleet behind the curve in harvesting pink salmon bound for the systems from Port Frederick North as well as the larger pink salmon producers in District 111 and 115.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. The harvest of ocean bright salmon would be a benefit to the quality for the frozen salmon market.

WHO IS LIKELY TO BENEFIT? All seiners benefit, as well as the department with the information generated.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Simply allow limited openings each week in the Icy Strait (District 14) corridor. Rejected due to the variability in runs.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F11-184)

PROPOSAL 292 - 5 AAC 33.310. Fishing seasons and periods for net gear. Change gillnet fishing opening from noon Sundays to 8:00am on Monday as follows:

Gillnet fishing will begin at 8:00 am Monday.

ISSUE: Gillnet fishing openings on Sundays.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen, state employees and other industry support will continue to be forced to forgo Sunday worship and family time for traditional but needless Sunday openings.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? 8:00 am start will have tenders and product back to the plants sooner in the day for better processing scheduling.

WHO IS LIKELY TO BENEFIT? Families and communities.

WHO IS LIKELY TO SUFFER? State fishery monitors who receive overtime pay for weekend openings.

OTHER SOLUTIONS CONSIDERED? Monday, 12:00 noon openings. 8:00 am seemed better.

PROPOSED BY: Otto Florschutz (HQ-F11-007)

PROPOSAL 293 - 5 AAC 33.331. Gillnet Specifications and Operation. 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 as follows:

(d) In District[s 11 and] 15, through the fourth Saturday in June, the maximum gillnet mesh size is six inches.

(e) In Districts 1, 6, 8, 11, [AND] or 15, [DURING PERIODS ESTABLISHED BY EMERGENCY ORDER,] the Commissioner may, by emergency order, establish a [THE] minimum gillnet mesh size of [IS] six inches, except that . . .

ISSUE: Regulation 5 AAC 33.331(d) was originally established for the conservation and rebuilding of king salmon stocks throughout Southeast Alaska, including the Taku River stock in District 11. The Taku River king salmon stock has not been a conservation concern for the past 15–20 years, but Pacific Salmon Treaty obligations prevented implementation of a directed king salmon fishery until harvest sharing of fish surplus to escapement needs could be agreed upon between the U.S. and Canada. The U.S. and Canada agreed to harvest sharing arrangements in early 2005. The Alaska Board of Fisheries (board) began modifications to District 11 regulations in 2003 anticipating such an agreement. The board made further modifications to the District 11 Taku River directed king salmon fisheries in 2006 by implementing changes proposed by the District 11 Chinook Task Force and also by the Juneau Fish and Game Advisory Committee. One specific change adopted into regulation for District 11, 5AAC 33.331(e)(2), requires seven-inch minimum mesh size through the third Saturday in June. However, 5AAC 33.331(d), which has been in regulation for some time, requires fishermen to switch to a six-inch maximum mesh size through the fourth Saturday in June. This means that in years of District 11 directed king salmon fishing, during a one-week period after the third Saturday in June and before the fourth Saturday in June, fishermen who had been fishing a seven-inch minimum mesh net must switch to a six-inch maximum mesh net. After the fourth Saturday in June, fishermen may switch back to larger mesh gear. Regulation 5 AAC 33.331(d) no longer serves the purpose for which it was intended and is inconsistent with 5 AAC 33.331(e)(2).

Clarification of this regulation by allowing the commissioner the discretion to establish a six-inch minimum mesh size provides fishermen greater opportunity on larger salmon, such as chum salmon, when there is a need to conserve local stocks of smaller sockeye salmon. The department believes this was the original intent of the regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen will continue to be confused by apparently conflicting regulations and will be limited to fishing a six-inch mesh or smaller net during a one-week period in times of high king salmon abundance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Fishermen who will not need to carry and fish a second smaller mesh net during years in which the department has no king salmon conservation concerns. Department managers, law enforcement officers, and fishermen will benefit from clear intent and greater flexibility in the application of this regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-254)

PROPOSAL 294 - 5 AAC 39.010. Retention of fish taken in a commercial fishery. Require reporting of commercially caught salmon and steelhead retained for personal use as follows:

5AAC 3910

b) commercial fishers shall report retention of commercially caught salmon or steelhead for personal use to Creel Census personnel at the point of offloading. Or at any docks where creel census is taken. Commercial fishers will no longer need to report these fish on fish tickets.

ISSUE: Accurate accounting of salmon taken for personal use in commercial fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? All salmon taken in commercial fisheries need to be accounted for. Fish that are not recorded on fish tickets are an important part of ADF&G decision making and are an important part of our treaties with Canada. If these fish continue to be harvested but not counted we could face overharvesting in some areas and treaty issues in others.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Everyone. Knowing how many fish are harvested and where is the Hallmark of Alaska's legendary fisheries resource management. This allows all fish be recorded and part of the management process.

WHO IS LIKELY TO SUFFER? Creel census takers.

OTHER SOLUTIONS CONSIDERED? Leaving the system alone. The system is broken virtually no fish are reported on fish tickets as harvested but not sold. I rejected the current system because it is harmful to the fish and the prudent management of the fishery.

PROPOSED BY: Peter B. Wright (HQ-F11-025)

PROPOSAL 295 - 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan. 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 as follows:

Close Zimovia Strait and Chichigof Pass south of Young’s rock to driftnet fishing once the chum/sockeye ratio exceeds 4 to 1. In many years the driftnet fleet targets enhanced chum returning to Anita Bay in what is supposed to be a wild sockeye fishery targeting sockeye salmon bound for the Stikine River and surrounding systems. This is in direct violation of the wild salmon management plan adopted by the Board of Fisheries. In some years the ratio of enhanced to wild sockeye has exceeded 50 to 1.

ISSUE: Lack of equity in the Anita Bay harvest area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Allocation plan will fail.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The Alaska commercial fishing industry, which relies on protection of wild stocks in wild stock corridors. Also benefitting will be the sockeye salmon, which essentially become a “bycatch” when the illegal hatchery targeting of Anita Bay chums occurs.

WHO IS LIKELY TO SUFFER? Driftnetters who target hatchery chums in a wild stock corridor.

OTHER SOLUTIONS CONSIDERED? Complete closure in July of Zimovia Strait and Chichigof Pass to driftnetting.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F11-183)

PROPOSAL 296 - 5 AAC 33.310. Fishing seasons and periods for net gear. Open gillnet fishery in Section 6-D all season to provide pink salmon fishery as follows:

- 5AAC 33.310 (c) 2 (A) Sections 6-A, 6-B, 6-C **and 6-D** open on the second Sunday of June;
- (B) Delete all material.

ISSUE: Gillnet fishermen wishing to harvest pink salmon in District 6 are precluded from doing so under existing regulations. These conditions are in part due to the closures associated with McDonald Lake conservation measure, which have forced fishermen into already crowded and limited areas. This proposal rectifies the situation by providing access for pink salmon in District 6(D) during years of high pink salmon abundance.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gillnet fishermen will continue to have limited time and area already. Secondly, the gillnetters are not adequately harvesting their allocation of wild pink salmon in Southeast Alaska.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? New fresh pink markets have allowed for gillnetters to supply a dressed product for a burgeoning fresh-fillet market.

WHO IS LIKELY TO BENEFIT? Gillnet fishermen in District 6.

WHO IS LIKELY TO SUFFER? No individual or group unless a seine fishery is conducted later in the year in the same area. Gillnet fishermen would be hard pressed to compete for efficiency in harvests if and when both gear group fisheries were occurring at the same time.

OTHER SOLUTIONS CONSIDERED? 1. Open 6D only under Pink Salmon Management. 2. Open other areas of SE Alaska for gillnet harvests during years of high abundance. 3. Open Gillnet areas 7 days a week when seiners are fishing 4 days with only one day off.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-192)

PROPOSAL 297 - 5 AAC 33.310. Fishing seasons and periods for net gear. Open gillnet fishery in Section 6-D during pink season when not open to seining as follows:

5AAC 33.310 (c) (2) (C) Section 6 –D west of a line from Mariposa Rock Buoy to the northernmost tip of Pt. Harrington to a point on Etolin Island at 56.09.60’ N. Latitude, 132.42.70 W’ Longitude, to the southernmost tip of Pt. Stanhope is open from the first Saturday in August through the first Sunday in September unless open to seining.

ISSUE: Allow for Pink harvest opportunities for gillnetters in District 6 D. Gillnet fishermen wishing to harvest pink salmon in Area 6 are precluded from opportunity by time and area during Pink Salmon Management.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gillnet fishermen wishing to harvest pinks will continue to have limited opportunities and not meet allocation percentages associated with harvests of wild pink salmon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, in some cases gillnet fishermen in Area 6 are delivering

dressed pink salmon for salmon fillet markets. Increasing pink salmon harvest opportunities for gillnet fishermen may increase the overall quality of pink salmon available to consumers.

WHO IS LIKELY TO BENEFIT? Gillnet fishermen harvesting pink salmon in Area 6.

WHO IS LIKELY TO SUFFER? No individual or gear group as the proposal would only open area 6D to gillnetting if Seine fishermen were not present.

OTHER SOLUTIONS CONSIDERED? Changing the Pink Salmon Management Plan to include greater opportunities for pink harvests for the gillnet fleet as a whole.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-191)

PROPOSAL 298 - 5 AAC 33.310. Fishing seasons and periods for net gear. Limit District 5 seine fishery to 2 days per week to increase gillnet pink salmon harvest in District 6 as follows:

5AAC 33.310 (c) (3) **(a) District 110-31 opens on the third Sunday of June for gillnet only.**

ISSUE: Gillnet fishermen have limited time and fishing area compared to other fishing groups targeting wild salmon in Southeast Alaska. Currently, the gillnet fishermen have the smallest amount of area in which to target wild salmon and the few number of days available for harvest. Gillnet harvest opportunities are extremely restricted, while the current harvests by the gillnet fishery accounts for only 18% of the entire SE salmon harvest.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gillnetters will continue to have limited opportunities to harvest wild salmon. Gillnetters will have fewer square miles of water in which to target salmon and gillnetters will continue to bare the brunt of most conservation measures as the gillnet fisheries are based around terminal areas.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? All SE Alaska gillnet permit holders.

WHO IS LIKELY TO SUFFER? Purse Seiners may lose some wild harvest opportunity.

OTHER SOLUTIONS CONSIDERED? Other areas of fishing were also considered; however this is a continuation of an existing gillnet area south of District 11.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-194)

PROPOSAL 299 - 5 AAC 33.350(6). Closed waters. Extend commercial closed waters in Taku Inlet to Point Greely-Point Bishop as follows:

The waters closed to commercial fishing in Taku Inlet should be moved to a line from Point Bishop to Point Greely.

ISSUE: The present commercial fishing boundary line on the Taku River was established in regulation on January 1962. Since that time the river heavy silt load has filled in the inlet so that one can now be literally fishing in the river. Salmon escapement is falling. Seal predation is increasing with their population.

WHAT WILL HAPPEN IF NOTHING IS DONE? Natural salmon stock escapement will continue to decline.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Escapement will improve and harvestable stocks will increase.

WHO IS LIKELY TO BENEFIT? Salmon escapement, seals, fishermen, sport, commercial, subsistence and personal use.

WHO IS LIKELY TO SUFFER? Alaska commercial fishermen will see a slight reduction in harvest but better escapement will increase their harvest in the future.

OTHER SOLUTIONS CONSIDERED? Harvest a good share of the large and growing seal population that the season in the first in the first fifteen miles of the Taku above the present closed fishing line. This is not a legal option.

PROPOSED BY: Taku Users Group (HQ-F11-028)

PROPOSAL 300 - 5 AAC 30.3XX. New Regulation. Allow multiple permit holders to fish from the same vessel and to pool and divide harvests on fish tickets in Yakutat Area salmon fishery as follows:

Using the guide of Bristol Bay Regulation 5AAC 06.333 Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay, we offer the following:

5AAC. 30.3XX (new section) Requirements and specifications for pooling Yakutat setnet harvests on to a single vessel.

Two to three Yakutat setnet permit holders may register with ADFG to jointly harvest salmon and deliver fish to the processors. Registration will included the vessel number of any vessel that may be used by this co-op partnership. The vessels registered must display it's ADF&G permanent license plate number followed by the letter "D" to identify the vessel as holding multiple permit holders on board. A permit holder who is registered may also fish by themselves if their permit card lists that vessel on it, and the letter "D" is covered up during that trip. When the "D" is displayed the permit holders registered together must be on board the vessel. A permit holder may only be registered in one co-op partnership at a time, but may be involved in more

than one partnership within one year. If fish are harvested in more than one sub-district the fish tickets of each partner in the co-op partnership will show the same estimation of amount of fish caught in each sub-district.

Again, this is trying to create a regulation to allow the historical practice to continue, not anything new.

ISSUE: Although the Yakutat setnet fishery has historically operated in partnerships, enforcement is now writing violations for pooling the fish from several sites or units of gear. Yakutat setnet gear is fished out of small open 20 ft. skiffs, and very often under hazardous and rough conditions. For reasons of safety, conservation of fuel, and general overall ease of operations for the fishermen, temporary partnerships will often arise. There may be 2,3 or even more permits all being fished out of one small skiff. Keeping track of which fish came from which net is impossible most of the time under these conditions, and to avoid anyone feeling shorted, historically these fish were considered common property and distributed on a percentage basis among the fishermen at the processors. Typically the split is 50/50, but there are instances where this is not the case, such as when a permit holder with a vessel fishes with a permit holder without a vessel. This has been a common practice prior to limited entry, and we would like to develop a regulation where this practice can continue in the future without fear of prosecution. This is not a permit stacking request.

WHAT WILL HAPPEN IF NOTHING IS DONE? Increased violations will be issued, or the historical practices of the fishery will have to change increasing the danger of the fishery, and lowering the economic viability of the fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Fishermen who currently fish in partnerships.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? We considered making it mandatory for there to always be an exactly even split. This would alleviate any potential conflicts with Child Support Enforcement Division, or other court ordered garnishes against one or more of the potential partners, but decided against it, as this is not the intent of fish tickets.

We would prefer to leave it up to the individual fishermen to split the fish based on a percentage that they choose, but if exactly even splits were mandatory, this would be preferable to no splits at all.

PROPOSED BY: Yakutat Advisory Committee (HQ-F11-338)

PROPOSAL 301 - 5 AAC 30.350. Closed waters. Relocate boundary for commercial set net fishing on Tsiu River to provide a separate sport fishing area as follows:

5 AAC 30.350 (12)

Tsiu River; **below departmental marker (a) located at 500 yards above mean high tide and above a departmental marker (b) located 1.5 miles above departmental marker**
[UPSTREAM OF ADF&G REGULATORY MARKERS LOCATED APPROXIMATELY ONE HALF MILE BELOW DUCK CAMP ISLAND]

ISSUE: Currently, harvesters are allowed to set nets in almost the entire fishable portion of the river. This proposal is for not moving the existing Fish and Game escapement marker to a different location. It is in the right spot. But to create different boundaries for the users of the river. Boundaries that do not interfere with current commercial harvest levels or opportunity, and addresses an ongoing problem of disappearing sport fishing area as well as the confrontations between the user groups.

In the last 40 years the river has lengthened itself from 1 mile to about 4.5 miles long. It does vary from year to year but it is getting longer over time. This has increased the commercial harvest area over 400%. Conversely, in the last 20 years the “lake” above the marker has completely filled in with sand. An area that sports fishers relied on to get away from the commercial harvest activities. This has decreased the area to sport fish above the marker to almost nothing. Forcing sport fishers to utilize the area below the marker. This could be considered an allocation issue.

When you look at the commercial catch history you will see that no matter what the length of the river, the harvest numbers stayed within a certain range. 2010 is a perfect example of harvesting above the average with a little more than 1 mile of river to set nets. (The marker was moved due to low water conditions) The catch was the second largest in the history of the river and was the ‘cleanest’ catch as well. (Not as many blush fish).

Another problem with the way things are now is after a commercial opener there are no fish left in the 4 mile area that the nets were in. Leaving very few or no fish for other user groups. The small area above the marker is over fished and the fish do not bite very well. And very few new fresh fish making it that far. So you hope more fish come in on the next tide and the river hopefully fills in overnight. But 9 am the next morning the nets go back in and the cycle starts again.

With all that said, it only stands to reason to create these boundaries. I am proposing to allow 1.5 miles of river open to set netting. Starting at a point 500 yards up river from the mean high tide line then continuing for the next 1.5 miles. Unless the river changes to where there is only 2.5 miles of fishable water then the river is divided equally in half regardless of the length. The fish escapement marker should remain in the same spot.

