

PRINCE WILLIAM SOUND AND UPPER COPPER/UPPER SUSITNA FINFISH

PROPOSAL 1 - 5 AAC 01.648. Prince William Sound subsistence salmon fisheries management plans. Amend this regulation as follows:

(a) Salmon may be taken for subsistence purposes in those waters of the Southwestern District, as described in 5 AAC 24.200, and along the northwestern shore of Green Island from the westernmost tip of the island to the northernmost tip, only as follows:

...

(3) salmon may be taken **year round** [ONLY FROM MAY 15 THROUGH SEPTEMBER 30];

(4) **the fishing period [PERIODS] is [ARE],**

(A) **all year** [FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THE SOUTHWESTERN DISTRICT, SEVEN DAYS PER WEEK];

(B) **in no connection to the open commercial salmon fishing periods** [DURING THE COMMERCIAL SALMON FISHING SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS];

(C) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON SEASON UNTIL SEPTEMBER 30, SEVEN DAYS PER WEEK;]

...

(6) **there is a daily limit of 250 fish per permit holder (not per household) and a possession limit of the same** [THERE ARE NO BAG AND POSSESSION LIMITS FOR THIS FISHERY];

...

(b) Salmon may be taken for subsistence purposes in those waters north of a line from Porcupine Point to Granite Point, and south of a line from Point Lowe to Tongue Point, only as follows:

...

(3) salmon may be taken **year round** [ONLY FROM MAY 15 THROUGH OCTOBER 31];

(4) fishing periods are,

(A) **all year** [FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THE EASTERN DISTRICT, SEVEN DAYS PER WEEK];

(B) **in no connection to the open commercial salmon fishing periods** [DURING THE COMMERCIAL SALMON FISHING SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS];

(C) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON SEASON UNTIL OCTOBER 31, SEVEN DAYS PER WEEK;]

...

(6) there **is a daily bag limit of 250 fish per permit holder (not per household) and a possession limit of the same** [ARE NO BAG AND POSSESSION LIMITS FOR THIS FISHERY]; ...

ISSUE: Under present state jurisdiction over salmon in the marine waters of Prince William Sound, the subsistence or “personal use” harvest of salmon by rural residents using gill nets, during the commercial salmon fishing season, is unreasonably restricted to dates that only coincide simultaneously with the timing of commercial fishing openers, written as “only during commercial salmon fishing periods.” Also, these few commercial harvest opener periods for salmon are associated with runs of hatchery stocks, which are specifically returning to the Southwest District for commercial purposes. The present provisions made for subsistence harvest of salmon are insufficient in fulfilling the needs of our rural residents who require broader and less restrictive arrangements to more adequately utilize the various available salmon resources. More often than not, the different run return stocks that pass through this district during timings other than those that coincide with commercial openers comprise the majority of traditionally

harvested salmon used by the very limited local rural resident subsistence fishery. Furthermore, the harvest from these often separate marine waters salmon runs, which migrate through, and which have been historically utilized by a rural subsistence gill net fishery, are now not able to be harvested due to their unavailability at the times of the commercial openers. In addition, rural residents cannot legally subsist between the commercial opener events, the legal harvest of other runs is also limited by the too few and untimely legal subsistence harvesting dates (outside the commercial period) specifically to times after May 15 until two days before the commercial period and from two days following the closure until September 30 (or until October 31 in the area defined by subsection (b) of 5AAC 01.648). These specific dated regulations unjustly impose restrictions that prohibit the most common subsistence practices which have always relied heavily upon being able to harvest salmon at unpredictable run return timings. Such harvesting is presently not accommodated for by the existing state laws of legal subsistence harvest. This ruling implies that taking advantage of the salmon resource when it is available is not necessary for our most common, time honored, and necessary subsistence practices. The need for customary subsistence gill net harvests of the early spring, summer, late fall, and even winter salmon subsistence resources normally occur frequently outside the limitations of all of the above stated prescribed timing parameters, when the various species of salmon present themselves as being available for rural subsistence harvesting, whether it is outside the commercial season or between openers during the commercial season.

The customary and traditional harvest of salmon from the marine waters of Prince William Sound for subsistence purposes (or personal use) has never been historically tied to the commercial use fishery. The scheduling of the restrictions mentioned above on the subsistence/personal use fishery in a direct link to commercial fishing practices presents a failure of the state to support a legal method for the few rural residents of Prince William Sound to obtain enough adequate subsistence opportunities necessary for gaining the sustenance required from salmon for the remote living lifestyle that they endure. Subsistence practices at present are required to be in competition with the commercial industry interests. True subsistence is a basic human right of survival that should not be restricted as it is under the present state regulations. Rural subsistence harvesting of salmon in our district, under the exact guidelines of this proposal, would not detrimentally affect the resource. It will, and always has, allowed salmon populations to remain at sustainable levels in perpetuity. These salmon constitute an integral part of the resources most commonly utilized by rural residents. The local value system and culture depends highly upon these relatively limited subsistence harvesting practices which have always made no measurable affect on the same populations when they continue on to return elsewhere, either for natural allowable escapement requirements, hatchery broodstocks, or for what is considered to be the “common property” fishery utilized by the commercial industry.

WHAT WILL HAPPEN IF NOTHING IS DONE? The remote living rural residents of Prince William Sound will continue to be unjustly limited to inadequate amounts of legal subsistence salmon harvesting by gill net in the marine waters of Prince William Sound, during the commercial salmon fishing period, to times that only coincide with the opener events of the commercial salmon fishery, as well as being prohibited from fishing when other runs that pass by are available for harvest during times outside the specific commercial fishing periods defined.

If traditional gill net harvest for subsistence from salmon resources remains to be restricted, harvesting will eventually take place under protest. If no provisions are made for legal subsistence harvesting of marine salmon as stated within this proposal then a volatile “can of worms” will be opened and cases of litigation will inevitably follow. Petitions and politics will take place and federal jurisdiction over the marine salmon resources of Prince William Sound will be sought

through the Secretary of Agriculture and the Secretary of the Interior via the Federal Subsistence Board.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, without restriction on specific harvest timings, the marine salmon resource harvested and the products derived thereof will be of higher quality and of consequent higher value due to fresher and brighter fish, as well as an increased prevalence of salmon species diversity will be utilized for subsistence.

WHO IS LIKELY TO BENEFIT? The rural resident subsistence users of the marine salmon resource will experience a more fair and adequate management of the fishery to suit their subsistence needs.

WHO IS LIKELY TO SUFFER? Nobody will suffer if this solution is adopted. The increase in subsistence use harvest levels upon the marine salmon resource will not even be measurable upon the same resources utilized elsewhere.

OTHER SOLUTIONS CONSIDERED? No other solutions present themselves.

PROPOSED BY: Andrew T. McLaughlin (HQ-05-F-010)

PROPOSAL 2 - 5 AAC 01.648. Prince William Sound subsistence salmon fisheries management plans. Amend this regulation as follows:

(a) Salmon may be taken for subsistence purposes in those waters of the Southwestern District, as described in 5 AAC 24.200, and along the northwestern shore of Green Island from the westernmost tip of the island to the northernmost tip, only as follows:

...

(3) salmon may be taken **year round** [ONLY FROM MAY 15 THROUGH SEPTEMBER 30];

(4) **the fishing period** [PERIODS] **is** [ARE],

(A) **all year** [FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THE SOUTHWESTERN DISTRICT, SEVEN DAYS PER WEEK];

(B) **in no connection to the open commercial salmon fishing periods** [DURING THE COMMERCIAL SALMON FISHING SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS];

(C) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON SEASON UNTIL SEPTEMBER 30, SEVEN DAYS PER WEEK;]

...

(6) **there is a daily limit of 250 fish per permit holder (not per household) and a possession limit of the same** [THERE ARE NO BAG AND POSSESSION LIMITS FOR THIS FISHERY];

...

(b) Salmon may be taken for subsistence purposes in those waters north of a line from Porcupine Point to Granite Point, and south of a line from Point Lowe to Tongue Point, only as follows:

...

(3) salmon may be taken **year round** [ONLY FROM MAY 15 THROUGH OCTOBER 31];

(4) fishing periods are,

(A) **all year** [FROM MAY 15 UNTIL TWO DAYS BEFORE THE COMMERCIAL OPENING OF THE EASTERN DISTRICT, SEVEN DAYS PER WEEK];

(B) **in no connection to the open commercial salmon fishing periods** [DURING THE COMMERCIAL SALMON FISHING SEASON, ONLY DURING OPEN COMMERCIAL SALMON FISHING PERIODS;

(C) FROM TWO DAYS FOLLOWING THE CLOSURE OF THE COMMERCIAL SALMON SEASON UNTIL OCTOBER 31, SEVEN DAYS PER WEEK;]

(6) there **is a daily bag limit of 250 fish per permit holder (not per household) and a possession limit of the same** [ARE NO BAG AND POSSESSION LIMITS FOR THIS FISHERY];

ISSUE: Under present state jurisdiction over salmon in the marine waters of Prince William Sound, the subsistence or “personal use” harvest of salmon by rural residents using gill nets, during the commercial salmon fishing season, is unreasonably restricted to dates that only coincide simultaneously with the timing of commercial fishing openers, written as “only during commercial salmon fishing periods.” Also, these few commercial harvest opener periods for salmon are associated with runs of hatchery stocks, which are specifically returning to the Southwest District for commercial purposes. The present provisions made for subsistence harvest of salmon are insufficient in fulfilling the needs of our rural residents who require broader and less restrictive arrangements to more adequately utilize the various available salmon resources. More often than not, the different run return stocks that pass through this district during timings other than those that coincide with commercial openers comprise the majority of traditionally harvested salmon used by the very limited local rural resident subsistence fishery. Furthermore, the harvest from these often separate marine waters salmon runs, which migrate through, and which have been historically utilized by a rural subsistence gill net fishery, are now not able to be harvested due to their unavailability at the times of the commercial openers. In addition, rural residents cannot legally subsist between the commercial opener events, the legal harvest of other runs is also limited by the too few and untimely legal subsistence harvesting dates (outside the commercial period) specifically to times after May 15 until two days before the commercial period and from two days following the closure until September 30 (or until October 31 in the area defined by subsection (b) of 5AAC 01.648). These specific dated regulations unjustly impose restrictions that prohibit the most common subsistence practices which have always relied heavily upon being able to harvest salmon at unpredictable run return timings. Such harvesting is presently not accommodated for by the existing state laws of legal subsistence harvest. These restrictions imply that taking advantage of the salmon resource when it is available is not necessary for our most common, time honored, and necessary subsistence practices. The need for customary subsistence gillnet harvests of the early spring, summer, late fall, and winter salmon subsistence resources normally and frequently occur outside the limitations of all of the above stated prescribed timing parameters, when the various species of salmon present themselves as being available for rural subsistence harvesting, whether it is outside the commercial season or between openers during the commercial season.

The customary and traditional harvest of salmon from the marine waters of Prince William Sound for subsistence purposes (or personal use) has never been historically tied to the commercial use fishery, as it presently is. Normal subsistence harvesting should have no connection to commercial fishing practices or ties to only the specific marine salmon run returns that are utilized by the commercial industry. The inappropriate scheduling of the restrictions mentioned above on the subsistence/personal use fishery in a direct link to commercial fishing practices presents a failure of the state to support a legal method for the few rural residents of Prince William Sound to obtain the adequate subsistence opportunities necessary for gaining the sustenance required from salmon for the remote living lifestyle that they endure. Subsistence practices at present are required to be in direct competition with the commercial industry fleet, by both harvest timing restrictions and by restrictions upon which specific marine salmon run

returns can be utilized for subsistence. Our low level of subsistence harvesting is very small and of no measurable impact elsewhere. With subsistence practices having priority over commercial activities of the fishing industry, it is a basic human right of survival for any man that should not be restricted as it is under the present state regulations. Rural subsistence harvesting of salmon in our district under the exact guidelines of this proposal would not detrimentally affect the resource. It will, and always has, allowed salmon populations to remain at sustainable levels in perpetuity. These salmon constitute an integral part of the natural food resources most commonly utilized by rural residents. The local value system and culture depends highly upon these relatively limited subsistence harvesting practices which have always made no measurable affect on the same populations of salmon when they continue their migrations to return elsewhere, either for natural State prescribed escapement requirements, hatchery brood stocks, or for what is considered to be the “common property” fishery harvested by the commercial fishing fleet in this district or in any other.

WHAT WILL HAPPEN IF NOTHING IS DONE? The remote living rural residents of Prince William Sound will continue to be unjustly limited to inadequate amounts of legal subsistence salmon harvesting, by gillnet, in the marine waters of Prince William Sound, during the commercial salmon fishing period, to times that only coincide with the opener events of the commercial salmon fishery, as well as being prohibited from fishing when other runs that pass by are available for harvest during times outside the specific commercial fishing periods defined.

If traditional gillnetting harvest for subsistence from salmon resources remains to be restricted, harvesting will eventually take place under protest. If no provisions are made for legal subsistence harvesting of marine salmon as stated within this proposal then a volatile “can of worms” will be opened and cases of litigation will inevitably follow. Petitions and politics will take place and Federal jurisdiction over the marine salmon resources of Prince William Sound will be sought through the Secretary of Agriculture and the Secretary of the Interior via the Federal Subsistence Board. Advisement from the USFWS will be sought to ensure that the state adheres to provisions which mandate legal subsistence priorities for rural users in need.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, without restriction on specific harvest timings, the marine salmon resource harvested and the products derived thereof will be of higher quality and of consequent higher value due to fresher and more brighter fish, as well as an increased prevalence of salmon species diversity will be utilized for subsistence, which follows typical traditional subsistence use patterns that have been annually followed historically.

WHO IS LIKELY TO BENEFIT? The rural resident subsistence users of the marine salmon resource will experience a more fair and adequate management of the fishery to suit their subsistence needs.

WHO IS LIKELY TO SUFFER? Nobody will suffer if this solution is adopted. The perceived increase in allowable subsistence use harvest levels upon the marine salmon resource will not be an increase, but will actually stay the same it has always been, and it will not even be measurable upon the same salmon populations even if they are utilized elsewhere.

OTHER SOLUTIONS CONSIDERED? No other solution available.

PROPOSED BY: Andrew T. McLaughlin, Larry Evanoff, Pete Kompkoff and Micahel Vigel
(HQ-05-F-013)

PROPOSAL 3 - 5 AAC 01.616. Customary and traditional subsistence uses of fish stocks and amount necessary for subsistence uses. Amend this regulation as follows:

ISSUE: We need a redetermination of subsistence criteria (C&T) for the Chitina subdistrict .

