

**ALASKA BOARD OF FISHERIES**

**December 2003**

**BRISTOL BAY FINFISH**

***PROPOSALS GROUPED BY TOPIC***

*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. SUBJECT

**SUBSISTENCE**

- 29 Remove trout and char from permit requirements.
- 30 Remove East Side Wood River from subsistence fishing restrictions in July.
- 31 Provide a GPS description of Bristol Bay Area.

**COMMERCIAL HERRING**

- 32 Allocate leftover quota from Togiak to Dutch Harbor food and bait fishery.
- 33 Provide a GPS description of Bristol Bay Area.
- 34 Provide a GPS description of Bristol Bay herring districts.
- 35 Manage for a 50/50 gillnet/purse seine allocation.
- 36 Allow harvest of unused spawn-on-kelp allocation in sac roe fishery.
- 37 Allow harvest of herring for bait.
- 38 Close the Togiak herring commercial fishery for three years.

**SALMON**

**Gear specifications and definitions**

- 39 Allow purse seine use for salmon with two permits.
- 40 Eliminate requirement to mark corks every 10 fathoms for set gillnets.
- 41 Prohibit grounding a drift gillnet.
- 42 Allow 34 to 36 foot vessels with previous participation to fish in Bristol Bay.
- 43 Allow 200 fathoms of drift gear for vessels with two permits onboard.
- 44 Allow permit holder to operate drift and set gear without 48-hour wait.
- 45 Define lettering requirement for setnet signs.
- 46 Add safety requirements for all vessels operating at night in Area T.

PROP

NO. SUBJECT

- 47 Allow only one setnet to be offshore of another in Naknek River Sockeye Salmon Special Harvest Area (NRSHA).
- 48 Require minimum of 5 ¼ inch mesh size for eastside of Bristol Bay (Sand Point to Kvichak).
- 49 Require all setnet gear be pulled up to mean high tide mark during closed periods in NRSHA.
- 50 Require only set gillnets skiffs over 14 feet to display SN numbers.
- 51 Prohibit towing or drift gillnets to hold geographic location.

**Naknek River Special Harvest Area and Egegik River Special Harvest Area**

- 52 Require running lines be removed in NRSHA during drift openings.
- 53 Require setnet gear be removed during drift periods in NRSHA.
- 54 Reimpose the 500-foot limit from the 18-foot tidemark for setnets in NRSHA.
- 55 Allow drift permit holders to fish 75 fathoms of gear in NRSHA.
- 56 Allow switching of gear types for dual permit holders in the NRSHA without 48-hour wait.
- 57 Add unharvested allocation to next year's allocation for a gear group.
- 58 Hold "noncurrent" openings in NRSHA instead of "alternating."
- 59 Apply allocation percentages to NRSHA openings.
- 60 Require shoreward end of set gillnet to go dry at low tide in NRSHA.
- 61 Restrict eastside districts to SHAs until Naknek-Kvichak District is opened.
- 62 Allow Kvichak Section set gillnets to fish concurrently with Naknek periods.
- 63 Delete the special harvest area management plan for Egegik.
- 64 Amend the Egegik Special Harvest Area management plan.

**Wood River Special Harvest Area**

- 65 Prohibit towing in the Wood River Special Harvest Area (WRSHA).
- 66 Establish a drawing to assign first ten setnet sites in WRSHA.
- 67 Prohibit towing of drift gillnets to hold geographic location in WRSHA.
- 68 Prohibit grounding of drift gillnets in WRSHA.

PROP  
NO. SUBJECT

- 69 Manage Nushagak River for minimum of 175,000 sockeye into Nuyakuk River.
- 70 Lengthen fishing periods to minimum of 12-hour drift openings.

**Boundaries**

- 71 Move the western boundary east in NRSHA.
- 72 Redefine Naknek Section north line.
- 73 Include NRSHA in Naknek Section description.
- 74 Provide a GPS description of Bristol Bay management area.
- 75 Provide a GPS description of Togiak District and five sections.
- 76 Provide a GPS description of closed waters in Bristol Bay.
- 77 Correct the closed area description for Egegik Special Harvest Area.
- 78 Provide a GPS description for WRSHA marker locations.
- 79 Redefine boundaries of Naknek/Kvichak, Egegik and Ugashik districts with latitudes and longitudes.
- 80 Redefine southern boundary for directed chinook openings.

**Allocation Plan**

- 81 Eliminate Bristol Bay sockeye allocation plan.
- 82 Eliminate Nushagak allocation plan.
- 83 Adjust Bristol Bay allocation plan for fleet dynamics, etc.
- 84 Include language that would ensure the manager meets allocation percentages.
- 85 Eliminate Egegik District allocation plan when fewer than 600 drift boats are in Egegik.
- 86 Recalculate gear percentages for allocation plans.
- 87 Add unharvested allocation to next year's allocation for a gear group.
- 88 Delete the allocation plan for the Egegik District.
- 89 Return to regulations in effect in the 1970s.
- 90 Use an IFQ approach for Bristol Bay; IFQs set by manager.
- 91 Create an IFQ program for Bristol Bay.

PROP  
NO. SUBJECT

**Sport Fish**

- 92** Change bag limit for jack king salmon in Nushagak/Mulchatna drainage.
- 93** Restrict fishing to shoreline and drifting in Bristol Bay area.
- 94** Ban motorized boat use from the Tazimina River.
- 95** Create upper boundary line at Grassy Point.
- 96** Eliminate guided angling on the Agulukpak River from 7:00 p.m. to 6:00 a.m.
- 97** Extend waters where it is illegal to remove a king salmon from the water prior to release.
- 98** Impose restrictions on the sport fishery below inriver goal projection.
- 99** Impose restrictions on the sport fishery below inriver goal projection.
- 100** Allow pulses of chinook to not be exposed to commercial gear.

ALASKA BOARD OF FISHERIES

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BRISTOL BAY FINFISH

**PROPOSAL 29 - 5 AAC 01.330(a). Subsistence fishing permits.** Amend this regulation as follows:

(a) Salmon [TROUT, AND CHAR] may only be taken under the authority of a subsistence fishing permit.

**PROBLEM:** Remove the language in current regulation that specifies that a subsistence fishing permit be required for the harvesting of subsistence trout and char. Most subsistence fishermen do not realize that this is required by regulation for the taking of trout and char. Customarily, the primary intent of all subsistence fishermen is to feed their families. Those fishermen who do not first acquire a permit unknowingly violate this regulation that has been on the books for quite some time. There are very few freshwater permits issued in Bristol Bay. We believe that use, dependence, and consumption of these stocks are higher than what the records will show. The subsistence harvest of trout and char has always been conducted in Bristol Bay. It is necessary that subsistence users be allowed to continue taking of these fish for subsistence purposes without any chance of prosecution.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Subsistence fishermen will continue to unknowingly and unintentionally violate this regulation. There is that potential that while under current regulation, citations could be issued to those fishermen who do not have in possession a subsistence harvest permit for freshwater fish.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No, quality is not the issue.

**WHO IS LIKELY TO BENEFIT?** Subsistence fishermen who harvest trout and char.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bristol Bay Native Association (SW-03-F-030)

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**PROPOSAL 30 - 5 AAC 01.310. Fishing seasons and periods.** Amend this regulation in the Wood River area to provide the following:

The east side of Wood River would not be included in the regulation restricting subsistence fishing to three days/week in July.

**PROBLEM:** Present regulations prevent seven day/week subsistence fishing on the east side of Wood River after July 1 like it used to be. Until several years ago, you were able to subsistence fish seven days/week on the east side of the Wood River. Now we can only fish three days/week on the east side of Wood River. People from Aleknagik who have to travel down to the mouth of the river cannot always do it because the wind might be blowing too hard on the days that it is not closed. Those people who do not have a site on the Dillingham beaches and wish to fish on the east side of Wood river have to launch boats on Wood River at high tide. During the time when it is only three

days/week, tides may not always come at a time when you can fish. If the wind is blowing on one of those three days, you cannot even launch a small boat and go across the river. People who have jobs during the week cannot subsistence fish on the weekends because it is closed. The inriver commercial fishery is designed to prevent overescapement in the Wood River system, however subsistence fishermen cannot fish on the east side of the river seven days/week even though there may be over escapement into the Wood River. How can you restrict subsistence fishing when you have commercial fishing going on upriver?

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Subsistence fishing will continue to be restricted on the Wood River and people may not get as many fish as they need.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Would allow you to catch smaller amounts of fish at a time, rather than all your fish at once because you would know that you could go the next day to get more.

**WHO IS LIKELY TO BENEFIT?** Those people who subsistence fish on the east side of Wood River.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Aleknagik Traditional Council (SW-03-F-036)

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**PROPOSAL 31 - 5 AAC 01.300. Description of Bristol Bay Area.** Amend the existing regulation to provide updated latitude and longitude coordinates using GPS, as follows:

The Bristol Bay Area consists of all waters of Bristol Bay including drainages enclosed by a line from Cape Newenham at 58° 39.00' N. lat., 162° 10.50' W. long. to Cape Menshikof at 57° 31.33' N. lat., 157° 49.25' W. long.

**PROBLEM:** This is a general area boundary. In the interests of standardization the department believes a definition using GPS coordinates is more suitable.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued confusion.

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

**WHO IS LIKELY TO BENEFIT?** All users will benefit from a better boundary definition.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-03-F-131)

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**PROPOSAL 32 - 5 AAC 27.865. Bristol Bay Herring Management Plan.** Amend this regulation to provide the following:

We would like to allow, if there is quota left over at the conclusion of the Togiak fishery, that this tonnage amount be applied to the Dutch Harbor food and bait quota. Various percentages or options could be considered. The maximum quota will be up to what bait markets can purchase.

**PROBLEM:** Because of decreased markets for sac roe in Togiak, there has been, and potentially in the future exists, the possibility of fish being left “on the table” at the conclusion of the Togiak fishery. This is an underutilization of a valuable resource.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Unless we look at other options fishermen will lose potential financial opportunities, and other markets who demand this fish will lose the opportunity to use them. Also, the state loses revenue.

**WHO IS LIKELY TO BENEFIT?** All bait users will benefit by an increased supply of the best bait in the world. This is also arguably a better utilization of the resource – bait prices were equal or higher than sac roe in 1999. All bait fishermen will benefit as well.

**WHO IS LIKELY TO SUFFER?** No one will suffer; the fish would otherwise remain uncaught.

**OTHER SOLUTIONS CONSIDERED?** None considered.

**PROPOSED BY:** Alaska Herring Seiners Association (HQ-03-F-047)  
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**PROPOSAL 33 - 5 AAC 27.800. Description of Bristol Bay Area.** Conversion from markers to latitude and longitude using GPS coordinates as follows:

The Bristol Bay Area has as its southern boundary a line extending west from Cape Menshikof at 57° 31.33' N. lat. 157° 49.25' W. long. and as its northern boundary a line extending west from Cape Newenham at 58° 39.00' N. lat. 157° 49.25' W. long., and as its western boundary the International Date Line in the Bering Sea.

**PROBLEM:** This is a general area boundary. In the interests of standardization the department believes a definition using GPS coordinates is more suitable.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The regulations will continue to be part marker and part GPS coordinates.

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

**WHO IS LIKELY TO BENEFIT?** Most permit holders have acquired GPS devices and having coordinates to plug in will benefit them.

**WHO IS LIKELY TO SUFFER?** No one. The boundaries have not changed they are just being redefined.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-03-F-136)  
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**PROPOSAL 34 - 5 AAC 27.805. Description of Bristol Bay Area districts and sections.**

Conversion from markers to latitude and longitude using GPS coordinates as follows:

(a) The Togiak District consists of all waters of Alaska between the longitude of the tip of Cape Constantine **at 158° 53.50' W. long.** and the longitude of the tip of Cape Newenham **at 162° 10.50' W. long.**

...  
(b) The Bay District consists of all waters of the Bristol Bay Area east of the longitude of the southernmost tip of Cape Constantine **at 158° 53.50' W. long.**

(c) The General District consists of all waters of the Bristol Bay Area west of the longitude of the southernmost tip of Cape Newenham **at 162° 10.50' W. long.**

**PROBLEM:** Most of the other district and section boundaries in Bristol Bay have already been converted to GPS based lat/longs. This is just trying to continue that standardization.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The regulations will continue to be part marker and part GPS coordinates.

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

**WHO IS LIKELY TO BENEFIT?** Most permit holders have acquired GPS devices and having coordinates to plug in will benefit them.

**WHO IS LIKELY TO SUFFER?** No one. The boundaries have not changed they are just being redefined.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-03-F-137)

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**PROPOSAL 35 - 5 AAC 27.865(b)(8). Bristol Bay Herring Management Plan.** Amend this regulation as follows:

(b)(8) After the spawn-on-kelp harvest and the Dutch Harbor food and bait fishery have been subtracted, the remaining harvestable surplus is allocated to the sac roe fishery. The department shall manage for a removal of **50** [30] percent of the surplus by the gillnet fleet and **50** [70] percent by the purse seine fleet.

**PROBLEM:** Management plan percentage. Allocations to gillnet and purse seine fleet.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishery will continue as is.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. In recent years gillnet-caught herring have produced a higher percentage of sac roe. The processors receive lesser quantities of gillnet-caught herring at a time allowing processors to process it quickly and maintain higher quality. Some processors have moved away from the purse seine fleet.

**WHO IS LIKELY TO BENEFIT?** The gillnet fleet.

**WHO IS LIKELY TO SUFFER?** The purse seine fleet.

**OTHER SOLUTIONS CONSIDERED?** Determine the percent to each gear group by the number of purse seine vessels on the grounds, (1 percent for each purse vessel on the ground) no to exceed 70 percent. The department said it would be too hard to manage.

**PROPOSED BY:** Naknek/Kvichak Advisory Committee (SW-03-F-003)

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**PROPOSAL 36 - 5 AAC 27.865(b)(7). Bristol Bay Herring Management Plan.** Amend this regulation as follows:

7) The maximum exploitation rate for the Bristol Bay herring stock is 20 percent. Before opening the sac roe fishery, the department shall set aside approximately 1,500 short tons for the Togiak District herring spawn-on-kelp fishery, and 7 percent of the remaining available harvest for the Dutch Harbor food and bait fishery.

**i) The department shall have the discretion to harvest all or a portion of the unharvested Togiak spawn-on-kelp allocation in the Togiak purse seine and gillnet fisheries at their respective allocation percentages.**

**PROBLEM:** Recently, there have been several years when the spawn-on-kelp allocation has not been harvested due to market conditions. When the spawn-on-kelp fishery is not fully utilized, there is economic loss.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There will continue to be harvestable surplus left unharvested resulting in economic loss.

