Seward AC

RC 15

WHAT WILL HAPPEN IF NOTHING IS DONE? Loss of our fresh market base. Our group of 16 permit holders are engaged in direct marketing on a fresh domestic market and it is very disruptive in this highly competitive environment to have no set date that will ensure our client base that they can be competitive in the arena year after year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Our fish are of the highest quality already; bleeding, icing and daily deliveries to our custom processor have always been a part of our program. This measure would only ensure our cooperative that we will be able to continue supplying a fresh market on a date they can count on year after year.

WHO IS LIKELY TO BENEFIT? Our market base, their market base, the consumer, our tender, our custom processor and the people employed by them, the trucking company moving our fish, the expeditor in Anchorage, the airlines transporting our product to the lower 48, the local restaurants servicing the tourist industry from Homer to Anchorage that already rely on our fresh fish and our group of 16 permit holders and their deck-hands. The area we fish is not connected to a road system and has little to no economic base whatsoever and anything that would shore up what we have developed in direct marketing would benefit a large segment of the resident population on the south side of Kachemak Bay.

WHO IS LIKELY TO SUFFER? No one. Port Graham and Nanwalek subsistence fisheries fish simultaneously with its commercial fishery so there are no conflicts in this area. Seldovia subsistence fishing ends May 31 therefore the commercial opening on June 1 would be of no consequence. Due to the fact that what we are asking for is already a circumstance that occurs periodically in this fishery and that there is no biological reason for this opening as it stands it goes to say that we would not put any undue stress on other subdistricts by stabilizing our subdistrict's opening date to reflect one that is in step with the current market condition.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Kachemak Bay Salmon Producers (HQ-04-F-055)

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PROPOSAL 15 - **5 AAC 21.375. Bear Lake Management Plan.** Amend this regulation as follows:

(X) The purpose of the following strategies set forth in this section is to provide an equitable distribution of the harvest of enhanced sockeye salmon between the commercial seine fleet and the Trail Lakes Hatchery operators in waters of Resurrection Bay.

(1) The Cook Inlet Aquaculture Association Resurrection Bay Saltwater Special Harvest Area (SHA) shall consist of all marine waters of Resurrection Bay in the Eastern District enclosed by a line drawn from Aialik Cape and approximately149°31.50'W. longitude, 59°42.33'N. latitude, to a point one mile due south of Aialik Cape at approximately 149°31.50'W. longitude, 59°41.33'N. latitude, then northeast to a point one mile due south of Cape Resurrection at approximately 149°17'W. longitude, 59°51.03'N. latitude, then north to Cape Resurrection at approximately 149°17'W. longitude, 59°52.03'N. latitude. These waters are described as Resurrection Bay North Subdistrict (231-30), Renard Island Subdistrict (231-25) and the Rugged Island Subdistrict (231-35). The freshwater SHA shall consist of all freshwaters of Bear Creek, Salmon Creek, and Resurrection River downstream (south) of and including the Bear Creek weir, located at approximately 60°11.36'N. latitude, 149°21.99'W. longitude.

RC 15

(2) Notwithstanding 5 AAC 31.320 and 5 AAC 31.330, and except as provided by emergency order issued under AS 16.05.060, a person holding a permit under AS 16.10.400 for the Trail lakes Hatchery, and an agent, contractor, or employee of thatperson who is authorized under 5 AAC 40.005(g), may harvest salmon within the CIAA Resurrection Bay Saltwater SHA from May 15 through July 15 using purse seines five days per week from 6 a.m. Monday to 10 p.m. Friday or during periods established by emergency order.

(3) The conditions set forth in 5 AAC 21.375(c) will terminate on December 31, 2007.

PROBLEM: The Cook Inlet Aquaculture Association (CIAA) has established an early-run adult sockeye return in Resurrection Bay deliberately sized to support operation of CIAA's non-Tutka Bay Hatchery salmon enhancement programs. To avoid conflicts with the commercial harvest of these fish when they return, CIAA requests the board establish a saltwater special harvest area (SHA) in Resurrection Bay which 1) allows CIAA to harvest fish for cost recovery at their maximum grade; and 2) allows the commercial seine fleet to harvest adult sockeye from the current Bear Lake salmon enhancement project.

