Alaska Department of Fish and Game
Boards Support Section
PO Box 115526
Juneau Alaska 99811-5526

2020/2021 Alaska Board of Fisheries Proposal Book

THE ALASKA BOARD OF FISHERIES 2020/2021 PROPOSED CHANGES TO REGULATIONS IN THE SUBSISTENCE, PERSONAL USE, SPORT, GUIDED SPORT, AND COMMERCIAL FISHING REGULATIONS FOR PRINCE WILLIAM SOUND (INCLUDING UPPER COPPER AND SUSITNA RIVERS) FINFISH AND SHELLFISH (EXCEPT SHRIMP), SOUTHEAST AND YAKUTAT FINFISH AND SHELLFISH, AND STATEWIDE ALL SHELLFISH (EXCEPT PRINCE WILLIAM SOUND, SOUTHEAST AND YAKUTAT) AND PRINCE WILLIAM SOUND SHRIMP ONLY

Modified 3/1/2021 to add additional proposals 276, 277, and 278; modified 11/16/2020 to update proposal 225; modified 10/07/2020 to update proposal 125; modified 9/30/2020 to add info to the introduction

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility, please write:

ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526
U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042, Arlington, VA 22203 Office of Equal Opportunity, U.S. Department of the Interior, 1849 C Street NW MS 5230, Washington DC 20240.

The department's ADA Coordinator can be reached via phone at the following numbers:
(VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, (FAX) 907-465-6078.

For information on alternative formats and questions on this publication, please contact the following: ADF&G, Boards Support Section, P.O. Box 115526, Juneau, AK, 99811, 907-465-4110.

This publication, released by the Alaska Department of Fish and Game, was produced at a cost of $2.47 for an entire book to provide proposed changes to fishing regulations to members of the Board of Fisheries and Fish and Game Advisory Committees. Books were printed at regional ADF&G offices around the state.

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Fish and Game

BOARDS SUPPORT SECTION
Headquarters Office

1255 West 8th Street
P.O. Box 115526
Juneau, Alaska 99811-5526
Main: 907.465.4110
Fax: 907.465.6094
Email: dfg.bof.comments@alaska.gov
Website: http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main

Reviewer Letter

PLEASE READ CAREFULLY

August 2020

The Alaska Board of Fisheries (board) will consider this book of regulatory proposals at its meetings from December 2020 through March 2021. The proposals concern changes to the state's fishing regulations submitted timely by members of the public, organizations, advisory committees, and ADF&G staff. Proposals are published essentially as received, with the exception of minor edits and removal of graphics and web links. If you submitted a proposal and find the published version does not reflect your intent, please contact Boards Support as soon as possible.

COVID-19 Advisory. Board meetings are inherently public events requiring significant human interaction. At the time of this proposal book publication, ADF&G is reviewing the upcoming meeting schedule to determine if it is possible to conduct in-person meetings while adequately protecting participants. The contents of this reviewer letter and subsequent information regarding the upcoming meeting season anticipates meetings will be conducted as planned. However, based on continued review and the status of the COVID-19 spread, board meetings may be significantly modified. Interested parties are encouraged to watch for updates as they are made available.

Proposals. Proposals are often presented as brief statements summarizing intended regulation changes. Proposed changes are also often written in accordance with the Department of Law's drafting standards: additions are **bolded and underlined** while deletions are [BRACKETED AND CAPITALIZED].

Reading all proposals in this book is encouraged. Proposals may apply statewide, affect one region or fishery of the state, or recommend change to multiple fisheries within an area.

The proposals are grouped by board meeting (see the Proposal Index). Within each meeting, proposals are organized by region, fishery, or species. This book notes if a proposal will be heard at more than one meeting. About two weeks before each meeting, the board makes a "roadmap" with the tentative order proposals will be considered and deliberated on. This usually differs from the order proposals are listed here. Then, the board develops an agenda for each meeting to coordinate with the roadmap.

Public comment requested. The board relies on written comments and oral testimony. Public comment, in combination with advisory committee recommendations and ADF&G staff presentations, provide the board with useful biological and socioeconomic information. Written comments become public documents.

Online	boardoffisheries.adfg.alaska.gov
Email	dfg.bof.comments@alaska.gov
Fax	(907) 465-6094
Mail	P.O. Box 115526 Juneau, AK 99811-5526

More about public comments. Comments must be received by each meeting's deadline (typically two weeks prior to a meeting - see the Tentative Meeting Schedule). They are included as part of board member workbooks, listed in each meeting's Index of Comments, and posted on the Boards Support website in advance of the meeting. Requirements include:

- Received by mail, email, fax, in office, or through the Boards Support website.
- 100 single-sided pages or less from any one individual or group.
- Fits on 8½" x 11" paper with adequate margins for three-hole punching. If submitted through email, send as a single Adobe PDF.
- Web links to external documents or multimedia are not accepted.
- Include the author's name and contact information.
- For charts or graphs, cite the source.

Record copies. Written materials received after the on-time deadline, including during board meetings, are termed "record copies". Requirements are the same as above, except:

- Comments are not accepted via email after the on-time deadline.
- Prior to the start of a meeting, comments may be submitted by mail, fax, or hand delivered in office.
- After the start of a meeting, comments may be submitted in person at the meeting. Copies will need to be provided. The actual number of copies needed is posted at the meeting, usually ~25, and may change throughout the duration of the meeting. Comments are also accepted by fax during meetings for those not able to attend.
- 10 single-sided pages or less from any one individual or group per proposal until the board begins deliberations on proposals. Once deliberations start, no more than five single-sided pages.

Oral testimony. The board welcomes oral testimony at each regularly scheduled regulatory meeting. Testimony generally begins the first day of the meeting, extending as long as necessary. There is a sign-up period for testimony at each meeting, found on the meeting agenda. Each person who wishes to speak is generally allotted three minutes for testimony. Advisory committee, federal regional advisory council, and Pacific Northwest Crab Industry Advisory Committee representatives are generally allotted 10 minutes.

Tips for comments.

- Identify proposal(s). Clearly state the proposal number you wish to discuss and if you support or oppose the proposal. If the comments support a modification in the proposal, indicate "support as amended" with the preferred amendment in writing.
- Commenting on more than one proposal. If making comments on more than one proposal, simply list the next proposal number followed by your comments. There is no need for separate pages or to submit multiple comments.
- Explain why. Help the board understand your rationale by identifying factors to take into account when acting on a proposal.
- Keep comments brief and clear. Board members are extremely busy. Clearly stating proposal numbers and one's position with supporting rationale will assist board members.
- Follow the requirements. Pages in excess of the page limit and comments not in the proper format will be discarded. Testimony greater than the allotted time will be cut short.
- The sooner the better. As a practical matter comments submitted after the board begins deliberations are likely to receive less consideration than comments submitted earlier.
- Write clearly. Whether typed or handwritten, use dark ink and write legibly.
- Use the committee process for detailed comments. The board considers specific proposals, grouped by subject, during committees as a way to receive much greater detail from the participating public.

Public testimony should be tailored to encompass major items of importance. Fine details may be reserved for committee work.

- Be polite. Inflammatory material may be excluded or redacted, and public testimony may be cut short.

Advisory committees. Advisory committees written recommendations should be submitted in the format prescribed by the board; boards staff can provide the right form. Recommendations should note the number of committee members in attendance as well as other stakeholders in attendance during meetings. Remember, advisory committee recommendations must be developed at a meeting where the conditions of the Open Meetings Act (AS 44.62.310) were met. When providing public testimony, provide commentary and explain the committee's current discussion. Expressing minority opinions is helpful. Reading off proposal numbers and committee recommendations is difficult to follow; your written comments should cover this sort of summary. For additional information on providing public comment, refer to the Advisory Committee Manual.

Additional instructions for advisory committee chairs. Advisory committee chairs are responsible for calling committee meetings to review proposals and provide recommendations. In order to efficiently budget and provide for travel, pre-planning is essential. Chairs are to identify to Boards Support by November 15 if they anticipate an advisory committee representative might attend one of the meetings. Failure to provide early notice may prevent the advisory committee from traveling should adequate funding be unavailable.

Special notes. The board applies various statutes and policies when considering proposals. When addressing proposals affecting subsistence uses, the board provides for a reasonable opportunity for subsistence consistent with Alaska Statute 16.05.258 and regulation 5 AAC 99.010(b). When addressing allocations among commercial, sport, guided sport, and/or personal use fisheries, the board applies its Allocation Criteria (AS 16.05.251(e)). When addressing salmon fisheries it may apply the Mixed Stock Salmon Policy (5 AAC 39.220) and the Sustainable Salmon Fisheries Policy (5 AAC 39.222). You may wish to review these statutes, regulations, and policies when preparing comments for the board. See the board's website or call Boards Support staff listed in this book to learn more about the board process.

Persons with a disability needing special accommodations in order to comment on the proposed regulations should contact the Boards Support Section at (907) 465-4110 no later than two weeks prior to the scheduled meeting to make any necessary arrangements.

Thank you for taking an active role in Alaska's fisheries management regulatory process.

Sincerely,

Glenn Haight
Executive Director

ALASKA BOARD OF FISHERIES
2020/2021 Cycle
Tentative Meeting Schedule

Prince William Sound Finfish and Shellfish (except shrimp); Southeast and Yakutat Finfish and Shellfish; Statewide All Shellfish (including Prince William Sound shrimp, excluding all other Prince William Sound shellfish, Southeast, and Yakutat)

REVISED PROPOSAL DEADLINE: Friday, April 24, 2020

Meeting Dates	Topics	Location	Comment Deadline
October 15–16, 2020 [2 days]	**Work Session** ACRs, cycle organization, Stocks of Concern	**Anchorage** Egan Civic Center	September 30, 2020
December 11–17, 2020 [7 days]	**Prince William Sound/Upper Copper and Upper Susitna Rivers Finfish and Shellfish** (Except shrimp)	**Cordova** The Cordova Center	November 25, 2020
January 4–16, 2021 [13 days]	**Southeast and Yakutat Finfish and Shellfish**	**Ketchikan** Ted Ferry Civic Center	December 18, 2020
March 4, 2021 [1 day]	**Hatchery Committee**	**Anchorage** Egan Civic Center	February 18, 2021
March 5-10, 2021 [6 days]	**Statewide All Shellfish** (Except Prince William Sound, Southeast and Yakutat) **and Prince William Sound Shrimp only**	**Anchorage** Egan Civic Center	February 18, 2021

Total Meeting Days: 29

Agenda Change Request Deadline: August 13, 2020 [*60 days prior to fall worksession*]

Rev. March 2020

Alaska Department of Fish and Game
Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110
www.adfg.alaska.gov

Long-Term Meeting Cycle

(Three-year cycle)

The board meeting cycle generally occurs from October through March. The board considers changes to regulations on a region-based schedule. The fisheries include subsistence, sport, guided sport, personal use, and commercial. Special petition and agenda change request procedures are available for the board to consider out-of-cycle requests.

NOTES:
1) In the year preceding a board cycle, the board will announce a call for proposal that prescribes which regions, species, and fisheries are set for regulatory review.
2) The proposal deadline is April 10 every year. If April 10 falls on a weekend, the proposal deadline is the Friday preceding that weekend.

Meeting Areas and Species
Prince William Sound Area all Finfish and Shellfish (except Shrimp) Southeast/Yakutat Areas all Finfish and Shellfish Statewide Shellfish ***Meeting Cycle Years:*** *2020/2021 2023/2024 2026/2027 2029/2030*
Alaska Peninsula/Bering Sea-Aleutian Island/Chignik Areas all Finfish Arctic-Yukon-Kuskokwim Areas all Finfish Bristol Bay Area all Finfish Statewide Provisions for Finfish ***Meeting Cycle Years:*** *2021/2022 2024/2025 2027/2028 2030/2031*
Cook Inlet Area all Finfish Kodiak Area all Finfish ***Meeting Cycle Years:*** *2022/2023 2025/2026 2028/2029 2031/2032*

The meeting cycle repeats itself every three years. This schedule was adopted November 9, 1990 and revised based on workload and public participation.

Alaska Department of Fish and Game
Board of Fisheries
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110
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Member List

September 2020

NAME	TERM EXPIRES
McKenzie Mitchell	6/30/2023
Märit Carlson-Van Dort (Chair)	6/30/2021
Gerad Godfrey	6/30/2022
John Jensen	6/30/2023
Abe Williams	6/30/2023
Israel Payton	6/30/2022
John Wood	6/30/2021

****

Alaska Board of Fisheries members may be reached at:

ALASKA DEPARTMENT OF FISH AND GAME
Boards Support Section
P.O. Box 115526
Juneau, AK 99811-5526
(907) 465-4110 PHONE
(907) 465-6094 FAX
www.boardoffisheries.adfg.alaska.gov
Glenn Haight, Executive Director, Alaska Board of Fisheries
e-mail: glenn.haight@alaska.gov

ADF&G • Boards Support Section

www.boards.adfg.state.ak.us

BOARDS SUPPORT SECTION STAFF LIST

Alaska Department of Fish and Game
Mailing address: P.O. Box 115526, Juneau, AK 99811-5526
Physical location: 1255 West 8th Street
Phone: (907) 465-4110; Fax: (907) 465-6094

HEADQUARTERS

Board of Fisheries
Glenn Haight, Exec. Director II, 465-6095
Jessalynn Rintala, Pub. Specialist II, 465-6097

Board of Game
Kristy Tibbles, Exec. Director I, 465-6098
Annie Bartholomew, Pub. Specialist II, 465-4046

REGIONAL OFFICES

Southeast Region (North of Frederick Sound)
Annie Bartholomew
P.O. Box 115526
Juneau, AK 99811-5526
Phone: 465-4046
Fax: 465-6094

Southeast Region (South of Frederick Sound)
Jessalynn Rintala
P.O. Box 115526
Juneau, AK 99811-5526
Phone: 465-6097
Fax: 465-6094

Southcentral Region
Charity Lehman
333 Raspberry Road
Anchorage, AK 99518-1599
Phone: 267-2354
Fax: 267-2489

Southwest Region
Taryn O'Connor-Brito
P.O. Box 1030
Dillingham, AK 99576
Phone: 842-5142
Fax: 842-5514

Western Region
Vacant

Arctic Region
Hazel Smith
P.O. Box 689
Kotzebue, AK 99752
Phone: 442-1717
Fax: 442-2420

Interior Region
Nissa Pilcher
1300 College Road
Fairbanks, AK 99701-1599
Phone: 459-7263
Fax: 459-7258

(DRAFT)

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulation changes in Title 5 of the Alaska Administrative Code, dealing with fishery and aquatic plant resources in the areas designated below, including the following regulations:

1. IN THE PRINCE WILLIAM SOUND (INCLUDING UPPER COPPER RIVER, UPPER SUSITNA RIVER, PRINCE WILLIAM SOUND SALTWATER, AND COPPER RIVER DISTRICT) FINFISH FISHERIES, SOUTHEAST AND YAKUTAT FINFISH FISHERIES; SOUTHEAST AND YAKUTAT SHELLFISH CRAB, SHRIMP, AND MISCELLANEOUS SHELLFISH FISHERIES, AND ALL STATEWIDE CRAB, SHRIMP AND MISCELLANEOUS SHELLFISH (except Southeast and Yakutat) FISHERIES:

   A. In the **commercial, sport, guided sport, personal use, and aquatic plant fisheries:** fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; harvest levels, thresholds, goals, and quotas; definitions; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; registration areas (including nonexclusive, exclusive and superexclusive registration areas); recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses; guiding principles; provisions to regulate, require, restrict or prohibit the retention, tendering, transportation, dispatch, possession, sale, release, or purchase of fish; methods of release; registration, licensing, reporting, and other requirements for sport fishing guides and operators, guided anglers, catchers, processors, buyers, and transporters; onboard observer requirements; fish storage and inspection requirements.

   B. In the **subsistence fisheries:** identification or modification of customary and traditional subsistence uses and amounts reasonably necessary for subsistence; fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; definitions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; regulations for the subsistence priority; landing requirements; provisions for development and allocation among beneficial uses and users, including creating and regulating tier II fisheries; guiding principles; otherwise establish, regulate, change, or adjust subsistence fisheries.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, (ADF&G) Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, (907) 465-4110, or www.boardoffisheries.adfg.alaska.gov.

Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments to have their views considered by the board. You may comment on the proposed regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments limited to no more than 100 single-sided or 50 double-sided pages to the ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Boards Support Section will accept comments by facsimile at (907) 465-6094, by email to dfg.bof.comments@alaska.gov, or online at www.boardoffisheries.adfg.alaska.gov. Individuals and advisory committees directing public comment at an ADF&G office or personnel other than as prescribed above are advised that such comments will not be received and entered as public comment.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. Unless otherwise specified for a particular meeting in a published notice, written comments exceeding the page limit from any one individual or group relating to proposals at any one meeting will not be accepted. Written comments limited to 10 single-sided or 5 double-sided pages in length from any one individual or group are accepted after the two-week deadline and inserted in board member workbooks at the beginning of the meeting, and are also accepted during the meeting and until the board begins proposal deliberations.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once a meeting begins and during a meeting written comments from any one individual or group may be submitted by hand delivery at any time if the required number of copies are provided (typically in excess of 22 copies). Individuals not in attendance at a meeting may fax comments to 907-465-6094. As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier.

Once proposal deliberations begin, the board will **ONLY** accept written comments on the topics being considered at the meeting from any one individual or group that are not more than five single-sided pages, or the equivalent number of double-sided pages, unless specific information is requested by the board that requires more pages than allowed under this standard.

Each meeting will generally start at 8:30 a.m. on the first day of the meeting dates below unless the board directs a different start time. The public oral testimony period of each regulatory meeting begins after staff reports and continues until everyone who has signed up on a timely basis and is present at the meeting has an opportunity to be heard. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at each meeting. The length of oral statements may be limited to three minutes or less. Additional public hearings with board committees may be held during the meeting. Unless otherwise noted, place of public oral testimony is at the locations below.

TENTATIVE MEETING SCHEDULE

Work Session
October 15-16, 2020
Egan Civic and Convention Center, Anchorage
Comment deadline: September 30, 2020

Prince William Sound Finfish and Shellfish (except Shrimp)
December 11-17, 2020
Cordova Convention Center, Cordova
Comment deadline: November 25, 2020

Southeast and Yakutat Finfish & Shellfish
January 4-16, 2021
Ted Ferry Civic Center, Ketchikan
Comment deadline: December 18, 2021

Statewide All Shellfish (including Prince William Sound Shrimp) and Supplemental Issues
March 5-10, 2021
Egan Civic and Convention Center
Comment deadline: February 18, 2021

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110. Please carefully review the ***PROPOSAL INDEX*** available for the meeting for specific proposals to be addressed by the board. Copies of the proposal indices are in the proposal book, available online at www.boardoffisheries.adfg.alaska.gov, and at the relevant meeting. Any additional proposals will be noticed and made available online and upon request.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, or aquatic plant regulations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under AS 44.62.200(b), the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the subsistence, personal use, sport, guided sport or commercial fishing regulations as may be required to ensure the subsistence priority in AS 16.05.258. On its own motion, after the public hearing, the board may adopt, amend, reject, supplement, or take no action on these subjects without further notice. In addition, the board may adopt other regulations necessary to implement, administer, or enforce the regulations adopted. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR ADF&G**. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

If you are a person with a disability who needs special accommodation in order to participate in the proposed regulation process, please contact Glenn Haight at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure necessary accommodations can be

provided.

Statutory Authority: AS 16.05 - AS 16.20, AS 16.40
Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05 - AS 16.20, AS 16.40
Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.

_____ _____

Glenn Haight, Executive Director Date
Alaska Board of Fisheries

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Prince William Sound Proposal Index

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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)

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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)

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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)
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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)
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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
Optimum Escapement Goal, proposed	**24,000-40,000**

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)

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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)

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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)

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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)

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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)

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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)

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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)

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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)

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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)
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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, witch further increase their mortality.

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

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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)
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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)
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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)
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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 is 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)

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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)

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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)
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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)
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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)
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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)
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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)

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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)

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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)

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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)

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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)

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PROPOSAL 31

5 AAC 52.022. General provisions for season, bag, possession, annual, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.

Increase the possession limit for sockeye salmon in the Upper Copper River, as follows:

In the upper Copper River, the sport Sockeye limit is three per day, three in possession. Elsewhere, like the Kenai, the possession limit is two daily bag limits. Especially in years with King restrictions, a Sockeye angler should be able to retain two daily bag limits, especially in areas like this where most anglers drive long distances or take multi-day float trips and would like to retain two daily bag limits without having to freeze the first day's limit.

What is the issue you would like the board to address and why? Align Sockeye possession limits with similar regions.

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (HQ-F20-034)
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PROPOSAL 32

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 20 inches or less in a portion of the Gulkana River, as follows:

You can retain one rainbow/steelhead trout per day and only one in possession 20 inches or less from the tip of the nose to the fork of the tail. This should apply to all flowing waters of the Gulkana River excluding Middle Fork, from Dickey Lake to the confluence with the main-stem, where fishery should remain catch-release only.

What is the issue you would like the board to address and why? Currently rainbow/steelhead trout fishing is catch-and-release only throughout the entire Gulkana River drainage. I have been guiding on the Gulkana River for 40 years, and especially during the past 10 years, I have observed that rainbow/steelhead trout populations have grown dramatically. This creates problems because rainbow/steelhead trout prey on salmon row and smelt. 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 salmon stocks in the Gulkana drainage, particularly in smaller streams.

PROPOSED BY: Kirk Wilson (EF-F20-010)

Sport fisheries should be allowed to retain one rainbow or steelhead trout per day, measuring 20 inches or less from the tip of the nose to the fork of the tail. The possession limit should be one. This should apply to all flowing waters of the Gulkana River excluding Middle Fork from Dickey Lake to the confluence with the main-stem, where the fishery should remain catch and release only.

What is the issue you would like the board to address and why? Currently, rainbow/steelhead trout fishing is catch-and-release only throughout the entire Gulkana River drainage. 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)
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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)
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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)
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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 bas 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)
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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 since 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)
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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)
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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)
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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)
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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)

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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)

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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)
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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)

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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)
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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)

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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 openers 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)

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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)

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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)
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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.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-105)
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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.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-129)
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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)
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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)
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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)

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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)

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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)

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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)
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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.

PROPOSED BY: Rob Nelson (EF-F20-022)
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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.

PROPOSED BY: Northwest and Alaska Seine Association (EF-F20-108)

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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)

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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 maintenace 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)
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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)
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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)
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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 it 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)
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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)
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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)

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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)

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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)
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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)

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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)
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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)
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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)
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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)

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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 61º 01.00' N. lat.;

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

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

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

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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 147º 40' W. long., and north of 60º 30' N. lat.** [NORTHERN DISTRICT: ALL WATERS NORTH AND WEST OF A LINE FROM THE SOUTHERN ENTRANCE OF PORT NELLIE JUAN AT 60º 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 60º N. lat. and west of 147º 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 (148º 50.25' W. LONG.) SOUTH TO THE LATITUDE OF CAPE DOUGLAS AT 58º 51.10' N. LAT., THEN WEST TO 149º W. LONG., THEN SOUTH ALONG 149º 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 (60º 09.78' N. LAT., 146º 50.30' W. LONG.), AND WEST OF THE LONGITUDE OF SEAL ROCKS (146º 50.30' W. LONG.).]

(c) **Central District: all waters east of the Northwestern District and south of 60º 30' N. lat. and west of 146º W. long., and bounded on the south by lines at 60º 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 (146º 50.30' W. LONG.), EAST OF A LINE FROM SEAL ROCKS (60º 09.78' N. LAT., 146º 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 (144º W. LONG.).]

(d) **Southeastern District: all waters west of the longitude of Cape Suckling (144º W. long.), south of the Northeastern and Central districts, and east of 147º 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 (60º 09.78' N. LAT., 146º 50.30' W. LONG.), AND EAST OF A LINE FROM SEAL ROCKS (60º 09.78' N. LAT., 146º 50.30' W. LONG.) TO ZAIKOF POINT.]

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

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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)
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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.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-141)
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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.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-142)

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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)
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SOUTHEAST AND YAKUTAT FINFISH AND SHELLFISH PROPOSALS

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King salmon

PROPOSAL 80

5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska -Yakutat Area.

Amend regulation to address payback provisions when the State of Alaska king salmon fisheries exceed Alaska's annual king salmon all-gear harvest ceiling, as follows:

What is the issue you would like the board to address and why? King salmon management in Southeast Alaska (SEAK) is complex and involves regulatory processes in both international and domestic venues. At the international level, an all-gear harvest ceiling for SEAK king salmon fisheries is established annually, under provisions of the U.S./Canada Pacific Salmon Treaty (PST). The SEAK king salmon annual all-gear harvest ceiling is then allocated between user groups according to regulation (5 AAC 29.060).

In August 2018, the Pacific Salmon Commission reached agreement to renew various fishery arrangements under the PST for the years 2019 to 2028. One significant change under the new PST is the requirement for Alaska to deduct any SEAK king salmon all-gear harvest ceiling overages in a particular year from the following year's all-gear harvest ceiling. Under existing regulation, the reduced all-gear harvest ceiling would then be allocated according to regulation, regardless of which fishery or fisheries caused the overage. Under current regulation the annual all-gear harvest ceiling is allocated to each fishery as follows:

1. Purse seine fishery: 4.3% percent of the annual all-gear harvest ceiling;
2. Drift gillnet fishery: 2.9% of the annual all-gear harvest ceiling;
3. Set gillnet fishery: 1,000 king salmon;
4. Troll fishery: 80%, after the net fishery allocations are subtracted from the annual all-gear harvest ceiling;
5. Sport fishery: 20%, after the net fishery allocations are subtracted from the all-gear annual harvest ceiling.

This proposal provides the board an opportunity to discuss whether harvest ceiling overages should be assigned to the fishery or fisheries that exceeded annual allocation.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-148)

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PROPOSAL 81

5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

Allocate any Alaska all gear-allocation king salmon remaining after September 1 to the commercial troll fishery, as follows:

5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

(1) purse seine fishery: 4.3 percent of the annual harvest ceiling;

(2) drift gillnet fishery: 2.9 percent of the annual harvest ceiling;

(3) set gillnet fishery: 1,000 king salmon;

(4) troll fishery: 80 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling;

(5) sport fishery: 20 percent, after the net fishery allocations in (1) - (3) of this subsection are subtracted from the annual harvest ceiling.

(6) After September 1, if the department determines that any of the above fisheries will not catch their entire allocation of treaty Chinook for the year, the troll fishery will be opened to harvest those excess Chinook.

What is the issue you would like the board to address and why? The state of Alaska and industry has spent hundreds of thousands of dollars during the negotiation process of the Pacific Salmon Treaty to secure Southeast Alaska's share of treaty Chinook Salmon. It is a waste of funds and deprives the economy of Alaska to leave any of these Chinook salmon on the treaty table unharvested.

It also does not bode well for future negotiations, if Alaska has a record of not harvesting the treaty Chinook allocated to it. It is difficult to argue for more fish when data shows you aren't using what you have been given. After September the charter fisheries are at the end of their season and sport Chinook harvest is down to a trickle. The department at this time should be able to determine what, (if any), treaty Chinook each fishery will not harvest by the end of the year.

The troll fishery is best suited to harvest these fish via trip limit fishery or an unlimited opening if numbers warrant. Other fisheries lack the harvesting power and the controlled harvesting ability the troll fleet has on this species. Alaska needs to prepare for the 2029 treaty negotiations by creating a strong platform to negotiate from. This will benefit all Chinook user groups in the future.

PROPOSED BY: Steve Merritt (HQ-F20-118)

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PROPOSAL 82

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

Amend the *Southeast Alaska King Salmon Management Plan* to align with the provisions of the 2019–2028 Pacific Salmon Treaty annex, as follows:

5 AAC 47.055 is amended to read:

5 AAC 47.055. Southeast Alaska King Salmon Management Plan

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska winter troll fishery catch per unit effort (CPUE). The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of the following year. If the new Southeast Alaska winter troll fishery CPUE is not available by February 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska winter troll fishery CPUE, unless superseded by emergency order.

(b) The objectives of the management plan under this section are to

(1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes **or achieving the sport harvest allocation.**

(5) at Alaska winter troll fishery CPUEs less than 6.0 and equal to or greater than 2.6; a resident bag limit of two king salmon 28 inches or greater in length will be established in areas where conservation management measures for all anglers prohibited king salmon retention or closed fishing for king salmon once they reopen.

(6) at Alaska winter troll fishery CPUEs less than 6.0 and equal to or greater than 2.6; and the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so to stay within the sport allocation; the department shall prohibit resident king salmon retention or close the resident sport king salmon fishery only if nonresident angler closures are insufficient to remain within the sport fishery allocation.

(7) at Alaska winter troll fishery CPUEs less than 2.6 and equal to or greater than 2.0; and the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents.

(c) When the Southeast Alaska winter troll fishery CPUE is equal to or greater than 20.5, which is equivalent to a king salmon abundance index greater than 2.2, the sport fishery harvest limit will be 69,000 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of two king salmon in May and one king salmon in other months; a nonresident annual limit of five king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(d) When the Southeast Alaska winter troll fishery CPUE is less than 20.5 and equal to or greater than 8.7, which is equivalent to a king salmon abundance index of less than or equal to 2.2 and greater than 1.8, the sport fishery harvest limit will be 61,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of four king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(e) When the Southeast Alaska winter troll fishery CPUE is less than 8.7 and equal to or greater than 6.0, which is equivalent to a king salmon abundance index less than or equal to 1.8 and greater than 1.5, the sport fishery harvest limit will be 49,300 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(f) When the Southeast Alaska winter troll fishery CPUE is less than 6.0 and equal to or greater than 3.8, which is equivalent to a king salmon abundance index of less than or equal to 1.5 and greater than 1.2, the sport fishery harvest limit will be 37,900 treaty king salmon, and the commissioner may, by emergency order, implement the following management measures**:** [IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES:]

(1) in conjunction with wild stock management measures:

(**A** [1]) a bag limit of one king salmon, 28 inches or greater in length;

(**B** [2]) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(**C** [3]) from July 1 through July 7, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through July 7 will apply towards the two fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(**D** [4]) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

(**E** [5]) from July 8 through December 31, a nonresident total harvest limit of one king salmon; 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through December 31 will apply towards the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(2) when wild stock management measures are unnecessary:

(A) a bag limit of one king salmon, 28 inches or greater in length;

(B) from January 1 through June 15, a nonresident total harvest limit is three king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the three fish total limit; a harvest record under 5 AAC 75.006 is required;

(C) from June 16 through December 31, a nonresident total harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the one fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

(D) from October 1 through March 31, a resident angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

[(6) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

(7) IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(8) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B AND 11-C, DISTRICT 12. SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(9) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC 47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200, IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF A LINE FROM POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N. LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., DISTRICT 9 NORTH OF LINE FROM POINT ELLIS TO PATTERSON POINT, AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(10) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N. LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W. LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND FROM POINT ROSEN AT 55° 04.74' N LAT., 131° 10.87' W. LONG., TO QUADRA POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE

NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37.80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT 55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICTS 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31.]

(g) When the Southeast Alaska winter troll fishery CPUE is less than 3.8 and equal to or greater than 2.6, which is equivalent to a king salmon abundance index of less than or equal to 1.2 and greater than 1.0, the sport fishery harvest limit will be 25,800 treaty king salmon and the commissioner may, by emergency order, implement the following management measures**:** [in conjunction with wild stock management measures:]

(1) in conjunction with wild stock management measures:

(**A** [1]) a bag limit of one king salmon, 28 inches or greater in length;

(**B** [2]) from January 1 through June 30, a nonresident total harvest limit of three king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(**C** [3]) from July 1 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from January 1 through December 31 will apply toward the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

(2) when wild stock management measures are unnecessary:

(A) a resident bag limit of one king salmon except from July 1 through July 31 resident anglers may not retain king salmon;

(B) a nonresident bag limit of one king salmon except from July 1 through July 31 nonresident anglers may not retain king salmon;

(C) from January 1 through June 15, a nonresident total harvest limit is three king salmon, 28 inches or greater in length, a harvest record under 5 AAC 75.006 is required;

(D)from June 16 through December 31, a nonresident total harvest limit is one king salmon, 28 inches or greater in length, and any king salmon 28 inches or greater in length harvested by a nonresident from January 1 through June 15 will apply towards the one fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

[(4) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN

THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;

(5) IN THE HAINES AND SKAGWAY VICINITY:

(A) IN THE WATERS OF CHILKAT INLET NORTH OF THE ADF&G REGULATORY MARKER IMMEDIATELY NORTH OF SEDUCTION POINT, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 13-C, AS DESCRIBED IN 5 AAC 33.200, SOUTHEAST OF A LINE FROM NISMENI POINT TO A POINT ON THE CHICHAGOF ISLAND SHORELINE AT 57° 35.59' N. LAT., 135° 22.33' W. LONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(6) IN THE JUNEAU VICINITY:

(A) IN THE WATERS OF SECTIONS 11-A, 11-B, AND 11-C, DISTRICT 12, SECTIONS 14-B, 14-C, 15-B, AND 15-C, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF SECTION 11-D, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 1 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(7) IN THE PETERSBURG WRANGELL VICINITY:

(A) IN THE WATERS OF DISTRICT 8, AS DESCRIBED IN 5 AAC 47.057(D), AND IN A PORTION OF DISTRICT 7, AS DESCRIBED IN 5 AAC 33.200, IN THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. IONG., A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JULY 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF DISTRICT 5 NORTH OF LINE FROM POINT BAKER TO A POINT ON THE SHORE OF KUIU ISLAND AT 56° 20.80' N. LAT., 133° 50.87' W. LONG., DISTRICT 6, DISTRICT 7 EXCLUDING THE WATERS OF EASTERN PASSAGE WEST OF A LINE FROM A POINT ON WRANGELL ISLAND AT 56° 22.19' N. LAT., 132° 11.75' W. LONG., TO A POINT ON THE MAINLAND SHORE AT 56° 22.76' N. LAT., 132° 10.62' W. LONG., DISTRICT 9 NORTH OF A LINE FROM POINT ELLIS TO PATTERSON POINT, AND DISTRICT 10, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(8) IN THE KETCHIKAN VICINITY:

(A) IN THE WATERS OF BEHM CANAL AND REVILLAGIGEDO CHANNEL AND THE CONTIGUOUS BAYS, BETWEEN A LINE FROM POINT EVA TO CACTUS POINT, AND A LINE FROM LUCKY POINT AT 55° 12.62' N. LAT., 131° 16.18' W. LONG., TO MIDDY POINT AT 55° 10.19' N., 131° 19.60' W. LONG., TO BEAVER POINT AT 55° 05.25' N. LAT., 131° 14.57' W. LONG., AND FROM POINT ROSEN AT 55° 04.74' N LAT., 131° 10.87' W. LONG., TO QUADRA POINT AT 55° 05.14' N. LAT., 130° 59.07' W. LONG.,

A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(B) IN THE WATERS OF WEST BEHM CANAL AND THE CONTIGUOUS BAYS ENCLOSED TO THE NORTH BY A LINE FROM THE WESTERN ENTRANCE OF BAILEY BAY AT 55° 56.04' N. LAT., 131° 37.94' W. LONG., TO THE NORTHERN TIP OF HASSLER ISLAND AT 55° 54.28' N. LAT., 131° 37. 80' W. LONG., AND A LINE FROM FIN POINT AT 55° 51.26' N. LAT., 131° 35.42' W. LONG., TO DRESS POINT AT 55° 51.15' N. LAT., 131° 33.75' W. LONG., AND TO THE SOUTH BY A LINE FROM INDIAN POINT AT 55° 36.87' N. LAT., 131° 42.07' W. LONG., TO MIKE POINT AT 55° 37.25' N. LAT., 131° 52.74' W. LONG.; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM AUGUST 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(C) IN THE WATERS OF THE HERRING BAY SPORTFISH TERMINAL HARVEST AREA, WHICH INCLUDES THE WATERS OF NICHOLS PASS NORTH OF THE LATITUDE OF DRIEST POINT, REVILLAGIGEDO CHANNEL NORTH OF THE LATITUDE OF HARBOR POINT, AND TONGASS NARROWS SOUTH OF THE LATITUDE OF THE LEWIS REEF LIGHT; A RESIDENT KING SALMON BAG LIMIT OF TWO FISH FROM JUNE 15 THROUGH DECEMBER 31, 28 INCHES OR GREATER IN LENGTH;

(D) IN ALL REMAINING WATERS OF DISTRICT 1 AND 2, AS DESCRIBED IN 5 AAC 33.200, A RESIDENT KING SALMON BAG LIMIT OF TWO FISH 28 INCHES OR GREATER IN LENGTH FROM AUGUST 15 THROUGH DECEMBER 31.]

(h) When the Southeast Alaska winter troll fishery CPUE is less than 2.6 and equal to or greater than 2.0, which is equivalent to a king salmon abundance index of less than or equal to 1.0 and greater than or equal to 0.875, the sport fishery harvest limit will be 20,600 treaty king salmon and the commissioner may, by emergency order, implement the following management measures:

(1) a resident bag limit of one king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon, 28 inches or greater in length, except that from July 1 through August 15 nonresident anglers may not retain king salmon;

(3) from June 16 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by a nonresident from January 1 through June 15 will apply towards the one fish nonresident total harvest limit; a harvest record under 5 AAC 75.006 is required;

(4) from January 1 through June 15, a nonresident total harvest limit of two king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

[(5) IF THE DEPARTMENT PROJECTS THAT THE KING SALMON SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, ADJUST THE NONRESIDENT SEASONS AND BAG LIMITS SO THAT THERE ARE NO CLOSURES FOR RESIDENTS.]

(i) When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in (g) and (h) of this section and nonretention periods or other restrictions for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers.

(j) The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(k) The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

What is the issue you would like the board to address and why? The Southeast Alaska King Salmon Management Plan (SEAKKSMP; 5 AAC 47.055) triggers sport fishery management actions to maintain harvest within the sport fishery harvest limit allocation. In August 2018, the Pacific Salmon Commission reached agreement to renew various fishery arrangements under the Pacific Salmon Treaty (PST) for the next ten years (2019-2028). Under the current PST, seven harvest limit tiers replaced the harvest limit ranges and established annual payback provisions when the all gear harvest ceiling is exceeded by Alaskan fisheries. Since the renewed 2019-2028 PST agreement reduced the harvest limit at specified abundance indices, managing the sport fishery under the then current plan would have likely caused the sport fishery to exceed its allocation more often and by a greater amount.

Recognizing that the sport fishery would exceed its allocation more often and by a greater amount without modification of the plan, the department submitted an agenda change request during the 2018/2019 Alaska Board of Fisheries cycle, which the board accepted and took up as Proposal 176 at the January 2019 Arctic-Yukon-Kuskokwim Finfish meeting. Proposal 176 provided a draft plan with suggested management provisions to keep the sport fishery within its allocation. Understanding that it would be best to address the plan during the 2021 Southeast Alaska board meeting but that immediate action was needed, the board modified three sections of the plan that would most likely cover the anticipated abundance indices occurring in 2019 and 2020 and adopted the proposal as amended. The newly adopted management provisions accounted for the conservative management actions being implemented in inside waters to protect Alaska wild king salmon stocks and the necessity for the sport fishery to stay within its allocation given the annual payback provisions under the new treaty provisions. This proposal adds draft management measures for these three sections of the plan needed to keep the sport fishery within its allocation if no conservative management measures are needed to protect wild king salmon and to clarify the board's intent to manage the sport fishery in season to stay within its allocation at all abundance levels. Additionally this proposal consolidates management provisions that direct the department to establish a resident bag limit of two king salmon in areas closed for conservation of wild Alaska king salmon once they are reopened and clarifies provisions instructing the department to restrict nonresidents prior to resident anglers. It should be noted under objective (b)(1) the sport fishery is to be managed on average for its allocation but under sections (f), (g), and (h) the department is to use in season management to stay within the sport allocation of the plan.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-161)

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PROPOSAL 83

5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

Amend the *Southeast Alaska King Salmon Management Plan* to manage for an average sport harvest of 20% of the sport/troll allocation with commensurate regulations addressing sport fishery overages in the commercial troll fishery, as follows:)

Restore the mechanics of Southeast Alaska king salmon management to previous practices to achieve an average sport harvest–over time–of 20% of the annual all-gear treaty allocation after subtraction of commercial net allowances.

Remove specified allocations from within sport management tiers, and prescribe bag and annual limits for each tier that will achieve an average sport treaty harvest–over time–of 20% after net subtractions. Recent data analysis by the department shows the following bag and annual limits would work to reach this objective. Other combinations of bag and annual limits could be used to achieve the same outcome.

(c) A resident bag limit of 3 king salmon; a non-resident bag limit of 1 king salmon, with an annual limit of 3 king salmon.
(d) A resident bag limit of 3 king salmon; a non-resident bag limit of 1 king salmon, with an annual limit of 3 king salmon.
(e) A resident bag limit of 2 king salmon; a non-resident bag limit of 1 king salmon, with an annual limit of 3 king salmon.
(f) A resident bag limit of 2 king salmon; a non-resident bag limit of 1 king salmon, with an annual limit of 3 king salmon from January 1 through June 30, and annual limit of 2 king salmon from July 1 through July 31, and an annual limit of 1 king salmon from August 1 through December 31.
(g) A resident bag limit of 1 king salmon; a non-resident bag limit of 1 king salmon, with an annual limit of 3 king salmon from January 1 through June 30, and annual limit of 2 king salmon from July 1 through July 31, and an annual limit of 1 king salmon from August 1 through December 31. If resident anglers forego king harvest due to wild stock closures, a resident bag limit of 2 king salmon in the areas affected by closures for the balance of the year.
(h) A resident bag limit of 1 king salmon; a non-resident bag limit of 1 king salmon, with an annual limit of 3 king salmon from January 1 through June 30, and annual limit of 2 king salmon from July 1 through July 31, and an annual limit of 1 king salmon from August 1 through December 31. If resident anglers forego king harvest due to wild stock closures, a resident bag limit of 2 king salmon in the areas affected by closures for the balance of the year.
(i) Sport limits to be determined by the Commissioner.

These bag and annual limit combinations purposefully result in sport harvest above and below 20% of the combined troll/sport depending on tier. The annual troll/sport combined treaty allocation would be met by adjusting troll harvest up or down as needed to meet annual allocation goals.

What is the issue you would like the board to address and why? Harvest reductions and payback provisions in the 2018 Treaty Annex resulted in a different approach to sport management by the department. The new approach specifies sport allocations by tier instead of aiming for an

average 80/20 allocation split between troll and sport over time and across tiers. The result is insufficient harvest opportunity for the sport fishery during low abundance.

The Board of Fisheries made stopgap modifications to the king management plan for 2019-2020, but revisions are necessary to allow uninterrupted sport fishing for king salmon in salt waters, minimize restrictions on resident anglers, and eliminate in-season sport regulatory changes moving forward.

Sport management in prior plans allowed sport harvest to exceed 20% of the combined troll/sport allocation during low abundance years, and allowed troll to exceed 80% of the combined troll/sport allocation in high abundance years. The result across time was an average troll/sport relationship of 80/20. Though this was the practice for decades, it was not completely spelled out in regulation. This proposal seeks to return troll/sport management back to earlier mechanics and clearly define it in regulation.

PROPOSED BY: Southeast Alaska Guides Organization (HQ-F20-097)

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PROPOSAL 84

5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

Amend the *Southeast Alaska King Salmon Management Plan* to ensure no closure of the resident king salmon fishery due to allocation concerns, as follows:

This can be accomplished in several ways, as follows:

1. Direct the department to manage the nonresident fishery so it does not prematurely take the king salmon quota.
2. Require daily electronic catch reporting from guides and lodges.
3. Step down the catch limits or days fished by nonresidents after June 15th so that the resident fishery is not prematurely closed by management error in regulating the nonresident fishery. For example, during the last two weeks of June, the nonresident seasonal limit could be reduced to one or two fish instead of three. Alternatively or additionally, a one or two days per week closure could be imposed similar to the way the North Pacific Fishery Management Council regulates guided halibut fishing in some areas. This might slow down the rampant nonresident catch enough to preserve the resident fishery in July, August and September.

What is the issue you would like the board to address and why? The Southeast Alaska King Salmon Management Plan provides that regulatory restrictions on residents be minimized and disruptions to fishing be avoided. This proposal seeks to regulate the resident king salmon fishery so that it never closes for allocation purposes within the sport quota, and regulates the nonresident fishery so that the treaty quota is not fully taken.

PROPOSED BY: Jesse Walker (HQ-F20-041)

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PROPOSAL 85

5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.
Amend the *Southeast Alaska King Salmon Management Plan* to manage for a resident priority by implementing closed periods and reducing bag limits for nonresidents, as follows:

In the Southeast King Salmon Management Plan (5 AAC 47.055), include the existing language in subsection (h)(5) in subsections (f) and (g) as well.

The language in (h)(5) is as follows:
"(5) If the department projects that the king salmon sport allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents."

This language is intended to replace the language in subsections (f)(6) and (g)(4).

What is the issue you would like the board to address and why? The board has protected the resident king salmon fishery in Southeast by providing in the management plan for uninterrupted sport fishing in salt waters for king salmon and minimizing regulatory restrictions on resident anglers (5 AAC 47.055(b)(2) and (3)). The above language will further protect the resident fishery at the lowest abundance indices. The language already exists at the lowest index (section (h)(5)) and needs to be clarified for the next two indices above that level, or could be made to apply to all indices.

The biggest threat to the resident king salmon fishery is if the fast growing nonresident or guided sector catches the entire sport quota in June which would close the resident fishery, a scenario not anticipated when the plan was written. If this proposal is adopted, the only way the resident fishery could close for allocation purposes is because of management error, a rare probability.

PROPOSED BY: Territorial Sportsmen, Inc. (HQ-F20-119)
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PROPOSAL 86
5 AAC 47.055. Southeast Alaska King Salmon Management Plan, and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.
Amend the *Southeast Alaska King Salmon Management Plan* to manage for a resident priority by implementing closed periods and reducing bag limits for nonresidents, as follows:)

5 AAC 47.055
(x) if the department projects that the king salmon sport harvest allocation is going to be exceeded, the department shall, by emergency order, adjust the nonresident seasons and bag limits so that there are no closures for residents.

What is the issue you would like the board to address and why? Clarify in this plan that the resident marine sport fishery does not close for allocation purposes, and that the nonresident sport fishery will be managed to achieve that continuity. The Board has protected the resident marine sport fishery in the management plan because that is the only means residents can take king salmon

for food. There are no subsistence king salmon fisheries in Southeast Alaska except for a small section of the Chilkat River near the village of Klukwan. There are no personal use king salmon fisheries in Southeast. All freshwaters are closed to sport fishing for king salmon in this region. Salt water sport fishing is the only means for residents to access the resource. The only threat to the resident fishery is if the nonresident fishery (primarily in outside waters) takes the entire sport quota in June. This would result in closing the resident fishery as well, a scenario that is possible during low abundance years. Residents would be denied the opportunity to catch king salmon in July, August and September because of the excessive nonresident take in June. This was not foreseen when the plan was adopted and needs to be rectified.

At any abundance index, even the lowest one in the plan, there is always enough king salmon available to provide for a resident fishery plus enough left over to support a limited nonresident fishery as well. Nonresidents currently take about 2/3 of the sport quota. There is no need for the resident food fishery to close unless all sport and commercial fisheries are closed for conservation reasons. Residents support the spring conservation closures for our local spawning stocks, but would hate to lose the summer fishery for feeder king salmon due to overfishing by the nonresident sector. The suggested language to achieve these ends is the same as the language already in subsection (h)(5) of the plan.

PROPOSED BY: Steve Hoffman (HQ-F20-113)

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PROPOSAL 87

5 AAC 47.XXX. New section; 5 AAC 29.090. Management of the spring salmon troll fisheries; 5 AAC 29.100. Management of the summer troll fishery.

Make numerous changes to management of commercial troll and sport fisheries for king salmon in Southeast Alaska, as follows:

King salmon management in Districts 101 and 102
Required actions:
1) Create a cell phone app for the collection of catch date in real time. Report this weekly! Revise openings and catch limits accordingly. This method of data collection, is virus free, exceeds the accuracy of creel surveys and log books, easily enforceable, and saves money in the long run.

2) Make separate regulatory groups and king salmon quota allocations, for guided fishermen and resident/nonresident unguided anglers. The management of the unguided angler does not need board action at this time as the 30 plus year history of angler-hours has been constant in the amount of about 30,000 hours per year. Although one might want to look at the data for districts 101 and 102 to be sure.

3) Set fixed king salmon quota numbers for the new "guided'' group for districts 101 and 102. The majority of the king salmon resource comes from southeast Alaska rivers and Southern Southeast Regional Aquaculture Association (SSRAA) hatchery production. All harvest in areas 101 and 102 can not exceed the combined production of these areas. The need for timely accurate data collection and real time management is paramount!

4) Close corridor areas (move west Behm Cannel line to: Pt Higgins to Camino Pt) to all fisheries during the king salmon migration period (June). THERE SHOULD BE NOT FISHING OF ANY KIND PERIOD! The other species of fin fish will get a rest from the torment of fishing gear.

5) All finfish, especially king salmon, processed for consumption out of the state of Alaska must make an electronic fish ticket landing. The regulation for the commercial fleet should also be used for the lodges, onboard processor etc. This landing information would then be used for the collection of raw fish tax. This board of fish can lead the way in steaming the untaxed resource extractions form the State of Alaska.

6) logarithmic tax individual fish box leaving the area. (Use a similar nonlinear scale if desired.) 50 pound box is over 3 times the annual seafood per capita in the USA. Excessive amounts of fish box export leads to over harvest. Also the quality of large quantities of frozen product in a home freezer diminishes rapidly over time. This poorer quality seafood affects the wholesale market price paid for Alaskan seafood products because the home pack is often given away or sold. The home stored product is inferior to the commercial one leading to misconception of Alaska's product quality. What is the percentage reduction? Who knows. The point is 50# per individual is very generous. Tax any amount over 50 pounds with diligence and abandon.

7) Manage the Mountain point and rock point spring harvest areas (SSRAA hatchery access) with equal time with the newly created "guided" user group. Under the current system there commercial operators get less time than the "guided" fisherman, no parity. The area should be managed by one manager, not two or more. The troll biologist would be the most logical fit. In this unique class it makes more sense to have a species manager to manage these specific areas.

There are probably are additions to this list the would accelerate the goals listed above. A comprehensive approach would be far better than a piecemeal one. We all must be diligent in returning our local king salmon stocks to previous high productive levels . Just making escape does not meet the statute of maximum sustained yield. Since 2003 previous managers and policy has not done a very good job. There has been lots of growth in the tourism industry since 2003 with little positive reaction to prevent the decline in local stocks. We now have the technology ,all we need is willingness from the regulators and cooperation from the users.

What is the issue you would like the board to address and why? Revise king salmon management in districts 101 and 102 to:

1) Return Unik river specifically (and all king producers in districts 101 and 102) to 2003 productivity levels.

2) Return the spring commercial troll fisheries access to SSRAA hatcheries production out side the term animal harvest areas.

3) Increase the yield of King production toward the statute of maximum sustainable yield.

4) Create additional tax revenue for local communities and Sate of Alaska

PROPOSED BY: Charlie Piercy (EF-F20-067)
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PROPOSAL 88

5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

Amend the *Southeast Alaska King Salmon Management Plan* to manage for a sliding sport allocation between 16 and 24 percent with commensurate commercial troll fishery allocation modification under commercial regulation, as follows:

5 AAC 47.055. Southeast Alaska King Salmon Management Plan

(a) The commissioner shall establish, by emergency order, the king salmon sport fish bag and possession limits and all other necessary management measures based on the Southeast Alaska winter troll fishery catch per unit effort (CPUE). The bag and possession limits and other management measures established by the commissioner will remain in effect until January 31 of the following year. If the new Southeast Alaska winter troll fishery CPUE is not available by **May**[FEBRUARY] 1, the bag and possession limits and other management measures for the remainder of the year will be based on the prior year's Southeast Alaska winter troll fishery CPUE, unless superseded by emergency order.

(b) If the department projects that the sport harvest allocation is going to be exceeded, the department shall, by emergency order, close or adjust bag limits to sport fishing by nonresidents to stay within the sport harvest allocation; the department shall close sport fishing by residents only if nonresident angler closures are insufficient to remain within the sport harvest allocation;

(c) [(B)] The objectives of the management plan under this section are to

(1) manage the sport fishery to attain an average harvest of 20 percent of the annual harvest ceiling specified by the Pacific Salmon Commission, after the subtraction of the commercial net allocation specified in 5 AAC 29.060 from the harvest ceiling;

(2) allow uninterrupted sport fishing in salt waters for king salmon, while not exceeding the sport fishery harvest ceiling;

(3) minimize regulatory restrictions on resident anglers; and

(4) provide stability to the sport fishery by eliminating in season regulatory changes, except those necessary for conservation **and allocation** purposes.

