



Alaska Department of Fish and Game
Board of Fisheries
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ALASKA BOARD OF FISHERIES
March 17–20, 2015
STATEWIDE DUNGENESS CRAB, SHRIMP, MISC. SHELLFISH (EXCEPT
SOUTHEAST AND YAKUTAT) AND SUPPLEMENTAL ISSUES
Anchorage, AK

PRELIMINARY SUMMARY OF ACTIONS

(This summary is informational only. The actions indicated below will have legal effects in regulations that provide the sole legal action of the board.)

Board Members Present

Tom Kluberton, Chair
 Fritz Johnson
 Orville Huntington

John Jensen, Vice-Chair
 Sue Jeffrey
 Reed Morisky

C=Carried, F=Failed, C/A=Carried as Amended, F/A=Failed as Amended, N/A=No Action

Statewide Dungeness Crab, Shrimp, and Misc. Shellfish (47)

SUBJECT (# Proposals)		
Action	Proposal	Description
Kodiak, Chignik, Alaska Peninsula and Aleutian Islands Shellfish (5 Proposals)		
F/A (0-6)	234	Establish weather criteria to delay opening of commercial fishing periods for sea cucumbers in the Kodiak District of Registration Area J. <i>Amended to adopt a seven (7) day maximum postponement for opening delays.</i>
C (6-0)	235	Modify the Chignik District fishing season for sea cucumbers to open two weeks earlier than the remainder of Registration Area J.
C/A (6-0)	236	Establish an earlier season closure for the Kodiak, Chignik, Alaska Peninsula, and Aleutian districts' commercial Dungeness crab fisheries. <i>Amended to change the closure date from November 1 to October 31.</i>
N/A (6-0)	237	Amend the customary and traditional (C&T) use finding for shellfish in the Kodiak Area by adding Tanner crab to the list of shellfish stocks customarily or traditionally taken for subsistence. <i>The board made a positive customary and traditional finding, and findings of an amount</i>

*Audio tracking info**

March 18, 2015 Day 2 - 3:22:40

March 18, 2015 Day 2 - 3:43:28

March 18, 2015 Day 2 - 3:51:10

March 18, 2015 Day 2 - 3:56:56



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2015 Statewide Dungeness, Shrimp, Miscellaneous Shellfish and Other Issues Summary of Actions

SUBJECT (# Proposals)			Audio tracking info*
Action	Proposal	Description	
		<i>reasonably necessary for subsistence by unanimous consent. However, given the public notice for the meeting did not adequately notice the full scope of the proposal, the draft finding in RC 42 Option B, will be converted to Board finding 2015-278-FB, and used to create an agenda change request for the 2015/2016 meeting cycle.</i>	
N/A (6-0)	238	Amend scallop closed waters description. <i>The board took no action based on a request by the proposer to withdraw the proposal.</i>	March 18, 2015 Day 2 - 4:53:05
Statewide Dungeness Crab (1 Proposal)			
F (0-6)	239	Remove Registration Area A from the 72-hour Dungeness crab pot storage limitation requirement.	March 18, 2015 Day 2 - 4:53:33
Cook Inlet Razor Clams (5 Proposals)			
F/A (1-5)	240	Reduce the personal use bag and possession limits for razor clams in eastern Cook Inlet. <i>The board added "sport fish" to the type of uses in the proposal.</i>	March 19, 2015 Day 3 - 0:00:17 March 19, 2015 Day 3 - 0:34:31
F (1-5)	241	Reduce the personal use bag and possession limits for razor clams in eastern Cook Inlet. <i>Proposals 241 and 242 were taken together.</i>	March 19, 2015 Day 3 - 0:51:07
F (1-5)	242	Reduce the sport bag and possession limits for razor clams in eastern Cook Inlet. <i>Proposals 241 and 242 were taken together.</i>	March 19, 2015 Day 3 - 0:51:07
F (1-5)	243	Close east Cook Inlet beaches to all razor clam harvest.	March 19, 2015 Day 3 - 0:01:17
F (0-6)	244	Establish personal use bag and possession limits for razor clams in West Cook Inlet. <i>The board added "sport fish" to the type of uses in the proposal.</i>	March 19, 2015 Day 3 - 0:58:49
Prince William Sound Shrimp (16 Proposals)			
Noncommercial (5 Proposals)			
F (0-6)	245	Change harvest allocation guidelines under the Prince William Sound noncommercial shrimp fishery management plan.	March 19, 2015 Day 3 - 1:05:24
F (0-6)	246	Change harvest strategies under the Prince William Sound noncommercial shrimp fishery management plan.	March 19, 2015 Day 3 - 1:29:47
F (0-6)	247	Modify pot limits per person and household, and increase the pot limit from five to 10 shrimp pots per vessel.	March 19, 2015 Day 3 - 1:36:18
F (0-6)	248	Modify reporting requirements for sport and personal use shrimp fishing in the Prince William Sound Area, including monthly reporting.	March 19, 2015 Day 3 - 1:41:35
N/A (6-0)	249	Create a subsistence permit for shrimp in the Prince William Sound management area. <i>The board took no action based on the action taken on Proposal 245.</i>	March 19, 2015 Day 3 - 1:29:11



