

PROPOSAL 35 – 5 AAC 21.330. Gear. Define the existing seaward boundaries of areas where commercial set gillnets may be operated in the Southern District using Global Positioning System coordinates, as follows:

5 AAC 21.330(b)(1) is amended to read:

(b) Set gillnets may be used only in the following locations:

(1) Southern District:

(A) on Ismailof Island east of 151° 13.10' W. long., and the mainland south of Ismailof Island from 151° 13.10' W. long. [,] to 151° 12.15' W. long., **and inshore of a line from a point off of the northeast shore of Ismailof Island at 59° 36.27' N. lat., 151° 13.10' W. long., to 59° 36.11' N. lat., 151° 12.58' W. long., to 59° 35.65' N. lat., 151° 12.60' W. long., to a point off the eastern entrance to Halibut Cove at 59° 35.70' N. lat. 151° 12.15' W. long.;**

(B) between Barabara Point and a point on the north side of McDonald Spit at 59° 28.49' N. lat., 151° 36.12' W. long., **and inshore of a line between a point off shore of Barabara Point at 59° 29.31' N. lat., 151° 38.20' W. long., and another point near the base of McDonald Spit at 59° 28.80' N. lat., 151° 36.12' W. long.;**

(C) from the north side of McDonald Spit at 59° 28.69' N. lat., 151° 35.25' W. long., east along the outer shoreline of McDonald Spit, and including the entire shoreline of Kasitsna Bay to the headland at the west side of the entrance of Jakolof Bay, **and inshore of a line beginning at a point near the base of McDonald Spit at 59° 28.79' N. lat., 151° 35.58' W. long., to 59° 29.25' N. lat., 151° 34.53' W. long., to 59° 29.33' N. lat., 151° 34.47' W. long., to 59° 29.37' N. lat., 151° 34.20' W. long., to 59° 29.29' N. lat., 151° 33.89' W. long., to 59° 29.00' N. lat., 151° 33.16' W. long., to 59° 28.84' N. lat., 151° 33.18' W. long., to 59° 28.66' N. lat., 151° 33.91' W. long., to 59° 28.30' N. lat., 151° 33.84' W. long., to 59° 28.47' N. lat., 151° 32.68' W. long., to 59° 28.39' N. lat., 151° 32.11' W. long., to a point on the east shore of the entrance to Jakolof Bay at 59° 28.16' N. lat., 151° 32.03' W. long.;**

(D) the west shore of Seldovia Bay from Point Naskowhak to a point at the latitude of an unnamed creek at 59° 25.19' N. lat., 151° 44.05' W. long., **and inshore of a line starting at Point Naskowhak at 59° 27.37' N. lat., 151° 44.63' W. long., to 59° 27.45' N. lat. 151° 44.41' W. long., to 59° 27.38' N. lat. 151° 44.22' W. long., to 59° 26.96' N. lat. 151° 44.19' W. long., to 59° 26.74' N. lat. 151° 43.78' W. long., to 59° 25.90' N. lat. 151° 44.12' W. long., to 59° 25.19' N. lat. 151° 43.53' W. long.;**

(E) from the old cannery site on the south shore of Port Graham at 59° 21.06' N. lat., 151° 49.61' W. long. and along the beach to the point south of English Bay at 59° 20.98' N. lat., 151° 56.77' W. long., and inshore of a line starting at a point in English Bay at 59° 21.41' N. lat., 151° 56.77' W. long., to 59° 21.49' N. lat., 151° 56.31' W. long., to 59° 21.78' N. lat., 151° 56.10' W. long., to 59° 22.07' N. lat., 151° 55.04' W. long., to 59° 22.04' N. lat., 151° 52.37' W. long., to 59° 21.71' N. lat., 151° 51.11' W. long., to 59° 21.66' N. lat., 151° 50.19' W. long., to 59° 21.37' N. lat., 151° 49.01' W. long., to the old cannery in Port Graham located at 59° 21.06' N. lat., 151° 49.61' W. long. [59° 20.94' N. LAT., 151° 56.77' W. LONG.]; set gillnets in these waters may be used within 2,500 feet of beach areas that at mean low water are connected by exposed land to the shore;

What is the issue that you would like the board to address and why? This proposal seeks to define, using GPS coordinates, the existing seaward boundary of the areas where commercial set gillnets may be used in the Southern District.