The current Bear Lake enhancement project involves the release of early-run sockeye and late-run coho fry to the lake and the release of coho smolt to Bear Creek. Lake rearing conditions are enhanced through nutrient enrichment. CIAA monitors lake-rearing conditions through limnological sampling and enumerates the smolt and adult migrations in Bear Creek. Returning adult sockeye are harvested in the commercial fishery and returning adult coho are harvested in the Resurrection Bay sports fishery. Surplus adult sockeye and coho are harvested for cost recovery from fresh water.

Under the current sockeye enhancement project, CIAA collects 3,000,000 eggs from Bear Lake and release 2,4000,000 fry annually. Based on observed survival rates, the sockeye fry release should produce 542,000 smolt and 108,400 adults. The lake escapement goal is 12,000 fish. CIAA considers a 66 percent harvest rate an acceptable standard for contribution to the fishery. The projected annual commercial harvest is 64,600 fish. Surplus fish are harvested for cost recovery from fresh water.

Under the current coho enhancement project, CIAA collects 950,000 eggs from Bear Creek and release 450,000 fry and 250,000 smolts annually. Based on observed survival rates, the coho fry release should produce 60,000 smolts and, with the hatchery smolt release, the project should produce a total adult coho return of 21,700 adults. These fish are all available to the Resurrection Bay recreational fishery. The minimum lake escapement goal is 300 fish; and, CIAA and the department require 600 fish for hatchery broodstock. Surplus fish are harvested for cost recovery from freshwater.

The Resurrection Bay late-run sockeye salmon cost recovery project began in 1994. This project was sized to provide revenue to operate Crooked Creek Hatchery and other CIAA projects. Although operations at Crooked Creek have been terminated, Crooked Creek Hatchery projects have been transferred to other CIAA operated facilities and the original project objectives remain.

CIAA began the Resurrection Bay cost recovery project by releasing sockeye smolt to Grouse Lake. To avoid conflicts with the Resurrection Bay recreational harvest, CIAA cost recovery harvests were restricted to the freshwaters of the Grouse Lake drainage system.

Late-run sockeye salmon returning to Grouse Lake were available to recreational fishermen as they passed through Resurrection Bay, but are not harvested in any Resurrection Bay commercial

(2) Notwithstanding 5 AAC 21.320 and 5 AAC 21.330, and except as provided by emergency order issued under AS 16.05.060, a person holding a permit under AS 16.10.400 for the Trail Lakes Hatchery, and an agent, contractor, or employee of that person who is authorized under 5 AAC 40.005(g), may harvest salmon within the CIAA Resurrection Bay Salmon SHA from May 15 through July 15 using purse seines five days per week from 6 a.m. Monday to 10 p.m. Friday or during periods established by emergency order.

(3) The conditions set forth in 5 AAC 21.375(c) will terminate on December 31, 2005.

PROBLEM: The Cook Inlet Aquaculture Association (CIAA) has established an early-run adult sockeye return in Resurrection Bay deliberately raised to support operation of CIAA's Tutka Bay Hatchery salmon enhancement programs. To avoid conflicts with the commercial harvest of these fish when they return, CIAA requests the board establish a saltwater special harvest area (SHA) in Resurrection Bay which 1) allows CIAA to harvest fish for cost recovery at their maximum grade; and 2) allows the commercial seine fleet to harvest adult sockeye from the current Bear Lake salmon enhancement project.

The current Bear Lake enhancement project involves the release of early-run sockeye and late-run coho fry to the lake and the release of coho smolt to Bear Creek. Lake rearing conditions are enhanced through nutrient enrichment. CIAA monitors lake-rearing conditions through limnological sampling and enumerates the smolt and adult migrations in Bear Creek. Returning adult sockeye are harvested in the commercial fishery and returning adult coho are harvested in the Resurrection Bay sports fishery. Surplus adult sockeye and coho are harvested for cost recovery from fresh water.

Under the current sockeye enhancement project, CIAA collects 3,000,000 eggs from Bear Lake and releases 2,400,000 fry annually. Based on observed survival rates, the sockeye fry release should produce 542,000 smolt and 108,400 adults. The lake escapement goal is 1,000 fish. CIAA considers a 65 percent harvest rate an acceptable standard for contribution to the fishery. The projected annual commercial harvest is 64,000 fish. Surplus fish are harvested for cost recovery from fresh water.

