

SOUTHEAST AND YAKUTAT GROUND FISH, DUNGENESS CRAB, SHRIMP, ETC.

PROPOSAL 223 - 5 AAC 47.024. Harvest record required; annual limit. Amend the regulation to include the following:

Require all guided sport fishers to have a punch card which identifies each species of groundfish. Cards must be punched upon retention of groundfish. Sport fishing guides must turn in cards weekly.

ISSUE: Lack of accountability for guided sport removals of halibut, yellow eye rockfish, and other groundfish during the fishing season. Accountability is needed so harvest control measures may be put into place to prevent guided sport fishers from exceeding the guideline harvest limit (GHL) for halibut and the total allowable catch (TAC) for rockfish and lingcod.

WHAT WILL HAPPEN IF NOTHING IS DONE? The guided sport fishing industry will exceed the GHL for the halibut and the TAC for rockfish and lingcod causing resource depletion and displacement of other fisheries. This has already happened with the targeted demersal shelf rockfish (DSR) fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. Improving accountability and facilitating harvest control in the guided sport sector will maintain resource health, allow managers to minimize localized depletion and ensure the high quality, value-added historic commercial winter DSR fishery is not preempted. These measures will also head off conflicts with the IFQ fishery.

WHO IS LIKELY TO BENEFIT? The resource itself will benefit, along with everyone who uses the resource. Controlling the growing guided sport harvest will particularly benefit historic resource users who are being preempted by guided sport growth.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gary and Martha Egerton (HQ-05-F-101)

PROPOSAL 224 - 5 AAC 28.133. Groundfish and halibut taken with salmon troll fishing gear in the Eastern Gulf of Alaska area; and 5 AAC 29.120. Gear specifications and operations. Amend these regulations as follows:

5 AAC 28.133. Groundfish and halibut taken with salmon troll fishing gear in the Eastern Gulf of Alaska area.

Repeal the following:

[(b) A PERSON MAY NOT

(1) POSSESS SALMON ABOARD A VESSEL THAT IS EQUIPPED TO TAKE, OR THAT DURING THE MOST RECENT OPEN FISHING PERIOD HAS TAKEN, GROUND FISH OR HALIBUT WITH A MECHANICAL JIGGING MACHINE OR DINGLEBAR TROLL GEAR; OR

(2) PURCHASE OR SELL SALMON FROM ANY VESSEL THAT HAS TAKEN GROUND FISH OR HALIBUT WITH A MECHANICAL JIGGING MACHINE OR DINGLEBAR TROLL GEAR DURING THE MOST RECENT OPEN FISHING PERIOD.]

5 AAC 29.120. Gear specifications and operations.

Repeal the following:

[(h) A SALMON TROLL VESSEL, OR A PERSON ON BOARD A SALMON TROLL VESSEL, MAY NOT PARTICIPATE IN THE TAKING OF SALMON DURING AN OPEN SALMON TROLL FISHING PERIOD IF

(1) COMMERCIAL HAND TROLL, POWER TROLL, OR MECHANICAL JIG FISHING GEAR ON THE SALMON TROLL VESSEL WAS USED TO TAKE FISH DURING THE 72 HOUR PERIOD IMMEDIATELY BEFORE THE OPEN SALMON TROLL FISHING PERIOD; OR

(2) THAT WILL TAKE FISH DURING THE 24 HOUR PERIOD IMMEDIATELY AFTER, AN OPEN SALMON TROLLING FISHING PERIOD].

ISSUE: These regulations are difficult to interpret under existing long seasons for groundfish, halibut, and salmon. During the spring salmon troll fishery, there are areas throughout the region that are open to trolling on a continuous basis. The regulation, as currently written, would prohibit anyone who fished for groundfish or halibut with mechanical jigging machine or dinglebar gear at anytime during the spring troll season from fishing for salmon during the spring troll fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulation will continue to be confusing and ineffective. Trollers would continue to be in violation of the regulation even though they were not actually violating the intent of the law.

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

WHO IS LIKELY TO BENEFIT? Fishermen fishing for salmon and groundfish or halibut and enforcement officials.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-256)

PROPOSAL 225 - 5 AAC 28.190. Harvest of bait by commercial permit holders in Eastern Gulf of Alaska Area. Amend this regulation as follows:

The holder of a valid CFEC interim use or limited entry permit may take groundfish in the waters of Alaska in the Eastern Gulf of Alaska Area for use as bait in the commercial fishery for which the permit is held as follows:

(1) Except for sablefish, **lingcod, short raker, rougheye, and yellow eye rockfish, or thornyhead**, groundfish may be taken at any time: sablefish, **lingcod, short raker, rougheye, and yellow eye rockfish and thornyhead** may not be taken for bait or used for bait.

(2) unless use of a gear is restricted in 5 AAC 27 - 5 AAC 39, groundfish may be taken by any gear specified in 5 AAC 39.105 except trawls;

(3) **Repeal.** [NO MORE THAN 10 PERCENT, BY WEIGHT, OF ALL OTHER SPECIES OF FISH ON BOARD THE VESSEL MAY BE DEMERSAL SHELF ROCKFISH, AND NO MORE THAN 10 PERCENT, BY WEIGHT, OF ALL OTHER SPECIES OF FISH ON BOARD MAY BE LINGCOD;]

ISSUE: Lingcod, thornyhead and short raker, rougheye, and yellow eye rockfish are high value species that are difficult to manage. Most of the groundfish taken for bait are not reported and catch can affect stock condition as a significant source of unreported mortality.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be unreported harvest of these species for bait which could have implications related to the sustainability of the resource.

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

WHO IS LIKELY TO BENEFIT? In the long term all users of this resource as total mortality estimates would be more reliable.

WHO IS LIKELY TO SUFFER? Fishermen who currently use these species for bait and report that use as required on fish tickets.

OTHER SOLUTIONS CONSIDERED? The department has tried to increase reporting through recent changes in regulation without success.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-259)

PROPOSAL 226 - 5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska Area. Amend the regulation as follows:

Maintain sport regulations, as in 2004, for demersal shelf rockfish (DSR), and recommend reducing DSR bycatch in longline fisheries.

ISSUE: Bycatch of DSR. Most DSR are harvested as bycatch in the commercial longline fisheries. In 2004, the sport harvest of DSR was included in the total Southeast harvest, the guideline harvest for some areas of Southeast Alaska was attained, and no directed DSR longlining was permitted in these areas in 2005.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport anglers may be penalized with further restrictions, due to a bycatch issue in a longline fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, sport caught DSR are generally consumed or processed the same day. Excessive bycatch of DSR is wanton waste.

WHO IS LIKELY TO BENEFIT? Sport anglers will benefit with historical regulations. Rockfish longline fisheries may benefit by being allowed a directed DSR harvest.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? Reducing the daily bag of DSR for sport anglers; may create a new bycatch mortality.

PROPOSED BY: Sitka Charter Boat Operators Association (HQ-05-F-126)

PROPOSAL 227 - 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska Area. Amend the regulation as follows:

Commercial fishing for demersal rockfish in Area 1 shall be closed indefinitely.

Area 1 is that area of 1-F south of Ketchikan which includes Blank Inlet, Dall Head, Mountain Point, Bold and Round islands, Mary and Twin islands, Point Alva, Thorne Arm, and George and Carroll inlets.

ISSUE: Demersal rockfish are being heavily targeted in Area 1. These fish have a very slow recovery rate and age beyond 50 years.

WHAT WILL HAPPEN IF NOTHING IS DONE? The population of demersal rockfish will continue to suffer in this area as the pressures from guided sport fishers and subsistence users increase.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No. This area can no longer support a commercial rock fishery.

WHO IS LIKELY TO BENEFIT? Personal use, subsistence and guided sport fishermen.

WHO IS LIKELY TO SUFFER? No one. This area can no longer sustain a commercial fishery for rockfish.

OTHER SOLUTIONS CONSIDERED? Prohibiting the taking of more than one demersal rockfish in the guided sport fishery. (separate proposal)

PROPOSED BY: Tongass Sportfishing Association (HQ-05-F-199)

PROPOSAL 228 - 5 AAC 28.111. Demersal shelf rockfish fishing seasons for Eastern Gulf of Alaska Area. Amend this regulation as follows:

(a) In the Southeast District, demersal shelf rockfish may be taken in a management area and in the directed fishery only as follows:

(1) **In the Southeast Outside Subdistrict, from January 5 until the day prior to the start of the IFQ halibut season, or until the annual [1 THROUGH MARCH 14, OR UNTIL 67 PERCENT] directed harvest limit for the management area is taken, which ever occurs first;**

(2) **In the Northern Southeast Inside and Southern Southeast Inside Subdistricts, from January 5 until the day prior to the start of the IFQ halibut season, or until 67 percent of the annual directed harvest limit for the management area is taken, which ever occurs first;** [FROM NOVEMBER 16 THROUGH DECEMBER 31, OR UNTIL 33 PERCENT OF THE ANNUAL DIRECTED HARVEST LIMIT FOR THE MANAGEMENT AREA IS TAKEN, WHICH EVER OCCURS FIRST]

(3) **In the Northern Southeast Inside and Southern Southeast Inside Subdistricts, from the day following the end of the halibut IFQ season until December 31, or until 33 percent of the annual directed harvest limit for the management area is taken, which ever occurs first.**

ISSUE: Two problems are now occurring: 1) the directed quotas for DSR are small and the fleet is very efficient on the outer coast so splitting the quota into two seasons on the outer coast often does not work because there is not enough quota for a manageable fishery in the fall season. 2) The IFQ fishery for halibut used to be March 15 through November 15 but since 2003 the IPHC has changed the seasons, the halibut fishery opened on February 27 in 2005. To prevent targeting of DSR by the halibut fleet, which is unmanageable with small quotas, the department does not want the directed DSR fishery to overlap with the IFQ halibut season. If the closing date for the winter fishery and the opening date for the fall fishery were not fixed in regulation but instead linked to the days before or after the halibut fishery opens or closes this would preclude overlap of the fisheries and facilitate management of smaller DSR quotas.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department may continue to exceed the winter allocation, leaving some quota, but not enough for a fall fishery. There would be problems with seasons overlapping or will have to shut the directed fishery using emergency order authority.

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

WHO IS LIKELY TO BENEFIT? The fleet will be able to harvest 100 percent of their annual harvest limits in the outer coast management areas. Regulations will be clearer as to intent on seasons. The department also recommends delaying the opening date from January 1 to 5 – this benefits processors and fishermen. By moving the opening date away from a holiday processors are able to ship fish when there are reduced shipping costs and less restricted access to air cargo space.

WHO IS LIKELY TO SUFFER? The season may become shorter in the NSEI and SSEI area if the IFQ season length continues to expand.

OTHER SOLUTIONS CONSIDERED? Considered leaving the season dates as they are and then using emergency order authority to close the fishery if necessary. This seems less transparent to the public.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-254)

PROPOSAL 229 - 5 AAC 28.150. Closed waters in Eastern Gulf of Alaska area. Amend this regulation as follows:

(d) The following waters are closed to the **directed** taking of demersal shelf rockfish:

...
(2) in the Ketchikan vicinity: all waters of Behm Canal, Clarence Strait, Tongass Narrows, Nichols Passage, George Inlet, Carroll Inlet, Thorne Arm, Revillagigedo Channel, and all contiguous waters enclosed by the latitude of Bushy Point Light, a line from Point Alava to the southernmost tip of Ham Island, a line from Cedar Point to Dall Head, and a line from Dall Head to a point in midstream Clarence Strait at the latitude of Dali Head to **Caamano** [CAMANO] Point;

ISSUE: This is a housekeeping proposal. During the board meeting in January 2003 the word "directed" was inadvertently dropped from 5 AAC 28.150(d). The department requires full retention of DSR, therefore these waters are not closed to all harvest, but rather to directed fisheries. The spelling of Caamano Point is incorrect in the existing regulatory language.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulation will not clearly define the original intent.

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

WHO IS LIKELY TO BENEFIT? Everyone, because the regulation will be clear.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None, this is considered housekeeping.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-257)

PROPOSAL 230 - 5 AAC 47.020(8). General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. Amend the regulation as follows:

(8)(B) non-pelagic rockfish: bag limit of five fish, possession limit of 10 fish, of which only two per day and four in possession may be yelloweye rockfish; no annual limit; no size limit; **Nonresidents: five per day, ten in possession, no size limit. Only [TWO] one per day, [FOUR] two in possession may be yelloweye (*Sebastes ruberrimus*), commonly called “red snapper”;**

ISSUE: Excess catch of yelloweye rockfish and other nonpelagic rockfish by the guides and crew in the guided sport charter fishery. This excess harvest (a 36 percent increase since 2002) closed the historic demersal shelf rockfish (DSR) commercial fishery in central Southeast outside, northern Southeast outside, and southern Southeast outside in November of 2004 and all of 2005.

WHAT WILL HAPPEN IF NOTHING IS DONE? The historic directed DSR fishery has been lost to the guided sport fishery. The possibility of the guided sport fishery to impact the halibut individual quota fishery by excessive sport harvest of yelloweye is looming.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the historical commercial rockfish fishery will continue to provide high quality and high value DSR species to their traditional market in November and January.

WHO IS LIKELY TO BENEFIT? The traditional and historic DSR longline fleet of Southeast Alaska. This is an open entry but challenging fishery that provides one of the few opportunities for entry level commercial fishermen.

WHO IS LIKELY TO SUFFER? Nonresidents will be able to take fewer yelloweye out of state.

OTHER SOLUTIONS CONSIDERED? Not doing anything to protect the historic and traditional entry level DSR longline fishery was unacceptable.

PROPOSED BY: Randall Polkert (HQ-05-F-106)

PROPOSAL 231 - 5 AAC 47.030(g). Methods, means, and general provisions—finfish. Amend the regulation as follows:

(g) Operators and crew working on a charter vessel may not retain **chinook** [KING] salmon **and yelloweye** while clients are on board the vessel.

ISSUE: Excess catch of yelloweye rockfish and other nonpelagic rockfish by the guides and crew in the guided sport charter fishery. This excess harvest (a 36 percent increase since 2002) closed the historic demersal shelf rockfish (DSR) commercial fishery in central Southeast outside, northern Southeast outside, and southern Southeast outside in November of 2004 and all of 2005.

WHAT WILL HAPPEN IF NOTHING IS DONE? The historic directed DSR fishery has been lost to the guided sport fishery. The possibility of the guided sport fishery to impact the halibut individual quota fishery by excessive sport harvest of yelloweye is looming.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the historical commercial rockfish fishery will continue to provide high quality and high value DSR species to their traditional market in November and January.

WHO IS LIKELY TO BENEFIT? The traditional and historic DSR longline fleet of Southeast Alaska. This is an open entry but challenging fishery that provides one of the few opportunities for entry level commercial fishermen.

WHO IS LIKELY TO SUFFER? Guides and crew who are padding client's catch with their own limits.

OTHER SOLUTIONS CONSIDERED? Do nothing and lose this historical entry level fishery was unacceptable to me.