WHAT WILL HAPPEN IF NOTHING IS DONE?

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT?

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Fairbanks Advisory Committee (HQ-05-F-223)

PROPOSAL 4 - 5 AAC 01.620(c). Lawful gear and gear specifications. Amend the regulation as follows:

The holder of every fish wheel permit is responsible for ensuring the wheel is physically checked and all caught fish removed from the box at least once every 24 hours. The permit holder is responsible for anyone using their wheel.

ISSUE: Wasted fish from irregularly checked fish wheels.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fish will continue to go to waste.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Reduces waste of salmon and reduces opportunity to overharvest.

WHO IS LIKELY TO BENEFIT? All users of the resource.

WHO IS LIKELY TO SUFFER? Those that previously would let their wheel run for more than 24 hours without checking.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Fairbanks Advisory Committee (HQ-05-F-220)

PROPOSAL 5 - 5 AAC 01.630(e). Subsistence fishing permits. Amend the regulation as follows:

(e)(6) a fish wheel may be operated only by one permit holder at one time; that permit holder must have the fish wheel marked as required by 5 AAC 01.620(c)(1) and (3) during fishing operations; **that permit holder must check the fish wheel at least once every 24 hours and remove all fish.**

ISSUE: We would like the board to address the problem of wanton waste by subsistence users who do not harvest their fish prior to the fish spoiling. Some fish wheels go unchecked for days at a time and the salmon are inedible when the wheel is checked. Fish wheel boxes fill up and injured or dead salmon overflow into the river. Currently law enforcement personnel are unable to cite individuals unless they can observe the individual disposing of the inedible salmon. If the individual transports the fish home and disposes of them there it is nearly impossible for law enforcement personnel to successfully convict them for wanton waste.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wanton waste of Copper River salmon will continue. Competition for salmon within and between user groups will increase. Law enforcement officers will continue to be unable to successfully convict individuals for wanton waste of salmon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. The quality of salmon harvested by subsistence users in the Upper Copper River district will improve if users who are not currently checking their fish wheel once every 24 hours are required to do so.

WHO IS LIKELY TO BENEFIT? All users of Copper River salmon. Reducing wanton waste will benefit anyone who harvests Copper River salmon by making more salmon available for harvest or spawning escapement.

WHO IS LIKELY TO SUFFER? Individuals who do not currently check their fish wheels every 24 hours will have an increased burden. However, the quality of the fish they harvest will improve.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Ahtna Tene Nene' Subsistence Committee (SC-05-F-003)

PROPOSAL 6 - 5 AAC 01.647(i). Copper River subsistence salmon fisheries management plans. Amend the regulation as follows:

(i) Salmon, other than chinook salmon, may be taken in the vicinity of the former Native village of Batzulnetas under the following conditions:

...

(3) salmon may be taken [ONLY IN THOSE WATERS OF THE COPPER RIVER BETWEEN ADF&G REGULATORY MARKERS LOCATED NEAR THE MOUTH OF TANADA CREEK AND APPROXIMATELY] one-half mile downstream from [THAT MOUTH AND IN] Tanada Creek [BETWEEN THE REGULATORY MARKERS IDENTIFYING THE OPEN WATERS OF THE CREEK];

(4) fishwheels and dip nets only may be used on the Copper River; dip nets, spears **and fyke nets** only may be used in Tanada Creek;

(5) salmon may be taken **May 15 through September 30** [ONLY FROM JUNE 1 THROUGH SEPTEMBER 1] or until closed by emergency order;

(6) Delete

...

(8) the permit must be returned to the department's Glennallen office no later than **October 31** [SEPTEMBER 30].

ISSUE: Align state regulations with federal regulations in the Batzulnetas area fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The potential for users to be confused between regulations would continue and participation under state regulations is likely to remain nonexistent. If the State of Alaska were to come into compliance with Title VIII of ANILCA the existing regulations would be too restrictive for current federally qualified users.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Everyone who harvests fish at Batzulnetas will benefit.

WHO IS LIKELY TO SUFFER? No one is likely to suffer.

OTHER SOLUTIONS CONSIDERED? Status quo. Too difficult to meet subsistence needs.

PROPOSED BY: Ahtna Tene Nene' Subsistence Committee (SC-05-F-002)

PROPOSAL 7 - 5 AAC 01.630(e). Subsistence fishing permits. Amend the regulation in the Glennallen Subdistrict as follows:

(e)(7) Only the permit holder and authorized 25 [MEMBER OF THE] household(s) listed on the subsistence permit may take salmon;

ISSUE: The Ahtna Tene Nene' Subsistence Committee would like the Alaska Board of Fisheries to limit the number of households that use a fishwheel to harvest fish in the Upper Copper River District to 25 per household fishwheel. We are not proposing to eliminate households or a single person household to utilize a fishwheel to harvest fish in the Upper Copper River District, only the number of households using one fishwheel to harvest fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be an unlimited number of households using one fishwheel, abuse of fishing regulations and trespass on private property. A few fishwheel owners allow more than 25 households to utilize one fish wheel in the Upper Copper River District.

Limiting the households to 25 per fishwheel use will help enforcement to monitor fishwheels more efficiently. The fishwheel owners and the users of the fishwheel will be more easily monitored because there will not be as many households to check on to see who is using a fishwheel and to make sure that these people are complying with fishing regulations.

Local subsistence users have seen fishwheels full of salmon left for days in a fishwheel. However, they do not know who is using the fishwheel so they cannot report wanton waste. If fewer people were using one fishwheel, they may know who is using the fishwheel to report wanton waste to the authorities.

The local subsistence users also say their lands are trespassed by people coming from outside the region. They leave garbage and human waste on their lands. Trespass is often not enforced in the Ahtna region.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Everyone will benefit who utilizes a fishwheel on the Copper River. There will be better enforcement, wanton waste will not occur as frequently as it does right now, fishwheels will be monitored better than they are now, user(s) of a fishwheel may not have to compete to use one fishwheel.

WHO IS LIKELY TO SUFFER? No one. Everyone can make a fishwheel and put it in the Copper River.

OTHER SOLUTIONS CONSIDERED? Change the Constitution of the State of Alaska to allow for a rural priority. A statewide vote would have to take place and this will not work since it has been voted down in the past.

PROPOSED BY: Ahtna Tene Nene' Subsistence Committee (SC-05-F-004)

PROPOSAL 8 - 5 AAC 01.620. Lawful gear and gear specifications. Amend the regulation to include the following:

A live fish box must be installed on fishwheels in the Glennallen Subdistrict unless the fishwheel is closely attended. Closely attended means the fishwheel box is checked at least once every four hours. If the proposal to require checking fishwheels once every 24 hours is adopted this proposal will not affect the definition of closely attended, nor will utilizing a live box alleviate the requirement to check the fishwheel once at least every 24 hours.

ISSUE: There are too many fish caught in fish wheels that are not used for food, incidental fish caught which are not needed, and unwanted fish caught that are too red, too small or wrong species, that are either being thrown back into the river or thrown away because they have been left in the fish wheel too long and have spoiled and are not edible.

When the river is high, fish wheels get jammed with logs from debris floating downriver, or when the river is too low, fish wheels stop operating. Both of these hindrances cause fish to be sunburned or spoiled and are not good for consumption.

We would like the board to consider a new regulatory action to have a live box installed in fish wheels in the Glennallen Subdistrict.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be too many fish wasted in the Upper Copper River District, and there will be less fish reaching spawning streams and fewer fish available for harvest by subsistence users fishing in the upstream portion of the Glennallen Subdistrict.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Everyone, there will be fresh fish in the live box, and more fish will reach spawning streams. There will be more fish in the Copper River. Subsistence users will be able to get more fish.

WHO IS LIKELY TO SUFFER? No one will suffer.

OTHER SOLUTIONS CONSIDERED? No other solution was considered.

PROPOSAL 9 - 5 AAC 01.647. Copper River subsistence salmon fisheries management plan.

Amend the regulation to include:

A 24 hour mandatory checkpoint, five miles from Chitina, manned by authorized department personnel, will check fishing permits and salmon harvested by permit holders who have harvested salmon within the vicinity of Chitina to ensure that salmon harvested match the allowable catch as stated on their fishing permits.

ISSUE: Subsistence fishing permits. Require that everyone who is fishing in the Glennallen subdistrict at, or downstream of the Chitina airport, must have their harvested catch checked for quantity as recorded on their fishing permit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Illegal overharvest will continue. Currently very few fishermen are checked to determine if their catches match their recorded harvest because there are so few law enforcement personnel working in the Copper River basin. If people who are utilizing a dip net or fish wheel to harvest salmon are not required to have their salmon harvest checked along with their fishing permits, there will be less salmon reaching spawning streams and there will be less salmon in the Copper River to be harvested by subsistence users. The board's current Copper River salmon management plan cannot be achieved if the fishing regulations are not enforced.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it will keep permit holders who harvest salmon in the lowest portion of the Glennallen subdistrict honest and ensure that salmon harvested reflect the quantity stated on their fishing permits. This proposal also addresses the shortage of salmon in the upper portion of the Upper Copper River District by enforcing the existing management plan for the Upper Copper River District.

WHO IS LIKELY TO BENEFIT? Everyone, there will be more salmon in the spawning streams and consequently there will be more salmon in the Copper River.

WHO IS LIKELY TO SUFFER? No one will suffer.

OTHER SOLUTIONS CONSIDERED? No other solutions were considered.

PROPOSAL 10 - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend the regulation as follows:

A 24 hour mandatory checkpoint five miles from Chitina, manned by authorized department personnel, will check fishing permits and salmon harvested by permit holders who have harvested salmon within the vicinity of Chitina to ensure that salmon harvested match the allowable catch as stated on their fishing permits.

ISSUE: Copper River personal use dipnet salmon fishery management plan. Require that everyone who is participating in the Chitina personal use fishery must have their harvested catch checked for quantity as recorded on their fishing permit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Illegal overharvest will continue. Currently very few fishermen are checked to determine if their catches match their recorded harvest because there are so few law enforcement personnel working in the Copper River basin. If people who are utilizing a dipnet to harvest salmon, are not required to have their salmon harvest checked along with their fishing permits, there will be less salmon reaching spawning streams and there will be less salmon in the Copper River to be harvested by subsistence users. The board's current Copper River salmon management plan cannot be achieved if the fishing regulations are not enforced.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it will keep permit holders, who harvest salmon in the Chitina subdistrict, honest and ensure that salmon harvested reflect the quantity stated on their fishing permits. This proposal also addresses the shortage of salmon in the upper portion of the Upper Copper River district by enforcing the existing management plan for the Chitina subdistrict.

WHO IS LIKELY TO BENEFIT? Everyone, there will be more salmon in the spawning streams, and consequently, there will be more salmon in the Copper River.

WHO IS LIKELY TO SUFFER? No one will suffer.

OTHER SOLUTIONS CONSIDERED? No other solutions were considered.

PROPOSED BY: Ahtna Tene Nene' Subsistence Committee (SC-05-F-010)

PROPOSAL 11 - 5 AAC 01.647(j). Copper River subsistence salmon fisheries management plans. Amend the regulation as follows:

(j)(2) salmon may be taken only from May 8 [MAY 15] through September 30;

ISSUE: Inadequate subsistence fishing opportunity in the Copper River District.

WHAT WILL HAPPEN IF NOTHING IS DONE? Participants in the Copper River district subsistence, particularly those engaged in the commercial gillnet fishery, salmon fishery will continue to be denied reasonable opportunity to harvest subsistence-caught salmon. Commercial fishermen are often forced, in effect, to buy their subsistence salmon from their catch.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Fishermen would be provided adequate time before the season commercial opener to harvest and properly process and preserve their subsistence catch.

WHO IS LIKELY TO BENEFIT? Commercial fishermen, primarily Cordova residents, who subsistence fish, would be provided similar fishing opportunity each year.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Copper River/Prince William Sound Advisory Committee (SC-05-F-011)

PROPOSAL 12 - 5 AAC 01.630. Subsistence fishing permits. Amend the regulation as follows:

Personal use fishing permits must be submitted to the department office from which the permit was issued at a time specified by the department.

ISSUE: Lack of timely, accurate and effective harvest reporting in the Chitina subdistrict fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? End of season reporting has reduced the accuracy and reliability of harvest information. Managers no longer have access to inseason harvest information that is used in determining the timing and duration of fishery openers. In a fishery where the enforcement effort is symbolic at best, required reporting, and the consequent interaction with department representatives, will reduce violations and complement enforcement efforts.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Dipnetters could potentially gain additional opportunity. All stakeholders would benefit from the department actually knowing what was harvested instead of spending lots of money on RTS to learn what might have happened.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Copper River/Prince William Sound Advisory Committee (SC-05-F-012)

PROPOSAL 13 - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend the regulation as follows:

Allow the annual limit of five chinook salmon for the personal use dip net fishery in the Chitina Subdistrict. The limit can be taken throughout the season or all at one time.

ISSUE: The low limit of chinook salmon for the personal use dip net fishery in the Copper River at Chitina.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will still be a too low of a limit of chinook salmon of only one per season.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It allows the personal use fishermen/women more chinook salmon for those who like to eat king salmon and maybe give them enough for their yearly supply.

WHO IS LIKELY TO BENEFIT? The personal use fishermen/women of the Chitina Subdistrict dip net fishery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None

PROPOSED BY: Chitina Dipnetters Association

(I-05-F-001)

PROPOSAL 14 - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend the regulation as follows:

In the Chitina Subdistrict, dipnetters will not be allowed to keep any king salmon in the month of June.

ISSUE: Not enough king salmon getting to the Gulkana and Klutina rivers.

WHAT WILL HAPPEN IF NOTHING IS DONE? Less opportunity for sport fishing. Sport fishing for king salmon on the Gulkana and Klutina rivers will continue to decline. Decreased economic value for the area affected.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It will allow more allocation of king salmon for the Gulkana and Klutina rivers for sport fishing. Dipnetters are usually targeting red salmon, so letting go the kings caught by dipnetters will go directly to the allocation of kings for sport fishing in the two mentioned rivers above.

WHO IS LIKELY TO BENEFIT? All sport fishermen on the Gulkana and Klutina Rivers.

WHO IS LIKELY TO SUFFER? A few dipnetters who will have to return the kings back to the river.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Upper Tanana/Forty Mile Advisory Committee

(I-05-F-002)

PROPOSAL 15 - 5 AAC 77.591. Copper River personal use dip net salmon fishery management plan. Amend the regulation as follows:

Every member of a household is allowed one chinook salmon. In other chinook salmon fisheries a license holder is allowed four or five chinook for the season, and a member of a household should be able to keep one chinook salmon in the dip net fishery in the Chitina subdistrict on the Copper River.