The 500 yard corridor is because the Tsiu River is the #1 Coho sport fishing river in the world - and should be treated as such. The greatest sport fish opportunities are at the mouth on an incoming tide. It is the reason people come to here to fish. Everywhere else on the river is great but that is what makes this the most prized destination on earth for lots of people.

There is absolutely no reason to set nets in the first 500 yards of this river. The fish literally shoot up river to the first holding pools above the tide line before they stop to rest. Very few fresh fish hold in this area. The netters will have the same opportunity starting at the 500 yard mark and not have the problems associated with incoming tides. Like seals eating untold numbers of fish out of the nets and the constant confrontations with sport fishers.

With this proposal both user groups will have equal opportunity at the fish. But by having nets in the first 500 yards one user group will not have equal access or opportunity at the resource. If you force all sport fishing above the netting area the fish will never get to them. The few that do get by are stressed out and won't bite; many have net marks. This may cause an allocation issue.

Let me give you an example: Let's say there are 50 sport fishers (this is above average) at the mouth of the river and there are 3000 fish (that is below average) coming in on a tide. With a limit of 4 per person that would mean 200 fish could be taken. Many sports fishermen practice catch and release so 200 fish taken is above average leaving 2,800 (very conservative) fish to go up the 500 yards to the netting area. This happens in a matter of 3 hours. The netters have 24 hrs to get those fish. This is just during the daytime tide. There is always another when there is no one sport fishing. And on some tides, the fish never stop coming in - sometimes 3 or 4 days in a row at the peak.

If the average harvest is 45,000 with an average of 10 openers per seasonⁱ, this equates to 4,500 fish for every 24 hr period. The harvesters will be able to take just as many fish regardless of where the nets are placed. If they don't, they will have another opener. This is what's nice about a fishery that opens 100% by emergency order.

The Tsiu River Coalition is working to give every group their desired goals.

Are the transferability of permits or harvest privileges affected? No.

Is there a defined role for processors? No.

Will this proposal be a permanent change to regulation? If not, for how long? This is a permanent change in the regulations for the Tsiu River.

If adopted, will your proposal require a change in monitoring and oversight by ADF&G? This will require a slight change in oversight; however it is not expected to be substantial. Each year the F and G will have to determine where the markers are placed. It is my hope that both user groups are part of the discussion on this.

Will vertical integration or consolidation occur? Will limits be imposed? No.

How do you propose to monitor and evaluate the restructured fishery? It will be monitored the same way it is now. It is rare for someone to fish outside the designated area. So not a big issue.

Is there a conservation motivation behind the proposal? If so, please explain. The conservation part of this comes in two parts: a) There will not be as many blush, unmarketable fish being

discarded as wanton waste. b) With the ever increasing length of the river the fish will less likely be harassed over and over again before they make it to the spawning beds.

What practical challenges need to be overcome to implementing your proposal, and how do you propose overcoming them? The only real practical challenge will be determining where the boundaries should be placed each year. But by forming a simple procedure will make this task easy.

What are the objectives of the proposal? Allow all users to harvest salmon without conflict. a.) to reduce the amount of wanton waste and increase the quality and value of the commercial catch. b.) to make the river safer for sport fishermen. c.) to give sport fishermen a better quality fishing experience on such a small river. d.) to increase the tax revenue to the city of Yakutat from new and returning sport fishermen.

How will this proposal meet the objectives in previous question? a.) the longer the river becomes the longer the fish hang out in the river below the current marker. Lots of these fish stay in this area long enough to start to lose their marketable value. This in turn reduces the value of the commercial catch and leads to wanton waste. b.) the high powered boats make an unsafe environment for all users because the river is: Single-channel river, most of it is not braided. The fish migrate up a single path in this river regardless of any braids.

Short – 4 -4.5 miles long.

Small - 60 feet wide.

Shallow - less than 2-foot average.

With the conditions of the river as stated above, the sport fishermen have only one place to wade out to reach the single channel available to catch fish. Boats use the same channel at a high rate of speed. This causes many encounters of less than 10 feet between boats moving at high rates of speed and sport fishermen standing in soft sand in waist-deep water. The boats need to move fast because of the danger of getting stuck on all the shallow sand bars. This is a recipe for disaster. c.) The area is flat with no vegetation except some grass. You can see for miles in all directions. Thus you can see several of the high-powered jet boats constantly circling and hear the nonstop whining of the motors. Powered boats, by necessity, also must get close to sport fishermen, which is a scary experience. It appears often to be harassment to these clients. Between the noise and the fear factor, fishing on the Tsiu during commercial openers is difficult and not enjoyable. d.) More sport fishermen will be willing to spend their money in a place that is safe from being harassed or scared, can see wildlife, and have an overall great Alaskan experience. The direct tax and lease revenue from sport fishing verses commercial harvesting is a staggering 10-1 ratio with potential revenue much higher than this if managed correctly. Whereas the commercial harvest tax and lease revenue is at its maximum. Unless the squatters cabins are put on leases and taxed.

Please identify the potential allocative impacts of your proposal. Is there an allocation or management plan that will be affected by this proposal? This proposed regulation will not affect allocation. This is not a matter of someone has to give up a percentage of their catch so someone else gets more. The netters will still catch just as many fish. This is due to the fact that the nets are 90 feet in length. Easily covering and blocking the entire migratory channel, which is usually 20-30 feet wide (Management report by Sheinberg Associates). The fish have no choice but to

swim into the nets. The only allocation issue is that the sport fishers are not allowed equal access to the resource. This proposal will fix the unintended biased allocation due to current regulations.

What is your understanding of the level of support for your proposal among the harvesters, processors, and local communities? The underlying sentiment for this proposal from the handful of harvesters on the river and the single processor that buys fish in Yakutat is negative. They would like to see nothing changed. The local communities are the typical 50/50.

Sport fishermen: It's interesting that this question didn't include other user groups. The remote sport fishing community overwhelmingly supports this. The Tsiu River Coalition is made up of people that actually use the resource and contribute the lion's share of revenue from this resource. Business owners and professionals from many different fields all agree with this proposal.

What are the potential short and long-term impacts on conservation and resource habitat? Both the short and long term impacts will be nothing but positive. The fish will be less stressed and the resource habitat will be healthier. 1) development of fisheries resource – This fishery is long overdue for some development. Right now it is only managed for commercial harvesting. The management needs to include other user groups when making decisions about the fishery. 2) impacts of proposal – (short term) There will be some slight adjustments made to the commercial harvesting; (long term) fishing conditions will improve and actually get better for everyone.

What are the potential legal, fishery management, and enforcement implications if this proposal is adopted? What other governmental actions may need to be taken into account? Legal: I can't see any with the fishery itself. Conflicts between user groups should drop significantly on the river. Management: No change. Enforcement: This is always a problem with a small remote fishery. But harvesting outside the designated area does not happen too often so shouldn't be an issue.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishing on Alaska's Tsiu River is known worldwide. Without changes in the commercial fishing practices on this river, the value of the sport fishery will continue to decline. The amount of revenue to the city of Yakutat will continue to dwindle. Lodges (the largest direct revenue contributor by a 10 to 1 margin) will have to slash their prices creating a discount special fishery, where no one makes any money, out of what was once a high quality, worldwide destination, or go out of business.

This proposed regulation will be an improvement to the entire fishery, the environment and increase the overall experience and safety for everyone. Escapement numbers will be maintained as intended by Alaska fishing regulation and there will be more wildlife to see because they won't be scared away by the obnoxious activities.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The total value of the resource will increase dramatically. The revenue from the commercial harvesters may increase somewhat. Even with just a few nets in the river, they are capable of taking the maximum number of fish allowed by the fishery. The

major increase in value comes from the sport fisher. There were a few years when there was no boating activity on the river and the numbers of sport fishers climbed to its highest point in the history of the fishery. Three years after the boat herding harvesting practice started again the numbers of sport fishers dropped in half. There is a direct correlation as proven by these numbers and the 50+ complaint letters primarily addressing the problem of herding fish with high powered boats.

Everyone will benefit. The state of Alaska and businesses in local communities will benefit from increased tourism. The user groups will have less confrontations and problems. The troopers will have less enforcement issues. The resource itself will be a big winner by minimizing the stress on migrating salmon and steelhead.

WHO IS LIKELY TO BENEFIT? a) the fishery resource; 1) biological - All positive – there will be a smaller area that will be disturbed by the commercial activities. 2) management – Should stay the same. 3) economic utilization – All positive. The river and area are not being used utilized anywhere near its economical potential.

b) harvesters; 1) economic efficiency of the harvesting function - Positive – they will be able to harvest just as many. And increase the value of the catch. 2) species interdependence impacts – None. 3) harvesting asset ownership impacts – There are no harvester assets on the Tsiu. Most harvesters are squatting in small shacks along the river. They do not pay for leases or taxes on improvements like other businesses that use the river. 4) distribution of product value – Will more than likely increase with higher value fish. 5) market access – Will not be affected.

c) the sector, species, and regional interdependence relationships; It is all positive for the species because it is way less stress on the fish's migratory route. The sector and regional interdependence relationships should remain intact and if anything get stronger with the potential increase in revenue.

d) safety; Safety would increase dramatically by minimizing the chance for an accident on such a small river system. The closest hospital is in Cordova, which is an hour away by plane. So that equates to at least 3 hours from the time of the accident to the hospital in perfect conditions. And as much as 3 days in bad weather.

e) the market; 1) market access and product form - Nothing should change here accept that the commercial harvest may be more valuable. 2) market timing – I don't believe this is much of an issue because of the relatively low quality of the salmon they are harvested mainly for the eggs. The low quality comment is because of the way the fish are handled. Tossed around multiple times like basketballs, full of sand with little or no ice. Sitting on the dark sand in the hot sun, and at times, for a day or more. When the water is low and the sun is out the river water is 60 degrees or more. That means the fish are that same temperature when they are netted. The fish are 4 feet deep in a tote. It would take a lot of ice to cool them down to 44 degrees while sitting in the sun. 3) competitive opportunities – Should stay the same for harvesters. Will increase for other users.

f) processors: The processors should not be affected except that the quality of the product may be higher.

g) local communities: The local communities will benefit the most. By increasing the tax revenue to the cities and the increase of revenue to the bed & breakfasts, hotels, liquor stores, grocery stores and the local businesses that purchase their goods in those communities. 1) Employment will increase. 2) Industry infrastructure impacts – There will not be any on the harvester side. The other businesses may increase infrastructure thus increasing tax revenue. 3) Ownership of local harvesting and processing impacts – none. 4) Gain or loss of associated businesses – There will not be any on the harvester side. The other businesses associated with sport fishing will gain if this proposal is adopted and there certainly will be loss if not.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Tsiu River Coalition (HQ-F11-067)

PROPOSAL 302 - 5 AAC 33.331. Gillnet specifications and operations. Prohibit use of power boats to drive fish into nets on the Tsiu River as follows:

Add the following language to 5 AAC 30.331:

(g) in the Tsiu River boats may not be used to purposely drive fish into set nets in any way.

ISSUE: Currently, commercial harvesters use powered boats on the Tsiu River to harass and drive, or herd Coho into set gillnets during each commercial opener (two to five or more 24-hour periods per week during the season). I propose to eliminate the use of powered boats to herd fish into set nets on the Tsiu River. This river is small and shallow and has only one channel in which the fish return. The river averages 20 yards wide and two feet deep (Management Report Sheinberg Associates). The opportunity to harvest fish, in the same quantities, without the use of powered boats for driving fish on such a small river will remain intact.

Is a change in vessel length proposed? No.

Are the transferability of permits or harvest privileges affected? No.

Is there a defined role for processors? No.

Will this proposal be a permanent change to regulation? If not, for how long? This is a permanent change in the regulations for the Tsiu River.

If adopted, will your proposal require a change in monitoring and oversight by ADF&G? Powered boats will still be used to attend to nets, but the herding of Coho will not be allowed. This will require a slight change in monitoring and oversight by the ADF&G. However, it is not expected to be substantial. Currently, ADF&G monitors harvest and escapement.

Will vertical integration (e.g. harvesting and/or processing) or consolidation occur? Will limits be imposed? No.

How do you propose to monitor and evaluate the restructured fishery? It will be monitored and evaluated with the way it is done now. Counting harvest and escapement and calling emergency openers as seen prudent.

Is there a conservation motivation behind the proposal? If so, please explain. There is a conservation motivation in that scaring or herding large numbers of Coho into nets is not appropriate for the run. Regulation 5 AAC 30.331 2(b) says: *“Set gillnets may not obstruct more than two-thirds of any salmon migratory waterway, except in the Tsiu River, where set gillnets may not obstruct more than one-half of the waterway. In the intertidal zone this applies at all stages of the tide.”*

If the nets are set as stated above, then the escapement tends to be the correct amount for sustainability. However, if the fish are herded or circled into the nets, the escapement numbers fall and the run is potentially harmed. As well, the herding process itself further stresses fish.

The use of powered boats to herd fish directly impacts sport fishermen on the Tsiu as well. It is dangerous, spoils the sport fishing experience, and negatively impacts the run.

What practical challenges need to be overcome to implementing your proposal, and how do you propose overcoming them? The practical challenges will be to convince the harvesters that power boats are no longer allowed to scare fish and to ensure that penalties are given out when infractions occur to discourage further scaring of fish. Nothing else will be a challenge.

What are the objectives of the proposal? a.) to make the river safer for sport fishermen. b.) to give the fish that ordinarily would not be gill netted a safe return and not to stir up the river beds. c.) to give sport fishermen a better quality fishing experience on such a small river. d.) to increase the tax revenue to the city of Yakutat from new and returning sport fishermen.

How will this proposal meet the objectives in the previous question? a.) the high powered boats make an unsafe environment for all users because the river is: Single channel river, most of it is not braided. The fish migrate up a single path in this river regardless of any braids. Short – 4 - 4.5 miles long. Small - 60 feet wide. Shallow - less than 2-foot average (Management report Sheinberg Associates). With the conditions of the river as stated above, the sport fishermen have only one place to wade out to reach the single channel available to catch fish. Boats use the same channel at a high rate of speed. This causes many encounters of less than 10 feet between boats moving at high rates of speed and sport fishermen standing in soft sand in waist-deep water. The boats need to move fast because of the danger of getting stuck on all the shallow sand bars. This is a recipe for disaster.

b.) The run is harmed by scaring fish that would ordinarily make it past the nets into those nets. The repeated running down of fish that make it past consecutive nets stresses fish that are not netted. The same fish can be run down as many times as there are nets. 8-12 nets are normal.

You have to remember that there is no clear path for the fish. The nets cover the entire migratory channel. So each fish has to escape each net to make it up river.

c.) The area is flat with no vegetation except for some grass. You can see for miles in all directions. Thus you can see several of the high-powered jet boats constantly circling and hear the nonstop whining of the motors. Powered boats, by necessity, also must get close to sport fishermen, which is a scary experience. It appears often to be harassment to the sport fishermen. Between the noise and the fear factor, fishing on the Tsiu during commercial openers is difficult and not enjoyable.

d.) Most sports fishermen are very proactive pertaining to environmental issues. They are apt to spend money in locations safe from harassment where they can view wildlife within its natural setting. Direct tax and lease revenue from sport fishing verses commercial harvesting (where commercial harvest tax and lease revenue is already at its maximum) is a staggering 10:1 ratio (Management report Sheinberg Associates). Allowing commercial fishermen to use power watercrafts to herd salmon on the Tsiu diminishes this environment, creates potential safety issues and jeopardizes a huge untapped source of revenue for the local and state economies.

Please identify the potential allocative impacts of your proposal. Is there an allocation or management plan that will be affected by this proposal? This proposed regulation will not affect allocation. This is not a matter of someone has to give up something so someone else gets more. The netters will still catch just as many fish. This is due to the fact that the nets are 90 feet in length. Easily covering and blocking the entire migratory channel, which is usually 20-30 feet wide (Management report Sheinberg Associates). The fish have no choice but to swim into the nets.

What is your understanding of the level of support for your proposal among the harvesters, processors, and local communities? The underlying sentiment for this proposal from the handful of harvesters on the river and the single processor that buys fish in Yakutat is negative. They would like to see nothing changed. The local communities are the typical 50/50.

Sport fishermen: I find it interesting that this question didn't include other user groups that don't primarily harvest fish. The remote sport fishing community overwhelmingly supports this. Its members think it is rude, obnoxious, and pitiful that the #1 Coho sport fishing river in the world is treated in such a manner. The Tsiu River Coalition is made up of people that use the resource but actually harvest very few fish and contribute the lion's share of revenue from this resource. Business owners and professionals from many different fields all agree with this proposal.