Under the current coho enhancement project, CIAA collects 950,000 eggs from Bear Creek and releases 450,000 fry and 250,000 smolts annually. Based on observed survival rates, the coho fry release should produce 10,000 smolts and, with the hatchery smolt release, the project should produce a total adult coho return of 21,700 adults. These fish are all available to the Resurrection Bay recreational fishery. The minimum lake escapement goal is 700 fish and CIAA and the department require 600 fish for hatchery broodstock. Surplus fish are harvested for cost recovery from freshwater.

The Resurrection Bay late-run sockeye salmon cost recovery project began in 1994. This project was created to provide revenue to operate Crooked Creek Hatchery and other CIAA projects. Although operations at Crooked Creek have been terminated, Crooked Creek Hatchery projects have been transferred to other CIAA operated facilities and the original project objectives remain.

CIAA began the Resurrection Bay cost recovery project by releasing sockeye smolt to Grouse Lake. To avoid conflict with the Resurrection Bay recreational harvest, CIAA cost-recovery harvests were restricted to the freshwaters of the Grouse Lake drainage system.

Late-run sockeye salmon returning to Grouse Lake were available to commercial fishermen as they passed through Resurrection Bay, but are not harvested in any Resurrection Bay commercial

fishery. CIAA harvested the entire return, less any taken in the recreational fishery, in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Adult returns began in 1996 and were harvested by CIAA annually.

In 1996, the total adult sockeye return was estimated at 800 fish. No adult sockeye salmon were harvested. The small return in 1996 was believed to be due to the poor release conditions. The fish were released in July of 1996 without being held for imprinting.

In 1997, the total adult sockeye return was 16,382 and 12,472 were harvested for sale. 48.2 percent of the harvested fish were rejected by the processor and CIAA received an average price of $0.389/lb. The small return in 1997 was also believed to be due to poor release conditions. The release of most of the returning fish was compromised by unexpected flood conditions in the Grouse Creek system immediately after the fish were released.

In 1998, the total adult sockeye return was 21,654 and 18,484 were harvested for sale. 38.6 percent of the harvested fish were rejected and CIAA received an average price of $0.386/lb. The small return in 1998 was due to the low number of smolt released in 1996.

In 1999, the total adult sockeye return was 107,258 and 104,020 were harvested for sale. 49.6 percent of the harvested fish were rejected and CIAA received an average price of $0.378/lb. CIAA harvested these fish close to saltwater and in the best condition possible. However, all fish harvested were of low grade.

In 2000, the total adult sockeye return was 44,008 and 42,907 were harvested for sale. Four segregated harvest areas, including an experimental salt water special harvest area, were used in an effort to maximize the value of the cost recovery efforts. The fish generated revenues totaling $121,089.54, with an average price of $0.592/lb. By using multiply harvesting sites and working in cooperation with the department's management objectives, the average price per pound increased by 37 percent during a declining market.

In 2001, the total adult sockeye return was 10,976 and 10,876 were harvested. 66 percent of the fish were donated to statewide dog mushers, since the grade of the fish were not acceptable to the commercial market. All fish were harvested from the weir site. No salt water special harvest area was used in 2001, which was the deciding factor for the absence of a cost recovery commodity.

Since 1996, CIAA has grossed $333,804 for the fish harvested. Based on the average Upper Cook Inlet sockeye price of $1.15/lb in 1997 and 1998, $1.40/lb in 1999, $0.85/lb in 2000, and $0.65/lb in 2001, these fish, if harvested in bright condition, were worth $909,182. This represents a significant loss of income to CIAA and the waste of a valuable resource.

CIAA reviewed the difficulties of conducting the late-run Resurrection Bay cost recovery project and proposed 1) the Grouse Lake late-run sockeye smolt release be discontinued, 2) Bear Lake early-run sockeye be further enhanced to provide fish for CIAA cost recovery, 3) a saltwater special harvest area in Resurrection Bay be established and 4) a management plan be developed that allows CIAA to harvest fish for cost recovery at their maximum grade and allows the commercial seine fleet to participate in the harvest.

