

PRINCE WILLIAM SOUND (INCLUDING UPPER COPPER AND SUSITNA RIVERS) FINFISH AND SHELLFISH (EXCEPT SHRIMP) PROPOSALS

79 proposals

Commercial Groundfish

PROPOSAL 1

5 AAC 28.2XX. New section.

Establish a longline skate fishery in Prince William Sound, as follows:

Open a directed longline skate fishery in PWS allocate 25% of longnose and bigskate from the federal eastern gulf tac. Open the fishery with PWS state water longline Pacific cod opening date. If the pacific cod is not open before halibut IFQ season then the PWS state water skate fishery will open with the IFQ season.

What is the issue you would like the board to address and why? Open a longline directed skate fishery in PWS state waters allocate 25% of the eastern gulf federal tac longnose skate and bigskate to PWS state waters. Open the skate fishery concurrent with the PWS longline state water Pacific cod fishery. Before the federal pacific cod quota reduction and shutdown with decreased skate bycatch allowance from 20% to 5% now there is a lot less skate being harvested. Now there is more than 50% of the federal skate tac being unharvested. With reduced ground fish quotas in the gulf the skate harvest is very minimal now. It would give more opportunities for the mostly small vessel boat fleet and the local economies a needed boost.

PROPOSED BY: Dia Kuzmin

(EF-F20-019)

PROPOSAL 2

5 AAC 28.271. Landing Requirements for Prince William Sound Area.

Add a 6-hour prior notice of landing requirement for the Prince William Sound Area directed lingcod fishery, as follows:

Add a new subsection (b) to read:

(b) At least six hours before landing lingcod, an operator of a vessel participating in the Prince William Sound Area directed lingcod fishery must notify the department by telephone, to a telephone number specified in writing by the department on the registration forms at the time of registration, 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;**
- (4) estimated number of pounds of lingcod on board the vessel.**

What is the issue you would like the board to address and why? There is no prior notice of landing (PNOL) regulatory requirement for vessels participating in the Prince William Sound Area (PWS)

directed lingcod fishery. Biological sampling of the lingcod and rockfish bycatch harvested during the fishery is coordinated out of the Homer ADF&G office. Although the majority of landings have historically occurred in Cordova, there has been an increase in recent years of deliveries occurring in Seward across time. Staff must travel by state vehicle from Homer to Seward in order to meet landings, which takes approximately 4 hours for the drive alone. Additionally, Cordova staffing is limited and having a PNOL would assist in ensuring sampling coverage. Offloading happens quickly and the opportunity to sample landings may easily be missed if there is no notification beforehand. Therefore, having a PNOL in place for this fishery would assist in achieving sampling goals. Additionally, a PNOL requirement allows Alaska Wildlife Troopers to be notified about upcoming deliveries, providing a coordinated enforcement opportunity. There are PNOL regulations for the PWS sablefish fishery and the Cook Inlet Area (CI) sablefish and directed CI rockfish fisheries; the board also adopted a 6-hour PNOL for CI lingcod in December 2019. Landings during those CI fisheries frequently occur in Seward and are covered by the same Homer staff. Having PNOLs in place for all of these groundfish fisheries maintains consistency between regulations and could also potentially result in higher productivity and efficiency for the Central Region sampling program since it may allow for more deliveries to be covered during a single sampling trip. There is overlap of participants with the PWS and CI lingcod, and rockfish fisheries, and vessels are able to comply with PNOL requirements. Therefore, it would be expected that vessels would also be able to comply with the same requirement for the PWS lingcod fishery.

This proposal seeks to implement PNOL requirements for the PWS directed lingcod fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-129)

PROPOSAL 3

5 AAC 28.267. Prince William Sound Pacific Cod Management Plan.

Clarify possession and landing requirements for the parallel Pacific cod fishery in the Prince William Sound Area, as follows:

Add a new subsection (k) to read:

(k) An operator of a vessel participating in a parallel Pacific cod season in the Prince William Sound Area may not operate gear in any other registration area during the same trip.

What is the issue you would like the board to address and why? Within the Prince William Sound Area (PWS), vessels participating in the federal/parallel Pacific cod fishery may fish in both state and federal waters on the same trip, if they meet federal requirements. However, vessels may only be registered for one registration area at a time as provided in 5 AAC 28.020 (b)(1) and are required to register for the PWS parallel Pacific cod fishery. Therefore, if a vessel participates in 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 Cook Inlet Area during that trip, for example, the vessel registration for the PWS parallel Pacific cod fishery would be invalidated and the vessel would no longer be in compliance with registration requirements. Clarifying allowable fishing activity in regulation under 5 AAC 28.367 would reduce confusion for the public regarding Cook Inlet Area requirements.

A similar regulation was adopted by board for the Cook Inlet Area in December 2019.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-130)

PROPOSAL 4

5 AAC 28.272. Sablefish harvest, possession, and landing requirements for Prince William Sound Area.

Clarify possession and landing requirements for the state-managed sablefish fishery in the Prince William Sound Area, as follows:

Add a new subsection (g) to read:

(g) An operator of a vessel retaining sablefish in federal waters may not operate gear in state waters of the Prince William Sound Area during the same trip.

What is the issue you would like the board to address and why? In state waters of the Prince William Sound Area (PWS), sablefish may only be retained during an open directed sablefish season (April 15 – August 31) on board a vessel that is registered to participate in the state-managed PWS sablefish fishery. Retaining sablefish as bycatch is not allowed and the limited entry fishery is managed to a guideline harvest level (GHL). Each registered permit holder receives an annual allowable harvest amount based on vessel categories as described in 5 AAC 28.272. 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. 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 fishing order. The issue is when vessels are participating concurrently in federally managed Individual Fishing Quota (IFQ) halibut and IFQ sablefish fisheries in federal waters and then also fish inside state waters during the same trip. This could result in sablefish being harvested out of season, or vessels participating in inside state waters without being registered, or harvest locations of sablefish being misreported. During an IFQ halibut trip, vessels may cross the 3 nmi state waters boundary line, and fish 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 did not occur inside state waters, this has been an enforcement issue, as well as a management issue, because vessel operators often report all harvest by splitting it between the statistical areas (state and federal waters) without specifying the location where sablefish were taken (e.g., federal waters). In addition to potentially violating limits specified in 5 AAC 28.070 (c)(2), inaccurate reporting on fish tickets violates the statistical areas, districts, and subdistrict reporting provisions found in 5 AAC 39.130 (c)(8), indicating that sablefish harvested in federal waters were retained illegally in state waters. Adding the proposed regulatory language would provide clarity and reduce confusion for the public and department staff and also aid enforcement.

A similar proposal was adopted by the board for the Cook Inlet Area sablefish fishery in December 2019.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-131)

Copper River Salmon Management/Policy

PROPOSAL 5

5 AAC 24.361. Copper River King Salmon Management Plan.

Establish an optimal escapement goal for Copper River king salmon, as follows:

Adopt an optimum escapement goal for Copper River King Salmon:

Sustainable Escapement Goal, current	24,000 lower bound
Sustainable Escapement Goal, ADF&G revision	21,000-31,000
<u>Optimum Escapement Goal, proposed</u>	<u>24,000-40,000</u>

The proposed OEG can be expected to provide high levels of both yield and recruitment. ADFG Memorandum of March 16, 2020 reported that the optimum yield profiles suggest yields diminish as you approach 40,000 spawners, which justifies an upper boundary for an escapement goal.

What is the issue you would like the board to address and why? A precautionary escapement goal is necessary for Copper River King Salmon because the aggregate goal is unlikely to provide adequate protection for the dozens of populations that occur in this very large and diverse basin. The aggregated goal may not provide adequate protections to maximize yield or recruitment of different populations with different run timings and varying levels of productivity. This problem is reflected in a very high degree of variability in the historical stock-recruitment data for the aggregate stock where escapements between 21,000 and 31,000 can produce run sizes of anywhere from 30,000 and 110,000.

PROPOSED BY: Kenai River Sportfishing Association (HQ-F20-044)

Upper Copper River Personal Use and Subsistence

PROPOSAL 6

5 AAC 01.630. Subsistence fishing permits; 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan; and 5 AAC 52.XXX. New section.

Require inseason reporting of subsistence, sport fish, and personal use harvest and effort, as follows:

Daily harvest reporting is already required on the Copper River for all fisheries except sport. In-season reporting would be relatively simple and could be done using an online app.

Participants in this fishery are required to report their recorded daily harvests to the department within three (3) days of when those harvests occur. Participants must report harvest attempts for any days during which their fishing gear was in the water, even if these harvest attempts are unsuccessful.

Harvest reports can be made using an online app or a call-in number.

What is the issue you would like the board to address and why? Copper River fisheries managers currently rely on an abundance-based management model that does not collect in-season harvest data and has very little empirical data about actual escapement onto the spawning grounds. This model assumes that escapement can be accurately estimated using on abundance at the Miles Lake sonar and harvests from previous years.

However, recent events suggest that the in-river harvest exceeds what can be biologically sustained and is not detected by our current harvest reporting system. The Gulkana hatchery has not been able to obtain its brood stock since 2015, while the 2018 sockeye run failure caught managers by surprise.

Obtaining accurate in-season harvest information would help to protect against the possibility of over harvest due to variable harvest levels and under reporting post-season.

PROPOSED BY: Karen Linnell (EF-F20-117, EF-F20-119, EF-F20-120)

PROPOSAL 7

5 AAC 01.620. Lawful gear and gear specifications.

Prohibit guiding in subsistence finfish fisheries, as follows:

5 AAC 01.620

e) The permit holder must personally operate the fish wheel or dipnet. A subsistence fish wheel or dipnet permit may not be loaned or transferred except as permitted under 5 AAC 01.011.

NEW. (1). No guide or transport service shall charge a fee of a permit holder participating in fishery and no permit holder may give a fee to participate in the fishery.

What is the issue you would like the board to address and why? Lack of clarity for commercial enterprises starting to capitalize on subsistence fisheries. There are regulations for no fees to be involved with community permits for subsistence game hunts reference 5 AAC 92.072. It seems counter intuitive then to allow commercial guide entry into a subsistence fishery who then in turn charge people to navigate the boat for them, show them how and where to fish, help them fish, land, and process the catch all for a widely advertised fee structure.

PROPOSED BY: Shawn Gilman (EF-F20-070)

PROPOSAL 8

5 AAC 01.647. Copper River Subsistence Salmon Fisheries Management Plans; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Prohibit dipnetting near tributary mouths of the Upper Copper River District, as follows:

No dip netting in the confluence 500 yards below and 100 yards above any river or stream in the upper Copper River.

What is the issue you would like the board to address and why? Dip netting in the upper Copper River. If we do nothing we will continue to see our wild stock and Gulkana Brood stock decline. In some drainages that are very small we could lose that entire wild stock. Wild stocks are stopping and resting in these areas before continuing up river. The wild stocks are time sensitive and travel in small groups leaving them very vulnerable to over harvest in these areas. Remember these stocks are in some cases very small. There have been very little studies in these areas and there is virtually no data to support keeping these areas open until there is some kind of analysis. We already have an example of this that exists in the Gulkana confluence and 500 yards below that is fly fishing only. This only lets a sport fisher to take 3 reds and 1 king. The way the current dip net regulation reads, you can fish in the same area and the limit is 200 and in some cases more. This goes against the idea of trying to protect wild up river stocks and brood stock at the Gulkana hatchery. They have not met their goals at the hatchery in the past 5 years and in some cases very low. This is only one example of how we can start to bring back our brood stocks, both wild and Gulkana hatchery. Something needs to be done soon about this problem. I have done my best to write this proposal in laymen's terms. I could quote several sections from ANILCA that directly relate to this issue. Also there is very little scientific data on this issue.

PROPOSED BY: Kirk Wilson (EF-F20-008)

PROPOSAL 9

5 AAC 01.620. Lawful gear and gear specifications.

Prohibit dipnetting from a boat in the Glennallen Subdistrict, as follows:

Eliminate Dip netting from boats as a method to take from the Glennallen sub district (up-stream from the bridge at Chitina).

What is the issue you would like the board to address and why? A lot of dip netters take fish at the mouths of tributaries off the Copper River. Currently there are markers only on the mouth of the Gulkana River. There are already fish wheels north of the Bridge at Chitina. You can dip net below the bridge at Chitina as well, so there is opportunity to get fish dip netting. By not allowing dip netting above the bridge more fish will make it to spawning areas.

PROPOSED BY: Copper Basin Fish & Game Advisory Committee (EF-F20-031)

PROPOSAL 10

5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Prohibit dipnetting from a boat in the Upper Copper River District, as follows:

Dipnet fishers in the must harvest from shore, from islands in the river, or from stationary objects connected to shore. Dipnet fishing from boats or craft floating in the river is not permitted.

What is the issue you would like the board to address and why? Many Copper Basin residents with intensive local knowledge of salmon ecology have raised concerns about the health of Copper

River salmon stocks. The Gulkana Hatchery has not had enough brood-stock to meet its egg-take goals since 2014. Although overall escapement levels have been reasonable in the Copper drainage, very little tributary-by-tributary data are collected. Smaller stocks can easily be damaged by overharvest. Dipnetting from boats in the subsistence fishery raises some particular concerns. Wild salmon stocks tend to hole up in deep areas and rest on their way up the river, especially during high water. Fishermen who fish from boats are able to target salmon that are concentrated in these areas. The increased popularity of dipnetting from boats since 2010, combined with the high numbers of fish that each subsistence dipnetter can harvest, could be contributing to the depletion of some smaller stocks.

PROPOSED BY: Ahtna Tene Nene’ (HQ-F20-001)

PROPOSAL 11

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Prohibit dipnetting from a moving boat in a portion of the Chitina Subdistrict, as follows:

Personal-use fishers who are fishing from boats between the mouths of O’Brien Creek and Haley Creek must be tied off to the riverbank, to an object on the riverbank, or to a stationary object in the river. (This does not apply to charter operators.)

What is the issue you would like the board to address and why? The recent trend of increased dip netting from boats presents some management challenges that demand sensible conservation measures. Wild salmon stocks tend to hole up in deep areas and rest on their way up the river, especially during high water. By dip netting from motorized boats, fishermen are able to target these stocks with a precision that other fishers lack. By motoring slowly while dip netting, fishers in boats can "trawl" slowly down the river, running more cubic feet of river water per minute through their nets than their counterparts on shore are able to.

If boat dipnetters were required to tie off to shore, it would help to level the playing field, and decrease some of the pressure on the resource. Fishers with boats would still have the advantage of being able to move around the river, quickly and easily, to different fishing spots.

There have also been some safety concerns about dip netters from boats in the Woods Canyon area. The current in this area is very strong, and there are very few beaches or banks suitable for landing a boat.

PROPOSED BY: Nicole Farnham (EF-F20-141)

PROPOSAL 12

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Prohibit dipnetting from a boat when within 50 feet of a person dipnetting from shore in the Chitina Subdistrict, as follows:

No personal-use fishing from boats is permitted within 50 feet of any personal-use fisher who is standing either on the riverbank, on a rock in the river, or on any permanent, immobile object connected to shore.

What is the issue you would like the board to address and why? With the increasing popularity of dip netting from boats, there have been some issues with user conflicts between dip netters who are using boats and those who are dip netting from the shore in the personal-use area. An increasing number of dip netters who dip net from the riverbanks have expressed concern that fishers in boats have been coming too close for comfort. This can be frustrating and encroach on those without boats, making it more difficult to harvest fish.

In the Woods Canyon area the banks are very steep, and the number of dip net sites is not unlimited. Also, it is much easier for a boat to move up or down the river (avoiding conflict) than for a dip netter on the riverbanks to move to another spot. For a shore dip netter to move, they usually must pack equipment and fish up a steep embankment.

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PROPOSED BY: Nicole Farnham (EF-F20-139, EF-F20-142)

PROPOSAL 13

5 AAC 01.620. Lawful gear and gear specifications.

Prohibit dipnetting from a boat within 75 feet of an operating fish wheel in the Glennallen Subdistrict, as follows:

Subsistence fishing from boats may not occur within 75 feet of any fishwheel in operation.

What is the issue you would like the board to address and why? With the increasing popularity of dip netting from boats, there have been some reports of user conflicts between dip netters and fish wheel operators. A number of fish wheel owners have expressed concern that they have had dip net fishers come too close for comfort. This can encroach on the fish wheel operators' ability to harvest fish.

Fish wheels are stationary, so their operators cannot simply go elsewhere to avoid encroachment or conflict. Moreover, there are only a limited number of fish wheel sites on many sections of the river.

PROPOSED BY: Faye Ewan (HQ-F20-039)

PROPOSAL 14

5 AAC 01.620. Lawful gear and gear specifications.

Prohibit the use of gillnet mesh in dip nets, as follows:

Dip nets rigged with monofilament and multifilament mesh may not be used before August 15. Before this date only dip nets rigged with branded, inelastic mesh are permitted.

What is the issue you would like the board to address and why? Recent Copper River abundance and escapement estimates have raised concern about the drainage-wide health of Chinook salmon populations. For this reason, fishers have been permitted to keep only 5 Chinook salmon per year. However, the use of dip nets with monofilament or multifilament mesh (i.e. Gill-net material) has raised concern about survival rates of Chinooks that are caught and released. Compared with braided inelastic mesh nets (I.e. seine-style), salmon tend to become far more entangled in monofilament-type nets. It can take as long as ten minutes to untangle and release a salmon from such a net. Salmon experience stress and increased mortality rates in proportion to the length of time they are out of the water. Additionally, these entanglements frequently cause injuries, such as split tail-fins, which further increase their mortality.

PROPOSED BY: Kirk Wilson (EF-F20-011)

PROPOSAL 15

5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Prohibit the use of gillnet mesh in dip nets, as follows:

Eliminate Monofilament/Multifilament/web gill net material on dip nets on the Copper River.

What is the issue you would like the board to address and why? When you catch fish in multifilament dip nets it is really hard to get fish out. When you do finally get fish out of the net if you have a King and have to release they will probably die when you release. The advantage of monofilament/multifilament nets is that the nets glide in the water easier than other material

PROPOSED BY: Copper Basin Fish and Game Advisory Committee (EF-F20-032)

PROPOSAL 16

5 AAC 01.620. Lawful gear and gear specifications; and 5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Prohibit the use of depth or fish finders on boats in the Upper Copper River District, as follows:

No electronic devices that indicate bathymetry and/or fish locations are permitted on boats while they are participating in this fishery in the upper Copper River drainage from June 1 to September 30.

