

RC5

November 17, 2017

Chairman John Jensen
Alaska Board of Fisheries
Board Support Section
PO Box 115526
Juneau, AK 99811

RE: Comments on 2017 Finfish proposals 47, 48 and 49

My name is Michael Bowen. I am a second generation PWS commercial fisherman. I have been involved most if not all PWS fisheries during my career for the last 50 years. I have served on the PWS/CR advisory committee, BOF working groups, participated in the BOF process for the last 40 years and served on the PWSAC Board for 18 years. My main source of income is the drift fishery.

I thank the BOF for this opportunity to participate in the public process to help formulate regulations that result in healthy fisheries.

Proposal 49: 5 ACC 24.370 (e)(2)(A)(B) The Illegal early chum fishery in the SW District. As the author of this proposal I **SUPPORT** it.

I would ask that BOF address this proposal and act in a way that recognizes and preserves the historic intent of the regulation while reducing reallocation and the conservation issues that have had a detrimental effect on the drift and set net fisheries. I would ask the BOF to address the apparent disconnect between PWSAC, the PWS Regional Planning Team, ADF&G and the BOF authority to allocate salmon and develop the regulations that everyone must follow or obey. This proposal does not ask the Dept. to develop a management plan it asks the BOF to develop a plan.

The regulations that PWSAC, the PWS Regional Planning Team, ADF&G have willingly ignored or violated are.

5 AAC 24.370. PWS MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN (e) the department shall manage the Prince William Sound commercial salmon fisheries as follows: (2) Southwestern District: (A) the district is closed to salmon fishing before July 18; (B) on or after July 18, based on the strength of pink salmon stocks, purse seine fishing periods may be opened by emergency order;

and the

**Alaska Salmon Hatchery and Enhancement Regulations
(Title 5 of the Alaska Administrative Code)**

Chapter 40. Private Nonprofit Salmon Hatcheries

5 AAC 40.005. General

(a) The harvest of salmon inhabiting the water of the state, regardless of whether the salmon are naturally or artificially propagated, may be conducted only pursuant to regulations adopted by the Board of Fisheries.

Any new remote release fisheries or changes in gear type in established remote release fisheries or on going remote release fisheries should comply with current regulations and management plans. Perhaps the BOF may need to review the plans if the RPT and ADF&G cannot seem to read and follow the regulations and management plans. Blaming the BOF for ADF&G blatant disregard for not following the regulations that have been on the books since 1990 is asinine (see attached letter from Director Scott Kelley).

Personally, considering the reprehensible behavior the last two years by PWSAC, the PWS Regional Planning Team and ADF&G on this issue I am in favor of Option 1. This option would be the easiest way for the BOF to address this mess and would make the fishery compliant with the law that was developed by PWSAC with extensive public input and approved at the BOF in 1990. It would eliminate most all the reallocation and interception issues. Plus, PWSAC historically sells cost recovery salmon for a much higher price than what the fisherman receives. These funds would offset pink cost recovery and would be a win – win for everyone.

Proposal 48: 5 ACC 24.370 (e)(2)(A)(B) The Illegal early chum fishery in the SW District - OPPOSE

This proposal seeks to legitimize the blatant disregard of regulation and the BOF by PWSAC, the RPT and ADF&G. This proposal would open the PWS MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN for a major change which the BOF has resisted or denied doing at past meetings. This part of the management plan was proposed by PWSAC and developed by taking two years and holding meetings in the major cities where the stakeholders lived and receiving massive input to come up with the corridor to protect early stocks returning to the Northwest District.

If the Board is considering opening the management plan to make these types of changes than I would hope that proposal 47 would be considered as well.

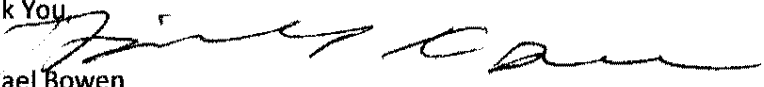
After reading ADF&G comments on the proposals (see RC2) I see that the Dept. is in support of Proposal 48 while neutral on Proposal 49, which asks to have the current law followed or at least the intent of the law followed. How can a proposal that's asks that the current regulation be followed be allocative? A regulation that has been on the books for the last 26 years and has gone through the BOF process? ADF&G is in support of changing the current regulation that they have blatantly ignored? ADF&G's responsibility is to follow the regulations developed by the BOF and remain neutral on all allocation. This clear bias attitude is very troubling, highly unprofessional, and unethical.

**Proposal 47: 5 AAC 24.370. PWS MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN (j)
In this section, "enhanced salmon stocks" means salmon produced by the Prince William Sound
Aquaculture Corporation. – SUPPORT**

This proposal asks that all enhanced salmon values be included with the plan. The plan is based on value and by excluding a major pink producing hatchery it distorts the value in favor of one user group over the other user groups. Making changes to the plan can be confrontational, confusing, and due to the large amount of information and history it is hard to tackle at a normal BOF meeting. The current plan has been in effect for 12 years and a lot has changed since the last review and modification. I would

request that the BOF form a committee or working group to take a fresh look at the plan over the next three years and see if the plan needs an update which can be done at the BOF meeting in 2020.

Thank You


Michael Bowen
2150 Innes Cir
Anchorage, AK 99515

Attachments included:

Timeline for AFK Chum

Gilman AFK SHA Fishing Date Response 040716 Final

M Bowen Letter of Resignation from PWSAC

BOF and ADF&G Joint Protocol on Enhanced Salmon

History of PWS Salmon Allocation

Map of SW District from ADG&G

Timeline for AFK Early Chum Salmon Remote Release Seine Fishery

2003 - AFK Special Harvest Area in the Southwest district is open prior to July 18

This is the language from the 2003 AFK Annual Management Plan

"The returning chum salmon are the result of an experiment in incubating, rearing, and releasing chum salmon at AFK. Approximately 10 million BY96 and BY97 eyed eggs were transported from WNH to AFK hatchery for incubation and release. The number of returning adults in 2003 will be composed of only BY97. The original concept was that the adults would be harvested for cost recovery. However, cost recovery of these fish proves to be financially impractical in today's market. As a result, all of the returning adults will be available to the CPF. Since these chum salmon have the same return timing as the WNH chum salmon, a common property fishery would need to occur in the Southwestern District prior to July 18 which is contrary to the Prince William Sound Management and Salmon Enhancement Allocation Plan (5 AAC 24.370(e)(2)(A)). In order to minimize potential interception problems with salmon bound for other districts in PWS, only the AFK Special Harvest Area would be opened for commercial fishing prior to July 18".

PWSAC forecasted return is for 1,300 age six chums. The actual catch is 4,881 chums. This one season fishery to clean up the final year of the failed cost recovery remote release experiment is fine. But it opened the door a crack to allow a seine fishery in the SW District prior to July 18th after that the door was kicked in.

15,661,413 early chum fry are released at AFK for the beginning of the current seine fishery. At some point the Special Harvest Area is expanded to include the Terminal Harvest Area for the execution of the fishery which continues through today.

This action proposed by PWSAC and approved by the Regional Planning Team and ADF&G is in violation of the **5 AAC 24.370. PWS MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN (e) the department shall manage the Prince William Sound commercial salmon fisheries as follows: (2) Southwestern District: (A) the district is closed to salmon fishing before July 18; (B) on or after July 18, based on the strength of pink salmon stocks, purse seine fishing periods may be opened by emergency order;**

and the

Alaska Salmon Hatchery and Enhancement Regulations

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Chapter 40. Private Nonprofit Salmon Hatcheries

5 AAC 40.005. General

(a) The harvest of salmon inhabiting the water of the state, regardless of whether the salmon are naturally or artificially propagated, may be conducted only pursuant to regulations adopted by the Board of Fisheries.

2010 - The WNH PA increased the permitted capacity from 17 million chum salmon eggs to 34 million chum salmon eggs for the AFK chum program. This program production level continued to 2016.

2015 - Coghill Lake Sockeye does not achieve its escapement goal. The AFK chum seine fishery is open 144 hours week throughout the season and intercepts 113,718 Sockeye while the drift and set net restricted to terminal areas and reduced fishing time. This results in reduced fish quality in the Eshamy District and black chums in the Esther Subdistrict.