The following management plan has been reviewed by the Lower Cook Inlet seine fleet and the CIAA Board of Directors. These conditions will be included in the Trail Lakes Hatchery Annual Management Plan.

fishery. CIAA harvested the entire return, less any taken in the recreational fishery, in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Adult returns began in 1996 and were harvested by CIAA annually.

In 1996, the total adult sockeye return was estimated at 800 fish. No adult sockeye salmon were harvested. The small return in 1996 was believed to be due to the poor release conditions. The fish were released in July of 1996 without being held for imprinting.

In 1997, the total adult sockeye return was 16,382 and 12,4[illegible] were harvested for sale. [illegible] percent of the harvested fish were rejected by the processor and CIAA received an average price of $0.385/lb. The small return in 1997 was also believed to be due to poor release conditions. The release of most of the returning fish were compromised by unexpected flood conditions in the Grouse Creek system immediately after the fish were released.

In 1998, the total adult sockeye return was 21,654 and 18,464 were harvested for sale. [illegible] percent of the harvested fish were rejected and CIAA received an average price of $0.386/lb. The small return in 1998 was due to the low number of smolt released in 1996.

In 1999, the total adult sockeye return was 107,258 and 104,020 were harvested for sale. 49.6 percent of the harvested fish were rejected and CIAA received an average price of $0.379/lb. CIAA harvested these fish close to saltwater and in the best condition possible. However all fish harvested were of low grade.

In 2000, the total adult sockeye return was 44,068 and 42,907 were harvested for sale. Four segregated harvest areas, including an experimental salt water special harvest area, were used in an effort to maximize the value of the cost recovery efforts. The fish generated revenues totaling $121,089.54, with an average price of $0.792/lb. By using multiple harvesting sites and working in cooperation with the department's management objectives, the average price per pound increased by 37 percent during a declining market.

In 2001, the total adult sockeye return was 10,970 and 10,876 were harvested. 100 percent of the fish were donated to statewide dog mushers since the grade of the fish were not acceptable to the commercial market. All fish were harvested from the weir site. No salt water special harvest area was used in 2001 which was the deciding factor for the absence of a cost recovery commodity.

Since 1996, CIAA has grossed $233,606 for the fish harvested. Based on the average Upper Cook Inlet sockeye price of $1.15/lb in 1997 and 1998, $1.40/lb in 1999, $0.85/lb in 2000 and $0.65/lb in 2001, these fish, if harvested in bright condition, were worth $909,182. This represents a significant loss of income to CIAA and the waste of a valuable resource.

CIAA reviewed the difficulties of conducting the late-run Resurrection Bay cost recovery project and proposed 1) the Grouse Lake late-run sockeye smolt release be discontinued, 2) Bear Lake early-run sockeye be further enhanced to provide fish for CIAA cost recovery, 3) a saltwater special harvest area in Resurrection Bay be established, and 4) a management plan be developed that allows CIAA to harvest fish for cost recovery at their maximum grade and allows the commercial seine fleet to participate in the harvest.

The following management plan has been reviewed by the Lower Cook Inlet seine fleet and the CIAA Board of Directors. These conditions will be included in the Trail Lakes Hatchery Annual Management Plan.

(1) Prior to May 1 of each year, CIAA will contact all members of the Lower Cook Inlet seine fleet (harvesters), notify them of the projected return and request their participation in the Resurrection Bay saltwater cost recovery harvest. Those seine fleet members wishing to participate in the saltwater cost recovery harvest as an agent of CIAA will register with CIAA prior to entering the Resurrection Bay saltwater SHA and will notify CIAA of their buyer prior to the delivery of fish.
(2) Saltwater SHA harvesters will deliver all harvested fish to their buyer and will be compensated at a rate equal to 50 percent of the dollar value of the fish delivered, minus any taxes due. The dollar value does not include icing, RSW or other delivery bonuses.
(3) 50 percent of the value of the fish harvested by CIAA in the Resurrection Bay freshwater SHA will be split among the participating harvesters in proportion to the value of the fish delivered during the season, minus any taxes due.
(4) 50 percent of the value of retroactive payments received by CIAA for the Resurrection Bay saltwater harvest will be split among the participating harvesters in proportion to the value of the fish delivered during the season, minus any taxes due.
(5) If excessive numbers of nontarget species are captured by CIAA's saltwater cost recovery harvest and the saltwater cost recovery harvest area is closed by the area management biologist, all harvest operations will completed by CIAA in the freshwater SHA. When the saltwater cost recovery harvest area is closed by the area management biologist, 50 percent of the value of the fish harvested in the freshwater SHA within 14 days of the saltwater closure will be split among the participating saltwater harvesters in proportion to the value of the fish delivered during the season, minus any taxes due.
(6) The Saltwater Special Harvest Area and the management plan will be reviewed after three years.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is not being asked to resolve an existing conflict, but is being asked to address a potential problem before it occurs.

