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ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON
COMMERCIAL, PERSONAL USE, SPORT, AND SUBSISTENCE
REGULATORY PROPOSALS
COMMITTEE OF THE WHOLE–GROUPS 1–3
FOR

LOWER COOK INLET FINFISH

ALASKA BOARD OF FISHERIES MEETING
SEWARD, ALASKA

December 10–13, 2019

Regional Information Report No. 2A19-02

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, November 30–December 3, 2016 in Homer, 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)

centimeter	cm
deciliter	dL
gram	g
hectare	ha
kilogram	kg
kilometer	km
liter	L
meter	m
milliliter	mL
millimeter	mm

Weights and measures (English)

cubic feet per second	ft^3/s
foot	ft
gallon	gal
inch	in
mile	mi
nautical mile	nmi
ounce	oz
pound	lb
quart	qt
yard	yd

Time and temperature

day	d
degrees Celsius	°C
degrees Fahrenheit	°F
degrees kelvin	K
hour	h
minute	min
second	s

Physics and chemistry

all atomic symbols	
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

General

Alaska Administrative Code	AAC
all commonly accepted abbreviations	e.g., Mr., Mrs., AM, PM, etc.
all commonly accepted professional titles	e.g., Dr., Ph.D., R.N., etc.
at	@
compass directions:	
east	E
north	N
south	S
west	W
copyright	©
corporate suffixes:	
Company	Co.
Corporation	Corp.
Incorporated	Inc.
Limited	Ltd.
District of Columbia	D.C.
et alii (and others)	et al.
et cetera (and so forth)	etc.
exempli gratia (for example)	e.g.
Federal Information Code	FIC
id est (that is)	i.e.
latitude or longitude	lat or long
monetary symbols (U.S.)	$, ¢
months (tables and figures): first three letters	Jan,...,Dec
registered trademark	®
trademark	™
United States (adjective)	U.S.
United States of America (noun)	USA
U.S.C.	United States Code
U.S. state	use two-letter abbreviations (e.g., AK, WA)

Acronyms

Acceptable Biological Catch	ABC
Alaska Board of Fisheries	board
Alaska Department of Fish and Game	department /ADF&G
Amount Necessary for Subsistence	ANS
Alaska Wildlife Troopers	AWT
Biological Escapement Goal	BEG
Central Gulf of Alaska	CGOA
Coded Wire Tag	CWT
Commercial Fisheries Entry Commission	CFEC
Cook Inlet Aquaculture Association	CIAA
Customary and Traditional	C&T
Department of Natural Resources	DNR
Demersal Shelf Rockfish	DSR
Emergency Order	EO
Guideline Harvest Level	GHL
Gulf of Alaska	GOA
Global Positioning System	GPS
Individual Fishing Quota	IFQ
Local Area Management Plan	LAMP
Lower Cook Inlet	LCI
Mean Low Water	MLW
Mean Lower Low Water	MLLW
No Data	ND
National Marine Fisheries Service	NMFS
National Oceanic and Atmospheric Administration	NOAA
Nick Dudiak Fishing Lagoon	NDFL
North Pacific Fishery Management Council	NPFMC
Optimum Escapement Goal	OEG
Pelagic Shelf Rockfish	PSR
Prince William Sound	PWS
Prior Notice of Landing	PNOL
Private Nonprofit Salmon Hatchery	PNP
River Mile	RM
Special Harvest Area	SHA
Sustainable Escapement Goal	SEG
Trail Lakes Hatchery	TLH
Upper Cook Inlet	UCI
Western Gulf of Alaska	WGOA

REGIONAL INFORMATION REPORT 2A19-02

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON COMMERICAL, PERSONAL USE, SPORT, AND SUBSISTENCE REGULATORY PROPOSALS COMMITTEE OF THE WHOLE–GROUPS 1–3 FOR

LOWER COOK INLET FINFISH

ALASKA BOARD OF FISHERIES MEETING SEWARD, ALASKA

DECEMBER 10–13, 2019

by
Alaska Department of Fish and Game

Alaska Department of Fish and Game
Division of Sport Fish, Research and Technical Services
333 Raspberry Road, Anchorage, AK 99518–1565

November 2019

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on commercial, personal use, sport, and subsistence regulatory proposals for the Lower Cook Inlet finfish. These comments were prepared by the department for use at the Alaska Board of Fisheries meeting, December 10–13, 2019, in Seward, 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, finfish, supplemental issues, Lower Cook Inlet, special harvest areas, methods, means, bag limits, possession limits, king, sockeye, coho, chum, pink, salmon, herring, smelt, groundfish, sablefish, rockfish.

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Summary of department positions on regulatory proposals for Lower Cook Inlet Finfish – Seward, December 10–13, 2019.

Proposal No.	Department Position	Issue
1	S	Redefine the management plan to include all waters north of Bluff Point.
2	S	Align gear restrictions for roadside streams closed to salmon fishing.
3	O	Reduce the bag limit for the Seward Lagoon youth fishery to one fish.
4	O	Define the boundaries for the Seward Lagoon youth fishery.
5	S	Extend the dates of the Seward youth king and coho salmon fisheries.
6	N	Close the Homer Marine Terminal barge basin to sport fishing.
7	S	Redefine the area prohibited to snagging in Cook Inlet salt waters.
8	N	Reduce the sport fish bag limit to one king salmon south of Bluff Point.
9	N	Establish a season limit of five king salmon from October –April 30
10	S	Redefine the boundary for the lower and upper Anchor River.
11	O	Allow two unbaited, single-hook, artificial flies and limit hook size in the Anchor River and Deep Creek.
12	O	Reduce the sport fish bag limit for lingcod west of Gore Point to one fish.
13	O	Establish a season limit of two lingcod in the North Gulf coast area.
14	O	Modify the definition of bag limit to mean fish landed but not originally hooked by an angler.
15	O	Prohibit reselling of guide services by anyone other than licensed guides.
282	S	Give department EO authority to restrict stocked waters.
16	O	Require a permit to participate in the China Poot Bay personal use dip net fishery.
17	S	Require that the permit holder be on site during the operation of personal use set gillnet gear.
18	N	Extend the subsistence salmon fishery in Seldovia Bay through June 30.
19	N	Increase the amount of shoreline where subsistence set gillnet harvest is permitted in Seldovia Bay.
20	N	Allow subsistence set gillnets throughout all of the Cook Inlet area to be set within 300 feet of another set gillnet.
21	S	Allow commercial harvest of aquatic plants in Cook Inlet.
241	S	Establish provisions for the personal use of aquatic plants in the Anchorage-Matsu-Kenai Nonsubsistence Area.
22	O	Limit the number of salmon that a hatchery may take for cost recovery.
23	O	Suspend, revoke, or alter the Tutka Bay hatchery permit to reduce capacity.
24	N	Eliminate the Tutka Bay Lagoon Special Harvest Area.
25	O	Close waters of Tutka Bay southeast of 59^0 26.50' N. lat.
26	O	Close waters to commercial salmon fishing near the head of Tutka Bay.
27	O	Eliminate the Halibut Cove Lagoon Special Harvest Area.
28	S	Redefine the China Poot and Hazel Lake Special Harvest Area as two separate and discrete Special Harvest Areas.

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

Summary of department positions on regulatory proposals for Lower Cook Inlet Finfish – Seward, December 10–13, 2019.

Proposal No.	Department Position	Issue
29	O	Move the outer boundary line of the Rocky Bay subdistrict further from shore.
30	N	Open the Kamishak Bay District commercial salmon fishing season on June 1, or earlier, by emergency order.
31	O	Reduce the size of the closed waters area in Ursus Cove.
32	O	Open the regulatory closed waters area in China Poot Bay that is inshore of the Homer Electric Association (HEA) powerlines.
33	S	Establish regulatory closed waters within one nautical mile radius of the end of the Homer Spit.
34	N	Reduce the maximum size of seines in Lower Cook Inlet to 150 fathoms in length.
35	N	Move eastern boundary near Halibut Cove where commercial set gillnet gear is permitted Increase the maximum depth of commercial salmon seines in Lower Cook Inlet from 325 meshes to 335 meshes.
36	N	Prohibit the retention and sale of king salmon greater than 28″ in length by commercial purse seine permit holders in the Southern District of Lower Cook Inlet.
37	N	Create a king salmon conservation management plan that paired restrictions in Upper Cook Inlet and Lower Cook Inlet commercial fisheries.
38	N	Prohibit the retention and sale of king salmon greater than 28″ in length by commercial purse seine permit holders in the Southern District of Lower Cook Inlet.
39	N	Exempt vessels using jig gear from exclusive and superexclusive groundfish registration restrictions.
40	S	Add specific registration requirements for Cook Inlet Area groundfish fisheries.
41	S	Clarify possession and landing requirements for the state-managed sablefish fishery in the Cook Inlet Area.
42	S	Clarify possession and landing requirements for the parallel Pacific cod fishery in the Cook Inlet Area.
43	S	Add a 6-hour prior notice of landing requirement for the Cook Inlet Area directed lingcod fishery.
44	O	Amend the *Kamishak Bay District Herring Management Plan* to remove restrictions to the Shelikof Strait food and bait herring fishery.
278	N	Aleutian Islands Pacific cod exclusive registration.

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

COMMITTEE OF THE WHOLE GROUP 1: REGULATORY ALIGNMENT, SEWARD YOUTH FISHERY, WATERS, SEASONS, LIMITS, AND DEFINITIONS AND GUIDE SERVICES (15 PROPOSALS)

Regulatory Alignment (2 proposals)

PROPOSAL 1 – Redefine the management plan to include all waters north of Bluff Point

5 AAC 58.055. Upper Cook Inlet Summer Salt Water King Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would incorporate all Upper Cook Inlet (UCI) salt waters north of Bluff Point into the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan* by adding all Cook Inlet salt waters north of the latitude one mile north of the Ninilchik River into the plan.

WHAT ARE THE CURRENT REGULATIONS? The *Upper Cook Inlet Summer Salt Water King Salmon Management Plan* consists of all salt waters from the latitude one mile north of the Ninilchik River (60°03.99′N) south to the latitude of Bluff Point (59°40.00′N) (Figure 1-1). This management plan is effective April 1 through August 31, requires anglers to stop fishing for king salmon for the day after harvesting a king salmon 20 inches or longer, and prohibits guides and crewmembers from sport fishing when clients are present or within guide's control or responsibility.

From April 1 through August 31, in all Cook Inlet salt waters north of the latitude of Bluff Point, including the waters of the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan* and those waters identified on the map as "Upper Cook Inlet," the king salmon bag and possession limits are one king salmon of any size. King salmon 20 inches or longer apply to the annual limit of five king salmon.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce regulation complexity by eliminating the northern boundary for the area associated with the plan. This change would not result in any significant change to anglers and will not increase or decrease effort and harvest.

BACKGROUND: The *Upper Cook Inlet Summer Salt Water King Salmon Management Plan* was first adopted by the board in 1996 as the *Upper Cook Inlet Salt Water Early-Run King Salmon Management Plan* with the intention of stabilizing a growing king salmon fishery on a mixture of fully utilized Cook Inlet stocks in the nearshore salt waters. These stocks included the Lower Kenai Peninsula Roadside streams (Anchor River, Deep Creek, and Ninilchik River), Kenai and Kasilof rivers, and other Northern Cook Inlet stocks. The plan was originally effective from April 1 through June 30, established closed conservation zones around the stream mouths and special harvest areas that required anglers to stop fishing after harvesting a king salmon and prevented guides from sport fishing when clients were present. The area defined by the plan extended one statute mile from shore from Bluff Point to one mile north of the Ninilchik River, since most of

the sport fishing effort occurred there, and established a guideline harvest level of 8,000 king salmon.

In 2016, the board adopted department proposals to realign king salmon sport fishing regulations in Cook Inlet salt waters to better match run timing of Cook Inlet stocks. The *Upper Cook Inlet Salt Water Early-Run King Salmon Management Plan* was modified to include July and August and regulations associated with the special harvest areas were modified and included for all salt waters included in the plan. This change provided the same protections for both early-run and late-run Cook Inlet king salmon stocks and added these restrictions to offshore waters where mature king salmon were known to be harvested. The conservation zone closures around the stream mouths were also extended through July 15 to reflect later run-timing of king salmon to the roadside streams. These changes were not included in the area north of the latitude of one mile north of the Ninilchik River. As a result, there were two areas with differing king salmon regulations during the summer period in UCI. The king salmon sport fishing effort and harvest in Cook Inlet salt waters north of the Ninilchik River is unknown but assumed to be low.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. By including all UCI salt waters north of the latitude of Bluff Point in the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan,* regulations would be simplified by eliminating an unnecessary boundary. The regulations that protect Cook Inlet king salmon stocks in the UCI summer fishery would be included to all Cook Inlet waters north of the latitude of Bluff Point.

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. Approval of this proposal is not expected to result in an additional cost to the department.

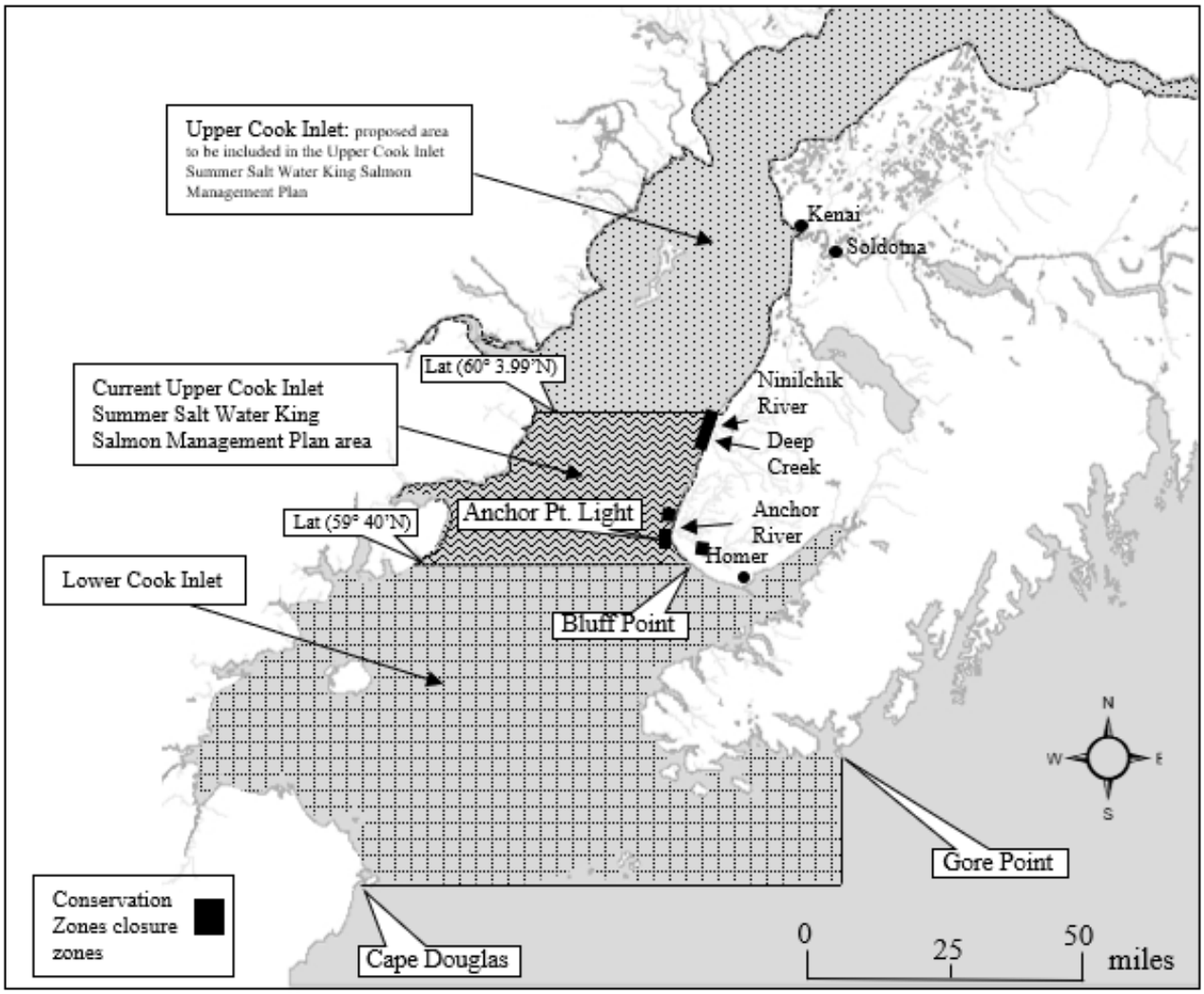

Figure 1-1. –Map of Lower and Upper Cook Inlet salt waters associated with king salmon sport fishing regulations including the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan*.

PROPOSAL 2 – Align gear restrictions for roadside streams closed to salmon fishing

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, methods and means for the Kenai Peninsula Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would align gear restrictions in waters above the 2-mile markers of the lower Kenai Peninsula roadside streams that are closed to salmon fishing. The use of bait would be prohibited in those waters for an additional 31 days in August.

WHAT ARE THE CURRENT REGULATIONS? The upstream sections above the 2-mile markers of the lower Kenai Peninsula roadside streams (Anchor River, Stariski Creek, Deep Creek, and Ninilchik River) are open to sport fishing August 1 through October 31 (Figure 2-1). These sections are open to the use of bait and multiple hooks August 1–31 and are restricted to one unbaited, single-hook, artificial lure September 1–October 31. These upstream sections are closed to salmon fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would align the use of bait and multiple hooks to be consistent with the portion of these streams open to salmon fishing. Anglers would no longer be able to use bait, multiple hooks or treble hooks in the upper sections of these streams to target Dolly Varden in August but would not result in any significant changes to effort or Dolly Varden catch. It would reduce the incidental catch of king and coho salmon in waters closed to salmon fishing and may reduce mortality of salmon, Dolly Varden, and steelhead.

BACKGROUND: In the lower Kenai Peninsula roadside streams, the use of bait and gear in sport fisheries has been modified by the board to protect steelhead and spawning king salmon. Emergency orders have also been issued to restrict the use of bait and gear to add further protection for king salmon in years of below average runs. Salmon fishing has been primarily limited to the lower 2-mile sections of these streams whereas Dolly Varden and steelhead fishing occur throughout the drainages. Historically, the use of bait and gear restrictions were aligned in these streams by season.

The lower Kenai Peninsula roadside streams king salmon run timing has continued to be later than it was historically (Figure 2-2). Since 2012, approximately 34% of the Anchor River king salmon run has been counted after July 1. In 2013, to address concerns with anglers targeting king salmon with bait in July when the season was closed to king salmon fishing, the board prohibited the use of bait and limited gear to single-hook, artificial lure July 1–15. With later run timing, king salmon are still actively spawning in the upper sections of these streams when they open to fishing on August 1.

Dolly Varden and steelhead are the two species primarily targeted in the upstream sections of the lower Kenai Peninsula roadside streams. Since steelhead start arriving to these streams in September, Dolly Varden are the most numerous in the upper stream sections in August. Most of the sport fishing effort on these streams for Dolly Varden and steelhead is catch-and-release. On

average, 93 percent of the Dolly Varden caught in the roadside streams each year are released and steelhead may not be retained by regulation.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Sport anglers primarily use bait to target king and coho salmon in the lower Kenai Peninsula roadside streams. This would align the use of bait with the areas open to fishing for salmon in these streams. Restricting gear in the upstream sections of these streams to one unbaited, single-hook, artificial lure would protect migrating and spawning king salmon while continuing to provide sport fishing opportunity for Dolly Varden and steelhead.

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. Approval of this proposal is not expected to result in an additional cost to the department.

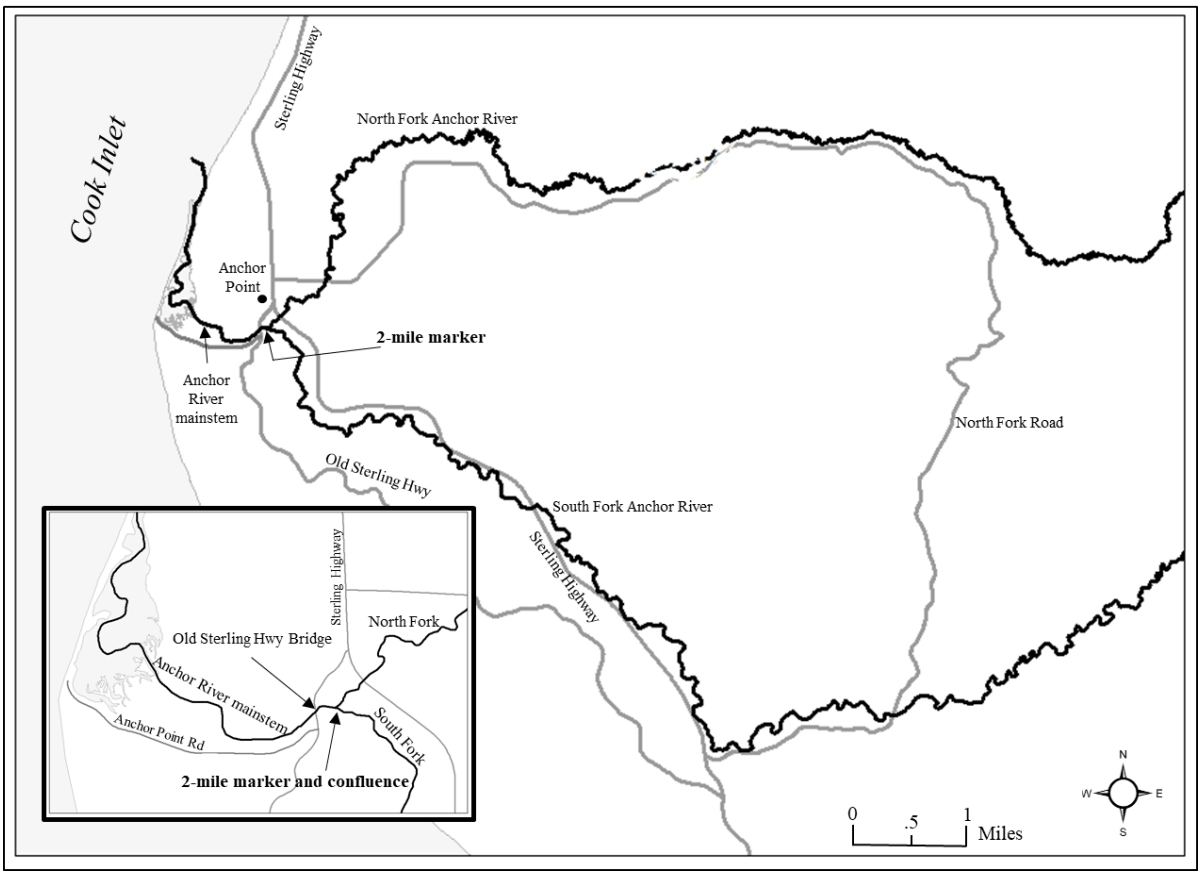

Figure 2-1.–Example of lower Kenai Peninsula roadside stream including the location of the regulatory 2-mile marker which is the boundary between the lower and upper stream sections.

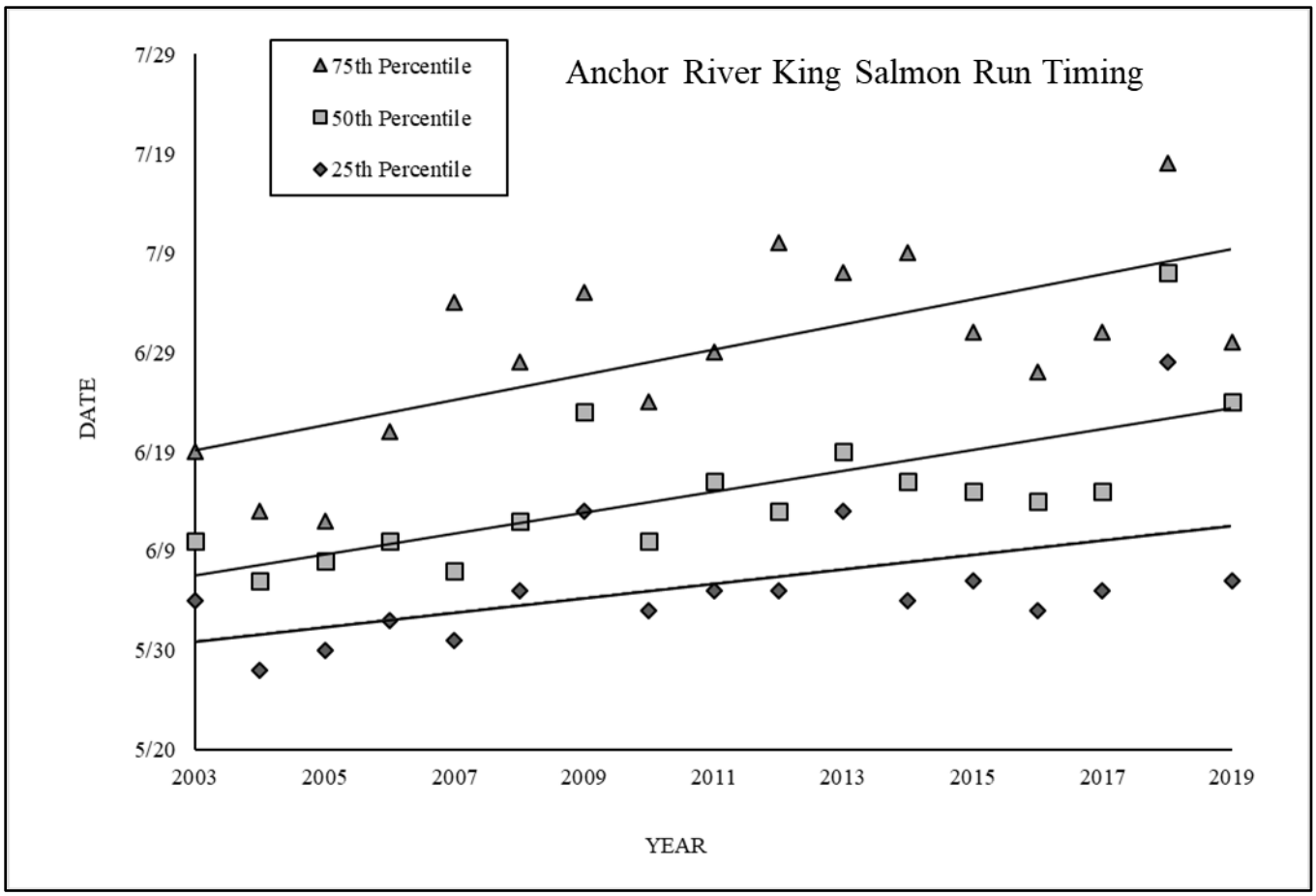

Figure 2-2.–Anchor River king salmon run-timing, 2003–2019.

Seward Youth Fishery (3 proposals)

PROPOSAL 3 – Reduce the bag limit for the Seward Lagoon youth fishery to one fish

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Seward Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Reduce the bag and possession limit for the Seward Lagoon and Outfall Stream youth-only sport fishery to 1 fish per day.

WHAT ARE THE CURRENT REGULATIONS? The youth-only fishery is only open to youth 15 years of age or younger. Youth are only allowed during specific dates and in the defined freshwaters of the Seward Lagoon and Outfall Stream (Figure 3-1). The freshwater of the Seward Lagoon and Outfall Stream is closed to salmon fishing except during this youth-only fishery. The youth-only fishery occurs for two 3-day (Friday–Sunday) weekends for king salmon fishing and two 3-day (Friday–Sunday) weekends for coho salmon fishing. Youth anglers can use bait or artificial lures but only one hook (single or treble) per line is allowed and snagging is prohibited. The bag and possession limit in the youth-only fishery is 2 fish.

Youth are also allowed to fish in the adjacent Resurrection Bay saltwater sport fishery. The adjacent saltwater sport fishery in Resurrection Bay is open to snagging for coho and king salmon. The saltwater bag and possession limit for king salmon is 2 fish (May 1–August 31) and 1 fish (September 1–April 30) and the bag and possession limit for other salmon (except king salmon) is 6 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the number of fish that could be harvested daily by a youth angler. More fish would potentially remain in the lagoon and outfall stream for subsequent youth anglers while the youth-only fishery is open and surplus fish may remain in the lagoon and outfall stream after the fishery has closed. Fish remaining in the lagoon after the fishery closes will attempt to spawn in the creeks draining into the lagoon. It is unknown whether these hatchery fish spawn successfully.

BACKGROUND: The Seward Lagoon and Outfall Stream youth-only sport fishery was established by the board in 2007 prompted by a proposal submitted by the Seward Fish and Game Advisory Committee to create an additional sport fishing opportunity for youth in the Seward area. The lagoon is stocked by the department and Cook Inlet Aquaculture Association. The department has stocked the lagoon since 1968 and the current stocking goal is 305,500 king and 240,000 coho salmon. These salmon are stocked for harvest by sport anglers. Saltwater fishing onshore near the outfall stream is a popular fishery. Salmon have been observed spawning in the creeks that flow into the lagoon but it is unknown if these spawning events are successful. On years of large returns, it is common to see dead postspawn salmon in the lagoon. The department does not have an estimate of the participation or harvest of salmon taken annually during the youth-only fisheries. The bag and possession limit in the youth-only fishery is currently in alignment with the adjacent saltwater fishery for king salmon (May 1–August 31) and more restrictive for coho salmon. In

Resurrection Bay saltwaters the bag and possession limit is six coho salmon. In addition, snagging is allowed in adjacent saltwaters.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This would reduce the bag and possession limit on a stocked terminal youth-only sport fishery with no measurable biological benefit since these hatchery fish are not used for broodstock.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Figure 3-1.–Seward Lagoon and Outfall Stream youth-only sport fishery.

PROPOSAL 4 – Define the boundaries for the Seward Lagoon youth fishery

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Seward Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would redefine the boundaries of the fishing area for the Seward Lagoon and Outfall Stream youth-only sport fishery by prohibiting fishing in the outfall stream (Scheffler Creek) downstream of the 4th Avenue bridge crossing during the youth-only fishery (Figure 4-1).

WHAT ARE THE CURRENT REGULATIONS? The youth-only fishery is only open to youth 15 years of age or younger. Youth are only allowed during specific dates and in the defined freshwaters of Seward Lagoon and Outfall Stream (Figure 3-1). The freshwater in Seward Lagoon and Outfall Stream is closed to salmon fishing except for during this youth-only fishery. The youth-only fishery occurs for two 3-day (Friday–Sunday) weekends for king salmon fishing and two 3-day (Friday–Sunday) weekends for coho salmon fishing. Youth anglers can use bait or artificial lures, but only one hook (single or treble) per line is allowed, but snagging is prohibited. The bag and possession limit in the youth-only fishery is 2 fish.

Youth are also allowed to fish in the adjacent Resurrection Bay saltwater sport fishery. The adjacent saltwater sport fishery in Resurrection Bay is open to snagging for king and coho salmon. The saltwater bag and possession limit for king salmon is 2 fish (May 1–August 31) and 1 fish (September 1–April 30) and the bag and possession limit for other salmon (except king salmon) is 6 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the area open to fishing during the Seward Lagoon and Outfall Stream youth-only sport fishery by approximately 1,240 feet of shoreline. Youth anglers would be limited to the lagoon and a small section of the outfall stream. Currently, access and fishable area is limited around the lagoon. Reducing open waters would likely decrease harvest by an unknown amount and may result in excess hatchery fish being unutilized.