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

**WHO IS LIKELY TO BENEFIT?** Those Togiak sac-roe fishermen.

**WHO IS LIKELY TO SUFFER?** No one because it is unharvested anyway.

**OTHER SOLUTIONS CONSIDERED?** Status quo.

**PROPOSED BY:** Nushagak Advisory Committee (SW-03-F-014)

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**PROPOSAL 37 - 5 AAC 27.8XX. Harvest of bait by commercial permit holders in the Togiak District.** Create a new regulation as follows:

(a) The holder of a valid CFEC Togiak sac-roe herring fishery permit may take but may not sell herring for use as bait as follows:

- (1) in the Togiak and Bay districts, herring harvested for bait may be taken from April 25 to June 30.
- (2) except as provided in (3) of this section, herring may be taken at any time;
- (3) herring may be taken only by gillnet or purse seine as described in 5 AAC 27.831 and 5 AAC 27.832;
- (4) in the 72 hours before, during, and 72 hours after an open commercial herring fishing period in the Togiak District, a vessel or crewmember or permit holder that participates

in that commercial herring fishery opening may not take or possess herring under this section in any subdistrict in the Togiak District;

(5) A person or vessel may not take more than two tons of herring under this section in a calendar year.

(b) Any permit holder taking herring under (a) of this section may be required to report to the department the amount of herring taken.

**PROBLEM:** Bristol Bay halibut fishermen do not have adequate supplies of herring for bait. Over the past several years, bait is virtually impossible to obtain once frozen or salted supplies have run out. If a new regulation were adopted to allow those individuals the opportunity to harvest herring for bait, this would alleviate shortage and supply problems encountered by those fishermen. This would allow those halibut fishermen additional economic opportunity to continue harvesting the CDQ halibut quota in Bristol Bay. With the current production of halibut harvested by these fishermen, it is economically unfeasible to bring in bait from outside of the Bristol Bay area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Halibut fishermen will still have difficulty in obtaining bait late in the season, resulting in that the remaining halibut quota could go unharvested.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Quality is not an issue. This would give those fishermen additional economic opportunity as they will be able to continue to harvest they CDQ halibut quota even after local supplies of frozen or salted bait have run out.

**WHO IS LIKELY TO BENEFIT?** Those halibut fishermen who participate in the halibut fishery in Bristol Bay.

**WHO IS LIKELY TO SUFFER?** No one. Herring harvested and taken out of the Togiak herring biomass would be virtually insignificant as the harvest will most likely be low with the small harvests limits imposed.

**OTHER SOLUTIONS CONSIDERED?** Superexclusive and a new and emerging fishery for those halibut fishermen to take bait. Extending the harvest area to all of regulatory Area T. This would cause a host of other problems that under current regulation, would be difficult to resolve.

**PROPOSED BY:** Edward Brandon and Kenny Wilson (SW-03-F-031)

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**PROPOSAL 38 - 5 AAC 27.810. Fishing seasons and periods for Bristol Bay Area.** Amend this regulation to provide the following:

We would like a temporary closure of the commercial harvest of herring fishing and commercial harvest of roe on kelp for three years.

**PROBLEM:** Decline of roe on kelp.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** There will be a decline of herring returning for mass harvesting. Kelp beds will further decline.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This will rebuild the kelp plants where the herring spawn. And since herring is not profitable it will save money for the fishermen.

**WHO IS LIKELY TO BENEFIT?** Currently everyone would benefit because it is for the future.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Traditional Council of Togiak (SW-03-F-032)

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**PROPOSAL 39 - 5 AAC 06.330. Gear.** Amend this regulation to allow the following:

- Two permits would be required to operate a seine net.
- The two gear types (seine/gillnet) would have a separate harvest allocation.
- The two gear types could fish separate openings.
- As a result of stacking permits as well as having separate openers, the gillnet fleet would have far less competition.

**PROBLEM:** Would like to see purse seining allowed to harvest Bristol Bay salmon.

**WHAT WILL HAPPEN IF NOTHING IS DONE?**

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Seine-caught fish would be better quality.

**WHO IS LIKELY TO BENEFIT?** All user groups. This plan would reduce the fleet size.

**WHO IS LIKELY TO SUFFER?** No one. The traditional gillnetter could still continue to fish as he always has.

**OTHER SOLUTIONS CONSIDERED?** Fish traps. There would be no fishermen.

**PROPOSED BY:** Daniel Farren (HQ-03-F-012)

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**PROPOSAL 40 - 5 AAC 06.344(c). Identification of gear.** Amend this regulation by deleting the following:

Delete “Each set gillnet in operation must have one cork every 10 fathoms along the cork line that is plainly and legibly marked with the operator’s five digit CFEC permit number.”

**PROBLEM:** Marking the setnet corks every 10 fathoms serves no purpose and has caused unnecessary hardships for setnetters. The markings are redundant. The outside buoys are already marked with permit the holder’s CFEC number as well as the inside buoy or sign. Marking several CFEC numbers on a cork is confusing in the case of a family with six or seven permits. This regulation was originally intended to dissuade certain members of the drift fleet from laying out over the line then pick up when the net drifted back into the district not for stationary set nets.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Setnetters will continue to receive \$1,000 fines for not triple-marking gear. Some setnetters have lost a substantial percentage of their gross fishing income for the simple mistake of using another family member's or fishing partner's net or markings have washed off their net.

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

**WHO IS LIKELY TO BENEFIT?** Setnetters.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kvichak Setnetters Association (HQ-03-F-084)

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**PROPOSAL 41 - 5 AAC 06.331. Gillnet specifications and operations.** Amend this regulation as follows:

Notwithstanding 5 AAC 39.105(d)(3), a person may not operate a drift gillnet when the vessel to which it is attached is grounded, or when any portion of the gillnet is grounded above the waterline.

**PROBLEM:** Clarification is needed in the Bristol Bay area as to what constitutes a drift gillnet. Currently there is some confusion and disagreement among industry, enforcement, and the courts as to when a drift gillnet may be towed or affixed to a grounded vessel to allow the net to remain in substantially the same position (thus become a set net). The Department of Public Safety receives a number of complaints each season from fishermen reporting grounded gillnet vessels and vessels towing their drift nets to remain in the same position on a closure line that gives them the unfair advantage of intercepting salmon swimming into the open fishing district.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Legal fishermen will continue to suffer because they feel it is illegal and are not willing to ground their vessels or let a portion of their nets go dry to hold a set. Enforcement will continue to have difficulty prosecuting persons who operate drift gillnets essentially as set nets when grounded.

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

**WHO IS LIKELY TO BENEFIT?** Fishermen who wish to set their nets near a closure line or drift through an area and wish not to be blocked by vessels or nets which are grounded and blocking the drift.

**WHO IS LIKELY TO SUFFER?** Fishermen who wish to hold their nets in essentially the same position near a closure line or ground their vessels or nets to hold a set.

**OTHER SOLUTIONS CONSIDERED?** Status quo, continue complaints and lost fishing opportunity by fishermen who wish to obey the intent of current regulations.

**PROPOSED BY:** Department of Public Safety (HQ-03-F-037)

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**PROPOSAL 42 - 5 AAC 06.341. Vessel specifications and operations.** Amend this regulation to provide the following:

A length limit of 34 or 36 feet with previous participation of the vessel in the Bristol Bay salmon fishery to help stay away from overcapitalization.

**PROBLEM:** The most immediate and obvious problem with Bristol Bay sockeye is quality. With larger boats it would be much easier to produce a better quality fish. Larger boats make it much easier to produce a better quality fish, and are safer for salmon, halibut and other nonsalmon fisheries.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Bristol Bay fishermen will continue to produce an inferior product unless they pay a lot of money to shoehorn a lot of equipment into way to little space.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Quality is a function of many variables, one of them is having enough room to be able to handle the fish in an appropriate manner. This would encourage more room on deck and shallower hatches both of which help to make better quality.

**WHO IS LIKELY TO BENEFIT?** All fishermen in Bristol Bay by allowing larger boats that will make for a higher quality fish for our customers and safer boats in bad weather.

**WHO IS LIKELY TO SUFFER?** I cannot think of anyone who would suffer. The 32-foot limit comes from a processor deciding that he wanted 32-foot boats to store them easily in his existing warehouse in the early 1900s.

**OTHER SOLUTIONS CONSIDERED?** A 38-foot limit for boats with RSW.

**PROPOSED BY:** Scott Stevenson (HQ-03-F-068)

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**PROPOSAL 43 - 5 AAC 06.331(e). Gillnet specifications and operations.** Amend this regulation to provide the following:

**(e)...except that any registered salmon drift gillnet vessel that has two people onboard and are registered to that vessel and hold individual valid interim-use or entry permit cards for that gear can have onboard and use no more than 200 fathoms of drift gillnet gear in the aggregate during open fishing periods.**

**PROBLEM:** The limit of 150 fathoms of drift gillnet gear on drift gillnet vessels during times of low salmon returns and low salmon prices. The difficulty of hiring qualified crew during times of low salmon returns and prices. The percent of gross revenue that is required to operate a drift gillnet vessel. The continued decline of local ownership of drift gillnet permits.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The continued difficulty of hiring qualified crew resulting in a higher chance of accidents and insurance premiums. Continued difficulty of achieving a reasonable profit from drift gillnetting in Bristol Bay. Continued losses of watershed ownership of drift gillnet permits.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. Reducing operational costs will provide profits that could be used to improve the quality of harvesting salmon. Reducing the total amount of gear and vessels used in harvesting will reduce crowding and provide harvesters the option to harvest salmon in a more quality-conscience method.

**WHO IS LIKELY TO BENEFIT?** Those drift gillnet fishermen who wish to remain in the fishery as an active participant and still realize a profit.

**WHO IS LIKELY TO SUFFER?** No one. Those drift gillnet fishermen who choose not to participate in the new regulation will still benefit from the reduction in gear and vessels.

**OTHER SOLUTIONS CONSIDERED?** Other gear and vessel reductions which would have reduced from the status quo, but preferred the option that allowed for individual choice.

**PROPOSED BY:** Robert Heyano (SW-03-F-021)

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**PROPOSAL 44 - 5 AAC 06.370(c). Registration and reregistration.** Amend this regulation as follows:

(c) After the use of either drift or set gillnet gear, use of the other type of gear is [NOT] **permitted if the permit holder is in the same district.**

**PROBLEM:** A fisherman who owns a driftnet permit and a setnet permit cannot switch back and forth between gear types without giving 48-hour notice in Bristol Bay. I am asking the board to change the language to say the 48-hour transfer waiting period will be dropped for those who want to change gear types and stay in the district they are currently registered in. If they wish to transfer to another district the current rule of the 48-hour wait would apply.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** If you own both permits you cannot use them very efficiently because of the 48-hour waiting period. With the quick season we have in the Bristol Bay salmon fishery, the run could have swam by and be up the river and counted as escapement by the time you get your 48-hour waiting period over with, even though you never left your district. If this problem is not changed it would cause further economic hardship for the fishing fleet. This alternating gear type style of management has been occurring since the new allocation rules were put into place.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** It would bring a steady supply of fish to the processor instead of a delay of at least 48 hours before the next delivery if the gear type is switched.

**WHO IS LIKELY TO BENEFIT?** Both gear types and processors.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bonnie Perata (HQ-03-F-098)

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**PROPOSAL 45 - 5 AAC 06.334(c). Identification of gear.** Amend this regulation as follows:

The lettering must be clear letter or number at least 18 inches high and 1 to 1.5 inches thick on a contrasting background.

**PROBLEM:** Difficulty in reading setnet beach signs.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Driftnet fishermen and others have a hard time reading the owners' names of setnet sites.

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

**WHO IS LIKELY TO BENEFIT?** No one.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bristol Bay Driftnetters Association (HQ-03-F-109)

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**PROPOSAL 46 - 5 AAC 06.341. Vessel specifications and operations.** Amend this regulation as follows:

All vessels operating at night in the waters of Area T shall comply with the safety requirements of AS 05.25.010 (a)-(h) including drift and set net vessels. This includes requirements for visual distress signals, fire extinguisher(s), applicable lights from sunset to sunrise and during periods of restricted visibility and personal flotation devices. A survival suit may be substituted for a type I, type II, type III or type V personal flotation device.

**PROBLEM:** The current Bristol Bay regulations do not specifically mention the requirement to meet Alaska state safety requirements, including the requirements for distress signals, fire extinguishers, lights and flotation devices

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Someone will needlessly die. This is especially likely from situations such as the collision at night of one or two vessels operating without navigation lights or a vessel experiencing flooding with no flares to signal for help. At the present time all too often vessels are operating at night without the use of navigation lights which is especially dangerous.

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

**WHO IS LIKELY TO BENEFIT?** All users benefit from vessels meeting safety requirements. Sooner or later a vessel operating without the required safety requirements or operating without lights will be involved in an accident that could involve loss of life.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** Placing this in the statutes section.

**PROPOSED BY:** Bristol Bay Driftnetters Association

(HQ-03-F-110)

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**PROPOSAL 47 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

Simply reinstate the old wording: “no more than one setnet may be offshore of another.”

**PROBLEM:** On June 3, 2001 the board repealed a regulation that only allowed one setnet to be offshore of another setnet. Since the allocation plan is not currently being managed while inriver this surprise change has tremendous allocative implications. We would like to discuss this change during the regular cycle.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The driftnet portion of the fleet will not come close to previous catch levels or the allocation plan goals.

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

**WHO IS LIKELY TO BENEFIT?** Driftnet fishermen.

**WHO IS LIKELY TO SUFFER?** None.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Terry Bonjorni

(HQ-03-F-111)

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**PROPOSAL 48 - 5 AAC 06.331. Gillnet specifications and operations.** Amend this regulation to provide the following:

All mesh size from Sand Point to the Kvichak and all fisheries within shall not have sizes smaller than 5 ¼ inches.

**PROBLEM:** Mesh size restriction to 5 ¼ inches.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Kvichak shall never return.

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

**WHO IS LIKELY TO BENEFIT?** Females will swim through the big gear and the return will increase.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Stan Small

(SW-03-F-025)

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**PROPOSAL 49 - 5 AAC 06.360 Naknek River Sockeye Salmon Special Harvest Area.** Amend this regulation to provide the following:

After setnet openings all anchors and buoys will be pulled up to the mean high water level.

**PROBLEM:** Naknek River special harvest area setnetters and driftnetters have separate openings. Setnet anchors and buoys are left out during the drift openings, resulting in less area and obstacles in drifting. Especially at night, this gives driftnetters less area than setnetters and an unfair allocation.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Setnetters will continue to have bigger area to fish in and an unfair chance at the amount of harvest.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** There will be less towing of driftnets to avoid setnet buoys and anchors, resulting in better quality fish.