Board of Fisheries

2015 Statewide Dungeness, Shrimp, Miscellaneous Shellfish and Other Issues Summary of Actions

SUBJECT (# Proposals)			Audio tracking info*
Action	Proposal	Description	
Commercial (11 Proposals)			
C (6-0)	250	Clarify that a person may only register one vessel each season for the Registration Area E shrimp pot fishery.	March 19, 2015 Day 3 - 1:51:51
C (6-0)	251	Amend the boundary between shrimp pot fishing areas in Registration Area E.	March 19, 2015 Day 3 - 1:56:02
C (6-0)	252	Add additional waters closed to the taking of shrimp with trawl gear and correct coordinates within the closed waters section.	March 19, 2015 Day 3 - 2:00:23
F/A (2-4)	253	Change Registration Area E shrimp pot commercial fishery designation from exclusive to super-exclusive area and season closing date from September 15 to August 1. <i>The board amended the proposal to eliminate the date change component.</i>	March 19, 2015 Day 3 - 2:03:23
C (6-0)	254	Increase the current 25 percent statistical area harvest cap or restriction to 50 percent of the total commercial guideline harvest level (GHL).	March 19, 2015 Day 3 - 2:24:57
C/A (6-0)	255	Increase the minimum number of commercial shrimp pots, or require a distance greater than 300 feet between first and last pot, before a buoy must be placed on each end of the longline in Registration Area E. <i>The board amended the proposal to remove the line length requirement.</i>	March 19, 2015 Day 3 - 2:34:32
N/A (6-0)	256	Increase the minimum number of commercial shrimp pots before a buoy must be placed on each end of the longline in Registration Area E. <i>The board took no action based on action taken in Proposal 255.</i>	March 19, 2015 Day 3 - 2:39:00
C/A (6-0)	257	Amend the reporting requirements for the commercial shrimp pot fishery in Registration Area E. <i>The board amended the proposal to create other means for commercial fishermen to communicate with the department other than by phone.</i>	March 19, 2015 Day 3 - 2:39:17
F (0-6)	258	Close the commercial shrimp pot fishery in Prince William Sound.	March 19, 2015 Day 3 - 2:48:08
N/A (6-0)	259	Close the commercial shrimp pot fishery in Prince William Sound. <i>The board took no action based on action taken in Proposal 258.</i>	March 19, 2015 Day 3 - 2:58:51
N/A (6-0)	260	Close the commercial shrimp pot fishery in Prince William Sound. <i>The board took no action based on action taken in Proposal 258.</i>	March 19, 2015 Day 3 - 2:58:51
Agenda Change Requests and Board Generated Proposals (12)			
C (6-0)	268	Reduce the size of exploitable legal male Tanner crab, from 5.5 to 5.0 inches carapace width, for calculating total allowable catch in waters east of 166° W long. In the Bering Sea District.	March 20, 2015 Day 4 - 0:00:53
C/A (6-0)	269	Amend the Norton Sound Section red king crab harvest strategy to develop a guideline harvest level for the winter and summer commercial seasons. <i>The board amended the proposal to establish a winter GHL at 8% of the total GHL.</i>	March 20, 2015 Day 4 - 0:31:16
C	270	Change the duration of the Norton Sound winter through-the-ice	March 20, 2015 Day 4 - 0:42:39



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2015 Statewide Dungeness, Shrimp, Miscellaneous Shellfish and Other Issues Summary of Actions

