

Version 5.0

Proposed Amendment to Central District Drift Gillnet Management Plan**5 AAC 21.345 Registration IS AMENDED TO READ:***Proposed Addition:*

State waters of the Central District are designated a superexclusive district: a salmon drift gillnet vessel that has been validly registered to take salmon in state waters of the Central District may not be used to take salmon in any other area during the same registration year.

For the state managed Central District drift gillnet salmon fishery, the preseason vessel registration deadline for the registration year is 5:00 pm June 1. Before a vessel may be preseason registered under this subsection, the vessel operator must file a preseason registration form with the department. The preseason registration from must identify the vessel and vessel operator and must be received in person, by mail, electronic mail, or facsimile, at the department office in the Soldotna, Homer, or Anchorage by the deadline specified in this subsection.

What the Proposed Action Does:

- 1) *Designates the State waters of the Central District as a super exclusive district.*
- 2) *Establishes registration guidance*

5AAC 21-353 Central District Drift Gillnet Management Plan is AMENDED TO READ*Proposed Addition – Super Exclusive:*

A CFEC drift gillnet permit holder who participates in the commercial harvest of salmon in waters of Alaska in the central district may not have participated in the commercial harvest of salmon in the exclusive economic zone adjacent to the registration area of the central district during that calendar year.

A vessel used in the commercial harvest of salmon in waters of Alaska in the central district may not have been used in the commercial harvest of salmon in the exclusive economic zone adjacent to the registration area of the central district during that calendar year.

Proposed Addition – Closed Waters to Drift Gillnet Fishing

From July 16 through August 15 waters of Alaska in Drift Area 1 outside the Expanded Kasilof Section and Drift Area 2 outside the Expanded Kenai and Kasilof Sections are closed to drift gillnet fishing.

What the Proposed Action Does:

- 1) Provides clarity and direction to the application of the Super Exclusive designation to State Waters and the EEZ

Note: Housekeeping changes to fishing area descriptions and reference coordinates are also needed to distinguish waters of Alaska and the economic exclusion zone in areas of overlap.

Definition and Authority

Superexclusive designation within Upper Cook Inlet is one where commercial fisherman are required to declare if they are fishing Federally managed waters of the EEZ or waters of Alaska BEFORE they begin fishing for the season. Once declared they would continue to fish that area for the season.

Authority to establish Super Exclusive is identified in AS 16.05.251. Regulations of the Board of Fisheries (a) (14) establishing nonexclusive, exclusive, and superexclusive registration and use areas for regulating commercial fishing;

Inconsistencies in Management

Changes within the EEZ are inconsistent with the stated goals in Central District Drift Gillnet Fishery Management Plan: *“The department shall manage the commercial drift gillnet fishery to minimize the harvest of Northern District salmon and Kenai River coho salmon in order to provide all users with a reasonable opportunity to harvest these salmon stocks over the entire run, as measured by the frequency of inriver restrictions.”*

Management Rationale:

Changes are needed in the Central District Drift Gillnet Fishery Management Plan [5 AAC 21.353) in response to federal fishery management of the exclusive economic zone (EEZ).

Potential increases in mixed stock fishery harvest within the EEZ and the lack of timely in-season management pose a significant threat to Northern District fishery stocks.

The lack of Federal in-season management tools, and the management strategy of harvesting a fixed number of fish through a Total Allowable Catch (TAC) target, compels the State to apply the precautionary principle to more conservatively manage state waters in the face of uncertainty in federal management of the EEZ.

A Super Exclusive designation applied to the drift gillnet fishery will distribute the fleet in space and time between waters of the EEZ and waters of Alaska. Implementation would:

- dampen fishing power of the EEZ,
- slow down the EEZ harvest over the course of the season,
- provide sufficient time for the state to make inseason assessments of actual run strength,
- afford sufficient management flexibility in the state fishery to effectively implement inseason management, and
- maximize/optimize yield and avoid overfishing resulting from the lack of effective inseason management of the EEZ under the federal system.
- Specifically excludes that portion of Drift Area 1 outside of the Expanded Kasilof Section and excludes that portion of Drift Area 2 outside of the Expanded Kenai and Kasilof Sections.

This will be particularly important in years when fish runs are less than forecast and the EEZ fishery is unable to adjust harvest based on in-season information. In years of sockeye runs greater than forecast, state management continues to have the flexibility under the current drift gillnet fishery management plan to scale up harvest in waters of Alaska.

