

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, PERSONAL USE, SPORT, AND SUBSISTENCE
REGULATORY PROPOSALS
COMMITTEE OF THE WHOLE—GROUPS 1–4,
FOR

BRISTOL BAY FINFISH

ALASKA BOARD OF FISHERIES MEETING
ANCHORAGE, ALASKA

DECEMBER 2–8, 2015



Regional Information Report 2A15-02

The following staff comments were prepared by the Alaska Department of Fish and Game (department) for use at the Alaska Board of Fisheries (board) meeting, December 2–8, 2015 in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Acronyms and Abbreviations

The following acronyms and abbreviations, and others approved for the Système International d'Unités (SI), are used without definition in the following reports by the Divisions of Commercial Fisheries, Sport Fish, and Subsistence: All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figure or figure captions.

Weights and measures (metric)		General		Acronyms	
centimeter	cm	Alaska Administrative Code	AAC	Agenda Change Request	ACR
deciliter	dL			Alagnak River Special Harvest Area	ARSHA
gram	g	all commonly accepted abbreviations	e.g., Mr., Mrs., AM, PM, etc.	Alaska Board of Fisheries	board
hectare	ha			Alaska Department of Fish and Game	department
kilogram	kg	all commonly accepted professional titles	e.g., Dr., Ph.D., R.N., etc.	Alaska National Interest Land Conservation Act	ANILCA
kilometer	km			Amount Necessary for Subsistence	ANS
liter	L	at	@	Alaska Wildlife Troopers	AWT
meter	m	compass directions:		Bristol Bay Area	BBA
milliliter	mL	east	E	Commercial Fisheries Entry Commission	CFEC
millimeter	mm	north	N	Customary and Traditional Egegik River Special Harvest Area	C&T
		south	S	Global Positioning System	GPS
		west	W	Nushagak River Coho Salmon Management Plan	NRCSMP
Weights and measures (English)		copyright	©	Statewide Harvest Survey	SWHS
cubic feet per second	ft ³ /s	corporate suffixes:		Sustainable Escapement Goal	SEG
foot	ft	Company	Co.	United States Fish and Wildlife Service	USFWS
gallon	gal	Corporation	Corp.	Wood River Special Harvest Area	WRSHA
inch	in	Incorporated	Inc.		
mile	mi	Limited	Ltd.		
nautical mile	nmi	District of Columbia	D.C.		
ounce	oz	et alii (and others)	et al.		
pound	lb	et cetera (and so forth)	etc.		
quart	qt	exempli gratia	e.g.		
yard	yd	(for example)			
		Federal Information Code	FIC		
Time and temperature		id est (that is)	i.e.		
day	d	latitude or longitude	lat or long		
degrees Celsius	°C	monetary symbols			
degrees Fahrenheit	°F	(U.S.)	\$, ¢		
degrees kelvin	K	months (tables and figures): first three letters	Jan,...,Dec		
hour	h	registered trademark	®		
minute	min	trademark	™		
second	s	United States (adjective)	U.S.		
		United States of America (noun)	USA		
Physics and chemistry		U.S.C.	United States Code		
all atomic symbols		U.S. state	use two-letter abbreviations (e.g., AK, WA)		
alternating current	AC				
ampere	A				
calorie	cal				
direct current	DC				
hertz	Hz				
horsepower	hp				
hydrogen ion activity (negative log of)	pH				
parts per million	ppm				
parts per thousand	ppt, ‰				
volts	V				
watts	W				

REGIONAL INFORMATION REPORT 2A15-02

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ANCHORAGE, ALASKA**

DECEMBER 2–8, 2015

by
Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Commercial Fisheries
333 Raspberry Road
Anchorage, AK 99518-1565

November 2015

ABSTRACT

This document contains Alaska Department of Fish and Game staff comments on commercial, personal use, sport, and subsistence regulatory proposals for the Bristol Bay Finfish meeting. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, December 2-8, 2015 in Anchorage, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change, as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Key words: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department), staff comments, regulatory proposals, fisheries, commercial, personal use, sport, subsistence, statewide, Dungeness crab, shrimp, miscellaneous shellfish, supplemental issues.

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**Summary of department positions on regulatory proposals for Bristol Bay Finfish
Anchorage, December 2-8, 2015**

Proposal No.	Department Position	Issue
22	N/O	Move the Cinder River, Inner Port Heiden, and Outer Port Heiden sections of the Northern District from the Alaska Peninsula Area to the Bristol Bay Area.
23	N/O	Move the Cinder River, Inner Port Heiden, and Outer Port Heiden sections of the Northern District from the Alaska Peninsula Area to the Bristol Bay Area.
24	N/O	Move all waters of the Northern District east of the latitude of Cape Seniavin from the Alaska Peninsula Area to the Bristol Bay Area.
25	O	Expand district boundary lines.
26	O	Create new general fishing sections that are in effect following achievement of escapement goals, or July 17, until July 27.
27	N	Require that a CFEC permit holder's name displayed on a set gillnet site marking sign complies with the same character size marking requirements for permit numbers. <i>(This proposal will be heard at the Bristol Bay Finfish meeting, and heard and deliberated on at the Statewide Finfish meeting.)</i>
28	N	Change the character size requirements for set gillnet marking signs. <i>(This proposal will be heard at the Bristol Bay Finfish meeting, and heard and deliberated on at the Statewide Finfish meeting.)</i>
29	N	Allow a set gillnet permit holder to operate and deploy gillnet gear seaward of the permit holder's own set gillnet, and within the permit holder's setnet site.
220	O	Prohibit net barges, floating processors, tenders, and hard fixed buoys in waters of the Egegik District during open drift gillnet fishing periods.
221	N	Prohibit tenders, fish buyers, and fish transport vessels from anchoring within 1,500 feet of set gillnet sites.
30	S	Change the description of set gillnet exemptions that allow operations where beaches at mean low tide are not connected to either exposed land or land not covered at high tide, by deleting references to regulatory markers.
71	S	Update the description of the Wood River Special Harvest Area by deleting references to regulatory markers.
72	S	Change the description of statistical areas in the Nushagak District by deleting references to department regulatory markers, and renaming the Nushagak Statistical Area.
73	S	Redefine the description of the Nushagak District and the Igushik Section in the Nushagak District by deleting references to department regulatory markers.
74	S	Redefine the description of closed waters for salmon in the Snake River in the Nushagak District by deleting a reference to department regulatory markers.
76	S	Change the current description of the Osviak Section in the Togiak District by correcting a GPS coordinate in the description.
80	S	Re-describe the subsistence fishing area in the Nushagak District that is restricted to three days per week by removing references to regulatory markers.
91	S	Redefine the description of closed waters for the Togiak herring fishery by deleting references to department regulatory markers.
31	N	Change the area registration requirements to require district registration prior to fishing in a district in Bristol Bay.
32	N	Change the area registration date requirement for the Bristol Bay commercial salmon fishery.
33	N	Change the area registration date requirement for the Bristol Bay commercial salmon fishery.

N = Neutral; S = Support; O = Oppose; NA = No Action, WS = Withdrawn Support

-continued-

Summary of department positions on regulatory proposals for Bristol Bay Finfish Anchorage, December 2-8, 2015 (Page 2 of 4)

Proposal No.	Department Position	Issue
34	O	Reduce the required waiting period when registering for a new district from 48 hours to 12 hours.
35	N	Require drift gillnet operations to register the day of fishing during emergency order periods.
36	N	Change the registration requirement for commercial salmon fishing in the Egegik District.
37	N	Change the area registration date requirement from June 25 to June 1 for the Naknek-Kvichak, Egegik, and Ugashik districts for the drift gillnet fleet.
38	N	Change registration requirements for fisheries under emergency order conditions and change the registration date for the Naknek-Kvichak, Egegik, and Ugashik districts from June 25 to June 18.
39	N	For the Naknek-Kvichak District, eliminate the registration date of June 25, and require registration only before fishing in the district.
40	N	Change the drift gillnet registration date in the Naknek-Kvichak District from June 25 to June 17.
41	N	Change the area registration requirement for the Naknek-Kvichak, Egegik, and Ugashik districts by removing the June 25 start date.
42	N	Allow set gillnet operators to transfer within the Nushagak statistical areas without the 48-hour time requirement.
43	N	Repeal set gillnet reregistration requirement for statistical areas within the Nushagak District.
44	N	Modify Togiak District registration restriction requirements that apply until July 27 to include a fishing vessel.
45	N	Reauthorize Bristol Bay set gillnet permit stacking.
46	N	Allow permit stacking for set gillnet operations.
47	O	Allow permit stacking for set gillnet operations and up to one and one-half the current legal limit of gear for one permit to be operated when permit stacking.
48	N	Allow permit stacking for set gillnet operations in the Bristol Bay Area.
49	O	Allow two set gillnet permit holders to jointly operate with up to 75 fathoms of set gillnet gear and require both permit numbers on identification sign.
50	N	Allow permit stacking for set gillnet operations in the Egegik District.
51	N	Allow drift gillnet permit stacking for an individual who owns two drift gillnet permits in Bristol Bay.
52	N	Allow drift gillnet permit stacking for an individual who owns two drift gillnet permits in Bristol Bay and the operation of 200 fathoms of drift gillnet gear from a vessel with an individual holding two drift gillnet permits.
53	N	Increase the amount of drift gillnet gear allowed when two permit holders are jointly operating.
54	O	Close by the Egegik District Special Harvest Area to commercial salmon fishing for five days during times of high intercept fishing.
55	O	Modify set gillnet operations in the Ugashik District.
56	O	Create an inriver Alagnak River Salmon Fishery Management Plan.
57	O	Create an inriver Kvichak River Salmon Fishery Management Plan.
58	O	Expand the boundaries of the Naknek Section of the Naknek-Kvichak District.

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-continued-

**Summary of department positions on regulatory proposals for Bristol Bay Finfish
Anchorage, December 2-8, 2015 (Page 3 of 4)**

Proposal No.	Department Position	Issue
59	N	Revise boundaries of closed waters at Graveyard Point in the Naknek-Kvichak District.
60	O	Create a special harvest area in the Graveyard Creek area.
61	N	Increase the minimum distance drift gillnet operations must maintain from a set gillnet operation in the Nushagak District.
62	N	Increase the minimum distance drift gillnet operations must maintain from a set gillnet operation in the Nushagak District.
63	N	Change the seaward minimum distance between set gillnet gear in the Clark's Point area in the Nushagak District.
64	N/O	Increase fishing time for drift gillnet gear during incoming tides in the Nushagak District.
65	N	In the Nushagak District repeal emergency order authority to limit gillnet mesh to not exceed four and three-quarters inches.
66	N	Amend the Nushagak River Coho Salmon Management Plan to establish a fixed escapement goal, change the fishery start date, and repeal language pertaining to pink salmon escapement.
67	S	Change the Nushagak River Coho Salmon Management Plan to reflect changes in escapement goals that have previously been implemented.
219	N	Address allocation impacts that may come from potential changes in escapement goals and trigger points in the Nushagak River Coho Salmon Management Plan.
68	N	Repeal Wood River Sockeye Salmon Special Harvest Area Management Plan.
69	N	Amend the Wood River Sockeye Salmon Special Harvest Area Management Plan to eliminate management based on Nushagak District drift and set gillnet gear allocations.
70	N	Modify the Wood River Sockeye Salmon Special Harvest Area Management Plan to open separate drift and set gillnet fishing periods based on achievement of gear allocation instead of a fixed seasonal fishing period ratio.
75	O	Reduce the amount of time that certain waters in the Togiak District are closed to commercial fishing for salmon with a drift gillnet.
77	S	Change the Togiak District Salmon Management Plan to reflect recent department escapement goal changes, and remove coho and king salmon goals.
78	S	Change the boundaries, methods of harvest, and seasons for subsistence harvests of sockeye salmon in the Naknek River drainage.
79	S	Eliminate subsistence fishing period for the Naknek, Egegik, and Ugashik Rivers to allow subsistence salmon fishery to occur any time.
81	S	Define subsistence fishing boundaries so that the 10 fathom net restriction applies to Dillingham beaches and the 25 fathom net length restriction applies elsewhere, and remove reference to department regulatory markers.
82	S	Establish and adopt amounts reasonably necessary for subsistence uses for herring spawn on kelp in waters of the Togiak District.
83	O	Allow the traditional harvest of whitefish and non-salmon subsistence fish in specific waters of the Newhalen River.
84	S	Establish non-retention king salmon sport fishing in the Big Creek drainage of the Naknek River drainage.

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**Summary of department positions on regulatory proposals for Bristol Bay Finfish
Anchorage, December 2-8, 2015 (Page 4 of 4)**

Proposal No.	Department Position	Issue
85	S	Redefine the sport fishing boundary description for non-retention of king salmon in the Big Creek drainage.
86	O	Implement a mail-in requirement for all king salmon harvest tickets in Bristol Bay sport fisheries.
87	O	Eliminate the use of egg-simulating lures in rainbow trout fishing.
88	S	Change the regulatory description for herring purse seine and hand purse seine.
89	N	Delete references to sac roe in the Bristol Bay Herring Management Plan.
90	N/O	Change the management plan to allow the department to waive the catch allocation requirement for gillnet and purse seine fleets.

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COMMITTEE OF THE WHOLE—GROUP 1 (18 PROPOSALS)

Alaska Peninsula Area/Bristol Bay Area Boundary (3 proposals)

Alaska Peninsula Area/Bristol Bay Area Boundary (3 proposals): 22 - 24 This set of proposals will be heard at the Bristol Bay Finfish meeting, and heard and deliberated on at the Alaska Peninsula/Chignik/Aleutian Islands Finfish meeting.

PROPOSALS 22 and 23 – 5 AAC 06.100. Description of area; 5 AAC 06.200. Fishing districts and sections; 5 AAC 09.100. Description of area; and 5 AAC 09.200. Description of districts and sections.

PROPOSED BY: Native Village of Port Heiden (Proposal 22) and Gerda Kosbruk (Proposal 23).

WHAT WOULD THE PROPOSALS DO? These proposals would move the Cinder River, Inner Port Heiden, and Outer Port Heiden sections of the Alaska Peninsula Management Area (Registration Area M) to the Bristol Bay Management Area (Registration Area T) and move the boundary between the two registration areas from Cape Menshikof southwest about 60 miles to Strogonof Point.

WHAT ARE THE CURRENT REGULATIONS? The border of the Alaska Peninsula and Bristol Bay Management areas is Cape Menshikof, and is found under 5 AAC 09.100 Description of Area. The Alaska Peninsula Area includes the waters of Alaska on the north side of the Alaska Peninsula, southwest of a line from Cape Menshikof (57° 28.34' N. lat., 157° 55.84' W. long.) to Cape Newenham (58° 39.00' N. lat., 162° W. long.) and east of the longitude of Cape Sarichef Light (164° 55.70' W. long.) and, on the south side of the Alaska Peninsula, from a line extending from Scotch Cap through the easternmost tip of Ugamak Island to a line extending 135° southeast from Kupreanof Point (55° 33.98' N. lat., 159° 35.88' W. long.).

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Management of the Cinder River, Inner Port Heiden, and Outer Port Heiden sections, currently based in the Port Moller department office, would be relocated to the King Salmon department office. Commercial salmon harvest opportunity between Cape Menshikof and Strogonof Point would be made available to Registration Area T rather than Registration Area M permit holders. The community of Port Heiden is approximately 145 miles from King Salmon and the distance from Port Moller to Port Heiden is about 97 miles. Since department aerial survey aircraft and pilots are already based on the Alaska Peninsula to support the Port Moller management operations, additional costs would be incurred by King Salmon department staff to fly aerial surveys of the Cinder and Meshik rivers to ensure escapement goals are being met and to manage the commercial fisheries in this area. There are 163 drift gillnet permit holders in Registration Area M that could fish in the Outer Port Heiden Section, although about 100 permit holders actually fish in this section annually. Making the Cinder River, Inner Port Heiden, and Outer Port Heiden sections part of the Bristol Bay Management Area could increase the number of permits that fish these areas.

BACKGROUND: The Bristol Bay and Alaska Peninsula Management areas have had an established border at Cape Menshikof since at least 1924 in codified regulations and potentially earlier.

The Alaska Peninsula Management Area and Bristol Bay Management Area have an overlap area that consists of the Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (5 AAC 39.120(d)). The overlap area is unique and was created shortly after statehood to allow Registration Area T permit holders the opportunity to fish within their traditional harvest locations of Registration Area M. Historically, when not participating in the Bristol Bay sockeye salmon fisheries, Port Heiden Registration Area T permit holders fished for king and coho salmon in the Inner Port Heiden Section, and Pilot Point Registration Area T permit holders fished inside the Cinder River Section for king and coho salmon. Prior to 2013, Registration Area T permit holders were allowed to fish during the open season in the Inner Port Heiden and Cinder River sections except during the month of July. In 2013, the board allowed Registration Area T permit holders to fish in the Inner Port Heiden Section and in the inner portion of the Cinder River Section during all months of the commercial fishing season. Registration Area T permit holders are also allowed to fish in Ilnik Lagoon during August and September. In 1986, Registration Area T fishermen started fishing in the Ilnik and Outer Port Heiden sections. In 1990, the board excluded Registration Area T permit holders from the Ilnik Section (except inside Ilnik Lagoon during August and September) and closed the Outer Port Heiden Section in August and September to all commercial salmon fishing by both Registration Area M and T permit holders because of concern over potential interception of coho salmon bound for Inner Port Heiden (Meshik River). The Outer Port Heiden Section is not part of the overlap area.

The Cinder River and Inner Port Heiden sections and Ilnik Lagoon comprise an overlap area described under 5 AAC 39.120(d) where both Registration Area M and T permit holders may fish under certain conditions. Registration Area M permit holders may fish during open fishing periods in all of these locations. In 2013, the board allowed Registration Area T permit holders to fish in the inner portion of the Cinder River and Inner Port Heiden sections during all months when open fishing periods occur. Registration Area T permit holders may also fish in Ilnik Lagoon beginning August 1 during open fishing periods. The last year that Registration Area T permit holders fished the Alaska Peninsula Management Area was 2009.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals, but is **OPPOSED** to restructuring Alaska Peninsula and Bristol Bay commercial salmon management in a manner that would increase costs to the department.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

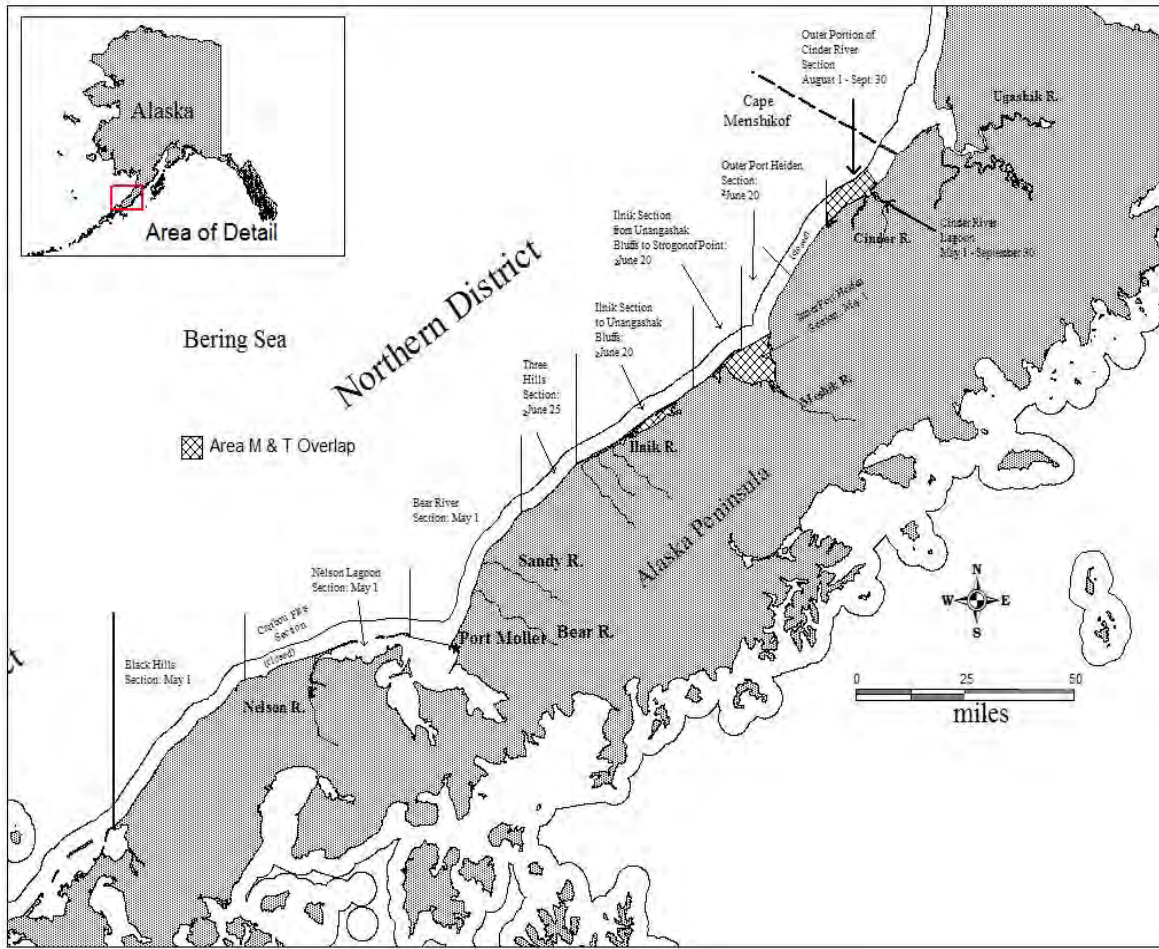


Figure 22-1.—Northern District showing fishing sections and opening dates of commercial salmon fisheries.

PROPOSAL 24 – 5 AAC 06.100. Description of area and 5 AAC 09.100. Description of area.

PROPOSED BY: Larry K. Christensen.

WHAT WOULD THE PROPOSAL DO? This proposal would move the Cinder River, Inner Port Heiden, Outer Port Heiden, Ilnik, and Three Hills sections of Registration Area M to Registration Area T.