What are the potential short and long-term impacts on conservation and resource habitat? Both the short and long term impacts will be nothing but positive. The fish will be less stressed and the resource habitat will be healthier because there won't be high powered jet boats stirring up the spawning beds. 1) development of fisheries resource – This fishery is long overdue for some development. Right now it is only managed for commercial harvesting. The management needs to include other user groups when making decisions about the fishery. 2) impacts of proposal – (short term) There will be some slight adjustments made to the commercial harvesting; (long term) fishing conditions will improve and actually get better for everyone.

What are the potential legal, fishery management, and enforcement implications if this proposal is adopted? What other governmental actions may need to be taken into account? Legal: I can't see any with the fishery itself. Conflicts between user groups should drop significantly on the river. Management: should make managing easier with a steady flow of fish being harvested instead of the peaks and valleys associated with the current structure. Enforcement: This is always a problem with a small remote fishery. But since the boats were causing the majority of the issues this should help alleviate a lot of enforcement problems in "a get all you can before the next guy does with total disregard for others and their safety" fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishing on Alaska's Tsiu River is known worldwide. Without changes in the commercial fishing practices on this river, the value of the sport fishery will continue to decline. The amount of revenue to the city of Yakutat will continue to dwindle. Lodges (the largest direct revenue contributor by a 10 to 1 margin) will have to slash their prices creating a discount special fishery, where no one makes any money, out of what was once a high quality, worldwide destination, or go out of business.

This proposed regulation will be an improvement to the entire fishery, the environment and increase the overall experience and safety for everyone. Escapement numbers will be maintained as intended by Alaska fishing regulation and there will be more wildlife to see because they won't be scared away by the obnoxious activities.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The total value of the resource will increase dramatically. The revenue from the commercial harvester is about at its maximum. Even with just a few nets in the river, they are capable of taking the maximum number of fish allowed by the fishery. The major increase in value comes from the sport fisher. There were a few years when there was no boating activity on the river and the numbers of sport fishers climbed to its highest point in the history of the fishery. Three years after the boat herding harvesting practice started again the numbers of sport fishers dropped in half. There is a direct correlation as proven by these numbers and the 50+ complaint letters primarily addressing the problem of herding fish with high powered boats.

Everyone will benefit. The state of Alaska and businesses in local communities will benefit from increased tourism. The user groups will have less confrontations and problems. The troopers will have less enforcement issues. The resource itself will be a big winner by minimizing the stress on migrating salmon and steelhead.

WHO IS LIKELY TO BENEFIT? a) the fishery resource; 1) biological -All positive - because the fish that do escape the nets won't be stressed out by being run down multiple times by boats, while allowing all user groups ample opportunity to safely enjoy this valuable resource. 2) management – Should stay the same. 3) economic utilization – All positive. The river and area are not being used utilized anywhere near its economical potential.

b) harvesters; 1) economic efficiency of the harvesting function - Positive – they will be able to harvest just as many. 2) species interdependence impacts – None. 3) harvesting asset ownership

impacts – There are no harvester assets on the Tsiu. Most harvesters are squatting in small shacks along the river. They do not pay for leases or taxes on improvements like other businesses that use the river. 4) distribution of product value – Will more than likely increase with better handling. 5) market access – Will not be affected

c) the sector, species, and regional interdependence relationships; It is all positive for the species because it is way less stress on the fish. The sector and regional interdependence relationships should remain intact and if anything get stronger with the potential increase in revenue.

d) safety; Safety would increase dramatically by eliminating the chance for an accident on such a small river system. The closest hospital is in Cordova, which is an hour away by plane. So that equates to at least 3 hours from the time of the accident to the hospital in perfect conditions. And as much as 3 days in bad weather.

e) the market; 1) market access and product form - Nothing should change here except that the commercial harvest may be more valuable because the fish will be handled better. 2) market timing – I don't believe this is much of an issue because of the relatively low quality of the salmon. [They do have an excellent roe byproduct. (Management report Sheinberg Associates)] The low quality comment is because of the way the fish are handled. Tossed around multiple times like basketballs, full of sand with little or no ice. Sitting on the dark sand in the hot sun, and at times, for a day or more. When the water is low and the sun is out the river water is 60 degrees or more. That means the fish are that same temperature when they are netted. The fish are 4 feet deep in a tote. It would take a lot of ice to cool them down to 44 degrees while sitting in the sun. 3) competitive opportunities – Should stay the same for harvesters. Will increase for other users.

f) processors: The processors should not be affected except that the quality of the product may be higher. The negative for the single processor is that he may have to adjust to having a steady flow of fish instead of the glut then nothing scenario currently in place.

g) local communities: The local communities will benefit the most. By increasing the tax revenue to the cities and the increase of revenue to the Bed and Breakfasts, hotels, liquor stores, grocery stores and the local businesses that purchase their goods in those communities. 1) Employment will increase. 2) Industry infrastructure impacts – There will not be any on the harvester side. The other businesses may increase infrastructure thus increasing tax revenue. 3) Ownership of local harvesting and processing impacts – none. 4) Gain or loss of associated businesses – There will not be any on the harvester side. The other businesses associated with sport fishing will gain if this proposal is adopted and there certainly will be loss if not.

WHO IS LIKELY TO SUFFER? Harvesters – it may take longer to get the same number of fish. But by catching them more slowly means less time in a tote on the beach with little or no ice, which equates to higher quality. During most openers, there are so many fish caught in the first 3-4 hours that they can't get them all hauled out before dark and the fish sit there over night. Some 24 hrs or more. Another negative would be that the harvesters would have to tend the net the entire 24-hour opener to get their fish. Now they clean the river out in 3-4 hours and have to wait for the next tide to see if more fish come in. Plus with so many fish being caught in such a

short time the handling of them becomes rushed and the quality goes down. The point of a 24-hour opener is to have the quality of fish stay fresh.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Tsiu River Coalition

(HQ-F11-066)

PROPOSAL 303 - 5 AAC 30.310. Fishing Seasons. Establish criteria to determine the first commercial opening on the Tsiu River as follows:

5 AAC 30.310. Fishing Seasons.

(a) Salmon may be taken by set gillnets only as follows:

(1) in the Yakutaga district the open and closing dates will be made by emergency order, **except that in the Tsiu River the first yearly opening date will only be after 5,000 fish have escaped above the departmental marker below Duck Island as recorded with department aerial surveys.**

Or instead use:

5 AAC 30.310. Fishing Seasons.

(a) Salmon may be taken by set gillnets only as follows:

(1) in the Yakutaga district the open and closing dates will be made by emergency order, **except that in the Tsiu River the first yearly opening date will only be after 10,000 fish have escaped above the departmental marker below Duck Island as recorded with department aerial surveys.**

If the sonar is not an option then at the very least the person doing the aerial surveys should come from Cordova. As well as the plane and pilot. This will help reduce possible misrepresentation of the facts or assumptions. As seen in 2007 and 2010.

ISSUE: Current regulations allow the commercial fishery to be opened on any day on the Tsiu River by EO. The first opener is typically done with a predetermined “traditional opening date”. This does not guarantee adequate escapement.

The first opener on the Tsiu River is not done exclusively according to escapement tallied with consistent methodology, it is opened when F&G thinks it is OK based on non-consistent aerial survey methods and a “traditional opening date”. The use of a “traditional date” does not ensure adequate early escapement and often cleans the river out of the low numbers of fish found there early in the season. Additionally using this type of traditional date has caused the commercial fishery to mobilize for that date only to be shut down by lack of fish escapement.

The first opener should happen only when sufficient fish have escaped above the markers as surveyed by a Fish and Game employee. Currently the fish are counted by Fish and Game aerial survey when possible. Usually by a Fish and Game employee from Yakutat on a chartered plane from a Yakutat based air taxi. This method has proven to be faulty. In 2007 and 2010 the river

was opened for the first commercial harvest of the season when there was not enough escapement. Consequently the entire commercial operation set up shop only to be shut down at the 11th hour. In 2007 there was no aerial survey conducted before the announcement was made. The fisheries manager was making a decision based on a pilot report. Even though this pilot is very knowledgeable with counting fish from a plane, the pilot also works for an air taxi that stands to make a lot of money from commercial fishing on the Tsiu.

In 2010 the initial aerial survey was done in bad weather. Visibility is extremely low in rainy, windy conditions. The assumption was that with that kind of weather, and with 3,000 fish in the lower river, there were sure to be enough escapement to have the first opener of the season on the traditional opening date. Had the initial opener happened, in both cases, there would have been major devastation to the sport fishing user group because there were hardly any fish above the Fish and Game escapement marker. And with the low water conditions most of the fish would have been taken out of the river below the marker leaving nothing for the sport fisher.

In 2010 the weather was clear and sunny the 3 days between the announcement and the start of the opener. Many planes bringing in the commercial operation flew over the river. But no pilot report was given stating that those 3,000 fish didn't move up river, that the number of fish above the marker wasn't even close to the 5,000 minimum needed. or that a 300 yard sand bar had formed blocking almost all fish from moving up past the marker. It was business as usual getting ready for the traditional first opener, the third Sunday of August.

In 2007 the first commercial opener did not happen for two more weeks after it was shut down. In 2010 it was a one week postponement. In 2010 the initial 5,000 escapement fish needed to have the first opener didn't happen until Sep 7. And the BEG of 10,000 didn't happen until Sep 13. And that is debatable if you look at the facts.

<u>DATE</u>	<u>ABOVE MARKER</u> escapement # (actual #)	<u>POTENTIAL ESCAPEMEN T</u> escapement # (actual #)	<u>INCREASE ABOVE MARKER</u> escapement # (actual #)	<u>ADD</u> escapement #,s)	<u>WEEKLY ESCAPEMEN T GOALS</u> escapement # (actual#)
21-Aug	2,500 (5,000)	3,500 (7,000)		6,000	5,000 (10,000)
24-Aug	2,500 (5,000)	5,500 (11,000)	0	8,000	
28-Aug	2,500 (5,000)	6,750 (13,500)	0	9,250	10,000 (20,000)
3-Sep	3,000 (6,000)	5,000 (10,000)	500 (1,000)	8,000	
4-Sep					15,000 (30,000)
7-Sep	5,500 (11,000)	10,000 (20,000)	2,500 (5,000)	15500	
11-Sep					20,000 (40,000)
13-Sep	10,000 (20,000)	7,000 (14,000)	4,500 (9,000)	17,000	
18-Sep					25,000 (50,000)

21-Sep	11,000 (22,000)	7,500 (15,000)	1,000 (2,000)	18,500	
24-Sep					30,000 (60,000)

The rule of thumb for aerial surveys is that whatever you see is approximately 50% of what is actually there. This is due to many factors including grass and overhanging brush. above marker - is the area that has aerial surveys done to count escapement. This is the area that the fish are able to freely move up stream and spawn. This is where the 50% rule applies. (Yakutat Area Fisheries Biologist).

Potential escapement - Refers the area below the escapement marker. These are fish waiting to move up to the spawning beds. In this area there are many factors that could stop the fish from moving freely up stream. Such as low water conditions. This area is free of any obstructions when doing aerial surveys. The fish are in a single channel and swim on a single plane. (they are not stacked up on top of each other) The river is clear and shallow. What is seen from the air here is the actual number of what is there. Whatever the total count is in this area must be divided in half to get an accurate potential escapement.

Then you add the above marker and potential escapement together to get accurate escapement numbers. And it is this information that has to be used to manage the fishery properly.

In 2010 the potential escapement (actual #) was used in determining when to have commercial openers.

The weekly escapement goals is meant to be used as a guideline to ensure enough fish get to the area above marker. There has to be a minimum of 5,000 above marker to have the first commercial opener. The BEG (biological escapement goal) of 10,000 is the bare bones minimum that the Fish and Game wants to have for sustainable future runs on the Tsiu River.

2010 was an extremely dry, low water year. And to compound matters a beaver dam was blocking 100% of the salmon migration to the spawning beds. On or about Sep 1 it appeared that enough of the beaver dam was taken down so fish could get over it. But it was a small opening and only one fish at a time would swim over. It wasn't like opening the flood gates.

Looking at the chart, from Sep 1 to Sep 7 about 6000 fish moved into the above marker area. A little rain the night of Sep 4 probably helped this. Then between Sep 7 and Sep 13, during the lowest water conditions seen yet this season, 9,000 fish moved into the above marker area. So it took all summer for 5,000 fish to move above the marker in more favorable conditions and then in less than two weeks 15,000 moved? That would mean almost all the fish in the entire potential escapement area moved up. Or that a bunch of new fish swam through the potential escapement area to above marker area. Either way there would be fresh fish above the marker or in the potential escapement area. There was not. There were groups of people sport fishing in the area above the marker just about every day during this Sep 1-13 time frame. The fish were just getting darker and darker. Nothing fresh or worth keeping. Sep 7, 8 and 9 not many fish came in the river. (Where and when people were sport fishing, what they were catching, the strength of the run, rain and river conditions are from daily observation recordings.) A lull in the

run? Or the three trollers off shore were catching them? It doesn't matter. The point is that the possibility of 15,000 fish, or more importantly, 9,000 fish moving up between Sep 7-13, is a little hard to believe. Plus there were four openers between Sep 6-13. The total catch for these openers was about 40,000. (All aerial survey and commercial fish counts came from Yakutat area fisheries manager via email)

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be faulty and inaccurate aerial surveys. Potentially harming all user groups with the lack of good information. The commercial harvesters could be netting other rivers until the proper escapement goals are met instead of sitting around pressuring the fisheries manager to open the river. The sport fishers and related businesses would be crushed if the openers were allowed to happen prematurely. You have to remember it is only a six week season to catch the cohos. And to take away one week because of inaccurate information is a huge financial blow to all users.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Only in the fact that there will be a much better handle on how many fish are actually escaping to the spawning beds which leads to better management for all user groups which ultimately leads to higher quality in all segments of the fishery.

WHO IS LIKELY TO BENEFIT? All users of the resource. More accurate counting will in turn lead to better management which will only benefit everyone.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Tsiu River Coalition (HQ-F11-068)

PROPOSAL 304 - 5 AAC 30.350 (a)(3). Closed Waters. Amend the Ankau Creek closed waters as follows:

(a) Salmon may not be taken in the following waters:

...

(3) Ankau Inlet: inside of a line from **ADF&G regulatory markers located across the terminus of Ankau Inlet at mean low tide** [59° 32.85' N. LAT., 139° 49.70' W. LONG., TO 59° 32.78' N. LAT., 130° 49.70 W. LONG.;]

ISSUE: The Alaska Wildlife Troopers (AWT) investigating a possible closed waters violation in Ankau Inlet in 2010 discovered that the lat./long. line in the regulation book was incorrect, and did not cross the terminus of Ankau Inlet. Visible regulatory markers placed across the terminus of the inlet at mean low water would eliminate confusion regarding delineation of closed waters in Ankau Inlet.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial fishermen will continue to be confused about the line that delineates open from closed waters.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen who will be able to see the markers and know they are fishing in legal, open waters.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Correct the lat./long. line given in the regulation book. The terminus of Ankau Inlet changes over time and lat./long. lines may also need to be changed. Visible regulatory markers leave no room for confusion in this location.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-247)

PROPOSAL 305 - 5 AAC 30.350 (a)(6). Closed Waters. Amend the Akwe River closed waters as follows:

(a) Salmon may not be taken in the following waters:

(6) Akwe River: downstream from the ADF&G regulatory markers located **approximately 500 yards above the confluence with the New Italo River** [ONE-HALF MILE FROM THE TERMINUS OF THE AKWE LAGOON AT MEAN LOW WATER] and upstream of ADF&G regulatory markers located approximately two and one-half miles downstream from the westernmost end of the Sand Dunes;

ISSUE: This proposal would move the lower regulatory markers in the Akwe River from below the confluence of the Akwe River and the New Italo River to above the confluence to protect New Italo River stocks.

In 1987, the Italo River broke through the beach sand dunes and became a tributary of the Akwe River approximately one mile above the terminus of the Akwe Lagoon. Productivity of both sockeye and coho salmon in the renamed New Italo River has been in decline ever since, and no directed commercial fishery has been opened in the New Italo River since 1987. The lower Akwe River markers, by regulation, are approximately one-half mile downstream from the confluence of the two rivers, and set gillnet permits targeting Akwe River fish can intercept New Italo stocks in this area. Those markers have been moved upstream to 500 yards above the confluence by emergency order (EO) to protect New Italo stocks in the years since 1987. The situation on the ground is now stable and unlikely to change, and this marker change needs to be put into regulation to protect New Italo River fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? The lower Akwe River markers will have to be moved each year by EO to protect New Italo River salmon stocks.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All user groups if New Italo River stocks increase in abundance.