(d) Should Alaska exceed its quota of treaty Chinook the previous year, all allocation calculations will be based on the original CPUE tiers without any pay back provisions incorporated.

(e) when the number of sport/commercial troll (S/CT) treaty king salmon remaining after the net fisheries allocation specified in 5 AAC 29.060 have been subtracted, is greater than or equal to 345,071 treaty Chinook, [GREATER THAN OR EQUAL TO 20.5 CPUE)] the sport fishery harvest limit of treaty Chinook will be set at 16% of the S/CT total, and the commissioner may , by emergency order, implement the following management measures.

[(C) WHEN THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS EQUAL TO OR GREATER THAN 20.5, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX GREATER THAN 2.2, THE SPORT FISHERY HARVEST LIMIT WILL BE 69,000 TREATY KING SALMON, AND THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:]

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of **one** [TWO] king salmon in May and one king salmon in other months; a nonresident annual limit of **three** [FIVE] king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(f) when the number of sport/commercial (S/CT) troll treaty king salmon remaining after the net fisheries allocation specified in 5 AAC 29.060 have been subtracted, is less than 345,071 but greater than or equal to 309,384 treaty Chinook, [LESS THAN 20.5 BUT GREATER THAN OR EQUAL TO 8.7 CPUE] **the sport fishery harvest limit of treaty chinook will be set at 16% of the S/CT total, and the commissioner may , by emergency order, implement the following management measures .**

[(D)WHEN THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 20.5 AND EQUAL TO OR GREATER THAN 8.7, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 2.2 AND GREATER THAN 1.8, THE SPORT FISHERY HARVEST LIMIT WILL BE 61,900 TREATY KING SALMON, AND THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:]

(1) a resident bag limit of three king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of **three** [FOUR] king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.]

(g) when the number of sport/commercial troll (S/CT) treaty king salmon remaining after the net fisheries allocation specified in 5 AAC 29.060 have been subtracted, is less than 309,384 but greater than or equal to 246,391 treaty Chinook, [LESS THAN 8.7 BUT GREATER THAN OR EQUAL TO 6 CPUE] **the sport fishery harvest limit of treaty Chinook will be set at 18% of the S/CT total, and the commissioner may , by emergency order, implement the following management measures:**

[(E) WHEN THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 8.7 AND EQUAL TO OR GREATER THAN 6.0, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX LESS THAN OR EQUAL TO 1.8 AND GREATER THAN 1.5, THE SPORT FISHERY HARVEST LIMIT WILL BE 49,300 TREATY KING SALMON, AND THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:]

(1) a resident bag limit of two king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon; a nonresident annual limit of three king salmon, 28 inches or greater in length;

(3) from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon.

(h) when the number of sport/commercial troll, (S/CT), treaty king salmon remaining after the net fisheries allocation specified in 5 AAC 29.060 have been subtracted, is less than 246,391 but greater than or equal to 189,393 fish , [LESS THAN 6 AND GREATER THAN OR EQUAL TO 3.8 CPUE] **the sport fishery harvest limit of treaty Chinook will be set at 20% of the S/CT total, and the commissioner may , by emergency order, implement the following**

management measures for the following conditions, in conjunction with Alaska wild stock conservation measures;

[(F) WHEN THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 6.0 AND EQUAL TO OR GREATER THAN 3.8, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 1.5 AND GREATER THAN 1.2, THE SPORT FISHERY HARVEST LIMIT WILL BE 37,900 TREATY KING SALMON, AND THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES:]

(1) a bag limit of one king salmon, 28 inches or greater in length;

(2) **A nonresident total harvest limit of two king salmon, 28 inches or greater in length;**

[(3) FROM JULY 1 THROUGH JULY 7, A NONRESIDENT TOTAL HARVEST LIMIT OF TWO KING SALMON, 28 INCHES OR GREATER IN LENGTH; ANY KING SALMON HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH JULY 7 WILL APPLY TOWARDS THE TWO FISH TOTAL HARVEST LIMIT;] a harvest record under 5 AAC 75.006 is required;

(3)[(4)] from October 1 through March 31, a resident sport fish angler may use two rods when fishing for king salmon; a person using two rods under this paragraph may only retain salmon;

[(5) FROM JULY 8 THROUGH DECEMBER 31, A NONRESIDENT TOTAL HARVEST LIMIT OF ONE KING SALMON; 28 INCHES OR GREATER IN LENGTH; ANY KING SALMON HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH DECEMBER 31 WILL APPLY TOWARDS THE ONE FISH TOTAL HARVEST LIMIT; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED;]

[(6) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;]

(4) [(7)] in the Haines and Skagway vicinity:

(A) in the waters of Chilkat Inlet north of the ADF&G regulatory marker immediately north of Seduction Point, a resident king salmon bag limit of two fish from July 1 through December 31, 28 inches or greater in length;

(B) in the waters of Section 13-C, as described in 5 AAC 33.200, southeast of a line from Nismeni Point to a point on the Chichagof Island shoreline at 57° 35.59' N. lat., 135° 22.33' W. long., a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(5)[8] in the Juneau vicinity:

(A) in the waters of Sections 11-A, 11-B and 11-C, District 12. Sections 14-B, 14-C, 15-B, and 15-C, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(B) in the waters of Section 11-D, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from July 1 through December 31, 28 inches or greater in length;

(6)[(9)] in the Petersburg Wrangell vicinity:

(A) in the waters of District 8, as described in 5 AAC 47.057(d), and in a portion of District 7, as described in 5 AAC 33.200, in the waters of Eastern Passage west of a line from a point on Wrangell Island at 56° 22.19' N. lat., 132° 11.75' W. long., to a point on the mainland shore at 56° 22.76' N. lat., 132° 10.62' W. long., a resident king salmon bag limit of two fish from July 15 through December 31, 28 inches or greater in length;

(B) in the waters of District 5 north of a line from Point Baker to a point on the shore of Kuiu Island at 56° 20.80' N. lat., 133° 50.87' W. long., District 6, District 7 excluding the waters of Eastern Passage west of a line from a point on Wrangell Island at 56° 22.19' N. lat., 132° 11.75' W. long., to a point on the mainland shore at 56° 22.76' N. lat., 132° 10.62' W. long., District 9 north of line from Point Ellis to Patterson Point, and District 10, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(7)(10) in the Ketchikan vicinity:

(A) in the waters of Behm Canal and Revillagigedo Channel and the contiguous bays, between a line from Point Eva to Cactus Point, and a line from Lucky Point at 55° 12.62' N. lat., 131° 16.18' W. long., to Middy Point at 55° 10.19' N., 131° 19.60' W. long., to Beaver Point at 55° 05.25' N. lat., 131° 14.57' W. long., and from Point Rosen at 55° 04.74' N lat., 131° 10.87' W. long., to Quadra Point at 55° 05.14' N. lat., 130° 59.07' W. long., a resident king salmon bag limit of two fish from August 15 through December 31, 28 inches or greater in length;

(B) in the waters of West Behm Canal and the contiguous bays enclosed to the north by a line from the western entrance of Bailey Bay at 55° 56.04' N. lat., 131° 37.94' W. long., to the northern tip of Hassler Island at 55° 54.28' N. lat., 131° 37.80' W. long., and a line from Fin Point at 55° 51.26' N. lat., 131° 35.42' W. long., to Dress Point at 55° 51.15' N. lat., 131° 33.75' W. long., and to the south by a line from Indian Point at 55° 36.87' N. lat., 131° 42.07' W. long., to Mike Point at 55° 37.25' N. lat., 131°52.74'W. long.; a resident king salmon bag limit of two fish from August 15 through December 31, 28 inches or greater in length;

(C) in the waters of the Herring Bay Sportfish Terminal Harvest Area, which includes the waters of Nichols Pass north of the latitude of Driest Point, Revillagigedo Channel north of the latitude of Harbor Point, and Tongass Narrows south of the latitude of the Lewis Reef Light, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(D) in all remaining waters of Districts 1 and 2, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish 28 inches or greater in length from August 15 through December 31.

(i) **when the number of sport/commercial troll, (S/CT), treaty king salmon remaining after the net fisheries allocation specified in 5 AAC 29.060 have been subtracted, is less than 189,393 but greater than or equal to 129,220 fish,** [IS LESS THAN 3.8 AND EQUAL TO OR

GREATER THAN 2.6 CPUE] **the sport fishery harvest limit of treaty chinook will be set at 22% of the S/CT total, and the commissioner may , by emergency order, implement the following management measures for the following conditions, in conjunction with Alaska wild stock conservation measures;**

[(G) WHEN THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 3.8 AND EQUAL TO OR GREATER THAN 2.6, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 1.2 AND GREATER THAN 1.0, THE SPORT FISHERY HARVEST LIMIT WILL BE 25,800 TREATY KING SALMON AND THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES IN CONJUNCTION WITH WILD STOCK MANAGEMENT MEASURES:]

(1) a **resident** bag limit of **two** [ONE] king salmon, 28 inches or greater in length;

(2) from January 1 through June 30, a nonresident **bag limit of one king salmon, 28 inches or greater in length; and a** total harvest limit of **two** [THREE] king salmon, 28 inches or greater in length; a harvest record under 5 AAC 75.006 is required;

(3) from July 1 through December 31, a nonresident total harvest limit of one king salmon, 28 inches or greater in length; any king salmon harvested by the nonresident from January 1 through December 31 will apply toward the one fish total harvest limit; a harvest record under 5 AAC 75.006 is required;

[4) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;]

(4)[(5)] in the Haines and Skagway vicinity:

(A) in the waters of Chilkat Inlet north of the ADF&G regulatory marker immediately north of Seduction Point, a resident king salmon bag limit of two fish from July 1 through December 31, 28 inches or greater in length;

(B) in the waters of Section 13-C, as described in 5 AAC 33.200, southeast of a line from Nismeni Point to a point on the Chichagof Island shoreline at 57° 35.59' N. lat., 135° 22.33' W. long., a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(5)[(6)] in the Juneau vicinity:

(A) in the waters of Sections 11-A, 11-B, and 11-C, District 12, Sections 14-B, 14-C, 15-B, and 15-C, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(B) in the waters of Section 11-D, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from July 1 through December 31, 28 inches or greater in length;

(6)[(7)] in the Petersburg Wrangell vicinity:

(A) in the waters of District 8, as described in 5 AAC 47.057(d), and in a portion of District 7, as described in 5 AAC 33.200, in the waters of Eastern Passage west of a line from a point on Wrangell Island at 56°22.19' N. lat., 132° 11.75' W. long., to a point on the mainland shore at 56° 22.76' N. lat., 132° 10.62' W. long., a

resident king salmon bag limit of two fish from July 15 through December 31, 28 inches or greater in length;

(B) in the waters of District 5 north of line from Point Baker to a point on the shore of Kuiu Island at 56° 20.80' N. lat., 133° 50.87' W. long., District 6, District 7 excluding the waters of Eastern Passage west of a line from a point on Wrangell Island at 56° 22.19' N. lat., 132° 11.75' W. long., to a point on the mainland shore at 56° 22.76' N. lat., 132° 10.62' W. long., District 9 north of a line from Point Ellis to Patterson Point, and District 10, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(7)[(8)] in the Ketchikan vicinity:

(A) in the waters of Behm Canal and Revillagigedo Channel and the contiguous bays, between a line from Point Eva to Cactus Point, and a line from Lucky Point at 55° 12.62' N. lat., 131° 16.18' W. long., to Middy Point at 55° 10.19' N., 131° 19.60' W. long., to Beaver Point at 55° 05.25' N. lat., 131° 14.57' W. long., and from Point Rosen at 55° 04.74' N lat., 131° 10.87' W. long., to Quadra Point at 55° 05.14' N. lat., 130° 59.07' W. long., a resident king salmon bag limit of two fish from August 15 through December 31, 28 inches or greater in length;

(B) in the waters of West Behm Canal and the contiguous bays enclosed to the north by a line from the western entrance of Bailey Bay at 55° 56.04' N. lat., 131° 37.94' W. long., to the northern tip of Hassler Island at 55° 54.28' N. lat., 131° 37. 80' W. long., and a line from Fin Point at 55° 51.26' N. lat., 131° 35.42' W. long., to Dress Point at 55° 51.15' N. lat., 131° 33.75' W. long., and to the south by a line from Indian Point at 55° 36.87' N. lat., 131° 42.07' W. long., to Mike Point at 55° 37.25' N. lat., 131° 52.74' W. long.; a resident king salmon bag limit of two fish from August 15 through December 31, 28 inches or greater in length;

(C) in the waters of the Herring Bay Sportfish Terminal Harvest Area, which includes the waters of Nichols Pass north of the latitude of Driest Point, Revillagigedo Channel north of the latitude of Harbor Point, and Tongass Narrows south of the latitude of the Lewis Reef Light; a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(D) in all remaining waters of District 1 and 2, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish 28 inches or greater in length from August 15 through December 31.

(j) when the number of sport/commercial troll, (S/CT), treaty king salmon remaining after the net fisheries allocation specified in 5 AAC 29.060 have been subtracted, is less than 129,220 but greater than or equal to 102,781 fish , [IS LESS THAN 2.6 AND EQUAL TO OR GREATER THAN 2 CPUE] **the sport fishery harvest limit of treaty Chinook will be set at 24% of the S/CT total, and the commissioner may , by emergency order, implement the following management measures for the following conditions, in conjunction with Alaska wild stock conservation measures;**

[(H) WHEN THE SOUTHEAST ALASKA WINTER TROLL FISHERY CPUE IS LESS THAN 2.6 AND EQUAL TO OR GREATER THAN 2.0, WHICH IS EQUIVALENT TO A KING SALMON ABUNDANCE INDEX OF LESS THAN OR EQUAL TO 1.0 AND GREATER THAN OR EQUAL TO 0.875, THE SPORT FISHERY HARVEST LIMIT WILL BE 20,600

TREATY KING SALMON AND THE COMMISSIONER MAY, BY EMERGENCY ORDER, IMPLEMENT THE FOLLOWING MANAGEMENT MEASURES:]

(1) a resident bag limit of one king salmon, 28 inches or greater in length;

(2) a nonresident bag limit of one king salmon, 28 inches or greater in length [EXCEPT THAT FROM JULY 1 THROUGH AUGUST 15 NONRESIDENT ANGLERS MAY NOT RETAIN KING SALMON;]

(3) a nonresident total harvest limit of one king salmon, 28 inches or greater in length;

[(3) FROM JUNE 16 THROUGH DECEMBER 31, A NONRESIDENT TOTAL HARVEST LIMIT OF ONE KING SALMON, 28 INCHES OR GREATER IN LENGTH; ANY KING SALMON HARVESTED BY A NONRESIDENT FROM JANUARY 1 THROUGH JUNE 15 WILL APPLY TOWARDS THE ONE FISH TOTAL HARVEST LIMIT;] a harvest record under 5 AAC 75.006 is required;

[(4) FROM JANUARY 1 THROUGH JUNE 15, A NONRESIDENT TOTAL HARVEST LIMIT OF TWO KING SALMON, 28 INCHES OR GREATER IN LENGTH; A HARVEST RECORD UNDER 5 AAC 75.006 IS REQUIRED;]

[(5) IF THE DEPARTMENT PROJECTS THAT THE KING SALMON SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, ADJUST THE NONRESIDENT SEASONS AND BAG LIMITS SO THAT THERE ARE NO CLOSURES FOR RESIDENTS.]

(4) **in the Haines and Skagway vicinity:**

(A) in the waters of Chilkat Inlet north of the ADF&G regulatory marker immediately north of Seduction Point, a resident king salmon bag limit of two fish from July 1 through December 31, 28 inches or greater in length;

(B) in the waters of Section 13-C, as described in 5 AAC 33.200, southeast of a line from Nismeni Point to a point on the Chichagof Island shoreline at 57° 35.59' N. lat., 135° 22.33' W. long., a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(5) in the Juneau vicinity:

(A) in the waters of Sections 11-A, 11-B, and 11-C, District 12, Sections 14-B, 14-C, 15-B, and 15-C, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(B) in the waters of Section 11-D, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from July 1 through December 31, 28 inches or greater in length;

(6) in the Petersburg Wrangell vicinity:

(A) in the waters of District 8, as described in 5 AAC 47.057(d), and in a portion of District 7, as described in 5 AAC 33.200, in the waters of Eastern Passage west of a line from a point on Wrangell Island at 56°22.19' N. lat., 132° 11.75' W. long., to a point on the mainland shore at 56° 22.76' N. lat., 132° 10.62' W. long., a resident king salmon bag limit of two fish from July 15 through December 31, 28 inches or greater in length;

(B) in the waters of District 5 north of line from Point Baker to a point on the shore of Kuiu Island at 56° 20.80' N. lat., 133° 50.87' W. long., District 6, District 7 excluding the waters of Eastern Passage west of a line from a point on Wrangell Island at 56° 22.19' N. lat., 132° 11.75' W. long., to a point on the

mainland shore at 56° 22.76' N. lat., 132° 10.62' W. long., District 9 north of a line from Point Ellis to Patterson Point, and District 10, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(7) in the Ketchikan vicinity:

(A) in the waters of Behm Canal and Revillagigedo Channel and the contiguous bays, between a line from Point Eva to Cactus Point, and a line from Lucky Point at 55° 12.62' N. lat., 131° 16.18' W. long., to Middy Point at 55° 10.19' N., 131° 19.60' W. long., to Beaver Point at 55° 05.25' N. lat., 131° 14.57' W. long., and from Point Rosen at 55° 04.74' N lat., 131° 10.87' W. long., to Quadra Point at 55° 05.14' N. lat., 130° 59.07' W. long., a resident king salmon bag limit of two fish from August 15 through December 31, 28 inches or greater in length;

(B) in the waters of West Behm Canal and the contiguous bays enclosed to the north by a line from the western entrance of Bailey Bay at 55° 56.04' N. lat., 131° 37.94' W. long., to the northern tip of Hassler Island at 55° 54.28' N. lat., 131° 37. 80' W. long., and a line from Fin Point at 55° 51.26' N. lat., 131° 35.42' W. long., to Dress Point at 55° 51.15' N. lat., 131° 33.75' W. long., and to the south by a line from Indian Point at 55° 36.87' N. lat., 131° 42.07' W. long., to Mike Point at 55° 37.25' N. lat., 131° 52.74' W. long.; a resident king salmon bag limit of two fish from August 15 through December 31, 28 inches or greater in length;

(C)in the waters of the Herring Bay Sportfish Terminal Harvest Area, which includes the waters of Nichols Pass north of the latitude of Driest Point, Revillagigedo Channel north of the latitude of Harbor Point, and Tongass Narrows south of the latitude of the Lewis Reef Light; a resident king salmon bag limit of two fish from June 15 through December 31, 28 inches or greater in length;

(D) in all remaining waters of District 1 and 2, as described in 5 AAC 33.200, a resident king salmon bag limit of two fish 28 inches or greater in length from August 15 through December 31.

[(5) IF THE DEPARTMENT PROJECTS THAT THE SPORT HARVEST ALLOCATION IS GOING TO BE EXCEEDED, THE DEPARTMENT SHALL, BY EMERGENCY ORDER, CLOSE SPORT FISHING BY NONRESIDENTS TO STAY WITHIN THE SPORT HARVEST ALLOCATION; THE DEPARTMENT SHALL CLOSE SPORT FISHING BY RESIDENTS ONLY IF NONRESIDENT ANGLER CLOSURES ARE INSUFFICIENT TO REMAIN WITHIN THE SPORT HARVEST ALLOCATION;]

(k)[(i)] When the Southeast Alaska winter troll fishery CPUE is less than 2.0, which is equivalent to a king salmon abundance index of less than 0.875, the all gear catch limit will be determined by the Pacific Salmon Commission, and the commissioner may, by emergency order, implement the provisions specified in **(b)**[(G) AND (H)] of this section and non-retention periods or other restrictions for resident and nonresident anglers to obtain 20 percent of the harvest reduction from resident anglers and 80 percent from nonresident anglers.

(l)[(J)] The commissioner may adopt regulations that establish reporting requirements necessary to obtain the information required to implement the management plan under this section.

(m) [(k)] The commissioner may, by emergency order, establish that the nonresident harvest and annual limits for king salmon under this section do not apply in a hatchery terminal harvest area.

What is the issue you would like the board to address and why? The 2019 Pacific Salmon Treaty agreement resulted a different abundance system used to determine Alaska's quota share. The new CPUE tier system leaves the sport fishery short of the treaty fish it needs on the lower tiers at the current 20% after the net fisheries have been subtracted. Yet on the upper tiers, a 20% allocation is too many treaty fish and even with excessive bag limits can be beyond the sport fishery's ability to harvest it. This proposal is a sliding scale allocation plan that should solve both of these issues. On low abundance years the troll fleet will harvest less than their current 80% allocation, but on high abundance years, make up for that loss, by harvesting more than the current 80%.

PROPOSED BY: Steve Merritt (HQ-F20-116)

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PROPOSAL 89

5 AAC 29.115. Registration; 5 AAC 29.120. Gear specifications and operations; 5 AAC 29.125. Vessel identification.

Allow the use of two additional fishing lines during periods of king salmon non-retention in all of the Southeast-Yakutat area if there is more than one CFEC power troll permit holder on board the vessel, as follows:

5 AAC 29.120. Gear specifications and operations. (a) Salmon may be taken by hand troll gear and power troll gear only in the Southeastern Alaska-Yakutat Area.

(b) The maximum number of trolling lines that may be operated from a salmon troll vessel is as follows:

from a power troll vessel:

(A) no more than six lines may be operated in the exclusive economic zone north of the latitude of the southernmost tip of Cape Spencer;

(B) except as provided in (A) **and (D)** of this paragraph, no more than four lines;

(C) from each power troll gurdy: only one line to which multiple leaders and hooks may be attached; a person may not use hand troll gurdies or fishing rods to take salmon commercially on board a registered power troll vessel;

(D) A CFEC permit holder who holds two Statewide Power Troll permits may operate no more than six lines in the Southeastern Alaska-Yakutat Area during periods of chinook non-retention.

…

l. (A) two Statewide power troll CFEC permit holders may concurrently fish from the same vessel and jointly operate an aggregate of no more than six lines under this section during periods of chinook non-retention.

5 AAC 29.115. Registration. (a) The owner or operator of a vessel that is to be used to take salmon with hand or power troll gear shall register that vessel before engaging in salmon trolling during a

calendar year. The registration is valid for the entire calendar year in which a vessel is registered. (b) A person may not register a salmon troll fishing vessel simultaneously as a salmon hand troll vessel and power troll vessel. A person may change a salmon troll vessel's registration from one troll gear type to the other troll gear type during the open season if a written request is submitted to, and validated, by the department.
(c) Before operating power troll gear jointly under 5AAC 29.120(b)(D), permit holders shall register with the department indicating the intent to jointly operate gear. Joint operation registration remains in effect until the participating permit holders unregister with the department.

5 AAC 29.125. Vessel identification. (a) In addition to the requirements of 5 AAC 39.119, a registered salmon hand troll vessel owner shall display the letters HT in block letters on both sides of the vessel's hull or cabin. The letters must be in a color that contrasts with the color of the background and be at least eight inches high, at least one-half inch wide, and be plainly visible and unobscured at all times. The letters must be displayed at all times until the end of the calendar year for which the vessel is registered for a hand troll permit, unless that registration is changed to power troll gear under 5 AAC 29.115(b).
(b) Vessels registered under 5AAC 29.115(c) or operating 6 lines under 5AAC 29.120 (D) shall display the letters DR under provisions of (a) in this section.

What is the issue you would like the board to address and why? At present, power trollers are allowed to fish six lines only when fishing north of Cape Spencer and outside of three miles, and may fish no more than four lines at all other times.

I am asking that the Board allow the use of not more than six lines in the entire Southeast Alaska/Yakutat region during periods of chinook non-retention for any permit holder who either a.) possesses two power troll (S15B) permits or b.) enters into a dual permit agreement as outlined in this proposal. This would allow for individual trollers to increase their efficiency while targeting coho and chum salmon, while maintaining or reducing gear in the water fleet wide.

PROPOSED BY: Matt Lawrie (EF-F20-065)
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PROPOSAL 90
5 AAC 29.090. Management of the spring salmon troll fisheries.
Change trigger to from an annual abundance index (AI) number to a District 13 early-winter power troll CPUE tier, as follows:

I propose that 5 AAC 29.090 Management of the spring salmon troll fisheries be modified as follows:

5 AAC 29.090 Management of the spring salmon troll fisheries

...(d)(3) if the [PRESEASON KING SALMON ABUNDANCE INDEX DETERMINED BY THE CHINOOK TECHNICAL COMMITTEE OF THE PACIFIC SALMON COMMISSION IS AT LEAST 1.15] **Stat Week 41-48 District 113 early winter king salmon power troll CPUE is**

within or above tier 3 and the amount of the winter troll fishery guideline harvest level remaining on May 1 is 10,000 or more king salmon, apply the following provisions:

(A)...

What is the issue you would like the board to address and why? The previous agreement between the United States and Canada under the Pacific Salmon Treaty expired in 2018. The old agreement used a computer-generated Abundance Index (AI) method to calculate Alaska's Chinook quota. The AI method was replaced with a tiered system that uses the Catch-Per-Unit-Effort (CPUE) of the early winter (early October through the end of November) Chinook troll fishery in District 113 instead. District 113 is a geographically large and typically productive district on the outer coast. Out of all of the districts with early winter fisheries in the region, the CPUE in District 113 was found to be the most accurate predictor of Chinook abundance the following summer.

The harvest in the winter troll fishery is limited by a Guideline Harvest Level (GHL) of 45,000 Treaty Chinook. In years when the regional winter harvest falls short of this amount by 10,000 or more king salmon, the GHLs in the spring fisheries are typically increased in an attempt to ensure that at least some of the unused winter GHL is caught during the higher-priced spring season, rather than getting transferred directly to the summer season. Under previous regulations this was only to occur when the computer-modeled Abundance Index was 1.15 or higher. A Chinook abundance level that merited an AI of 1.15 under the old system would be expected to fall within Tier 3 (which includes CPUEs in the range of 2.6-3.8 kings per boat-day) under the new Treaty Agreement. This housekeeping proposal just updates the language regarding the conditions that trigger additions to spring GHLs to reflect the change from the AI method of determining the Alaska quota to the CPUE tier method.

PROPOSED BY: Tad Fujioka (EF-F20-073)

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PROPOSAL 91

5 AAC 29.100. Management of the summer salmon troll fishery.

Reallocate the annual troll harvest allocation between the winter, spring and summer troll fisheries, as follows:

5 AAC 29.100. Management of the summer salmon troll fishery

(c) The department shall manage the summer king salmon troll fishery as follows:

(1) the department shall manage the summer king salmon troll fishery (A) to take [70 PERCENT OF THE REMAINING TROLL KING SALMON HARVEST ALLOCATION, CALCULATED AS THE ANNUAL TROLL HARVEST ALLOCATION MINUS THE WINTER AND SPRING TROLL HARVESTS OF TREATY KING SALMON, IN AN INITIAL OPENING BEGINNING JULY 1;]

(i) 100% of the remaining troll king salmon harvest allocation, calculated as the annual troll harvest allocation minus the winter and spring troll harvest of the treaty king salmon, in an initial opening beginning July 1, if the remaining number of Chinook available for harvest totals 85,000 fish or less.

(ii) 60% of the remaining troll king salmon harvest allocation, calculated as the annual troll harvest allocation minus the winter and spring troll harvest of the treaty king salmon, in an initial opening beginning July 1, if the remaining number of Chinook available for harvest is between 85,001 and 150,000 fish

(iii) 70% of the remaining troll king salmon harvest allocation, calculated as the annual troll harvest allocation minus the winter and spring troll harvest of the treaty king salmon, in an initial opening beginning July 1, if the remaining number of Chinook available for harvest is between 150,001 and 200,000 fish.

(iv) 80% of the remaining troll king salmon harvest allocation, calculated as the annual troll harvest allocation minus the winter and spring troll harvest of the treaty king salmon, in an initial opening beginning July 1, if the remaining number of Chinook available for harvest is greater than 200,000 fish.

What is the issue you would like the board to address and why? In the 2019 treaty agreement where Alaska is forced to pay back any treaty Chinook it overharvests, it is very important to have the best management strategy possible. Managing in season instead of just giving a set number of days is the best way to avoid over harvesting. On a set amount of days, the manager can only estimate the catch rate and if off significantly, Alaska will be over its treaty quota. It would be much safer to have enough fish to absorb the first day bonanza and still allow the department to manage in season. With August quota's less than 35,000 fish managing in season is difficult.

By having too many fish left to harvest in the second king opening has its problems too. There is a risk of not being able to catch it before the season ends. When the troll fleet has had more than 60,000 fish to harvest in August, it has resulted in king seasons lasting up to 28 days just to catch it. In some cases, it was not caught and left on the treaty table.

When the troll fleet has had 2 day king openings it costs trollers money. Cohos are at a peak in August. With a fair start closure combined with days waiting to offload a handful of kings, it doesn't pencil out due to lost coho fishing time.

It strains the processing infrastructure as well. The fleet was just iced for the king opening and some ice machines haven't recovered from that, yet now are forced to ice the entire fleet again. Processing a small surge of kings amidst the coho fishery can be costly as well.

If less than 35,000 fish were to be left for the August opening it would be smarter to have harvested them in the July opening. A single opening in July of 85,000 fish is easier for the department to manage and the fleet would be better off financially.

So, this proposal is an attempt to find a balance between having too few or too many Chinook to harvest in the August king opening. Hopefully it results in the second king opening being longer than 4 days and less than 15.

PROPOSED BY: Steve Merritt (HQ-F20-117)
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PROPOSAL 92

5 AAC 29.140. Size limits, possession, and landing requirements.

Allow retention of king salmon greater than 26 inches in hatchery terminal harvest areas by commercial trollers, as follows:

Commercial trollers fishing in any open state established hatchery terminal area can keep king salmon 26" or longer.

What is the issue you would like the board to address and why? Commercial trollers are not allowed to keep king salmon that are under 28" that are caught in terminal hatchery areas, and yet gillnetters and seiners fishing in the same water at the same time can. A 27" king salmon swimming around in any terminal area where nets are being fished is going to be caught. How can it be fair that a troller has to throw this 27" king salmon overboard and yet 50 yards away is a gillnet or a seine that will catch it and that fisher has to sell it!??! In the last three years I have power trolled in Anita Bay, Neets Bay, and Carol Inlet. In all three locations the net fishermen have been fishing at the same time and I have to throw back a 27", 7 lb king that is probably a jack, and the nets get to keep the same fish and sell it. This is totally unfair and ridiculous! Most of these sub legal fish (for a troller) are colored up and match the skin color of the bigger, legal ones that I'm catching. This leads me to believe they are either jacks or early returning hatchery fish that are going to stay in the area until they are caught or die. Since trollers are still below their hatchery allocation share of hatchery fish, sited in the Southeast Allocation Plan (5 AAC 33.364), the current regs, this further skews the ratio of salmon sharing between trollers and nets. (Incidentally, about 6 years ago commercial trailers could legally keep king salmon under 28" in Anita Bay while fishing in the terminal area.)

PROPOSED BY: Brian Merritt (HQ-F20-010)
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PROPOSAL 93

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

Amend the *Southeast Alaska King Salmon Management Plan* by reducing the maximum nonresident annual limit to three king salmon, as follows:

The annual harvest of king salmon in the Southeast & Yakutat finfish management area by non-resident sport fisherman shall be no more than three (3) fish.

What is the issue you would like the board to address and why? King salmon considered a highly valuable resource to the tribal members of Alaska, however these fish adversity year after year with low escapement in many of our rivers. It is imperative to have in writing to prioritize tribal members to have access on this valuable resource by setting a cap on annual harvest of king salmon by nonresident sports fisherman regardless of the status of the fishery. The Board of Fish and the Alaska Department of Fish and Game can still set a limit lower than the established cap by emergency order, but the harvest shall not exceed the cap.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-047)
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PROPOSAL 94

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

Amend the *Southeast Alaska King Salmon Management Plan* to manage for a resident priority by implementing specific closed periods and reducing annual limits for nonresidents, as follows:

The proposal is to close nonresident fishing two days per week beginning June 16 except in hatchery special harvest areas. Also the nonresident seasonal limit should be reduced from three fish to two fish or one fish beginning June 16, except in hatchery special harvest areas.

What is the issue you would like the board to address and why? For thirty years the Board has provided a resident priority in this management plan because there is no other available means for residents to access king salmon. That priority is in danger now because of two things - the fishing power of the nonresident guided fleet, primarily in outside waters near Sitka, Prince of Wales Island and Elfin Cove/Cross Sound, and because king salmon abundance is currently low under the U.S. - Canada treaty provisions.

The department has stated they cannot assess what the king salmon catch is in-season and does not know the June guided catch totals until August. This is unacceptable. A sharp uptick in June nonresident catch will cause the quota to be taken prematurely and all fishing closed, including to residents. This is inconsistent with the management plan. The solution is to get better catch data faster, such as by electronic reporting. Until that happens the nonresident catch should be slowed considerably the last half of June so that the quota is never exceeded and the resident fishery continues uninterrupted.

This will help alleviate the rapidly growing catching power of the guided sport sector, (which already takes 2/3 or more of the available treaty fish quota), and it will protect the resident fishery so that it won't close in the summer due to the sport allocation being achieved.

PROPOSED BY: Ralph Fenner (HQ-F20-075)
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PROPOSAL 95

5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

Amend the *Southeast Alaska King Salmon Management Plan* to provide for inseason liberalization of management measures when the sport fish allocation will not be met, as follows:

In years when in season monitoring of the sport catch of Chinook indicates that the current bag limits will likely not result in full utilization of the Sport Allocation, the Department shall make necessary changes to bag limits to better enable the full utilization of the Chinook resource. The Department will also analyze the harvest capability of resident versus non-resident anglers in determining how to distribute any bag limit changes between the two groups. Additionally, the

Department will be selective in not raising bag limits in areas where native Chinook stocks of concern may be harvested excessively.

What is the issue you would like the board to address and why? The new treaty system adopted by the Board of Fish in 2018 for allocating Chinook Salmon to resident and non-resident anglers in Southeast Alaska utilizes a tier system to establish bag limits that is based on the Catch Per Unit of Effort (CPUE) results from the Winter Commercial Troll Fishery. In some years, this tier system may not allow sport anglers to harvest their full 20% of the Hook and Line Gear Total Allowable Catch (TAC). We on the Sitka Fish and Game Advisory Committee would like the Board of Fish to provide direction/authority to the department so that, in such years, they may make "In Season Management" decisions to allow full utilization of the 20% of the TAC allocated to Sport Anglers.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-084)
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Enhancement and Special Harvest Areas

PROPOSAL 96

5 AAC 33.369. District 1: Herring Bay Terminal Harvest Area Salmon Management Plan.
Expand waters of Herring Bay Terminal Harvest Area open to commercial troll fishing, as follows:

The waters of Carroll Inlet north of the latitude of the southern tip of California Head should be included in the Herring Bay Troll Terminal Harvest Area. Trollers have no access to SSRAA chinook released in Carroll Inlet after July 1.

What is the issue you would like the board to address and why? The commercial troll fleet should have parity with the sport fishers. The *Herring Bay Sportfish Terminal Harvest Area* in 5 AAC 33.369 (d) defines a more liberal area than my request. The logical and honorable action for the Board of Fish and the Department would be to have one set of boundaries for both harvest groups and modify the area by EO when necessary.

This action is needed because when 5 AAC 33.369 was adopted, SSRAA had no chinook salmon returning to Carroll Inlet.

Commercial trollers will have restricted opportunity for the ability to harvest hatchery produced chinook: No harvest equals no value towards correcting the allocation imbalance.

PROPOSED BY: Charlie Piercy (HQ-F20-011)
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PROPOSAL 97

5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.
Establish waters closed to commercial purse seine and drift gillnet gear but open to commercial troll gear in the Anita Bay Terminal Harvest Area when spring troll areas in District 6 and 8 are closed, as follows:

5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

(b) The commissioner shall open and close, by emergency order, fishing seasons and periods to manage the common property fisheries to harvest excess salmon returning to the Anita Bay Terminal Harvest Area. The Terminal Harvest Area will be opened and closed under this subsection to the harvest of salmon as follows: Closed waters within the THA include:

(1) June 1 through June 30, the waters of the Anita Bay THA North and East of a line from 56°12.90′ N. latitude, 132°24.51′ W. longitude to 56°12.75′ N. latitude, 132°23.50′ W. longitude will be closed to the harvest of salmon by commercial seine and drift gillnet gear;

(b) The closure to commercial seine and drift gillnet gear sited in (1) above will be removed as soon as the troll spring fishery areas of Steamer Point (106-30): and Chichagof Pass (108-10) are reopened.

What is the issue you would like the board to address and why? Since the Stock of Concern conservation plans for the Unuk, Chilkat and King Salmon river have been instated, the trollers have lost several spring fishery areas for the purpose of harvesting Alaska hatchery fish. In addition to these plans, the Stikine and Taku river Chinook runs are in dire straits and these same plans protect these runs as well.

Consequently, the troll spring fishery areas surrounding Anita bay have been closed with no reopening of those areas in the foreseeable future. This means the trollers have lost the main contributor to their access to the SSRAA Chinook released in Anita Bay. The only area left is the Anita Bay terminal area itself.

In the past when proposals of this nature were submitted, the Board of Fisheries response was for the proposer to ask the hatchery association for a change before they would take action. In 2018, following that prodigal, a letter was sent to SSRAA asking for an exclusive zone in the Terminal Area of Anita Bay in which the trollers could fish without net interference. That request was granted to a small extent. In 2019 the same zone specified in this proposal was troll only from June 1, to June 12. It was appreciated and considered a step in the right direction. However, hatchery Chinook for the Anita Bay release site are just starting to show up on June 12 and peak about June 30th. So basically, the politics of the SSRAA board would only allow the trollers this exclusive zone when the fish were not there in force. It was a gift on paper, but in reality, far short of what it should have been.

Having attempted the past Board of Fisheries prodigal in these matters and been dissatisfied, the only recourse is to come to this Board for help and suggest they exercise:

5 AAC 33.364.
(a) If the value of the harvest of enhanced salmon stocks by a gear group listed in (a) of this section is outside of its allocation percentage for three consecutive years, the board will, in its discretion, adjust fisheries within special harvest areas to bring the gear group within its allocation percentage. With the SEAK Chinook runs in poor health and these spring fishery areas for trollers remaining closed, the allocation deficit of the trollers is only going to get worse. The Board of Fisheries needs to adopt proposals like this one to curb that decline.

PROPOSED BY: Steve Merritt (HQ-F20-114)
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PROPOSAL 98
5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.
Change the ratio of drift gillnet to purse seine openings from 2:1 to 1:2 in the Anita Bay Terminal Harvest Area, as follows:

Section (3) (d) (3) [EXCEPT AS SPECIFIED IN (4) AND (5) OF THIS SUBSECTION,] in establishing emergency order season openings for the purse seine and drift gillnet fisheries, the department shall rotate openings between these gear groups and shall provide for a time ratio for gillnet openings to seine openings of **one** [TWO] to **two** [ONE].

What is the issue you would like the board to address and why? Section (3) (d) (3) and (4) of the regulation pertain to specific fishing years that will sunset. The proposed changes are necessary to address the Enhanced Salmon Allocation Plan 5 AAC 33.364. There no longer is a section (3) (d) (5).

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F20-101)
**Note: lead-in language was revised 9/15/2020.*
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PROPOSAL 99
5 AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan.
Establish a gear rotation between purse seine and troll gear in the Southeast Cove Terminal Harvest area, as follows:

(d) The management plan allows for the harvest of hatchery-produced chum salmon by the purse seine, gillnet, and troll fisheries when there are excess fish not being harvested by the hatchery operator. The gear and rotation, if any, shall be **seine fleet- Sunday and Thursday; troll fleet- all other days.** [DETERMINED BY THE COMMISSIONER, BY EMERGENCY ORDER, IN CONSULTATION WITH THE HATCHERY OPERATOR.]

What is the issue you would like the board to address and why? The Enhanced Salmon Allocation Management Plan 5 AAC 33.364, sets allocation ranges for each gear. This action is viewed as working toward achieving those specified ranges.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F20-104)
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PROPOSAL 100
5 AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan.
Remove drift gillnet gear from allowed gear to participate in the Southeast Cove THA common property fisheries, as follows:

5 AAC 33.387 (d) The management plan allows for the harvest of hatchery-produced chum salmon by the purse seine[, GILLNET,] and troll fisheries when there are excess fish not being harvested by the hatchery operator. The gear and rotations, if any, shall be determined by the commissioner, by emergency order, in consultation with the hatchery operator.

What is the issue you would like the board to address and why? We would like to exclude the commercial gillnet fishery from the Southeast Cove Terminal Harvest area. The gillnet user group has been above the allocative range specified in the Southeastern Alaska Area Enhanced Salmon Allocation Management Plan [5 AAC 33.364] for every period since the 2000-2004 five-year increment.

PROPOSED BY: Alaska Native Inter-Tribal Association of Seiners (HQ-F20-008)
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PROPOSAL 101
5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan. Modify management plan to further consider potential effect of hatchery-produced salmon on wild-stock salmon, as follows:

5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan
The commissioner shall open and close, by emergency order, salmon fishing seasons and periods in waters of Silver Bay east of a line from Entry Point Light at 57° 01.58' N. lat., 135° 14.58' W. long., to Silver Point at 57° 00.82' N. lat., 135° 18.10' W. long., to ensure **fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks,[1] to ensure management to achieve** chum salmon broodstock escapement to the Medvejie Creek Hatchery **shall be consistent with sustained yield of wild fish stocks**[2] and to allow for the common property fisheries to harvest excess salmon, including king salmon by troll gear before July 31
(a) **Medvejie Creek Hatchery has legislative responsibility to incorporate the following PNP Hatchery Act mandated obligations:**
(1) hatchery programs shall be operated without adversely affecting natural stocks of fish in the state[4]
(2) hatchery programs shall be operated under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks;[5]
(3) Hatchery program remote release sites shall be located in an area where a reasonable segregation from natural stocks occurs [6]
(4)hatchery operations and specifications must be consistent with the comprehensive regional salmon plan approved under AS 16.10.375[7]
(5) SE CSP's. concern for wild stocks is triggered when hatchery salmon straying rates exceed 2%. Any higher rates must be validated to not jeopardize wild populations by the department,[8]
(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[9] [10]
(7) validated proportions of benign hatchery salmon straying are defined as chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;

(8) Until the 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**[11]
(9) when proportions of hatchery salmon straying 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[12]**.**[13]**]**

[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] 5 AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B),(F)
[9] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)
[10] PNP Hatchery Act legislative intent
[11] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)
[12] Intent of PNP Hatchery Act
[13] 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? The issue is unreasonable temporal integration of artificially propagated late run hatchery stock chums, being tolerated to breed with early run spawning wild natural chum populations and dig up their redds in West Crawfish NE Arm, Whale Bay and surrounding anadromous waters. This remaining pristine quadrant of SEAK is getting hammered by stray hatchery fish. This area is a wilderness area.

West Crawfish wild summer chum salmon is 1 of 9 escapement indicator stocks used by the department for escapement. How reliable is this escapement now? This system accounts for an average 24% of the total Northern Southeast subregion index making it the areas second largest natural wild chum run. It is a significant stock. It is the public trust.

With the Relative Reproductive Success RRS found to be so low in hatchery pinks, chinook, coho and sockeye we can only hope and pray this affliction of reduced productivity and fitness in hatchery chums is not the same...as the damage is tolerated to continue in sustained yield of wild salmon.

This West Crawfish wild summer run timing chum population was sampled as part of the Alaska Hatchery Straying Research Program (AHRP) prior to 2015 and found very few hatchery fish straying into the system, below 2% making it genetically relatively pristine.

But not any more…

As stated by ADFG staff, Otolith sampling performed at peak run timing in late August to early September, became bloated with stray fall run timing hatchery chums documented at 80.5% in 2018 and 53% in 2019 contaminating this wild "naturally occurring" salmon. This is unacceptable.

Temporal separation does not exist in West Crawfish NE ARM. Staff written comments submitted as RC 2 in the October 2019 work session made this lack of temporal separation perfectly clear: "The peak of the wild summer chum run is probably late august to early September" documented when high proportions of straying occurred. "The latest chum salmon survey data for the West Crawfish NE Head Index stream is September 7, 2006, and included 400 chum salmon at the mouth, 100 in the intertidal, 2780 live in the creek, and 5400 carcasses."

"In most other late August survey counts, live chum, still outnumber dead more often than not " However, these accurate submitted comments were overridden when Board members' questions were given inaccurate verbal answers at the work session that stated: "…we spoke to temporal separation between these runs… There's a 3 to 4…about 3 weeks difference in peak run timing in the stock in West Crawfish and the stock used for this return… "there aren't the wild stocks in there because they've already perished or ah ah moved on...." Already perished and moved on???

Having three thousand live wild fish in the river with hundreds still down at the mouth when these hatchery strays flood in on top of them by the thousands is about as far from temporal separation as you can get. And the wild redds will be dug up and replaced with hatchery maladapted genetics. This is flat wrong. When a board member asked "Is there a defined acceptable or unacceptable rate of straying under the hatchery permit?"

The answer was: "pause, yeh, There is not. um,… stray proportions or stray rates are um… stock and species specific and…, there is a tremendous amount of work out there trying to figure those things out but um a lot of it depends on what stock you're using."

How is the board going to be able to comprehensively deliberate when faulty obscure flip flopping answers are given to critically important questions? This is very distressing as a member of the public to witness this diversion from truth to the regulatory body of the State of Alaska.

Since these straying episodes confound the Alaska Hatchery Research Program results seriously negatively skewing them. How is this going to be reconciled? Will genetic sampling be taken to see what damage has or is occurring?

Crawfish received a band aid approach by amending Section 5 AAC 29.112 - Management of chum salmon troll fishery to intercept these hatchery fish before they get to the spawning grounds. This does not address jeopardizing natural stocks and masks catching wild fish in the mixed stock fisheries as they migrate into these wild systems. It also does not address the undermining of ADFG determination that when bullied at RPT meetings to move into full production ADFG required the understanding that the program would ramp down if problems were discovered. So...Problems were discovered, nothing is ramped down and this determination was ignored.

The issue is there is no Policy of Management, that comprehensively addresses a defined acceptable or unacceptable rate of straying under the hatchery permit as Board Member Van Dort wisely asked for, without consulting comprehensive salmon plans and with RPT meetings dominated by industry without any biological basis it is no wonder that the poorly selected remote release site was allowed in Crawfish Inlet.

There appears to be a grave disregard for the ADFG determination and this discrepancy needs repair by PARS coming to the BOF to amend by regulation as the Statutes designed. Please fix the straying disaster we have in Alaska by creating the mandated Policy of Management that addresses reasonable segregation and temporal separation keeping hatchery fish away from wild fish spawning in their habitats.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-143)
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PROPOSAL 102
5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan.
Change the ratio of drift gillnet to purse seine openings from 2:1 to 1:2 in the Deep Inlet Terminal Harvest Area, as follows:

(1) (B) [EXCEPT AS SPECIFIED IN (C) AND (D) OF THIS PARAGRAPH,] the time ratio for gillnet to seine openings is **one** [TWO] to **two** [ONE]

What is the issue you would like the board to address and why? Section (1) (B), (C), and (D) of the regulation pertain to specific fishing years that will sunset. The proposed changes are necessary to address the Enhanced Salmon Allocation Plan 5 AAC 33.364.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F20-102)
**Note: lead-in language was revised 9/15/2020.*
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PROPOSAL 103
5 AAC 33.363. Management guidelines for allocating Southeast Alaska pink, chum, and sockeye salmon between commercial net fisheries.
Modify net gear allocation guidelines to further consider potential effect of hatchery-produced salmon on wild-stock salmon and wild-stock salmon management, as follows:

5 AAC 33.363. Management guidelines for allocating.
(a) Present management of state-financed hatchery and enhanced stocks represents the collective biological, social, **statutory**[1] and economic factors which have been applied over time and have resulted in current regulations.
(b) Similarly, present management of wild stocks represents the collective biological, social, **statutory** and economic factors which have been applied over time and have resulted in current regulations.

(c) As a general matter, the harvest of fish stocks **in the state shall be managed consistent with sustained yield of wild fish stocks.,**[2] **and** will be managed primarily for the benefit of the user groups within the district to which those stocks are bound. The board recognizes that biological, social, **statutory,** and economic factors and the current regulatory structure may result in the need to harvest such stocks outside the district for which they are bound.
(f) As a general proposition and **under statutory law**, private nonprofit hatchery stocks supported by fishermen assessments will be managed to
(1) maximize harvest in the common property fisheries consistent with wild stock conservation concerns and the facility's management plan; and
(2) give primary emphasis to the facility's plan for allocation within the common property fisheries within the special harvest area **and shall 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) SE CSP's. concern for wild stocks is triggered when hatchery salmon straying rates exceed 2%. Any higher rates must be validated to not jeopardize wild populations by the department,[8]
(7) the department and board shall define and validate hatchery straying proportions "based on the best available scientific information" to sustain productivity, without adversely affecting, or jeopardizing sustained yield of wild naturally occurring salmon[9] [10]
(8) validated proportions of benign hatchery salmon straying are defined as chinook xxx%; sockeye xxx%; coho xxx%; chum xxx%, pink xxx%;
(9) 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% trigger rule will be adhered to within wild naturally occurring streams**[11] [12] [13]
(10) when proportions of hatchery salmon straying exceed validated percentages, jeopardizing sustained yield of wild fish stocks, hatchery production shall be ramped down the following spring, from each Remote Release Site, hatchery or THA source incrementally until adverse affects cease[14]**,**[15]

[1] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(3)(F)
[2] AS 16.05.730 (a) 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] 5 AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B),(F)
[9] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D), (2)(D); (3)(B),(F)
[10] PNP Hatchery Act legislative intent
[11] 5AAC 39.222 Policy For The Management Of Sustainable Salmon Fisheries (c)(1) (B),(D); (2)(D); (3)(B)(F)
[12] SE CSP Phase III
[13] Genetics Policy
[14] Intent of PNP Hatchery Act
[15] 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 hatchery operations are not in compliance with mandates.

"Effective fishery management outcomes should be consistent with regulations, regulations should be consistent with statutes, implementation can effectively carry out the purpose… of objectives, strategies, guiding principles, and policies established in harvest management plans. 5 AAC 39.222 (c)(3)(F) Sustainable Salmon Fisheries Policy Sustainable Fisheries

Elevate statutory and constitutional intent into regulatory management and allocation plan to ensure directives remain engaged as intended to protect the public trust. Clarify, elevate and illuminate the intent of the SEAK Comprehensive Salmon Plan and the intent of the PNP Hatchery Act statutory mandate obligations granted to recipients in exchange for the privilege to operate within the public trust and to avoid confusion and misinterpretation from not understanding these significant responsibilities.

PROPOSED BY: Pioneer Alaskan Fisheries Inc. (EF-F20-107)
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PROPOSAL 104
5 AAC 33.3XX. New Section.
Create a management plan for hatchery returns to Burnett Inlet, as follows:

5 AAC 33.3XX. Burnett Inlet Terminal Harvest Area Salmon Management Plan.

(a) This management plan distributes the harvest of hatchery produced chum salmon in the Burnett Inlet Terminal Harvest Area between the purse seine, troll and drift gillnet fleets.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the Burnett Inlet Terminal Harvest Area from June 01 through November 10 for troll, purse seine and drift gillnet gear to provide for the harvest of hatchery- produced chum salmon, unless closed earlier by emergency order. The Burnett Inlet Terminal Harvest Area, for the Southern Southeast Regional Aquaculture Association

Burnett Inlet Hatchery, consisting of all waters of Burnett Inlet, Etolin Island, north of 56° 04.65' N. lat. and south of 56° 10.38' N. lat.

(c) A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.