2016 - Coghill Lake Sockeye does not achieve its escapement goal. ADF&G reduces fishing time in the AFK chum fishery but does not reduce area to reduce sockeye interception. 52,000 Sockeye, 5% of which were wild stock origin (2,900 fish) is caught in the AFK chum fishery. The drift and set net are restricted by reduced fishing time and area. This results in reduced fish quality in the Eshamy District and black chums in the Esther Subdistrict.

2017 - Coghill Lake Sockeye has a weak return forecasted for 2017 and the drift and set net are restricted to terminal areas and reduced fishing time. This results in reduced fish quality in the Eshamy District and black chums in the Esther Subdistrict. ADF&G reduces fishing time in the AFK chum fishery but does not reduce area to reduce sockeye interception. Around 50,000 Sockeye are harvested in the AFK chum fishery.

At the winter PWSAC Planning and Production Committee meeting the committee determines that the AFK Chum fishery is not economically viable and moves to "replace the chums with pink salmon". At the 2017 Regional Planning Team meeting PWSAC takes the Planning and Production Committee recommendation and attempts to increase the AFK pink production above the historic level of 190 million eggs to 217 million pink eggs. ADF&G has issues with the additional 27 million pink egg increases above the historic level and approves the 190 million pink eggs with the caveat that if the fishery can be managed at the 190 million pink egg level they might approve an increase in the future. The chum permitted capacity of 34 million eggs is left on the hatchery permit in opposition local ADF&G staff. In May 2017 PWSAC requests that they be allowed to put 22 million chum eggs at AFK hatchery and ADF&G approves the request.

This illegal remote release fishery continues to be approved by ADF&G. If the chums are on the hatchery permit PWSAC will attempt to keep this illegal remote release fishery going for years. The chums will be returning for several years. ADF&G does not seem to understand that remote release enhanced salmon fisheries should be managed in way that reduces the interception of other salmon to the maximum extent possible. This should be done not only for possible conversation issues that might arise during the season but for allocation as well. ADF&G local staff or under content presser to keep these remote release fisheries open 144 hours a week and not to reduce area. If they do restrict the fishery they are accused of "allocating in season". This is quite ridiculous considering that PWSAC, the RPT and ADF&G are illegally allocating before the season.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
Fish and Game**

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April 7, 2016

Cordova District Fishermen United
P.O. Box 939
Cordova, AK 99574

Dear Shawn,

I am writing in response to an email I received from you on March 31, 2016. You asked about the legality of ADFG opening by emergency order commercial fishing in the Southwestern District of Prince William Sound prior to July 18 in light of the management plan at 5 AAC 24.370(e)(2)(A), which states that the Southwestern District is "closed to salmon fishing before July 18." While I would not call this a "formal and written legal opinion," which you asked for, I am happy to explain the basis for ADFG opening this fishery. A formal and written legal opinion can only come from the Department of Law (DOL). I can say that this letter was reviewed by DOL staff and they find it consistent with the interpretation of the regulations mentioned below.

The board's adoption of the management plan closing salmon fishing in the district prior to July 18 predated ADFG's approval of the release of enhanced chum salmon that return to the Armin F. Koernig Hatchery Special Harvest Area (SHA). The commissioner has emergency order authority under AS 16.05.060 to open or close seasons or areas "when circumstances require," which includes authority to open or close seasons or areas notwithstanding a management plan when ADFG has new information, that was not considered by the board, showing that action by emergency order is required. In this instance, ADFG has new information not considered by the board that requires the opening of the SHA. Namely, when the board adopted the management plan the board did not consider the release of enhanced salmon returning to the SHA that will not be harvested unless the SHA is opened prior to July 18. Under AS 16.05.060, the commissioner has emergency order authority to open this area and allow the harvest of these enhanced chum salmon that would otherwise go unharvested. Additionally, under 5 AAC 40.005(c) and (d), the commissioner has emergency order authority to establish special harvest areas and open salmon fishing in special harvest areas.

- 2 -

April 6, 2016

I hope this addresses your question or concern. Please feel free to contact me, Tracy Lingnau, or Central Region regional or area staff as necessary.

Best regards,

A handwritten signature in black ink, appearing to read 'MS Kelley', with a stylized flourish at the end.

Scott Kelley
Director
Division of Commercial Fisheries

Cc

Tracy Lingnau – Regional Supervisor, Division of Commercial Fisheries
Bert Lewis – Regional Management Coordinator, Division of Commercial Fisheries
Thomas Sheridan – Area Management Biologist, Division of Commercial Fisheries
Jeremy Botz – Area Management Biologist, Division of Commercial Fisheries

Michael Bowen
1250 Innes Cir
Anchorage, AK 99515
10/4/17

Tim Moore
Board President
Prince William Sound Aquaculture Corporation
Cordova, AK 99574

Tim Moore:

It is with regret that I tender my resignation from the Prince William Sound Aquaculture Corporation board of directors, effective immediately.

I am grateful for having had the opportunity to serve for the past 18 years including 11 years on the Executive Committee.

My level of trust with current PWSAC leadership and ADF&G has all but evaporated and I cannot in good conscience sit on a board that refuses to follow its own Board Administrative Policies and management plans developed by the Board of Fish process. Especially one that is important as allocation. Only the Board of Fish has the legal authority to reallocate amongst fisheries that are fully allocated, not the current PWSAC leadership, ADF&G and certainly not Sam Rabung.

The PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN and PWSAC Board Administrative Policies on allocation is what should guide your actions, not the other way around.

In all my years of serving on the board, whenever there was a hint of conflict or questions concerning our bylaws and policies we asked for guidance from our unbiased legal team. Current PWSAC leadership in concert with ADF&G have chosen to ignore the negative impacts the AFK chum fishery has had on the drift and set net fisheries. They have chosen to ignore the outcome of the PPC that the chums bring little or no value and to continue this remote release. Local ADF&G recommended that the chums be removed from the permit, but that recommendation was ignored.

All board members are required to sign the **PWSAC DIRECTORS OATH** which includes the Duties and Responsibilities of a Director. The very first item is **"To become familiar with PWSAC Articles of Incorporation, Bylaws, and major policies, to assure that business is conducted in accordance with their provisions."** I would suggest the board receive unbiased legal guidance, reread the Directors Oath and Policies, and take corrective action. ADF&G needs to do the job that they are mandated to do and follow the management plan.

Sincerely,



Michael Bowen

Gillnet Representative

**Alaska Board of Fisheries
and
Alaska Department of Fish and Game**

Joint Protocol on Salmon Enhancement
#2002-FB-215

Background: In actions taken in January 2001 and June 2002 the Alaska Board of Fisheries stated its intent to institutionalize a public forum to bring a statewide perspective to issues associated with hatchery production of salmon. Accordingly, the department and board agreed to enter into this joint protocol to coordinate department and board interaction on certain aspects of salmon hatchery policy and regulation.

Authorities: The commissioner of the Department of Fish and Game has exclusive authority to issue permits for the construction and operation of salmon hatcheries. The Board of Fisheries has clear authority to regulate access to returning hatchery salmon and to amend, by regulation, the terms of the hatchery permit relating to the source and number of salmon eggs. The Board of Fisheries' authorities also include the harvest of fish by hatchery operators and the specific locations designated by the department for harvest (see AS 16.10.440(b) and Department of Law memorandum to the board dated November 6, 1997).

Statement of Intent: It is the intention of the commissioner of the Department of Fish and Game and the chairman of the Board of Fisheries that meetings be held on a regular basis wherein the department will update the board and the public on management, production, and research relating to Alaska's salmon enhancement program

Protocol: The joint department-board meeting on hatchery described here will take place at a mutually agreeable time and place during regularly scheduled meetings of the board. The meetings will provide a forum for open discussion on a mutually agreed upon agenda of hatchery topics. The agenda may include site-specific as well as regional or statewide hatchery issues. These salmon enhancement meetings will not be open for regulatory actions and no hatchery-related petitions or agenda change requests (ACRs) will be considered as action items. These meetings are open to the public. At its discretion and upon appropriate notice, the board may open the meeting to public comment.