ISSUE: Chinook salmon limit for a household of two or more.

WHAT WILL HAPPEN IF NOTHING IS DONE? With only one permit per household the other members of the household are being discriminated against when only one chinook can be taken for the household.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It would allow more chinook salmon for the household table and would also let them share chinook salmon with another family who could not go to Chitina.

WHO IS LIKELY TO BENEFIT? A household of two or more.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Chitina Dipnetters Association (I-05-F-004)

PROPOSAL 16 - 5 AAC 77.591(e). Copper River personal use dip net salmon fishery management plan. Amend the regulation as follows:

(e) The annual limit for a personal use salmon fishing permit is 15 salmon for a household of one person and 30 salmon for a household of two or more persons, of which no more than **two** [ONE] may be a king salmon....

ISSUE: The decrease in the annual harvest of king salmon within the Chitina subdistrict personal use fishery. The one king salmon limit was imposed during the 2000 season and was intended to reduce the overall king salmon harvest for the fishery by 50 percent, which at that time was 6,300. The harvest of king salmon has averaged 2,100 since 2002 which is better than 1,000 fish less than what was intended with this bag limit reduction. Since 2002 the minimum drainage-wide escapement goal for king salmon of 24,000 has been exceeded by approximately 8,000 fish per year.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Chitina dipnetters will continue to forego a harvest of at least 1,000 king salmon per year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Alaskans using the Chitina fishery to put high quality salmon on their dinner tables.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Charles Derrick (I-05-F-005)

PROPOSAL 17 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend this regulation to allow the following:

Salmon seine permit holders in Prince William Sound shall have the right to form coops. The Department of Fish and Game shall manage the fishery in a manner that equitably divides the resource between coop members and non-coop members. If 200 permit holders participate in the fishery and 100 of those participants are in a coop or coops and 100 fishermen are not in a coop, 50 percent of the resource shall go to the non-coop fishermen and 50 percent shall be awarded to the coop or coops based on the size of each coop in relationship to the percentage they make up of the total participants that year. A group of 50 permit holders in a coop would garner 25 percent of the

resource (if 200 permit holders were active that year). Permit holders that do not fish or join a coop shall not be awarded any of the resource.

ISSUE: The sliding value of permits and the ability of Prince William Sound salmon seine permit holders to earn a living.

WHAT WILL HAPPEN IF NOTHING IS DONE? The resource will be left to a small group of survivors. The ability to collectively bargain for fair fish prices will be reduced. Permit prices will sink even lower. The state will collect less fees. State jobs will be reduced. More bankruptcies will ensue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, more fish will be caught per set. Fish will be handled less and rarely squeezed in brailers and rolling panels because tenders can pump directly from the seine on big hauls.

WHO IS LIKELY TO BENEFIT? The majority of permit holders, the State of Alaska as permit prices rise, permit brokers, Prince William Sound municipalities and processors.

WHO IS LIKELY TO SUFFER? Those that have markets and have dreams of dominating the fishery. Sellers of boat insurance, fuel, marine hardware, etc. Less jobs will be available but the jobs that are available will be more lucrative for college students seeking summer work.

OTHER SOLUTIONS CONSIDERED? Buy-backs are too slow and expensive. Permit stacking is workable and permit prices will rise but it will tend to benefit the wealthy more than the poor or financially challenged.

PROPOSED BY: Paul Harder (HQ-05-F-008)

PROPOSAL 18 - 5 AAC 24.370(d)(5). Prince William Sound management and salmon enhancement allocation. Amend the regulation as follows:

Purse seine gear is the only commercial salmon gear allowed in the Coghill District May 25 through September 30.

ISSUE: The regulations allow drift gillnets to be operated throughout the Coghill District and restricts purse seine gear to July 21 and after. The purse seine fleet is far below its 49 percent allocation and needs exclusive access to the Coghill District.

WHAT WILL HAPPEN IF NOTHING IS DONE? The purse seine fleet will continue to harvest less than the 49 percent allocated in the PWS management and allocation salmon plan.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The purse seine fleet.

WHO IS LIKELY TO SUFFER? The drift gillnet fleet.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Leroy L Cabana

(HQ-05-F-058)

PROPOSAL 19 - 5 AAC 24.370(e). Prince William Sound management and salmon enhancement allocation. Amend the regulation as follows:

Delete (e)(1) which allows the driftnet fleet access to Port Chalmers if it caught 40 percent or less the previous year.

ISSUE: The drift gillnet fleet is allowed access to the Port Chalmers subdistrict. This has always been a seine-only district and as the drift gillnet fleet is harvesting more than 50 percent of the value this is wrong.

WHAT WILL HAPPEN IF NOTHING IS DONE? It is possible the drift gillnet fleet might be allowed to fish in a seine-only district.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The purse seine fleet.

WHO IS LIKELY TO SUFFER? The drift gillnet fleet.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Leroy L. Cabana

(HQ-05-F-059)

PROPOSAL 20 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation. Amend the regulation as follows:

Using a five-year rolling average, the catch value percentage for each gear group shall be determined. This will be determined by October 1 of each year. If either the seine fleet or the drift gillnet fleet is more than 5 percent below their allocation percentage, that gear group shall have exclusive access to the entire Esther Subdistrict for the entire salmon season the next year.

ISSUE: The current allocation plan in Prince William Sound is ineffective.

WHAT WILL HAPPEN IF NOTHING IS DONE? The allocation plan will continue to be out of balance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All Prince William Sound salmon harvesters.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Leroy L. Cabana

(HQ-05-F-060)

PROPOSAL 21 - 5 AAC 24.370(d)(5)(C)(1). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Change “fishing periods” to “a year” to be consistent with the Coghill District:

(i) during **a year** [FISHING PERIODS] when the Esther Subdistrict...

ISSUE: Inconsistency in regulation creates confusion and allows excessive drift gillnet harvest of chum salmon in Ester subdistrict.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued excessive gillnet chum salmon harvest further exacerbating the allocation seine fleet inequity.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Increased seine harvest opportunity.

WHO IS LIKELY TO SUFFER? Decreased drift gillnet harvest opportunity.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Emil Nelson

(HQ-05-F-081)

PROPOSAL 22 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete provisions for the Coghill District in (5)(B): beginning July 21, purse seine gear may be operated throughout the district during periods established by EO while the harvestable surplus is predominately pink salmon by number;

ISSUE: Unnecessary restriction of seine fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued restricted/lost opportunity for seine fleet to harvest salmon. Continued allocation inequity for seine fleet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Increased seine fleet opportunity helping restore allocation plan equity.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Emil Nelson

(HQ-05-F-082)

PROPOSAL 23 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation. Amend the regulation as follows:

Allow chum salmon seine harvest from June 1 to July 15 in entire terminal harvest area and special harvest area.

ISSUE: Special harvest area unnecessarily too small a harvest area for chum salmon.

WHAT WILL HAPPEN IF NOTHING IS DONE? Unnecessary congestion and continued lower fish quality.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, timely harvest ensures quality and prevents buildup in Sawmill Bay.

WHO IS LIKELY TO BENEFIT? Seine fleet and overall market quality.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Tim Moore and Jessie Nelson (HQ-05-F-083)

PROPOSAL 24 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete sections (2)(A) and (B), the Southwest District, from 5 AAC 24.370(d).
Add Southwestern district to 5 AAC 24.370 (d)(1) to open and close by EO based on strength of wild and enhanced stocks.

ISSUE: Current regulations do not allow seine fleet to harvest salmon in the Southwest District prior to July 18. This exacerbates the seine fleet allocation inequity.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued lost harvest opportunity for seine fleet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Opportunity to harvest higher quality fish.

WHO IS LIKELY TO BENEFIT? Seine fleet, improved markets for everyone.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Tim Moore (HQ-05-F-085)

PROPOSAL 25 - 5 AAC 24.xxx. Vessel length in Prince William Sound. Create a new regulation as follows:

Remove the 58 foot length limit for salmon harvest vessels in Prince William Sound.

ISSUE: The 58 foot length limit for harvesting vessels in Prince William Sound does not allow fishermen to use a big enough vessel to both catch, and then process their own catch onboard the harvest vessel.

WHAT WILL HAPPEN IF NOTHING IS DONE? The 58 foot length limit will continue to make it impossible to utilize a vessel big enough to both harvest and process the salmon catch onboard the same vessel.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Any fisherman who decides to process his own catch onboard his own harvest vessel.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Al Kapp (HQ-05-F-099)

PROPOSAL 26 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Determine a five-year rolling average for the sockeye price that the set gillnet fleet has received in the preceding five years, as well as determine a five-year rolling average of the total harvest value for Prince William Sound. Then use this five-year average price to calculate the current year set gillnet harvest value, stopping the set gillnet harvest for the remainder of the fishing season when the set gillnet harvest value equals 1.5 percent of the total Prince William Sound five-year rolling average harvest value.

ISSUE: The set gillnet fleet continues to catch far in excess of their 1 percent total harvest value allocation as stated in 5 AAC 24.370.

WHAT WILL HAPPEN IF NOTHING IS DONE? The set gillnet fleet will continue to exceed their one percent harvest value allocation.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The seine and drift gillnet harvest groups.

WHO IS LIKELY TO SUFFER? The set gillnet harvest group.

OTHER SOLUTIONS CONSIDERED? Considered giving the set gillnet fleet one-half or even one-third of the fishing time that the drift gillnet fleet receives within the Eshamy Subdistrict. Rejected because this method would not result in as an accurate reaching of the set gillnet harvest allocation goal.

PROPOSAL 27 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

The long-term solution is to delete wild salmon from the formula for the allocation of enhanced salmon. All PWSAC production is marked and therefore distinguishable from wild with a very high level of confidence.

(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 [WILD AND] enhanced salmon among the drift gillnet, seine, and set gillnet commercial fisheries, and to reduce conflicts among these users. With these objectives in mind, it is in the intent of the Board of Fisheries (board) to allocate the [WILD AND] enhanced salmon stocks in the Prince William Sound Area to maintain the long-term historic balance between competing commercial users....

(b) Each year, the department shall determine the ex-vessel value of [WILD AND] enhanced salmon taken in the drift gillnet, seine, and set gillnet fisheries in the Prince William Sound Area...

Delete the provisions in (d)(5)(c)(i) and (ii), and (5)(D) for the Esther Subdistrict.

Delete the provisions in (e)(1) and (e)(2) describing actions the department will take if either fleet catches 40 percent or less of ex-vessel value of stocks.

ISSUE: The problem is the inclusion of wild salmon in the equation allocating enhanced salmon. The value of wild salmon was included in the Prince William Sound management and salmon enhancement allocation plan because there was not a specific value for enhanced salmon stocks that could be demonstrated. In 1991, the department lacked the tools for distinguishing with a high level of confidence, between hatchery and wild salmon. Prince William Sound Aquaculture Corporation (PWSAC) had one figure and the department computations resulted in a different value. Both figures were based on “best available science” estimates but because both computations had somewhat different assumptions; neither could be proven to be more accurate than the other. The regional planning team made the assumption that the value of wild fish would continue to contribute the historical (1960-1979) percentage of: 51.5 percent to the drift gillnet, 47.3 percent to the seine, and 1.2 percent to the set net fleets.

The original management plan (that buried the hatchet between the gear types) was an attempt to deliver enhanced salmon to the gillnet fleet by restricting the beginning and end of the seine season in specific districts to restrict their interception of enhanced salmon. 1991-1992 Cook Inlet/Prince William Sound commercial fishing regulations, “...it is the intent of this plan to provide an opportunity of enhanced returns of early timing chum, sockeye, and chinook salmon to the gillnet districts of Prince William Sound for the explicit benefit of the gillnet users. It is also the intent of this plan to provide an opportunity for development of coho salmon returns after August 25 for the gillnet fleet. The board recognizes that enhanced species returning to the gillnet districts during the primary seine fishery in western Prince William Sound between July 18 and September 1 will be subjected to considerable seine interception and cannot be explicitly targeted to the gillnet fleet....”

Shifts in the value of salmon have invalidated the assumption that wild fish would continue to contribute historic value to the fleets. Copper River sockeye and chinook salmon are maintaining,

and even gaining value through marketing efforts by the gillnet fleet, and pink salmon prices, the mainstay of the seine fishery, have remained severely depressed.

WHAT WILL HAPPEN IF NOTHING IS DONE? The seine fleet will continue to gain more access to the enhanced salmon in PWS which were explicitly allocated in 1991 to the drift gillnet fleet. The enhancement tax, Valdez Fisheries Development Association, and PWSAC will subsidize the seine fleet until the price of pink salmon increases; then this board will be back to where they were in 1991 trying to deliver more enhanced salmon value to the drift gillnet fleet.

New regional marketing efforts by the gillnet fleet to maintain markets for our premium Copper River sockeye and chinook production will be penalized; every extra dime in income will be lost through allocation of hatchery stocks in the sound to make it all come out even.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It encourages the continued development of “high quality” gillnet markets. Quality always improves marketing opportunity. The gillnet fleet is active in marketing their catch, and is the first region and gear type in the state to hold a vote on voluntary assessment for marketing tax. The fleet cannot invest in marketing fish they may not have access to in the future. It is futile to market fish when the increased value gained from marketing is a penalty in the allocation formula.

WHO IS LIKELY TO BENEFIT? Over time it will be an equitable solution. It recognizes that wild fish and the traditional fisheries on them should be maintained, and that there is a common interest across gear types in shared value of the enhanced stocks produced for the fisheries. This board would benefit from not having to revisit this management plan as they have every cycle since adoption.

WHO IS LIKELY TO SUFFER? A fair distribution of enhanced stocks based on the historical averages will both benefit and have negative impacts at times on all gear groups. This year’s winners may be next year’s losers as runs vary in size and the price of salmon fluctuates.

OTHER SOLUTIONS CONSIDERED? We found no solution that included wild fish in the allocation formula to be equitable. The department uses data from modern marking techniques distinguishing wild from enhanced with high levels of confidence. Enhanced salmon can be and should be the only salmon in the equation for the distribution of enhanced salmon in the Prince William Sound management and salmon enhancement allocation plan.

PROPOSED BY: CDFU Gillnet Division (HQ-05-F-120)

PROPOSAL 28 - 5 AAC 24.370(e). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete paragraph (e) of 5 AAC 24.370. The change would result in Pt. Chalmers becoming seine only area, and the Coghill District becoming gillnet only area only prior to July 21.