WHAT ARE THE CURRENT REGULATIONS? The border of the Alaska Peninsula and Bristol Bay Management areas is Cape Menshikof, and is found under 5 AAC 09.100 Description of Area. The Alaska Peninsula Area includes the waters of Alaska on the north side of the Alaska Peninsula, southwest of a line from Cape Menshikof (57° 28.34' N. lat., 157° 55.84' W. long.) to Cape Newenham (58° 39.00' N. lat., 162° W. long.) and east of the longitude of Cape Sarichef Light (164° 55.70' W. long.) and, on the south side of the Alaska Peninsula, from a line extending from Scotch Cap through the easternmost tip of Ugamak Island to a line extending 135° southeast from Kupreanof Point (55° 33.98' N. lat., 159° 35.88' W. long.).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? This proposal would move the Cinder River, Inner Port Heiden, Outer Port Heiden, Ilnik, and Three Hills sections of the Alaska Peninsula Management Area to the Bristol Bay Management Area while moving the boundary between the two areas from Cape Menshikof southwest about 120 miles to Cape Seniavin. Commercial salmon harvest opportunity between Cape Menshikof and Cape Seniavin would be made available to Registration Area T rather than Registration Area M permit holders. These areas are currently managed from the Port Moller department office and management would shift to the King Salmon department office. Cape Seniavin is approximately 210 miles from King Salmon and the distance from Port Moller to Cape Seniavin is about 30 miles. Since department aerial survey aircraft and pilots are already based on the Alaska Peninsula to support the Port Moller department management operations, additional costs would be incurred by King Salmon department staff to fly aerial surveys of numerous rivers located in these sections to ensure escapement goals are being met. Also, supervision of the Ilnik River salmon counting weir crew and logistics support would be done by King Salmon staff. There are currently 163 drift gillnet permit holders in Registration Area M that could fish in the Outer Port Heiden and Ilnik sections, although typically about 130 permit holders actually do. Since set gillnet gear is currently a legal gear type in the Ilnik Section, this will open the Ilnik Section to Registration Area T set gillnet permit holders. Little or no set gillnet effort occurs by Registration Area M permit holders in the Ilnik Section. Making the Cinder River, Inner Port Heiden, Outer Port Heiden, Ilnik, and Three Hills sections part of the Bristol Bay Management Area could substantially increase the number of permits that fish these areas.

BACKGROUND: The Bristol Bay and Alaska Peninsula management areas have had an established border at Cape Menshikof since at least 1924 in codified regulations and potentially earlier.

The Alaska Peninsula Area and Bristol Bay Area have an overlap area that consists of the Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon (5 AAC 39.120(d)). The overlap area is unique and was created shortly after statehood to allow Registration Area T permit holders the opportunity to fish within their traditional harvest locations of Registration Area M. Historically, when not participating in the Bristol Bay sockeye salmon fisheries, Port Heiden Registration Area

T permit holders fished for king and coho salmon in the Inner Port Heiden Section, and Pilot Point Registration Area T permit holders fished inside the Cinder River Section for king and coho salmon. Prior to 2013, Registration Area T permit holders were allowed to fish during the open season in the Inner Port Heiden and Cinder River sections except during the month of July. In 2013, the board allowed Registration Area T permit holders to fish in the Inner Port Heiden Section and in the inner portion of the Cinder River Section during all months of the commercial fishing season. Registration Area T permit holders are also allowed to fish in Ilnik Lagoon during August and September. In 1986, Registration Area T fishermen started fishing in the Ilnik and Outer Port Heiden sections. In 1990, the board excluded Registration Area T permit holders from the Ilnik Section (except inside Ilnik Lagoon during August and September) and closed the Outer Port Heiden Section in August and September to all commercial salmon fishing by both Registration Area M and Area T permit holders because of concern over potential interception of coho salmon bound for Inner Port Heiden (Meshik River). The Outer Port Heiden Section, the Ilnik Section (except Ilnik Lagoon), and Three Hills sections are not part of the overlap area.

The Cinder River Section, Inner Port Heiden Section, and Ilnik Lagoon comprise an overlap area described under 5 AAC 39.120(d) where both Registration Area M and T permit holders may fish under certain conditions. Registration Area M permit holders may fish during open fishing periods in all of the above locations. In 2013 the board allowed Registration Area T permit holders to fish in the inner portion of the Cinder River and Inner Port Heiden sections during all months when open fishing periods occur. Registration Area T permit holders may also fish in Ilnik Lagoon beginning August 1 during open fishing periods. The last year that Registration Area T permit holders fished in the Alaska Peninsula Management Area was 2009.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal, but is **OPPOSED** to restructuring Alaska Peninsula and Bristol Bay commercial salmon management in a manner that would increase costs to the department.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

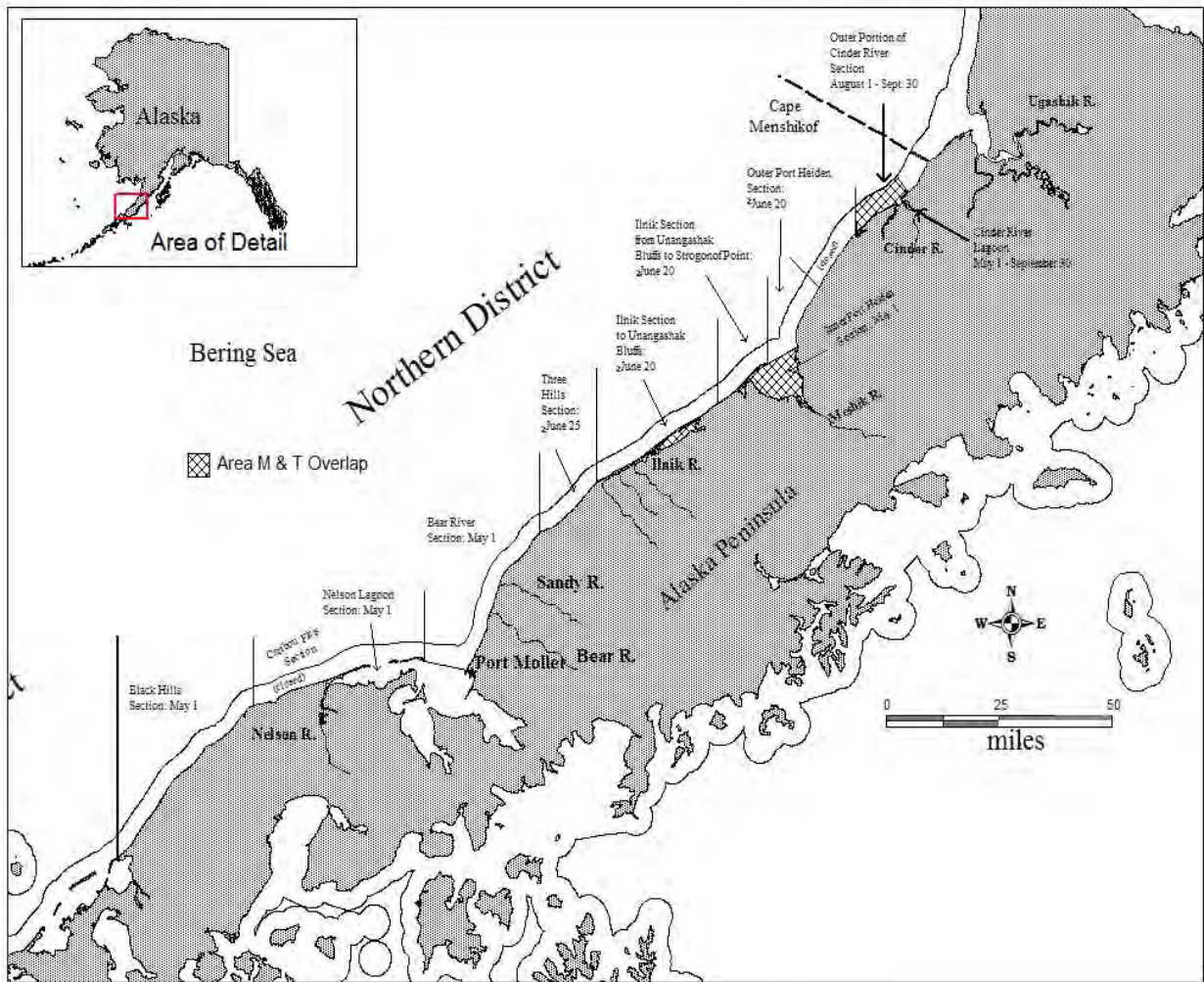


Figure 24-1.—Northern District showing fishing sections and opening dates of commercial salmon fisheries.

District Boundaries/Gear (7 proposals): 25 – 29, 220 - 221

PROPOSAL 25 – 5 AAC 06.100. Description of area.

PROPOSED BY: Larry K. Christenson.

WHAT WOULD THE PROPOSAL DO? This would establish an alternate set of district boundaries for the south line of Naknek-Kvichak, north and south Egegik and north Ugashik district boundary lines (Figure 25-1).

WHAT ARE THE CURRENT REGULATIONS? Current regulations define district/sub-district boundaries for all commercial fishing districts within Bristol Bay. Reduced areas are specified in regulation in the event of conservation concerns for specific stocks (5 AAC 06.360. *Naknek River Sockeye Salmon Special Harvest Area Management Plan*, 5 AAC 06.359. *Egegik River Sockeye Salmon Special Harvest Area Management Plan*, 5 AAC 06.358 *Wood River Sockeye Salmon Special Harvest Area Management Plan*, and reduced Ugashik District, 5 AAC 06.366. *Ugashik District Set and Drift Gillnet Sockeye Salmon Management Plan*).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would expand the Naknek-Kvichak boundaries southward, the Ugashik District boundaries northward and Egegik District boundaries north and south (Figure 25-1). Genetics data suggests moving Egegik boundary lines south will likely result in increased interception of Ugashik River sockeye salmon, while moving them north will tend to increase interception of Naknek-Kvichak stocks.

BACKGROUND: Intensive district boundary line fisheries regularly develop on the south line of Naknek-Kvichak, the south and north lines of Egegik and the north line of Ugashik districts. The location and intensity of line fishing is not as dependent on the location of the line as much as the way fish enter the district. If fish enter the district in a concentrated area then a line fishery tends to develop, if the entry pattern is more disbursed then fishing effort will tend to spread out. Intensive line fisheries are disorderly by nature, can impact fish quality, and provide challenges to enforcement.

Regulations direct the department to minimize ebb fishing in Egegik to reduce interception rates of northern bound stocks. Similarly, there are provisions to reduce interception of Ugashik River stocks by use of special harvest area regulations. Current terminal districts have proven to provide a balance between achieving escapement and allowing harvest of local stocks while minimizing intercept of non-local stocks.

DEPARTMENT COMMENTS: The department **OPPOSES** expanding district boundaries. Current district boundaries are approximately perpendicular to shorelines and tidal currents, allowing fishermen to align along the length of district lines. Simply moving the line some distance north or south is unlikely to reduce line fishing; it would simply shift the location of line fishing activity.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

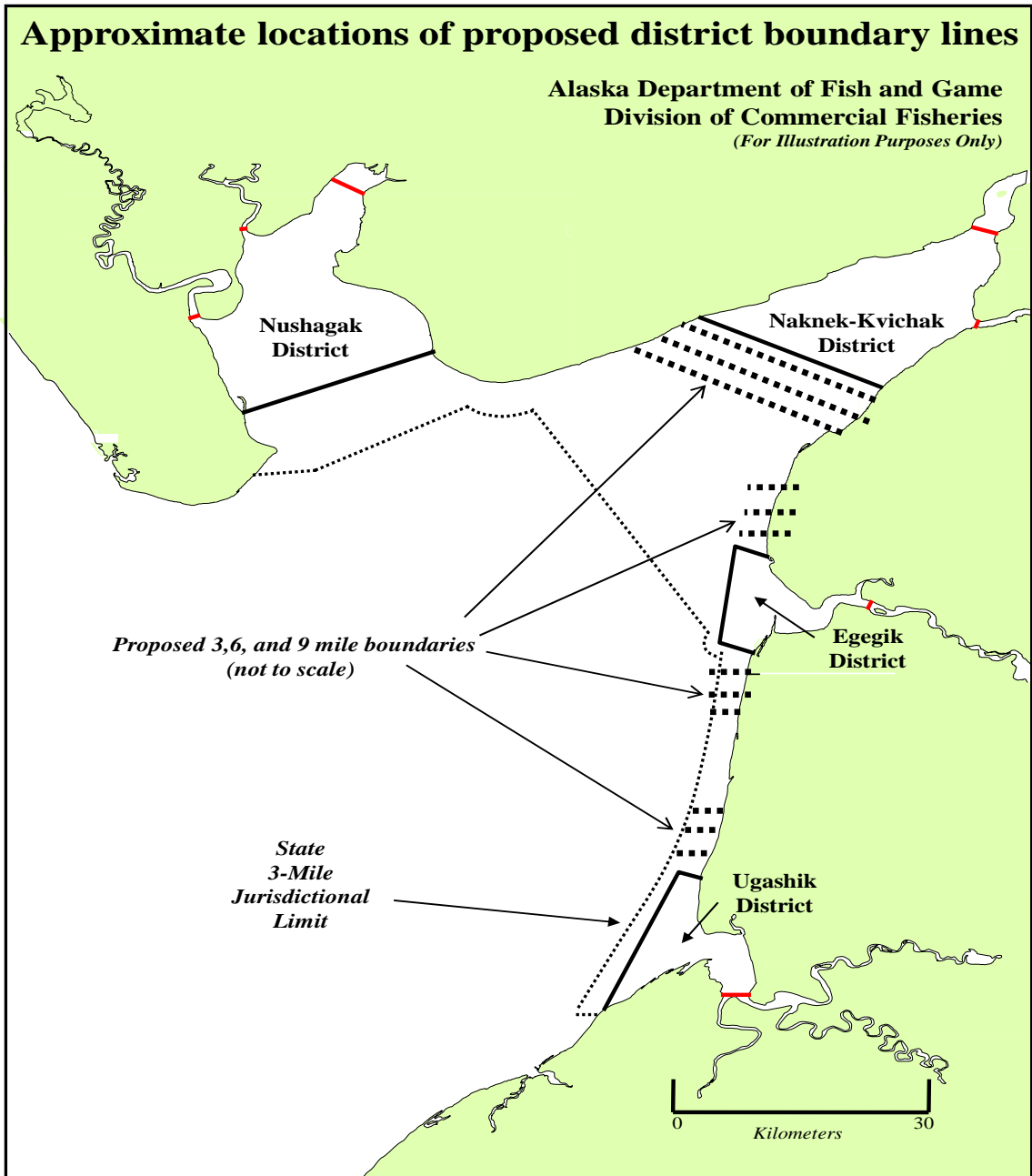


Figure 25-1.—Map of proposed additional boundaries.

PROPOSAL 26 – 5 AAC 06.200. Fishing districts and sections.

PROPOSED BY: Kurt Johnson.

WHAT WOULD THE PROPOSAL DO? This would enlarge eastside fishing districts to include general district areas X, Y and Z (Figure 26-1) once escapement goals have been achieved in all districts, or July 17.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow fishing in terminal Bristol Bay districts associated with major river systems according to management plans. Each system is managed to achieve a spawning escapement goal range. In addition, the department attempts to manage harvest by gear group to achieve allocation targets, which vary by district, established by the board.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would permit commercial drift gillnet fishing on sockeye salmon stocks of unknown origin, in non-terminal areas. It is unlikely that harvest would change and there would be increased regulatory, management, and enforcement complexity.

BACKGROUND: The board has considered proposals similar to this one at every Bristol Bay finfish meeting since 2006. The general district creates difficulties when fish caught in the general district need to be allocated to rivers of origin because of the mixed stock nature of the harvest and delivery patterns of permit holders within the district. Inaccurate allocation may result in less accurate forecasting.

The *Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan* (5 AAC 06.355), instructs the department to manage Bristol Bay sockeye salmon fisheries terminally, using inseason run strength information. The plan directs that these stocks will be managed as they return to districts associated with major river systems to achieve the following objectives: 1) achievement of biological escapement goals, 2) maintenance of genetic diversity, and 3) providing any harvestable surplus to users. The board expressed its intent that harvest of any surplus continue to take place in traditional areas and be allocated between user (gear) groups while recognizing that interception of stocks from adjacent areas will occur. The board further directed the department to minimize interception, to the extent practical, without compromising the objectives.

DEPARTMENT COMMENTS: The department **OPPOSES** the general district because the non-terminal, mixed stock nature of the fishery makes it more difficult to achieve the three management plan objectives identified above.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

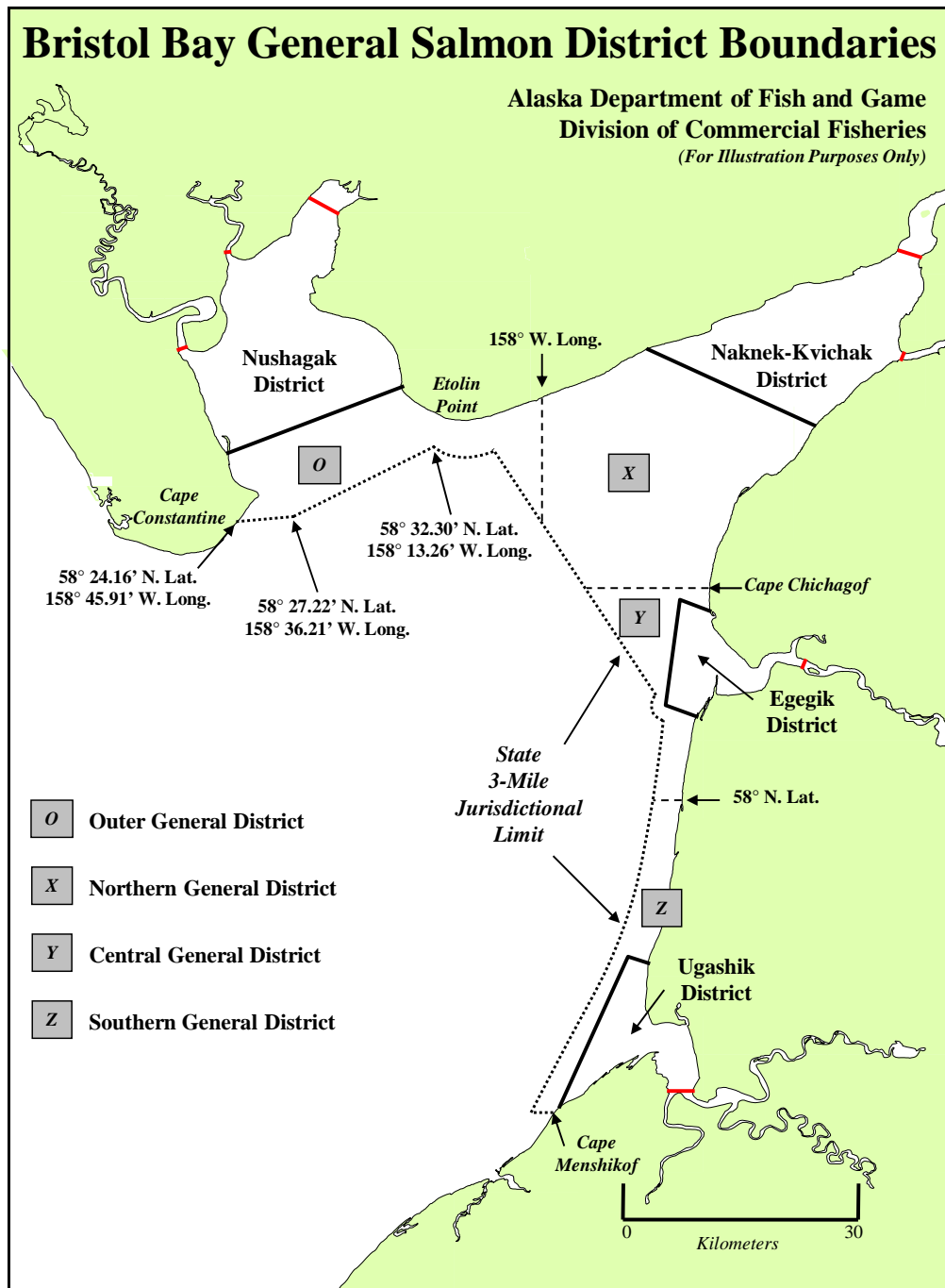


Figure 26-1.—Map of Bristol Bay General District boundaries.

PROPOSAL 27 – 5 AAC 39.280. Identification of stationary fishing gear.

PROPOSED BY: Dan Barr.

WHAT WOULD THE PROPOSAL DO? This would make the size of the letters of the set gillnet permit holder's name the same size as the numbers of the permit.

WHAT ARE THE CURRENT REGULATIONS? Regulations currently require the numbers of the five-digit CFEC permit serial number to be at least six inches in height and at least one inch in width. There are no requirements for the size of the letters of a name.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would make the permit holder's name as visible as the permit holder's permit serial number.

BACKGROUND: Current regulations require that stationary fishing gear such as a set gillnet be marked with the five digit CFEC permit number and the name of the permit holder operating the gear. There are requirements for what size the numbers must be but no requirements for the letters. Currently most permit holders use a sign to identify their stationary fishing gear. Technically, a sign is not required and permit holders can put their name and permit number on a buoy. The proponent indicates that having a sign with the name large enough to be readable at a distance of up to 1,200 feet is necessary so a drift gillnet fisherman could contact a set gillnet fisherman.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. An individual may need to maintain a sign or invest in larger or more buoys.

PROPOSAL 28 – 5 AAC 39.280. Identification of stationary fishing gear.

PROPOSED BY: Dan Barr.

WHAT WOULD THE PROPOSAL DO? This would require the numbers of the CFEC permit serial number marking stationary fishing gear be 12 inches high and at least one inch wide. If Proposal 27 is adopted, the letters of the permit holder's name would also be 12 inches tall by one inch wide.

WHAT ARE THE CURRENT REGULATIONS? Regulations currently require the numbers of the five-digit CFEC permit serial number to be at least six inches in height and at least one inch in width.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would make the permit holder's permit serial number more visible from a greater distance. It might make it difficult to put all the required information on a single buoy.

BACKGROUND: Current regulations require that stationary fishing gear such as a set gillnet be marked with the five digit CFEC permit number and the name of the permit holder operating the gear. There are requirements for what size the numbers must be but no requirements for the letters. Currently most permit holders use a sign to identify their stationary fishing gear. Technically, a sign is not required and permit holders can put their name and permit number on a buoy. The proponent indicates that having a sign with the name and permit serial number large enough to be readable at a distance of up to 1,200 feet is necessary so a drift gillnet fisherman could contact a set gillnet fisherman.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. An individual may need to maintain a sign or invest in larger or more buoys.

PROPOSAL 29 – 5 AAC 06.335. Minimum distance between units of gear.

PROPOSED BY: Laura Zimin.

WHAT WOULD THE PROPOSAL DO? This would allow a set gillnet permit holder to operate and deploy set gillnet gear seaward of the permit holder's own set gillnet.

WHAT ARE THE CURRENT REGULATIONS? In the Naknek-Kvichak, Egegik, and Ugashik districts no part of a set gillnet may be set or operated within 300 feet of any part of another set gillnet. Additionally, Bristol Bay set gillnet permit holders are allowed to operate a maximum of 50 fathoms of set gillnet gear in up to two nets as part of a normal compliment of gear. If two separate nets are used on the same running line or within the same shore lease on an additional running line, they must maintain the 300 foot separation from all other gillnet gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow a set gillnet permit holder to deploy the two nets (totaling 50 fathoms) with any distance between them on the same running line. This already occurs and is not likely to change harvest rates or influence management. However, if adopted as worded, this proposal would also allow a set gillnet permit holder to operate a second set of running lines, anchors and set gillnets within the permit holder's shore lease as long as it was a minimum of 300 feet from another permit holders set gillnet.

BACKGROUND: In some districts it is common to use two nets on one running line with a break between the two nets that varies depending on the preferences of the permit holder. Breaks between nets can range from a few to many feet.

DEPARTMENT COMMENTS: The department is **NEUTRAL** regarding spacing of two nets on the same running line.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 220 – 5 AAC 06.XXX.