WHO IS LIKELY TO SUFFER? Yakutat setnet fishermen would lose some sets in the lower Akwe River, but the area of the Akwe River that would remain open under this change is several miles long and will accommodate any relocated permits.

OTHER SOLUTIONS CONSIDERED? Continue to move the markers by EO. The physical change in the rivers is now permanent, and the marker movement needs to go into regulation so fishermen will know how the area is being managed.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-246)

PROPOSAL 306 - 5 AAC 30.331. Gillnet Specifications and Operations. Change the day when allowable gear increases on the Alsek River from Monday to Sunday as follows:

(1) In the Yakutat District

...

(I) in the Alsek River no set gillnet may be less than 10 fathoms or more than 25 fathoms in length;

(i) before the third **Sunday** [MONDAY] in July, no CFEC salmon permit holder may operate more than three set gillnets, and the aggregate length of set gillnets may not exceed 50 fathoms;

(ii) from the third **Sunday** [MONDAY] in July no CFEC salmon permit holder may operate more than 75 fathoms of set gillnet in the aggregate;

ISSUE: In 2006, the weekly opening day for fishing periods in the Yakutat District was changed from Monday to Sunday by regulation. All other fishing regulations were supposed to have been changed to reflect the new opening day. During the third week of July, allowable gear in the Alsek River increases from 50 to 75 fathoms, but the day that increase goes into effect was not changed in regulation from Monday to Sunday.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will have to continue to correct the day from Monday to Sunday by emergency order.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? CFEC salmon permit holders fishing the Alsek River will be able to increase aggregate gear during the third week of July on the day of the opening for that fishing period.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-262)

PROPOSAL 307 - 5 AAC 29.120. Gear specifications and operations. Allow downriggers in Southeast Commercial hand troll fishery all season as follows:

Handtrollers have the option of hand- powered downriggers in conjunction with fishing rods and hand powered reels for all seasons.

ISSUE: Use of downriggers by hand troll vessels is currently restricted to only the winter season. This proposal would allow the use of downriggers for all season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Those with injuries such as shoulder and arm injuries would continue to aggravate injury with the use of hand gurdies, resulting in increased loss of income and higher medical costs. Higher operating costs due to the use of heavier commercial type gear. Higher by catch of other species. Downriggers can fish at precise depths therefore reducing the catch of non targeted species.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Salmon hooked on rod and reel type gear are less likely to be foul hooked than salmon hooked on handgurdies resulting in a higher quality product. The mortality rate would be reduced due to the decrease of foul hooked fish.

WHO IS LIKELY TO BENEFIT? All hand trollers would benefit from having this option available to them. Those with physical limitations. All power and hand trollers, will benefit by having the ability to produce a higher quality product that will reflect in the overall retail market.

WHO IS LIKELY TO SUFFER? Since this proposal allows the option of using considerably less gear, producing higher quality fish, reducing bycatch and reducing the mortality rate, it does not have a negative impact on anybody in the fisheries that I can think of. There is no data produced by anybody, that would suggest that this proposal would have an unfair or an advantage over other gear groups.

OTHER SOLUTIONS CONSIDERED? Extending the season that downriggers are allowed, to include the spring season, but not the summer season.

PROPOSED BY: Michael W. Whitre (HQ-F11-078)

PROPOSAL 308 - 5 AAC 29.120. Gear specifications and operations. Allow six trolling lines on specified inside waters of Southeast Alaska to increase the harvest of enhanced salmon as follows:

5 AAC 29.120 Gear specifications and operations. (a) Salmon may be taken by hand troll gear and power troll gear only in the Southeastern Alaska-Yakutat Area.

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

(1) from a power troll vessel:

(A) no more than six lines may be operated in the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer **and in the areas described in the spring troll management plan during the spring and summer season;** and

(B) except as provided in (A) of this paragraph, not more than four lines;

ISSUE: To help optimize the Troll harvest of enhanced salmon by allowing 6 trolling lines on the inside waters of Southeast Alaska (possibly use the spring hatchery areas to minimize wild stock interactions). The troll fleet is below their allocation range of the Southeast Enhanced Salmon Allocation Plan 5 AAC 33.364. Allowing the use of 6 trolling lines when targeting enhanced salmon should increase the catch rates. There are plenty of areas and opportunity to catch enhanced salmon, but a lot of the troll fleet is still unwilling to pursue enhanced salmon and without more boats participating in the opportunity an alternative is to allow those willing to pursue enhanced salmon additional gear to maximize their harvest.

WHAT WILL HAPPEN IF NOTHING IS DONE? The troll fleet will remain below their Southeast Enhanced Allocation range. At the Regional Aquaculture Associations a high percentage of the budget (NSRAA is over 50%) is spent raising enhanced fish for the troll fishery but it hasn't solved the problem.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? The trollers and all Southeast commercial salmon fishermen in helping to bring balance to the Southeast Alaska Enhanced Salmon Plan.

WHO IS LIKELY TO SUFFER? None - some trollers might object because they currently use the two extra gurdies to pull their stabilizers.

OTHER SOLUTIONS CONSIDERED? Opening all areas for six lines as west of Cape Spencer is already allowed to use six lines.

PROPOSED BY: Ed Hansen (HQ-F11-072)

PROPOSAL 309 - 5 AAC 29.120. Gear specifications and operations. Allow four hand troll gurdies in the summer troll fishery following the initial king salmon retention period as follows:

5 AAC 29.120. Gear specifications and operations. (a) Salmon may be taken by hand troll gear and power troll gear only in the Southeastern Alaska-Yakutat Area.

(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.

ISSUE: Delete the portion pertaining to the maximum number of rods that may be on a hand troll vessel.

The maximum number of rods that may be used has already been established in paragraph (C), and is ignored in the Winter fishery as provide for on page 98, paragraph (j) (5). Extra rods are spare equipment to cover breakage and loss.

WHAT WILL HAPPEN IF NOTHING IS DONE? The limit on rods that may be on board penalizes law abiding hand trollers that choose to fish with rod and reel gear Those that break the law don't care what is written in the regulations.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Handtrollers that choose to use rod and reel gear will have spare equipment in case of loss or breakage.

WHO IS LIKELY TO BENEFIT? Handtrollers that choose to use rod and reel gear.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? There are none.

PROPOSED BY: Bill Davidson (HQ-F11-013)

PROPOSAL 310 - 5 AAC 29.080. Management of the winter salmon troll fishery. Amend the winter king salmon guideline harvest range by adding hatchery-produced kings as follows:

(a) the department shall manage the winter salmon troll fishery so that the harvest of king salmon does not exceed a guideline harvest level of 45,000 fish **plus the number of Alaska hatchery Chinook estimated by the department to have been harvested during the winter troll fishery** with a guideline harvest range of 43,000 to 47,000 **plus the Alaska hatchery add-on.**

ISSUE: The value of Alaska winter season troll king salmon is significantly higher than the value of Alaska summer season troll king salmon. During the winter troll season, about 10% of the harvest is Alaska hatchery king production that does not count against the treaty cap. Currently that percentage is "added-on" to the summer quota. The department has the tag sampling ability to accurately estimate the number of Alaska hatchery kings caught during the winter season and could "add-on" that number to the winter season when they are most valuable. A rolling historic average of the winter hatchery "add-on" catch could be used instead of a single year if this is more feasible.

WHAT WILL HAPPEN IF NOTHING IS DONE? An Alaskan winter troll-caught king salmon is usually worth considerably more per pound than a summer king salmon. Marketing personnel indicate that week to week access of these high-value king salmon through April helps to sell and adds value to fresh halibut, rockfish, and lingcod as wholesalers work with their steady suppliers. Continuing the supply of Alaska troll-caught king salmon on a year-round basis solidifies the Alaska troll salmon market share and adds value to the hatchery access harvest in May and June. Action by the Board to enact this or a similar proposal will result in economic gain and opportunity for Alaska trollers, troll Chinook marketers and trolling communities.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this proposal will improve the quality of the resource harvested and products produced. Managing the troll harvest of Alaska hatchery king salmon to optimize the value is the purpose of this proposal. The troll fishery has traditionally been managed to suit the internal allocation conveniences of various segments of a highly diversified fleet both in terms of geography and lifestyle interests in when they want to fish. Adding the Alaska hatchery kings caught in the winter to the winter harvest optimizes their value as opposed to adding them to the summer when they are not as valuable.

WHO IS LIKELY TO BENEFIT? Consumers, winter trollers, seafood marketers, Southeast rural communities, and the State of Alaska.

WHO IS LIKELY TO SUFFER? Trollers who limit their fishing to the summer season only will lose part of a day of summer Chinook fishing.

OTHER SOLUTIONS CONSIDERED? A great deal of conversation and information at port meetings about how to optimize the value of troll-caught salmon and how the troll fleet needed to look at every issue, from harvest patterns to fish handling to better serve what the market needs has been incorporated into this proposal.

PROPOSED BY: Sitka Advisory Committee (HQ-F11-133)

PROPOSAL 311 - 5 AAC 29.110. Management of the Coho Salmon Troll Fishery. Change beginning date for coho salmon retention in the spring king salmon fishery from June 15 to June 1 as follows:

Beginning June 1, allow retention of coho salmon by trollers fishing within the boundaries of the spring Chinook hatchery access areas.

ISSUE: Trollers are not allowed to keep coho until June 15. Trollers are particularly interested in accessing early returning hatchery coho, which are often high value, mature fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? Summer run hatchery coho harvest and early season troll market opportunities for coho will continue to be missed.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The troll fleet and processors. Hatchery allocation imbalances could improve with a wider window of troll harvest opportunity.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Trollers Association (HQ-F11-225)

PROPOSAL 312 - 5 AAC 29.110. management of coho salmon troll fishery. Require 10-day mid-August troll closures for conservation and allocation based on the department's midseason assessment as follows:

5AAC 29.110 ...(b) The commissioner **shall** [MAY] close by emergency order the coho salmon troll fishery in SE Alaska-Yakutat Area for conservation of coho stocks as follows:

1. For [UP TO] seven days beginning on or after July 25 if the total projected commercial harvest of wild coho salmon is less than 1.1 million; or
2. For [UP TO] 10 days, if the department makes an assessment and determines that....

ISSUE: The annual SE Alaska troll closure is ambiguously applied by the Department of Fish and Game leaving some areas of inner SE Alaska without adequate coho stocks for conservation and other user groups. Inside waters fishermen often are the only ones to bear the brunt of conservation measures, which limits fishing time, numbers of fish retained and area for inside waters harvesters.

WHAT WILL HAPPEN IF NOTHING IS DONE? The movement of wild coho salmon will not adequately reach inside waters for conservation and other user groups. The annual troll closure should occur automatically every year to allow for conservation and the length of the closure should be based upon coho abundance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A-Not applicable.

WHO IS LIKELY TO BENEFIT? The resource of wild coho salmon, sport fishermen, and subsistence users and inside waters commercial fishermen, i.e., inside trollers, gillnetters and seine fishermen will all benefit.

WHO IS LIKELY TO SUFFER? Outside water commercial troll fishermen.

OTHER SOLUTIONS CONSIDERED? Request ADFG to identify stock specific coho harvests in outside waters and to control harvests on stock specific coho and then limit

overharvest of individual stocks. ADFG unfortunately has funding issues, which would limit an extremely expansive sampling and management program for the outside troll fishery.

PROPOSED BY: United Southeast Alaska Gilnetters Association (HQ-F11-189)

PROPOSAL 313 - 5 AAC 29.110. Management of coho salmon troll fishery. Extend season for the troll coho fishery in Southeast to September 30 but closed earlier by emergency order when warranted as follows:

- (a) Coho salmon may be taken from June 15 through September **30** [20]. [HOWEVER, THE COMMISSIONER, IN YEARS OF HIGH COHO SALMON ABUNDANCE, MAY EXTEND, BY EMERGENCY ORDER, THE COHO SALMON FISHERY IN ANY PORTIONS OF DISTRICTS 1-16 FOR UP TO 10 DAYS AFTER SEPTEMBER 20].

ISSUE: The troll coho fishery is managed on abundance yet closes on a fix date, unless ADF&G extends the fishery on emergency order. While fishery extensions under this provision are appreciated, they come at the end of the season on short notice, which has led to confusion and logistical difficulties for the fleet and processors. Recent years have seen increasing numbers of both wild and hatchery coho arriving late in the season, so it seems to make more sense to change the coho closure date to September 30, and allow ADF&G to manage according to the actual stock timing and abundance each year. If conservation and/or other regulatory goals dictate a season shorter than September 30, ADF&G already has full authority to close the fishery on emergency order.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers could lose opportunity if the fishery is unexpectedly extended on short notice if they don't get word before they leave productive fishing areas or break down their gear for the season. Processors will experience unnecessary confusion and planning difficulties, such as the hire and release of seasonal processing crew. Late returning hatchery coho are not caught by the troll fleet, with exacerbates the longstanding hatchery allocation imbalance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. It allows a bit more high quality hook and line salmon to go to market late in the season.

WHO IS LIKELY TO BENEFIT? Trollers, processors, and consumers who would like to get a few more days of access to wild hook and line salmon. Communities and the support sector who serve the fleet. Hatchery operators who might have late returning coho, which are being produced in part for the troll fleet. Hatchery imbalances could be better addressed.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Trollers Association (HQ-F11-220)

PROPOSAL 314 - 5 AAC 29.110. Management of coho salmon troll fishery. Through September lengthen the troll season in Districts 1, 6, and 8 each week gillnet fisheries are opened in these districts as follows:

From the first Sunday in September thru the 30th of September, trolling will be open in the area(s) within Districts 1, 6, and 8 that are open to gillnetting. When there is an opening(s) in a given Stat. Wk. for gillnetting then trolling will be open for the entire stat. wk.

ISSUE: Trollers do not have access to SSRAA produced coho after the 20th of September. Trollers should have an equal opportunity to catch SSRAA produced cohos in the area(s) that are open to the drift gillnet fleet within Districts 1,6 and 8.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers will continue to be below the targeted allocation of enhanced salmon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Troll caught coho salmon are more valuable and of higher quality.

WHO IS LIKELY TO BENEFIT? Troller – by gaining harvest opportunity.

WHO IS LIKELY TO SUFFER? Gillnetter – they would be sharing this resource with trollers.

OTHER SOLUTIONS CONSIDERED? A ratio of 4 troll to 1 gillnet. hard to manage, not continuous, winter troll season conflicts.

PROPOSED BY: Charles Piercy (HQ-F11-228)

PROPOSAL 315 - 5 AAC 29.100. Management of the summer salmon troll fishery. In Section 1-E redefine the area open for trolling and extend the summer closure date from September 20 to September 30 as follows:

(d)(2)(A)[IN THE WATERS OF SECTION 1-E, BOUNDED BY A LINE FROM ESCAPE POINT TO NOSE POINT WITHIN ONE MILE OF THE SHORELINE] in the waters of Section 1-E, bounded by a line from southernmost tip of Nose Point to a point in West Behm Canal at 55°48.73' N. latitude, 131°44.01' W. longitude (located 1 nautical mile west of Nose Point) then south to a point at 55°43.92' N. latitude, 131°45.44' W. longitude (located 1 nautical mile west of the northernmost tip of Bushy Point), then south to a point at 55°39.09' N. latitude, 131°44.69' W. longitude (located 1 nautical mile west of Escape Point), to the northernmost tip of Escape Point, and in waters of Neets Bay west of the longitude of the southernmost tip of Chin Point and in Traitors Cove west of 131°.41.80' W. longitude, from July 1 through September [20] 30;

Note: The proposed definition of the area is an ADF&G proposal, probably labeled “housekeeping”. The only change related to this specific request is the change from 20 September to 30 September.

ISSUE: Historically it has been more difficult to provide enhanced Chinook and coho harvest for trolls than to provide enhanced salmon harvest for net gear. In part this has to do with the nature of hook and line fishing as opposed to net gear, particularly in terminal harvest areas. This has led to an imbalance in the SE allocation of enhanced fish; since the inception of that agreement the trollers have never achieved their allocation of enhanced salmon (value). Though all the salmon produced in enhancement projects are common property fish, in essence the effort to produce large numbers of coho is pointed toward enhancing troll harvest while understanding there will be benefits to net fisheries from this same production. The SSRAA Board feels it is important to give trollers every reasonable opportunity to catch coho produced in SSRAA’s programs.