BACKGROUND: The Seward Lagoon and Outfall Stream youth-only fishery was established by the board in 2007 prompted by a proposal submitted by the Seward Fish and Game Advisory Committee to create an additional sport fishing opportunity for youth in the Seward area. The lagoon is stocked by the department and Cook Inlet Aquaculture Association. The department has stocked the lagoon since 1968 and the current stocking goal is 305,500 king and 240,000 coho salmon. These salmon are stocked for harvest by sport anglers. Saltwater fishing onshore near the outfall stream is a popular fishery. Salmon have been observed spawning in the creeks that flow into the lagoon but it is unknown if these spawning events are successful. On years of large returns, it is common to see dead postspawn salmon in the lagoon. The department does not have an estimate of the participation or harvest of salmon taken annually during the youth fisheries. The bag and possession limit in this youth-only fishery is currently in alignment with the nearby saltwater fishery for king salmon (May 1–August 31) and more restrictive for coho salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This would reduce access to the youth-only fishery targeting hatchery fish by decreasing the size of the area that anglers are allowed to fish.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Figure 4-1.–Seward Lagoon and Outfall Stream youth-only sport fishery including area of proposed closure.

PROPOSAL 5 – Extend the dates of the Seward youth king and coho salmon

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, and methods and means for the Kenai Peninsula Area.

PROPOSED BY: Seward Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Extend the dates of the Seward Lagoon youth-only sport fishery to create a 10-day king salmon sport fishery and a 10-day coho salmon sport fishery.

WHAT ARE THE CURRENT REGULATIONS? The youth-only fishery is only open to youth 15 years of age or younger. Youth are only allowed during specific dates and in the defined freshwaters of Seward Lagoon and Outfall Stream (Figure 3-1). The freshwater in Seward Lagoon and Outfall Stream is closed to salmon fishing except during this youth-only fishery. The youth-only fishery occurs for two 3-day (Friday–Sunday) weekends for king salmon fishing and two 3-day (Friday–Sunday) weekends for coho salmon fishing. Youth anglers can use bait or artificial lures but only one hook (single or treble) per line is allowed but snagging is prohibited. The bag and possession limit in the youth-only fishery is 2 fish.

Youth are also allowed to fish in the adjacent Resurrection Bay saltwater sport fishery. The adjacent saltwater sport fishery in Resurrection Bay is open to snagging for coho and king salmon. The saltwater bag and possession limit for king salmon is 2 fish (May 1–August 31) and 1 fish (September 1–April 30) and the bag and possession limit for other salmon (except king salmon) is 6 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the opportunity for youth anglers during the youth-only salmon fishery in the Seward Lagoon by 4 days for both species of salmon. It may also further distribute sport fishing effort over a longer period of time.

BACKGROUND: The Seward Lagoon and Outfall Stream youth-only fishery was established by the board in 2007 prompted by a proposal submitted by the Seward Fish and Game Advisory Committee to create an additional sport fishing opportunity for youth in the Seward area. The lagoon is stocked by the department and Cook Inlet Aquaculture Association. The department has stocked the lagoon since 1968 and the current stocking goal is 305,500 king and 240,000 coho salmon. These salmon are stocked for harvest by sport anglers. Saltwater fishing onshore near the outfall stream is a popular fishery. Salmon have been observed spawning in the creeks that flow into the lagoon, but it is unknown if these spawning events are successful. On years of large returns, it is common to see dead postspawn salmon in the lagoon. The department does not have an estimate of the participation or harvest of salmon taken annually during the youth-only fisheries. The bag and possession limit in this youth-only fishery is currently in alignment with the nearby saltwater fishery for king salmon (May 1–August 31) and more restrictive for coho salmon.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. This would provide additional sport fishing opportunity on a stocked terminal fishery with no measurable biological effect on wild salmon stocks. If adopted, the department recommends providing specific opening

and closing dates for each fishery to simplify regulations, create more consistency for anglers, and account for variations in annual run timing.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Waters, Seasons, Limits, and Methods and Means (8 proposals)

PROPOSAL 6 – Close the Homer Marine Terminal barge basin to sport fishing

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Homer Spit Properties LLC.

WHAT WOULD THE PROPOSAL DO? This would close the Homer Marine Terminal Barge basin to all sportfishing.

WHAT ARE THE CURRENT REGULATIONS? Lower Cook Inlet and Kachemak Bay salt waters are open year-round to sport fishing. Snagging is allowed from June 24 through December 31 excluding the Nick Dudiak Fishing Lagoon (NDFL) waters.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce shore- and boat-based sport fishing opportunity along the Homer Spit. It would also reduce or eliminate trespassing by shore-based anglers on private lands at the Homer Marine Terminal Barge basin. It would also likely improve safety associated with conflicts between anglers and marine terminal activities. This proposal would shift angler effort to NDFL waters.

BACKGROUND: The east shore of the Homer Spit supports both shore- and boat-based sport fishing opportunities for king and coho salmon as well as a set gillnet coho salmon personal use fishery. Both wild stocks and enhanced runs support these opportunities. The department began releasing king and coho salmon smolt into NDFL on the east shore of the Homer Spit in 1984. Since 2013, an estimated 120,000 coho salmon smolt have been released annually in the lagoon providing an annual harvest of approximately 3,000 adult coho salmon. Approximately 200,000 king salmon smolt have been stocked annually but was increased to 300,000 smolt annually in 2018. These stockings have supported a harvest of roughly 1,000 king salmon annually since 2014.

In Kachemak Bay, snagging is allowed from June 24 through December 31 excluding NDFL waters, which opens to snagging only by emergency order. The NDFL waters extend along the east shore of the Homer Spit from the Homer Harbor north to approximately 200 yards north of the lagoon entrance and to a distance 300 feet from shore. In July and August, both wild and NDFL-stocked coho salmon mill in the nearshore waters on the east side of the Homer Spit. Some anglers prefer to legally snag these fish northwest of the NDFL waters. The Homer Marine Terminal Barge basin is located approximately 0.5 miles northwest of the NDFL waters and is a popular place to attempt to snag coho salmon due to the shallow water (Figure 6-1). Anglers typically access the public waters of the basin one of two ways. Some shore-based anglers trespass through the terminal property to reach the shore within and outside of the basin. Boat-based anglers will enter the barge basin prior to high tide and will also fish just outside the mouth of the basin. The shoreline below the ordinary high tide line (+17 ft) and all navigable waters are considered public domain which allows legal access for shore- and boat-based sport fishing within the barge basin.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Although there are no biological concerns associated with snagging coho salmon along the east shore of the Homer Spit northwest of the NDFL waters, Homer Marine Terminal Barge owners have expressed concerns with shore-based anglers trespassing and potential safety issues with both shore- and boat-based anglers in the basin.

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. Approval of this proposal is not expected to result in an additional cost to the department.

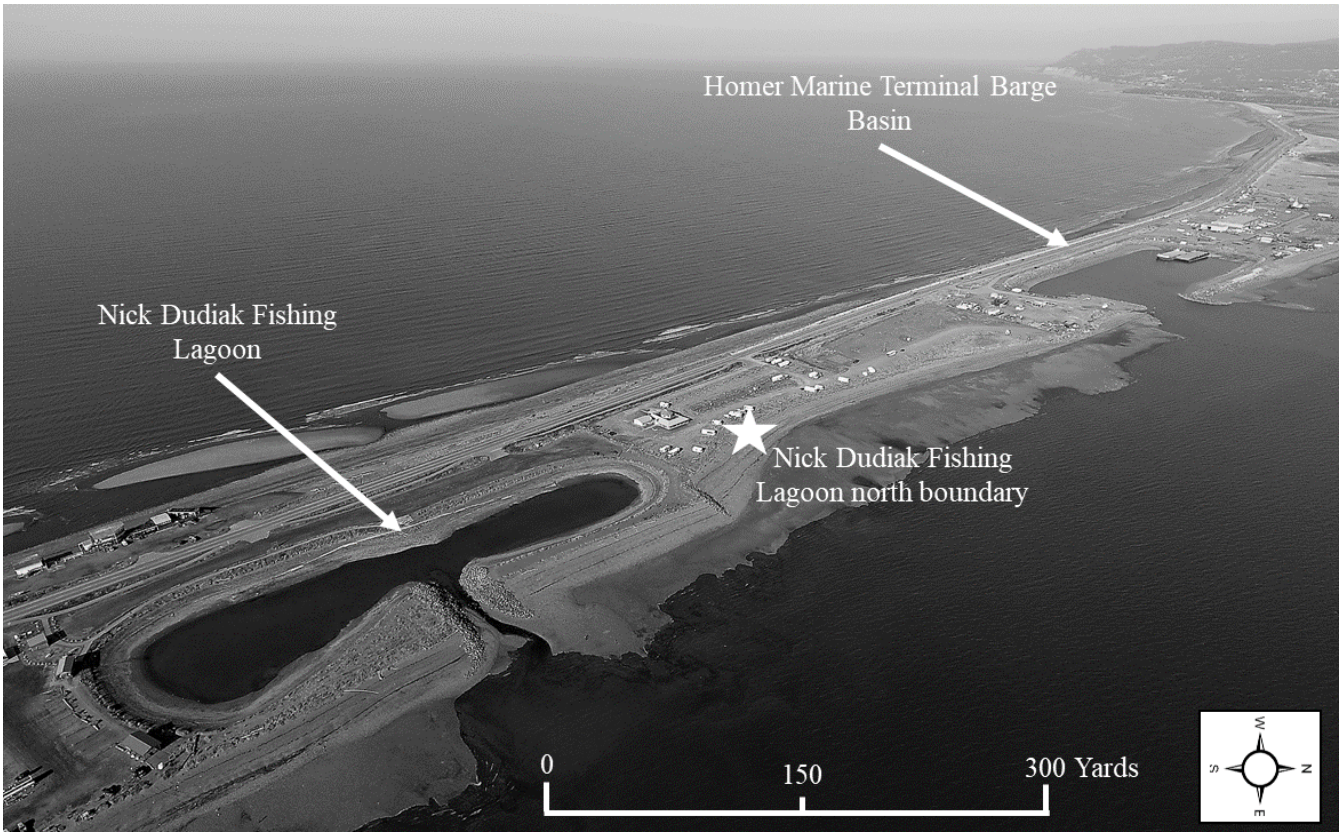

Figure 6-1.–Location of the Homer Marine Terminal Barge Basin on the Homer Spit in relation to the Nick Dudiak Fishing Lagoon.

PROPOSAL 7 – Redefine the area prohibited to snagging in Cook Inlet salt waters

5 AAC 58.030. Methods, means, and general provisions – Finfish.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would redefine the area prohibited to snagging in Cook Inlet salt waters.

WHAT ARE THE CURRENT REGULATIONS? In Cook Inlet salt waters, snagging is prohibited year round north of Anchor Point, is prohibited from January 1 through June 23 in Kachemak Bay east of a line from Anchor Point to Point Pogibshi, and is allowed year-round west of a line from Anchor Point to Point Pogibshi (Figure 7-1). In the Nick Dudiak Fishing Lagoon (NDFL) on the Homer Spit, snagging is closed year-round unless opened by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would simplify regulations in Cook Inlet salt waters by aligning the snagging boundaries with other sport fishing regulations by moving the boundary 8 miles south from Anchor Point to Bluff Point. Snagging would be allowed year-round in Kachemak Bay, which would be aligned with all other southcentral area salt waters. This may provide more sport fishing and harvest opportunity to snag in terminal stocking locations within Kachemak Bay and would not change the harvest between Bluff Point and Anchor Point.

BACKGROUND: Sport fishing snagging regulations in Cook Inlet salt waters have been structured to prevent anglers from targeting returning sockeye salmon in Upper Cook Inlet (UCI) and to prevent anglers from targeting stocked king salmon in Kachemak Bay. Anchor Point is the UCI southern boundary for the snagging closure which is aligned with the commercial fishery boundary and not other sport fishing regulations. Bluff Point has been used for other sport fishing regulations to define UCI. Both the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan* and the *Kenai River Late-Run King Salmon Management Plan* use the latitude of Bluff Point as the southern boundary location.

In Kachemak Bay, anglers intentionally snag salmon at terminal stocking locations. King and (or) coho salmon have been stocked in three locations to increase sport fishing opportunities, with the NDFL on the Homer Spit being the primary stocking location since 1984. The NDFL waters are closed to snagging by regulation but will be opened by emergency order when there is a buildup of maturing king or coho salmon that are difficult for anglers to harvest. Halibut Cove Lagoon was first stocked with king salmon in 1974 but was discontinued after 2017 due to poor returns. Anglers will snag king salmon in Halibut Cove Lagoon starting on June 24. Fish Creek slough in Seldovia has been stocked with king salmon annually since 1987. Anglers also snag stocked sockeye salmon in terminal locations at China Poot Bay and Tutka Bay Lagoon. In some recent years, there is a large number of sockeye salmon present for anglers when snagging opens on June 24.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Aligning snagging regulations in UCI simplifies regulations without a measurable change in harvest. With the discontinuation of the Halibut Cove Lagoon stocking, maintaining a snagging closure from January 1 through June 23 is no longer necessary in Kachemak Bay.

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. Approval of this proposal is not expected to result in an additional cost to the department.

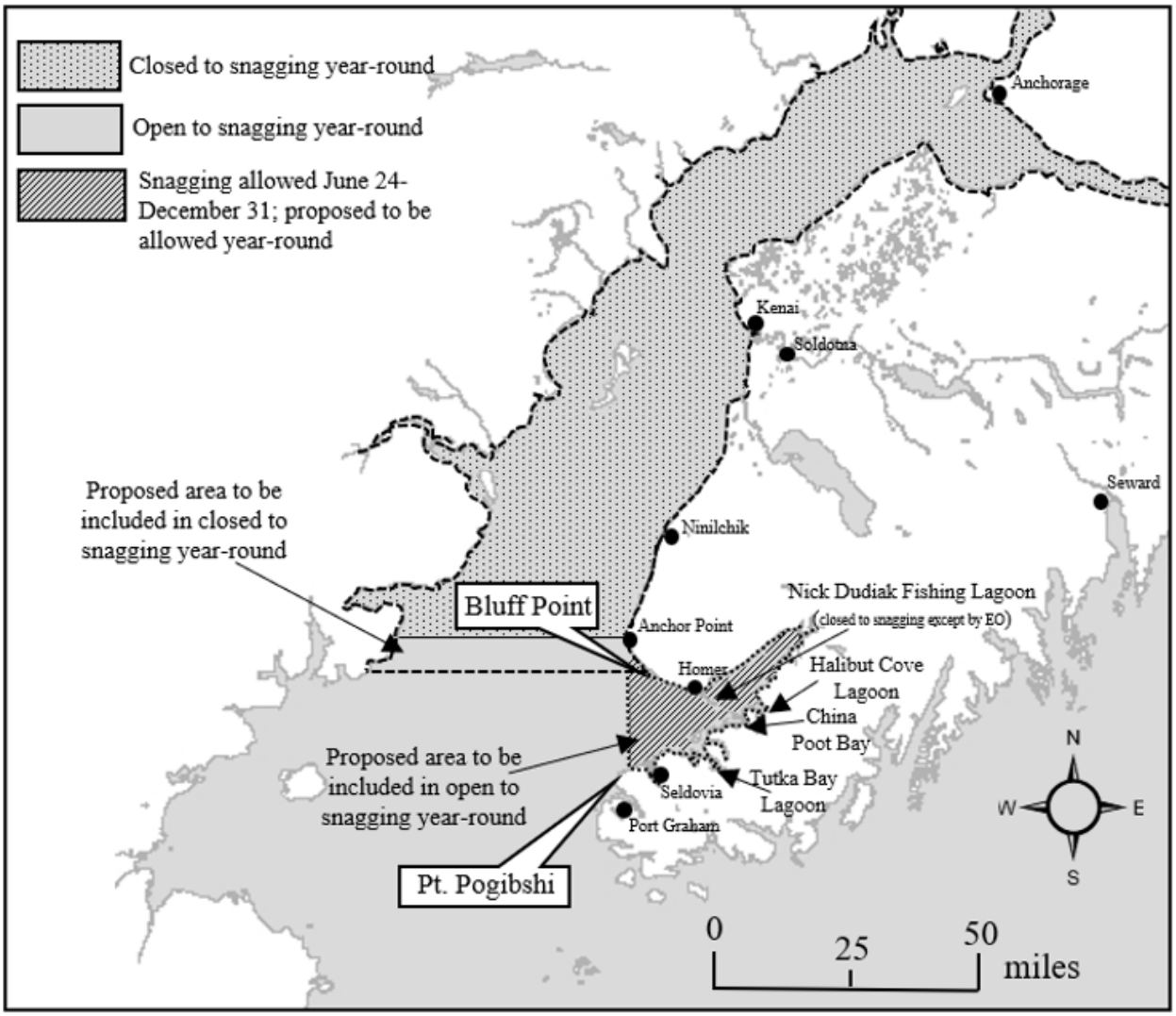

Figure 7-1.–Map of the current snagging regulations and terminal stocking locations in Cook Inlet and Kachemak Bay.

PROPOSAL 8 – Reduce the sport fish bag limit to one king salmon south of Bluff Point

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area.

PROPOSED BY: Andy Housh.

WHAT WOULD THE PROPOSAL DO? This would reduce the sport fish bag limit to one king salmon south of Bluff Point.

WHAT ARE THE CURRENT REGULATIONS? In Cook Inlet salt waters south of the latitude of Bluff Point, king salmon bag and possession limits are two fish of any size year-round. From April 1 through August 31, king salmon 20 inches or longer apply to the Cook Inlet annual limit of five.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce king salmon harvest opportunity in the Lower Cook Inlet (LCI) summer king salmon and Cook Inlet winter king salmon sport fisheries. Assuming no change in effort, this proposal may reduce the harvest by 15 to 25% in the summer fishery and up 10 to 40% in the winter fishery. It would misalign king salmon bag limits south of Bluff Point with other southcentral Alaska areas where feeder (immature) king salmon are harvested. This may shift some effort from Cook Inlet salt water fisheries to other fisheries such as North Gulf Coast. Effort and harvest may increase for other species such as rockfish within Cook Inlet. It would also add regulation complexity to the Cook Inlet winter king salmon fishery by having a different bag limit north and south of Bluff Point.

BACKGROUND: In LCI salt waters south of Bluff Point, there are two king salmon sport fisheries defined by regulatory management plans, the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan* and the *Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan*. The summer fishery occurs from April 1 through August 31 and king salmon 20 inches or longer apply to the Cook Inlet annual limit of five. The winter fishery occurs September 1 through March 31, includes all Cook Inlet salt waters, and is not included in the Cook Inlet annual limit restriction. Both fisheries are boat-based troll fishing and are primarily accessed from the Homer harbor with some additional access through the Anchor Point tractor launch during the summer fishery and by the communities on the south side of Kachemak Bay (Bear Cove to Port Graham).

In LCI, king salmon harvest has historically been higher in the summer fishery compared to the winter fishery. The summer fishery king salmon harvest is nearly equally split between guided and unguided anglers, but the winter fishery is primarily unguided anglers (Table 8-1). Since 2002, the summer fishery has had an average annual harvest of roughly 5,600 fish and peaked with 9,868 fish harvested in 2016. The winter fishery average annual harvest was roughly 2,000 fish from 2002 through 2013 and increased to an average annual harvest of over 5,000 since 2014 (Figure 8-1). The winter fishery guideline harvest level (GHL) was 3,000 fish through 2016 but expanded to 4,500 starting in 2017 to incorporate the month of September into the season and the area north of the Anchor Point light into the plan. From 2002 through 2013, the harvest remained within the GHL but has exceeded it annually since 2014. This harvest increase has been attributed to an

increased prevalence of outside-Cook Inlet stocks and favorable marine weather throughout the winter.

In both the summer and winter fisheries, king salmon harvest is mostly outside–Cook Inlet stocks, with the exception of fish harvested at stocked terminal fishery locations including the Nick Dudiak Fishing Lagoon on the Homer Spit. From 2014 through 2018, the department conducted a Cook Inlet marine sport harvest assessment program to identify the harvest contribution by genetic groups for the Upper and Lower Cook Inlet summer fisheries and the winter fishery. Cook Inlet stocks were more likely to be harvested in the Upper Cook Inlet summer fishery but composed no more than 25% of the total annual harvest. In the LCI summer fishery, Cook Inlet stocks contributed between 1 and 4% annually for an average annual harvest of approximately 200 fish (Figure 8-2). In the winter fishery, Cook Inlet stocks were either absent or harvested at an undetectable low level. The stock composition of the Outside Cook Inlet genetic reporting group was not assessed with this program.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal since it adds regulatory complexity to the winter fishery by having differing bag limits by area and unnecessarily restricts king salmon harvest opportunity in Cook Inlet salt waters south of Bluff Point. The winter fishery has exceeded the GHL annually for the last five years; however, Cook Inlet stocks were either absent or harvested at an undetectable low level in the winter fishery. The harvest in the LCI summer fishery has been above average since 2015, but the harvest of Cook Inlet stocks was approximately 200 king salmon annually. Harvest will fluctuate with changes in the abundances of nonlocal stocks and how favorable the marine weather remains throughout the winter.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 8-1.–King salmon sport harvest estimates by fishery and user in Cook Inlet salt waters, 2002–2018.

	Lower Cook Inlet Management Area											
	UCI Summer			LCI Summer			Winter			Entire MA		
Year	Guided	Unguided	Total	Guided	Unguided	Total	Guided	Unguided	Total	Guided	Unguided	Total
2002	1,825	1,970	3,795	2,357	1,520	3,877	204	1,219	1,423	8,144	3,694	11,838
2003	1,916	2,326	4,242	2,858	1,732	4,590	289	1,515	1,804	10,481	4,347	14,828
2004	2,395	3,024	5,419	2,519	3,515	6,034	419	1,650	2,069	10,779	6,958	17,737
2005	2,415	2,371	4,786	4,309	3,861	8,170	412	2,546	2,958	12,206	6,644	18,850
2006	2,610	3,323	5,933	3,717	3,055	6,772	169	1,346	1,515	9,821	6,547	16,368
2007	2,026	2,786	4,812	2,223	1,736	3,959	404	1,607	2,011	7,630	4,926	12,556
2008	912	1,742	2,654	2,072	1,285	3,357	336	1,356	1,692	5,199	3,363	8,562
2009	1,026	645	1,671	1,636	808	2,444	310	1,386	1,696	4,783	1,763	6,546
2010	1,580	731	2,311	1,789	2,580	4,369	789	1,770	2,559	6,034	4,100	10,134
2011	1,746	1,308	3,054	1,993	1,718	3,711	441	1,559	2,000	5,817	3,467	9,284
2012	827	581	1,408	1,556	1,817	3,373	330	1,749	2,079	4,162	2,728	6,890
2013	1,099	1,438	2,537	2,630	3,180	5,810	638	1,773	2,411	5,766	5,256	11,022
2014	1,379	1,160	2,539	2,095	2,964	5,059	438	2,735	3,173	7,427	4,562	11,989
2015	1,904	2,282	4,186	4,472	3,594	8,066	902	4,277	5,179	12,737	6,778	19,515
2016	1,801	1,962	3,763	4,533	5,335	9,868	344	4,762	5,106	12,364	7,641	20,005
2017	1,294	1,862	3,156	3,628	5,059	8,687	903	3,615	4,538	9,614	7,824	17,438
2018	1,436	1,541	2,977	3,318	3,500	6,818	1,341	6,503	7,844	6,095	12,062	18,157
Averages												
1986–2013	3,303	2,262	5,566	2,472	2,234	4,706	395	1,623	2,018	8,748	4,334	13,082
2014–2018	1,563	1,761	3,324	3,609	4,090	7,700	786	4,378	5,168	9,647	7,773	17,421

[a] Preliminary.

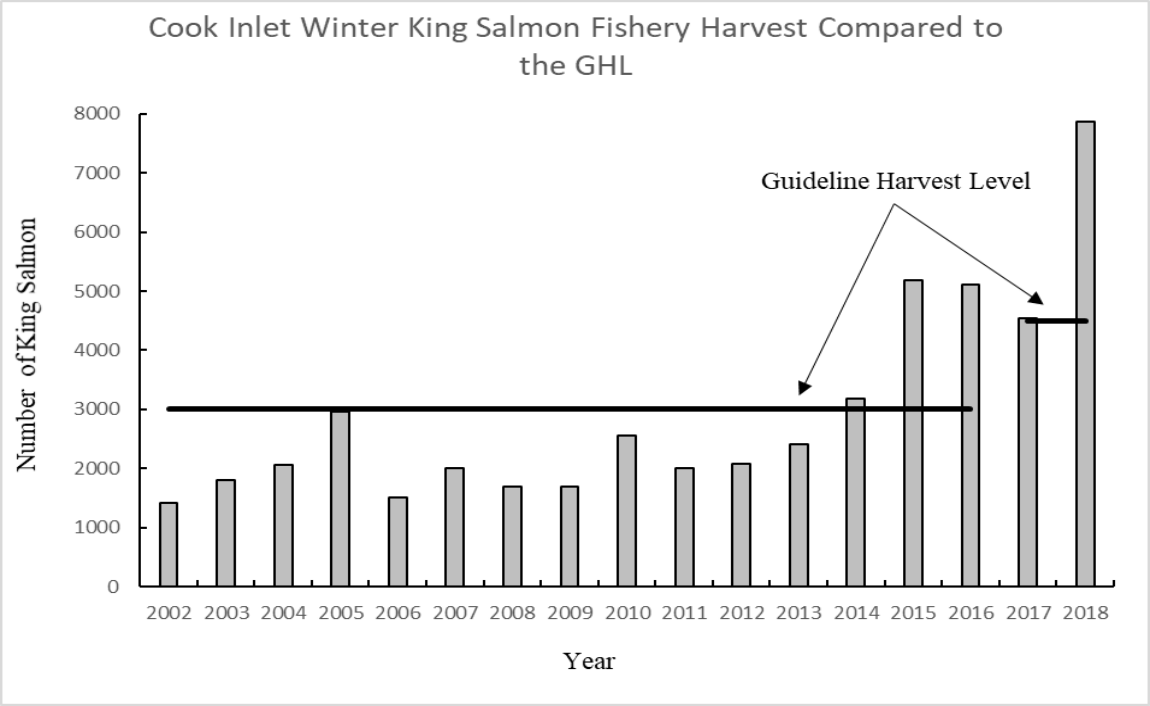

Figure 8-1.–Annual winter fishery king salmon harvest in Cook Inlet salt waters compared to the Guideline Harvest Level.

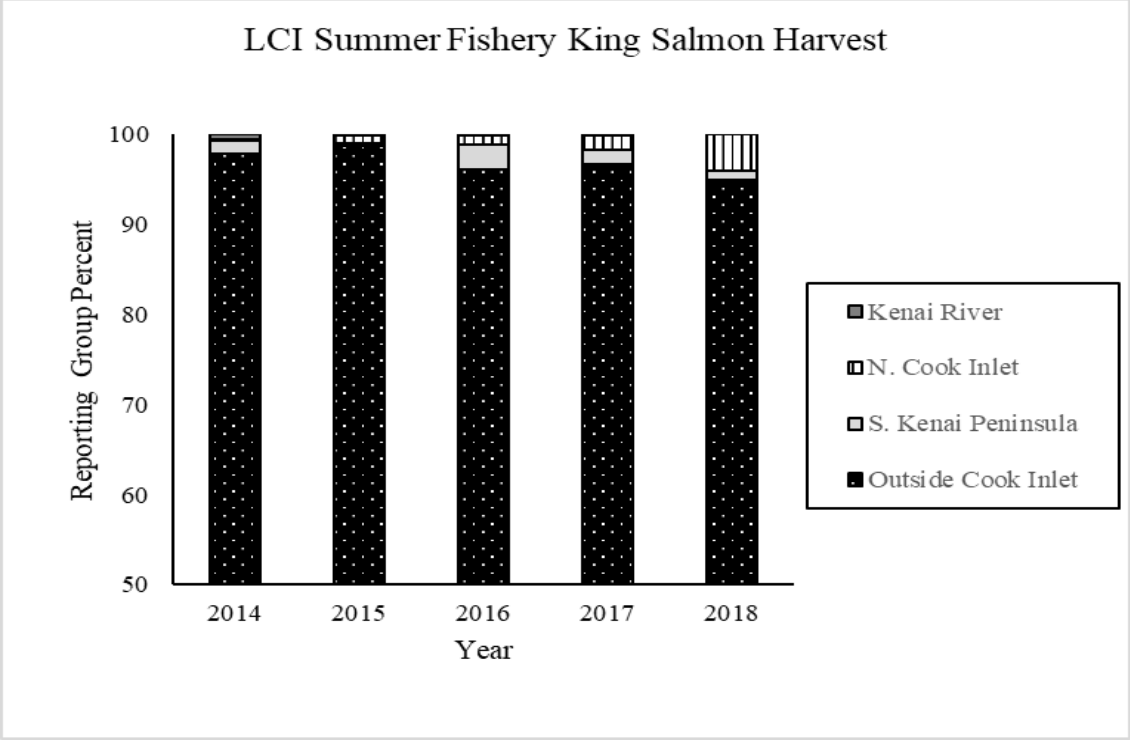

Figure 8-2.–King salmon harvest in the Lower Cook Inlet Summer sport fishery by genetic reporting group, 2014–2018.

PROPOSAL 9 – Establish a season limit of five king salmon from October 1 through April 30

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area.

PROPOSED BY: Andy Housh.

WHAT WOULD THE PROPOSAL DO? This would establish a season limit of five king salmon in Cook Inlet from October 1 through April 30.

WHAT ARE THE CURRENT REGULATIONS? In Cook Inlet salt waters, king salmon 20 inches or longer harvested from April 1 through August 31 apply towards the Cook Inlet annual limit of five king salmon.

The *Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan* is effective for all Cook Inlet salt waters from September 1 through March 31, and has a guideline harvest level of 4,500 king salmon. King salmon harvested in the winter fishery are not included in the Cook Inlet annual limit of five.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce king salmon harvest opportunity by an unknown amount in the winter fishery by implementing a season limit. Since the winter fishery season is September 1 through March 31, this would add regulation complexity by adding a season limit with differing dates. This would create a more restrictive annual limit for the winter fishery than the summer fishery because it does not specify a size. It would no longer align the use of king salmon annual limits with the time when mature Cook Inlet stocks are present in Cook Inlet salt waters. This may shift some effort from Cook Inlet salt water fisheries to other fisheries where there is no annual limit, such as North Gulf Coast. Effort and harvest may increase for other species such as rockfish within Cook Inlet. This would increase likelihood of not exceeding the winter fishery GHL.

BACKGROUND: Boat-based anglers troll year-round for feeder (immature) king salmon in Cook Inlet and Kachemak Bay. Participation in the winter is dependent on weather conditions and size of boat. Most fishing effort occurs in nearshore waters along Bluff Point and the south side of Kachemak Bay, from Point Pogibshi east to Chugachik Island.

The purpose of the *Cook Inlet Winter Salt Water King Salmon Sport Fishery Management Plan* (5 AAC 58.060) is to meet the board's goal of slowing the growth in the sport harvest of king salmon. In 2016, the board extended the area of the winter fishery to include all Cook Inlet salt waters, also included the month of September when mature Cook Inlet stocks were no longer present and expanded the GHL from 3,000 to 4,500 to include harvest that occurs with those changes. The winter fishery average annual harvest was approximately 2,000 fish from 2002 through 2013 and increased to an average annual harvest of over 5,000 since 2014 (Table 9-1). From 2002 through 2013, the harvest remained within the GHL but has exceeded it annually since 2014. This harvest increase has been attributed to an increased abundance of outside–Cook Inlet stocks and favorable marine weather throughout the winter.