PROPOSED BY: Randall Polkert (HQ-05-F-107)

PROPOSAL 232 - 5 AAC 47.020. General provisions for seasons, and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area; and 5 AAC 47.021. Special provisions for seasons, and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. Amend these regulations to provide the following:

Better accounting and identification of rockfish removals along with harvest control measures are needed for the guided sport fish sector. The creel survey should identify total demersal shelf Rockfish (DSR) as well as total yelloweye harvested (whether retained or "released" – i.e., discarded dead). Harvest control measures could include: 1) no retention of yelloweye by guided sport skippers or crew; 2) reduced yelloweye bag and possession limit for guided clients (one per day); 3) establishment of a ratio fishery for the guided clients of one yelloweye per two halibut (i.e., eliminate the directed guided sport fish yelloweye fishery); and, 4) requirement that guided clients stop fishing once yelloweye bag limit has been reached. Alaska Longline Fishermen's Association (ALFA) suggests that a rockfish task force be created by the board (modeled on the successful Sitka Halibut Work Group that created the Sitka Local Area Management Plan to develop a management plan acceptable to all sectors of the fishing industry. If consensus cannot be reached, ALFA asks the board to select from the above measures to protect the historic directed rockfish fishery.

ISSUE: According to the creel survey, the sport harvest of DSR increased by 36 percent in the central Southeast outside area between 2002 and 2003. Most of this harvest was likely taken by the guided sport sector. As a result of this increase, the historic directed commercial fishery for DSR

was preempted, creating economic hardship for fishermen, processors, and communities who depend on this off-season fishery. Clearly this problem needs to be addressed by developing harvest control measures for the guided sport sector, but in order to do so the guided sport sector first must be made more accountable. Creel survey data does not identify DSR harvest to species, making it difficult to determine actual harvest of yelloweye rockfish (*Sebastes ruberrimus*), which is the primary species of concern to the department managers. Managers also do not have tools to prevent localized depletion, a likely problem since guided sport harvest is concentrated in near-town areas.

WHAT WILL HAPPEN IF NOTHING IS DONE? The guided sport sector will continue to preempt the historic commercial fishery and cause problems associated with localized depletion. Markets and communities dependent on the winter fishery will suffer economic hardship and lost opportunity. The actual harvest of yelloweye will remain unknown.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Improving accounting and creating harvest control measures for the guided sport fishery will improve resource conservation by providing better data on removals and reducing localized depletion. Preventing preemption of the historic rockfish fishery will improve the quality of the resource harvested by ensuring that the highly prized fresh winter rockfish fillets are once more available to restaurants and the public at large.

WHO IS LIKELY TO BENEFIT? The rockfish resource will benefit through improved accounting of removals and the opportunity to address localized depletion caused by the guided sport sector. The rockfish longline fleet will benefit from being able to once again prosecute their fishery as they historically have done. The halibut quota share fleet will benefit from not watching their yelloweye bycatch allowance be eroded by the guided sport sector.

WHO IS LIKELY TO SUFFER? Members of the guided sport sector who would like to expand their fishery at the expense of others.

OTHER SOLUTIONS CONSIDERED? After reviewing the rockfish reallocation proposal submitted by the guided sport sector, ALFA considered requesting the board adopt harvest control measures for the guided sport fleet without suggesting the task force approach, but decided the guided sport sector should be given the opportunity to work with the community to solve the problem created by their increased harvest. ALFA also discussed submitting a proposal limiting guided sport clients to 100 pounds of fish (e.g., defining “possession” as returning to primary residence), but thought that proposal might be beyond the scope of this issue.

PROPOSED BY: Alaska Longline Fishermen’s Association (HQ-05-F-108)

PROPOSAL 233 - 5 AAC 47.021. Special provisions for seasons, bag, possession, and size limits, and methods and means for the salt waters of Southeast Alaska Area. Amend the regulation as follows:

The taking of demersal rockfish in Area 1 by guided sport fishers shall be limited to one fish per day.

ISSUE: Demersal rockfish are being heavily targeted in Area 1. These fish have a very slow recovery rate and age beyond 50 years. Some guided sport fishers are targeting this species.

WHAT WILL HAPPEN IF NOTHING IS DONE? The population of demersal rockfish will continue to suffer in this area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it will help these fish to recover and grow into a mature size.

WHO IS LIKELY TO BENEFIT? All personal use and subsistence fishermen.

WHO IS LIKELY TO SUFFER? No one. Guided sport fishers can still target pelagic rockfish, halibut and salmon.

OTHER SOLUTIONS CONSIDERED? Close commercial fishing for demersal rockfish in Area 1. (separate proposal)

PROPOSED BY: Tongass Sportfishing Association (HQ-05-F-198)

PROPOSAL 234 - 5 AAC 01.745. Subsistence bag and possession limits. Amend the regulation as follows:

Subsistence fishermen may retain one state possession limit for rockfish.

ISSUE: Clarification of state rockfish regulations within the federal subsistence halibut fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Confusion for subsistence fishermen, fishery managers, and enforcement concerning incidental take of rockfish while subsistence fishing for halibut.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it allows for retention and nonwasteful take of incidental catch.

WHO IS LIKELY TO BENEFIT? Every resident of Alaska.

WHO IS LIKELY TO SUFFER? No anticipated suffering.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Alaska Native Halibut Subsistence Working Group, RuralCap (HQ-05-F-086)

PROPOSAL 235 - 5 AAC 47.060. Lingcod delegation of authority and provisions for management. Amend the regulation as follows:

Maintain the current slot limit of 30 inch to 40 inch lengths. Open a new slot to include lingcod of a size that is deemed by a department biologist to be within five pounds and up to ten pounds of the Alaska state record, i.e., ___ inches or greater.

ISSUE: No access to trophy lingcod in the northern Southeast Alaska area and outer Prince of Wales area.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport anglers in the outer Prince of Wales area and northern Southeast Alaska area are being excluded from joining in the competition to catch the Alaska state record lingcod.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, it give the thousands of sport anglers in the above areas the equal opportunity of catching the Alaska state record lingcod with almost no increase in the overall harvest of lingcod.

WHO IS LIKELY TO BENEFIT? Sport anglers.

WHO IS LIKELY TO SUFFER? The current state record holder.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Sitka Charter Boat Operators Association (HQ-05-F-166)

PROPOSAL 236 - 5 AAC 01.720. Lawful gear and gear specifications. Amend the regulation as follows:

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

...

(5) lingcod may not be taken by a spear or by diving gear between December 1 and May 15.

ISSUE: Lingcod are nest guarders. Females lay large egg masses during winter and spring. The males guard the fertilized eggs until hatching, generally 7 to 11 weeks after spawning. During this time the males are extremely susceptible to harvest, and if removed from the nest, the eggs are consumed by predators. No other directed fisheries are allowed for lingcod during this critical time period. Longliners are allowed a bycatch of lingcod while fishing for other species because they generally catch post-spawning females in deeper water.

WHAT WILL HAPPEN IF NOTHING IS DONE? There has been recent interest in spear fishing for lingcod in District 13. It would be easy for local lingcod populations to be adversely impacted by a directed spear fishery in the winter.

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

WHO IS LIKELY TO BENEFIT? All users of the resource as there will be protection of the male, nest guarding lingcod, adding to increased survival of eggs.

WHO IS LIKELY TO SUFFER? Subsistence fishermen who want to spear fish lingcod during the winter months.

OTHER SOLUTIONS CONSIDERED? Prohibiting all subsistence lingcod fishing during December – mid-May.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-247)

PROPOSAL 237 - 5 AAC 01.745. Subsistence bag and possession limits. Amend the regulation as follows:

Allow for the incidental take of one lingcod per person, per day while subsistence halibut fishing on a year-round basis.

ISSUE: Clarification of state lingcod regulations within the federal subsistence fishery for halibut.

WHAT WILL HAPPEN IF NOTHING IS DONE? The new subsistence fishery take of lingcod will continue to not be recognized in the state's GHIL and management plans.

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

WHO IS LIKELY TO BENEFIT? All Alaska subsistence fishermen.

WHO IS LIKELY TO SUFFER? Based on available data, no one likely to suffer.

OTHER SOLUTIONS CONSIDERED? Considered full retention of lingcod. Rejected for conservation measures.

PROPOSED BY: Alaska Native Halibut Subsistence Working Group, RuralCap (HQ-05-F-087)

PROPOSAL 238 - 5 AAC 28.160(e)(2). Harvest guidelines and ranges for Eastern Gulf of Alaska Area; and 5 AAC 28.165(a)(2). Lingcod allocation guidelines for Eastern Gulf of Alaska Area. Amend these regulations as follows:

5 AAC 28.160(e)(x) **The GHIL for the East Yakutat Section is 0-300,000**

5 AAC 28.165(a)(2) reallocate the new GHIL as follows:

- (A) **62** [43] percent to the directed commercial lingcod fishery;
- (B) **1.4** [2] percent to the sport fishery;
- (C) **31.3** [47] percent to bycatch in the commercial longline fishery;
- (D) **5.3** [8] percent to bycatch in the commercial troll fishery;

ISSUE: I would like to see the guideline harvest level of lingcod in the East Yakutat Section increased to 300,000 pounds. Additionally, reallocate this new GHIL to allow for additional harvest by the directed lingcod fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The directed lingcod fishery allocation in East Yakutat has been fully utilized since the new GHIL was instituted in 2000. The present allocation promotes a derby-style fishery which, for the previous three years, has only ranged from four to six days. Catch rates for East Yakutat are higher than the other management areas and have remained relatively stable suggesting that additional harvest could take place.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes it could. An increase in quota would provide for a longer fishing period, decrease the negative affects of a derby style fishery, and help increase the availability of the product to the marketplace over a longer period of time.

WHO IS LIKELY TO BENEFIT? Directed lingcod fishermen will benefit. A higher quota will allow vessels to make more than one fishing trip.

WHO IS LIKELY TO SUFFER? No one should be negatively impacted. Although their percent of allocation will decrease, due to the increase in overall GHIL the other gear groups will be able to harvest at their current level, actually gaining 200 pounds.

OTHER SOLUTIONS CONSIDERED? Increasing the GHIL harvest to 300,000 pounds and allocating to the different gear groups at the current percentage rate. This would only reflect a small increase in quota for the directed fleet. At present, the current allocation to the other gear groups appears sufficient. Their harvest for the past two years has remained below their yearly allocation. In contrast, the directed fishery is taking their entire allocation in a four- to six-day period.

PROPOSED BY: Gary Egerton (HQ-05-F-102)

PROPOSAL 239 - 5 AAC 28.173(a). Lingcod possession and landing requirements for Eastern Gulf of Alaska. Amend the regulation as follows:

(a)(1) halibut with longline gear may not land or have on board lingcod in excess of five percent [, BY ROUND WEIGHT,] of all halibut on board the vessel **except in Icy Bay Section where the limit is ten percent.**

ISSUE: Not all lingcod quota is being harvested in Icy Bay Section.

WHAT WILL HAPPEN IF NOTHING IS DONE? The commercial quota for lingcod in the Icy Bay Section has never been fully harvested. There has been an average of 40,000 pounds remaining each year between 2001 and 2004.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, but it does ensure quota will be harvested.

WHO IS LIKELY TO BENEFIT? Halibut longliners fishing the Icy Bay Section.

WHO IS LIKELY TO SUFFER? No one as quota has yet to be fully harvested.

OTHER SOLUTIONS CONSIDERED? Different bycatch limit—10 percent seems reasonable to stay within total quota.

PROPOSED BY: Richard Curran (HQ-05-F-111)

PROPOSAL 240 - 5 AAC 28.106. Eastern Gulf of Alaska Area registration; and 5 AAC 28.112. Flatfish (flounder and sole) fishing seasons for Eastern Gulf of Alaska Area; 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area; 28.172. Flatfish (flounder and sole) possession and landing requirements for Eastern Gulf of Alaska Area; and 5 AAC 28.175. Logbooks for Eastern Gulf of Alaska Area. Amend these regulations as follows:

The season will open on a set date. All deliveries will be accompanied with logbook information. All boats in this fishery will register with the department and may have to carry an observer if the department sees fit. All fishing will be done with beam trawl.

ISSUE: The trip limit on miscellaneous finfish trawl fishing. At the limit levels it is not feasible for the fishermen or the processors to work at 20,000 pounds per week with a low fish price. Drop the trip limit, which is not needed to manage the fishery any more. The otter trawl fishery is no longer allowed in Southeast which the trip limit was set in place as a safeguard so the large boats passing through would not overfish an area.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will continue to be unused.

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

WHO IS LIKELY TO BENEFIT? Fishermen, processors and the species. The flounder prey on shrimp, crab, herring and salmon. After fishing these fish in the 1980s and early 1990s, there was a large spike in the Dungeness crab fishery and a very large spike in the shrimp fishery in the areas that the flounder fisheries took place. 100,000 pounds of flounder is worth about \$25,000.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? A 40,000 pound limit but it was felt that harvests are very weather dependent so no limit was better.

PROPOSED BY: Wrangell Advisory Committee (HQ-05-F-118)

PROPOSAL 241 - 5 AAC 28.106. Eastern Gulf of Alaska Area registration. Amend the regulation as follows:

The Southeast District will be a superexclusive registration area. Both the permit holder and the vessel must register with the department. If you register in Southeast, you cannot fish another groundfish trawl fishery during that same year.

ISSUE: To retain the commercial directed flatfish trawl fishery at a more viable level.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fishery will more than likely remain unfished.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This will help manage the fishery to be fished by beam trawls which have proved to be more environmentally sound for resource, bycatch and habitat.

WHO IS LIKELY TO BENEFIT? Fishermen and processors.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Southeast Shrimpers Association (HQ-05-F-167)

PROPOSAL 242 - 5 AAC 28.112. Flatfish (flounder and sole) fishing seasons for Eastern Gulf of Alaska Area; 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area; 5 AAC 28.160. Harvest guidelines and ranges for Eastern Gulf of Alaska Area; and 5 AAC 28.172. Flatfish (flounder and sole) possession and landing requirements for Eastern Gulf of Alaska Area. Repeal the following regulations:

5 AAC 28.112. Flatfish (flounder and sole) fishing seasons for Eastern Gulf of Alaska Area. Repeal the following: [FLATFISH (FLOUNDER AND SOLE) FISHING SEASONS FOR EASTERN GULF OF ALASKA AREA IN THE WATERS OF ALASKA IN THE EASTERN GULF OF ALASKA AREA, FLATFISH (FLOUNDER AND SOLE) MAY BE TAKEN BY TRAWL ONLY AS FOLLOWS:

(1) IN WATERS OF SUMNER STRAIT NORTH AND EAST OF A LINE FROM MITCHELL POINT TO POINT ST. JOHN, WEST OF A LINE FROM THE TIP OF LOW POINT TO THE TIP OF POINT ALEXANDER, SOUTH OF A LINE FROM POINT ALEXANDER TO THE SOUTHERNMOST TIP OF WOEWODSKI ISLAND, AND SOUTH OF THE LATITUDE OF THE NORTHERNMOST TIP OF BUTTERWORTH ISLAND IN DUNCAN CANAL, FROM OCTOBER 1 THROUGH NOVEMBER 15 AND FROM FEBRUARY 15 THROUGH APRIL 15;

(2) IN WATERS OF ZIMOVIA STRAIT AND ANITA BAY SOUTH OF THE LATITUDE OF NEMO POINT AND NORTH OF THE LATITUDE OF VILLAGE ISLAND, FROM OCTOBER 1 THROUGH APRIL 15;

(3) IN WATERS OF SUMNER STRAIT, STIKINE STRAIT, AND EASTERN PASSAGE NORTH AND EAST OF A LINE FROM POINT HOWE TO NEAL POINT TO WORONKOFKI POINT TO POINT HIGHFIELD, NORTH AND WEST OF A LINE FROM BABBLER POINT TO HOUR POINT, AND SOUTH OF THE LATITUDE OF BLAQUIERE POINT, FROM OCTOBER 1 THROUGH APRIL 15;

(4) IN WATERS OF KEKU STRAIT AND PORT CAMDEN SOUTH AND EAST OF A LINE FROM POINT MACARTNEY TO CORNWALLIS POINT AND WEST OF A LINE FROM POINT CAMDEN TO SALT POINT, FROM OCTOBER 1 THROUGH NOVEMBER 15 AND FROM FEBRUARY 15 THROUGH APRIL 15.]