The timing of fall coho runs is quite different across SE Alaska. The Chickamin River stock, used in all of SSRAA’s fall coho projects, is a very late run stock. The release of these fish at Neets Bay is the largest Long-term fall coho producer for traditional fisheries in SE. The peak of the return in the Neets Bay THA is generally from mid September through early October.

The troll fishery on coho is a SE wide fishery that is managed on the overall abundance of coho across SE. It is not uncommon for this fishery to close on 20 September. While a closure on 20 September addresses the overall abundance, and many of the different coho runs are over or nearly over at that date, the abundance, and many of the different coho runs are over or nearly over at that date, the abundance of the SSRAA fish in Clarence Strait (D 106 drift net) and Behm Canal near Neets Bay is still strong. This area (D106) is often open to drift net gear for parts of two weeks after the troll closure. The harvest of these coho in D106 during this period is substantial, often exceeding 20,000 fish. Coded wire tag information suggests almost all the coho caught at this fishery are SSRAA fish. A large number of Neets Bay coho escape this fishery, traversing a portion of Behm Canal and entering the Neets Bay THA.

For reasons none of us understand, coho go “off the bite” once they enter Neets Bay. Troll gear is not effective once these fish move into the bay (THA), while at the same time troll gear can be very effective immediately outside the THA. There is a specific area of Behm Canal just outside of the Neets Bay THA (described below) that is open to trollers early in the summer in order to access Chinook salmon returning to Neets Bay. While this area is open early in the season to access Chinook, it is not open after the September troll closure. We propose giving trollers access to a substantial number of SSRAA coho by leaving this same small area immediately outside the Neets Bay THA open until the end of September.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be large late season harvests of fall coho returning to Neets Bay by net gear in D106 and during rotational fisheries in the Neets Bay THA. Trollers will not be able to effectively access these fish during this period. Secondly, this exacerbates the problems associated with getting fish produced for troll fisheries into troll holds.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Troll harvest just outside the THA will generally produce a slightly brighter fish than a fish caught by net gear near the hatchery. The troll caught fish are also less likely to have “chalky flesh” as compared to a fish caught closer to fresh water in either SSRAA cost recovery or net gear rotational fisheries.

WHO IS LIKELY TO BENEFIT? The direct benefit will be to the troll fleet. The indirect benefit will be to all SE salmon permit holders as this harvest would help trollers move toward their agreed allocation of enhanced fish (value).

WHO IS LIKELY TO SUFFER? While it is not uncommon that 80% of these fish are harvested in traditional common property fisheries before the fish reach the THA, historically SSRAA harvested most of the remaining 20% of the coho after they returned to the Neets Bay THA. The Drift fishery in Clarence Strait occurs before the coho reach the proposed troll fishery. SSRAA would not suffer as coho make up a very small part of the organization’s cost recovery goal.

OTHER SOLUTIONS CONSIDERED? There is no other way to give the troll fleet effective access to these fish after a 20 September general troll closure.

PROPOSED BY: SSRAA (HQ-F11-045)

PROPOSAL 316 - 5 AAC 29.100. Management of the summer salmon troll fishery. In Section 1-E redefine the area open for trolling as follows:

(d)(2)(A) in the waters of Section 1-E, bounded by a line from southernmost tip of Nose Point to a point in West Behm Canal at 55°48.73' N. lat., 131°44.01' W. long. (located approximately 1 nautical mile west of Nose Point) then south to a point at 55°43.92' N. lat., 131°45.44' W. long. (located approximately 1 nautical mile west of the northernmost tip of Bushy Point), then south to a point at 55°39.09' N. lat., 131°44.69' W. long. (located approximately 1 nautical mile west of Escape Point), to the northernmost tip of Escape Point, and in waters of Neets Bay west of the longitude of the southernmost tip of Chin Point and in Traitors Cove west of 131°41.80' W. long. [IN THE WATERS OF SECTION 1-E, BOUNDED BY A LINE FROM ESCAPE POINT TO NOSE POINT WITHIN ONE MILE OF THE SHORELINE] from July 1 through September 20;

ISSUE: The waters of Section 1-E in West Behm Canal north of Escape Point and south of Nose Point has traditionally been open to trolling within one nautical mile of the Revillagigedo Island shore from July 1 through September 20. The troll fleet concentrates on waters outside of the Neets Bay Terminal Harvest Area (THA) during the time that chum salmon are returning to the Neets Bay hatchery. However, when this fishery is occurring and the Neets Bay THA is closed to trolling, there is a break in the northern and southern sections of open area near the mouth of Neets Bay. The line is described as within one mile of the shoreline, but because the

mouth of Neets Bay is wider than two miles, there is a small closed section between the northern and southern areas.

This small closed section does not allow a troll vessel to legally fish without removing gear from the water when fishing between the southern section and the northern section. This proposed change in the area description would redefine this Section 1-E fishery, allow trollers to fish historical drags, and allow uninterrupted fishing in the area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Troll fishermen will have impaired access to the waters of Section 1-E in front of the Neets Bay THA, and at times may need to remove their gear from the water while fishing the historical drag.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Troll fishermen, state enforcement agencies, and the department will benefit from a simplified delineation of the open area.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-244)

PROPOSAL 317 - 5 AAC 29.110. Management of the Coho Salmon Troll Fishery. Extend the summer closure date in a portion of Section 1-E to September 30th as follows:

- (1) A portion of Behm Canal – Indian Point to Nose Point – will remain open to trolling until at least September 30th.

ISSUE: Trollers would like access to Neets Bay hatchery coho in the late part of the season. The troll season currently closes on September 20 unless it is extended for exceptional wild coho abundance. Both wild and hatchery coho have been returning to the region later in recent years; Neets Bay hatchery coho often don't return to the hatchery until the troll fishery is closed.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers will continue to lose access to hatchery fish they pay for and will fall further behind on their enhanced fish allocation.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. The further these fish are caught from the hatchery, the better the quality will be. And, it will be easier to catch them in the requested areas, because the closer the fish get to the hatchery the less likely they are to bite.

WHO IS LIKELY TO BENEFIT? The troll fleet and processors. Hatchery operators and fishermen who are struggling to find ways to address the long standing hatchery allocation imbalance.

WHO IS LIKELY TO SUFFER? SSRAA would lose a small portion of their cost recovery revenue, but it would not be significant and is likely to be mitigated somewhat through enhancement tax paid by commercial fishermen.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Trollers Association (HQ-F11-226)

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 to Mary Island Light to the southernmost tip of Cone Island, 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 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, 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.]

ISSUE: Most waters of Section 1-F are open to trolling during the summer fishery, with the exception of two relatively small areas within section 1-F. These two areas are closed during all or part of July to protect wild king salmon returning to rivers in Behm canal and Boca de Quadra. The existing regulation, as written, does not specify when waters of Section 1-F are open outside of those two restricted areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers who operate gear in Section 1-F during the summer fishery, outside of the two restricted areas, will inadvertently be fishing in

closed waters. Department staff, state enforcement agencies, and troll permit holders will continue to be confused by the existing regulatory language.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Troll permit holders, state enforcement agencies, and the department.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-245)

PROPOSAL 319 - 5 AAC 29.100. Management of the summer salmon troll fishery. Increase troll opening in Chichagof Pass to seven days a week to access enhanced Anita Bay chum as follows:

Exempt 108-10 from regulation 29.100(e).

ISSUE: To provide better access, District 108-10 needs to be open to trolling 7 days per week after June 30 allowing harvest of chum salmon returning to the Anita THA.

WHAT WILL HAPPEN IF NOTHING IS DONE? This will help trollers increase their allocation harvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Trollers would benefit.

WHO IS LIKELY TO SUFFER? Net fishers could suffer, if trollers increase their harvest of Anita Bay chum salmon.

OTHER SOLUTIONS CONSIDERED? Open all of District 8 to the summer troll season

PROPOSED BY: Wrangell Advisory Committee (HQ-F11-151)

PROPOSAL 320 - 5 AAC 29.097. District 11 King Salmon Management Plan. Increase the area of Section 11-A open to trolling in the directed Taku King Salmon Fishery as follows:

ATA requests the following boundary revision in Section 11-A, to provide improved fishing opportunity for trollers.

- (1) In the waters of Section 11-A that are east and south of a line from Piling Point to **Outer Point** [MIDDLE POINT] then south and west of a line from Marmion Island Light to Circle Point.

ISSUE: Trollers have inadequate access to harvest Chinook in the years that the District 11 directed Taku River king salmon fishery is open. ATA is seeking a modest increase in the area currently available to trollers in 11-A.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers will continue to lose opportunity to harvest the Taku River salmon stocks that they helped to rebuild. Limited time and area has impacted the fleet's ability to catch a fair share of the harvest. Gillnet catch rates are typically 5 times that of a troller. When this fishery was open in 2006, trollers landed just one tenth of a percent (0.001%) of the total harvest. From 2005-2006, trollers averaged only sixteen (16) fish. These low catches are likely to continue if adjustments are not made.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. If trollers are provided a better fishing area they could add more high quality fish to the district harvest.

WHO IS LIKELY TO BENEFIT? The local troll fleet, which helped rebuild Taku River stocks in District 11; local processors; and, consumers of troll caught fish. This proposal would allow early season opportunity close to home for Juneau area trollers.

WHO IS LIKELY TO SUFFER? No one. The area is large enough to accommodate all users. While this small adjustment could help improve harvest in an area shared with anglers, troll effort and harvest rates were very low in the years the fishery was opened. Given the small area, silty glacial water and close proximity to the river where fish don't tend to bite as well, it is unlikely there will ever be a large influx of troll participants.

OTHER SOLUTIONS CONSIDERED? Status quo – The troll harvest rate has been so low that only expanded time and area will provide fair and adequate access. Open a bigger area or multiple smaller areas – this option would create unnecessary conflict with the other user groups.

PROPOSED BY: Alaska Trollers Association (HQ-F11-224)

PROPOSAL 321 - 5 AAC 29.100. Management of the summer salmon troll fishery.
Amend closed waters for the Situk River troll fishery as follows:

5 AAC 29.100 (i) (2) [59' 29.70' N. LAT., 139' 44.00' W LONG. AND INTERSECTING THE THREE MILE LIMIT AT 59' 27.77 N. LAT., 139' 49.28' W. LONG] and add **59' 30. 49 N. lat., 139' 46. 58 W. long., and intersecting the three mile limit at 59' 28.65 N. lat. 139' 51.17 W. long.** and in **5AAC 30.365 (4) (B)** [59' 29.70' N. LAT., 139' 44.00' W LONG. AND INTERSECTING THE THREE MILE LIMIT AT 59' 27.77 N. LAT., 139' 49.28' W. LONG.]

and add [59' 30. 49 N. LAT., 139' 46. 58 W. LONG., AND INTERSECTING THE THREE MILE LIMIT AT 59' 28.65 N. LAT. 139' 51.17 W. LONG.]

These actions will effectively move the western river boundary west approximately 1.5 miles to accommodate the Situk River's current migration. The first change deals with the fall coho schedule under general trolling regulations, and the second changes the troll boundary for the summer king trolling boundary under the Situk river management plan.

ISSUE: The mouth of the Situk River has a 3 mile no trolling corridor around it to protect returning runs of coho and king salmon. Over the last few years the mouth of the Situk River has migrated towards the west approximately 1.5 miles. The corridor needs to be adjusted to fit the parameters of where the river mouth is currently.

WHAT WILL HAPPEN IF NOTHING IS DONE? There exists the potential for different users groups to feel that the troll fleet will be allowed access to fish stocks to close to the terminus of the Situk River.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? There is no doubt that this action is allocative. It is intended to allow a corridor for more fish to migrate into the Situk River where some of which will be harvested by the gillnet fleet.

WHO IS LIKELY TO SUFFER? There are some trollers who like to fish right up to the boundary who will be forced to move further away.

OTHER SOLUTIONS CONSIDERED? Much discussion was held on this subject. It is an area that can at times see a large number of trollers and they do have an impact on the numbers of fish returning into the Situk River. Having a corridor to allow for escapement is a good idea, and keeping it fair so all user groups feel like they are getting equal access to the fish is a good idea. The area to potentially be excluded to trolling is not nearly as productive as it is from the potential new boundary further to the west to Ocean Cape. The main concern from the troll fleet as represented was what if the Situk migrates even further West in the future? Will this set a precedence that may someday push them off of the drag that is their most productive? To be fair it was decided that there would be no further Westward migration boundary moves, and to offset this permanent line, the Eastern boundary would not be moved, thereby increasing the overall troll closure area by 4.5 square miles.

PROPOSED BY: Yakutat Advisory Committee (HQ-F11-341)

PROPOSAL 322 - 5 AAC 29.100. Management of the summer salmon troll fishery.
Amend closed waters for the Situk River Troll Fishery as follows:

- (i) in the Yakataga and Yakutat Districts,...

...

(2) from August 7 through September 20, salmon may not be taken in waters bounded on the west by the three-nautical-mile limit of the territorial sea on the north by a line extending seaward from 59°32.49' N. lat., 139°51.79' W. long. (OCEAN CAPE), [59°29.70' N. LAT., 139°44.00' W. LONG.] and intersecting the three-nautical-mile limit at 59°39.69' N. lat., 139°55.49' W. long., [59°27.77' N. LAT., 139°49.28' W. LONG.,] and on the south by a line extending seaward from 50°21.92' N. lat., 139°23.15' W. long., [59°20.30' N. LAT., 139°16.50' W. LONG.] and intersecting the three-nautical-mile limit at 59°19.90' N. lat., 139°26.39' W. long. [59°18.25' N. LAT., 139° 21.94' W. LONG.]

ISSUE: This closed area has been in regulation in order to reduce exploitation of Situk River coho salmon stock by troll gear. The same area has also been established in 5 AAC 30.365 in order to reduce troll exploitation of the Situk River king salmon stock.

The regulation closes a rectangle of ocean waters adjacent to the terminus of the Situk-Ahrnklin Inlet a distance of approximately 10 miles north and south of the terminus of the inlet. The terminus of the inlet has been migrating northward along the beach such that the closed water rectangle extends now from approximately 15 miles south of the terminus to approximately five miles to the north of it. This proposal merely adjusts the lat./long. lines to reflect the newer geography.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be inequity between the amounts of closed waters either side of the terminus of the inlet. The terminus is continuing its westward movement and, at some point, could overlap the northern lat./long. line.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? No one. If adopted, this proposal merely reestablishes the original intent of the regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-241)

PROPOSAL 323 - 5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan. Revise basis for the Southeast Alaska Area Enhanced Salmon Allocation Management Plan to include only production by regional associations as follows:

5 AAC33.364. (a) The purpose of the management plan contained in this section is to provide a fair and reasonable distribution of the harvest of salmon from enhancement projects among the seine, troll, and drift gillnet commercial fisheries, and to reduce conflicts amongst these users, in the Southeastern Alaska Area. **Production of enhanced salmon for allocation purposes shall be**

from the production of fish generated by the regional aquaculture associations only. The board of fisheries....

ISSUE: Currently, the SE Alaska Allocation Area Enhanced Salmon Management Plan requires collection of salmon enhancement taxes from all parts of SE Alaska, which only go to the two regional aquaculture associations, NSRAA and SSRRA. There are multiple Private Non-Profit(PNPs) hatcheries that also produce enhanced fish but do not receive salmon enhancement taxes. Production from these PNPs however, is taxed in each area in which the fish are caught. Money collected is supposed to be spent on gear specific projects in order to meet the allocation percentages set forth in the SE Salmon Enhancement Allocation Plan. The regional associations are the only recipients of enhancement taxes. Each regional association also is set up to provide for gear specific representation. Private Non-Profits(PNPs) are not required to have gear specific representation and may not be located in areas to benefit all gear groups. Production from the PNPs cannot be evenly distributed to all gear groups without severe and major upheaval in all fishing districts as fishing districts are currently set aside for various gear groups with limited crossover. Each regional association has fishing areas available to all three gear groups. However, the production from the PNPs is utilized in determining allocation of enhanced fish amongst all gear groups, even though the PNPs do not receive the salmon enhancement tax and do not have a fair and just process for divvying up enhanced salmon production as the regional associations are set up to provide.