What is the issue you would like the board to address and why? The use of electronic devices that indicate bathymetry and/or fish locations (i.e. fish finders) is contributing to unsustainable harvest practices on the upper Copper River. These devices enable fishers to locate and target specific holding areas in the river. Wild stocks are very vulnerable in these areas. These stocks are very time-sensitive and probably travel in small groups and use these areas to hold before continuing upriver. If we do not address this issue, we will continue to see our wild stocks and Gulkana brood-stocks not meet their objectives. The Gulkana Hatchery has not met their brood-stock goals for the past five years, and this is surely also the case for some wild stocks.

PROPOSED BY: Kirk Wilson (EF-F20-014), Copper Basin Fish and Game Advisory Committee (EF-F20-033), Karen Linnell (EF-F20-121)

PROPOSAL 17

5 AAC 01.645. Subsistence bag, possession, and size limits; annual limits.

Establish specific permit and bag limits when dipnetting from a boat in the Glennallen Subdistrict, as follows:

If using a standard subsistence permit, dipnet fishers in the Glennallen subdistrict must harvest from shore, from islands in the river, or from stationary objects connected to shore. Upon request, subsistence fishers may obtain a supplemental permit to dipnet harvest salmon from boats, with the following limits applying to boat-caught salmon:

(A) no more than a total of 30 salmon for a permit issued to a household with one person, of which no more than five may be king salmon;

(B) no more than a total of 60 salmon for a permit issued to a household with two or more persons, of which no more than five may be king salmon.

What is the issue you would like the board to address and why? Many Copper Basin residents with intensive local knowledge of salmon ecology have raised concerns about the health of Copper River salmon stocks. The Gulkana Hatchery has not had enough brood-stock to meet its egg-take goals since 2014. Although overall escapement levels have been reasonable in the Copper drainage, very little tributary-by-tributary data are collected. Smaller stocks can easily be damaged by overharvest.

Dipnetting from boats in the subsistence fishery raises some particular concerns. Wild salmon stocks tend to hole up in deep areas and rest on their way up the river, especially during high water. Fishermen who fish from boats are able to target salmon that are concentrated in these areas. The

increased popularity of dipnetting from boats since 2010, combined with the high numbers of fish that each subsistence dipnetter can harvest, could be contributing to the depletion of some smaller stocks.

PROPOSED BY: Faye Ewan

(HQ-F20-038)

PROPOSAL 18

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Extend the lower boundary of the Chitina Subdistrict downstream ½ mile, as follows:

Currently in regulation 5 AAC 77.591(h), the Chitina Personal Use Dipnet Fishery (CPUDF) boundary consists of all mainstream waters of the Copper River from the downstream edge of the Chitina McCarthy Bridge downstream to an east west line crossing the Copper River approximately 200 yards upstream of Haley Creek.

Our proposed remedy for the hazard of so many boats fishing in a small area is for the BOF to approve extending the CPUDF lower boundary approximately ½ mile downstream from the existing CPUDF lower boundary. This would allow boat dipnetters a longer continuous drift, allowing more spacing between boats, and alleviate the dangerous congestion of boats that occurs now.

New wordage in 5 AAC 77.591(h) would read **“For the purposes of this section, the Chitina Subdistrict consists of all waters of the mainstream Copper River from the downstream edge of the Chitina-McCarthy Bridge downstream to a line crossing the Copper River from a point just downstream of Canyon Creek on the east (lat. 61 deg. 24'30.00”N -- lon. 144 deg. 28'39.00”W) to a point directly across the Copper River on the west (lat. 61 deg. 24'37.00”N—lon. 144 deg. 29'3.00”W)”**

This small increase in size of the Chitina Sub-district is unlikely to result in increased harvests, since the fishery is managed by emergency order to stay within the allocation contained in the management plan.

The Chitina Dipnetters Association in its public comments will include a map identifying the existing and proposed lower boundaries.

What is the issue you would like the board to address and why? In the last 10 years, drift dipnetting from personal boats has substantially increased as a method of harvesting salmon in the CPUDF. This is in large part due to the very limited number of suitable sites available for shore based dipnetting. Because much of the CPUDF lies within the deep turbulent waters of Woods Canyon on the Copper River, productive areas to dip from boats are very limited. A favorable and high use area for drift dipnetting from boats lies at the downstream end of Woods Canyon, on the east side of the Copper River, just upstream of the lower boundary of the CPUDF. This short drift area is only approximately 250 yards long, has a gravel bottom and stays relatively snag free saving the loss of \$150+ dipnets. This short drift area has become the go-to spot for boat dipnetters and often becomes very congested with up to and over 15 boats drifting the same area. This congestion

of boats has created a very dangerous navigation hazard for these boaters within the swift waters of the Copper River.

PROPOSED BY: The Chitina Dipnetters Association and Fairbanks Fish and Game Advisory Committee (EF-F20-044)

PROPOSAL 19

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Reduce the maximum harvest level in the Chitina Subdistrict Personal Use Fishery when the Copper River commercial fishery harvest is 50% below the 10-year average on June 1, as follows:

Amend the Copper River Personal Use Dipnet Salmon Fishery Management Plan to factor in the effect of a below-average run on projected in-river numbers and availability for harvest by the personal use fishery.

Add a new section under 5 AAC 77.591 to read:

If the Copper River District commercial harvest is 50% below the 10 year average by June 1 the maximum harvest level in the Chitina subdistrict will be reduced to 50,000 sockeye.

What is the issue you would like the board to address and why? In years of low abundance, the commercial fishery typically bears the burden of conservation and sees significant reductions, but other user groups do not. In an effort for this burden of conservation to be shared amongst all user groups, we propose adopting a triggered regulation for conservation purposes.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-022)

PROPOSAL 20

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Amend the annual limit for salmon in the Chitina Subdistrict, as follows:

The total annual limit for each personal use salmon fishing permit is 15 for a household of one and 30 for a household of more than one.

Supplemental permits for 10 additional sockeye shall be available when ADFG determines that a weekly harvestable surplus of 50,000 salmon or greater will be present in the Chitina Subdistrict. An additional supplemental permit may be issued to a permittee who has met the limits of a previously issued supplemental permit.

What is the issue you would like the board to address and why? In 2014, the Board of Fish (BOF) increased the limits for the Chitina Personal-use (PU) dipnet fishery. It is now 25 sockeye for a head of household and 10 additional for each additional member. Previously, the limit was 15 sockeye for a household of one and 30 for a household of more than one, with the possibility

for the Alaska Department of Fish & Game (ADF&G) to permit an additional 10 sockeye per household when there was a weekly surplus of 50,000 or more.

The previous limits were more conservative, as well as more adaptive to the in-season realities of salmon abundance. Several signs indicate that the sockeye fishery on the Copper River is currently experiencing strain. In 2018, the fishery was unable to meet its sockeye escapement goals, even after commercial fisheries remained closed for almost the entire season. For the past five years, the Gulkana hatchery has been unable to obtain sufficient brood-stock to meet its egg-take goals. A return to these previous limits would help to address these issues.

At the time this regulatory change was adopted, the justification given was that it would standardize regulations, bringing the Chitina PU fishery into line with the limits of the Kenai PU fishery. However, the Copper and Kenai are two very different river systems, with different ecological characteristics as well as different patterns of fisheries participation.

PROPOSED BY: Kirk Wilson (EF-F20-023)

PROPOSAL 21

5 AAC 77.591. Copper River Personal Use Dip Net Salmon Fishery Management Plan.

Amend the opening date of the Chitina Subdistrict personal use fishery from June 7 to June 1, as follows:

Change June 7 personal use season opener to June 1.

What is the issue you would like the board to address and why? The June 7 start date was enacted many years ago as part of an effort for every user group to bear a perceived King salmon conservation burden, but because the personal use (PU) fishery is set by sonar numbers, and because some years there are strong early runs, and King has been generally restricted from PU harvest in recent years, the rationale no longer applies. The department can still push back the opener for biological reasons. It would not result in increased allocation, just an early start if conditions dictate.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (HQ-F20-036)

PROPOSAL 22

5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.

Reverse the positive customary and traditional subsistence use determination for freshwater finfish within the Chitina Subdistrict, as follows:

Subsistence C&T findings within the Chitina subdistrict. Other freshwater finfish, negative.

What is the issue you would like the board to address and why? We are asking that you remove the positive finding of C&T on freshwater finfish other than salmon within the Chitina Subdistrict

(PU fishery). The BOF has found a negative finding of C&T on all salmon within the Chitina subdistrict, but never addressed the other freshwater finfish. If salmon (the most desirable and sought fish to fulfill subsistence needs) cannot meet the eight criteria for C&T in the Chitina subdistrict then how can other freshwater finfish within the Chitina subdistrict have a positive finding? Other freshwater finfish in the Chitina subdistrict do not meet the eight criteria for a positive finding of C&T.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (HQ-F20-037)

Prince William Sound Subsistence

PROPOSAL 23

5 AAC 01.610. Fishing seasons; 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses; and 5 AAC 01.645. Subsistence bag, possession, and size limits; annual limits.

Reverse the positive customary and traditional subsistence use determination for rainbow and steelhead trout in the Prince William Sound Area, or establish amounts reasonably necessary for subsistence and bag and possession limits for rainbow and steelhead trout in the Prince William Sound Area, as follows:

Modify regulations to make rainbow trout and steelhead negative for C&T, or identify stocks and create harvest opportunity to meet the lowest amount determined reasonably necessary to meet the positive C&T. Currently, the amount necessary for all finfish other than salmon is 25,000 – 42,000.

What is the issue you would like the board to address and why? Rainbow trout and steelhead have a positive C&T, but retention is not allowed except as incidental fishwheel catch.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (HQ-F20-035)

PROPOSAL 24

5 AAC 01.645. Subsistence bag, possession, and size limits; annual limits.

Add bag and possession limits for Dolly Varden in the Prince William Sound freshwater finfish subsistence fishery, as follows:

5 AAC 01.645 is amended to read:

(l) The bag and possession limit for Dolly Varden is ten fish, with an annual limit of 40 fish per water body. A person may not take or possess Dolly Varden under sport fishing regulations and this section on the same day.

...

What is the issue you would like the board to address and why? There are no bag and possession limits identified for Dolly Varden in the Prince William Sound freshwater finfish

subsistence regulations. Bag and possession limits must be listed in regulation to be enforceable. When bag and possession limits for other common freshwater finfish species in the Prince William Sound Area were removed from permit stipulations and added to regulation, Dolly Varden were inadvertently left out.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-145)

PROPOSAL 25

5 AAC 01.620. Lawful gear and gear specifications.

Establish allowable gear in the Prince William Sound freshwater finfish subsistence fishery, as follows:

5 AAC 01.620 is amended to read:

(l) Gillnets used to take freshwater finfish may not exceed 100 feet in length, 8 feet in depth, and a mesh size no greater than 4 inches stretched measure and may only be used;

- (1) for whitefish and suckers, all other species may not be retained and must be returned to the water; permit holders finding 5 or more lake trout in their net shall move their fishing location at least ¼ mile to avoid further catch of nontarget species;**
- (2) from October 1 – March 30; and**
- (3) in lakes.**

(m) Fyke nets shall have an entrance funnel opening of no greater than 4 inches maximum straight-line distance between any two points.

...

What is the issue you would like the board to address and why? There are several gear restrictions imposed within permit stipulations in the Prince William Sound freshwater finfish subsistence fishery. These restrictions have been in place through the permit stipulations since statehood, reduce impacts to nontarget fish stocks, and are essential to maintaining a sustainable fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-146)

PROPOSAL 26

5 AAC 01.630. Subsistence fishing permits.

Create a community subsistence salmon permit for Prince William Sound, as follows:

The Native Village of Chenega recommends that the Board create a village subsistence salmon permit authorizing tribal members to harvest salmon for subsistence throughout the Southwestern District, Eshamy, Coghill, and Northwestern Districts in Prince William Sound.

The permit should authorize the Native Village of Chenega to harvest up to 1000 sockeye salmon and 50 king salmon per year using drift or set gillnets. The permit should further specify that fishing may be conducted by any tribal member who is authorized by a designated representative of the Native Village of Chenega. Finally, the permit should authorize the Native Village of Chenega to take a limited number of sockeye salmon from Eshamy Lagoon and other traditional locations using set gillnets or dipnets.

What is the issue you would like the board to address and why? The Native Village of Chenega proposes that the Board create a Prince William Sound subsistence salmon permit for tribal members of the Native Village of Chenega. AS 16.05.330(c) authorizes the Board to adopt regulations “providing for the issuance and expiration of subsistence permits for areas, villages, communities, groups, or individuals as needed.” A village-specific subsistence salmon permit would permit members of the Native Village of Chenega to harvest salmon at traditional locations for the purpose of distributing the salmon harvest to its tribal members.

The current regulations are inadequate to meet the Native Village of Chenega’s needs to harvest salmon at traditional fishing sites and to distribute the harvest to its tribal members. 5 AAC 01.630 requires all subsistence fishers to have a subsistence salmon permit, and subsection (d) provides that “only one subsistence fishing permit per stock will be issued to each household per year.” In 2019 and previous years, ADF&G interpreted that regulation to mean that only one subsistence salmon permit will be issued per household for the entire Prince William Sound area. ADF&G’s interpretation meant that subsistence fishers were forced to choose one, and only one, district within Prince William Sound to subsistence fish. ADF&G’s interpretation caused significant harm to tribal members who desired to fish in multiple districts as their ancestors have done since time immemorial.

On April 20, 2020, in response to the Native Village of Chenega’s request for clarification ADF&G acknowledged that its previous implementation of 5 AAC 01.630(d) was incorrect. “We agree with the assessment of regulations that a household can hold subsistence salmon fishing permits for more than one district in Prince William Sound.” Although, ADF&G now agrees that subsistence fishers may receive subsistence salmon permits to fish in multiple districts throughout Prince William Sound, the existing permit requirements that differentiate among commercial fishing districts are confusing and discourages participation in the subsistence fishery.

ADF&G requires different subsistence salmon permits for different areas. But the current fishing districts in Prince William Sound do not reflect traditional subsistence fishing practices. Many Native Village of Chenega tribal members subsistence fish in the Southwestern and Eshamy Districts, which require different subsistence salmon permits.

Current regulations also prohibit the Native Village of Chenega from fishing at its customary and traditional fishing sites in Eshamy Lagoon, Jackpot Bay, and Paddy Bay and other locations. All subsistence fishing is prohibited in Eshamy Lagoon, despite the fact that sport fishing is authorized. The Native Village of Chenega desires to continue fishing at historic sites and fish camps within Eshamy Lagoon.

Finally, current bag limits for the Eshamy District are insufficient to meet the Native Village of Chenega’s needs to distribute subsistence salmon to tribal members. Existing regulations provide that in the Eshamy District only 15 salmon may be taken by a household of 1 person, 30 salmon for a household of 2 persons, and 10 additional salmon for each additional member of the permittee’s household. Customary and traditional fishing practices place an emphasis on harvesting salmon for distribution to households that might not engage in subsistence fishing themselves. The Native Village of Chenega proposes that fish harvested under the Village permit be available for distribution to tribal members—that cannot be accomplished under the current regulations.

PROPOSED BY: Native Village of Chenega (HQ-F20-064)

PROPOSAL 27

5 AAC 01.610. Fishing seasons.

Amend subsistence fishing season to remove linkage between subsistence salmon fishing opportunity and commercial salmon fishing periods, as follows:

The Native Village of Chenega recommends that the Board amend 5 AAC 01.610(g) to eliminate the link between subsistence fishing opening times and commercial fishing periods as follows:

5 AAC 01.610. Fishing seasons.

(g) Salmon may be taken in the districts described in 5 AAC 01.605(b), only from May 15 through October 31, [DURING FISHING PERIODS AS FOLLOWS:

(1) FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THAT SALMON DISTRICT, SEVEN DAYS PER WEEK;

(2) DURING THE COMMERCIAL SALMON SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS IN THAT DISTRICT AND SATURDAYS FROM 6:00 A.M. TO 10:00 P.M.;

(3) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON FISHING SEASON IN THAT DISTRICT THROUGH OCTOBER 31, SEVEN DAYS A WEEK;

(4) NOTWITHSTANDING (G)(2) OF THIS SECTION, SUBSISTENCE FISHING IS NOT ALLOWED 24 HOURS BEFORE OPEN COMMERCIAL SALMON FISHING PERIODS IN THAT DISTRICT.]

What is the issue you would like the board to address and why? The Native Village of Chenega proposes that the Board provide additional subsistence salmon fishing opening times in the Eshamy and Southwestern Districts of Prince William Sound. In 2017, the Board amended 5 AAC 01.610(g) to open subsistence fishing on Saturdays from 6:00 a.m. to 10:00 p.m. during open commercial fishing periods. That change was made in response to Proposals 19 and 20, which requested additional opportunity to harvest salmon outside of open commercial fishing periods. ADF&G’s comments on Proposals 19 and 20 recognized that if the proposals were adopted “subsistence salmon fishing opportunity would increase substantially for individuals who do not have a commercial salmon fishing permit.” Staff Comments at 47.

The Board's 2017 amendment to 5 AAC 01.610(g) was a positive step forward but it is inadequate to provide a reasonable opportunity for subsistence salmon fishing in much of Prince William Sound. The Board should amend 5 AAC 01.610(g) to eliminate the link between subsistence salmon fishing opening times and commercial fishing periods. The link is neither practical nor appropriate considering the different technologies used by the different user groups. Many subsistence fishers residing in rural areas of Prince William Sound lack the technological ability to closely monitor commercial fishing times, which are announced through radio transmissions and/or posted to the ADF&G website, resulting in significant uncertainty about when subsistence fishing is allowed.

Furthermore, the Board's decision to open subsistence fishing on Saturdays does not achieve the intended goal of providing adequate fishing times. Traveling to traditional subsistence fishing locations in Prince William Sound is time consuming and costly. A weekly 16-hour opening provides only a narrow window for subsistence fishers. If fish are not running during that particular fishing time or weather prevents travel to fishing areas, subsistence fishers will not be able to meet their needs. When fishing during commercial openings, subsistence fishers must compete for fishing locations with the commercial fleet, which uses larger, faster boats.

PROPOSED BY: Native Village of Chenega (HQ-F20-065)

PROPOSAL 28

5 AAC 01.645. Subsistence bag, possession, and size limits; annual limits.

Amend household harvest limits for subsistence-caught salmon, as follows:

We recommend increasing the limits of drift gillnet users to 30 salmon for a household of one, 60 salmon for a household of two, and ten additional salmon for each additional member of the household. We further seek to allow the harvest of up to 500 salmon by request, however we wish to limit these additional salmon to pink salmon and chum salmon.

What is the issue you would like the board to address and why? Subsistence salmon harvest limits in the Copper River District subsistence fishery are half that of those harvesting the same salmon stocks in the Glennallen Subdistrict subsistence fishery. A further disparity exists in the ability of Glennallen Subdistrict subsistence users to request a harvest limit increase of up to 500 salmon per household. We seek parity between the limits in these two fisheries, but we do not wish to reduce any harvest limits upriver.