5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

Repeal the following:

[(c) IN THE NORTHERN AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS, FLATFISH (FLOUNDER AND SOLE) MAY BE TAKEN IN A DIRECTED TRAWL FISHERY ONLY BY BEAM TRAWL GEAR, AND ONLY UNDER THE AUTHORITY OF A PERMIT ISSUED BY THE COMMISSIONER UNDER (L) OF THIS SECTION. IN THE PERMIT THE COMMISSIONER MAY SPECIFY OPEN AREAS, FISHING PERIODS, GEAR AND OPERATING SPECIFICATIONS, OBSERVER REQUIREMENTS, AND COMPLETION OF LOGBOOKS, AVAILABLE FROM THE DEPARTMENT, BY THE VESSEL OPERATOR.]

[(e) IN AREAS OPEN TO A DIRECTED FISHERY FOR FLATFISH (FLOUNDER AND SOLE) USING BEAM TRAWL GEAR IN THE NORTHERN AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS, A REGISTERED SHRIMP BEAM TRAWL VESSEL MAY TRAWL FOR FLATFISH USING BEAM TRAWL GEAR IN AN AREA CLOSED TO SHRIMP TRAWLING, IF A COD-END MESH OF AT LEAST FIVE INCHES STRETCHED MEASURE IS USED.]

5 AAC 28.160. Harvest guidelines and ranges for Eastern Gulf of Alaska Area.

Repeal the following:

[(d) THE GUIDELINE HARVEST RANGES OR LIMITS FOR THE TAKING OF FLATFISH (FLOUNDER AND SOLE) IN THE NORTHERN AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS ARE AS FOLLOWS:

(1) IN WATERS OF SUMNER STRAIT NORTH AND EAST OF A LINE FROM MITCHELL POINT TO POINT ST. JOHN, WEST OF A LINE FROM THE TIP OF LOW POINT TO THE TIP OF POINT ALEXANDER, SOUTH OF A LINE FROM POINT ALEXANDER TO THE SOUTHERN TIP OF WOEWODSKI ISLAND, AND SOUTH OF THE LATITUDE OF THE NORTHERNMOST TIP OF BUTTERWORTH ISLAND IN DUNCAN CANAL: 100,000 - 350,000 POUNDS ROUND WEIGHT;

(2) IN WATERS OF ZIMOVIA STRAIT AND ANITA BAY SOUTH OF THE LATITUDE OF NEMO POINT AND NORTH OF THE LATITUDE OF VILLAGE ISLAND: 20,000 TO 100,000 POUNDS ROUND WEIGHT;

(3) IN WATERS OF SUMNER STRAIT, STIKINE STRAIT, AND EASTERN PASSAGE NORTH AND EAST OF A LINE FROM POINT HOWE TO NEAL POINT TO WORONKOFKI POINT TO POINT HIGHFIELD, NORTH AND WEST OF A LINE FROM BABBLER POINT TO HOUR POINT, AND SOUTH OF THE LATITUDE OF BLAQUIERE POINT: ZERO - 150,000 POUNDS ROUND WEIGHT;

(4) IN WATERS OF KEKU STRAIT AND PORT CAMDEN SOUTH AND EAST OF A LINE FROM POINT MACARTNEY TO CORNWALLIS POINT AND WEST OF A LINE FROM POINT CAMDEN TO SALT POINT: 100,000 - 350,000 POUNDS ROUND WEIGHT;]

(5) IN THE REMAINING WATERS OF THE NORTHERN SOUTHEAST INSIDE AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS: NOT MORE THAN 30,000 POUNDS ROUND WEIGHT.]

5 AAC 28.172. Flatfish (flounder and sole) possession and landing requirements for Eastern Gulf of Alaska Area.

Repeal the following:

[IN THE NORTHERN AND SOUTHERN SOUTHEAST INSIDE SUBDISTRICTS, A TRAWL VESSEL MAY NOT LAND OR HAVE ON BOARD MORE THAN 20,000 POUNDS (ROUND WEIGHT) OF FLATFISH (FLOUNDER AND SOLE) IN ANY SEVEN-DAY PERIOD.]

ISSUE: The department is proposing to remove regulations pertaining to directed fishing for flatfish. This trawl fishery has not been prosecuted since 1998 and has not had any significant landings in the past ten years. Consequently, the department knows little about the condition of the flatfish resource in Southeast, or the impacts this fishery could have on bycatch species like crab and halibut. The department would allow exploratory flatfish beam trawl fisheries under the authority of 5 AAC 28.179. Permits for miscellaneous groundfish in Eastern Gulf of Alaska area.

WHAT WILL HAPPEN IF NOTHING IS DONE? It is possible that a flatfish beam trawl fishery could redevelop in Southeast Alaska and the department does not have information to evaluate the appropriate level of quotas, areas, or bycatch problems.

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

WHO IS LIKELY TO BENEFIT? The department and the resource by requiring a controlled exploration of this resource.

WHO IS LIKELY TO SUFFER? Fishermen may suffer if they are unwilling to apply for a commissioner's permit. At this point no one is utilizing this resource so no one will directly suffer.

OTHER SOLUTIONS CONSIDERED? Other quota levels could be considered, however there is no basis to judge the appropriate level of harvest.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-255)

PROPOSAL 243 - 5 AAC 47.036. Prohibitions. Amend the regulation as follows:

- (x) An owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or guide services may not furnish to, or possess for, a client or guest of that enterprise, halibut that has been taken under this chapter, unless the
 - (1) halibut has been taken with gear deployed and retrieved by the client or guest;
 - (2) gear has been marked with the client's or guest's name and address, and
 - (3) halibut is to be consumed by the client or guest or is consumed in the presence of the client or guest.
- (b) The captain and crew members of a charter vessel may not deploy, set, or retrieve their own gear in a subsistence halibut fishery when that vessel is being chartered.
- (c) A person may not disturb, tamper with, or retrieve another person's halibut gear without prior permission of the owner of that halibut gear.

ISSUE: Subsistence harvested fish and shellfish are being processed, primarily frozen, at licensed commercial charter lodges. It is illegal for commercial seafood processors to handle and process subsistence harvested halibut. There should be a separation between subsistence activities and both commercial seafood processing and charter lodge processing.

WHAT WILL HAPPEN IF NOTHING IS DONE? Sport, guided sport, and nonresident bag limits are often more conservative than subsistence bag limits. Without clear delineation between subsistence handling and processing and guided sport handling and processing, differing regulations become meaningless and unenforceable.

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

WHO IS LIKELY TO BENEFIT? Subsistence users will not have to compete with commercial guiding operations for halibut subsistence sets in the popular halibut holes. Subsistence halibut users will benefit.

WHO IS LIKELY TO SUFFER? Charter operations harvesting and processing subsistence halibut and then providing these halibut to paying clients to take home.

OTHER SOLUTIONS CONSIDERED? The existing rules for subsistence shellfish should be applied for halibut.

PROPOSED BY: Walter Pasternak (HQ-05-F-105)

PROPOSAL 244 - 5 AAC 28.1XX. Trip limits for commercial Pacific cod vessels. Create a new regulation to provide the following:

A trip limit shall be 15,000 pounds per trip in a five or six day limit.

ISSUE: A trip limit per vessel that targets Pacific cod in northern Southeast inside waters.

WHAT WILL HAPPEN IF NOTHING IS DONE? The small boats will not be able to sustain a livelihood because the larger vessels are taking more of the quota in the areas in a few trips.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The smaller boats deliver around every three to five days. The larger vessels fish longer and the product is not as good as fresher fish.

WHO IS LIKELY TO BENEFIT? The smaller vessel fleet.

WHO IS LIKELY TO SUFFER? The larger vessel fleet, but there are not very many larger vessels at this time.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Sam Smith, Jr. and Rick Nobert (HQ-05-F-094)

PROPOSAL 245 - 5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.
Amend the regulation as follows:

(a) In the Eastern Gulf of Alaska Area, sablefish may be taken only as follows: (1) in the Northern Southeast Inside Subdistrict, from 8:00 am August 1 [15] until 12:00 noon November 15; ...

ISSUE: Extend the Northern Southeast Inside Subdistrict sablefish season two weeks earlier. This provides the harvesters a better opportunity to compete in the marketplace against the newly developing sablefish farming industry.

WHAT WILL HAPPEN IF NOTHING IS DONE? Marketing opportunities will be increased by a lengthened season. When season and harvest is more condensed, this creates more of a “race to fish” mentality. A longer season allows more permit holders to retain their sablefish when harvesting halibut.

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

WHO IS LIKELY TO BENEFIT? Allows fishermen a better opportunity to harvest their Chatham sablefish at a time that is convenient, providing flexibility.

WHO IS LIKELY TO SUFFER? This should not cause any harvester to suffer and the change in the regulation would not affect sport, personal use of subsistence users.

OTHER SOLUTIONS CONSIDERED? Extend the season to coincide with the federal IFQ sablefish fishery in outside waters. We did not pursue this option at this time to allow the managers a chance to evaluate small changes to the fishery rather than a large change in season dates.

PROPOSED BY: Southeast Alaska Fishermen’s Alliance (HQ-05-F-134)

PROPOSAL 246 - 5 AAC 28.170. Sablefish possession and landing requirements for Eastern Gulf of Alaska Area. Amend this regulation as follows:

(j) If a permit holder's harvest exceeds the permit holder's equal quota share established under (f) or (g) of this section for that year, by not more than five percent, the department shall reduce the permit holder's equal quota share (EQS) for the following year by the amount of the overage [OR THE PERMIT HOLDER MAY TRANSFER IN-SEASON THE OVERAGE TO ANOTHER PERMIT HOLDER WHO HAS NOT HARVESTED THAT PERMIT HOLDER'S FULL EQUAL QUOTA SHARE. IF THE OVERAGE IS TRANSFERRED UNDER THIS SUBSECTION, BOTH PERMIT HOLDER'S SHALL RECORD THE TRANSFER IN THE HOLDER'S LOGBOOK AND IN FISH TICKETS]. This adjusted EQS is their personal quota share (PQS) for that year. If a permit holder's harvest exceeds the permit holder's equal quota share by more than five percent, the proceeds from the sale of the overage in excess of five percent shall be surrendered to the state. **This adjustment policy should not be mistaken for an opportunity to routinely exceed an annual PQS or to exceed the EQS in an amount greater than 5 percent and in doing so the permit holder may be prosecuted under AS 16.05.723. A permit holder may not begin a new fishing trip if they have harvested their personal quota share (adjusted EQS), even if they are below the 5 percent allowable overage.** [THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY AFTER MAY 30, 2006.]

(k) If a permit holder's harvest is less than the permit holder's equal quota share established under (f) or (g) or this section for that year, the department shall increase the permit holder's personal quota share only for the following year by the amount of the underage that does not exceed five percent of the equal quota share. [THE PROVISIONS OF THIS SUBSECTION DO NOT APPLY AFTER MAY 30, 2006.]

ISSUE: Transferring fish to another permit holder is problematic. There are several questions associated with this transfer including: does the second permit holder need to be on the tender or at the plant when the product is delivered? Does an agreement have to be in place before fishing? It is also difficult to track this fish in the fish ticket system. The department has also noted that some permit holders have started a trip after their personal quota share is taken for the year, in order to harvest the 5 percent overage allowance. This is not the intent of the regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? Fish may be misreported accidentally in the fish ticket system and it may be difficult to follow fish through the transfer process, particularly if the permit holder accepting the transferred fish is not present. There may also be double reporting of harvest which would lead to misrepresentation of the total harvest.

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

WHO IS LIKELY TO BENEFIT? The department will have cleaner records and the processors will benefit from less confusion on transferring fish.

WHO IS LIKELY TO SUFFER? Only a few permit holders have used this provision the past three years; given that they are allowed to carry forward a 5 percent overage this should not cause a problem for anyone.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSAL 247 - 5 AAC 39.145. Escape mechanism for shellfish and bottomfish pots.

Amend the regulation as follows:

(1) ...Dungeness crab pots may have the pot lid tie-down straps secured to the pot at one end by a single loop of untreated, 100 percent cotton twine no larger than **90 thread**, [60 THREAD] ...

ISSUE: I believe the size of the untreated 100 percent cotton twine required for Dungeness pots should be increased from 60 thread to 90 thread; as 60 thread does not last two months and requires crabbers to change them at least once during the season. Increasing the size of the twine would still allow it to biodegrade, as intended.

WHAT WILL HAPPEN IF NOTHING IS DONE? Dungeness crabbers would still be required to change their “cottons” at least once during the season, taking time away from valuable fishing time; not to mention the extra cost incurred in replacing the “cottons” twice.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Not addressed.

WHO IS LIKELY TO BENEFIT? All Dungeness crabbers, as they will not have to replace their “cottons” during the crab season, and incur the extra cost and lost time changing them during the opening.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None considered.

PROPOSAL 248 - 5 AAC 39.145. Escape mechanism for shellfish and bottomfish pots.

Amend the regulation as follows:

(1) A sidewall, which may include the tunnel, of all shellfish and bottomfish pots must contain an opening equal to or exceeding 18 inches in length, except that in shrimp pots the opening must be a minimum of six inches in length. The opening must be laced, sewn or secured together by a single length of untreated, 100 percent cotton twine, no larger than 30 thread. The cotton twine may be knotted at each end only. The opening must be within six inches of the bottom of the pot and must be parallel with it. The cotton twine may not be tied or looped around the web bars. Dungeness crab pots may have the pot lid tie-down straps secured to the pot at one end by a single loop of untreated, 100 percent cotton twine no larger than **90** [60] thread, as a substitute for the above requirement; the pot lid must be secured so that, when the twine degrades, the lid will no longer be securely closed.