The hatchery meetings will provide an opportunity for the board and the public to receive reports from the department on hatchery issues including: production trends, management issues, updates on hatchery planning efforts, wild and hatchery stock interactions, biological considerations, and research. Requests for report from the department may be made during the board's work session during meeting years when there is a hatchery forum scheduled.

As appropriate, the board and department may agree to invite other state and federal agencies, professional societies, scientists, or industry spokespersons to attend and to contribute information on particular topics, or sponsor other discussions, such as marketing or intrastate effects.

Dated: June 28, 2002



Ed Dersham, Chairman
Alaska Board of Fisheries

 7.3.02

Frank Rue, Commissioner
Alaska Department of Fish and Game

A History of Enhanced Salmon Allocation in the Prince William Sound Management Area.

Prepared under contract to the Cordova District Fishermen's United Gillnet Division for
the Alaska Board of Fisheries.

November 2005

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Table of Contents

Introduction	1
Historical Perspective pre-statehood.....	1
Statehood brings change.....	1
1977 – 1988 – Hatchery Programs Develop in PWS.....	1
The Armin F. Koernig Hatchery	2
The Cannery Creek Hatchery	2
The Wally Noerenberg Hatchery	2
The Main Bay Hatchery	2
The Gulkana Hatchery	3
The Solomon Gulch Hatchery.....	3
Dec 1988 - Board of Fish expresses need for Allocation Plan.....	3
The Fishery Situation in 1987	3
Discontent is expressed to Board of Fish.....	4
1989-1990 ATF writes PWSAC Allocation Policy.	4
Nov. 1990 – PWSAC Issues Policy Clarification Statements	5
1990-1991 RPT Develops Allocation Plan	6
Feb 1991 - Board of Fish Adopts Allocation Plan.....	6
Jan 1997 – BOF adds 25% Piggy Bank section to Plan.....	9
The Fishery Situation in 1996	9
BOF Analysis	11
The “piggy bank” concept.....	11
Feb 2003 – Piggy Bank trigger revised to 40%	12
The Fishery Situation in 2002	12
Board increases trigger point to 40%	13
October 2003 – Board Allocation Committee Formed	13
Coffey ACR	13
Allocation Workgroup Formed	14
December 2003 – Allocation Workgroup meets.....	14
February 2004 – BOF schedules special PWS meeting.....	14
March 2004 – Allocation Work Group Meeting	15
April 2004 – Board of Fish Mtg.....	15
Committee Progress leading to Dec. 2005 Board Meeting.....	16
References:	17
ACRONYMS USED IN THIS REPORT	18
APPENDIX A – PWSAC Allocation Policy	Error! Bookmark not defined.
APPENDIX B. - PWS Salmon Management Plan Proposal Report.....	Error! Bookmark not defined.

Introduction

Prince William Sound's commercial salmon fisheries have a rich history dating back well over 100 years. In this report I describe the history of salmon allocation among the commercial gear types. The specific focus of this report is the allocation environment that led to the adoption in 1990 of the Prince William Sound enhanced salmon allocation plan (5 AAC 24.370.) and how fishery trends have evolved since that time.

Historical Perspective pre-statehood

It is generally believed that commercial salmon fishing in Prince William Sound and the Copper River waters (now known as the Prince William Sound management area or Area E) began in the late 1800's. Gillnets were used from the earliest days where shallow waters enabled them to operate, such as in the Copper River delta. Various types of gill net gear have been used over time. Stake-nets were widely used during early days of the Copper River fishery. Set and drift gill nets were used more in the waters of Prince William Sound. For a brief time fish wheels were employed in the Copper River fishery. Floating fish traps were introduced in the 1880's and quickly became the most effective gear type for deep waters. From the time of their introduction until they were eliminated by Alaska's statehood act, company owned fish traps were controversial and the focus of the first allocation battles in the Sound. Purse seines became extensively used in the Sound around World War I with the advent of powered fishing boats. For a period of time prior to statehood drum seines were widely in use. In the territorial (pre-statehood) days the Sound was divided into four regions, Prince William Sound, Eshamy, Copper River and Bering River. None of the gear groups were restricted by management or regulation as to where they could fish. Seiners tended to focus on the pinks and chums of Prince William Sound, gill nets were more focused in the Eshamy, Copper and Bering areas targeting sockeye and Chinook salmon.

Statehood brings change

With Alaska's statehood in 1959, came a number of significant changes to the salmon fisheries. Fish traps and drum seines were eliminated. In 1960, Alaska received control of its salmon fisheries from the federal agencies and a modernized approach to fisheries management was adopted. To facilitate active escapement based management, the Sound was divided into the 9 districts that exist today. Regulations specified what gear types could fish in which districts based upon historical use patterns. This became the defacto allocation plan for salmon stocks. In the early 1970's salmon stocks throughout the state were in decline. Seine fisheries in PWS were closed entirely or severely restricted. The Copper River sockeye fishery experienced this decline in the late 1970's. The poor economic state of Alaska's salmon fisheries

1977 – 1988 – Hatchery Programs Develop in PWS

With new oil revenues coming into the state's general fund, Alaska's legislature recognized the economic impacts created from the decline of salmon fisheries. Statutes and loan programs were legislated that enabled state and private non profit hatcheries to be developed throughout the state. Prince William Sound was the center of much of the

states hatchery activity. A strong regional aquaculture association, Prince William Sound Aquaculture Corporation (PWSAC) was formed by an active group of commercial fishermen. This group was very effective in getting the private hatchery program operating in the Sound. By the late 1970's, private and state hatcheries had been constructed and were beginning to see modest returns. At present six hatchery programs contribute to the PWS fisheries.

The Armin F. Koernig Hatchery (AFK) started operations in 1974 and was the first successful and the first PWSAC owned hatchery in Prince William Sound. AFK is located at Port San Juan on Evans Island, in the Southwestern District, a purse seine only district of PWS. The original hatchery building was converted from a salmon cannery. Production grew steadily and by 1980 AFK was incubating nearly 100 million pink eggs annually. AFK is currently permitted for 190 million pink eggs and has been operating near that capacity since 1998. An attempt to produce late run chum salmon at AFK met limited success and was eventually dropped. Early chums from WHN have been released at AFK in recent years.

The Cannery Creek Hatchery (CCH) was built in 1978 by the ADF&G Fisheries Rehabilitation, Enhancement and Development (FRED) Division as a pink and chum salmon hatchery. Cannery Creek is located in Unakwik Inlet, in the Northern District, a purse seine only district of Prince William Sound. The chum component of the hatchery program had poor success due to cold lake water temperatures during winter months, and was dropped in 1990. PWSAC assumed operational control of the hatchery in 1988. CCH is permitted to incubate 152 million pink salmon eggs and has been operating at that capacity since 1989.

The Wally Noerenberg Hatchery (WNH) was built in 1985 and is the second PWSAC owned hatchery. WHN is located on Esther Island in the Coghill District, a gill net and purse seine district of Prince William Sound. WHN currently permitted to produces three species of Pacific salmon; 120 million pink eggs, 148 million chum eggs, and 4 million coho eggs. Sockeye and chinook salmon were also cultured at WHN in the past. The sockeye program was transferred to the Main Bay Hatchery in 1990 and the chinook program was discontinued in 1997 to increase coho production. Since 1996 WHN had been operating at a capacity of 130 million pink eggs, 110 million chum eggs, and 1.6 million coho eggs. The chum salmon brood stock at WHN is from Wells Bay, and exhibits early run timing. Since 1993, a portion of the WHN chum fry have been released in Port Chalmers, located in the Montague District, a purse seine only district of Prince William Sound.

The Main Bay Hatchery (MBH) was built in 1981 by the ADF&G Fisheries Rehabilitation, Enhancement and Development (FRED) Division originally designed as a chum salmon facility. MBH is located in the Eshamy District, a small district in western PWS open only to set gill net and drift gill net gear. ADF&G discontinued the chum program in 1986 and switched to a sockeye enhancement program with the goal of producing 20 million sockeye smolts annually. PWSAC assumed operational control of the hatchery in 1990. Up to six different sockeye salmon stocks have incubated and

reared in the same hatchery building requiring innovative and extraordinary disease control measures. In 1998, PWSAC discontinued the early (Eyak Lake) and late (Eshamy Lake) stocks to concentrate solely on the mid timing Coghill Lake stock. MBH currently permitted for 10 million sockeye eggs, and has released 4 to 8 million smolt annually since 1997.