PROPOSED BY: Native Village of Eyak (HQ-F20-066)

PROPOSAL 29

5 AAC 01.620. Lawful gear and gear specifications.

Allow use of drift gillnets to harvest salmon for subsistence uses throughout Prince William Sound, as follows:

We seek to allow subsistence salmon fishing using drift gillnet gear throughout Prince William Sound concurrent with commercial fishing openers and on Saturdays from 6am until 10pm.

What is the issue you would like the board to address and why? The Prince William Sound legal subsistence gear type is tied to the legal commercial gear type in each fishing district. This gear type seems unnecessarily restrictive when you consider that the household harvest potential is already capped through maximum catch. Most subsistence users in PWS utilize gillnets and don't have the option to utilize seine gear in districts where seine is the legal commercial gear type. We would like subsistence users to be allowed access to the entire Prince William Sound with gillnet gear to support subsistence opportunity in areas where a harvestable surplus is available and underutilized by subsistence users.

PROPOSED BY: Native Village of Eyak (HQ-F20-067)

Prince William Sound and Upper Copper and Susitna Rivers Sport

PROPOSAL 30

5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Extend single-hook, artificial fly regulations in the Gulkana River to include the area under the Richardson Highway Bridge, as follows:

5 AAC 52.023 (9) is amended to read:

(A) from June 1 – July 31, only single-hook, artificial flies, with a gap that does not exceed three-quarters inch between the point and shank, may be used in that portion of the Gulkana River downstream of [FROM] the upstream edge of the Richardson Highway Bridge to an ADF&G regulatory marker located approximately 500 yards downstream of the confluence with the Copper River; additional weight may only be used 18 inches or more ahead of the fly;

...

What is the issue you would like the board to address and why? A section of the Gulkana River downstream of the Richardson Highway Bridge allows for only single-hook, artificial flies to be used from June 1–July 31, while a section of the river upstream of the Richardson Highway Bridge allows for bait and artificial lures (including treble hooks) to be used from June 1–July 19. As written, the area under the bridge would fall under general area regulations (i.e., unbaited, single-hook, artificial lures) because it is neither upstream nor downstream of the bridge. Adding the language to include the area under the bridge in the artificial fly only area would reduce regulatory complexity and uncertainty on methods and means restrictions while fishing on the Gulkana River, specifically near the bridge, which is a popular fishing location.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-144)

Rainbow/steelhead trout populations have grown dramatically. Since 2015, the Gulkana Hatchery has been unable to obtain sufficient brood-stock to meet its egg-take goals. This raises concern about the sustainability of wild sockeye and Chinook stocks in the Gulkana drainage, particularly in smaller streams. You haven't been able to keep rainbow/steelhead for a long time. If you catch fish even with a fly, if the fish takes the fly deep or good on gill then they will die anyways. Keeping 1 rainbow/steelhead, especially one hooked badly will not hurt the population as they would die anyways. We also feel this will allow for more salmon eggs which will be good for the salmon populations.

PROPOSED BY: Copper Basin Fish and Game Advisory Committee (EF-F20-034)

PROPOSAL 33

5 AAC 52.023. Special provisions for season, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Allow harvest of rainbow trout 18 inches or less in the Gulkana River, as follows:

There are approximately 13,000 rainbow trout in the Gulkana with 7,000 greater than 18 inches. Allow anglers to retain 1 rainbow trout under 18 inches. If not on the entire Gulkana, then at least above the "No bait" marker on the mainstem above the West Fork confluence, an area of high abundance usually only accessible by floaters, who should have the opportunity to eat a normally hooked rainbow trout instead of releasing it dead or dying.

What is the issue you would like the board to address and why? Inability to retain any Rainbow Trout in the Gulkana River, even those fish caught on King gear that have died, or will likely die, upon release.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (HQ-F20-033)

PROPOSAL 34

5 AAC 52.023. Special Provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Remove the 14-inch size limit for Gulkana River Arctic grayling, as follows:

5 AAC 52.023 is amended to read:

(9) (C) in waters upstream of Paxson Lake and those waters of Paxson Lake within a 100-yard radius of the mouth of the East Fork at the north end of Paxson Lake upstream to Summit Lake,

(iii) the bag and possession limit for Arctic grayling is two fish, **with no size limit**[OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH];

(D) in all flowing waters from 100 yards upstream from the narrows at the Paxson Lake outlet downstream to the confluence with the Middle Fork;

(iii) [THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS FIVE FISH, WITH NO SIZE LIMIT OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH;]

(E) in all waters of the Middle Fork of the Gulkana River from the outlet of Dickey Lake to an ADF&G regulatory marker located approximately three miles downstream, including Hungry Hollow Creek and Twelvemile Creek,

(iii) [THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS FIVE FISH, WITH NO SIZE LIMIT OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH;]

(F) in all other waters of the Middle Fork of the Gulkana River not specified in (E) of this section,

(iii) [THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS FIVE FISH, WITH NO SIZE LIMIT OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH;]

(G) all waters downstream of the confluence of the Middle Fork,

(iii) [THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS FIVE FISH, OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH;]

(H) in all flowing waters of the West Fork of the Gulkana River upstream of an ADF&G regulatory marker located one-half mile upstream of the confluence of the West Fork and mainstem of the Gulkana River,

(iii) [THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS FIVE FISH, OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH;]

(18) in Paxson Lake,

[(E) THE BAG AND POSSESSION LIMIT FOR ARCTIC GRAYLING IS FIVE FISH WITH NO SIZE LIMIT, OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH;]

(20) in the Summit Lake drainage,

(F) the bag and possession limit for Arctic grayling is two fish, **with no size limit**[OF WHICH ONLY ONE MAY BE 14 INCHES OR GREATER IN LENGTH];

...

What is the issue you would like the board to address and why? Based on a study of Gulkana River Arctic grayling, a one fish over 14-inch size restriction was imposed in 1989 to preserve the size structure of the Arctic grayling populations in that system. Subsequent assessments have been conducted since that time, including a comprehensive study completed in 2019. Based on these

studies and recent harvest trends, it was determined that the 14-inch restriction is no longer needed to maintain the desired population size and structure.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-143)

PROPOSAL 35

5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Amend bag and possession limits for Arctic grayling and methods and means in Moose Creek, as follows:

Moose creek: sport anglers may use baited or unbaited single hook artificial lures. Bag limit is 2 and 2 in possession. Season is open year round. Only catch and release fishing is allowed from April 1 to May 31.

What is the issue you would like the board to address and why? Fishing regulations for Moose Creek in the Copper River Basin do not provide for the protection of the Grayling spawning run. What was once a plentiful fishery has noticeably declined. Along with that loss, is the loss of the symbiotic relationships between Grayling and Mink/Otter, King Fisher, Seagulls and Eagles that has altered where this wildlife is no longer seen hunting the creek. Sport fishing in Moose Creek by youth and adult is now seldom participated in.

Adequate management of this fishery includes (1) Creation and implementation of fishing regulations for Grayling that protect the spawning run and provide for healthy future populations of Grayling in Moose Creek in the Copper River Basin. And, (2) Restoration or reintroduction of Grayling in Moose Creek, in the Copper River Basin, allowing for recreational fishing and the return of the symbiotic relationship between Grayling and other wildlife.

PROPOSED BY: Bonnie McLeod (HQ-F20-009)

PROPOSAL 36

5 AAC 52.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Increase the bag and possession limit of lake trout in Crosswind Lake, as follows:

3 lake trout one over 30” per year in Crosswinds Lake

What is the issue you would like the board to address and why? Overabundance of lake trout in Crosswinds Lake. PWSA has been planting up to 10 million sockeye salmon smelt each year over 20 years. This has increased the trout population 10-fold & in some cases the big fish are starting to get skinny. Small fish are taking over lake. There May need to be more liberal limits in the future or big fish will start to diminish due to competition from small fish. This number of trout is starting to diminish the smelt fry to the point the Gulkana Hatchery can’t meet their egg take goals since 2015. If the stocking doesn’t keep smelt coming at a regular rate you will see skinny

lake trout in all size ranges & big fish could starve out. It only makes good sense to let fishers take more fish when there is so many fish available. This regulation will promote a healthy sport fishery. Due to cost of flying there are less and less fishermen participating in this fishery.

PROPOSED BY: Kirk Wilson (EF-F20-020)

PROPOSAL 37

5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area.

Establish sport bag and possession limit for lake trout in the Prince William Sound area, as follows:

5 AAC 55.022. is amended to read:

...

(a)

(12) lake trout; may be taken from January 1 - December 31; bag and possession limit of 2 fish; no size limit;

What is the issue you would like the board to address and why?

The department plans to begin stocking lake trout in Blueberry Lake in the Prince William Sound Management Area in 2020. In addition, wild lake trout occur naturally in at least one other lake within the Prince William Sound Management Area. Lake trout are not specified under general provisions in 5 AAC 55.022; therefore, they fall under “Other finfish” and may be taken January 1 - December 31 with no bag, possession, or size limits. This would align regulations and management strategy with lake trout life history and with other management area regulations for lake trout.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-133)

PROPOSAL 38

5 AAC 55.023. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area.

Establish restrictions in the Copper River Delta coho salmon sport fishery based on the number of days the commercial fishery is closed, as follows:

Adopt a trigger to share the burden of conservation between commercial and sport users in the Copper River Delta.

New regulatory language to be added under 5 AAC 55.023:

(XX) In the Copper River Delta, if the Copper River gillnet fishery is closed for more than seven consecutive days, then catch and release will be prohibited and fishing with bait will be prohibited. If commercial fishing is closed for fourteen consecutive days, then the bag limit will be reduced to one coho, catch and release will be prohibited, and fishing with bait will be prohibited.

What is the issue you would like the board to address and why? There are years with weak coho runs, such as fall 2019 when the Copper River coho gillnet fishery was shut down for the entire season due to a weak run. When the commercial fleet sees reduced fishing time and closures in years of low coho abundance and conservation concerns, a trigger for a shared burden of conservation will help to ensure healthy future returns for all user groups.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-012)

PROPOSAL 39

5 AAC 55.023. Special provisions for the seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area.

Extend the area closed to sport fishing in Ibeck Creek, as follows:

Closing the spawning beds closer to the road system will protect additional spawning and rearing habitat, and protect spawners from additional stress during this critical life stage.

Draft regulatory language:

5 AAC 55.023 Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Prohibit sport fishing Coho salmon more than ¼ of a mile north of the Copper River Highway as follows:

(9) Ibeck Creek is closed to sport fishing in the waters upstream from ADF&G regulatory markers located approximately **one-quarter (¼) mile** [THREE MILES] upstream from the Copper River Highway Bridge;

What is the issue you would like the board to address and why? The existing regulation of 3 miles upstream does not adequately protect spawning Coho in this system. Ibeck Creek is the most popular and heavily fished of all the Delta coho runs. Ibeck Creek receives considerable and increasing pressure from coho anglers. It is important to protect the upstream spawning beds and spawning salmon from the stress of being targeted by fishermen. There is considerable fishing area available both below the highway and just above it, and the majority of fishing pressure occurs in these other areas. It is unnecessary to have the spawning areas beyond ¼ mile above the highway open to sportfishing as well. It is important to sustain this popular run for continued and sustainable harvest by all user groups into the future.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-017)

PROPOSAL 40

5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area.

Close 18 Mile or Silver Creek to coho salmon fishing August 1 to November 1, as follows:

18 Mile system or Silver creek will be closed to harvest of coho salmon 1/4 mile above the confluence of Alganic Slough and 18 Mile system from August 1 to November 1.

What is the issue you would like the board to address and why? 18 Mile system or Silver Creek lack of spawning coho salmon. This system is very susceptible to harvest of spawning salmon. It is one of the few systems with coho spawning area below the Copper River Highway.

PROPOSED BY: Copper River/Prince William Sound Fish and Game Advisory Committee
(EF-F20-077)

Commercial Finfish

Copper River King Salmon Management Plan

PROPOSAL 41

5 AAC 24.361. Copper River King Salmon Management Plan.

Repeal mandatory closed waters from the Copper River King Salmon Management Plan, as follows:

Repeal mandatory inside commercial closures for any statistical week from regulation. Repeal mandatory commercial salmon fishery inside waters closures in the Copper River King Salmon Management Plan, as follows:

Draft regulatory language:

5 AAC 24.361. Copper River King Salmon Management Plan.

(b) **Repealed xx/xx/20.** [IN THE COMMERCIAL FISHERY, DURING THE STATISTICAL WEEKS 20 AND 21, THE COMMISSIONER MAY NOT OPEN MORE THAN ONE 12-HOUR FISHING PERIOD WITHIN THE INSIDE CLOSURE AREA OF THE COPPER RIVER DISTRICT DESCRIBED IN 5 AAC 24.350(1)(B).]

What is the issue you would like the board to address and why? Alaska Department of Fish and Game (ADFG) has the authority to manage fisheries and has demonstrated its ability to do so effectively; therefore, mandatory closures are unnecessary. There has been an upward trend in the Copper River Chinook run in recent years further making mandatory closures unnecessary. ADFG has opposed mandatory closures on sport fisheries as these closures are mandated even when the circumstances of a current year's run strength and timing do not require them. This proposal does not suggest eliminating the inside closure tool as it is warranted, but rather suggests the elimination of this mandatory language.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-018)

Enhancement

PROPOSAL 42

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

Amend the set gillnet group exvessel value percentage trigger point in the *Prince William Sound Management and Salmon Enhancement Allocation Plan*, as follows:

5 AAC 24.730 Prince William Sound Management and Salmon Enhancement Plan (f):

If the set gillnet gear group catches **4.25 percent** [FIVE PERCENT] or more of the previous five-year average ex-vessel value of the total common property fishery for enhanced salmon as calculated by the department under (c) of this section, the year following this calculation beginning July 10, the commissioner shall by emergency order, open set gillnet fishing periods totaling no more than 36 hours per week.

If the set gillnet trigger was moved to 4.25 percent it would create equality between the user groups by making the triggers an equal percentage.

What is the issue you would like the board to address and why? This plan should be fair and just too all user groups in Area E fisheries, but as it is currently the triggers for the gear groups are unequally represented.

As of the current regulation, the set gillnet gear group allocation is 4% of total Prince William Sound Aquaculture Corporation (PWSAC) component of the common property fishery. This is calculated by the department on a five-year average and the balancing trigger is set at 5% or more for the department to execute management tools to balance allocation. Whereas the drift and seine fleet triggers are triggered at less than 45 percent of the previous five-year ex-vessel average.

As the regulation is currently, set gillnet gear group is allowed to go over their allocation percentage by 25% of their total allocation before the trigger takes place; whereas seine and drift gillnet are allowed to go over only 6% before their trigger takes place.

The purpose of this proposal is to maintain parity between the user groups of the Area E fishery.

PROPOSED BY: Darin Gilman (EF-F20-130)

PROPOSAL 43

5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan.
Repeal the definition of enhanced salmon stocks, as follows:

Remove the language in 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN. Under

[(J) IN THIS SECTION, “ENHANCED SALMON STOCKS” MEANS SALMON PRODUCED BY THE PRINCE WILLIAM SOUND AQUACULTURE CORPORATION”]

The management plan has been in effect for 15 years. A BOF committee to a review the plan with stakeholder involvement to see if the plan can be improved in trying to meet its purpose "to provide a fair and reasonable allocation of the harvest of enhanced salmon among the drift gillnet, seine, and set gillnet commercial fisheries, and to reduce conflicts between these user groups. It is the intent of the Board of Fisheries (board) to allocate enhanced salmon stocks in the Prince William Sound Area to maintain the long-term historic balance between competing commercial users that has existed since statehood, while acknowledging developments in the fisheries that have occurred since this plan went into effect in 1991". Any proposed changes would go through the BOF process at the 2023 BOF meeting.

What is the issue you would like the board to address and why? 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. The plan should include the value of all the enhanced salmon produced in the Copper River/Prince William Sound region (Area E). The value of enhanced salmon production from Valdez Fisheries Development Association's Solomon Gulch Hatchery is not included in the allocation management plan. The construction of the Solomon Gulch Hatchery is financed by funds from the State of Alaska and continues to use state financing. The original hatchery operation permit included chum production intended for the drift gillnet fleet which never was accomplished.

5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan includes the value of all enhanced salmon produced in the Southeastern Alaska region from two regional hatchery associations and multiple non-profit corporations involving over 15 different hatcheries.

Both 5 AAC 24.370. and 5 AAC 33.364. stated goals are to provide a fair and reasonable allocation of the harvest of enhanced salmon among the commercial fisheries.

State of Alaska enhanced salmon allocations should be based on the same criteria for all areas. Which should include all enhanced salmon as the starting point.

There cannot be a fair and reasonable enhanced salmon allocation when a large percentage of the enhanced salmon resource is not included the plan. What is the difference between a hatchery built by the State of Alaska, PWSAC, VFDA and the 15 plus hatcheries located in SE Alaska? They all used public funds for their construction and startup operations. Both PWSAC and VFDA continue to use public funds for improvements and increase production. But VFDA use of public funds and increases in production only benefits one commercial fishery.

If all enhanced salmon value produced in Prince William Sound is not included in the Prince William Sound Enhanced Salmon Allocation Plan, then the seine fishery will continue to receive a disproportionate and increasing share of the enhanced salmon value.

This proposal does not propose to reallocate VFDA enhanced salmon to other commercial salmon user groups, but to only include the value of all enhanced salmon into the regional plan so all PWS common property fisheries can benefit from the value of VFDA enhanced salmon production.

PROPOSED BY: Michael Bowen (EF-F20-048)

PROPOSAL 44

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

Amend allocation corrective action criteria for set gillnet gear under the *Prince William Sound Management and Salmon Enhancement Allocation Plan*, as follows:

5 AAC 24.730 Prince William Sound Management and Salmon Enhancement Plan under (f):

If the set gillnet gear group catches 5 percent or more of the previous five-year average ex-vessel value of the total common property fishery for enhanced salmon as calculated by the department under (c) of this section, the year following this calculation beginning July 10, the commissioner shall, by emergency order, open set gillnet fishing periods totaling no more than **the first 36 hours per week** [36 HOURS PER WEEK].

What is the issue you would like the board to address and why? This plan should be fair and just to all user groups in Area E fisheries, but as it is currently, the regulation is ineffective for reducing the allocation percentage of the set gillnet fleet.