ISSUE: The cotton biodegradable twine in the commercial Dungeness crab fishery is rotting before the summer season is over and pots are being pulled with the rotting twine broken. AS 16.10.125 requires the use of termination devices on shellfish and bottomfish pots. This statute requires the board to prescribe by regulation, a termination device that renders the pot incapable of holding

shellfish or bottomfish for more than six months when it is continuously immersed in sea water. At present time, the 60 thread cotton twine required is breaking before a 2.5 month season is over. In the years when the water temperature is warmer, it is even more of a problem.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lost harvest for the fisherman.

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

WHO IS LIKELY TO BENEFIT? The fishermen will not pull pots that are empty because the biodegradable twine has rotted before the season is over. It is difficult to monitor the twine strength during the middle of a season when you are pulling pots, measuring crab and trying to reset the pot.

WHO IS LIKELY TO SUFFER? Suppliers - requesting a twine size that is not commonly stocked by stores anymore.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: SE AK Fishermen's Alliance (HQ-05-F-136)

PROPOSAL 249 - 5 AAC 39.145. Escape mechanism for shellfish and bottomfish pots.
Create a new regulation as follows:

(4) Effective July 1, 2006, all subsistence pots, personal use shellfish pots, and sport shellfish pots webbed with rigid mesh must have at least one opening in a sidewall of the pot equal to or exceeding the dimensions of the largest tunnel eye of the pot. The opening must be located within six inches of the bottom of the pot. The opening may be covered with a single panel located on the outside of the pot secured to the pot with no more than four single loops of 100 percent cotton twine no larger than 30 thread. Each single loop of cotton twine may contain only one knot and may not be laced along the opening. The panel must be attached to the pot in a manner that when the cotton twine degrades the panel will drop away from the pot exposing the opening.

ISSUE: A growing number of personal use crab and shrimp pots are being constructed of rigid mesh web. The current escape mechanism definition does not function to escape crabs or shrimp in these pots.

WHAT WILL HAPPEN IF NOTHING IS DONE? Lost rigid mesh pots will ghost fish. Pot builders and purchasers of pots will be confused as to what is legal gear and a variety of solutions being implemented may or may not be legal once an additional escape mechanism definition is established.

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

WHO IS LIKELY TO BENEFIT? The resource, the subsistence, personal use and sport fleet, the Department of Fish and Game, the Department of Public Safety, and builders of pots will benefit from a functional definition of escape mechanism.

WHO IS LIKELY TO SUFFER? Individuals whose pots do not currently conform to this definition will have to fix them.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-275)

PROPOSAL 250 - 5 AAC 77.660. Personal use shrimp fishery. Amend this regulation as follows:

(2) a commercially licensed and registered shrimp fishing vessel may not be used to take shrimp in Districts 6 – 8 and 10 from February 15 through April 30 [, EXCEPT DURING AN EXPLORATORY SHRIMP FISHERY PROVIDED FOR IN 5 AAC 31.111(b)].

ISSUE: This is a housekeeping proposal as 5 AAC 31.111(b) was removed at the 2003 meeting of the board.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations will be confusing.

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

WHO IS LIKELY TO BENEFIT? Fishermen and the department will benefit from a clearly written regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-276)

PROPOSAL 251 - 5 AAC 31.020(b). Shrimp area registration. Amend the regulation to read:

Open shrimping season in Area 3A the beginning of May.

ISSUE: Open shrimping season beginning of May.

WHAT WILL HAPPEN IF NOTHING IS DONE? More shrimp and bigger shrimp.

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

WHO IS LIKELY TO BENEFIT? Shrimpers.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gregory L. Knapp, Jr. (HQ-05-F-001)

PROPOSAL 252 - 5 AAC 31.110. Shrimp pot fishing seasons and periods in Registration Area A. Amend the regulation as follows:

Open shrimping season in Area 3A on May 1.

ISSUE: Open the shrimp season May 1.

WHAT WILL HAPPEN IF NOTHING IS DONE? We are getting fewer and smaller shrimp every year.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the shrimp will have less eggs, less fresh water to keep live shrimp.

WHO IS LIKELY TO BENEFIT? Shrimp fishermen, the shrimp population.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Frank Natkong (HQ-05-F-002)

PROPOSAL 253 - 5 AAC 31.110. Shrimp pot fishing seasons and periods in Registration Area A. Amend the regulation as follows:

Open shrimping season in Area 3A on May 1.

ISSUE: I would like to see a change in the shrimp season, sometime when the shrimp are not full of eggs.

WHAT WILL HAPPEN IF NOTHING IS DONE? If we keep killing the shrimp with eggs, what shrimp will be left?

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Less shrimp with eggs harvested.

WHO IS LIKELY TO BENEFIT? Consumer and fishermen.

WHO IS LIKELY TO SUFFER? Nobody.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Gene Mathena (HQ-05-F-003)

PROPOSAL 254 - 5 AAC 31.110. Shrimp pot fishing seasons and periods in Registration Area A. Amend the regulation as follows:

Open shrimping season in Area 3A on May 1.

ISSUE: Open the season May 1 due to declining stock of shrimp.

WHAT WILL HAPPEN IF NOTHING IS DONE? Shrimp will slowly die off. Season now is when they are full of eggs.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the shrimp would be eggless. Not as much fresh water on top.

WHO IS LIKELY TO BENEFIT? Shrimp population.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Denise Mathena (HQ-05-F-004)

PROPOSAL 255 - 5 AAC 31.110. Shrimp pot fishing seasons and periods in Registration Area A. Amend the regulation as follows:

Open shrimp season in Area 3A at 0800 hours May 1.

ISSUE: Opening shrimp season while the shrimp are full of eggs. Change the opening to May 1 to reduce the taking of shrimp with eggs.

WHAT WILL HAPPEN IF NOTHING IS DONE? Stock will continue to decline.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? I believe if the shrimp were not fished during the egg incubation period it would produce better and healthier shrimp fall and winter.

WHO IS LIKELY TO BENEFIT? All shrimp fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Don Natkong (HQ-05-F-006)

PROPOSAL 256 - 5 AAC 31.136. Closed waters in Registration Area A. Amend the regulation as follows:

Commercial shrimp fishing is closed from the Skagway city boundary, north into Taiya Inlet in the Skagway city boundaries.

ISSUE: Closure of commercial shrimp fishing in the upper Taiya Inlet, north of the Skagway city boundaries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Subsistence,, recreational users, and noncommercial users will suffer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, elimination of commercial operations increases subsistence, noncommercial sport fishing, and personal use catches.

WHO IS LIKELY TO BENEFIT? Residents of Skagway, sport fishermen, and other recreational and noncommercial users.

WHO IS LIKELY TO SUFFER? Commercial fishermen.

OTHER SOLUTIONS CONSIDERED? N/A

PROPOSED BY: City of Skagway (HQ-05-F-043)

PROPOSAL 257 - 5 AAC 31.145. Southeastern Alaska Area Pot Shrimp Fishery Management Plan. Amend the regulation to include the following:

Add to the pot shrimp management plan: The department shall set a target catch rate for each district in Southeast prior to October 1 of each year. This target catch rate will be within the GHR for each district. The target catch rate will be based on biological data such as size trends in the surveyed and harvested shrimp, catch rates, past fishery performance and other information the department has available. As more data becomes available from the conduct of the fishery, they may adjust the target catch rate.

ISSUE: The department needs to set target catch rates for each district prior to the season and may adjust these catch rates inseason as biological data is available.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will continue to not use all the information that they have to manage the pot shrimp fishery in Southeast.

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

WHO IS LIKELY TO BENEFIT? The stock should benefit as catches will more closely mirror changes in the stock levels.

WHO IS LIKELY TO SUFFER? The department may experience an additional workload.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Southeast Pot Shrimp Task Force (HQ-05-F-071)

PROPOSAL 258 - 5 AAC 31.115. Shrimp pot guideline harvest ranges for Registration Area A. Amend the regulation as follows:

The GHR, in pounds, for shrimp for each district in Southeast shall be adjusted as follows:

District 1	0 to 246,000
District 2	0 to 129,000
District 3A	0 to 396,000
District 3B and 3C	0 to 75,000
District 4	0 to 30,000
District 5	0 to 30,000
District 6	0 to 102,000
District 7	0 to 156,000
District 8	0 to 30,000
District 9	0 to 27,000
District 10	0 to 54,000
District 11	0 to 20,000
Tenakee Inlet	0 to 30,000
Remainder of 12	0 to 22,500
District 13C	0 to 45,000
District 13B and 13C	0 to 22,500
District 14	0 to 30,000
District 15	0 to 30,000
District 16	0 to 30,000

ISSUE: The department has collected much data on shrimp in southeast since the original GHRs were established. They are currently starting to use this data to change the preseason target catch rate in some districts. In 2004 the target catch rate for two of the districts was outside of the GHR. The adoption of this proposal would allow the department more flexibility in the management of the fishery without board action on a regular basis. The intent of this proposal is not to target the upper number in the GHR but to allow the department to allow the fishery to harvest this if conditions warrant.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will either manage outside of the GHR when populations increase or the fleet will not be allowed to harvest shrimp if the population increases and a surplus is identified until the board can change the GHR.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This will not affect the quality of the resource.

WHO IS LIKELY TO BENEFIT? Shrimp fishermen and the department will benefit as management of this fishery becomes more dependent on the health of the stock since the department will be able to increase catches on healthy stocks and also lower catches where stocks are declining. The board will also benefit by not having to review a potential GHR change for each area or subarea.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Staying with the current GHR was considered but rejected since the department has started to actively manage this fishery. We considered changing the GHR individually by stock but this would not allow us the flexibility in the fishery that will be necessary as the department changes their management based on additional data they are collecting. We considered having the lower number of the GHR be set poundage but decided that this was not desirable as the department may feel forced to harvest that amount regardless of the health of the stock.

PROPOSAL 259 - 5 AAC 31.145. Southeastern Alaska Area Pot Shrimp Fishery Management Plan. Amend the regulation as follows:

The department may keep a statistical area open for up to one week within a district when the district closes if 5 percent or less of the district catch came from that statistical area. The department will announce the closure date for the statistical areas left open at the same time as the overall district closure.

ISSUE: Currently there are some areas in Southeast that are closed to shrimping when a large district closes. These smaller areas are within fishing districts that are closed when they reach their GHR. Some of these areas have historically had some fishing pressure and some have not.

WHAT WILL HAPPEN IF NOTHING IS DONE? The shrimp fleet will not be able to access some areas in Southeast because of catches in other areas of the same district.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This will not affect the quality of the resource being harvested.

WHO IS LIKELY TO BENEFIT? Fishermen will benefit by being allowed to explore areas that they currently cannot.

WHO IS LIKELY TO SUFFER? The department may experience more work to manage this fishery.

OTHER SOLUTIONS CONSIDERED? Currently we have been going to the Board of Fisheries with individual requests to expand areas. This may still be done after this proposal is implemented and we have more data on shrimp harvest and distribution. We rejected this idea because it does not allow enough flexibility in management from year to year and from district to district.

PROPOSAL 260 - 5 AAC 31.126. Shrimp pot marking requirements for Registration Area A. Amend the regulation to include the following:

Any string pot shrimp gear more than five pots should be marked with a buoy on each end.

ISSUE: Fishermen using one buoy on one end of a string of shrimp pots. There is no way to tell if that one buoy represents a single pot, three pots, five pots, or a string of 25 pots, or which direction they are setting.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gear set over the top of each other, with resulting tangles, loss of gear, and loss of temper. Also, if your string hangs up and parts, you cannot haul from the opposite end and recover the pots, resulting in more lost, derelict pots.

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

WHO IS LIKELY TO BENEFIT? Fishermen will profit. No tangling with each other with possible loss of gear. The resource will profit. Less derelict pots.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Larry Painter (HQ-05-F-131)

PROPOSAL 261 - 5 AAC 31.115. Shrimp pot guideline harvest ranges for Registration Area A. Amend this regulation as follows:

(a) The following are the district **or portion of a district** guideline harvest ranges for the taking of shrimp by pots in Registration area A:

...
Section 3-A: 0 to **198,000** [264,000] pounds of spot shrimp;

...
District 7: 0 to **78,000** [104,000] pounds of spot shrimp;

...
District 10: 0 to **48,000** [36,000] pounds of spot shrimp;

...
Section 13-C: 0 to **42,000** [30,000] pounds spot shrimp;

...
District 16: 0 to **15,000** [20,000] pounds coonstripe shrimp;

(b) For purposes of this section, District 12: Tenakee Inlet includes waters west of a line from the easternmost tip of East Point to South Passage Point.

ISSUE: The regulation defines guideline harvest ranges (GHRs) for the taking of shrimp by pots in Registration Area A. The problem is that since the time the regulation was written, the department has managed for GHLs outside the existing GHR levels. This has been done because of compelling stock assessment or fishery performance data that suggests that the stocks can support increased harvest. At this time the regulation does not give an accurate representation of all the pot shrimp district and portions of a district GHRs.

WHAT WILL HAPPEN IF NOTHING IS DONE? If the regulation is not updated, it will not accurately represent department policy.

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

WHO IS LIKELY TO BENEFIT? Changes to the regulation will benefit shrimp fishers and processors by providing accurate information about pot shrimp opportunities in Registration Area A.

WHO IS LIKELY TO SUFFER? It is unlikely anyone will suffer if these changes are adopted.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-263)

PROPOSAL 262 - 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A. Amend this regulation as follows:

...

(e)(2) the number of shrimp pots that may be operated from a registered shrimp fishing vessel is 140 small pots or 100 large pots.]; IF ANY POT OPERATED FROM A VESSEL IS LARGER THAN A SMALL POT, THE TOTAL NUMBER OF POTS THAT MAY BE OPERATED FROM THAT VESSEL IS 100 POTS;] For the purposes of this section,

ISSUE: There was confusion over the existing language in the regulation book as to whether small and large pots can be fished at the same time. The intent of the original proposal was to allow shrimp pot fishermen to fish only one sized shrimp pot at a time. The proposed wording will eliminate that confusion without changing the original intent of the regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? The existing regulation as written will continue to be confusing and difficult to enforce.

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

WHO IS LIKELY TO BENEFIT? Alaska Bureau of Wildlife Enforcement Officers and commercial shrimp fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None, this is a house keeping proposal and does not change the intent of the regulation.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-265)

PROPOSAL 263 - 5 AAC 31.116. Shrimp beam trawl guideline harvest ranges and bycatch limits for Registration Area A. Amend this regulation as follows:

...

(c) In the districts specified in (b) of this section, a beam trawl permit holder must retain, weigh, and report all spot **and** [OR] coonstripe shrimp that are less than 60 count per pound, based on the whole weight of the shrimp. Except in District 11, the permit holder must weigh and report as bycatch overage on an ADF&G fish ticket all spot **and** [OR] coonstripe shrimp less than 60 count per pound and in excess of 10 percent whole weight of all targeted shrimp species on board the vessel. A permit holder shall surrender to the state the proceeds from the sale of spot and coonstripe shrimp that are less than 60 count per pound and that exceed the 10 percent bycatch level.