CIAA has established an early-run adult sockeye return in Resurrection Bay deliberately sized to support operation of CIAA's non-Tutka Bay Hatchery salmon enhancement programs. To avoid conflicts with the commercial harvest of these fish when they return, CIAA requests the board establish a saltwater special harvest area in Resurrection Bay that 1) allows CIAA to harvest fish for cost recovery at their maximum grade and 2) allows the commercial seine fleet to participate in the harvest.

Without the establishment of a special harvest area, commercial and cost recovery harvest activities will conflict resulting in the harvest of low grade fish and the loss of harvest opportunities by both CIAA and the commercial fleet. The cost recovery harvest of returning sockeye salmon provides the funding necessary to continue the Bear Lake project and other CIAA enhancement activities. A reduction in the value of the sockeye harvested in Resurrection Bay for cost recovery would result in the loss of these programs, which provide fish to one or more segments of the common property fishery throughout Area H.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Adult sockeye salmon returning to the Bear Lake system for cost recovery harvest are harvested in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Fish harvested in the freshwater system have been of very low grade with over 37 percent of the late-run fish returning to Grouse Lake rejected for sale. This represents a significant loss of income to CIAA and the waste of a valuable resource.

(1) Prior to May 1 of each year, CIAA will contact all members of the Lower Cook Inlet seine fleet (harvesters), notify them of the projected return and request their participation in the Resurrection Bay saltwater cost recovery harvest. Those seine fleet members wishing to participate in the saltwater cost recovery harvest as an agent of CIAA will register with CIAA prior to entering the Resurrection Bay saltwater SHA and will notify CIAA of their buyer prior to the delivery of fish.

(2) Saltwater SHA harvesters will deliver all harvested fish to their buyer and will be compensated at a rate equal to 50 percent of the dollar value of the fish delivered, minus any taxes due. The dollar value does not include icing, RSW or other delivery bonuses.

(3) 50 percent of the value of the fish harvested by CIAA in the Resurrection Bay freshwater SHA will be split among the participating harvesters in proportion to the value of the fish delivered during the season minus any taxes due.

(4) 50 percent of the value of cost recovery payments received by CIAA for the Resurrection Bay saltwater harvest will be split among the participating harvesters in proportion to the value of the fish delivered during the season minus any taxes due.

(5) If excessive numbers of nontarget species are captured by CIAA's saltwater cost recovery harvest and the saltwater cost recovery harvest area is closed by the area management biologist, all harvest operations will be completed by CIAA in the freshwater SHA. When the saltwater cost recovery harvest area is closed by the area management biologist, 50 percent of the value of the fish harvested in the freshwater SHA within 14 days of the saltwater closure will be split among the participating saltwater harvesters in proportion to the value of the fish delivered during the season minus any taxes due.

(6) The Saltwater Special Harvest Area and the management plan will be reviewed after three years.

WHAT WILL HAPPEN IF NOTHING IS DONE? The board is not being asked to resolve an existing conflict, but is being asked to address a potential problem before it occurs.

CIAA has established an early-run adult sockeye return in Resurrection Bay deliberately timed to support operation of CIAA's non-Tutka Bay Hatchery salmon enhancement programs. To avoid conflicts with the commercial harvest of these fish when they return, CIAA requests the board establish a saltwater special harvest area in Resurrection Bay that 1) allows CIAA to harvest fish for cost recovery at their maximum grade and 2) allows the commercial seine fleet to participate in the harvest.