From 2005 to 2019, the set gillnet fleet has been over their 4% allocation for twelve of the fifteen years and over the 5% trigger for eight of those years. The regulation as it is now is being misinterpreted by ADF&G and allowing maximum opportunity for the set gillnet fleet by giving them the most beneficial 36 hours a week, fully optimizing “cleanups”, as we call them. The purpose of this regulation was to limit harvest on the set gillnet fleet and maintain parity between user groups of Area E. This is not happening with the current regulation.

PROPOSED BY: Darin Gilman (EF-F20-132)

PROPOSAL 45

5 AAC 24.367. Main Bay Salmon Hatchery Harvest Management Plan.

Increase minimum operation distance between set and drift gillnet gear in the Main Bay Subdistrict, as follows:

No portion of a drift gillnet may be operated within 30 fathoms of a set gillnet, except in the zone outside of the offshore end of the set gillnet.

What is the issue you would like the board to address and why? We are requesting a change in the distance between gear to restore the original intent of the Board and to increase the safety and reduce the gear conflict in the Main Bay Subdistrict Terminal Harvest Area. With recent management changes due to wild stock concerns and Main Bay Hatchery return shortfalls, the conflict in Main Bay has escalated to a point of pure chaos, especially in the waters inside the THA during build up openers.

We are requesting this change to reinforce the intent of the current regulations that were established in 1984 BOF meetings when the Main Bay Salmon Hatchery Harvest Plan was established (5 AAC 24.367). At this point, the setnet fleet gave up access to all open waters outside of 50 fathoms within the THA and all waters outside of 100 fathoms in the rest of the Main Bay Subdistrict. In exchange, setnetters are allowed to fish their gear 50 fathoms apart inside the THA, while the distance between set and drift gear was set at 25 fathoms. These regulations were placed with the assumption that drift gear would not be able to be legally set between set nets 50 fathoms apart. This has not been the case, as drift gillnet permit holders continually claim that they can legally set between setnets and hold their position within a couple fathoms. Illegally, they essentially become setnetters with the added ability to maneuver their 150 fathom net that runs between setnets back to the beach.

To resolve a similar issue in 1996, the Board of Fish took action on a proposal submitted by the Alaska Wildlife Troopers to increase the distance between setnet and drift gear in the Crafton Island Subdistrict from 50 fathoms to 60 fathoms, while the required distance between setnets remained at 100 fathoms (5AAC 24.335). Prior to this change, drifters were attempting to fish a perfect line between setnets 100 fathoms apart. Board of Fish took action to eliminate this ambiguity in regulation and reduce the gear conflict in the Crafton Island Subdistrict.

The action taken in 1996 set the precedent of what the original intent of the regulations were and essentially restored a safe and orderly fishery in the Crafton Island Subdistrict.

Subsequent to the Board approving the increased distance between set and drift gillnets, there has been no increase in the percentage of total catch for the setnet gear group and no imbalance created in allocation between set and drift gillnet harvest district wide.

We request the same be done to reinforce the current regulations in the Main Bay Subdistrict THA. We are proposing to increase the minimum legal distance between set and drift gear to 30 fathoms in the Main Bay THA, while maintaining the current legal distance between setnets at 50 fathoms in the Main Bay THA. This action will eliminate the majority of the gear conflict in the Main Bay Subdistrict THA and would provide law enforcement clarity to efficiently regulate these high conflict build up openers.

As an association, we have proposed this change in three separate Board of Fish Meetings with no success due to perceived allocation issues. However, the original intent of the Board was not to allow drift gillnets to fish between legally spaced setnets spaced 50 fathoms apart within the Main Bay Terminal Harvest Area. The actual outcomes in the fishery are chaos and compromised safety. Therefore, it is imperative the Board look to previously approved (1996) regulation to resolve the ongoing conflict. There are no valid arguments, allocative or otherwise, that prevent the Board from enacting this proposed regulation change. We look to the current Board to rely on the precedent established in 1996 to enact this proposed regulation that will bring this fishery a safe and easily enforced resolution of the current ongoing conflict.

PROPOSED BY: Prince William Sound Setnetters' Association (EF-F20-028)

PROPOSAL 46

5 AAC 24.331. Gillnet specifications and operations.

Repeal limitations on use of deep gillnet gear, as follows:

5 AAC 24.331. Gillnet specifications and operations

(b) Eshamy, Coghill, and Unakwik Districts:

(6) **Repealed** [before the first Monday in July, unless modified by emergency order, in the Coghill, Unakwik, and Eshamy Districts and the Port Chalmers Subdistrict, gillnets with a mesh size of

less than eight inches may not be more than 60 meshes in depth and gillnets with a mesh size of eight inches or greater may not be more than 40 meshes in depth;]

What is the issue you would like the board to address and why? Remove the regulation limiting the use of gillnets deeper the 60 meshes before the first Monday of July.

This regulation has been in part to blame for millions of lbs of chum salmon going dark and degrading in quality and value before harvest. In trying to manage both the wild Coghill sockeye run and the Esther chum hatchery return run overlap the department often is unable to give long enough duration opens to harvest excess chum salmon without impacting wild sockeye escapement. 60 mesh gillnets are much less efficient at harvesting chums as chum salmon tend to dive deeper than sockeye. Allowing the use of deep nets earlier in the season would increase the number of chums caught per hour of fishing time relative to sockeye.

PROPOSED BY: Ezekiel Brown (EF-F20-135)

PROPOSAL 47

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

Amend *Prince William Sound Management and Salmon Enhancement Allocation Plan* to provide management guidance for reducing Coghill District harvest of salmon stocks bound for other districts, as follows:

Add the words; (5) Coghill District: Prior to July 21, the department shall manage to reduce the harvest of stocks bound for other districts

What is the issue you would like the board to address and why? The gillnet group harvest large numbers of salmon in the Coghill District, both wild and enhanced, bound for other areas, in conjunction with the enhanced Chum and wild Sockeye fishery prior to July 21. The intercepted enhanced fish are predominately Pink salmon bound for the Valdez Hatchery which is not part of the PWS Enhanced Salmon Allocation Plan. The wild fish intercepted are Chum and Pink salmon predominately bound for the Northwest District and the Northern District, both of which are exclusive Seine areas. The wild interception occurs at a time that Seine fishery managers are looking for adequate escapement necessary to commence fishing opportunity for the Seine Fleet.

PROPOSED BY: Northwest and Alaska Seine Association (EF-F20-113)

PROPOSAL 48

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

Amend *Prince William Sound Management and Salmon Enhancement Allocation Plan* to provide management guidance for reducing Eshamy District harvest of salmon stocks bound for other districts, as follows:

Add the words; (4) the Eshamy District gillnet Fisheries shall be managed with fishing periods opened and closed by emergency order based on the surplus of wild and enhanced salmon stocks returning to the district, **and reduce the harvest of stocks bound for other districts**

What is the issue you would like the board to address and why? The Gillnet group harvest large numbers of salmon in the Eshamy District, both wild and enhanced, bound for other areas, in conjunction with the enhanced Sockeye fishery prior to July 21. The intercepted enhanced fish are Pink salmon bound for the Valdez hatchery which is not part of the PWS Enhanced Salmon Allocation Plan and Chum salmon bound for the AFK hatchery which is an exclusive Seine fishery. Port Chalmers Chums and Ester Chums are also intercepted in the Eshamy District prior to July 21 and they can be, at times, exclusive Seine fish. The Eshamy District has no wild chum systems and little or no Pink salmon systems yet every year there are large numbers of both species intercepted in the Eshamy District prior to July 21. The majority of these wild Chum and Pink salmon, based on index stream escapement numbers are likely bound for the Northwest and Northern Districts, exclusive Seine areas.

This interception occurs at a time Seine fishery managers are looking for adequate escapement necessary to commence fishing opportunity for the Seine fleet.

PROPOSED BY: Northwest and Alaska Seine Association (EF-F20-118)

PROPOSAL 49

5 AAC 24.370. Prince William Sound Management and Management and Salmon Enhancement Allocation Plan.

Amend the Prince William Sound Management and Salmon Enhancement Allocation Plan, as follows:

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan

(a) The purpose of the management and allocation plan contained in this section is to provide a fair and reasonable allocation of the harvest of enhanced salmon among the drift gillnet, seine, and set gillnet commercial fisheries, and to reduce conflicts between these user groups. It is the intent of the Board of Fisheries (board) to **maintain statutory mandates,[1] adopt an allocation plan giving clear direction to fishery managers and enhancement planners that will minimize effects on wild stocks, and recognizing that wild stock management has the highest priority in determining fishery openings. With these objectives in mind, it is also the intent of the board to**[2] allocate enhanced salmon stocks in the Prince William Sound Area to maintain the long-term historic balance between competing commercial users that has existed since statehood, while acknowledging developments in the fisheries that have occurred since this plan went into effect in 1991.

(j) In this section, "enhanced salmon stocks" means salmon produced by the Prince William Sound Aquaculture Corporation **that incorporates the following PNP Hatchery Act mandated obligations:**

(1) fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks[3]

(2) hatchery programs shall be operated without adversely affecting natural stocks of fish in the state[4]

(3) hatchery programs shall be operated under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks;[5]

(4) Hatchery program remote release sites shall be located in an area where a reasonable segregation from natural stocks occurs.[6]

(5) hatchery operations and specifications must be consistent with the comprehensive regional salmon plan approved under AS 16.10.375[7]

(6) the department and board shall define and validate straying proportions “based on the best available scientific information” to sustain productivity, without adversely affecting, or jeopardizing sustained yield of wild naturally occurring salmon[8],[9]

(7) validated proportions of benign hatchery salmon straying are defined as: chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;

(8) Until the department and board have a policy of management that justifies and validates this reasonable segregation of straying proportions without jeopardizing wild stock sustained yield,[1] the CSP and genetics policy, the 2% rule will be adhered to within wild naturally occurring streams[10]

(9) when proportions of hatchery salmon straying are documented to exceed validated percentages, jeopardizing sustained yield of wild fish stocks, production shall be ramped down the following spring, from each Remote Release Site, hatchery or THA source incrementally until adverse affects cease[11],[12]

[1] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(3)(F)

[2] PWS Regional Comprehensive Salmon Plan Phase 3, Appendix 4, page 77

[3] AS 16.05.730 Management of Wild and Enhanced Stocks of Fish.

[4] PNP Hatchery Act legislative intent

[5] PNP Hatchery Act legislative intent

[6] AS 16.10.420. (10) Conditions of a Hatchery Permit

[7] AS 16.10.480 (f) Contracts for the Operation of State Hatcheries

[8] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)

[9] PNP Hatchery Act legislative intent

[10] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)

[11] Intent of PNP Hatchery Act

[12] Article VIII Section3 and 4. Natural Resources, Common Use; Sustained Yield. Alaska Constitution

What is the issue you would like the board to address and why? Presently operations are not in compliance with enacted legislative mandates. Elevate statutory and constitutional intent into regulatory management and allocation plan to ensure directives remain engaged as intended to protect the public trust. Clarify, and illuminate the intent of the PWS Comprehensive Salmon Plan (CSP) by applying Appendix 4, page 77 and inserting intent of the PNP Hatchery Act statutory mandate obligations granted to recipients in exchange for the privilege to operate within the public trust to avoid confusion and misinterpretation from not understanding these significant obligations and responsibilities.

PROPOSAL 50

5 AAC 24.365. Armin F. Koernig Salmon Hatchery Management Plan.

Amend the *Armin F. Koernig Salmon Hatchery Management Plan* to reduce straying of hatchery-produced salmon, as follows:

(a) **Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks.**[1] The department, in consultation with the hatchery operator, shall manage the Point Elrington and Port San Juan Subdistricts to achieve the Prince William Sound Aquaculture Corporation's escapement goal for the Armin F. Koernig salmon hatchery. **Management to achieve an adequate return of fish to enhancement projects for brood stock shall be consistent with sustained yield of wild fish stocks.**[2]

(b) The Armin F. Koernig Hatchery Terminal Harvest Area consists of the waters of Sawmill Bay (Evans Island) north and west of a line from 60°03.63' N. lat., 147°59.45' W. long., to 60°02.63' N. lat., 148°01.70' W. long., excluding the Armin F. Koernig Hatchery Special Harvest Area.

(c) The Armin F. Koernig Hatchery Special Harvest Area consists of the waters of Sawmill Bay (Evans Island) west of 148°01.95' W. long.

(d) Notwithstanding 5 AAC 24.320 and 5 AAC 24.330 and except as otherwise provided by emergency order issued under AS 16.05.060 , a person holding a permit under AS 16.10.400 for the Armin F. Koernig Hatchery, and an agent, contractor, or employee of that person who is authorized under 5 AAC 40.005(g) , may harvest salmon within the Armin F. Koernig Hatchery Special Harvest Area from 6:00 a.m. July 7 through 6:00 p.m. September 15 using purse seines, hand purse seines and beach seines.

(e) **Armin F. Koernig Salmon Hatchery has legislative responsibility to incorporate the following PNP Hatchery Act mandated obligations:**

fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks[3]

(1) hatchery programs shall be operated without adversely affecting natural stocks of fish in the state[4]

hatchery programs shall be operated under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks;[5]

Hatchery program remote release sites shall be located in an area where a reasonable segregation from natural stocks occurs [6]

hatchery operations and specifications must be consistent with the comprehensive regional salmon plan approved under AS 16.10.375[7]

the department and board shall define and validate straying proportions “based on the best available scientific information” to sustain productivity, without adversely affecting, or jeopardizing sustained yield of wild naturally occurring salmon[8] [9]

validated proportions of benign hatchery salmon straying are defined as chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;

Until the department and board have a policy of management that justifies and validates this reasonable segregation, of straying proportions without jeopardizing wild stock sustained yield,[1] **the CSP and genetics policy 2% rule will be adhered to within wild naturally occurring streams**[10]

when proportions of hatchery salmon straying exceed validated percentages, jeopardizing sustained yield of wild fish stock, production shall be ramped down the following spring, from each Remote Release Site, hatchery or THA source incrementally until adverse affects cease^{[11],[12]}

[1] AS 16.05.730 (a) Management of Wild and enhanced Stocks of Fish

[2] AS 16.05.730 (b) Management of Wild and enhanced Stocks of Fish

[3] AS 16.05.730 Management of Wild and Enhanced Stocks of Fish.

[4] PNP Hatchery Act legislative intent

[5] PNP Hatchery Act legislative intent

[6] AS 16.10.420. (10) Conditions of a Hatchery Permit

[7] AS 16.10.480 (f) Contracts for the Operation of State Hatcheries

[8] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)

[9] PNP Hatchery Act legislative intent

[10] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)

[11] Intent of PNP Hatchery Act

[12] Article VIII Section 3 and 4. Natural Resources, Common Use; Sustained Yield. Alaska Constitution

What is the issue you would like the board to address and why? AS 16.10 375 Regional Salmon Plans was the beginning "to designate regions of the state for the purpose of salmon production". Salmon Production to aid our at that time failing runs.

The AHRP results presented by ADFG at the Hatchery Committee meeting, showed that hatchery fish Relative Reproductive Success (RRS), averaged 0.42, less than half, of natural wild stocks reproductive production a value of 1.0 in wild streams. Straying is jeopardizing production and sustained yield of wild fish populations.

The Armin F. Koernig AFK Salmon Hatchery is one of the prime offenders making up the majority of the facilities creating unacceptable inter-regional hatchery straying from PWS into LCI wild significant stocks. Of the hatchery facilities in PWS, AFK made up almost 40% in 2014 ; 30% of facilities were AFK in 2015; and again almost 40% in 2016.

This is unacceptable to the public trust and the laws to protect wild fish in the state of Alaska. In one Significant Stock alone, Barabara Creek, 92.6% were hatchery fish, 87.4% were PWS hatchery fish from 250 miles away with 31% documented through reading otoliths coming from this AFK hatchery. This is not reasonable segregation and is against the law.

This pattern necessitates that production at this hatchery be ramped down by at least 10%-20% increments each year, until this straying ceases. While it is understood that straying varies year to year and system by system it is time to create a framework of phased reduction, to address the variables and recognize and admit the damage we are exerting as wild populations getting homogenized into lower productivity. Lower Productivity, the opposite of the very reason for designating regions to rehabilitate our ailing fisheries.

PROPOSAL 51

5 AAC 24.363. Cannery Creek Salmon Hatchery Management Plan.

Amend the *Cannery Creek Salmon Hatchery Management Plan* to reduce straying of hatchery-produced salmon, as follows:

5 AAC 24.363. Cannery Creek Salmon Hatchery Management Plan

(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks.[1] The department, in consultation with the hatchery operator, shall manage the Cannery Creek Subdistrict to achieve the Prince William Sound Aquaculture Corporation's escapement goal for the Cannery Creek Salmon Hatchery. **Management to achieve an adequate return of fish to enhancement projects for brood stock shall be consistent with sustained yield of wild fish stocks.**[2]

(e) Cannery Creek Salmon Hatchery has legislative responsibility to incorporate the following PNP Hatchery Act mandated obligations:

(1) fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks[3]

(2) hatchery programs shall be operated without adversely affecting natural stocks of fish in the state[4]

(3) hatchery programs shall be operated under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks;[5]

(4) Hatchery program remote release sites shall be located in an area where a reasonable segregation from natural stocks occurs [6]

(5) hatchery operations and specifications must be consistent with the comprehensive regional salmon plan approved under AS 16.10.375[7]

(6) the department and board shall define and validate straying proportions “based on the best available scientific information” to sustain productivity, without adversely affecting, or jeopardizing sustained yield of wild naturally occurring salmon[8] [9]

(7) validated proportions of benign hatchery salmon straying are defined as chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;

(8) Until the department and board have a policy of management that justifies and validates this reasonable segregation, of straying proportions without jeopardizing wild stock sustained yield,[1] **the CSP and genetics policy 2% rule will be adhered to within wild naturally occurring streams**[10]

(9) when proportions of hatchery salmon straying exceed validated percentages, jeopardizing sustained yield of wild fish stock, production shall be ramped down the following spring, from each Remote Release Site, hatchery or THA source incrementally until adverse affects cease[11],[12]

[1] AS 16.05.730 (a) Management of Wild and enhanced Stocks of Fish

[2] AS 16.05.730 (b) Management of Wild and enhanced Stocks of Fish

[3] AS 16.05.730 Management of Wild and Enhanced Stocks of Fish.

- [4] PNP Hatchery Act legislative intent
- [5] PNP Hatchery Act legislative intent
- [6] AS 16.10.420. (10) Conditions of a Hatchery Permit
- [7] AS 16.10.480 (f) Contracts for the Operation of State Hatcheries
- [8] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)
- [9] PNP Hatchery Act legislative intent
- [10] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)
- [11] Intent of PNP Hatchery Act
- [12] Article VIII Section 3 and 4. Natural Resources, Common Use; Sustained Yield. Alaska Constitution

What is the issue you would like the board to address and why? AS 16.10 375 Regional Salmon Plans was the beginning "to designate regions of the state for the purpose of salmon production". Salmon Production to aid our at that time failing runs.