In the winter fishery, king salmon harvest is mostly composed of outside–Cook Inlet stocks. From 2014 through 2018, the department conducted a Cook Inlet marine sport harvest assessment program to identify the harvest contribution by genetic groups for the Upper and Lower Cook Inlet summer fisheries and the winter fishery. In the winter fishery, Cook Inlet stocks were either absent or harvested at an undetectable low level. The stock composition of the outside–Cook Inlet genetic reporting group was not assessed with this program. Origins of king salmon from stocks outside of Cook Inlet are likely a mix of Southeast hatchery fish, non-Southeast Alaska wild stocks (e.g., Copper River), and fish from southeast Alaska, British Columbia, and west coast. On average over 800,000 king salmon managed by treaty are harvested in these outside fisheries. If all the king salmon harvested in the Cook Inlet marine winter sport fishery attributed to treaty fish, the proportion of that harvest compared to the total harvest is very small.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. It adds regulatory complexity by having differing season dates for the winter fishery and seasonal limit and creates differing size requirements for the seasonal limits. The winter fishery has exceeded the GHL annually for the last five years; however, Cook Inlet stocks were either absent or harvested at an undetectable low level in the winter fishery. Harvest will fluctuate with changes in the abundances of nonlocal stocks and how favorable the marine weather remains throughout the winter.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 9-1.–King salmon sport harvest by fishery and user group in Upper and Lower Cook Inlet salt waters, 2002–2018.

	Lower Cook Inlet Management Area											
	UCI Summer			LCI Summer			Winter			Entire MA		
Year	Guided	Unguided	Total	Guided	Unguided	Total	Guided	Unguided	Total	Guided	Unguided	Total
2002	1,825	1,970	3,795	2,357	1,520	3,877	204	1,219	1,423	8,144	3,694	11,838
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2018	1,436	1,541	2,977	3,318	3,500	6,818	1,341	6,503	7,844	6,095	12,062	18,157
Averages												
1986–2013	3,303	2,262	5,566	2,472	2,234	4,706	395	1,623	2,018	8,748	4,334	13,082
2014–2018	1,563	1,761	3,324	3,609	4,090	7,700	786	4,378	5,168	9,647	7,773	17,421

[a] Preliminary.

PROPOSAL 10 – Redefine the boundary for the lower and upper Anchor River

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, methods and means for the Kenai Peninsula Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would redefine the boundary for the lower and upper Anchor River stream sections.

WHAT ARE THE CURRENT REGULATIONS? On the Anchor River, from the mouth upstream to the junction of the north and south forks, sport fishing is open August 1 through October 31, except for salmon (Figure 10-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide a more readily identified landmark for reference to the boundary between the lower and upper sections of the Anchor River and would provide the department flexibility to relocate the marker as necessary due to changing river conditions. The boundary would still be located in the same general location and will not change sport fishing or harvest opportunity.

BACKGROUND: The sport fishing regulations in the lower Kenai Peninsula roadside streams, including the Anchor River, have been structured by stream sections. Salmon fishing is allowed in the lower 2-miles of these streams, but it closed in the upper sections. On the Anchor River, the confluence of the North and South forks has been used as the 2-mile boundary location in regulation. Since 2013, flood events have changed the channel at the confluence, and it continues to progress farther upstream. This has caused it to no longer be a readily identified landmark. Additionally, the department's king salmon escapement monitoring site is located approximately 100 yards upstream on the South Fork, which may dictate the location of the marker when operational.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Referencing the Old Sterling Highway Bridge for the description of the boundary will provide anglers a more readily identifiable landmark for reference and will eliminate the need to continue change the location of the boundary annually as the confluence of the North and South forks moves.

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. Approval of this proposal is not expected to result in an additional cost to the department.

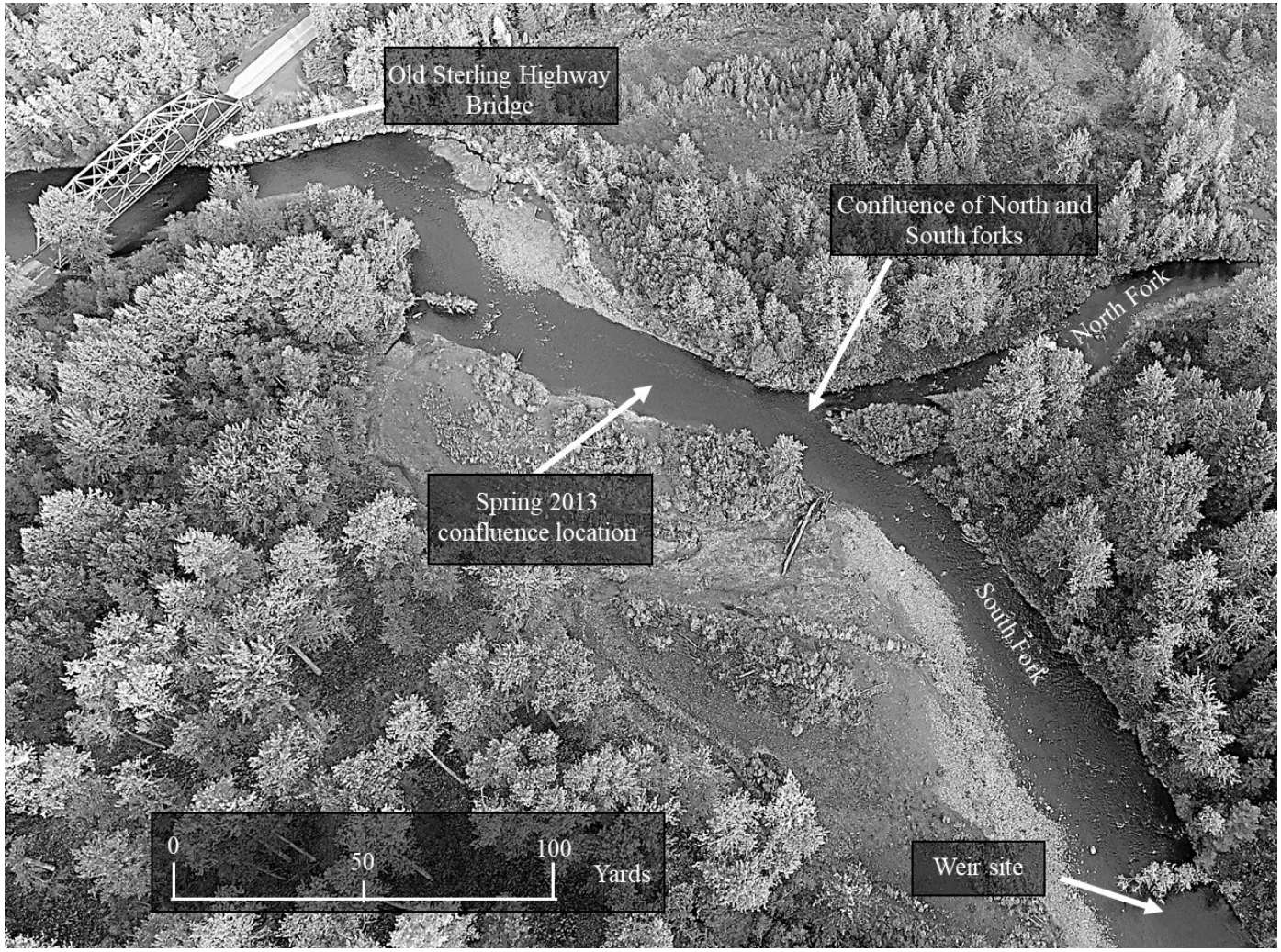

Figure 10-1.–Aerial view of the confluence of the Anchor River North and South forks in relation to the Old Sterling Highway Bridge, the king salmon weir site on the South Fork, and the old location of the confluence.

PROPOSAL 11 – Allow two unbaited, single-hook, artificial flies and limit hook size in the Anchor River and Deep Creek

5 AAC 56.122. Special provisions for the seasons, bag, possession, annual, and size limits, methods and means for the Kenai Peninsula Area.

PROPOSED BY: Phil Brna and Mike Brown.

WHAT WOULD THE PROPOSAL DO? This would allow two unbaited, single-hook, artificial flies and limit hook size to a gap between point and shank of 3/8 inch or less in the Anchor River and Deep Creek from September 1 through October 31.

WHAT ARE THE CURRENT REGULATIONS? From September 1 through October 31, in the Anchor River and Deep Creek, only one unbaited, single-hook artificial lure or fly may be used. There is no hook-gap restriction. Steelhead may not be retained or removed from the water. Both streams are closed to all sport fishing from November 1 through late May.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This may increase the catch of steelhead and Dolly Varden. This would also increase regulatory complexity by limiting the gap between hook and shank to 3/8 inch or less. This may shift effort between Kenai Peninsula streams such as the Ninilchik River and Stariski Creek depending on angler gear preferences. It would also add regulation complexity to gear restrictions on the Anchor River and Deep Creek by season. This may reduce compliance with gear regulations, because the same anglers often fish all the lower Kenai Peninsula roadside streams.

BACKGROUND: The lower Kenai Peninsula roadside streams (Anchor and Ninilchik rivers, Stariski and Deep Creeks) support steelhead fisheries. These fall-run steelhead stocks enter fresh water from late August to November, spawn from April to May, and then emigrate back out to salt water in May and June after spawning.

Run assessment of steelhead in the lower Kenai Peninsula roadside streams has been primarily conducted on the Anchor River; data indicates run sizes are variable and typically small. The immigration enumerated during weir operation (1988, 1989, and 1992) at river mile (RM) 1 ranged from 769 to 1,261 fish. The midpoint of these runs ranged from September 15 to 25 and the immigration was 90 percent complete by October 2. Steelhead were enumerated in 2010 at RM 2 through most of the immigration and 586 steelhead were counted. In 2009, steelhead were enumerated as they migrated downstream during May and June at RM 2 and a total of 605 steelhead kelts were counted. The current abundance of Anchor River steelhead is thought to be within the historical range of abundances.

From 1989 through 2010, the annual steelhead SWHS catch estimates in these roadside streams was variable, ranging from under 3,000 to over 14,000 (Table 11-1). The annual variation in catch estimates is influenced by run size, number of days the stream conditions are conducive to fishing, shifts in effort between streams, and overall variation in angler effort. From 2011 through 2018 (years with the November 1 closure date), the estimated combined annual steelhead catch averaged roughly 3,300 fish, which is roughly half of the 1989–2010 average (when the season closed on January 1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since it would add regulatory complexity by adding additional methods and means and unnecessarily restrict the use of gear currently allowed, but only in the Anchor River and Deep Creek in September and October. The department supports sport fishing opportunity for steelhead in these streams but would prefer to simplify and standardize gear restrictions amongst the lower Kenai Peninsula roadside streams. Current gear and retention restrictions for steelhead in these streams are conservative, relative to bait and treble hooks, and additional gear restrictions are not needed for conservation reasons.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 11-1.–Sport catch of steelhead and rainbow trout in the Lower Kenai Peninsula roadside streams, 1977-2018.

	Steelhead catch				
	Anchor River	Stariski Creek	Deep Creek	Ninilchik River	All streams
1989	2,066	10	409	505	2,990
1990	1,978	104	1,291	177	3,550
1991	2,349	12	425	512	3,298
1992	2,720	70	740	1,008	4,538
1993	4,156	31	1,448	442	6,077
1994	4,035	75	1,156	804	6,070
1995	2,232	0	520	178	2,930
1996	7,570	47	1,079	522	9,218
1997	3,103	0	384	380	3,867
1998	3,878	71	1,350	576	5,875
1999	3,920	305	689	694	5,608
2000	8,693	329	1,805	760	11,587
2001	3,045	51	627	283	4,006
2002	3,501	203	954	468	5,126
2003	3,409	46	2,456	952	6,863
2004	3,710	39	4,365	400	8,514
2005	2,524	106	1,355	934	4,919
2006	4,513	13	1,234	563	6,323
2007	8,365	23	2,668	725	11,781
2008	8,733	195	3,672	1,465	14,065
2009	4,119	113	1,463	1,181	6,876
2010	2,018	21	1,043	360	3,442
2011	401	19	122	53	595
2012	1,833	34	681	169	2,717
2013	2,246	38	515	100	2,899
2014	3,621	9	932	309	4,871
2015	2,892	33	728	336	3,989
2016	2,516	220	386	145	3,267
2017	3,010	0	952	183	4,145
2018	2,052	0	822	1,089	3,963
Averages					
1989–2010	4,120	85	1,415	631	6,251
2011–2018	2,321	44	642	298	3,306

Note: Prior to 1989, the SWHS produced estimates of steelhead harvest. The regulations changed to catch and release only after 1988.

PROPOSAL 12 – Reduce the sport fish bag limit for lingcod west of Gore Point to one fish

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet – Resurrection Bay Saltwater Area.

PROPOSED BY: Andy Housh.

WHAT WOULD THE PROPOSAL DO? This would reduce the bag limit for lingcod west of Gore Point to one fish.

WHAT ARE THE CURRENT REGULATIONS? In Cook Inlet salt waters west of Gore Point, lingcod may be taken only from July 1 through December 31; there is a bag and possession limit of two fish, and the minimum size is 35 inches in length (28 inches with the head removed). Anglers may gaff only legal-sized lingcod that they harvest during the open season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce both guided and unguided angler lingcod harvest in Cook Inlet salt waters. Assuming no change in effort, guided and unguided harvest may be reduced by 10 to 15%. Anglers may shift effort and harvest towards halibut, rockfish, or other groundfish. The lower bag limit simplifies regulations by aligning lingcod bag limits in North Gulf Coast and Prince William Sound salt waters.

BACKGROUND: In Cook Inlet salt waters, lingcod are common along the outer Kenai Peninsula from Gore Point to the Chugach Islands and around the Barren Islands. Although adult lingcod can be found to depths of 1,200 feet, they more typically inhabit nearshore rocky reefs from 30 to 300 feet in depth. In Cook Inlet salt waters, anglers rarely exclusively target lingcod and most are harvested in July and August during combination trips for other species to the outer coast that require traveling large distances in large vessels.

In 1992, lacking a comprehensive stock assessment program, the board adopted a suite of regulatory measures for the Cook Inlet–Resurrection Bay Saltwater Area as a precautionary approach for management of the sport lingcod fishery. For Cook Inlet (west of Gore Point), these included a minimum size limit of 35 inches total length to allow fish to spawn prior to being harvested, and a closed season of January 1 through June 30 to protect spawners and nest-guarding males. These also included a requirement that lingcod be landed by hand or with a landing net. The last requirement was repealed in 2003 with passage of a statewide prohibition on gaffing of fish that are to be released.

There is no lingcod abundance assessment for Cook Inlet. However, the department assesses the lingcod sport fishery using the following: 1) annual guided and unguided harvest estimated by the Statewide Harvest Survey (SWHS), 2) guided effort and harvest by individual anglers and by statistical area as reported in charter logbooks, and 3) age, length, and sex compositions of the harvest estimated through dockside port sampling.

In Cook Inlet, sport lingcod harvest peaked from 2007 through 2014 but has been relatively stable since (Figure 12-1). Guided anglers accounted for 64% to 82% of the total area sport harvest since 2000. Charter logbooks indicate that the 2014–2016 average annual guided harvest was 1,351

lingcod in Cook Inlet salt waters. An analysis of logbook harvest data for trip level data through 2018 indicates that, assuming recent levels of effort and success, a one-fish bag limit would be expected to reduce lingcod charter harvest by about 10–20%, or about 300–600 fish. Based on dockside port sampling, 90% percent of the lingcod harvest was taken by anglers targeting halibut or halibut in combination with other groundfish.

In Cook Inlet, sport lingcod harvest average length has remained fairly consistent since 1993 (Figure 12-2). Both average age and maximum age have also remained fairly consistent since 1993, with an average annual mean age of 13 years and an average annual maximum age of 22 years. The harvest continues to be composed of a broad range of age classes (7–29 years). Together, these observations suggest a low exploitation rate and good recruitment in most years. Although abundance of lingcod is not estimated, current harvest rates appear to be sustainable given the density of lingcod observed in Remote Operated Vehicles surveys of waters near Seward, and the likely area of rocky habitat in Lower Cook Inlet.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current regulations are designed to allow all fish to spawn prior to becoming susceptible to harvest, protect spawning fish, and protect males during the nest-guarding period. Under current regulations, lingcod harvest has maintained a stable size composition and broad diversity of age classes, which suggests that current harvest levels are sustainable. Although the proposal would align bag limits with the North Gulf Coast and Prince William Sound waters, these areas are far enough apart that anglers do not leave Cook Inlet waters to fish these other areas.

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. Approval of this proposal is not expected to result in an additional cost to the department.

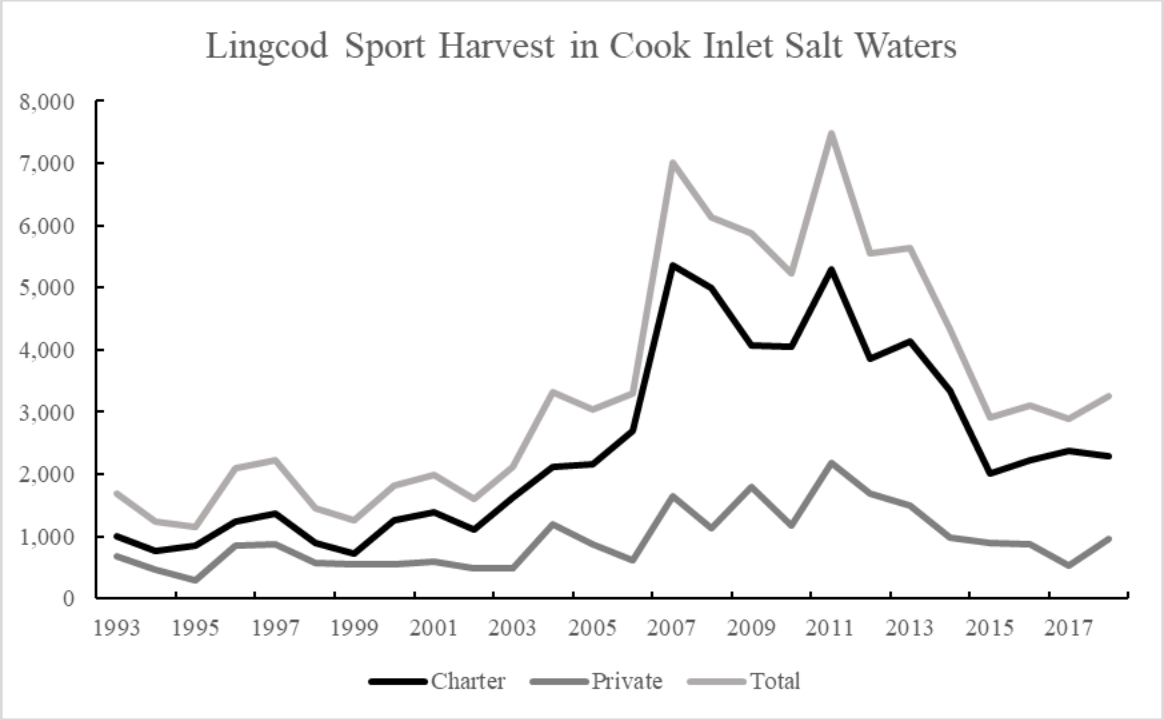

Figure 12-1.–Sport harvest of lingcod by user group in Cook Inlet salt waters, 1993–2018.

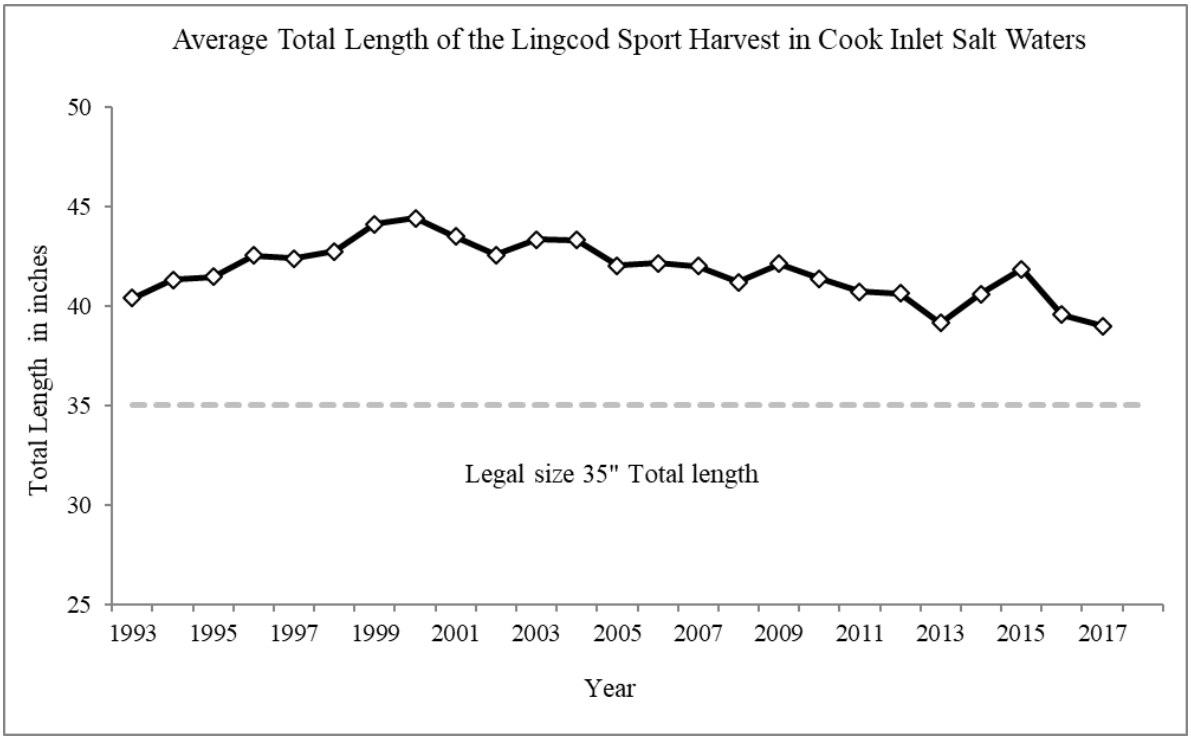

Figure 12-2.–Average total length of the lingcod sport harvest in Cook Inlet salt waters, 1993–2019.

PROPOSAL 13 – Establish a season limit of two lingcod in the North Gulf coast area

5 AAC 58.022. Waters; seasons; bag, possession, annual, and size limits; and special provisions for Cook Inlet–Resurrection Bay Saltwater Area.

PROPOSED BY: Andy Housh.

WHAT WOULD THE PROPOSAL DO? Establish an annual limit for lingcod from July 1 to December 31 in the North Gulf Coast area of 2 fish.

WHAT ARE THE CURRENT REGULATIONS? The North Gulf Coast Management Area (NGCMA) (Figure 13-1), except Resurrection Bay, is open to sport fishing for lingcod from July 1 through December 31. Bag and possession limit is 1 lingcod that is at least 35 inches long with head attached or 28 inches from tip of tail to front of dorsal fin with head removed. Resurrection Bay is closed to fishing for lingcod.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This may reduce the harvest of lingcod by an unknown amount. Analysis of the saltwater guide logbook information indicates that an annual limit of 2 fish would have little to no effect on guided harvest. The Statewide Harvest Survey (SWHS) is a household survey and does not provide information about individual anglers. This would also increase regulatory complexity and be difficult to enforce due to different regulations in adjacent waters.

BACKGROUND: Lingcod are found throughout the NGCMA, but are more abundant in the outside waters of the management area and adjacent outside waters in Cook Inlet (CI) and Prince William Sound (PWS). Although adult lingcod can be found to depths of 1,200 feet, they typically inhabit nearshore rocky reefs from 30 to 300 feet in depth. Although lingcod can live to be 30 years old, port sampling of fish harvested in the sport fishery (limited to 35 inches or greater in length including the head, or 28 inches or greater with the head removed) shows an average age of 15 years. The minimum size of 35 inches total length (28 inches without head) was implemented to allow female lingcod to spawn at least once prior to harvest. Lingcod retention is only allowed from 1 July through 31 December to protect spawning fish and nest guarding males. Tagging studies in other areas indicate that while most lingcod make localized movements, some move hundreds of miles. Females generally make greater movements than males. The preference of lingcod for rocky reefs, which are easily located using charts, sonar, and GPS, makes them susceptible to localized overharvest. Localized depletion of lingcod has not been studied or documented in the NGCMA or anywhere in Southcentral Alaska.

Most lingcod are caught in state waters and are often targeted by jigging near underwater pinnacles or reefs. Few anglers target lingcod exclusively; most lingcod are taken by anglers targeting other species or targeting lingcod in conjunction with other species (combination trip). Through 2017, the sport fishery accounted for the majority of the lingcod harvest in the NGCMA (Table 13-1). However, in recent years the sport catch and harvest of lingcod has decreased while the commercial harvest has increased. The increase in commercial harvest is most likely due to the increased participation in the directed jig pelagic shelf rockfish (PSR) fishery. The directed lingcod and PSR fisheries may be prosecuted simultaneously. Commercial harvest of lingcod from 2009 through 2018 has ranged from 203 (2015) to 1,418 (2018) fish. There is a commercial guideline harvest

level for the lingcod fishery of 52,500 lbs; this was achieved in 2018 and lingcod were closed to retention on November 11.

Currently, the department assesses lingcod sport catch and harvest through the saltwater guide logbook and SWHS data. Guide logbook data indicate a decline in lingcod harvest during the past 10 years with 572 (2016) and 618 fish (2017) being the lowest harvests during that period (Table 13-1). Based on the SWHS lingcod sport catch and harvest peaked in 2008 and has gradually declined. The SWHS estimates that an average of 2,402 lingcod were harvested annually in the sport fishery from 2013 through 2017 compared to an average of 3,700 from 2009 through 2012. This decline in sport catch and harvest of legal lingcod is also confirmed by anecdotal reports from anglers and charter operators. The reason for the decline in sport catch and harvest is unknown. The sustainable level of harvest for lingcod in the NGCMA is unknown. In the adjacent waters of PWS and CI, the lingcod season (July 1 through December 31) and size restriction are the same as the NGCMA. In CI the bag and possession limit is 2 fish whereas in PWS the bag and possession limit is the same as the NGCMA at 1 fish. The bag limit was established in 1991 and the size limit was established in 1993.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This regulation would add regulatory complexity and establish a regulation that conflicts with adjacent waters making enforcement difficult with an unknown, but likely minimal, reduction in 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. Approval of this proposal is not expected to result in an additional cost to the department.

Definitions and Guide Services (2 proposals)

PROPOSAL 14 – Modify the definition of bag limit to mean fish landed but not originally hooked by an angler

5 AAC 75.995. Definitions.

PROPOSED BY: Mel Erickson.

WHAT WOULD THE PROPOSAL DO? This would modify the definition of bag limit to include fish landed but not originally hooked by an angler.

WHAT ARE THE CURRENT REGULATIONS? Bag limit is defined as the maximum legal take of fish per person per day. A fish when landed and not immediately released becomes a part of the bag limit of the person originally hooking it.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would encourage the practice of party fishing and would create an areawide exception to the statewide definition of individual-based bag limits. This would likely increase the harvest in many of the Cook Inlet and North Gulf Coast fisheries by an unknown amount, but potentially to unsustainable levels. This would also create inconsistent regulations for halibut, because currently, individual-based harvest limits are set by federal regulation. It would also add regulation complexity to the definition of bag limit, which may result in a lack of enforceability.

BACKGROUND: The definition of bag limit has consistently been maintained by the board and party fishing has not been implemented at any time in Alaska. The current definition is enforceable and still allows guides or experienced anglers to assist less experienced anglers land their catch.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since it may increase harvest in some fisheries to unsustainable levels and result in a lack of enforceability. As written, this proposal would be better addressed at a statewide meeting, but if the board chooses to take action with this proposal, it should be applicable to regulations for Cook Inlet and North Gulf Coast area fresh and salt waters.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 15 – Prohibit reselling of guide services by anyone other than licensed guides

5 AAC 75.075. Sport fishing services and sport fishing guide services; salt water license and fresh water registration requirements; regulation of activities; 75.076. Sport fishing guide and operator reporting requirements; and 75.077. Sport fishing guide vessel registration requirements. (This proposal will be hear at the LCI and UCI meetings, and deliberated at the UCI meeting)

PROPOSED BY: Mel Erickson.

WHAT WOULD THE PROPOSAL DO? This would prohibit reselling of guide services by anyone other than licensed guides.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not address how guide services may be sold.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would eliminate third party booking agents or tour brokers and increase the difficulty for a private person to book an available guided fishing trip. This proposal may also create economic hardship for guide businesses that currently utilize guide booking offices to book trips.

BACKGROUND: Under AS 16.050251(a)(12) the board has the authority to regulate guided sport fishing as needed for conservation, development, and the utilization of fisheries. Sport fishing guides are defined as a person who is licensed to provide sport fishing guide services to persons who are engaged in sport fishing. Sport fishing guide services are defined as assistance, for compensation, to a sport fisherman to take or attempt to take fish by accompanying or physically directing the sport fisherman in sport fishing activities during any part of a sport fishing services. It does not include services provided by an assistant, deckhand, or similar person who works directly under the supervision of and on the same vessel as a sport fishing guide.

Sport fishing services are defined as the indirect provision of assistance, for the intent to receive compensation, to a person engaged in sport fishing in taking or attempting to take fish by a business that employs a sport fishing guide to provide sport fishing guide services to the person during any portion of a sport fishing trip. This does not include an activity for which a sport fishing guide is required or booking and other ancillary services provided by a tour broker or agent to sport fishing service operator.

There are many ways in which sport anglers are able to book a guided fishing trip, including using third party booking agents or tour brokers. A business that offers booking services for many charters is a common business model in communities with many charters; this business may or may not be a registered guide. In small communities, non-fishing businesses such as lodges may assist their customers by contacting sport fishing guides to reserve a fishing trip for them.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. This issue would be best addressed at a statewide meeting. If the board chooses to take action at this meeting it would apply to regulations for Cook Inlet and North Gulf Coast area fresh and salt waters. This proposal would be difficult to enforce due to the variety of ways a private person can book a guided fishing

trip. Department defers to DOL for comments on board's authority to address this issue, and comments from DPS on enforceability of this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. It would result in an additional direct cost for an individual or business that currently assist anglers with booking a guided trip since they would have to become a registered guide to provide those services. Approval of this proposal is not expected to result in an additional cost to the department.

Emergency Order Authority (1 proposal)

PROPOSAL 282 – Give department EO authority to restrict stocked waters

5 AAC 75.003. Emergency order authority.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would give the department the emergency order authority to restrict stocked waters to catch-and-release, modify methods and means, or reduce bag limits if the water body becomes contaminated or during times of low hatchery production.

WHAT ARE THE CURRENT REGULATIONS? Current emergency order authority allows the department to open or close fishing seasons or areas, change bag and possession limits and annual limits, and alter methods and means. The department emergency order authority does not allow stocked waters to be restricted to no retention (catch-and-release) in times of low hatchery production or if stocked waters become contaminated. In the AYK region, under the *Stocked Waters Management Plan,* stocked waters in that region may have reduced bag limits or catch-and-release fishing by emergency order when hatchery production is reduced, but not due to contamination.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In times of low hatchery production, sport fishing opportunity could still be provided on stocked waters at reduced bag limits or through a catch-and-release fishery. Current regulations only provide the authority to close the stocked waters or allow sport fishing under existing regulations which may result in stocked fish numbers begin depleted before the next stocking.