ISSUE: The wording of the current regulation is not clear whether the 10 percent trip limits are 10 percent each for spot and coonstripe shrimp for a total of 20 percent or are a cumulative 10 percent. The intent of the board when this regulation was established at the 2003 meeting was a combined total of 10 percent.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be confusion regarding the calculation of the beam trawl bycatch trip limit.

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

WHO IS LIKELY TO BENEFIT? Beam trawlers will benefit from a clearly written regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-264)

PROPOSAL 264 - 5 AAC 31.125. Lawful shrimp trawl gear for Registration Area A.
Amend this regulation as follows:

(c) A registered shrimp vessel may not have, at any time in the aggregate, more than **two trawl nets** [THE LEGAL LIMIT OF TRAWL GEAR] on board the vessel, **however, only one trawl may be operated at any one time.**

ISSUE: Since the legal limit of trawl gear for Registration Area A is not defined, it is unclear whether it is permissible to carry an extra trawl aboard in case of net damage while fishing.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will continue to be confusion regarding permissible beam trawl fishing operations.

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

WHO IS LIKELY TO BENEFIT? Fishermen and the department will benefit from a more clearly written regulation.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-291)

PROPOSAL 265 - 5 AAC 31.128. Operation of other pot gear in Registration Area A.
Amend this regulation as follows:

5 AAC 31.128. Operation of other [POT] gear in Registration Area A.

(x) During a commercial shrimp fishery, a vessel may be validly registered for either but not both beam trawl or pot shrimp fisheries, except that a person or vessel may stop participating in either fishery and instead participate in the other if the vessel owner, or owner's agent contacts a representative of the department, in person, and requests that the beam trawl or pot shrimp registration be invalidated.

ISSUE: Concurrent participation in beam trawl and pot shrimp fisheries are currently permissible and makes it possible to circumvent bycatch regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? A loophole to enforcing bycatch limits will exist.

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

WHO IS LIKELY TO BENEFIT? Everyone will benefit from more careful management.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-266)

PROPOSAL 266 - 5 AAC 31.143. Reporting requirements for shrimp catcher-processor and catcher-seller vessels in Registration Area A. Amend this regulation as follows:

(b) **The following are reporting requirements for commercial shrimp pot and beam trawl fishing vessels in Southeast Alaska:** [THE COMMISSIONER MAY REQUIRE THE OWNER OR OPERATOR OF A CATCHER PROCESSOR VESSEL FISHING IN REGISTRATION AREA A TO REPORT TO A LOCAL REPRESENTATIVE OF THE DEPARTMENT DURING THE OPEN SHRIMP FISHING PERIOD TO PROVIDE THE INFORMATION REQUIRED IN (A) OF THIS SECTION]

(1) owner-operators of shrimp pot catcher-processor vessels operating in Registration Area A must contact a department area office in Southeast Alaska between 8:00 a.m. and 4:30 p.m. by 12:00 noon Wednesday each week they conduct fishing operations or make other specific arrangements with the area or assistant area management biologist responsible in the area where fishing occurs. At the time of contact the following information must be provided:

(A) permit holder name;

(B) vessel name;

(C) ADF&G number;

(D) fish ticket number of each fish ticket made since last call in;

(E) date of landing on each fish ticket;

(F) district and sub-district on each fish ticket;

(G) numbers of pot lifts on each fish ticket;

(H) the number of days pots were in the water to harvest shrimp reported on each fish ticket;

(I) weight of spot and coon shrimp on each ticket – specify whole or tail weight;

(J) date of last delivery.

(2) owner or operators of shrimp beam trawl catcher-processor vessels operating in the Registration Area A commercial fishing districts or sections specified in 5 AAC 31.111 are required to contact the Petersburg Fish and Game office between 8:00 a.m. and 4:30 p.m. by 12:00 noon Wednesday each week they conduct fishing operations. These reporting requirements are effective for each district or section. At the time of contact the following information must be provided:

- (A) permit holder name;**
- (B) vessel name;**
- (C) ADF&G number;**
- (D) district(s) or section(s) fished, and statistical areas;**
- (E) total time trawl on bottom for area fished for the preceding week;**
- (F) pounds of whole shrimp by species harvested by district or section;**

(c) The following are fish ticket requirements for commercial shrimp pot and beam trawl fishing vessels in Southeast Alaska: [THE OWNER OR OPERATOR OF A CATCHER PROCESSOR VESSEL SHALL COMPLETE A SEPARATE ADFG SHRIMP FISH TICKET FOR EACH DISTRICT THAT THE CATCHER-PROCESSOR VESSEL; LANDED SHRIMP AND SUBMIT THE TICKETS TO THE DEPARTMENT WITHIN SEVEN DAYS AFTER THE FIRST DELIVERY OF SHRIMP IN THE DISTRICT.]

(1) owner-operators of licensed shrimp pot catcher-processor vessels operated in Registration Area A must complete a separate fish ticket for each day, and for each district or portion of a district with a distinct GHL in which shrimp are harvested and processed on board the vessel. Fish tickets must be submitted to a local representative of the department within seven days of the closure of a specific district or section. A shrimp pot catcher-processor that has stopped fishing in a district or a section is required to call and report the above information to a department office prior to fishing in a new district or section.

(2) the owner or operator of a shrimp beam trawl catcher-processor vessel shall complete a separate ADF&G shrimp ticket each day for each district or section that the vessel fished for shrimp and must submit the tickets to the department within seven days after the closure of a district, portion of a district, or section. A beam trawl shrimp catcher-processor that has stopped fishing in a district or a section is required to call and report the above information to the Petersburg Fish and Game office prior to fishing in a new district or section.

ISSUE: Southeast Alaska pot and beam trawl shrimp fisheries are managed to achieve target harvest goals by regulatory districts or portions of a district. Districts or portions of a district are closed based on inseason catch reporting. Catcher-processor vessels have the capability of staying on the fishing grounds for extended periods of time and harvesting significant amounts of shrimp. In addition, these are very dynamic fisheries, fishing vessels are free to fish any area in the region and often move from one area to another, and catch reporting is very difficult to track on a timely basis. The board recognized that the department needed to have the authority to institute additional reporting requirements as needed to manage the pot and beam trawl shrimp fisheries in an orderly manner and to achieve target harvest levels on a consistent basis. 5 AAC 31.143(b) and (c) defines shrimp catcher-processor reporting requirements currently in effect by emergency order, which superseded the existing regulations. These reporting requirements should be made regulations.

WHAT WILL HAPPEN IF NOTHING IS DONE? If 5 AAC 31.143(b) and (c) are not revised, the department must continue to rely on emergency order to establish these reporting requirements.

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

WHO IS LIKELY TO BENEFIT? If adopted, the changes 5 AAC 31.143(b) and (c) will directly benefit department fishery managers, providing timely and accurate harvest information

for management of the shrimp fishery in Registration Area A. Pot shrimp fishermen will benefit by having all the reporting requirements posted in the regulation books. All users of the resource will benefit in the long term from a better-managed resource.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-267)

PROPOSAL 267 - 5 AAC 47.041. Sport fishing from commercially licensed vessels; charter vessel registration. Amend the regulation as follows:

No vessel registered as a charter vessel may be used to fish for shrimp in the Sitka Sound Special Use Area from May 1 through September 15.

ISSUE: Sport harvest of shrimp in the Sitka Sound area (presently referred to in regulation as the Sitka Sound Special Use Area) has increased dramatically in the last few years. This increase is evident to all fishing the area and from statewide harvest survey information. The resource in this area is likely being overharvested as evidenced by catch per pot decreases. In addition, the harvest by charter operators and their clients continues unabated although the board, in 1997, adopted regulations prohibiting charter vessel operators, lodge owners, and their employees from supplying clients with sport caught or personal use caught shellfish. These regulations are largely ignored.

WHAT WILL HAPPEN IF NOTHING IS DONE? The increased harvest of shrimp is causing localized depletion and decreasing availability for personal use fishing. Some charter operators will continue to circumvent existing regulations which are difficult to enforce without a “sting” operation by Fish and Wildlife Protection.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Prohibiting harvest by charter operators during the active charter season will reduce total sport harvest and facilitate enforcement of existing regulations adopted by the board in 1997. Under this scenario nonresident anglers who visit the area with friends or their own vessel could still fish for shrimp.

WHO IS LIKELY TO BENEFIT? The local user who wants to catch shrimp will benefit, as will the resource.

WHO IS LIKELY TO SUFFER? Charter operators who are presently circumventing existing regulations will have to seek shellfish outside of the Sitka Sound Special Use Area.

OTHER SOLUTIONS CONSIDERED? Leaving regulations as they are will result in overharvest of the local shrimp resource thus denying reasonable access to the resource by personal use fishermen.

PROPOSED BY: Artwin E. Schmidt (HQ-05-F-079)

PROPOSAL 268 - 5 AAC 47.035. Methods, means and special provisions—shellfish. Amend the regulation to include:

Shrimp may not be taken by sport fishermen in waters closed to commercial shrimp fishing listed in 5 AAC 31.136(3)(4) and (5), Closed waters in Registration Area A.

ISSUE: Large geographical area nearby cities, towns and villages being closed to local Alaskan residents to the commercial harvest of shrimp to provide for local personal use needs. While providing areas for resident personal use, these closed areas have expanded beyond local needs and expanded to support nonresidents. Local commercial fishermen should not have to bear this reallocation burden.

WHAT WILL HAPPEN IF NOTHING IS DONE? Special set aside areas in proximity to local communities will continue to expand due to overfishing from nonresident sport fishermen.

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

WHO IS LIKELY TO BENEFIT? All resident personal use fishermen who are being crowded out of traditional areas by sport fishermen. Also, commercial fishermen who see traditional areas in close proximity to local markets threatened by expanding area closures.

WHO IS LIKELY TO SUFFER? Nonresident sport fishermen would not be allowed to shrimp fish in areas closed to commercial shrimp fishing but would be able to fish year-round in all areas of Southeast Alaska open to commercial fishing.

OTHER SOLUTIONS CONSIDERED? Considered asking the board to form a committee to review the validity of all past and future commercial area closures. We rejected this idea because all these areas were closed for political, not biological reasons. Any reviews would be a political quagmire.

PROPOSED BY: Wrangell Advisory Committee (HQ-05-F-114)

PROPOSAL 269 - 5 AAC 47.036. Prohibitions. Amend the regulation to include:

No vessel registered as a charter vessel may be used to fish for shellfish in the Sitka Sound Special Use Area from May 1 through September 15.

ISSUE: Sport harvest of shrimp in the Sitka Sound area (presently referred to in regulation as the Sitka Sound Special Use Area) has increased dramatically in the last few years. This increase is evident to all fishing the area and from statewide harvest survey information. The resource in this area is likely being overharvested as evidenced by catch per pot decreases. In addition, the harvest by charter operators and their clients continues unabated although the board in 1997 adopted regulations prohibiting charter vessel operators, lodge owners, and their employees from supplying clients with sport caught or personal use caught shellfish. These regulations are largely ignored.

The availability of Dungeness crab to personal use fishermen in the Sitka Sound area has also decreased. This decrease is likely due to a combination of factors, including harvest by personal use fishermen, sport fishermen, continued commercial fishing in the area, and predation by sea otters.

WHAT WILL HAPPEN IF NOTHING IS DONE? The increased harvest of shrimp and crab is causing localized depletion and decreasing availability for personal use fishing. Some charter

operators will continue to circumvent existing regulations, which are difficult to enforce without a “sting” operation by Fish and Wildlife Protection.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Prohibiting harvest by charter operators during the active charter season will reduce total sport harvest and facilitate enforcement of existing regulations adopted by the board in 1997. Under this scenario nonresident anglers who visit the area with friends or their own vessel could still fish for shrimp and crab.

WHO IS LIKELY TO BENEFIT? The local user who wants to catch shrimp and Dungeness crab will benefit, as will the resource.

WHO IS LIKELY TO SUFFER? Charter operators who are presently circumventing existing regulations will have to seek shellfish outside the Sitka Sound Special Use Area.

OTHER SOLUTIONS CONSIDERED? Leaving regulations as they are will result in overharvest of the local shrimp resource and continue the decrease in Dungeness crab availability thus denying reasonable access to the resource by personal use fishermen.

PROPOSED BY: Artwin E. Schmidt (HQ-05-F-088)

PROPOSAL 270 - 5 AAC 47.036. Prohibitions. Amend the regulation to read as follows:

An owner, operators, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or guide services may not provide shellfish to clients or guests. **Clients or guests may not set or deploy shellfish gear.**

ISSUE: Increased targeting of shellfish by guided sport operations. Many operators advertise shrimping and crabbing in their brochures and on the internet. Guides soak gear all season only changing the name on the buoy.

WHAT WILL HAPPEN IF NOTHING IS DONE? Local, personal use shell fishers being crowded out of traditional waters. In essence, we have a virtually unregulated commercial fishery causing local depletion.

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

WHO IS LIKELY TO BENEFIT? Local personal users of shellfish.

WHO IS LIKELY TO SUFFER? No one. It would be the rare client that would pay for a shellfish charter.

OTHER SOLUTIONS CONSIDERED? Ban shellfish fishing from registered charter boats. Resident guides would not be able to use their boats for personal use shellfish fishing in the off season.

PROPOSED BY: William A. Stortz (HQ-05-F-119)

PROPOSAL 271 - 5 AAC 75.035. Sport fishing gear for shellfish. Amend the regulation to include the following:

Guided sport fishing vessels may not possess shellfish harvesting gear or fish for shellfish between May 1 and September 30.

ISSUE: Local populations of shrimp and crab are significantly reduced by overfishing by guided sport fishing operations.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will not be sufficient populations of shrimp and crab in the bays near Sitka to allow continued fishing by residents or visitors.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? It improves the quality of the resource by increasing the availability for the long-term.

WHO IS LIKELY TO BENEFIT? Local subsistence, commercial and personal use shellfish harvesters.

WHO IS LIKELY TO SUFFER? I do not believe this change would cause any suffering.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Brian McNitt (HQ-05-F-171)

PROPOSAL 272 - 5 AAC 32.150(1). Closed waters in Registration Area A. Amend this regulation as follows:

Echo Cove is closed to the taking of commercial Dungeness crab.

ISSUE: Since Goldbelt Corporation traded the City and Borough of Juneau twelve acres of land at Echo Cove to create a sizeable camping area, it has become a very popular spot to camp, fish and crab in the summer months. Many small boat owners like this area because it is safe when the weather goes bad. The commercial Dungeness crab season, unfortunately, coincides with this camping time. When commercial boats are working this area, small boat owners cannot compete for personal use crab because of all the commercial pots in the area. Too many pots also creates a safety problem when operating a boat in the dark.

WHAT WILL HAPPEN IF NOTHING IS DONE? Too many crab are being taken from this area by commercial fishermen, squeezing out the local sport fishermen.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, less handling of sublegal male and female crabs.

WHO IS LIKELY TO BENEFIT? Small boat owners and sport fishermen.