ISSUE: The inability or unwillingness of some past boards to correctly interpret and uphold the intent and objectives of Prince William Sound Aquaculture Corporation’s (PWSAC) corporate allocation policy has resulted in the reallocation of Wally Noerenberg Hatchery (WNH) (Esther Island) chum salmon to the seiners. Under 5 AAC 24.370 these chums were promised to the

gillnetters with inspection they would never be taken away in the future. The exclusive gillnet opportunity to harvest early chum salmon returning to the Esther Island subdistrict must be restored.

The roots of this problem can be traced all the way back to the creation of the PWSAC corporate allocation policy in 1990 which was adopted by reference into the Prince William Sound management and salmon enhancement allocation plan 5 AAC 24.370. A brief summary of the policy follows, PWSAC would allocate enhanced salmon to the commercial user groups at 50 percent drift gillnet, 49 percent seine, 1 percent set gillnet. Assuming that wild stock salmon would continue to be harvested at these same ratios it was anticipated that the harvest value of all returning salmon to the gear groups would be maintained at 50, 40 and 1 percent. Finally, any adjustments to correct allocation disparities would be made from additional or new production and not through reallocation. Gear groups were assured that this original production would never be taken from one group and given to another to achieve the 50/49/1 harvest balance called for in the policy.

Fourteen years later the PWSAC allocation policy has not been changed. Yet much of what the policy set out to accomplish has now either been forgotten or distorted and confusion continues to surround its interpretation. Seiners have continually attempted to shift the focus away from the primary goal of the policy. Additionally they have simply refused to accept or acknowledge little else of what was agreed upon in the policy. Most notably how and how not allocation percentages were to be achieved, to them it has been all about the 50, 49, 1 percent split of all returning salmon and nothing else. So today there exists two very different and competing views of the allocation policy.

- 1.) The allocation policy says that enhanced salmon will be allocated in any way that continually maintains the harvest balance of all returning salmon at 50/49/1, even if it requires reallocation of original production to make it happen. Wrong.
- 2.) The allocation policy says that the 50/49/1 harvest balance of all returning salmon is the anticipated consequence of two separate and distinct events happening. Wild stock salmon harvest values remaining at 50/49/1 and PWSAC salmon being harvested at 50/49/1. And if this harvest balance is not being maintained due to wild stock failures or changing fish values, then production will be planned to re-balance the ratio. Right.

The first view is a popular myth perpetuated by the seiners since 1991 and used over and over again as justification for getting access to salmon explicitly produced for, and allocated to, the gillnetters in the Coghill and Eshamy districts.

The second view is written in black and white and can be found in the document titled "Clarification Statements to the Allocation Policy."

Past members of the board have been lost somewhere inbetween these two views, especially in the 1990s. At times, they chose to reallocate gillnet production, at other times they recognized the consequences to the gillnetters and PWSAC and took no action. The board's inconsistent position on this issue is very troubling for the gillnetters. However, in 2004 just one year after their regularly scheduled meeting during which the board amended the section (e) "trigger to 40 percent" the board convened a special "out of cycle" meeting to consider raising it to 49 percent. Now it seems all but certain as we head into the 2005-2006 cycle with continued low pink salmon prices, that unless the board is willing to reconsider its position, more reallocation of PWSAC salmon to the 50/49/1 is likely. This represents a significant departure from the original policy and leaves the gillnetters vulnerable to losing even more opportunity to harvest enhanced salmon promised to them.

The gillnet division sincerely believes that before any deliberations can take place on this or any other proposals addressing allocation, the board read carefully both the allocation policy and the policy clarification statements.

WHAT WILL HAPPEN IF NOTHING IS DONE? If this proposal is not adopted the seiners will continue to harvest approximately 50 percent of the chums returning to WNH, chums promised to the gillnetters. By 2008 with the first returns of new chum production to Armin F. Koernig hatchery and Pt. Chalmers, the seiners are likely to harvest more than 70 percent of the total PWSAC chum run. This fact combined with their almost exclusive access to PWSAC pinks and an opportunity to intercept Main Bay sockeye while fishing on WNH chums adds up to what gillnetters believe is a disproportionately large and unfair share of PWSAC salmon to going to the 105 active seiners.

Allocation policy continues to be misunderstood and misinterpreted. If reallocation to achieve 50, 49, and 1 percent is still recognized as appropriate, then any lasting resolution to this issue remains unlikely. If nothing is done, there will be more lost opportunity for the gillnet fleet in the Coghill District. The consequences of this action could be far reaching and realistically jeopardize fishing time in the Copper River District. And finally, any reallocation from the gillnetters to the seiners works only one way. It is inconceivable to think that the gillnet fleet could ever harvest several million pink salmon to make up for an extended downturn on the Copper River.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The seiners—Pt. Chalmers once again becomes seine only area. The gillnetters—exclusive opportunity to harvest chums returning to WNH will be restored. PWSAC—achievement of chum cost recovery goals becomes easier and more certain without seiners fishing every other period. PWSAC board polarization will likely disappear and members can once again get down to doing the business of the corporation, creating opportunity for all user groups without fear the board may someday do otherwise. The department—area biologists will no longer have to endure intense lobbying by both groups in regard to waters open to commercial fishing when seiners are in Esther Island subdistrict. All fishermen will never have to fear losing fishing opportunity to correct allocation percentages in the future.

WHO IS LIKELY TO SUFFER? The seiners lose the opportunity to harvest approximately 37 percent of the total PWSAC chum return on years when paragraph (e) would have been triggered. Seiners will still harvest approximately 29 percent of the Esther chums by 2008.

OTHER SOLUTIONS CONSIDERED? Amend paragraph (e) by reducing “trigger” to 25 percent effective 2008. Esther Island subdistrict becomes seine area only July 21 through September 1. This solution would still allow seine access to gillnet salmon.

PROPOSED BY: Richard Casciano (HQ-05-F-132)

PROPOSAL 29 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Delete (a), (b), (c), and (e)

ISSUE: The divisive nature of the current allocation plan.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued disputes over allocation issues.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The gillnet fleets.

WHO IS LIKELY TO SUFFER? The seine fleet.

OTHER SOLUTIONS CONSIDERED? As a member of the Prince William Sound allocation committee I have studied many solutions.

PROPOSED BY: Al Whaley (HQ-05-F-172)

PROPOSAL 30 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Rewrite the regulation as the original Prince William Sound management and salmon enhancement allocation plan was written in the 1991-1992 Cook Inlet/Prince William Sound commercial fishing regulations. This was the working that the seine, drift gillnet, and set gillnet fleets agreed to in 1991.

ISSUE: The Prince William Sound management and salmon enhancement allocation plan which is unrecognizable when compared to the plan the stakeholder of Prince William Sound agreed to in 1991.

WHAT WILL HAPPEN IF NOTHING IS DONE? This board will continue to address complaints and try to solve problems with the plan every board cycle. The Prince William Sound Aquaculture Corporation (PWSAC) plans for production will also suffer without long-term goals.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Since the drift gillnet fleet is active in marketing their catch and quality determines the markets available; quality would improve as marketing programs develop. The fleet cannot invest in marketing fish they do not have any assurance that they will have access to in the future. Without marketing, the drift fleet routinely receives more value for their salmon than is reported by the seine fleet.

WHO IS LIKELY TO BENEFIT? PWSAC would benefit from a clear direction in production plans, the state would benefit from higher revenues, and the gillnet marketing program would benefit from planning which could be long-term. The drift gillnet fleet would benefit having access to fish which were developed for the gillnet fleets. Dual permit holders who do not have a pink market for their seine fish would have access to fish they do have a market for. This board would benefit by not having to change the policy every cycle.

WHO IS LIKELY TO SUFFER? The seine permit holders who have lobbied this board and have helped change all the original intentions of the plan which was originally agreed to by all of the salmon user groups in PWS.

OTHER SOLUTIONS CONSIDERED? Leave the plan as written and continue to customize it every finfish board cycle to reflect the current conditions. This idea was rejected because it would demand the board make constant changes and preempt any long-term planning.

PROPOSED BY: Robert E. Maxwell (HQ-05-F-189)

PROPOSAL 31 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

(d)(3) Perry Island Subdistrict:

(A) before July **10** [21], the Perry Island Subdistrict is closed to salmon fishing;

(B) on or after July **10** [21], purse seines may be operated during periods established by emergency order based on the strength of pink salmon stocks;

ISSUE: Loss of traditional purse seine area; traditional wild stock pink salmon. Due to the high percentage of PWSAC cost recovery pink salmon, 86 percent in 2004 and projected 72 percent in 2005, the seine fleet needs access to the traditional wild stock pink salmon in the Perry Island Subdistrict.

WHAT WILL HAPPEN IF NOTHING IS DONE? Seiners will continue to lose the historic percentage of wild pink salmon that the allocation plan is based upon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Catching pink salmon earlier in their life cycle will improve quality.

WHO IS LIKELY TO BENEFIT? Seiners.

WHO IS LIKELY TO SUFFER? Gillnetters and set netters will lose a portion reallocated wild stock.

OTHER SOLUTIONS CONSIDERED? Make the Perry Island Subdistrict season opened and closed by emergency order based on the strength of wild and enhanced stocks. Rejected because of interception of allocated enhanced fish before July 10.

PROPOSED BY: Victor E. Jones (HQ-05-F-155)

PROPOSAL 32 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

(d)(2) Southwestern District:

(A) Before July **10**, [18] the Southwestern District is closed to salmon fishing;

(B) On, or after July **10**, [18] purse seines may be operated during periods established by emergency order based on the strength of pink salmon stocks;

ISSUE: Continued closure of Prince William Sound traditional seine area. Due to a high percentage of PWSAC cost recovery pink salmon, 86 percent in 2004 and projected 72 percent in 2005, the seine fleet needs access to the traditional wild stocks in the Southwestern District.

WHAT WILL HAPPEN IF NOTHING IS DONE? Seiners will continue to lose the historic percentage of wild stock pink salmon that the allocation plan is based upon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Catching pink salmon earlier in their lifecycle will improve quality.

WHO IS LIKELY TO BENEFIT? Seiners.

WHO IS LIKELY TO SUFFER? Gillnetters and set netters will lose a portion of their allocated wild stock.

OTHER SOLUTIONS CONSIDERED? Make the Southwestern District season opened and closed by emergency order based on the strength of wild and enhanced stocks. Rejected because of interception of Main Bay sockeye and Esther chum before July 10.

PROPOSED BY: Victor E. Jones (HQ-05-F-156)

PROPOSAL 33 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

(d)(5) Coghill District:

(A) [EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,] **D** [D]rift gillnet **and seine** gear may be operated throughout the district during periods established by emergency order;

Delete paragraphs (d)(5)(B) through (D).

ISSUE: The disparity between actual seine harvest and the Prince William Sound management and salmon enhancement allocation plan. Specifically, removal of the July 21 start date in the Coghill District, and to allow seine gear on alternating openers.

WHAT WILL HAPPEN IF NOTHING IS DONE? The continued economic destruction of the seine fleet and lost opportunities to direct market sockeye salmon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The seine fleet.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gregory R. Gabriel, Jr. (HQ-05-F-179)

PROPOSAL 34 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Close the Southwest, Perry Island, Coghill and Eshamy Districts during periods when Esther Subdistrict is open.

ISSUE: Continued disparity between the intent of the allocation plan and opportunities for the seine fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? The allocation plan will be contra to the Limited Entry Act, the Alaska Constitution, and the United States Constitution.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, chum and sockeye salmon would be efficiently harvested and chilled by seine boats with RSW.

WHO IS LIKELY TO BENEFIT? The seine fleet.

WHO IS LIKELY TO SUFFER? Gillnetters will have to give up excess allocation percentages.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gregory R. Gabriel, Jr. (HQ-05-F-180)

PROPOSAL 35 - 5 AAC 24.370(d). Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

The July 18 start date in the Southwest District should be repealed. One seine opening per week held concurrently with openings in the Copper River District.

ISSUE: Disparity between the intent of the regulation and the exvessel value achieved by the seine fleet.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Prince William Sound management and salmon enhancement allocation plan will be in continued violation of the Limited Entry Act, the Alaska Constitution and the United States Constitution.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, chum and sockeye salmon would be harvested away from terminal fisheries.

WHO IS LIKELY TO BENEFIT? The seine fleet will reach parity with the gillnet fleet under the management plan.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED? Other solutions are addressed in another proposal.

PROPOSED BY: Gregory R. Gabriel, Jr. (HQ-05-F-181)

PROPOSAL 36 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend the regulation as follows:

Allow an experimental fishery regulated through assigned harvest share. Management will determine an allowable harvest in appropriate time intervals during the season based on projections and updated as feasible to distribute harvest. Harvest share will be available to permit holders who choose to operate under the experimental regulation. Consideration should be given for history or participation, production and possibly more. To lower costs, more than one permit holder will be allowed to harvest their shares on the same vessel.

ISSUE: Low prices for salmon have led to very low levels of participation in the seine fleet. Hatcheries needing to harvest the majority of their production to cover costs, sell directly to the processors in increasing volumes. The opportunity to participate in the seine fishery is determined by processors, who do not provide a market to many permit holders. Fishermen are not opting out of the fishery, they are being forced out. Processors either lack the ability or the motivation, or both, to improve the market. The fishery needs to be able to evolve so that the benefit reaches a greater number of participants. Limited Entry as it exists poses significant obstacles to participants in this fishery that prevent them from doing something to improve the situation. Regulation needs to be adapted to enable fishermen to get better value out of their product. Better prices and open markets will bring more participants back into the fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? If this problem is not addressed, the common property fishery will be harvested by a very small group of permit holders who are enabled by the processors, rather than the entry system. The fishery will be run according to the design of the food industry, without achieving the purpose of limited entry, which is to bring the greatest benefit to the greatest number of people.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Salmon harvested in this manner can be of optimal quality. Although it is a common problem in the competitive fishery, there will be no pressure on the fishermen of a harvest share to compromise quality in the interest of catching volume. Their advantage will be their ability to produce the highest quality.

WHO IS LIKELY TO BENEFIT? Assigned harvest share enables fishermen to market their production in a wider range of options. New methods and relationships can arise. The seine fleet can benefit through lower operating costs and better prices. Processors can get a better product, and a new basis for partnerships with fishermen. Although initially processors may think they are being circumvented, soon enough production and market innovation can benefit them as well. Most of all, better prices will benefit many in the and out of the industry.