Without the establishment of a special harvest area, commercial and cost recovery harvest activities will conflict resulting in the harvest of low grade fish and the loss of harvest opportunities by both CIAA and the commercial fleet. The cost recovery harvest of returning sockeye salmon provides the funding necessary to continue the Bear Lake project and other CIAA enhancement activities. A reduction in the value of the sockeye harvested in Resurrection Bay for cost recovery would result in the loss of these programs, which provide fish to one or more segments of the common property fishery throughout Area H.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Adult sockeye salmon returning to the Bear Lake system for cost recovery harvest are harvested in a freshwater special harvest area defined in the Trail Lakes Hatchery Basic Management Plan. Fish harvested in the freshwater system have been of very low grade with over 57 percent of the late-run fish returning to Bear Lake rejected for sale. This represents a significant loss of income to CIAA and the waste of a valuable resource.

Discontinuing the late-run smolt releases at Grouse Lake, further enhancing the Bear Lake system with early-run fall presmolt and spring smolt releases; and, in securing a saltwater special harvest area will improve the grade and quality of fish harvested and allow all returning fish to be fully utilized.

WHO IS LIKELY TO BENEFIT? All users (subsistence, personal use, recreation, and commercial) of CIAA enhancement programs will benefit from the proposed solution. Moving the late-run Resurrection Bay sockeye cost recovery project from Grouse Lake to an early-run Bear Lake project is expected to increase the grade, quality and value of the sockeye harvested by CIAA. CIAA and all user groups served by CIAA projects throughout the Cook Inlet drainage will benefit.

WHO IS LIKELY TO SUFFER? No one. More fish will be available for harvest by CIAA and the seine fleet. All commercial seine fleet permit holders will be eligible to participate in the Resurrection Bay sockeye harvest. The coho salmon enhancement project will not be changed.

OTHER SOLUTIONS CONSIDERED? A sockeye salmon enhancement project for CIAA cost recovery harvest at Spring Creek: This project was submitted to the board in 1998, but was withdrawn because of conflicts with a previously enhanced chum salmon stock.

CIAA evaluated six other sites in the Resurrection Bay area for the development of a cost recovery harvest: Spruce Creek, Lowell Creek, the Seward Lagoon, two unnamed sites near the airport, and Sawmill Creek. These sites were rejected because of frequent flood conditions, conflicts with other department enhancement projects, poor access, or the need to complete extensive site development.

In 2001 CIAA submitted a proposal to allow for a CIAA cost recovery harvest by capping the commercial harvest at 66,000 fish. This proposal was rejected by the board.

PROPOSED BY: Cook Inlet Aquaculture Association (HQ-04-F-109)

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PROPOSAL 16 - 5 AAC 58.022. Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area. Amend this regulation as follows:

Close all salt waters of the Cook Inlet north of the Kenai River to all sport fishing the entire year.

PROBLEM: Sport fishing for game fish bound for their spawning beds.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continue decline of sport fishing due to unneeded harm of game fish bound for their spawning beds.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By allowing more game fish to spawn, we will have more game fish, which will mean larger bag and size limits, and longer open seasons.

WHO IS LIKELY TO BENEFIT? All users of the resource will benefit.

WHO IS LIKELY TO SUFFER? None.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Jacob Joseph Dahlen (SC-04-F-004)

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Discontinuing the late-run smolt releases at Grouse Lake, further enhancing the Bear Lake system with early-run adult pre-smolt and fingerling releases, and securing a terminal special harvest area will improve the grade and quality of fish harvested and allow all returning fish to be fully utilized.

WHO IS LIKELY TO BENEFIT? All users (subsistence, personal use, recreation, and commercial) of CIAA enhancement programs will benefit from the proposed solution. Moving the late-run Resurrection Bay sockeye cost recovery project from Grouse Lake to an early-run Bear Lake project is expected to increase the grade, quality and value of the sockeye harvested by CIAA. CIAA and all user groups served by CIAA projects throughout the Cook Inlet drainage will benefit.

WHO IS LIKELY TO SUFFER? No one. More fish will be available for harvest by CIAA and the seine fleet. All commercial seine fleet permit holders will be eligible to participate in the Resurrection Bay sockeye harvest. The coho salmon enhancement project will not be changed.