The Gulkana Hatchery is a streamside incubation facility started by ADF&G in 1973. Then Gulkan Hatchery is located on springs, adjacent to the East Fork of the Gulkana River, in the Copper River watershed. Production from this facility benefits drift gill net fishermen in the Copper River District as well as personal use, subsistence and recreational fishers in the Copper River basin.

From 1973 to 1980 the hatchery capacity expanded yearly, while continuing to focus on research in sockeye culture and incubator design. In 1980, with 20 incubators in operation, the emphasis moved from research to production. By 1984, Gulkana became the largest sockeye fry production facility worldwide, with egg takes of 26 million. PWSAC assumed operational control of the hatchery in 1993. By attempting to keep things simple, and pilot new procedures before implementation, Gulkana has achieved goals of taking 35 million eggs in all but one year since 1988. .

The Solomon Gulch Hatchery (SGH) operated by Valdez Fisheries Development Association (VFDA) was constructed in 1983. The Solomon Gulch Hatchery is the only hatchery in PWS not currently operated by PWSAC. The Solomon Gulch hatchery is located in Port Valdez, in the Eastern District, a purse seine only district of PWS. The SGH is permitted to incubate 230 million eggs, is the largest pink salmon facility in PWS. The SGH pink salmon brood stock is from early PWS systems and as a result the SGH contribute significantly to the early seine fishery in PWS.

Dec 1988 - Board of Fish expresses need for Allocation Plan

The Fishery Situation in 1987

As the hatchery program developed in the Sound, discontent about enhanced salmon allocation was developing within the gear groups. In 1987, and estimated 18 million enhanced pink salmon returned to Prince William Sound. PWSAC's AFK hatchery was operating at capacity and the new WHN hatchery had it's first production return. All user groups were paying a 2% enhancement tax to the regional aquaculture association (PWSAC), yet the Sound's enhancement programs, dominated by pink salmon production, were largely benefiting only the seiners. Figure 1.

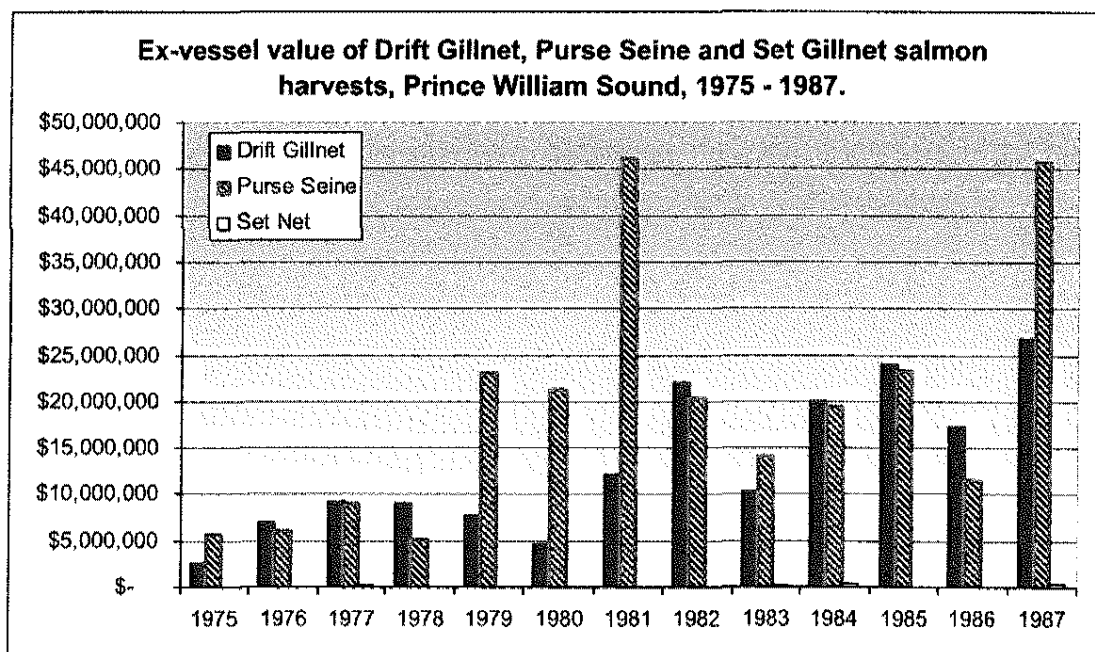


Figure 1. Ex-vessel value of Drift Gillnet, Purse Seine and Set Gillnet commercial salmon harvests in Prince William Sound, 1975 – 1987. Data from PWSAC ATF reports and ADF&G Zephyr database.

Discontent is expressed to Board of Fish

A large number of proposals were submitted to the Board of Fisheries expressing discontent with the unbalanced allocation of enhanced salmon in PWS. After considerable debate on this issue, the Board choose not to take action on any of these proposals. Board Chair, Gary Slaven, stated that it was the responsibility of PWSAC and the PWS permit holders to develop an allocation policy that would alleviate the conflict between the gear groups. He challenged the groups to bring an allocation plan back to the Board in 1991 at the next regulatory cycle (Alaska Board of Fisheries, 1997.).

1989-1990 ATF writes PWSAC Allocation Policy.

In response to the charge from Board chair Salven, PWSAC invested considerable time and expense into a two year public process to develop a corporate policy for allocating salmon produced by the association's hatcheries. The Allocation Task Force (ATF), a committee of gear type representatives, was created by PWSAC to accomplish this task. Under contract to PWSAC, CMA Research conducted a broad survey of all PWS permit holders investigating the topics of salmon allocation, management and fishery values. Results of this survey were incorporated into the crafting of an allocation policy. A three volume publication documented the ATF's efforts; (Report No. 1 - Briefing Papers, Report No. 2 – Trends and Conditions and Report No. 3 – Unknown Title). The ATF completed the Allocation Policy and presented it to the PWSAC General Board which adopted it in its entirety in May of 1990. (APPENDIX A.)

Key elements of the Allocation Policy follow below:

PWSAC Allocation Policy

- *It is the policy of PWSAC to equitably allocate enhanced salmon resources in Area E among all users through long term planning, production and dedication of financial and human resources.*
- *Subsistence, sport and personal use needs will continue to be addressed within planning and production strategies.*
- *Pertaining to commercial fisheries, enhanced salmon allocations will be based upon the long term historic economic balance that existed since statehood and prior to significant hatchery returns, as determined by ADF&G ex-vessel value records.*
- *This balance will be utilized in planning and production as a long term approximate projection goal anticipated to achieve equitable value in returning salmon to drift gill netters, seiners and set gill netters; excluding brood stock and cost recovery salmon.*

Nov. 1990 – PWSAC Issues Policy Clarification Statements

A list of seven interpretive statements were prepared in November 1990 by the PWSAC staff assigned to plan and facilitate the ATF project. These statements were prepared at the request of the PWSAC Production Planning Committee to provide guidance in production planning and to assure decisions were supportive of policy intent. These clarification statements are paraphrased below:

1. *".... that enhanced salmon allocations be conducted at the planning and production phase of fishery development. the balance will be approximately 49/50/1 percents for seiners, drift gillnetters and set netters respectively."*
2. *"... that this balance be achieved only over a period of time reasonable to provide for production development and to allow averaging harvest values to dampen the effects of annual fluctuation in harvest...."*
3. *"In-season management of the fishery to achieve any gear group allocation is not to be encouraged."*
4. *"... PWSAC will if necessary propose to the Board of Fisheries regulatory changes..... to provide the long term frame-work management strategy to assure the planned production does indeed deliver fishing opportunity to the intended recipient of enhanced production."*
5. *"...that such management changes as described in the above paragraph do not result in a re-allocation of existing production."*
6. *"It is the intent of the authors of the policy that production will attempt to achieve a balance of enhanced salmon harvest value. However, should it become apparent that economic balance trends away from the historic balance due to persistent failures of wild stocks, changing fish values, evolving environmental conditions, enacted laws, regulations or any other factor(s) which may change the*

described balance, then production will be planned to rebalance the ration such that the over-all economic balance in the fishery is maintained. ... "

7. *"... It is the intent of the authors of the policy authors that the developing fishery, guided by the policy will minimize changes in historic fisheries in existence since statehood. To minimize does not preclude change, but attempts to hold change to levels least disruptive, ... "*

1990-1991 RPT Develops Allocation Plan

To implement the PWSAC allocation policy, a stable regulatory framework was needed to ensure that the PWSAC production plan would deliver fish to intended gear groups. A new regulatory management plan designed for this purpose might potentially impact all salmon user groups in the Sound. An organization with broad jurisdiction but independent of PWSAC, was more appropriate to facilitate the development of the management plan. Recognizing this, ADF&G commissioner Don Collingsworth charged the Prince William Sound Regional Salmon Planning Team (RPT), with the task of developing an enhanced salmon allocation plan for PWS. The charge directed the RPT to develop a draft regulatory plan and bring it before the Board of Fisheries at the February 1991 meeting.