WHO IS LIKELY TO SUFFER? Nobody, commercial fishermen can still fish for Dungeness crab on the 36 miles of shoreline in Berners Bay just outside of Echo Cove.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSAL 273 - 5 AAC 32.150. Closed waters in Registration Area A. Amend the regulation as follows:

Commercial fishing for Dungeness crab is prohibited in the inner area of South Arm of Chaik inside the area to the east of a line beginning at the tip of the peninsula on the north at 59° 19.28' N, 134° 28.934' W and extending 151° M for a distance of 384 yards to a point at 57° 19.029' N, 134° 28.874' W on a small island immediately offshore from tip of the peninsula of the south side of the entrance to the inner bay. Other areas of the bay would remain open to commercial fishers. (This closure would be similar to other closures that the board has provided for subsistence users; e.g., Tenakee Inlet, etc.)

ISSUE: Overharvest of Dungeness crab by the commercial fishermen in the inner portion of the south arm of Chaik Bay in Southeast Alaska. This overharvesting is detrimental to the stocks and especially to the personal and subsistence use of the same resource by the residents of Killisnoo and Angoon.

For many years the residents of the Angoon-Killisnoo area have been harvesting Dungeness crab from the nearby bays. These areas are close to, and easily accessible by small boat from Killisnoo and Angoon. Since these bays are located on the east side of Chatham Straits, in close proximity to both Killisnoo and Angoon, the pots can be attended regularly without the concern of being unable to reach the pots because of inclement weather which would often preclude visiting one's pots if they were set in the bays on the west side of Chatham Straits, e.g., Kelp Bay, etc. Approximately ten to fifteen years ago, following one summer of intense commercial harvesting of crab (hundreds of pots) in Hood Bay, crab could no longer be caught by personal and subsistence users in this bay. This has persisted for many years now, including the summer of 2004. No recovery has been evident. Others and I moved our pots to Chaik Bay where crab have been abundant. During the summer of 2004, it was again noted with alarm that at least four commercial crabbers were intensely (hundreds of pots) harvesting crabs from the south arm of Chaik Bay where others and I have been crabbing. After several weeks of this intense harvest, it was noted that not only were the crab smaller, but there was a marked decrease in number per pot.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Dungeness crab fishery in Chaik may well disappear as it did in Hood Bay, leaving few other readily available, safe options for the residents of Killisnoo and Angoon to participate in this fishery for personal and subsistence use.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Crab harvested would remain of a proper size and provide better quality and more meat per crab.

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

WHO IS LIKELY TO SUFFER? Commercial users, however, most of the bay would remain open to them.

OTHER SOLUTIONS CONSIDERED? Closing all of Chaik Bay to any commercial harvesting of Dungeness crab. Rejected because I am interested in a reasonable compromise that, first of all, protects the resource and does not toally exclude the commercial users. Limiting the number of

commercial fishermen permitted to crab in this small area in Chaik or severely limiting the number of pots each fisherman can use. Rejected because neither is enforceable given the constant shortage of manpower.

PROPOSED BY: Daniel D. Failoni

(HQ-05-F-023)

PROPOSAL 274 - 5 AAC 32.150. Closed waters in Registration Area A. Amend the regulation to include the following:

Include the waters of Funter Bay in the list of closed waters.

ISSUE: Excessive Dungeness crab fishing in Funter Bay. Commercial fishing is displacing sport and personal use fishing, threatening the long-term health of the resource, and interfering with the safe operation of boats and sea planes.

WHAT WILL HAPPEN IF NOTHING IS DONE? Recreational and personal use crabbing will be difficult and unproductive; the number and size of available crab will diminish; planes and boats will be involved in accidents with pot buoys.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes. The resource will be relieved of the intense commercial fishing pressure; available crab will be more numerous and larger.

WHO IS LIKELY TO BENEFIT? Recreational and personal use crabbers.

WHO IS LIKELY TO SUFFER? Commercial crab boat operators.

OTHER SOLUTIONS CONSIDERED? 1) Partial closure of bay (provides only partial solution to allocation, conservation, and safety problems); 2) winter season only (does not solve the long-term conservation and allocation problems).

PROPOSED BY: Funter Bay Alliance

(HQ-05-F-026)

PROPOSAL 275 - 5 AAC 32.150. Closed waters in Registration Area A. Amend the regulation as follows:

Commercial Dungeness crab fishing is closed from the Skagway city boundary, north into Taiya Inlet in the Skagway city boundaries.

ISSUE: Closure of commercial Dungeness crab fishing in the upper Taiya Inlet, north of the Skagway city boundaries.

WHAT WILL HAPPEN IF NOTHING IS DONE? Subsistence, recreational users, and noncommercial users will suffer.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, elimination of commercial operations increases subsistence, noncommercial sport fishing, and personal use catches.

WHO IS LIKELY TO BENEFIT? Residents of Skagway, sport fishermen, and other recreational and noncommercial users.

WHO IS LIKELY TO SUFFER? Commercial fishermen.

OTHER SOLUTIONS CONSIDERED? N/A

PROPOSED BY: City of Skagway (HQ-05-F-044)

PROPOSAL 276 - 5 AAC 32.125. Lawful gear for Registration Area A. Amend the regulation as follows:

The limit for Dungeness crab pots shall be 200.

ISSUE: Overcrowding of Dungeness crab gear.

WHAT WILL HAPPEN IF NOTHING IS DONE? Gear will continue to be lost when fishing vessels are running their own gear because buoys get tangled and boats run over other gear to get to their own.

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

WHO IS LIKELY TO BENEFIT? All fishermen will lose less gear.

WHO IS LIKELY TO SUFFER? All fishermen will have less gear to fish.

OTHER SOLUTIONS CONSIDERED? I considered changing the tiered pot system and all fishermen would have 150 pots but the board does not have the authority to change this.

PROPOSED BY: Brennon Eagle (HQ-05-F-095)

PROPOSAL 277 - 5 AAC 32.150. Closed waters in Registration Area A. Create a new closed area as follows:

(X) waters within Taku Harbor north and east of a line from Grave Point to Stockade Point.

These points form the entrance to the harbor so this closure would effect only Taku Harbor and not nearby coves and bays.

ISSUE: Inadequate stock of Dungeness crab in Taku Harbor for personal use and subsistence needs. Commercial crabbers blanket the harbor with pots at the beginning of the opening period and remove all harvestable crab within the first week or two. Personal use and subsistence users are left to pick through the remaining crab in hopes of finding one large enough to harvest.

WHAT WILL HAPPEN IF NOTHING IS DONE? Dungeness crab stocks in Taku Harbor will remain depressed. Personal use and subsistence users will continue to be denied a fair share of the resource.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, as a result of the commercial harvest in Taku Harbor, the crab are harvested as they recruit into the fishery. This results in small crab with very little meat in their shells. Eliminating the commercial harvest will allow crab to grow larger before being harvested by personal use and subsistence users.

WHO IS LIKELY TO BENEFIT? All personal use and subsistence Dungeness crab harvesters.

WHO IS LIKELY TO SUFFER? Commercial crab fishermen.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Chris Donek and Carl Rosier (HQ-05-F-110)

PROPOSAL 278 - 5 AAC 32.110. Fishing seasons for Registration Area A. Amend the regulation as follows:

Open Districts 1 and 2, Area A from 12:00 noon June 15 through 11:59 P.M. August 15 and from 12:00 noon October 1 through 11:59 P.M. November 30.

ISSUE: The area in Southeast Alaska that Dungeness crab fishermen harvest crab has dwindled due to lost area to Glacier Bay, personal use areas, and sea otter. We have districts 1 and 2 that have been closed for no apparent reason. We need to open this area to reduce pressure on other areas and harvest the resource.

WHAT WILL HAPPEN IF NOTHING IS DONE? The fleet will continue to be squeezed into an area smaller than what was traditionally fished. The resource will continue to be underharvested in districts 1 and 2.

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

WHO IS LIKELY TO BENEFIT? All Dungeness crab fishermen.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? Open on July 1 to August 15.

PROPOSED BY: Wrangell Advisory Committee (HQ-05-F-116)

PROPOSAL 279 - 5 AAC 32.126. Dungeness crab pot marking requirements for Registration Area A. Amend this regulation as follows:

Repeal the regulation.

ISSUE: Repeal the requirement to have identification tags for each Dungeness crab pot.

WHAT WILL HAPPEN IF NOTHING IS DONE? Crab fishermen will continue to incur the cost and hassle of buoy tags for Dungeness crab pots. Fishermen could accept the pot tags if they felt they were making any kind of difference and were actually used.

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

WHO IS LIKELY TO BENEFIT? The crab fishermen will no longer worry about losing pot tags during the season or incur the cost of yearly pot tags. The department will not have the administrative burden of issuing pot tags.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED? The crab fishermen would agree to pot tags if they felt they were serving a purpose and being used.

PROPOSED BY: Southeast Alaska Fishermen's Alliance (HQ-05-F-135)

PROPOSAL 280 - 5 AAC 32.110. Fishing seasons for Registration Area A. Amend the regulation as follows:

(1) in Districts 1 and 2, and in Section 13-B, except the waters of the Sitka Sound Special Use Area described in 5 AAC 32.150(10), from 12:00 noon **June 15 through 11:59 p.m. August 15 and from 12:00 noon October 1 through 11:59 p.m. November 30;** [OCTOBER 1 THROUGH 11:59 P.M. FEBRUARY 28]

ISSUE: I believe there are no biological reasons to have the opening and closure dates in these districts any different from the rest of Southeast. Changing them to coincide with the other districts would spread out effort over a larger area, and provide more markets to the local crabbers.

WHAT WILL HAPPEN IF NOTHING IS DONE? Crabbers would still be unable to fish a large area of productive crab grounds in Registration Area A. This regulation has been in place for a number of years, with no substantial data or reasoning to back it up.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Not addressed.

WHO IS LIKELY TO BENEFIT? Crabbers that would like the opportunity to fish the southern districts during the regular Dungeness seasons in Registration Area A, and also the crab buyers and processors situated close to these fishing grounds.

WHO IS LIKELY TO SUFFER? Some fishermen that like the later opening, since it coincides with the closures of some of the other fisheries in which they participate, thus not needing to choose between one fishery or business and another.

OTHER SOLUTIONS CONSIDERED? None considered.

PROPOSED BY: Albie Morin (HQ-05-F-169)

PROPOSAL 281 - 5 AAC 32.1XX. Reporting requirements for Dungeness crab in Registration Area A. Create a new regulation as follows:

(a) The owner or operator of a catcher-seller vessel registered to take Dungeness crab in Registration Area A shall complete an ADF&G crab fish ticket indicating the estimated number and weight of the crab on board by species before any crabs are removed from the vessel. This estimate will be updated when sales are completed.

(b) "catcher-seller vessel" means a vessel from which Dungeness crab are caught and a person sells or attempts to sell unprocessed Dungeness crab that were legally taken by the catcher-seller vessel to a person not licensed to process the crab.

ISSUE: A significant portion of Dungeness crab harvest is currently direct marketed, for example by selling at the dock. Since a landing is not well defined, catcher-sellers of Dungeness crabs could technically be required to write a fish ticket each time a dockside sale of crabs is made. An informal tally of crab sales followed by a fish ticket is allowed in lieu of this. However, oversight of reporting accuracy is extremely difficult without a fish ticket being written prior to beginning to remove crabs from a vessel.

WHAT WILL HAPPEN IF NOTHING IS DONE? Inaccuracy in Dungeness crab harvest statistics will continue.

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

WHO IS LIKELY TO BENEFIT? The resource and its users will benefit from more accurate harvest statistics.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-268)

PROPOSAL 282 - 5 AAC 47.035. Methods, means and special provisions—shellfish. Amend the regulation as follows:

Close all waters in Registration Area A to sport fishing for Dungeness crab. Any and all area closed to commercial fishing will also close to sport fishing but stay open for personal use fishing.

ISSUE: Large geographical areas near cities, towns and villages being closed to local Alaska residents to the commercial harvest of crab to provide for local personal use needs. Nearly every board cycle for the past 16 years has addressed more of these proposals and they have grown in size. While providing areas for resident personal use, these closed areas have expanded beyond local needs and expanded to support nonresidents. Local commercial fishermen should not have to bear this reallocation burden.

WHAT WILL HAPPEN IF NOTHING IS DONE? Special set aside areas in proximity to local communities will continue to expand due to overfishing from nonresident sport fishermen.

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

WHO IS LIKELY TO BENEFIT? All resident personal use fishermen who are being crowded out of traditional spots by sport fishermen. Also commercial fishermen who see traditional areas in close proximity to local markets threatened by expanding area closures.

WHO IS LIKELY TO SUFFER? Nonresident sport fishermen would not be allowed to crab fish in areas closed to commercial Dungeness crab fishing but would be able to fish year-round in all areas of Southeast Alaska open to commercial fishing.

OTHER SOLUTIONS CONSIDERED? Considered asking the board to form a committee to review the validity of all past and future commercial area closures. We rejected this idea because all these areas were closed for political, not biological reasons. Any reviews would be a political quagmire.

PROPOSED BY: Wrangell Advisory Committee (HQ-05-F-113)

PROPOSAL 283 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.
Amend the regulation as follows:

Geoduck fishery openings will be on Wednesdays and Thursdays from 9:00 a.m. until 3:00 p.m.

ISSUE: Overlapping of weekly sea cucumber and geoduck openings.

WHAT WILL HAPPEN IF NOTHING IS DONE? Divers who have both sea cucumber and geoduck permits will not be able to participate in both fisheries.

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

WHO IS LIKELY TO BENEFIT? All divers who have both sea cucumber and geoduck permits.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Michael Bangs (HQ-05-F-141)

PROPOSAL 284 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.
Amend this regulation to provide the following:

Geoduck openings shall occur at times so that there is one full day between when DEC certifies an area(s) for the harvest of geoducks and when the opening(s) occurs.

ISSUE: The current regulation opens an area(s) for the harvest of geoducks the morning following notification from the Department of Environmental Conservation (DEC) that specific areas are safe to open. Nearly all divers do not reside in the town nearest the geoduck beds and therefore must leave their residence prior to notification from DEC that an area(s) can be opened. Divers are

catching planes and/or running boats speculating on which area may or may not open during any particular week resulting in a loss of time and or money.

WHAT WILL HAPPEN IF NOTHING IS DONE? Loss of time and money will continue due to needless flying and/or running of boats. Safety could become an issue as divers choose to run at night, in marginal weather around headlands in the hopes that a certain area will open by the time they arrive there the following morning.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? This proposal allows for divers to safely and expeditiously travel to sites that are open for harvest.

WHO IS LIKELY TO BENEFIT? Everyone, especially those that must travel long distances to the dive sites.

WHO IS LIKELY TO SUFFER? Probably nobody, however, there may be some that live near an area that may open and do not want to afford those that travel the opportunity to safely transit to the area.

OTHER SOLUTIONS CONSIDERED? Leave the openings as they are. This thought was dropped because the submitted proposal only makes the fishery safer and more cost effective and does not infringe on anyone's harvest ability.

