

**PROPOSAL 10 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Change set gillnet component of Prince William Sound Management and Salmon Enhancement Allocation Plan, as follows:

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

(f) If the set gillnet gear group catches **four** [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 on July 10, the commissioner shall, by emergency order, open set gillnet fishing periods totaling no more than 36 hours per week.

**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. Correct an error in the regulation.

The regulation under part (b) clearly states that “The ex-vessel value allocation of enhanced salmon stocks for the set gillnet gear group is four percent of the total allocation” but in part (f) it states that “If the set gillnet gear group catches 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 on 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 allocation is four percent then why is the set gillnet fishery allowed to catch five percent of the total common property of enhanced salmon before the allocation plan is triggered? If the error in regulation is not corrected the set gill gear group will continue to catch 25% above their allocation.

**PROPOSED BY:** Jeff Olsen

(EF-C14-039)

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**PROPOSAL 11 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Change Prince William Sound Management and Salmon Enhancement Allocation Plan to include Valdez Fisheries Development Association in calculation, 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”]

**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 enhanced salmon produced in the Prince William Sound (PWS) region. The value of enhanced salmon production from Valdez Fisheries Development Association’s (VFDA) Solomon Gulch Hatchery is not included in the 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. 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.

How can there be 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, Prince William Sound Aquaculture Corporation (PWSAC), or VFDA? They all used public funds for their construction and startup operations. Why is the PWS seine fleet allowed exclusive access and benefit to VFDA’s publicly financed enhanced salmon production? The best solution short of allowing the drift and set net fleet access to the Port of Valdez is to include the value of Solomon Gulch Hatchery production into 5 AAC 24.370.

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

This proposal does not propose to reallocate VFDA hatchery production to the other commercial users, but to include the value of the enhanced salmon in the plan so all PWS common property fisheries can benefit from VFDA enhanced salmon production.

**PROPOSED BY:** Michael Bowen (EF-C14-041)

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**PROPOSAL 12 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Change Prince William Sound Management and Salmon Enhancement Allocation Plan to exclude Gulkana Hatchery production in calculation, as follows:

Add 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 **and excluding enhanced salmon stocks produced by the Gulkana Hatchery.**

**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 (j) Remove the Gulkana Hatchery from the allocation plan.

When the current was plan was developed, the main argument by members of the seine fleet for keeping Valdez Fisheries Development Association (VFDA) out of the plan was that “The gillnet fleet was making a living from the wild stocks on Copper River while the seine fleet did not have healthy wild stocks to fish on.” The Board of Fisheries did not take in account that Gulkana Hatchery produces enhanced salmon returning to the Copper River. Gulkana hatchery production should not be allowed to be used against the drift fleet in allowing VFDA to be left out the allocation plan.

The drift fleet has disagreements with Alaska Department of Fish and Game (ADF&G) on how they determine the value of the returning enhanced salmon. Gulkana is different than the other hatcheries in the region because the wild and enhanced salmon enter the fishery and river together. ADF&G has to collect otoliths from the salmon catch throughout the Copper River sockeye run to try and determine the percentage of wild to enhanced salmon. ADF&G has a rough estimate of the Gulkana enhanced salmon that is in the catch and the data shows that enhanced component is very small in May when the drift fleet is receiving the highest prices of the year. The main disagreement is with how the department uses the average values from whole season (May through July), while the bulk of the returning enhanced salmon are caught in July when salmon prices are down. This results in the fishery being overvalued and is not a fair and reasonable allocation. Relieving the department of having to determine the value of the enhanced salmon on the Copper River will eliminate these disagreements.

In the spirit of compromise this proposal would leave VFDA’s enhanced salmon out of the plan as well.

**PROPOSED BY:** Michael Bowen (EF-C14-042)

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**PROPOSAL 13 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Open certain waters of College Fjord to purse seine fishery before July 21, as follows:

Waters of College north of Point Pakenham and Golden Lagoon at 60.58.772 147.59.787 would be open to both seine and drift gillnet gear when the department warrants this area open based on sockeye and pink escapement goals within the Coghill River.