WHO IS LIKELY TO SUFFER? Those who will suffer will be those who are currently harvesting a significant proportion of the common property fishery rather exclusively for the processors, because they have markets while others do not.

OTHER SOLUTIONS CONSIDERED? Cooperative—this is not an option at this time according to the courts. Also, consolidation of the harvest by a single coop can tend to marginalize processors.

Full-scale rationalization—this could be more socially disruptive than a cooperative. Recent lack of participation on the part of a majority of the fleet makes this awkward.

Gear Reduction—this is considered viable by some. However, the publicly funded Bristol Bay Restructuring Study compared among other options buy-backs and assigned harvest share. It

projects that harvest share has much greater potential to improve the value retained from a fishery than buying back permits.

PROPOSED BY: Mike Meints and Stuart Deal (HQ-05-F-182)

PROPOSAL 37 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan; and 5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan. Amend these regulations to include the following:

Hatchery chum salmon production for the Prince William Sound and Southeast Alaska areas needs to be reduced by 30 percent.

ISSUE: The wild salmon stocks of Alaska take priority over artificially produced salmon, hatchery raised chum salmon in Prince William Sound and Southeast/Yakutat areas. The survivability of wild salmon stocks in the ocean environment is crucial to future viability of the subsistence and other fisheries of the Yukon River. Leading scientists believe the ocean is over-grazed, threatening the ocean survival of Alaska's wild salmon stocks. Also, the ocean competition from the larger hatchery raised chum salmon directly impacts the survivability of wild salmon stocks. The potential of overgrazing and the competitive disadvantage of Alaska's wild salmon stocks need immediate attention.

WHAT WILL HAPPEN IF NOTHING IS DONE? 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 Yukon River salmon stocks will be delayed or reversed. The Alaskan fishermen dependent for the subsistence needs on these wild stocks will continue to have their needs not met; the inriver commercial fisheries, that many rural Alaskan communities are economically dependent on, will be curtained or closed. Without healthy and robust Alaskan wild salmon runs, the economy and foundation of a majority of the Yukon River communities will collapse.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal would improve the quality of the Alaskan wild salmon resource because it would reduce the competition of this valuable resource from too many hatchery-raised chum salmon and address the concern of overgrazing the ocean environment. Protecting Alaska's wild salmon stocks should be the number one priority. These wild stocks have played a central role with the history of Alaska and the Yukon River wild salmon stocks are the cornerstone to Yukon River subsistence way of life.

WHO IS LIKELY TO BENEFIT? Subsistence, commercial, and sport fishermen throughout the Yukon River drainage will benefit from passage of this proposal. Wildlife populations dependent on the returning wild stocks will benefit.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? No other solutions were considered.

PROPOSED BY: Eastern Interior Subsistence Regional Advisory Council (HQ-05-F-092)

PROPOSAL 38 - 5 AAC 24.370. Prince William Sound management and salmon enhancement allocation plan. Amend this regulations as follows:

Reduce hatchery production of pink and chum salmon in Prince William Sound by at least 50 percent of the 2003 production. This reduction is only what the hatchery management promised the board and the governor in RC 360 at the January 2001 board meeting.

Note: A similar proposal is submitted for the Southeast Alaska Area.

ISSUE: Enhanced salmon, pink and chum, replacing wild stocks. Competition from hatchery salmon in the marine environment on wild stocks.

WHAT WILL HAPPEN IF NOTHING IS DONE? Wild stocks will continue to be at low abundance.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? All wild stocks of pink, chum and sockeye salmon.

WHO IS LIKELY TO SUFFER? In the long run, all fishers in Alaska.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Virgil L. Umphenour (HQ-05-F-184B)

PROPOSAL 39 - 5 AAC 24.200. Fishing districts, subdistricts, and sections. Amend the regulation by adding the following:

Create a new subdistrict encompassing waters one mile offshore of the west side of Esther Island and all waters of Esther Pass not already included in the Esther Subdistrict.

ISSUE: The inability of Prince William Sound Aquaculture Corporation (PWSAC) to meet cost recovery goals at Wally Noerenberg Hatchery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continuing revenue shortfalls for PWSAC.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it would allow the cleanup of hatchery chums when the Coghill District is closed for sockeye escapement to Coghill.

WHO IS LIKELY TO BENEFIT? All users of enhanced chums from Wally Noerenberg Hatchery.

WHO IS LIKELY TO SUFFER? The gillnet fleet targeting Coghill stock sockeye.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Cordova District Fishermen United—Seine Division (HQ-05-F-225)

PROPOSAL 40 - 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery management plan. Amend the regulation to provide the following:

Create a Granite Bay Subdistrict that would include all of Esther Pass and waters within one mile of the western shore of Esther Island. This area would be managed by emergency order to achieve the desired return of chums into the Esther Subdistrict.

ISSUE: Substantial numbers of chum, bound for Wallace Noerenberg Hatchery are intercepted by the commercial fishery prior to entering the Esther subdistrict. This has caused problems for Prince William Sound Aquaculture Corporation (PWSAC) in achieving cost recovery on chums.

WHAT WILL HAPPEN IF NOTHING IS DONE? PWSAC will continue to have problems achieving cost recovery and brood stock on Wally Noerenberg Hatchery chums. Fish intended for common property harvest in the Esther Subdistrict will continue to be intercepted outside the subdistrict.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? PWSAC and the common property fishermen in the Esther Subdistrict.

WHO IS LIKELY TO SUFFER? Fishermen who have used the Coghill sockeye fishery as an excuse to harvest large volumes for chums bound for Wally Noerenberg Hatchery.

OTHER SOLUTIONS CONSIDERED? Closing entire Coghill District (except Esther Subdistrict) south of Pakenham Point prior to July 15.

PROPOSED BY: Emil Nelson (HQ-05-F-084)

PROPOSAL 41 - 5 AAC 24.332. Seine specification and operation. Amend the regulation as follows:

A purse seine is considered to have ceased fishing when both ends of the seine are attached to the fishing vessel.

ISSUE: Change the regulation from a purse seine is considered to have ceased fishing when “all the rings are out of the water” to: “both ends of the seine are attached to the fishing vessel.”

WHAT WILL HAPPEN IF NOTHING IS DONE? Difficult to enforce. When ends are attached to the boat, fish can be lost but not caught.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Enforcement personnel, salmon seiners.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: David Clemens (SC-05-F-001)

PROPOSAL 42 - 5 AAC 24.200. Fishing districts, subdistricts, and sections. Amend the regulation as follows:

When Esther Subdistrict is open, the current Coghill District line will remain as currently written. When Esther Subdistrict is closed, the southern Coghill District line will be from Esther Rock to Point Pigot at 60° 48.21 N. lat., 148° 20.90 W. long.

ISSUE: Current Coghill District southern boundary line is difficult to enforce and this line also enables interception of stocks bound for the Main Bay in Eshamy District.

WHAT WILL HAPPEN IF NOTHING IS DONE? Main Bay sockeye salmon will continue to be intercepted in Coghill District. The Coghill District southern boundary lines will continue to be an enforcement issue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Fishing opportunity will be more directed at stocks within the fishing districts to which they are returning. Interception of stocks will be decreased.

WHO IS LIKELY TO BENEFIT? PWSAC cost recovery efforts, setnetters, drift gillnet fishermen, and potentially seine fishermen when allocation plan is in effect.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Copper River/Prince William Sound Advisory Committee (SC-05-F-013)

PROPOSAL 43 - 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery management plan. Amend the regulation as follows:

(d) The Wally Noerenberg Hatchery Special Harvest Area consists of the waters of Lake Bay north of 60° 47.56’N. lat. and waters of Esther Passage north of 60° 49.51’N. lat. and south of 60° 53.30’ N. lat. within 300 fathoms of Esther Island.

ISSUE: The existing special harvest area is a very small terminal area directly in front of the hatchery. This location effectively delays Prince William Sound Aquaculture Corporation’s cost recovery operations until the adult salmon mature and enter the area to spawn. The delay in cost recovery in turn delays the commercial fishery, affecting the quality of the harvest and causes congestion of the fleet during the short open commercial fishing periods.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cost recovery operations will continue to be delayed and affect the commercial fishery as stated above.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Expanding the special harvest area will provide PWSAC the ability to harvest

hatchery fish before they mature and move into the terminal area. This will directly improve the quality of the cost recovery harvest. The quality of the commercial fishery harvest will also improve as it will not be delayed due to cost recovery operations.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, processors, and PWSAC.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-018)

PROPOSAL 44 - 5 AAC 24.368. Wally Noerenberg (Esther Island) Hatchery management plan. Amend the regulation as follows:

Delete section (c), The Wally Noerenberg Hatchery Terminal Harvest Area.

(d) The Wally Noerenberg Hatchery Special Harvest Area consists of the waters of **the Esther Subdistrict within 300 fathoms of Esther Island.** [LAKE BAY NORTH OF 60° 47.56' N. LAT.]

ISSUE: The existing special harvest area (SHA) is a very small terminal area directly in front of the hatchery. This location effectively delays Prince William Sound Aquaculture Corporation's cost recovery operations until the adult salmon mature and enter the area to spawn. The delay in cost recovery in turn delays the commercial fishery, affecting the quality of the harvest and causes congestion of the fleet during the short open commercial fishing periods.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cost recovery operations will continue to be delayed and affect the commercial fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Expanding the SHA will provide PWSAC the ability to harvest hatchery fish before they mature and move into the terminal area. This will directly improve the quality of the cost recovery harvest. The quality of the commercial fishery harvest will also improve as it will not be delayed due to cost recovery operations.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, processors, and PWSAC.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-019)

PROPOSAL 45 - 5 AAC 24.367. Main Bay Salmon Hatchery Harvest management plan. Amend the regulation to provide a new SHA as follows:

(x) The Main Bay Hatchery/Marsha Bay Special Harvest Area consists of the waters of Marsha Bay west of 147° 39.70'W. long.

ISSUE: A special harvest area does not exist in regulation to allow Prince William Sound Aquaculture Corporation (PWSAC) to harvest Main Bay Hatchery sockeye salmon returning to Marsha Bay, Knight Island for cost recovery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department would need to issue emergency orders detailing cost recovery opening and closing dates.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, PWSAC, and the department.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-020)

PROPOSAL 46 - 5 AAC 24.367. Main Bay Salmon Hatchery Harvest management plan.
Amend the regulation as follows:

(e) The Main Bay Hatchery Special Harvest Area consists of the waters of Main Bay west of a line from 60° 31.61' N. lat., 148° 05.02' W. long. to 60° 31.85' N. lat., 148° 05.42' W. long. **and the waters of Falls Bay west of a line 60° 31.921' N. lat., 147° 59.909' W. long. to 60° 31.136' N. lat., 147° 58.879' W. long.**

ISSUE: The existing special harvest area (SHA) is a very small terminal area directly in front of the hatchery. This location effectively delays Prince William Sound Aquaculture Corporation's (PWSAC) cost recovery operations until the adult salmon mature and enter the area to spawn. The delay in cost recovery in turn delays the commercial fishery, affecting the quality of the harvest and causes congestion of the fleet during the short open commercial fishing periods.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cost recovery operations will continue to be delayed and affect the commercial fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Expanding the SHA will provide PWSAC the ability to harvest hatchery fish before they mature and move into the terminal area. This will directly improve the quality of the cost recovery harvest. The quality of the commercial fishery harvest will also improve as it will not be delayed due to cost recovery operations.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, processors and PWSAC.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-021)

PROPOSAL 47 - 5 AAC 24.367. Main Bay Salmon Hatchery Harvest management plan.

Amend the regulation as follows:

(e) The Main Bay Hatchery Special Harvest Area consists of the waters of Main Bay west of a line from **60° 33.33' N. lat., 148° 02.32' W. long. to 60° 32.86' N. lat., 148° 01.92' W. long.** [60° 31.61' N. LAT., 148° 05.02' W. LONG., to 60° 31.85' N. LAT., 148° 05.42' W. LONG.]

ISSUE: The existing special harvest area (SHA) is a very small terminal area directly in front of the hatchery. This location effectively delays Prince William Sound Aquaculture Corporation's (PWSAC) cost recovery operations until the adult salmon mature and enter the area to spawn. The delay in cost recovery in turn delays the commercial fishery, affecting the quality of the harvest and causes congestion of the fleet during the short open commercial fishing periods.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cost recovery operations will continue to be delayed and affect the commercial fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Expanding the SHA will provide PWSAC the ability to harvest hatchery fish before they mature and move into the terminal area. This will directly improve the quality of the cost recovery harvest. The quality of the commercial fishery harvest will also improve as it will not be delayed due to cost recovery operations.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, processors and PWSAC.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-022)

PROPOSAL 48 - 5 AAC 24.367. Main Bay Salmon Hatchery Harvest management plan.

Amend the regulation as follows:

(a) **The department, in consultation with the hatchery operator, shall manage the Main Bay subdistrict and, before July 21, the Crafton Island subdistrict, to achieve the Prince William Sound Aquaculture Corporation's escapement goal for the Main Bay Hatchery.** [THE PURPOSE OF THE MAIN BAY SALMON HATCHERY HARVEST MANAGEMENT PLAN IN THIS SECTION IS TO PROVIDE AN EQUITABLE DISTRIBUTION OF HARVEST OPPORTUNITY AND TO REDUCE CONFLICTS BETWEEN USERS IN THE VICINITY OF THE MAIN BAY SALMON HATCHERY]

ISSUE: The current Main Bay Salmon Hatchery Harvest Management Plan does not identify subdistricts to be managed to achieve Prince William Sound Aquaculture Corporation's (PWSAC) corporate escapement goal for Main Bay Hatchery.

WHAT WILL HAPPEN IF NOTHING IS DONE? No subdistricts will be identified to be managed to achieve PWSAC's corporate escapement goal for Main Bay Hatchery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The common property fleet, PWSAC, and the department will benefit by having a consistent well-defined hatchery management plan for each hatchery.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-023)

PROPOSAL 49 - 5 AAC 24.363. Cannery Creek Salmon Hatchery management plan.
Amend the regulation as follows:

Delete section (c)(1) Cannery Creek Terminal Harvest Area.

(c)(2) **The** Cannery Creek Hatchery Special Harvest Area **consists of the waters of Cannery Creek subdistrict east of 147° 34.00' W. long.** [: THE WATERS OF UNAKWIK INLET IN THE NORTHERN DISTRICT NORTH AND EAST OF A LINE FROM 61° 00.97' N. LAT., 147° 32.62' W. LONG., SOUTHWARD TO A POINT ON THE SHORE AT 60° 59.96' N. LAT., 147° 31.48' W. LONG.]