In past years, there has been limited data (otolith marking) to provide for full accounting for all enhanced fish. This problem will hopefully be rectified by 2012 as ADFG is now requiring that all fish be watermarked. Without complete data, some fish have been counted while other fish have not. Some PNP hatcheries have had intermittent use of otolith markings providing inconsistent and incomplete data for determining enhancement contributions in total. PNP production should not be counted for allocation purposes, as there is no equal application to treat all PNP hatcheries the same in SE Alaska due to otolith marking inconsistencies and location of PNP production geographically. Removing all PNPs from the Southeast Alaska Area Enhanced Salmon Allocation Management Plan would then provide for a simple and just system of producing, taxing and spending to achieve allocation percentages set forth in the allocation plan. The current system allows for abuse and manipulation by one gear group or another based on incomplete data, while taxes are still collected on all gear groups. Prince William Sound also removed PNPs from their allocation plan in accordance with the removal of wild fish, as the contribution from PNPs is difficult to fully ascertain and provide equally for all users. PNPs operate in gear specific areas geographically and do not have equal gear group representation, nor do they receive enhancement taxes to fund future projects.

Removing PNP production from the overall plan, would satisfy the intent of the allocation percentages set forth in the allocation plan without undue manipulation by a PNP's production.

WHAT WILL HAPPEN IF NOTHING IS DONE? Current private non-profit salmon production will contribute to the overall SE Area Salmon Enhancement Management Plan with no process for divvying production equally to all gear groups. Equal access cannot be ascertained without major upheaval to existing boundaries of all gear groups. Production from the PNPs will be inconsistently accounted, dependent upon varying use of otolith(water) marking

used for identification. Removing the PNPs from the allocation plan is the only fair and just method for full accountability.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? All gear groups, as each PNP hatchery is located near one gear group specifically. It is up to the gear groups in the areas with a PNP hatchery to work on providing production beneficial to that fleet. The additional benefit, is that the regional aquaculture associations can work on producing fish to meet the allocations set forth in the Salmon enhancement Plan without undue influence made by PNP production that has little connection to the taxes collected or the allocation requirements set forth in the SE Enhanced Salmon Allocation Plan for each gear group.

WHO IS LIKELY TO SUFFER? No one group or one individual as the allocations set forth in the SE Alaska Area Salmon Enhancement Management Plan will continue to be the same. The regional aquaculture associations will be tasked with producing enhanced fish under the plan directly without the influence of any PNP hatchery production. The process for providing allocation of enhanced salmon will be much easier and controllable by the regional associations which collect all of the salmon enhancement dollars and who must by regulation have equal gear group representation.

OTHER SOLUTIONS CONSIDERED? Re-evaluation of the SE Area Salmon Enhancement Management Plan as the data used was from 1985 where it was extremely difficult and inaccurate to determine the catch of wild vs. enhanced salmon as fish during this time were not thermally marked(otolith) and therefore indistinguishable from one salmon to another. Prince William Sound also found that the data used for formation of the PWS salmon plan was also incomplete and incongruous with regards to accuracy. The department had one number while the aquaculture association had another number for determining allocation percentages. It is highly suspect and possible the SE Alaska Area Salmon Enhancement Plan incorporated faulty data to begin with and thus the percentages set forth for allocation are not achievable under with current enhanced production.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-196)

PROPOSAL 324 - 5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan. Create separate enhanced salmon allocation plan for northern and southern Southeast Alaska as follows:

5 AAC 33.364 (e) Each regional association will individually be responsible for achieving the allocations and percentages set forth in the Southeastern Alaska Area Enhancement Salmon Allocation Management Plan.

ISSUE: Currently, one enhanced allocation plan currently covers all of SE Alaska, while each regional aquaculture association taxes and has gear specific representation to address area-wide

specific salmon enhancement projects. Splitting up the responsibilities into two specific areas will allow the regional boards to appropriate fish in a more fair and just manner. Currently, one area of SE may produce an excess amount of hatchery fish, where as the other aquaculture association may use the other hatcheries production to balance its requirement to produce fish for a specific gear group under the plan. Having a North and South Split, would provide for a fair distribution of resources as each area collects salmon enhancement taxes and thus spends them accordingly. The Regional Planning Team would still be responsible for overseeing enhanced allocation, but would have two distinct areas for each gear group to meet their allocation needs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishermen who fish in the northern or southern part of SE Alaska are taxed on all harvested fish and may not be getting any production from their regional association who receives enhancement taxes. In other words, some regional aquaculture associations will receive taxes from a gear group and not spend money on enhancement for the same gear group due in part, from another regional association's production of fish or from the production of a Private Non-Profit hatchery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? All three gear groups at various points in time.

WHO IS LIKELY TO SUFFER? No one group or individual will suffer under this proposal. If anything the SE enhancement plan can be more precisely implemented rather than trying to achieve allocation percentages on a grand scale, which includes all of SE Alaska. No individual gear group or individual should be taxed and receive little or no benefit from fish enhancement taxes.

OTHER SOLUTIONS CONSIDERED? Reevaluate and reconfigure the Southeast Alaska Area Enhancement Salmon Allocation Management Plan; however this is unlikely as the other gear groups have outvoted and will out vote our gear group 4-2 each time.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-193)

PROPOSAL 325 - 5 AAC 29.090. Management of the spring salmon troll fisheries. Re-direct spring troll fishery management to target chum salmon to address the enhanced salmon allocation imbalance as follows:

5 AAC 29.090 (k) Notwithstanding (a) -(d) of this section the commissioner may, by emergency order, extend the length of, or set, weekly fishing periods during the spring fishery to optimize the troll harvest of hatchery chum salmon in the following areas:

(i) District 14, subdistricts, 114-50, 114-21, 114-23, 114-25

(ii) District 12, South of the latitude of Pt. Howard, and North of the latitude of Hawk Pt.

(iii) District 9, South of latitude 56 degrees 21' and North of latitude 56 degrees 15 .83 minutes.

ISSUE: There is a Board of Fisheries plan, 5 AAC 33.364, which allocated SE enhanced salmon. Their troll allocation range is 27-32%. Trollers have harvested 19% since inception. Trollers are short approximately 2.3 million per year.

WHAT WILL HAPPEN IF NOTHING IS DONE? In recent years trollers have been paying 35% of the SE salmon enhancement tax while only receiving 19% of the benefit. Without passage of this or similar proposals trollers will continue to be well short of their harvest share.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Troll harvested June chums are usually exceptional "chrome brite" quality and individually handled with great care, live-bled, and immediately chilled.

WHO IS LIKELY TO BENEFIT? Trollers, processors, tenders, processing workers, local communities, and consumers.

WHO IS LIKELY TO SUFFER? If approved this proposal will move harvest rates toward allocation goals causing a slight reduction in net groups catch.

OTHER SOLUTIONS CONSIDERED? We developed and brought 22 ideas to improve troll harvest share of SE enhanced salmon to the December 2009 Joint Regional Planning Team. Based on feedback from other groups we honed those ideas down to less than 10 in the winter of 2010. They included ideas such as chum trolling in parts of 15 and all of 12 in June.

We thought about proposing that SE hatchery operators and Joint Regional Planning Team be directed by the BOF to prepare and submit individual and regional plans for bringing trollers within their allocation as soon as possible. We decided against making that proposal based on feedback that chum trollers should prepare a plan for JRPT review.

In March of 2011, after hearing from numerous individuals, groups, ADF&G personnel, and our membership, we decided to submit this proposal for June and another for July. These proposals optimize chum troll hatchery harvest while minimizing conflict with other users.

PROPOSED BY: Chum Trollers Association (HQ-F11-054)

PROPOSAL 326 - 5 AAC 29.100. Management of the summer salmon troll fishery.
Provide a targeted chum salmon fishery for troll gear in Section 11-A to address the enhanced salmon allocation imbalance as follows:

5 AAC 29.100. MANAGEMENT OF THE SUMMER SALMON TROLL FISHERY.

(f) In District 11: (Add (1)

(1) Salmon may be taken only in Sections 11-C and 11-D.

(Add (2) and new language as follows:

(2) Notwithstanding (1) of this section, the commissioner may, by emergency order, set weekly fishing periods during the summer salmon troll fishery between July 1 and July 20 to optimize the troll harvest of hatchery chum salmon in Section 11A as follows:

Chum and pink salmon may be taken in Section 11A, in an area defined by a line from the Northern most tip of Lincoln Is., North to Little Is. Light, East on the Section 15C Southern Boundary to 134°53.00 W, South to Gull Is. @ 58°30.00 North, West to a point on Lincoln Is. at 58°30.00 North by 134°58.120 West.

ISSUE: There is a Board of Fisheries plan, 5AAC. 33.364, which allocates SE enhanced salmon. The troll allocation range is 27-32%. Trollers have harvested 19% since plan inception. Trollers are short approximately 2.3 million per year. The Douglas Island Pink and Chum Hatchery program has succeeded very well in producing chum salmon but only a very small % of the value of their returns go to trollers. In recent years trollers have developed gear and techniques that are highly effective at, and selective for, harvesting hatchery chum salmon. Other hatchery operators and the Alaska Board of Fisheries have adopted proposals in other areas of SE Alaska to enable better troll access to hatchery chums.

WHAT WILL HAPPEN IF NOTHING IS DONE? In recent years trollers have been paying 35% of the SE salmon enhancement tax while only receiving 19% of the benefit. Without passage of this or similar proposals trollers will continue to be well short of their harvest share. An opportunity for a high value troll fishery on hatchery chums, mostly bound for cost recovery, will be lost.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Troll harvested chums are individually handled with great care, live-bled, and immediately chilled.

WHO IS LIKELY TO BENEFIT? Trollers, processors, tenders, processing workers, local communities, and consumers.

WHO IS LIKELY TO SUFFER? Gillnet fishermen and DIPAC may harvest a small % less chums due to troll harvest.

Sport fishermen may be concerned about troll/sport conflicts but, unlike coho and Chinook troll fisheries, chum trollers and sport fishermen have little or no conflict as chum trollers are usually fishing deep water and going only 1-1.5 knots. We carefully sited this proposal to avoid popular sport coho and Chinook drags in the Juneau area.

OTHER SOLUTIONS CONSIDERED? Chum Trollers Association developed and brought 22 ideas to improve troll harvest share of SE enhanced salmon to the December 2009 Joint

Regional Planning Team. Based on feedback from other groups we honed those ideas down to less than 10 in the winter of 2010. They included ideas such as chum trolling in parts of District 15 and all of District 12 in June.

We thought about proposing that SE hatchery operators and Joint Regional Planning Team be directed by the BOF to prepare and submit individual and regional plans for bringing trollers within their allocation as soon as possible. We decided against making that proposal based on feedback that chum trollers should propose a plan for JRPT review.

In March of 2011, after hearing from numerous individuals, groups ADF&G personnel, and our membership, we decided to submit this proposal for July and another for June. These proposals optimize chum troll hatchery harvest while minimizing conflict with other users.

PROPOSED BY: Chum Trollers Association (HQ-F11-055)

PROPOSAL 327 – 5 AAC 40.032. District 11: Douglas Island Pink and Chum (DIPAC) Special Harvest Area; 5 AAC 40.041. Herring Bay Special Harvest Area–Ketchikan; 5 AAC 40.043. Neets Bay Special Harvest Area–Behm Canal; and 5 AAC 40.051. District 3: Klawock Inlet and River Special Harvest Area. Define open fishing periods in regulation for DIPAC, Southern Southeast Regional Aquaculture Association, and Prince of Wales Hatchery Area special harvest areas as follows:

5 AAC 40.032. District 11: Douglas Island Pink and Chum (DIPAC) Special Harvest Area.

...

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. **The open fishing period within the DIPAC Gastineau Channel, Amalga Harbor, and Speel Arm Special Harvest Areas, for the hatchery permit holder will be from June 1 through October 31. Additional fishing periods may be established by emergency order.** [THE COMMISSIONER SHALL OPEN AND CLOSE, BY EMERGENCY ORDER, FISHING PERIODS DURING WHICH THE HATCHERY PERMIT HOLDER MAY HARVEST SALMON WITHIN THE SPECIAL HARVEST AREA.]

5 AAC 40.041. Herring Bay Special Harvest Area – Ketchikan.

...

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. **The open fishing period within the Herring Bay Special Harvest Area for the hatchery permit holder will be from June 1 through October 31. Additional fishing periods may be established by emergency order.** [FISHING PERIODS FOR THE HATCHERY PERMIT HOLDER WILL BE OPENED AND CLOSED BY EMERGENCY ORDER BY GEAR TYPE.]

5 AAC 40.043. Neets Bay Special Harvest Area – Behm Canal.

...

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. **The open fishing period within the Neets Bay Special**

Harvest Area for the hatchery permit holder will be from June 1 through October 31. Additional fishing periods may be established by emergency order. [FISHING PERIODS FOR THE HATCHERY PERMIT HOLDER WILL BE OPENED AND CLOSED BY EMERGENCY ORDER BY GEAR TYPE.]

5 AAC 40.051. District 3: Klawock Inlet and River Special Harvest Area.

...

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. **The open fishing period within the Klawock Inlet and River Special Harvest Area for the hatchery permit holder will be from July 1 through November 30. Additional fishing periods may be established by emergency order.** [FISHING PERIODS FOR THE HATCHERY PERMIT HOLDER WILL BE OPENED AND CLOSED BY EMERGENCY ORDER BY GEAR TYPE.]

ISSUE: Adoption of this proposal would open and close hatchery special harvest areas (SHA) by regulation rather than by emergency order (EO). These changes would alleviate the need for area managers to issue EOs for specific areas that are regularly opened each season for hatchery cost recovery operations, and would simplify and streamline existing activities.

WHAT WILL HAPPEN IF NOTHING IS DONE? These areas will continue to be opened and closed by EO.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Department area managers and hatchery cost recovery operators. This proposal will result in reduced workload for area managers, and defined opening and closing dates for hatchery cost recovery operators.

WHO IS LIKELY TO SUFFER? No one will suffer with the proposed change.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-256)

PROPOSAL 328 - 5 AAC 40.042. Northern Southeast Regional Aquaculture Association Special Harvest Areas. Allow new gear type for broodstock capture in Districts 12 and 13 as follows:

Sec. (9) (c) (5) Hidden Falls: beach seine, purse seine, hand purse seine, drift gillnet, troll gear, and net pen broodstock capture system

Sec. (9) (c) (7) Deep Inlet: beach seine, purse seine, hand purse seine, drift gillnet, troll gear, and net pen broodstock capture system.

ISSUE: NSRAA would like to use a brood stock capture system that is currently not in regulation for NSRAA's SHAs at Hidden Falls and Deep Inlet. In 2011 NSRAA experimented with such a net pen system through emergency order authority.

WHAT WILL HAPPEN IF NOTHING IS DONE? Capture and control of broodstock will be less efficient and interruptions to fisheries are more likely to occur and with greater frequency. NSRAA is developing a broodstock capture system that will allow chum salmon to voluntarily enter pens throughout the fishery period from late June to mid-July. Currently the fishery needs to be shut down numerous times in order to collect sufficient broodstock.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Quality of fish improves every time NSRAA does not close down the fishery for broodstock purposes. Closing the fishery entails waiting a day or days for fish to accumulate for broodstock capture. The broodstock capture system may not end closures but the new methodology should reduce closures.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, processors, and NSRAA.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? When ADF&G operated Hidden Falls Hatchery from 1979 to 1988 the fishery was held off until most of the fish were in the terminal area. Fish quality was poor and broodstock relatively easy to collect during this late period of the run. In the 23 years NSRAA has operated the program the fishery has expanded in area and intensity. Fish quality has improved immensely. During this 23 year period, NSRAA has managed to attain the broodstock goal in most years but it requires shutting down the fishery almost every year for one to three openings.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (HQ-F11-172)

PROPOSAL 329 - 5 AAC 40.XXX. District 3: Port Saint Nicholas Special Harvest Area.
Adopt a new Special Harvest Area for the Port Saint Nicholas hatchery in District 3as follows:

5 AAC 40.XXX. District 3: Port Saint Nicholas Special Harvest Area.

(a) There is established the Port Saint Nicholas Special Harvest Area, consisting of all waters of Port Saint Nicholas east of 133°02.92' W. long. and west of 132°59.50' W. long., located at the mouth of the Port Saint Nicholas head stream.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. Fishing periods for the hatchery permit holder will be open from May 1–August 15 unless closed by emergency order.

(c) Notwithstanding 5 AAC 33.330, legal gear types for the hatchery permit holder in the special harvest area are purse seine, beach seine, and dip net.