Additionally, the focused driftnet effort within the terminal harvest zones of the Kenai Section, Kasilof Section, Expanded Kenai Section, and the Expanded Kasilof Section, will;

- Limit the amount of fishing effort in the mixed stock fishery of the EEZ
- Focus driftnet effort on Kenai and Kasilof sockeye stocks within the terminal harvest zones of the Kenai Section, Kasilof Section, Expanded Kenai Section, and the Expanded Kasilof Section.

Harvest Reporting and Enforcement

Additional benefit of Super Exclusive fishery avoids harvest reporting issues when the state managed fisheries operate on a day following an opening in the EEZ.

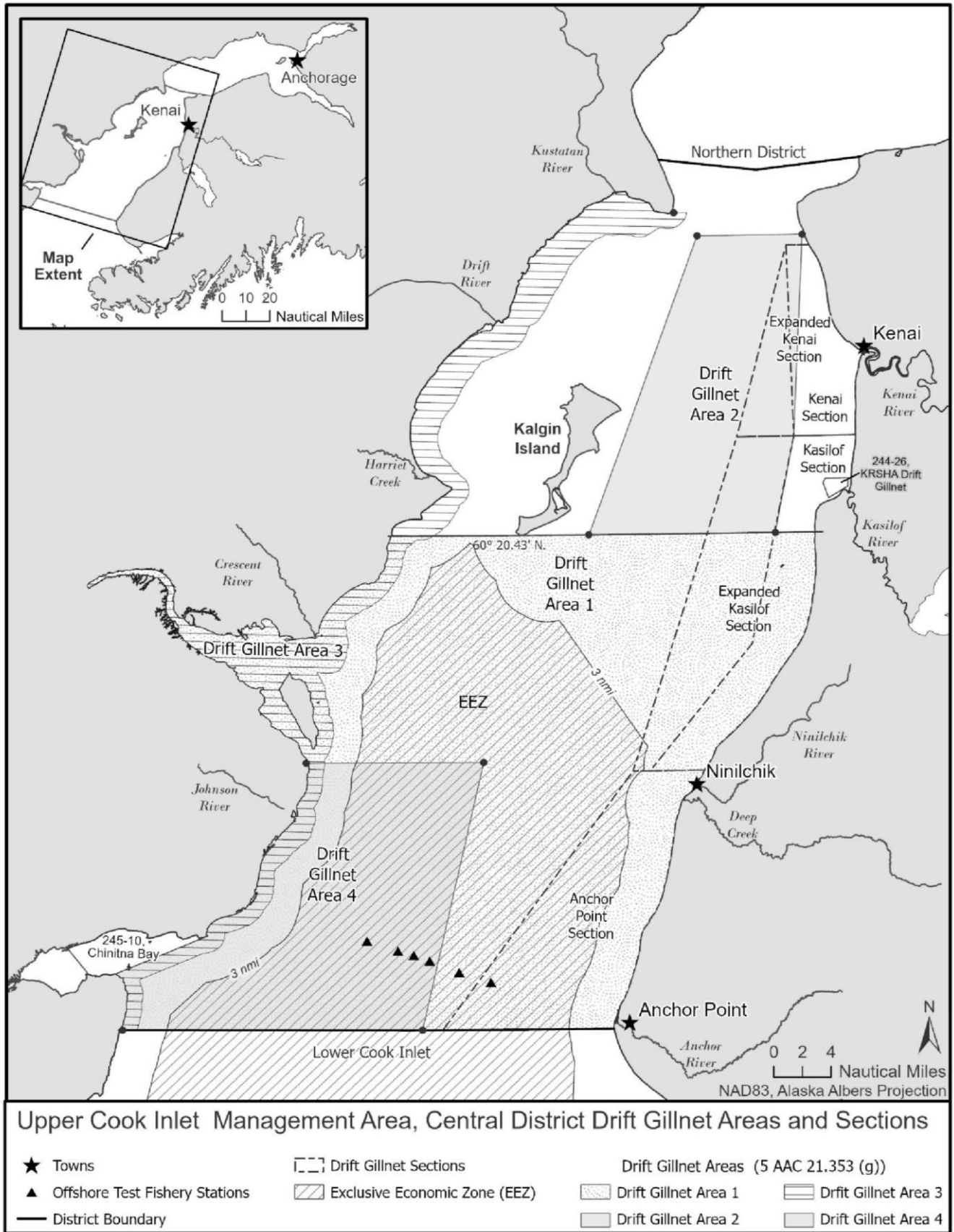


Figure 136-2.—Map of drift gillnet areas and sections.