ISSUE: The existing special harvest area (SHA) is a very small terminal area directly in front of the hatchery. This location effectively delays Prince William Sound Aquaculture Corporation's (PWSAC) cost recovery operations until the adult salmon mature and enter the area to spawn. The delay in cost recovery in turn delays the commercial fishery, affecting the quality of the harvest and causes congestion of the fleet during the short open commercial fishing periods.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cost recovery operations will continue to be delayed and affect the commercial fishery as stated above.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Expanding the SHA will provide PWSAC the ability to harvest hatchery fish before they mature and move into the terminal area. This will directly improve the quality of the cost recovery harvest. The quality of the commercial fishery harvest will also improve as it will not be delayed due to cost recovery operations.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, processors, and PWSAC.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-024)

PROPOSAL 50 - 5 AAC 24.365. Armin F. Koernig Salmon Hatchery Management Plan.
Amend the regulation as follows:

Delete section (b), the Armin F. Koernig Hatchery Terminal Harvest Area.

(c) The Armin F. Koernig Hatchery Special 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. [WEST OF 148° 01.95' W. LONG.]

ISSUE: The existing Special Harvest Area (SHA) is a very small terminal area directly in front of the hatchery. This location effectively delays Prince William Sound Aquaculture Corporation's (PWSAC) cost recovery operations until the adult salmon mature and enter the area to spawn. The delay in cost recovery in turn delays the commercial fishery, affecting the quality of the harvest and causes congestion of the fleet during the short open commercial fishing periods.

WHAT WILL HAPPEN IF NOTHING IS DONE? Cost recovery operations will continue to be delayed and affect the commercial fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Expanding the SHA will provide PWSAC the ability to harvest hatchery fish before they mature and move into the terminal area. This will directly improve the quality of the cost recovery harvest. The quality of the commercial fishery harvest will also improve as it will not be delayed due to cost recovery operations.

WHO IS LIKELY TO BENEFIT? The commercial fishing fleets, processors, and PWSAC.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Prince William Sound Aquaculture Corporation (SC-05-F-025)

PROPOSAL 51 - 5 AAC 24.310. Fishing seasons. Amend the regulation as follows:

No gillnetting from Thursday at midnight until Saturday at midnight.

ISSUE: I would like to see a 48-hour closed period for gillnetters to occur from Thursday at midnight until Saturday at midnight to allow fish into the river for weekend dip netters.

WHAT WILL HAPPEN IF NOTHING IS DONE? Dipnetting will be poor for all those Alaskans who travel to fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Dipnetters.

WHO IS LIKELY TO SUFFER? No one, they can fish the rest of the week.

OTHER SOLUTIONS CONSIDERED? Do nothing but that would be pointless or limit the number of hours of fishing per week.

PROPOSED BY: Bob Simpson (HQ-05-F-188)

PROPOSAL 52 - 5 AAC 24.361. Copper River king salmon management plan. Amend the regulation as follows:

During each of the first three statistical weeks, there can only be one 12 hour opening inside the Barrier Islands.

ISSUE: Depletion of early run, small stock king salmon that “mill” inside the Barrier Islands until early June and are subject to overharvest by too many “inside” openings.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued depletion of early run king salmon.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It helps ensure the continued viability of small stock early run kings that spawn in the Upper Copper River.

WHO IS LIKELY TO BENEFIT? Small stock, early run king salmon and all users who are interested in maintaining these stocks.

WHO IS LIKELY TO SUFFER? Commercial fishermen targeting king salmon inside the Barrier Islands.

OTHER SOLUTIONS CONSIDERED? No commercial fishing inside Barrier Islands. Rejected due to no chance of passage.

PROPOSED BY: Fairbanks Advisory Committee (HQ-05-F-222)

PROPOSAL 53 - 5 AAC 24.360. Copper River District salmon management plan. Amend the regulation to provide the following:

Increased early run salmon upstream of the Gulkana River to increase harvest opportunity for subsistence users.

ISSUE: The current Copper River District salmon management plan does not provide enough salmon for subsistence users who fish upstream of the Gulkana River to adequately meet their subsistence needs every year. The lack of salmon is affecting the entire Copper River region. Communities that fish upstream from the Gulkana River are losing their traditional lifestyle because too few salmon are available to harvest. Traditional methods of processing salmon are being lost because users are unable to capture enough salmon at one time to efficiently process salmon using traditional means. Subsistence users are no longer able to barter salmon harvested in the Copper River for other food resources harvested in other communities such as whitefish.

At least 42 salmon are needed to make a bale of dried salmon. We are rarely able to catch 42 salmon in a night in fishwheels upstream from the Gulkana River. We need the board to develop a solution that results in catches that will maintain our traditional lifestyle.

WHAT WILL HAPPEN IF NOTHING IS DONE? Subsistence users needs will not be met and the State of Alaska will not meet its constitutional mandate to provide a priority for the subsistence fishery. Subsistence users may request that both state and federal management agencies restrict personal use fisheries and commercial fisheries harvesting salmon destined for the upper portion of

the Upper Copper River District. Currently disputes between Copper River salmon user groups are occurring. If the problem is not solved these disputes will continue and perhaps increase.

Salmon play an important role in the lifestyles of subsistence users in the Copper River basin. Without good salmon harvests this lifestyle will decline. Traditional methods of processing salmon will be practiced less. Rising fuel costs and increased costs of living coupled with declining daily catches will make subsistence fishing uneconomical for users who truly rely on salmon as part of their diet and winter food supply. Eventually this situation will drive local users to move away from their traditional homes.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Currently subsistence users are able to harvest only a few salmon per night which makes drying and other traditional means of processing difficult. If more salmon are harvested on a daily basis, the quality of processed salmon will improve.

WHO IS LIKELY TO BENEFIT? Subsistence users who fish in the Glennallen Subdistrict upstream of the Gulkana River.

WHO IS LIKELY TO SUFFER? Depending on the solution adopted by the board, this proposal has the potential to affect commercial fishermen harvesting early run Copper River salmon stocks or households that fish in the personal use fishery in the Chitina Subdistrict.

OTHER SOLUTIONS CONSIDERED? Requesting that the Federal Subsistence Board close the Chitina Subdistrict personal use fishery. This solution was rejected because it is a temporary solution instead of a permanent solution that could be adopted by the board.

PROPOSED BY: Ahtna Tene Nene' Subsistence Committee (SC-05-F-005)

PROPOSAL 54 - 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 the regulation as follows:

(12)(E) in all flowing waters downstream of the ADF&G regulatory markers located at Mile [19.2] **14 on the Klutina Lake Road, catch-and-release fishing only is permitted for king salmon from June 10 – June 14. From June 15 – August 1, king salmon may be taken downstream from Mile 19.2. From August 2 – August 10 downstream from Mile 14 on the Klutina Lake Road fishing for king salmon is catch-and-release only. The king salmon season is closed after August 10;** [KING SALMON MAY BE TAKEN ONLY FROM JANUARY 1 – JULY 31 WITH A BAG AND POSSESSION LIMIT OF ONE FISH 20 INCHES OR GREATER IN LENGTH, AND A BAG AND POSSESSION LIMIT OF 10 FISH LESS THAN 20 INCHES IN LENGTH.]

ISSUE: The escapement of early run king salmon would be increased minimally as 12 documented king salmon were taken prior to June 15 in 2004. In 2003 there were 16 king salmon taken prior to June 15. According to catch and release mortality estimates generated by a department study (ADF&G Fishery Manuscript No. 92-2) on Kenai River king salmon the mortality rate was 7.6 percent which was the highest in the category for small male king salmon. During the early part of the season and again during the latter part of the season, there would likely be some mortality due to catch-and-release, however, starting the season later would likely balance this additional mortality. The late run is better able to support additional fishing pressure as it is substantially larger than the early run based upon department research data.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing opportunity on late run fish will continue to be lost by closing king salmon fishing on July 31.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The people within the Copper Basin, Copper Center and Glennallen who operate businesses that would see increased economic opportunity and sport anglers who want to fish later in the season without the crowds. The Klutina River king salmon stocks as there would be more fish for the escapement as less fish would be harvested.

WHO IS LIKELY TO SUFFER? Sport fishermen who would not be able to harvest king salmon until June 15.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Klutina River Association (I-05-F-006)

PROPOSAL 55 - 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 the regulation as follows:

Reinstate season closure to August 10 – king salmon – Klutina River.

Establish fly fishing only status from the Old Richardson Highway bridge, Copper Center, down to ADF&G marker in order to balance harvest data with August fishing days.

ISSUE: In 2001 the chinook salmon sport fishing season was reduced ten days on the Klutina River. A full 28 percent of the annual run of chinook salmon occurs after July 31 on the Klutina River. We would like to see the sport fishing season reinstated to August 10.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport fishing for chinook salmon in the Copper River basin draws a significant number of tourists and fishermen each year for local businesses. We estimate that ten days fishing would equal \$200,000 lost revenue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? In recent years, the Klutina River changed course at the mouth creating large resting pools where chinook salmon concentrate and are therefore vulnerable to fishing. Fishing pressure has increased 100 times.

WHO IS LIKELY TO BENEFIT? Copper River basin community businesses and all Alaskan chinook salmon sport fishermen.

WHO IS LIKELY TO SUFFER? Those who would not protect the resource.

OTHER SOLUTIONS CONSIDERED? Catch-and-release methods and means during August. The fly fishing protects the resource, allowing salmon to reach spawning areas.

PROPOSED BY: Jim V. West (HQ-05-F-109)

PROPOSAL 56 - 5 AAC 52.022. General provisions for seasons, bag possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area.
Amend the regulation as follows:

Double the current level of allocation of kings for sport fishing on the Gulkana and Klutina rivers.

ISSUE: Not enough king salmon getting up the Gulkana and Klutina rivers.

WHAT WILL HAPPEN IF NOTHING IS DONE? A continued decline in sport fishing in the two rivers. Economic loss by the communities that benefit from these fisheries.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It will increase harvest opportunity. The current harvest is 5,600. By increasing it, sport fishermen will benefit by having more fish to catch.

WHO IS LIKELY TO BENEFIT? All people.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Upper Tanana/Forty Mile Advisory Committee (I-05-F-003)

PROPOSAL 57 - 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 the regulation as follows:

On all tributaries of the Copper River, except the Gulkana River, sport fishing for king salmon will be allowed only in the first four miles upstream from the confluence with the Copper River.

On the Gulkana River, king salmon fishing is only allowed from the Sourdough campground to one-fourth mile below the Richardson Highway bridge. One-fourth mile downstream from the Richardson Highway bridge to the confluence of the Copper River is closed to king salmon fishing.

On all tributaries of the Copper River, including the Gulkana, after retaining a king salmon 20 inches or longer, a person can no longer fish for king salmon on that day.

Once a king salmon is removed from the water it is considered retained.

Only single hooks are allowed.

Bait is allowed.

ISSUE: Sport fishing on the king salmon spawning grounds in the tributaries of the Copper River.
WHAT WILL HAPPEN IF NOTHING IS DONE? Excessive overfishing on the spawning beds will reduce the quality of the fishery by limiting the ability of the salmon to reproduce. Escapement goals established by the area management biologists can be severely impaired by excessive fishing pressure on the entire spawning habitat of any given stream.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the potential for compromising the ability of a king salmon to successfully spawn is very high when caught by a sport fisherman, especially when fought for long periods of time. The salmon have expended great amounts of energy to swim the fast Copper River, often well over 100 miles, to reach the spawning tributaries. Sport fishing catch-and-release regulations that allow a fisherman to, in essence, compromise an unlimited number of king salmon by continuing to fish after they have retained their salmon, is extremely hard on the population that have successfully arrived at the spawning beds. Allowing unlimited access to the entire spawning habitat of any given tributary of the Copper River is not conducive to effectively managing the escapement goals established by the department. In addition, the BLM has allowed far too many guided sport fishing companies to legally operate on these rivers, especially the Gulkana and the Klutina. Limiting the amount of the productive spawning habitat that they can legally guide on is essential for maintaining the health of the fishery.

WHO IS LIKELY TO BENEFIT? Subsistence and sport fishermen as well as the commercial fishery benefit. Protecting spawning habitat is crucial to effectively reaching escapement goals, guaranteeing the fishery will survive. Everyone benefits from allowing the salmon to spawn in peace.

WHO IS LIKELY TO SUFFER? Guided and sport drift fishermen and shore fishermen that utilize the upper reaches of the spawning beds to avoid the power boaters will suffer. This is a small limitation as many power boats can access all of the Klutina. The Gulkana is not a one day float as the other tributaries tend to be so it does not receive nearly the drift boat (raft) use. Other tributaries of the Copper River receive far less pressure so these regulations would have almost no effect on them.

OTHER SOLUTIONS CONSIDERED? Closing the entire fishing during certain hours of the day, say overnight. Unnecessary if enough of the spawning habitat is available for no fishing. Twilight (night) is often the only time to effectively catch a king in clear water streams.

Closing the Gulkana beyond four miles upstream. Would not allow fishing from the traditional put in to the traditional take out. So, as a compromise, the lower few miles of the spawning bed, below the Richardson bridge, was substituted for a longer stretch of the upper spawning bed being open. This allows traditional put ins and take outs to be utilized.

Allowing treble hooks. Unacceptable as many fishermen will continue to fish for red salmon thus the potential for continuing to catch king salmon is high. Single hooks allow for a much easier release of the king salmon and do not decrease the ability of the fishermen to land a salmon by much.

PROPOSED BY: Wade Willis (SC-05-F-029)

PROPOSAL 58 - 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 the regulation as follows:

The current regulations creating a baitless fishery below the Richardson Highway bridge would be modified to allow bait and no hook restrictions for a brief period in early June when all fishing

pressure is concentrated on lower river and because of generally high off-colored water, fly fishing is not practiced.

ISSUE: Unnecessary crowding on lower river area during first few days of king salmon season.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued overcrowding, negative social and environmental impacts associated with “combat” fishing.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal improves the quality of the fishing experience by offering more access to early fish.

WHO IS LIKELY TO BENEFIT? The Gulkana is attracting more and more anglers in early June when the fish are only accessible (with bait) in a short two mile stretch of river with very few fishing holes. If bait were allowed downstream, these anglers would spread out without increasing actual harvest.

WHO IS LIKELY TO SUFFER? Possibly the very few people who fly fish below the bridge before June 10.