The AHRP results presented by ADFG at the Hatchery Committee meeting, showed that hatchery fish Relative Reproductive Success (RRS), averaged 0.42, less than half, of natural wild stocks reproductive production a value of 1.0 in wild streams. Straying is jeopardizing production and sustained yield of wild fish populations.

The Cannery Creek CCH Salmon Hatchery is one of the prime offenders making up a majority of the facilities creating unacceptable inter-regional hatchery straying from PWS into LCI wild significant stocks. Of the hatchery facilities in PWS, CCH made up almost 26% in 2014 ; 20% of facilities were CCH in 2015; and 25% in 2016.

This is unacceptable to the public trust and the laws to protect wild fish in the state of Alaska. In one Significant Stock alone, Barabara Creek, 92.6% were hatchery fish, 87.4% were PWS hatchery fish from 250 miles away with 25% documented through reading otoliths coming from this CCH hatchery. This is not reasonable segregation and is against the law.

This pattern necessitates that production at this hatchery be ramped down by at least 10%-20% increments each year, until this straying ceases. While it is understood that straying varies year to year and system by system it is time to create a framework of phased reduction, to address the variables and recognize and admit the damage we are exerting as wild populations getting homogenized into lower productivity. Lower Productivity, the opposite of the very reason for designating regions to rehabilitate our ailing fisheries to raise salmon productivity not lower it.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-131)

PROPOSAL 52

5 AAC 24.366. Solomon Gulch Salmon Hatchery Management Plan.

Amend the *Solomon Gulch Salmon Hatchery Management Plan* to reduce straying of hatchery-produced salmon, as follows:

5 AAC 24.366 - Solomon Gulch Salmon Hatchery Management Plan

(a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks,[1] The department, in consultation with the hatchery operator, shall manage the Valdez Narrows Subdistrict to achieve the corporation's pink salmon escapement goal for the Solomon Gulch salmon hatchery. The department may manage those waters of Valdez Arm south to the latitude of Rocky Point to assist in the achievement of the corporation's pink salmon escapement goal for the hatchery. **Management to achieve an adequate return of fish to enhancement projects for brood stock shall be consistent with sustained yield of wild fish stocks.[2]**

...

(e) Solomon Gulch Salmon Hatchery has legislative responsibility to incorporate the following PNP Hatchery Act mandated obligations:

(1) fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks[3]

(2) hatchery programs shall be operated without adversely affecting natural stocks of fish in the state[4]

(3) hatchery programs shall be operated under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks;[5]

(4) Hatchery program remote release sites shall be located in an area where a reasonable segregation from natural stocks occurs [6]

(5) hatchery operations and specifications must be consistent with the comprehensive regional salmon plan approved under AS 16.10.375[7]

(6) the department and board shall define and validate straying proportions “based on the best available scientific information” to sustain productivity, without adversely affecting, or jeopardizing sustained yield of wild naturally occurring salmon[8] [9]

(7) validated proportions of benign hatchery salmon straying are defined as chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;

(8) Until the department and board have a policy of management that justifies and validates this reasonable segregation, of straying proportions without jeopardizing wild stock sustained yield,[1] the CSP and genetics policy 2% rule will be adhered to within wild naturally occurring streams[10]

(9) when proportions of hatchery salmon straying exceed validated percentages, jeopardizing sustained yield of wild fish stock, production shall be ramped down the following spring, from each Remote Release Site, hatchery or THA source incrementally until adverse affects cease[11],[12]

[1] AS 16.05.730 (a) Management of Wild and enhanced Stocks of Fish

[2] AS 16.05.730 (b) Management of Wild and enhanced Stocks of Fish

[3] AS 16.05.730 Management of Wild and Enhanced Stocks of Fish.

- [4] PNP Hatchery Act legislative intent
- [5] PNP Hatchery Act legislative intent
- [6] AS 16.10.420. (10) Conditions of a Hatchery Permit
- [7] AS 16.10.480 (f) Contracts for the Operation of State Hatcheries
- [8] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)
- [9] PNP Hatchery Act legislative intent
- [10] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)
- [11] Intent of PNP Hatchery Act
- [12] Article VIII Section 3 and 4. Natural Resources, Common Use; Sustained Yield. Alaska Constitution

What is the issue you would like the board to address and why? Straying is jeopardizing production and sustained yield of wild fish populations.

AS 16.10 375 Regional Salmon Plans was the beginning "to designate regions of the state for the purpose of salmon production". Salmon Production to aid our at that time failing runs.

The AHRP results presented by ADFG at the Hatchery Committee meeting, showed that hatchery fish Relative Reproductive Success (RRS), averaged 0.42, less than half, of natural wild stocks reproductive production a value of 1.0 in wild streams.

The Solomon Gulch SGH Salmon Hatchery is one of the prime offenders making up a majority of the facilities creating unacceptable inter-regional hatchery straying from PWS into LCI wild significant stocks. Of the hatchery facilities in PWS, SGH made up only 3% in 2014 ; but 40% of the facilities were SGH in 2015; and 30% in 2016.

This is unacceptable to the public trust and the laws to protect wild fish in the state of Alaska. This is not reasonable segregation and is against the law.

This pattern necessitates that production at this hatchery be ramped down by at least 10%-20% increments each year, until this straying ceases. While it is understood that straying varies year to year and system by system it is time to create a framework of phased reduction, to address the variables and recognize and admit the damage we are exerting as wild populations are getting homogenized into lower productivity. Lower Productivity, the opposite of the very reason for designating regions to rehabilitate our ailing fisheries to raise salmon productivity not lower it.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-134)

PROPOSAL 53

5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery Management Plan.

Amend the *Wally Noerenberg (Esther Island) Hatchery Management Plan* to reduce straying of hatchery-produced salmon, as follows:

5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery Management Plan

(a) **Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks,**^[1]The department, in consultation with the hatchery operator, shall manage the Esther Subdistrict and the Perry Island Subdistrict to achieve the corporation's escapement goal for the Wally Noerenberg (Esther Island) salmon hatchery. **Management to achieve an adequate return of fish to enhancement projects for brood stock shall be consistent with sustained yield of wild fish stocks.**^[2]

....

(e) **Wally Noerenberg (Ester Island) has legislative responsibility to incorporate the following PNP Hatchery Act mandated obligations to reduce pressure on wild populations:**

(1) fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks^[3]

(2) hatchery programs shall be operated without adversely affecting natural stocks of fish in the state^[4]

(3) hatchery programs shall be operated under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks;^[5]

(4) Hatchery program remote release sites shall be located in an area where a reasonable segregation from natural stocks occurs ^[6]

(5) hatchery operations and specifications must be consistent with the comprehensive regional salmon plan approved under AS 16.10.375^[7]

(6) the department and board shall define and validate straying proportions “based on the best available scientific information” to sustain productivity, without adversely affecting, or jeopardizing sustained yield of wild naturally occurring salmon^{[8] [9]}

(7) validated proportions of benign hatchery salmon straying are defined as chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;

(8) Until the department and board have a policy of management that justifies and validates this reasonable segregation, of straying proportions without jeopardizing wild stock sustained yield,^[1] the CSP and genetics policy 2% rule will be adhered to **within wild naturally occurring streams**^[10]

(9) when proportions of hatchery salmon straying exceed validated percentages, jeopardizing sustained yield of wild fish stock, production shall be ramped down the following spring, from each Remote Release Site, hatchery or THA source incrementally until adverse affects cease^{[11],[12]}

[1] AS 16.05.730 (a) Management of Wild and enhanced Stocks of Fish

[2] AS 16.05.730 (b) Management of Wild and enhanced Stocks of Fish

[3] AS 16.05.730 Management of Wild and Enhanced Stocks of Fish.

[4] PNP Hatchery Act legislative intent

[5] PNP Hatchery Act legislative intent

[6] AS 16.10.420. (10) Conditions of a Hatchery Permit

[7] AS 16.10.480 (f) Contracts for the Operation of State Hatcheries

[8] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)

[9] PNP Hatchery Act legislative intent

[10] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)

[11] Intent of PNP Hatchery Act

[12] Article VIII Section3 and 4. Natural Resources, Common Use; Sustained Yield. Alaska Constitution

What is the issue you would like the board to address and why? AS 16.10 375 Regional Salmon Plans was the beginning to designate regions of the state for the purpose of salmon production. Salmon Production to aid our at that time failing runs.

The AHRP results presented by ADFG at the Hatchery Committee meeting, showed the Relative Reproductive Success (RRS) averaged 0.42, less than half, of natural stocks reproductive production of hatchery fish in wild streams. Straying is jeopardizing production and sustained yield of wild fish populations.

The Wally Noerenberg WNH (Ester Island) Salmon Hatchery is one of the facilities creating unacceptable inter-regional hatchery straying from PWS into LCI wild significant stocks. Of the facilities in 2014 AFK made up almost 32% ; 15% of facilities were AFK in 2015; and 8% in 2016. You can see the variation within years.

This is unacceptable to the public trust and the laws to protect wild fish in the state of Alaska. Inter-regional straying is not condoned in the Genetics Policy.

In one Significant Stock alone, Barabara Creek, 92.6% were hatchery fish, 87.4% were PWS hatchery fish from 250 miles away with 24% documented through reading otoliths coming from this WNH hatchery. This is not reasonable segregation and is against the law.

This pattern necessitates that production at this hatchery be ramped down by at least 10%-20% increments each year, until this straying ceases. While it is understood that straying varies year to year and system by system it is time to create a framework of phased reduction, and recognize and admit the damage we are exerting as wild populations are getting homogenized into lower productivity opposite the very reason for hatcheries.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-137)

PROPOSAL 54

5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.

Amend the Prince William Sound Management and Salmon Enhancement Allocation Plan to specify hatchery chum salmon production, as follows:

Reduce hatchery production to 24% of the year 2000 production as promised in 2000.

What is the issue you would like the board to address and why? Over production of chum salmon by the private not for profit hatcheries. In January 2001, the hatchery managers promised

the Governor and the BOF that they would reduce hatchery production of chum salmon by 24% and never increase it again - reference Joint Protocol on Salmon Enhancement #2002-FB-215. This promise has not been kept.

If this problem is not solved, Alaska’s wild salmon stocks bound for Alaskan rivers, and Alaskan residents will be subject to unfair competition with hatchery fish. The recovery of wild chum salmon stocks will be delayed or reversed. The Alaskan fishermen dependent for their subsistence needs on these wild stocks will continue to have their needs not met; the in-river commercial fisheries, that many rural Alaskan communities are economically dependent upon, will be curtailed or closed. Without healthy and robust Alaskan wild salmon runs, the economy and cultural foundation of a majority of the Alaskan communities will collapse.

PROPOSED BY: Virgil Umphenour (EF-F20-112)

PROPOSAL 55

5 AAC 40.1XX. New section.

Amend private-non-profit hatchery permits to decrease allowable hatchery production, as follows:

The Board of Fisheries would hold the private-non-profit (PNP) hatchery production to the 2000 level and decrease it by 25% of that level.

What is the issue you would like the board to address and why? There is an over-production of hatchery pink salmon that threatens wild Alaska stocks.

The magnitude of releases of hatchery produced pink salmon in Prince William Sound (PWS) poses a threat to wild stocks of salmon in the Gulf of Alaska. Further expansion of pink salmon production by PWS hatcheries increases the risk to wild salmon. This is contrary to the Alaska Sustainable Salmon Policy. As evidence, we cite the very high rates of inter-regional straying of hatchery pink salmon into Lower Cook Inlet, and scientific research studies and agency reports that document the adverse impacts on wild salmon and other wildlife from increased food competition in the North Pacific Ocean, where there are record high salmon abundance levels and an increasingly variable ocean environment.

Recent scientific publications (building on past published reports and internal ADFG reviews) have provided cause for great concern over the biological impacts associated with continued release of very large numbers of hatchery salmon into the North Pacific Ocean, including the Bering Sea and the Gulf of Alaska.

AS 44.62 – Authorizes Board of Fisheries to amend terms of permit relating to the source and number of salmon eggs.

PROPOSED BY: Virgil Umphenour (EF-F20-140)

Gear, Seasons, Closed Waters

PROPOSAL 56

5 AAC 24.3XX. New section.

Create requirements and specifications for use of 250 fathoms of seine gear in Prince William Sound, as follows:

Create a new regulation:

5 AAC 24.333: Requirements and specifications for use of 250 fathom 450 mesh seines in Prince William sound.

(a) Two Prince William sound salmon seine CFEC permit holders may concurrently fish from the same vessel and jointly operate a seine up to 450 meshes deep with a lead and seine aggregate length of up to 250fa under this section,

(b) Before operating jointly under this section, both permit holders shall register with the department indicating the intent to jointly operate gear. Termination of joint operation of seine gear under this section is not effective until at least one of the permit holders register the date and time of termination with the department.

(c) When two Prince William sound salmon seine CFEC permit holders fish from the same vessel and jointly operate under this section, the vessel must display its ADF&G permanent license plate number followed by the letter "D" to identify the vessel as a dual permit vessel. The letter "D" must be removed or covered when the vessel is operating with only one seine permit CFEC permit holder on board the vessel. The identification number and letters must be displayed (1) in letters and numerals 12 inches high with lines at least one inch wide; (2) in a color that contrasts with the background; (3) on both sides of the hull; and (4) in a manner that is plainly visible at all times when the vessel is being operated. (d) When two permit holders jointly operate gear under this section, each permit holder is responsible for ensuring that the entire unit of gear is operated in a lawful manner.

Amend 5 AAC 24.332. Seine specifications and operations.

(a) Except for **as provided by 5 AAC 24.333 and** the first five fathoms in length of the purse seine, a purse seine may not be less than 200 meshes or more than 335 meshes in depth, or less than 125 fathoms or more than 225 fathoms in length, hung measure, or with mesh size greater than four inches stretched measure, except that the first 25 meshes immediately above or below the lead line may be a chafing strip with a mesh size no larger than seven and one-half inches stretched measure. Leads deeper than the seine or exceeding 75 fathoms in length, or leads with mesh size between four inches and six and one quarter inches may not be used, except as specified in 5 AAC 39.260(f) for a cork line border strip and lead line chafing strip. The aggregate of seine and lead may not be more than 225 fathoms in length.

What is the issue you would like the board to address and why? Allow stacking of Prince William sound seine permits similar to what has been successfully done in Bristol bay.

The Prince William sound seine fleet has grown substantial in both the number of active permits and the size and capabilities of vessels in the last 20 years. The recent downturn in pink salmon prices since their high in 2013 and the large variability of the pink salmon returns in Prince William

Sound leaves the permit holders teetering on the brink of another collapse in permit value like was seen in the 1990s when permit value went from a high of \$272,333 in 1990 to \$35,300 in 1994. Something needs to be done to address this extreme volatility in permit values before it happens again to a whole new generation.

Permit stacking is a good solution. In times of small runs or low prices more permits will be stacked instead of unfished creating value for all permit holders and preventing their value from collapsing completely. Most importantly when comparing permit stacking to a buyback like was done in southeast permit stacking does not increase the difficulty for new entrants into the fishery. Permit stacking instead creates another path to ownership for deckhands who can buy a permit and stack it on the boat they crew on until they can afford to buy their own operation.

The dual permit seine length of 250fa and depth of 450 meshes was used as it is the same as southeast's seine regulations.

PROPOSED BY: Ezekiel Brown (EF-F20-133)

PROPOSAL 57

5 AAC 24.3XX. New section.

Create requirements and specifications for use of 250 fathoms of seine gear in Prince William Sound, as follows:

5 AAC 54.332 (ADD) **except as specified in 5 AAC (NEW CODE #).**

5 AAC (NEW CODE #) Requirements and specifications for use of a 250 fathom seine in Prince William Sound.

- a) 2 CFEC permits present on and registered to the same vessel may operate 250 fathoms of seine.**
- b) all other specifications in 5AAC.54.332 remain in effect**
- c) the additional 25 fathoms shall have cork colors other than white or yellow.**

What is the issue you would like the board to address and why? The seine fishery in Prince William Sound is over capitalized and overcrowded. It is common for openings to be very restricted in area. Lineups can and do reach over 100 boats giving a primary set every third day. There are two major factors contributing to the current situation; a) fish prices aren't keeping up with the increasing operating costs, fuel, insurance, repairs, supplies etc. b) management is different now than in the 70's and 80's when full participation was the norm. It was standard for the majority of the sound to be open on a regular schedule of 5 days per week, Monday thru Friday, allowing boats to spread out. Presently 2-4 openings with a duration of 12-14 hours each with restricted area is the norm. I believe this solution would help ease congestion and provide incentive for new entrants to partner up with existing participants and for existing participants to purchase a second permit. I also believe this would encourage existing two permit holders to retain those permits.

PROPOSAL 58

5 AAC 24.365. Armin F. Koernig Salmon Hatchery Management Plan.

Amend the *Armin F. Koernig Salmon Hatchery Management Plan* to provide daily fishing periods, as follows:

5 AAC 24.370 (2) (A). Remove the words, [AND WHERE, TO THE EXTENT PRACTICAL, THE DEPARTMENT SHALL MANAGE TO REDUCE THE HARVEST OF STOCKS BOUND FOR OTHER DISTRICTS;]

Return the AFK enhanced chum salmon fishery to a schedule of daily fishing periods.

What is the issue you would like the board to address and why? The words, "and where, to the extent practical, the department shall manage to reduce the harvest of stocks bound for other districts; were added at the request of the Gillnet fleet due to some harvest of Sockeye salmon in conjunction with the harvest of Chum salmon destined for the Armin F Koernig hatchery Terminal and Special Harvest Areas. This Sockeye harvest has always occurred, and continues to even with the Departments efforts. Historically the AFK caught percentage of Sockeyes bound for other areas has been between 1.51% in 2010, and 11% in 2015, with a ten year average of 4.94%. The reduced time and area management protocol the department has adopted due to these added words has caused great harm, both to the Fishermen and their equipment, and the financial outcome of the distribution of the catch. Fishing in compressed time frames on buildups of fish has resulted in damaged boats and a wider gap between the haves and have nots.

These Sockeye salmon caught by the Seine fleet do not constitute an absolute win for the Seine gear group. The PWS Enhancement Allocation Plan takes them into account when determining fishing area opportunities.

PROPOSAL 59

5 AAC 24.350. Closed waters.

Reduce waters closed to commercial salmon fishing, as follows:

The closed area in this proposal is defined in both the closed waters of the Eastern and Southeastern districts. Unit 3(A) would be modified as follows while Unit 11(E) would be removed.