Between September 1990 and January 1991, the RPT conducts five well attended public meetings, heard 81 oral testimonies and received 73 written testimonies. Meetings were held inside and outside of Alaska, to obtain the broadest involvement from all gear groups. At the conclusion of its proceedings the RPT succeeded in reaching a consensus (or informed consent) between the three commercial gear types and other users for a regulatory management and allocation plan to present to the Board of Fisheries.

Feb 1991 - Board of Fish Adopts Allocation Plan

The Board of Fisheries met in Cordova in February of 1991 and received oral and written reports on the allocation plan developed by the RPT. The plan and much of the supporting material were presented in a 16 page Proposal Report, authored by the RPT and jointly published by ADF&G and PWSAC. (APPENDIX B.) After it's deliberation, the Board adopted the allocation plan in its entirety as 5 AAC 24.370. Prince William Sound Salmon Management and Salmon Enhancement Allocation Plan.

The plan contained three sections; 1.) A preamble explaining the foundation of the allocation plan, 2.) An intent section expressing the intent of the Board upon adopting the plan and 3.) A distinct management section which created a new subdistrict and imposed time and area restrictions on gear groups. In its entirety, the allocation plan represented the culmination of a great deal of effort, heated negotiations and mutual compromise that arrived at a balanced agreement between the commercial gear groups.

The Preamble contained important value statements that included:

- *Minimize Impacts on Wild Stocks*

- *Minimize impacts to historic and traditional fisheries while maintaining historic harvest value percentages*
- *Promote highest possible quality of fish*
- *Reduce congestion in the fisheries*
- *Maintain diversity of uses of the salmon resources ...*

The Intent section contained a narrative expressing the design and purpose of the plan, and the district management changes it entailed. Key elements of the intent language include the following:

"... to allocate the natural and enhanced salmon stocks in Prince William Sound in such a manner as to maintain the long term historic balance between competing commercial users that existed since statehood and prior to any significant production from enhancement programs."

"... to maintain to the maximum extent possible the historic fishing areas and gear types and not allow development of new gear types in non-traditional areas."

"... to endorse the Allocation Policy adopted by PWSAC in May of 1990 and directs Department and PNP operators to plan their enhancement production using the policy as a guideline."

"... preserve pink salmon as the primary species of importance to the purse seine gear type in PWS..."

"... provide opportunity for development of enhanced returns of early timing chum, sockeye and chinook salmon to the gill net districts of PWS for the explicit benefit of the gill net users."

"... development of coho salmon returns after August 25th for the gill net fleet. ..."

"... recognizes that enhanced species returning to gill net districts during the primary seine fishery in western PWS (July 18 – Sept. 1st) will be subject to considerable seine interception and cannot be explicitly targeted to the gill net fleet."

"... wild stock management has the highest priority in determination of fishery openings in PWS."

The District Management section of the allocation plan established a corridor in the western Sound for early stocks of salmon (principally chum and sockeye) to reach gill net fisheries in the Eshamy and Coghill Districts. This was accomplished by preventing purse seine gear from operating; in the Southwestern District prior to July 18, in the Perry Island Subdistrict prior to July 21 and in the Coghill District prior to July 21. The Perry Island Subdistrict of the Northern district, was created to facilitate this as well as aid in management of hatchery returns to the WNH hatchery.

Although the regulation adopted by the Board did not provide specific allocation percentages by gear type, within its intent language it directed that the enhancement programs in PWS maintain the long term historic balance between the gear types that existed after statehood and prior to significant contributions from hatchery programs.

The “long term historic balance” was generally agreed to be represented by table of ex-vessel value ratios by gear group presented in the ATF “Trends and Conditions” report. (Table 1) The average ratios presented in this table were 50.7% for purse seine, 48.6% for drift gill net and 0.6% for set gill net.

Table 1. Annual ex-vessel value by gear type for the Prince William Sound commercial salmon fishery, 1960-1984. Data from the PWSAC Allocation Task Force report number two, *Trends and Conditions*, Tables 11 and 12.

Year	Seine	Drift GN	Set GN	Total Val	Seine	Drift GN	Set GN
1960	\$ 1,227.6	\$ 875.5	\$ -	\$ 2,103.1	58.4%	41.6%	0.0%
1961	\$ 1,192.3	\$ 1,411.5		\$ 2,603.8	45.8%	54.2%	0.0%
1962	\$ 4,175.4	\$ 1,575.8		\$ 5,751.2	72.6%	27.4%	0.0%
1963	\$ 3,032.9	\$ 1,098.4	\$ -	\$ 4,131.3	73.4%	26.6%	0.0%
1964	\$ 2,245.6	\$ 1,825.4	\$ -	\$ 4,071.0	55.2%	44.8%	0.0%
1965	\$ 1,212.3	\$ 1,829.1		\$ 3,041.4	39.9%	60.1%	0.0%
1966	\$,425.0	\$,308.7		\$ 3,733.7	38.2%	61.8%	0.0%
1967	\$,358.0	\$,501.1	\$ -	\$ 2,859.1	47.5%	52.5%	0.0%
1968	\$,290.1	\$,928.6	\$ -	\$ 3,218.7	40.1%	59.9%	0.0%
1969	\$,228.3	\$ 2,017.2	\$ 38.1	\$ 4,383.6	50.8%	46.0%	3.2%
1970	\$,546.5	\$,081.4	\$ 56.2	\$ 4,684.1	33.0%	65.8%	1.2%
1971	\$,993.6	\$,339.2	\$ -	\$ 6,332.8	63.1%	36.9%	0.0%
1972	\$ -	\$ 2,657.7	\$ 27.0	\$ 2,784.7	0.0%	95.4%	4.6%
1973	\$ 5,176.3	\$ 4,131.2	\$ 98.8	\$ 9,406.3	55.0%	43.9%	1.1%
1974	\$ 143.4	\$ 4,458.2	\$ 167.2	\$ 4,768.8	3.0%	93.5%	3.5%
1975	\$ 5,626.4	\$ 2,634.0	\$ -	\$ 8,260.4	68.1%	31.9%	0.0%
1976	\$ 6,069.0	\$ 6,975.2	\$ -	\$13,044.2	46.5%	53.5%	0.0%
1977	\$ 8,932.8	\$ 9,223.0	\$ 130.0	\$18,285.8	48.9%	50.4%	0.7%
1978	\$,192.6	\$,949.0	\$ -	\$14,141.6	36.7%	63.3%	0.0%
1979	\$ 3,163.0	\$,661.9	\$ -	30,824.9	75.1%	24.9%	0.0%
1980	\$ 1,238.8	\$,658.8	\$ 5.7	25,913.3	82.0%	18.0%	0.1%
1981	\$ 6,170.5	\$ 2,092.7	\$ -	58,263.2	79.2%	20.8%	0.0%
1982	\$ 0,286.8	\$ 2,019.4	\$ -	42,306.2	48.0%	52.0%	0.0%
1983	\$ 4,122.5	\$ 0,232.7	\$ 94.5	24,549.7	57.5%	41.7%	0.8%
1984	\$ 9,415.9	\$ 0,031.7	\$ 89.4	39,837.0	48.7%	50.3%	1.0%

1960-1984 Avg.	50.7%	48.7%	0.6%
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The three sections outlined above were adopted by the board, and were incorporated into 5 AAC 24.370. Regulation booklets published in subsequent years contained these sections as part of 24.370. Some years later, however, a Department of Law regulation specialist removed the “preamble” and “intent” sections from 5 AAC 24.370 because these sections were “non regulatory”. They felt that such “intent” language should be

contained in a Board Finding. Although a finding was to have been written by the Board, one was never completed. A place holder finding exists (Finding: #91-125-FB). The consequence of this was that significant sections of the management plan were “lost” including the Board’s intent and their endorsement of the PWSAC Allocation Policy.