OTHER SOLUTIONS CONSIDERED? Remove bait ban entirely—rejected because the lower river does attract fly fishers later in June who prefer not to compete with bait. Also, in late June and early July, the kings can hold for long periods of time at the mouth, making them susceptible to increased harvest. The early run component does not hold in the lower river therefore there will be increased harvest if this regulation is adopted.

PROPOSED BY: Fairbanks Advisory Committee (HQ-05-F-219)

PROPOSAL 59 - 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 the regulation as follows:

No bait, mainstem of Copper River, May 1 – September 1.

ISSUE: Use of bait for fishing king salmon in the mainstem of the Copper River downstream from the mouth of the Klutina River.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fewer fish will reach spawning areas upstream; escapement goals will not be met due to overharvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, greater numbers of king salmon will reach spawning grounds each year.

WHO IS LIKELY TO BENEFIT? All user groups, king salmon, department management, Copper River basin businesses.

WHO IS LIKELY TO SUFFER? Individuals currently harvesting fish with bait on the Copper River.

OTHER SOLUTIONS CONSIDERED? Considered fly fishing only/catch-and-release: problematic enforcement.

PROPOSED BY: Greg Boyd

(SC-05-F-017)

PROPOSAL 60 - 5 AAC 52.022(a)(3). General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend the regulation as follows:

King salmon gear with multiple, baited hooks shall not exceed four inches in total length.

ISSUE: King salmon gear restriction for use of baited multiple hook set-ups.

WHAT WILL HAPPEN IF NOTHING IS DONE? High mortality in king salmon due to foul hooking—trailing hook.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Improved probability for catch and release survivability.

WHO IS LIKELY TO BENEFIT? Alaska sport fishermen.

WHO IS LIKELY TO SUFFER? Those individuals attempting to kill salmon.

OTHER SOLUTIONS CONSIDERED? Single hook only—not necessary if proposal is adopted.

PROPOSED BY: Greg Boyd

(SC-05-F-016)

PROPOSAL 61 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area; and 5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Amend these regulations as follows:

May 1 through October 31, single hook, artificial lure only for salmon for all freshwater drainages crossing the Copper River highway including Clear Creek.

ISSUE: Use of treble hooks for salmon harvest results in high mortality and possible future conservation concerns. An infusion of sport users the past ten years has increased sport harvest tremendously resulting in more harvesting, more catch-and-release hours which increases mortality with treble hooks.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be a high salmon mortality rate due to the use of treble hooks.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Commercial, sport, and subsistence users.

WHO IS LIKELY TO SUFFER? Some sport users.

OTHER SOLUTIONS CONSIDERED?

PROPOSAL 62 - 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 this regulation as follows:

This proposal would close the entire Susitna River drainage upstream of the Oshetna River to sport fishing for salmon.

Amend the regulation as follows:

(13) in Lake Louise,

[(A) SPORT FISHING FOR SALMON IS CLOSED; SALMON MAY NOT BE TAKEN OR POSSESSED;]

(26) in Tyone Lake,

[(A) SPORT FISHING FOR SALMON IS CLOSED; SALMON MAY NOT BE TAKEN OR POSSESSED;]

(21) in Susitna Lake,

[(A) KING SALMON MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31, WITH A BAG AND POSSESSION LIMIT OF ONE FISH 20 INCHES OR GREATER IN LENGTH, AND A BAG AND POSSESSION LIMIT OF 10 FISH LESS THAN 20 INCHES IN LENGTH;]

(27) in the Tyone River drainage,

(A) in all flowing waters,

[(i) KING SALMON MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31, WITH A BAG AND POSSESSION LIMIT OF ONE FISH, 20 INCHES OR GREATER IN LENGTH, AND A BAG AND POSSESSION LIMIT OF 10 FISH, LESS THAN 20 INCHES IN LENGTH,]

(B) in all lakes,

[(i) EXCEPT TYONE LAKE, KING SALMON MAY BE TAKEN FROM JANUARY 1 – DECEMBER 31, WITH A BAG AND POSSESSION LIMIT OF ONE FISH, 20 INCHES OR GREATER IN LENGTH, AND A BAG AND POSSESSION LIMIT OF 10 FISH, LESS THAN 20 INCHES IN LENGTH,]

(XX) in the Susitna River drainage, upstream from the confluence of the Oshetna River, sport fishing for salmon is closed; salmon may not be taken or possessed;

ISSUE: King and other salmon return to the lower Susitna River drainage, but Devils Canyon is a barrier for most salmon passage to the upper Susitna River drainage, including the Tyone River drainage. There have been occasional reports of salmon upstream of Devils Canyon. If these salmon comprise small spawning populations, then any harvest level is not sustainable. The current regulations do not protect these fish. There are currently inconsistencies in the regulations between lakes and flowing waters within Tyone River drainage. This proposed regulation would provide regulatory consistency within the Susitna River drainage upstream of Devils Canyon.

WHAT WILL HAPPEN IF NOTHING IS DONE? The small numbers of salmon that migrate above Devils Canyon will continue to be at risk.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Salmon populations that migrate upstream of the Oshetna River and Susitna River confluence.

WHO IS LIKELY TO SUFFER? Anglers that may have fished for salmon in the Susitna River drainage upstream of the Oshetna river confluence.

OTHER SOLUTIONS CONSIDERED? Status quo, which perpetuates inconsistent and fragmented salmon regulations for the upper Susitna River drainage.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-300)

PROPOSAL 63 - 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 this regulation as follows:

This proposal would remove regulations for rainbow trout that are not consistent with policy that guides management within the area.

Amend the regulation as follows:

(13) in Lake Louise

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

(21) in Susitna Lake,

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

(26) in Tyone Lake,

[(B) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

(27) in the Tyone River drainage,

(B) in all lakes,

[(ii) THE BAG AND POSSESSION LIMIT FOR RAINBOW/STEELHEAD TROUT IS 10 FISH, OF WHICH ONLY ONE MAY BE 20 INCHES OR GREATER IN LENGTH;]

ISSUE: Rainbow trout are present in the lower Susitna River drainage downstream of Devils Canyon. Little information is available on rainbow trout populations upstream of Devils Canyon. The current regulations are the most liberal bag limits for wild stocks in the Upper Copper/Upper Susitna Management Area and are not consistent with the *Upper Cook Inlet and Copper River Basin Rainbow/Steelhead Trout Management Policy*. By removing these regulations, the general area regulations of an open season of January 1 – December 31, and a bag and possession limit of two fish, of which only one may be 20 inches or greater in length would be implemented and therefore provide protection to rainbow trout populations in the upper Susitna River drainage.

WHAT WILL HAPPEN IF NOTHING IS DONE? The UCUSMA regulations will continue to be inconsistent with the *Upper Cook Inlet and Copper River Basin Rainbow/Steelhead Trout Management Policy* approved by the BOF.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Anglers who appreciate regulations that provide sustainable wild rainbow trout fisheries.

WHO IS LIKELY TO SUFFER? Anglers who like to harvest more than two rainbow trout in the upper Susitna River drainage.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-298)

PROPOSAL 64 - 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 this regulation as follows:

This proposal would prohibit the retention of rainbow trout/steelhead within the Tebay River drainage including the Hanagita River.

Amend the regulation as follows:

(23) in the Tebay River drainage,

(B) in the Hanagita River drainage [LOWER HANAGITA LAKE, THAT PORTION OF THE HANAGITA RIVER FROM LOWER HANAGITA LAKE TO THE TEBAY RIVER]; and the Tebay River downstream from the confluence with the Hanagita River; rainbow/steelhead trout may not be retained or possessed and must be released immediately and returned to the water unharmed;

ISSUE: Current regulations for steelhead trout in the Hanagita River drainage are catch-and-release downstream of Lower Hanagita Lake and a two fish bag and possession limit (one fish 20 inches or greater in length) above Lower Hanagita Lake. Stock assessment in the spring of 2002 on the

Hanagita River drainage documented steelhead spawning upstream of Lower Hanagita Lake to Upper Hanagita Lake. To provide consistency in the regulations and provide protection for the relatively small population of steelhead (<350 spawning adults) in the Hanagita River drainage, catch-and-release regulations should extend throughout the entire drainage.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be inconsistencies within the regulations for the Hanagita River drainage, and no protection for the population of steelhead upstream of Lower Hanagita Lake.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The steelhead trout population of the Hanagita River drainage.

WHO IS LIKELY TO SUFFER? Those anglers who like to harvest steelhead trout in the Hanagita River drainage.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-294)

PROPOSAL 65 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Amend this regulation to amend and provide the following:

Modify the bag and possession limit for rainbow/steelhead/cutthroat trout in the fresh water drainages crossed by the Copper River Highway:

(a)(3)(A) in the fresh water drainages crossed by the Copper River Highway from and including the Eyak River to the Million Dollar Bridge, including Clear Creek, Hartney Creek, and Eccles Creek: may be taken only from June 15 – April 14; bag and possession limit of **two** [FIVE] fish, of which only one per day and in possession may be greater than **20** [10] inches in length.

Establish an annual limit for rainbow/steelhead/cutthroat trout in the fresh water drainages in Prince William Sound:

(a)(3)(D) **Rainbow/steelhead/cutthroat trout are subject to an annual limit of two fish 20 inches or greater in length, and a harvest record is required.**

ISSUE: Current bag, possession, and size limits for trout in the Prince William Sound Management Area are not wholly consistent with the conservative harvest limits outlined in the statewide management standards described in 5 AAC 75.220. This proposal is intended to provide the board an opportunity to review and, if practical, modify existing wild trout regulations in the Prince William Sound Management Area to conform to the recently adopted Statewide Management Standards for Wild Trout.

In March 2003 the board adopted a Statewide Wild Trout Fishery Management Plan. A conservative daily harvest limit of two trout per day, only one 20 inches or greater in length, with an annual limit of two fish 20 inches or greater in length were recommended in the plan as a statewide

provision unless the board had adopted provisions of a regional trout management plan as regulations or, circumstances exist where harvest limits can be increased or should be decreased.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport fishing regulations for wild trout the Prince William Sound Management Area, which are not within the Copper River Special Management Area for Trout, will remain inconsistent with statewide management standards for wild trout.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Unknown.

WHO IS LIKELY TO BENEFIT? Sport anglers.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None. This proposal provides the opportunity for the board to review sport fishing regulations for wild trout in the Prince William Sound Management Area that are not consistent with harvest limits recently recommended in the Statewide Wild Trout Fishery Management Plan.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-246)

PROPOSAL 66 - 5 AAC 52.055. Wild Arctic Grayling Management Plan. Amend this regulation as follows:

This proposal would amend the regional wild Arctic grayling management plan and add Moose Lake and Our Creek fisheries to the conservative management category.

Amend the regulation as follows:

(g) The department shall manage the Mendeltna Creek [FISHERY], **Moose Lake, and Our Creek fisheries** under the conservative management approach.

(x) **The department shall manage the Gulkana River drainage upstream of Paxson Lake (as described in 5 AAC 52.023 (9) (C) and (20)(B)) under the special management approach.**

ISSUE: Department weir data collected from 1999-2001 indicates a decline in the abundance of Arctic grayling migrating from Moose Lake into Our Creek for spawning. The current regulations are in place to protect the Arctic grayling population that spawn in Our Creek. In 2004, the BOF passed an AYK Regional Wild Arctic Grayling Management Plan, which includes fisheries within the Upper Copper/Upper Susitna Management Area. The proposed regulatory changes represent the conservative management approach and would provide protection to the grayling spawning population. The Our Creek spawning population resides in Moose Lake for most of the year and therefore deserves similar protection while residing in the lake.

Following the adoption of the Wild Arctic Grayling Management Plan, through an oversight of the department, the portion of the Gulkana River upstream of Paxson Lake was inadvertently left out of the plan as managed under the special management approach. This area of the Gulkana River is currently managed as a trophy catch-and-release fishery, as this portion of the drainage has the highest proportion of Arctic grayling greater than 18 inches in length.

WHAT WILL HAPPEN IF NOTHING IS DONE? Continued inconsistency of Our Creek regulations with the regional Wild Arctic Grayling Management Plan. Possible confusion by anglers on the open fishing season at Our Creek as it differs slightly from the other conservatively managed Arctic grayling fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Sport anglers through reduced confusion in the fishing regulations. Anglers who fish the upper Gulkana River to have the opportunity to catch a trophy sized Arctic grayling.

WHO IS LIKELY TO SUFFER? Anglers that previously harvested five grayling per day from Our Creek and would like to continue this practice.

OTHER SOLUTIONS CONSIDERED? Status quo.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-297)

PROPOSAL 67 - 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 this regulation as follows:

This proposal would change the dates and bag limits for these two fisheries and make them compliant with the regional wild Arctic grayling management plan.
Amend the regulation as follows:

(15) in Moose Lake,

(C) Arctic grayling may be taken only from June 1 – March 31, with a bag and possession limit of two fish.

(17) in Our Creek,

(A) [SPORT FISHING] **Arctic grayling may be taken** [IS ALLOWED] only from **June 1 – March 31** [JUNE 16 – MAY 4], **with a bag and possession limit of two fish.**

ISSUE: Department weir data collected from 1998-2000 indicate a decline in the abundance of Arctic grayling migrating from Moose Lake into Our Creek for spawning. The current regulations are in place to protect the Arctic grayling population that spawn in Our Creek. In 2004, the BOF passed an AYK Regional Wild Arctic Grayling Management Plan, which includes fisheries within the Upper Copper/Upper Susitna Management Area. The proposed regulatory changes represent the conservative management approach and would provide protection to the grayling spawning population. The Our Creek spawning population resides in Moose Lake for most of the year and therefore deserves similar protection while residing in the lake.

WHAT WILL HAPPEN IF NOTHING IS DONE? Inconsistency of the Our Creek regulations with the regional Wild Arctic Grayling Management Plan.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Sport anglers via consistent regulations and the Arctic grayling population through a conservative management approach.

WHO IS LIKELY TO SUFFER? Anglers that previously harvested five grayling per day from Our Creek.

OTHER SOLUTIONS CONSIDERED? Status quo.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-296)

PROPOSAL 68 - 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 this regulation as follows:

This proposal would impose catch and release fishing for Arctic grayling for the entire Gulkana River drainage upstream of Paxson Lake including those lakes and tributaries draining into Summit Lake.