PROPOSED BY: Larry Trani (HQ-05-F-204)

PROPOSAL 285 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.
Amend this regulation to provide the following:

The annual geoduck guideline harvest level (GHL) will be equally allotted to each individual with a transferable or nontransferable geoduck permit. Such allotment is the poundage an individual may harvest throughout the current geoduck season.

ISSUE: The current regulation for harvesting geoducks poses several problems for divers. Divers are forced to dive in areas congested by other divers in any and all weather conditions. The product that is harvested represents a glut on the market resulting in lower than need be prices.

WHAT WILL HAPPEN IF NOTHING IS DONE? Divers will continue to dive under unsafe conditions along with the rest of the congestion at most sites. Divers will continue to get less for their product than they should. As SARDFA and the dive industry continue to add more beds to the guideline harvest level, the current problem will only get worse.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Absolutely. Not only are divers diving when they and/or their markets want product but could do so under safer circumstances. The end result is higher prices for marketers and divers.

WHO IS LIKELY TO BENEFIT? Divers that prefer more flexibility and safety in their dive times and also want to receive the maximum amount for their product.

WHO IS LIKELY TO SUFFER? Divers satisfied with current or lower prices for their product and who would like to see the current “derby style” fishery continue.

OTHER SOLUTIONS CONSIDERED? Another solution for alleviating our current derby style/glut fishery problem that is still under consideration includes a cooperative type of fishery. Those that want to participate, i.e., 70 percent of the permit holders, would share equally that same percentage (i.e., 70 percent) of the GHL. The nonparticipants of the equal share program could have their derby on the balance of the GHL. Permit holders would have to choose one or the other of the above equal share/nonequal share programs

PROPOSED BY: Larry Trani (HQ-05-F-205)

PROPOSAL 286 - 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan. Amend this regulation as follows:

- (1) The following waters [IN DISTRICT 1] are closed to the commercial taking of geoducks:
 - (1) **in District 1**, waters of Grant Cove, and contiguous waters . . .
 - (2) **in District 1**, waters east of a line from Indian Point . . .
 - (3) **repeal.** [WATERS OF PORT MAYORAL POINT SAN LEONARDO (55°24.25’ N. LAT.)]
 - (4) **in District 1, in the waters of Nichols Passage north of a line from the southernmost tip of Dall Head, located on the southernmost tip of Gravina Island, to the easternmost tip of Cedar Point, located on the western shore of Annette Island, and south of a line from the southernmost tip of Gravina Point, located on the southeast shore of Gravina Island, to the northernmost tip of Walden Point, located on the northwesternmost tip of Annette Island,**
 - (5) **in District 3, waters of Port Mayoral that are north . . .**
 - (6) **in District 13, all waters of Kliuchevoi Bay east of a line from 55°50.400 N. lat., 135°22.517’ W. long. to 56°50.200’ N. lat., 135°22.683’ W. long.,**
 - (7) **in District 13, all waters within the unnamed bay located southeast of Frosty Reef east of a line from 56°52.817’ N. lat., 135°22.933’ W. long. to 56°52.700’ N. lat., 135°22.983’ W. long. to 56°52.633’ N. lat., 135°22.983’ W. long.**
 - (8) **Those waters identified as permitted geoduck mariculture sites are closed to the commercial harvest of geoduck clams.**

ISSUE: This proposal addresses four separate issues: 1) Waters closed to the commercial harvest of geoduck clams in Port Mayoral are incorrectly identified as District 1. 2) District 13 waters described above have been closed to the commercial harvest of geoducks since this fisheries inception in 1998, due to Department of Environmental Conservation (DEC) water quality concerns. These closures should be incorporated into regulation for clarity. 3) There is only one geoduck control area established by the board in 2003, in Port Mayoral. Other closed waters defined in regulation do not contain sufficient densities of geoduck clams for a control. Closed waters are designated for research and conservation purposes where changes in geoduck populations due to environmental variability can be monitored exclusive of commercial harvest. Limited number of geoducks in this area precludes a commercial fishery. 4) Areas leased by the state for geoduck mariculture may be closed to commercial harvest of geoducks to prevent disruption of planted seed and disturbance. This does not prevent the harvest of other species on these sites as addressed under the Alaska Coastal Management Program: “The public shall continue to have access to plants, fish and wildlife resources, and shellfish other than the species being cultured at the farm site to the extent that such access does not disrupt the operation of the

farm, disturb the species being cultured, or damage any of the aquatic farm equipment, facilities, or gear.”

The department considers the clarification of Port Mayoral, portions of District 13, and permitted mariculture site area closures, as housekeeping.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Port Mayoral closed area will be described incorrectly in miscellaneous shellfish regulations. The District 13 closed areas, though closed to commercial harvest by DEC, will not be listed in regulation. No commercial harvest of geoduck clams has occurred or is planned in the Nichols Passage control area; the limited biomass of geoducks in this area precludes a manageable GH. Without this closed area there will be limited opportunity to monitor potential changes in noncommercial harvested areas which may increase the uncertainty of population changes as to environmental versus commercial harvest impacts. Permitted mariculture sites should not be opened to commercial harvest after seed has been planted on the site.

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

WHO IS LIKELY TO BENEFIT? All user groups.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-273)

PROPOSAL 287 - 5 AAC 39.130(n). Reports required of processors, buyers, fishermen, and operators of certain commercial fishing vessels; transporting requirements. Amend the regulation as follows:

(n) In Statistical Area A, **the commissioner may require** a person **to** [SHALL] obtain...

ISSUE: Allow the commissioner to not require inspection of red sea urchins prior to the issue of a transport permit out of Area A.

WHAT WILL HAPPEN IF NOTHING IS DONE? The urchin business is in trouble (see the *McDowell Urchin Report* in comments for this proposal). Eight out of ten processors and many divers have been forced out of the urchin business. Several urchin processors operate in Canada. This regulation causes an extreme hardship on tender vessels that would transport urchins to Prince Rupert for shipment by truck.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, reducing the red tape may be our only option to interest another processor for red sea urchins here in Southeast Alaska.

WHO IS LIKELY TO BENEFIT? All urchin divers. We are currently below the minimum ex-vessel price to make a profit. In recruiting a new processor every option must be considered.

WHO IS LIKELY TO SUFFER? Local processing plant employees, but not if the plant has already closed.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Patrick M. Cassin (HQ-05-F-173)

PROPOSAL 288 - 5 AAC 38.145(d). Southeastern Alaska red sea urchin management plan.
Amend the regulation as follows:

(d) Red sea urchins may be taken only during periods established by emergency order, and from October through March, only from 8:00 a.m. through 3:00 p.m. and from April through September, only from 5:00 a.m. through **8:00** [7:00] p.m.

ISSUE: The permanent extension of fishing hours from 5:00 a.m. to 8:00 p.m.

WHAT WILL HAPPEN IF NOTHING IS DONE? Yearly, the divers will have to ask the department to extend the fishing hours. In cooperation with the department, this has become a regular event. I have been told this might be solved through the board with a management plan change.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, due to the distances from the grounds to the processor, weather, tides, currents and the fact that not once since the start of this fishery have the divers taken the entire allowable catch; this proposal allows divers the maximum flexibility to choose the hours they will or can work.

WHO IS LIKELY TO BENEFIT? All urchin divers and processors.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Patrick M. Cassin (HQ-05-F-176)

PROPOSAL 289 - 5 AAC 38.145(n). Southeastern Alaska red sea urchin management plan.
Amend the regulation as follows:

(n) A vessel that is used for the processing of red sea urchins must carry an onboard observer as specified in 5 AAC 39.141 - 5 AAC 39.143 and 5 AAC 39.645 if unprocessed red sea urchins are on board that vessel. [UNTIL OCTOBER 1, 2006] **T**[T]he commissioner may, instead of requiring an onboard observer under this section, require that the processing of red sea urchins be conducted under a permit issued by the commissioner with the following conditions:...

ISSUE: Delete the sunset clause from this regulation.

WHAT WILL HAPPEN IF NOTHING IS DONE? The urchin business is in trouble (see the *McDowell Urchin Report* in comments for this proposal). Eight out of ten processors and many divers have been forced out of the urchin business. Individual processing on dive boats may be the

only market available and forcing an onboard observer onto such small operations is impossibly expensive.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, we may have no other means of staying in business than to process urchins ourselves.

WHO IS LIKELY TO BENEFIT? All urchin divers and processors.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Patrick M. Cassin (HQ-05-F-177)

PROPOSAL 290 - 5 AAC 38.145(p). Southeastern Alaska red sea urchin management plan.
Amend the regulation as follows:

(p) The department shall establish a guideline harvest level for each district or subdistrict open to commercial fishing for red sea urchins. The guideline harvest level shall be based on population estimates from the department's biomass assessment. The initial guideline harvest level shall be 6 percent of the virgin population size, taken as the lower bound of the one-sided 90 percent confidence interval. Fishing shall not be allowed in a district or subdistrict unless a stock assessment survey to determine biomass and size distribution has been conducted in that district or subdistrict within the previous three years **except for Forrester Island, which will be exempted from the management plan requirement for a survey every three years until the 2008 survey rotation of the 104 area and then every three years after....**

ISSUE: Exempt Forrester Island, 104-20, from the three-year area urchin stock assessment survey for one rotation, or until the 2008 surveys of the 104 subdistricts.

WHAT WILL HAPPEN IF NOTHING IS DONE? Without a survey or one-time exemption from the management plan requirement, Forrester Island will be dropped from the list of harvestable areas at the end of 2006. The initial inclusion and survey of Forrester Island happened outside the 104 subdistricts' survey year. The initial Forrester survey was made two years ago when added as a harvest area and would be due again next year (2006). However, the department only surveys the 104 area every three years and will be in that area this year (2005).

The urchin fishery is in trouble. Due to low exvessel prices (see *McDowell Urchin Report* in comments for this proposal) diving in this remote area has not been feasible during much of 2004 and 2005 and very little of the guideline harvest limit for this subdistrict was harvested, to date. Additionally, the initial expense of surveying this area was \$14,000 and the expected costs for the re-survey \$10,000, money paid for by the 7 percent tax divers have placed on themselves.

Many divers, processors and the Southeast Alaska Regional Dive Fisheries Association are working to boost production and the exvessel value of Alaska's sea urchins. Forrester Island is a valuable resource that should be kept open as a diving option for that time when prices rebound.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, urchins at Forrester Island, because of its remoteness and dissimilar ocean

conditions, spawn at different times than those near shore. This is an advantage to a business selling the gonads of the animal.

WHO IS LIKELY TO BENEFIT? All urchin divers and processors.

WHO IS LIKELY TO SUFFER?

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Patrick M. Cassin

(HQ-05-F-178)

PROPOSAL 291 - 5 AAC 39.130. Reports required of processors, buyers, fishermen, and operators of certain commercial fishing vessels; transporting requirements. Amend this regulation to provide the following:

The commissioner may establish mandatory logbooks for selected sea cucumber, sea urchin and geoduck clam fisheries. Permit holders would be required to submit a logbook of fishing activity for each commercial fishery in which they participate. In consultation with SARDFa prior to the opening of a fishery for the season, if the commissioner determines that logbooks will contribute to conservation, law enforcement, waste reduction, or assist the development of the fishery, the commissioner may require logbooks, by emergency order for specific fisheries. Divers would be required to submit logbooks of fishing activity, location of harvest, effort (dive time), and other data relevant to a particular species or fishery. Divers would receive logbooks from the department when registering for the fisheries and be required to submit completed logbooks to the department with fish tickets. All logbook information shall be kept confidential.

ISSUE: Precise location of harvest, which directly relates to bed location, is not currently available to the department. The location of many geoduck beds or concentrations of sea cucumbers may not be known to the state and are not surveyed. Harvest by divers typically results in concentrated fishing effort in small areas. Areas heavily exploited by divers would not be monitored by the department possibly leading to localized depletion of the resource, and less accurate survey information. SARDFa believes quotas are too low in the geoduck fishery due to imprecision of survey data. Good logbook information will improve survey data and precision of biomass estimates, which will consequently increase quota.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will not have valuable information on harvest locations and poundage harvested from individual fishery beds. The fishery will continue to develop slower (e.g., geoducks), or unknown localized depletion (e.g., sea cucumbers) may occur, than if logbook data is available.

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

WHO IS LIKELY TO BENEFIT? Industry, as bed locations not known of by the department will be identified for future surveys, leading to the development and potential expansion of fisheries. The resource will benefit as areas heavily fished can be identified as areas of potentially localized depletion, reducing the chances of serial depletion. Department, as data for new and developing assessment methods will be available for future surveys, management, and enforcement of the fisheries.

WHO IS LIKELY TO SUFFER? Divers completing logbooks for selected areas will have additional responsibilities for data collection.

OTHER SOLUTIONS CONSIDERED? Industry has worked with the department in the past to implement a voluntary logbook program, but compliance with it has only been about 30 to 40 percent. SARDFA believes the logbook program needs to be mandatory in order to have good compliance. Mandatory logbooks are something consistently used by the Underwater Harvesters' Association and the Department of Fisheries and Oceans in British Columbia to the benefit of the geoduck fishery.

PROPOSED BY: SE Alaska Regional Dive Fisheries Assn. (HQ-05-F-201)

PROPOSAL 292 - 5 AAC 38.180. Closed waters for scallops in Registration D. Amend this regulation as follows:

The waters of Yakutat Bay east of a line from the easternmost tip of Ocean Cape at 59° 32.05' N. lat. 139° 52.03' W. long. to the southernmost tip of Point Manby at 59° 41.07' N. lat. and 140° 18.06' W. long. are closed to the taking of scallops.

ISSUE: Scallop fishermen have requested clarification to the boundaries of the closed waters in Scallop Registration Area D.

WHAT WILL HAPPEN IF NOTHING IS DONE? Confusion as to the boundaries of closed waters in Scallop Registration Area D will continue.

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

WHO IS LIKELY TO BENEFIT? Commercial fishers and the department will benefit from increased regulatory accuracy.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-274)

PROPOSAL 293 - 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan. Amend the regulation as follows:

The season for Southeast Alaska sea cucumber fishery will start in October on the first Sunday. Harvest days and times will be: Sunday 8:00 a.m. to 3:00 p.m. and Monday 8:00 a.m. to 12:00 noon.

ISSUE: Overlapping of weekly sea cucumber openings with geoduck openings.

WHAT WILL HAPPEN IF NOTHING IS DONE? Divers who have permits for both sea cucumbers and geoducks will not be able to participate in both fisheries.

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

WHO IS LIKELY TO BENEFIT? All divers who have both sea cucumber and geoduck permits.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED?

PROPOSED BY: Michael Bangs (HQ-05-F-142)

PROPOSAL 294 - 5 AAC 38.140(b). Southeastern Alaska Sea Cucumber Management Plan.

Amend the regulation as follows:

(b)(1) the fishing periods in October will occur during periods set by the commissioner by emergency order; the fishing periods will be on Mondays from 8:00 a.m. to 3:00 p.m. and on Tuesdays from 8:00 a.m. to **3:00 p.m.** [12:00 NOON].

ISSUE: Divers do not have enough time during a weekly one and one-half day dive opening to pick 2,000 pound limit.