Current regulation specifies that set gillnets in the Southern District may be commercially fished within 1,000 feet of mean low water of land that is connected to shore at this tidal height. There has been difficulty enforcing the seaward boundary of the area open to commercial fishing and the Alaska Department of Fish and Game (department) proposes to establish boundaries expressed by GPS coordinates to define the area where set gillnet gear may be commercially fished in the Southern District. The area defined by GPS coordinates includes the historical area where the commercial fishery has been prosecuted. Making these changes will more clearly define the area open to commercial fishing and benefit the public, enforcement, and department.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-123)

(Proposal 36 was submitted by two proposers. The proposal and two justifications by each proposer are provided below.)

PROPOSAL 36 - 5 AAC 21.330. Gear. Move eastern boundary near Halibut Cove where commercial set gillnet gear is permitted, as follows:

5 AAC 21.330. Gear.

(b) Set gillnets may be used only in the following locations:

(1) Southern District: within 1,000 feet of beach areas that at mean low water are connected by exposed land to the shore, except as specified in (1)(E) of this section, and only in the following locations:

(A) on Ismailof Island east of 151° 13.10' W. long., and the mainland south of Ismailof Island from 151° 13.10' W. long., to 151° [12.25' W. long.] 12.12' W. long.;

What is the issue you would like the board to address and why? In March 1993, DNR Shore Fisheries Leasing staff issued a shore fisheries lease that was approximately 400 feet beyond the regulatory boundary for set gillnet gear in the Halibut Cove area. This error was not identified by DNR staff in the Shore Fishery Lease section, by ADF&G staff responsible for regulating this fishery, or by Public Safety personnel responsible for regulatory compliance monitoring until June

Because of ADF&G budget cuts there have been little to no surveys, streams are being over escaped. and never opened on a timely basis. Causing lost revenue.

PROPOSED BY: Thomas Buchanan (EF-F16-070)

PROPOSAL 39 - 5 AAC 21.375. Bear Lake Management Plan. Reinstate *Bear Lake Management Plan* with an equal allocation between cost recovery and common property fisheries, as follows:

Bear Lake Management Plan which addresses the returning sockeyes to Resurrection Bay. Will be divided 50/50 between cost recovery and common property.

What is the issue you would like the board to address and why? Reinstate the Bear Lake Management Plan. Which divides the sockeyes returning to Resurrection Bay. 50/50 between cost recovery and common property.

The BOF gave CIAA 2 years to get finances in order they have had 100% for more than 5 years. There is no cap on the amount of cost recovery, and they have only met there goal one time.

PROPOSED BY: Thomas Buchanan (EF-F16-072)

PROPOSAL 40 - 5 AAC 21.373. Trail Lakes Hatchery Salmon Management Plan. Amend the Bear Lake Special Harvest Area to exclude fresh waters that are currently open to salmon sport fishing, as follows:

5AAC 21.373 [b] [1] is amended to read:

5AA 21.373 Trail Lakes Hatchery Salmon Management Plan [b] [1] Bear Lake Special Harvest Area: the marine waters of Resurrection Bay, in the Eastern District north of a latitude of Caines Head at approximately 59 58.93' N. lat. And the fresh waters of Bear Creek, Salmon Creek, and Resurrection River downstream from and including the Bear Lake weir, **excluding the freshwaters downstream from the Seward Highway and downstream from Nash Road to the ADF&G fresh/salt water boundary markers.**

What is the issue you would like the board to address and why? **Trail Lakes Hatchery Salmon Management Plan.** Modify the Bear Lake Special Harvest Area to exclude the fresh waters that are currently open to salmon sport fishing below the Seward Highway Bridge.

The current Bear Creek Special Harvest Area [SHA] does not accurately reflect the commercial and noncommercial use that occurs in the common property fisheries that Cook Inlet Aquaculture [CIAA] supports in the North Gulf Coast.

Within the Bear Lake Special Area defined by 5 AAC 21.373[e][4], CIAA may harvest salmon on or after the third Monday in May [by emergency order] using purse seines, hand purse seines, beach seines and weirs.

Concurrently, there exists a special freshwater fishery defined in 5 AAC 56.122[a][9][D] where “the waters downstream from the Seward Highway and downstream from Nash Road are open to sport fishing for salmon, except king salmon from June 16-December 31; only single hook, artificial lures may be used; the bag and possession limit is three salmon per day of which only 2 may be coho salmon” This fishery is in an area that is defined as fresh water down to the where ADF&G places the fresh/salt water boundary markers. This small area is the only portion of the Resurrection Bay drainage that is open to sport fishing for salmon.