Amend the regulation as follows:

(9) in the Gulkana River drainage,

(C) in all [FLOWING] 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,

(20) in the Summit Lake drainage,

(B) in all waters of the Gunn Creek drainage and all waters within a 100-yard radius of [ITS] the mouth of Gunn Creek at Summit Lake,

ISSUE: Current regulations provide for catch-and-release fishing for Arctic grayling, in most waters upstream of Paxson Lake. Under the current upper Gulkana River drainage description, Upper and Lower Fish Lake and Gunn Lake are excluded from these catch-and-release provisions. Grayling populations occur in these lakes and because they are the same stock that occupies the flowing waters of the upper Gulkana River and Gunn Creek, they should be afforded the same protection.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Arctic grayling regulations will remain inconsistent for the waters upstream of Paxson Lake.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? The anglers who currently practice catch-and-release.

WHO IS LIKELY TO SUFFER? Those anglers who have harvested Arctic grayling from these lakes.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-295)

PROPOSAL 69 - 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 this regulation as follows:

This proposal would allow the use of bait in all flowing waters of the Tonsina River drainage downstream of Tonsina Lake.

Amend this regulation as follows:

- (25) in the Tonsina River drainage,
 - (A) in all flowing waters [OF THE MAINSTEM] downstream from the outlet of Tonsina Lake, bait and artificial lures may be used;

ISSUE: Prior to the 2002 Board of Fisheries meeting, bait was permitted in the tributaries of the Tonsina River to target Dolly Varden and Arctic grayling by standard methods. The regulatory language after the 2002 Board of Fisheries meeting inadvertently excluded the tributaries to the Tonsina River drainage.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing opportunity for Dolly Varden and Arctic grayling in the Tonsina River tributaries will continue to be unnecessarily restricted.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO BENEFIT? Sport anglers who have traditionally fished the Tonsina River tributaries for Dolly Varden and Arctic grayling with bait.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-299)

PROPOSAL 70 - 5 AAC 52.0XX. Lake Trout Management Plan. Amend this regulation as follows:

- (a) **The department shall manage wild lake trout populations in the Upper Copper River and Upper Susitna River Area for sustained yield by employing a conservative harvest regime to maintain harvests below defined maximum sustained yield (MSY).**

- (b) The commissioner, by emergency order, may take one or more of the management actions specified below if there are conservation concerns for the sustainability of lake trout. The management actions are:
- (1) reduce the bag and possession limits;
 - (2) reduce fishing time;
 - (3) allow catch-and-release only ;
 - (4) modify methods and means of harvest.
- (c) The regional background regulation for lake trout is: a bag and possession limit of two fish, no size limit and the season is open year round. The use of setlines is prohibited.
- (d) If harvest under the regional background regulation exceeds the defined MSY level for two or more consecutive years the commissioner may implement the following restrictions to reduce harvest below MSY:
- (1) reduce the bag and possession limit to one fish, with no size limit, and the season is open year round.
 - (2) establish a minimum length limit and prohibit the use of bait to reduce hooking mortality. Length limits should consider:
 - i. length of maturity: provide at least two years of protection from harvest for spawning fish prior to recruitment to the fishery;
 - ii. lake size: no length limits for populations in lakes < 100 acres;
 - iii. uniformity of length limits: the minimum length limit should be 24” unless there is compelling biological justification for an alternate length limit.
 - (3) If length limit regulations are not sufficient to maintain harvests below MSY, the commissioner may further restrict harvest opportunity as follows:
 - i. seasonal closures: spawning season or winter season closures, or both;
 - ii. gear restrictions: single-hook, artificial lure only, or no bait or both.
 - (4) If the above actions are not sufficient to maintain harvests below MSY, the commissioner may impose a no harvest regulation (catch-and-release).
 - (5) If based upon stock assessment, the department determines that hooking mortality resulting from the no harvest regulation exceeds MSY; the commissioner may close the fishery.
- (e) Regulatory actions taken under this management plan which restrict fishing gear and/or seasons must consider potential effects on fisheries for other species or on subsistence fisheries. The board and department will attempt to minimize potential conflicts with sport fisheries for other species and with current subsistence practices.

ISSUE: There is currently no region wide management plan for lake trout. This is an impediment to evaluating regulatory proposals for this species by the public and by the board. In the past, the department and public have developed proposals on a case-by-case basis for specific lake trout fisheries. A unifying management plan would allow evaluation to be conducted on a regional basis,

thereby promoting consistent, objective-based fisheries management across the region. This plan would provide the department, public and board with a reference to evaluate future regulatory requests. During the next AYK board cycle this plan will be submitted by the department for consideration by the board for the remainder of the AYK region.

WHAT WILL HAPPEN IF NOTHING IS DONE? Proposals for changes in lake trout regulations will continue to be considered on a case-by-case basis without the benefit of a consistent objective-based protocol for lake trout management

WHO IS LIKELY TO BENEFIT? Recreational anglers, the board and the department.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED?

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Status quo.

PROPOSED BY: Alaska Department of Fish and Game. (HQ-05-F-293)

PROPOSAL 71 - 5 AAC 52.022(a). General provisions for seasons, bag, possession, and size limits, and methods and means for the Upper Copper River and Upper Susitna River Area. Amend the regulation as follows:

(1) in all flowing waters, and in Paxson Lake and Summit Lake, **April 16—October 31** only unbaited, single hook, artificial lures may be used; **November 1—April 15 baited hooks may be used;**

ISSUE: Only unbaited hooks and artificial lures are allowed on Paxson and Summit lakes. It is difficult/impossible to catch burbot without bait.

WHAT WILL HAPPEN IF NOTHING IS DONE? The burbot fishery will continue to be underutilized and burbot harvest will decline.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it will increase the harvest of burbot.

WHO IS LIKELY TO BENEFIT? Sport fishermen who want to catch burbot.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Paxson Advisory Committee (SC-05-F-015)

PROPOSAL 72 - 5 AAC 55.022(a)(8). General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Amend the regulation for rockfish as follows:

The total bag and possession limits of a boat shall be less than the sum of the limits of the anglers onboard. I suggest that the boat limits be one-half the sum of the limits of the anglers onboard but the board should consider other percentages. This regulation would apply to recreational boats and charter boats. This proposal will protect the stock without appreciably affecting the boat's fishing activities. It is now common (though illegal) practice for fishermen on a boat to "pool" the limits. Everyone fishes until the boat's limit of two times (number of anglers) is reached.

ISSUE: Nonpelagic (demersal) rockfish in western Prince William Sound are being harvested faster than the stock can likely withstand. This has occurred since the Whittier tunnel opened and fishing pressure has increased dramatically (4,000 trailer boats were launched in Whittier during the summer of 2004; they all looked rigged for fishing). Nonpelagic rockfish take has roughly tracked boat launches.

Since rockfish are slow growing and defy traditional management methods, a stock can become depleted before it is detected. Most fisheries management methods rely on the fish stock being able to compensate for population loss by increasing reproduction; rockfish survival strategy is to live a long time. Nonpelagic rockfish cannot compensate for population loss by increased reproduction—their survival strategy is to live a long time; they are, therefore, extraordinarily sensitive to fishing pressure.

Nonpelagic rockfish do not move from their habitat. Maintaining geographic and age distribution in the rockfish population is likely key to their survival. Geographically separate demersal rockfish in Prince William Sound are possibly genetically unique populations.

A professional photographer who specializes in underwater photography using remote equipment testified at the December 9, 2004 Department of Natural Resources hearings that the nonpelagic rockfish population in the western Sound has significantly diminished since the Whittier tunnel opened.

A previous Department of Fish and Game commissioner stated that the only management option available, should nonpelagic rockfish become depleted, is to close the waters to all bottom fishing.

WHAT WILL HAPPEN IF NOTHING IS DONE? The nonpelagic rockfish stocks in western Prince William Sound will become depleted. Recovery of nonpelagic rockfish stocks takes decades. Drastic management actions would be required to protect the surviving stock. Alaska has one of the only rockfish stocks on the West Coast that has not become depleted through overfishing.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, this proposal will reduce pressure on nonpelagic rockfish and help to preserve the stock.

WHO IS LIKELY TO BENEFIT? Fishermen who want to harvest nonpelagic rockfish will benefit as the stock will not become depleted. The current and future generations of fishermen will continue to be able to harvest rockfish. Subsistence users will benefit from a healthier stock.

WHO IS LIKELY TO SUFFER? Fishermen who want to harvest larger numbers of nonpelagic rockfish now.

OTHER SOLUTIONS CONSIDERED? Reducing the individual angler's bag and possession limits. Each limit is now two fish; further reducing these limits would encourage anglers to discard

smaller rockfish (which die). Reducing the individual angler's limits would also penalize the angler fishing alone; he/she would have to relocate after catching the first rockfish.

PROPOSED BY: Lynn Highland

(SC-05-F-027)

PROPOSAL 73 - 5 AAC 28.2XX. Dogfish possession and landing requirements in Prince William Sound Area. Establish a new regulation as follows:

An experimental fishery to study the biomass and explore the market.

ISSUE: The growing dogfish (shark) population in the Gulf of Alaska.

WHAT WILL HAPPEN IF NOTHING IS DONE? The last five years with climate changes, the dogfish population keeps growing, crab population and longliners have problems with this many dogfish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Commercial fishermen and other species.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Having a fishery is the only way to get information or another climate change someday.

PROPOSED BY: Jerry McCune

(HQ-05-F-104)

PROPOSAL 74 - 5 AAC 28.263. Prince William Sound Pollock Pelagic Trawl Management Plan. Amend the regulations as follows:

This is a housekeeping proposal to simplify regulatory language as follows:

(b) Notwithstanding 5 AAC 39.165(1) - (2), during a directed pollock fishery [FOR PELAGIC TRAWL GEAR ONLY,] pelagic trawl gear may be operated ...

(c) During a directed pollock [PELAGIC TRAWL] fishery, no more than...

ISSUE: The current language adds confusion to the regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulatory language will remain cumbersome.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The pollock fleet will benefit from clarity in the regulations.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-277)

PROPOSAL 75 - 5 AAC 28.263. Prince William Sound Pollock Pelagic Trawl Management Plan. Amend this regulation as follows:

(c) During a directed pollock pelagic trawl fishery, no more than **60** [40] percent of the guideline harvest level may be taken from any one section described in (a) of this section.

ISSUE: The current regulations create three pollock fishing sections and restrict the harvest from any one section to 40 percent. This has proven to be unworkable because pollock aggregations do not typically occur in all three sections on an annual basis. The current management approach increases fishery bycatch by forcing fishing to occur in areas with relatively low pollock catch rates. When fishing occurs on identified pollock aggregations, pollock catch rates increase and bycatch rates decrease.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fishing effort will continue to occur in other sections when pollock catch rates are lower and bycatch rates are higher.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The pollock fleet should benefit from greater efficiency and bycatch resources should benefit from decreased exploitation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-278)

PROPOSAL 76 - 5 AAC 28.230. Lawful gear for Prince William Sound Area. Amend the regulation to include:

Harvesters of sablefish in Prince William Sound (PWS) may longline pots.

ISSUE: More efficient harvest of sablefish in PWS.

WHAT WILL HAPPEN IF NOTHING IS DONE? Inefficient harvest of sablefish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, better flesh quality, better recovery.

WHO IS LIKELY TO BENEFIT? Commercial fishers who choose this option.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Rob Eckley

(HQ-05-F-226)

PROPOSAL 77 - 5 AAC 28.263. Prince William Sound Pollock Pelagic Trawl Management Plan. Amend the regulation as follows:

(d) During a directed pollock pelagic trawl fishery,

(1) the total fishery bycatch weight, apportioned among five species groups may not exceed 5 percent the total round weight of pollock harvested;

(2) the total bycatch from any one management section, apportioned among five species groups, may not exceed 2 percent of the total round weight of pollock harvested from that section;

(3) the bycatch species group apportionments in (1) and (2) above are: rockfish 0.049 percent, salmon 0.04 percent, shark 0.96 percent, squid 3.26 percent, other miscellaneous species 0.23 percent.

ISSUE: At the 1999 meeting, the department committed to manage the Prince William Sound (PWS) pollock fishery for the described bycatch levels. Since then, these bycatch caps have been applied to pollock fishery management via stipulations on the commissioner's permit, issued to each registered PWS pollock fishermen. These bycatch caps belong in regulation so that all potential fishermen are clear about PWS pollock fishery management.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will continue to be managed with an informal understanding between the department, the board and industry.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The department, the industry and the resource would benefit from this policy being drafted into regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game

(HQ-05-F-279)

PROPOSAL 78 - 5 AAC 28.210(b). Fishing seasons for Prince William Sound Area. Amend the regulation as follows:

Prince William Sound sablefish season will be from March 1 through November 15 for each calendar year.

ISSUE: Have Prince William Sound sablefish fishery coincide with federal fishing seasons.

WHAT WILL HAPPEN IF NOTHING IS DONE? Mortality of sablefish during halibut season will continue.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Fishermen can harvest sablefish while fishing for halibut.

WHO IS LIKELY TO BENEFIT? All sablefish quota holders for Prince William Sound.

WHO IS LIKELY TO SUFFER? The department will have longer management.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Whittier Advisory Committee (SC-05-F-007)

PROPOSAL 79 - 5 AAC 27.365(c). Prince William Sound herring management plan. Amend the regulation as follows:

Replace the harvest quota by purse seiners to a harvest quota for seine permit holders by gillnet.

ISSUE: Purse seining has the potential for overharvest, especially when stocks are near the harvest threshold. Mixed age class schools are hard to avoid. Sampling stresses the fish which can increase incidence of disease. Prices are low so we need to target only larger, more valuable age classes.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department may not have a seine fishery when stocks are at low levels of availability harvest due to the high potential for overharvest.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, could target older, more valuable fish (age class) after they have had a few years to spawn.

WHO IS LIKELY TO BENEFIT? The department, the seine fleet, and the resource.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? This provision cannot have a sunset clause.

PROPOSED BY: Cordova District Fishermen United—Seine Division (HQ-05-F-093)

PROPOSAL 80 - 5 AAC 27.365. Prince William Sound herring management plan. Amend the regulation to include the following:

Establish equal harvest shares of herring sac roe quotas for all herring sac roe permit holders.

ISSUE: Vessel harvester congestion, threat of overharvesting the quota, harvesting lower quality product than possible.

WHAT WILL HAPPEN IF NOTHING IS DONE? When the herring biomass returns to harvestable numbers, the fleet will engage in derby style harvesting. This causes marketing and processing problems that result in low value, and in some cases, low quality processing of product.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, just like the halibut and black cod quotas, the seine sac roe fleet would be able to harvest a known poundage per permit before the season begins.

WHO IS LIKELY TO BENEFIT? All seine sac roe harvesters.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Leroy L. Cabana

(HQ-05-F-061)