SUBJECT (# Proposals)			Audio tracking info*
Action	Proposal	Description	
(6-0)		commercial king crab fishery.	
C/A (6-0)	271	Require four-inch mesh subsistence gillnets to be operated only as set gillnets in the Kuskokwim River during times of king salmon conservation. <i>The board substituted the proposal with language found in RC 60.</i>	March 20, 2015 Day 4 - 0:51:49
C/A (6-0)	272	Provide the Commissioner of the Alaska Department of Fish and Game emergency order authority to restrict gillnet length and other allowable gear during times necessary to conserve king salmon in the Kuskokwim River drainage.	March 20, 2015 Day 4 - 1:17:26
C (6-0)	278	Allow subsistence fishermen to operate fish wheels without a livebox during times necessary for king salmon conservation in the Kuskokwim drainage.	March 20, 2015 Day 4 - 1:31:21
C/A (6-0)	273	Allow drift gillnet subsistence fishing after July 15 in the upper section of Yukon River Subdistrict 4-A for the harvest of summer chum salmon. <i>The board substituted the proposal with language found in RC 61.</i>	March 20, 2015 Day 4 - 1:39:57
C/A (6-0)	274	Allow subsistence fish wheel fishermen in the Yukon Area to retain king salmon when some harvest is justified based upon inseason run assessment. <i>The board substituted the proposal with language found in RC 62.</i>	March 20, 2015 Day 4 - 1:48:19
C/A (5-1)	275	Change the Naknek-Kvichak District boundary line at Graveyard Point as follows: 5 AAC 06.350(b)(1) would be amended to establish coordinates that correspond to the historical location of the upper Graveyard Point marker and factor in the significant shoreline erosion that is occurring. <i>The board substituted the proposal with language found in RC 63.</i>	March 20, 2015 Day 4 - 1:56:02
C/A (6-0)	277	Board generated proposal to consider optimum escapement goals for Bristol Bay sockeye salmon. <i>The board substituted the proposal with language found in RC 32.</i>	March 18, 2015 Day 2 - 2:02:12
C/A (4-2)	276	Redefine the method used to determine maximum overall length of salmon purse seine vessels. <i>The board substituted the proposal with language found in RC 64 with an additional friendly amendment to change the effective date from October 1, 2016 to April 15, 2017.</i>	March 20, 2015 Day 4 - 2:20:56
N/A (6-0)	202	Clarify measurement standards for the commercial salmon purse seine vessel length limit in the Southeastern Alaska Area. <i>The board took no action based on action taken in Proposal 276.</i>	March 20, 2015 Day 4 - 2:47:00
Proposal 44 from 2013–2014 Meeting Cycle (1 proposal)			
N/A (6-0)	44	Create state-waters walleye pollock management plans for Cook Inlet, Kodiak, and Chignik management areas. <i>The board took no action based on the board's plan to accept Gulf of Alaska pollock proposals at its next Statewide Finfish meeting to be held in March 2016.</i>	March 20, 2015 Day 4 - 2:47:58



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2015 Statewide Dungeness, Shrimp, Miscellaneous Shellfish and Other Issues Summary of Actions

SUBJECT (# Proposals)			Audio tracking info*
Action	Proposal	Description	
Amphibians (2 Proposals)			
N/A (6-0)	261	Modify prohibitions on importation and release of live fish to specifically address amphibians in Alaska. <i>Given the public notice for the meeting did not adequately notice the proposal, the board created a delegation found in 2015-275-FB for the department to set a regulatory framework for amphibians.</i>	March 20, 2015 Day 4 - 3:00:07
N/A (6-0)	262	Modify permitting requirements to specifically address the collection, transport, and possession of amphibians in Alaska. <i>Given the public notice for the meeting did not adequately notice the proposal, the board created a delegation found in 2015-275-FB for the department to set a regulatory framework for amphibians.</i>	March 20, 2015 Day 4 - 3:00:07
Supplemental Issues (5 Proposals)			
N/A (6-0)	263	Reduce the length of drift gillnet gear. <i>The board took no action given the proposal was not in cycle.</i>	March 17, 2015 Day 1 -03:33:48
N/A (6-0)	264	Modify length of drift and set gillnets based on preseason sockeye salmon forecast. <i>The board took no action given the proposal was not in cycle.</i>	March 17, 2015 Day 1 -03:33:48
N/A (6-0)	265	Ban the use of live earthworms as bait in freshwater sport fishing. <i>The board took no action given the proposal was not in cycle.</i>	March 17, 2015 Day 1 -03:33:48
N/A (6-0)	266	Modify procedure for assigning observer coverage in king and Tanner crab fisheries. <i>The board took no action given the proposal was not in cycle.</i>	March 17, 2015 Day 1 -03:33:48
N/A (6-0)	267	Repeal exception for use of footgear with felt soles while sport fishing in fresh water. <i>The board took no action given the proposal was not in cycle.</i>	March 17, 2015 Day 1 -03:33:48

* The audio tracking information correlates with the meeting audio available at the bottom of each meeting page. The entry "bof_worksession_10_15_14" indicates the meeting day. The start time indicates when board discussion on the proposal began according to the meeting audio.