5 AAC 24.350 Closed waters

(3) Eastern District

(A) Simpson Bay, north of 60° 38.00' N. lat. [ORCA INLET AND NELSON BAY SOUTH AND EAST OF A LINE FROM SALMO POINT TO SHEPARD POINT, AND ALL OF ORCA INLET SOUTHEAST OF HAWKINS ISLAND]

...

(11) Southeastern District

(E) [HAWKINS CUTOFF-ORCA INLET AREA: SOUTH OF A LINE FROM 60° 27.86' LAT., 146° 19.72' W. LONG. TO 60° 27.65' N. LAT., 146° 21.39' W. LONG., AND ORCA INLET AND NELSON BAY SOUTH AND EAST OF A LINE FROM SALMO POINT TO SHEPARD POINT, AND ALL OF ORCA INLET SOUTHEAST OF HAWKINS ISLAND;]

What is the issue you would like the board to address and why? Due to expansive closed waters in Orca Inlet, harvestable surpluses of pink and chum salmon in the area have not been utilized in a fishery. Strong returns to streams within this area have been observed in recent years.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-021)

PROPOSAL 60

5 AAC 24.350. Closed waters.

Update closed waters defined in regulation by incorporating GPS locations to replace closed waters areas historically defined by physical markers, as follows:

5 AAC 24.350 is amended to read:

(3) Eastern District:

(A) Simpson Bay, north of 60° 38.00' N. lat., Orca Inlet and Nelson Bay south and east of a line from Salmo Point to Shepard Point, and all of Orca Inlet southeast of Hawkins Island;

(B) Sheep Bay: north of a line from 60° 41.99' N. lat., 145° 56.11' W. long. to 60° 41.17' N. lat., 145° 55.87' W. long., **and east of a line from 60° 40.08' N. lat., 145° 58.61' W. long. to 60° 39.45' N. lat., 145° 58.88' W. long.;**

(C) Plateau Creek: south of a line from 60° 42.60' N. lat., 146° 08.28' W. long. to 60° 42.67' N. lat., 146° 07.80' W. long.;

(D) [(C)] Comfort Cove: east of a line from 60° 42.96' N. lat., 146° 05.67' W. long. to 60° 42.70' N. lat., 146° 05.78' W. long.;

(E) [(D)] Olsen Bay: north of 60° 44.06' N. lat.;

(F) [(E)] Beartrap Bay: east of a line from 60° 44.86' N. lat., 145° 59.64' W. long. to **60° 44.60' N. lat., 145° 59.86' W. long.;** [60° 44.55' N. LAT., 145° 59.62' W. LONG.;

(G) Port Gravina: north of 60° 46.30' N. lat.;

(H) [(F)] St. Matthews Bay: east of a line at 146° 18.09' W. long., and within 500 yards of the northwestern shore, north of 60° 45.36' N. lat.;

(I) Snug Corner Cove: south of a line from 60° 43.51' N. lat., 146° 38.51' W. long. to 60° 43.82' N. lat., 146° 38.00' W. long.;

(J) [(G)] Two Moon Bay: south of a line from 60° 44.74' N. lat., 146° 30.15' W. long. to 60° 44.63' N. lat., 146° 30.93' W. long.; **and south of a line from 60° 44.25' N. lat., 146° 34.42' W. long. and 60° 44.23' N. lat., 146° 35.10' W. long.;**

(K) [(H)] Irish Cove: south of a line from 60° 46.13' N. lat., 146° 26.84' W. long. to 60° 46.06' N. lat., 146° 26.62' W. long.;

(L) [(I)] Whalen Bay: east of a line from 60° 49.23' N. lat., 146° 15.17' W. long. to 60° 48.59' N. lat., 146° 16.02' W. long.;

(M) Fidalgo River Delta: North of a line from 60° 51.77' N. lat., 146° 34.42' W. long. to 60° 51.75' N. lat., 146° 10.19' W. long.;

(N) Sunny River Delta: North of a line from 60° 51.99' N. lat., 146° 13.82' W. long. to 60° 51.85' N. lat., 146° 16.13' W. long.;

(O) Fidalgo Bay: East of a line from 60° 50.93' N. lat., 146° 8.05' W. long. to 60° 50.20' N. lat., 146° 7.03' W. long.;

(P) Short Creek: north of a line from 60° 50.99' N. lat., 146° 16.85' W. long. to 60° 51.12' N. lat., 146° 16.00' W. long., and west of a line from 60° 51.16' N. lat., 146° 15.93' W. long. and 60° 51.35' N. lat., 146° 16.10' W. long.;

(Q) [(J)] Fish Bay: north of 60° 48.92' N. lat.;

(R) Banzer Creek: within the bay east of a line from 60° 48.56' N. lat., 146° 33.53' W. long. to 60° 49.11' N. lat., 146° 33.85' W. long.;

(S) [(K)] Landlocked Bay: within the bay east of a line in the narrows from 60° 51.13' N. lat., 146° 34.05' W. long. to 60° 51.42' N. lat., 146° 34.12' W. long.;

(T) [(L)] Galena Bay: east of a line from 60° 55.64' N. lat., 146° 38.16' W. long. to 60° 56.41' N. lat., 146° 36.22' W. long., and within 1,000 yards of the north shore between 60° 57.13' N. lat., 146° 38.83' W. long. and 60° 56.81' N. lat., 146° 36.55' W. long.;

(U) [(M)] Jack Bay: south and east of a line from 61° 01.76' N. lat., 146° 34.52' W. long. to 61° 01.01' N. lat., 146° 34.34' W. long., and within 1,000 yards of the terminus of all other salmon streams of the bay;

(V) [(N)] Mineral Creek Delta, Gold Creek, and Kadis Creek: north of a line from 61° 07.45' N. lat., 146° 23.75' W. long. to 61° 07.45' N. lat., 146° 29.80' W. long.;

(W) [(O)] Head of Port Valdez: waters east of a line from a point west of the Valdez boat harbor at 61° 07.47' N. lat., 146° 22.67' W. long. to a point on the south shore at 61° 05.13' N. lat., 146° 17.82' W. long.;

(X) [(P)] Allison Creek, Sawmill Creek, and the Alyeska Safety Zone: within 200 yards of the shore from Allison Point at 61° 05.16' N. lat., 146° 20.72' W. long. to a point west of Sawmill Creek at 61° 04.81' N. lat., 146° 27.32' W. long.;

(Y) [(Q)] Sawmill Bay, Valdez Arm: north of 61° 03.14' N. lat. in the northern arm of the bay and west of a line from 61° 03.14' N. lat., 146° 47.41' W. long. to 61° 02.74' N. lat., 146° 47.27' W. long. in the western arm of the bay;

(4) Northern District:

(A) Long Bay: north of a line from 60° 59.09' N. lat., 147° 14.52' W. long. to 60° 58.97' N. lat., 147° 13.17' W. long., north of a line from 60° 59.24' N. lat., 147° 16.35' W. long. to 60° 59.26' N. lat., 147° 16.59' W. long., north of a line from 60° 59.14' N. lat., 147° 16.93' W. long. to 60° 59.03' N. lat., 147° 17.32' W. long., and west of a line from 60° 58.46' N. lat., 147° 16.52' W. long. to 60° 57.52' N. lat., 147° 16.56' W. long.;

(B) Granite Bay: east of a line from 60° 55.35' N. lat., 147° 24.24' W. long. to 60° 55.26' N. lat., 147° 24.19' W. long.;

(C) Cedar Bay: north of 60° 58.00' N. lat.;

(D) [(B)] Eaglek Bay: north of 60° 53.46' N. lat.;

(E) [(C)] Wells Bay: east of a line from 61° 00.59' N. lat., 147° 25.59' W. long. to 61° 00.16' N. lat., 147° 25.48' W. long., and north of a line from 61° 00.17' N. lat., 147° 28.88' W. long. to 61° 00.11' N. lat., 147° 29.31' W. long.;

(F) [(D)] Siwash Bay: west of a line from 60° 57.48' N. lat., 147° 39.73' W. long. to 60° 56.97' N. lat., 147° 39.52' W. long.;

(G) [(E)] Jonah Bay: west of a line from 61° 00.82' N. lat., 147° 38.63' W. long. to 60° 56.96' N. lat., 147° 38.51' W. long.;

(H) [(F)] Unakwik Inlet: within 1,000 yards of the terminus of all salmon streams north of 60° 51.97' N. lat.;

(I) Derickson Bay: west of a line from 60° 52.18' N. lat., 147° 48.43' W. long. to 60° 51.88' N. lat., 147° 48.48' W. long.;

(J) Schoppe Bay: east of 147° 39.55' W. long.;

(5) Unakwik District:

(A) Unakwik Inlet: [IN UNAKWIK INLET] within 1,000 yards of the terminus of all salmon streams [IN THE DISTRICT] south of 61° 04.97' N. lat.;

(B) Miners Bay: east of a line from 61° 03.80' N. lat., 147° 30.27' W. long. to 61° 04.32' N. lat., 147° 29.94' W. long.;

(6) Coghill District:

(A) Esther Passage: east of a line from 60° 51.49' N. lat., 147° 54.65' W. long. to 60° 52.36' N. lat., 147° 54.85' W. long.; **and east of a line from 60° 54.20' N. lat., 147° 56.91' W. long. to 60° 53.83' N. lat., 147° 56.63' W. long.;**

(B) Golden River: east of a line from 60° 57.76' N. lat., 148° 00.82' W. long. to 60° 58.76' N. lat., 147° 59.59' W. long.;

(C) Coghill River: north of a line from 61° 04.06' N. lat., 147° 57.01' W. long. to 61° 03.33' N. lat., 147° 55.62' W. long.; [(B) College Fiord: within 500 yards of the terminus of Coghill River and within the cove immediately north of the Coghill River mouth;]

(D) Barry Arm: north of a line from 61° 00.62' N. lat., 148° 05.61' W. long. to 61° 02.31' N. lat., 148° 07.00' W. long.;

(E) Harrison Lagoon: west of a line from 60° 59.37' N. lat., 148° 11.00' W. long. to 60° 58.14' N. lat., 148° 11.43' W. long.;

(F) Hobo Bay: north of a line from 60° 57.14' N. lat., 148° 13.13' W. long. to 60° 56.76' N. lat., 148° 14.02' W. long.;

(G) Bettles Bay: north and west of a line from 60° 56.42' N. lat., 148° 17.82' W. long. to 60° 56.76' N. lat., 148° 16.69' W. long.;

(H) Hummer Bay: north of a line from 60° 53.43' N. lat., 148° 17.42' W. long. to 60° 53.24' N. lat., 148° 18.31' W. long.;

(I) Pirate Cove: west of a line from 60° 52.54' N. lat., 148° 17.68' W. long. to 60° 52.07' N. lat., 148° 17.62' W. long.;

(J) Pigot Bay: west of a line from 60° 51.02' N. lat., 148° 20.97' W. long. to 60° 49.94' N. lat., 148° 21.92' W. long.;

(7) Northwestern District:

(A) Logging Camp Bay: north of a line from 60° 49.36' N. lat., 148° 25.29' W. long. to 60° 49.79' N. lat., 148° 26.22' W. long.;

(B) [(A)] Blackstone Bay: south of a line from 60° 45.95' N. lat., 148° 29.56' W. long. to 60° 45.81' N. lat., 148° 26.61' W. long.;

(C) [(B)] Passage Canal (Shotgun Cove): south of a line from 60° 48.11' N. lat., 148° 33.08' W. long. to 60° 47.90' N. lat., 148° 32.09' W. long.;

(D) [(C)] Cochrane Bay: southwest of a line from 60° 39.61' N. lat., 148° 25.41' W. long. to 60° 38.11' N. lat., 148° 24.57' W. long., west of a line from 60° 43.76' N. lat.,

148° 22.52' W. long. to 60° 41.45' N. lat., 148° 23.09' W. long., **east of a line from 60° 39.96' N. lat., 148° 21.67' W. long. to 60° 39.33' N. lat., 148° 22.27' W. long.,** and Surprise Cove west of a line from 60° 45.89' N. lat., 148° 22.02' W. long. to 60° 45.12' N. lat., 148° 22.31' W. long.;

(E) [(D)] Long Bay (Culross Passage): west of a line from 60° 41.87' N. lat., 148° 15.74' W. long. to 60° 41.61' N. lat., 148° 15.52' W. long.;

(F) [(E)] Port Nellie Juan (Mink Creek): northwest of a line from 60° 35.66' N. lat., 148° 13.82' W. long. to 60° 34.56' N. lat., 148° 16.47' W. long.; and north of a line from 60° 33.61' N. lat., 148° 17.79' W. long. to 60° 33.90' N. lat., 148° 17.34' W. long.;

(G) [(F)] East Finger Inlet: north of 60° 32.51' N. lat.;

(H) [(G)] West Finger Inlet: north of a line from 60° 34.16' N. lat., 148° 27.02' W. long. to 60° 34.11' N. lat., 148° 26.21' W. long.;

(I) Kings Bay: south of a line from 60° 28.27' N. lat., 148° 41.50' W. long. to 60° 27.81' N. lat., 148° 37.94' W. long.;

(J) Greystone Bay: south of a line from 60° 31.53' N. lat., 148° 26.16' W. long. to 60° 31.00' N. lat., 148° 25.58' W. long.;

(K) McClure Bay: south of a line from 60° 30.24' N. lat., 148° 10.56' W. long. to 60° 30.29' N. lat., 148° 9.61' W. long.;

(8) Eshamy District:

(A) Eshamy Bay and its tributary waters: waters within the Eshamy Lagoon and its tributaries and within 100 yards outside the narrows at the entrance of Eshamy Lagoon;

(B) Gumboot Creek: within 750 yards of the terminus of Gumboot Creek on the northern shore of Eshamy Bay;

(9) Southwestern District:

(A) Dangerous Passage: within 1,000 yards of all salmon streams in Dangerous Passage between 148° 08.87' W. long. and 148° 02.62' W. long.;

(B) Ewan Bay: west of 148° 08.35' W. long.;

(C) Paddy Bay: north of a line from 60° 23.97' N. lat., 148° 06.07' W. long. to 60° 23.91' N. lat., 148° 04.91' W. long.;

(D) Jackpot Bay: north and west of a line from 60° 20.74' N. lat., 148° 13.18' W. long. to 60° 20.52' N. lat., 148° 13.41' W. long.;

(E) Whale Bay: south of 60° 14.16' N. lat.;

(F) Port Bainbridge: north of a line from 60° 09.72' N. lat., 148° 19.96' W. long. to 60° 09.68' N. lat., 148° 20.56' W. long.;

(G) Hogg Bay: north of a line from 60° 05.10' N. lat., 148° 12.05' W. long. to 60° 04.94' N. lat., 148° 11.75' W. long., and east of a line from 60° 04.32' N. lat., 148° 11.47' W. long. to 60° 04.01' N. lat., 148° 11.62' W. long.

(H) Bainbridge Island: within the bay south of a line from 60° 07.58' N. lat., 148° 06.83' W. long. to 60° 07.80' N. lat., 148° 06.31' W. long.;

(I) Ikuta Bay: south of a line from 60° 06.58' N. lat., 148° 00.80' W. long. to 60° 06.60' N. lat., 148° 00.12' W. long.;

(J) Mummy Bay: north of a line from 60° 13.75' N. lat., 147° 49.12' W. long. to 60° 13.31' N. lat., 147° 48.57' W. long.;

(K) Thumb Bay: south and east of a line from 60° 12.83' N. lat., 147° 48.82' W. long. to 60° 12.61' N. lat., 147° 49.52' W. long.;

(L) Hogan Bay: north of 60° 12.00' N. lat.;

(M) Snug Harbor: west of 147° 45.55' W. long.;

(10) Montague District:

(A) Zaikof Bay: south of 60° 16.86' N. lat., and within 1,000 yards of the southeastern shore of the bay from a point at 60° 17.94' N. lat., 147° 00.15' W. long. to a line at 60° 16.86' N. lat.;

(B) Rocky Bay: west of a line from a point at 60° 21.30' N. lat., 147° 06.66' W. long. to a point at 60° 20.54' N. lat., 147° 05.61' W. long.;

(C) Stockdale Harbor: east of a line from a point at 60° 19.56' N. lat., 147° 12.02' W. long. to a point at 60° 18.26' N. lat., 147° 11.72' W. long.;

(D) Port Chalmers: within a line from a point at 60° 16.97' N. lat., 147° 12.62' W. long. to a point at 60° 16.06' N. lat., 147° 12.63' W. long., from a point at 60° 15.37' N. lat., 147° 12.31' W. long. to a point at 60° 14.16' N. lat., 147° 14.42' W. long., and from a point at 60° 13.86' N. lat., 147° 14.77' W. long. to a point at 60° 13.56' N. lat., 147° 16.82' W. long.;

(E) Hanning Bay: east of a line from a point at 59° 58.93' N. lat., 147° 41.46' W. long. to a point at 59° 57.15' N. lat., 147° 42.99' W. long.;

(F) MacLeod Harbor: east of a line from a point at 59° 53.26' N. lat., 147° 46.12' W. long. to a point at 59° 52.46' N. lat., 147° 46.52' W. long.;

(G) Montague Strait: within 500 yards of the northwestern shore of Montague Island from 60° 04.61' N. lat., 147° 28.82' W. long. to 60° 03.13' N. lat., 147° 33.17' W. long., and from 60° 02.10' N. lat., 147° 34.28' W. long. to 59° 59.94' N. lat., 147° 40.57' W. long.;

(H) Green Island: west of a line from 60° 18.19' N. lat., 147° 23.51' W. long. to 60° 18.19' N. lat., 147° 21.02' W. long., and east of a line from 60° 16.37' N. lat., 147° 26.51' W. long. to 60° 16.99' N. lat., 147° 26.07' W. long.;

(11) Southeastern District:

(A) Port Etches: east of a line from 60° 21.09' N. lat., 146° 33.94' W. long. to 60° 20.06' N. lat., 146° 32.72' W. long., and south of a line from 60° 19.71' N. lat., 146° 34.11' W. long. to 60° 19.01' N. lat., 146° 35.62' W. long.;

(B) Constantine Harbor: within the harbor from 60° 21.25' N. lat., 146° 36.29' W. long. to 60° 21.04' N. lat., 146° 37.10' W. long.;

(C) Deer Cove, Hinchinbrook Island: east of a line from 60° 23.35' N. lat., 146° 43.58' W. long. to 60° 23.81' N. lat., 146° 42.73' W. long.;

(D) Juania Cove, Hinchinbrook Island: east of a line from 60° 24.07' N. lat., 146° 42.73' W. long. to 60° 24.70' N. lat., 146° 42.30' W. long.;

(E) [(C)] Shelter Bay, Hinchinbrook Island: east of a line from 60° 26.31' N. lat., 146° 40.12' W. long. to 60° 25.66' N. lat., 146° 40.02' W. long.;

(F) [(D)] Anderson Bay: south of a line from 60° 28.24' N. lat., 146° 30.78' W. long. to 60° 28.42' N. lat., 146° 31.20' W. long.;

(G) Double Bay: south of a line from 60° 28.03' N. lat., 146° 29.11' W. long. to 60° 28.26' N. lat., 146° 28.55' W. long., and south of a line from 60° 28.25' N. lat., 146° 27.71' W. long. to 60° 28.02' N. lat., 146° 26.61' W. long.;

(H) [(E)] Hawkins Cutoff-Orca Inlet Area: south of a line from 60° 27.86' N. lat., 146° 19.72' W. long. to 60° 27.65' N. lat., 146° 21.39' W. long., and Orca Inlet and Nelson Bay south and east of a line from Salmo Point to Shepard Point, and all of Orca Inlet southeast of Hawkins Island;

(I) [(F)] Canoe Passage: south of a line from 60° 31.18' N. lat., 146° 07.43' W. long. to 60° 31.13' N. lat., 146° 07.07' W. long.;

(J) Windy Bay: south of a line from 60° 33.89' N. lat., 145° 57.69' W. long. to 60° 33.71' N. lat., 145° 58.64' W. long.;

(12) in other streams or rivers: within 500 yards of the terminus of the stream or river or as posted as specified in 5 AAC 39.290.