PROPOSED BY: Mark Vance.

WHAT WOULD THE PROPOSAL DO? This removes all vessels, gear, and hard buoys from waters open to commercial fishing in the Egegik District and establishes new anchorage in a different area of the commercial district that is also open to fishing.

WHAT ARE THE CURRENT REGULATIONS? There is no current regulation regarding the mooring or anchoring of tenders in relation to set gillnets.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would potentially increase the distance permit holders have to travel to deliver their fish, reach a net or ice barge, or reach a hard buoy.

BACKGROUND: Tenders, net barges and other support vessels routinely anchor along the northern edge of Egegik Bay in the deeper water sections. On an area-wide scale tenders, as well as other vessels, anchor within the boundaries of commercial fishing districts.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Delivering to tenders in the open ocean is dangerous and additional distance could add considerable cost to deliver fish. Set gillnet fishermen in particular would have to travel considerable distances to deliver to tenders located outside Egegik District boundaries or at the alternative proposed anchorage.

COST ANALYSIS: Approval of this proposal could result in an additional direct cost for private persons to participate in this fishery if they have to travel additional distance to deliver fish or receive other services.

PROPOSAL 221 – 5 AAC 06.341. Vessel specifications and operations.

PROPOSED BY: Togiak Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would require tenders, fish processors, and transporters in all Bristol Bay districts to be more than 1,500 feet away from any set gillnet

WHAT ARE THE CURRENT REGULATIONS? There is no current regulation regarding the mooring or anchoring of tenders in relation to set gillnets.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would potentially increase the distance permit holders have to travel to deliver their fish. This proposal would not affect fishery management.

BACKGROUND: This issue appears to be limited to a specific area in Kulukak Bay. In this case a tender owner also happens to be affiliated with set gillnet operators. The tender anchors near the set nets. Some believe this is done in such a manner that it blocks drift gillnet fishermen from accessing an otherwise legal and presumably good fishing area. On an area-wide scale however, tenders, as well as other vessels, need to anchor within the boundaries of commercial fishing districts. In most cases, anchoring near set nets is convenient for everyone. It is also close for the set nets skiffs to deliver their catch, and since the drift boats want to avoid the set nets it does not interfere with other areas for fishing.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal could result in an additional direct cost for private persons to participate in this fishery if they have to travel additional distance to deliver fish.

Replace Reference to Markers with GPS Coordinates (8 proposals): 30, 71 – 74, 76, 80, 91

PROPOSAL 30 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would remove reference to department regulatory markers and replace them with latitude and longitude coordinates for area boundaries.

WHAT ARE THE CURRENT REGULATIONS? Current regulations define locations with reference to department regulatory markers that are no longer maintained.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow stakeholders to identify areas referenced in regulation with GPS technology, simplifying enforcement and regulatory compliance.

BACKGROUND: The department no longer maintains physical markers in Bristol Bay, including at First and Third creeks in the Nushagak District; however, these sites have never had GPS coordinates associated with them. The coordinates of the sites which formerly held department markers are as follows:

First Creek 58° 47.145' N latitude; 158° 30.568' W longitude

Third Creek 58° 46.805' N latitude; 158° 28.098' W longitude

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. An individual may need to purchase a GPS device to ensure regulatory compliance.

PROPOSALS 71 – 74, 76, 80, and 91 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan; 5 AAC 06.370. Registration and reregistration; 5 AAC 06.200. Fishing districts and sections; 5 AAC 06.350. Closed waters; 5 AAC 01.310. Fishing seasons and periods; 5 AAC 27.850. Closed waters in Bristol Bay Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSALS DO? These proposals would clarify regulations by removing reference to department regulatory markers and inserting latitude and longitude coordinates for area boundaries.

WHAT ARE THE CURRENT REGULATIONS? Current regulations define locations with reference to department regulatory markers that are no longer maintained.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would allow stakeholders to identify areas referenced in regulation with GPS technology, simplifying enforcement and compliance.

BACKGROUND: The department no longer maintains markers in Bristol Bay.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** these proposals.

COST ANALYSIS: Approval of these proposals may result in an additional direct cost for a private person to participate in this fishery. An individual may need to purchase a GPS device in order to ensure compliance.

COMMITTEE OF THE WHOLE—GROUP 2 (23 PROPOSALS)

Registration (14 proposals): 31 – 44

PROPOSALS 31, 32, 35, 37, and 41 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Lower Bristol Bay Fish and Game Advisory Committee (Proposal 31), Tom Huffer Sr., Egegik Setnetters Association (Proposal 32), Kim Rice (Proposal 35), Spencer Fuentes (Proposal 37), and Tony Neal (Proposal 41).

WHAT WOULD THE PROPOSALS DO? These proposals would require a drift gillnet permit holder to register before commercial fishing for salmon in all Bristol Bay districts beginning June 1.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require registration before commercial fishing for salmon with drift and set gillnets in the Nushagak District beginning June 1. In the Naknek-Kvichak, Egegik and Ugashik districts drift gillnet permit holders are not required to register until June 25. Note: the Togiak District operates under regulations prohibiting a permit holder (drift and set gillnets) who has registered to fish in any other district in Bristol Bay from fishing in the Togiak District until July 27. Permit holders who have registered to fish in Togiak are prohibited from fishing in other districts in Bristol Bay until July 27.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals could reduce the number of boats moving between districts, and reduce early season salmon harvest.

BACKGROUND: Prior to 2010 all commercial fishermen were required to register for a district before commercial fishing for salmon in any district in Bristol Bay regardless of date. In 2009, the regulation was modified to delay the drift gillnet registration requirement until June 25 in the Naknek-Kvichak, Egegik and Ugashik districts. A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district.

At the 2009 board meeting the benefits of not having a registration requirement prior to June 25 in these areas were identified as 1) encouraging permit holders to begin fishing early and be ready for an increase in abundance, and 2) processors get more early fish into processing plants. While more permits have recently been active during the early season, it is not clear if the no registration requirement was successful in getting more early fish into the processing plants. Since 2009 it has become apparent that without the registration and wait period requirement, significant numbers of boats move between districts. Travel between districts has become more common over time as boats have gotten faster and more efficient.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals because an early registration requirement may negatively impact fisherman that move freely between districts but may favor fishermen who prefer to remain in a single district or are less mobile. Furthermore, the lack of a registration requirement combined with increased travel between districts makes it more difficult to anticipate how many boats will fish in a specific district. This uncertainty complicates early season management because the duration of fishing periods is

partially dependent on the number of boats. In particular, it has proven difficult to manage Egegik and Ugashik districts early in the season because of the potential for a large number of drift gillnet vessels to show up.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 33 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Chad Sorenson.

WHAT WOULD THE PROPOSAL DO? This seeks to move the requirement to register for a district before commercial fishing with drift gillnet gear in any Bristol Bay district to the third Friday in June.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require registration before commercial fishing for salmon with drift and set gillnets in the Nushagak District beginning June 1, but in the Naknek-Kvichak, Egegik and Ugashik districts drift gillnet permit holders are not required to register until June 25. The Togiak District operates under regulations prohibiting a permit holder (drift and set gillnets) who has registered to fish in any other district in Bristol Bay from fishing in the Togiak District until after July 27. Permit holders who have registered to fish in the Togiak District are prohibited from fishing in other districts in Bristol Bay until after July 27.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would decrease the amount of time before registration is required in east-side Bristol Bay districts. This could reduce the number of boats moving between districts, and reduce early season salmon harvest.

BACKGROUND: Prior to 2010 all commercial fishermen were required to register for a district before commercial fishing for salmon in any district in Bristol Bay. In 2009, the regulation was modified to delay the drift gillnet registration requirement until June 25 in the Naknek-Kvichak, Egegik and Ugashik districts. A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district.

At the 2009 board meeting the benefits of not having a registration requirement prior to June 25 in these areas were identified as 1) encouraging permit holders to begin fishing early in years of high abundance, and 2) processors get more early fish into processing plants and spread production temporally. While more permits have recently been active during the early season, it is not clear if the no registration requirement was successful in getting more early fish into the processing plants. Since 2009 it has become apparent that without the registration and wait period requirement, significant numbers of boats move between districts. Travel between districts has become more common over time as boats have gotten faster and more efficient.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because an early registration requirement may negatively impact fisherman that move freely between districts but may favor fishermen who prefer to remain in a single district or are less mobile. Furthermore, the lack of a registration requirement combined with increased travel between districts makes it more difficult to anticipate how many boats will fish in a specific district. This uncertainty complicates early season management because the duration of fishing periods is partially dependent on the number of boats. In particular, it has proven difficult to manage Egegik and Ugashik districts early in the season because of the potential for a large number of drift gillnet vessels to show up.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 34 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Matthew Luck.

WHAT WOULD THE PROPOSAL DO? Reduce the transfer waiting period from 48 hours to 12 hours in all districts except the Togiak District.

WHAT ARE THE CURRENT REGULATIONS? Permit holders must inform the department and wait a 48-hour period prior to transferring from one district to another, during which time they cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district. Permit holders can change gear types within the same district after informing the department and waiting a 24-hour period, during which time they can fish the gear type they were fishing prior to notifying the department.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Drift gillnet fleet mobility would increase and the shorter waiting period would likely encourage fishermen to transfer more frequently. Increased vessel district transfers make it more difficult to anticipate how many boats will fish in a specific district.

BACKGROUND: A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. Management to achieve escapement and allocation goals is partially dependent on anticipating the amount of effort within a district. A highly mobile fleet not constrained by transfer wait times could complicate management for both allocation and escapement by having significant changes in harvesting power with little warning. Additionally, vessels would be more likely to harvest fish in one district and deliver those fish in another district. While this is illegal it has occurred in the past and would be more likely to happen with a reduced transfer period. This would be detrimental to run reconstruction and brood table development used in forecasts, as well as make allocation calculation more difficult. A shorter transfer period will also decrease the department's ability to track fleet movement.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 36 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Stanley O. Johnson.

WHAT WOULD THE PROPOSAL DO? This proposal would require drift gillnet permit holders to register before commercial fishing with drift gillnet gear in Egegik District.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require registration before commercial fishing for salmon with drift and set gillnets in the Nushagak District beginning June 1, but in the Naknek-Kvichak, Egegik and Ugashik districts, drift gillnet permit holders are not required to register until June 25. The Togiak District operates under regulations prohibiting a permit holder (drift and set gillnets) who has registered to fish in any other district in Bristol Bay from fishing in the Togiak District until after July 27. Permit holders who have registered to fish in the Togiak District are prohibited from fishing in other districts in Bristol Bay until after July 27.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require a drift gillnet permit holder to register before commercial fishing for salmon in the Egegik District beginning June 1. This could reduce the number of boats moving between districts and reduce early season harvest.

BACKGROUND: Prior to 2010 all commercial fishermen were required to register for a district before commercial fishing for salmon in any district in Bristol Bay. In 2009, the regulation was modified to delay the drift gillnet registration requirement until June 25 in the Naknek-Kvichak, Egegik and Ugashik districts. A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district.

At the 2009 board meeting the benefits of not having a registration requirement prior to June 25 in these areas were identified as 1) encouraging permit holders to begin fishing early in years of high abundance, and 2) processors get more early fish into processing plants and spread production temporally. While more permits have recently been active during the early season, it is not clear if the no registration requirement was successful in getting more early fish into the processing plants. Since 2009 it has become apparent that without the registration and wait period requirement, significant numbers of boats move between districts. Travel between districts has become more common over time as boats have gotten faster and more efficient.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because an early registration requirement may negatively impact fisherman that move freely between districts but may favor fishermen who prefer to remain in a single district or are less mobile. Furthermore, the lack of a registration requirement combined with increased travel between districts makes it more difficult to anticipate how many boats will fish in a specific district. This uncertainty complicates early season management because the duration of fishing periods is partially dependent on the number of boats. In particular, it has proven difficult to manage Egegik and Ugashik districts early in the season because of the potential for a large number of drift gillnet vessels to show up.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 38– 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Marc Vance.

WHAT WOULD THE PROPOSAL DO? This would change district registration requirements to June 18 in districts that currently have no registration requirements prior to June 24.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require registration before commercial fishing for salmon with drift and set gillnets in the Nushagak District beginning June 1, but in the Naknek-Kvichak, Egegik and Ugashik districts drift gillnet permit holders are not required to register until June 25. The Togiak District operates under regulations prohibiting a permit holder (drift and set gillnets) who has registered to fish in any other district in Bristol Bay from fishing in the Togiak District until after July 27. Permit holders who have registered to fish in the Togiak District are prohibited from fishing in other districts in Bristol Bay until after July 27.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require a drift gillnet permit holder to register before commercial fishing for salmon in all Bristol Bay districts beginning June 18. This could reduce the number of boats moving between districts and reduce early season harvest.

BACKGROUND: Prior to 2010 all commercial fishermen were required to register for a district before commercial fishing for salmon in any district in Bristol Bay. In 2009, the regulation was modified to delay the drift gillnet registration requirement until June 25 in the Naknek-Kvichak, Egegik and Ugashik districts. A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district.

At the 2009 board meeting the benefits of not having a registration requirement prior to June 25 in these areas were identified as 1) encouraging permit holders to begin fishing early in years of high abundance, and 2) processors get more early fish into processing plants and spread production temporally. While more permits have recently been active during the early season, it is not clear if the no registration requirement was successful in getting more early fish into the processing plants. Since 2009 it has become apparent that without the registration and wait period requirement, significant numbers of boats move between districts. Travel between districts has become more common over time as boats have gotten faster and more efficient.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because an early registration requirement may negatively impact fisherman that move freely between districts but may favor fishermen who prefer to remain in a single district or are less mobile. Furthermore, the lack of a registration requirement combined with increased travel between districts makes it more difficult to anticipate how many boats will fish in a specific district. This uncertainty complicates early season management because the duration of fishing periods is partially dependent on the number of boats. In particular, it has proven difficult to manage Egegik and Ugashik districts early in the season because of the potential for a large number of drift gillnet vessels to show up.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 39– 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Randolph Alvarez.

WHAT WOULD THE PROPOSAL DO? This proposal would require drift gillnet district registration beginning June 1 for the Naknek-Kvichak district only.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require registration before commercial fishing for salmon with drift and set gillnets in the Nushagak District beginning June 1, but in the Naknek-Kvichak, Egegik and Ugashik districts drift gillnet permit holders are not required to register until June 25. The Togiak District operates under regulations prohibiting a permit holder (drift and set gillnets) who has registered to fish in any other district in Bristol Bay from fishing in the Togiak District until after July 27. Permit holders who have registered to fish in the Togiak District are prohibited from fishing in other districts in Bristol Bay until after July 27.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require a drift gillnet permit holder to register before commercial fishing for salmon in the Naknek-Kvichak District beginning June 1. This could reduce the number of boats moving between districts and reduce early season harvest.

BACKGROUND: Prior to 2010 commercial fishermen were required to register for a district before commercial fishing for salmon in any district in Bristol Bay. In 2009, the regulation was modified to delay the drift gillnet registration requirement until June 25 in the Naknek-Kvichak, Egegik and Ugashik districts. A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district.

At the 2009 board meeting the benefits of not having a registration requirement prior to June 25 in these areas were identified as 1) encouraging permit holders to begin fishing early in years of high abundance, and 2) processors get more early fish into processing plants and spread production temporally. While more permits have recently been active during the early season, it is not clear if the no registration requirement was successful in getting more early fish into the processing plants. Since 2009 it has become apparent that without the registration and wait period requirement, significant numbers of boats move between districts. Travel between districts has become more common over time as boats have gotten faster and more efficient.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because an early registration requirement may negatively impact fisherman that move freely between districts but may favor fishermen who prefer to remain in a single district or are less mobile. Furthermore, the lack of a registration requirement combined with increased travel between districts makes it more difficult to anticipate how many boats will fish in a specific district. This uncertainty complicates early season management because the duration of fishing periods is partially dependent on the number of boats.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 40– 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Randolph Alvarez.

WHAT WOULD THE PROPOSAL DO? This would require district registration for drift gillnet permit holders in the Naknek-Kvichak District beginning June 17.

WHAT ARE THE CURRENT REGULATIONS? Current regulations require registration before commercial fishing for salmon with drift and set gillnets in the Nushagak District beginning June 1, but in the Naknek-Kvichak, Egegik and Ugashik districts drift gillnet permit holders are not required to register until June 25. The Togiak District operates under regulations prohibiting a permit holder (drift and set gillnets) who has registered to fish in any other district in Bristol Bay from fishing in the Togiak District until after July 27. Permit holders who have registered to fish in Togiak are prohibited from fishing in other districts in Bristol Bay until after July 27.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require a drift gillnet permit holder to register before commercial fishing for salmon in the Naknek-Kvichak District beginning June 17. This could reduce the number of boats moving between districts and reduce early season harvest.

BACKGROUND: Prior to 2010 commercial fishermen were required to register for a district before commercial fishing for salmon in any district in Bristol Bay. In 2009, the regulation was modified to delay the drift gillnet registration requirement until June 25 in the Naknek-Kvichak, Egegik and Ugashik districts. A transfer between districts is permitted after notifying the department and waiting a 48-hour period during which time the permit holder cannot fish. The 48-hour waiting period may be waived by emergency order if escapement surpasses the midpoint of the escapement goal range for a particular district.

At the 2009 board meeting the benefits of not having a registration requirement prior to June 25 in these areas were identified as 1) encouraging permit holders to begin fishing early in years of high abundance, and 2) processors get more early fish into processing plants and spread production temporally. While more permits have recently been active during the early season, it is not clear if the no registration requirement was successful in getting more early fish into the processing plants. Since 2009 it has become apparent that without the registration and wait period requirement, significant numbers of boats move between districts. Travel between districts has become more common over time as boats have gotten faster and more efficient.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because an early registration requirement may negatively impact fisherman that move freely between districts but may favor fishermen who prefer to remain in a single district or are less mobile. Furthermore, the lack of a registration requirement combined with increased travel between districts makes it more difficult to anticipate how many boats will fish in a specific district. This uncertainty complicates early season management because the duration of fishing periods is partially dependent on the number of boats.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 42 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Gregg James Marxmiller.

WHAT WOULD THE PROPOSAL DO? This would remove the requirement that set gillnet permit holders register for a specific statistical area within the Nushagak District, allowing them to move freely between statistical areas in the Nushagak District with no transfer requirements or waiting period.

WHAT ARE THE CURRENT REGULATIONS? In the Nushagak District a CFEC salmon set gillnet permit holder intending to fish in a statistical area for which the permit holder is not registered, shall register for the new statistical area at least 48 hours before fishing in the new statistical area. A set gillnet permit holder shall also register the set gillnet for the new statistical area. Reregistration is accomplished by the permit holder, or the permit holder's authorized agent, completing a form provided by the department and submitting the completed form, in person, to an authorized representative of the department. The 48-hour notification period begins when the reregistration form is signed by the authorized representative of the department. The set gillnet permit holder may not fish in the original statistical area during the 48-hour notification period.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This is unlikely to impact the department's ability to manage for sustained yield and escapement goals. Without the registration and accompanying transfer requirements, permit holders could move in on potentially better sites if the lease holder was not present, possibly damaging gear belonging to the leaseholder.

BACKGROUND: Historically, set gillnet permit holders were required to register for a specific district before fishing anywhere in Bristol Bay. In the Nushagak District, they were further required to register for a specific stat area. At the 2009 board meeting, the requirement for set gillnet permit holders to register was dropped for all districts except the Nushagak District. The requirement was maintained in the Nushagak District because set gillnet permit holders had concerns about their gear being damaged by other permit holders fishing their sites when they were not occupied.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 43 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Kevin McCambly and Kayla Miller.

WHAT WOULD THE PROPOSAL DO? This would remove the requirement that set gillnet permit holders register for a specific statistical area within the Nushagak District, allowing them to move freely between statistical areas in the Nushagak District with no transfer requirements or waiting period.

WHAT ARE THE CURRENT REGULATIONS? In the Nushagak District a CFEC salmon set gillnet permit holder intending to fish in a statistical area for which the permit holder is not registered, shall register for the new statistical area at least 48 hours before fishing in the new statistical area. A set gillnet permit holder shall also register the set gillnet for the new statistical area. Reregistration is accomplished by the permit holder, or the permit holder's authorized agent, completing a form provided by the department and submitting the completed form, in person, to an authorized representative of the department. The 48-hour notification period begins when the reregistration form is signed by the authorized representative of the department. The set gillnet permit holder may not fish in the original statistical area during the 48-hour notification period.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This is unlikely to impact the department's ability to manage for sustained yield and escapement goals. Without the registration and accompanying transfer requirements, permit holders could move in on potentially better sites if the lease holder was not present, possibly damaging gear belonging to the leaseholder.

BACKGROUND: Historically, set gillnet permit holders were required to register for a specific district before fishing anywhere in Bristol Bay. In the Nushagak District, they were further required to register for a specific stat area. At the 2009 board meeting, the requirement for set gillnet permit holders to register was dropped for all districts except the Nushagak District. The requirement was maintained in the Nushagak District because set gillnet permit holders had concerns about their gear being damaged by other permit holders fishing their sites when they were not occupied.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 44 – 5 AAC 06.370. Registration and reregistration.

PROPOSED BY: Togiak Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would prevent vessel transfers in and out of Togiak District prior to July 27 if the vessel has registered to fish in other districts, and would prevent vessels from fishing in the rest of Bristol Bay prior to July 27 if the vessel has registered to fish in Togiak District.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow a vessel owner to find a permit holder with an unused permit to come on the vessel and register that permit and vessel to the Togiak District, and, after a 48-hour transfer period, the new permit and vessel may fish in the Togiak District. This is because the regulation as written applies only to the permit, not the vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would prevent vessels as well as permits from fishing in Togiak District prior to July 27 if they have registered to fish in other districts and would prevent vessels from fishing in the rest of the Bristol Bay Area prior to July 27 if they have registered to fish in Togiak District. This proposal would prevent a permit holder with two permits from fishing one permit outside the Togiak District and then use the second permit on the same vessel to fish in the Togiak District.

BACKGROUND: In 1997 the board adopted the exclusive regulations prohibiting permit transfer into and out of Togiak District until late July. That regulation was implemented largely to protect the local fishery participants. The Togiak River sockeye salmon run is smaller and has later run timing than other Bristol Bay stocks, prompting a significant number of boats from elsewhere in the bay to show up when returns have declined in other areas. The current regulation does not prohibit vessel transfers. In recent years, there have been an increasing number of unregistered permits that use vessels previously fished in other districts in the same season to fish in Togiak District prior to July 27. At the 2009 board meeting, the date when permits can transfer into and out of Togiak District was extended from July 24 to July 27. Smaller sockeye salmon runs to other districts in recent years, such as 2012 and 2013, may have prompted a larger number of vessel and permit transfers into Togiak District.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Permit Stacking (9 proposals): 45 – 53

PROPOSALS 45, 46, 48, and 50 – 5 AAC 06.331. Gillnet specification and operations.

PROPOSED BY: Rose Beach (Proposal 45), Tony Neal (Proposal 46), Corey Lockbeam (Proposal 48), and Kim Rice (Proposal 50).