**WHO IS LIKELY TO BENEFIT?** Driftnetters will have the same area to fish.

**WHO IS LIKELY TO SUFFER?** Setnetters that do not already pull their anchors and buoys.

**OTHER SOLUTIONS CONSIDERED?** Reinstate the allocation between setnetters and driftnetters.

**PROPOSED BY:** Lake Iliamna Advisory Committee (SW-03-F-037)

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**PROPOSAL 50 - 5 AAC 06.343(b). Vessel identification.** Amend this regulation as follows:

(b) A salmon set gillnet vessel participating in the Area T set gillnet fishery and **is over the** overall length of 14 feet must display the letters SN twelve inches high and one inch wide on both sides of the hull....

**PROBLEM:** The intent of the regulation was to identify a skiff's use in a commercial fishing endeavor. Fish and Wildlife Protection (FWP) has at times interpreted the regulation to require every permit holder using the skiff to have his or her CFEC number on the skiff. This confusion could result in unnecessary prosecution. Skiffs are not limited to a site. Skiffs may be borrowed. The skiffs are not large enough to accommodate several 12 inch high CFEC numbers as would be required in larger set net operations.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** FWP officers not familiar with Bristol Bay regulations will continue to misinterpret the regulation, causing confusion and stress for FWP and setnetters.

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

**WHO IS LIKELY TO BENEFIT?** FWP and setnetters.

**WHO IS LIKELY TO SUFFER?** Nobody.

**OTHER SOLUTIONS CONSIDERED?** Repeal the regulation. However, there is some need to identify a skiff as commercial.

**PROPOSED BY:** Kvichak Setnetters Association

(HQ-03-F-086)

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**PROPOSAL 51 - 5 AAC 06.331. Gillnet specifications and operations.** Amend this regulation to provide the following:

A person may not use mechanical power to hold a vessel attached to a drift gillnet in substantially the same geographic location while commercial fishing.

**PROBLEM:** The holding of nets by drift vessels, in one location for an extended period of time.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Enforcement will continue to have problems.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The constant towing on nets reduce the quality of the fish by squeezing and softening the fish.

**WHO IS LIKELY TO BENEFIT?** Processors, consumers, fishermen.

**WHO IS LIKELY TO SUFFER?** Those drift fishermen who tow nets to maintain a certain position.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Naknek/Kvichak Advisory Committee

(SW-03-F-004)

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**ROPOSAL 52 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

All running lines, connected to the mean high tide mark, that are associated with commercial set net fishing shall be removed when not being used to fish in the Naknek River Special Harvest Area (NRSHA).

**PROBLEM:** Fishing equipment (gear) left in the water.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Change the harvest by gear group, unneeded escapement.

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

**WHO IS LIKELY TO BENEFIT?** Drift fishermen.

**WHO IS LIKELY TO SUFFER?** Setnet fishermen.

**OTHER SOLUTIONS CONSIDERED?** NRSHA allocation plan. An allocation plan will cause a gear group to sit for an extended period of time in an already economically marginal fishing situation.

**PROPOSED BY:** Fred Pike

(HQ-03-F-015)

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**PROPOSAL 53 - 5 AAC 06.360(d)(2). Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

(d)(2) [BEYOND 500 FEET FROM SHORE,] all gear associated with the set gillnet fishing shall be removed when it is not being used to fish in the NRSHA.

**PROBLEM:** During fishing opportunities in the NRSHA the drift gillnet fishery is impaired due to setnet anchoring devices. This has resulted in lower than expected harvests by the drift gillnet fleet and lower harvests than the allocative guidelines would suggest within the Bristol Bay allocation plan (5 AAC 06.364).

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The drift gillnet fleet will continue to experience lower than expected harvest levels in the NRSHA.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Our proposal will minimize or eliminate gear conflicts between set gillnet and drift gillnet fisheries. By removing this conflict, the drift gillnet fishery will more likely be able to use best harvesting practices. This will result in higher quality salmon.

**WHO IS LIKELY TO BENEFIT?** When the NRSHA is implemented drift gillnet fishermen will benefit by 1) increased harvest, and 2) reduced gear conflicts.

**WHO IS LIKELY TO SUFFER?** The NRSHA set gillnet fishermen will be require to remove all gear associated with the set gillnet fishing when not in use.

**OTHER SOLUTIONS CONSIDERED?** One other solution is to institute a preset allocation guideline for the NRSHA that would be commensurate with 5 AAC 06.364. This may prove to be too difficult to implement.

**PROPOSED BY:** Alaska Independent Fishermen’s Marketing Association (HQ-03-F-083)  
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**PROPOSAL 54 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

Go back to the old wording that says “no part of a set gillnet may be more than 500 feet from the 18-foot high tide mark at any time.”

**PROBLEM:** Because the allocation plan has not been utilized while the inriver fishery is in effect, some changes in the 1998-2000 rule book have had an unintended allocative effect. One in particular is that under new regulations setnets may go more than 500 feet from the 18-foot high tide mark during setnet-only openings. Under the new allocation plan, all parties believed that this change would have no allocative impact and no arguments were made to this change.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The driftnet portion of the fishery operating in good faith will have had no opportunity to argue its cause before the board under the surprise lack of implementation of the allocation plan.

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

**WHO IS LIKELY TO BENEFIT?** Driftnet fishers.

**WHO IS LIKELY TO SUFFER?** Setnet fishers.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Warren Johnson (HQ-03-F-102)  
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**PROPOSAL 55 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation to provide the following:

In the Naknek River Special Harvest Area, drift boats would be allowed to fish 75 fathoms of gear at a time.

**PROBLEM:** Exceeding the mean escapement goal in the Naknek River. Catch ratio percentage between gear groups when the allocation plan is not used.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishery will continue as is.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. It would discourage the round hauling of gear, which reduces quality.

**WHO IS LIKELY TO BENEFIT?** The department, drift fishermen, processors.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** NRSHA allocation plan. Gear groups may wait several days to allow the other group to catch up.

**PROPOSED BY:** Naknek/Kvichak Advisory Committee (SW-03-F-005)  
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**PROPOSAL 56 - 5 AAC 06.370(c). Registration and reregistration.** Amend this regulation to provide the following:

(c) After 9 AM July 17 **or while fishing in the NRSHA**, changing to either drift gillnet or set gillnet gear may be done without notification to the department of the type of gear intended to be used.

**PROBLEM:** Allow the use of set gillnet or drift gillnet gear in the Naknek River Sockeye Salmon Special Harvest Area, without waiting 48 hours to switch gear types.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishing will continue as is.

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

**WHO IS LIKELY TO BENEFIT?** Fishermen who own both drift gillnet and set gillnet permits.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Make the change bay-wide; too general.

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**PROPOSAL 57 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan; and 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

Two regulations should have minor clarifications to their wording. 5 AAC 06.364 could have a section added in (b): during the Naknek inriver openings the drift gillnet fleet allocation shall be at 84 percent and the combined Naknek and Kvichak setnet gear groups shall be 16 percent.

Also there was a recent wording change to 5 AAC 06.360, the Naknek River Salmon Special Harvest Area Management Plan, which has created an opportunity for confusion. The latest wording states that the openings shall alternate between gear groups. This was done to further reduce gear conflict. This means that to implement both 5 AAC 06.364 and 5 AAC 06.360 the setnet openings would have to be shortened substantially. In order to avoid creating needless work and expense for the setnet gear group and not to burden management, the wording in 5 AAC 06.360(c) should have “alternating” removed and “nonconcurrent” inserted. That change would be entirely consistent with the methods used to achieve allocation goals in the main Naknek-Kvichak District.

**PROBLEM:** The recent management of the Naknek River Special Harvest Area has caused a huge deviation from the allocation percents set forth in the Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan. The allocation plan calls for the respective drift and set gillnet percents to be placed at 84 percent and 16 percent. For the Naknek-Kvichak District in 2002 the final percents were 64 percent and 36 percent. The setnet gear group could more than double its allocation and more than triple its preallocation catch levels at the expense of the driftnet gear group. There is no rational reason to believe that the Naknek River Special Harvest Area portion of the Naknek-Kvichak District was excluded from this setnet/driftnet allocation plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Bay-wide allocation plan that was created with many days of hard work back in 1997 will have been somewhat contravened. Board’s intent at the creation of this plan was to solve a serious problem with the creation of a comprehensive plan to bring fairness to both groups. It also allowed for changes to be made that benefit either gear group without unfairly reallocating the resource away from the other. The driftnet gear group is currently being very unfairly treated.

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

**WHO IS LIKELY TO BENEFIT?** All users will benefit from a clear, accurately implemented and comprehensive allocation plan. The setnet gear group benefits under the existing allocation plan from the standpoint that during the 20 years previous to the allocation plan (1977-1996) the combined Naknek and Kvichak setnet gear group caught 11.66 percent of the sockeye harvested in all of the Naknek-Kvichak District, including the sockeye harvested in the Naknek River Special Harvest Area. The increase to a 16 percent allocation would have to be considered a benefit, in fact a 37 percent benefit.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bristol Bay Driftnetters Association (HQ-03-F-106)

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**PROPOSAL 58 - 5 AAC 06.360. Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

There was a recent wording change to 5 AAC 06.360, the Naknek River Salmon Special Harvest Area Management Plan, which has created an opportunity for confusion. The latest wording states that the openings shall alternate between gear groups. This means that to implement both 5 AAC 06.364 and 5 AAC 06.360 the setnet openings would have to be shortened substantially. In order to avoid creating needless work and expense for the setnet gear group and for management, the wording in 5 AAC 06.360(c) should have “alternating” removed and “nonconcurrent” inserted. That change would be entirely consistent with the methods used to achieve allocation goals in the main Naknek-Kvichak District

**PROBLEM:** The recent management of the Naknek River Special Harvest Area has caused a huge deviation from the allocation percents set forth in the Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan. The allocation plan calls for the respective drift and set gillnet percents to be placed at 84 percent and 16 percent. For the Naknek-Kvichak District in 2002 the final percents were 64 percent and 36 percent. The setnet gear group more than doubled its allocation at the expense of the driftnet gear group. This is a tough time to carry an extra hardship. There is no rational reason to believe that the Naknek River Special Harvest Area portion of the Naknek-Kvichak District was excluded from the setnet/driftnet allocation plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The much needed allocation plan that was created with many days of hard work back in 1997 will have been somewhat undone for no reason. Everyone present at the creation of this plan thought the board’s intent was to solve a serious problem with the creation of a comprehensive plan. No fishing area in all of Bristol Bay was not addressed by the allocation plan and yet this area is being treated as if it were not. The driftnet gear group is currently being very unfairly treated.

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

**WHO IS LIKELY TO BENEFIT?** All users will benefit from a clear accurately implemented and comprehensive allocation plan. Although the setnet gear group undoubtedly enjoys this recent bonus, they also benefit under the existing allocation plan from the standpoint that during the 20 years previous to the allocation plan (1977-1996) the combined Naknek and Kvichak setnet gear group caught 11.66 percent of the sockeye harvested in all of the Naknek Kvichak District including the sockeye harvested in the Naknek River Special Harvest Area. The increase to a 16 percent allocation would have to be considered a benefit, in fact a 37 percent benefit. Last year, at 36 percent, the Naknek-Kvichak setnet gear group harvested 308 percent more than their preallocation harvest levels.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Rob Jones

(HQ-03-F-107)

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**PROPOSAL 59 - 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

Add a section in (b): During the Naknek inriver openings the drift gillnet fleet shall remain at 84 percent and the combined Naknek and Kvichak setnet gear group shall be 16 percent.

**PROBLEM:** The recent management of the Naknek River Special Harvest Area has caused a huge deviation from the allocation percents set forth in the Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan. The allocation plan calls for the respective drift and set gillnet percents to be placed at 84 percent and 16 percent. For the Naknek-Kvichak District in 2002 the final percents were 64 percent and 36 percent. The setnet gear group in 2002 harvested 225 percent of its allocation at the expense of the driftnet gear group. From just before the inception of the Bristol Bay allocation plan in 1996 to August of 2002 the driftnet permits retained 10 percent of their value while setnet permits retained 25 percent of their value.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The much needed allocation plan that was created with many days of hard work back in 1997 will have been somewhat undone for no reason. The board's intent was to solve a serious problem with the creation of a comprehensive plan that did not lead to a reallocation. The board needs to insure that department managers operate in a fashion to preserve long-term fairness. The driftnet gear group is currently being treated very unfairly.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The driftnet fleet can more efficiently chill and handle product.

**WHO IS LIKELY TO BENEFIT?** All users will benefit from a clear accurately implemented and comprehensive allocation plan. The setnet gear group enjoys a benefit under the allocation plan from the standpoint that during the 20 years previous to the allocation plan (1977-1996) the combined Naknek and Kvichak setnet gear group caught 11.66 percent of the sockeye harvested in all of the Naknek Kvichak District including the sockeye harvested in the Naknek River Special Harvest Area. The increase to a 16 percent allocation was a benefit of 37 percent.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Warren B. Johnson

(HQ-03-F-108)

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**PROPOSAL 60 - 5 AAC 06.360(e). Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

The shoreward end of a set gillnet must go dry at low tide.

**PROBLEM:** When the Naknek-Kvichak allocation plan became regulation we all understood that part of the reason for the plan was to allow gear groups to make beneficial changes for

themselves and yet maintain the allocation between gear groups. When this regulation was changed to no longer require setnets go dry on the shoreward end, the driftnet fleet in good faith assumed this change would have no impact on them. There was no complaint or even discussion at the time of the change because those present had every reason to assume the management of the Bay-wide allocation plans would be handled to maintain the allocation.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Naknek driftnet gear group will have a dramatic cut in catch percent from historic levels.

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

**WHO IS LIKELY TO BENEFIT?** The driftnet gear group.

**WHO IS LIKELY TO SUFFER?** There is no way of knowing until the allocation is addressed.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Ginger Tornes (HQ-03-F-112)

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**PROPOSAL 61 - 5 AAC 06.XXX. Eastside Bristol Bay Sockeye Salmon Management Plan.**

Create new management plan to provide the following:

For the protection of Kvichak sockeye salmon, all eastside districts will fish in restricted boundaries until the Naknek-Kvichak District or a section of the Naknek-Kvichak District is opened to commercial fishing.

Restricted boundaries for the plan are as follows:

Naknek-Kvichak District: Naknek River Special Harvest Area.

Egegik District: (option 1) using the existing north and south lines the western boundary would be a line due north and south at 157° 33' 20"

(option 2) from 58° 12' N. lat., 157° 31.70" w. long., at the shore of Goose Pt., northwest to 58° 15' 10" N. lat., 157° 37" W. long., thence northeast to 58° 18' N. lat., 157° 33' 20". Established setnets outside this line would be allowed to fish one-half their complement of gear during openings.

Ugashik District: from Cape Menshikof 57° 28' 34" N. lat., 157° 55' 84" W. long., northeast to 57° 38' N. lat., 157° 42' 30" W. long., the shore north of Smokey Pt. Established setnets outside this line would be allowed to fish one-half their complement of gear during openings.