ISSUE: Prince of Wales Hatchery Association (POWHA), established in 1996, is a nonprofit organization with the mission of enhancing the production of salmon in the Craig and Klawock

area. In 2004, POWHA was permitted to operate an incubation and rearing facility at Port St. Nicholas for king salmon. In 2010, king salmon adults began to return in sufficient numbers that would have allowed cost recovery if a plan had been in effect. Instead, the department allowed a personal use fishery to occur. For 2011, POWHA would like to initiate cost recovery in the head of Port St. Nicholas. The department would like to clearly describe those waters where cost recovery activities may occur.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be no clear definition in regulation for Port Saint Nicholas Special Harvest Area cost recovery activities.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The Alaska Department of Fish and Game and the hatchery operator will benefit from a new regulation defining where cost recovery operations may occur.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-257)

PROPOSAL 330 - 5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan. Close a portion of Bear Cove in the Silver Bay Special Harvest Area to protect broodstock and provide for safety as follows:

The following was supported by the NSRAA board of directors in 2010 & 2011, implemented via EO authority, and now as a regulatory change.

The Silver Bay Special Harvest Area (SHA) will open to commercial trolling effective at...and will remain open through... (5 AAC 33.375). The Silver Bay SHA includes waters east of a line from Entry Point Light to Silver Point with the following restriction:

Bear Cove: the waters of Bear Cove will remain closed east of a line defined by a point on south shore at 57°0.767 N. latitude, 135°9.085 W. longitude; to a point of north shore- 57°0.940 N. latitude, 135°9.232 W. longitude.

ISSUE: Foul hooking Chinook by commercial trollers (primarily hand troll) in terminal area of Bear Cove.

Close a small portion of Bear Cove near Medvejie Hatchery to trolling east of a line from a point on south shore at 57°0.767 N. latitude, 135°9.085 W. longitude; to north shore- 57°0.940 N. latitude, 135°9.232 W. longitude. This was accomplished by E.O. authority in 2010 and 2011. This area is approximately 500' from freshwater and still allows hand trolling in the majority of the bay.

WHAT WILL HAPPEN IF NOTHING IS DONE? Snagging by a small number of hand trollers leaves scarred Chinook and numerous treble hooks in NSRAA nets and Chinook that create a safety hazard. Treble hooks were being used inside the proposed line prior to 2010 and dozens of treble hooks were entangled in NSRAA's beach seine operation. Crew safety is at risk. At the end of three weeks of beach seining we had a gallon bucket of treble hooks we had pulled out of the net.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, NSRAA beach seines the terminal Chinook and eliminating snagging will improve the quality of the fish harvested. Sport fishing will be unaffected in the area in terms of opportunity; however the aesthetics will improve for users if the rodeo atmosphere is eliminated by implementation of this proposal.

WHO IS LIKELY TO BENEFIT? NSRAA Chinook harvest will benefit and the sport fishing experience will benefit.

WHO IS LIKELY TO SUFFER? Since the emergency order snagging has nearly been eliminated and this has affected commercial troll (stationary hand troll only) catch negatively in Bear Cove.

OTHER SOLUTIONS CONSIDERED? In 2008 and 2009 we attempted self policing subsequent to discussions with troll fishermen using the area. Several hand troll permit holders caught Chinook in the area in question without snagging using a high degree of skill and effort. These individuals attempted to convince the 'snaggers' to change their ways but ultimately this was unsuccessful.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (HQ-F11-169)

PROPOSAL 331 - 5 AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan. Revise the Neets Bay hatchery management plan to allow cost recovery and distribute harvests according to the SSRAA board of director's annual plan for allocation as follows:

- (a) The intent of the Board of Fisheries in adopting this management plan is to distribute the harvest of hatchery-produced salmon in Neets Bay between the purse seine, troll and drift gillnet fleets. In addition to that goal, the board and the public would like to have a fishery in Neets Bay that produces a quality product that will allow the Southern Southeast Regional Aquaculture Association (SSRAA) to meet its corporation escapement goal with the least number of fish and provide the highest possible price to the fishermen.
- (b) The department, in consultation with SSRAA, shall manage Neets Bay east of the longitude of the easternmost tip of Bug Island to the closed waters area at the head of the bay to distribute the harvest of Neets Bay hatchery produced salmon between the purse seine, troll, and drift gillnet fleets by setting the fishing times and areas for those fleets by emergency order in accordance with the SSRAA Board of Director's yearly Neets Bay

plan for meeting broodstock and cost recovery goals and establishing commercial fisheries which are consistent with the Southeast Enhanced Salmon Allocation Plan.[AS FOLLOWS;]

(1)[SALMON MAY BE TAKEN BY TROLL GEAR ONLY DURING PERIODS ESTABLISHED BY EMERGENCY ORDER;

(2)[SALMON MAY BE TAKEN BY PURSE SEINES AND DRIFT GILLNETS ONLY DURING PERIODS ESTABLISHED BY EMERGENCY ORDER AS FOLLOWS:

(A)OPENINGS FOR SEINES AND GILLNETS MUST BE ROTATED BETWEEN NET HEAR GROUPS WITH A CLOSURE OF AT LEAST 24 HOURS BETWEEN OPENINGS; THE FIRST OPENING MUST BE FOR GILLNETS;

(B)A GILLNET OPENING MUST BE NO LESS THAN 24 HOURS IN DURATION AND A SEINE OPENING MUST BE NO LESS THAN 12 HOURS IN DURATION, EXCEPT THAT AFTER JUNE 20 THE TIME RATIO FOR GILLNET OPENINGS TO SEINE OPENINGS IS ONE TO ONE;]

(3)repealed 6/25/89;

(4)repealed 6/25/89;

(5)From the second Sunday in June through August 1, the area described in (b) of this section shall be expanded to Neets Bay east of the longitude of Chin Point to the closed waters area at the head of the bay.

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

(d)Personal use and sport fishing will be allowed in the harvest area whenever SSRAA is not harvesting salmon for its corporation escapement goal and so long as the personal use and sport fishery do not jeopardize the attainment of that goal.

(e)Gear for the personal use fishery is drift gillnets with a maximum length of 50 fathoms. The annual bag and possession limited is 25 salmon.

(f)Waters of Neets Bay within and including the barrier net located at [EAST OF A LINE BETWEEN ADF&G REGULATORY MARKERS LOCATED APPROXIMATELY ONE MILE FROM] the head of the bay are closed to commercial, sport, and personal use salmon fishing from June 15 through November 15.

ISSUE: (1)The current Neets Bay Hatchery Salmon Management Plan was in large part adopted in 1985. The current species mix and release numbers have changed dramatically since 1985. The existing regulation identifies fall chum and coho harvest although summer chum now comprise the primary harvest which also includes Chinook. The troll fleet did not harvest large numbers of summer chum until the past several years. Because of these changes current harvest management in the Neets Bay SHA does not follow the existing regulation.

(2)Because almost all of SSRAA's cost recovery harvest comes from salmon harvested in the Neets Bay SHA and all of the chum broodstock for SSRAA programs is collected in Neets Bay, allowing commercial common property harvest in Neets Bay SHA is complicated. The existing regulation does not provide adequate flexibility to allow for broodstock collection, the required cost recovery harvest, and the conduct of commercial harvest in response to the SE Enhanced Salmon Allocation Plan. The SSRAA Board believes it could best annually respond to the Allocation Plan with greater flexibility in the Neets Bay Salmon Management Plan.

WHAT WILL HAPPEN IF NOTHING IS DONE? The SSRAA Board may have to ask the Board of Fisheries to change the Neets Bay regulation at every SE Board of Fisheries Meeting. Of greater concern, the SSRAA Board will have to continue to ask ADF&G to manage the fishery outside the language of the Neets Bay Plan in order to annually address gear group imbalance related to the SE Allocation of Enhanced Fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The proposed changes would likely not change the quality of salmon harvested or produced.

WHO IS LIKELY TO BENEFIT? Under the current regulation the fishing ratio between gillnetters and seiners is set. This proposal would allow the SSRAA Board to annually modify the ratio based on the Southeast Alaska Area Enhanced Salmon Allocation Management Plan. Addressing the current (2011) allocation imbalance, changes would likely benefit troll and seine gear.

WHO IS LIKELY TO SUFFER? Over the short term (2011) the proposal is likely to reduce fishing opportunity for drift gillnet gear in Neets Bay. Over the long term, this would depend on the distribution of value (of enhanced harvest) between seine, drift gillnet, and troll fleets as related to the Southeast Alaska Area Enhanced Salmon Allocation Management Plan.

OTHER SOLUTIONS CONSIDERED? The SSRAA Board didn't consider any other Neets Bay regulatory changes that would address the problem.

PROPOSED BY: SSRAA (HQ-F11-046)

PROPOSAL 332 - 5 AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan. Change the Neets Bay hatchery management plan to provide common property access based on enhanced salmon allocation status as follows:

(b)(2)(A) If a single net group is below their range 3 years in a row on a 5 year rolling average, as described by 33.364, then that group fishes all openings exclusive of the other net group. (B) In every other instance, the time ratio for a gillnet opening to seine opening is 1:1; the first opening must be for the gear group that is lower in their range.

ISSUE: The continuing imbalance of harvest sharing of enhanced salmon as set out in 33.364. In particular, 33.370 Neets Bay Hatchery Management Plan is not flexible enough to address allocation problems.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing in Neets Bay under the system put forth in regulation will compound the allocation imbalance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The net gear type that is below range. Seiners are currently below range.

WHO IS LIKELY TO SUFFER? Gillnetters are above range and would forfeit some opportunity.

OTHER SOLUTIONS CONSIDERED? Changing Neets Noy to Seine/Troll only. Rejected for being too rigid.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F11-181)

PROPOSAL 333 - 5 AAC 33.370. District 1: Neets Bay Hatchery Salmon Management Plan. Remove 1:1 gillnet to seine fishing rotation schedule for Neets Bay hatchery common property openings after the 2011 season as follows:

Remove the rotation schedule for various gear groups occurring after June 20th of each year.

5 AAC 33.370 (b)...B a gillnet opening must be no less than 24 hours and a seine opening must be no less than 12 hours in duration, . [EXCEPT THAT AFTER JUNE 20TH TIME RATIO FOR GILLNET OPENINGS TO SEINE OPENINGS IS ONE TO ONE].

ISSUE: In 2009, the BOF adopted language as part of an industry consensus agreement. Part of that agreement created an amendment to 5 AAC 33.370 (b) B, which placed gillnetters and seiners on a one to one ratio after June 20th in Neets Bay. All aspects of the agreement will sunset in 2012. This change was inadvertently adopted as part of that consensus with no sunset provision. Reversing action will allow gillnetters to regain time that was taken away in 2009.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gillnetters will continue to miss out on fishing opportunities during years of high abundance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A .

WHO IS LIKELY TO BENEFIT? Gillnet fishermen, who already have limited fishing areas and limited fishing time compared to other fishing groups, and those gillnetters who lost time due to the change in 2009.

WHO IS LIKELY TO SUFFER? Seine fishermen will lose some time.

OTHER SOLUTIONS CONSIDERED? Re-evaluate the SE Alaska Salmon Enhancement Plan.

PROPOSED BY: United Southeast Alaska Gillnetters Association (HQ-F11-190)

PROPOSAL 334 - 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan. Continue 1:1 gillnet to seine fishing rotation in Anita Bay THA through 2017 as follows:

The Southeast Joint Regional Planning Team proposes that the time ratio for gillnet to seine openings in Anita Bay would remain one to one through 2017. The reason for extending the 1 to 1 rotation at Anita Bay through 2017: Work has started involving two summer chum production increases that may change the relative value of enhanced fish to seine and gillnet fleets. The first step in this process will take place with egg collection in 2011. The first significant returns from this new production will not occur until the return of four-year-old fish in 2015. The relative value to the fleets, related to that change, will not be finalized in the calculations made by ADF&G until the spring of 2017.

The proposed language of the pertinent section of the regulation would read: beginning with the first emergency order of 2012 season through the last emergency order of the 2017 season the time ratio for gillnet openings to seine openings is one to one.

ISSUE: The values of enhanced salmon harvested by both gillnet and seine fleets are outside of the allocation percentages (percent of the total value of enhanced fish) set in regulation 33.364. (The ADF&G determines allocation percentages each year by calculating a five year rolling average from data provided by the Commercial Fisheries Entry Commission.) These two fleets have been outside their respective percentages for five consecutive years (2005 to 2009). The gillnet fleet has been above its allocation through this period while the seine fleet has been below. Several Special Harvest Area (SHA) management changes were proposed to and adopted by the BOF at the 2009 meeting in order to help bring the two net fleets back into their allocation ranges. A change to a one-to-one time ratio at Anita Bay was adopted by the board. This change had a sunset clause so that the regulation could be revisited at the next Board of Fish Meeting in 2012. Despite the changes in SHA management the imbalance still exists. While there is a current slight trend toward the agreed allocation, allowing the changes to sunset would likely exacerbate the imbalance.

It is important to note that the troll fleet is also well below its allocation range.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unless unusual and unpredictable changes in survivals and/or market conditions occur, returning the ratio to 2 gillnet to 1 seine will send the allocation imbalances in the wrong direction.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Compared to a two to one ratio the seine fleet should benefit. All users will benefit if all three major user groups are within their range as described in the Southeastern Enhanced Salmon Allocation Management Plan. Opportunities for improved production are more restricted when one or more gear groups are consistently out of their range.

WHO IS LIKELY TO SUFFER? Over the long term, compared to a two to one ratio, the gillnet fleet will likely harvest a reduced percentage of the fish available in the Anita Bay SHA.

OTHER SOLUTIONS CONSIDERED? The Board of Fisheries adopted the Southeast Enhanced Allocation Plan in 1994. The findings adopted with this plan give the joint RPT responsibility to review the distribution of enhanced fish over time and to consider the effects on allocation in its recommendations. In addition to its recommendations the joint RPT has submitted and commented on Board of Fisheries proposals regarding harvest.

More drastic SHA changes (e.g. seine/troll only) have not seriously been considered at Anita Bay because of the need to give some opportunity to the local gillnet fleet, especially in years when a substantial portion of the fish get past the common property fishery.

The JRPT frequently considers long term solutions to enhanced salmon allocation imbalances but the enhanced system has a lot of inertia; fishermen have adapted their fishing strategies around the availability of hatchery fish and resist change increasing production is expensive and not always cost effective, and opportunities are limited. Nevertheless, there are long term solutions in the works that may help solve the problem.

PROPOSED BY: Southeast Joint Regional Planning Team (HQ-F11-198)

PROPOSAL 335 - 5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan. Continue 1:1 gillnet to seine fishing rotation in Deep Inlet THA through 2017 as follows:

The Southeast Joint Regional Planning Team (JRP) proposes that the time formula for gillnet to seine openings in Deep Inlet would remain one to one through 2017. The reason for extending the 1 to 1 rotation at Deep Inlet through 2017: Work has started involving two summer chum production increases that may change the relative value of enhanced fish to seine and gillnet fleets. The first step in this process will take place with egg collection in 2011. The first significant returns from this new production will not occur until the return of four-year-old fish in 2015. The relative value to the fleets, related to that change, will not be finalized in the calculations made by ADF&G until the spring of 2017.

The proposed language of the pertinent section of the regulation would read: except that beginning with the first emergency order of the [2009] 2012 season through the last emergency order of the [2011] 2017 season the time ratio for gillnet openings to seine openings is one to one.

ISSUE: The values of enhanced salmon harvested by both gillnet and seine fleets are outside of the allocation percentages (percent of the total value of enhanced fish) set in regulation 33.364. (The ADF&G determines allocation percentages each year by calculating a five year rolling average from data provided by the Commercial Fisheries Entry Commission.) These two fleets have been outside their respective percentages for five consecutive years (2005 to 2009) The gillnet fleet has been above its allocation through this period while the seine fleet has been

below. Several Special Harvest Area (SHA) management changes were proposed to and adopted by the BOF at the 2009 meeting in order to help bring the two net fleets back into their allocation ranges. A change to a one-to-one time ratio at Deep Inlet was accepted by the board. This change had a sunset clause so that the regulation could be revisited at the next Board of Fish Meeting in 2012. Despite the changes in SHA management the imbalance still exists. While there is a current slight trend toward the agreed allocation, allowing the changes to sunset would likely exacerbate the imbalance.

It is important to note that the troll fleet is also well below its allocation range.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unless unusual and unpredictable changes in survivals and/or market conditions occur, returning the ratio at Deep Inlet to 2 gillnet to 1 seine will send the enhanced allocation imbalances in the wrong direction.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Compared to a two to one ratio the seine fleet should benefit by increasing its percentage of the Deep Inlet returns over years when the ratio was 2 to 1.