BACKGROUND: In 2019, per- and polyfluoroalkyl substances (PFOS/PFAS) above the federal health advisory levels were detected in stocked waters in the Fairbanks area and two stocked lakes were closed to sport fishing as a precautionary measure due to potential health concerns. While consumption of fish contaminated with PFOS/PFAS may not be advisable, these fisheries could have remained open under catch-and-release fishing only regulations and still provided sport fishing opportunity with an adequately informed public. These lakes have been removed from the Statewide Stocking Plan, but there remain stocked fish in the lakes that could provide sport fishing opportunity.

Contaminant testing of surface water, groundwater, and fish is ongoing throughout the state, and situations similar to where PFOS/PFAS was detected in stocked waters around Fairbanks in 2019 could reoccur. Secondarily, both department hatcheries are producing sufficient stocking products at this time, but if brood stock numbers decline for some reason or other production issues occur, having the authority to reduce bag limits to provide sport fishing opportunity when lower stocking levels are required allows the department some ability to continue to provide diverse fishing opportunities and take pressure off wild fish stocks

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. Approval of this proposal is not expected to result in an additional direct cost for the department.

COMMITTEE OF THE WHOLE GROUP 2: LOWER COOK INLET PERSONAL USE AND SUBSISTENCE FISHING, AQUATIC PLANTS, SALMON HATCHERIES AND SPECIAL HARVEST AREAS (15 PROPOSALS)

Personal Use and Subsistence (5 proposals)

PROPOSAL 16 – Require a permit to participate in the China Poot Bay personal use dip net fishery.

5 AAC 77.545. Kachemak Bay Personal Use Dip Net Fishery Management Plan.

PROPOSED BY: Cook Inlet Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would require a permit to participate in the China Poot Bay personal use dip net fishery.

WHAT ARE THE CURRENT REGULATIONS? The China Poot Bay personal use fishery is managed under the *Kachemak Bay Personal Use Dip Net Fishery Management Plan.* The terminal stocked fishery is located in China Poot Creek, the season is July 1 through August 7, and the bag limit for an individual is six sockeye salmon per day. A permit is not required to participate in the China Poot Bay personal use dip net fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require the department to implement a permit system for participants. If the required permit was a household permit, it would prevent households from participating in this fishery and other currently permitted Cook Inlet personal use salmon fisheries in the same year.

BACKGROUND: Leisure Lake, at the headwaters of China Poot Creek, has been stocked with sockeye salmon since 1976 (Table 16-1). The program was initiated by the department but has been continued by Cook Inlet Aquaculture Association (CIAA). Stocking is used to supplement commercial harvest in Kachemak Bay and support cost recovery operations for CIAA. Sockeye salmon that escape the commercial fishery and cost recovery are harvested by sport anglers in salt water and in a fresh water personal use fishery, which occurs along 200 yards of China Poot Creek between the intertidal area and the barrier falls.

A permit was required for this fishery from 1979 through 1982. In 1983, the Statewide Harvest Survey was expanded to include this harvest and the permit requirement was subsequently discontinued. However, the department ceased producing China Poot personal use harvest estimates in 1995 (Table 16-1). The annual harvest averaged roughly 3,800 sockeye salmon from 1983 through 1995 with a peak harvest of 8,605 in 1995. This area is inside a nonsubsistence area, so the subsistence priority does not apply.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The China Poot personal use fishery occurs in a terminal area on an enhanced run after a commercial fishery and CIAA cost recovery operations and the harvest information is unnecessary to manage or enforce the fishery. If the required permit is a household permit, it would potentially change how sockeye salmon are harvested in the fishery since current regulations are an individual limit. Currently,

residents may participate in the China Poot personal use fishery and other Cook Inlet personal use salmon fisheries in the same year, but 5 AAC 77.525(a) limits only one personal use salmon fishing permit per household per year. A permit for the personal use fishery would not include the sport fishery harvest that occurs in salt waters at the mouth of the creek and in some years could be a large percentage of the noncommercial harvest of the return.

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. Approval of this proposal would result in an additional cost to the department to collect additional permit information.

Table 16-1.–Number of sockeye fry stocked and the personal use and commercial harvest of China Poot sockeye, 1976–2019.

Year	Number of fry released	Personal use harvest	Commercial harvest	Year	Number of fry released	Personal use harvest	Commercial harvest
1976	1,085	ND	ND	1998	1,877,000	ND	100,221
1977	91,347	ND	ND	1999	265,400	ND	170,612
1978	83,422	ND	ND	2000	1,708,000	ND	78,302
1979	ND	ND	ND	2001	89,000	ND	117,686
1980	532,650	953	58	2002	2,246,200	ND	126,513
1981	1,094,713	ND	81	2003	2,240,000	ND	366,199
1982	1,527,876	1,320	1	2004	2,002,000	ND	33,370
1983	2,113,239	5,466	81	2005	2,252,000	ND	90,585
1984	2,110,000	1,794	263	2006	680,000	ND	73,926
1985	2,018,000	796	6	2007	2,315,000	ND	83,779
1986	2,250,303	1,815	83	2008	2,053,000	ND	64,082
1987	2,022,000	1,231	ND	2009	1,225,000	ND	205
1988	2,100,000	1,910	63,550	2010	1,933,000	ND	1,007
1989	2,000,000	5,416	35,795	2011	1,415,000	ND	6,553
1990	2,000,000	5,835	49,900	2012	2,074,000	ND	17,497
1991	2,000,000	1,528	109,625	2013	1,800,000	ND	24,309
1992	2,000,000	3,468	75,979	2014	1,353,000	ND	7,280
1993	2,000,000	4,551	114,002	2015	1,051,000	ND	16,644
1994	ND	5,715	38,729	2016	0	ND	46,103
1995	1,632,000	8,605	133,087	2017	1,387,000	ND	40,997
1996	1,490,000	ND	225,951	2018	1,948,000	ND	46,167
1997	2,000,000	ND	116,094	2019	1,085,000	ND	ND

ND = No data available

PROPOSAL 17 – Require that the permit holder be on site during the operation of personal use set gillnet gear.

5 AAC 77.549. Personal Use Coho Salmon Fishery Management Plan

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would require that the permit holder in the personal use set gillnet fishery be on site when their gear is deployed.

WHAT ARE THE CURRENT REGULATIONS? There is no regulation requiring the permit holder remain on site when gear is deployed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The permit holder would not be able to either leave the gear unattended or leave someone else in charge of the gear. Currently improperly attended gear presents an issue when there is a problem with the gear that needs to be resolved, such as being located too close to neighboring set gillnets or remaining in place after the fishery has closed. In addition, overharvest may also occur as a result of gear being unattended. This would make attending gear a regulatory requirement for all Cook Inlet personal use and subsistence set gillnet fisheries and provide regulatory consistency.

BACKGROUND: The Kachemak Bay (Southern District) fall coho salmon gillnet fishery has been in regulation since prior to statehood under varying opportunities. It was a subsistence fishery in 1991, 1992 and 1994, then a personal use fishery 1986–1990, 1993, and 1995-present. Permit stipulations state that the permit holder remains on site while the gear is deployed and being used to take fish. This requirement is in regulation for the Kasilof personal use set gillnet fishery as well as the Seldovia and Tyonek subsistence set gillnet fisheries as well. Having this requirement in regulation for the Kachemak Bay personal use fishery will clarify gear operation requirements for permit holder and enforcement.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 18 – Extend the subsistence salmon fishery in Seldovia Bay through June 30.

5 AAC 01.560. Fishing seasons and daily fishing periods.

PROPOSED BY: Seldovia Village Tribe.

WHAT WOULD THE PROPOSAL DO? This would extend the early season Seldovia subsistence fishery closing date from May 30 until June 30, with one 48-hour and one 24-hour fishing period per week from June 1 through 30.

WHAT ARE THE CURRENT REGULATIONS? The early season Seldovia area subsistence fishery opens on April 1 with two 48-hour fishing periods per week and closes on May 30.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Subsistence set gillnet harvest season would be extended 30 days for 72 hours each week. This extension would increase fishing effort and harvest of salmon, including hatchery-produced king salmon, by an unknown amount.

BACKGROUND: This fishery was established in 1995. The Seldovia subsistence fishery closes on May 30 to avoid harvesting king salmon that are stocked annually for sport fishing in the Seldovia harbor using Dingle-Johnson federal funding. Run timing for king salmon released at this location is from mid-June to early July, which is why the subsistence fishery does not occur in June in the Seldovia area.

Currently there are two set gillnet fishing seasons in the Seldovia area. The first season is from April 1 through May 30 with two 48-hour fishing periods each week, (6:00 a.m. Monday–6:00 a.m. Wednesday, and from 6:00 a.m. Thursday–6:00 a.m. Saturday). The second fishing season occurs during the first two consecutive Saturdays and Sundays in August with a 36-hour fishing period on each of these weekends from 6:00 a.m. Saturday until 6:00 p.m. on Sunday. The annual possession limit for subsistence caught king salmon in this area is 20 fish (5 AAC 01.595(a)(1)). The guideline harvest level for king salmon harvested in the early season in the Seldovia area is 200 fish (5 AAC 01.560(b)(8)(C)). Harvest and participation in both the early and late season has declined in recent years (Tables 18-1 and 18-2). Levels of king salmon stocked in Seldovia slough have increased in recent years (Table 18-3).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Increasing subsistence fishing opportunity in June and July will increase interception of hatchery-produced king salmon that are funded by Dingle-Johnson federal money and intended for the sport fishery. Individuals seeking to harvest king salmon have the opportunity to do so under sport regulations. If harvest patterns change significantly the department may reassess its Seldovia stocking program and weigh the benefit of providing king salmon meant to benefit sport anglers.

The board has not found amounts reasonably necessary for subsistence for this fishery. Should the board wish to act on this, the department will present options for the board to consider.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 18-1.–Salmon set gillnet catch in numbers of fish by species and permit/effort information for the early season (April 1-May 30) Seldovia area subsistence fishery, Lower Cook Inlet, 1996–2018.

	Permits				Reported harvest					
Year	Issued	Returned	Fished	Not Fished	King	Sockeye	Coho	Pink	Chum	Total
1996	41	41	13	28	51	7	0	0	0	58
1997	19	16	12	4	44	19	0	0	0	63
1998	20	19	10	9	132	61	0	8	0	201
1999	16	15	12	3	150	130	0	0	38	318
2000	28	21	17	4	189	249	0	0	14	452
2001	19	17	14	3	134	124	0	0	0	258
2002	20	18	12	6	123	222	0	0	3	348
2003	19	13	10	3	67	210	0	1	54	332
2004	13	10	9	1	91	63	0	0	15	169
2005	15	13	4	9	46	0	0	0	0	46
2006	15	12	6	6	12	10	0	1	0	23
2007	15	12	5	7	19	27	0	0	0	46
2008	10	8	3	5	3	15	0	0	0	18
2009	6	5	1	4	14	0	0	0	0	14
2010	11	8	2	6	0	54	0	0	0	54
2011	4	2	1	1	0	49	0	0	0	49
2012	16	6	2	4	3	26	0	0	0	29
2013	7	5	4	1	1	93	0	0	0	93
2014	12	8	4	4	3	69	0	0	2	74
2015	6	4	4	0	16	70	0	4	0	90
2016	3	3	3	0	7	53	0	2	1	63
2017	8	5	5	0	7	61	0	0	0	68
2018	7	5	3	2	11	9	0	0	1	21

Table 18-2.–Salmon set gillnet catch in numbers of fish by species and permit/effort information for the late season (August) Seldovia area subsistence fishery, Lower Cook Inlet, 1996–2018.

	Permits				Reported harvest					
Year	Issued	Returned	Fished	Not Fished	King	Sockeye	Coho	Pink	Chum	Total
1996	4	3	1	2	0	1	0	0	0	1
1997	1	1	0	1	0	0	0	0	0	0
1998	3	2	1	1	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0
2001	0	0	0	0	0	0	0	0	0	0
2002	1	1	1	0	0	9	13	31	6	59
2003	1	1	1	0	0	10	1	12	1	24
2004	1	1	1	0	0	0	4	0	0	4
2005	3	2	2	0	0	70	13	93	12	188
2006	2	2	1	1	0	0	0	21	0	21
2007	4	4	3	1	0	24	9	80	27	140
2008	2	2	2	0	0	16	41	65	5	127
2009	12	9	8	1	0	78	10	44	14	146
2010	5	4	3	1	2	46	31	66	35	180
2011	3	2	1	1	0	6	0	10	0	16
2012	4	1	1	0	0	3	0	20	0	23
2013	5	3	3	0	1	5	1	45	10	62
2014	9	7	6	1	2	47	0	5	63	117
2015	2	2	0	2	0	0	0	0	0	0
2016	1	1	0	1	0	0	0	0	0	0
2017	5	3	1	2	0	0	0	0	2	2
2018	2	1	1	0	0	2	0	1	52	55

Table 18-3.–King salmon smolt releases in Seldovia Harbor and anticipated returns, 1990-2019.

Year	Smolt released	Adult return	Year	Smolt released	Adult return	Year	Smolt released	Adult return
1990	98,525	1,450	2000	68,114	939	2010	114,421	9
1991	91,592	1,585	2001	102,793	2,451	2011	103,382	30
1992	112,935	1,810	2002	83,045	1,679	2012	95,800	246
1993	106,497	1,206	2003	107,521	460	2013	63,311	402
1994	107,246	1,175	2004	88,682	955	2014	74,259	771
1995	116,165	765	2005	114,984	848	2015	72,233	256
1996	118,274	688	2006	113,974	472	2016	102,552	356
1997	103,757	923	2007	54,276	129	2017	104,806	451
1998	69,461	358	2008	54,464	286	2018	104,890	399
1999	74,057	863	2009	44,487	82	2019	108,779	413

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 salmon, except enhanced salmon, in the waters along the eastern shoreline of Seldovia Bay from Seldovia Point at lat 59°28.22′N, long 151°42.37′W to an ADF&G regulatory marker located at lat 59°24.90′N, and along the shoreline from an ADF&G regulatory marker located approximately 1,000 feet southwest of Naskowhak Point at lat 59°27.10′N, long 151°44.70′ W to an ADF&G regulatory marker located on an unnamed point at lat 59°26.87′N, long 151°46.42′W are customarily and traditionally taken or used for subsistence [(5 AAC 01.566 (a)(1)(B)].

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 not established an ANS finding for the salmon stocks in this area.

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 19 – Increase the amount of shoreline where subsistence set gillnet harvest is permitted in Seldovia Bay.

5 AAC 01.566. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.

PROPOSED BY: Seldovia Village Tribe.

WHAT WOULD THE PROPOSAL DO? This would increase the amount of shoreline where subsistence set gillnet harvest is permitted in Seldovia Bay.

WHAT ARE THE CURRENT REGULATIONS? Subsistence set gillnet harvest is limited to the eastern shore of Seldovia Bay (exclusive of the harbor area), and to the area west of Naskowhak Point to an unnamed point approximately one mile away (Figure 19-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The amount of shoreline where subsistence set gillnet harvest is allowed in the Seldovia area would approximately double. Allowable fishing area would be extended both east and west outside of Seldovia Bay as well as to a significant portion of the western shore of Seldovia Bay. Increasing the amount of shoreline on the outer coast of Seldovia Bay towards Barabara Point or west past the unnamed point to subsistence fishing would likely increase harvest of king salmon because they likely follow the coast returning to their release site in Seldovia Slough. Harvest of sockeye and other salmon species are anticipated to increase as well.

BACKGROUND: This fishery was established in 1995. Currently there are two set gillnet fishing seasons in the Seldovia area. The first season is from April 1 through May 30 with two 48-hour fishing periods each week, (6:00 a.m. Monday–6:00 a.m. Wednesday and from 6:00 a.m. Thursday–6:00 a.m. Saturday). The second fishing season occurs during the first two consecutive Saturdays and Sundays in August with a 36-hour fishing period on each of these weekends from 6:00 a.m. Saturday until 6:00 p.m. on Sunday. The annual possession limit for subsistence caught king salmon in this area is 20 fish (5 AAC 01.595(a)(1)). The guideline harvest level for king salmon harvested in the early season in the Seldovia area is 200 fish (5 AAC 01.560(b)(8)(C)). The intent of this is to avoid harvest of the hatchery-produced king salmon returning to Seldovia Slough because this project is supported by federal funds (Dingle-Johnson) and intended for the sport fishery (Table 18-3). Harvest and participation in both the early and late season has declined in recent years (tables 18-1 and 18-2). King salmon are harvested in the commercial set gillnet fishery that occurs on the western shore of Seldovia Bay.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Increasing subsistence fishing area may increase harvest of hatchery-produced king salmon that are funded by Dingle-Johnson federal money and intended for the sport fishery. If harvest patterns change significantly the department may reassess its Seldovia stocking program and weigh the benefit of providing king salmon meant to benefit sport anglers.

The board has not found amounts reasonably necessary for subsistence for this fishery. Should the board wish to act on this, the department will present options for the board to consider.

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

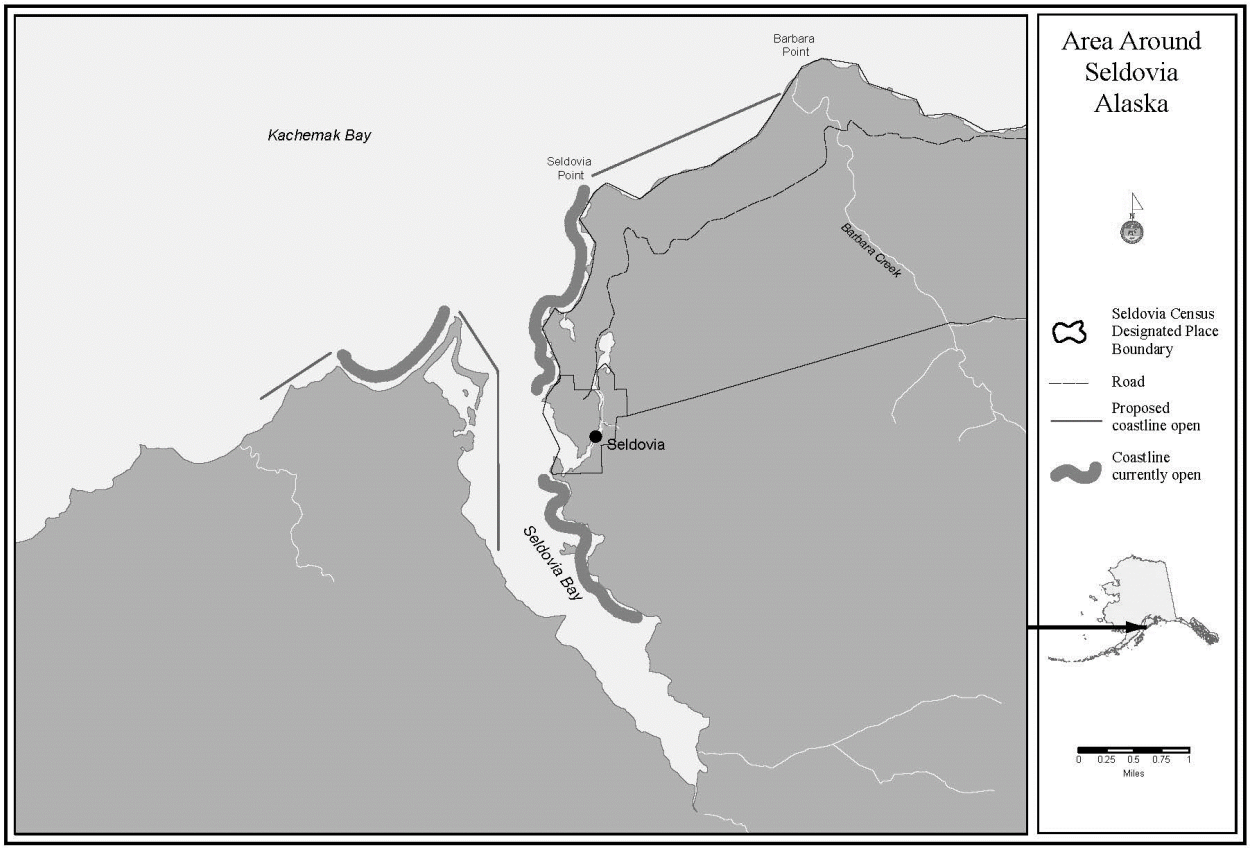

Figure 19.1–Current and proposed areas for subsistence set gillnet harvest in the Seldovia Bay area.

Table 19-1.- Number of king salmon harvested in June by commercial set gillnet permit holders in the Seldovia Subdistrict, 1985–2018.

Year	Number of kings	Year	Number of kings
1985	14	2002	210
1986	8	2003	96
1987	3	2004	227
1988	35	2005	62
1989	153	2006	68
1990	345	2007	47
1991	318	2008	20
1992	273	2009	17
1993	326	2010	8
1994	346	2011	12
1995	663	2012	5
1996	265	2013	9
1997	440	2014	100
1998	280	2015	83
1999	272	2016	110
2000	195	2017	34
2001	130	2018	35

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 salmon, except enhanced salmon, in the waters along the eastern shoreline of Seldovia Bay from Seldovia Point at lat 59°28.22′N, long 151°42.37′W to an ADF&G regulatory marker located at lat 59°24.90′N and along the shoreline from an ADF&G regulatory marker located approximately 1,000 feet southwest of Naskowhak Point at lat 59°27.10′N, long 151°44.70′W to an ADF&G regulatory marker located on an unnamed point at lat 59°26.87′N, long 151°46.42′W are customarily and traditionally taken or used for subsistence [(5 AAC 01.566 (a)(1)(B)].

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 not established an ANS finding for the salmon stocks in this area.

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 20 – Allow subsistence set gillnets throughout all of the Cook Inlet area to be set within 300 feet of another set gillnet

5 AAC 01.570(b)(3). Lawful gear and gear specifications

PROPOSED BY: Seldovia Village Tribe.

WHAT WOULD THE PROPOSAL DO? This would allow subsistence set gillnets throughout all of the Cook Inlet area to be set within 300 feet of another set gillnet.

WHAT ARE THE CURRENT REGULATIONS? Current regulation requires a 600-foot spacing between subsistence set gillnets in the Cook Inlet Area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The issue that the authors of this proposal are intending to address is the lack of subsistence set gillnet fishing sites in the Seldovia area. The proposal does not mention the need to change net spacing in either the Tyonek or Port Graham subsistence set gillnet fisheries. If the minimum distance between gear is reduced, more nets could be placed in areas where subsistence set gillnet harvest is permitted, and harvest could increase by an unknown amount. This would also reduce set gillnet net spacing in the Tyonek area, and Port Graham area subsistence salmon fisheries.

BACKGROUND: Virtually all participants in this subsistence salmon fishery are residents of the community of Seldovia (estimated population 401 in 2018 [city and census designated place]). According to findings of a comprehensive household survey, with a sample of 75% of Seldovia's households for 2014, salmon composed the largest portion (34%) of the community's harvest of wild foods. In 2014, almost all surveyed households (94%) used salmon, and 70% fished for salmon. Salmon harvests for home use were taken in subsistence and personal use net fisheries (about 12%), retained from households' commercial harvests for home use (20%), or in rod and reel fisheries under sport fishing regulations (68%).

Net separation requirements in subsistence fisheries vary statewide (Table 20-1). The 600-foot spacing between set gillnets is a standard distance of separation for this gear in many commercial and personal use fisheries in Cook Inlet, as well as for the Tyonek subsistence fishery. For example, 600 feet is the specified minimum distance between nets for subsistence set gillnet gear in the Tyonek subdistrict (5AAC 01.570(b)), as well as for commercial set gillnet gear in Cook Inlet (5AAC 21.335(a)), and as well as for setnets used in the Kachemak Bay personal use coho salmon fishery (5AAC 77.549(c)). In the Kasilof River personal use gillnet fishery, the minimum distance between set gillnets is 100 feet (5 AAC 77.540(b)(5)(B)).

However, 600-foot spacing is one of the largest separation requirements for this subsistence gear in comparison to other subsistence districts (Table 20-1). For example, 300 feet is the specified minimum distance between nets for subsistence set gillnet gear in Bristol Bay (except in specified areas the minimum distance is less) (5 AAC 01.320(D) (d)), 100 feet is the specified minimum distance between nets for subsistence set gillnet gear in the Nushagak District (5 AAC 01.320(D)(1)), and 150 feet is the specified minimum distance between nets for subsistence set gillnet gear in the Naknek-Kvichak District (5 AAC 01.320(D)(2)).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. This proposal would change the legal spacing between subsistence set gillnets throughout all of Area H (Cook Inlet), not just in the Seldovia area, which may have unintended effects on the Tyonek and the Port Graham area subsistence salmon fisheries, such as concentrating harvest in areas of high productivity, or increasing effort at specific locations where access is easiest.

The board has not found amounts reasonably necessary for subsistence for this fishery. Should the board wish to act on this, the department will present options for the board to consider.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 20-1. Subsistence net separation requirements, statewide.

Area	**Net separation requirement**
Arctic-Kotzebue Area	None
Norton Sound-Port Clarence Area	None
Yukon Area, Districts 4, 5, and 6	200 feet of other operating commercial, personal use, or subsistence fishing gear, except for selected sites near Ruby and Anvik, and for dipnetting (in which the allowed distance is closer)
Yukon Area, all other districts	None
Kuskokwim Area, lower river tributaries	150 feet from Eek Island to the Kolmakoff River, in tributaries
Kuskokwim Areas, all other areas	None
Bristol Bay Area	300 feet, except in selected areas in the Nushagak District (100 feet), Naknek River (100 feet), 150 Naknek River Special Harvest Area (when open, 300 feet)
Aleutian Islands Area	None
Alaska Peninsula Area	100 feet of a set gillnet
Chignik Area	None
Kodiak Area	None
Prince William Sound Area	None
Yakutat Area	None

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 salmon, except enhanced salmon, in the waters along the eastern shoreline of Seldovia Bay from Seldovia Point at lat 59°28.22′N, long 151°42.37′W to an ADF&G regulatory marker located at lat 59°24.90′N and along the shoreline from an ADF&G regulatory marker located approximately 1,000 feet southwest of Naskowhak Point at lat 59°27.10′N, long 151°44.70′W to an ADF&G regulatory marker located on an unnamed point at lat 59°26.87′N, long 151°46.42′W are customarily and traditionally taken or used for subsistence [(5 AAC 01.566 (a)(1)(B)].

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 not established an ANS finding for the salmon stocks in this area.

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.

Aquatic Plants (2 proposals)

PROPOSAL 21 – Allow commercial harvest of aquatic plants in Cook Inlet.

5 AAC 37.200. Seasons; and 37.300. Harvesting requirements for macrocystis kelp.

PROPOSED BY: Al Poindexter.

WHAT WOULD THE PROPOSAL DO? This would establish regulations allowing the commercial harvest of aquatic plants in the Cook Inlet Area under conditions established by a commissioner's permit.

WHAT ARE THE CURRENT REGULATIONS? Articles in 5 AAC 37 describe harvest provisions, permit requirements, seasons, and requirements for harvesting kelp. Regulations in that chapter prohibit the harvest of live aquatic plants in the nonsubsistence area in Cook Inlet. The harvest limit of aquatic plants outside of the nonsubsistence area is 10 lb a day. The commercial harvest of aquatic plants in Cook Inlet has been done through a permit issued by the commissioner.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would create regulations where the commercial harvest of detached aquatic plants could occur under the authority and direction of a permit issued by the commissioner.

BACKGROUND: The limited harvest of detached seaweed from Anchor Point beaches for use in commercially produced compost has occurred annually since the mid-1970s. A commissioner's permit to harvest kelp for commercial purposes has been issued to a single individual since 2017. In addition, the department periodically receives other requests to harvest varying quantities of aquatic plants for commercial use.

It is unknown what importance detached aquatic plants play in the ecosystem, but attached kelp provides habitat and nursery areas for fish and crab, and these plants are highly productive, producing large amounts of carbon, which fuels nearshore food webs. The department is currently working with staff at the University of Alaska to examine not only the reproductive potential of detached seaweed that has washed onto beaches (wrack), but also the ecological value of this material to other species. Preliminary results have indicated that there may be periods of time during the spring and summer months when populations of attached aquatic plants are sensitive to excessive harvest while they are actively generating reproductive spores (Nereocystis, and Fucus); spores produce future generations of these plants. In addition, this project is also assessing the general ecological impacts (e.g. on birds and invertebrates) that collection may have on those beaches where wrack is removed.

Given the close proximity of the Cook Inlet management area to population centers in Alaska, and ease of access to much of this area by roads, combined with the lack of knowledge regarding the harvest of aquatic plants in this area, the department has concerns regarding any liberalization of the harvest of attached aquatic plants. The department provides clear guidelines and limits as a cautious approach in the commercial harvest of detached aquatic plants using Commissioner's Permits. Commissioner's Permits are used for fisheries throughout the State of Alaska to provide harvest access with tightly-regulated control. The permit can stipulate requirements, such as seasons and

mandatory reporting. In Southeast Alaska, for example, in order to harvest kelp commercially, a CFEC permit card is required and the harvest must be recorded on department fish tickets.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. A commercial harvest with permit stipulations would allow the department to set and alter the provisions of harvest, which can include time and area, as well as setting limits on the amount of harvest. The department intends to present the board with a comprehensive approach to commercial and noncommercial harvest of dislodged aquatic plants in Cook Inlet (see Proposal 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. Approval of this proposal would likely result in an increase in the number of applications for Commissioner's Permits. Additional ADF&G staff time and resources will be required to research and process these.

PROPOSAL 241 – Establish provisions for the personal use of aquatic plants in the Anchorage-Matsu-Kenai Nonsubsistence Area.

5 AAC 77.XXX. New Section.

PROPOSED BY: Eliza Eller.

WHAT WOULD THE PROPOSAL DO? This would establish provisions for the personal use harvest of aquatic plants in the Anchorage-Matsu-Kenai Nonsubsistence Area.

WHAT ARE THE CURRENT REGULATIONS? Noncommercial harvest of aquatic plants in the Anchorage-Matsu-Kenai Nonsubsistence Area is closed (Figure 241-1). In the Cook Inlet Area outside of the Anchorage-Matsu-Kenai Nonsubsistence Area, there is a bag and possession limit for aquatic plants of 10 pounds wet weight (regardless if they are attached or dislodged), there is no closed season, and no permit is required.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would create an opportunity to harvest aquatic plants under personal use or sport regulations in nonsubsistence areas within the Cook Inlet Management Area. It would create a bag and possession limit within the road-accessible portions of the Anchorage-Matsu-Kenai Nonsubsistence Area of up to 10 pounds wet weight of aquatic plants, with no limits to the collection of aquatic plants that have been naturally dislodged from the substrate. It would allow for the lawful continuation of harvest activity that is believed to commonly occur. It would add regulation complexity for harvesting aquatic plants in Cook Inlet and North Gulf Coast waters by having differing limits within and outside of the Anchorage-Matsu-Kenai Nonsubsistence Area. Harvest of aquatic plants will likely increase by an unknown amount in locations such as the Homer Spit, Anchor Point, and Seward. This may have adverse effects on fish habitat in nearshore waters. Unlimited harvest of dislodged aquatic plants may reduce habitat or food sources for wildlife, such as migratory shorebirds.