If, by emergency order, commercial fishing is moved into the NRSHA, the restricted boundaries as described above would become effective at the time of the emergency order.

**PROBLEM:** The ERSHA management plan has frilled to address the problems of the Kvichak River sockeye salmon stock.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Kvichak River sockeye salmon stock has already been found to be a stock of concern by the board. The Naknek/Kvichak Advisory Committee considers the Kvichak River sockeye salmon stock to be a conservation concern.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** No. This is a conservation concern.

**WHO IS LIKELY TO BENEFIT?** All Bristol Bay fishermen.

**WHO IS LIKELY TO SUFFER?** All eastside Bristol Bay fishermen.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Naknek/Kvichak Advisory Committee (SW-03-F-002)

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**PROPOSAL 62 - 5 AAC 06.364(d). Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

Add new language as follows:

When there is a projected harvest of Kvichak stocks the commissioner shall allow Kvichak Section set gillnets to fish concurrently with the Naknek Section drift gillnet and set gillnet openings with the openings, consistent with other provisions of this section.

- (a) If the projected Kvichak season catch is less than 1 million fish, the commissioner may limit Kvichak set gillnet gear to 25 fathoms.

**PROBLEM:** The board has established that Kvichak setnet fishers are allocated 8 percent of the Naknek/Kvichak harvest. Due to timing differences between returns to the Naknek River versus the Kvichak River, area biologists manage the district harvest to target first the Naknek River stocks and the Kvichak River stocks. Primarily this is done through Naknek-only openings early in the season, either drift, set, or both gear types. The result is that the Kvichak setnet fishers are being excluded from participation in the early portion of the harvest of the allocated 8 percent. As the Kvichak return is building, Kvichak setnet fishers are unable to participate on an equal basis. In most years this results in a high likelihood that the Kvichak allocation of 8 percent will not be achieved. During years when the projected harvestable stock from the Kvichak River system is low, full harvest of the Kvichak stocks can be achieved through openings in the Naknek Section only. Achieving the allocations is balanced by the department's need to achieve escapement goals.

The proposal suggested below provides an additional tool to meet the allocation objective, while providing gear reduction necessary to meet the escapement goal in low return years.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Kvichak setnet fishers will continue to be excluded from participation in the early portion of the harvest and the harvest of the allocated 8 percent will continue to be difficult to achieve.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Quality of the harvest will not be impacted positively or negatively.

**WHO IS LIKELY TO BENEFIT?** Kvichak setnet fishers.

**WHO IS LIKELY TO SUFFER?** Naknek Section fishers – both setnet and drift currently benefiting from harvest in excess of allocated percentages.

**OTHER SOLUTIONS CONSIDERED?** Allowing Kvichak setnet fishers to fish inriver in the Naknek River while drift and Naknek setnet fishers are fishing in the Naknek Section. This idea was rejected 1) for political reasons, and 2) as being deemed unnecessary, since when the department is opening the Naknek Section they are accepting a level of interception harvest of Kvichak stocks and Kvichak fishers could participate equally by fishing their traditional sites.

Start all Naknek/Kvichak fishers inriver at the start of each season. This idea was rejected as being over reactive. The difficulties of inriver fishing for both the department and fishers are numerous and such management should be imposed only as necessary to achieve escapement objectives.

**PROPOSED BY:** Kvichak Setnetters Association (HQ-03-F-085)  
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**PROPOSAL 63 - 5 AAC 06.359. Egegik River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

Delete this section.

**PROBLEM:** In light of the aggressive curtailment of the ebb fishery in Egegik, the window closures and many other tools to reduce the interception of non-Egegik fish in Egegik, the 110 line is an outdated and draconian tool.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Poor fish quality and continued rampant illegal fishing over a virtually unenforceable fishing boundary.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. The fish caught on this almost always very shallow 110 line are either dragged off the flats to a depth they can be safely picked or dragged back into the district far enough that they can be picked legally.

**WHO IS LIKELY TO BENEFIT?** All legal fishermen in the Egegik District and all fishermen who sell their fish to the same buyers that the fish caught on the 110 line go to. With the market conditions we need to do all we can to improve the quality of the fish coming from the Bay.

**WHO IS LIKELY TO SUFFER?** I suppose the illegal fishermen who use the vast length of the line to go way over while FWP is at the other end will suffer. But I do not think anybody else will suffer. The other measures to minimize the ebb fishery, etc., are reducing the interception. When Egegik is moved into the 110 line the lucky fishermen get some fish on an opening set and then both the lucky and unlucky fishermen have to go to the shallow 110 line and fish behind it for a few fish or over it for a lot more. The following data supports the termination of the 110 line. The premise for the 110 line in the Egegik District is the feeling that these districts are intercepting significant numbers of Kvichak sockeye salmon. There is a fair amount of evidence to the contrary. The Kvichak sockeye run failed to meet its escapement goal in a number of seasons, three of these recent seasons are: 1996, 1997, and 2000. For other years when the Kvichak reaches its escapement goal, it is a question of allocation.

Scale Pattern Analysis (SPA) studies were conducted in Egegik from 1991 to 1995. Evidence indicates that the larger the Kvichak run, the larger the interception rate, and the smaller the Kvichak run, the smaller the interception rate in both numbers of fish and percentage of the Egegik catch.

According to the SPA in the period 1991 to 1995 the median interception rate of Kvichak stocks in the Egegik catch was 2.8 percent, range 1.4 percent to 12.0 percent. Simply applying the 2.8 percent median would give the following estimates of Kvichak fish caught in the Egegik District during the years Kvichak escapement goals were not achieved. The estimated interception in thousands of fish are as follows:

Year	Estimated Interception	Range
1996	303	0-833
1997	210	0-577
1998	99	0-272
1999	208	0-572
2000	199	0-547

The estimated interception number is likely high for the following reasons: smaller Kvichak runs producing smaller interception rates and this would tend to drive the estimates lower. None of the Kvichak runs during the Egegik SPA were less than 8 million and two of the years were record runs of over 21 million. The 1996, 1997 and 2000 Kvichak runs were all under 4 million.

Also, the Egegik District was fished at the 110 line from July 8 to July 22 in 1996, from July 6 to July 25 in 1997, and from July 7 to July 24 in 2000. If this action is credited as a measure to reduce interceptions in the Egegik District, then the Egegik interception rates in 1996, 1997 and 2000 would have been lower than they were from 1991 to 1995 when no reductions to the district's size were made.

Additionally to the 110 configuration, ebb fishing in the Egegik District was reduced to an average of 5.7 hours per tide fished in 1996, 5.2 hours per tide fished in 1997, 3.5 hours in 1998, 3.4 hours in 1999, and 3.2 hours per tide fished in 2000. This compares to 6.3 hours in 1993, 5.9 hours in 1994, and 6.5 hours in 1995 to reduce estimated Kvichak interception.

If Egegik was harvesting a large proportion of Kvichak sockeye salmon, then the two-ocean fish would be of a much higher proportion in the harvests in these districts than in their escapements. The following data broken out by age group shows that is not the case:

1996		Egegik		
Age Class	Catch	Esc.	Total	Forecast
1.2	3%	3%	3%	6%
2.2	24%	34%	25%	53%
1.3	34%	18%	33%	12%
2.3	38%	40%	39%	28%

1997		Egegik		
Age Class	Catch	Esc.	Total	Forecast
1.2	6%	2%	5%	5%
2.2	50%	67%	53%	46%
1.3	13%	5%	12%	13%
2.3	30%	23%	29%	35%

2000 Age Class	Egegik			
	Catch	Esc.	Total	Forecast
1.2	5%	8%	6%	10%
2.2	18%	25%	19%	45%
1.3	39%	31%	38%	15%
2.3	38%	35%	37%	30%

In all of these years, the proportion of two-ocean fish (age 1.2 and 2.2 fish) in the escapement is larger than it is in the catch.

Additionally the scale sample survey shows that there is no greater intercept of non-Egegik salmon outside of the 110 line than inside.

Given the above information, it does not seem reasonable to assume that the Egegik fishery has had much to do with the problems of Kvichak sockeye salmon in 1996, 1997, and 2000; there must be something else going on.

**OTHER SOLUTIONS CONSIDERED?** Status quo, but that makes for an open season for pirate fishermen to go way over the line, and perpetuates fishing practices that are providing poor quality fish.

**PROPOSED BY:** Scott Stevenson (HQ-03-F-070)

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**PROPOSAL 64 - 5 AAC 06.359(c). Egegik River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows.

Amend (c) by striking “may” and inserting “shall.” Amend (1) by striking “is closed to fishing.”

**PROBLEM:** Probable Egegik interception of Kvichak salmon stocks.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Kvichak will continue to fail to achieve adequate escapement.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Might help reverse pitiful decline of Kvichak stocks which commenced years ago with vastly increased Egegik Harvest. (Coincidence?)

**WHO IS LIKELY TO BENEFIT?** All Bristol Bay fishermen entitled to harvest increased Kvichak stocks.

**WHO IS LIKELY TO SUFFER?** Those who intercept Kvichak fish in Egegik District.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Jay S. Hammond (HQ-03-F-114)

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**PROPOSAL 65 - 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

No towing in the Wood River Special Harvest Area during both flood and ebb tide.

**PROBLEM:** Towing your net against the current and holding your position during both flood and ebb in Wood River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** A majority of the fleet will not be able to generate adequate revenue to make it worthwhile – ten boats caught 90 percent of the fish.

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

**WHO IS LIKELY TO BENEFIT?** Me and 90 percent of the fleet.

**WHO IS LIKELY TO SUFFER?** The jet boats and 10 percent of drifters who aggressively tow and get into the corners.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** David Rogotzh (HQ-03-F-001)  
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**PROPOSAL 66 - 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation to provide the following:

The new regulation would establish a drawing to equitably distribute the first ten setnet sites on each side of the Wood River. To be eligible for the drawing, fishermen must first register to fish in the Nushagak District by filling out and turning in their green registration card. They would have the opportunity at that time to enter the drawing. Names would be announced and fishermen would earn the right to fish on a specific site for that season. Regulations regarding the use of that site would be the same as if the fisherman had a shore fishery lease from the state. Every effort should be made to keep the administration of this new regulation as simple and inexpensive as possible. Suggestions and ideas on ways to do this will be provided in written testimony.

**PROBLEM:** The unsafe and unfair distribution of the first ten setnet sites on each side of the Wood River Special Harvest Area to setnet fishermen each season.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The potential for violent confrontations will continue to increase as bolder and more aggressive fishermen continue to dominate the first and more lucrative setnet sites. The “first net in the water” regulation will continue to be an unfair distribution practice and will also contribute to the confusion of fishermen and law enforcement as well. Fishermen who are aggressive stake signs early and even set up camps are favored over equally qualified fishermen who choose to not be so forward.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Not specifically. However, this solution would allow fishermen to concentrate more effort on quality issues and less mental energy on worrying about how to secure a productive site.

**WHO IS LIKELY TO BENEFIT?** All fishermen who seek a fair, safe and equitable way of distributing these lucrative setnet sites each fishing season.

**WHO IS LIKELY TO SUFFER?** The group of setnet fishermen who have monopolized the first sites for the past several years and who will continue to do so unless a drawing is established.

**OTHER SOLUTIONS CONSIDERED?** Short of a drawing, establishment of specific regulations for this setnet fishery are badly needed. How sites are staked and when and for how long a fishermen can leave a site they have fished and still reclaim it are several of the problems that need to be addressed. A drawing would solve the majority of the problems; however, the remaining sites could still benefit from some regulation changes and additions.

**PROPOSED BY:** Nushagak Setnet Permit Holders: Tom Rollman Jr., Jim Marxmiller, Dan Layland, Taylor Layland, Mike Treesh, Terry Steben, Jon Broderick, Peter Broderick, Bill Ewing, Joe Taylor, Curt Olson, Tom Rollman Sr., Trevor Rollman, Peter Crimp, Levi Rollman, Tim Christopherson, Eric Marxmiller, Paula Cullenberg, Gregg Marxmiller, Mike Stratton, Louis Finch, John Steen, and Corey Brost (HQ-03-F-091)

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**PROPOSAL 67 - 5 AAC 06.358(d)(2). Wood River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

(x) A person may not use mechanical power to hold a vessel attached to a drift gillnet in substantially the same geographical location in the WRSHA.

**PROBLEM:** There are those commercial fishing drift boats the continually tow their nets to hold a set in the Wood River Special Harvest Area (WRSHA). This common practice occurs when the tide is either coming in or when it is going out, sometimes for the whole duration of the fishing period. Whenever this occurs, other commercial fishing vessels are not equitably able to fish in these locations as open space to fish is virtually nonexistent. The majority of salmon swim closely along the riverbanks and the most desirable “drift” fishing area in the WRSHA is on the lower fishing boundary and just outside of the set net buoys closest to shore. Very few fish make it through the gauntlet of nets on the lower line with those fishermen farther upriver harvesting far less than those on the lower boundary. Also, those fishing vessels that use propulsion to hold their sets perpendicular to and just outside of the set net buoys consistently harvest a higher percentage of salmon than the rest of the fleet. Usually it is the same operators that consistently fish this small area for the duration of the fishing season. During each opening, the aggressive fishermen line up bumper to bumper, towing in the same direction against the current. Fishing is best for those boats closes to shore and diminishes as sets are made farther offshore. Jockeying for the “inside set” is very competitive and it is usually the same boats that consistently end up with the inside sets as some boats have more of an advantage of fishing in shallow and congested areas as well as some operators are more willing to intimidate others. Our recommendation is to authorize regulatory language to disallow this practice; this would allow everyone the same opportunity to fish on an equal basis through the WRSHA. If this language were adopted, then fishing in the WRSHA would be more equitable for those fishermen who wish to continue fishing there.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Under current practices, those fishermen who do not want to aggressively compete with the few fishermen that intimidate other and are not willing to move, will still not be able to fish those areas in the WRSHA that are the most productive. There are many fishermen who prefer to fish in a traditional manner (drift with the tide) and not in an aggressive manner. There are also those fishermen who do not want to contest the “action on the line and just offshore of the set nets,” and are not offered the same opportunity to harvest fish as they come across the lower marker in the WRSHA.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** We believe that it would. Under current practice, those who tow their nets for hours degrade the quality of their catch. Towing causes net-marks, bruising, cuts, and generally reduces the quality of salmon caught. By reducing or even eliminating this allowable practice, this could potentially increase the quality of salmon caught in the WRSHA.

**WHO IS LIKELY TO BENEFIT?** This would benefit those fishermen who do not tow their nets to maintain their same geographical position in the WRSHA. This would put all fishermen on an equal platform, giving them equal access to the more desirable fishing areas.