...

What is the issue you would like the board to address and why? Currently many closed water areas in Prince William Sound are identified by physical markers and are not defined in regulation. The department maintained closed waters markers in these areas for decades, but the maintenance of these markers ended in 2005 due to budget cuts. Most of these markers identify closed waters associated with anadromous stream mouths. These painted plywood markers have been gradually disappearing since the end of the maintenance program. Without these markers, and no GPS coordinates, closed water locations are unclear to stakeholders and difficult to enforce. This proposal replaces locations historically defined by these markers with GPS coordinates.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-132)

Shellfish Subsistence and Commercial

Sea Cucumbers

PROPOSAL 61

5 AAC 38.2XX. New section.

Establish a commercial fishery for sea cucumbers in Registration Area E, as follows:

Create a fishery for sea cucumbers in registration Area E as follows.

The commercial taking of sea cucumbers in Registration Area E shall occur from October 1st thru March 1st under conditions of a permit issued by the commissioner.

This fishery provides opportunity for local fishermen to diversify their income and would boost the wintertime economy in local communities. ADF&G would have full authority to set yearly GHL's and set season duration.

What is the issue you would like the board to address and why? Currently there is very limited fishing opportunity in Area E for local salmon fishermen to diversify their income in the off season. Also it is our belief that there is a healthy population of sea cucumbers going un-harvested in Area E.

PROPOSED BY: Robert Linville (EF-F20-126)

PROPOSAL 62

5 AAC 38.2XX. New section.

Establish a commercial fishery for sea cucumbers in Registration Area E, as follows:

Create a fishery for sea cucumbers in registration Area E. This fishery would provide opportunity for local fishermen to diversify their income and would boost the winter time economy in local communities. ADFG would have full authority to set yearly guideline harvest levels and set season duration within the regulatory dates.

Draft regulatory language:

5 AAC 38.2XX. Fishing seasons for sea cucumbers in Registration Area E.
The commercial taking of sea cucumbers in Registration Area E may only occur from October 1 thru March 1 under conditions of a permit issued by the commissioner.

What is the issue you would like the board to address and why? Limited fishing opportunity exists in the winter months in Area E, and we are seeking ways to help Area E salmon fishermen diversify their income during the off-season. Anecdotal reports indicate high numbers of sea cucumbers in Prince William Sound, but there is currently no management plan in regulation.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-020)

King Crab

PROPOSAL 63

5 AAC 34.210. Fishing seasons, for Registration Area E, 5 AAC 34.217. Guideline harvest range for Registration Area E, 5 AAC 34.225. Lawful gear for Registration Area E.

Amend Registration Area E king crab fishing seasons, guideline harvest level (GHL), and lawful gear regulations, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.210 Fishing seasons for Registration Area E.

(a) The commercial taking of Red King crab and Blue King crab in registration area E is closed until these stocks have recovered enough for a harvest strategy to be developed by the department and adopted by the Board of Fisheries.

(b) Golden King crab may be taken from January 15 through March 15 only under the conditions of a permit issued by the commissioner

5 AAC 34.17 Guideline harvest range for Registration Area E.

The Guideline harvest range for Golden King crab is 0-60,000 lbs. The guideline harvest level shall be set annually by the department based on estimated abundance levels.

5 AAC 34.255 Lawful gear for Registration Area E.

(a) King crab may only be taken with King crab pots as defined in 34.050

(b) The overall pot limit for the Golden King crab commercial fishery is 200 pots.

(c) For the Golden King crab commercial fishery, the vessel pot limit will be determined by dividing the overall pot limit (200) by the number of vessels registered for the fishery with a maximum vessel pot limit of 15 pots.

What is the issue you would like the board to address and why? The issue I would like to address is that there has been no season for Golden King crab in over thirty years. There has been no survey done in 15 years. We need to conduct a small scale commercial fishery to assess stocks.

PROPOSED BY: Robert Linville (EF-F20-123)

PROPOSAL 64

5 AAC 34.210. Fishing seasons for Registration Area E.

Establish a fishing season for golden king crab in Registration Area E, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.210 Fishing seasons for Registration Area E.

(a) The commercial taking of red king crab and blue king crab in registration area E is closed until these stocks have recovered enough for a harvest strategy to be developed by the department and adopted by the Board of Fisheries.

(b) Golden king crab may be taken from January 15 through March 15 only under the conditions of a permit issued by the commissioner.

What is the issue you would like the board to address and why? Current regulations do not differentiate between red, blue, and golden king crab, and prohibit all commercial king crab fishing within Prince William Sound. There is no regulatory framework in place for a golden king crab fishery specifically.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-013)

PROPOSAL 65

5 AAC 34.2XX. New section.

Establish a department-issued permit for the commercial golden king crab fishery in Registration Area E, as follows:

We propose establishing guidance for the issuance of a commissioner's permit for golden king crab in regulation. Create new regulation for golden king crab in area E to read as follows:

5 AAC 34.2XX Commissioner's Permits for Golden King Crab

(a) In Prince William Sound, male golden king crab, seven inches or greater in carapace width, may be taken only under the conditions of a permit issued by the commissioner.

(b) Only pot gear may be used and no more than 15 king crab pots may be operated from a vessel.

(c) The permit required in this section

(1) may specify season dates;

(2) may specify areas of fishing operations by district or by geographic location;

(3) may require an onboard observer during all operations;

(4) shall require mandatory completion of log sheets provided by the department; log sheets described in this section must

(A) include the date, the specific location of harvest by latitude and longitude, the number of pots fished, the average depth of each pot fished, and the time gear is deployed and removed from the water of each set;

(B) include for the target and each bycatch species the number of fish retained and discarded;

(C) be updated within 24 hours after midnight local time on the day of operation;

(D) be made available to a local representative of the department upon request;

(E) be submitted with the corresponding fish ticket at the time of landing;

(5) may set other conditions the commissioner determines are necessary for conservation and management purposes.

(d) A person may not make a false entry in the log sheets described in this section.

What is the issue you would like the board to address and why? There is currently no regulatory guidance for issuing commissioner's permits for golden king crab.

PROPOSED BY: Cordova District Fishermen United

(HQ-F20-014)

PROPOSAL 66

5 AAC 34.217. Guideline harvest range for Registration Area E.

Amend guideline harvest range for golden king crab in Registration Area E, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.217 Guideline harvest range for Registration Area E.

The guideline harvest range for golden king crab is 0-60,000 pounds. The guideline harvest level shall be set annually by the department based on estimated abundance levels.

What is the issue you would like the board to address and why? The existing GHR does not allow the department to prosecute a golden king crab fishery of less than 40,000 pounds.

PROPOSED BY: Cordova District Fishermen United

(HQ-F20-015)

PROPOSAL 67

5 AAC 34.225. Lawful gear for Registration Area E.

Establish a golden king pot limit in Registration Area E, as follows:

Amend the current regulations for king crab in area E to read as follows:

5 AAC 34.255 Lawful gear for Registration area E.

- (a) King crab may only be taken with king crab pots as defined in 34.050.
- (b) The overall pot limit for the golden king crab commercial fishery is 200 pots.
- (c) For the golden king crab commercial fishery, the vessel pot limit will be determined by dividing the overall pot limit (200) by the number of vessels registered for the fishery with a maximum vessel pot limit of 15 pots.

What is the issue you would like the board to address and why? There is no set pot limit in regulation for a fishery or for vessels participating. Adding a pot limit in regulation will allow the department more control in management of the fishery.

PROPOSED BY: Cordova District Fishermen United

(HQ-F20-016)

Tanner Crab Subsistence

PROPOSAL 68

5 AAC 02.208. Customary and traditional subsistence uses of shellfish stocks and amounts necessary for subsistence.

Adopt amounts reasonably necessary for subsistence for Tanner crab in the Prince William Sound Area, outside the Valdez Nonsubsistence Area, as follows:

- (d) The board finds that XXX – XXX Tanner crab are reasonably necessary for subsistence uses in the Prince William Sound Area.**

What is the issue you would like the board to address and why?

In March 2008, the Alaska Board of Fisheries (board) found that shrimp, Dungeness crab, Tanner crab, king crab, and miscellaneous shellfish of the Prince William Sound Area are customarily and traditionally used for subsistence. (5 AAC 02.208(a)). Alaska Statute 16.05.258(b) directs the board to determine the amount of the harvestable portion of fish stocks that support customary and traditional (C&T) uses that is reasonably necessary for subsistence uses (ANS). This proposal would provide an opportunity for the board and public to consider adopting an ANS for the Tanner crab stock in the Prince William Sound Area (outside of the Valdez Nonsubsistence Area described at 5 AAC 99.015(a)(5)). There are ANS amounts for the other shellfish stocks for which the board has found there are customary and traditional subsistence uses, but not for Dungeness, king, or Tanner crab.

Alaska Department of Fish and Game (department) surveys to estimate Tanner crab, *Chionoecetes bairdi* abundance have been conducted since the early 1990s in Prince William Sound (PWS). Commercial Tanner crab fisheries in PWS were closed from 1989 until 2016 when a Tanner crab test fishery was conducted. In 2017, a limited commissioner's permit Tanner crab fishery was adopted into regulation, followed by the fishery being prosecuted in 2018 and 2019. In PWS, legal Tanner crab abundance levels have been high enough to allow a subsistence fishery since 2008.

The number of permits issued for this fishery has averaged approximately 200 from the 2014/15 season through the 2018/19 season. Participation has remained steady, although 50% or less of permit holders actually participated in the fishery in all seasons except the 2012/13 season when it reached a high of 58%. This was probably the result of fishing success where the average catch of 24 legal male crab per permit was the highest harvest in this permit fishery's history.

During the 11 seasons when the subsistence fishery was open, the 2012/13 season harvest was exceptional. This above-average harvest success was corroborated by the ADF&G survey results of Tanner crab abundance from 2011 and 2013. All of the metrics of the fishery were high, including the 368 trips made; the next highest was 225 trips during the 2015/16 season. The number of legal males harvested reached a high of 2,067 crab in the 2012/13 season; the next highest harvest was 1,073 legal male crab in the 2017/18 season. Also, the total number of legal crab caught in the 2012/13 season, which is the number of legal male crab harvested plus the number of legal male crab released, was the highest on record at 3,514 male crab. The number of sublegal male crab that were released during the 2012/13 season was 3 times higher than any other season, close to 5,000 crab.

At the 2017 board meeting, the bag and possession limit was increased from 5 legal crab per person to 12 legal crab per person. With this increase, the legal male Tanner crab harvested increased from 548 crab in the 2016/17 season to 1,073 crab during the following season. However, in the 2018/19 season, the harvest dropped to 624 crab and total legal crab caught dropped to 876 crab, the lowest values since the 2011/12 season. The number of trips was relatively consistent over this three-year period: 192 in 2016/17, 196 in 2017/18, and 202 in 2018/19.

An ANS finding will provide the board with a metric to determine if the regulations are providing a reasonable opportunity for subsistence uses of Tanner crab in this area.

For this proposal, the department drafted ANS options for consideration by the board for PWS Tanner crab. ADF&G staff will prepare a report prior to the December 2020 board meeting with additional background data and, if necessary, revised options. The following options use harvest estimates based on subsistence permit returns. Subsistence permits for this fishery have been required since 2008, when the fishery reopened after being closed since 1999. Participation increased from an average of 90 permits issued and 34 permits fished from 2008 through 2011, to 185 permits issued and 87 permits fished from 2012 through 2018. Therefore, options based on two time periods are offered: all years (2008 – 2018) and 2012 – 2018.

Option A. Low and high annual harvests, rounded to nearest 50 crab, 2008 – 2018

50 to 2,050 Tanner crab

Option B. Low and high annual harvests, rounded to nearest 50 crab, 2012 – 2018

550 to 2,050 Tanner crab

Option C. The mean harvest for the period 2008 – 2018 (634 crab) bounded by the standard deviation (560 crab) and rounded to the nearest 50 crab

50 to 1,200 Tanner crab

Option D. The mean harvest for the period 2012 – 2018 (936 crab) bounded by the standard deviation (501 crab) and rounded to the nearest 50 crab

450 to 1,450 Tanner crab

Option E. Take no action. The board might choose this option given the relatively short time series for the harvest data, as well as the 5 legal crab per person limit in place until 2017 (subsequently increased to 12 legal crab per person).

The Prince William Sound Dungeness and red king crab stocks are not at an abundance level that would allow a subsistence fishery, and the fisheries have been closed for these stocks for a number of years. Therefore, we do not recommend adoption of ANS findings for king or Dungeness crab at this time. Additionally, because golden king crab currently have a harvest limit of 3 crab per year per household limit, established in 2008, we recommend waiting another board cycle to gather enough data for a determination.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-147)

Tanner Crab Commercial

PROPOSAL 69

5 AAC 35.308. Registration Area E Tanner crab harvest strategy.

Modify criteria for opening commercial Tanner crab fishery in Prince William Sound, as follows:

We propose to add a back-up trigger for the tanner crab fishery that does not depend solely on a trawl survey. This would enable management to prosecute a fishery to utilize the fleet as an assessment tool and prevent the fishery from being closed for another 30 years. Trawl surveys have failed us for the last 30 years and we need another option to assess stock levels in the event of a prolonged closure -- as was accomplished most recently by the successful Tanner Crab Commissioner's Permit fishery and provided important data to the Department.

We propose including the following language to the department's new harvest strategy under 5 AAC 35.310:

"Any district in Area E that is closed to the commercial taking of Tanner crab for five or more years will be eligible to open under conditions of a permit issued by the commissioner."

What is the issue you would like the board to address and why? ADFG is currently developing a new harvest strategy for the commercial taking of Tanner crab in Area E. The previous management plan relied on trawl surveys for assessment, and unfortunately the fishery was then closed for 30 years. We have concerns that trawl surveys are not reliable in Prince William Sound given the variability in habitat and seafloor conditions, and do not give an adequate view of the true biomass in the way that catch data can. This was evidenced by the discrepancies between survey estimates and fishery results from recent years.

The tanner crab fishery was only able to be opened in recent years through a Commissioner's Permit fishery, and we would like to ensure that this remains a valuable assessment tool in the new management plan.

Further, ADFG continually faces budget cuts, and if the management plan relies solely on survey results, we lose the opportunity for a fishery at all if the trawl survey is cut.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-026)

PROPOSAL 70

5 AAC 35.308. Regulation language goes here.

Modify criteria for opening commercial Tanner crab fishery in Prince William Sound, as follows:

No Area E fishery closure may extend for longer than one year without unanimous approval of all Area E advisory committees.

What is the issue you would like the board to address and why? The Alaska Department of Fish & Game has kept Area E crab fisheries closed for decades. These closures appear to violate the Department's policy on king & Tanner crab management.

PROPOSED BY: Warren Chappell and Robert Smith (HQ-F20-079)

PROPOSAL 71

5 AAC 35.308. Registration Area E Tanner crab harvest strategy.

Adopt a new Tanner crab harvest strategy for Prince William Sound, as follows:

A commercial Tanner crab fishery will occur each year in Area E. The Department shall develop said fishery annually in consultation with local advisory committees. In accordance with the Department King & Tanner crab management policy, the Department will submit a detailed analysis of the socio-economic impact of its management plan.

What is the issue you would like the board to address and why? After 30 years of crab closures in Area E, the Alaska Department of Fish & Game has (in some circles) destroyed whatever credibility it ever had as a trustworthy manager. In order to repair its credibility the Department must take steps to engage with local communities.

PROPOSED BY: Warren Chappell and Robert Smith

(HQ-F20-081)

PROPOSAL 72

5 AAC 35.311. Commissioner’s permits for Tanner crab in Registration Area E.

Allow the department to issue a permit for Tanner crab fisheries closed more than one year, as follows:

Crab fisheries which have been closed in Area E for more than one year shall be eligible for a Commissioners Permit.

What is the issue you would like the board to address and why? The Alaska Department of Fish & Game has kept crab (king & Tanner) fishing closed in Area E based upon flawed regulations. This closure has lasted for decades.

PROPOSED BY: Warren Chappell and Robert Smith

(HQ-F20-082)

PROPOSAL 73

5 AAC 35.3XX. New section.

Establish closed waters for commercial Tanner crab fishing in the Prince William Sound Area, Registration Area E, as follows:

Add a new section.

5 AAC 35.335. Closed waters in Registration Area E. The following waters are closed to the taking of Tanner crab:

(1) Port Valdez: north of the latitude of 61° 01.00' N. lat.;

(2) Galena Bay: east of a line from 60° 57.63' N. lat., 146° 45.17' W. long., to 60° 58.41' N. lat., 146° 43.34' W. long.;

(3) Port Fidalgo: north of a line from Porcupine Point at 60° 44.62' N. lat., 146° 42.08' W. long., to Bidarka Point at 60° 49.14' N. lat., 146° 38.45' W. long.;

(4) Port Gravina: north of a line from Gravina Point at 60° 37.37' N. lat., 146° 15.22' W. long., to Red Head at 60° 40.25' N. lat., 146° 30.22' W. long.