What is the issue you would like the board to address and why? Southern Southeast Regional Aquaculture Association (SSRAA), is a non-profit regional salmon enhancement association headquartered in Ketchikan, Alaska. SSRAA owns and operates the Burnett Inlet Hatchery (BIH), situated on Etolin Island. BIH is a broodstock collection site for summer and fall chum, which are also released at BIH after incubation, hatching and rearing to release size. The adult chums return to BIH through numerous common property fishery corridors, notably in Districts 6 and 8, and enter Burnett Inlet starting in mid to late June. These chums are well segregated from natural stocks when they are in the terminal area. Although SSRAA requires taking a portion of these returning chums for broodstock and cost recovery, common property fishers in the terminal area should be allowed to catch the remaining fish. This practice allows for an efficient fishery and full utilization of the resource. Establishing a Terminal Harvest Area (THA) in regulation for this situation is the industry standard best practice method, and with progeny from increased release sizes returning in 2021, a newly-established THA will meet the needs of fishers as well as SSRAA. In cooperation with the Department's area management biologists, SSRAA will manage the THA for all user groups in accordance with direction from the SSRAA Board of Directors, applicable regulations, and Emergency Order authority. The SSRAA Board is made up of 21 members from the seine, gillnet and troll gear groups an addition to representatives of regional municipalities, chambers of commerce, fish processors, native corporations, sportfishing interests, subsistence users, and members-at-large. If there is not a THA established, SSRAA would be required to harvest the terminal fish, creating logistical difficulties and possibly leading to excessive cost recovery.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (EF-F20-071)
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PROPOSAL 105
5 AAC 33.3XX. New Section.
Create a management plan for hatchery returns to Port Saint Nicholas, as follows:

PORT SAINT NICHOLAS TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN
(a) This management plan distributes the harvest of hatchery produced king salmon in the Port Saint Nicholas Terminal Harvest Area between the purse seine, troll and drift gillnet fleets.

(b) The department, in consultation with the Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the Port Saint Nicholas Terminal Harvest Area from May 1 through July 31 for troll, purse seine and drift gillnet gear to provide for the harvest of hatchery - produced king salmon, unless closed earlier by emergency order. The Port Saint Nicholas Terminal Harvest area, consisting of all waters of Port Saint Nicholas east of the longitude of Point Miraballes at 133° 05.23' W. long., and west of the longitude at 132° 59.50' W. long., located at the mouth of the Port Saint Nicholas head stream.

(c) <u>The THA is expanded, only for troll gear, to the waters of Port Saint Nicholas and Bucareli Bay north and east of a line from Cape Suspiro at 55°27.48′ N lat, 133°08.54′ W long, to the northernmost tip of Toti Island at 55°24.90′ N lat, 133°07.34′ W long, to Point Miraballes at 55°25.86′ N lat, 133°05.20′ W long.</u>

(d) <u>A drift gillnet operated in the terminal harvest area may not exceed 200 fathoms in length.</u>

What is the issue you would like the board to address and why? Southern Southeast Regional Aquaculture Association (SSRAA), is a non-profit regional salmon enhancement association headquartered in Ketchikan, Alaska. SSRAA operates the Port Saint Nicholas (PSN) Hatchery near the City of Craig on Prince of Wales Island. PSN chinook salmon eggs are taken at Whitman Lake Hatchery and incubated and reared at Port Saint Nicholas Hatchery, releasing them after a brief period of saltwater imprinting and grow-out at a net pen site in Port Saint Nicholas. The adult chinook are caught in winter and spring fisheries throughout the region, and mature adults return to PSN through fisheries in Districts 3 and 4 and enter PSN starting in May. These salmon are well segregated from natural stocks when they are in the terminal area. Common property fishers in the terminal area are expected to catch a majority of these fish, and SSRAA will clean up the rest as cost recovery. This practice allows for an efficient fishery and full utilization of the resource. Establishing a Terminal Harvest Area (THA) in regulation for this situation is the industry standard best practice method, and with progeny from increased release sizes in future years, a newly-established THA will be in place to meet the needs of common property fishers as well as SSRAA.

In cooperation with the Department's area management biologists, SSRAA will manage the THA for all user groups in accordance with direction from the SSRAA Board of Directors, applicable regulations, and Emergency Order authority. The SSRAA Board is made up of 21 members from the seine, gillnet and troll gear groups an addition to representatives of regional municipalities, chambers of commerce, fish processors, native corporations, sportfishing interests, subsistence users, and members-at-large. If there is not a THA established, SSRAA would harvest a larger number of terminal fish, creating logistical difficulties and possibly leading to excessive cost recovery.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (EF-F20-116)

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<u>PROPOSAL 106</u>

5 AAC 40.053. District 3: Port Saint Nicholas Special Harvest Area.

Modify boundaries of the Port Saint Nicholas Special Harvest Area and allow use of drift gillnet gear for cost recovery operations, as follows:

5 AAC 40.053 (a) is amended to read:

There is established the Port Saint Nicholas Special Harvest area, consisting of all waters of Port Saint Nicholas east of [133° 02.92' W. LONG]. **the longitude of Point Miraballes at 133° 05.23' W. long.**, and west of the longitude at 132° 59.50' W. long., located at the mouth of the Port Saint Nicholas head stream.

And

5 AAC 40.053 (c) is amended to read:
Notwithstanding 5 AAC 33.330, legal gear for the hatchery permit holder in the special harvest area are purse seine, beach seine, dip net**, and gillnet.**

What is the issue you would like the board to address and why? Southern Southeast Regional Aquaculture Association (SSRAA), is a non-profit regional salmon enhancement association headquartered in Ketchikan, Alaska. SSRAA operates the Port Saint Nicholas (PSN) Hatchery which releases chinook salmon at a net pen site in Port Saint Nicholas. PSN chinook salmon eggs are incubated and reared at Port St. Nicholas Hatchery. Saltwater grow-out and imprinting these chinook smolts is done at the PSN net pen site. The adult chinook are caught in winter and spring fisheries throughout the region, and mature adults return to PSN through fisheries in Districts 3 and 4 and enter PSN starting in May. These salmon are well segregated from natural stocks when they are in the terminal area. Common property fishers in and near the terminal area are expected to catch a majority of these fish, and SSRAA will clean up the rest as cost recovery. SSRAA proposes that the SHA is enlarged to accommodate the potential for expanded cost recovery fishing for incrementally larger releases of chinook salmon when compared to the previous PSN operator, POWHA (Prince of Wales Hatchery Association). This proposed SHA line will also mirror the newly-proposed net fishery THA line for PSN which is being heard this Board cycle. Finally, adding gillnet as a legal gear type will allow SSRAA an additional tool to fully harvest all the returning chinook in a cost recovery clean-up, which is a permit condition and best management practice.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (EF-F20-114)
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PROPOSAL 107
5 AAC 33.3XX. New Section.
Create a management plan for hatchery returns to Port Asumcion, as follows:

PORT ASUMCION TERMINAL HARVEST AREA SALMON MANAGEMENT PLAN
a) This management plan provides for the terminal area common property harvest of hatchery-produced chum and coho salmon in the Port Asumcion Terminal Harvest Area and distributes the harvest between the seine, gillnet, and troll fleets.
b) The department in consultation with Southern Southeast Regional Aquaculture Association (SSRAA), shall manage the waters of Port Asumcion north and west of a line from Point Cosinas at 55°21.80' N. lat., 133°30.64' W. long., to a point west of Point Maria located at 55°22.04' N. lat, 133°30.26' W. long.
c) Openings will be by emergency order once SSRAA cost recovery for the site has been secured.
d) Salmon may be taken by purse seine, gillnet, and troll gear from June 15 to October 30.

What is the issue you would like the board to address and why? Southern Southeast Regional Aquaculture Association (SSRAA), is a non-profit regional salmon enhancement association headquartered in Ketchikan, Alaska. SSRAA operates the Port Asumcion (PA) net pen site on

Baker Island, which releases both summer chum and fall coho. PA summer chum salmon eggs are currently incubated at both Burnett Inlet Hatchery and Port St. Nicholas Hatchery; for future years, this production will be centralized and directed towards Port St. Nicholas Hatchery. The fall coho are all transported to PA from the coho program at the Klawock River Hatchery. Both chum and coho salmon are transported to PA for a brief period of grow-out and saltwater imprinting. SSRAA expects the adult chums and coho to return to PA through fisheries in Districts 3 and 4 and enter PA starting in mid-June. Coho will return to the terminal area starting in late July and continuing through September. Both species of salmon will be well segregated from natural stocks when they are in the terminal area. SSRAA will take all possible terminal chums and coho for cost recovery, but in the possible years of excess returns, common property fishers in the terminal area should be allowed to catch the remaining fish. This practice allows for an efficient fishery and full utilization of the resource. Establishing a Terminal Harvest Area (THA) in regulation for this situation is the industry standard best practice method, and with progeny from increased release sizes returning in 2021, a newly-established THA will be in place to meet the needs of fishers as well as SSRAA. In cooperation with the Department's area management biologists, SSRAA will manage the THA for all user groups in accordance with direction from the SSRAA Board of Directors, applicable regulations, and Emergency Order authority. The SSRAA Board is made up of 21 members from the seine, gillnet and troll gear groups an addition to representatives of regional municipalities, chambers of commerce, fish processors, native corporations, sportfishing interests, subsistence users, and members-at-large. If there is not a THA established, SSRAA would be required to harvest the terminal fish, creating logistical difficulties and possibly leading to excessive cost recovery.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (EF-F20-115)

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PROPOSAL 108

5 AAC 40.XXX. New section.

Create a special harvest area for Port Asumcion, as follows:

5 AAC 40.XXX. District 3: Port Asumcion Special Harvest Area Management Plan. (a) There is established the Port Asumcion Special Harvest Area for the Southern Southeast Regional Aquaculture Association harvest of enhanced salmon returns to the Port Asumcion release site, consisting of those waters of Port Asumcion north and west of a line from Point Cosinas at 55°21.80′ N. lat., 133°30.64′ W. long., to a point west of Point Maria located at 55°22.04′ N. lat., 133°30.26′ W. long.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. The open fishing season within the Port Asumcion Special Harvest Area for the hatchery permit holder is from June 15 through October 30.

(c) Notwithstanding 5 AAC 33.330, legal gear for the hatchery permit holder in the special harvest area is purse seine, beach seine, and gillnet.

What is the issue you would like the board to address and why? Currently, a special harvest area for hatchery produced salmon is established by the department by emergency order. The Southern Southeast Regional Aquaculture Association (SSRAA) began releasing chum and coho

salmon in Port Asumcion in 2017. The first coho salmon returns were realized in 2019 and the first returns of chum salmon will begin in 2020. SSRAA intends to use the Port Asumcion Special Harvest Area primarily for cost recovery to provide revenue for annual operating expenses. The department issued an emergency order in 2019 for SSRAA to prosecute cost recovery in Port Asumcion.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-149)

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PROPOSAL 109

5 AAC 40.0XX. New section.

Establish a hatchery special harvest area in Carroll Inlet, as follows:

5 AAC 40.0XX. Carroll Inlet Special Harvest Area.

CARROLL INLET SPECIAL HARVEST AREA

(a) There is established a Carroll Inlet Special Harvest Area for the Southern Southeast Regional Aquaculture Association harvest of chinook salmon returns to the Carroll Inlet release site, consisting of the waters of Carroll Inlet north of the latitude of Nigelius Point at 55° 33.50' N. lat., 131° 21.14' W. long.

(b) A hatchery permit holder harvesting salmon within the special harvest area is exempt from the provisions of 5 AAC 33.310. The open fishing season within the Carroll Inlet Special Harvest Area for the hatchery permit holder is from June 01 through July 15 during fishing periods established by emergency order.

(c) Notwithstanding 5 AAC 33.330, legal gear for the hatchery permit holder in the special harvest area is purse seine, beach seine, gillnet, and troll gear.

What is the issue you would like the board to address and why? Southern Southeast Regional Aquaculture Association (SSRAA), is a non-profit regional salmon enhancement association headquartered in Ketchikan, Alaska. SSRAA operates Whitman Lake Hatchery which releases chinook salmon at a net pen site in Carroll Inlet (CI). CI chinook salmon eggs are taken, incubated and reared at the Whitman Lake Hatchery. Saltwater grow-out and imprinting CI chinook smolts is done at the Carroll Inlet net pen site. The adult chinook are caught in winter and spring fisheries throughout the region, and mature adults return to CI through fisheries in District 1 particularly, entering CI starting in late May. These salmon are temporally segregated from Carroll River summer chum when they are in the terminal area. Common property fishers in and near the terminal area are expected to catch a majority of these fish prior to when the THA closes on July 1, and SSRAA will clean up the rest as cost recovery. SSRAA proposes that cost recovery in the SHA be allowed past when the Carroll Inlet THA closes on July 1 to allow a thorough clean-up of these fish - particularly in the area of the Swan Lake Hydroelectric Project tailrace pool, which is a freshwater source attractant for these chinooks. This narrow window of time from July 1 to July 15 will allow SSRAA additional opportunity to fully harvest all the returning chinook in a cost recovery clean-up, which is a permit condition and best management practice.

PROPOSED BY: Southern Southeast Regional Aquaculture Association (EF-F20-109)
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Commercial salmon

PROPOSAL 110

5 AAC 33.331. Gillnet specifications and operations.

Require reporting and recovery of lost drift gillnet gear, as follows:

Gillnet operation – lost net reporting

5 AAC 33.331(#) A permit holder fishing in the Southeastern Alaska Area must report the loss of a gillnet, or portion of a gillnet, to the local ADF&G department office or enforcement in which they are fishing within 12 hours of the loss of the gillnet, or portion of the gillnet. For the purposes of this subsection, the report must be made directly to a local representative of the department in person or by telephone. The person must take every reasonable effort as safety allows to recover the lost gillnet if located;

What is the issue you would like the board to address and why? During the summer of 2019, a commercial drift gillnet fisherman lost his gillnet in district 6 on the north east side of Prince of Wales Island. The net drifted freely catching salmon as well as marine mammals until it became tangled on rocks in Snow Pass. The fisherman never attempted to recover his net. Other mariners and fishermen observed the net as it continued to fish. At this time, it became obvious that there was no lost net reporting requirement in Southeastern Alaska like other areas of the state. There is no cork ADF&G number marking requirements as well.

The East POW AC and local residents understand that nets will get damage and lost. However if a commercial drift gillnetter had regulation stating that they must report lost nets and recover them, many fish and marine mammals will not die and waste in these lost nets. Vessels will also not become entangled in them as well. Commercial drift gillnetters who saw the 2019 lost net stated they understood the need for this proposal.

This regulation will allow enforcement action to be taken against a person who carelessly uses the marine waters of Southeastern Alaska as their net dumping grounds. If enacted, the board should also consider a net cork ADF&G number marking requirement as well. This regulation will affect all drift gillnetters in Southeastern Alaska to prevent unwanted waste of salmon and marine mammals as well as a negative view of the gillnet fleet.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-090)
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PROPOSAL 111

5 AAC 33.331. Gillnet specifications and operation.

Change the maximum drift gillnet mesh size during periods established by emergency order from 6 inches to 6 and one-eight inches, as follows:

5AAC 33.331 Gillnet specification and operation

(d) In Districts 6, 8, 11 and 15, through the fourth Saturday in July, the commissioner may, by emergency order, establish fishing periods during which the maximum gillnet mesh size is **six and one eighth inch (6-1/8")** [SIX INCHES]

What is the issue you would like the board to address and why? We would like to address the ability of the fleet to buy a 6" net off the shelf of the gear suppliers that would allow you to fish the same 6" net during the times of net restrictions for a maximum and minimum net size of 6". Gillnet mesh stretch after use. The amount of stretch depends upon a multitude of conditions including but not limited to: manufacturing machine tolerances of 5%, size of twine, type of twine, the temperature and humidity of the facility when twine and net are manufactured. Without this change, to be on the safe side fishermen would have to buy two nets for many of these areas, a 5-3/4" or so for the maximum and a 6" for the minimum mesh restriction. A full brand new 200 fathom net with all lines is approximately $7,000. By making the maximum size a tad bigger this allows for the net to stretch and still be legal for both net size restrictions reducing the cost for fishermen. A 6-1/8" net would have to be special ordered as it is not a commonly stocked size net. Unfortunately, if you buy a six inch net in good faith you won't know what size it will be until you fish your net for over 24 hours.

PROPOSED BY: Southeast Alaska Fishermen's Alliance (HQ-F20-095)

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PROPOSAL 112

5 AAC 33.331. Gillnet specifications and operations.

Provide the department authority to allow drift gillnets of up to 90 meshes in depth to be used in the District 11 drift gillnet fishery beginning in SW 34, as follows:

b) In the Southeastern Alaska Area, a drift gillnet may not be more than 60 meshes in depth, except that there is no maximum depth restriction for a gillnet operated for king salmon cost recovery by a private nonprofit hatchery operator or under contract to a regional aquaculture association in a special harvest area described in 5 AAC 40.030 - 5 AAC 40.081.

(1) in district 11, beginning statistical week 34, at the departments discretion, by emergency order, a drift gill net may not be more than 90 meshes in depth.

What is the issue you would like the board to address and why? The United States has shown an inability to harvest their allowable catch afforded them by the Pacific Salmon Commission Treaty Annex for coho on the Taku River. The current tools only allow increased time and area, which is useful, but use of these tools has not increased catches significantly, as coho tend to travel deeper in the water column. Having deeper nets may increase stakeholders ability to harvest these valuable fish. Adoption of this proposal will give the department a valuable tool for harvesting the United States gillnet allowable catch of PSC treaty Taku coho in times of high abundance.

PROPOSED BY: United Southeast Alaska Gillnetters (HQ-F20-121)

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PROPOSAL 113

5 AAC 33.331. Gillnet specifications and operations.

Change the maximum mesh size during periods established by emergency order from 6 inches to a range of five and one-quarter to 6 inches and define dates in Districts 6, 8 and 11 when the mesh size will be implemented, as follows:

5 AAC 33.331. Gillnet specifications and operations

(d) In Districts 6, 8, 11, and 15, through the fourth Saturday in July, the commissioner may by emergency order, establish fishing periods during which the maximum gillnet mesh size is **5.25 inches - 6 inches** [SIX INCHES].

(1) For districts 6 and 8, up to July 1st , when the projected terminal run size forecast for Stikine River large Chinook does not allow for a direct Chinook fishery to transpire.

(2) For district 11 up to July 1st, when the projected terminal run size forecast for the Taku River large Chinook does not allow for a direct Chinook fishery to transpire.

What is the issue you would like the board to address and why? The Stikine and Taku Chinook runs are not doing well. It has been qualified by the department that the problem is not over fishing, but the fact remains that these runs would be in better shape to endure the current crises had there been more spawners in the river. This proposal's intent is to ensure that the Stikine and Taku Chinook runs are given the best chance for recovery as can be given. The department has in the past, managed the driftnet sockeye opening in June conservatively, with a 6 inch mesh restriction only if the predicted Chinook terminal run of either river was below the midpoint and near the lower end of the escapement goal range. Often when the predicted terminal run was above the midpoint but below what was necessary to allow a directed Chinook fishery to occur, no mesh restriction was applied. This has happened in the Stikine regional management area in the years 2013 thru 2016. By default, not requiring a mesh restriction during what the driftnet management plan specifies as a sockeye fishery, is in fact allowing a direct Chinook fishery to occur. There is new terminology adopted in the 2019 Transboundary Annex of the Pacific Salmon Treaty, defining when a direct fishery can occur. However, this new language does not change the fact, that if a direct fishery is not called for a king net could be allowed in the June sockeye fishery. The direct fisheries for Chinook only occur in districts 8 and 11, yet district 8 is semi-surrounded by district 6 and Stikine Chinook will be intercepted there on their way to the river drainage in the June sockeye fishery. I included district 6 in this proposal because of that and also the impacts of this proposal on the driftnet sockeye fishery. From the 2019 driftnet management plan concerning district 6 and 8 pg 11 below.

"Sockeye salmon fishing in both districts will be managed in accordance with the TBR Annex of the PST. The Annex allows District 6 to be managed primarily for local Alaska sockeye salmon stocks. Management of District 8 is based on the harvest of sockeye salmon of Stikine River origin," and "During the first few weeks of the sockeye salmon fishery, any extended fishing time or midweek openings will be based on the preseason forecasts, harvest, expected harvest levels, and stock proportion data."

If the sockeye fishery's performance data is used to determine the potential terminal runs of sockeye to these Transboundary rivers and other local systems, allowing a net mesh that enables

the target species to swim thru it, defeats that purpose. In district 6 and 8 king nets have been used during the June sockeye fishery when no mesh restrictions were required. This practice is potentially costly to the gillnet fleet since the sockeye run could be underestimated, thus leading to less fishing periods.

There is a base level catch (BLC) of Transboundary river kings allowed for each country to procure other fisheries when a direct king salmon fishery is not warranted. Pg.23 of the 2019 Transboundary agreement below.

"(Q) When the terminal run is insufficient to provide for the Parties' Stikine River Chinook salmon BLC and the lower end of the escapement goal range, the reductions in each Party's base level fisheries, i.e. the fisheries that contributed to the BLCs, shall be proportional to the Stikine BLC shares."

The term base level fisheries could only be fisheries that incidentally harvest Transboundary river king salmon. Because if it wasn't incidental, it would have to be intentional or direct. So, for Alaska to allow a king net during a sockeye fishery would in fact be targeting the base level catch of Chinook and a direct fishery, when the purpose of the BLC is really for incidental harvest.

Allowing a king net during the June sockeye fisheries could also be to target Anita bay and other Alaska hatchery king salmon. Yet there is no management plan for the driftnet fleet to target hatchery king salmon outside of the terminal areas and I seriously doubt the Board of Fisheries would approve one, given that the driftnet fleet has been consistently 13-15% over their hatchery allocation. In fact, the current practice of allowing king nets in the June sockeye fishery, defiantly contributes to the driftnet overage as it is.

I have left the actual mesh size of this proposal to be determined by the Board of Fisheries if they choose to adopt it. Why? Because I do not understand the current department policy when it comes to a mesh restriction, six inches is the choice.

The department has done a study on gillnet mesh size effectiveness, "Catch Efficiency Comparisons Of Four Commercial Gillnet Mesh Sizes In The Taking Of Sockeye And Chum Salmon In Districts 11 1 And 115, Southeast Alaska." From that study (pg 4 and I paraphrase): In District 1 1 1, the 6" mesh caught the fewest sockeye over the study period (2.6 fish/hour), The 5 1/4" mesh was significantly more effective in catching sockeye salmon than the 5 3/4, 6", and 6 1/4" mesh sizes, and the 5 3/4" was significantly more effective than the 6" or 6 1/4" mesh.

When the target species is sockeye, it makes little sense, if the above study is referenced for the department traditionally to implement a 6 inch mesh restriction. So, I let the Board of Fisheries decide and maybe some new information will become evident and help them with the decision.

Finally, I have limited the time frame in which this mesh restriction would apply because both the Taku and Stikine Chinook runs are 100% in river by the first part of July. Imposing a mesh restriction beyond that time would be an unnecessary burden on the gillnet fleet and deprive them of opportunity to harvest wild and hatchery chum and Chinook salmon. Yet, not continuing the restriction until the fourth Saturday in July, still may affect the data used for the sockeye fishery.

PROPOSED BY: Steve Merritt (HQ-F20-115)
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PROPOSAL 114
5 AAC 29.120. Gear specifications and operations.
Allow the use of fishing rods in conjunction with downriggers by hand trollers, as follows:

The new regulation would omit the downrigger restrictions and simply state:

"(B) from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader"
OR
"(B) from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader; no more than one fishing rod may be attached to a downrigger"

What is the issue you would like the board to address and why? 5 AAC 29.120. Gear specifications and operations (b) (2) (B) states:

"(B) from each fishing rod: only one line with no more than one leader and one lure or two baited hooks per leader; a downrigger may not be used in conjunction with a fishing rod"

The specific issue to address is the unnecessary restrictions placed on hand trollers by prohibiting the use of downriggers in conjunction with fishing rods. Downriggers are simply a mechanism to control the depth of the hooks. Accurately controlling depth is a key part of targeting fish species, especially during chinook openings. It is an unfair and unnecessary restriction, especially to those that are starting out in the hand troll fishery or those that are fishing from vessels that cannot be, or cannot easily be, equipped with hand troll gurdies. If the concern is somehow the ability to use the downrigger for multiple lines, I have also included alternative language that could be adopted.

PROPOSED BY: William Dawley (EF-F20-038)
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PROPOSAL 115
5 AAC 29.070. General fishing seasons and periods.
Modify the start date of the winter troll fishery, as follows:

The fishing seasons for the salmon troll fishery are as follows:

winter season from October 1 through April 30.

summer season from May 1 through September 30.

(b) The department shall manage the king salmon troll fishery to provide for

(1) a winter fishery during the period beginning October 11 **the first day of week 41** through April 30 or until the guideline harvest level is reached, as specified in 5 AAC 29.080, whichever occurs first;

What is the issue you would like the board to address and why? Under the 2019-2028 Pacific Salmon Treaty (PST) agreement the CPUE winter troll assessment begins on ADF&G statistical Week 41. The first day of a statistical week is Sunday. The PST does not give Alaskan domestic management direction for an opening date for the fishery.

In recent years the Winter Troll Fishery opened on Oct 11th. During the 2018–2020 seasons the Winter Troll Fishery, under provisions of the Unuk River Stock of Concern (SOC) management plan, closed 6 weeks early (March 15th,) without reaching the Winter Troll GHL of 45,000 non-Alaskan hatchery fish.

The early closure of this lucrative part of the season has economically devastated SEAK's trollers. During the Early Winter Troll Fishery (Oct-Dec), the estimated abundance and encounters of Southeast Alaska (SEAK) SOC are lower than at other times of the year. Opening the Winter Troll Fishery on the first day of Week 41 would give trollers back a few days of trolling when king salmon are at their highest value and with lower impact on SEAK SOC.

PROPOSED BY: Alaska Trollers Association (EF-F20-047)

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PROPOSAL 116

5 AAC 29.140. Size limits, possession, and landing requirements.

Require retention of king salmon caught during periods of nonretention to be retained if they are deemed too injured to be released and set price at one dollar for selling retained fish, as follows:

Whereas King salmon taken as bycatch during a closed season may be too injured to survive, the release of an obviously injured fish constitutes waste of a valuable resource. Such waste serves no useful purpose. When a king salmon is deemed unsalvageable by the fisher, said fish may be retained and sold for a price to the fisher of one dollar. The remainder of the commercial value of said fish shall accrue to the State of Alaska.

Such a provision would prevent waste, and the minimal compensation would prevent false claims by the fisher. I live near a hub for troll fishing and hear first-hand the anguish that fishers feel when they release a fish that will likely die as evidenced by excessive bleeding.

What is the issue you would like the board to address and why? Issue: Waste of king salmon taken as bycatch during troll fishery openings for other species

PROPOSED BY: Ralph Wells (EF-F20-004)

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PROPOSAL 117

5 AAC 29.112. Management of chum salmon troll fishery.

Allow trollers the use of two additional fishing lines in designated chum troll fishing areas in August and September, as follows:

5 AAC 29.112. Management of chum salmon troll fishery
(a) The commissioner may open, by emergency order, a hatchery chum salmon troll fishery only during the summer coho salmon troll fishery closures specified in 5 AAC 29.110(b)(2).
(b) If the commissioner opens a season under (a) of this section, chum salmon fishing will occur only
(1) in the waters of Sitka Sound and the Eastern Channel east of a line from Vitskari Rock Light to Inner Point, south of a line from Inner Point to Black Rock at 57_ 03.12' N. lat., 135_ 25.63' W. long., to Signal Island Light at 57_ 02.78' N. lat., 135_ 23.58' W. long., and north of a line from Cape Burunof at 56_ 59.03' N. lat., 135_ 23.23' W. long., to Kulichkof Rock at 56_ 59.52' N. lat., 135_ 26.62' W. long., to Vitskari Rock Light
(2) in the waters of Neets Bay east of the longitude of Chin Point to the longitude of the easternmost tip of Bug Island; and
(3) in the portions of Crawfish Inlet east of 135_ 11.05' W. long., as determined by the department for conservation management reasons.
(c) When the summer king salmon troll fishery is closed, a person may not have king salmon on board a salmon troll vessel while fishing for chum salmon.
(d) When the summer coho salmon troll fishery is closed, a person may not have coho salmon on board a salmon troll vessel while fishing for chum salmon.
(e) In the areas described in areas (1) (3) and (4) in this section trollers may use 6 lines during the following times in the defined areas. * Note that area "(4)" is the new West Crawfish area:
(1) August and September (historic enhanced chum troll run season for these areas)

What is the issue you would like the board to address and why? For a variety of reasons, trollers are chronically behind their enhanced chum troll allocation. The objective of this proposal is to provide a means of modifying the allowable troll gear on a licensed troll vessel, to allow the use of 6 lines for targeting chums in the areas defined in this proposal, solely for the purpose of achieving greater success of harvesting the enhanced chum troll allocation. This proposal will provide considerable positive outcomes such as contributing to the ongoing problem solving ideas and concepts of facilitating getting trollers closer to their allocation while helping to alleviate often other contentious discussions and management issues such as adjustments to time and/or area closures to net fisheries in the vicinity of these areas.

PROPOSED BY: Jeff Farvour (EF-F20-110)
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PROPOSAL 118
5 AAC 33.200. Fishing districts and sections.
Modify the boundaries of Districts 6 and 8 in Sumner Strait, as follows:

5 AAC 33.200(f)(1) and 5 AAC 33.200(h)

(f) District 6: all water of Clarence Strait north of a line from Narrow Point to Lemesurier Point to Ernest Point to the most southerly point on Etolin Island, Stikine Strait south of the latitude of Round Point, Sumner Strait west of a line from Point Alexander, to [LOW POINT] **Northwestern tip of Northerly Island** east of a line from Point Baker to Point Barrie, Wrangell Narrows south and west of a line from Prolewy Point to the northern tip of Mitkof Island and all waters of Duncan Canal;

(1) Section 6-A: water north of a line from the tip of Point Colpys to the tip of Macnamara Point, west of a line from the [TIP OF LOW POINT] **Northwestern Tip of Northerly Island** to the tip of Point Alexander and east of a line from the tip of Point Barrie to the tip of Point Baker.

…

(h) District 8: waters of Frederick Sound south of a line from Wood Point to Beacon Point (excluding Wrangell Narrows), Sumner Strait east of a line from Point Alexander to [LOW POINT] **Northwestern Tip of Northerly Island** Stikine Strait north of the latitude of Round Point, Zimovia Strait north of the latitude of Nemo Point and Eastern Passage west of a line from Hour Point (56 degrees, 27.80' N. lat., 132 degrees, 16.63 W. long), to Babbler Point;

What is the issue you would like the board to address and why? I would like the Board of Fish to adopt change to the District 6 and 8 boundary line from the normal boundary from Point Alexander 56 degrees, 30.55 minutes North Latitude, 132 degrees 57.01 minutes West Longitude to Low Point 56 degrees, 27.17 North Latitude, 132 degrees 57.17 West Longitude.

Change boundary line to Point Alexander 56 degrees, 30.55 minutes north, 132 degrees, 57.01 minutes West to the Northwestern Tip of Northerly Island at 56 degrees, 26.56 North Latitude, 132 degrees, 58.63 minutes West Longitude. This adjustment moves the southern marker approximately 3/4 mile West.

The department often does a slight Westerly adjustment of the district 6 and 8 boundary line during regular drift gillnet openings and drift gillnet midweek openings. Adopting the change would make it unnecessary to make constant adjustments to the boundary line reducing any confusion if there were any changes during a drift gillnet midweek opening. Also, the normal southern line has reef and pinnacle hazards along the beach, moving the line slightly west moves the fishery away from the hazard and allows for a more orderly line fishery. This does not make sockeye more vulnerable since fishing this area is a tide change area which does not last very long until the tide runs too hard to be effective and the main body of sockeye pushes past.

If the regulation is not changed, this will not have much affect on any District 8 fishery. The department will continue doing as they have to establish lines for a fishery.

PROPOSED BY: Ed Tagaban (EF-F20-051)

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PROPOSAL 119

5 AAC 33.200. Fishing district and sections; 5 AAC 33.310. Fishing seasons and periods for net gear; and 5 AAC 33.359. Section 6-D Pink salmon management plan.

Create a new section in District 6 and reimplement the Section 6-D Pink Salmon Management Plan, as follows:

5 AAC 33.200 (f), 5 AAC 33.310(a)(6) and (c)(2)(B) and 5 AAC 33.359 are amended to read:

5 AAC 33.200 (f)(4) Section 6-D: [ALL OTHER WATERS OF THE DISTRICT] **waters east of Sections 6-B and 6-C and west of a line from Mariposa Rock Buoy at 56o10.68' N. lat., 132o44.36'W. long. to the northernmost tip of Point Harrington at 56o10.27' N. lat., 132o43.57' W. long. to a point on Etolin Island at 56o09.60' N. lat., 132o42.70' W. long. to the southernmost tip of Point Stanhope at 56000.69' N. lat., 132o36.47' W. long.**
(f)(5) Section 6-E: all other waters of the district.

5 AAC 33.310(a)(6) District 6, Sections 6-C, 6-D and 6-E only;

(c)(2)(B) Section**[S] 6-D** [WEST OF A LINE FROM MARIPOSA ROCK BUOY AT 56O10.68' N. LAT., 132O44.36'W. LONG. TO THE NORTHERNMOST TIP OF POINT HARRINGTON AT 56O10.27' N. LAT., 132O43.57' W. LONG. TO A POINT ON ETOLIN ISLAND AT 56O09.60' N. LAT., 132O42.70' W.LONG. TO THE SOUTHERNMOST TIP OF POINT STANHOPE AT 56000.69' N. LAT., 132O36.47' W. LONG.] is open.

5 AAC 33.359 Section 6-D Pink Salmon Management Plan. (a) The department may open those portions of Section 6-D [DESCRIBED IN 5 AAC 33.313(C)(2)(B)] to drift gillnet fishing during the period of time that is after the first Saturday in August and before the first Sunday in September as described in this section.

(b) If a purse seine fishery is announced to be opened or is opened in [THE PORTION OF] Section 6-D [DESCRIBED IN 5 AAC 33.310(C)(2)(B)] for any portion of one day, the drift gillnet fishery may open in [THE SAME PORTION OF] Section 6-D as follows:

What is the issue you would like the board to address and why? The portion of Section 6-D that may open to drift gillnetting at certain times of the salmon season should be clearly defined. This issue has been confusing for many years. We suggest that a new section in District 6 be adopted that clearly defines this area. This change would not affect existing purse seine and drift gillnet fishing opportunities in District 6.

PROPOSED BY: Leonard Leach and Doug Rhodes (EF-F20-061)
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PROPOSAL 120
5 AAC 33.200. Fishing district and sections; 5 AAC 33.310. Fishing seasons and periods for net gear; and 5 AAC 33.359. Section 6-D Pink salmon management plan.
Remove Section 6-D closure to fishing with drift gillnet gear during the month of August, as follows:

During Pink Salmon Management, if no purse seine openings are scheduled in 6-E, 6-E would be open to gillnetting when District 6 is open.

5 AAC 33.359 Section 6-D Pink Salmon Management Plan. (a) The department may open [THOSE PORTIONS OF] Section 6-D [DESCRIBED IN 5 AAC 33.313(C)(2)(B)] to drift gillnet fishing during the period of time that is after the first Saturday in August and before the first Sunday in September as described in this section.

5 AAC 33.310(a)(6) District 6, Sections 6-C, 6-D **and 6-E** only;

(c)(2)(B) Section**s** 6-D **and 6-E** [WEST OF A LINE FROM MARIPOSA ROCK BUOY AT 56°10.68' N. LAT., 132°44.36'W. LONG. TO THE NORTHERNMOST TIP OF POINT HARRINGTON AT 56°10.27' N. LAT., 132°43.57' W. LONG. TO A POINT ON ETOLIN ISLAND AT 56°09.60' N. LAT., 132°42.70' W.LONG. TO THE SOUTHERNMOST TIP OF POINT STANHOPE AT 56°00.69' N. LAT., 132°36.47' W. LONG.] is open.

5 AAC 33.359

(a) **(1)** The department may open [THOSE PORTIONS OF] Section 6-D [DESCRIBED IN 5 AAC 33.313(C)(2)(B)] to drift gillnet fishing during the period of time that is after the first Saturday in August and before the first Sunday in September as described in this section.

(2) Section 6-E will open and close by emergency order for commercial fishing with drift gillnet gear concurrent with drift gillnet commercial salmon fishing periods in any other portion of District 6.

What is the issue you would like the board to address and why? 6-E being closed during Pink Salmon Management makes it difficult to fish District 6 without drifting over the 6-E boundary.

PROPOSED BY: Leonard Leach and Doug Rhodes (EF-F20-062)
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PROPOSAL 121
5 AAC 33.350. Closed waters.
Establish waters closed to commercial drift gillnet fishing in and around Coffman Cove, as follows:

Closed waters for taking salmon with net gear.

5 AAC 33.350(g)(17), close the waters for net gear in Coffman Cove waters north and west of line from a point located at 56'00.959'N lat., 132'48.653'W long to a point at the southern tip of The Triplets located at 56'03.470'N lat., 132'49.960'W long, and south of the latitude of 56'03.470 which is located at the southern tip of The Triplets;

What is the issue you would like the board to address and why? The residents of Coffman Cove have seen a greater presence of un-guided non-resident sport fishing anglers and commercial gillnetters in the area of Coffman Cove. Both the un-guided non-resident vessels as well as local resident vessels have had issues while attempting to leave and return back to Coffman Cove while

navigating around commercial gillnets. Commercial gillnetters will fish 300 fathom drift gillnets directly at the mouth of Coffman Cove. Clarence Strait is known to having harsh wind and sea conditions. Skiffs have ran into drift gillnets while attempting to return back into the safe waters of Coffman Cove. At the writing of this proposal, there have been no reported injuries or death associated with collisions with drift gillnets near Coffman. This proposal is being submitted in an attempt to prevent any collisions of small sport fish vessels and the commercial gillnets. Coffman Cove sport fisherman often times leave Coffman Cove and fish from The Triplets further north. Closing a small area, due to the safety concern, in the area given is in an attempt to protect life and prevent injuries as well as protect damage to commercial nets. This regulation change will not greatly effect commercial gillnetters as they will adapt by fishing the next point, three quarters of a mile south of the entrance of Coffman Cove.

PROPOSED BY: The East Prince of Wales Fish and Game Advisory Committee (EF-F20-089)
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PROPOSAL 122
5 AAC 33.366. Northern Southeast seine salmon fishery management plans.
Remove sunset date so regulation remains in effect, as follows:

5 AAC 33.366. Northern Southeast seine salmon fishery management plans.

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:
(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;
(2) [THROUGH THE 2020 SEASON] the department shall close the seine fishery in District 12 north of Point Marsden after 15,000 wild sockeye salmon are harvested by seine vessels that the department identifies as taken north of Point Marsden when other areas are open concurrently through July 22; hatchery-produced sockeye salmon will not count against the 15,000 wild sockeye salmon harvest limit; during the openings, the department will use aerial flyovers, on-the-ground sampling, interviews, and fish tickets to estimate the sockeye salmon harvest north of Point Marsden.

What is the issue you would like the board to address and why? We would like to make 5 AAC 33.366 (a)(2) permanent. That regulation is currently set to expire after the 2020 season. That provision in this regulation, particularly the sockeye salmon accounting date of July 22, was the result of compromise between the commercial net gear groups during the 2018 Southeast Alaska Board of Fisheries meeting.

PROPOSED BY: Alaska Native Inter-Tribal Association of Seiners (HQ-F20-007)
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PROPOSAL 123
5 AAC 33.366. Northern Southeast seine salmon fishery management plans.

Remove the sunset date so regulation remains in effect and change effective end date of the plan from July 22 to July 15, as follows:

5 AAC 33.366
(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) The department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) [THROUGH THE 2020 SEASON] The department shall close the seine fishery in District 12 north of Point Marsden after 15,000 wild sockeye salmon are harvested by seine vessels that the department identifies as taken north of Point Marsden when other areas are open concurrently through July **15** [22]; hatchery-produced sockeye salmon will not count against the 15,000 wild sockeye salmon harvest limit; during the openings, the department will use aerial flyovers, on-the-ground sampling, interviews, and fish tickets to estimate the sockeye salmon harvest north of Point Marsden.

What is the issue you would like the board to address and why? The provisions in section (2) sunsets and needs to be addressed. We would like to have access to north migrating pink salmon during years when abundance allows.

PROPOSED BY: Southeast Alaska Seiners Association (HQ-F20-103)
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PROPOSAL 124
5 AAC 33.366. Northern Southeast seine salmon fishery management plan.
Establish additional guidelines for the department to manage the District 12 purse seine fishery north of Point Marsden, as follows:

5 AAC 33.366. Northern Southeast seine salmon fishery management plan. (a) during the month of July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) the department shall close the seine fishery in District 12 north of Point Marsden during July after 15,000 wild sockeye salmon are taken, as described in this paragraph; during the openings, the department will use aerial flyovers, on the ground sampling, interviews, and fish tickets to estimate the sockeye salmon harvest north of Point Marsden in District 12; hatchery-produced sockeye salmon will not count against the 15,000 sockeye salmon harvest limit; the wild sockeye salmon that will count against the 15000 sockeye salmon limit under this paragraph is as follows.

(A) all wild sockeye salmon harvested by seine vessels that the department identifies as fishing north of Point Marsden in District 12 during any July fishing period when other areas are open concurrently.

(b) Salmon may be taken during emergency order openings for chum salmon in Excursion Inlet only in waters of Section 14-C north of the latitude of the northern tip of the Porpoise Islands. The commissioner may open the area by emergency order only after consideration of concerns for chum and coho salmon conservation.

(c) The department may allow the operation of purse seines in District 12 south of Point Marsden. Before opening fishing areas and times under this subsection, the department must consider conservation concerns for all salmon species in the area, and

(1) the portion of District 12 within two miles of the Admiralty Island shoreline south of the latitude of Point Hepburn at 57° 56.21' N. lat. and north of the latitude of Fishery Point at 57° 47.36' N. lat. may not open before July 17;

(2) the portion of District 12 within two miles of the Admiralty Island shoreline south of the latitude of Fishery Point at 57° 47.36' N. lat. and north of the latitude of Parker Point at 57° 36.73' N. lat. may not open before July 21.

What is the issue you would like the board to address and why? During the 2018 SE Finfish meeting, an agreement was made between the seines and gillnets on a seine generated proposal to move the wild sockeye cap ending date to July 22 from its original date of through the month of July. The regulation was to sunset after three years. As a result of poor wording in the regulation, the wild 15,000 sockeye cap will also sunset out of regulation. This was not the intent of the agreement, as our gear group would never have signed on. The 15,000 sockeye cap is a long standing regulation that recognizes the highly mixed stocked aspects of this particular area. We feel that the 15,000 cap is an important management tool, particularly in high abundance pink years, to allow passage of sockeye bound for both PSC systems and Alaska systems that the gillnet fleet is managed for.

PROPOSED BY: United Southeast Alaska Gillnetters (HQ-F20-122)

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Personal Use/Sport/Subsistence

Subsistence

PROPOSAL 125

5 AAC 01.730. Subsistence fishing permits.

Clarify language for subsistence take of coho and king salmon, as follows:

5 AAC 01.730

(b) Permits will not be issued for the taking of coho salmon from the Taku River and Stikine River drainages, [OR FOR KING SALMON]. [HOWEVER] **K**ing or coho salmon taken incidentally by gear operated under terms of a subsistence permit for other salmon are legally taken and possessed for subsistence purposes as described in (j) of this section.

What is the issue you would like the board to address and why? Regulation does not apply to Yakutat area.

PROPOSED BY: Southeast Subsistence Regional Advisory Council (HQ-F20-112)

The lead-in language for proposal 125 was corrected on 10/7/2020.

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PROPOSAL 126

5 AAC 01.670. Lawful gear and gear specifications.

Repeal net tending requirement in Yakutat Bay, as follows:

We recommend that the new regulation be repealed and restored to its original regulation. There was no data produced to back the need for the change in the regulation which is now in effect. We strongly feel it was all based on speculation.

What is the issue you would like the board to address and why? The new regulation (5 AAC 01.670) that went into effect in 2018 that requires subsistence users to attend their net at all times.

Reasons:
This new regulation was proposed in 2017 and implemented on behalf of Yakutat in 2018 by the Fish and Game Advisory Committee without any public notices for comments because of poor networking or posting notices. Because of this, the regulation only reflects the view of a few.

The subsistence fisheries are targeted and hampered. This regulation specifically targets one group of users, bay subsistence fisheries, but they abolish this new regulation with the opening of the commercial set net fishery. There is no regulation that hampers the commercial fishermen in this way.

State law requires that subsistence is a high priority. With this new regulation, many families are hampered in acquiring their subsistence King Salmon.

Most people who subsistence fish check their nets periodically over the course of the day instead of sitting on their nets because most are at work. There are a few who leave it out too long without checking it, but it is a very small fraction of all who subsistence fish for Chinooks, and the majority should not be penalized for those few.

There is no data collected that shows this regulation would help save any salmon or how much salmon is taken by marine mammals such as the sea lions or seal. As many know, the troll fishermen lose their kings to sea lions off their hooks, and the commercial fishermen lose their kings to the seals and sea lions on a daily basis, but the subsistence users are the only ones targeted by this regulation.

PROPOSED BY: Yak-Tat Kwaan, Inc. (HQ-F20-127)

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PROPOSAL 127

5 AAC 01.670. Lawful gear and specifications.

Repeal net tending requirement in Yakutat Bay, as follows:

Repeal the new restrictions that require subsistence fishers to be at the set net site at all times. Most subsistence fishers place their nets close to their homes where they can leave a skiff anchored close to the net and attend it regularly during the day.

Repeal the new restrictions **(**5 AAC 01.670) and manage subsistence fishing the same as commercial fishing, by requiring fishers to be at the set gillnet **site** at all times.

What is the issue you would like the board to address and why? Proposal to repeal new restrictions requiring subsistence salmon fishing permit holder to attend set net gillnets, at all times, in Yakutat Bay.

The new restrictions in Yakutat Bay require subsistence users to attend gill nets at all times, in April and May, has almost completely eliminated the spring king harvest for subsistence users. Subsistence fishers catch on average less than 1 fish per day with most coming over night. Fishers cannot reasonably sit on nets all day and all night to catch less than 1 fish.

The Yakutat Tlingit Tribe believes the Board of Fisheries did not consider or expect this change in regulations to almost eliminate subsistence harvest of spring Kings. The Kings harvested in April and May are one of the most important subsistence foods taken by local residents.

This loss of spring Kings to our tribal members fails to provide the priority for subsistence the law requires. While subsistence users suffer the loss on average of 200 Kings annually, a newly established troll fishery is harvesting the same fish on a 1,000 fish quota, and the commercial set gill net fishery is not required to attend nets at all times, even though fish are much more abundant during the fishery. They are only required to be at the set net site. This is no way to provide a priority for subsistence.

Most tribal members were not aware that these restrictions were being considered. The local Fish and Game Advisory Committee did a poor job informing the public on such an important proposal. The committee failed to adequately inform the public.

If this problem is not solved: Our tribal members and other subsistence users will continue to be denied one of the most important subsistence foods harvested by this community. The subsistence lifestyle treasured by this community will forever be damaged.

PROPOSED BY: Yakutat Tlingit Tribe (EF-F20-101, HQ-F20-128)

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PROPOSAL 128

5 AAC 01.720. Lawful gear and gear specifications.

Allow use of set gillnets in all Southeast Alaska area subsistence salmon fisheries, as follows:

Fish may be taken by gear listed in 5 AAC 01.010(a) except as may be restricted under the terms of a subsistence fishing permit and except as follows:

(1) in District 13, Redoubt Bay, gillnet or seine gear may not be used to take salmon in any waters of the bay closed to commercial salmon fishing;

(2) a set gillnet **[MAY NOT BE]** used to take salmon **may only be anchored or fixed at one end** except;

(A) the mainstream and side channels, but not the tributaries, of the Chilkat River from the terminus to one mile upstream of Wells Bridge; and

(B) District 5 in Shipley Bay, not more than 100 yards from the terminus of Shipley Creek;

What is the issue you would like the board to address and why? The intent of the proposal is to allow subsistence users to use set gillnets when harvesting salmon. The proposed regulation allows set gillnets to be anchored only at one end, which has the effect of requiring nets to be closely attended. The current regulation prohibiting set gillnets is unnecessarily restrictive, as subsistence users should be allowed to use the most efficient legal gear type available to them. In particular, allowing the use of set gillnets will allow people to fish alone more effectively. Managers will still be able to use permit restrictions to address issues at specific sites.

PROPOSED BY: Southeast Subsistence Regional Advisory Council (HQ-F20-110)
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PROPOSAL 129
5 AAC 01.725. Waters closed to subsistence fishing and 5 AAC 01.745. Subsistence bag and possession limits; annual limits.
Modify closed waters and remove coho salmon annual limit for the Klawock River, as follows:

Allow for customary & traditional harvest of Coho to also occur beyond the Klawock River bridge to the Klawock River estuary from August 15-September 30. Change annual harvest of forty (40) Coho annually to twenty (20) Coho per day per resident.

Draft Regulatory Language:

Waters closed to subsistence fishing. (a) Salmon may not be taken for subsistence purposes in:
(1) the Klawock River drainage upstream of the Klawock River Bridge; except for subsistence caught Coho from August 15-September 30. Daily limit shall be twenty (20) coho with no annual limit.

What is the issue you would like the board to address and why? Hatchery coho have become abundant on the Klawock River.

Coho harvest has a boundary that doesn't meet the needs of customary & traditional harvesting for rural residents. Restricting harvest of abundant hatchery Coho.

PROPOSED BY: Klawock Fish and Game Advisory Committee (HQ-F20-056)
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PROPOSAL 130
5 AAC 01.710. Fishing seasons.
Modify fishing times and locations for subsistence salmon fishery in the Klawock River and Lake, as follows:

From July 10 through July 31 annually, sockeye salmon may be taken in the waters of Klawock Harbor enclosed by a line from the northernmost tip of Klawock Island at 55° 33.47' N. lat., 133°

05.96' W. long., the Klawock River, and Klawock Lake only from 12:01 am Monday until 11:59 pm Friday.

What is the issue you would like the board to address and why? Harvest dates for wild stock sockeye on the Klawock River. Rural residents are having difficulties with annual harvest of sockeye in the Klawock River because of low wild stock escapement. Past sockeye harvesting started in June in the 1990's. By 2000's, effective harvesting occurred later in the harvest season. Having our starting and ending dates from Monday-Friday will also help with customary & traditional harvest of sockeye and increase food security. This will also relieve stress on initial run of wild stock sockeye in the Klawock River.

PROPOSED BY: Klawock Fish and Game Advisory Committee (HQ-F20-055)
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PROPOSAL 131
5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.
Modify fishing area and add hand purse seine as legal gear for the Redoubt Bay and Lake subsistence salmon fishery, as follows:

Allow the use of beach and hand purse seines within approximately 100 yards from the base of the falls when the projected total escapement is greater than 40,000 fish.

5 AAC 01.760 (e)The following provisions apply to the department issuance of community harvest permits for the Redoubt Bay community harvest area described as the waters of Redoubt Bay that are [SOUTH OF 56° 54.71' N. LAT. AND WEST OF 135° 18.88' W. LONG] **north (seaward) of a line approximately 100 yards from the base of the falls as marked by ADF&G regulatory markers.**

5 AAC 01.760 (e)(6) for the purposes of this section, the legal gear for harvest under a community harvest permit are a beach seine, **hand purse seine,** dip net, gaff, spear, and a hook and line attached to a rod or pole.

What is the issue you would like the board to address and why? Large sockeye returns to Redoubt Lake over the last several years have triggered the issuance of a community harvest permit for the harvest of Redoubt sockeye. Unfortunately, three harvest attempts in the last two years has only netted two sockeye. The waters open to the use of a community harvest permit are at the mouth of the bay and a significant distance from the effluent waters of Redoubt Lake.

What would happen if nothing is changed? Continued underutilization of the resource due to lost harvest opportunities for the Sitka Tribe.

What are other solutions you considered? Why did you reject them? This is a unique situation that can only be addressed through the adjustment of legal fishing boundaries and the allowance of additional gear types.

PROPOSED BY: Sitka Tribe of Alaska (HQ-F20-094)
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PROPOSAL 132
5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.
Prohibit the use of spears in Redoubt Bay and Lake subsistence fishery from June 21 to August 1, as follows:

No person may remain immersed in either salt or fresh water between the falls side of the snagging boundary and the weir at Redoubt Lake during subsistence harvest June 21—August 1.

What is the issue you would like the board to address and why? Snorkelers with spear guns have been swimming in the small (South) pool below the falls during the Redoubt Lake sockeye run. They panic the fish, scattering them in the way a seal does when it comes in hunting, but for a much longer time, since the snorkelers are in there continuously for an hour or so. After a seal incursion, the fish do not resume moving up to the falls for half an hour. It's the same after a snorkeler swims in the pool, unless another snorkeler decides to enter. For an hour, fishing is impossible.