**What is the issue you would like the board to address and why?** Allow seine gear north of Point Pakenham prior to July 21 to harvest pink and sockeye salmon. This has historically been a shared area between seine and drift gillnet. On large or early pink returns, the majority of the return enters the Coghill River before July 21. The drift gillnet fleet does not target these pinks and harvestable surplus fish go uncaught. The seine fleet should also be returned to their historical access to wild stock Coghill sockeye that was re-allocated to the drift fleet based on a now abandoned allocation plan. A geographically perpendicular line from Pakenham to Golden Lagoon would be preferred to eliminate lines intersecting the shore at odd angles which can cause difficulties. This line is still well above the College Fjord Glacier Dam and should eliminate chum interception concerns.

**PROPOSED BY:** Thomas Nelson (EF-C14-106)

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**PROPOSAL 14 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Reestablish historic purse seine gear access to Coghill Lake sockeye salmon in Coghill River terminal area, as follows:

Pending input from gillnet representatives, it is anticipated that the Coghill sockeye fishery will be a terminal style fishery targeting returning sockeye and the line will be drawn close enough to the Coghill River to minimize interception of chum salmon. It is not intended that the seiners will have exclusive access to Coghill sockeye.

**What is the issue you would like the board to address and why?** Restore historic seine access to Coghill Lake sockeye returns. Seine gear lost access to Coghill Lake sockeye stocks when the salmon allocation plan was originally implemented. At that time, both wild stocks and enhanced stocks were considered in the allocation matrix. Wild stocks are no longer part of the allocation matrix and historic seine access should be restored.

**PROPOSED BY:** Northwest & Alaska Seiners' Association (EF-C14-135)

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**PROPOSAL 15 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Establish standards to alleviate gear conflicts in Esther Subdistrict during the commercial pink salmon fishery, as follows:

The intention of this proposal is to resolve inseason conflict with input and compromise by both gear types and not to gain an advantage by one gear type over the other.

**What is the issue you would like the board to address and why?** Gear conflict and congestion in the Esther subdistrict. This is a placeholder proposal to provide time for gillnet and seine representatives to come to a compromise agreement regarding gear conflict in the Esther subdistrict during pink salmon season and submit proposed regulatory language as an RC.

**PROPOSED BY:** Northwest & Alaska Seiners' Association (EF-C14-134)  
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**PROPOSAL 16 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan.** Establish alternating purse seine and drift gillnet fishing periods in certain areas to alleviate gear conflicts in Esther Subdistrict during the commercial pink salmon fishery, as follows:

For Esther Island in Prince William Sound, I propose that the fishery be split up by way of odd / even day harvesting. The gillnetters get the area East of Hodgkins Point on the odd days (August 1, 3, 5 etc.) The gillnetters get the area west of Hodgkins Point on the even days (Aug 2, 4, 6 etc.) The seiners get the area East of Hodgkins Point on the even days and the area west of Hodgkins point on the odd days.

**What is the issue you would like the board to address and why?** The issue is gear conflict between seiners and drift gillnetters during the pink salmon harvest around Esther Island in Prince William Sound. The fishery is becoming more and more out of control and tempers are flaring between both gear types. This proposal will create a safer, more controlled fishery with no apparent loss to either group.

**PROPOSED BY:** Paul Harder (EF-C14-037)  
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**PROPOSAL 17 - 5 AAC 24.331. Gillnet specifications and operations.** Allow use of monofilament mesh in Prince William Sound drift gillnet fishery, as follows:

A new section in 24.331 Gillnet Specifications and Operations would be added as follows:

**(9) Notwithstanding 5 AAC 39.250(c), in the Prince William Sound Region, a person may use single mesh web in a drift gillnet.**

**What is the issue you would like the board to address and why?** Allow the use of monofilament web in the drift gillnet fishery. The cost of web has been gone up approximately

30% over the last 10 years and is expected to increase the next couple of years. The cost of high end fishing gear is now \$24.50/lb. while mono cost about 1/2 the price at \$12.46/lb.