What is the issue you would like the board to address and why? Commercial Tanner crab regulations allowing a commissioner’s permit fishery in the Eastern and Western districts of the Prince William Sound Area (PWS; Registration Area E; 5 AAC 35.311) and also providing for a harvest strategy for the entire PWS (5 AAC 35.308) were adopted by the board in March 2017. The commissioner’s permit Tanner crab fishery has been prosecuted for the past three seasons (2017-2019); however, the districts where the fishery is allowed are outside of these proposed closed areas. As defined by the harvest strategy, conditions have not been met to allow a PWS-wide fishery, which would include the Northern District that encompasses the proposed closed areas. In 2020, a Tanner crab test fishery was prosecuted in the Northern and Hinchinbrook districts, and these closed areas were defined for the test fishery. These same areas are already defined in regulation as closed waters for the subsistence Tanner crab fishery and were adopted as a conservation measure to provide a

refuge for Tanner crab and protect potential nursery grounds. Adopting this proposal would provide consistency between commercial and subsistence Tanner crab regulations in the same area and ensure these closed waters are in effect if a commercial fishery was allowed in the Northern District, thereby providing protection for this important and vulnerable resource.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-137)

PROPOSAL 74

5 AAC 35.305. Description of Registration Area E districts.

Redefine and rename commercial Tanner crab districts in the Prince William Sound Area, and add one additional district, as follows:

Amend subsections (a-d) and add new subsection (e) as follows:

(a) Northeastern District: all waters east of 147° 40' W. long., and north of 60° 30' N. lat. [NORTHERN DISTRICT: ALL WATERS NORTH AND WEST OF A LINE FROM THE SOUTHERN ENTRANCE OF PORT NELLIE JUAN AT 60° 35.87' N. LAT. TO POINT ELEANOR TO THE EASTERN TIP OF SMITH ISLAND TO JOHNSTONE POINT, AND NORTH OF A LINE FROM POINT BENTINCK TO POINT WHITSHED.]

(b) Northwestern District: all waters north of 60° N. lat. and west of 147° 40' W. long, excluding waters of Puget Bay, excluding waters east of a line from Point Grace to Point Helen, and excluding waters on the east side of Knight Island. [WESTERN DISTRICT: ALL WATERS EAST OF A LINE FROM CAPE FAIRFIELD (148° 50.25' W. LONG.) SOUTH TO THE LATITUDE OF CAPE DOUGLAS AT 58° 51.10' N. LAT., THEN WEST TO 149° W. LONG., THEN SOUTH ALONG 149° W. LONG., SOUTH OF A LINE FROM THE SOUTHERN ENTRANCE OF PORT NELLIE JUAN AT 60° 35.87' N. LAT. TO POINT ELEANOR TO THE EASTERN TIP OF SMITH ISLAND TO MONTAGUE POINT, WEST OF A LINE FROM ZAIKOF POINT TO SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.), AND WEST OF THE LONGITUDE OF SEAL ROCKS (146° 50.30' W. LONG.).]

(c) Central District: all waters east of the Northwestern District and south of 60° 30' N. lat. and west of 146° W. long., and bounded on the south by lines at 60° N. lat. from Latouche Island to Montague Island, Zaikof Point to Cape Hinchinbrook, and east from the latitude of Point Bentinck. [EASTERN DISTRICT: ALL WATERS EAST OF THE LONGITUDE OF SEAL ROCKS (146° 50.30' W. LONG.), EAST OF A LINE FROM SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.) TO CAPE HINCHINBROOK, SOUTH OF A LINE FROM POINT BENTINCK TO POINT WHITSHED, AND WEST OF THE LONGITUDE OF CAPE SUCKLING (144° W. LONG.).]

(d) Southeastern District: all waters west of the longitude of Cape Suckling (144° W. long.), south of the Northeastern and Central districts, and east of 147° W. long. [HINCHINBROOK DISTRICT: ALL WATERS EAST OF A LINE FROM MONTAGUE POINT TO THE EASTERN TIP OF SMITH ISLAND, SOUTH OF A LINE FROM THE EASTERN TIP OF SMITH ISLAND TO JOHNSTONE POINT, NORTH AND EAST OF A LINE FROM CAPE HINCHINBROOK TO

SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.), AND EAST OF A LINE FROM SEAL ROCKS (60° 09.78' N. LAT., 146° 50.30' W. LONG.) TO ZAIKOF POINT.]

(e) Southwestern District: all waters west of 147° W. long., south of the Central and Northwestern districts, and east of a line from Cape Fairfield (148° 50.25' W. long.) south to the latitude of Cape Douglas at 58° 51.10' N. lat., then west to 149° W. long., then south along 149° W. long., and including waters of Puget Bay.

What is the issue you would like the board to address and why? In the Prince William Sound Area (PWS; Registration Area E), the current commercial Tanner crab districts do not reflect management and stock assessment objectives. By regulation, all commercial Tanner crab harvest data are required to be reported on fish tickets by statistical area. The proposed districts align with statistical areas, which would aid management when harvest and catch per unit effort (CPUE) data are utilized to implement inseason management actions by discrete location. Additionally, the proposed districts divide PWS using information on Tanner crab habitat, historical harvest data, available survey data, and suitable stock assessment methods. Implementing these proposed districts would allow specific survey methods with distinct management goals to be applied for each district, providing for a more robust harvest strategy.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-138)

PROPOSAL 75

5 AAC 35.308 Registration Area E Tanner crab harvest strategy.

Adopt a new a Prince William Sound Area (PWS; Area E) Tanner crab harvest strategy to align with new proposed districts, as follows:

5 AAC 35.308 is repealed and readopted to read:

[(A) IF ADEQUATE DATA ARE AVAILABLE, THE DEPARTMENT SHALL ESTIMATE THE ABUNDANCE OF MALE TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA, AND SHALL ESTABLISH A GUIDELINE HARVEST LEVEL FOR LEGAL MALE TANNER CRAB IF THE CURRENT ESTIMATED ABUNDANCE OF T_H IS ABOVE THE MINIMUM STOCK THRESHOLD FOR OPENING A FISHERY.

(B) THE COMMERCIAL FISHERY MAY OPEN ONLY IF THE CURRENT ESTIMATED ABUNDANCE OF T_H IS GREATER THAN OR EQUAL TO 200,000 CRAB (50 PERCENT OF A_H). IF THE COMMERCIAL FISHERY HAS BEEN CLOSED FOR THREE OR MORE CONSECUTIVE YEARS, THEN THE ESTIMATED ABUNDANCE OF T_H MUST BE GREATER THAN OR EQUAL TO 200,000 CRAB FOR TWO OR MORE YEARS BEFORE THE COMMERCIAL FISHERY MAY OPEN. THE COMMERCIAL GUIDELINE HARVEST LEVEL WILL BE DETERMINED AS FOLLOWS:

(1) THE GUIDELINE HARVEST LEVEL FOR T_L MAY NOT EXCEED 15 PERCENT OF $A_C(T_H)$ IF $A_C(T_H)$ IS GREATER THAN OR EQUAL TO 200,000 CRAB, BUT LESS THAN 300,000 CRAB;

(2) THE GUIDELINE HARVEST LEVEL FOR T_L MAY NOT EXCEED 20 PERCENT OF $A_C(T_H)$ IF $A_C(T_H)$ IS GREATER THAN OR EQUAL TO 300,000 CRAB, BUT LESS THAN 400,000 CRAB;

(3) THE GUIDELINE HARVEST LEVEL FOR T_L MAY NOT EXCEED 25 PERCENT OF $A_C(T_H)$, IF $A_C(T_H)$ IS GREATER THAN OR EQUAL TO 400,000 CRAB; AND

(4) THE GUIDELINE HARVEST LEVEL FOR LEGAL MALE TANNER CRAB MAY BE REDUCED OR THE COMMERCIAL FISHERY CLOSED, IF THE ESTIMATED COMMERCIAL HARVEST WOULD CAUSE THE ESTIMATED ABUNDANCE OF T_H TO FALL BELOW THE MINIMUM STOCK THRESHOLD.

(C) IN THIS SECTION,

(1) " T_L " MEANS MALE TANNER CRAB THAT ARE 127 MM (5.0 INCHES) OR GREATER IN CARAPACE WIDTH, WHICH IS THE LEGAL SIZE OF TANNER CRAB ALLOWED TO BE RETAINED FOR HARVEST;

(2) " T_H " MEANS MALE TANNER CRAB THAT ARE 135 MM (5.3 INCHES) OR GREATER IN CARAPACE WIDTH, WHICH WAS THE HISTORICAL LEGAL SIZE OF TANNER CRAB IN THE PRINCE WILLIAM SOUND AREA;

(3) " A_H " MEANS THE AVERAGE HISTORICAL ABUNDANCE OF T_H ; A_H IS AN ESTIMATE OF THE BIOMASS THAT WILL PRODUCE MAXIMUM SUSTAINED YIELD;

(4) " $A_C(T_H)$ " MEANS THE CURRENT ESTIMATED ABUNDANCE OF T_H .

(5) IF THE COMMERCIAL FISHERY OPENS UNDER THIS SECTION, THE SPORT FISHERY WILL OPEN AS PROVIDED IN 5 AAC 55.022(b) (3)]

(a) Northwestern District

1) **the guideline harvest range is 0-XX,XXX lb.**

2) **if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).**

(b) Northeastern District

1) **if there are adequate data available, the department shall estimate the abundance of male legal Tanner crab in the Northeastern District and shall establish a guideline harvest level for legal male Tanner crab, if the current estimated abundance of legal male Tanner crab is above the minimum stock threshold for opening a fishery.**

2) **the commercial fishery may open only if the current estimated abundance of legal male Tanner crab is greater than or equal to XXX,XXX crab. The guideline harvest level will be determined as follows:**

(A) **the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**

(B) **the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**

(C) **the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;**

(D) **the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed, if the estimated commercial harvest would cause the estimated abundance of legal male Tanner crab to fall below the minimum threshold.**

- 3) if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

(c) Central District

- 1) if there are adequate data available, the department shall estimate the abundance of male legal Tanner crab in the Central District and shall establish a guideline harvest level for legal male Tanner crab, if the current estimated abundance of legal male Tanner crab is above the minimum stock threshold for opening a fishery.
- 2) the commercial fishery may open only if the current estimated abundance of legal male Tanner crab is greater than or equal to XXX,XXX crab.
 - (A) the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (B) the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (C) the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (D) the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed, if the estimated commercial harvest would cause the estimated abundance of legal male Tanner crab to fall below the minimum threshold.
- 3) if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

(d) Southeastern District

- 1) the guideline harvest range is 0-XX,XXX lb.
- 2) if a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

(e) Southwestern District

- 1) if there are adequate data available, the department shall estimate the abundance of male legal Tanner crab in the Southwestern District and shall establish a guideline harvest level for legal male Tanner crab, if the current estimated abundance of legal male Tanner crab is above the minimum stock threshold for opening a fishery.
- 2) the commercial fishery may open only if the current estimated abundance of legal male Tanner crab is greater than or equal to XXX,XXX crab. The guideline harvest level will be determined as follows:
 - (A) the guideline harvest level for legal male Tanner crab may not exceed 15 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
 - (B) the guideline harvest level for legal male Tanner crab may not exceed 20 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;

- (C) the guideline harvest level for legal male Tanner crab may not exceed 25 percent of the estimated abundance of legal male Tanner crab if the legal male Tanner crab abundance is greater than or equal to XXX,XXX but less than XXX,XXX crab;
- (D) the guideline harvest level for legal male Tanner crab may be reduced or the commercial fishery closed, if the estimated commercial harvest would cause the estimated abundance of legal male Tanner crab to fall below the minimum stock threshold.
- 3) If a commercial fishery opens in this district, a sport fishery will open as provided in 5 AAC 55.022(b)(3).

What is the issue you would like the board to address and why? The current harvest strategy, adopted by the board in 2014, does not function as intended due to a mismatch between the area used to develop abundance thresholds and the area where the trawl survey stock assessment is conducted. New Tanner crab districts have also been proposed to operate in tandem with this proposal; this harvest strategy uses these new districts. This harvest strategy includes district-specific abundance thresholds that can be assessed with the current department trawl survey. The result is 3 districts in PWS that will each have abundance thresholds assessed with a trawl survey and 2 districts assessed and managed using other tools, because these areas are untrawlable. The department will identify when a harvestable surplus is present in the areas that are currently closed to commercial fishing. Abundance thresholds will be developed in the next months and submitted during the December 2020 PWS Finfish and Tanner crab meeting in Cordova.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-139)

PROPOSAL 76

5 AAC 35.311. Commissioner's permits for Tanner crab in Registration Area E.

Repeal commissioner's permits for Tanner crab in the Eastern and Western Districts of Prince William Sound Area (PWS), as follows:

- [(A) IN THE EASTERN AND WESTERN DISTRICTS, MALE TANNER CRAB, FIVE INCHES OR GREATER IN CARAPACE WIDTH, MAY BE TAKEN ONLY UNDER THE CONDITIONS OF A PERMIT ISSUED BY THE COMMISSIONER.
- (B) ONLY POT GEAR MAY BE USED AND NO MORE THAN 50 TANNER CRAB POTS MAY BE OPERATED FROM A VESSEL.
- (C) THE PERMIT REQUIRED IN THIS SECTION
 - (1) MAY SPECIFY SEASON DATES;
 - (2) MAY SPECIFY AREAS OF FISHING OPERATIONS BY DISTRICT OR BY GEOGRAPHIC LOCATION;
 - (3) MAY REQUIRE AN ONBOARD OBSERVER DURING ALL OPERATIONS;
 - (4) SHALL REQUIRE MANDATORY COMPLETION OF LOG SHEETS PROVIDED BY THE DEPARTMENT; LOG SHEETS DESCRIBED IN THIS SECTION MUST
 - (A) INCLUDE THE DATE, THE SPECIFIC LOCATION OF HARVEST BY LATITUDE AND LONGITUDE, THE NUMBER OF POTS FISHED, THE AVERAGE DEPTH OF EACH POT FISHED, AND THE TIME GEAR IS DEPLOYED AND REMOVED FROM THE WATER OF EACH SET;

- (B) INCLUDE FOR THE TARGET AND EACH BYCATCH SPECIES THE NUMBER OF FISH RETAINED AND DISCARDED;
- (C) BE UPDATED WITHIN 24 HOURS AFTER MIDNIGHT LOCAL TIME ON THE DAY OF OPERATION;
- (D) BE MADE AVAILABLE TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT UPON REQUEST;
- (E) BE SUBMITTED WITH THE CORRESPONDING FISH TICKET AT THE TIME OF LANDING;
- (5) MAY SET OTHER CONDITIONS THE COMMISSIONER DETERMINES ARE NECESSARY FOR CONSERVATION AND MANAGEMENT PURPOSES.
- (D) A PERSON MAY NOT MAKE A FALSE ENTRY IN THE LOG SHEETS DESCRIBED IN THIS SECTION.
- (E) REGISTRATION AREA E IS A SUPEREXCLUSIVE REGISTRATION AREA FOR TANNER CRAB; AN OPERATOR OF A TANNER CRAB VESSEL VALIDLY REGISTERED FOR A SUPEREXCLUSIVE REGISTRATION AREA MAY NOT OPERATE ANY OTHER TANNER CRAB VESSEL REGISTERED FOR ANY OTHER SUPEREXCLUSIVE REGISTRATION AREA IN THE SAME REGISTRATION YEAR AS ESTABLISHED UNDER 5 AAC 35.020(H).] **Repealed.**

What is the issue you would like the board to address and why? The department is proposing new district definitions and a new harvest strategy at this meeting. This proposed harvest strategy includes the areas that cover the current Eastern and Western Districts in PWS; however, districts will be renamed and redefined as proposed with different boundaries. If the proposal redefining the districts is passed, the Eastern and Western districts will not exist in regulation and therefore will make this regulation invalid. After March 2020, the department will have prosecuted the Commissioner’s Permit commercial Tanner crab fishery in the Eastern and Western districts for three years. The department is using the information from this fishery to develop the updated harvest strategy; this strategy includes these areas (with new district names).

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-140)

PROPOSAL 77

5 AAC 35.306. Area E registration.

Amend the Tanner crab registration deadline, as follows:

5 AAC 35.306(b) is amended to read:

(b) A Tanner crab vessel must be registered under 5 AAC 35.020 no later than **15** [30] days before the scheduled opening date of the commercial Tanner crab season.

What is the issue you would like the board to address and why? The department uses registration deadlines in order to make decisions for the commercial Tanner crab fisheries in the Prince William Sound Area (PWS). Fifteen days prior to the opening of the fishery is adequate to make initial fishery decisions. Similarly, the PWS shrimp pot fishery has a deadline 15 days prior to the season start and this is adequate for the department to make fishery management decisions.

PROPOSAL 78

5 AAC 35.310. Fishing seasons for Registration Area E.

Remove district references and include all districts in the Prince William Sound Area (PWS; Area E) and include a weather-delay provision for the opening date of the fishery, as follows:

5 AAC 35.310 is amended to read:

(a) In Registration Area E [THE NORTHERN AND HINCHINBROOK DISTRICTS], male Tanner crab may be taken only from January 15 until April 15 [MARCH 31], during periods established by emergency order.

(b) The season opening shall be delayed for 24 hours if the opening day National Weather Service forecast for the following 48 hours for Prince William Sound, as defined by the National Weather Service as PKZ125, contains a gale warning, in which case the season opening in all districts will be delayed 24 hours; if after the initial weather delay, the 4:00 a.m. National Weather Service forecast for the current day and night or the following day and night again contains a gale warning, the season opening in all districts will be delayed an additional 24 hours; the season opening delays may continue for 7 days, when the season will open regardless of any gale warning in the National Weather Service forecasts.

What is the issue you would like the board to address and why? The department is proposing new Tanner crab district definitions for PWS along with a new harvest strategy. This proposal removes district references; the department has time and area authority to open and close districts in PWS. In addition, adding a weather delay provision provides for a safe and fair start to this Tanner crab fishery that has had diverse participation in terms of vessel size and port of entry.

PROPOSAL 79

5 AAC 35.306. Area E registration.

Designate Registration Area E an exclusive registration area for Tanner crab, as follows:

Amend 5 AAC 35.306 to read "Registration Area E is an Exclusive registration area"

This would allow local boats to work with Yakutat fishermen in the future to create fishing opportunity in Icy Bay and Yakutat Bay. This change in designation should have no impact on local fleets or stocks in Area E. Area E would be the only Exclusive designation in the state. Therefore we would be protected from other crab fleets due to their areas Super exclusive designations. Yet we would still able to fish in Area D due to its non exclusive designation.

What is the issue you would like the board to address and why? 5 AAC 35.306 currently reads "Registration Area E is a Super exclusive registration area" Under the super exclusive designation area vessels participating in local tanner fisheries may not participate in any other area even if its non exclusive. We would like to be able to explore the viability of tanner fisheries in Area D in the future as we are receiving reports of rebounding stocks.

PROPOSED BY: Robert Linville

(EF-F20-127)