While snorkelers are in the pool, they ruin dipnetting because the fish are scattered and panicked; they ruin rod fishing both by panicking the fish and by interfering with casting; and they interfere with boats moving in to drop off dipnetters on the south shore. In short, snorkelers ruin fishing for every subsistence harvester.

As a matter of observation over five years, snorkelers do not catch fish either reliably or in any noticeable quantity. Swimming with a spear gun was not contemplated under the permitted gear technique of taking fish with a spear. In fact, a spear gun is not a permitted method of harvest, according to the subsistence definition of a spear: the projectile is not "operated by hand" any more than a crossbow bolt is.

Spear fishing with a spear gun can be dangerous to fishers, observers, and personnel monitoring the fishery. I have seen a subsistence fisher find himself on the wrong end of a cocked, loaded spear gun wielded by a clueless snorkeler.

PROPOSED BY: Floyd Tomkins (EF-F20-006)
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PROPOSAL 133
5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.
Allow the use of seine and gillnet gear in the waters of Redoubt Bay that are open to commercial salmon fishing, as follows:

5 AAC 01.760(b)(1)(B) is amended to read:

(B) by gaff, spear, dip net, **seine, gillnet,** and a hook and line attached to a rod or pole;

What is the issue you would like the board to address and why? There are two conflicting regulations concerning the use of seine and gillnet gear in the Redoubt Bay subsistence salmon fishery**.** 5 AAC 01.720(a)(1) *Lawful gear and gear specifications* states that in Redoubt Bay, seine and gillnet gear may not be used in waters closed to commercial salmon fishing. This regulation suggests that these subsistence gear types may be used in Redoubt Bay up to the commercial regulatory closed waters listed in regulation. However, regulatory language in 5 AAC 01.760 *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan* does not allow for the use of seine and gillnet gear in the waters of Redoubt Bay south of 56°54.71′ N. lat., which includes waters open to commercial salmon fishing. The suggested regulatory language would provide clarity to department staff for the use of seine and gillnet gear in the Redoubt Bay subsistence salmon fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-155)

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Personal Use

PROPOSAL 134

5 AAC 77.699. Prohibitions.

Prohibit obstructing more than half of the stream, creek, or river when personal use fishing, as follows:

5 AAC 77.699 (d) Prohibitions – Cannot obstruct more than ½ of the fish way:

(d) A person cannot obstruct more than ½ of a stream, creek, river, bay, or fish passageway with a beach seine, gillnet, or other man-made object.

What is the issue you would like the board to address and why? In the past on Prince of Wales Island, personal use or subsistence salmon fishermen would obstruct large percentages of streams, rivers, or bays with personal use nets. There were no regulations preventing such actions. Concerned residents notified ADF&G commercial fish of the common practice and the lack of a regulation preventing a person from stretching a net across a stream. Other areas of the state have regulations preventing a person from obstructing more than half of a fish stream.

ADF&G commercial fish listed "A person cannot obstruct more than ½ of a stream, creek, river, bay, or fish passageway with a beach seine or gillnet" as a condition of a personal use /subsistence salmon permit. Adding this condition as a regulation to personal use and subsistence administration code will ensure in future years, the condition is not removed. Southeast Alaska has several small streams with small runs of desired salmon species. The only suggested change to the condition if passed into regulation is the addition of a man-made object. People have been observed using vessels such as a barge or sport boats in addition to their nets to capture the maximum amount of fish as they can.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-096)

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PROPOSAL 135

5 AAC 77.682. Personal use salmon fishery.

Allow permits to be issued for the personal use taking of king and coho salmon, as follows:

5AAC 77.682(c) [THE DEPARTMENT SHALL NOT ISSUE A PERMIT FOR THE TAKING OF KING OR COHO SALMON, BUT] **K**ing and coho salmon taken incidentally by gear operated under terms of a personal use permit for other salmon are legally taken and possessed for personal use purposes.

What is the issue you would like the board to address and why? Delete the first phrase in this regulation that prohibits issuance of personal use permits for taking of King and Coho salmon. This regulation is contrary...

- to statute AS16.05.251(d) which requires "fair and reasonable" personal use fishing opportunities.
- to regulation 5AAC 77.001 which describes the intention of the personal use fishing category to provide "efficient" harvesting of fish for personal use by residents who are precluded from participating in subsistence fisheries.
- to 5AAC 77.001(b) which states a personal use fishery will be allowed when..... "in the broad public interest".
- to AG opinion which supports 5AAC 77.001 and AS16.05.251 and "Legislative History", which states the legislative intent to "require" the board to provide "fair and reasonable" opportunity for personal use fishing. See e.g. 1985 House J. 584-585, 920-921, 1230-1231(letters of intent) secs, 3. 11. ch.52 SLA 1986.
- to the intent and spirit of both the Legislature and the Board of Fisheries.
- Also, this regulation inhibits even considering king and coho for personal use fisheries.

PROPOSED BY: Michael Fox (EF-F20-026)

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PROPOSAL 136

5 AAC 77.682. Personal use salmon fishery.

Include commercial harvested salmon to fish that may not be possessed on the same day sport or personal use salmon are taken, as follows:

No person may possess personal use-taken and sport taken **or commercial taken salmon** on the same day.

What is the issue you would like the board to address and why? To help prevent personal use fishing as a method of illegal commercial fishing.

PROPOSED BY: Michael Fox (EF-F20-024)

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PROPOSAL 137

5 AAC 77.682. Personal use salmon fishery.

Prohibit personal use proxy permits at Sweetheart Creek, as follows:

The use of proxies for the sweetheart creek personal use fishery is not permitted.

What is the issue you would like the board to address and why? It is not uncommon for some participants in the Sweetheart Creek Personal Use fishery to fish a proxy along in addition to their personal limit. The issue is there are limited spots to successfully harvest fish along Sweetheart Creek. Fishery participants with proxy permits -- especially groups in possession of multiple proxy permits -- naturally take more time to fill their proxy permits and thereby limit access by other people wishing to participate in the fishery.

The limit of 25 for Sweetheart Creek was established arbitrarily using the justification of "fairness", as noted in the findings document 2016-281-FB.

Allowing the use of proxies is contrary to the justification of fairness used to set the limit of 25, as it makes it more difficult for some fishery participants to access productive spots along the creek if other participants are in those spots for extended periods of time while essentially filling two (2) limits.

I understand that some members of the community benefit from these proxy fish, but given there is no annual harvest limit, they could simply have people who would normally fish proxies for them return to the creek to harvest another limit.

PROPOSED BY: Nicholas Orr (EF-F20-029)

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PROPOSAL 138

5 AAC 77.682. Personal use salmon fishery.

Create salmon personal use fisheries in marine waters of the Juneau Management Area, as follows:

Require ADF&G to issue personal use permits for "efficient" harvest of sockeye salmon in the marine waters of the Juneau Area.

What is the issue you would like the board to address and why? Currently there is very little opportunity for personal use harvest of sockeye in the Juneau area. Statute (AS16.05.251) requires a fair and reasonable opportunity to personal use fish. Legislative intent is to provide fair and reasonable opportunity to personal use fish. The intent of the personal use fishing category is to provide "efficient" harvest by residents (5AAC 77.001).

Regulation 5AAC 77.682 says ...

(a) Salmon may only be taken under the authority of a personal use fishing permit.

(h) Salmon may be taken at any time except...(1) as may be restricted under the terms of a personal use fishing permit.

Yet; contrary to Legislative Intent, and the underlying intent of the creation of the personal use fishing category; ADF&G does not provide "fair and reasonable" or "efficient" harvest opportunities in the Juneau area.

PROPOSED BY: Michael Fox (EF-F20-054)

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PROPOSAL 139

5 AAC 77.682. Personal use salmon fishery.

Modify where personal use fishing can occur in the Taku River to include all of Section 11-B and remove dates when the fishery can occur, as follows:

The proposed solution is to provide ADF&G management with the authority (under 5 AAC 77.682) to issue personal use permits for harvest of Taku River sockeye salmon using gillnet gear in marine waters of District 111. Permits would limit the time and area so as to eliminate conflicts with commercial fishing and address specific stock concerns. The simplest solution would be to repeal 5 AAC 77.682 (h)(3) [(3) IN THE TAKU RIVER DRAINAGE, SOCKEYE SALMON MAY BE TAKEN ONLY IN WATERS FROM THE TAKU RIVER LODGE UPSTREAM TO THE UNITED STATES/CANADA BORDER AND ONLY FROM JULY 1 THROUGH JULY 31.] and replace 5 AAC 77.682 (n)(1) with **sockeye salmon may be taken for personal use in section 11B under conditions specified in a household personal use permit** [SOCKEYE SALMON MAY NOT BE TAKEN FOR PERSONAL USE], and except that in the following waters sockeye salmon may be taken with the following possession and annual limits:.

What is the issue you would like the board to address and why? The accessibility, availability, and quality of personal use sockeye salmon for Juneau fishermen in District 111 is severely limited, resulting in the inability of many Juneau residents to realize a fair and reasonable opportunity to harvest sockeye salmon, contributes to over-escapement of Taku River sockeye salmon, and reduces the justification for current catch-sharing agreements between Alaska and Canada. Personal use fishing is currently limited to the upper U. S. section of the Taku River (above Taku River Lodge to the Canadian Border) and Sweetheart Creek, a small creek approximately 37 miles from Juneau. The opportunity to harvest returning salmon is seriously limited by weather, equipment needs, and competition with other users. Unharvested fish in the marine waters contribute to over-escapement (2015-2017 escapements averaged 168% of the upper escapement goal), failure to achieve maximum sustained yield, and possible detrimental impacts on production. And the inability to harvest U. S. allowable catch limits (the commercial gillnet fishery only caught a 2015-2017 average of 53% of the U. S. allowable catch) could result in catch sharing agreements being reexamined in future U.S./Canada negotiations.

PROPOSED BY: John Clark (HQ-F20-042)

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PROPOSAL 140

5 AAC 77.682. Personal use salmon fishery.

Add section 11-B as a personal use salmon fishing area when the area is closed to the commercial drift gillnet fishery, as follows:

(C) Taku Inlet - Commercial Fishing District 11B during periods closed to commercial fishing: the possession and annual limit are as specified in (f) of this section.

What is the issue you would like the board to address and why? Provide Juneau area residents with a fair and reasonable opportunity to personal use fish for sockeye salmon. As required by statute AS16.05.251(d) and pursuant to the underlying purpose of the board's creation of the personal use fishing category to allow efficient harvesting of fish by individuals who were precluded from participating in subsistence fisheries. (ref. AG opinion dated 3/21/96 #663-96-0266).

PROPOSED BY: Mike Fox (EF-F20-021)

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PROPOSAL 141

5 AAC 77.682. Personal use salmon fishery.

Add section 11-B as a personal use salmon fishing area when the area is closed to the commercial drift gillnet fishery, as follows:

5AAC 77.682(h) Salmon may be taken anytime except

(4) in commercial fishing district 11B, sockeye salmon may be taken only during periods closed to commercial fishing.

What is the issue you would like the board to address and why? Provide Juneau area residents a fair and reasonable opportunity to personal use fish for sockeye salmon. And, to provide a personal use sockeye fishery in marine waters.

Juneau Residents are precluded from Federal subsistence fisheries, and the State has designated Juneau area waters as non-subsistence.

5AAC 77.001 states the intent of the personal use category is to provide "efficient" harvesting by residents precluded from subsistence fisheries. AS16.05.251(d) requires "fair and reasonable" personal use opportunities. Legislative Intent is to "require" the Board of Fish to provide "fair and reasonable" opportunity for personal use fishing. See e.g. 1985 House J.584-585, 920-921, 1230-1231 (letters of intent) secs, 3. 11. ch.52 SLA 1986.

PROPOSED BY: Michael Fox (EF-F20-027)

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PROPOSAL 142

5 AAC 77.678. Personal use smelt fishery.

Establish bag and possession limits and lawful gear for smelt fishing in the Ketchikan area, as follows:

5 AAC 77.678 Smelt may be taken for personal use at any time **in Ketchikan District**

(1) The daily and possession limit is 50 pounds per individual

(2) Allowed gear: dip nets and throw nets

Proxy fishing allowed on behalf of qualified fishing permit holders

What is the issue you would like the board to address and why? Firstly, the Ketchikan Indian Community Tribal Government (KIC) strongly supports the Customary and Traditional Use designation for ooligan on the Unuk River. Secondly, KIC does not support a commercial ooligan fishery in Ketchikan Management Area and would like it stricken from the fishing regulations. Thirdly, KIC supports the following proposal that would support limited access to harvestable ooligan resources until such a time as native fishing rights are fully and adequately addressed.

The Department of Fish and Game has been closing the eulachon (ooligan) fishery on the Unuk River and elsewhere in Ketchikan District since 2005. This has been a customary and traditional use area for indigenous people in the region and a source of subsistence and trade. Ooligan as the native peoples call this small anadromous fish have been eaten fresh smoked and been converted to ooligan grease. This cultural practice has been all but eliminated for over a decade and elders have been deprived of this subsistence resource and young people have not been exposed to harvesting, eating and preparing ooligan an important part of their cultural heritage. The eulachon population levels on the Unuk River and elsewhere in SE Alaska are not accurately known due to insufficient monitoring. Allowing fishing with adequate harvest reporting would provide additional information not currently being collected on population trends, and can be used to adaptively manage the fishery based on creel census and the additional catch per unit effort information rather than taking the very conservation approach of annually closing the fishery altogether. If ooligan are present in numbers that warrant the effort and expense of harvesting small amounts for personal use the ADFG should allow for this culturally significant fishery. Due to a very narrow harvest window coupled with the challenges of getting to the Unuk River and other known spawning areas; the unpredictability of eulachon timing; and variation in spawning locations it is expected any personal-use harvest impacts would be minimal, even without a bag limit. With the addition of a bag limit coupled with the traditional ecological knowledge and reverence for fisheries resource possessed by tribal fisherman whom are the primary user of this resources, population levels should not be significantly impacted. In addition, fish found in isolated tide pools can and should be collected, to avoid wanton waste of trapped fish. Also, a liberal proxy fishing policy should be allowed since most tribal members in the region do not have the ability to access the ooligan resources due to distance from population centers. There is a high cost of travel associated with fishing for ooligan in locations such as the Unuk River; a small bag limit makes such travel unfeasible.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-053)

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Sport

PROPOSAL 143

5 AAC 47.XXX. New section.

Require inseason reporting of nonresident sport fish harvest, as follows:

All non-resident sport fishermen in the Southeast and Yakutat Areas (fresh and saltwater) shall complete and submit a logbook of all fish and shellfish harvested. Harvest shall be documented in

the logbook before leaving each fishing site. Logbooks shall be returned to the Alaska Department of Fish and Game by December 31 (or whatever date is appropriate) each year.

It is recommended that this regulation be evaluated after 6 years of harvest data has been gathered and analyzed to determine if the perceived increase in competition or use exists. If there are no documented problems then the regulation should be removed.

What is the issue you would like the board to address and why? The Southeast Alaska Subsistence Regional Advisory Council (Council) believes that the harvest of fish by non-resident sport anglers has increased in the Southeast and Yakutat Areas, while subsistence users have been subject to increasing regulation and restrictions and are experiencing a more difficult time competing for and harvesting fish and shellfish.

The only method to account for non-resident sport harvest is by a statewide mail survey. Other than major sport fisheries, response rates are too low to accurately assess if non-resident harvest is contributing to localized depletion of resources or if the competition with subsistence users is increasing.

The Council also believes that unguided non-resident sport fishermen are taking multiple daily harvest limits. The Council believes harvest limits for unguided non-residents are not enforced and are unaccounted, since non-resident unguided fishermen do not have to record their harvest, except for species with an annual limit, before leaving the fishing site; unlike subsistence fishermen.

Presently, recording species with an annual limit is only an enforcement tool. It does not contribute to harvest accounting since there is no requirement to submit the harvest record to ADF&G.

PROPOSED BY: Southeast Subsistence Regional Advisory Council (HQ-F20-111)
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PROPOSAL 144
5 AAC 47.XXX. New section.
Establish a logbook program for rental vessels used in Southeast Alaska sport fisheries, as follows:

We propose the Board of Fisheries enact a new regulation (provided below) that will require catch records of all rented recreational vessels that engage in sportfishing activities. We are specifically proposing Halibut catch data be gathered with this new regulation, but we support catch data gathering for any other species that would provide valuable management information to the Department. We also feel it is vital to require the Department to share any data gathered under this new regulation with the appropriate departments of the IPHC, NPFMC and NOAA on an annual basis.

5 AAC 47.XXX New Section: Sport fishing **rental vessel angler and operator** reporting requirements.
(a) A sport fishing **rental vessel angler and/or operator** shall obtain and complete a State of Alaska, Department of Fish and Game, Division of Sport Fish, Saltwater **rental vessel operator and angler** Logbook and Vessel Registration, adopted by reference if operating in salt water;

(b) A logbook requires information necessary for the management and conservation of fishery resources and regulation of the **rental vessel** sport fishing industry, including:

(1) the division of motor vehicles boat registration number, issued under 2 AAC 70, or United States Coast Guard documentation number, of the vessels that are used to provide sport fishing **rental vessel** services in salt water;

(2) the locations where the sport fishing **rental vessel** services were provided;

(3) the effort, catch, and harvest of sport fish by persons who are clients, of a business that conducts sport fishing **rental vessel s**ervices;

(4) the name, address, telephone number and residency status of each **rental vessel angler**; and (5) any other information the department determines is necessary for the management and conservation of the fishery resource or the regulation of the **rental vessel** sport fishing industry.

(c) A **rental vessel operator and/or a rental vessel angler shall** complete a logbook in the manner and at the location specified in the logbook and present the logbook for inspection as required in 5 AAC 75.075.

(d) A person may not make a false entry in the logbook required in (a) of this section.

(e) The operator of a business that rents a vessel covered by this section is responsible for reporting logbook information and returning the completed logbook of each sport fishing **rental vessel angler** by the business to the department in the manner and time frame specified in the logbook.

What is the issue you would like the board to address and why? In recent years, there has been a large increase in the number of businesses in southeast Alaska that rent sportfishing vessels to primarily non-residents, who utilize this arrangement to qualify for more liberal "non-guided" bag limits for halibut. The Sitka Fish and Game Advisory Committee has received estimates that between 300 and 500 of these rental vessels are now operating in southeast Alaska. We believe these anglers, that are part of this new and growing user group, are responsible for a very significant harvest of sportfish (specifically halibut) that is currently not being taken into account by the IPHC, NPFMC, NOAA or the Alaska Department of Fish and Game (the Department) in their resource management responsibilities. There is currently no log keeping requirement for these vessels/anglers and, since the majority of these rented vessels operate from private docks or remote lodges, their harvest data is not captured by the Department's creel census efforts. We realize that halibut are managed by the IPHC, NPFMC and NOAA versus the state. We also realize that the federal government regulates "guided" versus "non-guided" anglers separately whereas the state routinely establishes different sport fishing bag limits for "residents" versus "non-residents". This definitely creates some potential jurisdictional issues for what we want to accomplish which is "quantify the harvest of sport fish by non-resident anglers fishing from rented vessels. While the Department may or may not have the authority to regulate catch of halibut, we believe they do have the authority to require catch reporting, similar to the reporting requirements for Sport Fishing guide and operators (5 AAC 75.076). The NPFMC took up this topic in 2017, 2018 and 2019 and, while agreeing on the need to get information on how many un-guided rental vessels are in operation and how many Halibut they are harvesting, they have so far failed to take any action. We respectfully submit that it is time for the Board of Fisheries to take a leadership role in this matter and establish new regulations to start gathering the needed management data.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-083)

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PROPOSAL 145

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. and 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

Establish nonresident bag, possession, and annual limits for coho and sockeye salmon in the fresh and salt waters of the Southeast Alaska Area, as follows:

5 AAC 47.020:

. . . the following are the general provisions for the seasons and bag, possession, annual, and size limits that apply to sport fishing for finfish and shellfish in the salt waters of the Southeast Alaska Area:

(1) king salmon: may be taken from January 1 - December 31; must be 28 inches or greater in length; the commissioner shall establish bag, possession, and annual limits, by emergency order, as specified in 5 AAC 47.055; a harvest record is required for a nonresident as specified in 5 AAC 75.006;

(2) Coho salmon: may be taken from January 1–December 31 as follows:

(A) resident: 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish

(B) nonresident: 16 inches or greater in length; bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(3) sockeye salmon: may be taken from January 1 - December 31 as follows:

(A) resident: 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish

(B) nonresident: 16 inches or greater in length; bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(4) salmon**, other than king salmon, coho salmon, and sockeye salmon:** may be taken from January 1 - December 31; no annual limit; no size limit; bag and possession limits, as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

5 AAC 47.022:

… this section contains the general provisions for the seasons and bag, possession, annual, and size limits that apply to sport fishing for finfish in the fresh waters in Southeast Alaska Area.

(b) In the fresh waters east of the longitude of Cape Fairweather:

(1) king salmon: sport fishing for king salmon is closed;

(2) coho salmon: may be taken from January 1 –December 31 as follows:

(A) resident:

(i) 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish;

(ii) Less than 16 inches in length: bag and possession limit of 10 fish in

combination;

(B) nonresident:

(i) bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(3) sockeye salmon: may be taken from January 1-December 31 as follows:

(A) resident:

(i) 16 inches or greater in length; bag limit of six fish; possession limit of 12 fish;

(ii) Less than 16 inches in length; bag and possession limit of 10 fish in combination;

(B) nonresident: bag limit of four fish; possession limit of eight fish; and an annual limit of sixteen fish; a harvest record is required for a nonresident as specified in 5 AAC 75.006

(4) salmon**, other than king, coho, and sockeye salmon:** may be taken from January 1-December 31; no annual limit, no size limit; bag and possession limits, as follows:

(A) 16 inches or greater in length; bag limit of six fish per species; possession limit of 12 fish per species;

(B) less than 16 inches in length; bag and possession limit of 10 fish in combination;

What is the issue you would like the board to address and why? The Council recognizes that coho and sockeye salmon are the primary species targeted by subsistence users. Under the current general regulations, non-resident sport fisherman may take six coho and sockeye salmon per day, every day of the season. In contrast, an entire household of subsistence users typically may only harvest an annual limit of 20-50 fish from each of a limited number of sites. The proposed changes would put a ceiling on the annual harvest of each species by non-residents that is roughly comparable to the limits placed on subsistence households. The Council believes that the proposed limits on non-resident harvest are adequate to allow ample sport fishing opportunity for visitors, while preventing excessive non-resident sport harvest of species important to subsistence users.

PROPOSED BY: Southeast Subsistence Regional Advisory Council (HQ-F20-109)

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PROPOSAL 146

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Establish nonresident bag and possession limits for coho, sockeye, chum, and pink salmon in salt waters of the Southeast Alaska Area, as follows:

Salt water
Coho, chum, pink, and sockeye salmon
16 inches or longer: 5 of each species per day, 10 of each species in possession for nonresidents.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes it is necessary to take action to prioritize the needs of tribal citizens that have existed in southeast Alaska since time immemorial. Now more than ever

subsistence and personal use fishermen need these resources to sustain themselves in the face of financial instability. One way to help insure the needs of tribal citizens are met is to reduce the harvest of coho, chum, pink, and sockeye salmon by nonresident sports fishermen.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-048)
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PROPOSAL 147
5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.
Establish nonresident bag and possession limits for coho salmon in the fresh waters east of the longitude of Cape Fairweather, as follows:

Freshwater
Coho salmon
Between Cape Fairweather and Dixon Entrance
16 inches or longer: 5 of each species per day, 10 of each species in possession for nonresidents.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes it is necessary to take action to prioritize the needs of tribal citizens that have existed in southeast Alaska since time immemorial. Now more than ever subsistence and personal use fishermen need these resources to sustain themselves in the face of financial instability. One way to help insure the needs of tribal citizens are met is to reduce the harvest of coho salmon by nonresident sports fishermen.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-049)
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PROPOSAL 148
5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.
Establish nonresident bag and possession limits for sockeye, chum, and pink salmon in fresh waters of the Southeast Alaska Area, as follows:

Freshwater
Chum, pink, and sockeye salmon
16 inches or longer: 5 of each species per day, 10 of each species in possession for nonresidents.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes it is necessary to take action to prioritize the needs of tribal citizens that have existed in southeast Alaska since time immemorial. Now more than ever subsistence and personal use fishermen need these resources to sustain themselves in the face of financial instability. One way to help insure the needs of tribal citizens are met is to reduce the harvest of coho, chum, pink, and sockeye salmon by nonresident sports fishermen.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-050)
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PROPOSAL 149

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Reduce saltwater coho salmon bag and possession limit in Puget Cove to two fish, as follows:

5 AAC 47.021(b)(5) is added:

(b) in the Yakutat vicinity;

(5) in all waters of Puget Cove, shoreward of the boundary defined by a line between 59°33'52.79"N lat. 139° 43'51.65"W long., and 59°33'49.92"N lat. 139°42'56.06"W long., the bag and possession limit for coho salmon 16 inches or greater in length is two fish.

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

Coho salmon staging in the nearshore salt waters of the Puget Cove lagoon area experience high levels of sport fishing pressure. This area is easily accessible from the Yakutat road system via several trails and is also adjacent to a sport fishing lodge and the Yakutat small boat harbor. Anglers targeting coho salmon in Puget Cove fish from the shoreline and from small boats.

Current coho salmon sport fishing regulations for this area are the general Southeast saltwater bag and possession limits of six fish per day, twelve in possession. A reduction of the bag and possession limit to two coho salmon would align sport fishing regulations in this lagoon area with other similar lagoons in the Yakutat area (Village Lagoon and Ankau Lagoon) that are easily accessible and receive higher levels of sport fishing pressure.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-163)
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PROPOSAL 150

5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

Repeal rainbow trout size limits in Crystal, Glacier, and Moraine lakes, as follows:

5 AAC 47.023(e)(1)(C) is amended to read:

(C) in [GLACIER LAKE, MORAINE LAKE, AND] Montana Creek, including McGinnis Creek, only unbaited, artificial lures may be used;

and,

5 AAC 47.023(e)(1)(N) is added to read:

(N) in Crystal Lake, Glacier Lake and Moraine Lake,

(i) the bag and possession limit for rainbow trout is five fish; no size limit;

(ii) the bag and possession limit for cutthroat trout is two fish; must be no less than 14 inches and no greater than 22 inches.

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

In 2012 the department, in cooperation with the DIPAC hatchery, began stocking catchable-sized king salmon in Crystal, Glacier and Moraine lakes to provide additional sport fishing opportunity on the Juneau road system. However, in 2019 the stocking was changed to catchable sterile triploid rainbow trout ranging in size from 8 to 10 inches. In order to provide additional harvest opportunity for these stocked rainbow trout the Juneau area roadside length limit of 14 inch minimum and 22 inch maximum needs to be removed for rainbow trout in these lakes.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-160)
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PROPOSAL 151
5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.
Prohibit guided sport fishing on the Salmon River near Gustavus, as follows:

Stop guided fishing on the Salmon River in Gustavus.

What is the issue you would like the board to address and why? I feel there needs to be a stop put on guided fishing on the Salmon River in Gustavus Alaska.

With the last numbers counted being 2000 in 2010 on Coho it doesn't seem to have the numbers to sustain impact like that of guided sport fishing! There has been a huge increase in sport fisherman being guided on the Salmon River.in the past few years. I feel the Salmon River in Gustavus is a local subsistence fishery!

PROPOSED BY: Steve Petty (EF-F20-128)
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PROPOSAL 152
5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.
Close sport fishing in a section of 108 Creek, as follows:

5 AAC 47.023(k)(1)(C) In 108 Creek, sport fishing is closed 300 feet upstream of the upper falls to 300 feet downstream of the lower falls.

What is the issue you would like the board to address and why? The residents of Whale Pass have seen a greater presence of un-guided non-resident sport fishing anglers fishing 108 Creek at the falls. These anglers will fish and catch a limit of salmon. They will continue to fish and practice catch and release for the remainder of the day. The anglers do not take into account the increased rate of mortality on the fish which are attempting to navigate up the falls to the spawning grounds. Closing a small area at the falls will decrease the morality of the fish attempting to navigate their way upstream. Sport fishermen flood the area below the falls because the salmon are pooled up prior to them attempting to navigate their way up the falls. With closing the area, sport fishermen still have plenty of areas to fish 108 Creek.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-087)
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PROPOSAL 153
5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.
Close sport fishing in a section of Log Jam Creek, as follows:

Special provisions for fresh waters – Log Jam

5 AAC 47.023(k)(8)(E) In Log Jam Creek, sport fishing is closed 300 feet upstream of the upper falls to 300 feet downstream of the lower falls.;

What is the issue you would like the board to address and why? The residents of Coffman Cove have seen a greater presence of un-guided non-resident sport fishing anglers fishing at Log Jam Creek at the falls. These anglers will fish and catch a limit of salmon. They will continue to fish and practice catch and release for the remainder of the day. The anglers do not take in account of the rate of increased mortality on the fish which are attempting to navigate up the falls to the spawning grounds. Closing a small area at the falls will decrease the morality of the fish attempting to navigate their way upstream. Sport fishermen flood the area below the falls because the salmon are pooled up prior to them attempting to navigate their way up the falls. With closing the area, sport fishermen still have plenty of areas to fish Log Jam creek.

PROPOSED BY: The East Prince of Wales Fish and Game Advisory Committee (EF-F20-088)
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PROPOSAL 154
5 AAC 47.030. Methods, means, and general provisions – Finfish.
Allow the use of bow and arrow in Southeast Alaska sport fisheries, as follows:

Make bow fishing legal in all waters.

What is the issue you would like the board to address and why? Bow fishing. There are no regulations on it yet which makes it illegal. I personally believe if you can snag then bow fishing is a must. It is more ethical and almost no chance of an injured fish getting away.

PROPOSED BY: George Lewis (EF-F20-002)
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PROPOSAL 155
5 AAC 47.036. Prohibitions.
Prohibit the removal of salmon from the water when nonretention regulations apply and prohibit the use of a multiple hook in Southeast Alaska sport fisheries, as follows:

1. It is prohibited to remove from either freshwater or saltwater a salmon for unhooking, if it is unlawful to retain such a salmon by a sport fisher. (In simple terms this prohibits removing a salmon from the water for dehooking and releasing; it reduces handling stress, therefore).
2. **It is prohibited to use multiple hooks when sport fishing for any species of fish in either freshwater or saltwater, where a multiple hook is one with two or more points with or without barbs extending from a common shaft.** (In simple terms this makes treble hooks illegal throughout Southeast Alaska for all sportfishing).

Restrictions 1 and 2 go together because it is so difficult to unhook a treble-hooked shaker in the water if hooked by two or more barbs of a treble hook. Doing so with a single hook is easy with a commonly used, relatively undamaging method. The Washington Department of Fish and Wildlife enforces precisely these two regulations to reduce hooking and handling mortality of released salmon, and describes the undamaging release technique in easy detail in their regulation pamphlets.

What is the issue you would like the board to address and why? The critical status of Chinook Salmon that contribute to Southeast Alaska sport, commercial, and subsistence fisheries; specifically the incidental mortality rate of Chinook Salmon that must be legally released from sport gear due to non-retention or size limit restrictions. These two related restrictions would reduce that incidental mortality rate.

PROPOSED BY: Stephen Mathews (EF-F20-025)
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Herring

PROPOSAL 156

5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.
Modify harvest rate control rule for Sitka Sound sac roe herring fishery, as follows:

Our recommended solution is to implement the herring harvest control rule that is used in all areas of Southeast Alaska except Sitka Sound. The proposed action would provide consistency in the management and regulation of herring populations throughout Southeast Alaska.

5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area
(g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than **10**[12] percent, not more than 20 percent, and within that range shall be determined by the following formula: Harvest Rate Percentage = **8 + 2** [2 + 8] (Spawning Biomass (in tons)/20,000). The fishery will not be conducted if spawning biomass of is less than 25,000 tons.

What is the issue you would like the board to address and why? The Sitka Tribe of Alaska proposes changing the harvest control rule (HCR) for Sitka Sound herring to the same HCR that is used for herring throughout Southeast Alaska (SEAK). The SEAK HCR begins with a 10% harvest rate when the population is forecasted to reach the harvest threshold (currently 25,000 tons in Sitka Sound), then harvest rate is allowed to gradually increase until reaching the maximum 20% harvest rate when the population is six times greater than the harvest threshold, i.e., 150,000

tons. In 2019, the herring biomass was approximately 131,000 tons, and in 2020 the forecast biomass is 212,000 tons, which is well above 6X the threshold. In contrast to the SEAK HCR, the Sitka Sound HCR is much more aggressive and does not support the needs of subsistence users and many marine species. The Sitka Sound HCR begins with a 12% harvest rate when the population is forecasted to reach the harvest threshold (25,000 tons), then the harvest rate increases rapidly until reaching 20% at only 45,000 tons. During the past 20 years, the guideline harvest rate in Sitka Sound is always at or very close to the 20% maximum. This high harvest rate guideline stems in part from reliance on an average unfished biomass value that was developed from data collected -28 to 50 years ago (Carlile 1998). Recent biomass data indicate this critical management value is too low and contributes to overharvest of a forage fish that is also needed for food by subsistence users and many socially and economically important marine species. Subsistence users and marine species require much higher abundances of herring than a commercial purse seine fleet in order to meet their needs. Furthermore, a 20% annual commercial harvest rate on herring that return to spawn over many years leads to a very high lifetime harvest rate on each herring year class in Sitka Sound.

What would happen if nothing is changed?
Continued use of the existing Sitka Sound HCR is inconsistent with management of herring in all other regions of SEAK, and it would continue to inhibit population growth of herring and inhibit Alaskan subsistence users from meeting their needs (Shelton et al. 2014). The status quo would also reduce the ability of Sitka Sound herring to support the marine ecosystem, including depressed Chinook salmon and Pacific cod, both of whom rely upon herring for food. Furthermore, only a small fraction of the commercially caught herring (sac roe in females) are consumed by humans (e.g., in Japan not Alaska); more than ~90% of the commercially-caught herring becomes fish meal that is used to support salmon farms that compete with Alaska salmon fishermen. The content management approach (HCR) to maximize commercial harvests of Sitka Sound herring is counterproductive to the needs of the vast majority of Alaskans.

What are other solutions you considered? Why did you reject them?
This proposed action is less drastic than a moratorium of the commercial fishery or a significantly reduced maximum annual harvest rate (10%), which has been considered in British Columbia.

References
Carlile, D. W. 1998. Estimation and evaluation of a harvest threshold for management of the Sitka herring sac roe fishery based on a percentage of average unfished biomass. Alaska Department of Fish and Game, Division of Commercial Fisheries Regional Information Report 1198-18, Juneau.

Shelton, A.O., Samhouri, J.F., Stier, A.C. & Levin, P.S. 2014. Assessing trade-offs to inform ecosystem-based fisheries management of forage fish. Sci. Rep. 4, 711 O;
DOI: 10.1038/srep07110. https://www.nature.com/mticles/srep071 l0

PROPOSED BY: Sitka Tribe of Alaska (HQ-F20-091)
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PROPOSAL 157
5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

Modify harvest rate for Sitka Sound commercial sac roe herring fishery based on forecasted age structure, as follows:

Our recommended solution involves a slight modification of the existing harvest formula in Sitka Sound to reduce risk of harvesting more than 20% of the larger, older component of the population that is selectively harvested by the commercial fishery. This modification could be easily applied to the SEAK herring harvest formula, if it were to be adopted in Sitka Sound.

5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area
(g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B **shall consider the preseason age structure as a means to prevent exceeding the 20% maximum harvest rate when targeting older herring. The guideline harvest level** shall be established by the department and will be a harvest rate percentage that is not less than **12** percent, not more than 20 percent **on each age group (i.e., "old" and "young" herring)**, and within that range shall be determined by the following **formulas** [FORMULA]:

GHLold fish = (% Old fish) * (Spawning Biomass) * (2 + 8 (Spawning Biomass/20,000))
GHLyoung fish = 0.5 *(%Young fish)* (Spawning Biomass)* (2 + 8 (Spawning Biomass/20,000))
Total GHL = GHLold fish+ GHLyoung fish

[HARVEST RATE PERCENTAGE = 2 + 8 (SPAWNING BIOMASS (IN TONS)/20,000).]

"Old fish" is defined as herring that are age-5 and older; "young fish" is defined as age-3 and age-4 herring. The selectivity correction factor (0.5) should be allowed to change in accordance with future selectivity patterns. The fishery will not be conducted if spawning biomass is less than 25,000 tons.

What is the issue you would like the board to address and why? Many herring captured by commercial purse seines in Sitka Sound are small/young fish that do not meet market demands. Therefore, the sac roe fishery conducts test fisheries and targets the largest, oldest, most fecund herring in the population. Regulations currently allow the harvest rate on specific age components to exceed 20% (i.e., high-grading) as long as the overall harvest rate is 20% or less. Theoretically, under current regulations, the entire guideline harvest level (GHL), or even 100% of the older population, could be taken with the largest most fecund herring leaving few large fish to spawn, if the fishery was efficient when selectively harvesting large herring. This is an obvious, unintended deficiency in the current regulation.

Fortunately, selectivity for larger older herring is not perfect, and analysis of the ADFG ASA model data shows that the harvest rate on age 5+ "old" herring is currently 2X that of younger herring (age 3-4) (Figure 1). In other words, only -0.5 "young" herring are harvested relative to each "old" herring (please see formula below). To avoid overharvest of the biologically imp011ant old, large females as well as to minimize the harvest of young fish that are not economically desirable, the guideline harvest level should consider the proportion of the population that meets market demands and not the entire population. Furthermore, the current maximum allowed harvest rate on herring (20%) should not be exceeded when targeting the larger, more biologically

productive component of the herring population. Our straightforward adjustment to the existing formula to set the guideline harvest level addresses this issue by accounting for the observed (modeled) selectivity of the commercial fishery while setting the maximum annual harvest rate on "old" herring at 20%.

In simple terms, this proposal provides a management tool that reduces the risk of harvesting more than 20% of the larger, older herring that are targeted by the commercial fishery.

What would happen if nothing is changed?
The negative consequences of high-grading the oldest, largest, most fecund females from a population is well known. These large, old fish contribute disproportionately more to future herring generations (Barneche et al. 2018) and they appear to guide younger herring back to suitable spawning areas (MacCall et al. 2018). Furthermore, recent evidence in Sitka Sound supports the "Go with Older Fish" hypothesis that is recognized in both western science and traditional ecological knowledge. For example, in 2019 and 2020 when the herring population was dominated by young fish (age 3 and age 4), few herring spawned in the "core" area where most herring have spawned in recent decades.

If nothing is changed, the sac roe seine fishery would be legally permitted to high-grade fish in a manner detrimental to the population structure and future herring generations. Existing regulations allow the harvest rate on specific age components to exceed 20% (i.e., high-grading) as long as the overall harvest rate is 20% or less. A truncated age structure with fewer experienced spawning adults would likely continue to result in erratic spawn, reduced future production, and the inability of subsistence harvesters to meet their needs.

What are other solutions you considered? Why did you reject them?
This is a less drastic action than a moratorium of the commercial fishery or a significantly reduced maximum annual harvest rate (10%), which has been considered in British Columbia. It is noteworthy that the current annual 20% maximum harvest rate equates to a much higher harvest rate over the life time of each herring year class because herring are harvested over many years.

References
Barneche, D.R., D.R. Robertson, C.R. White and D.J. Marshall. 2018. Fish reproductive energy output increases disproportionately with body size. Science 360:642-645. DOI:
1 O. l 126/science.aao6868 http://science.sciencemag.org/content/360/63 89/642
MacCall, A.D., T.B. Francis, A.B. Punt, M.C. Siple, D.R. Armitage, J.S. Cleary, S.C. Dressel, R.R. Jones, H. Kitka, L.C. Lee, P.S. Levin, J. McIsaac, D.K. Okamoto, M. Poe, S. Reifenstuhl, J.O. Schmidt, A.O. Shelton, J.J. Silver, T.F. Thornton, R. Voss, and J. Woodruff. 2018. A heuristic model of socially learned migration behaviour exhibits distinctive spatial and reproductive dynamics. ICES Journal of Marine Science, doi:10.1093/icesjms/fsy091.

PROPOSED BY: Sitka Tribe of Alaska (HQ-F20-092)
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PROPOSAL 158
5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

Incorporate forecasted age structure into Sitka Sound commercial sac roe herring fishery spawning biomass threshold, as follows:

Managers must ensure there are sufficient old and large fish in the population to lead younger fish to appropriate spawning grow1ds and increase the potential for successful recruitment to the population.

5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area
(g) The guideline harvest level for the herring sac roe fishery in Sections 13-A and 13-B shall be established by the department and will be a harvest rate percentage that is not less than 12 percent, not more than 20 percent and within that range shall be determined by the following formula: Harvest Rate Percentage = 2 + 8 (Spawning Biomass (in tons) / 20,000). The fishery will not be conducted if spawning biomass of is less than 25,000 tons **or the proportion of fish age 5 and older is less than or equal to 0.20, as determined by the pre-season bait fishery or test fishing completed by February 28th in District 13-B.**

What is the issue you would like the board to address and why? The oldest, largest herring are biologically the most important herring in the population. Older fish lead younger, inexperienced fish to appropriate spawning grounds (MacCall et al. 2018). Older, larger fish have relatively more fecundity and more well-provisioned eggs that are more likely to survive (Hixon et al. 2014; Barneche et al. 2018). A population of older, larger fish will have much greater fecundity and reproductive success than an equivalent biomass of younger, smaller fish (Venturelli et al. 2009).

Currently, many herring captured by the Sitka Sound sac roe herring fishery are young and small and do not meet market demands. Consequently, the Sitka Sound sac roe herring fishery consistently targets and harvests the oldest, largest, most fecund females in the population. These are the very fish we should protect to ensure the long-term health of the population. Industrial fishing pressure has been shown to lead to reduced size and truncated age structure in populations (Barnett et al. 2017) and traditional ecological knowledge indicates that the size and age structure of Sitka Sound herring has indeed been truncated since the advent of reduction fisheries in the 1800s. While a 20% harvest rate may not seem high to some, the compounding effects of a harvest of at least 20% annually on a relatively long-lived fish like a herring are quite large. Without older, larger fish in the population, spatiotemporal distribution of spawn has shifted and resulted in the inability of subsistence harvesters to meet their needs.

This proposal is a simple alteration to the current management threshold to ensure there is a minimum of relatively older fish in the population to lead younger fish to better spawning grounds and increase reproductive success of the population. When there aren't enough old fish in the population, fishing should not occur as a means to prevent further decline of these most important large herring.

What would happen if nothing is changed?
Continued fishing pressure on the oldest, largest fish will exacerbate size and age structure truncation issues in the Sitka Sound herring population. The frequency of abnormal spawning distribution (in terms of space and time) will likely increase and subsistence harvesters will be less likely to meet their needs.

What are other solutions you considered? Why did you reject them?
This is a less drastic action than a moratorium of the commercial fishery. This is also less drastic than setting higher thresholds using older age classes that would have likely better reflected the pristine age structure.

References
Barnett, L.A.K., T.A. Branch, R.A. Ranasinghe, and T.E. Essington. 2017. Old-growth fishes become scarce W1der fishing. Current Biology. 27: 2843-2848.

Barneche, D.R., D.R. Robertson, C.R. White and D.J. Marshall. 2018. Fish reproductive-energy output increases disproportionately with body size. Science 360:642-645. DOI:
1 O. l 126/science.aab6868 http:/ /science.sciencemag.org/content/360/6389/642

Hixon, M.A., D.W. Johnson, and S.M. Sogard. 2014. BOFFFFs: on the importance of conserving old-growth age structure in fishery populations. ICES Journal of Marine Science. 71(8):2171-2185.

MacCall, AD., T.B. Francis, A.B. PW1t, M.C. Siple, D.R. Armitage, J.S. Cleary, S.C. Dressel, R.R. Jones, H. Kitka, L.C. Lee, P.S. Levin, J. McIsaac, D.K. Okamoto, M. Poe, S. Reifenstuhl, J.O. Schmidt, A.O. Shelton, J.J. Silver, T.F. Thornton, R. Voss, and J. Woodruff. 2018. A heuristic model of socially learned migration behaviour exhibits distinctive spatial and reproductive dynamics. ICES Journal of Marine Science, doi: 10.1093/icesjms/fsy091.

Venturelli, P.A., B.J. Shuter, and C.A. Murphy. 2009. Evidence for harvest-induced maternal influences on the reproductive rates of fish populations. Proc R Soc B. 276:919-924.

PROPOSED BY: Sitka Tribe of Alaska (HQ-F20-093)
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PROPOSAL 159
5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.
Repeal this regulation related to management of the commercial sac roe herring fishery in Sitka Sound, as follows:

The Board should repeal 5 AAC 27.195. Other regulation, including 5 AAC 27.160(g) and 27.190 establish clear and sufficient guidance to the department for management of the commercial sac roe fishery and to assure reasonable subsistence opportunity. Reasonable subsistence opportunity was also enhanced with the biomass threshold increase of 5,000 tons (2 million pounds) and establishment of the "core area" closure of 2012 and then substantially increased again in 2018. In short, 5 AAC 27.195 is not necessary for the department to manage the two fisheries and, if interpreted as the Sitka Tribe of Alaska (STA) contends, will totally compromise commercial sac roe fishery in Sitka Sound.

What is the issue you would like the board to address and why? The board enacted 5 AAC 27.195 in 2002 in an effort to provide direction to the department regarding management of the

commercial herring sac roe and subsistence herring egg fisheries in Sitka Sound. This regulation, which the Board has not revisited since 2002, is outdated, ambiguous and subject to misinterpretation. Problems include (but are not limited to): 1) How the regulation should be applied in light of subsequent action by the Board to raise the recommended biomass of 20,000 tons by 25% (5,000 tons) to 25,000 tons as a buffer for subsistence. Also, in 2012, the board designated a "core area" closed to commercial sac roe fishing as the area most important for subsistence harvest of roe on branches; and (2) whether the regulation prohibits the department from opening the sac roe fishery prior to the onset of the herring spawn as argued by STA in a lawsuit against the Board and the department. STA contends that in adopting 5 AAC 27.195, the Board intended that the department delay opening the commercial fishery until enough herring have spawned to allow a determination that the subsistence harvest will be sufficient in both quantity and quality to meet subsistence needs. (Determination of quality and quantity is problematic and impossible to accomplish in-season). Delaying the commercial fishery as STA alleges that this regulation requires, would clearly eliminate the commercial sac roe fishery and cannot be the Board's intent when the regulation was adopted.

PROPOSED BY: Southeast Herring Conservation Alliance (HQ-F20-106)

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PROPOSAL 160

5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area.

Reduce closed waters in the Sitka Sound commercial sac roe herring fishery, as follows:

Returning to the 'core area' established in 2012 would still allow for a designated subsistence harvest area while reversing the unnecessary losses of commercial fishing access to available resources. From 2012 until 2018, the regulation 5 AAC 27.150 (7) stated that closed waters would be:

"District 13, in the waters north and west of the Eliason Harbor breakwater and Makhnati Island Causeway from the westernmost tip of Makhnati Island to the easternmost point on Bieli Rock to the southernmost tip of Gagarin Island to a point on the eastern shore of Crow Island at 56 degrees 06.43' N. lat., 135 degrees 28.27' W long. To a point on the western shore of Middle Island at 57 degrees 06.41' N. lat., 135 degrees 28.11 W. long. To a point on the southeastern shore of Middle Island at 57 degrees 05.56' N. lat., 135 degrees 26.23'W. long to the green navigation marker northeast of Kasiana Island, to the Baranof Island shore at 57 degrees 05.26' N. lat, 135 degrees 22.95' w. long."

What is the issue you would like the board to address and why? Waters closed to the commercial sac roe fishery in District 13 have been increased three times in the last ten years under the guise of increasing reasonable subsistence harvest opportunity based on purported failure of subsistence harvesters to reach the artificially inflated 136,000 to 227,000 pound 'Amount Necessary for Subsistence'. The commercial sac roe fishery has lost access to areas that had previously yielded substantial portions of the harvest while the closures have had little or no effect on reasonable harvest opportunity or participation of subsistence users. In 2018, the 'core' area established in 2012 was increased with no demonstrated benefits to subsistence users. Returning

to the 'core area' established in 2012 would still allow for a designated subsistence harvest area while reversing the unnecessary losses of commercial fishing access to available resources.

PROPOSED BY: Southeast Herring Conservation Alliance (HQ-F20-105)
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PROPOSAL 161
5 AAC 01.730. Subsistence fishing permits.
Require a subsistence fishing permit to harvest herring roe on branches in the Sitka Sound area, as follows:

Require a permit or registration for participation in the subsistence harvest under 5AAC 01.716 that can assist the department in managing the fishery and ensuring that subsistence harvesters have 'reasonable opportunity' to harvest herring eggs in the Sitka Sound Area.

What is the issue you would like the board to address and why? Many if not most of the subsistence fisheries in SE Alaska require a permit or registration in order to participate. The Sitka Sound subsistence fishery for herring eggs on branches and kelp does not have that requirement despite the need for accurate and timely information on harvest and participation. Present monitoring is done using a survey and interview system undertaken in part by some who have an interest in particular outcomes. While the department's Subsistence Division participates in the process, the reports are not released in a timely manner and could benefit from a permit data collection program. Given the Sitka Tribe of Alaska lawsuit against the State of Alaska and Board of Fish, there is an even greater need for accurate information related to subsistence use of the Sitka sound herring resource. The Division of Subsistence has experienced significant reductions in budget that compromise the division's capability to collect and compile data. A permit system for collecting data would assist the department in gathering more robust data and more timely reporting.

PROPOSED BY: Southeast Herring Conservation Alliance (HQ-F20-108)
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PROPOSAL 162
5 AAC 01.730. Subsistence fishing permits.
Increase the possession limit for subsistence spawn-on-kelp harvest, as follows:

(g) When issuing a herring spawn-on-kelp subsistence fishing permit, the department may specify on the permit the times and locations for harvesting and the species of kelp that may be taken. The annual possession limit for herring spawn on kelp is [32] **75** pounds for an individual or [158] **325** pounds for a household of two or more persons. [THE DEPARTMENT MAY ISSUE AN ADDITIONAL PERMIT FOR HERRING SPAWN ON KELP ABOVE THE ANNUAL POSSESSION LIMIT IF HARVESTABLE SURPLUSES OF HERRING SPAWN ON KELP ARE AVAILABLE.]

What is the issue you would like the board to address and why? The current possession limits of herring roe-on-kelp of 32 lbs per individual or 158 lbs per household are too low for efficient

harvesting and too precise to be easily measured in the field. The current regulations allow for an annual harvest of twice the possession limit, but the permit holder must return to the ADF&G office after harvesting their first possession limit to renew their permit. This necessitates two fishing trips thus burning twice the fuel and taking twice the time. If the ADF&G office is closed for the weekend after the harvester's first trip, the harvest opportunity may be lost due to tides no longer being low enough to harvest or a change in weather. This proposal would allow the full annual limit to be harvested in a single fishing trip and rounds the allowable limit up to the nearest 25 pound increment. Herring roe is often stored in 50 pound wet-lock boxes, making 75 pounds or 325 pounds quantities that can be measured in the field much more easily than 64 pounds or 316 pounds.

While macrocystis kelp was once in limited supply, the now-abundant sea otters have eaten enough sea urchins (which eat kelp), that now great kelp forests flourish. Hence, the amounts of herring roe and kelp taken under roe-on-kelp subsistence permits is negligible compared to the currently available resources.

PROPOSED BY: Tad Fujioka (EF-F20-018)

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PROPOSAL 163

5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

Establish equal share quotas for the Sitka sac roe purse seine fishery, as follows:

Assign equal quota shares in the Sitka Sound commercial sac roe herring fishery as follows: For the G01A herring fishery, the quota shall be divided equally amongst all permit holders who currently own a permit for that fishery.

Under 5 AAC 27.195 part (a), include a section that establishes an equal quota share management strategy that allocated an equal share of the guideline harvest level each year to each G01A permit holder.

Suggested regulation would read: 5 AAC 27.195 (a) (3) manage the purse seine fishery so that each G01A permit holder is allocated an equal portion of the guideline harvest level. The Department shall open the fishery by emergency order and may impose conditions that allow for and orderly and controlled fishery including limiting the number of vessels on the grounds at any given time and allowing for consolidation of more than one permit on each vessel participating in the fishery, provided that the permit holders are onboard the vessel while fishing and delivering.

What is the issue you would like the board to address and why? The current management of the Sitka Sound sac roe fishery creates an extremely dangerous fishery that results in multiple damages to vessels, nets, and persons involved in the fishery. Further it does not adequately address the needs for conservation of the resource and the ability to meet the concerns of the subsistence users.