WHAT WOULD THE PROPOSALS DO? These proposals would allow an individual who owns two set gillnet permits to operate no more than four set gillnets, with no more than 100 fathoms of set gillnet gear in the aggregate. No single set gillnet may be more than 50 fathoms in length and no more than 50 fathoms of net may be fished on an individual set net site. Site and buoys must be marked with both CFEC permit numbers and with “D” (for dual), and CFEC permit numbers must be on one in every 10 corks.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow the ownership of more than one set gillnet permit, but they cannot be fished concurrently. A set gillnet permit holder may operate no more than 50 fathoms of gear and two nets. However, in special harvest areas different regulations may apply for the allowable length and total number of nets. In addition, minimum distances between nets and a maximum distance offshore are stipulated and vary by district.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals may result in consolidation of set gillnet permit ownership and there will likely be more permits fished because latent permits could be transferred to existing permit holders. Stacking of permits would have little effect on how fisheries are managed pertaining to escapements, harvests, and allocations.

BACKGROUND: When the limited entry permit system was implemented for salmon in 1974, an individual was allowed to own only one permit. House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed allowing the board to authorize additional gear with ownership of a second permit. The board adopted a regulation in 2009, with a sunset clause of December 31, 2012, to allow an individual with two set gillnet permits to operate up to 100 fathoms of gear with no more than four nets and no single net longer than 50 fathoms. When set gillnet permit stacking was allowed each of the single permit operations effectively landed fewer fish because stacked permits increased their share of the landings. Eleven proposals were submitted in 2012 to repeal the sunset clause; however the sunset clause was not repealed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 47 – 5 AAC 06.331. Gillnet specification and operations.

PROPOSED BY: John Schandelmeier.

WHAT WOULD THE PROPOSAL DO? This would allow an individual who owns two set gillnet permits to operate 75 fathoms of net; 1.5 times of the legal limit of gear for a single permit.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow the ownership of more than one set gillnet permit, but they cannot be fished concurrently. A set gillnet permit holder may operate no more than 50 fathoms of gear and two nets. However, in special harvest areas different regulations may apply for the allowable length and total number of nets. In addition, minimum distances between nets and a maximum distance offshore are stipulated and vary by district.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This has the potential to increase the amount of gear fished in specific areas where there are a limited number of set gillnet sites, possibly complicating management and enforcement. Set gillnet sites that are fishing 50 fathoms and that are adjacent to a site with 75 fathoms of gear may experience reduced catch rates. Additionally this may disrupt some portions of the near shore drift gillnet fishery because the length of gear would no longer be uniform. Currently no part of a drift gillnet may be within 100 feet of the off shore end of a set gillnet, and must be at least 300 feet to the side.

BACKGROUND: When the limited entry permit system was implemented for salmon in 1974, an individual was allowed to own only one permit. House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed allowing the board to authorize additional gear with ownership of a second permit. The board adopted a regulation in 2009, with a sunset clause of December 31, 2012, to allow an individual with two set gillnet permits to operate up to 100 fathoms of gear with no more than four nets and no single net longer than 50 fathoms. Eleven proposals were submitted in 2012 to repeal the sunset clause; however the sunset clause was not repealed.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. In areas where a set gillnet may be fished seaward of another set gillnet, allowing 75 fathoms per site will likely conflict with existing regulations for minimum distance between gear, maximum distance from mean high water, and existing shore fishery leases.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 49 – 5 AAC 06.331. Gillnet specification and operations.

PROPOSED BY: Jim Reynolds.

WHAT WOULD THE PROPOSAL DO? This would allow two set gillnet permit holders to jointly operate 75 fathoms of set gillnet gear on one site and require both permit numbers on an identification sign.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow the ownership of more than one set gillnet permit, but they cannot be fished concurrently. A set gillnet permit holder may operate no more than 50 fathoms of gear and two nets. However, in special harvest areas different regulations may apply for the allowable length and total number of nets. In addition, minimum distances between nets and a maximum distance offshore are stipulated and vary by district.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This has the potential to increase the amount of gear fished in specific areas where there are a limited number of set gillnet sites, possibly complicating management and enforcement. Set gillnet sites that fishing 50 fathoms and that are adjacent to a site with 75 fathoms of gear may experience reduced catch rates. Additionally this proposal may disrupt some portions of the near shore drift gillnet fishery because the length of gear would no longer be uniform. Currently no part of a drift gillnet may be within 100 feet of the off shore end of a set gillnet, and must be at least 300 feet to the side.

BACKGROUND: When the limited entry permit system was implemented for salmon in 1974, an individual was allowed to own only one permit. House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed allowing the board to authorize additional gear with ownership of a second permit. The board adopted a regulation in 2009, with a sunset clause of December 31, 2012, to allow an individual with two set gillnet permits to operate up to 100 fathoms of gear with no more than four nets and no single net longer than 50 fathoms. Eleven proposals were submitted in 2012 to repeal the sunset clause; however the sunset clause was not repealed.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. In areas where a set gillnet may be fished seaward of another set gillnet, allowing 75 fathoms per site will likely conflict with existing regulations for minimum distance between gear, maximum distance from mean high water, and existing shore fishery leases.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSALS 51 and 52 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Abe Williams (Proposal 51) and Kurt Johnson (Proposal 52).

WHAT WOULD THE PROPOSALS DO? These proposals would allow the owner of two drift gillnet permits to operate 200 fathoms of drift gillnet gear from a single vessel.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit the length of a drift gillnet to no more than 150 fathoms per vessel unless two drift gillnet permit holders are on board a vessel at the same time and the vessel is marked accordingly. In this instance, 200 fathoms of drift gillnet gear may be fished. Current dual permit regulations require two separate permit holders to be present on a vessel in order to operate as a dual vessel with 200 fathoms of gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would have no effect on management for escapement goals. It is not possible to determine if there would be a decrease in vessels or a change to the total amount of gear fished.

BACKGROUND: When the limited entry permit system was implemented for salmon in 1974, an individual was allowed to own only one permit. House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed allowing the board to authorize additional gear with ownership of a second permit.

The legal gear limit for drift gillnet vessels was 150 fathoms until 2003, when a regulation was adopted that allowed use of 200 fathoms of gear when two permit holders are on the same vessel and the vessel is marked accordingly.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 53 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet in Bristol Bay.

PROPOSED BY: Todd Granger.

WHAT WOULD THE PROPOSAL DO? This would allow two drift gillnet permit holders jointly operating to fish up to 300 fathoms of drift gillnet gear from a single vessel.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit the length of a drift gillnet to no more than 150 fathoms per vessel unless two drift permit holders are on board a vessel at the same time and the vessel is marked accordingly. In this instance, 200 fathoms of drift gillnet gear may be fished.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow an additional 100 fathoms of drift gillnet gear to be used when two permit holders are fishing from a single vessel. The benefit of dual drift gillnet permit operation on a single vessel is to increase fishery efficiency by reducing the number of vessels and total gear fished across the fleet. Adoption of this proposal would eliminate those benefits. Under dual drift gillnet permit regulations, for each pair of permits that operate on a single boat, one boat and 100 fathoms of gear is removed from the fishery. By allowing a dual permit operation to use 300 fathoms there is no reduction of total gear, but one vessel would potentially be removed from the fleet.

BACKGROUND: House Bill 286 was passed into law in 2002, allowing an individual to own two commercial salmon permits in the same fishery. In 2006, House Bill 251 was passed allowing the board to authorize additional gear with ownership of a second permit.

The legal gear limit for drift gillnet vessels was 150 fathoms until 2003, when a regulation was adopted that allowed use of 200 fathoms of gear when two permit holders are on the same vessel and the vessel is marked accordingly.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

COMMITTEE OF THE WHOLE—GROUP 3 (20 PROPOSALS)

Commercial Salmon Management plans and District-Specific Provisions

Egegik/Ugashik (2 proposals): 54 – 55

PROPOSAL 54.– 5 AAC 06.359. Egegik River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Eric Meyer.

WHAT WOULD THE PROPOSAL DO? This would restrict commercial fishing in the Egegik District to the ERSHA during the five day period when the interception of non-Egegik River sockeye salmon stocks migrating through the Egegik District are the highest.

WHAT ARE THE CURRENT REGULATIONS? The *Egegik River Sockeye Salmon Special Harvest Area Management and Allocation Plan* provides mechanisms to invoke ERSHA regulations if 1) the preseason forecast for the Kvichak River is less than 30% above the minimum escapement goal (2.6 million fish), 2) after June 27 if the department projects that Naknek River escapement will exceed 800,000 and Kvichak River escapement is one or more days behind schedule for reaching the escapement goal, 3) if the Naknek-Kvichak or Ugashik districts are closed and total season escapement is projected to be below the lower end of the escapement goal range and, 4) if all other measures have been taken in the district where escapement is projected to be below the lower end of the escapement goal range.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would close the Egegik District and reopen the ERSHA for an undefined five day period, thereby increasing the likelihood of over escapement and decreasing harvest opportunity on Egegik River sockeye salmon. Additionally, regulations prohibit use of dual drift permits and 200 fathoms of drift gillnet baywide whenever the NRSHA or ERSHA is open for conservation purposes.

BACKGROUND: Management of Egegik stocks while fishing in ERSHA is problematic because of a greatly reduced area; a large group of fish can move through the district and enter the river with little notice and little time to react to a buildup in volume. Management plans that include the ERSHA were developed to provide conservation measures to protect weak Kvichak River stocks while still allowing harvest of more abundant stocks in the Naknek and Egegik rivers. Kvichak River sockeye salmon were designated a stock of concern beginning in 2000, and in 2012, were removed from stock of concern status. The 10-year (2004-2013) average escapement to the Kvichak River has been 3.1 million fish (4.5 million in 2014 and over 7 million in 2015) and the total district catch plus escapement has averaged 15.1 million during the same time period (19.9 million in 2014 and 31.6 million in 2015). Management plans have been developed in the event of conservation concerns to minimize interceptions of non-local stocks in the Egegik District (5 AAC 06.360. *Naknek River Sockeye Salmon Special Harvest Area Management Plan*, 5 AAC 06.359. *Egegik River Special Harvest Area Management Plan*, 5 AAC 06.358. *Wood River Special Harvest Area Management Plan*, and reduced Ugashik District, 5 AAC 06.366. *Ugashik District Set and Drift Gillnet Sockeye Salmon Management and Allocation Plan* (f)). Currently no such concern exists for either Naknek-Kvichak or Ugashik sockeye stocks.

The *Bristol Bay Commercial Set and Drift Gillnet Sockeye Salmon Management and Allocation Plan* (5 AAC 06.355) instructs the department to manage Bristol Bay sockeye salmon fisheries

terminally, using inseason run strength information. The plan directs that these stocks will be managed as they return to districts associated with major river systems to achieve the following objectives: 1) achievement of biological escapement goals, 2) maintenance of genetic diversity, and 3) providing any harvestable surplus to users. The board expressed its intent that harvest of any surplus continues to take place in traditional areas and allocated between user (gear) groups while recognizing that interception of stocks from adjacent areas will occur. The board further directed the department to minimize interception, to the extent practical, without compromising the objectives.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because it limits flexibility to manage the Egegik District within the escapement goal range and because it is not possible to identify inseason when the five day period of greatest interception of non-Egegik River sockeye salmon occurs. Adoption of this proposal could also unnecessarily limit fishing opportunity in the remainder of the Bristol Bay Area.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 55– 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Roland Briggs.

WHAT WOULD THE PROPOSAL DO? This would allow set gillnet gear to be deployed up to 1,000 feet from the 18 foot east bank high tide mark in statistical area 321-50 (Ugashik Village), with the provision that all gear farther than 600 feet from the 18 foot east bank high tide mark, except anchors and buoys, would be removed during closed periods.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit set gillnet gear in statistical area 321-50 to no more than 600 feet from the 18 foot east bank high tide mark.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow deployment of fishing gear in a configuration that has been determined to be an obstruction to navigation by the United States Coast Guard.

BACKGROUND: Set gillnets deployed to a distance of 1,000 feet from the east bank have caused issues with vessel traffic in statistical area 321-50 (Ugashik Village) for many years. In 2011, the United States Coast Guard determined that set gillnet gear deployed 1,000 feet from shore constituted an obstruction to navigation. Attempts to resolve navigational problems were taken up by the board as a proposal in 2012 and as an ACR in 2013. In 2012, the regulation was modified to allow a set gillnet permit holder to deploy gear 1,000 feet from the 18 foot east bank high tide mark by removing the requirement to have a running line attached to the beach and allowing a stand- alone set gillnet to be deployed, but this did not resolve the obstruction issue. To eliminate the obstruction to navigation the regulation was modified in 2014 to allow set gillnet gear no more than 600 feet total distance from the 18 foot high tide mark on the eastern shore. During that process the board determined that allowing fishing gear to be deployed out to 1,000 feet under any circumstances would still constitute an obstruction to navigation.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Naknek/Kvichak (5 proposals): 56 – 60

PROPOSAL 56 – 5 AAC XX.XXX. Alagnak River Salmon Fishery Management Plan.

PROPOSED BY: Levelock Village Council.

WHAT WOULD THE PROPOSAL DO? This would allow commercial fishing periods in the Alagnak River during times when the Naknek-Kvichak District is open to commercial fishing.

WHAT ARE THE CURRENT REGULATIONS? The *Alagnak River Sockeye Salmon Special Harvest Area Management Plan* (5 AAC 06.373) is intended to allow the harvest of surplus Alagnak River sockeye salmon stocks in the Alagnak River Special Harvest Area when low sockeye salmon returns to the Kvichak River prevent the harvest of sockeye salmon within the Kvichak District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the exploitation rate of Alagnak River sockeye, chum, and king salmon.

BACKGROUND: The *Alagnak River Sockeye Salmon Special Harvest Area Management Plan* was adopted in 2005 in response to above normal sockeye salmon escapements to the Alagnak River resulting from restrictions in the commercial fishing district used to protect Kvichak River stocks. Kvichak River sockeye salmon were classified as a stock of concern from 2001 to 2012.

ARSHA was opened in 2005, 2006, and 2007 with total harvests ranging from 9,900 to 258,500 sockeye per season. In general, there was low participation from both drift and set gillnet permits during openings in ARSHA. Openings were generally short due to the bathymetry of the ARSHA, which has a wide mud flat and narrow channel. This makes it a difficult area to fish, limits the number of set net sites, and challenging for tenders to service.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. A management plan allowing opportunity to harvest surplus Alagnak River sockeye salmon when they cannot be harvested in the Naknek-Kvichak District currently exists. The department no longer has an inseason escapement assessment project on the Alagnak River so it is unlikely that a surplus could be identified inseason while commercial fishing is occurring in the Naknek-Kvichak District.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 57 – 5 AAC XX.XXX. Kvichak River Salmon Fishery Management Plan.

PROPOSED BY: Levelock Village Council.

WHAT WOULD THE PROPOSAL DO? This would allow for commercial fishing in the Kvichak River on a weekly schedule after the allocation period ends on July 17.

WHAT ARE THE CURRENT REGULATIONS? The Kvichak River is closed to commercial fishing upstream of the boundary line near Graveyard Point. In the Naknek-Kvichak District after 9:00 a.m. July 17, salmon may be taken only from 9:00 a.m. Monday to 9:00 a.m. Friday.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would open waters currently closed to commercial fishing. Opening these waters could increase the exploitation rate of Kvichak and Alagnak rivers sockeye, chum, king and coho salmon by an unknown amount.

BACKGROUND: The fishing schedule after July 17 allows for the opportunity to harvest surplus salmon in the Naknek-Kvichak District and provides for escapement from the late portion of the runs to the Naknek, Kvichak, and Alagnak rivers. By July 17 the majority of the sockeye salmon run is typically over and chum and coho salmon become more abundant. The Alagnak River supports modest sized populations of king, chum, pink, and coho salmon and the Kvichak River supports small populations of king, chum, pink, and coho salmon. These populations are not actively assessed or managed by the department.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Increased exploitation on populations that are not actively assessed or managed could result in conservation concerns.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 58 – 5 AAC 06.200. Fishing districts and sections.

PROPOSED BY: Randolph Alvarez.

WHAT WOULD THE PROPOSAL DO? This would move the Naknek Section boundary line out to allow more area in the Naknek Section of the Naknek-Kvichak District (Figure 58-1).

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 06.200. *Fishing districts and sections.* (b) (2). The Naknek Section: all waters of Kvichak Bay enclosed by a line from 58° 36.77' N. lat., 157° 15.82' W. long. to 58° 38.50' N. lat., 157° 22.23' W. long. to the outer end of Libbyville Dock at 58° 46.76' N. lat., 157° 03.57' W. long., then along the dock to shore (Figure 58-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would result in increased harvest of Kvichak River sockeye salmon when fishing in the Naknek Section, thereby reducing the ability to manage the Naknek River and Kvichak River stocks separately without using the NRSHA.

BACKGROUND: The current boundary lines of the Naknek Section of the Naknek-Kvichak District have been in regulation for many decades. The Naknek Section is designed to target Naknek River sockeye salmon while allowing Kvichak River sockeye salmon to pass. Kvichak River sockeye salmon were classified as a stock of concern from 2001 to 2012.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Enlarging the Naknek Section will increase the harvest rate on Kvichak River sockeye salmon while fishing in the Naknek Section.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

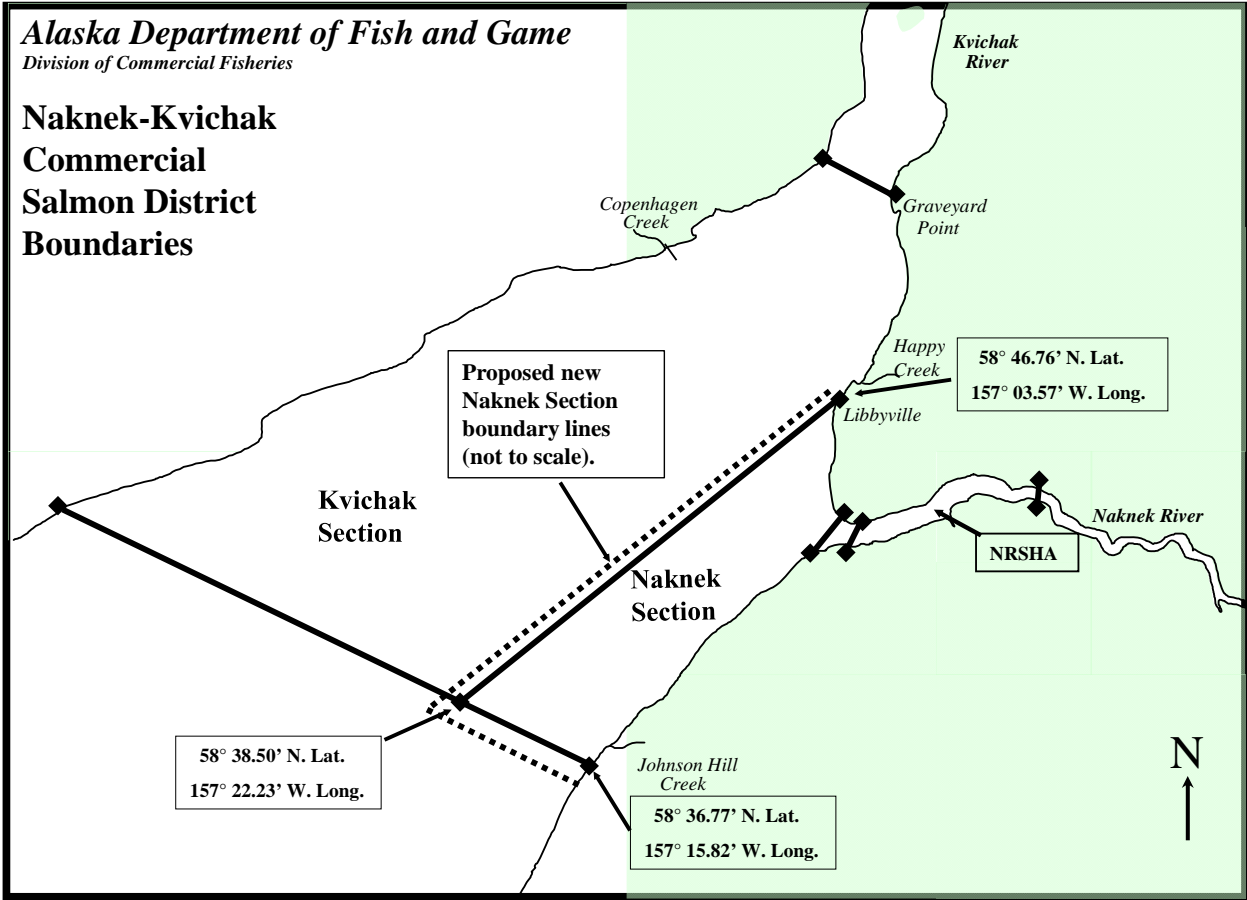


Figure 58-1.—Map of the Naknek-Kvichak District boundary lines with proposed new Naknek Section boundary lines.

PROPOSAL 59 – 5 AAC 06.350. Closed waters.

PROPOSED BY: The Entire and Extended Armstrong Clan.

WHAT WOULD THE PROPOSAL DO? This requests to change the GPS coordinates of the closed waters line on the east side of the Kvichak River near Graveyard Point. This would expand the district thereby creating room for set net sites that are currently in closed waters.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 06.350. *Closed Waters.* (b) The following locations in the Naknek-Kvichak District are closed to the taking of salmon: (1) those waters northeast of a line from 58° 52.09' N. lat., 157° 00.89 W. long. near Graveyard Point to 58° 53.37' N. lat., 157° 04.26 W. long. on the northwest shore of Kvichak Bay (Figure 59-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the amount of fishing area; however it would not increase harvest because harvest levels are based on escapements.

BACKGROUND: The board addressed this issue during the March 2015 Statewide Meeting with Proposal 275. It was determined that the boundary line marker location near Graveyard Point had not moved from the historical location.