Miscellaneous Business:

1. Update on Rotenone projects

ADF&G, Division of Sport Fish's Tom Vania and Kristine Dunker provided an update on the department's Rotenone pike eradication work in waters near Soldotna Creek. Report information was provided in RC 3, Tab 5.

March 20, 2015 Day 4 - 03:11:03

2. Board consent for use of Rotenone in Otter Lake

The board agreed to provide its consent for the department under AS 16.35.200 to engage in a new Rotenone pike eradication project in Otter Lake as described in RC 10 and 11.

March 20, 2015 Day 4 - 03:26:13



3. Delegation of authority to remove duplicate personal use regulations

ADF&G described an overlap of subsistence and personal use regulations that have occurred overtime. The board approved the delegation in RC 66 for instances outside of non-subsistence areas to repeal personal use regulations when personal use regulations are

*March 20, 2015 Day
4 - 03:27:43*

- identical to subsistence regulations,
- (for an area) the same as those found in statewide personal use shellfish regulations, and
- identical to sport fishing and less liberal than subsistence regulations.

The delegation will stand as 2015-276-FB.

4. Delegation of authority in reviewing emergency petitions

The board reviewed a draft delegation of authority in RC 68 for the commissioner to review emergency petitions and call the board to meet if the commissioner finds the petition constitutes an emergency under 5 AAC 96.625(f). A recent court ruling related to a Board of Game lawsuit found the board’s longstanding practice of conducting a “blind” email poll of the board members to determine if a petition warranted a meeting was in violation of the open meetings act under AS 44.62. The board approved the delegation which will stand in 2015-277-FB.

*March 20, 2015 Day
4 - 03:35:16*

5. Emergency Petition: South K Beach Independent Fishermen’s Association (SOKI)

At the meeting the board received an emergency petition (RC 31) by the South K Beach Independent Fishermen’s Association to amend 5 AAC 21.359. The petition was scheduled for review at the meeting under Board policy 2000-203-FB. Upon review of the petition, the board did not find an emergency as described under 5 AAC 96.625(f) existed on a vote of 0-6.

*March 20, 2015 Day
4 - 03:45:44*

6. Emergency Petition: Robert Heyano

At the meeting the board received an emergency petition (as seen under RC 33) by Robert Heyano to amend 5 AAC 27.865. The petition was scheduled for review at the meeting under Board policy 2000-203-FB. Upon review of the petition, the board did not find an emergency as described under 5 AAC 96.625(f) existed on a vote of 3-3.

*March 20, 2015 Day
4 - 04:38:27*

7. Extending the Call for Pollock Proposals

The board plans to seek Gulf pollock proposals next year during Statewide Finfish in March 2016 in Anchorage. With the addition of Gulf pollock proposals to next year’s call, and with the call fast approaching, the board sought to extend the call for proposals *for just* pollock proposals until September 4, 2015.

*March 20, 2015 Day
4 - 04:52:01*

Other Issues:

Board Intent – Shrimp Exclusive Area Definition

In the board review of Proposal 253, staff noted in reading the shrimp exclusive and non-



exclusive definitions in 5 AAC 31.005, that ambiguity existed between these definitions and those for other fisheries. Moreover, the board had created these definitions in 2012 and the eventual regulation did not capture board intent. Upon discussion, the board approved the addition of the word “exclusive” to the definition section in 5 AAC 31.005(b) whereas the new definition will capture previous board intent and read:

(b) The board will designate each registration area, or portion of a registration area, or fishery by gear type in a registration area, or fishery by gear type in a portion of a registration area, as one of the following:

(1) exclusive registration area: unless otherwise provided in this chapter, a vessel used to fish for shrimp that has been validly registered to take shrimp in a shrimp exclusive registration area may not be used to take shrimp in another shrimp **exclusive** registration area during the same registration year;

Kodiak Findings of Customary & Traditional Use and Amounts Necessary for Subsistence

As the board took up Proposal 237, it was determined the public notice did not adequately describe the board would be taking up species in addition to Tanner crab or that amounts reasonably necessary for subsistence (ANS) would be determined. The board went through with the work necessary to make a positive customary and traditional (C&T) use finding on Kodiak Tanner and Dungeness crab, shrimp, and miscellaneous shellfish, as well as the requisite ANS amounts for each of those species. The board also reaffirmed the positive customary and traditional use finding for king crab in the Kodiak area, but did not make an ANS finding due to lack of data. The board confirmed the Kodiak area met the eight criteria to find a C&T for each species, and likewise determined appropriate ANS amounts. Given the board was unable to fully adopt these findings, they opted to create findings in 2015-278-FB. These findings will be converted into an agenda change request for the October 2015 work session for further final deliberations.