Jan 1997 – BOF adds 25% Piggy Bank section to Plan

At the next two regulatory cycles the Board of Fisheries were again faced with numerous proposals from the gear groups requesting modifications to the allocation structure. In the 93-93 regulatory cycle the Board elected not to modify the plan, recognizing the significance of the balance that had been reached for the ATF and the RPT’s efforts. However in the 97-97 regulatory cycle, a new Board make-up choose to look into modifying the plan.

The Fishery Situation in 1996

Following the adoption of the allocation plan in February 1991, the situation in PWS changed significantly. The seine fishery which derives 80% of its income from pink salmon (Figure 2.), had fallen on hard times. The pink salmon returns to the Sound in 1992 and 1993 yielded the lowest commercial harvests since 1978. Pink salmon prices had crashed from the 1988 peak of \$0.84/lb to \$0.07/lb in 1996. (Figure 3). The lower prices demanded that the hatcheries harvest more cost recovery fish, leaving fewer fish for the common property fishery. In response to the economic pressure participation in the seine fishery dropped from 259 active permits in 1991 to 94 permits in 1996. (Figure 3.)

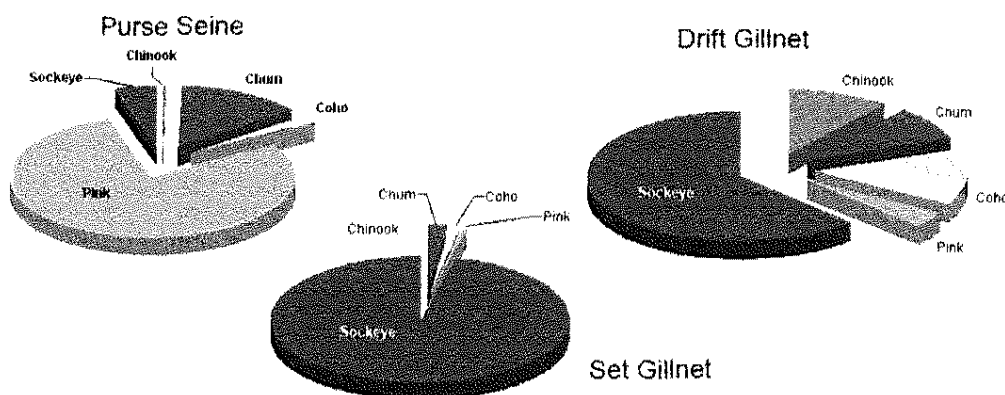


Figure 2. Proportion of average ex-value that salmon species contribute to the commercial Purse Seine, Drift Gillnet and Set Gillnet fisheries in Prince William Sound, 1984 -2004. Source: COAR.

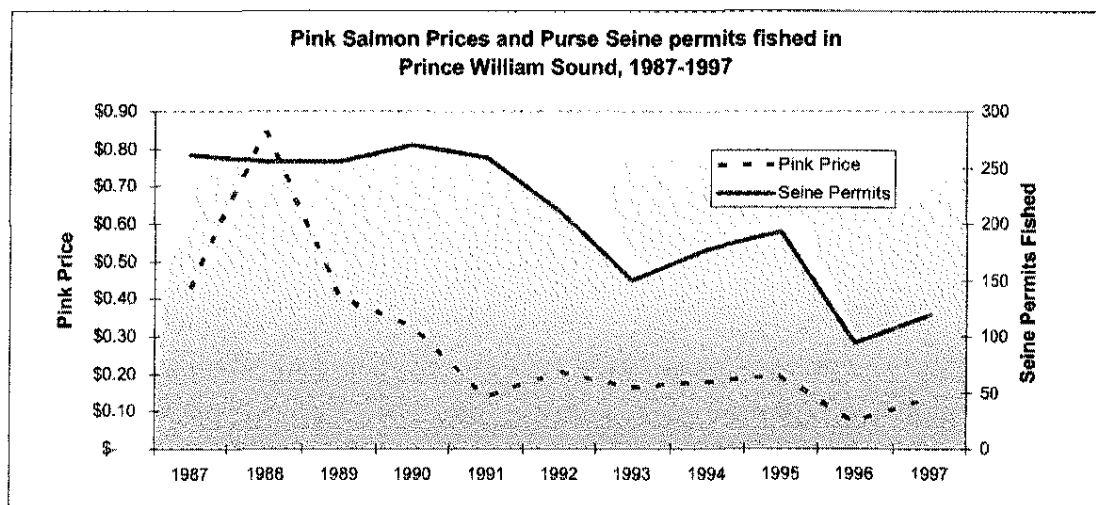


Figure 3. Pink salmon price trends and number of purse seine permits fished annually in Prince William Sound, 1987-1997. Source; COAR and Zephyr.

On the gill net side the picture was different. The gill net fleet derives over 60% of its income from sockeye salmon (Figure 2). Although sockeye prices had also declined, the magnitude of the decline was less than for pink salmon. (Figure 4.) This was largely due to the successful marketing strategies for Copper River salmon. While the gill net fleet had seen little benefit from the hatchery program in 1991, they now were experiencing successful returns of chum salmon to the WNH hatchery in the Coghill District. The Copper River sockeye stocks were experiencing record returns. Annual participation in the gill net fishery was relatively steady at over 500 active permits each year. (Figure 4.)

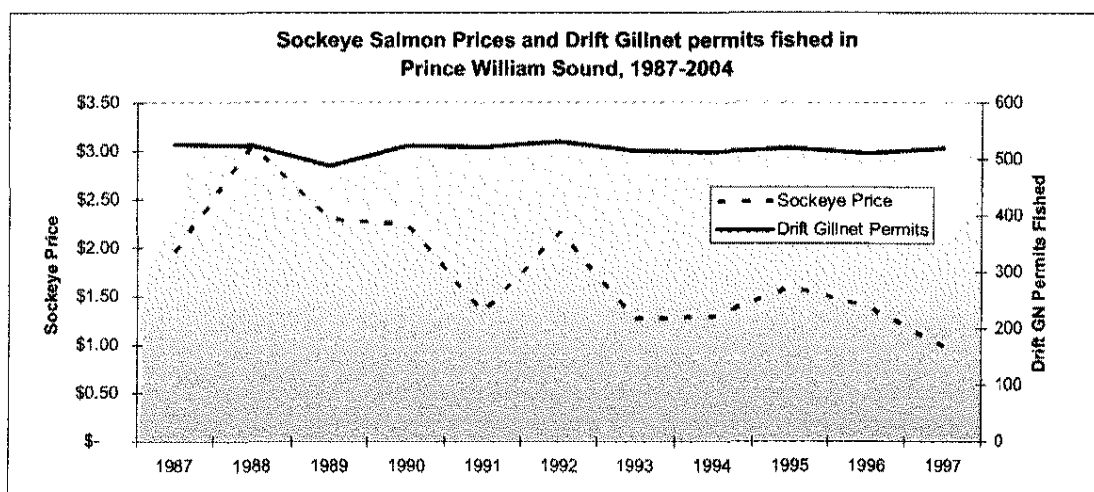


Figure 4. Sockeye salmon price trends and number of drift gillnet permits fished annually in Prince William Sound, 1987-1997. Source; COAR and Zephyr.

BOF Analysis

Based on BOF Finding 97-167-FB, the Board identified two factors contributing to the "problem" in the PWS fishery; 1.) the drop in pink salmon prices and 2.) the inability of PWSAC to fulfill that portion of the allocation plan which required additional production of fish. The problem as stated in the BOF finding was:

"... the fact that, over the last six years, the average ex-vessel value for the drift gill net fleet has been approximately 75% of the total ex-vessel value of all salmon (wild and enhanced) and the average ex-vessel value for the seine fleet has been approximately 25% of the total ex-vessel value."