This proposal would remove waters from the Seward Highway down to the ADF&G fresh/salt water boundary markers from the current Bear Creek SHA so that the SHA would accurately reflect commercial and noncommercial use. This proposal would not affect the prosecution of either fishery in any way.

PROPOSED BY: Seward Fish And Game Advisory Committee (HQ-F16-059)

PROPOSAL 41 - 5 AAC 21.373. Trail Lakes Hatchery Salmon Management Plan. Amend the Bear Lake Special Harvest Area to exclude nearshore marine waters in Resurrection Bay, as follows:

5AAC 21.373 [b][1] would be amended to read:

5AA 21.373 Trial Lakes Hatchery Salmon Management Plan [b][1] Bear Lake Special Harvest Area: the marine waters of Resurrection Bay, in the Eastern District north of a latitude of Caines Head at approximately 59 58.93’ N. latitude. **The SHA boundary will be pulled off of the beach by 50 feet of water distance from 4th of July Creek, 60 04.85’ N by 149 20.80’ W, north to the head of Resurrection Bay SHA boundary, 60 07.41’ N by 149 24.55’W. From 4th of July south to the southeastern SHA boundary at 59 58.93’ N by 149 19.00’W as well as the area on the southwest side of the SHA boundary at Caines Head, 59 58.93 N by 149 23.20 W north to 60 00.48’ by 149 24.25’ the SHA boundary will be pulled off the beach 100 yards of water distance.**

What is the issue you would like the board to address and why? Trail Lakes Hatchery Salmon Management Plan. Modify the boundaries of the Bear Lake Special Harvest Area to reduce conflict between sport fisherman and the cost recovery fleet operating for CIAA.

PROPOSED BY: Seward Fish & Game Advisory Committee (HQ-F16-060)

PROPOSAL 42 - 5 AAC 28.330. Lawful gear for Cook Inlet Area. Amend lawful gear to allow groundfish pots to be connected when commercial fishing for sablefish in the Cook Inlet Area, as follows:

A groundfish pot may not be attached to a line connected to another groundfish pot **except that in the Cook Inlet sablefish fishery groundfish pots may be connected if each end of the buoy line is marked as specified by (d) of this section.**

What is the issue you would like the board to address and why? Fishing sablefish with pots in the Cook Inlet Area. This proposal follows existing state water sablefish regulations in other areas.

PROPOSED BY: Randy Arsenault (HQ-F16-057)

PROPOSAL 43 - 5 AAC 28.350. Closed waters in Cook Inlet Area. Reduce closed waters for commercial groundfish in Kachemak Bay, as follows:

My solution would replace subsection 2 with the following.(2) waters of Kachemak Bay enclosed by the lines from the point east of Gull Island at 59 34.68N 151 19.27W to the southern most point of Gull Island at 59 35 .05N 151 19.9W south to a point at 59 33.4N 151 28.5W then south to 59 30.45N 151 40.0W then north to 59 33.0N 151 40.0W then northeast to 59 34.7N 151 30.0W then north along that latitude to the point that intersects with the mainland.

What is the issue you would like the board to address and why? Closed waters Kachemak Bay.This proposal would reduce closed water area to allow smaller boats to fish during winter months when the prevailing north wind make the outer bay hazardous.It will open up more area around the perimeters of known crab abundance without putting undo pressure on Tanner crab stocks

PROPOSED BY: AlRay Carroll (EF-F16-065)

PROPOSAL 44 – 5 AAC 28.360. Cook Inlet Sablefish Management Plan. Add a 6-hour prior notice of landing requirement for the Cook Inlet commercial sablefish fishery, as follows:

5 AAC 28.360 is amended by adding a new subsection to read:

(d) At least six hours before landing sablefish, an operator of a vessel participating in the Cook Inlet sablefish fishery must notify the department by telephone, to a telephone number specified in writing by the department on the registration forms at the time of registration, the following information:

- (1) vessel name and ADF&G number;**
- (2) date and location of landing, and estimated time of arrival;**
- (3) name of fish buyer or processor;**
- (4) estimated number of pounds of sablefish on board the vessel;**
- (5) whether the catch is dressed fish or whole (in the round) fish.**