This area of the district is fully utilized by set net fishermen; therefore additional sites could not be established without moving the boundary line. Moving the boundary line will benefit some set net fishermen and has the potential to negatively impact other set net fishermen.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because there is not a management or conservation concern. Adoption of this proposal has allocative implications and potential to create conflict between users.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

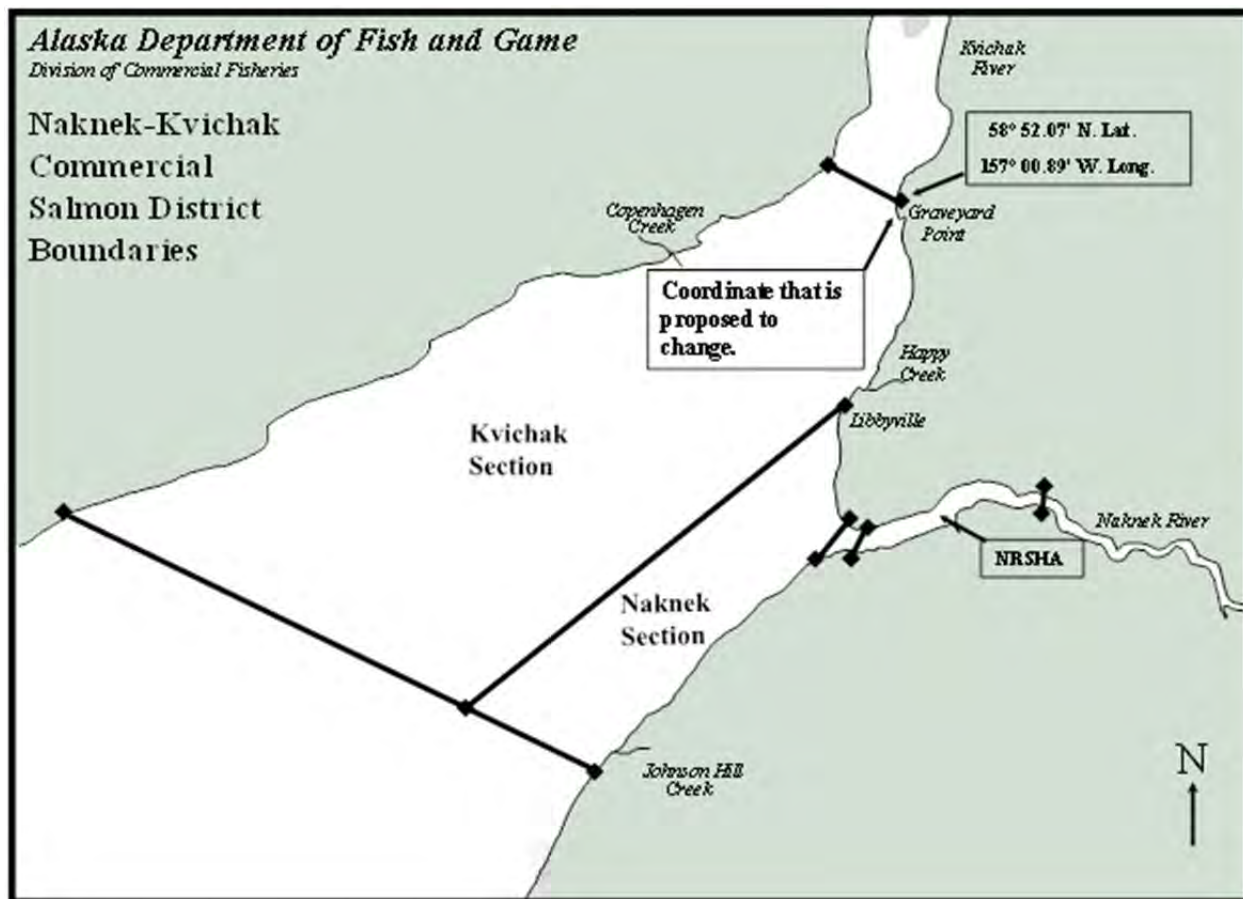


Figure 59-1.—Map of Naknek-Kvichak District boundary lines with the coordinate that is proposed to be changed.

PROPOSAL 60 – 5 AAC 06.XXX. Graveyard Creek Special Harvest Area Management Plan.

PROPOSED BY: Agostino Grossi.

WHAT WOULD THE PROPOSAL DO? This would create a special harvest area management plan that would allow fishing with set gillnets inside Graveyard Creek and amend regulations pertaining to gillnet specifications and operations.

WHAT ARE THE CURRENT REGULATIONS? The Naknek-Kvichak District consists of all waters of Kvichak Bay as defined in 5 AAC 06.200. *Fishing districts and sections.* (b). Since Graveyard Creek is not in the waters of Kvichak Bay it is closed to fishing (Figure 60-1). Under 5 AAC 06.331 set gillnets shall be operated in a substantially straight line; a set gillnet must be substantially perpendicular to the shoreline; and a set gillnet may not be operated seaward of another set gillnet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the amount of area open to commercial fishing in the Naknek-Kvichak District for set gillnet fishermen at Graveyard Creek.

BACKGROUND: Several years ago AWT observed multiple set gillnets being fished inside of Graveyard Creek that were operated in violation of several regulations, including fishing in closed waters, operating set gillnets seaward of other set gillnets, and nets that were not operated in a substantially straight line or perpendicular to shore. AWT issued warnings to the fishermen. AWT and the department posted closed waters signs at the mouth of the creek to mark closed waters.

There are shore fishery leases at the mouth of Graveyard Creek (Figure 60-1). Although shore fishery leases have been established, conflicts remain among the set gillnet fishermen who operate near the creek. Issues that have been raised by fishermen include set gillnets that are fished outside of leased sites, set gillnets that obstruct navigation into the creek, and set gillnets that are not set in a substantially straight line.

Special harvest areas are established to provide opportunity to harvest one stock while conserving another stock in a mixed stock fishery. In the Naknek-Kvichak District there are no stocks of concern and the opportunity to harvest surplus fish is not inhibited by the current regulations.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

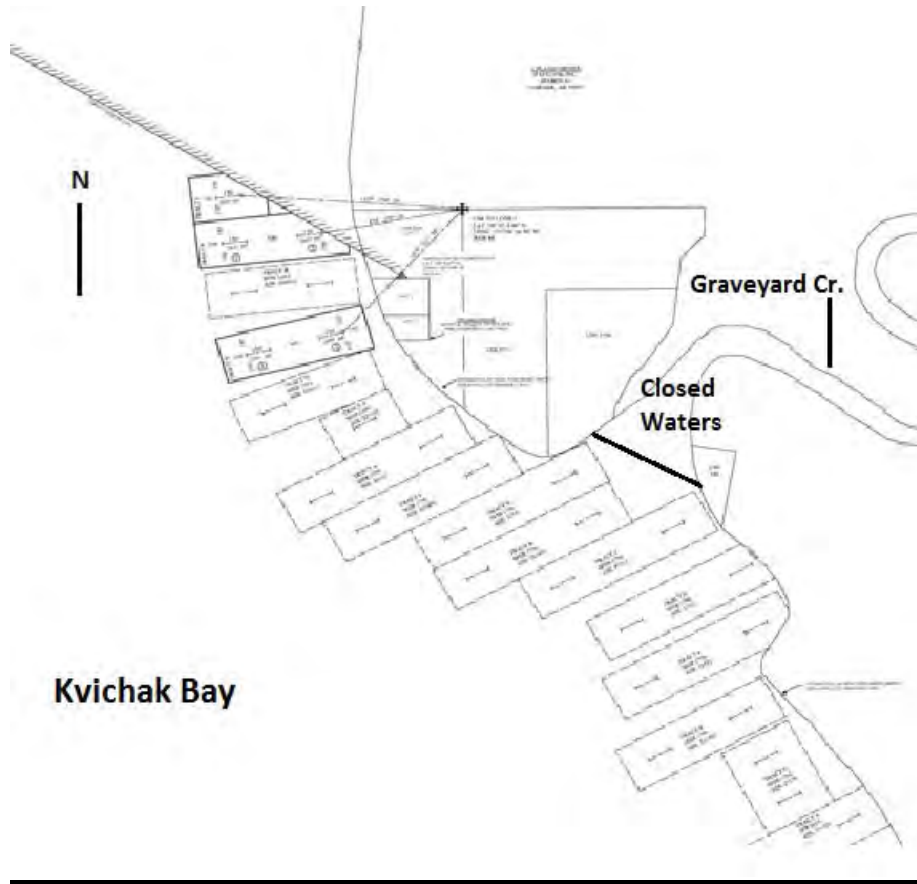


Figure 60-1.--Shore Fishery Plat No. 2029 with shore fishery leases near Graveyard Creek.

Nushagak (11 proposals): 61 – 67, 219, 68 – 70

PROPOSAL 61 – 5 AAC 06.335. Minimum distance between units of gear.

PROPOSED BY: Kevin McCambly and Karen Villnave.

WHAT WOULD THE PROPOSAL DO? This would require a buffer of 100 feet between an offshore set gillnet buoy and a drift gillnet operation regardless of the location of the set gillnet buoy in relation to the maximum allowed distance from shore.

WHAT ARE THE CURRENT REGULATIONS? Current regulations state that no part of a drift gillnet may be operated within 300 feet of the side of a set gillnet and within 100 feet of the offshore end of a set gillnet. The 100-foot restriction does not apply seaward of the offshore set gillnet distance restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would offer set gillnet operators greater protection from tangling by drift gillnet permit holders when the set gillnet permit holder is operating at the maximum allowed offshore distance. This would reallocate fishing area from the drift gillnet fleet to the set gillnet fleet.

BACKGROUND: This proposal seeks to exclude drift gillnet fishermen from an area they are currently allowed to fish. Occasionally there is conflict between set gillnet and drift gillnet operators. Drift gillnet operators regularly deploy gear close to set gillnet gear and may tangle with the set gillnet. In some instances set gillnet operators may lose their offshore anchor and running line making their site unfishable. At many sites, set gillnet operators need to set their offshore anchor and running line early in the spring on a large minus tide. Damage to this equipment from drift gillnet gear may result in significant lost fishing time. By the same token, the set gillnet operators like to put buoys out beyond where they effectively fish to keep the drift gillnet operators away from their nets.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 62 – 5 AAC 06.335. Minimum distance between units of gear.

PROPOSED BY: Kevin McCambly.

WHAT WOULD THE PROPOSAL DO? This would make it illegal for drift gillnet boats to operate inshore of set gillnets in the area from Nushagak Point to the dock at Clark’s Point.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow drift gillnet boats to operate inshore of set gillnets in the area from Nushagak Point to the dock at Clark’s Point.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would exclude drift gillnets from operating inside of set gillnet sites between Nushagak and Clarks Point where they currently are allowed to fish. This proposal would not change management or allocation.

BACKGROUND: This proposal seeks to exclude one gear type (drift gillnet) from an area it is currently allowed to fish in and reserve that area for a different gear type (set gillnet). Between Nushagak Point and the dock at Clark’s Point in the Nushagak District set gillnets operate far enough from shore that a drift gillnet could operate inshore of a set gillnet. This is particularly true near the mouth of Queen Slough. This area is deep enough to offer places for both drift and set gillnet operations to occur. Drift gillnet fishing has occasionally been observed in this area and there have been inquiries asking if it was legal to fish in Queen Slough itself. It is possible, in some circumstances, that drift gillnet operations have occurred in areas that could be construed as inshore of set gillnet operations.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 63 – 5 AAC 06.331. Gillnet specifications and operations.

PROPOSED BY: Alannah Hurley.

WHAT WOULD THE PROPOSAL DO? This would allow for set gillnets to be fished 750 feet from the mean high tide mark, which is 250 feet further than currently allowed.

WHAT ARE THE CURRENT REGULATIONS? Current regulations state that in the area in question, no part of a set gillnet operation may be more than 500 feet from the mean high tide mark, or to the minus three foot low tide mark, whichever location is closer to the mean high tide mark.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow set gillnet permit holders in this area to have more functional fishing time because their nets would be in the water longer during the tide cycle. However this could allow for the interception of fish currently harvested in a different statistical area because of the proximity of set gillnet sites in that area. This proposal also reallocates drift gillnet area to set gillnets.

BACKGROUND: This proposal seeks to exclude one gear type (drift gillnet) from an area it is currently allowed to fish and open that area to a different gear type (set gillnet). The specific area in this proposal is a large mudflat that has limited set gillnet functional fishing time because it goes dry for a considerable portion of the tide cycle. Extending the distance further out would increase the time that set gillnets will be in the water fishing. There is not a significant amount of drift fishing that occurs in the area adjacent to the mudflat.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 64 – 5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

PROPOSED BY: Robert Heyano.

WHAT WOULD THE PROPOSAL DO? This would mandate that the department open drift gillnet openings at least one hour before high tide.

WHAT ARE THE CURRENT REGULATIONS? Current regulations state that concurrent fishing periods and set gillnet only fishing periods may open at approximately two and one-half to three hours before high water, except that when a tide is greater than 18 feet, openings will begin at least three hours before high water.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the department's ability to manage Nushagak District harvest and allocation.

BACKGROUND: The board has established allocation goals for the Nushagak District. In an attempt to achieve those goals, the department uses time and area to balance the set and drift gillnet harvest allocation. These mechanisms include differential fishing times between each gear group, single gear group openings, and fishing the drift gillnet fleet primarily on the ebb tide. Fishing the drift fleet primarily during ebb tide allows fish to enter the district on the flood tide. Fish are able to spread out in the district and have a greater chance of reaching the set gillnet sites. Avoiding fishing on the flood also reduces the line fishery that can occur when fish are not given the chance to spread out in the district. Additionally, because the tide cycle is six hours, any period longer than that inherently includes fishing during the flood. Typically, openings are 7-9 hours in duration for the drift fishery. These openings provide at least 1-3 hours flood fishing time. In 2014, for example, 35 of 40 drift gillnet openings (87%) were six hours or longer and included fishing during the flood tide. Despite these mechanisms, the drift gillnet fleet has harvested more than their allocation in every year but three since 2000.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** the aspects of this proposal that would restrict management flexibility. The requirement to open commercial fishing for the drift gillnet fleet at a specific time would reduce the department's ability to respond on short notice to changes in fish movement and would result in foregone harvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 65 – 5 AAC 06.367. Nushagak District Commercial Set and Drift Gillnet Sockeye Salmon Fisheries Management and Allocation Plan.

PROPOSED BY: Kevin McCambly.

WHAT WOULD THE PROPOSAL DO? This would repeal the regulation that allows the department to restrict mesh size to four and three-quarters inch mesh or smaller for the protection of Nushagak River sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? Current regulation states that if the commissioner determines it necessary for the protection of Nushagak River sockeye salmon, the commissioner may open, by emergency order, fishing periods in the Nushagak District during which gillnet mesh size may not exceed four and three-quarters inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It is not possible to determine what the effect on escapement or fishery management would be because the current regulation has never been implemented. It would reduce the need for commercial fishermen to have four and three-quarter inch mesh gear.

BACKGROUND: The board established this regulation at the 2012 meeting. This regulation has not been used since it was established and it is unclear how effective it would be. This regulation was intended to conserve Nushagak River sockeye salmon while allowing harvest of smaller Wood River sockeye salmon. The theory behind this is that larger Nushagak River sockeye salmon would be less susceptible to the smaller gear that would still be effective at harvesting smaller Wood River sockeye salmon. Historically, the Wood River produces a significantly larger proportion of smaller two ocean fish than either the Nushagak or Igushik rivers.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 66 – 5AAC 06.368. Nushagak River Coho Salmon Management Plan.

PROPOSED BY: Travis Ball and Lloyd T. O'Connor.

WHAT WOULD THE PROPOSAL DO? This would change the Nushagak River coho salmon trigger date from July 23 until August 1 and would remove the link with pink salmon escapement from the Nushagak River coho salmon management plan.

WHAT ARE THE CURRENT REGULATIONS? If the total inriver coho salmon return in the Nushagak River is projected to be less than 100,000 but at least 60,000 fish by August 25, the department shall close the coho salmon fishery by July 23. Also, during even-numbered years, the pink salmon fishery is managed to achieve an escapement range of 1.2 to 2.4 million fish (0.3 to 1.5 million fish above the biological escapement goal) and is closed no later than 12:00 midnight, August 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would have more flexibility in making management decisions regarding commercial fishing for coho salmon. This would allow the department to allow more opportunity to harvest pink salmon but may also increase incidental harvest of coho salmon, thus reducing escapement during the early part of the coho salmon return.

BACKGROUND: The *Nushagak River Coho Salmon Management Plan* has several different trigger points for coho and pink salmon. This plan was developed in the 1990s with stakeholder input because of concerns over poor coho salmon runs in the Nushagak River. The department changed Nushagak River pink and coho salmon escapement goals but the NRCSMP was never updated to reflect those changes. The pink salmon escapement goal in the plan was set higher than the biological escapement goal and coupled with coho salmon management triggers in an effort to protect the more vulnerable coho salmon population in this mixed species fishery. Assessment of coho and pink salmon returns has been discontinued and is unlikely to occur in the foreseeable future, therefore there is no way to assess the triggers found in NRCSMP. Recent coho salmon runs have been strong and there has been interest in commercial fishing for both coho and pink salmon since 2008.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal but supports increased management flexibility for Nushagak River coho salmon.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 67 – 5AAC 06.368. Nushagak River Coho Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would change escapement goal triggers and definitions to reflect the updated escapement goals generated by the department.

WHAT ARE THE CURRENT REGULATIONS?

5AAC 06.368 (a) The purpose of this management plan is to provide guidelines to ensure an adequate spawning escapement of coho salmon into the Nushagak River system. It is the intent of the Board of Fisheries (board) that Nushagak coho salmon be harvested by the fisheries that have historically harvested them. The plan in this section provides management guidelines to the department in an effort to preclude allocation conflicts between various users of this resource. The department shall manage coho salmon stocks in a conservative manner consistent with sustained yield principles and the subsistence priority.

(b) The department shall manage the commercial fishery in the Nushagak District to achieve an inriver run goal of 100,000 coho salmon present in the Nushagak River upstream from the department sonar counter located near the village of Portage Creek by August 25. The inriver goal provides for

(1) the department's biological escapement goal of 90,000 coho salmon upstream from the sonar counter by August 25;

(2) a reasonable opportunity for subsistence harvest of coho salmon; and

(3) a daily bag and possession limit of five coho salmon, and a guideline harvest level of 2,000 fish in the sport fishery; the sport fish guideline harvest level of 2,000 fish does not apply if the total inriver coho salmon return is projected to be greater than 100,000 fish by August 25; the department shall manage the sport fishery to ensure that the biological escapement goal of 90,000 coho salmon is achieved.

(c) if the total inriver coho salmon return in the Nushagak River is projected by the department to be less than 100,000 but at least 60,000 fish by August 25, the department shall close, by emergency order, the directed coho salmon commercial fishery in the Nushagak district by July 23; and

(1) during even-numbered years, manage the pink salmon commercial fishery to achieve a pink salmon escapement range of 1.2 to 2.4 million fish (0.3 to 1.5 million fish above the biological escapement goal) and close the directed pink salmon commercial fishery no later than 12:00 midnight, August 1; during commercial fishing periods under this paragraph, the use of a commercial gillnet with webbing larger than four and three-quarter inches shall be prohibited for all fishing periods after 12:00 midnight, July 23;

(2) the commissioner may restrict, by emergency order, the coho salmon sport fishery in the Nushagak River drainage upstream from the department sonar counter located near the village of Portage Creek so that the harvest does not exceed 2,000 coho salmon by one or more of the following:

(a) reduce the bag and possession limit;

(b) prohibit the use of bait;

- (c) restrict fishing times and areas;
- (d) restrict terminal tackle to single hook artificial lures; and
- (e) allow catch-and-release fishing only;

(3) it is the intent of the board that the lower the projected inriver coho salmon return is, the more restrictive that management measures will be in the sport and commercial fisheries under this section.

(d) If the total inriver coho salmon return in the Nushagak River is projected by the department to be less than 60,000 and the number of spawners is projected to be more than 50,000 fish on August 25, the department shall

- (1) close the directed commercial fishery no later than 12:00 midnight July 23;
- (2) close the coho salmon sport fishery in the Nushagak River drainage; and

(3) restrict the coho salmon subsistence fishery in the Nushagak River drainage by establishing periods by emergency order, during which

(A) coho salmon may be taken only from 9:00 a.m. Monday to 9:00 a.m. Tuesday, from 9:00 a.m. Wednesday to 9:00 a.m. Thursday, and from 9:00 a.m. Friday to 9:00 a.m. Saturday; and

(B) set gillnets may not be more than 10 fathoms in length.

(e) If the number of coho salmon spawners in the Nushagak River is projected by the department to be less than 50,000 by August 25, the department shall close the subsistence, commercial, and sport fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase management flexibility for directed coho or pink salmon commercial fishing. It would clarify the regulations so that managers have more concise direction regarding pink salmon escapement when considering coho salmon commercial openings.

BACKGROUND: The *Nushagak River Coho Salmon Management Plan* has several different trigger points for coho and pink salmon. This plan was developed in the 1990's with stakeholder input because of concerns over poor coho salmon runs in the Nushagak River. The department changed Nushagak River pink and coho salmon escapement goals but the management plan was never updated to reflect those changes. The pink salmon escapement goal in the plan was set higher than the biological escapement goal and coupled with coho salmon management triggers in an effort to protect the more vulnerable coho salmon population in this mixed species fishery. The current pink salmon SEG is 165,000 fish minimum and the coho salmon SEG is 60,000-120,000 fish. Additionally, assessment of coho and pink salmon returns has been discontinued and is unlikely to occur in the foreseeable future. Therefore there is no way to assess the triggers found in the *Nushagak River Coho Salmon Management Plan*. Recent coho salmon runs have been strong and there has been interest in commercial fishing for both coho and pink salmon since 2008.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 219 – 5 06.368. Nushagak River Coho Salmon Management Plan.

PROPOSED BY: Nushagak Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This does not request specific changes and was intended as a starting point for discussion of potential allocative effects of changes to escapement goals and trigger points.

WHAT ARE THE CURRENT REGULATIONS?

(a) The purpose of this management plan is to provide guidelines to ensure an adequate spawning escapement of coho salmon into the Nushagak River system. It is the intent of the Board of Fisheries (board) that Nushagak coho salmon be harvested by the fisheries that have historically harvested them. The plan in this section provides management guidelines to the department in an effort to preclude allocation conflicts between various users of this resource. The department shall manage coho salmon stocks in a conservative manner consistent with sustained yield principles and the subsistence priority.

(b) The department shall manage the commercial fishery in the Nushagak District to achieve an inriver run goal of 100,000 coho salmon present in the Nushagak River upstream from the department sonar counter located near the village of Portage Creek by August 25. The inriver goal provides for

(1) the department's biological escapement goal of 90,000 coho salmon upstream from the sonar counter by August 25;

(2) a reasonable opportunity for subsistence harvest of coho salmon; and

(3) a daily bag and possession limit of five coho salmon, and a guideline harvest level of 2,000 fish in the sport fishery; the sport fish guideline harvest level of 2,000 fish does not apply if the total inriver coho salmon return is projected to be greater than 100,000 fish by August 25; the department shall manage the sport fishery to ensure that the biological escapement goal of 90,000 coho salmon is achieved.

(c) if the total inriver coho salmon return in the Nushagak River is projected by the department to be less than 100,000 but at least 60,000 fish by August 25, the department shall close, by emergency order, the directed coho salmon commercial fishery in the Nushagak district by July 23; and

(1) during even-numbered years, manage the pink salmon commercial fishery to achieve a pink salmon escapement range of 1.2 to 2.4 million fish (0.3 to 1.5 million fish above the biological escapement goal) and close the directed pink salmon commercial fishery no later than 12:00 midnight, August 1; during commercial fishing periods under this paragraph, the use of a commercial gillnet with webbing larger than four and three-quarter inches shall be prohibited for all fishing periods after 12:00 midnight, July 23;

(2) the commissioner may restrict, by emergency order, the coho salmon sport fishery in the Nushagak River drainage upstream from the department sonar counter located near the village of Portage Creek so that the harvest does not exceed 2,000 coho salmon by one or more of the following:

(a) reduce the bag and possession limit;

(b) prohibit the use of bait;

- (c) restrict fishing times and areas;
- (d) restrict terminal tackle to single hook artificial lures; and
- (e) allow catch-and-release fishing only;

(3) it is the intent of the board that the lower the projected inriver coho salmon return is, the more restrictive that management measures will be in the sport and commercial fisheries under this section.