BACKGROUND: Noncommercial harvesting of aquatic plants, primarily seaweeds and kelp, is common and widespread in coastal communities of Alaska. Aquatic plants are most commonly used for fertilizer in home gardens or directly as food. In Cook Inlet and North Gulf Coast waters, the personal use harvest of aquatic plants is limited to outside of the Anchorage-Matsu-Kenai Nonsubsistence Area, this includes the areas around the communities of Tyonek, Seldovia, Port Graham, and Nanwalek. In 2007, the board opened these locations to bag and possession limits of 10 pounds wet weight, with no closed season, and no permit required. This limited opportunity was established from a department-submitted proposal following a well-publicized incident that occurred in Seward in April 2006 where citations were issued to individuals excessively harvesting aquatic plants and damaging kelp beds. At the January 2018 board meeting in Sitka, the board approved a department proposal that addressed personal use harvests of aquatic plants within the Juneau and Ketchikan nonsubsistence areas. Action taken at the meeting established bag and possession limits for both attached and detached aquatic plants in those areas.

Currently, there is an ongoing University of Alaska research project to examine seaweed reproduction and rate of regrowth after harvest in Southcentral Alaska. Some results from this work suggest that both when and how the plants are harvested influences how aquatic plants recover from harvest. When

aquatic plants are harvested may limit recovery due to reproductive timing, which differs by aquatic plant taxa. If aquatic plants are harvested by cutting only a portion of the plant, recovery will also differ by taxa.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal with modifications to provide opportunity for Alaskans to harvest kelp. The department is opposed to the harvest of attached aquatic plants due to concerns of potential overharvest and adverse effects to nearshore fish habitat. The department will present and be prepared to discuss options with the board to create a personal use harvest opportunity for dislodged aquatic plants in the Anchorage-Matsu-Kenai Nonsubsistence 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. Approval of this proposal may result in an additional cost to the department if a permit is required to participate in the personal use harvest of aquatic plants.

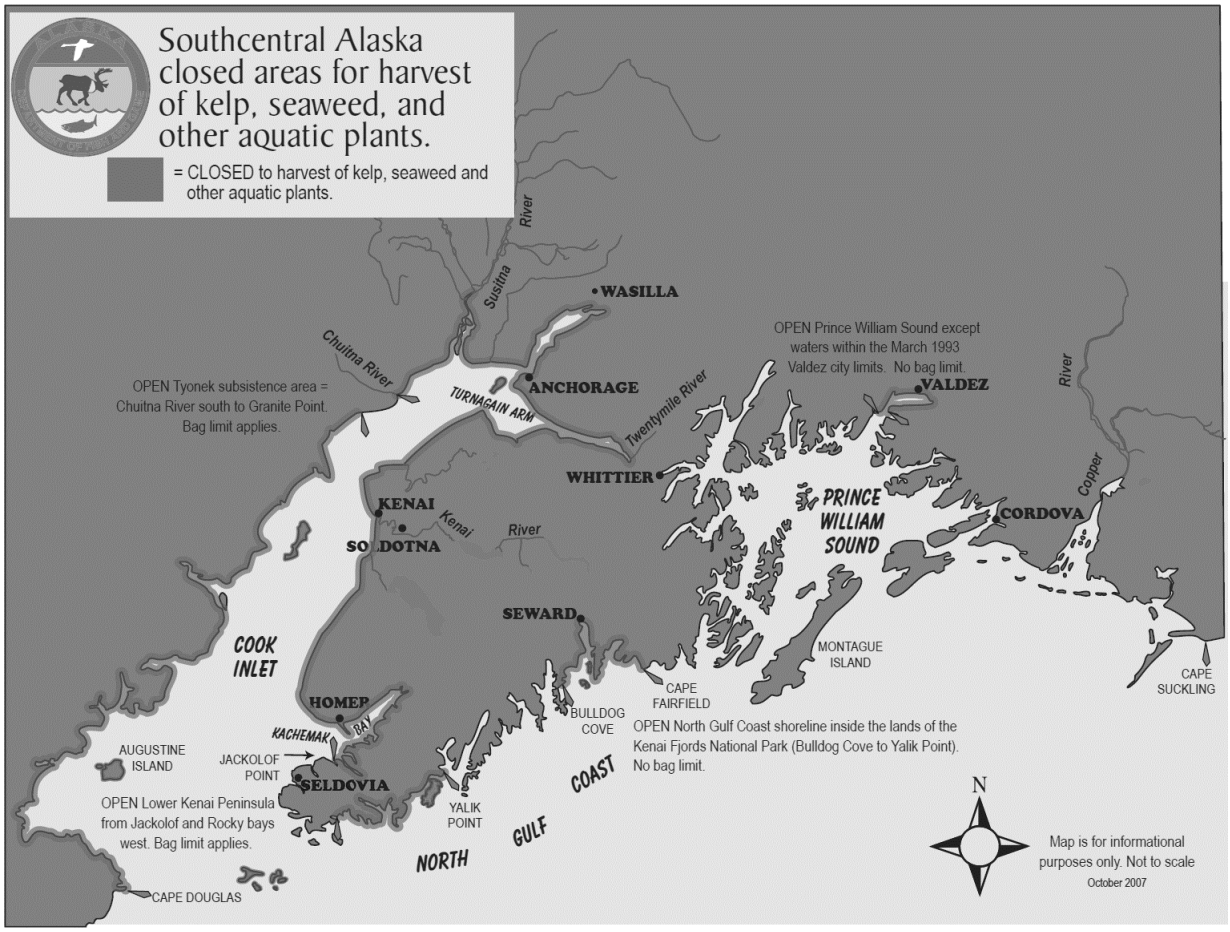

Figure 241-1.–Closed areas for the harvest of kelp, seaweed, and other aquatic plants in Southcentral Alaska.

Salmon Hatcheries and Special Harvest Areas (7 proposals)

PROPOSAL 22 – Limit the number of salmon that a hatchery may take for cost recovery

5 AAC 40.XXX. Private Nonprofit Salmon Hatcheries.

PROPOSED BY: Mike Frank.

WHAT WOULD THE PROPOSAL DO? This would establish a limit on the number of salmon that a hatchery may harvest for cost recovery.

WHAT ARE THE CURRENT REGULATIONS? There is no specified maximum level of salmon taken for cost recovery that a hatchery may harvest.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This may result in some hatcheries not being able to achieve cost recovery goals to fund annual operations in some years. A reduction in the cost recovery harvest of hatchery fish may result in more hatchery fish available for harvest to all users in some years. It also could result in surplus hatchery fish going unharvested and spawning in the wild.

BACKGROUND: Private non-profit hatchery association boards set their cost recovery goal annually, based on business needs. Cost recovery harvest revenue can be used to recover all or part of the costs of operating the hatchery and may be used for improvements to the hatchery or other salmon enhancement or rehabilitation projects fisheries research, or reasonable operating and administrative costs including debt retirement or for other fisheries activities (AS 16.10.480). The percentage of the return required to meet the goal set by the board varies due to the size of the return, average weight and price per pound of the fish (Table 22-1). Regional aquaculture associations (RAAs) receive revenue from the salmon enhancement tax (SET). Hatcheries operated by RAAs may use SET revenues to offset the number of hatchery-produced salmon that are needed for cost recovery. However, SET revenue also fluctuates due to the market value and overall return level of all salmon to the region.

Private nonprofit salmon hatcheries are regulated through statute, administrative code, and permit terms. Proposed changes to a permit are reviewed by area, regional, and statewide department staff and additionally may be reviewed by the appropriate Regional Planning Team with recommendations given to the commissioner. The commissioner, or their designee, has sole authority to approve or deny hatchery permits and permit amendments.

Though no statute expressly grants the board regulatory authority over hatchery production *per se*, it may exercise considerable influence over hatchery production through its authority to directly amend hatchery permit terms relating to fish and egg harvesting (AS 16.10.440(b)). This influence is tempered by previous guidance to the board that it may not adopt regulations that effectively veto or override a fundamental department policy decision regarding whether to authorize the operation of a hatchery, or adopt regulations preventing the department from exercising its authority to permit a hatchery operation. Although the board does have authority to amend permit terms related to fish and egg harvest by hatcheries, it is unclear whether the Alaska Legislature

intended that authority to be used in regulating the take of hatchery-produced fish in a special harvest area where the common use clause no longer applies (O'Callahan v. Rue, 996 P.2d 88).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Limitations on hatchery cost recovery could jeopardize the hatchery operator's ability to comply with permit terms without a biological or management benefit and effectively override the department's decision to permit this hatchery operation, an action counter to legal guidance provided the board.

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. Reducing the level of cost recovery salmon that may be harvested by private nonprofit hatcheries may result in an increase in State of Alaska loans to those facilities.

Table 22-1.–Cook Inlet Aquaculture Association (CIAA) cost recovery goals, revenue from fish sales, number of pink and sockeye salmon harvested, and salmon enhancement tax revenue, 2001-2019.

Year	Cost Recovery Goal[a]	CIAA revenue from fish sales[b]	Sockeye salmon n-harvested[c]	Pink salmon n-harvested[c]	SET revenue[d]
2000			71,606	1,044,120	$192,701
2001	$557,025	$815,204	60,619	422,881	$469,005
2002		$229,676	84,194	949,671	$244,555
2003	$522,435	$324,160	122,024	513,649	$191,778
2004	$314,396	$456,485	29,363	2,458,843	$251,425
2005	$308,290	$345,764	81,058	2,144,818	$288,914
2006	$348,200	$738,354	83,464	252,658	$405,258
2007	$589,900	$204,016	58,514	124,649	$656,099
2008	$608,500	$436,549	87,208	4,886	$299,141
2009	$1,500,000	$1,398,540	175,539	1,760	$430,423
2010	$1,434,349	$514,274	69,219	246	$442,138
2011	$1,390,000	$1,633,385	158,272	205	$360,252
2012	$1,551,846	$988,013	114,593	772	$617,801
2013	$1,408,940	$937,811	70,193	48,017	$1,107,493
2014	$2,900,000	$1,725,643	173,030	161	$687,767
2015	$4,100,000	$2,571,603	148,802	2,088,584	$805,460
2016	$2,432,030	$1,388,424	176,686	28,246	$691,674
2017	$2,146,979	$927,642	87,553	113,691	$558,878
2018	$4,505,007	$4,609,356	238,942	997,613	$463,528
2019	$5,170,000	$1,700,000[e]	153,418	181,588	NA

[a] Cost recovery goal from Annual Management Plan
[b] Cost recovery goal achieved from CIAA Annual corporate report
[c] Cost recovery salmon harvested from fish ticket database
[d] Salmon enhancement tax revenue is from catch 2 years prior. This amount is not included in the CIAA annual cost recovery goal.
[e] Estimated.

PROPOSAL 23 – Suspend, revoke, or alter the Tutka Bay hatchery permit to reduce capacity.

5 AAC 40.005. General.

PROPOSED BY: Jeffrey Lee.

WHAT WOULD THE PROPOSAL DO? This requests that the board alter the Tutka Bay Lagoon Hatchery (TBLH) permit to reduce capacity of this facility. It also requests that the board place Cook Inlet Aquaculture Association (CIAA) on notice of pending changes to their permit or revocation similar to commissioner's authority described in AS 16.10.430.

WHAT ARE THE CURRENT REGULATIONS? Hatchery capacity is specified in the hatchery permit and basic management plan (BMP) issued to each hatchery. The BMP is the product of a public review process defined in regulation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The effects of this proposal would be dependent upon the board's review of their authority to alter a private non-profit hatchery permit.

BACKGROUND: TBLH was constructed in 1976 and is owned by the department but has been operated by CIAA under contract since 1992. The facility was originally constructed as a pink and sockeye salmon hatchery. However, it also produced chum salmon from 1979 to 1990. The TBLH had an initial capacity of 10 million pink salmon eggs, but major renovation work by CIAA shortly after leasing the facility in 1993 increased the physical capacity. At that time CIAA requested and received an increase in the maximum permitted green egg capacity to 125 million eggs (Table 23-1). Since then the number of collected eggs has ranged from 14.6 million up to 134.4 million. Fry releases have ranged from 11.5 million fish up to 105 million in 1995.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The proposal seeks to alter, suspend, or even revoke a hatchery permit that has been issued under the commissioner's authority in accordance with applicable regulations and statutes. Most of the actions sought in this proposal lie outside the board's authority (see background Proposal 22).

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

Table 23-1.–Tutka Bay Lagoon Hatchery, pink salmon permitted egg capacity, eggs collected, number of fry releases, 1994-2018.

Brood year	Permitted green egg capacity	Green eggs retained	% of capacity	Fry released
1994	125,000,000	89,200,000	71.40%	63,000,000
1995	125,000,000	125,600,000	100.50%	105,000,000
1996	125,000,000	116,000,000	92.80%	89,000,000
1997	125,000,000	117,400,000	93.90%	90,000,000
1998	125,000,000	129,000,000	103.20%	60,132,000
1999	125,000,000	114,091,000	91.30%	65,121,000
2000	125,000,000	122,314,000	97.90%	99,336,410
2001	125,000,000	134,384,000	107.50%	99,371,000
2002	125,000,000	124,847,819	99.90%	69,465,000
2003	125,000,000	76,196,000	61.00%	48,964,000
2004	125,000,000	2004-2010 Tutka hatchery inactive	-	-
2005	125,000,000	-	-	-
2006	125,000,000	-	-	-
2007	125,000,000	-	-	-
2008	125,000,000	-	-	-
2009	125,000,000	-	-	-
2010	125,000,000	-	-	-
2011	125,000,000	14,596,062	11.70%	11,455,640
2012	125,000,000	21,769,403	17.40%	19,040,000
2013	125,000,000	80,417,000	64.30%	51,853,000
2014	125,000,000	14,862,656	11.90%	12,439,491
2015	125,000,000	29,125,813	23.30%	12,398,959
2016	125,000,000	64,813,289	51.90%	55,945,061
2017	125,000,000	123,548,148	98.80%	50,040,000
2018	125,000,000	122,100,000	97.70%	85,600,000

PROPOSAL 24 – Eliminate the Tutka Bay Lagoon Special Harvest Area.

5 AAC 21.372. Tutka Bay Lagoon Salmon Hatchery Management Plan.

PROPOSED BY: Jeffrey Lee.

WHAT WOULD THE PROPOSAL DO? This would amend the Tutka Bay Lagoon Hatchery (TBLH) Salmon Management Plan to remove reference to the Tutka Bay Lagoon special harvest area (SHA).

WHAT ARE THE CURRENT REGULATIONS? The existing TBLH Salmon Management Plan defines the waters of Tutka Bay as a SHA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would not prevent the TBLH from releasing salmon in Tutka Bay. Releases into Tutka Bay would still be permitted according to the hatchery permit and basic management plan (BMP). Returns to the SHA would continue to be managed and harvested as authorized by the hatchery permit and BMP and described in the annual management plan.

BACKGROUND: A SHA can only be designated by regulation, within the hatchery permit or established by emergency order authority (EO) for the purpose of harvesting hatchery returns. Salmon releases from the TBLH into Tutka Bay began in 1977 (42 years ago). The Tutka Bay SHA was first defined in regulation in 2009 in the Trail Lakes Hatchery Sockeye Salmon Management Plan, and later in 2014 in the TBLH Management Plan. Prior to this, the Tutka Bay and Lagoon SHA was defined in the hatchery permit and basic management plan, and as needed using emergency order authority for the harvest of hatchery returns.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 25 – Close waters of Tutka Bay southeast of lat 59°26.50′N

5 AAC 21.350. Closed waters.

PROPOSED BY: Nancy Hillstrand.

WHAT WOULD THE PROPOSAL DO? This would establish closed waters in Tutka Bay southeast of lat 59°26.50′N.

WHAT ARE THE CURRENT REGULATIONS? Currently there are no regulatory closed waters in Tutka Bay, however 5 AAC 21.350(i) closes waters within 500 yards of the terminus of all rivers and streams in this area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Tutka Bay south of lat 59°26.50′N would be closed to commercial salmon harvest (Figure 25-1). This would limit the ability to harvest hatchery fish in the Tutka Bay Lagoon Special Harvest Area (SHA) and may result in increased straying of hatchery fish that go unharvested.

BACKGROUND: Prior to 1984, 5 AAC 21.350(d)(5) *Closed Waters* specified that waters of Tutka Bay southeast of the HEA powerlines were closed. This boundary was moved in 1984 to waters southeast of lat 59°25′30″N. Note the 1984 position reference used degrees, minutes, seconds notation and the 1927 North American datum. In 2000, 5 AAC 21.350(d)(5) was updated to lat 59°25.5′ N using the 1984 North American datum and decimal minutes notation. At the December 2013 Alaska Board of Fisheries meeting a proposal was submitted by the department and approved by the board to remove 5 AAC 21.350(d)(5) from regulation.

Prior to the beginning of hatchery releases from Tutka Lagoon in 1977, there were modest runs of pink salmon to creeks at the head of Tutka Bay (1946–1977 mean run = 554, max = 3,000), but Tutka Lagoon Creek was the only salmon stock of significance in Tutka Bay (1948–1977 mean escapement = 3,768, max = 30,000). Since hatchery operations began, pink salmon escapements to creeks at the head of Tutka Bay have increased (1989–2000 mean = 1,358, max = 7,320), likely due to hatchery strays. Otolith samples collected from spawned-out pink salmon carcasses in Tutka Bay head end creeks were 82% hatchery marked in 2015 and 41% hatchery marked in 2017. Although chum, sockeye, and coho salmon are also present in creeks at the head of Tutka Bay, they do not occur in significant numbers.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Otolith sampling suggests the majority of salmon in streams in the SHA are of hatchery origin. This proposal would further limit the ability to harvest hatchery fish in these areas. The existing 500-yard stream closures per 5 AAC 21.350(i) offers a sufficient sanctuary from harvest for wild coho and chum salmon occurring there. Additionally, in recent years department staff have been listing streams in the anadromous waters catalog (AWC) based on the presence of identified hatchery strays in those streams. There are several streams in the Tutka Bay Lagoon SHA that, while unsuitable to sustain populations for extended periods, have been added to the AWC due to the presence of hatchery strays. This will have the effect of providing further buffer should wild salmon begin utilizing these marginal systems.

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. Approval of this proposal is not expected to result in an additional cost to the department.

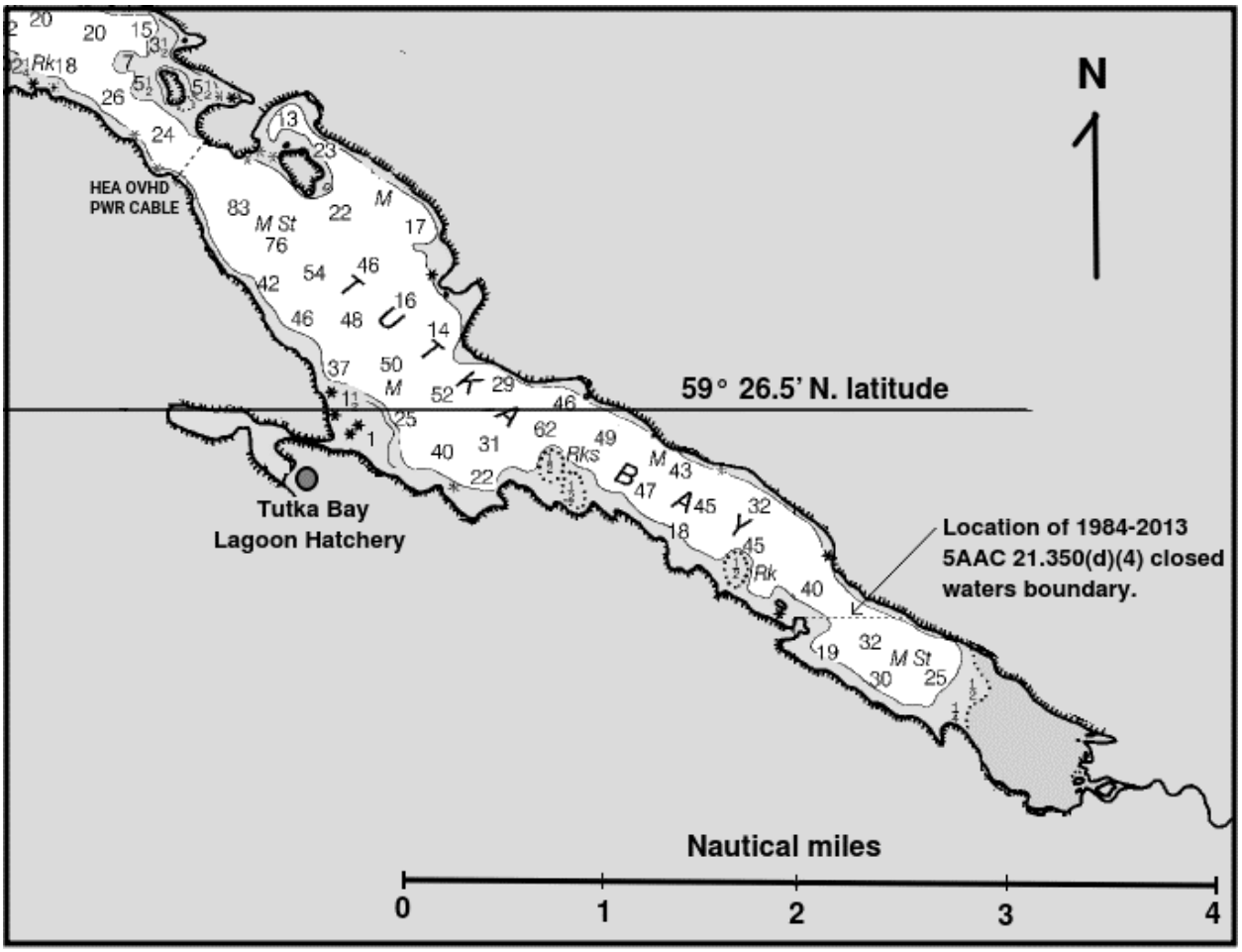

Figure 25-1.–Map showing new proposed closed waters boundary in Tutka Bay.

PROPOSAL 26 – Close waters to commercial salmon fishing near the head of Tutka Bay.

5 AAC 21.350. Closed waters.

PROPOSED BY: Michael Frank.

WHAT WOULD THE PROPOSAL DO? This would establish regulatory closed waters at the head of Tutka Bay as they were prior to 2014.

WHAT ARE THE CURRENT REGULATIONS? Current regulations do not establish specific closed waters in the area at the head of Tutka Bay, with the exception of 5 AAC 21.350(i) which establishes closed waters within 500 yards of rivers and streams or as specified in 5 AAC 39.290.

WHAT WOULD BE THE EFECT IF THE PROPOSAL WERE ADOPTED? Waters southeast of lat 59°25.5′N would be closed to commercial salmon harvest (Figure 26-1). During years of large hatchery returns, not allowing the purse seine fleet access this area could reduce the timely harvest of hatchery-produced fish that maximizes value (non-water marked fish) and may increase straying of those fish.

BACKGROUND: Prior to 1984, 5 AAC 21.350(d)(5) *Closed Waters* specified that waters of Tutka Bay southeast of the HEA powerlines were closed. This boundary was moved in 1984 to waters southeast of lat 59°25′30″N. Note the 1984 position reference used degrees, minutes, seconds notation and the 1927 North American datum. In 2000, 5 AAC 21.350(d)(5) was updated to lat 59°25.5′N using the 1984 North American datum and decimal minutes notation. At the December 2013 Alaska Board of Fisheries meeting a proposal was submitted by the department and approved by the board to remove 5 AAC 21.350(d)(5) from regulation.

Prior to the beginning of hatchery releases from Tutka Lagoon in 1977, there were modest runs of pink salmon to creeks at the head of Tutka Bay (1946–1977 mean run = 554, max = 3,000), but Tutka Lagoon Creek was the only salmon stock of significance in Tutka Bay (1948–1977 mean escapement = 3,768, max = 30,000). Since hatchery operations began, pink salmon escapements to creeks at the head of Tutka Bay have increased (1989–2000 mean = 1,358, max = 7,320), likely due to hatchery strays. Otolith samples collected from spawned out pink salmon carcasses in Tutka Bay head end creeks were 82% hatchery marked in 2015 and 41% hatchery marked in 2017. Although chum, sockeye, and coho salmon are also present in creeks at the head of Tutka Bay, they do not occur in significant numbers.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Otolith sampling suggests the preponderance of salmon occurring in streams in the SHA are of hatchery origin. The existing 500-yard stream closures per 5 AAC 21.350(i) is sufficient sanctuary from harvest for wild coho and chum salmon occurring there. Additionally, in recent years department staff have been listing streams in the anadromous waters catalog (AWC) based on the presence of identified hatchery strays in those streams. There are several streams in the Tutka Bay Lagoon SHA that while unsuitable to sustain populations for extended periods, have been added to the AWC due to the presence of hatchery strays. This will have the effect of providing further buffer should wild stock salmon begin utilizing these marginal systems.

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. Approval of this proposal is not expected to result in an additional cost to the department.

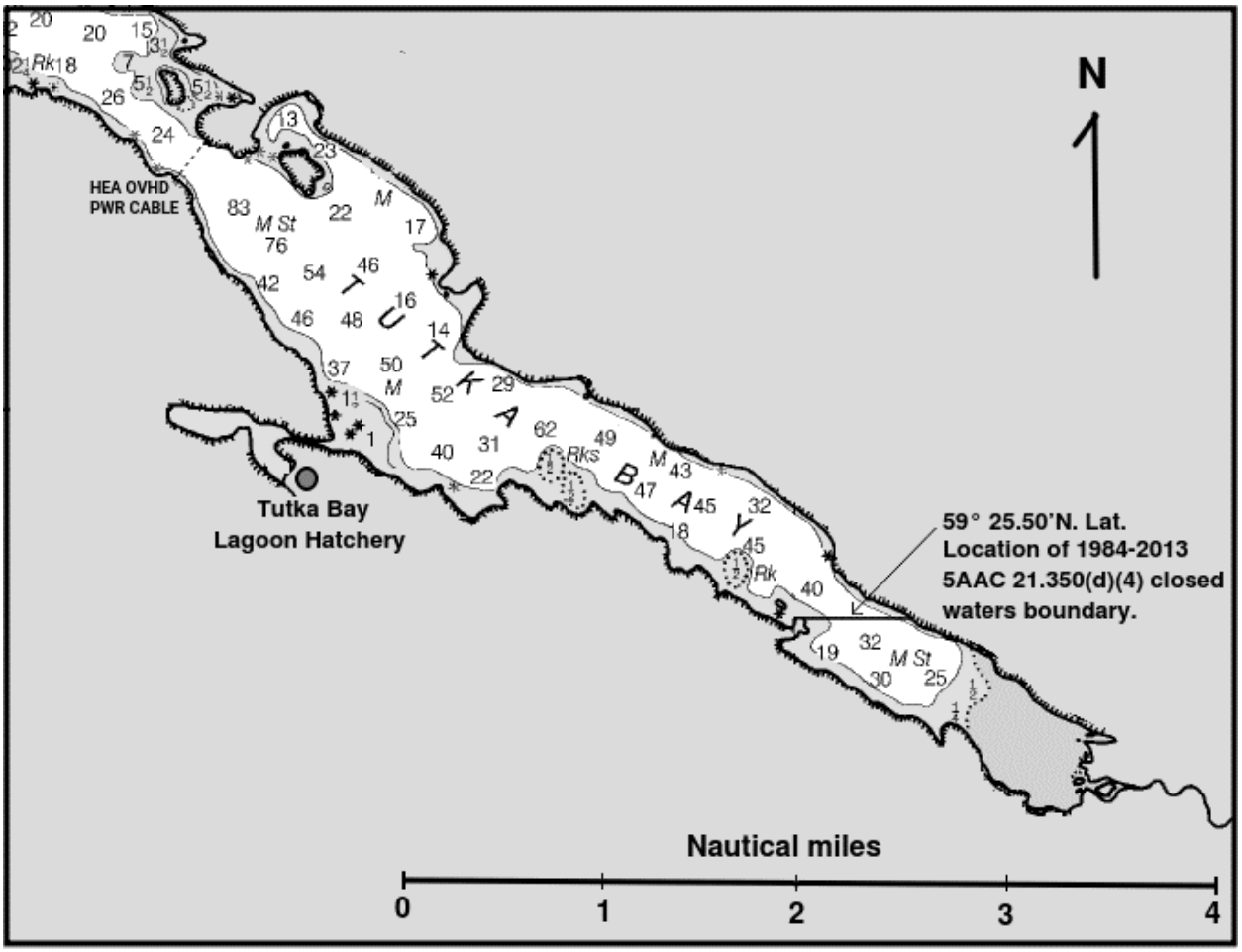

Figure 26-1.–Proposal 26 would establish regulatory closed waters south of 59° 25.50′ N. latitude.

PROPOSAL 27 – Eliminate the Halibut Cove Lagoon Special Harvest Area

5 AAC 21.372. Tutka Bay Lagoon Salmon Hatchery Management Plan.

PROPOSED BY: Nancy Hillstrand.

WHAT WOULD THE PROPOSAL DO? This would eliminate the Halibut Cove Lagoon Special Harvest Area from the Tutka Bay Lagoon Salmon Hatchery Management Plan.

WHAT ARE THE CURRENT REGULATIONS? Halibut Cove Lagoon is defined as a special harvest area (SHA) in 5 AAC 21.372(b)(3) (Figure 27-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Although removing the regulatory language that defines Halibut Cove Lagoon as a SHA is possible, the permit and basic management plan (BMP) for the Tutka Bay Lagoon Hatchery still defines the Halibut Cove Lagoon as a SHA. Cook Inlet Aquaculture Association could continue to use the lagoon as a remote release site for pink salmon produced at the Tutka Bay Lagoon Hatchery.

BACKGROUND: A SHA can only be designated by regulation within the hatchery permit or established by emergency order authority (EO) for the purpose of harvesting hatchery returns. The department successfully used Halibut Cove Lagoon as a remote release site for pink salmon produced at the Tutka Bay Lagoon Hatchery from 1986 through 1992 with an average of 4.9 million pink salmon fry released each year and returns of up to 8.4%.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Having the defined location of the Halibut Cove Lagoon SHA listed in regulation allows stakeholders to more easily identify SHA boundaries should hatchery releases resume. Before being adopted into regulation, the SHA was defined only in the hatchery permit and described in the annual management plan.

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. Approval of this proposal is not expected to result in an additional cost to the department.