OTHER SOLUTIONS CONSIDERED? A sockeye salmon enhancement project for CIAA cost recovery harvest at Spring Creek. This project was submitted to the board in 1998 but was withdrawn because of conflicts with a previously enhanced chum salmon stock.

CIAA evaluated the other sites in the Resurrection Bay area for the development of a cost recovery harvest: Spruce Creek, Lowell Creek, the Seward Lagoon, two unnamed sites near the airport and Sawmill Creek. These sites were rejected because of frequent flood conditions, conflicts with other department enhancement projects, poor access, or the need to complete extensive site development.

In 2001 CIAA submitted a proposal to allow for a CIAA cost recovery harvest by opening the cove special harvest area (SHA). This proposal was rejected by the board.

PROPOSED BY: Cook Inlet Aquaculture Association (I-C-01-099)

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PROPOSAL 16 - 5 AAC 59.022. **Waters; seasons; bag, possession, and size limits; and special provisions for the Cook Inlet—Resurrection Bay Saltwater Area.** Amend this regulation as follows:

Close all salt waters of the Cook Inlet north of the Kenai River to all sport fishing the entire year.

PROBLEM: Sport fishing for game fish in and/or their spawning beds.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continue decline of sport fishing due to unchecked harm of game fish bound for their spawning beds.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? By allowing more game fish to spawn, we will have more game fish, which will mean larger bag and size limits and longer open seasons.

WHO IS LIKELY TO BENEFIT? All users of the resource will benefit.

WHO IS LIKELY TO SUFFER? None.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Jacob Joe, in Baldie (SC-04F-004)

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DESCRIPTION: Clarify the definition of the minimum size limit of lingcod to provide a measurable reference point for determining head-off length.
DISCUSSION: This housekeeping proposal clarifies regulations by providing a definitive basis for length measurements when the head of a lingcod has been removed.

PROPOSAL NO. 13 **ACTION: Failed**
DESCRIPTION: Allow setnet gear equal time to purse seine gear in Halibut Cove Subdistrict.
DISCUSSION: Enhanced fish are the primary targeted harvest and a snag fishery occurs later in the season. Department stated funding for stocking program is primarily for recreational users, which is being fully utilized at this time. The initial program began with an agreement that the enhanced fishery would not be a detriment to the commercial fishery. Season openings vary from year to year depending on the runs. While this could reduce potential conflict produced by seiners in place when setnetters return to the fishery, the board recognized that the fishery is fully utilized at this time.

PROPOSAL NO. 14 **ACTION: Carried as amended**
DESCRIPTION: Change the opening date for the Southern District to June 1.
AMENDMENT: Department may open the gillnet season by emergency order authority, no earlier than June 1.
DISCUSSION: Approximately 200 additional kings could be harvested – fish would most likely be destined for the two enhancement projects (Halibut Cove and Seldovia Bay). Proponent was looking for a more definitive opening date. The board discussed the fact that an opening on "the first Monday" can vary as much as six days. The board also discussed whether an earlier opening would have detrimental affects on the overall run. A consistent opening date for the entire area would not be an enforcement problem. This proposal gives fishermen an opportunity to keep the markets viable.

PROPOSAL NO. 15 **ACTION: Carried as amended**
DESCRIPTION: Make all of Resurrection Bay a cost recovery special harvest area for CIAA.
AMENDMENTS: The department shall manage the commercial harvest of enhanced Bear Lake sockeye salmon surplus to inriver escapement requirements for a 50/50 allocation in numbers of fish between the commercial seine fleet and the Trail Lakes Hatchery operators in waters of Resurrection Bay are described in the amendment. The exclusionary area remains intact.
DISCUSSION: In Resurrection Bay enhancement originally was for recreational users. Bear Lake is fertilized to ensure the food source remains stable in the enhancement program. Fish spend only the winter in that system. Additional smolt are released at the weir, bypassing the Lake entirely. 50/50 split is between the cost recovery and the commercial fleet. The only cost recovery that has taken place thus far has been in fresh water.