(d) If the total inriver coho salmon return in the Nushagak River is projected by the department to be less than 60,000 and the number of spawners is projected to be more than 50,000 fish on August 25, the department shall

- (1) close the directed commercial fishery no later than 12:00 midnight July 23;
- (2) close the coho salmon sport fishery in the Nushagak River drainage; and

(3) restrict the coho salmon subsistence fishery in the Nushagak River drainage by establishing periods by emergency order, during which

(A) coho salmon may be taken only from 9:00 a.m. Monday to 9:00 a.m. Tuesday, from 9:00 a.m. Wednesday to 9:00 a.m. Thursday, and from 9:00 a.m. Friday to 9:00 a.m. Saturday; and

(B) set gillnets may not be more than 10 fathoms in length.

(e) If the number of coho salmon spawners in the Nushagak River is projected by the department to be less than 50,000 by August 25, the department shall close the subsistence, commercial, and sport fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? No specific action is requested in this proposal.

BACKGROUND: The department understands that the proponent recognizes the amount of work that went into this plan when it was created and wanted to make sure there was input from all stakeholders before it was changed.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal because it is not possible to determine what the change and effect could be.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 68 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Nushagak Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would repeal the *Wood River Sockeye Salmon Special Harvest Area Management Plan*.

WHAT ARE THE CURRENT REGULATIONS? This plan allows for harvest of Wood River bound sockeye salmon under two different scenarios. In one case, it is to protect Nushagak River sockeye salmon when escapement in that system is below expectations. Under that scenario the Nushagak Section of the Nushagak District is closed to fishing but Wood River bound sockeye salmon can be harvested in the WRSHA. In the other case the plan allows for sockeye salmon surplus to escapement needs in the Wood River to be harvested when it appears the escapement goal will be exceeded. Under this scenario commercial fishing in the WRSHA and the commercial district can occur simultaneously.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial fishing would not be allowed in the Nushagak District, including the Wood River, when conservation concerns for Nushagak River sockeye salmon arise. Additionally, in years when surplus fish are available in the Wood River, there would be no opportunity to harvest them once they passed through the Nushagak District proper.

BACKGROUND: The board established WRSHA in 1996 to provide opportunity to harvest sockeye salmon surplus to escapement needs while at the same time protecting Nushagak River coho salmon. In 1997, with a poor Nushagak River sockeye salmon return, the WRSHA was used to harvest surplus Wood River sockeye salmon while protecting the weaker Nushagak River sockeye salmon return. This use was formalized through board action after the 1997 season. Additional modifications were made in 1999, 2001, 2002, 2010 and 2013.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 69 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Robert Heyano.

WHAT WOULD THE PROPOSAL DO? This proposal would open the WRSOA to gear groups based on a set schedule, rather than on district allocation, when it is opened to harvest sockeye salmon surplus to the escapement goal in the Wood River.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 06.358. *Wood River Sockeye Salmon Special Harvest Area Management Plan*

(c) The commissioner may open, by emergency order, the Wood River Special Harvest Area

(1) when the department projects that the sockeye salmon escapement into the Wood River will exceed 700,000 fish and as follows:

(3) when the escapement of sockeye salmon into the Wood River exceeds 1,100,000 fish and the escapement is projected to exceed 1,400,000 fish.

(5) when the Wood River Special Harvest Area is open under (c)(3) of this section, the Wood River Special Harvest Area will be only open for the gear group that is behind in the allocation specified in 5 AAC 06.367(b) for the Nushagak District.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial fishing in the WRSOA would always be managed on a ratio of three drift gillnet openings for one set gillnet opening. This may effectively reduce the ability to harvest surplus fish because of limited drift gillnet effort in the WRSOA while drift fishing is open in the district.

BACKGROUND: The board established WRSOA in 1996 to provide opportunity to harvest sockeye salmon surplus to escapement needs while at the same time protecting Nushagak River coho salmon. In 1997, with a poor Nushagak River sockeye salmon return, the WRSOA was used to harvest surplus Wood River sockeye salmon while protecting the weaker Nushagak sockeye salmon return. This use was formalized through board action after the 1997 season. Additional modifications were made in 1999, 2001, 2002, 2010 and 2013.

In 2010, the regulation was modified to allow fishing in the WRSOA to harvest sockeye salmon surplus to escapement requirements. The intent was to provide additional opportunity to harvest fish in the WRSOA if the escapement was high and not being controlled in the commercial district. The commercial district would remain open but permit holders could also fish in the WRSOA. Originally this was done for both gear types through concurrent openings. In 2012, the regulation was further modified to require separate gear openings to reduce conflict. Thus, under this provision, the board opted to allow the gear group that was behind on allocation in the commercial district the additional opportunity in the WRSOA, instead of creating a new allocation regime.

The current regulation was used in 2014. However, there was little drift gillnet effort in the WRSOA when that area was opened to drift gillnet fishing. Effort was minimal because processors had limited tenders and could not tender drift gillnet fishing in the WRSOA and

commercial district simultaneously. This resulted in WRSHA drift fishing participants having to travel to the commercial district to deliver fish. If fishing was equally good in both places, there was no incentive to fish the WRSHA. Since the intent of opening the WRSHA is to harvest fish, the minimal drift gillnet effort proved ineffective at harvesting surplus fish. The set gillnet fleet has proven more effective at harvesting fish in the WRSHA because tenders have been available without having to travel to the commercial district to deliver set gillnet catch.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 70 – 5 AAC 06.358. Wood River Sockeye Salmon Special Harvest Area Management Plan.

PROPOSED BY: Kevin McCambly.

WHAT WOULD THE PROPOSAL DO? This would change the allocation scheme for the *Wood River Sockeye Salmon Special Harvest Area Management Plan* when trying to protect Nushagak River sockeye salmon.

WHAT ARE THE CURRENT REGULATIONS? When the Wood River Special Harvest Area is open, the drift gillnet and set gillnet fisheries will open separately, with a seasonal ratio of three drift gillnet gear fishing periods to every one set gillnet fishing period.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial fishing in WRSHA would be allowed for the gear type that is behind on allocation in the regular commercial district.

BACKGROUND: The board established WRSHA in 1996 to provide opportunity to harvest sockeye salmon surplus to escapement needs while protecting Nushagak River coho salmon at the same time. In 1997, with a poor Nushagak River sockeye salmon return, the WRSHA was used to harvest surplus Wood River sockeye salmon while protecting the weaker Nushagak River sockeye salmon return. This use was formalized through board action after the 1997 season. Additional modifications were made in 1999, 2001, 2002, 2010 and 2013. When the WRSHA was first modified, it was set up to have an allocation plan the same as, but separate from, the allocation in the commercial district. At the 2012 board meeting, the board changed the allocation to be based on opportunity when the department opened the WRSHA to protect Nushagak River sockeye salmon. That is, the drift gillnet fleet would get three (3) drift openings for every one (1) opening the set gillnet fleet was allowed. This replaced the previous allocation of 26% set gillnet and 74% drift gillnet. Also, the board instructed the department to have single gear only openings in WRSHA; previously, openings allowed both gear types at the same time. When the WRSHA is opened to harvest surplus Wood River sockeye salmon, meaning the Nushagak District is also open, the gear type that is behind on allocation in the commercial district is allowed to fish. Since the 2012 board meeting, the department has not opened the WRSHA to protect Nushagak River sockeye salmon. The WRSHA has only been opened to target surplus Wood River sockeye salmon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Togiak (2 proposals): 75 and 77

PROPOSAL 75 – 5 AAC 06.350. Closed Waters.

PROPOSED BY: Togiak Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would change the date at which a seasonal drift gillnet boundary line changes from June 1 to July 15 to June 1 to July 11.

WHAT ARE THE CURRENT REGULATIONS? From June 1 through July 15, those waters of the Togiak District inside a line from 59° 03.19' N lat, 160° 20.18' W. long to 59° 01.76' N. lat, 160° 28.17' W. long are closed to commercial fishing for salmon with a drift gillnet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase drift gillnet fishing time adjacent to Togiak River, potentially increasing king salmon exploitation in the river channel at its narrowest point.

BACKGROUND: In 2012, in an effort to protect the small king salmon run to Togiak River, the board moved the drift gillnet boundary line further away from the Togiak River to lessen the ability of the fleet to ‘block off the river’. Table 75-1 suggests that the drift gillnet boundary line movement over the last three years has reduced drift gillnet king salmon harvest and allowed proportionally more king salmon to escape into the Togiak River. The king salmon run continues to be well below historical population levels (Table 75-1). The Togiak River king salmon escapement goal was lowered in 2012 because there is not sufficient escapement monitoring and harvests are passively managed. In 2015, this seasonal boundary line change was extended until the end of July by emergency order to afford additional protection to king salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal due to the potential for increased king salmon exploitation and continued conservation concerns for the Togiak River king salmon run. Reduction of the time period for this seasonal line change could make it difficult to meet the Togiak River king salmon escapement goal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 75-1.--King salmon harvest and escapement in the Togiak River drainage.

Year	June 1 - July 11 ^a		Drift gillnet harvest in Togiak River Section				Total		Commercial	Sport and	Togiak River drainage	
	# of Fish	%	# of Fish	%	# of Fish	%	# of Fish	%	Drift and Set	Subsistence harvest	king escapement ^d	Total Run ^e
1995	6,748	86%	7,235	92%	487	6%	7,860	73%	10,768	1,029	12,600	26,034
1996	4,099	79%	4,572	88%	473	9%	5,174	64%	8,114	1,261	8,299	24,397
1997	2,659	95%	2,765	99%	106	4%	2,785	52%	5,365	1,832	10,300	17,674
1998	9,120	91%	9,771	98%	651	6%	10,016	78%	12,867	1,545	9,856	17,497
1999	6,229	73%	7,362	87%	1,133	13%	8,506	79%	10,830	1,888	9,520	24,268
2000	4,988	89%	5,171	92%	183	3%	5,635	78%	7,258	1,586	11,813	22,238
2001	6,060	78%	6,772	87%	712	9%	7,748	81%	9,518	2,618	13,110	20,657
2002	2,005	98%	2,005	98%	0	0%	2,053	77%	2,682	779	9,515	25,246
2003	1,877	88%	1,967	92%	90	4%	2,144	70%	3,078	1,914	3,050	12,976
2004	4,524	75%	5,259	87%	735	12%	6,039	79%	7,673	2,482	12,324 ^f	^g
2005	6,210	82%	7,025	93%	815	11%	7,543	74%	10,125	3,262	10,200	22,479
2006	7,863	77%	8,942	88%	1,079	11%	10,154	67%	15,078	2,694	^h	23,587
2007	3,284	74%	3,619	81%	335	8%	4,458	62%	7,142	2,735	0 ^f	^g
2008	1,185	69%	1,346	79%	161	9%	1,708	59%	2,891	1,929	2,140 ^f	^g
2009	2,133	87%	2,282	93%	149	6%	2,449	55%	4,429	1,433	^h	^g
2010	2,440	72%	2,885	85%	445	13%	3,394	66%	5,160	1,753	10,096 ⁱ	17,009
2011	2,689	76%	3,072	87%	383	11%	3,537	61%	5,780	1,837	2,140	9,757
2012	2,015	70%	2,290	80%	275	10%	2,877	66%	4,357	1,810	1,503	7,670
2013 ^j	1,115	78%	1,248	87%	133	9%	1,436	58%	2,458	1,591	^h	^g
2014 ^j	811	86%	868	92%	57	6%	942	58%	1,628	1,685 ^k	3,994	7,156
2015 ^j	721	73%	762	77%	41	4%	988	41%	2,428	1,685 ^k	2,922	5,350

^a Proposed seasonal drift line period.

^b Current seasonal drift line period.

^c Proposed 4-day reduction in seasonal drift line period.

^d Escapement estimates derived from aerial surveys.

^e Sum of total Togiak River Section commercial harvest plus sport and subsistence harvest plus aerial survey escapement estimates.

^f Partial survey.

^g Total run cannot be determined due to partial or no aerial survey assessments.

^h No survey conducted due to poor weather or pilot availability.

ⁱ USFWS radiotelemetry-derived escapement estimate.

^j Seasonal drift line in regulation from June 1 through July 15.

^k Data not yet available; 5-year average used.

PROPOSAL 77 – 5 AAC 06.369. Togiak District Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would revise the *Togiak District Salmon Management Plan* to reflect recent department escapement goal changes. It would remove the sockeye salmon escapement point goal of 150,000 and replace it with the current sockeye salmon SEG range of 120,000 to 270,000, and remove both the coho and king salmon escapement goals from regulation.

WHAT ARE THE CURRENT REGULATIONS? The department manages the commercial fishery in the Togiak River Section of the Togiak District for a biological escapement goal of 150,000 sockeye salmon past the counting tower at Togiak Lake, and biological escapement goals of 50,000 coho salmon and 10,000 king salmon in the Togiak River.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would update escapement goals in regulation and would have no effect on fishery management.

BACKGROUND: The department reviews escapement goals prior to each board cycle. In 2012, the department changed the sockeye salmon goal from a 150,000 sockeye salmon point goal to a SEG range of 120,000 – 270,000 sockeye salmon, while also eliminating the king and coho salmon escapement goals. The management plan was not revised to reflect these escapement goal changes.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

COMMITTEE OF THE WHOLE—GROUP 4 (12 PROPOSALS)

SUBSISTENCE, SPORT, COMMERCIAL HERRING

Bristol Bay Subsistence (4 proposals): 78 – 79, 81 – 82

PROPOSAL 78 – 5 AAC 01.320. Lawful gear and gear specifications.

PROPOSED BY: Bristol Bay Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? This would modify subsistence salmon fishing regulations to:

1. Open a new area at the outlet of Idavain Creek on the north side of Naknek Lake.
2. Add beach seines as allowable gear in the 4 open areas.
3. Allow fishing from August 30 through December 31 on the west shore of Naknek Lake near the outlet to Naknek River; at Johnny’s Lake on the northwestern side of Naknek Lake; and at the outlet of Idavain Creek. Fishing at the mouth of the Brooks River would be open from September 18 through December 31.

WHAT ARE THE CURRENT REGULATIONS? Salmon may be taken as follows:

- From August 30 through September 30, by spear, dip net, and gillnet along a 100 yard length of the west shore of Naknek Lake near the outlet to the Naknek River as marked by department regulatory markers (5 AAC 01.320(b)(2)).
- From August 15 through September 15, by spear, dip net, and gillnet at Johnny’s Lake on the northwestern side of Naknek Lake (5 AAC 01.320(b)(3)).
- From October 1 through November 15, by spear, dip net, and gillnet at the mouth of Brooks River at Naknek Lake (5 AAC 01.320(b)(4)).

In addition, except between June 1 through October 1, gillnets may be used in all waters of the Naknek River drainage upstream of Savonaski (5 AAC 01.325(b)). Note, however, that waters within Katmai National Park remain closed to subsistence fishing under National Park Service regulations except for the specific locations listed above.

Also, 5 AAC 01.345(a) allows an annual possession limit for sockeye salmon taken in the Naknek District after August 15 of 200 sockeye salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would not create biological concerns because the fish are harvested after they have already spawned. Allowing the use of beach seines would likely reduce the harvest of non-targeted finfish.

BACKGROUND: The proposal addresses subsistence fishing for spawning sockeye salmon, commonly referred to as “redfish,” in a portion of the Naknek River drainage within the Bristol Bay Management Area. The board has made a positive customary and traditional use finding for all salmon in the Bristol Bay Management Area, with an amount reasonably necessary for subsistence of 157,000–172,171 salmon. A subsistence permit is required for subsistence salmon fishing in the Bristol Bay Management Area. Beach seines are currently allowed for subsistence salmon fishing in portions of the neighboring Kvichak River drainage. Beach seines allow for the live release of non-targeted finfish species. Idavain Creek is one of the most substantial sockeye

salmon spawning tributaries in the Naknek River drainage with escapements ranging from over 10,000 fish up to over 200,000 fish.

The locations referenced in the proposal are within Katmai National Park. Until 1996, National Park Service rules prohibited all subsistence hunting and fishing within Katmai National Park, which was established in 1912 and expanded in the 1930s to include most of Naknek Lake, including several locations traditionally used for subsistence salmon fishing. When the park was further expanded with the passage of ANILCA in 1980, an area at the outlet of Naknek Lake was added to the park and closed to subsistence fishing for the first time. This area is locally known as “Trefon’s Cabin” and had been used for subsistence fishing for spawning sockeye salmon for generations.

In 1996, Congress passed Sec. 1035, PL 104-333, which states that “local residents who are descendants of Katmai residents who lived in the Naknek Lake and River drainage shall be permitted, subject to reasonable regulations established by the Secretary of the Interior, to continue their traditional fishery for red fish within Katmai National Park. . .”

Following this Congressional action, the Alaska Board of Fisheries at its February 1998 meeting adopted an amended version of Agenda Change Request #20, submitted by the South Naknek Village Council “to establish a redfish subsistence fishery in Katmai National Park.” The original ACR requested subsistence fishing opportunities at three specified locations within the park with several gear types, including rod and reel. As amended and adopted by the board, the only major change was to delete rod and reel as a gear type for this subsistence fishery. Subsistence regulations currently in place are identical to those adopted in 1998.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal to restore subsistence fishing opportunities in a portion of the Naknek River drainage within Katmai National Park. There are no conservation concerns due to the likely low harvest (Table 78-1) relative to the size of annual sockeye salmon returns to the Naknek River. Federal law and National Park Service rules will also limit participation in the fishery to those with historical ties to the fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

Table 78-1.—Estimated harvests and uses of spawning sockeye salmon, Naknek River communities, 1992 and 2007.

Community	Study year	Percentage of households					Estimated number of fish harvested
		Using	Fishing	Harvesting	Receiving	Giving	
King Salmon	2007	0.0%	0.0%	0.0%	0.0%	0.0%	0
Naknek	2007	8.0%	4.0%	4.0%	4.0%	2.7%	129
South Naknek	1992	20.0%	17.1%	17.1%	8.6%	11.4%	462
South Naknek	2007	14.3%	14.3%	14.3%	0.0%	9.5%	198

Sources: Holen et al. 2011; department CSIS.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has found that finfish within the Bristol Bay Area are customarily and traditionally taken or used for subsistence (5 AAC 01.336).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 157,000 – 172,171 salmon as the amount reasonably necessary for subsistence uses of salmon in the Bristol Bay Area. This includes 55,000 – 65,000 Kvichak River drainage sockeye salmon. This does not include salmon stocks in the Alagnak River (5 AAC 01.336(b)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 79 – 5 AAC 01.310. Fishing periods and seasons.

PROPOSED BY: William Regan Jr.

WHAT WOULD THE PROPOSAL DO? This would allow subsistence fishing for salmon in the Naknek, Egegik, and Ugashik rivers seven days per week.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow subsistence fishing seven days per week prior to June 23 and after July 17. Between those dates the Naknek, Egegik, and Ugashik rivers subsistence fishing is open for two 24-hour periods: 9:00 a.m. Tuesdays to 9:00 a.m. Wednesdays and 9:00 a.m. Saturdays to 9:00 a.m. Sundays.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase subsistence salmon fishing opportunity in the Naknek, Egegik, and Ugashik rivers. Total harvest and effort would not likely change.

BACKGROUND: Subsistence fishing is permitted in all of the commercial salmon districts when the commercial fishery is open. The inriver sections are open to subsistence fishing for two 24 hour periods per week during the June 23–July 17 period. In the past several years Naknek River subsistence fishing has been allowed, by emergency order, seven days per week between June 23 and July 17. Little subsistence effort occurs in the Ugashik or Egegik inriver sections.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. There is no biological or management concern associated with allowing subsistence fishing seven days per week during the period June 23 and July 17 in any of these rivers.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has found that finfish within the Bristol Bay Area are customarily and traditionally taken or used for subsistence (5 AAC 01.336).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 157,000 – 172,171 salmon as the amount reasonably necessary for subsistence uses of salmon in the Bristol Bay Area. This includes 55,000 – 65,000 Kvichak River drainage sockeye salmon. This does not include salmon stocks in the Alagnak River (5 AAC 01.336(b)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 81 – 5 AAC 01.320. Lawful gear and gear specifications.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify regulations about where the 10 fathom net length restriction applies and where the 25 fathom net length is allowed for subsistence salmon fishing in the Dillingham area. It would also clarify the regulations by removing reference to department regulatory markers and inserting latitude and longitude coordinates for area boundaries in the Togiak and Naknek areas.

WHAT ARE THE CURRENT REGULATIONS? Current regulations define locations with reference to department regulatory markers that are no longer maintained. Current regulations also exclude the use of 25 fathoms of set gillnet on some parts of the southeast shore of the Nushagak River across from Dillingham, but allow that use on others.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow stakeholders to identify areas referenced in regulation with GPS technology and simplify enforcement. It would also enlarge the area in which 25 fathoms of set gillnet for subsistence fishing is allowed (Figure 81-1).

BACKGROUND: In 2012 the board changed the regulation describing the area open for subsistence fishing with 25 fathoms of gear. The way the area is described excludes areas that were intended to be opened to the use of 25 fathoms. In 2015 there was confusion in the Dillingham area regarding what areas were restricted to the three day per week schedule under 5 AAC 01.310 (d). This confusion is linked to the change in the area where 25 fathoms of gear is allowed. The department no longer maintains markers in Bristol Bay.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. An individual may need to purchase a GPS device.

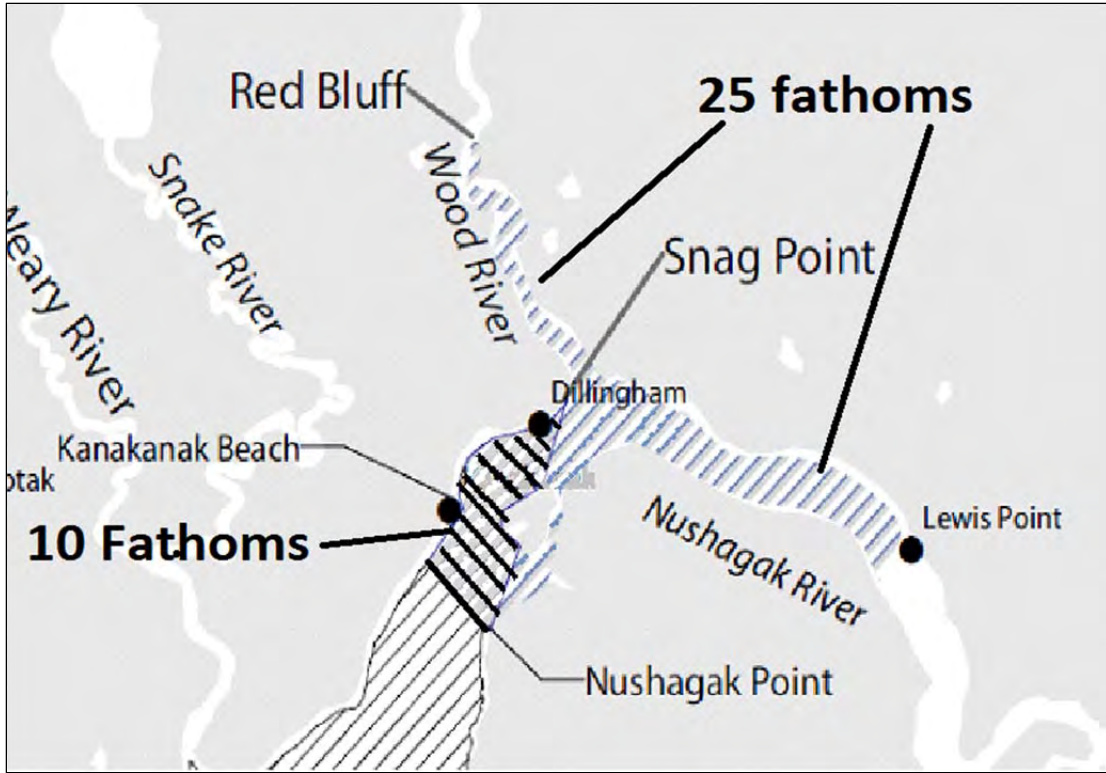


Figure 81-1.—Map showing areas where 10 and 25 fathom subsistence gillnets are currently allowed.