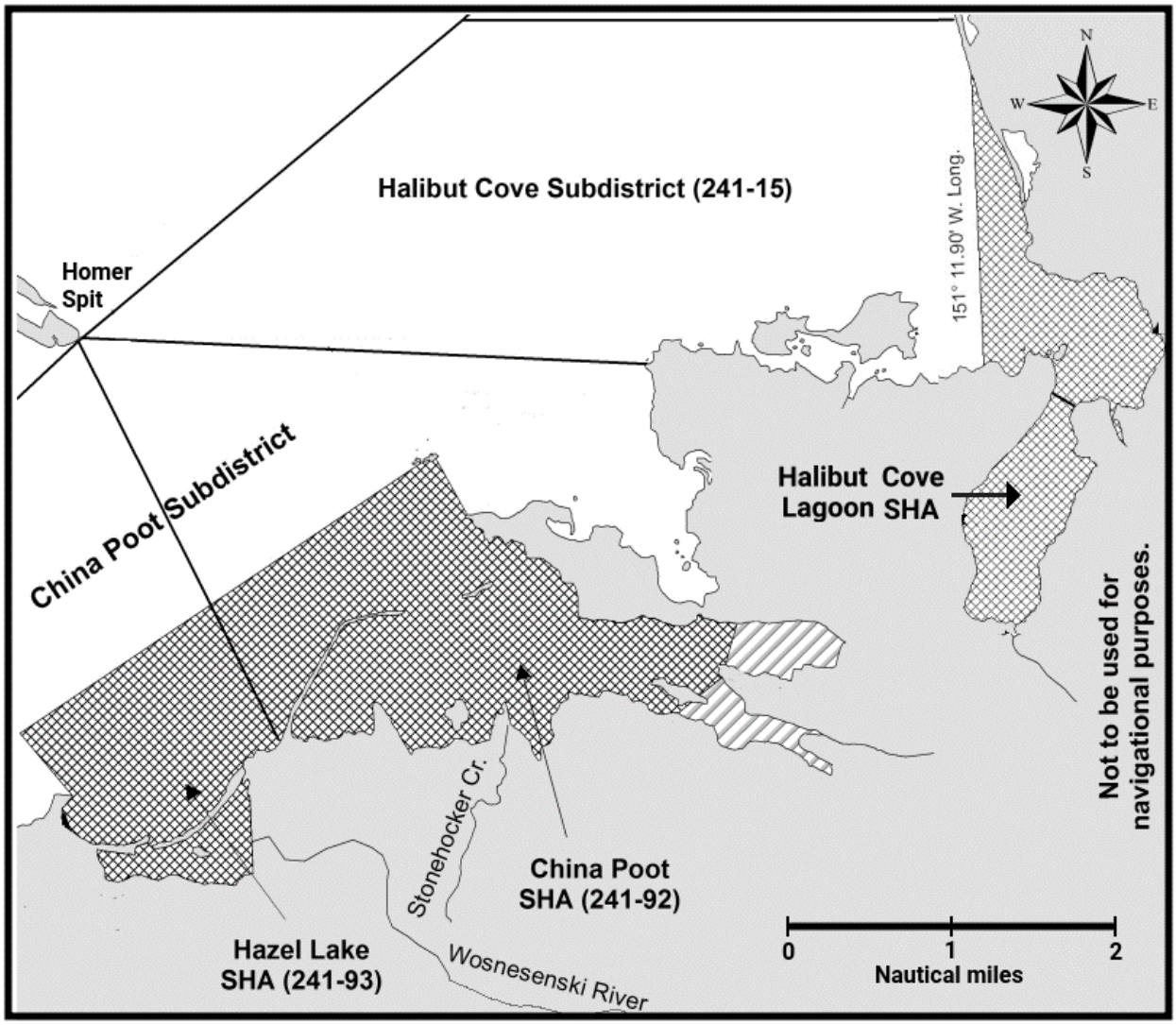

Figure 27-1.–Halibut Cove Lagoon, Hazel Lake, and China Poot special harvest areas (SHAs).

PROPOSAL 28 – Redefine the China Poot and Hazel Lake Special Harvest Area as two separate and discrete Special Harvest Areas

5 AAC 21.373. Trail Lakes Hatchery Salmon Hatchery Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would redefine the China Poot and Hazel Lake special harvest area (SHA) as two areas.

WHAT ARE THE CURRENT REGULATIONS? Current regulation defines the China Poot and Hazel Lake SHA as a single area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would clarify in regulation that Hazel Lake and China Poot Lake sockeye salmon returns are managed separately.

BACKGROUND: The Trail Lakes Hatchery Salmon Hatchery Management Plan defines a single SHA in the China Poot and Hazel Lake areas. In 2014, individual statistical reporting areas were created for the China Poot SHA and a separate Hazel Lake SHA, with a shared boundary that corresponded with the China Poot Section and Hazel Lake Section (Figure 28-1).

In many years, returns to these two lakes are managed separately. Often, returns to the larger and better producing China Poot Lake are utilized for cost recovery harvest, therefore, this area is closed to common property harvest. Historically, fewer fish have been stocked into Hazel Lake and there is no fertilization program in place for that lake as there is at China Poot Lake, consequently this return is often smaller than the China Poot return. In addition, the China Poot return has a personal use fishery at the terminal falls associated with China Poot Creek. This results in the harvest of most remaining hatchery-produced sockeye salmon that are not harvested in the cost recovery or the common property fishery. There is no such personal use fishery associated with the Hazel Lake return. Finally, although there is no barrier falls at the outlet of Hazel Lake as occurs at China Poot Lake, there is a velocity barrier that in many years prevents adult sockeye from returning to Hazel Lake. Having the Hazel Lake Area identified separately allows the department to manage more agressively for that return.

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. Approval of this proposal is not expected to result in an additional cost to the department.

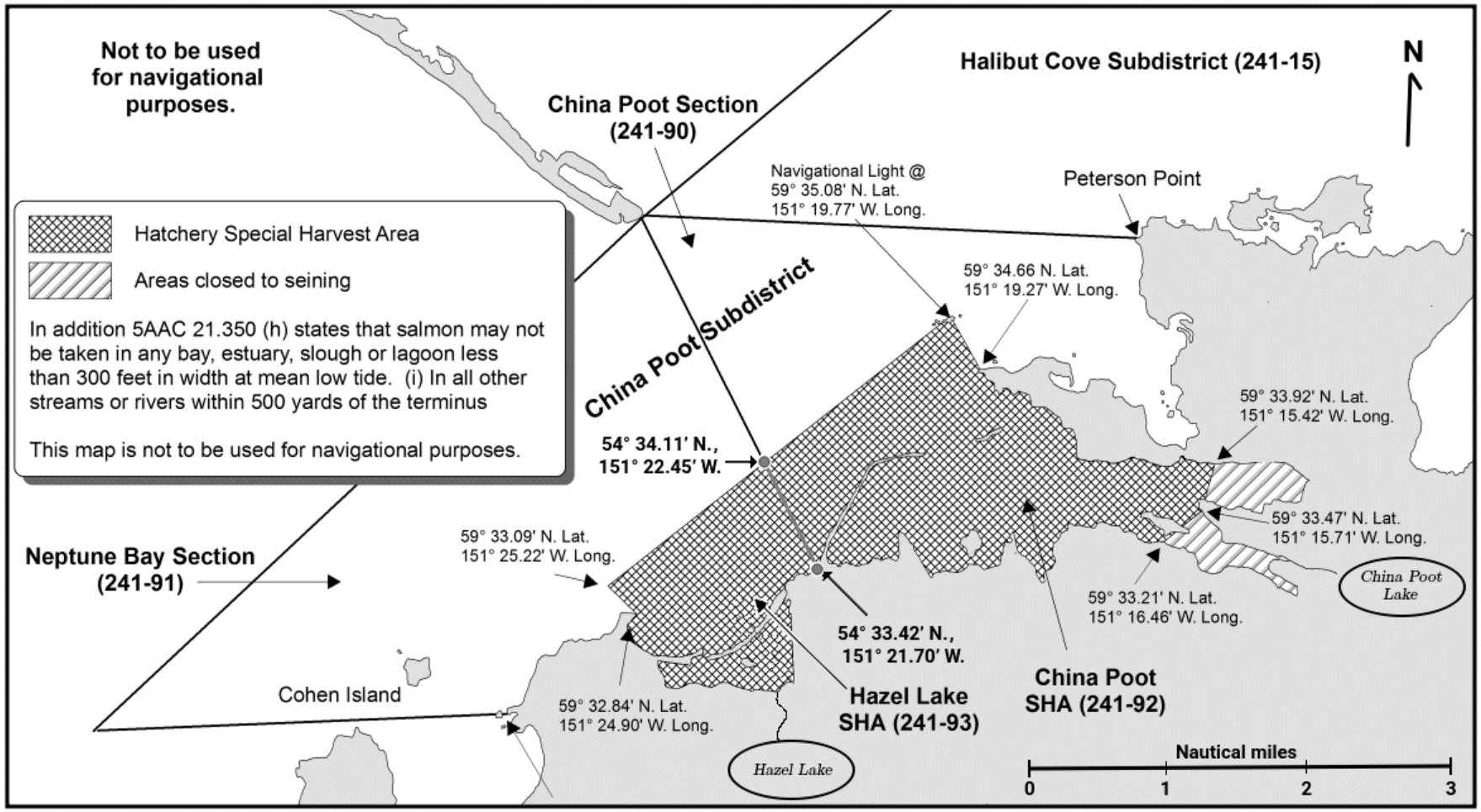

Figure 28-1.–Proposed China Poot SHA and Hazel Lake SHA showing boundary location.

COMMITTEE OF THE WHOLE GROUP 3: FISHING DISTRICTS, CLOSED WATERS, SEASONS AND SEINE SPECIFICATIONS, KING SALMON MANAGEMENT PLAN, AND GROUNDFISH AND HERRING (16 proposals)

Fishing Districts, Closed Waters, Seasons and Seine Specifications (8 proposals)

PROPOSAL 29 – Move the outer boundary line of the Rocky Bay subdistrict further from shore

5 AAC 21.200. Fishing districts, subdistricts, and sections.

PROPOSED BY: Cook Inlet Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would create two additional points on the line that defines the Rocky Bay Subdistrict with those points moved seaward of the existing boundary, (Figure 1).

WHAT ARE THE CURRENT REGULATIONS? The Rocky Bay Subdistrict is defined as all waters north of a line between two waypoints (Figure 29-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would expand the size of the Rocky Bay Subdistrict by adding two points offshore of the existing line (Figure 29-1). Harvest of salmon returning to Windy Bay creeks in the Rocky Bay Subdistrict could increase in some years and may increase the likelihood of failing to achieve the SEGs in those systems.

BACKGROUND: The current boundary has been in place since at least 1989. Historically this is a boundary that has been adjusted inseason as needed by managers using their EO authority to facilitate harvest of salmon returns. In 2015, this boundary was expanded to allow commercial harvest in nearby One Haul Bay (Touglaalek Bay). In addition to sustainable escapement goals (SEGs) for chum and pink salmon in the Rocky Bay River, there are SEGs for pink salmon in nearby Windy Bay Left and Windy Bay Right creeks.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department is concerned that if the Rocky Bay line were to be moved seaward, harvest of salmon returning to Windy Bay creeks in the Rocky Bay Subdistrict could increase in some years. This could be a problem during years when Windy Bay returns are weak and achieving the SEGs in those systems is a challenge.

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. Approval of this proposal is not expected to result in an additional cost to the department.

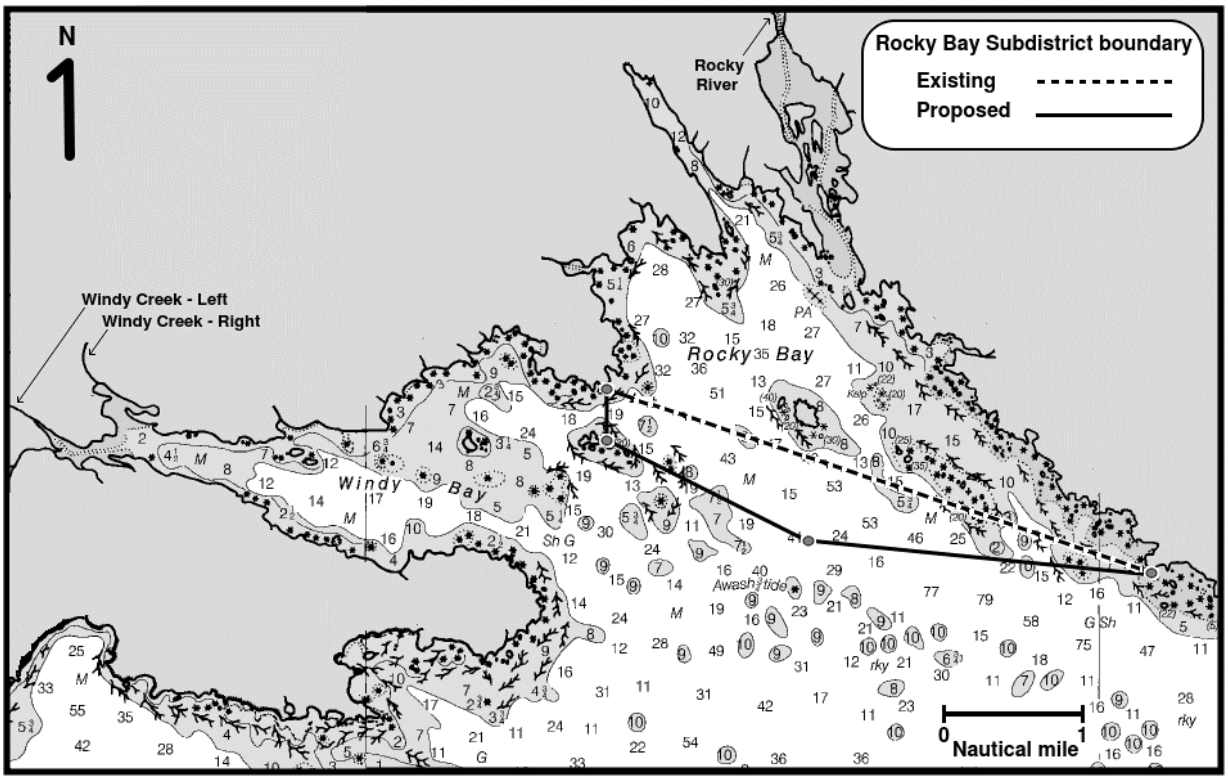

Figure 29-1.–Chart section showing existing and proposed Rocky Bay Subdistrict boundaries.

PROPOSAL 30 – Open the Kamishak Bay District commercial salmon fishing season on June 1, or earlier, by emergency order

5 AAC 21.310. Fishing seasons.

PROPOSED BY: Cook Inlet Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would open the Kamishak Bay District commercial salmon fishing season on June 1, or earlier, by emergency order.

WHAT ARE THE CURRENT REGULATIONS? Current regulation opens the commercial salmon season on June 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This could increase the harvest of Mikfik sockeye salmon.

BACKGROUND: Prior to 1989 the Kamishak District salmon fishing season was opened by emergency order (Table 30-1). At the 1988 Alaska Board of Fisheries meeting, the board voted unanimously in support of a department submitted proposal (#23) that established a June 1 opening date for this season in regulation. Department justification for this proposal was that this change would be in accordance with the Mikfik Creek-McNeil Lagoon Salmon Fishery Management Plan that was approved by the Commissioner of Fish and Game in May of 1988. This management plan advises commercial fishing periods begin on June 1 in order to provide early season opportunity for commercial stakeholders to harvest returning Mikfik sockeye salmon prior to their arrival in McNeil Lagoon. Harvest opportunity in the lagoon is limited due to the regular presence of brown bears at that location. The Mikfik Lake sockeye salmon return has achieved or exceeded its SEG in most recent years.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 30-1.–Historic Mikfik sockeye salmon harvests and escapements, 1985–2019.

			Harvest		Escapement		
Year	Stat Area Name	Fishery start date	Permits	Sockeye salmon harvested	Escapement	Escapement goal	Survey method
1985	McNeil River	emergency order	6	64,553	20,000	5,000	aerial
1986	McNeil River	emergency order	16	19,604	7,800	5,000	aerial
1987	McNeil River	emergency order	25	20,479	9,000	5,000	aerial
1988	McNeil River	emergency order	17	14,341	10,100	5,000-7,000	aerial
1989	McNeil River	1-Jun	9	7,011	11,500	5,000-7,000	aerial
1990	McNeil River	1-Jun	10	9,063	8,800	5,000-7,000	aerial
1991	McNeil River	1-Jun	18	12,533	9,700	5,000-7,000	aerial
1992	McNeil River	1-Jun	7	3,670	7,800	5,000-7,000	aerial
1993	McNeil River	1-Jun	3	918	6,400	5,000-7,000	aerial
1994	McNeil River	1-Jun		0	9,500	5,000-7,000	aerial
1995	McNeil River	1-Jun	<3 permits	confidential	10,100	5,000-7,000	aerial
1996	McNeil River	1-Jun		0	6,500	5,000-7,000	aerial
1997	McNeil River	1-Jun	<3 permits	confidential	8,500	5,000-7,000	aerial
1998	McNeil River	1-Jun		0	9,500	5,000-7,000	video
1999	McNeil River	1-Jun	<3 permits	confidential	20,000	5,000-7,000	video
2000	McNeil River	1-Jun		0	10,386	5,000-7,000	video
2001	McNeil River	1-Jun	<3 permits	confidential	3,289	5,000-7,000	video
2002	McNeil River	1-Jun		0	16,700	6,300-12,150	aerial
2003	McNeil River	1-Jun		0	11,000	6,300-12,150	video
2004	McNeil River	1-Jun		0	16,000	6,300-12,150	video
2005	McNeil River	1-Jun		0	6,499	6,300-12,150	video
2006	McNeil River	1-Jun		0	14,983	6,300-12,150	video
2007	McNeil River	1-Jun		0	10,975	6,300-12,150	video
2008	McNeil River	1-Jun		0	9,104	6,300-12,150	video
2009	McNeil River	1-Jun		0	20,965	6,300-12,150	video
2010	McNeil River	1-Jun		0	5,221	6,300-12,150	video
2011	McNeil River	1-Jun		0	345	6,300-12,150	aerial
2012	McNeil River	1-Jun		0	3,131	6,300-12,150	video
2013	McNeil River	1-Jun		0	4,042	6,300-12,150	video
2014	McNeil River	1-Jun	3	1,728	17,802	3,400-13,000	video
2015	McNeil River	1-Jun		0	3,502	3,400-13,000	video
2016	McNeil River	1-Jun		0	10,180	3,400-13,000	video
2017	McNeil River	1-Jun		0	7,495	3,400-11,000	video
2018	McNeil River	1-Jun		0	4,966	3,400-11,000	video
2019	McNeil River	1-Jun		0	2,901	3,400-11,000	video

PROPOSAL 31 – Reduce the size of the closed waters area in Ursus Cove

5 AAC 21.350. Closed waters.

PROPOSED BY: Cook Inlet Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would reduce the size of the closed waters area in Ursus Cove to allow fishing on the beach outside of Ursus Cove Lagoon (Figure 31-1).

WHAT ARE THE CURRENT REGULATIONS? Closed waters in Ursus Cove are defined as waters west of a line drawn between two GPS coordinates, an area which extends seaward approximately one-half mile offshore (Figure 31-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Allowing the harvest of salmon in waters currently closed to commercial fishing could increase the harvest of chum and pink salmon by an unknown amount. Chum and pink salmon sometimes hold in this area as they adapt to freshwater and mature prior to entry in the lagoon. This also could make achieving escapement goals more challenging.

BACKGROUND: The department submitted Proposal 80 at the 2013 Lower Cook Inlet board meeting to increase regulatory clarity by defining closed waters in Ursus Cove Lagoon as a line drawn between two GPS waypoints, rather than a line between two regulatory markers. The area closed to commercial fishing using waypoints is approximately the same as the area defined by regulatory markers. This closed waters area serves as a sanctuary for fish returning to spawn in Ursus Cove similar to the sanctuaries provided around anadromous streams.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Pink salmon are regularly observed staging within the current closed waters area which provides the department a tool to balance escapement and harvest. This proposal would make fish staging in this area vulnerable to harvest and make management more difficult.

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. Approval of this proposal is not expected to result in an additional cost to the department.

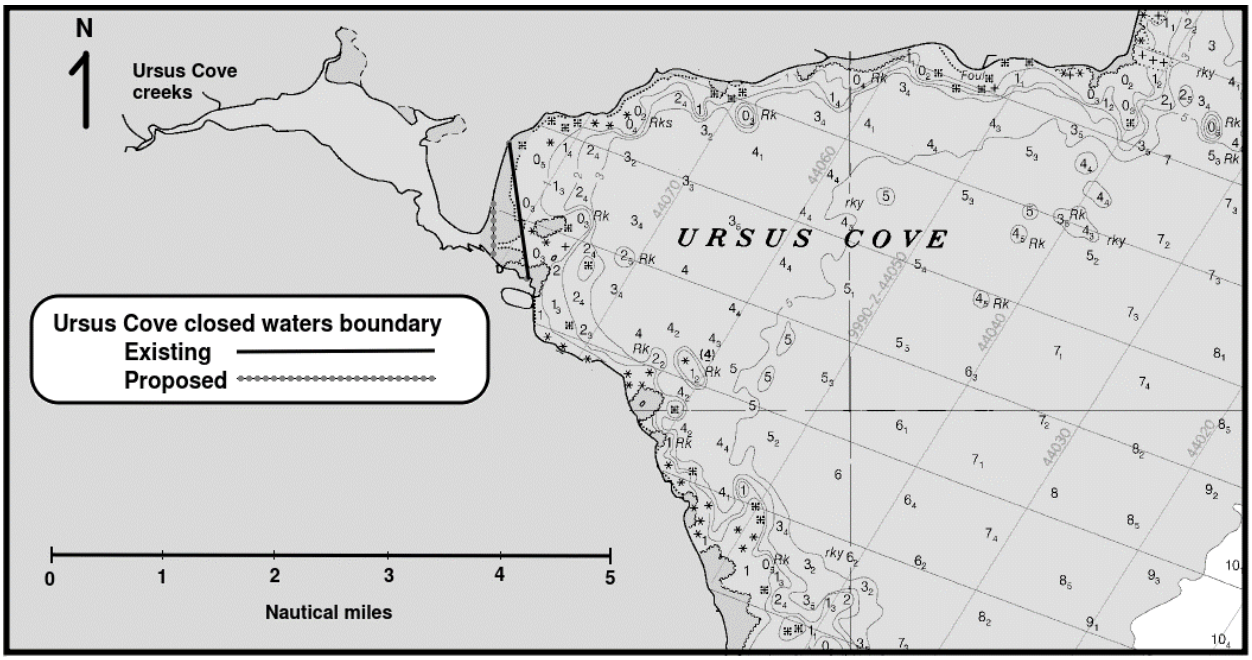

Figure 31-1.–Chart section showing existing and proposed Ursus Cove Subdistrict boundaries.

PROPOSAL 32 – Open the regulatory closed waters area in China Poot Bay that is inshore of the Homer Electric Association (HEA) powerlines

5 AAC 21.350. Closed waters

PROPOSED BY: Cook Inlet Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would open the regulatory closed waters area in China Poot Bay that is inshore of the Homer Electric Association (HEA) powerlines.

WHAT ARE THE CURRENT REGULATIONS? Current regulations define the area inshore of the HEA powerlines as closed waters (Figure 32-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase the commercial harvest of hatchery-produced sockeye salmon and decrease the sport and personal use harvest. This may increase conflict between commercial and sport/personal use users. It would also increase impacts on ecosystems in the shallow waters of both north and south arms of the bay.

BACKGROUND: Currently, these closed waters provide a buffer between commercial and sport/PU users, while also minimizing impacts on ecosystems in the shallow waters of both north and south arms of the bay. The department currently has the authority to open this area to cost recovery or commercial harvest when build-ups of hatchery-produced sockeye salmon that exceed the harvest capacity of the personal use dipnet fishery are identified.

In 1976, this area was defined in regulation as closed waters. Prior to 1976, this area was defined as closed waters using only regulatory marker signs. China Poot Creek is a pink salmon index stream with a sustainable escapement goal of 2,500–6,300 fish. In addition, both the north and south arms of China Poot Bay inshore of the HEA powerlines have historically been protected as juvenile Dungeness crab rearing habitat, as well as having areas of seagrass beds that provide important habitat for marine organisms.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department has the authority to open this area to harvest surplus hatchery fish by emergency order.

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. Approval of this proposal is not expected to result in an additional cost to the department.

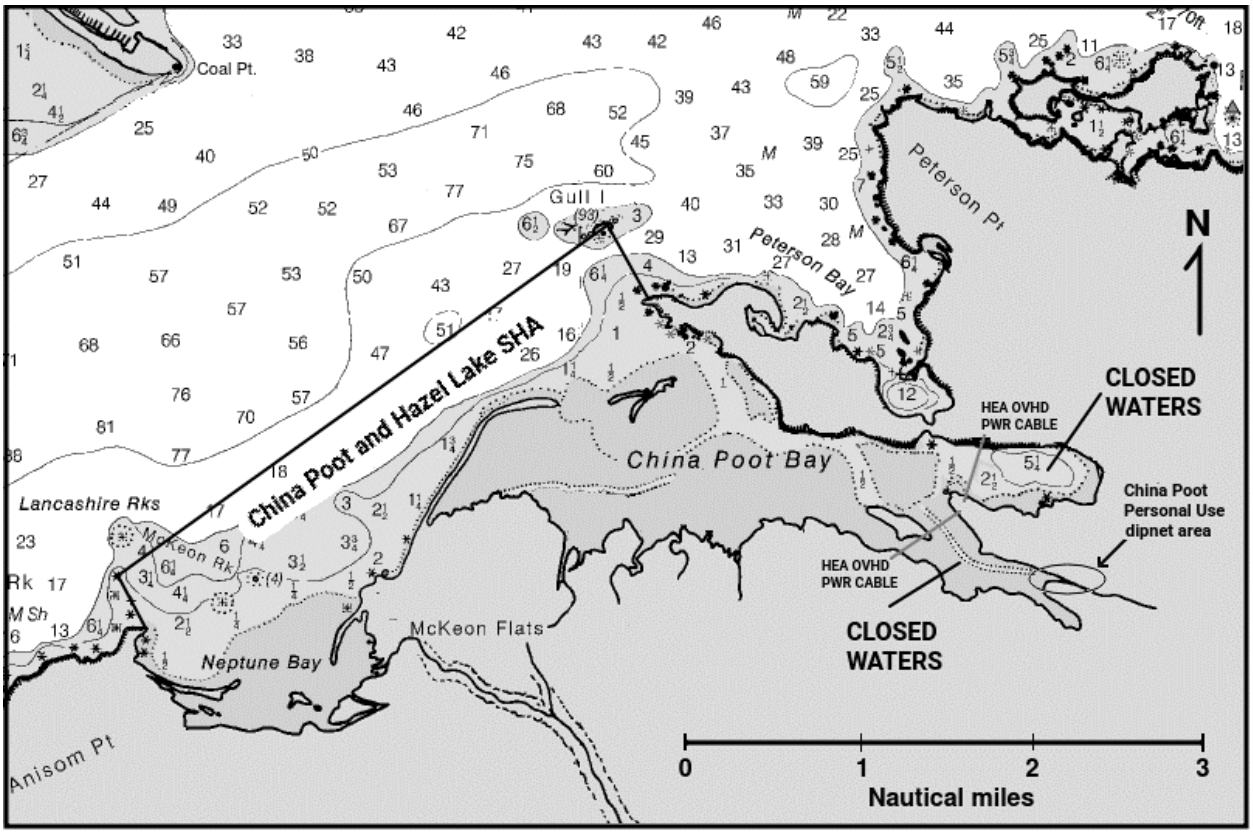

Figure 32-1.–China Poot and Hazel Lake special harvest area (SHA) showing closed waters areas inshore of the Homer Electric Association powerlines and the China Poot Personal Use dipnet area.

PROPOSAL 33 – Establish regulatory closed waters within one nautical mile radius of the end of the Homer Spit

5 AAC 21.350. Closed waters

PROPOSED BY: Cook Inlet Recreational Fishermen/Todd Jacobson.

WHAT WOULD THE PROPOSAL DO? This would establish regulatory closed waters within one nautical mile radius of the end of the Homer Spit (Coal Point).

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow commercial salmon fishing in portions of this area when those subdistricts are open.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The commercial common property salmon harvest would be reduced by an unknown, but likely small amount. This would reduce conflict between commercial and sport users, increase boater safety and reduce the commercial harvest of hatchery-produced king and coho salmon.

BACKGROUND: This is not a location that was traditionally fished commercially by salmon seiners, however, a few boats have made sets here in recent years. This site has historically sustained shore- and small vessel-based sport fishing. In addition, this area experiences significant amounts of vessel traffic both associated with the Homer Harbor, as well as with larger vessels and barges that anchor in Kachemak Bay. Paddleboards, kayaks and other small boats are often operated in the area just off the beach at the tip of the Homer Spit (Coal Point).

Beginning in 1984, king, and later coho salmon have been stocked into the Nick Dudiak Fishing Lagoon on the Homer Spit using federal Dingle-Johnson money earmarked to enhance sportfishing opportunity.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal because it would promote safe and orderly fisheries. When these subdistricts open to commercial seining, the intent is to target stocks in those subdistricts on the south side of Kachemak Bay.

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. Approval of this proposal is not expected to result in an additional cost to the department.

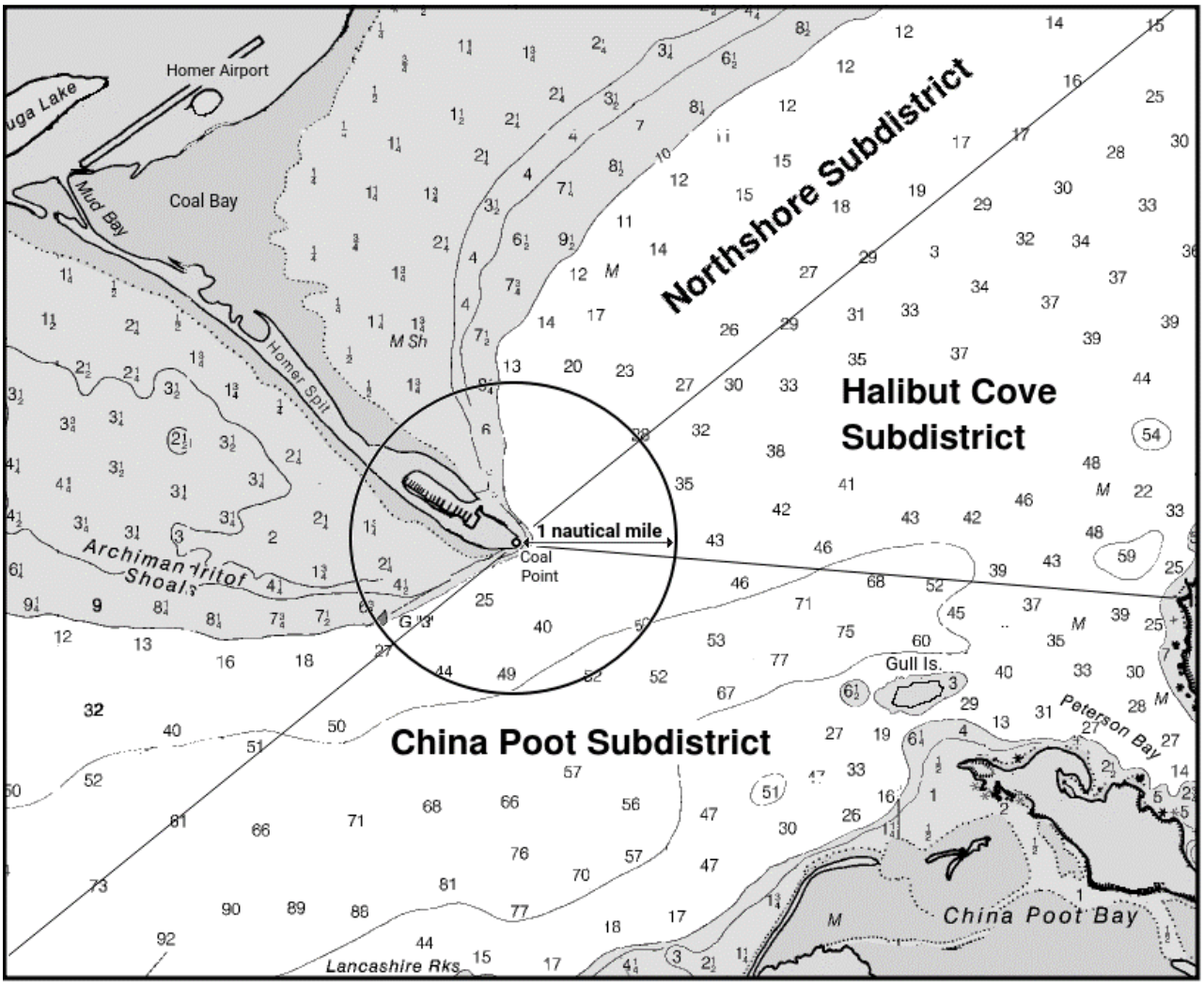

Figure 33-1.–Suggested Regulatory closed waters within 1 nautical mile of the tip of the Homer Spit (Coal Point).