If this issue is not addressed the fishery will remain dangerous and expensive to manage. The Department of Public Safety and the United States Coast Guard will spend thousands of dollars

trying to control the fishery. The issues of conservation won't be addressed and it will not address the concerns of the subsistence users. With an equal quota share permit some permits could be held by persons not wanting to harvest their share of the quota thereby adding to the escaping biomass and providing for more subsistence harvest opportunities.

PROPOSED BY: Charles Olson (EF-F20-049)

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PROPOSAL 164

5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

Establish equal share quotas for the Sitka Sound sac roe herring purse seine fishery, as follows:

5 AAC 27.195 would be amended to read:

(c) A permit holder of a CFEC permit in the G01A fishery may not retain more herring in the Sitka Sound commercial sac roe fishery than the annual amount of herring equal quota share that is specified by the department. The department shall determine the annual amount of herring equal quota share by dividing the annual harvest objective by the number of CFEC permits and interim use permits eligible to be fished in the fishery.

(d) When participating in the Sitka Sound commercial sac roe herring fishery, a person holding a CFEC permit or interim permit for that fishery must retain in that persons possession and present for inspection on board the vessel on which that person is registered to fish, a copy of each completed fish ticket issued to that person during the current season. The permit holder shall provide each buyer with the total weight of herring that the permit holder has landed to date in the fishery for that year.

(e) If a person harvest exceeds the permit holders equal quota share established under (c) and (d) of this section for that year, by not more than ten percent, the department shall reduce the permit holders equal quota share for the following year by the amount of the overage. The adjusted quota share is the permit holders quota share for that year. If a permit holders harvest exceeds the permit holders equal quota share by more than ten percent, the proceeds from the sale of the overage in excess of then percent shall be surrendered to the state. A permit holder may not assume that the ability to adjust a equal quota share under this section is an opportunity to knowingly exceed a quota share or to exceed the equal quota in an amount greater than ten percent as such actions may be prosecuted under AS 16.05.722 or AS 16.05.723

(f) If a permit holders harvest is less than the permit holders equal quota share established under (c) or (d) of this section for that year, the department shall increase the permit holders equal quota share only for the following year by the amount of underage that does not exceed ten percent of the equal quota share.

(g) In the Sitka Sound commercial sac roe fishery, herring may only be taken daily from 8:00am to 5:00pm from March 1 until April 30. Permit holders must register with the department before fishing.

What is the issue you would like the board to address and why? The Sitka Sound commercial sac roe fishery is one of the most hazardous fisheries in the state. Fishermen are put into small areas for even smaller amounts of time to fight over the resource. Vessels are routinely in collisions, vessels have rolled over, gear is frequently destroyed and injuries are not uncommon. Fishermen and insurance companies have frequent claims, and the State of Alaska, USCG and local law enforcement are forced to spend limited and valuable resources to patrol the derby fishery. This is not only costly to the fishermen and government, but taking these limited enforcement resources away from their usual duties to monitor a derby makes the residents of the region less safe. We, permit holders in the Sitka Sound commercial sac roe fishery, would like this dangerous derby style fishery to end. We should not have to needlessly risk our equipment and crew just to go fishing.

There are several fisheries in the State of Alaska that are managed under a equal quota share system. These are the PWS sablefish fishery, Northern SE sablefish fishery and Southern SE sablefish fishery. These are all some of the safest and orderly fisheries in the state. These fisheries require very little enforcement and in season management. GHL's are never exceeded and the resources are healthy. We, permit holders in the Sitka Sound commercial sac roe herring fishery, would like to be managed under a similar safe and orderly system.

PROPOSED BY: Andrew Kittams, Alan Otness, Nels Otness, and Jim Bodding (EF-F20-060)
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PROPOSAL 165
5 AAC 27.110. Fishing seasons for Southeastern Alaska Area.
Allow unharvested Sitka sac roe quota to be harvested for food and bait by herring sac roe purse seine permit holders, as follows:

Allow the harvest of the uncaught quota from the Sitka Sound herring sac roe fishery to be harvested during a food and bait fishery by G01A permit holders in Sitka Sound as follows:

5 AAC 27.110 (a) delete [SOUTH OF THE LATITUDE OF CAPE ASPID (56 41.75 N LAT)]
(b) Herring may be taken in the sac roe fishery [ONLY] during seasons established by emergency order in the following sections;

Add section: **(g) In section 13b herring can only be taken for food or bait by G01A permit holders.**

What is the issue you would like the board to address and why? When the market for sac roe herring is weak the quota for the Sitka Sound sac roe fishery goes unharvested. There is no other way to harvest the herring and generate revenue for the fleet, their crews, the processors, and the community. By allowing the harvest of the quota for other usages it creates the opportunity to develop new markets and products for the resource.

PROPOSED BY: Charles Olson (EF-F20-050)
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PROPOSAL 166

5 AAC 27.1XX. New Section.

Create an open pound herring spawn on kelp fishery in Sitka Sound, as follows:

An experimental open pound herring spawn on kelp fishery was conducted in Sitka Sound in 1998 and 1999. This project identified open pounds as a viable alternative to the sac roe fishery and produced published studies, data, and video which demonstrate the positive results of this alternative harvest method. The time is overdue to make a positive change in the Sitka herring fishery. Allowing existing G01A permit holders the option of using open pound roe on kelp instead of seining for sac roe would increase the value of the fishery and promote conservation of the resource. Fishermen and Permit Holders, Processors, Subsistence users, and the community of Sitka would all see an increase in benefit from the Sitka herring resource by allowing existing permit holders a choice between sac roe seining and utilizing open pound roe on kelp.

Please allow existing G01A permit holders the alternative harvest method of open pound roe on kelp contingent on later action by CFEC.

What is the issue you would like the board to address and why? Fisheries for forage species such as herring are seeing increased scrutiny and market conditions for traditional sac roe product have never been worse. It is more important than ever to make changes to the fishery which promote conservation and increase the value of the extracted resource. In short, allowing open pound spawn on kelp as an alternative harvest method would increase the value of the Sitka Sound herring fishery while removing less fish from the biomass which are two things fishery managers should strive for.

The Board of Fisheries (BOF) has written two letters to the Commercial Fisheries Entry Commission (CFEC) asking the CFEC to take the Sitka Area (GO1A) limited entry administrative area out of the Northern Pound (L21A) limited entry administrative area. CFEC has taken no action on either request. This inaction has stopped the BOF from deliberating and deciding on this proposal which would allow those with GO1A permits the alternative of using open pounds to harvest their Sitka Sound herring stock. The Board needs to let CFEC know if they favor this proposal so CFEC would be compelled to make the necessary complementary regulatory changes. Without the Board demonstrating support for this proposal CFEC will not act.

PROPOSED BY: Darrell Kapp (EF-F20-039)

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PROPOSAL 167

5 AAC 27.110. Fishing seasons for Southeastern Alaska Area and 5 AAC 27.160. Quotas and Guideline harvest levels for Southeastern Alaska Area.

Redefine the boundaries of the Hoonah Sound spawn-on-kelp fishery (13-C) and the Sitka sac roe fishery (13-A/B), as follows:

Remove Salisbury sound from the Sac Roe seine fishery and open it for spawn on kelp. The last time Hoonah sound had a fishery was when seiners fished in Salisbury sound after that there were

no more fisheries in Hoonah sound. Hoonah sound is only 11 miles away from Salisbury sound and the stocks are one.

What is the issue you would like the board to address and why? Designate Salisbury sound for the Northern Southeast spawn on kelp fishery. The Salisbury sound stock is Hoonah fish. It should be a spawn on kelp area for northern southeast permit holders. It is 11 miles from Hoonah sound and there hasn't been much if any spawn in Hoonah lately, they just moved south 11 miles, which is not unreasonable.

PROPOSED BY: Larry Demmert (EF-F20-046)
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PROPOSAL 168
5 AAC 27.110. Fishing seasons for Southeastern Alaska Area.
Repeal commercial set gillnet sac roe herring fisheries in Section 1-F, as follows:

5 AAC 27.110. Repeal commercial sac roe herring fishing in Section 1F (Revilla Channel, Kak Shakes, Dog, Cat Island)

What is the issue you would like the board to address and why? To repeal commercial sac roe fishing in Section 1F (Revilla Channel). Fishery started 1976 fished until 1998. Has not been fished for 22 years, stock have not recovered.

We have King salmon stock of concern that depend on the herring for food year round. I believe this warrants the board to take the same action it took in 2018 for Sections 15B, 15C and 11A.

PROPOSED BY: Donald Westlund (HQ-F20-030)
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PROPOSAL 169
5 AAC 27.110. Fishing seasons for Southeastern Alaska Area.
Repeal commercial set gillnet sac roe herring fisheries in Sections 1-E and 1-F, as follows:

5 AAC 27.110. Repeal commercial sac roe herring fishing in Sections 1E and 1F.

What is the issue you would like the board to address and why?
West Behm Canal Herring Fishery Background

West Behm Canal is located in Southeast Alaska, approximately nine nautical miles north of downtown Ketchikan. Before statehood when the federal government was managing and assessing herring stocks in the Ketchikan area, the West Behm Canal herring stock was considered a minor stock of herring. Historical records from the 1950' s show that the nautical miles of herring spawn fluctuated between 1 and 8 miles in West Behm Canal on an annual basis. Fisheries occurred in the area throughout the 1960' s and 1970' s with the purse seine bait fishery as the largest component. The department of Fish and Game, under a more conservative fishery regime, closed the fisheries in 1980. The amount of spawn continued to fluctuate between 1 and 6.5 miles of

between 1980 and 1992. So, during the 42 years from 1950 and 1992 the miles of spawn ranged from 1 and 8 miles.

The Board of Fisheries, during the January 2003 meeting in Sitka, established a herring fishery in West Behm Canal after hearing and reading extensive testimony from interested parties with widely differing viewpoints.

Since then there has only been one opening in 2011. And none since. The herring in this area haver still not recovered. Taking the action the board took in 2018 on repealing sac roe fishing in Sections 15B, 15C, and 11A. I believe the same action is warranted for the same reasons in Sections 1E and 1F (West Behm Canal).

PROPOSED BY: Don Westlund (HQ-F20-029)
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PROPOSAL 233
5 AAC 33.200. Fishing districts and sections.
Remove districts 13-A and 13-B from Northern Southeast herring spawn on kelp pound fishery administrative area, as follows:

Remove districts 13A and 13B from L21A administrative areas.

What is the issue you would like the board to address and why? There is an overlap in administrative areas for G01A permits and L21A permits. L21A permittees were mistakenly given access to an already fully allocated and utilized herring stock.

PROPOSED BY: Southeast Herring Conservation Alliance (HQ-F20-107)
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Shrimp and miscellaneous

PROPOSAL 170
5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks. 5 AAC 01.666. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses. 5 AAC 01.713. Subsistence use of aquatic plants in Southeastern Alaska Area., and 5 AAC 01.716. Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses.
Establish a positive customary and traditional use finding for shellfish and plants for all intertidal areas of Southeast Alaska and Yakutat, as follows:

Add "**(15) unless otherwise specified, include all beach seafood in the Southeastern Alaska-Yakutat Area as defined by 5 AAC 02.100**."

What is the issue you would like the board to address and why? Indigenous people of the Ketchikan Indian Community have been using all beach resources throughout southeast Alaska since time immemorial. These include but are not limited to clams, cockles, seaweed, gumboots, sea asparagus, and sea cucumbers. In any indigenous household, you can find a number of these

resources at any given time. These resources are part of the identity of traditional users. Therefore, we find it appropriate to have all such beach seafood to be classified as customary and traditional resources.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-051)
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PROPOSAL 171
5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A.
Change the start of the pot shrimp season from October to after March, as follows:

Might we change the harvest season until after March? (before salmon season)

What is the issue you would like the board to address and why? Southeast spot shrimp are on a decline, yet we continue commercial harvest during the spawning season. According to your own information, eggs can be found on spot shrimp from October through March.

PROPOSED BY: Richard Foley (EF-F20-005)
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PROPOSAL 172
5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A and 5 AAC 31.145. Southeastern Alaska Area Pot Shrimp Fishery Management Plan.
Change the pot shrimp fishery from a fall/winter season to a spring/summer season, as follows:

5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A Except as provided in 5 AAC 31.145 (d), in Registration Area A, shrimp may be taken by pots only from **May 15 through July 31,** [OCTOBER 1 THROUGH FEBRUARY 28] unless closed earlier by emergency order.

5 AAC 31.145. (d) The commissioner may, by emergency order, open a shrimp fishing season from **October 1 through February 30 (winter season),**[MAY 15 THROUGH JULY 31 (SUMMER SEASON)] in a district where the guideline harvest range was not reached during the season specified in 5 AAC 31.110 **(Summer Season)** [(WINTER SEASON)].

What is the issue you would like the board to address and why? We hope to address the ever-decreasing shrimp stocks and shorter and shorter commercial shrimping seasons in Southeast Alaska by moving the commercial shrimp opener from October to May when the shrimp no longer have eggs. If we continue to hold our commercial shrimp season at a time when a large percentage of the shrimp carry eggs, we can expect the stocks in Southeast Alaska to continue to decline. Canada, with its robust shrimp fishery, proves year after year that targeting the shrimp after they lay eggs is smart management. In the past, some permit holders have resisted this change, citing it would limit opportunity for those that participate in multiple fisheries. However, in recent years 95% of the harvest occurs in the first two-three weeks of fishing, making the conflict with other fisheries less of an issue.

Moving the fishery to the spring would enhance shrimp stocks and possibly lead to more fishing opportunity. ADFG staff have been very supportive of this move in the past saying: "Changing the initial season start date to May 15 would enhance biological conservation and fishery management. Fishing during this time period may allow for increased guideline harvest levels in the future because the fishery would occur before the high natural mortality periods of molting, mating, egg development, and egg extrusion. The current fall fishery occurs after these processes are complete. Fishing on the stock in the spring would also allow females carrying eggs in the fall to brood and hatch their eggs before being subject to fishing mortality, which may enhance long term stock resilience." (ADF&G 2017. Staff Comments)

Additional benefits would include:
1. Enhanced management of the fishery. Currently the October opener occurs too close to the survey to inform management for that season's fishery. Rev. Dec. 2019
2. More opportunity for a local Market. Regional processors and catcher/sellers have expressed interest in a spring fishery as the tourist season provides more customers and restaurants are wanting shrimp.
3. Safer weather and more participation opportunity for smaller boats
4. A more viable product for US markets. Eggs cause the shrimp to decompose more rapidly and the orange mess is a turnoff to the American consumer.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-085)
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PROPOSAL 173
5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A; and 5 AAC 31.145. Southeastern Alaska Area Pot Shrimp Fishery Management Plan.
Change the pot shrimp fishery from a fall/winter season to a spring/summer season, as follows:

5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A Except as provided in 5AAC 31.145 (d), in Registration Area A, shrimp may be taken by pots only from **May 21 through July 31** [OCTOBER 1 THROUGH FEBRUARY 28] unless closed earlier by emergency order.

5 AAC 31.145.
(d) The commissioner may, by emergency order, open a shrimp fishing season from **October 1 through February 30 (winter season),[**MAY 21 THROUGH JULY 31 (SUMMER SEASON) in a district where the guideline harvest range was not reached during the season specified in 5 AAC 31.110 **(Summer Season)** [(WINTER SEASON).

What is the issue you would like the board to address and why? We hope to address the ever-decreasing shrimp stocks and shorter and shorter commercial shrimping seasons in Southeast Alaska by moving the commercial shrimp opener from October to May when the shrimp no longer have eggs. If the commercial shrimp season continues to be held at a time when a large percentage of the shrimp carry eggs, the stocks in Southeast Alaska may continue to decline. In the past, some permit holders have resisted this change, citing it would limit opportunity for those that participate

in multiple fisheries. However, in recent years 95% of the harvest occurs in the first two-three weeks of fishing, making the conflict with other fisheries less of an issue.

Moving the fishery to the spring would enhance shrimp stocks and possibly lead to more fishing opportunity. ADF&G staff have been very supportive of this move in the past saying:

> "Changing the initial season start date to May 15 would enhance biological conservation and fishery management. Fishing during this time period may allow for increased GHLs in the future because the fishery would occur before the high natural mortality periods of molting, mating, egg development, and egg extrusion. The current fall fishery occurs after these processes are complete. Fishing on the stock in the spring would also allow females carrying eggs in the fall to brood and hatch their eggs before being subject to fishing mortality, which may enhance long term stock resilience." (ADF&G 2017 Staff Comments)

In their consideration of moving the commercial shrimp season opening to May 15, however, ADF&G staff failed to realize that a May 15 opening would create a serious conflict with the long established spring brown bear hunting season for resident and guided non-resident bear hunters. Moving this season opening to May 21 would eliminate most, if not all of this conflict.

Additional benefits of a spring opening would include:

- Enhanced management of the fishery. Currently the October opener occurs too close to the survey to inform management for that season's fishery
- More opportunity for a local Market. Regional processors and catcher/sellers have expressed interest in a spring fishery as the tourist season provides more customers and restaurants are wanting shrimp.
- Safer weather and more participation opportunity for smaller boats
- A more viable product for US markets. Eggs cause the shrimp to decompose more rapidly and the orange mess is a turn off to the American consumer.

PROPOSED BY: Lucas Bastian (EF-F20-066)

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PROPOSAL 174

5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A and 5 AAC 31.145. Southeastern Alaska Area Pot Shrimp Fishery Management Plan.

Change the pot shrimp season in Districts 2 and 6 from a fall/winter season to spring/summer season, as follows:

5 AAC 31.110(#) Shrimp pot fishing seasons and periods for Registration Area A:

Except as provided in 5 AAC 31.145(d) and Districts 2 and 6, in Registration Area A, shrimp may be taken by pots only from October 1 through February 28, unless closed by emergency order. In district 2 and 6, shrimp may be taken by pots only from May 15th through July 31st, unless closed earlier by emergency order.

What is the issue you would like the board to address and why? Currently shrimp season is managed with a fall opener for a small percentage of fishermen and overseas markets. Shrimp in Southeast Alaska are harvested during the fall while the shrimp are bearing eggs. The shrimp stocks continue to decrease and most commercial shrimpers agree shrimp need to be caught during the spring and early summer.

Directly to our south, British Columbia has a sustainable spot prawn fishery. British Columbia has a few similarities with Alaska concerning their commercial fishery. They have a limited entry program to restrict the numbers of permit holders fishing commercially. They restrict the number of pots a vessel can fish and the size volume of the pots. They also have specific sections set aside for recreational fishermen. Harvest logs are required and seasons are closed when a certain catch level has been met.

British Columbia manages their commercial shrimp fishery differently from Alaska several different ways. Fishermen can only haul each shrimp pot once per day. All female shrimp with eggs must be released as well as all shrimp under a certain size. Pots have a minimum mesh size restriction to allow escapement of undersized shrimp. Their shrimp season opens in May and last through the mid to later part of June. The reason for a May opener is to allow "spawners" to release their eggs. Recreational shrimp closures will often occur during winter months to allow "spawners" to release their eggs.

Southeast Alaska waters are directly north of British Columbia. British Columbia has a sustainable fishery. The fishery is recognized by the David Suzuki Foundation/Seachoice program as a BEST CHOICE, the Vancouver Aquarium Vancouver Aquarium's Ocean Wise program as GREEN, and the Monterey Bay Aquarium's Seafood Watch as a BEST CHOICE. Southeast Alaska shrimp fishery is only known as a depleted fishery.

The East POW AC would like our represented commercial fishing districts of 2 and 6 to be the turning point for Alaska to have a sustainable shrimp fishery. As British Columbia has proven, shrimp stocks remain sustainable only if the egg bearing females are allowed to release their eggs prior to an open commercial season. Having a spring season will allow for local sales of the shrimp and a product which is more desirable to the local market. Shrimp with eggs are not desired by the local consumer. At the same time, 90% of British Columbia's shrimp sales are to overseas consumers. When asked, a large percentage of the commercial shrimp fishermen support a spring shrimp fishery in Alaska.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-094)

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PROPOSAL 175

5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.

Limit the number of shrimp pots that may be deployed on a longline to 10, as follows:

5 AAC 31.124. Limit of no more than 10 shrimp pots per string.

What is the issue you would like the board to address and why? Limit deployment of no more of 10 shrimp pots per string. This would slow the pace of the fishery, and further provide for gear standardization between large boats and small boats.

Background:

Commercial harvest of shrimp in Southeast Alaska utilizing pot gear began in the late 1960s and continued sporadically with low effort until the mid-1980s, peaking in the mid-1990s. In 1995, the CFEC was petitioned to include pot gear for shrimp into the limited entry program. The pot shrimp fishery is now limited entry and there are currently 256 active and interim permits of the 329 originally issued. In 1997, regulations were adopted that significantly affected the Southeast Alaska Pot Shrimp fishery. These regulations include the current daily fishing periods, pot sizes, and pot limits. These restrictions had several effects: I) decreased efficiency of the fleet, producing a slower-paced and more orderly fishery; 2) reduced the harvest of small shrimp by limiting fishing hours, leading to longer soak times which allows mesh size to passively sort out smaller shrimp; and 3) provided for gear standardization, allowing fishery performance data to be utilized by managers.

The department supports the concept of establishing regulations that reduce capture of small shrimp. Pot limits are generally allocative between small boat and large boat operations. There may be benefits in slowing the pace of the fishery in some regions.

PROPOSED BY: Don Westlund (HQ-F20-031)
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PROPOSAL 176
5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.
Reduce the number of shrimp pots that a vessel may fish, as follows:

5 AAC 31.124. Limits of 100 small pots or 75 large pots.

What is the issue you would like the board to address and why? Reduction of shrimp pots. The shrimp fishery is a five month season. It has now become a one month or less derby. Derbies are never good for the resource and can lead to dangerous conditions that fishermen have to fish in (weather). It would reduce the daily catch. The managers would be able to more accurately determine catch and when to close the individual fishing districts.

Background: Commercial harvest of shrimp in Southeast Alaska utilizing pot gear began in the late l960s and continued sporadically with low effort until the mid-1980s, peaking in the mid-1990s. In 1995, the CFEC was petitioned to include pot gear for shrimp into the limited entry program. The pot shrimp fishery is now limited entry and there are currently 256 active and interim permits of the 329 originally issued. In 1997, regulations were adopted that significantly affected the Southeast Alaska Pot Shrimp fishery. These regulations include the current daily fishing periods, pot sizes, and pot limits. These restrictions had several effects: I) decreased efficiency of the fleet, producing a slower-paced and more orderly fishery; 2) reduced the harvest of small shrimp by limiting fishing hours, leading to longer soak times which allows mesh size to passively

sort out smaller shrimp; and 3) provided for gear standardization, allowing fishery performance data to be utilized by managers.

The department supports the concept of establishing regulations that reduce capture of small shrimp. Pot limits are generally locative between small boat and large boat operations. There may be benefits m slowing the pace of the fishery in some regions.

256 active permits
Currently 140 small or 100 large pots

256x140=35840
minus
256x100=25600
=10240
/140
= small pot reduction of 73 pot limits

256x100=25600
minus
256x75=19200
=6400
/100
=large pot reduction of 64 pot limits

73 small pot limits + 64 large pot limits = 137 combined pot limits /2 = 68.5 average pot limits reduced

PROPOSED BY: Don Westlund (HQ-F20-032)
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PROPOSAL 177
5 AAC 31.136. Closed waters in Registration Area A.
Establish closed waters in the Hydaburg area of Section 3-A, as follows:

Hydaburg LAC proposes to close the following waters to commercial shrimp fisheries.

5 AAC 31.105 Commercial Shrimp
(1) Section 3-A: waters of district 3 south and east of a line through Tlevak Narrows beginning at the eastern most tip of Turn Point at 55* 15.78' N. lat, 133* 07.23'W.long., to a point on Prince of Wales Island at 55* 15.75' N. lat.,133* 06.43' W. long., including Soda bay and its contiguous water, but excluding all waters of Meares Pass and its contiguous waters, AS WELL AS EXCLUDING SUKWAAN STRAITS FROM ROUND POINT 55*.125064; -132.688544 ACROSS TO EEK POINT 55*13770; -132.666874 NORTH TO THE HEAD OF NATZUHINI BAY 55*270024; -132.849299 EXTENDING WEST TO THE OPENINGS OF NORTH PASS 55*210175; -132961267 TO 55*207138; -132938232 AND SOUTH PASS 55.168517; -132.893346 TO 55*.163067;-132890543.

What is the issue you would like the board to address and why? The Hydaburg LAC would like to close the commercial fishery in the waters adjacent to the community of Hydaburg. There has been a drastic decline in the shrimp available in the inside waters to personal use shrimp fisherman. Closing the waters to commercial shrimpers will give the shrimp time to rebuild the stocks in area.

PROPOSED BY: Anthony Christianson (EF-F20-055)

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PROPOSAL 178

5 AAC 31.136. Closed waters in Registration Area A.

Expand waters closed to commercial pot shrimp fishery in Kasaan Bay, as follows:

5 AAC 31.136(4) Shrimp may not be taken: in the waters of Kasaan Bay south and west of a line that stretches from the northern most tip of Daisy Island located at 55'28.816'N lat, 132'19.397"W long, to the tip of Baker Point located at 55'30.805'N lat, 132'24.527'W, including all waters of Twelve-mile Arm;

What is the issue you would like the board to address and why? The 2013 October commercial shrimp season for District 2 has left the personal use shrimpers with low shrimp biomass. District 2 is a large area; however the commercial fishing fleet focused their efforts in the waters of Kasaan Bay and Twelve-mile Arm in 2013 which are adjacent to the communities of Hollis and Kasaan. Both areas were hard to navigate during the fishery from the large amount of commercial gear. After the 2013 commercial season, personal use fishermen had a hard time locating shrimp in the waters of Kasaan Bay and Twelve-mile Arm. When shrimp were/are harvested, the numbers of them caught are very low. The area used to receive moderate personal use fishing pressure throughout the year from residents of Prince of Wales Island as well as Ketchikan. Prince of Wales has a large population of subsistence / personal use users who rely on the land and ocean to feed their families. The island has a high cost of living with a financially depressed economy. ADF&G held a 2014 commercial shrimp season; however they closed Kasaan Bay and Twelve-mile Arm after a period where the commercial fishermen were catching very low numbers for the effort they put in to the fishery. Kasaan Bay and Twelve-mile Arm remained closed for the 2015 2016, and 2017 commercial shrimp seasons by emergency order due to a low biomass. ADF&G reopened Kasaan bay during the 2018 and 2019 season. During the 2019 season the commercial shrimp fishermen caught 42,500 pounds of shrimp when the GHL was set at 30,000 pounds. Currently the shrimp biomass is harvested commercially in October while the female shrimp contain eggs and is marketed to an overseas market. This commercial closure of a small section of Kasaan Bay to shrimping will have very little impact on the commercial fishery. The large commercial vessels can easily navigate to the surrounding open areas to commercial shrimp and away from the community of Kasaan who its members rely on a subsistence lifestyle to exist..

A regulation closure of the area to commercial shrimping would protect a relatively small percentage of District 2 to allow personal use fishermen to utilize the resource. Ketchikan personal use fishermen would benefit from closed commercial shrimp area as buoys in the Kasaan Bay are

routinely observed with Ketchikan addresses. The area selected for the closure is in close proximity to the community of Kasaan.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-076)
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PROPOSAL 179
5 AAC 31.136. Closed waters in Registration Area A.
Expand waters closed to commercial pot shrimp fishery in Twelve-Mile Arm, as follows:

5 AAC 31.136(4) Shrimp may not be taken: in the waters of Twelve-mile Arm south and west of a line that stretches from the northern most tip of Outer Point located at 55'31.233'N lat, 132'31.442"W long, to point located on Prince of Wales Island located at 55'31.937'N lat, 132'32.969'W, including all waters of Twelve-mile Arm;

What is the issue you would like the board to address and why? The 2013 October commercial shrimp season for District 2 has left the personal use shrimpers with low shrimp biomass. District 2 is a large area; however the commercial fishing fleet focused their efforts in the waters of Kasaan Bay and Twelve-mile Arm in 2013 which are adjacent to the communities of Hollis and Kasaan. Both areas were hard to navigate during the fishery from the large amount of commercial gear. After the 2013 commercial season, personal use fishermen had a hard time locating shrimp in the waters of Kasaan Bay and Twelve-mile Arm. When shrimp was harvested, the numbers of them caught, and continue today in the single digits and small in size. The area used to receive moderate personal use fishing pressure through-out the year from residents of Prince of Wales Island as well as Ketchikan. Prince of Wales has a large population of subsistence / personal use users who rely on the land and ocean to feed their families. The island has a high cost of living with a financially depressed economy. ADF&G held a 2014 commercial shrimp season; however they closed Kasaan Bay and Twelve-mile Arm after a period where the commercial fishermen were catching very low numbers for the effort they put in to the fishery. Kasaan Bay and Twelve-mile Arm remained closed for the 2015, 2016, and 2017 commercial shrimp seasons by emergency order due to a low biomass. ADF&G reopened Kasaan Bay and the start of Twelve-mile Arm during the 2018 and 2019 seasons. During the 2019 season the commercial shrimp fishermen caught 42,500 pounds of shrimp when the GHL was set at 30,000 pounds. Currently the shrimp biomass is harvested commercially in October while the female shrimp contain eggs and is marketed to an overseas market. This small commercial closure of a small section of Twelve-mile Arm to shrimping will have very little impact of the commercial fishery. The large commercial vessels can fish the surrounding open areas to commercial shrimping and away from the community of Hollis who its members rely on a subsistence lifestyle to exist.

A regulation closure of the area to commercial shrimping would protect a relatively small percentage of District 2 to allow personal use fishermen to utilize the resource. The area selected for the closure is in directly adjacent to the community of Hollis.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-078)
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PROPOSAL 180

5 AAC 31.112. Sidestripe shrimp beam trawl fishing in Registration Area A.

Repeal observer coverage requirement, as follows:

There would be no new regulation, Only deleting existing language. Repeal line (7) of part (b) of 5 AAC31.112

What is the issue you would like the board to address and why? I would ask the Board of Fish to repeal line number (7) of section (b) that reads (the commissioner may require an onboard observer on a vessel during fishing operations) . None of the other shrimp fisheries have this requirement. When engaged in sidestripe fishing I average around 600.00 per day, with one to two crewmembers. The cost of an observer would exceed my income on most days. I do not produce any more bycatch sidestripe fishing than I do pink/stripe peeler shrimp fishing. I have looked at cameras as another means of observation, though it still requires monitoring by Fish & Game, and with budget shortfalls do not see that as a viable alternative. I have been threatened with this added expense when requesting this fishery open.

PROPOSED BY: Brett Stillwaugh (EF-F20-103)

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PROPOSAL 181

5 AAC 31.112. Sidestripe shrimp beam trawl fishing in Registration Area A.

Open a directed sidestripe beam trawl fishery in District 8 for remainder of November-February season once the directed shrimp beam trawl fishery has closed, as follows:

5 AAC 31.112 add line (8) to section (b) to read, upon the closure of the Area 8, 4th pink quota of the year. The stand alone sidestripe shrimp trawl fishery will be opened until February 28th or the sidestripe quota has been taken.

What is the issue you would like the board to address and why? Over the last 20 years there have been limited times when there was a market for peeler shrimp (small pink/sidestripe shrimp). The few beam trawlers fishing during these times worked primarily on larger sidestripe shrimp for the fresh, and frozen tail, and head-on markets. The best quality of sidestripe shrimp in Area 8 show up in the winter months, with the least amount of by-catch. In past years Fish & Game has been reluctant to open the stand alone sidestripe fishery after the 4th quota of the year is taken. The only reasoning I was told was lack of data, that I find hard to believe in a fishery that has been going since 1929. If nothing is changed the shrimp fisherman in area 8 will continue to lose opportunity and income. I looked at many different options from splitting quotas and redrawing area lines. This being the easiest least complicated way of addressing the issue without affecting the Trawlers fishing Pink shrimp. Any trawler would still be able to request a standalone sidestripe shrimp trawl fishery be opened after any one of the three earlier openings.

PROPOSED BY: Brett Stillwaugh (EF-F20-125)

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PROPOSAL 182

5 AAC 31.115. Shrimp pot guideline harvest ranges for Registration Area A.

Divide the District 15 GHR into two fishing areas with distinct GHRs for the new areas, as follows:

5 AAC 31.115 (a)(15) is amended to read:

(15) District 15: [0 – 20,000 POUNDS OF COONSTRIPE SHRIMP;]

(A) Chilkoot, Lutak, and Taiya Inlets: 0 – 10,000 pounds of coonstripe shrimp;

(B) remainder of District 15: 0 – 10,000 pounds of coonstripe shrimp;

What is the issue you would like the board to address and why? Current regulations do not reflect management practices for the District 15 pot shrimp fishery that have been utilized since 2009. Past management practices of managing for one GHL for all of District 15 resulted in reductions of GHL and closures. The District 15 GHL for coonstripe shrimp was set at 20,000 pounds, the upper end of the GHR, through the 2004/05 season. It was reduced by 25% to 15,000 pounds for the 2005/06 season in response to concerns for stock health. The district was closed for three seasons from the 2006/07 season through 2008/09 season due to increased concerns for stock health. Beginning with the 2009/10 season, District 15 was split into two management areas, each with a specific management target to further address concerns for stock health. One target of 7,500 pounds was specific to "District 15-East," an area comprised of Chilkoot, Lutak, and Taiya Inlets. A second management target of 7,500 pounds was specified for "District 15-Remainder," which included the remainder of the district with Chilkat Inlet being the primary fishing area. This management strategy has allowed the department to better react to changes in the shrimp populations in these areas and provide for more sustainable fisheries.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-159)

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PROPOSAL 183

5 AAC 47.035. Methods, means, and general provisions – Shellfish. and 5 AAC 77.660. Personal use shrimp fishery.

Establish tunnel eye size requirements for ridged mesh shrimp pots in the personal use and sport fisheries, as follows:

5 AAC 47.035(k)(1) and 5 AAC 77.660(5)(A) A pot used to take shrimp under this chapter must have no more than four tunnel eye openings; no tunnel eye opening may exceed 15 inches in perimeter; except a rigid hard sided pot may have a tunnel eye opening not to exceed 20 inches in perimeter.;

What is the issue you would like the board to address and why? Many commercially available hard sided rigid sport shrimp pots have tunnel eye openings which exceed the 15 inch perimeter requirement. A commonly found shrimp pot has four tunnel eye openings that is rectangular in shape and measures 8 inches wide by 2 inches tall. The rectangular opening has extruder bars which prevent larger fish, crab and starfish from entering the pot.

Looking at the current regulation, a circular tunnel eye opening of 15 inches has a surface area opening of 17.904 square inches. A hard sided rigid mesh tunnel eye opening of 8 inches long by

2 inches high has a surface area opening area of 16 square inches. Even though these rigid mesh pots exceed the current perimeter requirement, they are actually smaller in surface area.

This proposed change in regulation will allow sport fishermen and personal use fishermen to fish with commonly sold rigid hard sided mesh shrimp pots legally in Southeastern Alaska waters. All other pot regulations will remain unchanged.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-091)
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PROPOSAL 184
5 AAC 47.035. Methods, means, and general provisions – Shellfish.
Clarify the practice of long-lining shrimp pots in the sport fishery.

What is the issue you would like the board to address and why? Longlining of shrimp pots is a common practice in the personal use shrimp fishery. It is specifically addressed in 5 AAC 77.660(4): *"unless otherwise provided for in this chapter, pots operated to take shrimp may be longlined; a buoy is not required for each pot, but at least one buoy on the longline must be marked as required in 5 AAC 77.010(d)".*

In the sport shrimp fishery there is no explicit statement on the practice of longlining; however, 5 AAC 47.035(f) states *"A sport fisherman using pots to take shellfish shall plainly and legibly inscribe the fisherman's first initial, last name, and home address on a keg or buoy attached to each pot."* This would indicate that longlining shrimp pots in the sport fishery is not allowed because each pot is required to be labeled.

We are seeking clarification on the board's intent on allowing longlining of shrimp pots in the sport fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-162)
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PROPOSAL 185
5 AAC 47.035. Methods, means, and general provisions – Shellfish.
Allow the use of artificial lights as an attractant when taking squid., as follows:

Adopt a new subsection of 5 AAC 47.035 Methods, means and general provisions – Finfish, to wit: (b) **(8) Squid may be taken with the aid of artificial lights.**

What is the issue you would like the board to address and why? In recent years, Market Squid (Doryteutitis Opalescens) have established a presence in Southeast Alaska and they have become a desirable species to catch for both human consumption and for use as bait. There are currently no regulations that specifically cover the taking of market squid, (i.e. no closed seasons and no bag limits). A common method to take squid in other western states is to utilize artificial lights to attract them. Since there is no law specifically allowing the use of artificial lights, local Wildlife Troopers, when encountering squid anglers, have been issuing warnings for using lights to take squid. I

believe that allowing the use of artificial lights when taking squid will increase the opportunity for anglers to take advantage of this resource without doing it any harm. To support this opinion, in October of 2019, Mr. Ben Burford (doctoral candidate at Stanford University) gave a lecture at UAS Sitka Campus on the new market squid presence in Southeast Alaska. He has been studying the migration of these squid to our waters for the last several years. During the Q/A portion of his lecture, I specifically asked him if there was any level of rod and reel take of market squid that would harm their numbers in SE Alaska. He didn't hesitate in saying that there was no way that such a fishery could harm the market squid resource here.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-089)
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PROPOSAL 186
5 AAC 47.035. Methods, means, and general provisions – Shellfish.
Allow the take of squid with hook and line gear with an unlimited number of hooks, as follows:

Adopt a new subsection of 5 AAC 47.035 Methods, means and general provisions – Finfish, to wit: (b) **(7) Squid may be taken by hook and line with up to unlimited number of hooks or jigs.**

What is the issue you would like the board to address and why? In recent years, market squid (Doryteutitis Opalescens) have established a presence in Southeast Alaska and they have become a desirable species to catch for both human consumption and for use as bait. There are currently no regulations that cover the taking of market squid, (i.e. no closed seasons and no bag limits) with the exception of 5 AAC 75.020 Sport fishing gear (a)(5) which limits anglers to the use of 2 hooks. Squid jigs & Sabiki rigs are commonly available in strings of 5-6 jigs/hooks. Local Wildlife Troopers, when encountering squid anglers, with no alternative law available to them have been enforcing the 2 hook law.

Since market squid are forage fish versus game species, I believe the law on number of hooks should be expanded. This has already been done for two other forage fish (herring and smelt) in 5 AAC 75.030 which allows use of 15 or less hooks. I do not believe this change to regulations would hurt the market squid resource. To support this opinion, in October of 2019, Mr. Ben Burford (doctoral candidate at Stanford University) gave a lecture at UAS Sitka Campus on the new market squid presence in Southeast Alaska. He has been studying the migration of these squid to our waters for the last several years. During the Q/A portion of his lecture, I specifically asked him if there was any level of rod and reel take of market squid that would harm their numbers in SE Alaska. He didn't hesitate in saying that there was no way that such a fishery could harm the market squid resource here. Allowing the use of more than 2 hooks would increase the opportunity for anglers to take advantage of this resource.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-090)
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PROPOSAL 187
5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

Allow the department to modify weekly fishing periods by emergency order during the weeks of Christmas and New Year's Day, as follows:

5 AAC 38.140. Southeast Alaska Sea Cucumber Management Plan. (b) **(3) during the weeks of Christmas and New Years the commissioner may, by emergency order, open the fishery on days to maximize the harvest.**

What is the issue you would like the board to address and why? The Southeast Alaska Regional Dive Fisheries Association would like to give ADF&G the flexibility to manage the southeast Alaska sea cucumber fishery during the Christmas and New Year's holidays. Right now, by regulation, the sea cucumber fishery opens on Monday/Tuesday. In years when the holidays fall on those days or the day after divers and processors may not operate. The department currently does not have the regulatory flexibility to change those days to accommodate the fisheries. This proposal would give the department that needed flexibility.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association (HQ-F20-098)
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PROPOSAL 188
5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.
Change the start of the sea cucumber fishery from October 1 to the first Monday or Tuesday of October, as follows:

5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.
(b) Sea Cucumbers may be taken from **the first Monday/Tuesday** [OCTOBER 1] **in October** through March 31 during the fishing period established by emergency order.

What is the issue you would like the board to address and why? The Southeast Alaska Regional Dive Fisheries Association (SARDFA) would like to clarify that the opening week of the Registration Area A sea cucumber fishery starts during the first full week of October that includes a Monday and Tuesday.

In 2019 the first day of October fell on a Tuesday. Divers wanted a full fishing period (Monday and Tuesday) so ADF&G did not open the fishery the first week of October but opened the fishery on the second week.

SARDFA would like to change the wording of the current regulation to avoid this confusion in the future.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association (HQ-F20-100)
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PROPOSAL 189
5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.
Allow the department to increase the number of divers allowed to fish from a vessel from two to four by emergency order, as follows:

5 AAC 38.142. Southeast Alaska Geoduck Fishery Management Plan. (p) During an open geoduck fishing period, no more than two CFEC geoduck permit holders may conduct fishing operations from, or deliver geoducks from, a vessel licensed and registered to commercially fish for geoduck. From 24 hours before, during and for 24 hours after a fishing period, or when commercially harvested geoducks are on board the vessel, no more than three CFEC geoduck permit holders may be on board a vessel that is registered to commercially fish for geoduck.

(1) The commissioner may by emergency order modify the number of CFEC geoduck permit holders able to be onboard or fish from a registered vessel to four divers.

What is the issue you would like the board to address and why? In the geoduck clam fishery only 2 divers can fish from one vessel (5 AAC 38.142 (p)). However, late in the season it is often difficult to harvest the guideline harvest level (GHL) in some remote areas. We would like to have up to four CFEC geoduck permit holders conduct fishing operations from a vessel that is registered to commercially fish for geoducks to make it more economical to harvest the remaining GHL. This would be done late in the season when only remote areas are open.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association (HQ-F20-099)

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Crab

PROPOSAL 190

5 AAC 34.113. Southeast Alaska Red King Crab Management Plan and 34.125. Lawful gear for Registration Area A.

Amend the Red King Crab Management Plan to include trip limits and equal share quotas when harvestable surplus is below threshold, as follows:

5 AAC 34.113. Southeast Alaska Red King Crab Management Plan

(c) Until January 24, 2027, the department shall open the fishery as an equal permit share if the department's estimate of the available harvestable surplus is below 200,000 pounds of legal male red king crab. The department shall determine the annual amount of king crab equal quota share by dividing the GHL by the number of CFEC permits and interim use permits eligible to be fished in the fishery. When the threshold of 200,000 pounds is met or exceeded, the traditional fishery shall be prosecuted.

(1) When the harvestable surplus is above 88,500 and below 99,999 pounds of legal male red king crab, vessels will be subject to a 1,500 pound trip limit and no more than 3 days of fishing per trip to allow management to close areas as the regional GHLs are reached.

(2) When the harvestable surplus is between 100,000 and 199,999 pounds of legal male red king crab, vessels will be subject to a 2,000 pound trip limit and no more than 5 days of fishing per trip to allow management to close areas as the regional GHLS are reached.

(3) Permit holders will be required to pre-register before each trip for the area and dates they plan to fish.

(4) Permit holders will be required to call in daily to report their catch.

(5) All pots must be removed from the water at the end of a trip.

(6) Permit holders must wait one week between landings and the start of their next trip.

5 AAC 34.125. Lawful gear for Registration Area A
(b) The following king crab pot limits are in effect in Registration Area A:

(1) During the commercial red king crab season, the maximum number of king crab pots that may be operated from a vessel registered to fish for king crab is as follows:

(A) No more than 20 king crab pots when the guideline harvest level is [200,000 BUT] not more than 399,999 pounds;

(B) no more than 30 king crab pots when the guideline harvest level is at least 400,000 but not more than 499,999 pounds;

(C) no more than 40 king crab pots when the guideline harvest level is at least 500,000 but not more than 599,999 pounds;

(D) no more than 50 king crab pots when the guideline harvest level is 600,000 pounds or more;

What is the issue you would like the board to address and why? We are looking for a way to prosecute a red king crab fishery at an economic threshold lower than 200,000 pounds of legal red king crab. This minimum threshold has not been addressed in several years, while the red king crab market price has increased. The minimum threshold was first set at 300,000 pounds in 1988 and later lowered to 200,000 in 2002 by the request of the industry and processors in response to the rising value of red king crab. According to ADF&G fishery ex-vessel prices, since 2000, the statewide average price of red king crab has increased from $4.74 a pound to $9.27 in 2018. We set this regulation to sunset before the start of the 2027/2028 season to allow this fishery management plan change a trial period of two board cycles. We mirrored the Chatham and Clarence sablefish equal quota share fisheries and realize that not all eligible permits will register to fish or land their full quota shares.

PROPOSED BY: Petersburg Vessel Owner's Association and Southeast Alaska Fishermen's Alliance (HQ-F20-073)
**The author of this proposal was incorrectly listed as the Alaska Department of Fish & Game in an earlier version.*
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PROPOSAL 191
5 AAC 34.113. Southeast Alaska Red King Crab Management Plan.

Amend the *Southeast Alaska Red King Crab Management Plan* to base harvestable surplus on historical fishery performance information when surveys are not available, as follows:

5 AAC 34.113. Southeast Alaska Red King Crab Management Plan
(c) Until January 1, 2027, the department shall open all areas except Section 11A, for a fishery on even-years for a minimum of 3 days and maximum of 7 days. Managers can close areas on 5 hours notice, based on commercial CPUE. In the event an area has a high CPUE, managers may choose to re-open an area at their discretion.

(1) Permit holders will be required to pre-register for the areas they plan to fish for a trip. Managers must be notified 6 hours in advance of a permit holder setting gear in a new area.

(2) Permit holders will be required to call in daily to report their catch.

(d) the Policy on King and Tanner Crab Resource Management (90-04-FB, March 23, 1990) **For those fisheries without surveys or historical catch information adequate for estimating the population size, the GHL will be set based on historical fishery performance, catch, and population trend.**

What is the issue you would like the board to address and why? In the event the funding for the red king crab survey is removed from the ADF&G budget, we are asking ADF&G develop a harvest strategy that relies on fishery performance, catch, and population trend as the main population estimates.

PROPOSED BY: Petersburg Vessel Owner's Association and Southeast Alaska Fishermen's Alliance (HQ-F20-074)
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PROPOSAL 192
5 AAC 34.114. Southeast Alaska Golden King Crab Management Plan.
Establish minimum guideline harvest level and guidance on inseason adjustment of guideline harvest levels in the Southeast Alaska golden king crab fishery, as follows:

5 AAC 34.114. Southeast Alaska Golden King Crab Management Plan
(a) The Southeast Alaska golden king crab fishery shall be managed consistently with the board's Policy on King and Tanner Crab Resource Management (90-04-FB, March 23, 1990), adopted by this reference, and according to the principles set out in this section.

(b) To the extent possible, golden king crab shall be managed as a separate stock in each defined fishing area. The department shall close an area if the abundance of various sizes of male crabs is inadequate to provide for a sustained harvest, or when potentially high effort precludes an orderly fishery.

(c) The department shall base management on historical fishery performance, catch, and population structure information. A lack of adequate information will result in conservative management.

(d) The Policy on King and Tanner Crab Resource Management (90-04-FB, March 23, 1990) states that a Guideline Harvest Level is a preseason estimate of the level of allowable king and Tanner crab harvest. In those fisheries with accurate population estimates the appropriate harvest rate is applied to the best point estimate to determine the GHL. For those fisheries without surveys or historical catch information adequate for estimating the population size, the GHL will be set based on historical fishery performance, catch, and population trend. Due to the lack of formal assessments and only data being available from the fishery, each Golden King crab area shall open for a set of tides to a pre-season guideline harvest level that is a minimum of 10% of the upper range of the guideline harvest range set for the area. After one set of tides, the GHL can be re-assessed and the fishery will be managed in-season accordingly.

(e) In-season adjustments may be made to the guideline harvest level and length of the fishing season. Information upon which such adjustments are based may include: 1.) overall fishing effort; 2.) catch per unit of effort and rate of harvest; 3.) relative abundance of Golden King crab; 4.) achievement of guideline harvest level (GHL); 5.) proportion of soft-shelled crabs and rate of dead loss; 6.) general information on stock condition including adequacy of reproductive stock; 7.) timeliness and accuracy of catch reporting; 8.) adequacy of subsistence harvests; 9.) the impact of severe or unexpected environmental conditions on the handling and trapping morality of crab; and 10.) other factors that affect ability to meet objectives of the policy. When this information shows that continued fishing effort would jeopardize the reproductive viability of king crab stocks within a registration area, or continued fishing would be counter to the goal and policies established by the Board, the registration area or a portion of the registration area will be closed by Emergency Order.

What is the issue you would like the board to address and why? Amend the Southeast Alaska Golden King Crab Management Plan to further clarify for fishermen the expectations of how the fishery will be managed.

PROPOSED BY: Petersburg Vessel Owner's Association and Southeast Alaska Fishermen's Alliance (HQ-F20-071)

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PROPOSAL 193

5 AAC 34.107. Description of golden king crab fishing areas within Registration Area A.
Extend northern boundary of the Southern management area, as follows:

(g) Southern Area: all waters of District 1 and District 2, all waters of District 6 south of a line from Point Colpoys at 56° 20.18′ N. lat., 133° 11.90′ W. long., to Macnamara Point at 56° 20.18′ N. lat., 133° 03.54′ W. long., and all waters of District 7 south of the latitude of [POINT EATON AT 55° 56.80′ N. LAT.] **Point Warde 56° 10.43' N. lat.**

What is the issue you would like the board to address and why? We would like to extend the northern boundary of the Southern Area to include a portion of statistical area 107-20. We are not asking the guideline harvest level be raised.

PROPOSED BY: Petersburg Vessel Owner's Association and Southeast Alaska Fishermen's Alliance (HQ-F20-072)
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PROPOSAL 194

5 AAC 34.108. Description of blue king crab fishing areas within Registration Area A.

Remove Glacier Bay from the list of blue king crab fishing areas within Registration Area A, as follows:

5 AAC 34.108 is amended to read:

(b) The waters of District 11 in

(1) Taku Inlet: all waters north of the latitude of Point Bishop at 58° 12.05' N. lat;

(2) Port Snettisham: all waters east of a line from Point Styleman at 57° 58.44' N. lat., 133° 53.88' W. long. to Point Anmer at 57° 56.08' N. lat., 133° 51.01' W long.; and

(3) Holkham Bay: all waters east of a line from Point Coke at 57° 47.33' N. lat., 133° 41.43' W. long. to Point Astley at 57° 42.59' N. lat., 133° 39.07' W. long.

[(c) THE WATERS OF DISTRICT 14 IN GLACIER BAY: ALL WATERS NORTH OF THE LATITUDE OF POINT GUSTAVUS AT 58° 22.79' N. LAT.] **Repealed**.

(d) The waters of District 15 in Lynn Canal: all waters north of the latitude of Point Sherman Light at 58° 51.16' N. lat.

What is the issue you would like the board to address and why? Federal regulations prohibit commercial king crab fishing in Glacier Bay. Removing the reference to Glacier Bay as a blue king crab fishing area will make state regulations consistent with federal regulations for the blue king crab fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-150)
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PROPOSAL 195

5 AAC 35.113. Registration Area A Tanner crab harvest strategy

Extend Tanner crab fishing season in exploratory areas, as follows:

5 AAC 35.113. Registration Area A Tanner crab harvest strategy.

(b)(2) at the end of the initial period, the core areas will close to fishing, and the noncore and exploratory areas will remain open for an additional five days. After the noncore areas close to fishing, the exploratory areas will remain open for an additional twenty-eight days.

What is the issue you would like the board to address and why? At the 2018 SE shellfish board of fish meeting the board created a new "exploratory area" for Tanner crab in the exclusive economic zone of Registration Area A that is open for an additional fourteen days after the non core areas close to fishing. There has at this time been no effort in the new exploratory area.

There are several factors that contribute to the lack of effort. The biggest one being adverse weather conditions on the ocean during the fishery (the Registration Area A Tanner fishery has been traditionally prosecuted in bays, inlets and canals. Most fishermen are not set up to safely fish in rough weather).

I would like the board to extend the fishing period of the exploratory area to twenty-eight days after the close of the noncore fishery. Allowing fishermen more flexibility to wait for safer weather, should they choose to fish in the exploratory area.