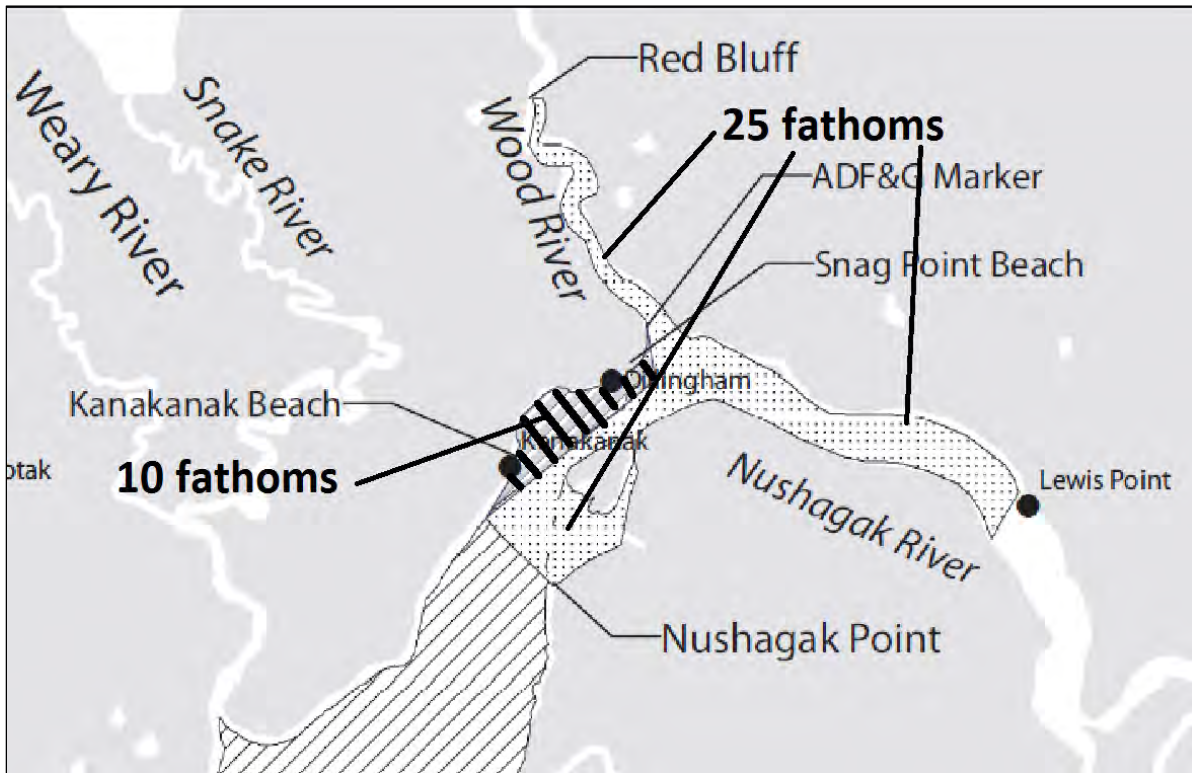


Figure 81-2.—Map showing areas where 10 and 25 fathom subsistence gillnets are proposed to be allowed.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has found that finfish within the Bristol Bay Area are customarily and traditionally taken or used for subsistence (5 AAC 01.336).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 157,000 – 172,171 salmon as the amount reasonably necessary for subsistence uses of salmon in the Bristol Bay Area. This includes 55,000 – 65,000 Kvichak River drainage sockeye salmon. This does not include salmon stocks in the Alagnak River (5 AAC 01.336(b)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 82 – 5 AAC 01.336. Customary and traditional uses of fish stocks and amounts necessary for subsistence uses.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This provides an opportunity for the board and the public to review the ANS for herring spawn on kelp, which has a positive C&T use finding in the Togiak District (5 AAC 01.336(a)).

WHAT ARE THE CURRENT REGULATIONS? At its 1983 meeting, the board made a positive C&T use finding for the harvest of herring spawn on kelp in the Togiak District (5 AAC 01.336(a)(2)). The board has found that 250,000 pounds usable weight of finfish other than salmon is reasonably necessary for subsistence uses in the Bristol Bay Area (5 AAC 01.336(b)(2)), and herring spawn on kelp is included in that amount.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would establish ANS ranges for herring spawn on kelp in the Togiak District.

BACKGROUND: Due to local concerns expressed prior to, and at, the 2012 board meeting, and in response to requests for information from resource managers, ANS options for Togiak District herring spawn on kelp have been prepared. A separate written report by the department will update the subsistence harvest information and provide options for the board to consider for making an ANS finding. The board may choose to select a separate finding for herring spawn on kelp to be able to later assess if a normally diligent participant in the Togiak District subsistence fishery has had a reasonable expectation of success of taking herring spawn on kelp (AS 16.05.258(f)).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** the board establishing ANS ranges for herring spawn on kelp in the waters of the Togiak District. Under AS 16.05.258(b), once the board has identified fish stocks with customary and traditional uses, the board “shall determine the amount of the harvestable portion that is reasonably necessary for subsistence uses.”

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? No.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes: At its 1983 meeting, the board made a positive C&T use finding for the harvest of herring spawn on kelp in the Togiak District (5 AAC 01.336(a)(2)).
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? This would be a board determination.
5. Do the regulations provide a reasonable opportunity for subsistence uses? Yes, there are no restrictions on the harvest of Togiak herring spawn on kelp.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence use? No.

Bristol Bay Sport Fisheries (5 proposals): 83 – 87

PROPOSAL 83 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Nondalton Tribal Council.

WHAT WOULD THE PROPOSAL DO? This would exempt areas of the Newhalen River, Sixmile Lake, and Lake Iliamna from the current “no chumming” regulation specified in 5 AAC 67.022 (k).

WHAT ARE THE CURRENT REGULATIONS? In fresh waters of the Bristol Bay Area where the use of bait is prohibited, a person may not apply to fishing gear or place in the water any substance for the purpose of attracting fish by scent, including (1) fish eggs in any form; (2) natural or preserved animal, fish, fish oil, shellfish, or insect parts; (3) natural or processed vegetable matter; and (4) natural or synthetic chemicals.

The Newhalen River is closed to all sport fishing April 10 – June 7. Only unbaited, single-hook, artificial lures may be used year round, except in waters of lakes more than a one-half mile radius from inlet or outlet streams (Figure 83-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow chumming while sport fishing upstream of river mile 22 in the Newhalen River including Sixmile Lake and its tributaries, as well as approximately the lower two miles of the Newhalen River and lake waters within one-half mile of its outlet into Lake Iliamna (Figure 83-2). Catch and harvest rates on resident species may increase if sport anglers and/or sport fishing guides choose to chum in these waters.

BACKGROUND: In 2012, the board adopted a regulation that modified the definition of bait in fresh waters of Bristol Bay to include any substance placed in fresh water by a person for the purpose of attracting fish by scent. The intent of this regulation was to prohibit anglers and sport fishing guides from placing fish parts in the water for the purpose of attracting fish in fresh waters where bait is prohibited.

After this regulation became effective in 2013, subsistence users in the Nondalton and Newhalen areas became concerned that it could result in citations for local residents who harvest non-salmon species under sport fishing regulations near traditional fish camps where salmon are harvested and processed under subsistence regulations. It is common practice for subsistence users at traditional fish camps in the area to catch and harvest non-salmon species downstream of where subsistence caught salmon are being processed.

Since the implementation of the current regulation, no citations have been issued to either sport or subsistence users in these locations.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Law enforcement officials recognize that this regulation is intended to address anglers and sport fishing guides placing fish or fish parts in the water for the purpose of attracting fish by scent and no citations have been issued regarding current practices by sport and subsistence users.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

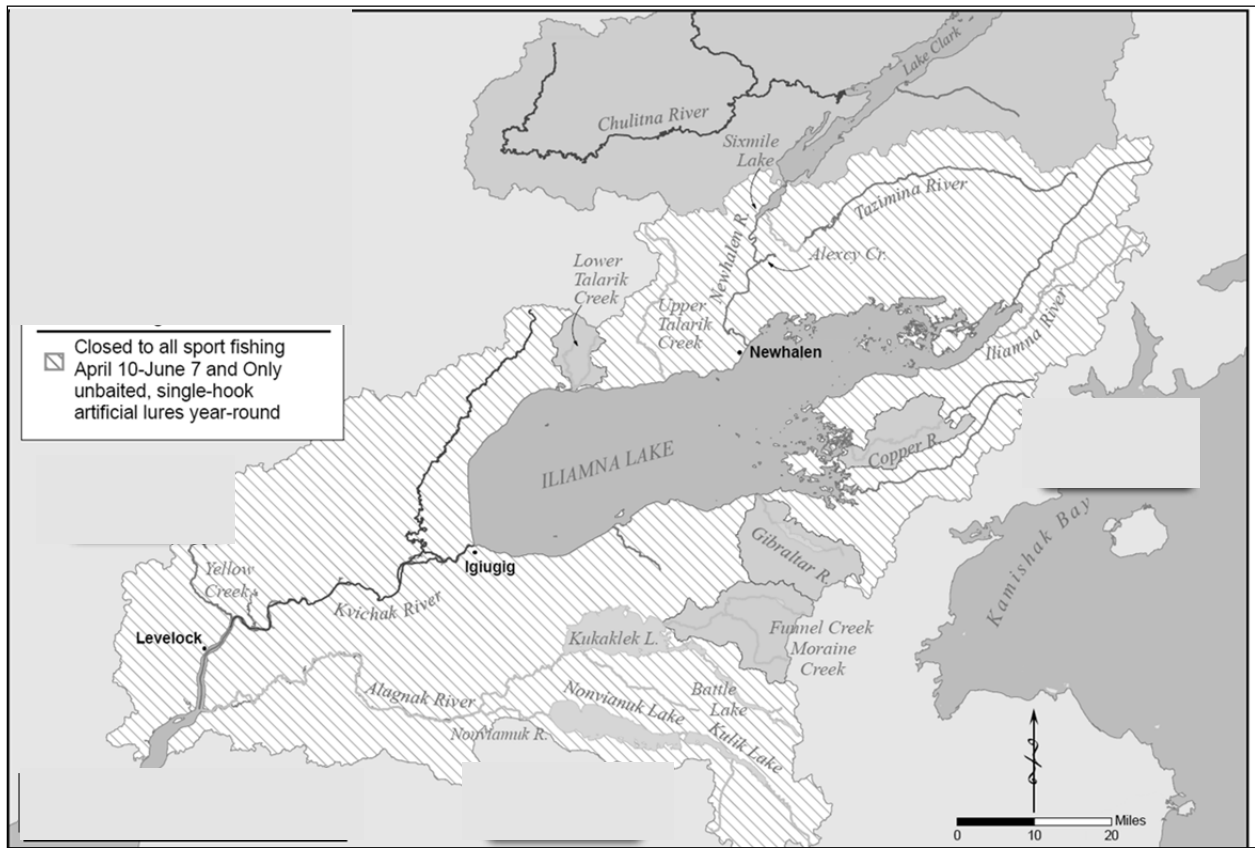


Figure 83-1.—No bait waters in the Iliamna Lake drainage.

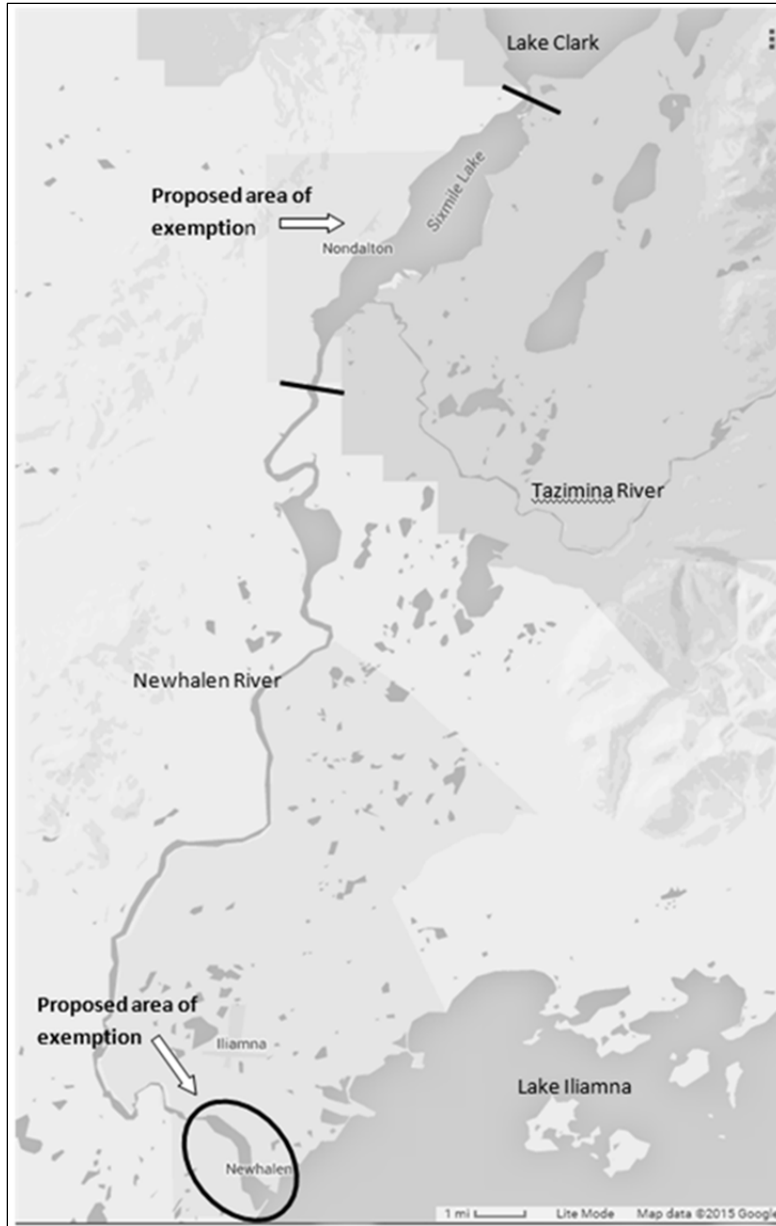


Figure 83-2.-Newhalen River drainage.

PROPOSAL 84 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Nanci Morris Lyon.

WHAT WOULD THE PROPOSAL DO? This would open a catch-and-release sport fishery for king salmon in the Big Creek drainage and allow sport fishing for and retention of king salmon in waters of the Naknek River within a one-quarter mile radius of its confluence with Big Creek from May 1 through July 31.

WHAT ARE THE CURRENT REGULATIONS? The Big Creek drainage, and waters of the Naknek River, within a one-quarter mile radius of its confluence with Big Creek, are closed to sport fishing for king salmon year round (Figure 84-1). Sport fishing for king salmon in the remainder of the Naknek River mainstem is open from May 1 – July 31. King Salmon Creek and Paul’s Creek from a department regulatory marker located at each creek’s confluence with the Naknek River upstream to the upstream side of the Alaska Peninsula Highway bridges are closed to sport fishing from June 1 through July 31; upstream of the Alaska Peninsula Highway bridges, sport fishing for king salmon is closed year round. The bag and possession limit for king salmon 20 inches or longer is three fish, of which only one may be 28 inches or longer, with an annual limit of five. For king salmon less than 20 inches in length the bag and possession limit is 10 with no annual limit. Sport fishing for salmon other than king salmon in the Naknek River (including Big Creek), is open the entire year with a bag and possession limit of five fish.

Downstream of a department marker located at Rapids Camp (including Big Creek), gear is limited to unbaited, artificial lures only and upstream of a department marker located at Rapids Camp gear is limited to unbaited, single-hook, artificial lures only.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide additional sport fishing opportunity by opening a catch-and-release sport fishery for king salmon in the Big Creek drainage. Additionally, opening the waters of the Naknek River within a one-quarter mile radius of its confluence with Big Creek to king salmon fishing may increase mortality of king salmon by an unknown, but likely small number. Escapement may be reduced an unknown, but likely small number. Regulations would be simplified in the Naknek River drainage by aligning regulations for waters within a one-quarter mile radius of its confluence with Big Creek with adjacent waters of the Naknek River.

BACKGROUND: The Big Creek drainage, including waters within a one-quarter mile radius of its confluence with the Naknek River, was closed to sport fishing for king salmon in 2013. From 2001 – 2012 Big Creek supported a catch-and-release king salmon sport fishery and prior to 2001 harvest was allowed. From 2006 through 2012 the annual guided sport catch of king salmon averaged 85 fish (Table 84-1). Using the estimated catch-and-release mortality for king salmon (9%), the average annual mortality in the guided sport fishery was approximately eight king salmon for the period 2006 – 2012.

Historically, the Big Creek king salmon return has been assessed via aerial survey, however, due to budget constraints, these surveys have been inconsistent in recent years. Additionally, the surveyor has changed several times, therefore these surveys provide a very rough estimate of run strength and are considered a minimum estimate. The average annual king salmon aerial survey index (1970 – 2014) is 1,789 (Table 84-2).

King salmon begin their spawning migration up the Naknek River to Big Creek during mid- late June. Spawning in the Big Creek drainage commences in early August and peaks in mid-late August, therefore spawning fish are protected by the spawning season closure beginning August 1. Additionally, based on aerial survey data, nearly all spawning takes place upstream of river mile nine (Figure 84-1).

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The current regulation unnecessarily restricts sport fishing opportunity for king salmon in the Big Creek and Naknek River drainages. Allowing a catch-and-release fishery in Big Creek would likely have no measureable biological impact and all current sport fishing regulations provide sufficient protection for spawning king salmon. Additionally, in the Naknek River, regulatory complexity would be reduced making it easier for anglers to interpret the regulations and simplifying enforcement.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

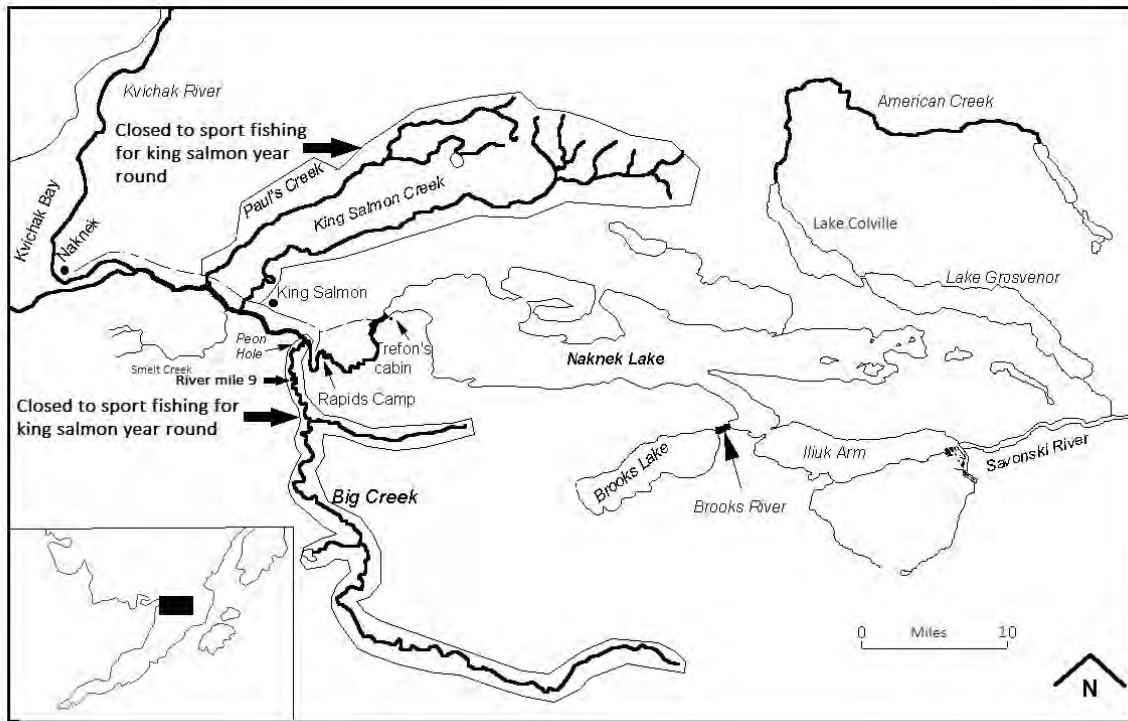


Figure 84-1.–Big Creek drainage.

Table 84-1.–Guided sport fishing effort (trips), and guided sport catch of king salmon from Big Creek, 2006–2012.

Year	Trips	Clients	Catch
2006	27	50	99
2007	45	95	68
2008	49	133	129
2009	20	57	30
2010	25	77	95
2011	67	201	146
2012	47	108	26
2006–2012 Average	40	103	85

Table 84-2.—Unexpanded aerial escapement counts for king salmon in the Big Creek drainage, 1970–2015.

Year	Count
1970-1974 average	868
1975	779
1976	970
1977	NS
1978	NS
1979	NS
1980	30
1981	790
1982	1,930
1983	4,220
1984	3,420
1985	NS
1986	1,542
1987	1,353
1988	3,600
1989	860
1990	2,000
1991	2,340
1992	895
1993	1,710
1994	2,531
1995	1,905
1996	1,576
1997	1,783
1998	2,085
1999	2,250
2000	1,112
2001	2,009
2002	2,015
2003	NS
2004	4,081
2005	NS
2006	NS
2007	1,975
2008	2,110
2009	2,834
2010	NS
2011	NS
2012	NS
2013	NS
2014	NS
1970-2014 Average	1,789
2015 ^a	1,014

^aInexperienced surveyor and fair counting conditions therefore count is considered a minimum.

NS = no survey.

PROPOSAL 85 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Joe Klutsch.

WHAT WOULD THE PROPOSAL DO? This would open the waters of the Naknek River within a one-quarter mile radius of its confluence with Big Creek to sport fishing for king salmon.