**WHO IS LIKELY TO SUFFER?** Those fishermen who commonly fish using power to maintain a position against the current.

**OTHER SOLUTIONS CONSIDERED?** A total prohibition on towing. This was not recommended because there are times when it is necessary for fishermen to tow. Towing to reduce gear conflicts, to clear obstacles, and/or snags, to straighten one's net, is common practice and should still be allowed.

**PROPOSED BY:** Nushagak Advisory Committee (SW-03-F-009)

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**PROPOSAL 68 - 5 AAC 06.358(d)(2). Wood River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

(x) Notwithstanding 5 AAC 39.105(d)(3), a person may not operate a drift gillnet in the WRSHA when the vessel to which it is attached is grounded, or when any part of the gillnet is grounded above the waterline.

**PROBLEM:** In the past it has been difficult to prove intent in grounding of fishing vessels or their gear and to uphold that in court. In the Wood River Special Harvest Area (WRSHA), there are those commercial drift gillnet vessels that intentionally ground their vessels and/or allow some portions of their nets to go dry. This unfairly gives them an advantage over the other fishermen who adhere to the intent of the law. This problem is magnified especially when the tide goes out and the water gets shallow and there is less area to fish in. Grounding of vessels and/or allowing portions of nets to go dry is not a customary and traditional practice and definitely not the intent of current regulation to allow this. Under current regulation we do not have appropriate regulatory language that would allow citations to be upheld in court. Under current language the enforcement officer has to prove "intentional grounding" and often this is difficult to prove. In the small special harvest area, especially when the tide goes out, those fishermen who intentionally ground or allow their nets to go dry unfairly disadvantages other fishermen who are trying to comply with the intent of current regulation. This problem occurs mainly at the lower line when the tide has receded with fishermen trying to hold a position as near to but not over the line by allowing their nets or vessels to act as an anchor. This area is very congested with boats and nets. Operators intentionally dry their bots and/or gear knowing full well that if any citations were issued, that it would be virtually impossible to be upheld in court. Consequently, many fishermen are willing to challenge current regulation knowing full well that in the past these types of citations have not held up in court. If this new regulation were adopted, then this regulation could be enforced. This would only be specific to the Wood River Special Harvest Area.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Grounding of vessels, and/or their fishing gear would unfairly disadvantage those fishermen who prefer to comply with the intent of current

regulation. There would still be those fishermen who would brazenly continue to allow their nets or their boats to go dry and still legally fish while waiting for the tide to come back in. This practice sometimes causes gear conflict problems with those fishermen who are attempting to drift.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, we believe that the quality of salmon will be improved because the catch will not be subjected to abuse resulting from lying in mud and towing back into the water. This would reduce the amount of towing and the quality of salmon.

**WHO IS LIKELY TO BENEFIT?** Those fishermen who are trying to comply with the intent of current fishing regulations.

**WHO IS LIKELY TO SUFFER?** Those fishermen who ground their boats and allow their nets to go dry. This practice is becoming more commonplace as fishermen have known that in the past, citations have not held up in court. Once fishermen realize that they will not be prosecuted, some may be willing to take any opportunity of any loopholes.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Nushagak Advisory Committee (SW-03-F-010)  
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**PROPOSAL 69 - 5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

The Department of Fish and Game will manage the Nushagak River sockeye escapement to ensure that a minimum of 175,000 sockeye pass the Nuyakuk counting tower.

In my opinion the 175,000 should be a minimum goal. With the average escapement in the 1980s of over 475,000 it would seem that a larger goal should be achieved, however the 175,000 minimum is a vast improvement from the years of 1995 – with only 69,702 sockeye salmon; 1999 – 81,006; 2000 – 129,468 and 2002 with only 68,934 sockeye.

**PROBLEM:** The lack of escapement of sockeye salmon into the Nuyakuk River and Tikchik Lakes system.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Tikchik Lakes system will continue with under escapement of sockeye salmon. The lack of escapement is a conservation emergency.

The entire ecosystem will continue to suffer from low numbers of salmon.

The imbalance of production from the Wood River system and the Nushagak River/Tikchik Lakes will continue.

Four out of the last eight years the sockeye escapement into the Nuyakuk River and Tikchik Lakes system have been under 100,000. The recent eight-year average escapement (1995 – 2002) is 150,257 sockeye salmon. The past eight-year average from 1980 through 1988 is 475,510 sockeye.

From 1988 through 1994 the department did not have the Nuyakuk counting tower in operation so there is no escapement data for those years. The Nuyakuk River drains the Tikchik Lakes.

I used eight years (instead of the traditional ten years) as the comparison because the department had eight years of current data so I went back eight years from when the department stopped counting at the Nuyakuk River. Also going back ten years from 1988 would have included the year of the 1980 commercial fishing strike which had an escapement of over 3,000,000 into the Tikchik's.

During the years when the Nuyakuk counting tower was not operational the department conducted aerial surveys. Some of the years ADF&G did not have any money in its budget for aerial surveys so I paid for the flying.

The aerial surveys will show that there were weak escapements of sockeye salmon during the years when the Nuyakuk counting tower was not operational.

The lack of escapement during the years that the department did not operate the Nuyakuk counting tower (1989 - 1995) was so disturbing that in 1995 I offered to provide all of the flying for the set up and support of the Nuyakuk counting tower and the Fisheries Research Institute (FRI) provided volunteers to man the counting towers.

That year only 69,702 sockeye salmon passed the tower. The department then found funding for the operation of the counting tower for the following years.

The department conducted sockeye sampling studies in 2000 and 2001 in the Tikchik Lakes system. I provided flying, housing and the use of my boats to compensate for the lack of funding to obtain the samples.

I have learned that the department is again pulling the funding for the operations of the Nuyakuk counting tower for the 2003 season. I have again offered to provide all of the flying for set up and support for the operations of the tower.

If the recent trends in escapement continue the Tikchik Lakes system will never rebound and provide a balance to the mixed stock commercial fishery of Nushagak Bay. The ecosystem will continue to suffer from lack of salmon.

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

**WHO IS LIKELY TO BENEFIT?** Increased escapement in the Tikchik Lakes system will provide for larger returns in the future. With the Tikchik Lakes system producing more sockeye salmon the balance of fish in the Nushagak commercial fishing district will be more closely balanced with the production of the Wood River Lakes system. In the long run, commercial fishermen will benefit. All other users (ecotourist, anglers and subsistence) will benefit by having achieved escapements into the Tikchiks.

**WHO IS LIKELY TO SUFFER?** If higher escapements are required to pass the Nushagak River sonar to provide additional escapement for the Nuyakuk River draining the Tikchik Lakes, then clearly commercial fisherman would have to forgo some harvest to allow for greater escapement.

**OTHER SOLUTIONS CONSIDERED?** The lack of escapement into the Tikchik Lakes system is a conservation emergency. There are no other solutions. It is very disturbing that the State of Alaska has let this stock of sockeye salmon be reduced to its current levels.

**PROPOSED BY:** Bud Hodson (SC-03-F-002)

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**PROPOSAL 70 - 5 AAC 06.320. Fishing periods.** Amend this regulation to provide the following:

Minimum 12 hour periods to allow all fishermen to use their experience. Most fishermen in the bay have a boat that is eight to ten knots and have no chance to fish in four hour and six hour periods, no chance to use their experience and little chance to pay for the cost of operations. In such a short period of time, three to four hours periods = 12 hours fishing time and three days of cost of operations. One to 12 hour period = 12 hours of fishing and one day of cost of operation with approximately the same return in fish.

**PROBLEM:** Length of fishing periods.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The local disasters in the fisheries will continue.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. More time to properly take care of the fish caught.

**WHO IS LIKELY TO BENEFIT?** The majority of the fishing fleet.

**WHO IS LIKELY TO SUFFER?** The combat fishing fleet.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Stan Small (SW-03-F-024)

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**PROPOSAL 71 - 5 AAC 06.360 Naknek River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

The Naknek River Special Harvest Area (NRSHA) would consist of all waters east of a line from the westernmost tip of the Peter Pan Nornak dock extending to the easternmost tip of the Northland dock (sheet piling of the Kavalaska), upstream to the power lines crossing the Naknek River.

**PROBLEM:** Move the western boundary east in the NRSHA.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Potential harvest of Kvichak stock will continue.

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

**WHO IS LIKELY TO BENEFIT?** Kvichak salmon stock.

**WHO IS LIKELY TO SUFFER?** Fishermen, but they will all suffer equally.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Fred Pike

(HQ-03-F-016)

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**PROPOSAL 72 - 5 AAC 06.200(a). Fishing districts, subdistricts, and sections.** Amend this regulation for the Naknek/Kvichak District as follows:

For a three-year test period, the Naknek/Kvichak section boundary shall be redefined with a new Naknek Section north line, defined by the point where the Naknek River boundary hits the 18-foot high water mark on the north side of the Naknek River and where the old Loran line 9990-Z-32370 hits the existing Naknek/Kvichak boundary. Any area north of the Naknek River would then be in the Kvichak Section. All set nets in the affected area would be Kvichak area set nets.

**PROBLEM:** The very high rate of interception of Kvichak fish in this part of the Naknek Section.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Naknek Section will continue to be pulled into the inriver fishery much earlier than needed and Kvichak stocks will continue to be intercepted in the Naknek Section at a higher percentage than would otherwise be the case. There is a channel that empties into this area on the ebb right past Libbyville and onto this flat north of the mouth. It will be more likely that a Naknek inriver fishery would be necessary. Naknek and other district fishermen will continue to be impacted by the low Kvichak escapement levels.

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

**WHO IS LIKELY TO BENEFIT?** All commercial fishermen, subsistence fishermen in the Iliamna, Kvichak and Lake Clark drainages and sport fishermen in the Naknek River.

**WHO IS LIKELY TO SUFFER?** No one. The setnetters north of the 32370 line will be Kvichak setnetters, as they should be, and be managed as such.

**OTHER SOLUTIONS CONSIDERED?** 1) Establishing this new north line on a permanent basis rather than in a test for three years. 2) Moving the west line of the Naknek Section even further east. Both were rejected because they were more severe.

**PROPOSED BY:** Scott Stevenson

(HQ-03-F-069)

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**PROPOSAL 73 - 5 AAC 06.200(b)(2). Fishing districts, subdistricts, and sections.** Amend this regulation to provide the following:

(b)(2) Naknek Section: all waters of the Naknek-Kvichak District not described in (1) of this subsection **and the NRSHA as described 5 AAC 06.360(b). In addition, the lower river-mouth boundary of the NRSHA will be the same as the Naknek Section of the Naknek-Kvichak District as described in the Naknek Section.**

**PROBLEM:** The problem is the congested fleet in the Naknek Section and the overescapement in the Naknek River.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued congestion and overescapement in the Naknek Section.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The expanded area will allow for less congestion which will help enable fishermen to use best harvesting practices.

**WHO IS LIKELY TO BENEFIT?** All commercial fishermen participating in the Naknek-Kvichak fishing district.

**WHO IS LIKELY TO SUFFER?** No one will suffer.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Alaska Independent Fishermen's Marketing Association (HQ-03-F-088)  
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**PROPOSAL 74 - 5 AAC 06.100. Description of area.** Incorporate GPS latitude and longitude boundary lines as follows:

The Bristol Bay Area includes all waters of Alaska in Bristol Bay east of a line from Cape Newenham at 58° 39.00' N. lat. 162° 10.50' W. long. to Cape Menshikof at 57° 31.33' N. lat. 157° 49.25' W. long.

**PROBLEM:** Most of the other district and section boundaries in Bristol Bay have already been converted to GPS-based lat/longs. This is just trying to continue that standardization.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued confusion.

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

**WHO IS LIKELY TO BENEFIT?** Most permit holders have acquired GPS devices and having coordinates to plug in will benefit them.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-03-F-132)  
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**PROPOSAL 75 - 5 AAC 06.200. Fishing districts, subdistricts, and sections.** Update markers using GPS coordinates; "xx.xx" indicates where coordinates will be incorporated, as follows:

(e) Togiak District: all waters north of a line from Cape Newenham at 58° 39.00' N. lat. 162° 10.50' W. long. to Cape Peirce at 58° 33.25' N. lat. 161° 46.00' W. long. then to Right Hand Point at 58° 46.17' N. lat. 159° 54.00' W. long. then to Kulukak Point at 58° 50.50' N. lat. 159° 39.00' W. long. Salmon may be taken within the following described sections:

- (1) Togiak River Section: waters of Togiak Bay within a line from 58° xx.xx N. lat. 160° xx.xx W. long. [A MARKER ON THE SHORE] near Mt. Aeolus to 58° 42.75' N. lat. 156° 49.58' W. long. [A MARKER] at Rocky Point;
- (2) Kulukak Section: waters of Kulukak Bay within a line **from** [BEARING IN A WESTERLY DIRECTION FROM A MARKER AT] Kulukak Point at 58° 50.50' N. lat. 159° 39.00' W. long. to [A MARKER ON THE SHORE AT] 58° xx.xx N. lat. 159° xx.xx W. long. [159° 45.80' W. LONG.];
- (3) Osviak Section: waters within a line between Estus Point at 58° 47.00' N. lat. 161° 12.00' W. long. and Asigyupak Spit at 58° 41.00' N. lat., 161° 18.20' W. long.;
- (4) Matogak Section: waters of Hagemeister Strait within a line between Estus Point at 58° 47.00' N. lat. 161° 12.00' W. long. and Tongue Point at 58° 49.00' N. lat. 160° 50.00' W. long.;
- (5) Cape Peirce Section: waters within a line from Cape Newenham at 58° 39.00' N. lat. 162° 10.50' W. long. to Cape Peirce at 58° 33.25' N. lat. 161° 46.00' W. long.

**PROBLEM:** Currently the district and section boundaries are defined with markers. The rest of Bristol Bay has switched over to GPS based lat/longs for district and section boundaries. This proposal just seeks to continue with that standardization.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The district and section boundaries will continue to be defined with markers that are difficult and expensive to maintain.

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

**WHO IS LIKELY TO BENEFIT?** Since most permit holders in Bristol Bay have switched to GPS devices they will benefit by being able to plug in published coordinates into their navigational equipment, instead of having to rely on visual markers.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-03-F-133)  
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**PROPOSAL 76 - 5 AAC 06.350. Closed waters.** Conversion from markers to latitude and longitude using GPS coordinates; “xx.xx” indicates where coordinates will be incorporated, as follows:

- (a) The following locations in the Nushagak District are closed to the taking of salmon:
  - (1) those waters north of a line from xx xx.xx N. lat. xxx xx.xx W. long. [AN ADF&G REGULATORY MARKER LOCATED TWO MILES SOUTH OF BRADFORD POINT] to xx xx.xx N. lat. xxx xx.xx W. long. [TO AN ADF&G REGULATORY MARKER ON NUSHAGAK POINT];
  - ....
  - (4) those waters of the Snake River upstream **of a line from 58° 52.80' N. lat. xxx xx.xx W. long.** [FROM ADF&G REGULATORY MARKERS LOCATED 58° 52.80' N. LAT.] to 58° 52.80' N. lat. xxx xx.xx W. long;

- (5) those waters of the Igushik River upstream of a line from 58° 43.60' N. lat. xxx xx.xx W. long. [FROM ADF&G REGULATORY MARKERS LOCATED 58° 43.60' N. LAT.] to 58° 43.60' N. lat. xxx xx.xx W. long.