PROPOSED BY: Jared Bright (EF-F20-068)

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PROPOSAL 196

5 AAC 34.125. Lawful gear for Registration Area A.

Reduce the commercial golden king crab pot limit in waters of Registration Area A from 100 pots per vessel to 80 pots per vessel, as follows:

5 AAC 34.125(b)(2) is amended to read:

(b)(2) when the commercial golden king crab season is open in Registration Area A, and the commercial red king crab or Tanner crab season is closed, no more than **80** [100] king crab pots may be operated from a vessel registered to fish for king crab;

What is the issue you would like the board to address and why? A golden king crab pot reduction to 80 pots would mirror the pot limit currently in regulation for the Tanner crab fishery, which has the same start date as the golden king crab fishery. Reducing the number of pots in the fishery will ease fishing pressure on the Southeast Alaskan golden king crab stock and improve management precision in targeting fishery area guideline harvest levels.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-152)

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PROPOSAL 197

5 AAC 35.113. Registration Area A Tanner crab harvest strategy.

Modify Tanner crab harvest strategy definition of core, non-core, and exploratory areas, as follows:

5 AAC 35.113(b) (2) (c) (2,3).

(b)(2) at the end of the initial period, the core areas will close to fishing, and the noncore and exploratory areas will remain open for an additional five days. After the noncore areas close to fishing, the exploratory areas will remain open for an additional fourteen days. After the inside exploratory areas close to fishing, the exclusive economic zone exploratory area will remain open for an additional fourteen days.

(c)(2) "noncore areas" include the following waters in Registration area A:
(any statistical area determined not to have had any pots hauled in the 3 previous years)

(3) "exploratory areas" include all waters of Alaska in those portions of districts in Registration Area A that are not described in (1) or (2) of this subsection and in the exclusive economic zone.

What is the issue you would like the board to address and why? The current harvest strategy for Tanner crab in registration area A is not meeting the ADF&G goal of optimized economic benefit from fish resources. The core, noncore, and exploratory areas, as currently defined, leave many districts, sub districts, and stat areas of registration area A unfished.

In order to reach the goal of optimized economic benefit any statistical area in the "noncore area" that has been fished in the last three years should be defined as a "noncore area"(in the same way the "core areas" are specifically defined), and any statistical area in the "noncore area" that has not been fished in the last three years should be redefined as "exploratory area", and remain open fourteen days after the "noncore areas" close.

Registration area A is a very large area. In a vessel that makes 8 knots it would take 50+/- hours, depending on the tide/wind, to drive from one end to the other. Many fisherman end up fishing "non core areas" close to where they fished in the "core areas" to avoid losing too much fishing time. Redefining the "noncore areas" that are currently not getting fished to "exploratory areas" and giving fishermen extra time to fish them, would help ADF&G reach its goal of optimizing benefit from the registration area A tanner crab fishery.

PROPOSED BY: Jared Bright (EF-F20-069)

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PROPOSAL 198

5 AAC 35.110. Fishing seasons for Registration Area A.

Establish fixed start date for the Registration Area A commercial Tanner crab fishery, as follows:

5 AAC 35.110. Fishing seasons for Registration Area A. (a) Male Tanner Crab may be taken only from 12:00 noon February 20, as announced by emergency order, through May 1.

(b) Leave as currently Written

What is the issue you would like the board to address and why? I would like the board to address the issue of a floating start date for the tanner/golden crab fishery. Industry asked for board to adopt current regulation when the golden crab stocks were robust to help with gear being "up" from the tides for hauling and reducing gear tangles. I have 2 main reasons for wanting this regulation changed,

1: Insurance on vessel. The insurance pool our boat is in allows for hull & crew to be insured in 2 week installments with the monthly split on the 15th. With a later fixed start date we and those with similar policies could reduce operating cost when profit margins are getting tighter and tighter.

2: Conflicts between meetings, family travel, and prospect fishing. For those of us that like to go prospect fishing the current regulation makes it difficult to do so if the "start" date falls in the

earlier part of the time line allowed. This board meeting is a prime example of such conflict, go "look" around or attend meeting to convey this time conflict. With a spouse and children in the public school system their year usually starts on 2nd Monday so if returning from family trip and helping them get back in the "groove" I'm unable to prospect.

When getting feedback from other permit holders and the Dept. on proposing such a change there were a few issues that could arise. Under current regulation of starting at smallest tide set makes chances of a weather associated with bigger tides a possibility. I don't want the board to change or omit section (b) of current regulation, this is a great tool for dept. to use in helping conduct a safe fishery. The dept. had a concern if fishery started to late and stocks rebounded to warrant longer fishing seasons we might start getting close to spring crab breeding cycle. Industry also brought forth a concern where if too late a start date might make it difficult to switch over to herring or halibut/sablefish in a timely matter. Smaller vessels can't carry their whole string and have to shuttle gear out for wet storage before season. Depending on weather I feel 5 days after vessel comes off lay up insurance should give a window for allowing for this. I would like to see the board adopt a change in regulation to a start date of the 20th of February.

PROPOSED BY: Joe Willis (EF-F20-052)

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PROPOSAL 199

5 AAC 34.128. Operation of other gear in Registration Area A.

Allow operation of personal use, subsistence, or sport Dungeness crab and shrimp pot gear during the commercial king or Tanner crab fishery, as follows:

5 AAC 34.128. Operation of other gear in Registration Area A.

(a) A person or vessel that operates commercial, subsistence, personal use, or sport pots or ring nets, other than [COMMERCIAL] shrimp pots or Dungeness crab pots, during the 30 days immediately before the scheduled opening date of the commercial king crab season in Registration Area A may not participate in that king crab fishery.

(b) Notwithstanding 5 AAC 31.053(d), 5 AAC 32.053(d), and 5 AAC 34.053(2), a person or vessel may operate [COMMERCIAL] shrimp pots or Dungeness crab pots during an open king crab season in Registration Area A if the [COMMERCIAL] shrimp or Dungeness crab season is open in Registration Area A at the same time as the commercial king crab season.

What is the issue you would like the board to address and why? At this time it is not legal for a person participating in a commercial king or tanner crab fishery to fish shrimp or Dungeness crab for personal sport or subsistence. At the same time it is legal to do so commercially. It is highly unlikely that a person could harvest legal Tanner or King crab in a shrimp or Dungeness pot. Catch of king or tanner crab in this type of gear is highly unlikely. As written this regulation is only limiting persons from harvesting a resource for their own use.

PROPOSED BY: Yancey Nilsen and Nels Otness (EF-F20-007)

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PROPOSAL 200

5 AAC 32.150. Closed waters in Registration Area A. and 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Close the Dungeness crab commercial and nonresident sport fisheries in the vicinity of Klawock, as follows:

The taking of Dungeness crab by non-residents and commercial Dungeness crab fishermen: in the waters near and surrounding Klawock; east of Entrance Point at 55 31.200N, -133 07.627W extending to a point in Shinaku Inlet at 55 34.721N, -133 13.382W will be closed.

What is the issue you would like the board to address and why? Close the waters to non-resident fishing & commercial fishing for Dungeness crab east of Entrance Point at 55 31.200N, -133 07.627W extending to a point in Shinaku Inlet at 55 34.721N, -133 13.382W.

Klawock has a large tourist population which flood the waters directly in front of Klawock Inlet, Shinaku Inlet, and Big Salt Lake with crab pot gear. The tourists deploy gear in the immediate area surrounding Klawock, they then leave the area of Klawock and Craig to sport fish in outside waters. The non-resident fishermen check their crab pots when they return to the immediate surrounding waters. Community members of Klawock continue to see the non-resident tourists fish their limits of Dungeness crab pots. Residents of Klawock continue to have direct competition with the non-resident tourists during the summer months as well as the commercial Dungeness crab fishermen during the fall and winter months. Klawock residents are seeking an exceedingly small area surrounding Klawock for a subsistence only area. Klawock is a small community with limited amenities and employment opportunities. A small area closed to both commercial Dungeness fishermen and sport fishermen will allow a sustainable biomass to be harvested by Klawock subsistence fishermen to supplement the high cost of living and depressed economy on Prince of Wales Island. The non-resident sport fishermen would not be impacted by this small closed fishing area as they can go a short distance in closed waters to safely deploy sport fish Dungeness crab pots.

PROPOSED BY: Klawock Fish and Game Advisory Committee (HQ-F20-059)

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PROPOSAL 201

5 AAC 32.150. Closed waters in Registration Area A.

Expand closed water boundary lines for the Dungeness crab commercial fishery in the Sitka Sound Special Use Area during the summer season, as follows:

In accordance with 5 AAC 32.150, points 3 & 4 are moved northward and extend between Baranof Island to Chichagof Island only during the summer commercial crab fishery (June 15th – August 15th). Points 4 is moved to Nismeni point on Baranof Island (57 33 45 N, 135 24 52 W), and point 3 would be moved to Chichagof Island (57 31 18 N, 135 34 41 W). Sport Dungeness crab fishing and retention in this area is allowed and the bag limits do not change as written in sport fishing regulations.

What is the issue you would like the board to address and why? The opportunity to harvest Dungeness crab for sport anglers in the Sitka area during summer months when the commercial fishery is being prosecuted is extremely limited without locals spending significant expense for fuel, bait, and effort. The reduction in opportunity for sport anglers is likely exacerbated in areas where sea otters are found, and as a greater number of commercial Dungeness crab permit holders have shifted effort to the Sitka area. Spring Dungeness crab opportunity is impacted during this time because many otherwise legal crab are molting and are not retained by sport anglers. During the summer months when there are a greater proportion of quality crabs (non-molting), locals sport anglers may catch many crab in each pot, but the proportion of legal males with a carapace equal to or greater than 6.5 inches are in very low proportion due to the commercial harvest effort. To ameliorate this, I suggest that the Board of Fish move the summer commercial crab boundary. The northern boundary would be between Nismeni Point on Baranof Island, and would extend west to Chichagof Island.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-086)

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PROPOSAL 202

5 AAC 32.150. Closed waters in Registration Area A.

Reduce waters closed to Dungeness crab commercial fishing in Tenakee Inlet, as follows:

Amend 5 AAC 32.150(2) as follows: "waters of Tenakee Inlet north of 57. 46' N. lat. and between 135. 06.50' W. long. and 135 18.18' W. long."

What is the issue you would like the board to address and why? The closed waters described in AAC 32.150(2) exceed the needs of a community of fewer than 150 people. These waters have become a honeypot for yacht charters.

PROPOSED BY: Peter Roddy (EF-F20-092)

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PROPOSAL 203

5 AAC 32.150. Closed waters in Registration Area A.

Repeal closed waters for Dungeness crab commercial fishing in Merrifield Bay and Port Protection, as follows:

Repeal 5 AAC 32.150(3).

What is the issue you would like the board to address and why? Port Althorp is closed to commercial Dungeness crab fishing. Elohim Cove, the nearest post office, has a population of fewer than 25 people. This past February there were fewer than ten residents. There are, in fact, as many commercial lodges catering to non-residents as there are residents. Reserving the crab resource for the benefit of non-residents cannot be justified.

PROPOSED BY: Peter Roddy (EF-F20-082)

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PROPOSAL 204

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Close the Dungeness crab sport fishery in the vicinity of Coffman Cove, as follows:

5 AAC 47.021(i)(3)In the Prince of Wales Island vicinity – Dungeness crab may not be taken in the waters of Coffman Cove south and west of a line extending from a point at 56'01.348'N lat., 132'49.673"W long, to a point located at 56"01.711'N lat., 132'51.008'W long.;

What is the issue you would like the board to address and why? The residents of Coffman Cove have a large tourist population who flood the waters directly in front of Coffman Cove. The tourists then leave Coffman Cove in their boats to fish the waters outside Coffman Cove and check their Dungeness crab pots when they return. The non-resident tourists' fish their limits of Dungeness crab pots. Residents of Coffman Cove continue to have direct competition between the non-resident tourists during the summer months as well as the commercial Dungeness crab fishermen. Local Residents are seeking a very small area directly in front the City of Coffman Cove for a subsistence only area. Coffman Cove is a small community with mostly seasonal based employment. A small area closed to both commercial Dungeness crab fishing and sport fishing will allow a sustainable biomass to be harvested by Coffman Cove subsistence fisherman to supplement the high cost of living on Prince of Wales Island. The non-resident sport fishermen would not be impacted by this small area closed fishing area as they can go a short distance to deploy their Dungeness crab pots.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-085)

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PROPOSAL 205

5 AAC 32.150. Closed waters in Registration Area A.

Close waters in Coffman Cove to commercial fishing for Dungeness crab, as follows:

5 AAC 32.150(#) waters Coffman Cove north and west of a line extending from a point at 56'05.806'N lat., 133'06.520"W long, to a point located at 56"05.616'N lat., 133'07.333'W long.;

What is the issue you would like the board to address and why? The residents of Coffman Cove have commercial Dungeness crab fisherman adjacent to their community. The commercial Dungeness crab fleet has seen an increased in sea otters in other areas of Southeast Alaska and very low numbers of Dungeness crab in those areas. During commercial Dungeness crab season, some commercial Dungeness crab fishermen insist that they shall fish directly adjacent to Coffman Cove and in direct competition with the residents of Coffman Cove. Coffman Cove is a small community with mostly seasonal employment. A small area closed to taking Dungeness crab commercially continue to allow a sustainable biomass to be harvested by Coffman Cove subsistence fisherman to supplement the high cost of living on Prince of Wales Island. At the same time, with the high non-resident summer tourist population in Coffman Cove, a separate proposal has been submitted to close an area to sport fishing for Dungeness crab. The commercial Dungeness crab fleet would not be impacted by this small closed fishing area.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-086)
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PROPOSAL 206

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Close the Dungeness crab sport fishery in the vicinity of Whale Pass, as follows:

5 AAC 47.021(i)(3)In the Prince of Wales Island vicinity – Dungeness crab may not be taken in the waters near Whale Pass north and west of a line extending from a point at 56'05.806'N lat., 133'06.520"W long, to a point located at 56"05.616'N lat., 133'07.333'W long.;

What is the issue you would like the board to address and why? Whale Pass has a large tourist population which floods the waters directly in front of the residences of Whale Pass. Members of Whale Pass continue to see these non-resident tourists' fish their limits of Dungeness crab pots as well as check other people's pots in the vicinity. Residents of Whale Pass continue to have direct competition between the non-resident tourists during the summer months as well as the commercial Dungeness crab fishermen in the fall and winter months. Local Residents are seeking a very small area directly in front the City of Whale Pass for a subsistence only area. Whale Pass is a small community with very few jobs and amenities. A small area closed to both commercial Dungeness crab fishing and sport fishing will allow a sustainable biomass to be harvested by Whale Pass subsistence fisherman to supplement the high cost of living and depressed economy on Prince of Wales Island. The non-resident sport fishermen would not be impacted by this small area closed fishing area as they can go a short distance (furthest distance is a mile) in protected waters to deploy sport fish Dungeness crab pots.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-084)
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PROPOSAL 207

5 AAC 32.150. Closed waters in Registration Area A.

Close waters in Whale Pass to commercial fishing for Dungeness crab, as follows:

5 AAC 32.150(#) waters of Whale Pass north and west of a line extending from a point at 56'05.806'N lat., 133'06.520"W long, to a point located at 56"05.616'N lat., 133'07.333'W long.;

What is the issue you would like the board to address and why? The residents of Whale Pass have commercial Dungeness crab fishermen directly in front of their homes during the fall Dungeness crab season as permitted under 5 AAC 32.110(2)(B). The commercial Dungeness crab fleet has seen an increased in sea otters in other areas of Southeast Alaska and very low numbers of Dungeness crab in those areas. During the fall and winter months some commercial Dungeness crab fishermen insist that they shall fish directly in Whale Pass and in direct competition with the residents of Whale Pass. Whale Pass is a small community with very few jobs and amenities. A small increase to the area closed to taking Dungeness crab commercially year round will continue to allow a sustainable biomass to be harvested by Whale Pass subsistence fisherman to supplement

the high cost of living and depressed economy on Prince of Wales Island. At the same time, with the high summer population of tourists in Whale Pass, a separate proposal has been submitted to close the same area to sport fishing for Dungeness crab. The commercial Dungeness crab fleet would not be impacted by this small area closed fishing area.

If this proposal is enacted, 5 AAC 32.110(2)(B) could be repealed.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-080)
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PROPOSAL 208
5 AAC 32.150. Closed waters in Registration Area A.
Close waters in Kasaan Bay to commercial fishing for Dungeness crab, as follows:

5 AAC 32.150(#) waters of Kasaan Bay north of a line that stretches from Adams Point located at 55'32.921'N lat., 132'26.426"W long, to Mound Point located at 55"34.508'N lat., 132'33.957'W long.;

What is the issue you would like the board to address and why? The residents of Kasaan have continued to see an increased presence of commercial Dungeness crab fisherman in Kasaan Bay. The commercial Dungeness crab fleet has seen an increased in sea otters in other areas of Southeast Alaska and very low numbers of Dungeness crab in those areas. During the summer of 2019, a sea otter was observed for the first time in Kasaan Bay. A small increase to the area closed to taking Dungeness crab commercially will continue to allow a sustainable biomass to be harvested by subsistence fisherman to supplement the high cost of living and depressed economy on Prince of Wales Island. The commercial Dungeness crab fleet would not be impacted by this small closed fishing area.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-079)
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PROPOSAL 209
5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.
Reduce the number of crab pots allowed and the Dungeness crab bag limit for nonresident anglers in District 3, as follows:

Reduce non-resident crab pot in-possession limit in District 3 to four (4) pots per vessel, two (2) crab pots per person with a daily harvest limit of two (2) legal sized male crab per day.

What is the issue you would like the board to address and why? Harvest of shellfish has become a challenge for rural Alaska residents. Reducing non-resident crab pot in-possession limit and harvest limit will help increase biomass for sustained harvesting for Alaskan Residents.

PROPOSED BY: Klawock Fish and Game Advisory Committee (HQ-F20-057)
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PROPOSAL 210

5 AAC 32.150. Closed waters in registration Area A.

Establish waters closed to commercial fishing for Dungeness crab in Sukwaan Strait, as follows:

5 AAC 32.150. Closed waters in registration Area A; the following waters will be closed to the taking of Dungeness crab.

(19)

EXCLUDING SUKWAAN STRAITS FROM ROUND POINT 55*.125064; -132.688544 ACROSS TO EEK POINT 55*13770; -132.666874 NORTH TO THE HEAD OF NATZUHINI BAY 55*270024; -132.849299 EXTENDING WEST TO THE OPENINGS OF NORTH PASS 55*210175; -132961267 TO 55*207138; -132938232 AND SOUTH PASS 55.168517; -132.893346 TO 55*.163067;-132890543.

What is the issue you would like the board to address and why? Hydaburg has a long history of utilizing and protecting the local crab stocks. In recent years, declines in other areas of southeast has moved commercial crab boats into the local area. Couple this with a huge surge in sea otters to the area, we are seeing a drastic impact to the local crab stocks. We need to close the area to the commercial fishery to protect the stock for the local users to still provide an opportunity to participate in the personal use and sport fishery. The Prince of Wales area has seen a drastic decline in Dungeness crab due to predation by sea otters, with most communities unable to get crab in customary and traditional areas. It is imperative that we close these areas to protect a limited stock.

PROPOSED BY: Anthony Christianson (EF-F20-056)

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PROPOSAL 211

5 AAC 32.110. Fishing seasons for Registration Area A.

Repeal and amend Dungeness crab fishing season in Sitka Sound Special Use Area, as follows:

Repeal AAC 32.110(2)(A).
Amend AAC 110(2)(C) to read "Section 13-B."

What is the issue you would like the board to address and why? The season in 13-B was shortened by the Board at a meeting where Sitka's representative went rogue and disobeyed the advisory committee's instructions.

PROPOSED BY: Peter Roddy (EF-F20-097)

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PROPOSAL 212

5 AAC 32.052. Dungeness crab pot gear storage requirements.

Extend pot storage allowance after fishery closure, as follows:

Amend regulation to allow at least 7 days to remove pots from water following the Nov. 30 closure in Area A.

What is the issue you would like the board to address and why? As written regulation does not allow a reasonable amount of time to remove stored pots from the water following the November 30 closure in most of Registration Area A. The regulations should be amended to allow at least 7 days to remove pots from the water. This would be consistent with the time allowed at the August 15 closure.

PROPOSED BY: Peter Roddy (EF-F20-100)

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PROPOSAL 213

5 AAC 32.052. Dungeness crab pot gear storage requirements.

Extend pot storage allowance after fishery closure, as follows:

5 AAC 32.052(2). Amend language to allow a minimum 7 days storage following the non-emergency closure of Districts 3-16.

What is the issue you would like the board to address and why? As written this regulation provides 7 days in water storage following the closure of the summer crab season in Area A but only 3 December days following the closure of the fall season in 14 of the 16 districts of Area A.

PROPOSED BY: Peter Roddy (EF-F20-102)

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PROPOSAL 214

5 AAC 32.125. Lawful gear for Registration Area A.

Clarify that Dungeness crab pots are circular in shape, as follows:

5 AAC 32.125(f) is amended to read:

(f) In addition to the requirements specified in 5 AAC 32.050, a commercial Dungeness crab pot is a **circular** pot that has an outside diameter that is not more than 50 inches and is not more than 18 inches high.

What is the issue you would like the board to address and why? Despite current regulation stating that a Dungeness crab pot size is limited to a maximum outside diameter, some confusion remains as to whether commercial Dungeness crab pots can be anything other than a circular pot. This language, along with requirements specified in 5 AAC 32.050, clarifies that Dungeness crab pots are circular in shape with vertical sides.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-151)

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Groundfish

PROPOSAL 215

5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

Align state waters sablefish fishing season with federal sablefish fishing season, as follows:

The Board will link the seasons for Black Cod and IFQ fisheries so that they open and close at same time.

What is the issue you would like the board to address and why? Would like to request the Board of Fish open and close the Black Cod Fishery at the same times they allocate for the IFQ fishery. Thus giving more opportunities to people who participate in other fisheries, allowing them to adjust their schedules.

PROPOSED BY: John Johanson (EF-F20-081)

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PROPOSAL 216

5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

Extend sablefish fishing season to December 15, as follows:

The Black Cod Pot Fishery will be extended to end on December 15th instead of November 15th.

What is the issue you would like the board to address and why? Would like to request that the Board of Fish extend the black cod fisheries instead of ending November 15th, extending the fishery until December 15th. By extending the season, fishermen would be able to participate in salmon fall seasons, giving them more time to catch their quota before end of the year.

PROPOSED BY: John Johanson (HQ-F20-043)

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PROPOSAL 217

5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area.

Adjust lingcod bycatch allocations between groundfish and salmon fisheries, as follows:

5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area

(5) Southern Southeast Outer Coast Sector:

(D) **two** [SEVEN] percent to bycatch in the commercial groundfish fishery using hand troll gear and mechanical jigging machines;

(E) **seven** [TWO] percent to bycatch in the commercial salmon troll fishery;

What is the issue you would like the board to address and why? The lingcod bycatch allocation for the commercial salmon troll fishery in the Southern Southeast Outer Coast Sector (SSEOC) is insufficient for the fisheries needs. Currently it stands at 2% of the overall lingcod quota for the (SSEOC) area, where in other areas of Southeast Alaska the troll bycatch allocation is 7-8%.

With such a small allocation, the retention of lingcod in the commercial salmon troll fishery in the SSEOC area often closes well before the end of the summer troll season. This forces the troll fleet

to release lingcod caught after the bycatch allowance is met and miss opportunity to retain valuable fish.

Solution:
Transfer 5 of the 7 percent of the lingcod allocated to the commercial groundfish jig fishery, to the commercial salmon troll fishery in the SSEOC sector.

Reasoning:
The lingcod allocated to the commercial groundfish jig fishery in the Southern Southeast Outer Coast Sector (SSEOC) currently stands at 7% of the GHR (guideline harvest range). This has equated to 11,690 round pounds of lingcod per year since 2003.

From 2003 through 2019, a total of only 79 lbs. of lingcod has been landed in the commercial groundfish jig fishery in the SSEOC area.

Transferring 5 of the 7 percent from the commercial groundfish jig fishery to the commercial salmon troll fishery would be a far better use of the lingcod resource.

This would provide a sufficient bycatch allocation of lingcod to the commercial salmon troll fishery in the SSEOC area and still leave the commercial groundfish jig fishery with a lingcod allocation that would more than satisfy the historic needs of that fishery.

PROPOSED BY: Craig Fish and Game Advisory Committee (EF-F20-003)
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PROPOSAL 218
5 AAC 28.106. Eastern Gulf of Alaska Area registration.
Establish registration requirements for the Pacific cod directed fishery, as follows:

5 AAC 28.106 (a) is amended to read:

(a) The Eastern Gulf of Alaska Area is a nonexclusive registration area for Pacific cod[.] **and notwithstanding 5 AAC 28.020(a), before a person uses a vessel to operate gear to take Pacific cod in a directed Pacific cod fishery in the Eastern Gulf of Alaska Area, the vessel owner or the owner's agent shall register the vessel with the department by completing a registration form with the vessel's name, management areas the vessel will be fishing in, contact number, and the signature of the owner or owner's agent.**

What is the issue you would like the board to address and why? The current regulatory language does not require directed Pacific cod fishermen to register their vessel prior to fishing. If vessels were required to register, it would help ensure successful management of the fishery by providing an accurate number of vessels fishing and their intentions for delivery. This would assist with scheduling staff for port sampling landings to collect biological information such as length, weight, sex, and age that is used to inform stock health and resulting management decisions. Without registrations, the department does not have a full accounting of vessels participating in the fishery prior to landings, and this can result in either underharvest or overharvest within a management area. Requiring

registrations for the directed Pacific cod fishery will also create consistency among directed groundfish fishery requirements, which include requiring vessel registrations for each fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-154)

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PROPOSAL 219

5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

Clarify lawful gear for rockfish retention, as follows:

5 AAC 28.130 (d) is amended to read:

(d) In the Southeast District,

(1) [EXCEPT AS PROVIDED IN (3) OF THIS SUBSECTION, ROCKFISH AND] lingcod may be taken only by longline, dinglebar troll gear, power troll gear, hand troll gear, and mechanical jigging machines, except that

[(A) IN A DIRECTED FISHERY FOR PELAGIC SHELF ROCKFISH, PELAGIC SHELF ROCKFISH MAY BE TAKEN ONLY BY DINGLEBAR TROLL GEAR, HAND TROLL GEAR, AND MECHANICAL JIGGING MACHINES;] **repealed.**

(B) in a directed fishery for lingcod, lingcod may be taken only by dinglebar troll gear, hand troll gear, and mechanical jigging machines;

…

(3) Pacific cod, **rockfish,** and thornyhead rockfish may be taken only by longline, dinglebar troll gear, power troll gear, hand troll gear, mechanical jigging machines, and pots[;]**, except that**

(A) in a directed fishery for pelagic shelf rockfish, pelagic shelf rockfish may be taken only by dinglebar troll gear, hand troll gear, and mechanical jigging machines;

(B) in a directed fishery for demersal shelf rockfish, demersal shelf rockfish may be taken only by longline, dinglebar troll gear, hand troll gear, and mechanical jigging machines

What is the issue you would like the board to address and why? Current regulations do not allow for retention of rockfish species by pot gear. Because most hook and line, pot, and jig vessels are unobserved, full retention and reporting are necessary to account for total mortality of rockfish and to improve management of rockfish. Allowing retention of all rockfish in pot gear, as specified above, will provide the department with better catch information and reduce wastage, which occurs when rockfish are discarded at sea.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-156)

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PROPOSAL 220

5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska.

Allow pot gear in the Northern Southeast Inside Subdistrict sablefish commercial fishery, as follows:

(f) In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Southern Southeast Inside Subdistrict ***and Northern Southeast Inside Subdistrict*** sablefish fishery. At least one buoy on each groundfish pot must be legibly marked with only the permanent department vessel license plate number of the vessel operating the gear. The number must be placed on the top one-third of the buoy in numerals at least four inches high and one-half inch wide, must be in a color contrasting to the color of the buoy, and must be visible above the water surface when the buoy is attached to the groundfish pot. If groundfish pots are longlined under this subsection, a buoy is not required for each pot, but at least one buoy must be attached to the longline, and the buoy must be marked as described in this subsection. In a directed fishery for sablefish, pots used to take sablefish must have at least two circular escape rings with a minimum inside diameter of four inches installed on opposing vertical or sloping walls.

What is the issue you would like the board to address and why? I am proposing the introduction of longline pot gear in the Northern Southeast Inside Subdistrict sablefish fishery as is allowed in the Southern Southeast Inside Subdistrict sablefish fishery.

The careful release of juvenile sablefish is currently allowed in the NSEI fishery. Pot longlining for sablefish in NSEI would allow release of small sablefish with less physical damage to the fish than release from circle hooks. Pot fishing also eliminates the problem of sand fleas in the NSEI area. Another advantage to pot fishing is the elimination of potential depredation from sperm whales.

Some have speculated that there would be a gear conflict with hook longliners if pot longlining was permitted in NSEI. With the long season for catching the allowable catch this is not likely a problem. Last year when my husband, son and I fished our permit in late August, we were the only NSEI fishers in our area. Our pot strings are much shorter than hook longlines (400 fathoms for pot longline vs 2,250 fathoms for hook longlines) making gear conflict less likely between pot/hook strings if there were multiple fishers in one area.

PROPOSED BY: Dawn Gillman (EF-F20-035)

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PROPOSAL 221

5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

Reduce the minimum inside diameter of circular escape rings from four inches to three and three-fourths of an inch on pots used to take sablefish, as follows:

5 AAC 28.130 (f) is amended to read:

(f) In the Eastern Gulf of Alaska Area, pots may not be longlined, except that pots may be longlined in the Southern Southeast Inside Subdistrict sablefish fishery. At least one buoy on each groundfish pot must be legibly marked with only the permanent department vessel license plate number of the vessel operating the gear. The number must be placed on the top one-third of the buoy in numerals at least four inches high and one-half inch wide, must be in a color contrasting to the color of the buoy, and must be visible above the water surface when the buoy is attached to the groundfish pot. If groundfish pots are longlined under this subsection, a buoy is not required

for each pot, but at least one buoy must be attached to the longline, and the buoy must be marked as described in this subsection. In a directed fishery for sablefish, pots used to take sablefish must have at least two circular escape rings with a minimum inside diameter of [FOUR INCHES] **three and three-fourths inches** installed on opposing vertical or sloping walls.

What is the issue you would like the board to address and why? The current regulatory language is based on estimated length at 50% maturity (L_{50}) of sablefish (63 cm) in the Northern and Southern Southeast Inside Subdistricts and supplemental research from British Columbia, Canada, which has a minimum escape ring size of 3.5 inches and a L_{50} of 55 cm. The proposed regulatory modification to reduce the minimum inside diameter of the escape ring size from 4 inches to 3.75 inches is based on results of an escape ring experiment conducted during the department's sablefish marking pot survey in 2019. The optimal escape ring size results in low catches of immature sablefish while maintaining high catch per unit of effort (CPUE) of mature sablefish. To analyze the impact of escape rings on capture efficiency and size-selectivity of sablefish, pots with three alternative escape ring sizes (3.5, 3.75, and 4.0 inches) were evaluated alongside control pots with no escape rings. The results of this study indicated that pots with 3.75-inch escape rings minimized catches of small, immature fish, thus reducing discard mortality, and maximized catches of larger, more desirable fish. Escape rings greater than 3.75 inches may not provide any additional benefits.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-158)

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PROPOSAL 222

5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska Area.

Require CFEC permit holders fishing for groundfish or halibut using hook-and-line, pot, or jig gear in the Eastern Gulf of Alaska Area to retain and land all rockfish, including thornyhead rockfish, as follows:

5 AAC 28.171 (a), (b), (f), and (g) are amended to read:

(a) In the **Eastern Gulf of Alaska Area** [SOUTHEAST DISTRICT], a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all **rockfish and thornyhead rockfish caught** [DEMERSAL SHELF ROCKFISH TAKEN]. Except as provided in (b) of this section, all demersal shelf rockfish in excess of 10 percent, round weight, of all target species on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket. **All rockfish and thornyhead rockfish in excess of allowable bycatch limits shall be reported as bycatch overage on an ADF&G fish ticket.** All proceeds from the sale of excess [DEMERSAL SHELF] rockfish **and thornyhead rockfish** bycatch shall be surrendered to the state. Based on harvest data, the commissioner may, by emergency order, close a fishing season or a bycatch season and immediately reopen a fishing season or a bycatch season during which a different [DEMERSAL SHELF] rockfish **or thornyhead rockfish** bycatch level is allowed.

(b) In the **Eastern Gulf of Alaska Area** [SOUTHEAST DISTRICT], a person operating a trawl vessel shall retain, weigh, and report all [DEMERSAL SHELF] rockfish **and thornyhead rockfish caught** [TAKEN]. All demersal shelf rockfish in excess of one percent, round weight,

of all target species on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket. **All rockfish and thornyhead rockfish in excess of allowable bycatch limits shall be reported as bycatch overage on an ADF&G fish ticket.** All proceeds from the sale of excess [DEMERSAL SHELF] rockfish **and thornyhead rockfish** bycatch shall be surrendered to the state.

…

(f) [IN ADDITION TO THE REQUIREMENTS OF (A) OF THIS SECTION, IN THE NORTHERN SOUTHEAST INSIDE AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS, A CFEC PERMIT HOLDER FISHING FOR GROUNDFISH OR HALIBUT MUST RETAIN, WEIGH, AND REPORT ALL ROCKFISH TAKEN. ALL ROCKFISH IN EXCESS OF ALLOWABLE BYCATCH LIMITS SHALL BE REPORTED AS BYCATCH OVERAGE ON AN ADF&G FISH TICKET. ALL PROCEEDS FROM THE SALE OF EXCESS ROCKFISH BYCATCH SHALL BE SURRENDERED TO THE STATE.] **Repealed.**

(g) [IN ADDITION TO THE REQUIREMENTS OF (A) OF THIS SECTION, IN THE EASTERN GULF OF ALASKA AREA, A CFEC PERMIT HOLDER FISHING FOR GROUNDFISH OR HALIBUT MUST RETAIN, WEIGH, AND REPORT ALL BLACK ROCKFISH TAKEN. ALL BLACK ROCKFISH IN EXCESS OF ALLOWABLE BYCATCH LIMITS SHALL BE REPORTED AS BYCATCH OVERAGE ON AN ADF&G FISH TICKET. ALL PROCEEDS FROM THE SALE OF EXCESS ROCKFISH BYCATCH SHALL BE SURRENDERED TO THE STATE.] **Repealed.**

What is the issue you would like the board to address and why? This proposal mirrors federal rockfish retention requirements to provide better estimates of rockfish catch, reduce waste and incentives to discard, and maintain consistency between state and federal fisheries management. Rockfish have a closed swim bladder and suffer embolism mortality when caught. Many rockfish are discarded at sea. The department does not have true accounting of total mortality without full retention requirements in place. Because most hook and line, pot, and jig vessels are unobserved, full retention and reporting are necessary to account for total mortality of rockfish and to improve management of rockfish. Black, dark, and blue rockfish and demersal shelf rockfish (DSR) are managed by the State of Alaska in both state and federal waters, and current regulations require full retention of these rockfish only. Requiring full retention of all rockfish in all state waters, as specified above, will provide the department with better catch information; reduce wastage, which occurs when rockfish are discarded at sea; and will mirror new federal rockfish retention regulations, which also include full retention requirements for thornyhead rockfish.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-157)

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PROPOSAL 223

5 AAC 01.720. Lawful gear and gear specifications; and 5 AAC 77.674. Personal use bottomfish fishery.

Establish and clarify gear specifications of a groundfish pot for the subsistence and personal use sablefish fisheries, as follows:

5 AAC 01.720 (5) is amended to read:

(5) in the Northern Southeast Inside Subdistrict and Southern Southeast Inside Subdistrict, a sablefish permit holder's pot gear must have at least two circular escape rings with a minimum inside diameter of three and three-fourths inches installed on opposing vertical or sloping walls and must have individual tunnel eye openings with perimeters 36 inches or less.

5 AAC 77.674 (6) (E) is amended to read:

(E) a permit holder's pot gear

(i) may not exceed two pots per permit holder or eight pots per vessel when four or more permit holders are present; [AND]

(ii) may not be longlined**; and** [.]

(iii) must have at least two circular escape rings with a minimum inside diameter of three and three-fourths inches installed on opposing vertical or sloping walls and must have individual tunnel eye openings with perimeters 36 inches or less.

What is the issue you would like the board to address and why? The current regulatory language loosely defines legal pot gear for the subsistence and personal use sablefish fisheries. Incorporating an escape ring size of three and three-fourths inches into subsistence and personal use pot gear would significantly reduce the catch of small, immature sablefish and would maintain the catch of larger and more mature sablefish. Requiring individual tunnel eye openings with perimeters 36 inches or less would reduce halibut and sleeper shark bycatch. These requirements would protect immature sablefish from discard mortality and would help secure the future viability of the fishery.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-153)

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PROPOSAL 224

5 AAC 77.674. Personal use bottomfish fishery.

Allow rod and reel as lawful gear to harvest rockfish for personal use, as follows:

Allow rod and reel for personal use of rockfish. It's hard to us seniors to pull a skate.

What is the issue you would like the board to address and why? Residents can't retain rockfish by using a rod and reel. Resident have a low impact on rockfish and should be able to use a rod and reel for personal use.

PROPOSED BY: Randall Jahnke (HQ-F20-076)

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PROPOSAL 225

5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Modify sablefish bag, possession, and nonresident annual limits based on sablefish abundance in NSEI and SSEI sections, as follows:

5 AAC 47.020 (17)(A) resident: **Set** bag limit of four fish; possession limit of four fish; no size limit; **no** annual limit [OF EIGHT FISH] as a baseline. **Increase baseline limits by one fish when ABC reaches 1M pounds and thereafter an additional one fish for every 100,000 pounds over 1M with a cap of six fish daily; possession limit of six fish; no size limit; no annual limit.**

5 AAC 47.020 (17)(B) nonresident: **Set** bag limit of four fish; possession limit of four fish; no size limit; annual limit of eight fish; **as a baseline. Increase baseline limits by one fish when ABC reaches 1M pounds and thereafter an additional one fish for every 100,000 pounds over 1M with a cap of six fish daily; possession limit of six fish; no size limit ; annual limit of twelve fish.**

What is the issue you would like the board to address and why? Commercial sablefish ABC (Allowable Biological Catch) in the NSEI (Northern Southeast Inside) Subdistrict and SSEI (Southern Southeast Inside) Subdistrict have shown an increase in recent years, while resident and non-resident sport anglers bag limits have not changed since they were originally established in 2009. Recreational angler opportunity should be linked to abundance as done with the commercial sablefish AHO (Allowable Harvest Opportunity). A cap in bag limits would ensure sport harvest would not exceed sport/commercial allocation percentages similar to that of other sport fish species.

PROPOSED BY: Alaska Charter Association (HQ-F20-004)
**Proposal 225 was corrected 11/16/2020 to remove the eight fish resident annual limit.*
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PROPOSAL 226
5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.
Establish bag and possession limit for slope rockfish, as follows:

5 AAC 47.020 **(8) (C) slope rockfish: bag limit of one fish; possession limit of one fish; no annual limit; no size limit;**

What is the issue you would like the board to address and why? Establish in regulation a bag limit for slope rockfish.

PROPOSED BY: Alaska Charter Association (HQ-F20-005)
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PROPOSAL 227
5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.
Reduce the nonpelagic rockfish bag and possession limits and prohibit retention of yellow rockfish, as follows:

Non-pelagic rockfish: bag limit of 1 fish; possession limit of 2 fish; of which none may be yelloweye.

What is the issue you would like the board to address and why? The harvest of all non-pelagic rockfish species was closed by emergency order in the Southeast Alaska sport fishery during 2020. The closure was based on survey data indicating a decline in yelloweye abundance. There is no survey data indicating a decline in other non-pelagic species such as copper, quillback, canary, vermillion, silvergray, bocacio, etc. which are commonly caught sport fishing and are all excellent table fare. Anglers commonly catch all species of non-pelagic rockfish and the inability to harvest species other than yelloweye is a lost opportunity to the sport fishery. The mandatory use of deep water release mechanisms will significantly reduce release mortality of incidentally caught yelloweye and other rockfish that are not harvested. ADFG passed an emergency order for 2020 allowing the harvest of Slope Rockfish (Bocacio, Silvergray, Vermillion, Rougheye, Shortraker, Redstripe, etc.) The emergency order also outlines exactly which Demersal Shelf Rockfish you cannot harvest during 2020 (Yelloweye, China, Copper, Quillback, Tiger and Canary.)

Total Sport Harvest of non-pelagic rockfish removal in kilograms (harvest and release mortality estimates) for Southeast Outside waters has averaged approximately 48,000 kilograms in the last 10 years (2009-2018).

Northern Southeast Outside waters has averaged approximately 6,000kgs. which is 12% of the harvest.

Central Southeast Outside (CSEO-Sitka) has averaged approximately 30,600kg. which is 64% of the harvest.

Southern Southeast Outside (SSEO-W. POW) has averaged approximately 11,600kg. which is 24% of the harvest.

Yelloweye rockfish has been the preferred species of non-pelagic harvest and has also been the majority of harvest followed by quillback and copper.

This proposal will allow anglers to harvest any of the non-pelagic rockfish per day other than Yelloweye. The only non-pelagic species with a conservation concern is Yelloweye. Most anglers on the West side of POW agree that the most abundant non-pelagic rockfish species caught are Quillback. Most anglers also agree that Copper, Canary and China rockfish are all excellent table fare and readily abundant. Without this proposal, anglers will be denied the harvest of Tiger, Quillback, Copper, China and Canary rockfish.

PROPOSED BY: Craig Fish and Game Advisory Committee (EF-F20-040)

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PROPOSAL 228

5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

Reduce the nonpelagic rockfish bag and possession limits and prohibit the retention of yelloweye rockfish by nonresidents in the SSEI Section, as follows:

5 AAC 47.020
(8) rockfish January 1-December 31

(B) non-pelagic rockfish; bag and possession limit of 1 fish per day; no retention of yelloweye by non-residents in SSEI.

The fishery has been managed under emergency order (EO) for numerous years, so it is unclear how to accurately address existing and proposed specific language, so intent language is provided

What is the issue you would like the board to address and why? The Department has been managing section (8) (B) bag limits for rockfish under EO authority for numerous years, and for the calendar year 2020, has prohibited the retention of nonpelagic rockfish in all waters of southeast. Data used to justify this action is based on commercial harvest records from southeast outside waters, and based on yelloweye rockfish biomass and then applied those findings to all management areas and types of nonpelagic rockfish. Department data shows that the majority of the harvest of yelloweye by sportfishermen is from non-resident harvest. We would like the Department to take a stairstep approach to cutting possession limits, and if necessary due to conservation concerns, have the BOF adopt a differential harvest limit for residents and non-residents. We would also like the Department to gather better data on local stocks by implementing some type of log book requirement for anglers.

PROPOSED BY: Ketchikan Fish and Game Advisory Committee (HQ-F20-046)
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PROPOSAL 229
5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.
Establish lingcod bag, possession, size, and annual limits for nonresidents in the Central Southeast Outside Waters section, as follows:

LINGCOD
• Season: May 16–November 30.
• Charter operators and crew members may not retain lingcod while clients are on board the vessel.
• [NORTHERN] **Central** Southeast **Outside Waters** Lingcod Area:
• Alaska Residents—No size limit: 1 per day, 2 in possession.
• Nonresidents—1 per day, 1 in possession; [30–35 INCHES] **30 – 45 inches**, or 55 inches and longer, annual limit of 2 fish, one of which is [30–35 INCHES] **30 – 45 inches** in length, and one that is 55 inches or greater in length, harvest record required.

What is the issue you would like the board to address and why? The current Lingcod regulations for non-resident anglers in central southeast Alaska outside waters (CSEO) allows harvest of one fish 30-35 inches, and one 55 inches or greater in length. The 30-35 inch slot is very narrow and it is challenging for non-resident's to have an opportunity to harvest a legal Lingcod even over a multiday effort. Harvesting a trophy Lingcod greater than 55 inches is very rare. Department data shows that under the current slot limit (instituted in 2007), that sport harvest in CSEO waters has been under allocation for all years (2007-2019), with the exception of the year 2014 where allocation was reached. Further, the Department has lumped CSEO Lingcod

management with northern southeast Alaska outside waters (NSEO) which is problematic because the NSEO has met or has been over allocation for the years 2003-2006, and 2014. Managing CSEO and NSEO together is likely preventing anglers in the CSEO Lingcod area from meeting harvest allocation and has reduced reasonable opportunity for non-resident anglers.

I propose that in effort to get CSEO sport Lingcod back in line with allocation, and to provide a more reasonable opportunity for non-resident anglers to retain a Lingcod, that the Board of Fish should consider taking the following action, 1) direct the Department to manage CSEO separate from NSEO, 2) increases the slot limit to 30-45 inches in CSEO waters.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-088)
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PROPOSAL 230

5 AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management.

Amend the Demersal shelf rockfish delegation of authority and provisions for management to provide a resident priority, as follows:

5 AAC 47.065 - Demersal shelf rockfish delegation.

The most recent year that the resident sport Demersal Shelf Rockfish (DSR) limits were not overridden by emergency order was 2005. The all-gear TAC in 2000-2005 was 330-450 tons per year. In recent years the all-gear TAC has been down about 40% since that time period. I propose that (unless the resident sport harvest exceeds 10% of the all-gear TAC), residents be assured a bag and possession limit of at least 1 yelloweye and 3 total DSR year-round throughout the region. This is approximately a 50% reduction from the 2 yelloweye and 5 total DSR of the 2005 era. To that accomplish this, I suggest adoption of the following language:

Section 5 AAC 47.065 - Demersal shelf rockfish delegation of authority and provisions for management

Under 5 AAC 28.160, the Board of Fisheries has allocated 16 percent of the annual allowable catch of the demersal shelf rockfish in the Southeast Outside Subdistrict, described in 5 AAC 28.105(a)(4), to the sport fishery. If the commissioner determines that the demersal shelf rockfish sport fishing regulations must be modified to keep the sport fishery within its allocation, the commissioner may, by emergency order, require one or more of the following management measures:

(1) reduced bag and possession limits for nonresident anglers;
(2) repealed 6/17/2018;
(3) charter operators and crewmembers may not retain demersal shelf rockfish while clients are on board the vessel;
(4) annual limits for demersal shelf rockfish for nonresident anglers;
(5) reduce the bag and possession limits for resident anglers;
(6) repealed 6/17/2018;
(7) annual limits for demersal shelf rockfish for resident anglers;
(8) time and area closures.

Except that unless resident sport anglers would otherwise be expected to account for more than 10% of the total all-gear demersal shelf rockfish allowable catch, provision (5) shall not be used to reduce the bag and possession limits for resident anglers to less than 3 demersal shelf rockfish including 1 yelloweye daily and in possession, nor shall provision (7) be invoked, nor provision (8) be applied to resident anglers.

What is the issue you would like the board to address and why? Over the past fifteen years, resident sport anglers have faced increasingly severe restrictions on DSR--specifically for yelloweye which is the most highly-prized species. The general provision resident bag limit found in 5 AAC 47.020 (8)(B) of 5 DSR --including up to 2 yelloweye, has been overridden by ever-more restrictive Emergency Orders every year since 2006. In 2020 the resident sport DSR season was closed throughout all of Southeast. While in times of lowered abundance all non-subsistence user groups should reduce their harvest to some degree, as a quasi-subsistence fishery that provides locals with fresh fish for the table, the resident sportfishery should be among the last to see severe restrictions. DSR abundance estimates did drop significantly 10-25 years ago, and resident sport bag limits were significantly reduced at that time, but the estimated abundance has remained basically flat since 2016 indicating that recent harvest levels are sustainable.

Unlike the non-resident sport effort, the number of resident anglers in Southeast has been stable for decades and shows no indication of increasing. Hence, under a fixed bag limit the total resident harvest should also be stable except as the result of changes in DSR abundance.

PROPOSED BY: Tad Fujioka (EF-F20-111)

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PROPOSAL 231

5 AAC 75.006. Harvest record for finfish with annual limit. and 5 AAC 47.060. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

Amend harvest record recording requirements for lingcod, as follows:

LINGCOD
Season: May 16–November 30.
• Charter operators and crew members may not retain lingcod while clients are on board the vessel.

Northern Southeast Lingcod Area:
• Alaska Residents—No size limit: 1 per day, 2 in possession.
• Nonresidents—1 per day, 1 in possession; 30–35 inches or 55 inches and longer, annual limit of 2 fish, one of which is 30–35 inches in length, and one that is 55 inches or greater in length, harvest record required **including the length of the fish in inches**.

Southern Southeast Lingcod Area
• Alaska Residents—No size limit: 1 per day, 2 in possession.
• Nonresidents—1 per day, 1 in possession; 30–45 inches or 55 inches and longer, annual limit of 2 fish, one of which is 30–45 inches in length, and one that is 55 inches or greater in length, harvest record required **including the length of the fish in inches**.

What is the issue you would like the board to address and why? Currently, nonresident anglers in central southeast Alaska (CSEO) are allowed one Lingcod 30-35 inches in length, and one 55 inches or greater annually. For non-resident anglers in southern southeast Alaska (SSEO), the slot limit is 30-45 inches, and one greater than 55 inches in length annually. Upon landing/retention of a Lingcod, anglers must record the date of harvest, the area the fish was caught, and the species (Lingcod in this instance). The intent of the current regulation is to provide opportunity to retain Lingcod in an effort to stay within the allocation for sport, while simultaneously providing opportunity for anglers to retain trophy Lingcod (55 inches or greater). The state record Lingcod from 2002 was 68.25 inches long (ADFG Trophy Fish Program), so catching a trophy Lingcod that is greater than 55 inches is likely a unique opportunity. The issue is that there is no enforcement mechanism to prevent non-resident anglers from retaining two Lingcod that are within the slot or two that are greater than 55 inches on separate days. I proposed that when a non-resident harvests a Lingcod in all of southeast Alaska, anglers would be additionally required to write the length of the fish on the back of the license. This proposed regulation change is not onerous for non-resident anglers or charter boat captains because they are already required to measure the fish and make a harvest record on the back of the fishing license. The proposed change would provide the Alaska State Wildlife Troopers with an enforcement mechanism to enforce the current size limits, and likely we would see a further reduction in annual sport harvest of Lingcod which translates into opportunities to modify (increase) the restrictive slot limit.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-087)

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PROPOSAL 232

5 AAC 28.1XX. New section.

Create a new spiny dogfish pot fishery in Southeast Alaska, as follows:

Create a new Spiny Dogfish pot fishery in Southeast Alaska with regulations as described below to be determined by ADF&G.

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

1. Spiny Dogfish are currently an underutilized fishery.
2. In processing Spiny Dogfish nearly all of the carcass is utilized, (including some organs) except the head. When markets are developed this fishery could provide new revenue streams and opportunities for fishers. processors and communities.
3. Spiny Dogfish tend to travel in large dense packs by size and sex. Longline Spiny Dogfish fisheries in British Columbia's Strait of Georgia have resulted in concerns over the inability to fish selectively, resulting in unwanted harvests of fecund females. A pot fishery could resolve those issues by the fact that the fish are harvested live and can be released unharmed, coupled with regulations on:
    a. Season duration,
    b. Pot limits
    c. Tunnel size
    d. Escapement rings
    e. legal size retention (slot limits)

•It is important to realize from the outset -this is not a hook-and-line proposal, it is a live capture fishery that is being considered;
•Fish will come up live and can be sorted, sized, sexed, and unwanted catch such as fecund females and bycatch, can be released live, reducing mortality of all discards including bycatch;
•It can be managed by, among other things, tunnel ring size, slot limits and pot limits;
•Spiny Dogfish are an underutilized species -there are not too many species left in that category
•If we leave them alone (unexploited) they will proliferate and become a problem across many fisheries and gear types. They are already a problem in some areas of the west coast.
•It will take marketing to create a demand. Finding markets will have its challenges but if there can be a market for Asian Tilapia raised in sewage treatment pools, surely we can sell whitefish filets from our pristine Alaskan waters.
•U.S. fishermen and processors are no strangers to selling fish into foreign markets and Europe might be a good place to start where they are already consuming similar products;
•There are many similarities between Arrowtooth Flounder and Spiny Dogfish. Arrowtooth went largely unexploited, proliferated, and became a problem. Now steps are being taken to harvest, process and market them. Arrowtooth fillets in a New York supermarket selling at $12.00 a pound.
•Although there is the possibility to obtain a Commissioner's Permit the process can be cumbersome and daunting to most fishermen, whereas if there is a fishery on the books, fishermen and processors are more likely to take advantage of it.

In summary: Our hope is that by starting a discussion now we may be able to get out ahead of this one, not trying to play catch-up after it has become a problem as with Arrowtooth.