The Board questioned the use of both wild and enhanced fish for calculating these values, but concluded from review of the plans original intent language and the PWSAC Clarification Statements that this was indeed the intent of the original policy. The finding points out that:

"If only enhanced fish are used in the calculation of ex-vessel value, the disparity is minimal and no adjustment would be necessary."

The Board reviewed the percentages (drift gillnet 50%, seine 49% and set gillnet 1%), and determined that they represented an allocation for each gear group approximating long term historic averages. Although the Board would have preferred the percentages be expressed as ranges, they recognized their significance, and consequently included them into 5 AAC 24.370 unchanged.

The "piggy bank" concept

While recognizing that "parity" was a long term goal measured over many years, the Board felt that there should be a short term correction to bring gear groups into compliance with allocation percentages. Based on this logic, the Board decided to create a "piggy bank" to adjust allocation disparities over short time frames. One "piggy bank", would benefit seiners while the other would benefit drift gill netters. The seiner's piggy bank consisted of shared access to the enhanced chum salmon return to the Esther Subdistrict between June 1 and July 20. The drift gillnet "piggy bank" consisted of the enhanced chum return to the Port Chalmers Subdistrict. The Board established a threshold or trigger, whereby if one of the gear groups fell below 25% of the total ex-vessel value for the common property harvest in Prince William Sound, then that gear type would go into the "piggy bank" on the following year. Recognizing the purse seine gear was more efficient than drift gillnet gear, the drift fleet would have exclusive access to Port Chalmers "piggy bank" while the seiners would share the Esther Subdistrict "piggy bank" with the drift fleet, having equal time but not necessarily equal area. The Board established that the "piggy bank" concept would not go into effect until after the 1997 season which would be a base year.

Table 2. Purse seine, drift gillnet and set gillnet percent of the total Area E common property fishery ex-vessel value, 1992 – 2002. Source COAR & Zephyr.

Year	Seine	Drift GN	Set GN	
1992	12%	83%	5%	
1993	8%	88%	3%	
1994	41%	57%	2%	
1995	26%	73%	1%	
1996	15%	83%	2%	
1997	26%	72%	2%	25% Piggy Bank base year
1998	36%	63%	1%	
1999	35%	64%	1%	
2000	46%	52%	2%	
2001	37%	60%	3%	
2002	19%	76%	5%	

Board increases trigger point to 40%

The Board of Fisheries met in Cordova Jan 31- Feb 6, 2003. They adopted an amended version of a proposal which increased the “piggy bank” trigger from 25% to 40%. This action made it “easier” for a gear group’s ex-vessel value ration shortfall to trigger the “piggy Bank” clause in the following year. For example, had the Board set the trigger at 40% rather than 25% in 1996, the purse seine group would have been given access to the “piggy Bank” in every year since 1997 rather than just 2002 (Table 2). The Board also revised the manner that the ex-vessel value was calculated, using Commercial Operators Annual Report (COAR) rather than ADF&G estimates of value. This action had only a minor impact on the calculated percentages. All percentages and ex-vessel values presented in the report for dates later than 1984, use COAR data.

October 2003 – Board Allocation Committee Formed

Coffey ACR

At its October 2003 fall work session, the Board received an Agenda Change Request (ACR#4) from the Law offices of former Board member Dan Coffey, representing the seine fishermen of PWS. The ACR contended that the Board’s efforts to allocate salmon to the commercial gear groups in 5 AAC 24.370 had been “voided by the cost recovery actions of PWSAC”, and “as a result the commercial harvest for the 2003 season was not in conformity with the board’s regulation”. The ACR did not propose any specific solution.

Comments on ACR #4, provided to the Board by ADF&G explained the complex PWSAC cost recovery policy. PWSAC has an integrated cost recovery program the involves all of its facilities. They have two independent cost recovery goals annually, a

Feb 2003 – Piggy Bank trigger revised to 40%

The Fishery Situation in 2002

The 1997 “base year” for the allocation plan, yielded an ex-vessel value percentage for the seine fleet of 26.1% (Gray et. al. 2003), falling short of activating the 25% “piggy bank” trigger. However the 2002 season had placed the purse seine value ratio clearly below the 25% trigger. (Figures, 5 & 6.)

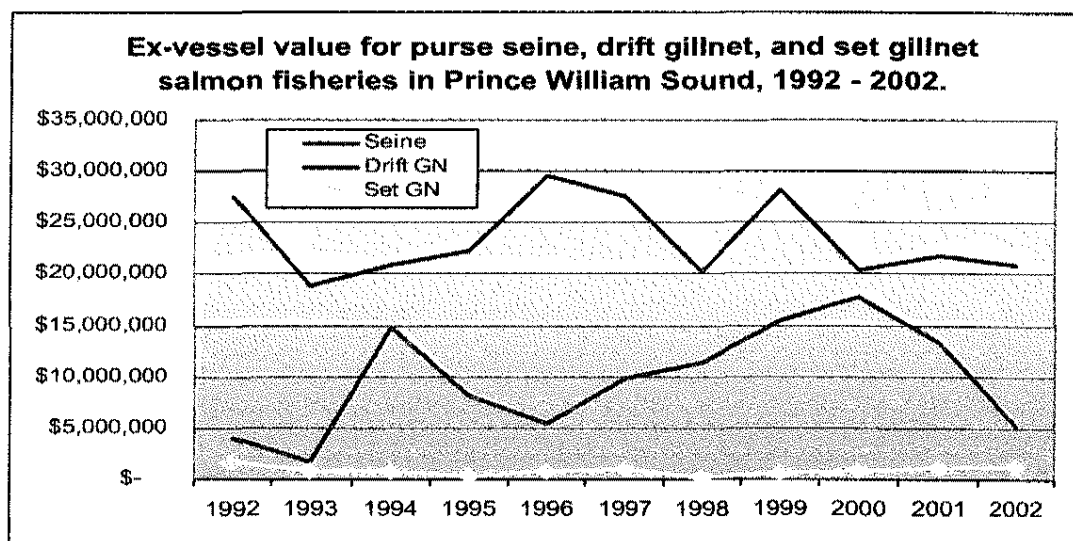


Figure 5. Ex-vessel values of purse seine, drift gillnet and set gillnet salmon fisheries in Prince William Sound, 1992 -2002. Source; COAR & Zephyr.

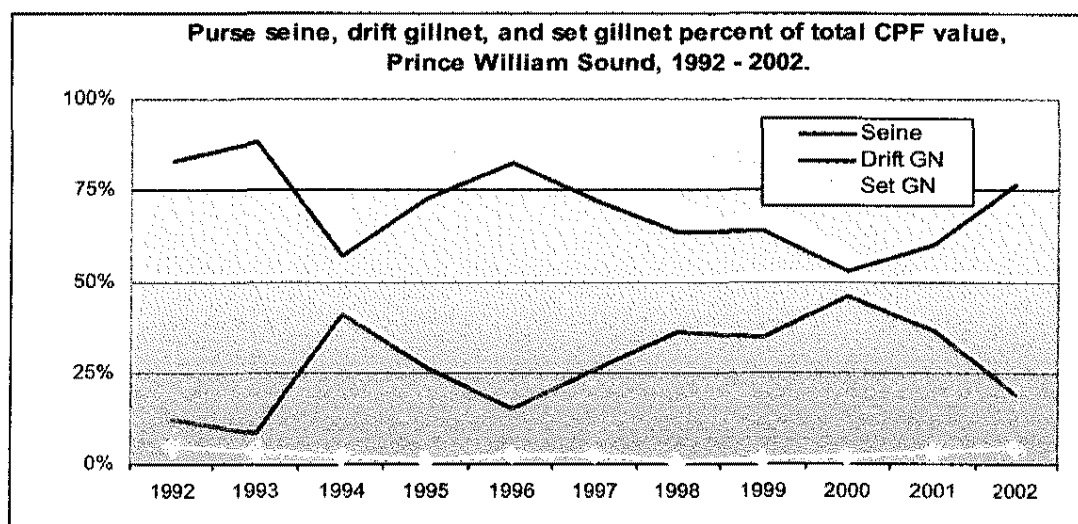


Figure 6. Purse seine, drift gillnet and set gillnet percent of total common property fishery value, Prince William Sound, 1992-2002. Source; COAR & Zephyr.

gillnet goal and a purse seine goal. The gillnet goal is based on the operational costs for producing fish that benefit gillnet fisheries. The revenue to meet this goal is generated from cost recovery harvesting fish that would otherwise be caught in gillnet fisheries. Similarly the seine cost recovery goal is based on the production costs of seine fish and is taken from the returns that would otherwise benefit seiners. Because the seiners had shared access to the early chums at Esther due to the "piggy bank" (5 AAC 24.370. (e)), in 2003, PWSAC's cost recovery plan treated the early chums as shared fish for both gill net and seine. The Board's deliberation of ACR #4 found it to be allocative and consequently they failed to accept it.