...

- (d) The following locations in the Ugashik District are closed to the taking of salmon:
- (1) those waters of the Ugashik River upstream of a line between ADF&G regulatory markers located just downstream of the confluence of the Ugashik and King Salmon Rivers, except that set gillnets may be used to take salmon along that portion of the east bank of the Ugashik River between GPS coordinates to be determined during the 2003 season [FROM A POINT 200 YARDS NORTH OF THE WINGARD CANNERY TO A POINT 1,200 YARDS NORTH OF THAT CANNERY];

...

- (e) The following locations in the Togiak District are closed to the taking of salmon:
- (1) those waters of the Togiak River upstream of a line from xx xx.xx N. lat. xxx xx.xx W. long. [FROM AN ADF&G REGULATORY MARKER LOCATED NEAR THE TOGIAK FISHERIES CANNERY] to xx xx.xx N. lat. xxx xx.xx W. long. [TO AN ADF&G REGULATORY MARKER LOCATED NEAR THE TOGIAK SCHOOL];
- (2) those waters of the Kulukak River upstream of a line from xx xx.xx N. lat. xxx xx.xx W. long. [BETWEEN ADF&G REGULATORY MARKERS LOCATED NEAR THE OLD KULUKAK VILLAGE] to xx xx.xx N. lat. xxx xx.xx W. long.

**PROBLEM:** Most of the other district and section boundaries in Bristol Bay have already been converted to GPS based lat/longs. This is just trying to continue that standardization.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The regulations will continue to be part marker and part GPS coordinates.

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

**WHO IS LIKELY TO BENEFIT?** Most permit holders have acquired GPS devices and having coordinates to plug in will benefit them.

**WHO IS LIKELY TO SUFFER?** No one, the boundaries have not changed they are just being redefined.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-03-F-134)  
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**PROPOSAL 77 - 5 AAC 06.359. Egegik River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation to provide correct coordinates:

- (c) The commissioner may close, by emergency order, that portion of the Egegik District bounded by the line from 58° 19.10' N. lat., 157° 36.65' W. long. to 58° 18.05' N. lat., 157° 33.15' W. long. to 58° 09.80' N. lat., 157° 34.40' W long. and 58° 11.00' N. lat., 157° 38.10' W. long. [58° 11.00' N. LAT., 157° 38.10' W. LONG. TO 58° 09.91' N. LAT., 157° 34.55' W. LONG.] if

**PROBLEM:** Wording in the current regulation is confusing and incorrect. This proposal cleans up that wording.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Confusion over the closed fishing area will occur and anarchy will follow.

**WHO IS LIKELY TO BENEFIT?** The public and the Department of Public Safety.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F-03-135)

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**PROPOSAL 78 - 5 AAC 06.358(b). Wood River Sockeye Salmon Special Harvest Area Management Plan.** Amend this regulation as follows:

(b) The Wood River Special Harvest Area consists of the waters of the Wood River from a line between ADF&G regulatory markers located at 59° 06.05' N. lat., 158° 29.30' W. long. (Hansen Point) and 59° 06.29' N. lat., 158° 28.84' W. long. (across from Hansen Point), upstream to a line between ADF&G regulatory markers located at 59° 09.71' N. lat., 158° 32.61' W. long. (on the west shore, downstream of the Muklung River) and 59° 09.78' N. lat., 158° 31.99' W. long. (on the east shore, downstream of the Muklung River) and a line between ADF&G regulatory markers located at 59° 10.44' N. lat., 158° 31.73' W. long. (west shore, upstream of the Muklung River), and 59° 10.23' N. lat., 158° 31.43 W. long. (east shore, upstream of the Muklung River), upstream to a line between ADF&G regulatory markers located at 59° 12.26' N. lat., 158° 33.34' W. long. (west shore downstream of Silver Salmon Creek), and 59° 12.20' N. lat., 158° 33.12' W. long. (east shore, downstream of the Silver Salmon Creek). [UPSTREAM TO AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY ONE-QUARTER MILE DOWNSTREAM FROM THE WOOD RIVER'S CONFLUENCE WITH THE MUKLUNG RIVER FROM AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY ONE-QUARTER MILE UPSTREAM FROM THE WOOD RIVER'S CONFLUENCE WITH THE MUKLUNG RIVER TO AN ADF&G REGULATORY MARKER LOCATED APPROXIMATELY TWO MILES DOWNSTREAM FROM SILVER SALMON.]

**PROBLEM:** Changes of sockeye presumed to be spawning in mainstem Nushagak River in relation to those that spawn in Nuyakuk Lake.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Economic loss to those permit holders who fish in the Nushagak District.

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

**WHO IS LIKELY TO BENEFIT?** Those permit holders who fish in the Nushagak District.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Status quo.

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**PROPOSAL 79 - 5 AAC 06.200. Fishing districts, subdistricts, and sections.** Amend this regulation as follows:

(b) Naknek-Kvichak District: all waters of Kvichak Bay north of a line extending in a northwesterly direction from a marker near the mouth of Johnston Hill Creek at 58° 37' 09" N. Lat., 157° 15' 18" W. long. to a marker on the opposite shore of Kvichak Bay at 58° 43' 43" N. lat., 157° 42' 36" W. long. [AND EAST OF A LINE FROM 58° 43.73' N. LAT., 157° 42.71' W. LONG., TO 58° 36.77' N. LAT., 157° 15.82' W. LONG.]

(c) Egegik District: waters bounded by a line from the shore at 58° 09' 30" N. lat., 157° 32' 18" W. long., thence due west to 58° 09' 30" N. lat., 157° 37' W. long., thence due north to 58° 18' N. lat., 157° 37' W. long., thence due east to the shore at 58° 18' N. lat., 58° 18' N. Lat, 157° 32' 70" W. long. [ALL WATERS SOUTH OF A LINE BETWEEN 58° 19.10' N. LAT., 157° 32.65' W. LONG AND 58° 17.93' N. LAT., 157° 32.67' W. LONG., EAST OF A LINE BETWEEN 58° 19.10' N. LAT., 157° 36.65' W. LONG. AND 58° 11.00' N. LAT., 157° 38.10' W. LONG., AND NORTH OF A LINE BETWEEN 58° 11.00' N. LAT., 157° 38.10' W. LONG AND 58° 09.44' N. LAT., 157° 32.97' W. LONG.]

(d) Ugashik District: waters bounded by a line from Cape Menshikof to the outside buoy of the setnet site located at Cape Greig [ALL WATERS SOUTH OF A LINE BETWEEN 57° 44.05' N. LAT., 157° 43.40' W. LONG. AND 57° 43.54' N. LAT., 157° 41.82' W. LONG., AND EAST OF A LINE BETWEEN 57° 44.05' N. LAT., 157° 43.40' W. LONG. AND 57 ° 28.34' N. LAT., 157° 55.84' W. LONG.]

**PROBLEM:** When Lorans became a standard of operation, boundaries where put on loran lines to aid in protection. Today we use GPS based on lat./long. Put boundaries back on lat./long. to once again aide protection and correct some problems that were created when lines where changed to Loran lines.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Fishery will continue as is with same problems.

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

**WHO IS LIKELY TO BENEFIT?** Protection, Bristol Bay fishermen.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

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**PROPOSAL 80 - 5 AAC 06.200. Fishing districts, subdistricts, and sections.** Amend this regulation to add a new subsection as follows:

(a) Nushagak District: all waters of Nushagak Bay north of a line from an ADF&G regulatory marker...

**(4) In the directed chinook salmon fishery the Southern boundary of the Nushagak District will be from the current regulatory marker at Etohin Point 58° 39.37' N lat., 158° 19.31' W. long., to 58° 33.917' N. lat., 158° 24.942' W. long., to Protection Point at 58° 29.274' N. lat., 158° 41.784' W. long.**

**PROBLEM:** Poor quality of chinook salmon caught in the current commercial salmon district.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued poor quality of chinook salmon available to harvest. These poor quality salmon result in decreased revenue to fishermen, municipalities, and the State of Alaska.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. This would improve the quality of the chinook salmon harvested.

**WHO IS LIKELY TO BENEFIT?** Participants in the chinook salmon fishery.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** Status quo.

**PROPOSED BY:** Nushagak Advisory Committee (SW-03-F-011)  
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**PROPOSAL 81 - 5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

Go back to the way it was managed before the allocation plan.

**PROBLEM:** Do away with set net allocation.

**WHAT WILL HAPPEN IF NOTHING IS DONE?**

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

**WHO IS LIKELY TO BENEFIT?** All gear groups.

**WHO IS LIKELY TO SUFFER?** No one, reduced cost to manage the fishery.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Daniel Farren (HQ-03-F-011)  
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**PROPOSAL 82 - 5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Allocation and Management Plan.** Amend this regulation to provide the following:

The very same regulatory system that was here before.

**PROBLEM:** Allocation between set and drift.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Most competitive markets die due to lack of fish and prices very low due to lack of competition.

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

**WHO IS LIKELY TO BENEFIT?** All fishermen will benefit by having markets that are competing for fish available.

**WHO IS LIKELY TO SUFFER?** Major markets having total control over setnet deliveries control the fisheries.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Stan Small (SW-03-F-023)

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**PROPOSAL 83 - 5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

The area manager in his allocation openings needs to take into account the dynamics of the fleet and how the fish are running. If it becomes apparent that the gear group cannot catch up to the quota within two tides, the manager will give the other gear group fishing time.

**PROBLEM:** Extended closures of a gear group because of unanticipated dynamics in the fisheries. Either a small fishing effort by one type of gear group or the way the fish are running that year. When we were discussing the allocation with was never discussed that a gear group would be shut down for several days because of the other user group's inability to catch up. The allocation was never intended to hurt either gear group.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Individual gear groups will continue to be hurt by the inability of the other gear to catch fish.

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

**WHO IS LIKELY TO BENEFIT?** All gear groups.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Roland Briggs (HQ-03-F-032)

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**PROPOSAL 84 - 5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

Added to the allocation plan would be language that says: Any new proposals or changes to old proposals shall include the condition that this change will not affect the fishery manager's responsibility to achieve the gear group catch percentages in the allocation plan.

**PROBLEM:** Since the allocation plan agreement, some of the changes in the wording of existing regulations and other new regulations have caused changes in the management of the Naknek River Special Harvest Area. As a result, this has led to the allocation percentages not being achieved by the fisheries managers. The effect of these changes was never clearly debated and no consideration was ever given to protect the catch percentages agreed to in the allocation plan.

The allocation agreement was hard fought with many offsetting compromises. I thought the driftnetters made greater compromises, including giving up several percent of their historical catch to the setnetters. This was done to solidify that the catch percentages would be enforced and remain the same no matter what.

Since the allocation plan agreement, any changes that improve the efficiency of a gear group or the quality of life of the fishery participants or the fishery managers has been unopposed because it was understood from the allocation agreement that any such changes would not change the catch percentages. The allocation plan calls for the respective drift and set gillnet percentages to be 84 percent and 16 percent. For the Naknek-Kvichak District in 2002 the final percentages were 64 percent and 36 percent.

No change that would cause the agreed-to allocation to change would ever have been agreed to.

Language should be added to the allocation plan that states that any new proposals or changes to old proposals shall not change the manager's responsibility to achieve the catch percentages agreed to in the allocation plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The allocation plan, which is a cornerstone of the Bristol Bay fisheries management, will become a point of contention rather than reconciliation in the Naknek River Special Harvest Area.

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

**WHO IS LIKELY TO BENEFIT?** All will benefit because the Allocation Plan will be enforced as it was agreed to.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Kurt Johnson (HQ-03-F-162)

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**PROPOSAL 85 - 5 AAC 06.365. Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

The allocation revised so that when there are fewer than 600 boats the current allocation can be thrown out and a system put into effect where everybody can catch fish.

**PROBLEM:** In the Egegik District of Bristol Bay I would like the board to address the allocation system. First of all, the current system was supposed to be reviewed a few years after being put into

effect. This has not happened and the system is now obsolete and either needs to be thrown out or greatly revised.

The problems mainly started when the Kvichak conservation area permanently (or almost permanently) went into effect. This decreased the fishing area by bringing in the line to the 110 line. Now when the line was brought in the number of boats dramatically decreased from somewhere around a thousand to around five or six hundred and sometimes even as low as three hundred. When the number of boats drop, it has been shown that the number of setnet permits remain the same. Therefore the setnet fishermen have to wait for a smaller drift fleet to catch the same number of fish that was put into force on a thousand plus boat numbers.

So what I would like to see is either the allocation thrown out or changed so that both gear types can catch a fairly equal amount of fish and once again make it a viable fishery for both gear types. Perhaps there could be a sliding scale that would work on the number of drift permits to the number of setnet permits.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** It will continue to be an unbalanced fishery.

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

**WHO IS LIKELY TO BENEFIT?** Mostly setnetters, and it would not make much of a difference to the drift fleet.

**WHO IS LIKELY TO SUFFER?**

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Tim Veal (SC-03-F-010)

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**PROPOSAL 86 - 5 AAC 06.364. Naknek-Kvichak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan; 5 AAC 06.365. Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan; 5 AAC 06.366. Ugashik District Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan; and 5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend these regulations as follows:

Since what is being allocated is fish and since 5 AAC 06.355 states historical sockeye salmon catches be allocated between drift and set gillnet fisheries by district, the proper method of allocating fish is to add up the total sockeye caught during all of the base years by each gear group within a district and then calculating percentages from these totals. The method used by the board in 1997 was to add up the percentages each year and then divide by 20. Very often a failing river system will drive many of the drift fishermen to more productive districts. This causes the driftnet percent within a district to go down on tiny years even though Bristol Bay-wide the moves did not have that effect. Therefore, using the mathematical model of adding percents and dividing by 20 rewards a group that does not move and does not truly represent the historical catches of each gear group.

**PROBLEM:** The math used to calculate the allocated percentages written into each of these four allocation plans had a basic flaw built into the logic. During the 20 years that the board used as a baseline for setting allocation percents (1977-1996), the setnet gear group caught 64,073,000 sockeye or 12.79 percent of the total catch. For the last three years, under the allocation plan the setnet gear group caught over 20 percent. Last year in Bristol Bay the setnet gear group harvested 20.20 percent of the sockeye in Bristol Bay which is an increase of 58 percent over their historical level. Of course all of this gain came from the driftnet gear group.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The driftnet fleet will be deprived of their long-term and historical share of the fish.