PROPOSED BY: Don Westlund and Larry McQuarrie (HQ-F20-028)
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Statewide All Shellfish Proposal Index

42 proposals

Statewide All Shellfish (Except Prince William Sound, Southeast and Yakutat) and Prince William Sound Shrimp Only Proposals

42 proposals

Miscellaneous sport

PROPOSAL 234

5 AAC 75.XXX. New Section.

Require inseason reporting of non-resident sport fish harvest and effort, as follows:

All non-resident sport fisherman must keep track of a catch and harvest record of all species finfish and shellfish regardless of annual limit status of the species.

What is the issue you would like the board to address and why? The Ketchikan Indian Community Tribal Government believes nonresident sport fishermen and their fishing activities are severely data deficient, which has a negative impact on the management of all fisheries in the state of Alaska. It is imperative for these fishermen to report their catch and harvest so that management of our fisheries can use them for future population estimates of the fish abundance and distribution.

PROPOSED BY: Ketchikan Indian Community (HQ-F20-052)

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PROPOSAL 235

5 AAC 39.975. Definitions; and 5 AAC 75.995. Definitions.

Modify the definition of domicile and include in sport fishing regulations, as follows:

"**"domicile"** means the location of a person's primary residence which allows the person to meet the eligibility requirements for the Alaska Permanent Fund Dividend as defined in AS 43.23.005 (a)(1-7); evidence of domicile includes:

(A) a statement made to obtain a license to drive, hunt, fish, or engage in an activity regulated by a government entity;
(B) an affidavit of the person, or of another person who may know of that person's domicile;
(C) the place of voter registration
(D) the location of a residence owned, rented, or leased;
(E) the location where household goods are stored;
(F) the location of a business owned or operated;
(G) the residence of a spouse or minor children or dependents;
(H) a government to which a tax is paid;
(I) evidence indicating whether the person has a claimed residence in another location for the purpose of obtaining benefits provided by the government in that location;"

AS 43.23.005. Eligibility.

(a) An individual is eligible to receive one permanent fund dividend each year in an amount to be determined under AS 43.23.025 if the individual

(1) applies to the department;

(2) is a state resident on the date of application;
(3) was a state resident during the entire qualifying year;
(4) has been physically present in the state for at least 72 consecutive hours at some time during the prior two years before the current dividend year;
(5) is
    (A) a citizen of the United States;
    (B) an alien lawfully admitted for permanent residence in the United States;
    (C) an alien with refugee status under federal law; or
    (D) an alien that has been granted asylum under federal law;
(6) was, at all times during the qualifying year, physically present in the state or, if absent, was absent only as allowed in AS 43.23.008; and
(7) was in compliance during the qualifying year with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements were applicable to the individual, or has come into compliance after being notified of the lack of compliance.

What is the issue you would like the board to address and why? Alaska has an increasing population of seasonal residents who come to Alaska only during the fishing season or hunting seasons to take advantage of the resources of Alaska. They reside most of the year in another state. Many of these seasonal residents have never been domiciled in Alaska for 12 consecutive months. Some tow or drive an RV to Alaska and lease an area to park their RV on during their temporary stay in Alaska. Some have family and spouses who do not travel with them to Alaska during their visit.

The issue is some of these visitors to Alaska are obtaining Alaska resident hunting and fishing licenses and benefits. They are obtaining an Alaska driver's license and registering to vote in Alaska. They are registering their vehicles in Alaska which has some of the lowest vehicle registration fees in the USA. If they are claiming a resident of a qualified area of the state, they are also permanently registering their vehicle in Alaska and never have to pay a registration fee on that vehicle again.

In past practices of the Alaska Court System, if the person is charged with a false statement on a ADF&G resident license permit, the definition of domicile continually keeps being the deciding factor in court decisions. A person may leave suitcases in a room of a house in Alaska. The court system has determined that this is the start of a person's domicile and after 12 consecutive months, they are eligible for an ADF&G resident license or permit. If a person maintains a yearly space rent at an RV park, that space rent qualifies as a person's domicile. The Alaska Court System does not consider paying resident taxes in another state as a benefit.

So in short reference, a resident of the lower 48 can take vacation time from their job. They can tow their RV to Alaska to their RV park which they have a year lease on a space. They can hunt, sport fish, and subsistence fish for a short time as an Alaska resident. They then can return back to their year round residence with freezers full of Alaskan salmon, halibut, and moose meat to their spouse and family in the lower 48. They do intend to visit their year round leased RV space year after year and repeat the cycle.

Another scenario is a person could come up to a lodge for a vacation in Alaska. During their vacation, they buy a cabin and return almost yearly. They do not buy a resident fishing license in the state which they work and reside in that state for 11 months out of the year. They intend to return most years to the cabin in Alaska. They purchase a resident ADF&G sport fishing license and obtain an Alaska subsistence salmon permit. The person is eligible because they are domiciled in Alaska according to the current definition and the Alaska Court System. When charged for giving a false statement on an ADF&G resident license, the person is found not guilty by the Alaska Court System because the person has been domiciled in Alaska for 12 consecutive months and intents to return to Alaska.

Most residents in Alaska do not comprehend how common of a situation they have in their communities concerning seasonal residents obtaining ADF&G resident benefits. The East Prince of Wales Advisory Committee purchased the ADF&G licensing list for their represented communities. The licensing list showed that several seasonal residents are in fact purchasing resident ADF&G licenses or have a Permanent Identification Card. Some of these seasonal residents can't even correctly pronounce the name of the community they claim to reside in or spell the name correctly. Mostly all of these seasonal residents will use a mail forwarding service such as the UPS Store, a neighbor, or they have a USPS Postal Box with all mail forwarded to their residence in another state.

The definition of "Domicile" under 5 AAC 39.975 and creating a definition of "Domicile" 5 AAC 75.995 as well as other respective applicable administrative codes, needs to be changed to prevent non-residents from obtaining resident benefits. True residents of Alaska are very familiar with the Alaska Permanent Fund and the requirements to be eligible to receive a yearly dividend. Changing the ADF&G Administrative Code's definition of "Domicile" to include meeting the requirements of obtaining an Alaska Permanent Fund dividend will clarify any confusion.

Alaskans will still be able to retire and visit a warm place during the winter months when this definition change is adopted. Alaska will obtain additional funds not only from the increased non-resident license sales, but also from the 3 to 1 dollar matching federal funds through the Dingell-Johnson and Pittman-Robertson funds. Currently a resident sport license costs $29. Alaska would also receive $87 of federal matching funds. Total revenue to the state is $116 for a sale of a resident sport fishing license. If a non-resident sport license is purchased at $145, Alaska would also receive $435 in matching federal funds. Total revenue to the state is $580 for the sale of an annual non-resident sport fishing license.

This change of the definition of "Domicile" will ensure the fish and game resources are for Alaskans. Seasonal and often referred locally as "fake" residents will most likely not meet the definition requirements and have to purchase non-resident licenses in Alaska. The increased licenses revenue will benefit Alaska at a much needed time. The fish and game populations will be better protected for the residents of Alaska as a seasonal "fake" resident will no longer qualify for resident bag limits or subsistence rights.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-075)

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PROPOSAL 236

5 AAC 39.975. Definitions. and 5 AAC 75.995. Definitions.

Modify the definition of domicile and add to sport fishing regulations, as follows:

5 AAC 39.975 & create 5 AAC 75.995-Domicile defined –

""domicile" means the location of a person's primary residence **which allows the person to meet the eligibility requirements to apply for the Alaska Permanent Fund Dividend as defined in AS 43.23.005 (a)(1-7);** evidence of domicile includes

(A) a statement made to obtain a license to drive, hunt, fish, or engage in an activity regulated by a government

entity;

(B) an affidavit of the person, or of another person who may know of that person's domicile;

(C) the place of voter registration

(D) the location of a residence owned, rented, or leased;

(E) the location where household goods are stored;

(F) the location of a business owned or operated;

(G) the residence of a spouse or minor children or dependents;

(H) a government to which a tax is paid;

(I) evidence indicating whether the person has a claimed residence in another location for the purpose of obtaining benefits provided by the government in that location;"

AS 43.23.005. Eligibility.

(a) An individual is eligible to receive one permanent fund dividend each year in an amount to be determined under AS 43.23.025 if the individual

(1) applies to the department;

(2) is a state resident on the date of application;

(3) was a state resident during the entire qualifying year;

(4) has been physically present in the state for at least 72 consecutive hours at some time during the prior two years before the current dividend year;

(5) is

(A) a citizen of the United States;

(B) an alien lawfully admitted for permanent residence in the United States;

(C) an alien with refugee status under federal law; or

(D) an alien that has been granted asylum under federal law;

(6) was, at all times during the qualifying year, physically present in the state or, if absent, was absent only as allowed in AS 43.23.008; and

(7) was in compliance during the qualifying year with the military selective service registration requirements imposed under 50 U.S.C. App. 453 (Military Selective Service Act), if those requirements were applicable to the individual, or has come into compliance after being notified of the lack of compliance.

What is the issue you would like the board to address and why? Alaska's Seasonal Residents. Alaska has an increasing population of seasonal residents who come to Alaska only during the summer fishing season or hunting seasons to take advantage of the resources of Alaska.

They reside most of the year in another state. Many of these seasonal residents have never been domiciled in Alaska for 12 consecutive months. Some tow or drive an RV/boat to Alaska and lease an area to park their RV/boat/vehicle on during their temporary stay in Alaska. Some have family and spouses who do not travel with them to Alaska during their visit.

The issue is some of these visitors to Alaska are obtaining Alaska resident hunting and fishing licenses and benefits.

They are obtaining an Alaska driver's license and registering to vote in Alaska. Many of them are obtaining a USPS postal box. They are registering their vehicle's in Alaska which Alaska has some of the lowest vehicle registration fees in the USA. If they are claiming to be a resident of a qualified area of the state, they are also permanently registering their vehicle in Alaska and never have to pay a registration fee on that vehicle again.

Some of them are also fishing and hunting under subsistence regulations.

To establish hunting/fishing residency in Alaska, the applicant doesn't have to prove anything to the license vendor. They simply tell a lie and get their resident license. After enough years have passed and the person reaches 60 years of age, they leverage their now long-standing "resident" status to get a Permanent ID (PID) and never have to worry about it again.

The entire burden of proving non-resident status falls onto the State of Alaska. A resident of the lower 48 can take vacation time from their job. They can tow their boat or RV to Alaska to their RV park which they have a year lease on a space. They can hunt, sport fish, and subsistence fish for a short time as an Alaska resident. Afterwards, they return back to their year round true residence with freezers full of Alaskan salmon, halibut, and moose meat in the lower 48.

They do intend to visit their year round leased RV space year after year and repeat the cycle. Another scenario is a person comes to a lodge for a vacation in Alaska. After they see how great Alaska is and how lenient the residency laws are, they buy a cabin or a plot of land to park their boat on and return almost yearly.

They do not buy a resident fishing/hunting license in the state which they work and reside. They purchase a resident ADF&G sport fishing/hunting license and some obtain an Alaska subsistence salmon permit.

On Prince of Wales, there are many of these seasonal residents in Coffman Cove, Thorne Bay, Hollis, Craig, Klawock, Naukati, Whale Pass, etc. and nearly every town and village in Southeast AK that is reasonably accessible. There seems to be more of them where the property values, moorage rates and taxes are lower for their RV's, plot of land and/or boats.

In Klawock, there are about a dozen that "live" on their boats or their camper/RV's, several others that own houses and/or property, maintain a USPS postal box, pay their rent or utility bill and fish nearly every day while they are here pulling subsistence skates, flooding the bays with crab pots, catching everything they can and taking it all back with them when they leave.

Many of them have larger fishing boats and bring their "friends" from down south while they are here. In Craig, there is a "resident" homeowner that has a large saltwater fishing boat and takes his "friends" fishing nearly every day, all summer long.

In Coffman Cove there are several of these "residents" that also do the same. Many of these seasonal residents set their halibut skate then spend the day fishing for salmon, pulling shrimp pots and crab pots and taking the resources from the real Alaskans.

Look around your community and you will spot these seasonal "residents".

If you want proof you can check the following:
- public licensing info from Alaska Department of Fish and Game
-public voting records for the State
-Courtview website to see if they have a legal history in the state.
-State of AK recorder's website to research property records that may show their true residence address down south.
-City office and Harbormaster's office that often show their true residence address.

These seasonal residents oftentimes are also cheating other states out of taxes claiming they are not residents of that state by using their Alaska DL.

Military personnel who serve in Alaska for three years, become residents, move out of state, yet are able to claim residency for hunting and fishing for the rest of their career. That means they travel back to AK and take advantage of 2DK, resident allocation, license and other benefits even though they don't live here.

These people are all eligible to do all the above because they are "domiciled" in Alaska according to the current definition and the Alaska Court System.

The state requires acceptable evidence to prove residency consisting of an Alaska DL or an Alaska voter registration card and 12 months of utility bills with an Alaska address. These are all readily obtainable. Anyone can obtain an Alaska DL and a PO Box the same day upon arrival in the state. Registering to vote requires just 1 month of "residency" and a copy of an Alaska DL. Obtaining rent slips and/or copies of utility bills for storing possessions in someone's home is a low hurdle as well.

Most residents in Alaska do not comprehend how common of a situation they have in their communities concerning seasonal residents obtaining ADF&G resident benefits.

Several members of POW's AC's purchased the ADF&G licensing list for the entire state. The licensing list showed that several seasonal residents are in fact purchasing resident ADF&G licenses or have a Permanent Identification Card. Some of these seasonal residents can't even correctly pronounce the name of the community they claim to reside in or spell the name correctly. Nearly all of these seasonal residents will use a mail forwarding service such as the UPS Store, a neighbor, or they have a USPS Postal Box with all mail forwarded to their real residence in another state.

Currently, the burden of proof rests with the state to prove the seasonal resident is meeting the requirements.

It should be just the opposite, a resident should have to prove to the state that they meet the residency requirements, just like they have to do with the Alaska Permanent Fund Dividend (PFD). For the Alaska State Troopers to make a residency case, they have to spend untold man hours diving into the seasonal residents life. The state funding shortage and their understaffing issues are prohibiting their investigations and judges are tossing the few investigations being brought forth due to the current confusing residency regulations.

When a person is charged for giving a false statement on an ADF&G resident license, the person is found not guilty by the Alaska Court System because the person has been domiciled in Alaska for 12 consecutive months and intends to return to Alaska.

Presently during trial, the courts are presented with evidence by the State to prove the defendants are not residents of Alaska. The law is not clear enough, is confusing, and in many instances makes it difficult for the judge/jury to find beyond a reasonable doubt that the defendant is guilty. We are asking that the statute be changed so that it is a strict liability offense with the same requirements as receiving the PFD.

The requirements for the PFD are well thought out and have been enforceable in the courts. Real residents of Alaska are very familiar with the Alaska Permanent Fund and the requirements to be eligible to receive a yearly dividend. Changing the ADF&G Administrative Code's definition of "Domicile" to include meeting the requirements of obtaining an Alaska Permanent Fund dividend will clarify any confusion. Alaskans will still be able to retire and visit a warm place during the winter months when these changes are adopted.

Changing the definition of "Domicile" under 5AAC 39.975 and creating a definition of "Domicile" 5AAC 75.995 as well as other respected applicable administrative codes, needs to be done to prevent non-residents from obtaining resident benefits.

Currently, it's a broken system that non-residents are abusing. The state is losing hundreds of thousands of dollars and communities are losing its resources/fish/game. The Pittman-Robertson Act is an 11% federal excise tax on all guns and ammunition that provides funding to each state to manage wildlife. The Dingell-Johnson Act is a 10% federal excise tax on sport fishing and boating equipment that provides funding for state fish restoration and management plans and projects. For every dollar the state of Alaska receives from fish and game licenses and tags, these two funds match that dollar with three more, 3:1 for every dollar.

For example, a seasonal resident that stays for more than 14 days, buys a resident annual fishing license for $29 and also harvests a deer for $0 should have paid $145 for a non-resident annual fishing license, $160 for a non-resident annual hunting license and $300 for the non-resident locking deer tag.

Their total purchase of $605 will be matched by $1815 federal funds for a total of $2420 paid to the state. The state is losing $2,391 just on that one seasonal resident. These federal funds specify they cannot be used for anything other than their intended purpose of fish & wildlife restoration/management, so that one seasonal resident is cheating our Alaska Fish & Game Department out of $2391. If they are just fishing, they paid $29/license, $10/king stamp (if fishing for kings.) They should have paid $145/license, $100/king stamp, totaling $245 which will be matched by an additional $735 federal funds for a grand total of $980. The state is losing $824 on every seasonal resident fisherman. If they are a PID, they are losing the full $980/angler. The money the state is losing to seasonal residents is significant.

They are also fishing under the resident bag limits, allowing them to take one king per day and one lingcod per day all year long instead of the annual bag limits that non-residents must follow. That's a tremendous amount of king salmon and lingcod headed south in freezers. How do you quantify the worth of the fish and game these seasonal residents take from real Alaskans?

Real Alaskan residents see the abuse daily in the summertime, bays choked with crab pots, subsistence halibut skates fished daily and cleaning tables overflowing with fish. The changes we are asking for will ensure the fish and game resources are for real Alaskans. Seasonal and often referred locally as "fake" residents will most likely not meet the definition requirements and have to purchase non-resident licenses in Alaska. The increased licenses revenue will benefit Alaska at a much needed time. The fish and game populations will be better protected for the residents of Alaska as a seasonal "fake" resident will no longer qualify for resident bag limits or subsistence rights.

-We propose changing the ADF&G Administrative Code's definition of "Domicile" to include meeting the requirements of the PFD.
-We propose that all Alaskan residents must meet the requirements of the PFD in order to obtain a resident hunting/fishing/trapping license but a person does not have to apply for the PFD if they so choose.

PROPOSED BY: Klawock Fish and Game Advisory Committee (EF-F20-072)
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Shrimp

PROPOSAL 237

5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan.

Provide department authority to deny eligibility to participate in the Prince William Sound noncommercial shrimp fishery if a participant fails to comply with reporting requirements and allow for an appeals process, as follows:

5 AAC 55.055. is amended to read:

…

(a) The department shall manage the sport and other noncommercial shrimp fisheries in the Prince William Sound Area as follows:

(2) a harvest recording form is required as specified in 5 AAC 75.016; **a person who fails to comply with the reporting requirements of this subsection or 5 AAC 75.016,**

including any requirement to return harvest and catch information to the department, is ineligible to obtain a shrimp harvest recording form during the following season in the fishery for which the form was required, unless the permit applicant demonstrates to the department that failure to report was due to unavoidable circumstances.

What is the issue you would like the board to address and why? Currently the harvest of nonrespondent permit holders in the Prince William Sound noncommercial shrimp fishery is unknown. Additionally, there is currently no consequence for individuals who fail to report. Reporting of all sport and subsistence shrimp harvest will provide managers with more accurate information to sustainably manage these fisheries. This also provides for an appeal process for those permit holders determined to be ineligible.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-134)

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PROPOSAL 238

5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan; 5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E; 5 AAC 31.211. Shrimp trawl fishing seasons for Registration Area E; and 5 AAC 02.210. Subsistence shrimp fishery.
Close the commercial and noncommercial shrimp fisheries in Prince William Sound, as follows:

Close shrimping season until mid summer or later.

What is the issue you would like the board to address and why? The board should close personal use and commercial shrimp fishing in Prince William sound to minimize the traffic through Whittier and other towns related to this activity which has significant risk of spreading Covid –19. The mandates by the governor should already include this because there should not be any interstate travel or travel to other communities however based off the numbers to the Whittier tunnel this is clearly not being observed. Unless the seasons are closed the mandates are going to clearly be ignored. Articles have been written as to the hi risk of the Whittier Township due to 80% living in one complex. Lives lost are not worth personal use and commercial shrimping in Prince William sound.

PROPOSED BY: James Eule (EF-F20-036)

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PROPOSAL 239

5 AAC 55.055. Prince William Sound noncommercial shrimp fishery management plan. and 5 AAC 02.210. Subsistence shrimp fishery.
Allow noncommercial vessels to have additional shrimp pots on board, as follows:

5 AAC 55.055. (a) (3) is amended as follows: "(D) Paragraph (C) above shall not be interpreted to prohibit carrying of spare pots."

What is the issue you would like the board to address and why? Current regulations prohibit carrying of extra shrimp pots on board a vessel. While making it easy for LE personnel to enforce a pot limit simply by counting the number of pots on a boat, this restriction creates unnecessary hardship on participants in the fishery, flies in the face of common sense (is the ferry captain who hauls 3 boats with shrimp pots on board also guilty?) and also sets up the unknowing/unaware participant to commit a crime by the simple act of "being prepared." "Innocent until proven guilty" is the law of the land; the crime is actually fishing more pots than authorized (not possessing more pots), and this is what should be enforced--the actual act itself, rather than wild speculation or mind-reading as to why a vessel has spare pots.

While engaged in fishing, it is customary for Sport, Subsistence, Commercial and Personal Use participants to carry extra rods, reels, terminal tackle, landing nets, etc., for use in the event of breakage or loss. Shrimp pots also can be lost or damaged, and common sense dictates spares should be readily available. Having spares available is environmentally responsible in that doing so prevents unnecessary trips (usually via a fossil-fueled boat) back to port and/or home/store to procure replacements, reconciles law with common practice regarding spare tackle and ensures participants are able to enjoy productive time on the water.

PROPOSED BY: David Neetz (EF-F20-058)

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PROPOSAL 240

5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E.

Modify PWS shrimp pot harvest strategy from a static split, between noncommercial and commercial, to a tiered percentage depending on the total allowable harvest level (TAH), as follows:

I propose a system of three tiers for allocating the guideline harvest level.

- At a total allowable harvest (TAH) of less than 110,000 lbs, the commercial fishery is limited to 30% of the total harvest.
- At a TAH between 110,000 and 200,000 lbs, the commercial fishery is limited to 40% of the total harvest.
- At a TAH greater than 200,000 lbs, the commercial fishery is limited to 50% of the total harvest.

What is the issue you would like the board to address and why? The current guideline harvest level (GHL) for the commercial fishery is allocated to be 40% of the total allowable harvest and has a minimum threshold of 110,000 lbs for the commercial fishery to occur. This has worked out reasonably well and the commercial fishery has always been managed to its goals in the years since the reinstatement of the fishery in 2010. The same cannot be said of the sport fishery which has repeatedly gone over its share of the GHL. My primary problem with this arrangement is the fact that the entire burden of conservation is placed on the commercial fishery in times of low abundance. In fact, a low total allowable harvest (below 110,000 lbs) results in the full closure of the commercial fishery, and essentially no restriction on the recreational fishery which is the greater percentage of the harvest. This is not in accordance with general policy of spreading the impacts of restrictions in proportion with a user groups impact on the resource. The commercial

fishery is a very small fishery and a large portion of the harvest is direct marketed or sold to small local processors. One season of total closure and inability to get any product at all would severely disrupt these markets. I would really like to see the board address this imbalance, share the burden of conservation equally between user groups, and allow for some small level of harvest for the commercial sector in times of low abundance in order to provide for economic sustainability of the fishery.

My proposed solution would do this (while still causing the commercial fleet to bear a higher share of the burden of conservation) and maintain the status quo in almost all reasonably expected situations while allowing for the possibility of allowing the commercial fleet to harvest surplus shrimp in the event that populations ever drastically increased. It is worth pointing out that this proposal would have literally had no effect on any season since the commercial fishery was reinstated it is merely an attempt to formulate a better plan for potential changes in TAH in the future.

PROPOSED BY: Joseph Person (EF-F20-064)

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This proposal will be heard at the Prince William Sound and Southeast meetings and deliberated on at the Statewide meeting.

PROPOSAL 241

5 AAC 75.995. Definitions; and 5 AAC 39.975. Definitions.

Define shrimp, as follows:

5 AAC 75.995, 5 AAC 39.975 Shrimp defined: "Shrimp" means a member of the order Decapoda in Alaska to include the shrimp as a whole

What is the issue you would like the board to address and why? Currently ADF&G does not have the definition in regulation of what a shrimp is. At the same time, shrimp regulations are imposed with a shrimp either meaning a whole shrimp or a tailed shrimp.

Regulations such as 5 AAC 47.020(16) states the bag and possession limit for shrimp is 3 pounds or three quarts. The regulation does not define if this limit is whole shrimp or shrimp tails. A person would believe a shrimp is defined as a whole shrimp. However the 2019 and 2020 ADF&G Southeast Alaska Sport Fishing Regulations Summary lists the sport shellfish bag and possession limit as 3 pounds or quarts of whole or deheaded (tailed) shrimp.

The amount of shrimp will vary greatly if a person retains 3 pounds of whole shrimp verses 3 pounds of deheaded shrimp. There are regulations referencing shrimp however a shrimp is not defined in regulation. Most species are defined such as "Dungeness crab", "salmon", "rockfish", "char", "grayling", and such. With the definition of these species, the bag limits are set per numbers of whole species and not per pound, legs, or the filets of that species.

This proposal is seeking the Board of Fish to define what a "shrimp" is to clarify if a person can retain shrimp as a whole or just the shrimp tails. Currently the limits are set on "shrimp" and the undefined term is being mistaken as meaning a shrimp tail. If this logic is used to other defined

species, a resident in Southeast Alaska could retain 20 gallons of Dungeness crab or 20 gallons of Dungeness crab legs or claws. However, ADF&G set the resident limit in Southeastern Alaska to 20 Dungeness crab.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee (EF-F20-093)
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PROPOSAL 242
5 AAC 55.055. Prince William Sound non-commercial shrimp fishery management plan, and 5 AAC 02.210. Subsistence shrimp fishery.
Establish a minimum threshold of Total Allowable Harvest (TAH) for spot shrimp before allowing a noncommercial fishery in Prince William Sound, as follows:

Add language to the Prince William Sound noncommercial shrimp fishery management plan 5 AAC 55.055 to include the same language as the commercial shrimp regulations in 5 AAC 31.210 which describes the minimum threshold for a fishery to be prosecuted;

"The estimated total allowable harvest for the waters Prince William Sound must be more than 110,000 pounds of spot shrimp by round weight before a non-commercial shrimp pot fishery may be opened."

This minimum TAH threshold for the fishery may be changed as long as it is applied equally for all stakeholders in this resource.

What is the issue you would like the board to address and why? Sport fishermen, having the majority of the allocation of PWS Spot Shrimp, without harvest restriction, do not equitably share the burden of stock conservation. This puts at risk the shrimp resource and causes economic damage.

The commercial regulations in 5 AAC 31.214 find it necessary to limit the commercial shrimp fishery for presumed conservation reasons with a minimum threshold for TAH before a fishery opens. The same should apply to sport/PU users, which represent the largest allocation of this resource at 60%. So, if there is a minimum limit of shrimp resource required before harvest by one group, then this minimum threshold for a healthy fishery should apply equally to all groups.

PROPOSED BY: Brett Wilbanks (EF-F20-144)
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PROPOSAL 243
5 AAC 31.235. Closed waters in Registration Area E.
Amend commercial shrimp pot fishery closed waters boundaries, as follows:

Move NE closure line endpoint from Flent Point to Point Freemantle, allowing fishing in statistical area 476035 while maintaining the Valdez Arm closure to commercial shrimp pot fishing as intended.

5 AAC 31.235. Closed waters in Registration Area E
(b) The following waters are closed to the taking of shrimp with pot gear:
(2) waters north of a line from **near Point Freemantle at 60_ 56.30' N. lat., 147_ 00.00' W. long.** [FLENT POINT AT 60_ 56.52' N. lat., 147_ 08.34' W. long.] to a point on Bligh Island at 60_ 48.96' N. lat., 146_ 48.96' W. long.,

What is the issue you would like the board to address and why? Align area closure boundary with statistical reporting area. Recent climate change has opened water historically covered in glacier ice, allowing fishing in previously inaccessible areas. This also aligns the Valdez Arm closure area with the Eastern PWS commercial pot shrimp fishery boundary.

PROPOSED BY: Brett Wilbanks (EF-F20-030)
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PROPOSAL 244
5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E.
Modify annual shrimp guideline harvest level based on fishery performance in the prior season, as follows:

I propose that after the annual guideline harvest level (GHL) for the fishery is biologically determined, then an adjustment to the GHL be made as follows:

If in the previous year there was an overharvest, then the amount of that overharvest (lbs) be deducted from the biologically determined GHL, and the result of that will be the adjusted GHL for the year, that ADFG can manage as best it can to not exceed.

Conversely, if in the previous year there was an underharvest, then the amount of that underharvest (lbs) be added to the biologically determined GHL, and the result of that will be the adjusted GHL for the year.

What is the issue you would like the board to address and why? The sport/personal use catch of PWS Spot shrimp has often overharvested the allotted GHL, thereby negatively damaging the resource biomass, placing the future of the shrimp fisheries in jeopardy.

There is currently no penalty for that, and the shrimp biomass continues to be over-exploited. With a history of demonstration of absence of effective in-season harvest management adjustment capability, something should be done about this.

PROPOSED BY: Gordon Scott (EF-F20-145)
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PROPOSAL 245
5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E.
Modify annual shrimp guideline harvest level based on fishery performance in the prior season, as follows:

I propose that after the annual guideline harvest level (GHL) for the fishery is biologically determined, then an adjustment to the GHL be made as follows:

If in the previous year there was an underharvest, then the amount of that underharvest (lbs) be added to the biologically determined GHL, and the result of that will be the adjusted GHL for the year.

Conversely, if in the previous year there was an overharvest, then the amount of that overharvest (lbs) be deducted from the biologically determined GHL, and the result of that will be the adjusted GHL for the year.

What is the issue you would like the board to address and why? The commercial catch of PWS Spot shrimp has several times significantly underharvested the allotted GHL, which has not allowed them to exploit their full quota.

This is like a penalty, as the shrimp biomass was not allowed to be utilized.

PROPOSED BY: Gordon Scott (EF-F20-146)
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PROPOSAL 246
5 AAC 31.214. Shrimp pot guideline harvest level for Registration Area E.
Eliminate the commercial shrimp fishery minimum total allowable harvest threshold, as follows:

We recommend removing the language of this threshold requirement for a commercial fishery. (Remove the whole first sentence of section 5 AAC 31.214)

What is the issue you would like the board to address and why? The minimum threshold for a commercial shrimp fishery is arbitrary and punitive. The commercial fishery is managed in order to be able to catch and not overharvest the allotted GHL. This threshold simply punishes the commercial fishery and its beneficiaries, laying the whole burden of conservation unfairly on the smaller sector (the commercial sector) of the Prince William Sound Spot Shrimp fishery.

PROPOSED BY: Gordon Scott (EF-F20-147)
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PROPOSAL 247
5 AAC 31.223. Lawful shrimp pot gear for Registration Area E.
Establish a minimum pot limit to increase pace of the commercial pot shrimp fishery, as follows:

Amend 5 AAC 31.223 to read:
Lawful shrimp pot gear for Registration Area E (e) (1)
(e) Shrimp pots may only be operated as follows:

(1) the department will announce annually, before the opening of the commercial shrimp pot fishery season, the number of shrimp pots that may be operated from a vessel in the commercial shrimp pot fishery for that season, **a minimum of 50 pots and** not to exceed

100 shrimp pots per vessel; in determining the annual pot limit, the department will consider the

(A) total number of registered vessels;
(B) estimated catch per unit of effort; and
(C) magnitude of the guideline harvest level; and
(d) harvesting the majority of the guideline harvest level in 2 weeks

What is the issue you would like the board to address and why? Current PWS Spot Prawn fishery management utilizes pot limits as the primary management tool, rather than time. This has resulted in a long drawn out fishery with a very small number of pots that is very difficult to make profitable.

As more participants have come in, the department has reduced the pot limit from the 50 it was at in 2012 to 25 in 2019. Most vessels who participate do not have freezer systems so they must return to port to deliver every three days so having opener lengths longer than 3 days is of little value.

For example: In 2019 the fishery had three openers; April 15th-April 23rd, April 29th- May 7th and May 14th-May 29th. Taking 45 days to harvest 68,100 lbs. by 99 vessels is by no stretch of the imagination a profitable commercial fishery, when the same GHL could be harvested in a shorter time frame with more pots per vessel. This fishery should be managed by reducing time instead of pots with the goal of harvesting the majority of the GHL in two weeks.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-024)
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PROPOSAL 248
5 AAC 31.211. Shrimp trawl fishing seasons in Registration Area E.
Establish an earlier start date for the commercial shrimp trawl fishery, as follows:

5 AAC 31.211. Shrimp trawl fishing seasons for Registration Area E
In Registration Area E, shrimp may be taken with trawls only from [APRIL 15] **March 15** through August 15 and from September 15th through December 31.

What is the issue you would like the board to address and why? The trawl shrimp fishery has been underutilized for a very long time by local residents as many potential participants are mostly busy with salmon fisheries during the majority of the current season. An earlier start date would allow additional participation for local fishermen before salmon fishing begins in May.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-027)
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PROPOSAL 249
5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.
Clarify areas open to commercial pot shrimp fishing in the Prince William Sound Area, as follows:

5 AAC 31.210(a)(2) and (a)(3) are amended to read:

(1) the waters north 60° 40.00’ N. lat. and east of 148° W. long.;

(2) the waters south of those waters described in (1) of this subsection and north and west of a line from 60° 30.00’ N. lat., 147° 57.70’ W. long., to 147° W. long.**, including those waters south of 60° 30.00' N. lat. in Kings Bay and Port Nellie Juan;**

(3) The waters south of 60° 30.00’ N. lat.**, excluding those waters in Kings Bay and Port Nellie Juan.**

What is the issue you would like the board to address and why? Most of the area in Kings Bay and Port Nellie Juan are a part of Area 2 of the Prince William Sound commercial shrimp pot fishery. However, the current regulation assigns a small southern portion of the bay and port to Area 1. This proposal seeks to clarify in regulation that all of Kings Bay and Port Nellie Juan are part of Area 2, which was the intent when these areas were established.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-135)
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PROPOSAL 250
5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E.
Establish an earlier start date for the commercial shrimp pot fishery, as follows:

Moving the start date earlier would reduce the conflict created by having both the sport fishery and commercial fishery happening concurrently and would allow more opportunity for the local fishermen to participate and diversify their income before salmon season.

5 AAC 31.210. Shrimp pot fishing seasons for Registration Area E. (a) In the waters of the Inside District west of a line from Middle Point at 60° 20.00' N. lat., 147° W. long., north to a point at 60° 40.00' N. lat., 147° W. long., then northeast to the Coast Guard marker light on Goose Island at 60° 42.78' N. lat., 146° 43.63' W. long., to a point on Knowles Head at 60° 41.00' N. lat., 146° 37.50' W. long., shrimp may be taken from [APRIL 15] **March 15th** through September 15, as established by emergency order. Fishing in this area will be rotated on a tri-annual basis between the following waters…

What is the issue you would like the board to address and why? The current spot prawn fishery dates prevent many potential participants from being involved. Historically, this fishery opened earlier than April 15th.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-025)
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PROPOSAL 251
5 AAC 31.2XX. New section.

Establish permit and reporting requirements for shrimp floating processor vessels in the Prince William Sound Area (PWS; Registration Area E), as follows:

(a) The vessel owner or operator of a floating processor used in the processing of shrimp shall obtain a permit from the department before starting processing operations and comply with all requirements and reporting procedures specified in this section.

(b) The vessel owner or operator of a floating processor shall report to the department:

(1) the vessel location and any changes in location, by reporting latitude and longitude of vessel;

(2) the projected dates that processing will commence, conclude, and resume;

(3) at least once per day, for the preceding 24 hours, the permanent ADF&G vessel license plate number of all vessels delivering to the floating processor;

(4) the number of vessels making deliveries, the number of deliveries, and the pounds, in whole weight by species of shrimp purchased for each statistical area;

(5) at least 24 hours before beginning to unload processed shrimp, the time and place that it will be unloaded; and

(6) any other information required by the department for the purpose of conserving and developing shrimp resources.

(c) The vessel owner or operator shall allow local representatives of the department to inspect at any time, the vessel's holds, live tanks, freezers, processing areas, and unprocessed shrimp.

(d) The vessel owner or operator shall complete a fish ticket for each delivery and submit the tickets to the department within seven days of the delivery.

(e) The commissioner may require an onboard observer on a floating processor during processing operations.

(f) For the purpose of this section, a "floating processor" means a vessel that purchases or processes shrimp delivered to it by other vessels; in Registration Area E, a floating processor may not operate shrimp gear.

(g) If the department determines that a requirement specified in this section is not necessary for conserving and developing shrimp resources, the department may waive or modify that requirement to ensure the conservation and development of the shrimp resources.

What is the issue you would like the board to address and why? There is increasing interest from floating processors to participate in the shrimp pot and trawl fisheries in PWS. The guideline harvest levels (GHLs) in PWS shrimp fisheries are modest and targeted by the department by monitoring landings at ports from each vessel. Floating processors may buy shrimp from multiple catcher vessels, and therefore, the department needs a mechanism for documentation and reporting of landings to floating processors, because they can potentially hold large amounts of shrimp without returning to port. The floating processor can freeze shrimp which allows them to remain at sea for extended periods of time. Daily reporting requirements will aid the department in targeting the GHL in these small fisheries.

Additionally, this proposal would clearly limit the activity of a floating processor to purchasing or processing shrimp from other vessels in PWS and would not allow a floating processor to operate gear in the shrimp fishery. The statewide definition of "floating processor" in 5 AAC 39.130 (o)(12) is interpreted to allow a catcher-processor to also operate as a floating processor and be the first purchaser from other vessels. However, in 5 AAC 39.130 (o)(3) "catcher-processor" is defined as a commercial fisherman who sells or attempts to sell processed or unprocessed fish that were legally taken only by the catcher-processor. By statewide regulation 5 AAC 31.033, a vessel used to tender shrimp may not have shrimp gear or equipment on board and may not be used to fish for shrimp. This proposal would specify what is allowable activity by a floating processor in PWS.

A similar regulation exists for the shrimp fishery in Registration Area A, Southeast Alaska with a definition of floating-processor (5 AAC 31.144); catcher-processor is also defined by Southeast area regulation (5 AAC 31.143). The definition of floating processor in this proposal for PWS clarifies allowable activities.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-136)
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PROPOSAL 252
5 AAC 31.033. Tenders for shrimp.
Allow vessels registered for the commercial shrimp fishery to also tender shrimp, as follows:

Allow vessels that are participating in the fishery to also be used as tender vessels to transport shrimp back to port. Allowing one boat to transport the catch for multiple fishermen back to port every few days would increase quality and drastically improve the profitability of this fishery as every fisherman wouldn't be forced to run their own shrimp to town. It would also enable more access to this resource for local Prince William Sound communities, and enable area residents to purchase directly from local processors.

Draft regulatory language:
Repeal 5 AAC 31.033 (a)

5 AAC 31.033. Tenders for shrimp.
[(A) A VESSEL USED TO TENDER SHRIMP FOR A VESSEL THAT IS VALIDLY REGISTERED TO TAKE SHRIMP

(1) MAY NOT HAVE SHRIMP GEAR OR EQUIPMENT ON BOARD; AND
(2) MAY NOT BE USED TO FISH FOR SHRIMP.]

(b) Before taking shrimp on board the tendering vessel, the operator of the vessel shall register that vessel with a local representative of the department who is located in the registration area, district, or section in which the vessel will be tendering.

(c) Before a vessel used to tender shrimp leaves the shrimp registration area, district, or section, the operator of the tendering vessel shall contact in person, or by radio or telephone, a local representative of the department who is located in the registration area, district, or section and shall state to the representative the amount, in pounds, of shrimp on board the vessel and the vessel's unloading destination.

What is the issue you would like the board to address and why? The Prince William Sound spot prawn fishery is too small-scale to make designated tender vessels economically feasible for fishermen. The inability to hold shrimp for more than a few days and the long distance to port has made it very difficult for Cordova processors to be active in this fishery.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-023)
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PROPOSAL 253
5 AAC 31.243. Trawl shrimp harvest and reporting requirements in Registration Area E.
Increase pink shrimp harvest allowance in Prince William Sound, as follows:

Allowing fishermen to retain all the pink shrimp they harvest will allow them to begin working on developing markets for these shrimp, and explore areas with high pink shrimp abundance giving the department information on districts that have not been fished in many years.

5 AAC 31.243. Trawl shrimp harvest and reporting requirements in Registration Area E.
[(A) NO MORE THAN 20 PERCENT, BY WEIGHT, OF THE SHRIMP ON BOARD A VESSEL MAY BE PINK SHRIMP OR OTHER PANDALID SPECIES OF SHRIMP.]
(a) No more than 20 percent, by weight, of shrimp species other than pink or side stripe may be on board a vessel.

What is the issue you would like the board to address and why? The current regulations make no incentive for fishermen to retain pink shrimp as every other species of shrimp is more valuable. In the 1980's there was a robust fishery for pink shrimp in PWS with harvests of up to 1.3 million lbs. Since then there has been little or no effort in these areas.

PROPOSED BY: Cordova District Fishermen United (HQ-F20-019)
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PROPOSAL 254
5 AAC 31.235. Closed waters in Registration Area E.
Amend closed waters to allow use of beam trawl gear for the harvest of shrimp, as follows:

5 AAC 31.235. Closed waters in Registration Area E.

(a) The following waters are closed to the taking of shrimp with **Otter** trawl gear:

(1) waters enclosed by a line from Point Whitshed to Point Bentinck, a line from Cape Hinchinbrook Light to Seal Rocks Light to Zaikof Point at 60° 18.48' N. lat., 146° 55.10' W. long., and by a line from a point at 60° 11.00' N. lat., 147° 20.00' W. long. on the northwest side of Montague Island, north to a point at 60° 30.00' N. lat., 147° 20.00' W. long., then east to a point at 60° 30.00' N. lat., 147° 00.00' W. long., then northeast to Knowles Head at 60° 41.00' N. lat., 146° 37.50' W. long.;

(2) the waters east of a line from Porcupine Point at 60° 44.60' N. lat., 146° 42.10' W. long. in Port Fidalgo to the southernmost tip of Bligh Island at 60° 48.30' N. lat., 146° 47.90' W. long. to the northernmost tip of Bligh Island at 60° 52.90' N. lat., 146° 46.00' W. long. to Rocky Point at 60° 57.00' N. lat., 146° 46.20' W. long.;

(3) waters of Port Gravina north of a line from Gravina Point at 60° 37.37' N, lat., 147° 15.22' W. long. to Red Head at 60° 40.25' N. lat., 147° 30.22' W. long.;

(4) waters of Port Valdez north of 61° 01.00' N. lat.

What is the issue you would like the board to address and why? Waters of eastern Prince William Sound were closed to all shrimp trawl gear due to worries about protecting crab grounds. I am proposing allowing Beam trawl gear only in this area. Beam trawls due to their lower tow speed and smaller opening size have little impact on none target species. Beam Trawls have been shown in southeast to be able to coexist alongside highly productive crab fisheries for many years. The long distance from Cordova and deep water of western Prince William sound makes participation in this fishery difficult for many boats.

PROPOSED BY: Ezekiel Brown (EF-F20-138)

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Sport/Personal Use

PROPOSAL 255

5 AAC 77.518. Personal use clam fishery.

Close the harvest of littleneck clams and butter clams, as follows:

(2)(B) **littleneck clams and butter clams: no open season; may not be retained or possessed;** [THE COMBINED BAG AND POSSESSION LIMIT FOR LITTLENECK CLAMS AND BUTTER CLAMS IS 80 CLAMS AND THE MINIMUM SIZE FOR LITTLENECK CLAMS IS ONE AND ON-HALF INCHES IN LENGTH ACROSS THE WIDEST PART OF THE SHELL; AND FOR BUTTER CLAMS IS TWO AND ONE-HALF INCHES IN LENGTH ACROSS THE WIDEST PART OF THE SHELL;]

What is the issue you would like the board to address and why? Hardshell clams (Pacific littleneck clams and butter clams) have declined to historical low abundances throughout Kachemak Bay. Recent monitoring in three subareas (Jakolof Bay, China Poot Bay, and Chugachik Island) has found that densities of legal sized hardshell clams have declined 94–100% from their historical densities in all subareas. Additionally, the recent observed densities of sublegal sized hardshell clams in these subareas suggests that these stocks will not likely recover in the near future. Based on Statewide

Harvest Survey data, the sport harvest of hardshell clams in Kachemak Bay has declined over 90% since 2011.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-164)
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PROPOSAL 256
5 AAC 77.518. Personal use clam fishery.
Modify razor clam bag and possession limit, as follows:

(A) from the mouth of the Kenai River to the southernmost tip of the Homer Spit, the bag limit for razor clams is the first 60 clams [HARVESTED] **taken or possessed** and the possession limit is 120 clams; **in all other waters, the bag and possession limit for razor clams is the first 10 gallons taken or possessed.**

What is the issue you would like the board to address and why? There is no bag and possession limit for the razor clam sport or personal use fisheries, except for the fisheries on beaches from the mouth of the Kenai River to the tip of the Homer Spit (east Cook Inlet beaches). In the Cook Inlet-Resurrection Bay area, razor clams primarily occur in east and west Cook Inlet. The east Cook Inlet sport and personal use fisheries have been closed since 2015 due to low abundance of adult clams. West Cook Inlet sport and personal use clam fisheries may only be accessed using boat or aircraft.

In west Cook Inlet approximately 95% of the razor clam harvest occurs in the commercial fishery. From 2017 through 2019, the commercial fishery annual harvest averaged approximately 171,00 lbs and has not reached the guideline harvest level since 2013. The 2016–2018 average west Cook Inlet sport razor clam harvest (37,177) and days fished (1,320) were similar from their historical (1986–2015) harvest (38,324) and days fished (1,397) averages. However, some declines in size and age of the harvest have been observed in both the sport and commercial fisheries.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-165)
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PROPOSAL 257
5 AAC 58.0xx and 5 AAC 77.5xx. East Cook Inlet Razor Clam Sport and Personal Use Fishery Management Plan.
Create a management plan for east Cook Inlet sport and personal use fisheries, as follows:

(a) The purpose of this plan is to direct the department in the management of sport and personal use razor clam fisheries in east Cook Inlet from the mouth of the Kenai River to the southernmost tip of the Homer Spit and to establish abundance thresholds for adult clams greater than or equal to 80 mm and stock productivity indices for the fisheries in the Clam Gulch and Ninilchik Areas.

(b) In the Clam Gulch Area from the mouth of the Kenai River south to the latitude of 60° 5.54'N. lat.,

1) **if the estimated adult clam abundance is greater than or equal to the average 1989-2012 abundance, and adult clam recruitment replaces or exceeds harvest and natural mortality, and the size composition index of the harvest is equal to the 1989-2012 average, then the fisheries will be managed as provided in 5 AAC 58.022 (14)(A) and 5 AAC 77.511 (2)(A). The combined harvest rate of the sport and personal use fisheries are not expected to exceed 20% of the adult clam abundance.**
2) **if the estimated adult clam abundance is greater than or equal to 50% of the average 1989-2012 abundance but the population does not meet the criteria outlined in (b)(1), then razor clams may be taken May 1 through September 30 and the bag and possession limit is the first 30 clams taken or possessed. The combined harvest rate of the sport and personal use fisheries is not expected to exceed 10% of the adult clam abundance.**

(c) In the Ninilchik Area from the southernmost tip of the Homer Spit north to the latitude of 60° 5.54'N. lat.,
1) **if the estimated adult clam abundance is greater than or equal to the average 1989-2012 abundance, and adult clam recruitment replaces or exceeds harvest and natural mortality, and the size composition index of the harvest is equal to the 1989-2012 average, then the fisheries will be managed as provided in 5 AAC 58.022 (14)(A) and 5 AAC 77.511 (2)(A). The combined harvest rate of the sport and personal use fisheries are not expected to exceed 20% of the adult clam abundance.**
2) **if the estimated adult clam abundance is greater than or equal to 50% of the average 1989-2012 abundance but the population does not meet the criteria outlined in (c)(1), then razor clams may be taken May 1 through September 30 and the bag and possession limit is the first 30 clams taken or possessed. The combined harvest rate of the sport and personal use fisheries is not expected to exceed 10% of the adult clam abundance.**

What is the issue you would like the board to address and why? The east Cook Inlet sport and personal use fisheries have been closed by emergency order annually since 2015 due to low abundance of adult clams. The department has annually surveyed the abundance of razor clams on beaches in Ninilchik since 2011 and Clam Gulch since 2014. These surveys provide estimates of juvenile and adult clam abundances as well as estimates of natural mortality and recruitment. Recruitment of new cohorts of juvenile clams were detected in 2016 through 2019 at both Ninilchik and Clam Gulch beaches. Due to below average growth in 2017 and 2018 and a high natural mortality rate, adult abundances have not significantly improved since those recruitments. It is anticipated that these juvenile clam cohorts will recruit to the adult size at Ninilchik and Clam Gulch over the next few years, but the stock is not likely to rebuild to historical productivity. Currently, there is no management plan to structure razor clam fisheries once the stocks are sufficient to support harvest opportunity. Creating a management plan will allow for public and board input to structure sustainable razor clam fisheries.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-166)
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PROPOSAL 258

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

Close the harvest of littleneck clams and butter clams, as follows:

(a)(12) littleneck clams and butter clams: **no open season; may not be retained or possessed;** [MAY BE TAKEN FROM JANUARY 1- DECEMBER 31 ; WITH A COMBINED BAG AND POSSESSION LIMIT OF 80 CLAMS; MINIMUM SIZE FOR LITTLENECK CLAMS IS ONE AND ON-HALF INCHES IN LENGTH ACROSS THE WIDEST PART OF THE SHELL; MINIMUM SIZE FOR BUTTER CLAMS IS TWO AND ONE-HALF INCHES IN LENGTH ACROSS THE WIDEST PART OF THE SHELL;]

What is the issue you would like the board to address and why? Hardshell clams (Pacific littleneck clams and butter clams) have declined to historical low abundances throughout Kachemak Bay. Recent monitoring in three subareas (Jakolof Bay, China Poot Bay, and Chugachik Island) has found that densities of legal-sized hardshell clams have declined 94–100% from their historical densities in all subareas. Additionally, the recent observed densities of sublegal-sized hardshell clams in these subareas suggests that these stocks will not likely recover in the near future. Based on Statewide Harvest Survey data, the sport harvest of hardshell clams in Kachemak Bay has declined over 90% since 2011.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-167)

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PROPOSAL 259

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

Modify the razor clam bag and possession limit, as follows:

(14)(B) on the remaining beaches of Cook Inlet – Resurrection Bay Area: **the bag and possession limit is the first 10 gallons taken or possessed** [NO BAG, POSSESSION, OR SIZE LIMITS]; all clams taken or possessed must be retained;

What is the issue you would like the board to address and why? There is no bag and possession limit for the razor clam sport or personal use fisheries, except for the fisheries on beaches from the mouth of the Kenai River to the tip of the Homer Spit (east Cook Inlet beaches). In the Cook Inlet-Resurrection Bay area, razor clams primarily occur in east and west Cook Inlet. The east Cook Inlet sport and personal use fisheries have been closed since 2015 due to low abundance of adult clams. Participation in the West Cook Inlet sport and personal use fisheries has limited access, requiring large boats or small wheel planes from the Kenai Peninsula.

Currently, west Cook Inlet razor clam stock and fisheries assessments are limited to harvest data. In west Cook Inlet approximately 95% of the razor clam harvest occurs in the commercial fishery. From 2017 through 2019, the commercial fishery annual harvest averaged approximately 171,00 lb and has not reached the guideline harvest level since 2013. The 2016–2018 average west Cook Inlet sport razor clam harvest (37,177) and days fished (1,320) were similar from their historical

(1986–2015) harvest (38,324) and days fished (1,397) averages. However, some declines in size and age of the harvest have been observed in both the sport and commercial fisheries.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-168)
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Commercial/Subsistence

PROPOSAL 260

5 AAC 32.310. Fishing Seasons for Registration Area H; 5 AAC 32.325. Lawful Gear for Registration Area H; 5 AAC 32.306. Area H Registration; and 5 AAC 32.340. Registration Area H Inspection Points.

Establish a commercial Dungeness crab fishing season in Cook Inlet, modify lawful gear for Dungeness crab in the Southern District and establish lawful gear for Dungeness crab in Cook Inlet. establish Registration Area H as an exclusive registration area for Dungeness crab, and modify Registration Area H inspection points, as follows:

5 AAC 32.310. Fishing Seasons.

Male Dungeness Crab may be taken only as follows:

(1) Southern District:

(A) Subdistrict 1: From 12:00 noon June 1 to 12:00 noon on July 31;

(B) Subdistrict 2: From 12:00 noon June 1 to 12:00 noon on September 30;

(2) In the remaining waters of Statistical Area H, from 12:00 noon June 1 to 12:00 noon on September 30.