PROPOSAL 34 – Reduce the maximum size of seines in Lower Cook Inlet to 150 fathoms in length.

5 AAC 21.332. Seine specifications and operations.

PROPOSED BY: Kristi McLean.

WHAT WOULD THE PROPOSAL DO? This would reduce the maximum size of seines in Lower Cook Inlet (LCI) to 150 fathoms in length.

WHAT ARE THE CURRENT REGULATIONS? The current maximum size of seines in Lower Cook Inlet is 250 fathoms in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would limit the harvest efficiency of commercial purse seines in LCI. Given the small size of the active LCI purse seine fleet, less efficient gear could make it difficult to harvest large hatchery returns and maintain some salmon returns within sustainable escapement goal ranges.

BACKGROUND: The 250-fathom maximum seine length for the LCI area was established in 1968. Prior to that, there was no maximum length. In recent years approximately 20 purse seine permit holders have reported deliveries in Lower Cook Inlet.

Currently, LCI seine specifications are like those in many other locations in Alaska. The only other gear in LCI is set gillnet which is permitted in only limited locations in the Southern District.
The *Lower Cook Inlet Seine Fishery Management Plan* (5 AAC 21.369) states that when the board authorized the use of power purse seines in the Cook Inlet salmon fishery, it was concerned that the more efficient gear might allow the fleet to increase its harvest of Upper Cook Inlet salmon stocks. Therefore, they instructed the department to manage the seine fleet so that its efforts are directed on Lower Cook Inlet salmon stocks. The management plan further states that the board recognized that some incidental catch of Upper Cook Inlet salmon stocks would occur while the seine fishery is managed for Lower Cook Inlet salmon stocks.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 35 – Increase the maximum depth of commercial salmon seines in Lower Cook Inlet from 325 meshes to 335 meshes

5 AAC 21.332. Seine specifications and operations.

PROPOSED BY: Cook Inlet Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would increase the maximum depth of commercial salmon seines in Lower Cook Inlet (LCI) from 325 meshes to 335 meshes.

WHAT ARE THE CURRENT REGULATIONS? The current maximum depth of seines in Lower Cook Inlet is 325 meshes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would make the maximum depth of a purse seine net 10 meshes (or 20–25 in) deeper than currently allowed. The proposal would allow for the use of prefabricated net building materials making it easier and less expensive to build nets. The incremental change in purse seine depth, (3%) is unlikely to change harvest efficiency.

BACKGROUND: Most nets used in LCI are less than the current 325 mesh maximum depth. Currently, there is significant variability in seine depth between the different salmon net gear registration areas in Alaska. LCI seine maximum 325-mesh depth is the same as those in Kodiak. Prince William Sound has a general maximum depth of 335 meshes. Chignik and Alaska Peninsula both have 375 maximum mesh depths. Southeast Alaska is the greatest at 450 meshes. Some of these areas have mesh size restrictions as well, which Cook Inlet does not.

The current 325 maximum mesh depth for the Lower Cook Inlet area was established in 1989. From 1968 through 1988, the maximum depth was 300 meshes. Prior to that, there was no maximum depth.

Recent innovations in purse seine construction include lead and cork lines with preattached extra-strength border strips. The extra-strength prefabricated border strips facilitate easier fabrication, repair, and replacement because they are laced on to the body web rather than hung onto individual meshes. Typically, one 25-mesh strip of heavy-duty polypropylene webbing is attached to the leadline to act as chafing gear. Adding a prehung border strip of webbing to the corkline of existing LCI seines of 325 meshes in depth, or onto nets being build using standard 200-mesh, or 100-mesh strips would require trimming a commensurate amount of webbing from the body web.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 36 – Prohibit the retention and sale of king salmon greater than 28 inches in length by commercial purse seine permit holders in the Southern District of Lower Cook Inlet

5 AAC 21.xxx. New section.

PROPOSED BY: Cook Inlet Recreational Fishermen/Todd Jacobson.

WHAT WOULD THE PROPOSAL DO? This would prohibit the retention and sale of king salmon greater than 28 inches in length by commercial purse seine permit holders in the Southern District of Lower Cook Inlet (LCI).

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow retention of all king salmon (no size restrictions) that are harvested in LCI commercial salmon fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would decrease the commercial harvest of king salmon greater than 28 inches in length by less than 200 fish annually.

BACKGROUND: There are no directed king salmon commercial fisheries in the Southern District. The only significant populations of king salmon in the Homer area occur in the Anchor River, Deep Creek, and Ninilchik River drainages and the stocked fisheries of Nick Dudiak Lagoon and Seldovia Harbor. These stocks are targeted by recreational fisherman; the marine waters offshore of these streams are closed to commercial salmon fishing. King salmon caught in the Southern District commercial purse seine fishery are incidentally harvested, where the annual harvest in recent years has been fewer than 200 fish per year (Table 36-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of 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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 36-1.–Reported harvest of king salmon in the Southern District by purse seine commercial permit holders, 1990–2019.

Year	Number of kings
1990	185
1991	556
1992	564
1993	1,073
1994	127
1995	211
1996	126
1997	126
1998	118
1999	269
2000	165
2001	121
2002	40
2003	301
2004	256
2005	85
2006	47
2007	27
2008	40
2009	---
2010	---
2011	29
2012	39
2013	140
2014	18
2015	59
2016	152
2017	193
2018	180
2019	170

Note: There were no commercial purse seine fishing periods in the Southern District in 2009 or 2010

King Salmon Management Plan (2 proposals)

PROPOSAL 37 – Create a king salmon conservation management plan that paired restrictions in Upper Cook Inlet and Lower Cook Inlet commercial fisheries.

5 AAC 18.XXX. New section This proposal will be heard at the LCI, Kodiak, and UCI meetings, and deliberated at the UCI meeting.

PROPOSED BY: Donald Johnson.

WHAT WOULD THE PROPOSAL DO? This would create a new comprehensive, overarching king salmon management plan that would pair commercial restrictions in the Kodiak Management Area (KMA) with those in the Upper Cook Inlet (UCI) and Lower Cook Inlet (LCI) salmon management areas.

WHAT ARE THE CURRENT REGULATIONS? Management is based on inseason assessments of king salmon run strength in fishing districts where harvests will occur. King salmon are incidentally harvested in LCI and KMA commercial salmon fisheries targeting sockeye, pink, chum and coho salmon. In UCI, the commercial harvest of king salmon is tightly regulated through management plans that have been systematically modified by the board to meet the challenge of mixed-stock fishery harvest in the UCI area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Pairing unspecified management actions between Cook Inlet and Kodiak fisheries to conserve king salmon would add regulatory complexity and may provide an unknown savings in king salmon in some years. The proposal offers no specifics as to how this would be done, including which stocks of king salmon the comprehensive plan would affect. Presumably, restrictions would be imposed in the KMA area during years of anticipated low king salmon abundance in the Cook Inlet area. This could lead to lost commercial fishing opportunity and exceeding KMA salmon escapement goals.

BACKGROUND: A king salmon genetics study was implemented for the KMA from 2014 through 2016. In those years, Cook Inlet king salmon comprised less than 4.5% of the king salmon harvested in the KMA.

In Kodiak and LCI, there are no direct commercial fisheries harvests of king salmon. In LCI, the highest levels of king salmon deliveries occur when effort is closest to hatchery king salmon release sites (Halibut Cove and Seldovia).

In UCI, the largest commercial harvest of king salmon occurs in the directed set gillnet fishery in the Northern District and in the Upper Subdistrict set gillnet fishery. Both of these fisheries are prosecuted under the provisions of either the *Northern District King Salmon Management Plan* (5 AAC 21.366) or the *Kenai River Late-Run King Salmon Management Plan* (5 AAC 21.359). These management plans provide the department with step-down provisions to reduce the harvest of king salmon, including closures to commercial fisheries, that are enacted if escapement is less than desired or if escapement goals are not projected to be achieved.

Beginning in 2014, the board established nonretention of king salmon 28 inches or greater in length in the commercial seine fishery in the Kodiak Area prior to July 6. Beginning in 2005, if the department determines that the Karluk River or Ayakulik River king salmon biological escapement goals will not be met, nonretention of king salmon 28 inches or greater is established in the commercial salmon fishery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department is **OPPOSED** to aspects of this proposal that add regulatory complexity and would make it difficult to meet LCI and KMA salmon management objectives without a measurable benefit to conservation of UCI king salmon. In the KMA, Cook Inlet king salmon are incidentally harvested in local stock fisheries targeting sockeye, pink, and chum salmon and make up a small fraction of the king salmon harvest. In LCI, there are no directed commercial fisheries that target king salmon. Districts that do not have hatchery releases of king salmon within its boundaries (Kamishak Bay, Eastern, and Outer districts) often go years with no reported commercial king salmon landings.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 38 – Prohibit the retention and sale of king salmon greater than 28 inches in length by commercial purse seine permit holders in the Southern District of Lower Cook Inlet

5 AAC 21.xxx. New Section. (This proposal will be heard at the LCI and UCI meetings, and deliberated at the UCI meeting.)

PROPOSED BY: Donald Johnson.

WHAT WOULD THE PROPOSAL DO? This would create a king salmon conservation management plan that paired restrictions in Upper Cook Inlet (UCI) and Lower Cook Inlet (LCI) commercial fisheries.

WHAT ARE THE CURRENT REGULATIONS? In LCI, outside of Resurrection Bay where the department manages king salmon for recreational use, current commercial fishing regulations do not specifically address king salmon harvest retention. In UCI, while there are management plan provisions that pair restrictive actions (time, gear, non-retention and closure) in the Kenai River sport fishery and Upper Subdistrict commercial set gillnet fishery, there are no provisions that restrict the retention of king salmon in the gillnet fishery. In addition, there are no commercial king salmon retention provisions in any other UCI commercial drift or set gillnet fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would prohibit retention of king salmon in LCI commercial salmon fisheries when retention of this species is prohibited in UCI salmon fisheries. Because the proposal does not specify which gear types and fisheries would be "paired," and specifically how and where the paired restrictions would take place, it is not possible to determine what effects the proposal would have on the commercial harvest of king salmon in LCI.

BACKGROUND: The LCI Seine Fishery Management Plan (5AAC 21.369) directs seine fishery managers to target only LCI stocks. Historically, the commercial harvest of king salmon by both the purse seine and set gillnet fleet in LCI has remained low (Table 38-1), with efforts targeting stocks returning to LCI districts. There are no commercially significant stocks of king salmon in the LCI Area. The *Kenai River Late-Run King Salmon Management Plan* (5 AAC 21.359) pairs restrictive actions in the Kenai River sport fishery to hourly restrictions in the Upper Subdistrict set gillnet fishery. Ultimately, if the sport fishery is closed to meet the king salmon sustainable escapement goal, the entire Upper Subdistrict set gillnet fishery closes. The *Northern District King Salmon Management Plan* (5 AAC 21.266) provides provisions for an early-season directed king salmon fishery in the Northern District of UCI. Harvest of king salmon in all UCI commercial fisheries has declined in the most recent 10 years compared to historical averages (Table 38-2).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and **OPPOSED** to this proposal as written since it does not specify which of the commercial gears operating in either LCI or UCI would be restricted. There are currently no commercial salmon gillnet fisheries where release of king salmon is required and the department is concerned about potential mortality and waste of these fish. UCI-origin king salmon likely represent a small fraction of king salmon caught in LCI commercial salmon fisheries and the conservation benefits of this proposal are negligible.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 38-1.–Commercial harvest of king salmon in Lower Cook Inlet, 1990–2019.

Year	Purse seine	Set gillnet	Year	Purse seine	Set gillnet	Year	Purse seine	Set gillnet
1990	199	1361	2000	169	1019	2010	10	31
1991	576	842	2001	123	865	2011	39	102
1992	603	1288	2002	40	1513	2012	47	90
1993	1079	1089	2003	302	881	2013	141	250
1994	128	1103	2004	258	1402	2014	38	330
1995	225	2078	2005	85	532	2015	59	812
1996	127	1060	2006	50	589	2016	153	766
1997	126	1136	2007	28	440	2017	194	471
1998	119	952	2008	42	148	2018	185	196
1999	273	1491	2009	1	84	2019	367	362

Table 38.2.–Upper Cook Inlet commercial king salmon harvest by gear type and area, 1980–2018.

	Central District						Northern District		
	Drift Gillnet		Upper S.district Set		Kalgin/W. Side Set		Set Gillnet		
Year	Number	%	Number	%	Number	%	Number	%	Total
1980	889	6.4	9,643	69.9	2,273	16.5	993	7.2	13,798
1981	2,320	19.0	8,358	68.3	837	6.8	725	5.9	12,240
1982	1,293	6.2	13,658	65.4	3,203	15.3	2,716	13.0	20,870
1983	1,125	5.5	15,042	72.9	3,534	17.1	933	4.5	20,634
1984	1,377	13.7	6,165	61.3	1,516	15.1	1,004	10.0	10,062
1985	2,048	8.5	17,723	73.6	2,427	10.1	1,890	7.8	24,088
1986	1,834	4.7	19,826	50.5	2,108	5.4	15,488	39.5	39,256
1987	4,552	11.5	21,159	53.6	1,029	2.6	12,700	32.2	39,440
1988	2,237	7.7	12,859	44.2	1,148	3.9	12,836	44.1	29,080
1989[a]	0	0.0	10,914	40.8	3,092	11.6	12,731	47.6	26,737
1990	621	3.9	4,139	25.7	1,763	10.9	9,582	59.5	16,105
1991	246	1.8	4,893	36.1	1,544	11.4	6,859	50.6	13,542
1992	615	3.6	10,718	62.4	1,284	7.5	4,554	26.5	17,171
1993	765	4.1	14,079	74.6	720	3.8	3,307	17.5	18,871
1994	464	2.3	15,575	78.0	730	3.7	3,193	16.0	19,962
1995	594	3.3	12,068	67.4	1,101	6.2	4,130	23.1	17,893
1996	389	2.7	11,564	80.8	395	2.8	1,958	13.7	14,306
1997	627	4.7	11,325	85.2	207	1.6	1,133	8.5	13,292
1998	335	4.1	5,087	62.6	155	1.9	2,547	31.4	8,124
1999	575	4.0	9,463	65.8	1,533	10.7	2,812	19.6	14,383
2000	270	3.7	3,684	50.1	1,089	14.8	2,307	31.4	7,350
2001	619	6.7	6,009	64.6	856	9.2	1,811	19.5	9,295
2002	415	3.3	9,478	74.5	926	7.3	1,895	14.9	12,714
2003	1,240	6.7	14,810	80.0	770	4.2	1,683	9.1	18,503
2004	1,104	4.1	21,684	80.5	2,208	8.2	1,926	7.2	26,922
2005	1,958	7.1	21,597	78.1	739	2.7	3,373	12.2	27,667
2006	2,782	15.4	9,956	55.2	1,030	5.7	4,261	23.6	18,029
2007	912	5.2	12,292	69.7	603	3.4	3,818	21.7	17,625
2008	653	4.9	7,573	56.8	1,124	8.4	3,983	29.9	13,333
2009	859	9.8	5,588	63.9	672	7.7	1,631	18.6	8,750
2010	538	5.4	7,059	71.3	553	5.6	1,750	17.7	9,900
2011	593	5.3	7,697	68.4	659	5.9	2,299	20.4	11,248
2012	218	8.6	705	27.9	555	22.0	1,049	41.5	2,527
2013	493	9.1	2,988	55.4	590	10.9	1,327	24.6	5,398
2014	382	8.2	2,301	49.4	507	10.9	1,470	31.5	4,660
2015	556	5.1	7,781	72.1	538	5.0	1,923	17.8	10,798
2016	606	6.0	6,759	67.4	460	4.6	2,202	22.0	10,027
2017	264	3.4	4,779	62.4	387	5.1	2,230	29.1	7,660
2018	503	14.8	2,312	67.9	447	13.1	143	4.2	3,405
2019[b]	168	5.4	2,232	71.6	522	16.7	197	6.3	3,119
1980-19 Avg [a]	975	6.6	9,760	63.7	1,096	8.3	3,350	21.4	15,181
2010-19 Avg	432	7.1	4,461	61.4	522	10.0	1,459	21.5	6,874

[a] 1989 was not used in averages, as the drift fleet did not fish due to the Exxon Valdez oil spill and this had an effect on all other fisheries.

[b] Preliminary harvest data based on call-in reports, not from fish tickets.

Groundfish and Herring (7 proposals)

PROPOSAL 39 – Exempt vessels using jig gear from exclusive and superexclusive groundfish registration restrictions.

5 AAC 28.005. Registration areas established.

PROPOSED BY: Gregory Gabriel.

WHAT WOULD THE PROPOSAL DO? This would designate registration areas as nonexclusive for all Pacific cod state-waters jig seasons.

WHAT ARE THE CURRENT REGULATIONS? Each state-waters Pacific cod season occurs within a registration area that is designated superexclusive, exclusive, or nonexclusive for Pacific cod (Table 39-1). Exclusivity restrictions are as follows:

1. A vessel registered for a superexclusive state-waters Pacific cod season may not be used to take Pacific cod in any other registration area in the same calendar year;
2. A vessel registered for an exclusive state-waters Pacific cod season may not be used to take Pacific cod in any other exclusive or superexclusive registration area in the same calendar year, although the vessel may be used to take Pacific cod in other nonexclusive Pacific cod seasons (e.g. parallel seasons) during the same calendar year; and
3. A vessel registered for a nonexclusive state-waters Pacific cod season may not be used to take Pacific cod in any other superexclusive registration area in the same calendar year, although the vessel may be used to take Pacific cod in other nonexclusive, and one exclusive, state-waters Pacific cod seasons during the same calendar year.

The Kodiak, South Alaska Peninsula, and Cook Inlet Pacific Cod Management Plans currently provide the department with authority to designate areas as nonexclusive registration areas for Pacific cod after a specified date (June 10 or October 30) if the guideline harvest level is not expected to be fully harvested before the regulatory closure on December 31 (Table 39-1). Notably, the *Chignik Area Pacific Cod Management Plan* does not provide this authority.

Eastern Gulf of Alaska (Southeast), Prince William Sound Area (PWS), Dutch Harbor Subdistrict, and the Aleutian Islands Subdistrict are currently designated as nonexclusive registration areas for vessels using jig gear during state-waters Pacific cod seasons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED?

A nonexclusive registration designation for all state-waters jig gear fisheries would provide operational flexibility for existing jig gear vessels and may increase jig effort overall. Vessels would have greater opportunity to transition across registration areas based on factors such as availability of jig gear guideline harvest level (GHL), time of year, or other fishing opportunities in the same area. The effect of this proposal on jig gear harvest rates of Pacific cod in specific registration areas is largely unknown. However, jig gear GHL allocations are not fully harvested during most years and any increase in jig gear harvest would increase the likelihood of achieving state-waters Pacific cod GHLs. Potential increases in jig gear effort or vessel movement across registration areas is not expected to adversely impact the department's ability to sustainably manage these fisheries, however, increases in targeted Pacific cod harvest could increase harvest of associated bycatch species.

BACKGROUND: State-waters Pacific cod jig gear fisheries are open access. However, current regulations may prevent vessels from participating in multiple fisheries in different areas during the same calendar year if registration areas are designated as exclusive or superexclusive for vessels using jig gear during state-waters Pacific cod seasons. Exclusive or superexclusive area designations were initially implemented for state-waters seasons to maintain opportunity for local fleets. Pacific cod guideline harvest levels (GHLs) during state-waters seasons are based on a percentage of the acceptable biological catch (ABC) from the adjacent federal regulatory area. Each registration area has specified allocations for jig gear (Table 39-1).

The majority of Pacific cod jig gear harvest occurs in spring and early summer. Pacific cod jig gear effort and harvest varies across registration areas and between years, although in general Pacific cod jig gear GHL allocations are not fully harvested in most years (Table 39-2).

Pacific cod management plans in Cook Inlet, South Alaska Peninsula, and Kodiak provide the department the authority to designate registration areas as nonexclusive for Pacific cod. If it appears unlikely that the jig gear GHL allocation will be fully harvested, the plans also provide the authority to make unharvested jig gear GHL available to vessels using other legal gear types, referred to as GHL rollover. The date that the GHL rollover can occur varies by area, although generally occurs in late summer or fall (Table 39-1). Current regulations that allow the department to relax exclusivity do not substantially increase jig gear harvest rates or increase the likelihood of jig gear GHLs being achieved. This is because these management actions can only be taken later in the year, after the majority of jig gear effort and harvest has occurred.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This proposal is allocative because registration areas would remain designated as exclusive or superexclusive for Pacific cod state-waters pot seasons, whereas Pacific cod state-waters jig seasons would become less restrictive and jig vessels would have additional opportunities in different registration areas that pot vessels would not.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 39-1.–State-waters Pacific cod jig gear fishery registration type, GHL allocation, GHL rollover date, and nonexclusive designation date, by area.

State-waters Pacific cod jig gear fishery	Area registration type	Jig gear GHL allocation	GHL rollover date	Nonexclusive designation date
Eastern Gulf of Alaska	Nonexclusive	none	none	NA
Prince William Sound	Nonexclusive	15% (pot and jig)	September 1	NA
Cook Inlet	Exclusive	15%	September 1	October 30
Kodiak	Exclusive	50%	After CGOA pot B	June 10
Chignik	Superexclusive	10%	August 15	none
South Alaska Peninsula	Exclusive	15%	After WGOA pot B	October 30
Dutch Harbor Subdistrict	Nonexclusive	100,000 lb	none	NA
Aleutian Islands District	Nonexclusive	none	none	NA

Table 39-2.–Average state-waters Pacific cod jig gear effort, guideline harvest level (GHL), and harvest, by exclusive or superexclusive registration area, 2015–2019 (through September 10, 2019), for areas that would be affected by Proposal 39.

Area	Vessel count	Number of landings	Jig GHL allocation (lb)	Harvest (lb)	Percent of jig GHL allocation harvested
Cook Inlet	4	13	423,115	25,846	4.3%
Kodiak	55	345	4,701,285	1,540,409	32.8%
Chignik	1	2	658,176	9,898	1.5%
South Alaska Peninsula	19	127	2,603,426	689,827	26.5%

Note: The full jig gear GHL allocation was not available for harvest in 2019 in South Alaska Peninsula due to pot gear overage.

PROPOSAL 40 – Add specific registration requirements for Cook Inlet Area groundfish fisheries.

5 AAC 28.306. Cook Inlet Area registration.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would add fishery-specific registration requirements in the Cook Inlet Area (CI) for the directed fisheries for lingcod, pelagic shelf rockfish, sablefish, Pacific cod during a parallel season, and Pacific cod during a state-waters season.

WHAT ARE THE CURRENT REGULATIONS? Statewide regulation 5 AAC 28.020 *Groundfish Area Registration* requires that an area registration must be obtained before a vessel operates groundfish gear. In CI, there are fishery-specific registration requirements listed for sablefish under 5 AAC 28.360 *Cook Inlet Sablefish Management Plan*. Also, 5 AAC 28.367(e)(2)(C) *Cook Inlet Pacific Cod Management Plan* states that registration is required for a specific gear type in the state-waters season, however, the same requirement for the parallel season is not defined. There are no clear fishery-specific registration requirements defined under 5 AAC 28.306 *Cook Inlet Area registration*.

In 2017, the board adopted similar fishery-specific registration requirements for the Prince William Sound Area under 5 AAC 28.206 (d).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? More clearly defining fishery-specific registration requirements for CI will reduce confusion for the public, aid enforcement, and assist managers by providing more accurate fishery participation information.

BACKGROUND: Some requirements of area registration are described under statewide regulation 5 AAC 28.020, including that a registration must be obtained before a vessel operates gear within a registration area and specifies the conditions that invalidate a registration. Aside from specifying exclusivity for gear types in the Pacific cod state-waters season, there are no clear requirements for registration in the Pacific cod, lingcod, pelagic shelf rockfish, or sablefish fisheries described under 5 AAC 28.306. This has caused some confusion for CI fishermen registered in a nonexclusive parallel Pacific cod season to consider themselves also registered for the nonexclusive directed lingcod and pelagic shelf rockfish fishery.

Although it is stated that registration is required for sablefish under 5 AAC 28.360 and for Pacific cod with a specific gear type during the state-waters season in 5 AAC 28.367(e)(2)(C), specifying registration requirements for each CI groundfish fishery and identifying these requirements regulations would provide clarity.

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 a groundfish fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 41 – Clarify possession and landing requirements for the state-managed sablefish fishery in the Cook Inlet Area.

5 AAC 28.360. Cook Inlet Sablefish Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify possession and landing requirements for vessels retaining sablefish in state waters of the Cook Inlet Area (CI) as defined in regulation.

WHAT ARE THE CURRENT REGULATIONS? In state waters of CI, sablefish may only be retained during an open directed sablefish season on board a vessel that is registered to participate in the state-managed CI sablefish fishery (5 AAC 28.360 (a)).

As provided in 5 AAC 28.070 (c)(2), a CFEC permit holder, while taking fish in an area or having taken fish in an area during the same trip, may not have on board an aggregate amount of a groundfish species that exceeds the amount allowed by regulation for that area, regardless of where the groundfish were taken.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? By more clearly defining allowable fishing activity under the *Cook Inlet Sablefish Management Plan* governing retention of sablefish during a trip in state waters of CI, it would provide clarity and reduce confusion for the public and department staff. It would also aid enforcement, specifically for vessels that fish Individual Fishing Quota (IFQ) sablefish and halibut during the same trip.

BACKGROUND: The state and federally-managed IFQ sablefish fisheries are managed separately, and harvest occurs in either state or federal waters, respectively. Therefore, a vessel may not fish in both federal and state waters on the same trip when retaining sablefish at any point during that trip, regardless of where they fished first. Harvest and fishing location is reported at the time of landing for the whole trip, and it would be difficult for enforcement to evaluate in what order fishing occurred, if fishing occurred in multiple statistical areas.

It is problematic for accurate accounting and enforcement when vessels participating concurrently in federally managed IFQ halibut and IFQ sablefish fisheries in federal waters also fish inside state waters during that trip with the following potential scenarios: 1) sablefish are harvested in state waters out of season, 2) vessels participate inside state waters without being registered, and 3) harvest location of sablefish is misreported. During an IFQ halibut trip, vessels may cross the state waters boundary line, and harvest fish in both state waters and federal waters; however, vessels retaining sablefish in federal waters may not also fish inside state waters on that trip. Even when sablefish harvest does not occur inside state waters, this has been both an enforcement and management issue, as vessel operators often report fishing location by splitting all harvest between the same state and federal waters statistical areas without specifying the location where sablefish was taken, when different (e.g. sablefish taken in federal waters only while halibut split between those state and federal areas). In addition to violating 5 AAC 28.070 (c)(2), inaccurate reporting on fish tickets violates 5 AAC 39.130 (c)(8) and indicates that sablefish harvested in federal waters were retained illegally in state waters. Adding the proposed regulatory language under the *Cook Inlet Sablefish Management*

Plan would provide clarity and reduce confusion for the public and department staff and also aid enforcement.

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. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 42– Clarify possession and landing requirements for the parallel Pacific cod fishery in the Cook Inlet Area.

5 AAC 28.367. Cook Inlet Pacific Cod Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify possession and landing requirements for vessels participating in a parallel Pacific cod fishery in the Cook Inlet Area (CI) by stating that vessels may only fish in one registration area at a time.

WHAT ARE THE CURRENT REGULATIONS? Vessels are required to register for the CI parallel Pacific cod fishery and may only be registered for one registration area at a time as provided in 5 AAC 28.020 (a) and (b)(1).

Under 5 AAC 28.367 *Cook Inlet Pacific Cod Management Plan*, parallel Pacific cod seasons in state waters of the CI open and close by emergency order for each gear type to coincide with corresponding federal seasons in the adjacent Central Gulf of Alaska Regulatory Area (CGOA). Additional statewide provisions governing Pacific cod management plans and parallel groundfish fisheries are defined in 5 AAC 28.081 and 5 AAC 28.087, respectively.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Clarifying allowable fishing activity in area regulation, specifically the requirement to remain within a single groundfish registration area during the same trip, would reduce confusion for the public and aid enforcement regarding CI requirements for parallel Pacific cod commercial fisheries.

BACKGROUND: Vessels participating in the parallel Pacific cod fishery in CI may fish in both state and federal waters on the same trip if they meet federal requirements. However, vessels must be registered for the fishery and may only be registered for one registration area at a time (5 AAC 28.020). Therefore, if a vessel participates inside state waters during the parallel Pacific cod fishery, the vessel must remain in the registration area for that trip. If the vessel were to fish in the adjacent Prince William Sound Area during that trip, for example, the vessel registration for the CI parallel Pacific cod fishery would be invalidated and the vessel would no longer be complying with registration requirements.

The decreasing Pacific cod abundance, and corresponding federal total allowable catch (TAC), has resulted in a 66% reduction in CI parallel season harvest for all gear types from nearly 2.2 million lb in 2016 to 744,128 lb in 2018, the lowest since 2010 (Table 42-1). Longline harvest decreased 32% from 990,491 lb in 2016 to 484,260 lb in 2018, while similarly, pot harvest decreased 76% from 1.1 million lb in 2016 to 259,669 lb in 2018. In 2018, jig harvest was at an all-time low at 199 lb. Vessel participation from all gear types ranged from 70 in 2016 to only 40 vessels in 2018, with 107 landings in 2018, the lowest in 30 years.

The recent decline in Pacific cod abundance and corresponding quotas could result in fishery participants fishing in multiple registration areas in one season as they seek additional fishing opportunities. This regulation clarification will help participants understand the requirements

when changing registration areas during the season, improve management with more accurate location reporting, and aid enforcement.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 42-1.–Annual harvest and effort by gear type of commercial Pacific cod parallel fisheries in the Cook Inlet Area, 1988–2018.

			Harvest (lb)[a]				
Year	Vessels	Landings	Longline	Pot	Jig[b]	Other[c]	Total
1988	59	213	482,365	[d]	[d]	[d]	517,497
1989	9	21	35,978	[d]	[d]		36,846
1990	52	127	250,888	20,244	[d]	107,505	378,637[e]
1991	122	489	1,347,759	525,774	17,284	25,819	1,916,636
1992	190	868	3,553,709	1,873,717	13,995		5,441,421
1993	109	427	2,316,492	1,336,799		8,454	3,661,744
1994	74	386	1,386,775	1,290,860	5,487	[d]	2,685,562
1995	140	669	2,250,472	1,721,079	3,572	433,528	4,408,651
1996	106	567	2,219,948	987,626	25,645	1,411,726	4,644,945
1997	137	576	2,049,394	1,114,131	37,362	72,354	3,273,240
1998	116	519	1,900,375	529,355	42,453	211,406	2,683,589
1999	112	457	2,171,877	981,674	21,331	8,296	3,183,178
2000	101	417	815,742	770,298	[d]		1,586,041[e]
2001	86	243	301,654	314,098			615,752
2002	65	222	582,635	307,937	[d]		890,573[e]
2003	45	142	126,168	294,630			420,798
2004	62	133	27,026	360,637	[d]		387,662[e]
2005	44	118	25,720	167,320	[d]		193,040[e]
2006	51	171	70,507	520,613			591,121
2007	47	202	364,427	328,878			693,305
2008	52	161	267,991	145,473			413,464
2009	57	172	452,796	88,657			541,453
2010	50	124	197,795	228,429	[d]		426,223[e]
2011	49	144	199,613	579,007	237		778,857
2012	51	216	1,018,217	957,217	[d]		1,975,434[e]
2013	61	220	1,039,822	367,635	4,817		1,412,274
2014	50	156	678,901	348,900	32,260	18	1,060,078
2015	57	205	1,716,574	407,494	87	252	2,124,408
2016	70	266	990,491	1,123,120	48,379	40	2,162,030
2017	60	252	667,553	1,034,841	6,161		1,708,555
2018	40	107	484,260	259,669	199		744,128

Note: Harvest combines directed parallel seasons and Pacific cod bycatch from other fisheries. Blank cells indicate no harvest.