WHO IS LIKELY TO SUFFER? Compared to a two to one ratio the gillnet fleet will very likely have a reduced percentage of the Deep Inlet returns.

OTHER SOLUTIONS CONSIDERED? The joint RPT reviews the distribution of the value of enhanced salmon annually. Recommendations regarding productions are made with an awareness of the allocation situation. The JRPT frequently considers long term solutions to enhance salmon allocation imbalances but the enhanced system has a lot of inertia; fishermen have adapted their fishing strategies around the availability of hatchery fish and resist change increasing production is expensive and not always cost effective, and opportunities are limited. Nevertheless, there are long term solutions in the works that may help solve the problem.

PROPOSED BY: Southeast Joint Regional Planning Team (HQ-F11-197)

PROPOSAL 336 - 5 AAC 33.372. District 1: Nakat Inlet Terminal Harvest Area Salmon Management Plan. Allow for a rotational seine and gillnet fishery in the Nakat Inlet THA as follows:

The Nakat Inlet SHA will be open to the seine and gillnet fleets on a rotational schedule with a 1-1 time ratio.

ISSUE: Imbalance within the southeast Alaska enhanced salmon allocation plan.

WHAT WILL HAPPEN IF NOTHING IS DONE? The seiners will remain below the adopted allocation range.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The quality of chum salmon should improve in a normal season. More frequent “cleaning up” of Nakat Inlet by the seine fleet should lead to better quality of all fish harvested in the terminal area.

WHO IS LIKELY TO BENEFIT? Seiners and all other fishermen that depend on the allocation plan to deliver a fair return on enhancement taxes paid.

WHO IS LIKELY TO SUFFER? Nakat gillnetters may catch fewer chums.

OTHER SOLUTIONS CONSIDERED? Seine-only SHA. Rejected due to the Tree Point driftnet fleet’s historical reliance on the Nakat SHA.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F11-182)

PROPOSAL 337 – 5 AAC 33.3XX. New Section. Establish a new Herring Cove THA management plan to distribute harvest between commercial, sport and personal use fisheries as follows:

5 AAC 33.XXX. District 1: Herring Cove Terminal Harvest Area Salmon Management Plan. The management plan in this section allows for a harvest of hatchery-produced king salmon in the Herring Bay Terminal Harvest Area and distributes the harvest between the commercial troll, sport, and personal use fisheries.

ISSUE: The Southern Southeast Regional Aquaculture Association (SSRAA) operates the Whitman Lake Hatchery, which is located at the head of Herring Bay approximately nine miles south of Ketchikan. SSRAA is permitted to release king salmon from this site, which return annually. These returning king salmon are harvested throughout Southeast Alaska by the troll fishery. Sport fishermen harvest these king salmon in the Mountain Point area and in front the Whitman Lake Hatchery. Shore-based sport fishermen can also catch these king salmon while fishing in the intertidal area in Herring Bay.

In the late 2000s, a surplus of king salmon returned to the Whitman Lake Hatchery and not all were harvested by existing fisheries. This surplus was sold as cost recovery by SSRAA. In 2008, a surplus of 10,000 king salmon were not harvested and returned to the Whitman Lake Hatchery. SSRAA initially brought this concern to the department and asked if it would allow additional time for commercial trollers to harvest these king salmon in an area in front of the hatchery where they tend to school up.

Since 1999, the king salmon sport fishery has been liberalized in the area adjacent to the Whitman Lake Hatchery by emergency order (EO) and personal use fisheries have been opened in Herring Cove to allow harvest by drift gillnet. In 2009 and 2010, the department opened a Herring Cove THA troll fishery by EO, which began immediately after the first troll king salmon retention period closed in July. This opportunity allowed trollers to target Whitman Lake king salmon at a time

when the general king salmon season was closed and coho salmon catches had not yet reached their peak.

The department would like to create a Herring Cove THA in regulation that would be open to fisheries at times when excess king salmon are expected to return to the Whitman Lake Hatchery. king salmon harvests in Herring Cove are almost entirely hatchery fish; this proposal is not expected to cause issues with the Pacific Salmon Treaty.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Alaska Department of Fish and Game will continue to open this area for trolling, personal use, and sport fisheries by emergency order during years when an excess of hatchery-produced fish return to Herring Cove.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Continuing to open this terminal troll, sport and personal use fisheries by EO each season.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-243)

PROPOSAL 338 - 5 AAC 33.377. District 2: Kendrick Bay Terminal Harvest Area Salmon Management Plan. Expand the Kendrick Bay Terminal Harvest Area to include McLean Arm for commercial seining as follows:

The addition of McLean Arm to the Kendrick THA was approved by the RPT including ADF&G representatives. Our attempt at modification of the regulation is below:

5 AAC 33.377. District 2: Kendrick Bay/McLean Arm Terminal Harvest Area Salmon Management Plan.

(a)The management plan in this section allows for a harvest of hatchery produced chum salmon in Kendrick Bay and McLean Arm by the purse seine fleet.

(b)The department, in consultation with the Southern Southeast Regional Aquaculture Association, shall manage Kendrick Bay west of 131°59' W. long, and west of a line across McLean Arm at 54°47' N.; 131°57' W.; to 54°47' N.; 131°57' W. and set the fishing time for the seine fishery as follows: salmon may be taken by seines only during periods established by emergency order.

ISSUE: The current Kendrick Bay Terminal Harvest Area is neither large enough to effectively accommodate a fishery confined to the THA, nor is it a good net pen site in inclement weather. The site is exposed to wind and wave action during most low pressure events. Inclement weather can make normal fish culture activities both difficult and dangerous.

Secondarily, SSRAA may move its release annually between the two areas, McLean Arm and Kendrick Bay, in order to further spread the fishery when fishing is confined to the THA. The annual movement of net pens between the two sites could confuse juvenile salmon predators that might tend more to key on a single release site.

WHAT WILL HAPPEN IF NOTHING IS DONE? The current Kendrick Bay THA is a relative “postage stamp” that allows for only two effective seine sets. When the seine fishery is confined to the THA there are sometimes as many as 25 or 30 seiners waiting to make one of those two sets.

Salmon culture at the current site will be difficult and to some degree dangerous during normal patterns of inclement weather.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Uncertain, but it is possible a THA more conducive to seiner participation would attract more effort and subsequently the fish could be cleaned up more quickly and in better condition. The return is generally quickly harvested now, so this would not represent a significant change.

WHO IS LIKELY TO BENEFIT? The seine fleet and SSRAA fish culturists.

WHO IS LIKELY TO SUFFER? No one would suffer from this solution.

OTHER SOLUTIONS CONSIDERED? This is the only obvious solution possible without changing management of the current fishery. During the early season, prior to “pink salmon management” a portion of District 102 is open when the Kendrick THA is open. McLean Arm is very close to Kendrick Bay and lies within that part of D102 that is generally opened when Kendrick is opened. In addition, there are no significant wild chum stocks in McLean Arm. Harvest of summer chum in McLean Arm would not be confused by the presence of wild fish.

PROPOSED BY: SSRAA (HQ-F11-047)

PROPOSAL 339 - 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan. Change the opening date for the Anita Bay THA to May 1 as follows:

(d) The department shall manage the Anita Bay Terminal Harvest Area from **May 1** [JUNE 1] through November 10 to distribute the harvest of excess hatchery-produced king, coho, and chum salmon as follows:

ISSUE: This change in regulation will align regulations with current management. Since 2006, the Anita Bay Terminal Harvest Area (THA) has opened by emergency order (EO) to all gear groups on May 1 in order to provide access to hatchery king salmon. A May 1 start is expected to continue to be the date when the THA opens to all gear groups.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Anita Bay THA will continue to be opened and closed under the department's EO authority.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The department, AWT and public will benefit from this change because it places into regulation an EO that has been issued annually.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-253)

PROPOSAL 340 - 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan. Modify the open area in the Anita Bay THA to enhance salmon quality as follows:

(B)(4) The Anita Bay THA shall be open from 6/15 to 7/11 each year in an area west of a line from 56° 12.314 North, 132° 26.22 West, to 56° 12.064 North, 132° 26.22 West; and East of a line from 56° 11.955 North, 132° 29.575 West; to 56° 11.730 North, 132° 29.360 West; within .25 nautical miles (NM) from the north shore of Anita Bay. **Other closure lines and regulations remain in effect other than the exception noted in section (b)(4).**

ISSUE: The problem for the Board to address is the loss of enhanced salmon value due to over restrictive area closures in the Anita Bay Terminal Harvest Area.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the problem is not solved, commercial salmon fisheries will continue to lose a substantial value of enhanced salmon in Anita Bay.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Enhanced salmon are being allowed to concentrate in front of the release site for up to 25 days, 6/15 to 7/11 before they can be harvested. The longer these fish remain in the terminal area, the less marketable they become due to blackening skin color and other biological changes to flesh quality; thus resulting in loss of value.

WHO IS LIKELY TO BENEFIT? Salmon fishers would benefit.

WHO IS LIKELY TO SUFFER? No one would suffer.

OTHER SOLUTIONS CONSIDERED? A larger area opening was considered. This solution was rejected because it would not take into consideration the needs of the crab fisheries.

PROPOSED BY: Wrangell Advisory Committee (HQ-F11-148)

PROPOSAL 341 - 5 AAC 33.3XX. New Section. Establish a THA in Southeast Cove for seine and troll gear as follows:

As per agreement reached with JRPT at the April 6, 2011 meeting KNFC/GCH would like to propose a THA mirroring our SEC SHA along with the accompanying Salmon management plan. Wording for proposed regulation would read as follows.

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 between the purse seine, and troll fleets.

(b) The department, in consultation with Kake Non Profit Fisheries Corporation (KNFC), Shall open and close, by emergency order, fishing seasons and periods to manage waters of Southeast Cove and adjacent waters which consist 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., as follows:

(1) Salmon May be taken by seines and troll gear only during periods established by emergency order as follows: Openings for seines will be on Sundays following four consecutive days (Mon - Thus) of cost recovery harvest and two build up days (Fri and Sat) until set cost recover goals are met.

(A)The department, in consultation with KNFC. shall close fishing between openings; openings will be abundance based

(2) salmon may be taken by troll gear when the waters described in this sub section are closed to commercial net gear;

(3) the commissioner shall close the seasons in the waters described in this subsection to trolling during hatchery cost recovery periods.

(4) As per agreement with seine fleet at April 6, 2011 Joint Regional Panning Team meeting (JRPT) all fish caught within the waters described in this subsection will be charged a cost recovery assessment tax. (Similar to Hidden Falls).

ISSUE: As per agreement reached with Southeast Joint Regional Planning Team (JRPT) at the April 6, 2011 meeting Kake Non Profit Fisheries Corporation / Gunnuk Creek Hatchery (KNFC/GCH) would like to propose the formation of a Southeast Cove (SEC) Terminal Harvest

Area (THA) mirroring our current Special Harvest Area, along with an accompanying SEC THA salmon management plan.

WHAT WILL HAPPEN IF NOTHING IS DONE? Trollers and seiners (primarily seiners) would continue to have a difficult time catching the 60% Gunnuk Creek Hatchery enhanced chum salmon. As per the performance goals set by the Southeast Alaska Allocation task force.

Gunnuk Creek Hatchery with its 65 million permitted capacity of enhanced chum salmon playing a major role in bringing back seiners and trollers back within their allocations may be lost.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Seiners and trollers who will be able to get closer to their respective allocations. KNFC would be meeting the performance goals set by the SATF. The Community of Kake which may see a positive economic impact from having the fleets stop into the town

WHO IS LIKELY TO SUFFER? Only those in Kake who would see a public resource as their very own.

OTHER SOLUTIONS CONSIDERED? There were no solutions that could address the need of meeting the 60% common property contribution and cost recovery needs without negatively affecting the other negatively other than this one.

PROPOSED BY: Kake Non-Profit Fisheries Corporation (HQ-F11-119)

PROPOSAL 342 - 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area Salmon Management Plan. Establish a registration fishery for the Hidden Falls THA to replace cost recovery harvest with tax assessment as follows:

(b) ii seine openings may be managed using a registration fishery through emergency order. In years of registration fishery the first opening in June would initiate registration and be effective until 31 July. Boats fishing in the Hidden Falls THA without registration would be fishing in closed waters.

ISSUE: Provide option of registration fishery for Hidden Falls THA seine fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The legislature passed a law in 2006 providing for an assessment in a hatchery THA in lieu of conducting a specific cost recovery harvest for revenue. A registration type fishery is seen as the best alternative for a well regulated and enforceable fishery. If status quo prevails the new law will be more difficult if not impossible to implement.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the reason for an assessment registration fishery in the Hidden Falls THA is to increase value and quality to the southeast Alaska seine fisheries. The assessment registration fishery will result in more consistent openings at Hidden Falls but also in other areas in southeast Alaska. Hidden Falls attracts the majority of seine boats during late June and early July openings and therefore ADF&G frequently opens other areas simultaneously. Without Hidden Falls open the department often will not open elsewhere in southeast.

WHO IS LIKELY TO BENEFIT? The southeast Alaska seine fleet, but also the department because they are able to see catch data at other areas that otherwise would not open.

WHO IS LIKELY TO SUFFER? No one. This Assessment Registration proposal is supported by the seine fleet as represented by Southeast Seiner Associations (SEAS).

OTHER SOLUTIONS CONSIDERED? Hidden Falls has been conducting cost recovery operations using the same methodology for 23 years. Numerous closures have been necessary which is disruptive to the fishery. It took three years to pass the new law allowing for an assessment to be collected by Department of Revenue. The status quo can work but the parties that have fished the area and managed the fishery believe this is a highly desirable solution.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (HQ-F11-173)

PROPOSAL 343 - 5 AAC 33.374. District 12: Hidden Falls Hatchery Terminal Harvest Area salmon management plan. 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 follows:

(e) **The Hidden Falls Terminal Harvest Area will be open to coho salmon retention by troll gear from August 1 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.]

ISSUE: Currently, the Hidden Falls Terminal Harvest Area (THA) is closed to trolling for coho salmon unless opened by emergency order (EO). The department, in consultation with the Northern Southeast Regional Aquaculture Association (NSRAA), may open the THA to coho retention by troll gear once NSRAA's broodstock and cost recovery needs are met. NSRAA has not experienced difficulties meeting those needs in the past, nor does it anticipate having difficulties in the future. Existing regulations allow troll retention of king and chum salmon, with certain limitations, so allowing coho retention by default would be more consistent with current regulations

for other species. During a mid August troll closure, the eastern boundary of the THA would be reduced to approximately one mile off the Baranof Island shoreline to reduce interception of nonhatchery coho stocks. During the rest of the summer troll season, the eastern boundary would be two nautical miles from the Baranof Island shoreline.

WHAT WILL HAPPEN IF NOTHING IS DONE? An EO will continue to be required in order to allow trolling for coho in the Hidden Falls THA. The time spent preparing that EO is usually unnecessary, since meeting broodstock and cost recovery needs have not been a problem there.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Trollers would benefit by having the opportunity to harvest hatchery-produced coho salmon during an August troll closure when options to fish are limited. The department will benefit by having one less EO to write.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F11-242)

PROPOSAL 344 - 5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan. Revise the western Deep Inlet THA boundary and season to increase troll fishery access to enhanced Chinook as follows:

Amend the existing code 5 ACC 33.376 to read:

(d) The waters described in (b) of this section, west of **135 20.75'** [135° 21.52'] W. long., will be closed to purse seine and drift gillnet gear **beginning with the first emergency order of the season through the third Saturday in June** [FROM MAY 1 THROUGH MAY 21].

ISSUE: Revise the western Deep Inlet THA boundary line in June to allow increased troll access to hatchery Chinook returns. Hatchery Chinook pass through the THA and are currently harvested primarily in purse seine and drift gillnet fisheries. This proposal may result in a modest change in the allocation balance. It is endorsed by the NSRAA Board of Directors, with unanimous consent.

WHAT WILL HAPPEN IF NOTHING IS DONE? Harvest splits will remain "status quo", with the bulk of Chinook harvested by net gear.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Chinook harvested by trollers will have a higher quality and value than if harvested by net gear.

WHO IS LIKELY TO BENEFIT? The troll fleet.

WHO IS LIKELY TO SUFFER? Perhaps the drift gillnet and purse seine fleet; although all gear representatives on NSRAA's board are in support of the proposal as it addresses allocation concerns.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Northern Southeast Regional Aquaculture Association (HQ-F11-170)