Allocation Workgroup Formed

In response to ACR #4, the Board established a committee composed of board members, Nelson (chair), Bouse and Morris, to examine the PWS Allocation Plan (5 AAC 24.370.), and the cost recovery plan for PWSAC. The goal of the committee was to: "reach a better understanding of past and present allocation and cost recovery issues and to explore options to find an equitable allocation balance between the user groups."

The committee established a panel of public advisors composed of two seine only, two drift gill net only and one combined gear representative, one set net and two PWSAC managers.

December 2003 – Allocation Workgroup meets

The Board's PWS allocation workgroup had its first meeting in December 2003. The Department reviewed the "piggy bank" fishery for seiners in 2003. They presented harvest statistics for the drift gill net and purse seine fishery through July 21, 2003 as outlined below:

Species	Seine	Drift Gillnet
Sockeye	125,641	161,872
Pink	11,439,915	44,419
Chum	750,835	726,431
Coho	724	9,900

The group discussed the concept of a buffer around the Esther Subdistrict to prevent gill net interception of chums when the seiners were fishing, and the concept of reducing the outer area of the Esther Subdistrict to reduce Main Bay sockeye interception by seiners. The Department expressed concern about the buffer concept during large return years and requested a "relief valve" if the Board were to go this route.

No consensus was reached on any of these issues.

February 2004 – BOF schedules special PWS meeting

Near the conclusion of the February 2004 meeting on Alaska Peninsula and Aleutian Islands Finfish, the Board received a report from the PWS Allocation Committee and

progress made at the December meeting. A motion was made and passed to address trigger points for seiners, and the buffer zone at a special April meeting before the 2004 fishing season.

March 2004 – Allocation Work Group Meeting

The workgroup had its second meeting. The focus of the meeting was to address the two proposals the Board had generated for the April special meeting. Lively discussion and debate continued through the meeting, providing Board committee members with more information, but still no consensus from the gear groups on the issues.

April 2004 – Board of Fish Mtg

The Board met to address out of cycle proposals 258 and 259 dealing with PWS allocation. Proposal 258 to amend the 40% “piggy bank” trigger failed. The BOF directed the PWS Allocation Workgroup to continue to meet and see if consensus could be reached. Proposal 259 passed, modifying the buffer zone outside Esther to address quality concerns. The Board’s summary is Below:

PROPOSAL NO. 258 ACTION: Failed

DESCRIPTION: Amend the purse seine fleet catch trigger percentage in the Prince William Sound Management and Salmon Enhancement Allocation Plan

DISCUSSION: The board met as a committee of the whole with the working group and other members of the public selected from those who provided testimony at this meeting. There was no consensus reached by participants of the public panel. Some of the points brought up during the committee meeting include: the 40 percent put in place last year was considered a band-aid; the board created their own “buffer zone” by the percentage that was put in place. Board discussed an amendment of 49 percent with an intent of eliminating as much of the variables as possible for participants in the fishery. Discussion included that without it, the fishery will continue to be unstable. The amendment failed, but further discussion showed that although allocation issues should be dealt with in cycle, the board is concerned and intends to continue allowing the workgroup to meet to see if consensus can be found.

PROPOSAL NO. 259 ACTION: Carried as amended

DESCRIPTION: Amend the buffer zone outside the Esther Subdistrict surrounding Esther Island

AMENDMENT: Modified the buffer zone area and addressed quality concerns.

DISCUSSION: The board met as a committee of the whole to discuss this issue. There was no consensus reached by participants of the public panel. Department reported an increased likelihood that the sockeye BEG for Coghill River will be exceeded due to less commercial fishing time/area in the general Coghill District as a result of the buffer area. In the event of a buildup of chum salmon in the buffer area, there will be some lag time between recognition of the problem and prosecution of a fishery resulting in reduced product quality. Board does not believe radical changes are appropriate at this time and that adopting this will address some of the concerns brought regarding this fishery. The amendment addresses the issue of the alternating access.

Committee Progress leading to Dec. 2005 Board Meeting

The Board's allocation committee has continued to meet and slow progress has been made in some areas. In October 2005, a new concept was introduced by committee chair Morrison, that would base the allocation plan on enhanced fish only. ADF&G staff prepared an analysis of salmon returns back to 1997, with allocation of the enhanced salmon contributions to each gear type.

References:

- Alaska Board of Fisheries, 1997. Findings regarding the Prince William Sound management and salmon enhancement allocation plan (5 AAC 24.370.). Finding #97-167-FB. (Previously #97-02-FB). Alaska Board of Fisheries, Juneau, Alaska.
- Alaska Board of Fisheries, 2003. Charge to the Prince William Sound Management and Allocation Plan Workgroup. 2003-225-FB. Alaska Board of Fisheries, Juneau, Alaska.
- Allocation Task Force, February 1990. Allocation of Enhanced Salmon, Report Number Two; Trends and Conditions. Prince William Sound Aquaculture Corporation, Cordova, Alaska.
- Allocation Task Force, January 1990. Allocation of Enhanced Salmon, Report Number One; Briefing Papers. Prince William Sound Aquaculture Corporation, Cordova, Alaska.
- Farrington, C. 2003. Alaska Salmon Enhancement Program, 2002 Annual Report. Alaska Department of Fish and Game. RIR 5J03-05. Alaska Department of Fish and Game, Juneau, AK.
- Farrington, C. 2004. Alaska Salmon Enhancement Program, 2003 Annual Report. Alaska Department of Fish and Game. RIR 5J04-02. Alaska Department of Fish and Game, Juneau, AK.
- Gray et. al. 2003. Prince William Sound Management Area 2002 Annual Management Report. RIR No. 2A03-30. Alaska Department of Fish and Game, Anchorage, Alaska.
- McNair, M. 2002. Alaska Salmon Enhancement Program, 2001 Annual Report. Alaska Department of Fish and Game. RIR 5J02-04. Alaska Department of Fish and Game, Juneau, AK.
- PWS/CR RPT, February 1991. Prince William Sound Salmon Management Plan Proposal Report. Alaska Department of Fish and Game & Prince William Sound Aquaculture Corporation, Cordova, Alaska.
- White, B. 2005. Alaska Salmon Enhancement Program, 2004 Annual Report. Alaska Department of Fish and Game. RIR 5J05-09. Alaska Department of Fish and Game, Juneau.

ACRONYMS USED IN THIS REPORT

AAC	Alaska Administrative Code
ACR	Agenda Change Request – An out of cycle proposal to the BOF.
ADF&G	Alaska Department of Fish and Game
AFK	Armin F Koernig Hatchery operated by PWSAC
ATF	Allocation Task Force – a committee created by PWSAC
BEG	Biological Escapement Goal
BOF	The Alaska Board of Fisheries
CCH	Cannery Creek Hatchery- owned by state & operated by PWSAC
COAR	Commercial Operators Annual Report
CPF	Common property fishery
GN	Gillnet
MBH	Main Bay hatchery owned by state & operated by PWSAC
PWS	Prince William Sound
PWSAC	Prince William Sound Aquaculture Corporation
RPT	The PWS Regional Salmon Planning Team
SGH	Solomon Gulch Hatchery – operated by VFDA
VFDA	Valdez Fisheries Development Association
WNH	Wally Noerenberg Hatchery on Esther Is. Operated by PWSAC
ZEPHYR	ADF&G's fish ticket computer database