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

**WHO IS LIKELY TO BENEFIT?** The driftnet gear group.

**WHO IS LIKELY TO SUFFER?** The setnet gear group.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bristol Bay Driftnetters Association (HQ-03-F-104)  
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**PROPOSAL 87 - 5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation as follows:

Any salmon allocated to a specific gear group in a district but not harvested shall be given to that gear group the following year before starting to count fish into that year's allocated quota percent.

**PROBLEM:** The allocation implementation has not matched the quotas in all areas the last few years and a simple remedial measure would do a lot to restore fairness and accuracy to the plan.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Any gear group that has been shorted salmon will be harmed.

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

**WHO IS LIKELY TO BENEFIT?** All fishermen will benefit from the increased accuracy that this plan will offer.

**WHO IS LIKELY TO SUFFER?** No one except those wishing to gain more than their long-term fair share.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bristol Bay Driftnetters Association (HQ-03-F-105)  
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**PROPOSAL 88 - 5 AAC 06.365. Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation to provide the following:

I want the Egegik District Commercial Set and Drift Gillnet Sockeye Salmon Management and Allocation Plan deleted from the regulation book. The allocation plan was supposed to be looked at during the board meeting in 2000-2001. It was stated in public document at the time the original regulation was adopted, it was not addressed. It has been seven years and the allocation plan is still not working. Times have changed. Regulations take a long time to put in place and sometimes it really makes no sense by the time they become a regulation. That is what we have here, an outdated regulation. The issues are different now, we have fewer boats, fewer fish, and fewer markets. We need to delete this allocation plan.

**PROBLEM:** The allocation management plan in the Egegik District.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Permit holders will not be able to fish because they cannot financially make it in fishing. Many permit holders have not fished the past few years and do not plan to in the future unless the regulations change. Egegik fishermen are in economic disaster.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Getting fishermen to fish and keep the supply of fish being delivered to processors.

**WHO IS LIKELY TO BENEFIT?** Fishermen who are willing to invest in the fishery and processors.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Bonnie Perata (HQ-03-F-097)  
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**PROPOSAL 89 - 5 AAC 06.320. Fishing periods; and 5 AAC 06.331. Gillnet specifications and operations.** Amend these regulations to provide the following:

Adopt the proven regulations that were set in motion in the early 1970s to ensure the restoration of all the fisheries involved.

- A) Return to 5 and 3/8 inch minimum mesh size.
- B) Use a minimum of 12-hour fishing periods.

These regulations worked before and were not experiments such as the changes to the regulations since then. In 1970 through 1974, we had the very same problems as today with 5 and 3/8 inch gear mesh size regulations; the females were allowed to pass through the nets and the males were thinned. This resulted in a stronger return for the amount of escapement (i.e., two girls and one boy = twice the return; one girl and two boys = half the return). This creates a mechanical fix that has been proven biologically and physically to work.

**PROBLEM:** The lack of fish returning to all Bristol Bay fisheries.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** All the fishermen in Bristol Bay and the Aleutians will suffer more hardship.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** The present short fishing periods result in more ripping of gear; towing; and mishandling of fish due to lack of time. The longer periods would enhance the quality of the fish.

**WHO IS LIKELY TO BENEFIT?** All the people involved.

**WHO IS LIKELY TO SUFFER?** The suppliers of gear and people who hang nets, in other words, gear stripping and hanging expense to fishermen.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Stan Small

(SW-03-F-022)

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**PROPOSAL 90 - 5 AAC 06.355. Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.** Amend this regulation to provide the following:

By itself that problem may not be worth solving. However, this is a good test area for some restructuring plans. Part of an IFQ plan assigns a specific catch amount to fishermen for each opening. The biologist could tailor the total catch to a pretty exact amount by giving out an IFQ opening. This would have the effect of improving quality by reducing the salmon's exposure time to fresh water and also by allowing fishermen to have more time to harvest their salmon without the competition. It also allows the manager to achieve a specific level of harvest without risking the entire school of salmon.

**PROBLEM:** The fish in the outer district of Ugashik tend to build up over several days before entering the river. This causes the fish to degrade in quality and also to be difficult to control for escapement.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The Ugashik run will be more difficult to control.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. This would reduce the rush to fish and cut the time in fresh water for the Ugashik fish which are notoriously slow to go upstream and notoriously poor quality at the end of the season. Also it has the effect of ending the rush for fish, at least for one opening.

**WHO IS LIKELY TO BENEFIT?** Every fisher.

**WHO IS LIKELY TO SUFFER?** A full test of the IFQ system would require extra work by the management staff to assign a specific IFQ to each fisherman and then tally up the catches. Also a means needs to be created to control over-catches and handle under-catches.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Rob Jones

(HQ-03-F-101)

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**PROPOSAL 91 - 5 AAC 06.3XX. Bristol Bay Area Salmon Fishery.** Create a new regulation to provide the following:

The economic motivation needs to be changed to drive better quality rather than bigger volume. An IFQ program would free the fishermen from the intense competition for maximum pounds of sockeye and change that to a competition for maximum value. An IFQ program should reward honest, serious, hard working fishers.

This quota system proposal is based on these principals:

- 1) A person's previous catch history during the prior ten years (base years) should have a direct bearing on an individual's allocation.
  - a) The individual's catch history is based upon total catch in all river systems during the base years.
- 2) The individual's daily quota will be based upon the run size of the registration district.
- 3) On the base years that a fisher has been convicted of a misdemeanor only one half of that year's catch will be input into the IFQ calculation (see section A). On years with two or more misdemeanors no fish will be input into the IFQ calculation.
- 4) Each fisherman will have a daily cumulative quota as the season progresses.
- 5) The district biologist shall set a total allowable catch for each opening (TACO).

Based upon these principals the math could be handled by doing the following:

- A) Assign each permit a Raw Individual Base Number (RIBN) = (total sockeye catch on the permit 1993-2002) ÷ (total catch of all sockeye in Bristol Bay 1993-2002). Total catch of the permit should have subtracted from it those fish disallowed by misdemeanor convictions. This is a permanent number that stays with the permit.
- B. Total all RIBNs registered and legal to fish in a district = District Total Base Number (DTBN). This number changes for each opening.
- C. The district manager would have to assign a total TACO in pounds. This number may have to be changed during the opening if an unexpectedly large number of salmon are available.
- D. A fisher can calculate his/her Allowable Catch per Opening (ACO) in pounds with the formula:  $ACO = (RIBN \div DTBN) * TACO$ . RIBN is a permanent number assigned to the permit, DTBN is calculated each opening by staff and applies to every permit equally, TACO is calculated by the manager before each opening and applies to every permit equally. TACO and DTBN could be combined as one number and given out prior to each opening. The staff could announce a single number that would be multiplied by the permit's RIBN to get each permit's ACO for the upcoming opening.

**PROBLEM:** The reputation and quality of the sockeye coming out of Bristol Bay is below average. Much of the damage done to the fish is caused by the rush for fish driven by strong economic motivation to harvest as much fish as possible rather than to harvest the highest quality fish possible. Even now refrigeration systems are not installed in some new boats because they do make a boat less competitive.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The value of our catch will continue to provide a very meager income to those who participate in the fishery.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. During these difficult times the fishers who take the best care of their salmon may be the first driven out of the fishery because total pounds caught is far

more important economically than the quality of the pounds. The fishery is too fast paced to do a good job of grading at the tender which is the only place available to grade the product by individual fishing vessel. Slowing the pace of the fishery somewhat will allow greater care by the fishers and greater level of grading by the processor.

**WHO IS LIKELY TO BENEFIT?** Every fisher will benefit to the same degree though fisher/processors should find this environment easier to work in.

**WHO IS LIKELY TO SUFFER?** This formula makes each fisher produce at the same level as they have during the base years of 1993-2002. This should approximate to the highest degree possible their previous level of participation in the fishery. As such, each fisher under the IFQ system is likely to catch about the same number of salmon as they would have without the IFQ but at lower cost and higher value so no fisher will suffer. From a management stand point the staff will have more work to do in that they will have to generate a TACO and DTBN before each opening. The incentive for illegal fishing will have been almost eliminated so the enforcement costs should decrease far more than the management costs increase. This proposal has not gone into great detail. It has not addressed the issues of how to handle district transfers, people who catch too much or too little, people who recently bought into the fishery, people who are too sick to harvest, transferability of RIBN, means of harvest, what to do about consolidation of RIBN, etc. Any of these details can and will help or hurt people depending on how they are addressed.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Rob Jones (SC-03-F-011/HQ-03-F-115)

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**PROPOSAL 92 - 5 AAC 67.020(1). Bag limits, possession limits, and size limits for Bristol Bay Area; and 5 AAC 67.022(g). Special provisions for seasons, bag, possession, and size limits and methods and means in the Bristol Bay Area.** Amend these regulations in the Nushagak and Mulchatna drainages as follows:

Include the Nushagak/Mulchatna drainage in the statewide regulation allowing a daily sport harvest of ten king salmon of less than 20 inches in length per day. The harvest of these king salmon less than 20 inches in length would not be included in the annual limit for larger king salmon nor would the harvest of these fish be part of any allocation in any management plan for larger king salmon such as the Nushagak-Mulchatna Chinook Salmon Management Plan. All king salmon regardless of size are to be included in the regulation addressing handling and removal from the water.

**PROBLEM:** The sport harvest opportunity for king salmon under 20 inches in length in the Nushagak/Mulchatna drainage is unnecessarily restricted.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Anglers will unnecessarily forego harvest opportunity for king salmon under 20 inches in length.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** This proposal provides additional sport harvest opportunity for king salmon in the Nushagak/Mulchatna drainages where current harvest opportunity is strictly limited. It will provide harvest opportunity on a segment of the king run that is currently unused and essentially unavailable to anglers. Providing the opportunity to harvest king salmon less than 20

inches may moderate harvest demands for larger king salmon in this river system and provide alternatives in the event the large fish fishery is restricted or closed. This proposal has the potential of enhancing the quality of angling experience in the Nushagak/Mulchatna drainages. I believe these very small kings are little used in the commercial and subsistence fisheries as well.

While it is a stretch, there is some thinking that reducing the spawning population of very small kings (through sport harvest) may improve the overall size of future returning salmon.

History: In January 2000, the board adopted the existing small king salmon harvest regulation. At that time and upon a vote of reconsideration, the board specifically excluded the Nushagak/Mulchatna drainage. The exclusion was made pending a planned study by the department to assess the potential impact on the annual sonar escapement estimate of king salmon and an assessment of the potential impacts to the Nushagak Chinook Management Plan. I believe the department study found that at king salmon less than 20 inches make up at most only 2 percent to 3 percent of the sonar-generated annual king salmon escapement. In the past, the estimates included data from beach seines for species assessment. Since 2001, I understand the department has abandoned using beach seines for consistency. This is likely to further reduce the capture of small kings or inclusion in the overall estimates. By this study the department has discovered that king salmon less than 20 inches have never or very rarely been a significant part of the escapement estimates which are the foundation of the management plan. The very small kings were probably poorly and inconsistently surveyed from the air as well – they are much more likely to be counted as sockeye if they were seen at all. Essentially the very small kings have been nearly invisible to management and constitute an unused resource opportunity.

**WHO IS LIKELY TO BENEFIT?** Sport anglers desiring to harvest small king salmon and local business providing services to such anglers will benefit. I believe local sport anglers and younger children will especially benefit from this regulation. Lodges desiring to provide shore lunches of fresh caught small kings may benefit as well.

**WHO IS LIKELY TO SUFFER?** Nobody is likely to actually suffer. People opposed to the sport fishery in any form or to any regulation that may sustain or allow growth of the area's sport fisheries may oppose this proposal. Many local residents and land holders are concerned about the size, growth, and impacts (crowding, trespass, waste disposal, disruption of tranquility) of the king salmon fishery in the Nushagak/Mulchatna drainage. Some folks will fear a new harvest opportunity will threaten the king salmon population – I firmly do not believe it will. Some may believe this proposal is a threat to subsistence opportunities – I would not have made this proposal if I believed it would have any impact on subsistence. Many of these fish are too small to be caught with any frequency in the nets used for subsistence or commercial fishing; it is the same reason the small fish are such a minor factor in the total run estimates generated by the sonar project.

In seasons where the sport fishery for large king salmon is restricted, having an ongoing small king salmon fishery and harvest opportunity may make enforcement difficult. This is especially true given the poor cooperation some anglers demonstrated during the 1999 closure on these waters.

**OTHER SOLUTIONS CONSIDERED?** I rejected the status quo because I do not believe the resource will suffer and I believe some sport harvest of small kings can be provided without harm to the overall king population, or other user groups.

I considered proposing a regulation to allow harvest of five kings per day under 20 inches which would drop to two per day in the event the large (over 20 inch) king fishery is restricted inseason in accordance with the Nushagak-Mulchatna Chinook Salmon Management Plan. I rejected this idea for simplicity and consistency with the regulations for the rest of the state. The five per day option is probably more socially acceptable to people who are uncomfortable with the sport fishery. Five small kings per day would be acceptable to me and would probably be sufficient for most sport anglers.

**PROPOSED BY:** Dan Dunaway (HQ-03-F-029)

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**PROPOSAL 93 - 5 AAC 67.022(b). Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.** Amend this regulation to provide the following:

Fishing from the shoreline or drifting only from July 1 to December 31.

**PROBLEM:** Sport anglers wading in salmon spawning grounds, destroying salmon redds, especially at the Ugashik Narrows and outlet of lower Ugashik Lake.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued increased mortality of salmon eggs (see Roberts and White paper).

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** There will be stronger salmon returns, resulting in more salmon for all user groups. Protects genetic diversity.

**WHO IS LIKELY TO BENEFIT?** All user groups.

**WHO IS LIKELY TO SUFFER?** A few anglers that like to wade on salmon redds.

**OTHER SOLUTIONS CONSIDERED?** Closing entire area seems too restrictive, but if necessary close the area to protect salmon survival.

**PROPOSED BY:** Lower Bristol Bay Advisory Committee (SW-03-F-029)

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**PROPOSAL 94 - 5 AAC 67.022(e)(10). Special provisions for seasons, bag, possession and size limits, and methods and means in the Bristol Bay Area.** Amend this regulation in the Tazimina River to provide the following:

All motorized boats are banned from the Tazimina River, indefinitely or up until adequate studies have been performed and appropriate plan of action proposed.