[THERE IS NO OPEN FISHING SEASON FOR DUNGENESS CRAB IN THE COOK INLET AREA.]

….

5 AAC 32.325. Lawful Gear.

(a) In the Southern District,

(1) no more than an aggregate of **50** [150] Dungeness crab pots may be operated from a vessel registered to take Dungeness crab;

(2) no more than **25** [50] of the **50** [150] pots described in (1) of this subsection may be operated in Subdistrict 1 from a vessel registered to take Dungeness crab; only a pot with a buoy tag number of 1 – **25** [50] may be operated in Subdistrict 1;

(3) the buoy for each Dungeness crab pot must have an identification tag issued by the department, as follows:

(A) the identification tag must be placed on a buoy that is marked with the ADF&G number of the vessel operating the gear, as required by 5 AAC 32.051;

(B) new identification tags must be obtained annually, before each fishing season;

(C) the department shall issue identification tags before each fishing season; the tags must be uniquely numbered for each registration year;

(D) except as provided in (E) of this paragraph, the department may issue identification tags only to a person who is registering a vessel under 5 AAC 32.020 and only at the time of vessel registration; a person registering a vessel shall apply

for identification tags at the department office designated to issue tags; a person who wishes to apply for identification tags may register only one vessel;

(E) the department may issue replacement tags for identification tags lost during the season if the vessel operator submits a sworn statement or affidavit describing how the tags were lost and listing the number of the lost tags;

(4) all crab pot buoys operated under a single ADF&G number must be identically marked and the color and design must be registered with the department before fishing.

(b) In the remaining waters of Cook Inlet no more than 50 pots may be operated in the aggregate.

(1) [(3)] **the buoy for each Dungeness crab pot must have an identification tag issued by the department, as follows:**

(A) the identification tag must be placed on a buoy that is marked with the ADF&G number of the vessel operating the gear, as required by 5 AAC 32.051;

(B) new identification tags must be obtained annually, before each fishing season;

(C) the department shall issue identification tags before each fishing season; the tags must be uniquely numbered for each registration year;

(D) except as provided in (E) of this paragraph, the department may issue identification tags only to a person who is registering a vessel under 5 AAC 32.020 and only at the time of vessel registration; a person registering a vessel shall apply for identification tags at the department office designated to issue tags; a person who wishes to apply for identification tags may register only one vessel;

(E) the department may issue replacement tags for identification tags lost during the season if the vessel operator submits a sworn statement or affidavit describing how the tags were lost and listing the number of the lost tags;

(2) [(4)] **all crab pot buoys operated under a single ADF&G number must be identically marked and the color and design must be registered with the department before fishing.**

(c) No portion of the line attaching a pot or ring net buoy or buoys to the trap or ring may float on the surface of the water at any time, except for that portion of the line connecting the main buoy to any auxiliary buoy or buoys.

….

5 AAC 32.306. Area H Registration. Registration Area H is **an exclusive** [A NONEXCLUSIVE] registration area.

…..

5 AAC 32.340. Registration Area H Inspection Points. The inspection points for Registration Area H are at Homer [SELDOVIA,] and Seward, and at other locations that may be specified by the commissioner.

What is the issue you would like the board to address and why? Dungeness Crab stocks seem to have recovered substantially in Cook Inlet and are now being seen and caught in other fisheries at relatively high numbers. I would like the Board to consider the 4 proposals submitted by me as a group to reopen the limited entry commercial Dungeness Crab fishery in Registration Area H, using the regulation changes as amended as appropriate developing a fishery using size, sex and season restrictions as is done in many other management areas. This fishery would be conducted as a test fishery reduced to 1/3rd of the former legal gear, become an exclusive fishery and have a shorter season. The open season would also be reduced in much of the area to allow a very conservative fishery to develop to see how the stocks have recovered. The permit holders can be responsible to collect whatever fishery data the department needs such as number of pots, duration of soak and size, sex and number of crab kept and released. Without some sort of starting point this fishery with approximately 100 limited entry permits will never reopen. The fishery is already limited to male Dungeness Crab 6 1/4 inches or greater in shell width. This proposal eliminates ADF&G from traveling to Seldovia where there is no ADF&G office.

PROPOSED BY: Wes Humbyrd (HQ-F20-123, HQ-F20-124, HQ-F20-125, HQ-F20-126)
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PROPOSAL 261
5 AAC 32.050. Lawful gear for Dungeness crab.
Allow use of a ropeless system with submerged buoy in the Dungeness crab fishery, as follows:

5 AAC 32.050. Lawful gear for Dungeness crab.
(c) The use of a pop-up on demand or "ropeless" fishing system using a submerged buoy may be affixed to a crab pot provided the owner/operator registers this system with the Alaska Department of Fish and Game so that applicable gear marking regulations and laws may be enforced.

What is the issue you would like the board to address and why? This is a proposal to allow "On-Demand Pop-up buoy" fishing gear for pot fisheries in Alaska. This would be an important tool for individual pot and trap fishers, adding value to fishing operations by reducing gear and catch loss, and securing fisheries by providing a proactive measure against whale entanglements and reducing stock depletion due to ghost gear.

Advantages of pop-up gear for the fisher
Using an on-demand (i.e. boat commanded) “pop-up” buoy system offers protection from poaching and significantly reduces gear loss. No longer would a pot be pulled only to find an empty trap and stolen catch. This method of fishing would also protect gear from the surface hazards of buoy line cutting, ship entanglements, wildlife entanglements, and damage or gear loss from bad weather and sea conditions such as operating near sea ice. The overall annual gear loss has decreased by more than half in areas where this type of gear is already in use. Pop-up technology offers the reliability of accessing buoys in high-currents where surface buoys may submerge. Therefore, gear access can become more reliable, and fishers in New South Wales have experienced engine hour reductions by as much as 40% to harvest their allotted annual quota.

How On-Demand Pop-Up Gear Works

An "on demand pop-up buoy" system is designed so that the rope and buoy is stored with the pot on the seafloor. The boat uses a transducer to signal the release mechanism and the buoys float to the surface. Only the fishers' boat and local fishing regulators would have the capability of releasing the buoys to retrieve the pot trap. Enforcement of applicable laws is made possible by a free app for GPS (or virtual) gear marking. Fishers use the app to mark the location of their traps and this information is shared on a limited basis with other fishers to avoid gear conflict while maintaining gear location privacy using a "visibility radius". Enforcement officers have access to this information for reporting purposes. Enforcement officers can use the same acoustic transducer technology to survey for pot traps in an area. By using this method they can range to an exact location of a pot trap in order to release the buoys for pot trap inspection or they can ID the pot traps without pulling them.

On demand pop-up buy systems may be equipped with several codes, and the owning fishers, other fishers and enforcement officers have access depending on the code used:

- An individual code is specific to an individual gear set. It allows a fishers or (if reported) and enforcement officer to range to an individual pop-up buoy and, if desired, release it.
- A broadcast code is common to all or a portion of a fishers pop-up buoy inventory. It releases the pop-up buoy when the boat approaches, but does not support ranging to or identifying gear on the sea floor. The broadcast code is only for use by the owning fisher. Some pop-up buoys (lower cost) may only support the broadcast code. Such devices cannot be ranged to, but may still be identified in combination with virtual gear marking by using a boats sonar system to detect the hard floats.
- A public code allows anyone to identify gear on the sea floor, including its presence, distance and owner. This is useful for fishers to assure that the ground is clear before deploying equipment, and to find equipment that may have moved. It can be useful for fisheries enforcement to identify deployed gear that has not been GPS (virtual) marked and reported.

Implications for Fisheries Enforcement
All pop-up gear can be GPS (virtual) marked using available free or low cost apps for gear mark sharing, and by other means such as web sites or email reporting. The availability of individual, broadcast and public codes is device and manufacturer specific. For regulatory purposes, the widest availability of pop-up technology to fishers is reached if no such code is required and even simple pop-up devices such as Galvanic Timed Releases (GTR) which are available for less than $2 can be used by the fisher. This is the approach taken in both the California spiny lobster fishery and the New South Wales rock lobster fishery. The use of acoustic release and identification codes provides gear locating, gear conflict avoidance and on demand pop-up capabilities to fishers and improved enforcement. But it also limits pop-up availability to the fishing community due to higher cost.

It is noted that in all cases the pop-up buoys should still be marked with the license holder numbers for identification. It is also noted that even 'static' surface buoys do routinely submerge in many areas when the current runs strong. In this sense, on-demand pop-up systems provide enforcement capabilities that exceed those of traditional static buoys. That is, identification is available by GPS (virtual) gear marking and by the acoustic codes even when a buoy is submerged.

Pop-up use in other Jurisdictions
Ropeless is already a legal practice in other fisheries like the California Spiny Lobster and NSW Rock Lobster. A simplistic method of ropeless fishing is used in Ireland and the UK, and other jurisdictions are set to make it the default practice, including the California Dungeness Crab Fishery by 2021.

Commercial availability of pop-up systems and summary of advantages for the pot and trap fishing industry
There are multiple manufacturers and styles of ropeless fishing using submerged buoys commercially available. These technologies should be made available for fishers who can benefit from them most. The business benefits of mitigating marine entanglements, restoring income security by preventing poaching and vandalism, stop gear loss due to ship strikes, rough weather and sea ice, and more reliable gear access in deep water with high currents are all reasons this should be allowable for Alaska fishers.

Without regulatory changes permitting pop-up use, these problems will continue to exist at a high cost to pot and trap fishers. The gear regulations for type, size, maximum soak period etc. of pots and traps will not be affected. Pop-up systems do not replace but enhance and add value, security and flexibility to the gear already in use by harvesters. Allowing the use of this available technology to Alaska fishers can also prevent future closures intended to prevent endangered species. Both California Dungeness and Cape Cod Lobster Fisheries are currently experiencing annual closures brought upon by the enforcement of the Endangered Species Act. By allowing pop-up gear to fishers in Alaska the potential for closures due to possible entanglements is significantly reduced. Fishers in California and Cape Cod along with their government officials are only now beginning the process of learning to use pop-up systems and writing additions to fishing codes, while they do this the fishers are left with closures when they needed this gear available years prior.

The proposed regulatory changes allowing this type of gear would apply to the pot and trap fisheries for shrimp, crabs, lobster, and ground fish. Example additions to the Alaska Administrative Code for lawful gear to allow for ropeless "pop-up" gear are the following:

5 AAC 32.050. Lawful gear for Dungeness crab.
(c) The use of a ropeless fishing system using a submerged buoy may be affixed to a crab pot provided the owner/operator registers this system with the Alaska Department of Fish and Game so that applicable gear marking regulations and laws may be enforced.

PROPOSED BY: Tyler McKinney (EF-F20-106)
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PROPOSAL 262
5 AAC 02.310. Subsistence miscellaneous shellfish fishery.
Reduce the bag limit in the Cook Inlet Area subsistence clam fishery, as follows:

Amend (b)(2)

(b) In the subsistence taking of clams,

…

(2) there are no bag, possession, or size limits for clams, except that for littleneck and butter clams the bag and possession limit is **40** [80] clams of either species or in combination and the minimum legal size is as follows:

…

What is the issue you would like the board to address and why? Hardshell clams (Pacific littleneck clam and butter clam) have declined to historical low abundances throughout Kachemak Bay. Recent monitoring in three subareas (Jakolof Bay, China Poot Bay, and Chugachik Island) has found that densities of legal-sized hardshell clams have declined 94 to 100% from their historical densities in all subareas. Additionally, the recent observed densities of sublegal-sized hardshell clams in these subareas suggests that these stocks will not likely recover soon.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-169)

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PROPOSAL 263

5 AAC 31.510. Fishing seasons for Registration Area J.; 5 AAC 31.525. Lawful gear for Registration Area J.; 5 AAC 31.540. Registration Area J inspection points.; 5 AAC 31.590. Kodiak District Pot Shrimp Fisheries Management Plan.; 5 AAC 31.592. Chignik District Pot Shrimp Fisheries Management Plan.; and 5 AAC 31.595. Reporting requirements for shrimp catcher-processor vessels.

Amend Registration Area J commercial shrimp fishery management regulations and allow for department permit authority, as follows:

Repeal and readopt **5 AAC 31.510. Fishing seasons for Registration Area J** as follows:

5 AAC 31.510. Fishing seasons for Registration Area J.

[(A) EXCEPT AS SPECIFIED IN 5 AAC 31.590 AND 5 AAC 31.592, THERE IS NO CLOSED SEASON FOR SHRIMP FISHING WITH POTS.

(B) SHRIMP MAY BE TAKEN BY TRAWLS ONLY AS FOLLOWS:

(1) IN THE KODIAK DISTRICT

(A) IN THE GENERAL SECTION FROM 6:00 A.M. JUNE 15 THROUGH FEBRUARY 28;

(B) IN THE REMAINING SECTIONS ONLY DURING SEASONS ESTABLISHED BY EMERGENCY ORDER;

(2) IN THE CHIGNIK DISTRICT FROM 6:00 A.M. MAY 15 THROUGH FEBRUARY 14, EXCEPT AS FOLLOWS:

(A) THE MITROFANIA ISLAND SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(B) THE IVANOF BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(C) THE KUIUKTA BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(D) THE KUJULIK BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(E) THE CHIGNIK BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(F) IN THE CHIGINAGAK, NAKALIKOK, AND ANIAKCHAK BAY SECTIONS ONLY DURING SEASONS ESTABLISHED BY EMERGENCY ORDER;

(3) IN THE SOUTH PENINSULA DISTRICT FROM 6:00 A.M. MAY 15 THROUGH FEBRUARY 14, EXCEPT AS FOLLOWS:

(A) THE STEPOVAK BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(B) THE UNGA STRAITS SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(C) THE BEAVER BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(D) THE PAVLOF BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(E) THE BELKOFSKI BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(F) THE MORZHOVOI BAY SECTION IS OPENED AND CLOSED BY EMERGENCY ORDER;

(4) IN THE NORTH PENINSULA DISTRICT THERE IS NO CLOSED SEASON;

(5) IN THE ALEUTIAN DISTRICT THERE IS NO CLOSED SEASON EXCEPT AS FOLLOWS:

(A) THE UNALASKA, MAKUSHIN BAY, BEAVER INLET, AND USOF BAY SECTIONS ARE OPENED AND CLOSED BY EMERGENCY ORDER;

(B) REPEALED 6/30/83.

(C) REPEALED 6/30/79.]

(a) Notwithstanding 5 AAC 38.062(a), in Registration Area J, shrimp may only be taken from June 1 through February 28, and only under the terms of a permit issued by the department. In the permit the department may specify

(1) fishing area;

(2) logbook requirements;

(3) biological sample collection requirements;

(4) reporting requirements;

(5) time-period specific harvest limits (trip limits); and

(6) any other conditions that the department determines are necessary for conservation or management of the fishery.

5 AAC 31.525. Lawful gear for Registration Area J is amended to read:

5 AAC 31.525. Lawful gear for Registration Area J.

(a) In Registration Area J, shrimp may be taken with pots, beam trawls, and otter trawls.

(b) [A] A shrimp trawl must be equipped with a rigid finfish excluder device (FED). The FED must consist of a rigid grate with parallel bars spaced not more than two inches apart to exclude all fish and other objects, except those that are small enough to pass between its bars into the cod end of the trawl. The FED in a shrimp trawl must be secured forward of the cod end in a manner that that it precludes the passage of fish or other objects into the cod end without the fish or other objects having to pass between the bars of the FED. The trawl must have an outlet to allow the escape of fish or other objects that are too large to pass between the bars of the gate. The posterior edge of this escape outlet must be at least as wide as the maximum width of the grate. The escape outlet must extend forward of the grate toward the mouth of the net.

Repeal 5 AAC 31.540. Registration Area J inspection points, as follows:

[5 AAC 31.540. REGISTRATION AREA J INSPECTION POINTS. IN REGISTRATION AREA J, INSPECTION POINTS ARE LOCATED AT KODIAK AND DUTCH HARBOR, AND AT OTHER LOCATIONS THAT MAY BE SPECIFIED BY THE COMMISSIONER.] **Repealed.**

Repeal 5 AAC 31.590. Kodiak District Pot Shrimp Fisheries Management Plan, as follows:

[5 AAC 31.590. KODIAK DISTRICT POT SHRIMP FISHERIES MANAGEMENT PLAN. (A) THE MANAGEMENT PLAN IN THIS SECTION APPLIES TO SHRIMP FISHING WITH POTS IN THE NORTH AFOGNAK, WEST AFOGNAK, AND MAINLAND SECTIONS OF THE KODIAK DISTRICT.]
(B) SHRIMP MAY BE TAKEN ONLY FROM MAY 1 THROUGH FEBRUARY 28, UNLESS CLOSED EARLIER BY EMERGENCY ORDER.
(C) THE GUIDELINE HARVEST RANGE IS 0 - 40,000 POUNDS, WHOLE WEIGHT. NO MORE THAN 15,000 POUNDS, WHOLE WEIGHT, MAY BE HARVESTED FROM AN INDIVIDUAL SECTION FROM MAY 1 THROUGH FEBRUARY 28.
(D) BEFORE OPERATING SHRIMP POTS UNDER THIS SECTION, A PERSON MUST OBTAIN A LOGBOOK PROVIDED BY THE DEPARTMENT. THE LOGBOOK REQUIREMENTS ARE AS FOLLOWS:

(1) THE LOGBOOK MUST BE COMPLETED FOR ALL FISHING ACTIVITY, INCLUDING THE BYCATCH OF FISH AND SHELLFISH TAKEN OTHER THAN SHRIMP;

(2) THE LOGBOOK MUST BE KEPT ON BOARD THE VESSEL WHILE OPERATING GEAR, DURING TRANSITS TO AND FROM A PORT OF LANDING, AND FOR FIVE DAYS AFTER THE CORRESPONDING DELIVERY OF SHRIMP HAS BEEN MADE;

(3) THE LOGBOOK MUST BE MADE AVAILABLE TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT OR PEACE OFFICER OF THE STATE UPON REQUEST;

(4) A PERSON MAY NOT MAKE A FALSE ENTRY IN THE LOGBOOK; AND

(5) A COPY OF THE PAGES OF THE LOGBOOK PERTAINING TO A DELIVERY MUST BE ATTACHED TO THE FISH TICKET DOCUMENTING THE DELIVERY.

(E) DURING THE OPEN FISHING SEASON, SHRIMP POTS LEFT UNATTENDED FOR LONGER THAN TWO WEEKS MUST HAVE BAIT AND BAIT CONTAINERS REMOVED AND ALL DOORS SECURED OPEN.] **Repealed.**

Repeal 5 AAC 31.592. Chignik District Pot Shrimp Fisheries Management Plan, as follows:

[5 AAC 31.592. CHIGNIK DISTRICT POT SHRIMP FISHERIES MANAGEMENT PLAN. (A) THE MANAGEMENT PLAN IN THIS SECTION APPLIES TO SHRIMP FISHING WITH POTS IN THE CHIGINAGAK BAY, NAKALILOK BAY, AND ANIAKCHAK BAY SECTIONS OF THE CHIGNIK DISTRICT.
(B) SHRIMP MAY BE TAKEN FROM ONLY MAY 1 THROUGH FEBRUARY 28, UNLESS CLOSED EARLIER BY EMERGENCY ORDER.
(C) THE GUIDELINE HARVEST RANGE IS 0 - 40,000 POUNDS, WHOLE WEIGHT. NO MORE THAN 15,000 POUNDS, WHOLE WEIGHT, MAY BE HARVESTED FROM AN INDIVIDUAL SECTION DURING A CALENDAR YEAR.
(D) BEFORE OPERATING SHRIMP POTS UNDER THIS SECTION, A PERSON MUST OBTAIN A LOGBOOK PROVIDED BY THE DEPARTMENT. THE LOGBOOK REQUIREMENTS ARE AS FOLLOWS:

(1) THE LOGBOOK MUST BE COMPLETED FOR ALL FISHING ACTIVITY, INCLUDING THE BYCATCH OF FISH AND SHELLFISH TAKEN OTHER THAN SHRIMP;

(2) THE LOGBOOK MUST BE KEPT ON BOARD THE VESSEL WHILE OPERATING GEAR, DURING TRANSITS TO AND FROM A PORT OF LANDING, AND FOR FIVE DAYS AFTER THE CORRESPONDING DELIVERY OF SHRIMP HAS BEEN MADE;

(3) THE LOGBOOK MUST BE MADE AVAILABLE TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT OR PEACE OFFICER OF THE STATE UPON REQUEST;

(4) A PERSON MAY NOT MAKE A FALSE ENTRY IN THE LOGBOOK; AND

(5) A COPY OF THE PAGES OF THE LOGBOOK PERTAINING TO A DELIVERY MUST BE ATTACHED TO THE FISH TICKET DOCUMENTING THE DELIVERY.

(E) SHRIMP POTS LEFT UNATTENDED FOR LONGER THAN TWO WEEKS DURING THE OPEN FISHING SEASON MUST HAVE BAIT AND BAIT CONTAINERS REMOVED AND ALL DOORS SECURED OPEN.] **Repealed.**

Repeal 5 AAC 31.595. Reporting requirements for shrimp catcher-processor vessels, as follows:

[5 AAC 31.595. REPORTING REQUIREMENTS FOR SHRIMP CATCHER-PROCESSOR VESSELS. (A) THE OWNER OR OPERATOR OF A SHRIMP CATCHER-PROCESSOR VESSEL REGISTERED TO TAKE SHRIMP USING POTS IN REGISTRATION AREA J SHALL REPORT, EITHER IN PERSON OR BY RADIO OR TELEPHONE, TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT WITHIN 72 HOURS FOLLOWING THE CLOSURE OF A DISTRICT, SECTION, OR ANY PORTION OF A DISTRICT OR SECTION, THE FOLLOWING INFORMATION:

(1) THE NUMBER OF POUNDS, IN WHOLE WEIGHT, BY SPECIES OF SHRIMP ON BOARD THE VESSEL TAKEN IN ANY SECTION OR DISTRICT; AND

(2) ANY OTHER INFORMATION THE COMMISSIONER DETERMINES IS NECESSARY FOR THE CONSERVATION AND MANAGEMENT OF THE RESOURCE.

(B) IF REQUIRED BY THE COMMISSIONER, THE OWNER OR OPERATOR OF A SHRIMP CATCHER-PROCESSOR VESSEL FISHING IN REGISTRATION AREA J SHALL REPORT THE INFORMATION REQUIRED IN (A) OF THIS SECTION TO A LOCAL

REPRESENTATIVE OF THE DEPARTMENT DURING AN OPEN FISHING PERIOD.
(C) THE OWNER OR OPERATOR OF A SHRIMP CATCHER-PROCESSOR VESSEL SHALL COMPLETE A SEPARATE FISH TICKET FOR SHRIMP TAKEN IN EACH DISTRICT WHERE THE VESSEL LANDED SHRIMP.
(D) FOR THE PURPOSES OF THIS SECTION, "CATCHER-PROCESSOR VESSEL" MEANS A VESSEL FROM WHICH SHRIMP ARE CAUGHT AND PROCESSED ON BOARD THAT VESSEL AND FROM WHICH NO SHRIMP CAUGHT ON OTHER VESSELS WAS PURCHASED OR PROCESSED.**]** **Repealed.**

What is the issue you would like the board to address and why? Commercial shrimp harvests in Registration Area J peaked in the mid-1970s then declined rapidly. Only marginal harvests have occurred since the mid-1980s. Existing Area J commercial shrimp fishery regulations and management plans are based on an annual stock assessment survey that is no longer conducted and largely reflect a period of high shrimp abundance and productivity that is no longer applicable.

Current Area J shrimp stocks are likely capable of sustaining moderate levels of commercial harvest, but the outdated management structure prevents access to the resource in most areas. Allowing harvest under the authority of a permit issued by the department would enable permit holders to explore for commercially viable concentrations of shrimp and provide the department the ability to collect biological data in the absence of a fishery independent survey.

Additionally, this proposal provides the board and stakeholders an opportunity to discuss:

1) the intent of existing Registration Area J nonpelagic trawl gear closures (5 AAC 39.164) as they relate to shrimp trawl gear; and
2) whether limits on the size of trawl nets used to harvest shrimp are desirable for slowing harvest and promoting access for vessels of all size.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-171)
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PROPOSAL 264
5 AAC 32.415. Operation of pot gear for Registration Area J.
Amend regulation requiring operation of Dungeness crab pot gear once within a 14-day period, as follows:

Dungeness pot gear in area J shall be removed from the water at least once within a 30-day period.

What is the issue you would like the board to address and why? I have written numerous letters to the board trying to change this regulation since it was adopted, I feel it passed hastily and needs to be amended from a 14-day period to a 30-day period. A 14-day period is too tight of a timeline to expect fishermen to comply with this regulation. Not to mention, all Kodiak Dungeness fishermen have always fished multi fisheries and 14-days makes it almost impossible to do so.

This proposal was put forward because gear was being left in the water after the fishery closed and even though I don't believe this regulation fixes that, almost all fishermen agree that this regulation is better than other possible regulations. However, 14 days is too short of a time period. So by changing it to 30 days, it gives fishermen a bigger window to comply. Kodiak Dungeness fishermen usually don't wait longer than 30 days anyway because the biodegradable line disintegrates shortly after.

PROPOSED BY: Randy Blondin (HQ-F20-077)
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PROPOSAL 265
5 AAC 32.415. Operation of pot gear for Registration Area J.
Repeal regulation requiring operation of Dungeness crab pot gear once within a 14-day period, as follows:

1-In Area J all pots shall be removed from water at least once within a 14 day period or -2 have all bait and bait containers removed and all doors secured fully open. The problem is we can't get to some of our pots when the weather it too rough and the ground swell makes it impossible as they are near the beach in shallow water. We also have to schedule landings with processors which combined with weather can be a problem.

What is the issue you would like the board to address and why? As the regulation is new I don't think it was needed before, and isn't today either I would like to see it dropped all together.

PROPOSED BY: Jim Smith (EF-F20-098)
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PROPOSAL 266
5 AAC 32.425. Lawful gear for Registration Area J.
Establish Kodiak District Dungeness crab pot limits and restrict concurrent targeting of Dungeness crab and any other commercially harvested species, as follows:

5 AAC 32.415 Operation of pot gear for Registration Area J
a. The following pot limits are in effect in Registration Area J:
1. For vessels equal to or less than 50 feet, no more than 300 – 750 pots may be operated from a validly registered Dungeness crab vessel;
2. For vessels above 50 feet, no more than 500 -750 pots may be operated from a validly registered Dungeness crab vessel.

Note: The Board may choose a single pot limit for all size vessels.

Regarding fishing both Dungeness crab and salmon at the same time, the Board could choose one of two approaches:

a. Any validly registered Dungeness crab vessel for Area J cannot make a commercial delivery of Dungeness crab caught in area J to a registered processor within 7-14 days of a commercial

delivery of another commercially harvested species to any registered processor. Conversely, any validly registered Dungeness crab vessel making a delivery of a commercially harvested species that is not Dungeness crab cannot make a delivery of Dungeness crab caught in Area J within 7-14 days of that delivery.

b. (alternative choice) Any validly registered Dungeness crab vessel for Area J cannot have Dungeness crab pots in the water in Area J AND have a salmon seine fishing or deployed from the same vessel.

What is the issue you would like the board to address and why? Kodiak's Dungeness Crab fishery has ebbed and flowed over the past several decades. Recently, the fishery has enjoyed biomass increases and is experiencing a substantial increase in participation. These changes illustrate the need to revisit and, perhaps, increase Kodiak's Dungeness Crab fishery regulations.

A. Without pot limits, the total number of pots deployed in the fishery is increasing exponentially. Smaller operators may be preempted from fishing grounds, larger vessels employing large amounts of pots are likely to dominate what has been primarily a small boat fishery and increased gear conflicts with "homestead fishermen" other gear types are likely to occur. In short, the Kodiak Dungeness Crab fishery cannot sustain an unlimited number of pots being fished from an undefined set of vessels. Remember, this is not a fishery that is limited to entry. Pot limits are an effective tool for limiting fishery effort and maintaining a small boat fleet.

B. The fishing pattern of engaging simultaneously in the Dungeness Crab fishery and another commercial fishery should be reconsidered, especially as the fleet increases in size. Currently, some vessels are primarily salmon fishing during the summer months but pick their Dungeness pots every 14 days, or so, for a "crab trip". (Often with the seine on deck or in the back hold.) Fishing two or more fisheries at the same time disadvantages Kodiak Dungeness crab fishermen that are primarily focused on the Dungeness crab fishery --- both by grounds pre-emption and resource depletion. Changing this rule would increase equity in the fishery.

On the other hand, fishermen frequently need to engage in several fisheries throughout the summer and the issue isn't so much to only participate in one fishery as it is to only be involved in one fishery at the same time. Perhaps the solution is a provision that fishermen engaged in the Kodiak Dungeness crab fishery must observe a delivery window between fisheries or remove gear from one fishery before using the vessel for another fishery. Using a delivery window of 7-14 days or a rule that only one gear type can be in the water at the same time would enable a fisherman to complete a salmon trip, take off their salmon gear, deploy or bait their Dungeness crab pots and continue fishing or remove Dungeness crab pots from the water and then go salmon fishing. In other words, the wait time between fisheries or complete gear removal encourages a single fishery focus and inhibits "double dipping" without eliminating the opportunity to fish in more than one fishery throughout the summer.

PROPOSED BY: Old Harbor Fisheries Committee/Duncan Fields (HQ-F20-068)

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PROPOSAL 267

5 AAC 32.425. Lawful gear for Registration Area J.

Establish South Peninsula District Dungeness crab pot limits, as follows:

Pot limit on Dungeness crab fishery in the South Peninsula District of Area J of no more than 500 pots per vessel and an overall pot cap of 10,000 pots.

What is the issue you would like the board to address and why? Dungeness crab in the South Peninsula District of Area J could be over harvested. Considered limit entry for Dungeness crab fishery, some fishermen do not like it.

PROPOSED BY: George Gundersen (EF-F20-083)

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PROPOSAL 268

5 AAC 35.507. Kodiak, Chignik, and South Peninsula Districts C. *bairdi* Tanner crab harvest strategies.

Adopt a new Tanner crab harvest strategy used to set annual harvest limits in the Kodiak, Chignik, and South Peninsula districts, as follows:

A detailed analysis and recommended harvest strategy scenarios will be provided by the department prior to the March 2021 Statewide All Shellfish meeting.

What is the issue you would like the board to address and why? The Kodiak, Chignik, and South Peninsula Tanner crab stocks are characterized by highly variable and episodic recruitment leading to substantial changes in annual abundance levels. The current harvest strategies were established in 1999 and require minimum mature male crab abundance threshold levels to be met before fisheries can occur. Additionally, minimum section and district GHLs must be met before fisheries can occur.

The analysis in support of the revised harvest strategy will evaluate the effects of updating the survey time series used to establish minimum abundance thresholds, the utility of including female abundance when considering harvest limits for the male only Tanner crab fishery, and the suitability of current minimum GHLs in regulation. The recommended harvest strategy is expected to reduce probability of fishery closures, allow for best application of population estimates, and provide stability for stakeholders.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-172)

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PROPOSAL 269

5 AAC 35.507. Kodiak, Chignik, and South Peninsula Districts C. bairdi Tanner crab harvest strategies.

Amend regulatory thresholds and establish new management measures for Kodiak District Tanner crab, as follows:

Revise: 5 AAC 35.507(a)(3) "in the Kodiak District, is sufficient to provide a guideline harvest level of [400,000] **100,000** pounds or more as calculated under (d) of this section; or"

Revise: 5 AAC 35.507(a)(4) "[A SECTION OF]the Kodiak District, **cumulative by section**, is sufficient to provide a guideline harvest level of 100,000 pounds or more as calculated under (d) of this section.

New Section: 5 AAC 35.507(c)(4) In the Kodiak District,

[(1) AT LEAST TWO SECTIONS OF THE KODIAK DISTRICT MUST MEET OR EXCEED THE THRESHOLD LEVEL REQUIREMENTS IN (A) OF THIS SECTION BEFORE A FISHERY MAY BE OPENED IN THE DISTRICT:
(2) IN THE SOUTH MAINLAND SECTION, THE FISHERY WILL BE OPEN IF AT LEAST TWO ADJACENT SECTIONS ARE OPEN AND WILL CLOSE WHEN BOTH OF THE ADJACENT SECTIONS ARE CLOSED:]

(1) each management section within the Kodiak Management District that has a surveyed or estimated tanner crab mature male abundance sufficient to provide a guideline harvest level of 10,000 pounds or more as calculated under (d) of this section may open but only if the cumulative District guideline harvest level, as outlined in (4) above, exceeds 100,000 pounds,

(2) Once the threshold amount outlined in (4) above in established, the Department shall identify as "exclusive registration sections" those sections within the District for which the estimated tanner crab mature male abundance is sufficient to provide a guideline harvest level of more than 10,000 pounds but less than 100,000 pounds, and

(3) Fishermen wishing to fish within a Kodiak District exclusive registration section must identify the exclusive registration section when registering the vessel to fish in accordance with the registration requirements of 5 AAC 35.506 (f) above; a vessel that is registered for the Tanner crab fishery in an exclusive registration section of the Kodiak District may not be registered for the Tanner crab fishery in any other section of the Kodiak District during that registration year,

(4) Pot limits will be imposed for all exclusive registration sections of the Kodiak district as follows:

a. at least 10,00 pounds but less than 40,000 pounds, an aggregate of no more than 10 pots may be operated from a validly registered Tanner crab vessel.
b. at least 40,000 pounds but less than 80,000 pounds, an aggregate of no more than 15 pots may be operated from a validly registered Tanner crab vessel.
c. At least 80,000 pounds, an aggregate of no more than 20 pots may be operated from a validly registered Tanner crab vessel.

What is the issue you would like the board to address and why? The regulatory structure for the Kodiak Area (Area J) tanner fishery was developed in about 1998 to restart the fishery after it has been closed for a number of years. We now have an additional 20 years of participation statistics, harvest information and biological data. Consequently, it's time to make structural changes to the fishery.

1. The long-term average mature male abundance of tanner crab, (5 AAC 35.507(4)(g), should be revised based on better and more recent survey and biological information. The Department will need to provide data through the 2020 season. Revised mature male abundance determinations will also adjust the threshold levels (5 AAC 35.507(4)(b)).

2. The current fishery thresholds were established because of concern about the Department's ability to manage the fishery within harvest limits. However, when the fishery was reconfigured in about several innovative regulations helped to limit harvest. Frist was a pot limit of 20 pots and second was the "daytime only" fishery which reduced pot pulls. Also, the past 20 years has shown that the fleet is self-regulating in size based on the available quota and has developed excellent real time reporting of catches with the Department. Consequently, the 100,000 pound threshold in two sections before the fishery opens is no longer needed. Moreover, over the past 20 years we have observed that several sections of the Kodiak District have consistently surveyed at harvest levels above 10,000 pounds but don't reach the 100,000 pound threshold. These pockets of crab, if unharvested, are lost to the fishery. With the revisions regarding section thresholds, (new language below) the Kodiak District's opening threshold would be adjusted to 100,000 pounds cumulatively for all sections and the section threshold to 10,000 pounds. Exclusive section registration would be required for small quota sections and a reduce pot limit established.

3. Conservation of the resource remains the primary focus and concern. However, with lower pot limits and better biological data, the new proposed regulations continue the fishery's existing conservative management – harvest amounts will still be controlled by the same exploitation rate. The proposed regulatory changes simply permit each section within the Kodiak management area with a harvestable surplus of more than 10,000 pounds to be managed as a small part of the District's overall commercial fishery. Conservation is not at risk within each section with the small pot limits and exclusive registration requirements. In other words, the vessels that commits to fish in a section with a quota under 10,000 pounds is willing to fish with fewer pots in recognition of needed conservation and to forego possible larger catches elsewhere.

PROPOSED BY: Old Harbor Fisheries Committee/Duncan Fields (HQ-F20-069)

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PROPOSAL 270

5 AAC 35.525. Lawful gear for Registration Area J.

Amend pot limits for Kodiak District Tanner crab, as follows:

(c) The following pot limits are in effect in Registration Area J:

(1) in the Kodiak District, when the guideline harvest level for C. bairdi Tanner crab is

(A) less than [2,000,000] **2,500,000** pounds, an aggregate of no more than 20 pots may be operated from a validly registered Tanner crab vessel;

(B) at least [2,000,000] **2,500,000** pounds but less than [4,000,000] **5,000,000** pounds, an aggregate of no more than 30 pots may be operated from a validly registered Tanner crab vessel;

(C) at least 5,000,000 pounds [4,000,000 POUNDS BUT LESS THAN 5,000,000 POUNDS,] an aggregate of no more than 40 pots may be operated from a validly registered Tanner crab vessel;
[(D) AT LEAST 5,000,000 POUNDS, AN AGGREGATE OF NO MORE THAN 60 POTS MAY BE OPERATED FROM A VALIDLY REGISTERED TANNER CRAB VESSEL;]

What is the issue you would like the board to address and why? Current Kodiak tanner crab regulations were developed in approximately 1998 after the fishery had been closed for a decade. A number of new concepts were developed that enabled the fishery to reopen. After 20 additional years of experience, some of the regulations put in place in 1998 are no longer needed. One such suite of regulations is the pot limit designations in 5 AAC 35.525(c). The current pot limits reflect a far different fishery from what is in place today. The fleet of today has successfully adapted to a "daylight only" fishery and a 20 pot per vessel limit. The fleet has also been conservatively managed and waited patiently for the tanner crab biomass to improve. The fleet is therefore concerned that if the Kodiak tanner crab biomass improves, current pot limit regulations would allow and, perhaps, encourage vessels that haven't participated in the fishery for the past 20 years to come in and disadvantage the local fleet that has worked so hard to maintain the fishery and the resource.

PROPOSED BY: Old Harbor Fisheries Committee/Duncan Fields (HQ-F20-070)
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PROPOSAL 271
5 AAC 35.525. Lawful gear for Registration Area J.
Reduce size of stretched mesh escape webbing for *C. bairdi* Tanner crab pot gear in Registration Area J except in the Bering Sea District, as follows:

I suggest the board lower the legal escape web size to 6.75" for registration area J, except for the Bering Sea district, which would remain unchanged. The following change would be made to the language of the regulation:

5 AAC 35.525 Lawful gear for Registration Area J (b) (1) (A) Registration Area J, except the Bering Sea District, must have at least one-third of one vertical surface of the pot composed of not less than six and three-quarter inch stretched mesh webbing or have no less than four circular escape rings of no less than five inches inside diameter installed on the vertical surface of the pot;

What is the issue you would like the board to address and why? The legal escape web size for the Kodiak bairdi tanner crab fishery is too large. Presently Kodiak tanner pots are required to have either 1/3 of one vertical panel consist of 7.25" web, or 4 rings with inside diameter of no less than 5". This size of escape web is not effective for harvesting 5.5" tanner crab; too many legal size crab escape (20-30% in my experience). Because of this, almost all fishers use the escape ring option, which results in increased handling and mortality of undersized crab.

PROPOSED BY: Patrick Pikus (EF-F20-041)
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PROPOSAL 272

5 AAC 35.509. Eastern Aleutian District Tanner crab harvest strategy.

Adopt a new Eastern Aleutian District Tanner crab harvest strategy used to set annual harvest limits, as follows:

A detailed analysis and recommended harvest strategy scenarios will be provided by the department prior to the March 2021 Statewide All Shellfish meeting.

What is the issue you would like the board to address and why? The Eastern Aleutian District Tanner crab harvest strategy relies on annual ADF&G trawl survey abundance estimates to calculate harvest limits. The current harvest strategy was established in 2008 and requires minimum population abundance and management thresholds to be met before fisheries can occur.

This update will revise the regulatory trawl survey time series used to inform fishery openings, establish an abundance-based exploitation rate on Tanner crab, and evaluate the utility of minimum guideline harvest levels (GHLs). Due to funding uncertainty, this harvest strategy revision may also include fishery management options that could be used in the absence of annual trawl survey data.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-170)

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PROPOSAL 273

5 AAC 34.425. Lawful gear for Registration Area K.

Allow longlining of pot gear for Registration Area K golden king crab, as follows:

Change the regulations to allow for the longlining of pots in the registration area K golden king crab fishery. The regulation would mirror that for registration area Q. Under 5 AAC 34.425, a new subsection (e) would be added, which would read: '**In Registration area K, pots used to take golden king crab may be longlined. Not withstanding 5 AAC 34.051, a buoy is not required for each pot, but each end of the longline must be marked by a cluster of four buoys. One buoy in the cluster must be marked in accordance with the specifications of 5 AAC 34.051 and include the initials "SL" to identify that the pots are on a shellfish longline. For the purposes of this subsection, "shellfish longline" is a stationary, buoyed, and anchored line with more than one shellfish pot attached.**'

What is the issue you would like the board to address and why? Currently, in the Kodiak area (registration area K) golden king crab fishery, crab may only be harvested with single-set pots (one buoy setup per pot). In the Bering Sea and Aleutian Islands (registration areas O and Q) the longlining of pots for golden king crab is permitted. Due to the deeper-water nature of the fishery, pot longlines are more efficient and result in less gear loss, as demonstrated in the BSAI. Pot longlines should be permitted in other areas where there is a viable golden king crab fishery (such as in area K).

PROPOSED BY: Patrick Pikus (EF-F20-045)
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PROPOSAL 274

5 AAC 39.646. Shellfish onboard observer trainee program qualifications and requirements. Increase minimum training requirements needed for scallop trainee observer candidates, as follows:

5 AAC 39.646 is amended to read:

5 AAC 39.646. Shellfish onboard observer trainee program qualifications and requirements. (a) To qualify as a crab [OR SCALLOP] onboard observer trainee, an applicant must have one of the following:

(1) a Bachelor's degree or higher from an accredited college or university with a major in the sciences of biology, any branch of biology, or limnology, which includes a minimum of 30 semester hours in applicable biological sciences with use of dichotomous keys in at least one course, and the successful completion of at least one course each in mathematics and statistics with a minimum of five semester hours total for both; or

(2) a valid National Marine Fisheries Service observer certification; or

(3) other fisheries related education or work experience approved by the department.

(b) In addition to the requirements in (a) of this section, to qualify as a scallop onboard observer trainee, an applicant must possess a valid department crab observer trainee permit or crab observer certification in good standing, except that, if an applicant with a valid department crab observer trainee permit or crab observer certification in good standing is unavailable, a valid National Marine Fisheries Service North Pacific Observer Program certification may be substituted at the discretion of the department.

(c) [(b)] A crab or scallop onboard observer trainee must

(1) have the ability to use a radio for communications; and

(2) be physically able to carry out the duties of an observer and not be incapacitated by chronic or debilitating seasickness.

(d) [(c)] Before an applicant may take the certification examination, the applicant must attend a training course approved by the department that provides instruction in the following subject areas:

…

What is the issue you would like the board to address and why? Alaska commercial weathervane scallop fishery effort and harvest is generally low. During most years 2 to 3 vessels catch and process scallops statewide during seasons that typically range from July through November. All vessels are required to carry an independent onboard observer while fishing. Scallop observers are supplied by third-party observer provider companies with deployment costs paid for by harvesters. Across the range of observer opportunities, most observers tend to work in larger federal observer programs that offer stable employment. Due to the small size and relatively unique timing of the Alaska scallop fishery, recruiting and retaining observers is challenging. Unreliable observer staffing adds to program costs and lost fishing opportunity for harvesters when observers are unavailable.

In addition to the scallop fishery, the department administers an onboard crab observer program that annually deploys around 30 observers in support of Bering Sea/Aleutian Islands rationalized crab fisheries. Scallop and crab observer training and sampling responsibilities substantially

overlap and the department offers two crab observer training classes each year. Limiting recruitment of scallop observers to candidates that previously received department crab observer training should improve data quality, lower costs, and provide stability for scallop harvesters.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-173)
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PROPOSAL 275
5 AAC 39.143. Onboard observer certification and decertification.
Extend the observer certification expiration period from 12 months to 18 months, as follows:

5 AAC 39.143 is amended to read:
5 AAC 39.143. Onboard observer certification and decertification.
(i) An onboard observer certification expires as follows:

(1) for a **shellfish** [CRAB] observer who has not functioned as a **shellfish** [CRAB] onboard observer for **18** [12] consecutive months, the onboard observer certification expires; to become recertified after **18** [12] consecutive months of not functioning as a **shellfish** [CRAB] observer, a person must successfully complete all trainee and certification requirements set out in (a), (b), (c), (e), and (f) of this section;

[(2) FOR A SCALLOP OBSERVER WHO HAS NOT FUNCTIONED AS A CRAB ONBOARD OBSERVER FOR 12 CONSECUTIVE MONTHS, THE ONBOARD OBSERVER CERTIFICATION EXPIRES; TO BECOME RECERTIFIED AFTER 12 CONSECUTIVE MONTHS OF NOT FUNCTIONING AS A CRAB OBSERVER, A PERSON MUST SUCCESSFULLY COMPLETE ALL TRAINEE AND CERTIFICATION REQUIREMENTS SET OUT IN (A), (B), (C), (E), AND (F) OF THIS SECTION;] **Repealed**;
What is the issue you would like the board to address and why? Certified observer retention remains low due to unpredictability in shellfish fisheries and short seasonal duration. Lack of flexibility for observer provider companies to deploy observers across fisheries and observer programs throughout the year also contributes to certified observers leaving the shellfish observer program to pursue more predictable and stable employment.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F20-174)
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PROPOSAL 276

5 AAC 33.366. Northern Southeast seine salmon fishery management plans; 5 AAC 33.376. District 13: Deep Inlet terminal Harvest Area Salmon Management Plan; and 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

Extend sunset provision dates in several Southeastern commercial salmon enhancement allocation and management plans, as follows:

5 AAC 33.366. Northern Southeast seine salmon fishery management plans.

(a) During July, the department may allow the operation of purse seines in District 12 north of Point Marsden to harvest pink salmon migrating northward in Chatham Strait only as follows:

(1) the department may open only those portions of the area in which a harvestable abundance of pink salmon is observed; open areas and times must consider conservation concerns for all species in the area;

(2) Through the **2021** [2020] season, the department shall close the seine fishery in District 12 north of Point Marsden after 15,000 wild sockeye salmon are harvested by seine vessels that the department identifies as taken north of Point Marsden when other areas are open concurrently through July 22; hatchery-produced sockeye salmon will not count against the 15,000 wild sockeye salmon harvest limit; during the openings, the department will use aerial flyovers, on-the-ground sampling, interviews, and fish tickets to estimate the sockeye salmon harvest north of Point Marsden.

5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan

…

(b) The department, in consultation with the Northern Southeast Regional Aquaculture Association (NSRAA), shall open and close, by emergency order, fishing seasons and periods to manage the waters of Deep Inlet, Aleutkina Bay, and contiguous waters south of a line from a point west of Pirates Cove at 56_ 59.35' N. lat., 135_ 22.63' W. long., to the westernmost tip of Long Island, to the easternmost tip of Long Island, to the westernmost tip of Emgeten Island, to the westernmost tip of Error Island, to the westernmost tip of Berry Island, to the southernmost tip of Berry Island, to the westernmost tip of the southernmost island in the Kutchuma Island group, to the easternmost tip of the southernmost island in the Kutchuma Island group, to the westernmost tip of an unnamed island at 57_ 00.30' N. lat., 135_ 17.67' W. long., to a point on the southern side of the unnamed island at 57_ 00.08' N. lat., 135_ 16.78' W. long., and then to a point on the Baranof Island shore at 56_ 59.93' N. lat., 135_ 16.53' W. long., as follows:

(1) salmon may be taken by purse seines and drift gillnets only during periods established by emergency order, as follows:

…

(D) for the 2019**, 2020, and 2021** [AND 2020] seasons, the time ratio for gillnet openings to seine openings is one to one;

5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan

…

(d) The department shall manage the Anita Bay Terminal Harvest Area from May 1 through November 10 to distribute the harvest of excess hatchery-produced king, coho, and chum salmon as follows:

…

(4) for the 2018 through **2021** [2020] fishing seasons, the time ratio for gillnet openings to seine openings is one to one.

What is the issue you would like the board to address and why? At the 2018 Southeast Finfish and Shellfish, the Alaska Board of Fisheries amended two Southeastern Alaska commercial salmon enhancement plans and one purse seine fishery management plan to add a sunset date for set provisions to end in 2020, with the intent to revisit the status of the fishery at the January 2021 Southeast Finfish and Shellfish meeting. Due to the COVID-19 global pandemic, the board was unable to meet in person to review and deliberate on these allocative subjects. At the request of several Southeast organizations, the board agreed to consider changing the sunset date from 2020 to 2021, while retaining the original allocative proposals for review and action at the next in-person Southeast finfish meeting.

PROPOSED BY: Alaska Board of Fisheries (HQ-F20-BGP#1)

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PROPOSAL 277

5 AAC XX.XXX New Section.

Allow for the retention of salmon during periods of commercial nonretention when the sport fishery in the area is open for that species, as follows:

The new regulation would require the adoption of all points made in #2 below. There may be others, I am not a lawyer. I just want to eat a fresh salmon on my commercial fishing vessel. The technology of today allows us to provide this to one of the oldest industries in Alaska. All that is needed is willingness!

What is the issue you would like the board to address and why? 1) allow one or a portion there of a (one) fin fish to be aboard a commercial fishing vessel for immediate consumption. This would be in areas that are currently open to sport fishing, for the finfish retained.

2) to achieve this, it would require:

A) A cell phone app would need to be developed and use to make a landing. This should alienate any problems with enforcement.

B) A valid sport license

C) the finfish to be processed for consumption. (H&G minimum)

3) if adopted this would prevent a large portion of the commercial fleet from becoming criminals. It would also have the benefit of better data collection. Therefore, the ability to achieve Alaska's goal of maximizing sustainable yield, would have a higher percentage of achievement.

4) It is gross unfairness that the producers of the highest quality seafood, in the world, can't legally participate in its consumption, in a timely manner. "the fresher the better''

PROPOSED BY: Charlie Piercy (EF-F20-053)

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PROPOSAL 278

5 AAC XX.XXX. New section.

Align bag limits for non-resident unguided halibut harvest from rental vessels in Southeast Alaska with NOAA bag limits for guided anglers in Halibut Management Area 2C, as follows:

We propose that one of the following actions be approved by the Board of Fisheries (BOF). They are listed in preferential order with the most preferred option listed first.

1. Enact a new state regulation that would require any Non-Resident Unguided Angler fishing from a rented vessel in the waters of Southeast Alaska to abide by the NOAA halibut bag limits then in effect for Guided Anglers in Halibut Management Area 2C.
2. Enact a new regulation that any Non-Resident Unguided Angler fishing from a rented vessel in the waters of the Sitka LAMP to abide by the NOAA halibut bag limits then in effect for Guided Anglers in Halibut Management Area 2C.
3. Should proposal #1 or #2 fail, we request the Board of Fish to engage with NOAA and the NPFMC to come to an agreeable management plan for regulating the harvest of halibut by requiring Non-Resident Unguided Anglers fishing from a rented vessel, to follow the same bag limits as set for Guided Anglers in Area 2C.

What is the issue you would like the board to address and why? In recent years, there has been large growth of businesses in Southeast Alaska that rent sportfishing vessels to non-residents, who utilize this arrangement to qualify for more liberal "Non-Guided" bag limits for Halibut. Most of these vessels are smaller than the average charter vessel and, as a result, these anglers focus their halibut harvests in areas close to the communities of Southeast AK. The Sitka Fish and Game Advisory Committee believes this activity reduces the opportunity for resident anglers to harvest halibut close to our homes. We realize that halibut are managed by NOAA and the NPFMC versus the State. We also realize that NOAA regulates "Guided" versus "Non-Guided" anglers separately whereas the state routinely establishes different sport fishing bag limits for "Residents" versus "Non-Residents". This definitely creates some potential jurisdictional issues for what we want to accomplish which is "increase resident's opportunity to harvest halibut near our homes". Several years ago, the Sitka AC was the driving force in the creation of the Sitka Area Local Management Plan (LAMP), which restricted "Guided" anglers from taking halibut from the waters near Sitka during the months of June, July and August. While it would seem simple to just extend this restriction to "Non-Guided" anglers to reduce the harvest of anglers fishing from rented vessels, this action would also reduce bag limits for all local resident anglers fishing from their own vessels with their resident families and friends, in addition to any non-residents that are in town visiting and fishing from these locally owned and operated vessels. We specifically worded our proposals below to read "Non-Resident Unguided Anglers fishing from rented vessels" so that residents that do not live in a designated rural area (and thus not eligible for subsistence Halibut harvesting) will also have their local waters protected.

PROPOSED BY: Sitka Fish and Game Advisory Committee (HQ-F20-175)

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