What is the issue you would like the board to address and why? There is no prior notice of landing (PNOL) regulatory requirement for vessels participating in the Cook Inlet sablefish fishery. Biological sampling of the sablefish and rockfish bycatch harvested during the fishery is coordinated out of Homer and nearly all deliveries occur in Seward. Staff must travel by state vehicle from Homer to Seward in order to meet landings, which takes approximately 4 hours for the drive alone. Offloading happens quickly and the opportunity to sample landings can easily be missed if there is no notification beforehand. Therefore, having a PNOL in place for this fishery would assist in achieving sampling goals, particularly since there has been a decline in effort and harvest in the sablefish fishery in recent years, which has resulted in a protracted season with fewer deliveries during a given time period. Additionally, a PNOL requirement allows Alaska Wildlife Troopers to be notified about upcoming deliveries, providing a coordinated enforcement opportunity. A similar regulation exists for the Prince William Sound (PWS) sablefish fishery as defined under 5 AAC 28.272(e), and landings during the PWS fishery frequently occur in Seward or Whittier and are covered by the same Homer staff as Cook Inlet sablefish landings. Having a PNOL for both fisheries could potentially result in higher productivity and efficiency for the Central Region sampling program because it may allow for more deliveries to be covered during a single sampling trip.

In 2015, a PNOL requirement was implemented as a condition of registration as provided by 5 AAC 28.020. *Groundfish area registration (c)* and a check-out procedure to report landing information was specified on the registration form. Vessels complied reasonably well; however, several waivers of the PNOL requirement were requested. There is overlap of participants between the Cook Inlet and PWS sablefish fisheries and vessels are able to comply with the PNOL requirements for the PWS sablefish fishery. Therefore, it would be expected that vessels would also be able to comply with the same requirement for the Cook Inlet fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-127)

PROPOSAL 45 – 5 AAC 28.365. Cook Inlet Rockfish Management Plan. Add a 6-hour prior notice of landing requirement for the Cook Inlet commercial rockfish fishery, as follows:

5 AAC 28.365 is amended by adding a new subsection to read:

(h) At least six hours before landing rockfish, an operator of a vessel participating in the Cook Inlet directed rockfish fishery must notify the department by telephone, to a telephone number specified in writing by the department on the registration forms at the time of registration, the following information:

- (1) vessel name and ADF&G number;**
- (2) date and location of landing, and estimated time of arrival;**
- (3) name of fish buyer or processor; and**
- (4) estimated number of pounds of rockfish on board the vessel.**

What is the issue you would like the board to address and why? There is no prior notice of landing (PNOL) regulatory requirement for vessels participating in the Cook Inlet directed rockfish fishery. Biological sampling of rockfish harvested during the fishery is coordinated out of Homer and deliveries generally occur in both Homer and Seward. For Seward landings, staff must travel by state

vehicle from Homer to Seward in order to meet vessels, which takes approximately 4 hours for the drive alone. Offloading happens quickly and the opportunity to sample landings in both ports can easily be missed if there is no notification beforehand. Therefore, having a PNOL in place for this fishery would assist in achieving sampling goals. Additionally, a PNOL requirement allows Alaska Wildlife Troopers to be notified about upcoming deliveries, providing a coordinated enforcement opportunity. A similar regulation already exists for the Prince William Sound sablefish fishery as defined under 5 AAC 28.272(e), and there is a similar proposal to require PNOL for the Cook Inlet sablefish fishery. Landings for both sablefish fisheries frequently occur in Seward and are covered by the same Homer staff as Cook Inlet directed rockfish fishery landings. Having a PNOL for all three fisheries could result in higher productivity and efficiency for the Central Region sampling program because it may allow for more deliveries to be covered during a single sampling trip.

In 2015, a PNOL requirement was implemented as a condition of registration as provided by 5 AAC 28.020. *Groundfish area registration (c)* and a check-out procedure to report landing information was specified on the registration form. Vessels complied reasonably well; however, several waivers of the PNOL requirement were requested. If the PNOL requirement were defined in regulation, there would be less confusion by vessel operators regarding expectations of fishery participants.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F16-129)

PROPOSAL 46 - 5 AAC 28.365. Cook Inlet Rockfish Management Plan. Increase the trip limit for rockfish in the *Cook Inlet Rockfish Management Plan*, as follows:

5 AAC 28.365

(b) A vessel fishing in the North Gulf District may not land or have on board more than [4000] **6000** pounds (round weight) of all rockfish species within 5 consecutive days.

What is the issue you would like the board to address and why? Currently the directed rockfish fishery has a 4000lb 5day trip limit for the North Gulf District. This is primarily a small boat jig fishery, and due to concerns of over harvest a trip limit is warranted. However the current trip limit is very restrictive and in practical terms makes the financial viability of the fishery borderline and as a consequence it is currently very under utilized. I would like the board to consider a slight increase in trip limit to encourage participation.

PROPOSED BY: Joseph Person (EF-F16-077)