PROPOSAL NO. 16 **ACTION: Failed**
DESCRIPTION: Close all waters of Cook Inlet north of the Kenai River to sport fishing.
DISCUSSION: The board saw no biological reason for the closure. The recreational fishery accounts for less than 1 percent of the salmon harvested.

PROPOSAL NO. 17 **ACTION: Failed**
DESCRIPTION: Apply slot limit to waters of Cook Inlet south of the Kenai River.
DISCUSSION: Sport fishing opportunity would be lost in the eastern Cook Inlet marine waters without measurable increase in the five-ocean fish component of the Kenai River inriver escapement. This is a mixed stock fishery.

PROPOSAL NO. 18 **ACTION: No action**

5 AAC 21.375. Bear Lake Management Plan

(a) Any restrictions, in board policies dated before the effective date of this section, on the maximum number of indigenous Bear Lake sockeye salmon spawners are rescinded. The department shall establish an escapement goal for Bear Lake sockeye salmon stocks and shall manage all contributing fisheries to meet this goal.

(b) Enhancement activities related to either indigenous Bear Lake sockeye salmon stocks or transplanted sockeye salmon stocks must consider the impact on continuing enhancement of Bear Lake coho salmon. It is the intent of the Board of Fisheries that

(1) any enhancement of sockeye salmon must not cause a net loss of coho salmon smolt production from Bear Lake;

(2) any enhancement of sockeye salmon in Bear Lake must maintain the early run timing of the indigenous stocks;

(3) the prime objective of any Bear Lake sockeye salmon enhancement must be to provide the opportunity for a commercially viable sockeye salmon fishery prosecuted with minimal conflict with the recreational fishery.

(c) In Resurrection Bay, the department shall manage the commercial harvest of the enhanced Bear Lake sockeye salmon harvestable surplus to achieve an allocation of 50 percent to the commercial seine fleet and 50 percent to the Trail Lakes Hatchery for cost recovery in Resurrection Bay. For the purposes of this subsection, Resurrection Bay consists of those waters in the Eastern District enclosed by a line from Aialik Cape at 59Ã¸ 42.33' N. lat., 149Ã¸ 31.50' W. long. to a point approximately one mile south of Aialik Cape at 59Ã¸ 41.33' N. lat., 149Ã¸ 31.50' W. long., then northeast to a point approximately one mile south of Cape Resurrection at 59Ã¸ 51.03' N. lat., 149Ã¸ 17' W. long., then north to a point on Cape Resurrection at 59Ã¸ 52.03' N. lat., 149Ã¸ 17' W. long

5 AAC 21.373. Bear Lake Management Plan

(a) Any restrictions, in regulation, adopted before the effective date of this section, on the maximum number of [illegible] in the Bear Lake sockeye salmon [illegible] are rescinded. The department shall establish an escapement goal for Bear Lake sockeye salmon stocks and shall manage all contributing fisheries to meet this goal.

(b) Enhancement activities related to either indigenous Bear Lake sockeye salmon stocks or transplanted sockeye salmon stocks must consider the impact on continuing enhancement of Bear Lake coho salmon. It is the intent of the Board of Fisheries that

(1) any enhancement of sockeye salmon must not cause a net loss of coho salmon production from Bear Lake;

(2) any enhancement of sockeye salmon in Bear Lake must maintain the early run timing of the indigenous stocks;

(3) the prime objective of any Bear Lake sockeye salmon enhancement must be to provide the opportunity for a commercially viable sockeye salmon fishery prosecuted with minimal conflict with the recreational fishery.

(c) In Resurrection Bay, the department shall manage the commercial harvest of the enhanced Bear Lake sockeye salmon harvestable surplus to achieve an allocation of 50 percent to the commercial seine fleet and 50 percent to the Trail Lakes Hatchery for cost recovery in Resurrection Bay. For the purposes of this subsection, Resurrection Bay consists of those waters in the Eastern District enclosed by a line from Aialik Cape at 59° 42.35' N. lat., 149° 31.50' W. long. to a point approximately one mile south of Aialik Cape at 59° 41.32' N. lat., 149° 31.50' W. long., then northeast to a point approximately one mile south of Cape Resurrection at 59° 51.00' N. lat., 149° 16.17' W. long., then north to a point on Cape Resurrection at 59° 52.05' N. lat., 149° 16.17' W. long.