WHAT ARE THE CURRENT REGULATIONS? The Big Creek drainage, and waters of the Naknek River, within a one-quarter mile radius of its confluence with Big Creek, are closed to sport fishing for king salmon year round (Figure 85-1). Sport fishing for king salmon in the remainder of the Naknek River mainstem is open from May 1 – July 31. King Salmon Creek and Paul’s Creek from a department regulatory marker located at each creek’s confluence with the Naknek River upstream to the upstream side of the Alaska Peninsula Highway bridges are closed to sport fishing from June 1 through July 31; upstream of the Alaska Peninsula Highway bridges, sport fishing for king salmon is closed year round. The bag and possession limit for king salmon 20 inches or longer is three fish, of which only one may be 28 inches or longer, with an annual limit of five. For king salmon less than 20 inches in length the bag and possession limit is ten with no annual limit. Sport fishing for salmon other than king salmon in the Naknek River (including Big Creek), is open the entire year with a bag and possession limit of five fish.

Downstream of a department marker located at Rapids Camp (including Big Creek), gear is limited to unbaited, artificial lures only and upstream of a department marker located at Rapids Camp gear is limited to unbaited, single-hook, artificial lures only.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would open waters of the Naknek River within a one-quarter mile radius of the Big Creek drainage to sport fishing for king salmon. This would provide additional opportunity to catch and harvest king salmon and simplify king salmon sport fishing regulations by aligning regulations with adjacent waters of the Naknek River. This may also increase the harvest of king salmon by an unknown, but likely small, number. Escapement may be reduced an unknown, but likely small, number. Additionally, enforcement would be simplified with a well-defined straight boundary line identifying closed waters.

BACKGROUND: The Big Creek drainage was closed to sport fishing for king salmon in 2013. The Naknek River within a one-quarter mile of the confluence with Big Creek was included in the closure to protect king salmon staging to ascend Big Creek. However, based on a lack of suitable holding water, fish do not appear to hold in this section of the Naknek River. Additionally, the closure includes the entire width of the Naknek River, requiring anglers to remove their lines from the water while drift fishing through this section of river.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The current regulation unnecessarily restricts sport fishing opportunity for king salmon in the Naknek River. Additionally, regulatory complexity would be reduced and the regulation could be more easily enforced.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

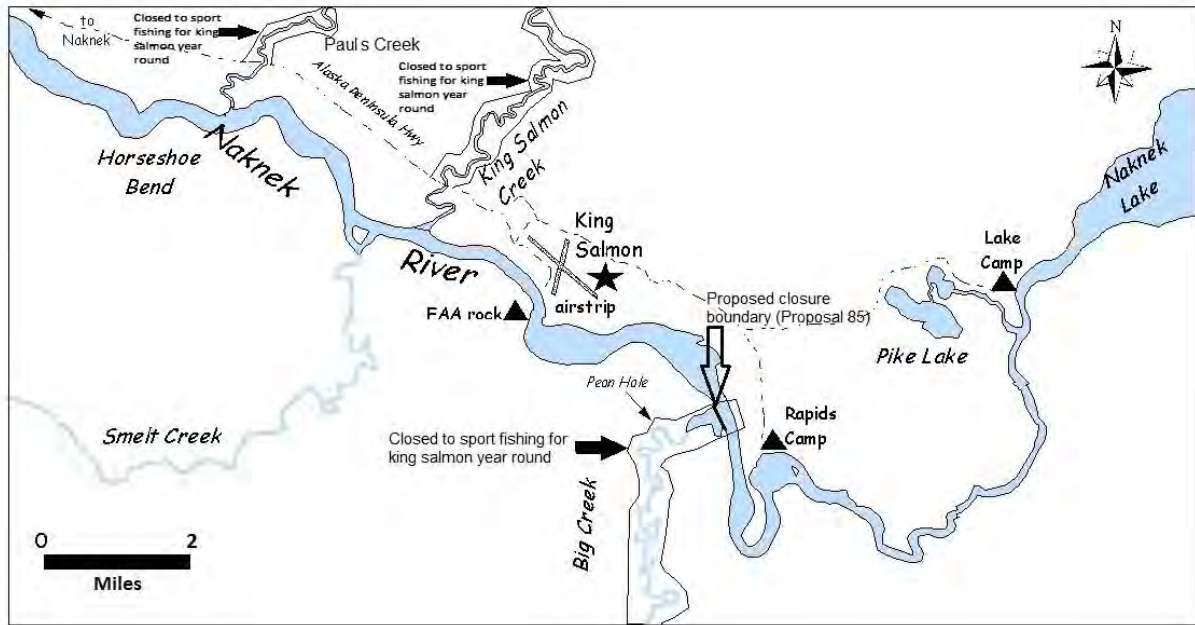


Figure 85-1.-Naknek River and Big Creek drainages.

PROPOSAL 86 – 5 AAC 67.020. Bag limits, possession limits, annual limits, and size limits for Bristol Bay Area.

PROPOSED BY: Nushagak Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would require all anglers targeting king salmon in the BBA to obtain a king salmon harvest record card, record all king salmon harvested on the card, and return the completed card to the department at the end of the king salmon season.

WHAT ARE THE CURRENT REGULATIONS? A sport fishing license or a nontransferable harvest record card is required and must be in the possession of all anglers taking and retaining king salmon in the BBA. Immediately upon harvesting a king salmon, the angler must enter the date, location (body of water fished), and species of the catch, in ink, on the harvest record card or sport fishing license. Anglers are not required to return their license or harvest record card to the department.

Guides are required to carry logbooks, in which they are required to record daily, the catch and harvest of all fish, including king salmon, for each client. Guides are required to submit completed logbooks to the department weekly.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Requiring additional harvest reporting for anglers would provide an additional method of tracking, and in some cases, more detailed harvest information than is currently available. However, this proposal would affect both guided and non-guided anglers and would duplicate data already collected by the department. This proposal would also have a substantial budgetary impact on the department due to the cost of developing, administrating, tracking, and enforcing an additional harvest reporting requirement.

BACKGROUND: The department collects salmon harvest information from anglers in a variety of ways. When more detailed harvest information is needed for sustainable management of fisheries resources, the department may modify existing sampling programs to meet those objectives, pending available funding. Also, the department has an escapement-based management strategy for king salmon not a harvest-based strategy making knowledge of harvest less important in terms of management. Knowing the harvest of king salmon from some small streams would be beneficial, but this can also be collected by creel survey, if necessary, to manage that resource. The department's emergency order authority provides the ability to restrict fisheries during times of low abundance and liberalize during times of excess abundance. Additionally, based on SWHS data, in 2014, guided anglers accounted for approximately 75% of all kings harvested in sport fisheries in the BBA and their harvest is currently reported in a guide logbook which is recorded daily and must be returned to the department weekly.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Existing harvest monitoring programs provide sufficient levels and accuracy of information for management. An additional reporting program would create an unnecessary burden on anglers, a substantial budgetary impact to the department, and would duplicate current data collection programs. The data provided would only be available to managers after the season and not available for use as an inseason management tool. The board has no "administrative, budgeting, or fiscal powers" that would authorize the board to require the department to administer this program (AS 16.05.241).

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

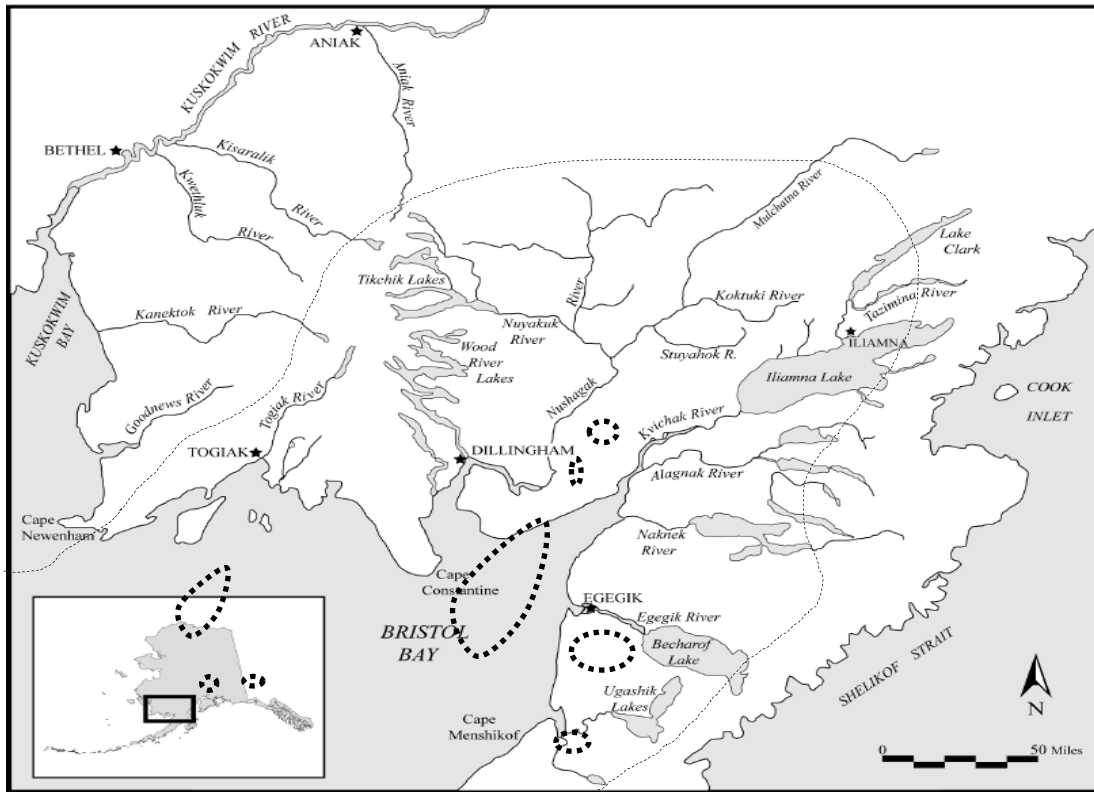


Figure 86-1.–King salmon sport fisheries in the Bristol Bay Management Area.

PROPOSAL 87 – 5 AAC 67.022. Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area.

PROPOSED BY: Joe Klutsch.

WHAT WOULD THE PROPOSAL DO? This would eliminate the use of fish egg simulating lures while fishing for rainbow trout in the Naknek River drainage.

WHAT ARE THE CURRENT REGULATIONS? In all flowing waters upstream from a department regulatory marker located at Rapids Camp, including all waters within one-quarter mile of all lake and outlet streams: Only unbaited, single-hook, artificial lures may be used year round. Additionally, all sport fishing is closed in the Naknek River above the department regulatory marker located at Rapids Camp, in Brooks River, and in American Creek from April 10 – June 7 to protect spawning rainbow trout (Figure 87-1). The bag and possession limit for rainbow trout in the Naknek River drainage from June 8 – October 31 is one, less than 18 inches, and from November 1 – June 7 is five, less than 18 inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would result in decreased catch rates for anglers targeting rainbow trout, increased regulatory complexity, and prohibition of a vast range of tackle commonly used by anglers targeting rainbow trout. Anglers targeting Arctic grayling, Dolly Varden, or Arctic char also use tackle and gear similar to that used to target rainbow trout, but could still use egg simulating lures, and would still catch rainbow trout. Law enforcement would have to determine if an angler is targeting rainbow trout, as well as determine what constitutes an egg-simulating lure.

BACKGROUND: In 1990, the board adopted regulations implementing the Southwest Alaska Rainbow Trout Management Plan. The overriding philosophy of this plan is one of conservative wild stock management. Conservative wild stock management does not necessarily preclude limited harvest of rainbow trout. However, under maximum sustained yield principles strategies that emphasize harvest are ruled out. Additionally, under a philosophy that emphasizes wild trout management, mitigating losses of wild stocks through enhancement or stocking is not considered a desirable management alternative. Conservative wild stock management is predicated on both biological considerations and social concerns. Growth in the region's rainbow trout sport fisheries is inevitable, but by managing the area's wild rainbow trout stocks conservatively, the potential for serious long-term resource problems is minimized. From a social perspective, conservative wild stock management is consistent with the wishes and desires of most of the public presently using the resource. The Southwest Alaska Rainbow Trout Management Plan contains policies which are intended to protect the biological integrity of the region's wild trout stocks and maximize their recreational benefit and economic potential. Little data exists on the effects of egg-simulating lures on rainbow trout stocks, however, the Naknek River drainage rainbow trout fishery is conservatively managed with no bait and single-hook regulations, conservative bag limits, and a spawning season closure to maintain wild stocks. The rainbow trout catch in the sport fishery has been stable, relative to effort for the recent 11 years, at about 21,000 annually (Table 87-1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There is currently no biological or conservation concern related to the use of egg simulating lures in this rainbow trout sport fishery, or any rainbow trout fishery. Many lures are designed to imitate eggs, or a portion of the lure contains an egg imitation, therefore, a variety of commonly used spoons, spinners, plugs, and flies would become illegal to use in this drainage. Adoption of this

proposal would increase regulatory complexity and reduce the recreational benefit and economic potential of the fishery.

COST ANALYSIS: Adoption of this proposal may result in an additional direct cost for anglers that would need to purchase new tackle in order to participate in the fishery.

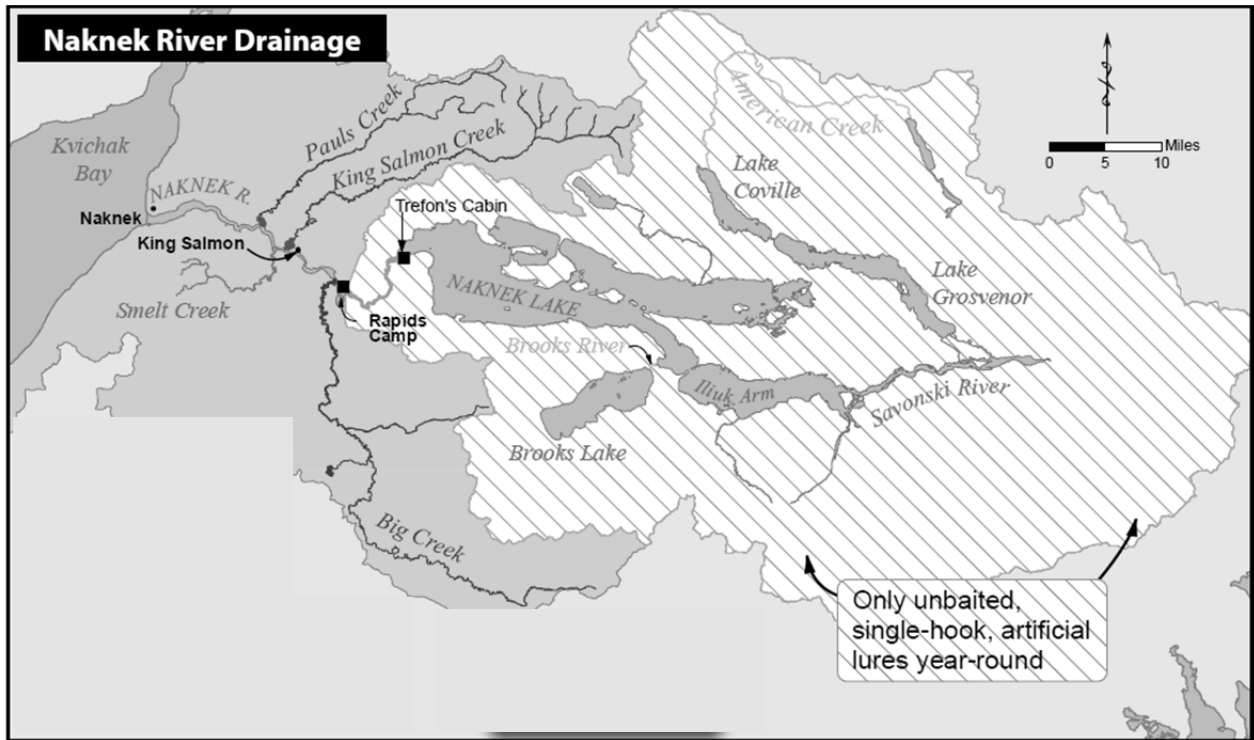


Figure 87-1.—Naknek River drainage.

Table 87-1.—Total sport fishing effort in angler-days and rainbow trout catch in the Naknek River drainage, 2004–2014.

Year	Angler-days	Catch
2004	16,956	20,497
2005	12,699	16,431
2006	14,928	15,555
2007	17,744	25,692
2008	14,444	19,886
2009	16,850	31,097
2010	16,828	22,555
2011	14,465	21,869
2012	12,704	15,794
2013	12,723	15,779
2009–2013 Average	14,714	21,419
2014	16,206	21,640

Bristol Bay Herring (3 proposals): 88 – 90

PROPOSAL 88 – 5 AAC 27.832. Seine specifications and operations for Bristol Bay Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This proposal would clarify regulations regarding herring seine specifications. Specifically, it would clarify the mesh size and maximum number of meshes deep a purse seine is allowed to be.

WHAT ARE THE CURRENT REGULATIONS? A herring purse seine or hand purse seine cannot be more than 625 meshes in depth, of which no more than 600 meshes may have a mesh size larger than one and one-half inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would correct an inadvertent error in regulations and incorporate industry web manufacture standards into the regulation. It would improve regulatory compliance.

BACKGROUND: Before 1998, gear specifications and operations for both herring gillnet and seine gear appeared in 5 AAC 27.831. At that time the provision was worded as follows:

(d) A herring purse seine or hand purse seine may not exceed 100 fathoms in length and not more than 625 meshes in depth, of which 600 meshes may not have a mesh size larger than one and one-half inches.

In 1998, when the seine specifications and operations were moved into their own section under 5 AAC 27.832, the text was changed to read:

- (a) A herring purse seine or hand purse seine
 - (1) may not exceed 100 fathoms in length; and
 - (2) may not be more than 625 meshes in depth, of which no more than 600 meshes may have a mesh size larger than one and one-half inches.

The result of this error was that a seine could have 600 meshes over one and one-half inches rather than the intended dimension of no more than 25 meshes over one and one-half inches. Industry practices use 200.5 mesh strips to construct the base net. This net is then attached at the top and bottom to cork and lead lines with additional meshes. The number of meshes used at the top and bottom varies but can total 25. Therefore, to allow for the additional half meshes in the base strips, it is appropriate to change the total number of meshes to 630. The industry standard is for a mesh size of one and one-half inches.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal that would correct an error that occurred in the regulation publication process.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 89 – 5 AAC 27.865. Bristol Bay Herring Management Plan.

PROPOSED BY: Robert Heyano.

WHAT WOULD THE PROPOSAL DO? This would expand the description of the Togiak District herring fishery to include uses other than sac roe.

WHAT ARE THE CURRENT REGULATIONS? 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 seven percent of the remaining available harvest for the Dutch Harbor food and bait fishery. If the actual harvest is less than the spawn-on-kelp guideline harvest level, the commissioner may reallocate 50 percent of the remainder to the Togiak District herring sac roe fishery.

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 30 percent of that surplus by the gillnet fleet and 70 percent by the purse seine fleet. To maintain those percentages inseason, the commissioner shall make adjustments to fishing periods and fishing areas by emergency order. After the gillnet fleet and purse seine fleet have harvested at least 50 percent of each gear group's allocation, the commissioner may allow either fleet to harvest its remaining allocation without further restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would not change the way the Togiak District herring fishery is managed, but may change the perceived uses of herring commercially harvested in the Togiak District.

BACKGROUND: Historically, the Togiak District herring fishery was managed to optimize roe quality. This involved significant test fishing in an attempt to time commercial openings with the best roe quality with highest value. As markets changed and diminished, the department stopped test fishing and allowed processors to determine what quality of herring is commercially viable. For at least the last 10 years, the department has not monitored roe quality and has simply opened commercial fishing when threshold biomass is documented, thereby allowing industry to decide when fish were of suitable quality and how to maximize fishing opportunity. In 2015, one of the participating buyers bought herring to process into fish meal instead of sac roe.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

PROPOSAL 90 – 5 AAC 27.865. Bristol Bay Herring Management Plan.

PROPOSED BY: Robert Heyano.

WHAT WOULD THE PROPOSAL DO? This provides the department flexibility in managing for harvest allocations to commercial seine and gillnet gear groups in the Togiak District herring fishery.

WHAT ARE THE CURRENT REGULATIONS? 5 AAC 27.865. Bristol Bay Herring Management Plan (b) to ensure that no gear group is totally disadvantaged, the board directs the department to take the following actions given the specified circumstances: (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 30 percent of that surplus by the gillnet fleet and 70 percent by the purse seine fleet. To maintain those percentages inseason, the commissioner shall make adjustments to fishing periods and fishing areas by emergency order. After the gillnet fleet and purse seine fleet have harvested at least 50 percent of each gear group's allocation, the commissioner may allow either fleet to harvest its remaining allocation without further restrictions.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would remove the mandate that the department keep harvest percentages to 30% gillnet and 70% purse seine for the first 50% of the guideline harvest level. With no criteria for guidance as to when deviations from these allocations should occur, it would create uncertainty as to what percentage of the quota is allocated to gillnet and purse seine gear groups.

BACKGROUND: Allocation between gillnet and purse seine fisheries has been addressed by the board since the early 1980s when the Togiak District herring fishery increased dramatically in value and participation:

- 1982: gillnet fleet gets 3:1 time vs. seine;
- 1985: gillnet gets 5:1 time vs. seine;
- 1988: SOK and DH allocation added; 75%/25% seine to gillnet ratio;
- 2001: 70%/30% seine to gillnet; maintain ratio inseason;
- 2003: maintain ratio until 80% of quota;
- 2006: maintain ratio until 50% of quota.

In 2015, gillnet participation was the lowest ever recorded (Table 90-1). With low participation (due to very low projected price), there was insufficient harvesting power to harvest 15% of the gillnet quota. The department has restricted fishing time for one gear type in cases where processing capacity issues, and not catching potential of the fleet due to low participation, were caused harvest percentages to deviate from the management plan allocations. Weather-related fishing effects have also created a situation where the department has not restricted fishing when harvest percentages have deviated from allocation goals. The department has never restricted fishing time for one gear group because a lack of fishing effort by the other gear group has created allocation disparities. As the value of the fishery has declined, participation, especially for gillnet, has declined to a record low of six gillnet vessels in 2015 (Table 90-1).

Table 90-1.--Sac roe herring industry participation, fishing effort and harvest, Togiak District.

Year	Gillnet				Purse Seine			
	Vessels	Harvest	% of quota	quota	Vessels	Harvest	% of quota	Quota
2007	25	4,012	57%	7,090	21	13,120	79%	16,544
2008	27	4,832	70%	6,864	28	15,691	98%	16,017
2009	32	4,140	65%	6,378	21	12,967	87%	14,882
2010	35	7,540	97%	7,772	26	18,816	104%	18,134
2011	25	5,907	79%	7,442	22	16,970	98%	17,364
2012	18	4,027	62%	6,487	16	12,994	86%	15,135
2013	37	8,244	91%	9,017	26	19,366	92%	21,040
2014	24	6,016	72%	8,367	17	19,544	100%	19,523
2015	6	1,220	14%	8,704	16	20,374	100%	20,309

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** the lack of direction as to when a shift in allocation between gear groups would occur.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.