Mono was approved for use in the Cook Inlet fishery and that fishery has shown that over time some fishermen will choose to use mono web while others continue to use the more conventional web. We are just asking for the opportunity for those who wish to use mono that choice.

**PROPOSED BY:** Michael Bowen (EF-C14-040)  
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**PROPOSAL 18 - 5 AAC 24.331. Gillnet specifications and operations.** Change drift gillnet gear specifications in the Copper River District, as follows:

5 AAC 24.331 (1) would read “each drift gillnet vessel may operate not more than one gillnet; no drift gillnet may exceed 150 fathoms in length, hung measure **and, in the Copper River District, mesh hung at not more than a 2:1 ratio**; no more than two vessels may operate together, and while operating together may not have on board each vessel gillnets of more than 150 fathoms in length, hung measure;

**What is the issue you would like the board to address and why?** Stop the practice of “rolling up” king salmon in waters inside the Barrier Islands off the mouth of the Copper River.

The term “rolling up” is used by drift gillnetters in the Copper River District (CRD) and refers to hanging excess gillnet mesh from their maximum 150 fathoms of float line to create more of a drapery effect that entangles king salmon rather than actually gillnetting them. This method is very effective in the shallower waters inside the Barrier Islands as king salmon mill near the mouth of the Copper River. In regulation 5 AAC 24.331 (7) in order to restrict the gillnetting of king salmon, gillnets with mesh size greater than six inches are not allowed in the CRD before July 15. “Rolling up” is an end around this regulation. Under current language in 5 AAC 24.331 (1) in the Copper River and Bering River Districts, each drift gillnet vessel may operate no more than one gillnet and no drift gillnet may exceed 150 fathoms in length, hung measure. “Hung measure” in 5 AAC 39.975 (definitions) means “the maximum length of the cork line when measured wet or dry with traction applied to one end only.” By law then, drift gillnetters are allowed to hang as much lineal mesh as they desire lending to the practice of “rolling up”. A standard sockeye net, to our knowledge, uses a hang ratio of 2:1. A change in the regulation is needed limiting gillnets used in the CRD, to a 2:1 hang ratio (mesh horizontal length up to 2x the length of the float line). Enforcement would be able to count horizontal mesh openings within a set distance of float line to verify the 2:1 ratio.

**PROPOSED BY:** Fairbanks Fish and Game Advisory Committee (EF-C14-145)  
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**PROPOSAL 19 - 5 AAC 24.378. Use of aircraft unlawful.** Allow use of spotter planes in Prince William Sound salmon purse seine fisheries, as follows:

During open commercial salmon fishing periods [NO PERSONS MAY USE AN] **aircrafts may be used** to locate salmon for the commercial taking of those fish or to direct commercial fishing operations.

**What is the issue you would like the board to address and why?** Fish spotting planes should be able to fly during commercial salmon fishing seine openers in Prince William Sound.

Currently pilots are not allowed to fly during the openers:

- 1) When the fishery is open 7 days a week, for example Port Chalmers and AFK, there is no legal time to fly and some planes have been flying anyway for other reasons- parts, supplies, etc.
- 2) Safety reasons- pilots are being pushed into such a small time slot for flying that they are often being forced to fly in the dark and in poor weather conditions.
- 3) In talking with some troopers, it is a very difficult law to enforce.
- 4) To my knowledge PWS is the only area that planes are restricted to not fly during the fishery openers, for example Southeast and Kodiak salmon seine fisheries do not have this restriction on fish spotting planes.

**PROPOSED BY:** Scott McKenzie (EF-C14-175)  
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**PROPOSAL 20 - 5 AAC 24.378. Use of aircraft unlawful.** Allow use of spotter planes in Prince William Sound salmon purse seine fisheries, as follows:

It is legal to use aircraft in Prince William Sound (PWS) during commercial fishing openers.