[a] Harvest is reported in round pounds.

[b] Includes mechanical jig and hand troll gear.

[c] "Other" includes trawl, gillnet, and seine gear.

[d] Confidential data due to limited number of participants.

[e] Total harvest does not include confidential data.

PROPOSAL 43 – Add a 6-hour prior notice of landing requirement for the Cook Inlet Area directed lingcod fishery.

5 AAC 28.371. Landing Requirements for Cook Inlet Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would add a six-hour prior notice of landing (PNOL) requirement for the Cook Inlet Area (CI) commercial lingcod fishery. Fishermen would be required to call a telephone number, specified by the department on registration forms, at least six hours prior to landing and report the following information: 1) vessel name and ADF&G number; 2) date and location of landing and estimated time of arrival; 3) name of fish buyer or processor; and 4) estimated number of lb of lingcod on board the vessel.

WHAT ARE THE CURRENT REGULATIONS? The CI directed lingcod fishery opens on July 1 (5 AAC 28.310 (b)) with a registration requirement for a vessel to participate (5 AAC 28.020 (a)); the season ends December 31 by regulation or by emergency order (EO) if the guideline harvest level (GHL) is achieved. Lawful gear for the directed fishery includes mechanical jigging machines and hand troll gear (collectively referred to as jig gear); mechanical jigging gear can only have 5 lines with no more than 30 hooks per line (5 AAC 28.330 (g) and (i)). Lingcod may be retained as bycatch, including by other legal gear types, up to 20% by weight of directed species on board the vessel (set by EO) after July 1. In order to be retained, lingcod must measure at least 35 inches from the tip of the snout to the tip of the tail (5 AAC 28.370 (a)).

PNOL is a requirement for the CI sablefish and directed pelagic shelf rockfish (PSR) fisheries (5 AAC 28.360 (d) and 5 AAC 28.365 (h)). There is also a PNOL requirement for the Prince William Sound Area (PWS) sablefish fishery (5 AAC 28.272 (e)).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Participants in the directed lingcod fishery would be required to contact the department 6 hours prior to landing their fish. This would result in 1) improved reporting requirements; 2) increased sampling opportunities for the department; and 3) better overall enforcement in the fishery.

BACKGROUND: Department staff had difficulty meeting biological sampling objectives from the increased number of directed lingcod fishery offloads in 2017 and 2018 due to a lack of PNOL requirement and very short notice given to processors before vessels delivered. Harvest levels need to be closely monitored in order to target the GHL. Since the current GHL of 52,500 lb was developed in 2002, it has only been achieved in 2006 and 2018, with a high harvest in 2017 (Table 43-1). The percentage of lingcod harvested with jig gear has been at a high level during the most recent 3 years (2016–2018), ranging between 84% and 92%, with the majority of that harvest coming from the directed fishery.

Biological sampling of lingcod harvested during the CI fishery is coordinated out of the Homer department office from deliveries that occur in both Homer and Seward. For Seward landings, staff must travel from Homer to Seward in order to meet vessels, which takes approximately four hours (one-way) for the drive alone. Offloading happens quickly and the opportunity to sample landings in both ports can easily be missed if there is no notification beforehand. Therefore, having

a PNOL in the regulations for the lingcod fishery would assist in achieving sampling goals and would allow Alaska Wildlife Troopers (AWT) to be notified about upcoming deliveries, providing a coordinated enforcement opportunity.

Regulations requiring a six-hour PNOL were adopted by the board in 2016 for CI directed PSR and sablefish fisheries and has greatly improved coordinating sampling operations in the port of Seward where these landings frequently occur. Landings during the PWS sablefish fishery often occur in Seward or Whittier and are covered by the same Homer staff as CI PSR and sablefish landings. When possible, department Homer staff samples landings in Seward and Whittier on the same trip. Adoption of this proposal will improve the ability of department staff to coordinate travel to other ports and increase opportunities to collect biological samples from Central Region (CI and PWS) commercial groundfish fisheries.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Having a PNOL for all four fisheries that have vessels delivering into Seward could result in higher productivity and efficiency for the Central Region sampling program because it may allow for samplers to collect biological information from more deliveries during a single sampling trip from Homer.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 43-1. Cook Inlet Area directed lingcod harvest and effort, 1988-2018.

			Round weight (lb)				
Year	Vessels	Landings	Jig/Troll	Other Gear[a]	Total Harvest[b, c]	Jig % Harvest	Directed Jig Harvest[d]
1988	16	37	6,512	18,436	24,948	26%	
1989	10	20	399	2,495	2,894	14%	
1990	22	22	1,306	5,463	6,769	19%	
1991	31	96	57,691	4,492	62,183	93%	
1992	84	192	6,998	35,220	42,218	17%	
1993	18	64	86,724	646	87,370	99%	
1994	14	30	56,505	331	56,836	99%	
1995	43	72	72,489	4,687	77,176	94%	
1996	39	58	47,986	11,310	59,296	81%	
1997	34	49	17,572	14,575	32,147	55%	
1998	23	41	27,284	13,955	41,239	66%	
1999	41	66	10,741	17,421	28,162	38%	
2000	41	72	29,488	4,029	33,517	88%	
2001	33	73	29,472	11,321	40,793	72%	
2002	33	64	16,383	3,794	20,177	81%	
2003	29	64	23,124	4,030	27,154	85%	
2004	30	63	31,009	5,635	36,644	85%	
2005	28	55	13,328	7,465	20,793	64%	
2006	28	55	11,679	45,899	57,578	20%	
2007	50	90	22,536	24,556	47,080	48%	
2008	33	66	26,966	17,066	44,032	61%	
2009	37	70	5,571	13,609	19,180	29%	5,084
2010	31	53	13,298	8,669	21,966	61%	12,567
2011	30	46	2,283	6,912	9,195	25%	2,021
2012	31	44	1,609	7,886	9,494	17%	1,506
2013	37	22	8,790	3,220	12,010	73%	8,749
2014	27	37	7,535	2,686	10,221	74%	7,535
2015	26	51	2,747	3,995	6,742	41%	925
2016	31	63	19,605	3,787	23,393	84%	16,911
2017	24	55	44,933	3,808	48,740	92%	44,805
2018	27	59	43,326	6,153	49,479	88%	42,147

[a] Other gear includes longline, pot, trawl, or salmon gillnet.
[b] Does not include reported at-sea discards.
[c] Sum discrepancies are due to rounding.
[d] Directed harvest from the lingcod jig fishery, most recent 10 years of data.

PROPOSAL 44 – Amend the Kamishak Bay District Herring Management Plan to remove restrictions to the Shelikof Strait food and bait herring fishery.

5 AAC 27.465. Kamishak Bay District Herring Management Plan. (This proposal will be heard at the LCI and Kodiak meetings, and deliberated at the Kodiak meeting).

PROPOSED BY: Sam Mutch.

WHAT WOULD THE PROPOSAL DO? This would amend the *Kamishak Bay District Herring Management Plan* to remove restrictions to the Shelikof Strait food and bait herring fishery. This proposal would require that this fishery be managed based solely on surveys of spawning biomass in bays adjacent to Shelikof Strait north of Miner's Point.

WHAT ARE THE CURRENT REGULATIONS? The *Kamishak Bay District Herring Management Plan* (5 AAC 27.465) sets guidelines for the allocation of the Kamishak Bay herring stock to the Shelikof Strait food and bait herring fishery, as described in 5 AAC 27.535.

- The allocation of the allowable harvest of the Kamishak Bay herring stock is 90 percent to the Kamishak Bay sac roe fishery, and 10 percent to the Shelikof Strait food and bait fishery.
- The guideline harvest level (GHL) for the fall Shelikof Strait food and bait fishery and the following spring Kamishak Bay sac roe fishery will be based on the projected biomass as determined by the most recent aerial surveys, age class composition, historical mortality, recruitment trends, and other relevant data that is collected by the department.
- If the projected spawning biomass is less than the minimum threshold of 6,000 short tons, the Kamishak Bay sac roe fishery and the Shelikof Strait food and bait fishery north of the latitude of Miners Point (lat 57°54.00′N) will be closed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Fishing could occur in the Kodiak Management Area (KMA) on local stocks north of Miners Point in years when local abundance is sufficient to establish a herring sac roe GHL which in turn would establish a herring food and bait GHL of 10% the herring sac roe GHL. The contribution from the Kamishak stock toward the Shelikof Strait GHL would be removed regardless of observations or lack of observations in the Kamishak District (Figure 44-1). This could result in an increase in the commercial harvest of herring in the Shelikof Strait area with an unknown effect on sustainability of the Kamishak stock.

BACKGROUND: Prior to the *Harvest strategies for the Kodiak Area* 5 AAC 27.535, the department set the KMA food and bait GHL by regulation at 1,000 tons. This annual GHL did not reflect a realistic harvest level of the local stocks and the annual food and bait harvest was less than 400 tons.

During the fall and winter months of the early 1980s, large concentrations of herring were observed in eastern Shelikof Strait and adjacent bays along the west side of the Kodiak Archipelago. The biomass exceeded that of known Kodiak area spawning stocks. Herring food and bait fishermen targeted these herring, but the stock composition was unknown. In 1986, a stock identification study, based on scale pattern analysis, was conducted on herring harvested from a large biomass

located in the northeastern part of the Shelikof Strait (unpublished department report by Johnson et al., Kodiak, Alaska). Results of the study indicated that at least 80% of the Shelikof herring catch sampled were Kamishak Bay stocks, which spawn within the Lower Cook Inlet (LCI) Management Area.

To alleviate the problem of identifying the spawning stock of a harvest in areas where intermixing may occur, the harvest strategy combines the Kamishak stock GHL with the Kodiak stock GHL for food and bait management units along the Shelikof Strait. When this combined GHL is achieved the Shelikof Strait food and bait management units are closed collectively. Also, when the Kamishak spawning biomass is below 6,000 tons the Shelikof Strait food and bait fishery north of the latitude of Miners Point (Figure 44-1) stays closed (5 AAC 27.535(d)).

Aerial surveys of herring spawning biomass occurred annually in the Kamishak District from 1978 through 2015. These surveys, and all other herring stock assessment activities in Kamishak Bay, were suspended in 2016 due to a lack of funding.

Prior to cessation of the herring monitoring program in Kamishak Bay, herring stock biomass remained generally below 6,000 short tons, the regulatory threshold specified in 5 AAC 27.465(e)(3) where a Kamishak Bay commercial herring fishery and a Kodiak food and bait fishery would be permitted (Table 44-1).

Currently, the KMA sets food and bait GHLs on 10% of the previous sac roe herring GHL for a particular section. For example, if the Uganik District had a sac roe GHL of 1,000 short tons, the food and bait fishery in the Uganik District, south of latitude of Miners Point at 100 tons.

Hydroacoustic surveys conducted by the department recently have estimated a biomass in Kukak Bay of the North Mainland District in excess of 30,000 tons. This section has been designated as exploratory for the sac roe fishery, but no harvest has occurred since 1997. This section has been unable to open for the food and bait fishery due to low Kamishak abundance and the lack of a GHL during the sac roe fishery.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal as written. However, the department would support this proposal if certain safeguards were added to the management plan that would allow for a food and bait fishery to occur based on local stocks, while limiting openings in Shelikof Strait. The Kamishak Bay herring fishery has been closed since 1998 due to spawning biomass estimates that have consistently been below the threshold needed to open the fishery. This is the same stock that would be potentially harvested in the fishery proposed here.

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. Approval of this proposal is not expected to result in an additional cost to the department.

Table 44-1.–Preseason estimates of biomass and projected commercial sac roe seine harvests, versus actual harvests, for Pacific herring in short tons (st), average roe recovery, numbers of permits making landings, and exvessel value in millions of dollars, Kamishak Bay District, Lower Cook Inlet, 1978–2018.

Year	Preseason Forecasted biomass (st)	Projected harvest (st)[a]	Actual commercial harvest (st)[a]	Average roe %	No. of permits w/landings	Exvessel value[b] (in millions)
1978	[c]	[d]	402	33.4	44	[e]
1979	[c]	[d]	415	12.5	[e]	[e]
1980	[c]	[d]	CLOSED			
1981	[c]	[d]	CLOSED			
1982	[c]	[d]	CLOSED			
1983	[c]	[d]	CLOSED			
1984	[c]	[d]	CLOSED			
1985	[c]	[d]	1,132	11.3	23	1
1986	[c]	[d]	1,959	10.4	54	2.2
1987	[c]	3,833	6,132	11.3	63	8.4
1988	[c]	5,190	5,548	11.1	75	9.3
1989	37,785	5,000	4,801	9.5	75	3.5[f]
1990	28,658	2,292	2,264	10.8	75	1.8
1991	17,256	1,554	1,992	11.3	58	1.3
1992	16,431	1,479	2,282	9.7	56	1.4
1993	28,805	2,592	3,570	10.2	60	2.2
1994	25,300	3,421	2,167	10.6	61	1.5
1995	21,998	2,970	3,378	9.8	60	4
1996	20,925	2,250	2,984	10.1	62	6.0[f]
1997	25,300	3,420	1,746	9.3	45	0.4
1998	19,800	1,780	331	8.5	20	0.1
1999	[g]		CLOSED[h]			
2000	6,330		CLOSED			
2001	11,352		CLOSED			
2002	9,020		CLOSED			
2003	4,771		CLOSED			
2004	3,554		CLOSED			
2005	3,058		CLOSED			
2006	2,650		CLOSED			
2007	2,286		CLOSED			
2008	2,069		CLOSED			
2009	[i]		CLOSED			
2010	2,963		CLOSED			
2011	3,830		CLOSED			
2012	[i]		CLOSED			
2013	[i]		CLOSED			
2014	6,318		CLOSED			
2015	5,699		CLOSED			
2016	1,603		CLOSED			
2017	[i]		CLOSED			
2018	[i]		CLOSED			

[a] Kamishak Bay allocation only; does not include Shelikof Strait food/bait allocation.
[b] Exvessel values exclude any postseason retroactive adjustments (except where noted).
[c] Prior to 1989, preseason forecasts of biomass were not generated.
[d] Prior to 1987, preseason harvest projections were not generated.
[e] Data not available.
[f] Includes retroactive adjustment.
[g] 1999 preseason biomass calculated as a range of 6,000 to 13,000 st.
[h] ADF&G test fishing harvested 100 st.
[i] No forecast of abundance generated for 2009, 2012, 2013, 2017 and 2018 due to lack of samples in previous year(s).

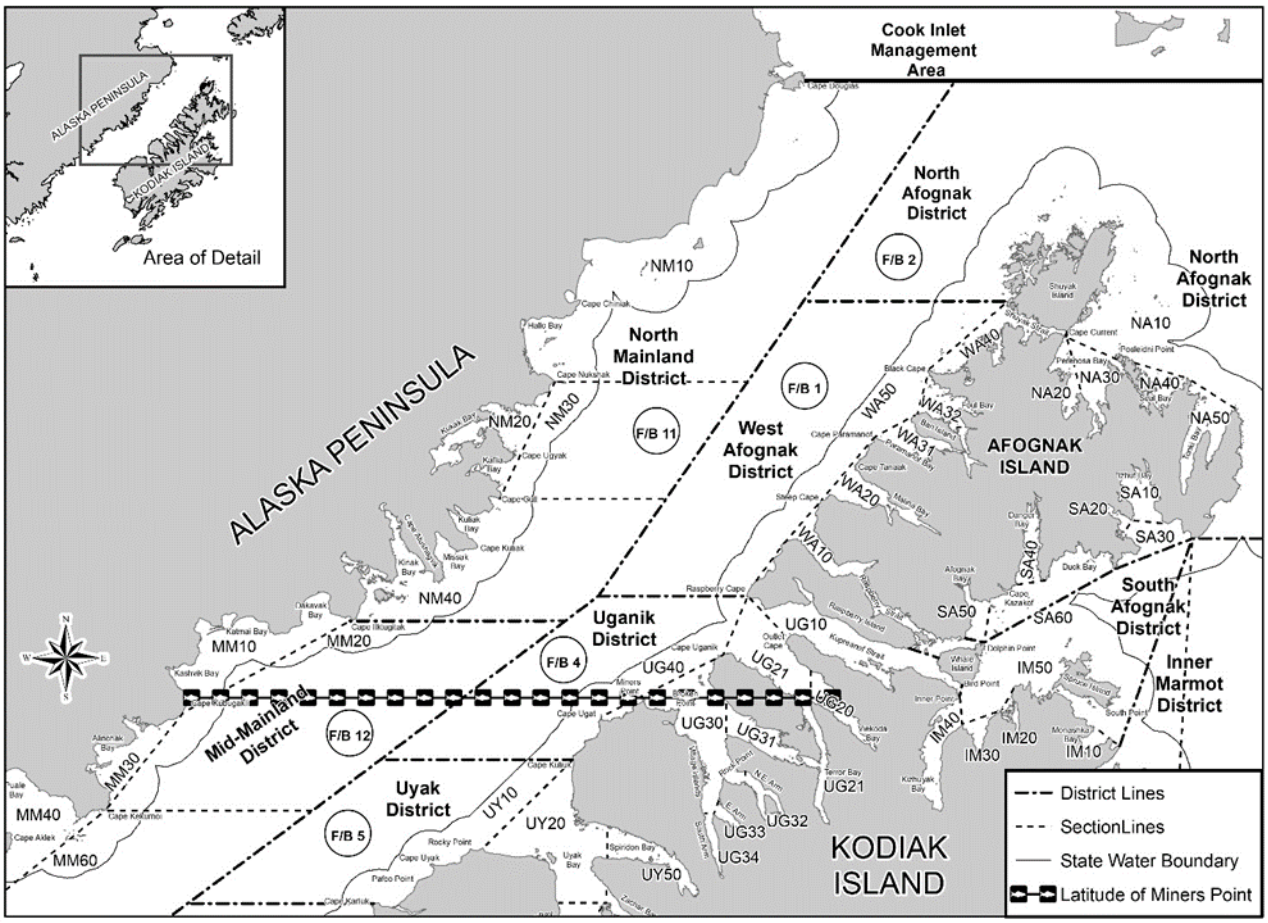

Figure 44-1.–Map showing the latitude of Miners Point.

PROPOSAL 278 – Aleutian Islands Pacific cod exclusive registration

5 AAC 28.606. Bering Sea – Aleutian Islands Area Registrations and 5 AAC 28.647. Aleutian Islands Subdistrict Pacific Cod Management Plan.

PROPOSED BY: The City of Adak and the Adak Community Development Corporation.

WHAT WOULD THE PROPOSAL DO? Change the Aleutian Islands Subdistrict (AIS) Pacific cod state-waters fishery from a nonexclusive to an exclusive registration area for Pacific cod.

WHAT ARE THE CURRENT REGULATIONS? The AIS is a nonexclusive registration area for Pacific cod and the fishery is largely regulated by vessel length and trip limits. When the Adak Section (state waters between 175º W long and 178º W long) is open, vessel size limits are 60 ft or less OAL for trawl, jig, and pot vessels and 58 ft or less OAL for longline vessels. When all waters of the AIS are open vessel size limits are 125 ft or less OAL for pot vessels, 100 ft or less OAL for trawl vessels, and 58 ft or less OAL for longline and jig vessels. There are no harvest allocations by gear type, but all vessels may only harvest 150,000 lb round weight of Pacific cod per day and may not have more than 150,000 lb round weight of unprocessed Pacific cod on board a vessel at any time. Vessels that participate in the AIS may also participate in other nonexclusive registration areas and one exclusive registration area for Pacific cod during the same calendar year including the Dutch Harbor Subdistrict (DHS) exclusive pot gear fishery.

The initial AIS Pacific cod GHL is 31% of the federal Aleutian Islands Subarea Pacific cod ABC. If the GHL is achieved in a calendar year, the GHL will increase by 4% of the federal Aleutian Islands Subarea ABC beginning the next calendar year. The GHL may not exceed 39% of the ABC or 15 million lb. Conversely, if the GHL is not achieved during 2 consecutive years, the GHL will be reduced by 4% beginning the next calendar year but may not be reduced below 15% of the federal Aleutian Islands Subarea Pacific cod ABC.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Pot gear vessels would no longer be able to fish in both the AIS and the DHS state-waters fisheries in the same calendar year. Under prevailing Pacific cod abundance and market conditions, the AIS GHL will likely be fully harvested by AIS registered vessels consistent with the past several seasons provided adequate and stable processing capacity is available in the region. Lost or reduced processor availability will likely result in underutilized GHL and foregone harvest. In this situation, forgone harvest may be compounded if vessels that previously registered for a different state-waters fishery were precluded from developing markets and participating in the exclusive but underutilized AIS fishery.

BACKGROUND: Eight state-waters Pacific cod fisheries occur in Alaska and each are identified as either superexclusive, exclusive, or nonexclusive. Statewide, most state-waters Pacific fisheries are either exclusive or superexclusive. Currently, the AIS and the Eastern Gulf of Alaska (southeast) are the only two nonexclusive registration areas for Pacific cod. The DHS is an exclusive registration area for pot gear vessels. During a calendar year, a vessel may be registered to take Pacific cod in a nonexclusive registration area and one exclusive registration area. A vessel registered to take Pacific cod in an exclusive registration area may not be used to take Pacific cod in any other exclusive registration area during the same calendar year.

The AIS state-waters Pacific cod fishery was established in 2006. The fishery management plan is complex and has been influenced by shore processor availability in Adak, overlapping federal fishery management, and changes in Pacific cod availability in other areas of the state. Season opening and closing dates have been historically structured to maximize opportunity between the state-waters fishery and various federal Bering Sea-Aleutian Islands area Pacific cod seasons.

For much of its history, the AIS fishery has been underutilized, with the GHL fully achieved in 4 of 14 years (2007, 2008, 2018, and 2019; Table 278-1). Vessel length limits were increased, and seasonal allocations were modified at the 2015 board meeting to encourage harvest. Presently, the AIS state-waters Pacific cod fishery opens on January 1 in the Adak Section (state waters between long 175°W and long 178°W) to vessels 60 ft or less OAL in overall length using trawl, pot, jig, and vessels 58 ft or less OAL using longline gear. All state waters west of long 170°W, including the Adak Section, open to the state-waters fishery for pot vessels 125 ft or less OAL, trawl vessels 100 ft or less OAL, and longline and jig vessels 58 ft or less OAL, either 4 days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel trawl fishery is closed, 4 days after the federal Aleutian Islands Subarea non-Community Development Quota season is closed, or March 15; whichever occurs first.

The AIS GHL is currently set at 31% of the federal Aleutian Islands Pacific cod ABC and will increase to 35% in 2020 or a maximum of 15 million pounds. The 2019 GHL was 14,078,500 pounds. A total of 18 vessels participated: 11 pot vessels under 60 ft, 3 pot vessels over 60 ft, 2 trawl vessels under 60 ft, and 2 trawl vessels over 60 ft (Table 278-2). The seasoned opened January 1 and closed March 17. Pot vessels 60 ft or less harvested 88% of the total catch. The 2019 GHL was achieved in 76 days with a total harvest of 13,664,555 lb.

The board first established the DHS state-waters Pacific cod fishery in 2014 and subsequently expanded the size of the fishery twice. In October of 2018, the board increased the DHS Pacific cod GHL from 6.4% to 8% of the federal Bering Sea Pacific cod ABC. At the October 2018 meeting, the board adopted a provision that allows the GHL to increase by an additional 1% of ABC each year when the prior year's GHL is full achieved, up to a total of 15% of the federal Bering Sea Pacific cod ABC. The DHS fishery is only open to pot and jig gear vessels 58 ft or less OAL. The pot gear fishery opens 7 days following closure of the federal BSAI hook-and-line and pot catcher vessel less than 60 ft OAL sector. There are no trip or possession limits for the DHS fishery, but pot vessels are limited to operating no more than 60 pots. The DHS fishery is an exclusive registration area for Pacific cod pot vessels but nonexclusive for vessels using jig gear.

The DHS GHL is currently set at 8% of the federal Bering Sea subarea Pacific cod ABC and will increase to 9% in 2020. The 2019 pot gear GHL was 31,922,600 pounds. A total of 37 vessels participated in the fishery. At least one pot vessel participated in both AIS and DHS in 2014, 2017, 2018, and 2019 (Table 278-3). The season opened January 19 and closed February 24 and was open 37 days before the GHL was achieved with a total harvest of 32,345,033 pounds (Table 278-4). After the 2019 DHS fishery closed, 6 pot vessels transitioned to the AIS fishery and harvested 2.5 million pounds, or approximately 18% of the total 2019 AIS state-waters Pacific cod catch.

New fishing opportunity created by the DHS fishery combined with substantial declines in Pacific cod abundance in the Gulf of Alaska (GOA) has redistributed state-waters fishing effort away from fisheries in GOA to BSAI. This change has increased effort and competition among users and reduced season lengths in the DHS and AIS overall. Combined harvest from the 2019 AIS and

DHS state-waters fisheries represents more than 85% of the total Pacific cod catch across all state-waters fisheries.

Should this proposal be adopted the department recommends including regulatory language that provides managers inseason flexibility to designate the AIS as nonexclusive if harvest projections indicate the GHL will not be achieved. Options to trigger review and potential re-designation from exclusive to nonexclusive include closure of the DHS state-waters Pacific cod fishery or the second regulatory opening of the full AIS fishery. The full fishery opening occurs either 4 days after the Bering Sea and Aleutian Islands parallel "A" season for the catcher-vessel trawl fishery is closed, 4 days after the federal Aleutian Islands Subarea non-Community Development Quota (CDQ) season is closed, or March 15; whichever occurs first. Under either option, the department would assess known and anticipated effort and project total expected harvest in order to determine if adequate capacity exists to fully harvest the GHL before the end of the calendar year. If at that time or any time after, the department determines additional effort is needed to achieve the GHL the AIS would be designated as a nonexclusive registration area by emergency order.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal but supports including an inseason trigger to designate the AIS as nonexclusive to reduce the potential of foregone harvest during periods of low fishery capacity.

COST ANALYSIS: Approval of this proposal is not expected to result in any additional direct cost for a private person to participate in this fishery nor for the department to implement the proposed change.

Table 278-1. Aleutian Islands Subdistrict state-waters Pacific cod fishery number of vessels, harvest, GHL, and number of landings by season, 2006–2019.

Year	Season	GHL[a]		Harvest[a]	Vessels		Landings
2006	A season	8,981,540		8,502,781	26		68
	B season	3,849,232	[b]	352,821	5		19
	TOTAL	12,830,772		8,855,602	30	[c]	87
2007	A season	8,148,202		8,229,931	27		97
	B season	3,492,086	[d]	3,409,070	12		106
	TOTAL	11,640,288		11,639,001	39		203
2008	A season	8,148,202		7,477,507	30		116
	B season	3,492,086	[e]	4,241,692	18		77
	TOTAL	11,640,288		11,719,199	45	[c]	193
2009	A season	8,425,981		5,537,886	22		50
	B season	3,611,135	[e]	CF	5		47
	TOTAL	12,037,116		CF	27		97
2010	A season	8,055,608		7,959,514	16		84
	B season	3,452,404	[e]	826,170	3		4
	TOTAL	11,508,012		8,785,685	16	[c]	88
2011	A season	10,879,701		CF	3		4
	B season	4,662,729	[e]	CF	4		16
	TOTAL	15,542,430		595,289	6	[c]	20
2012	A season	14,537,132		11,462,339	21		201
	B season	6,230,200	[e]	953,312	7		25
	TOTAL	20,767,332		12,341,027	26	[c]	226

Table 278-1.–Page 2 of 2.

Year	Season	GHL[a]		Harvest[a]	Vessels	Landings
2013	A season	14,213,056		CF	12	CF
	B season	6,091,310	[e]	CF	1	1
	TOTAL	20,304,366		10,563,646	13	151
2014	A season	12,504,712		CF	8	133
	B season	5,359,162	[e]	0	0	0
	TOTAL	17,863,874		CF	8	133
2015	A season	12,620,583		CF	2	8
	B season	5,408,821	[e]	0	0	0
	TOTAL	18,029,404		CF	2	8
2016		10,476,259	[f]	CF	6	39
2017		12,797,703		CF	3	84
2018		12,798,000		CF	13	132
2019		14,078,500		13,664,555	18	155

Note: CF = Confidential

[a] In whole fish lb.

[b] ADF&G made 3.5 million lb of the GHL available to National Marine Fisheries Service effective on September 1.

[c] Some vessels participated in both seasons.

[d] Overage from the A season was deducted from the B season GHL. Initial GHL shown.

[e] A season GHL was not fully harvested, remaining A season GHL rolled over into B season GHL; initial GHL shown.

[f] Regulation changed to only one season for Aleutian Island Subdistrict state-waters Pacific cod.

Table 278-2.–Aleutian Islands Subdistrict state-waters Pacific cod fishery vessel effort by gear type, 2006 – 2019.

Year	Longline	Jig	Pot	Trawl	Total
2006 [a]	8	0	3	20	31
2007 [a]	7	1	12	20	40
2008 [a]	9	5	14	22	50
2009 [a]	6	2	3	16	27
2010 [a]	1	0	6	13	20
2011 [a]	3	0	2	2	7
2012 [a]	6	3	6	14	29
2013 [a]	1	0	7	5	13
2014 [a]	0	0	4	4	8
2015 [a]	0	0	0	2	2
2016	0	0	0	6	6
2017	0	0	3	0	3
2018	0	0	8	6	14
2019	0	0	14	4	18

Source: ADF&G fish ticket database.

[a] Vessel number is total for both A and B seasons.

Table 278-3.–Number of pot vessels that participated in both the Aleutian Islands Subdistrict and Dutch Harbor Subdistrict state-waters Pacific cod fisheries, 2014 – 2019.

Year	Number of Vessels Registered for AIS and DHS
2014	1
2015[a]	0
2016[a]	0
2017	2
2018	1
2019	6

Source: ADF&G fish ticket database.

Note: The DHS state-waters Pacific cod fishery was not created until 2014.

[a] No pot vessels registered to fish in the AIS fishery in 2015 and 2016.

Table 278-4.–Dutch Harbor Subdistrict state-waters Pacific cod fishery GHL, number of vessels, harvest, and landings, 2014 – 2019.

Year	GHL[a]	Harvest[a]	Vessels	Landings
2014	17,863,874	17,666,510	16	205
2015	18,029,404	17,636,103	14	183
2016	35,979,072	35,519,920	24	421
2017	33,721,562	33,247,414	24	349
2018	28,360,000	29,055,603	32	286
2019	31,922,600	32,345,033	37	431

[a] In whole fish lb.