**PROBLEM:** The problem is that there is a lack of fish returning to the Tazimina River to spawn which may or may not be due to the heavy use by sport fishermen. especially those fishermen who utilize the jet boats. Fish eggs have been observed on the banks and in the trees and plants of the river.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The results of no action is already felt by the people both, those living in the area and those who visit for recreational purposes. It is believed that

the jet boats, and possibly the outboard motors as well, are the main culprits of the steady decline in the return of the salmon and the trout. Although studies that point to any other possible reasons do not exist. Perhaps bank erosion from foot and boat traffic or the changing of the channel has an effect.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** With adequate studies done we should be able to determine what the cause(s) for the steady decline in the fish resource is and rectify the situation, if possible. Hopefully, this would stop the decline in resource and begin the rebuilding of the resource by identifying the problem(s).

**WHO IS LIKELY TO BENEFIT?** All parties involved will benefit from the solution when the fish return and is plentiful once again. The Tazimina River is located within a world-class, well-known sport fishing area, fish is a mainstay of the indigenous people of the area and many, many fishing lodges rely on the resource for a livelihood.

**WHO IS LIKELY TO SUFFER?** Although at the beginning some entities may suffer, overall they will benefit and prosper on the return of the resource. For example, the fishing lodges may have to change their locations utilized for the time being.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Nondalton Tribal Council (HQ-03-F-042)

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**PROPOSAL 95 - 5 AAC 67.022(f). Special provisions for seasons, bag, possession and size limits, and methods and means in the Bristol Bay Area.** Amend this regulation to provide the following in the Alagnak River drainage:

Create an upper boundary line at Grassy Pt. (Estrada’s cabin), for fishing king salmon. Fishing above that point would be single hook only, no larger than the ½ inch between point and shank.

**PROBLEM:** King salmon numbers of the Alagnak River; fishing on chinook spawning beds.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** King salmon stocks will continue to decline in the Alagnak river.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes. It hopefully will improve spawning and king salmon numbers. Commercial fishing has not taken place in the Kvichak Section for three years and yet Alagnak king salmon numbers are still down.

**WHO IS LIKELY TO BENEFIT?** Anyone who fishes on the Alagnak.

**WHO IS LIKELY TO SUFFER?** Those who fish for king salmon above Grassy Pt. on the spawning beds.

**OTHER SOLUTIONS CONSIDERED?** Keeping all traffic off the spawning beds; too drastic as it affects everyone on the upper Alagnak River.

**PROPOSED BY:** Naknek/Kvichak Advisory Committee (SW-03-F-007)

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**PROPOSAL 96 - 5 AAC 67.022(h)(3). Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.** Amend this regulation on the Agulupak River to provide the following.

Eliminate guided angling on the Agulupak River from 7:00 p.m. until 6:00 a.m.

It would be desired to use the same boundaries as the fly fishing only portion of the river.

**PROBLEM:** I would like the board to restrict guided angling at night to preserve the resource, opportunity for unguided anglers, and to protect the original intent of the management actions that the board adopted in 1984.

In 1984 the board adopted regulation to make the Agulupak River fly fishing only, catch and release for rainbow trout. The board's intent was to preserve the historical size, distribution and catch rates of rainbow trout. They recognized the unique qualities of the river and the opportunity for guided and nonguided anglers to experience a world class fly fishery.

In 2002 the Wood-Tikchik State Park adopted new regulations for the park. They capped the number of guided anglers on the Agulupak River to 25 anglers from 6:00 a.m. to 6:00 p.m. To date, the park does not intent to implement management actions to achieve this cap because the guided angling use does not exceed this 25 angler cap.

The current level of guided use is approaching guided 25 anglers per day. The Agulupak River is a very short river. The stretch of water that is fished by anglers is only about ½ mile of the river. During a normal day the river has 10 to 12 boats. The guides "walk" the boats because the river is very shallow and wide. The guides dominate the river and displace unguided anglers who are wading. Currently most unguided anglers wait until the lodges and guides fly home in the evening which leaves the river to the unguided anglers.

As the guided anglers start to exceed the 25 angler cap any new guides will have to work the river after 6:00 p.m. Over the years the number of guided anglers that fish in the evening and night will expand. As this night effort expands, it will displace unguided anglers from the river, it will be hard on the resource and diminish the quality of fishing for all of the users.

It is important that the board look to the future management of the river. Where will the fishery be in ten years? The board should look at other fisheries around the state where guided angling has gone unchecked until it is too late. The board should act now, before a number of guides have developed a business on fishing the river at night.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** An increase in evening and night guiding will occur and displace the unguided anglers and impact the resource.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** To preserve the historical size, distribution and catch rates the elimination of guided angling after 7:00 p.m. will lesson the impact on rainbow trout.

**WHO IS LIKELY TO BENEFIT?** The unguided angler. Guides who currently fish the river during the day hours.

**WHO IS LIKELY TO SUFFER?** Any guides who wish to guide on the river after 7:00 p.m. There is currently one guide operator that typically guides on the river during the day and extends into the evening and night. This operator would lose the opportunity to guide after 7:00 p.m. But they can still guide during the day so they would not be eliminated from guiding on the river.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Bud Hodson (SC-03-F-003)

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**PROPOSAL 97 - 5 AAC 67.022(j). Special provisions for season, bag, possession, and size limits, and methods and means in Bristol Bay Area.** Amend this regulation as follows:

(j) In all fresh water drainages between Cape Newenham [CAPE CONSTANTINE] and Cape Menshikof a person may not remove a king salmon from the water before releasing the fish.

**PROBLEM:** King salmon are being needlessly stressed through their removal from the water prior to being released. The regulations are consistent within the Bristol Bay area often creating confusion within the angling public. This regulation became effective for Bristol Bay fisheries occurring between Cape Menshikof and Cape Constantine in 2001. This adoption excluded those fisheries occurring west of Cape Constantine primarily those in the Togiak, Kulukak and Negukthlik rivers.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** King salmon will continue to be removed from the water prior to being released in drainages of Bristol Bay between Cape Constantine and Cape Newenham. Anglers may be confused as to where it is illegal/legal to remove a king salmon from the water prior to release.

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

**WHO IS LIKELY TO BENEFIT?** The fishery resource and anglers that fish for king salmon in western Bristol Bay will benefit.

**WHO IS LIKELY TO SUFFER?** Anglers that want to remove king salmon from the water prior to releasing the fish.

**OTHER SOLUTIONS CONSIDERED?** Maintain existing regulations. However, this option was rejected because of potential confusion caused by inconsistent regulations, and the additional stress on king salmon, which are removed from the water prior to release in western Bristol Bay.

**PROPOSED BY:** U.S. Fish and Wildlife Service, Togiak National Wildlife Refuge (HQ-03-F-036)

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**PROPOSAL 98 - 5 AAC 06.361. Nushagak-Mulchatna Chinook Salmon Management Plan.** Amend this regulation as follows:

When the escapement on the Nushagak River sonar is projected to be between 55,000 and 75,000 the department will reduce the daily bag limit from two king salmon (not more than one over 28 inches) to one king salmon any size.

To date, the plan has worked well. In 2000 the sport fishery harvested about 6,000 kings, in 2001 the sport fishery harvested 5,900 kings. Both years exceeded the GHL. However in 2001, the escapement was over the 75,000 where the GHL is no longer in effect. If we repeat the last several years, only one out of three years will the escapement be between 55,000 and 75,000.

If the escapement is projected to be under, 55,000 the department has tools to reduce the harvest. If the escapement is over 75,000 the GHL is lifted. The proposed management adjustment is for those years when the run actually comes in between 55,000 and 75,000 (about one out of three years).

The reduction in bag limit from two kings down to one king will save some kings without having a negative effect on the sport fishery and no effect on the commercial fishery. To estimate the savings is difficult. Many of the anglers from fly-in lodges who day fish the Nushagak may only fish the river once or twice and will harvest to kings each day. This is especially true after June 25 when other king salmon fisheries are producing. In a given week a fly-out angler might fish the Togiak River or Alagnak River in addition to the Nushagak. Many anglers from Anchorage will fly out just for a couple of days and would be likely to harvest two kings per day. Some river camps do not have the freezer space for their anglers to keep a large king a day. They wait until the day before they are to leave and harvest two kings in the last two days.

The proposed reduction in bag limit would reduce the harvest of kings, however to quantify it would be difficult.

The harvest only needs minor adjustments to stay within the goals of the plan. The GHL was put in place to prevent the sport fishery from harvesting an increased number of kings and reallocating kings from the commercial fishery to the sport fishery. The plan has worked well. This minor adjustment should keep the harvest close to the GHL.

Even if one out of three years the sport fishery does exceed the GHL by a couple of 100 fish it would have no impact, nor consideration to the department on any commercial king openings.

2000 and 2001 were the peak years for sport fishing on the Nushagak and Bristol Bay. Post September 11 sport fishing efforts have declined. The tourism industry as a whole was off in 2002 as was the sport fishing effort on the Nushagak. 2003 will be even worse. The economy and the war have hit the tourism industry hard and effort levels should be far less than in previous years. Lower effort means less harvest.

We do not need an allocative battle between sport and commercial users and we do not need to make seasonal bag limit adjustments on the Nushagak kings, we just need to “tweak” the plan a little. In fact we might even see a reduction in harvest for the near future if the global economy and political stability does not improve.

**PROBLEM:** The Nushagak-Mulchatna Chinook Salmon Management Plan limits the sport fishery to a guideline harvest level of 5,000 kings. The sport fishing effort on the Nushagak harvested in excess of 5,000 kings in 2000 and 2001.

It is likely that the sport fishing harvest will again exceed the 5,000 guideline harvest level on years that Nushagak sonar escapement is between 55,000 and 75,000.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** On those years that the king escapement is between 55,000 and 75,000 (approximately one out of three years, historically) the sport fishery is likely to exceed the 5,000 king salmon GHL.

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

**WHO IS LIKELY TO BENEFIT?** Commercial fishermen who wish to harvest Nushagak kings.

**WHO IS LIKELY TO SUFFER?** Anglers who wish to harvest two kings a day.

**OTHER SOLUTIONS CONSIDERED?** I considered requesting to raise the GHL to accommodate the sport fishery. I rejected this idea because I do not feel that it is necessary. A small adjustment is all that is necessary. Keep in mind that we are only talking about an adjustment of about one out of three years. Only those years that the escapement falls between 55,000 and 75,000. I also did not want an allocative battle between sport and commercial. Both industries are on hard times and that is the last thing we need when we can have an easy fix.

I considered asking the board not to count jacks, in this case kings under 28 inches or some other smaller size of kings against the GHL and the seasonal bag limit. Even though jacks contribute little to spawning productivity, I did not ask for this because most years the plan will work fine and usually the only jacks that are kept are the second king in the daily bag limit of two kings. The harvest on jacks would increase substantially, because the Nushagak has a high component of kings under 28 inches. On most days a significant number of anglers would harvest a second jack. The harvest of jacks would not be a bad thing, but it has always been a point of contention to the commercial fleet. The history of including jacks into the GHL and seasonal bag limit was heavily debated.

I considered reducing the seasonal bag limit from four to three kings per person per season. I rejected this because many local residents use this harvest for personal use and it would send the wrong message to the sport fishing public at a time when effort levels are declining and we have healthy king salmon returns. It also does not seem logical to reduce the harvest by 25 percent when the savings is far less than the management error in managing the commercial fisheries and the error in estimating the escapement.

If we have only succeeded one out of three years with an escapement of 55,000 to 75,000 than the management error is about 15,000 animals. If the sport fishery does harvest an extra 300 or 500 or even 1,000 kings on some years that harvest would in no way reallocate fish from the commercial fishery to the sport fishery.

I considered methods and means restrictions, however the goal is to control harvest not catch rates. There is no reason to reduce catch rates with restrictions. With a bag limit of one king salmon, the methods and means restrictions would have to reduce the harvest to less than one king per day per angler, which is taking away any reasonable opportunity and frankly would be the death of the fishery.

**PROPOSED BY:** Bud Hodson (SC-03-F-004)

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**PROPOSAL 99 - 5 AAC 06.361. Nushagak-Mulchatna Chinook Salmon Management Plan.**

Amend this regulation as follows:

(b) The department shall manage the commercial **and sport fishery** in the Nushagak District and river as follows:

...

(d) If the spawning escapement of chinook salmon in the Nushagak River is projected to be more than 40,000 fish and the projected inriver return is less than 75,000 fish, the commissioner (1) shall close, by emergency order, the directed chinook salmon commercial fishery in the Nushagak District; during a closure under this paragraph, the use of a commercial gillnet with webbing larger than five and one-half inches in another commercial salmon fishery is prohibited; and

(2) if the projected in-river return of chinook salmon on the Nushagak river is less than **75,000** [55,000] fish, and to ensure that **the guideline harvest is not exceeded, a seasonal sportfish limit of three chinook salmon is applied to the sport fishery;**

**(3) if the projected in-river return of chinook salmon in the Nushagak River is less than 55,000 fish, and to ensure that** projected spawning escapement does not fall below 40,000 fish, shall establish, by emergency order, fishing periods to restrict the chinook salmon sport fishery in the Nushagak River during which any, or a combination, of the following restrictions may be applied.

**PROBLEM:** The inability to keep the sport fish guideline harvest under 5,000 chinook when inriver run projections are between 55,000 and 75,000 chinook.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** The guideline harvest will continue to be exceeded. The inability to meet the 65,000 BEG.

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

**WHO IS LIKELY TO BENEFIT?** All users through implementation of a functional plan.

**WHO IS LIKELY TO SUFFER?** Sport fishermen who want to keep the current limit of four chinook.

**OTHER SOLUTIONS CONSIDERED?** None.

**PROPOSED BY:** Nushagak Advisory Committee (SW-03-F-012)

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**PROPOSAL 100 - 5 AAC 06.361(b)(2). Nushagak-Mulchatna Chinook Salmon Management Plan.** Amend this regulation as follows:

(b)(2) in order to maintain a natural representation of age classes in the escapement, the department **will** [SHALL ATTEMPT TO] schedule commercial openings to provide pulses of fish into the river that have not been subject to harvest by commercial gear.

**PROBLEM:** Abnormal amount of juvenile males that get counted in the total escapement of the Nushagak River because unnetted pulses of kings do not get through the commercial district.

**WHAT WILL HAPPEN IF NOTHING IS DONE?** Continued practices will get run health out of natural age class percentages. Could be overestimating run. Inseason adjustments of subsistence and sport fisheries. Not enough kings for commercial harvest.

**WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?** Yes, it allows a more natural representation of age classes for spawning.

**WHO IS LIKELY TO BENEFIT?** Commercial fisheries, subsistence fisheries, sport anglers, and the health of the king run will all benefit.

**WHO IS LIKELY TO SUFFER?** No one.

**OTHER SOLUTIONS CONSIDERED?**

**PROPOSED BY:** Nushagak River Conservation Association- Bob Toman (HQ-03-F-081)  
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