**What is the issue you would like the board to address and why?** Aircraft should be allowed to fly in PWS during commercial fishing openers because the Alaska Department of Fish and Game has no reason for it to be illegal. Therefore, it becomes a law censoring who we can talk to and the content of that conversation.

**PROPOSED BY:** Kris Phillips (EF-C14-132)  
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**PROPOSAL 21 - 5 AAC 24.378. Use of aircraft unlawful.** Allow use of spotter planes in Prince William Sound salmon purse seine fisheries, as follows:

"Aircraft can be flown during openers but not allowed to set boats on fish or communicate in aiding boats to catch fish during the opener."

**What is the issue you would like the board to address and why?** The issue is flying airplanes during the openers. In the past, the openers were fished one day off, one day on. This allowed the boats who had pilots to be able to fly on the days that where not being fished; however we

have seen more and more openers every day and the trend of that happening is more likely. Only being allowed to fly before and after the opener leaves a small window of light and leaves a huge safety issue for the pilots and aircraft. Due to the time at night that it closes, it is very hard to leave Cordova after it closes and do a survey of the fishing area that is open (due to the large area that the Prince William Sounds (PWS) seine fleet has).

Often I am only able to do a small section and then return and make it back before dark. Pilots have even had to stay the night out on the sound with our planes because we ran out of light. Mixed with weather, this is a huge safety risk and a very uncomfortable feeling.

Pilots need to bring parts or crew to boats during the openers and it has become a pain for me to have to call the troopers to let them know I will be out there. First off it's my airplane, and second, I have a valid license from the FAA that allows me to fly anywhere I want at any given time; even during an opener. I feel that I do not have to tell the troopers what I am doing as long as I am not aiding boats in the recovery or catching of fish. But yet I feel someday someone will get a ticket for doing just that and will spend a ton of money to prove that they are innocent. This law is unenforceable, they cannot say when we can and can't fly. They can tell us we can't set boats on fish, but not when we can fly.

As long as I am not setting boats on fish, I am not breaking the law. I feel guilty just taking parts out to boats and the risk factor with the light that is left after an opener is high and someday, if this doesn't get changed, someone will get hurt. What happens when there is a 48 or 60 hour opener for the seine fleet? We need to be able to fly to bring parts and crew or if someone gets hurt take him off the boat. We shouldn't have to feel that we have to notify the troopers to do this.

The solution is to allow aircraft to be flown during the openers but not allowed to set boats on fish or communicate with boats in the aid of catching boats during the opener.

This would also be a lot easier for the troopers so they could ease their work load on trying to catch someone flying during the opener.

So first, this is a safety issue the way it is right now and second, it would allow the pilots to do their job without the fear of getting a ticket just because he dropped off a crew member or took out a part to a boat. And third, if a pilot got a ticket, it would more than likely not hold up in court and only cost the pilot a lot of money to defend. The trooper would have to prove that the pilot put the boat on fish and not only that, but caught the exact fish that he saw, not another school of fish but that exact fish.

**PROPOSED BY:** Bruce Stamper (EF-C14-133)

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**PROPOSAL 22 - 5 AAC 34.368. Wally Noerenberg (Esther Island) Hatchery Management Plan.** Identify certain landmarks in description of the Wally Noerenberg Hatchery Terminal Harvest Area using latitude and longitude coordinates, as follows:



5 AAC 24.368

(c) The Wally Noerenberg Hatchery Terminal Harvest Area consists of the waters of Lake and Quillian Bay inside of a line from Hodgkin Point latitude and longitude to Esther Light latitude and longitude, [AS MARKED] excluding the waters of the Wally Noerenberg Special Harvest Area.

**What is the issue you would like the board to address and why?** Hodgkin Point and Esther Light are both identified as "as marked." Both of these points need to be identified by latitude and longitude coordinates. This would eliminate any assuming on where you might be fishing close to the line. Adverse weather conditions often make it difficult to see Hodgkin Point and Ester Light at the same time. I see this as a benefit to both fishers and enforcement.

**PROPOSED BY:** Fred Marinkovich

(EF-C14-075)

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