WHAT WILL HAPPEN IF NOTHING IS DONE? Areas closer to Juneau will stay open later in the year and go unharvested due to lack of effort. Processors cannot send tenders if there is not enough product being harvested. For divers traveling long distances to fish remote areas, costs will be too high and profits less. Fishing later into the fall will result in lost fishing days due to stormy weather (Chatham Straits and Lynn Canal).

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Diving two full days will allow processors in Juneau and Sitka to get more product on more days. Tenders can buy daily and improve freshness of product to plant.

WHO IS LIKELY TO BENEFIT? Divers that fish less dense areas will have more time to pick fish. Divers will have more time to gas out between dives and increase safety. Divers that dive air will have more time and close gap with nitrox divers. Divers that travel long distances from home to fish will have shorter and safer fishing season (more profitable).

WHO IS LIKELY TO SUFFER? Divers who use nitrox will not have as big of an advantage of more bottom time as a diver that uses air.

OTHER SOLUTIONS CONSIDERED? Two days on, three days off, two days on. Makes fishery too fast. Ask the department for more time per week—it happened once in last twelve years I have been diving.

PROPOSED BY: Norman Hughes (HQ-05-F-143)

PROPOSAL 295 - 5 AAC 38.140(b). Southeastern Alaska Sea Cucumber Management Plan.

Amend the regulation as follows:

(b)(1) the fishing periods in October will occur during periods set by the commissioner by emergency order; the fishing periods will be on Mondays from 8:00 a.m. to 3:00 p.m. and on Tuesdays from 8:00 a.m. to **3:00 p.m** [12:00 NOON];
(2) the fishing periods from November through March will occur during daylight hours on Monday and [ONE-HALF OF THE DAYLIGHT HOURS ON] Tuesday each week during periods set by the commissioner by emergency order; these fishing periods may be extended by emergency order to obtain the guideline harvest level.

ISSUE: The sea cucumber fishery in Southeast Alaska is growing as new subdistricts are surveyed and added to the rotations. Bad weather days, long travel distances, fuel, boat and insurance costs and threats to diver safety can all be mitigated by the expansion of weekly dive hours. I would add three hours to Tuesday's allowable dive time.

WHAT WILL HAPPEN IF NOTHING IS DONE? As things stand we will continue to see: wasted fuel and travel time, loss of weekly dive time due to bad weather, and divers forced to work in a specified time window, regardless of the weather, in order to participate.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The 2,000 pound weekly poundage limits are met by rushing to pick the areas you choose to dive. Should that area contain only small cucumbers (a pickle-patch) divers are often forced to work there rather than lose time moving. An extra three hours will allow more leeway for moving.

A pickle-patch is an area with high concentrations of cucumbers too small to harvest commercially that may provide wild stock to out-plant if relocated to an area with more ideal growing conditions.

WHO IS LIKELY TO BENEFIT? Everyone paying the fuel, boats, and insurance and everyone with another fishery to participate in during the week.

WHO IS LIKELY TO SUFFER? Those that now reach their weekly trip limits. As everyone else catches more of the GHM per week and the GHM taken slightly faster, the total length of the season will be shortened.

OTHER SOLUTIONS CONSIDERED? I am also proposing to allow diving Monday through Friday, from 8:00 a.m. to 3:00 p.m., and will withdraw this proposal should the other pass.

PROPOSED BY: Patrick M. Cassin (HQ-05-F-174)

PROPOSAL 296 - 5 AAC 38.140(b). Southeastern Alaska Sea Cucumber Management Plan.
Amend the regulation as follows:

(b)(1) the fishing periods in October will occur during periods set by the commissioner by emergency order; the fishing periods will be on Monday[S] **through Friday** from 8:00 a.m. to 3:00 p.m. [AND ON TUESDAYS FROM 8:00 A.M. TO 12:00 NOON];
(2) the fishing periods from November through March will occur during daylight hours on Monday **through Friday** [AND ONE-HALF OF THE DAYLIGHT HOURS ON TUESDAY] each week during periods set by the commissioner by emergency order; these fishing periods may be extended by emergency order to obtain the guideline harvest level.

ISSUE: The sea cucumber fishery in Southeast Alaska is growing as new subdistricts are surveyed and added to the rotations. Bad weather days, long travel distances, fuel, boat and insurance costs and threats to diver safety can all be mitigated by the expansion of weekly dive hours. I would add three hours to Tuesday's allowable dive time and extend the days and hours to Monday through Friday.

WHAT WILL HAPPEN IF NOTHING IS DONE? As things stand we will continue to see: wasted fuel and travel time, loss of weekly dive time due to bad weather, and divers forced to work in a specified time window, regardless of the weather, in order to participate. This option allows the diver to choose which days will best suit his combination of fisheries, considering the weather, markets, and tender availability.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? The 2,000 pound weekly poundage limits are met by rushing to pick the areas you choose to dive. Should that area contain only small cucumbers (a pickle-patch) divers are often forced to work there rather than lose time moving the boat. This option totally removes the time problems. Pickles are also a problem for the processors. Due to competition from other buyers, processors cannot grade cucumbers for fear of losing a diver or boat (the highest prices paid are generally matched by all buyers regardless of size). Yet pickles (short cucumbers with small diameter and little meat) are of less value and because of the number of individuals needed to reach 2,000 pounds, take longer to process, and there is less or no profit for more labor. While not changing the competition amongst buyers, this option would allow processors to pay a higher average price by allowing divers the time to target larger cucumbers, thus reducing processor costs and raising profits.

A pickle-patch is an area with high concentrations of cucumbers too small to harvest commercially that may provide wild stock to out plant if relocated to an area with more ideal growing conditions.

WHO IS LIKELY TO BENEFIT? Everyone paying the fuel, boats, and insurance and everyone with another fishery to participate in during the week. All cucumber divers would benefit from a price increase brought about by decreased processing costs.

WHO IS LIKELY TO SUFFER? Those that now reach their weekly trip limits. As everyone else catches more of the GHM per week (to the 2,000 pound trip limit) and the GHM taken slightly faster, the total length of the season will be shortened.

OTHER SOLUTIONS CONSIDERED? I am also proposing to allow diving Monday through Tuesday, from 8:00 a.m. to 3:00 p.m., and will withdraw this proposal should the other pass.

PROPOSED BY: Patrick M. Cassin (HQ-05-F-175)

PROPOSAL 297 - 5 AAC 38.140(k)(3). Southeastern Alaska Sea Cucumber Management Plan. Amend the regulation as follows:

Remove the following from closed waters:
The waters of 3-B that are east of a line from the shore of Prince of Wales Island at 55° 34.62 N. lat., 103° 15.05 W. long., due south to the westernmost point of Point Ildofonso, to the Fern Reef buoy, to Point Eugenia, to Point Miliflores to Tranquil Point. Trocadero Bay, Doyle Bay, Madre de Dios Island, Toti Island, Culebrina Island and the Ladrone Islands will be open east of a line from Point Miraballos to a point located one-half mile due west of the westernmost side of Toti Island, to a

point located one-half mile due west of the northwestern tip of Madre de Dios Island, to a point located one-half mile due west of the southwest tip of Madre de Dios Island to a point that intersects with the longitude of the easternmost side of Madre de Dios Island and then due south to a point on Prince of Wales Island at 55° 22.66 N. lat., 133° 07.01 W. long.

ISSUE: Reduce the size of the closed waters near Craig/Klawock to commercial sea cucumber harvesting while still retaining a substantial closed subsistence/personal use area and a closed control research area. This will still allow for subsistence/personal use of sea cucumbers in the immediate area surrounding Craig and Klawock, yet also maximize the commercial harvest potential just outside of these communities.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial quantities of sea cucumbers will go unharvested.

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

WHO IS LIKELY TO BENEFIT? Commercial sea cucumber harvesters and the communities where sea cucumbers are landed.

WHO IS LIKELY TO SUFFER? Those subsistence/personal use users of sea cucumbers who believe the remaining closed waters surrounding Craig and Klawock are not adequate to sustain their use of the resource.

OTHER SOLUTIONS CONSIDERED? We considered several different locations for the new closed area boundaries, but finally decided the ones described above best address the issues of subsistence use, control areas and practical navigation and enforcement of lines.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association (HQ-05-F-200)

PROPOSAL 298 - 5 AAC 38.140(k)(9). Southeastern Alaska Sea Cucumber Management Plan. Amend this regulation to provide the following:

Open the waters described in 5 AAC 38.140(k)(9) for commercial harvest of sea cucumbers.

ISSUE: Delete this section in the regulations, which would allow this area, known as Hidden Falls in Chatham Straits, to be surveyed and opened to commercial harvest of sea cucumbers.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial quantities of sea cucumbers will go unharvested.

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

WHO IS LIKELY TO BENEFIT? Sea cucumber harvesters.

WHO IS LIKELY TO SUFFER? No one is likely to suffer since there is no known personal use of sea cucumbers from this area.

OTHER SOLUTIONS CONSIDERED? SARDFa has considered requesting opening other currently closed areas for sea cucumber harvest. However, some are closed for subsistence/personal use reasons and some are closed for research purposes. This area is not closed for either of those reasons.

PROPOSED BY: SE Alaska Regional Dive Fisheries Assn. (HQ-05-F-202)

PROPOSAL 299 - 5 AAC 38.140(k). Southeastern Alaska Sea Cucumber Management Plan. Amend this regulation as follows:

(k)(10) District 13:

...

(B) the waters of Section 13-B in Whale Bay east of a line from North Cape to Point Lauder and a portion of Sitka Sound in Subdistricts **113-40** and 113-41 east of a line from the northern entrance to Deep Inlet at 56° 59.62' N. lat., 135° 18.67' W. long., to the westernmost tip of Long Island to Bieli Rock to Dog Point;

ISSUE: Since this regulation was adopted, Subdistrict 113-41 has been modified to include two subdistricts, 113-40 and 113-41. The sea cucumber closed area in Sitka Sound now falls into both subdistricts. The description should be changed to include both subdistrict 113-40 and 113-41. The department considers this a housekeeping measure.

WHAT WILL HAPPEN IF NOTHING IS DONE? Confusion will arise from the incorrect description of the closed area in regulations.

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

WHO IS LIKELY TO BENEFIT? The sea cucumber industry.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-272)

PROPOSAL 300 - 5 AAC 38.140(k). Southeastern Alaska Sea Cucumber Management Plan. Amend this regulation as follows:

(k) The following waters are closed to commercial sea cucumber fishing:

...

(3) District 3: the waters of Section 3-A that are north and east of a line from Halibut Nose to a point on Sukkwan Island at 55° 09.27' N. lat., 132° 53.77' W. long., north of a line from the southernmost tip of Sukkwan Island to a point on Prince of Wales Island at 54° 59.53' N. lat., 131° 36.73' W. long., and west of a line from a point on Prince of Wales Island at 55° 08.95' N. lat., **132°38.47'** W. long., [132° 28.05'] located in Hetta Inlet approximately **1.1** [1.2] nautical miles northeast of Eek Pt., to a point at 55° 03.25' N. lat., 132° 38.80' W. long., located approximately 0.6 nautical miles west of Lime Point, to a point on Prince of Wales Island at 54° 59.53' N. lat., 132° 36.73' W. long.;

ISSUE: The coordinates defining this closure line are incorrect as listed in regulation. The department considers this a housekeeping measure.

WHAT WILL HAPPEN IF NOTHING IS DONE? The regulation will not describe the correct closed waters description.

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

WHO IS LIKELY TO BENEFIT? The commercial sea cucumber industry.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game (HQ-05-F-290)

PLEASE SEE NEXT PAGE FOR PROPOSAL 399.

PROPOSAL 399 - 5 AAC 28.6XX. Aleutian Islands District Pacific Cod Management Plan.

Create a new regulation as follows to conduct an Aleutian Islands state-waters Pacific cod fishery:

- (a) This management plan governs the harvest of Pacific cod in the Aleutian Islands District west of 170° W longitude, of the state Bering Sea-Aleutian Islands Area.
- (b) Each year the commissioner shall open and close, by emergency order, a parallel Pacific cod season in the Aleutian Islands District west of 170° longitude to coincide with the initial federal season in the federal Bering Sea-Aleutian Islands Area. The commissioner shall open and close, by emergency order, the parallel Pacific cod season during which the use of the same gear allowed in the federal Bering Sea-Aleutian Islands Area Pacific cod season is permitted, unless use of that gear is prohibited under 5 AAC 28.050 or 5 AAC 28.629.
- (c) The commissioner shall open, by emergency order, a state-waters Pacific cod season in the Aleutian Islands District west of 170° W longitude on March 15. The commissioner shall, by emergency order, close the state-waters Pacific cod season opened under this subsection when the guideline harvest level is taken or on December 31, whichever occurs first.
- (d) The commissioner may open and close, by emergency order, fishing seasons at times other than those specified in this management plan if:
 - (1) the guideline harvest level specified in (e)(1) of this section has been reached and a federal season is ongoing in adjacent federal waters; or
 - (2) the commissioner determines it is necessary to
 - (A) adapt to unanticipated openings and closures of the federal season;
 - (B) maintain sustained yield management; or
 - (C) provide for orderly fisheries.
- (e) During a state-waters season
 - (1) the guideline harvest level for Pacific cod in the Aleutian Islands District west of 170° W longitude is 3 percent of the estimated total allowable harvest of Pacific cod for the federal Bering Sea-Aleutian Islands Area;
 - (2) Pacific cod may be taken only with groundfish pots, mechanical jigging machines, and hand troll gear.
 - (3) During 2006, in addition to the gear types specified in (2) of this subsection, non-pelagic trawl and longline gear may be used during the state-waters season except from May 1 – September 15. Trawl gear may only be operated during the state-waters Pacific cod fishery in those waters opened for non-pelagic trawling during the parallel Pacific cod fishery. A vessel must be registered to fish with non-pelagic trawl or longline gear; a vessel's gear registration may be changed during a state-waters season to a different gear registration if the owner, or the owner's agent, submits a written request for a change in registration by mail, facsimile, or in person, to the department office in Dutch Harbor, and that registration has been validated by the department.
- (f) In addition to the requirements of 5 AAC 28.020, a vessel must be registered to fish with pot gear or with mechanical jigging machines and hand troll gear (jig gear), and may be registered to fish only with one of these two gear types; a vessel's gear registration may be changed during a state-waters season to a different gear registration if the owner, or the owner's agent, submits a written request for a change in registration by mail, facsimile, or in person to the department office in Dutch Harbor, or other locations specified by the department for validation, and that registration has been validated by the department;
- (g) the Aleutian Islands District is a nonexclusive registration area for Pacific cod during a state-waters season.

Also:

If the above is adopted, amend 5 AAC 28.081, Gulf of Alaska Pacific cod management plans, to include the proposed Aleutian Islands state-waters Pacific cod fishery.

If the above is adopted, consider amendments to 5 AAC 28.629(d)(1 and 2) and (e), lawful gear for Bering Sea-Aleutian Islands Area. For example 5 AAC 28.629(d)(1) allows trawl vessels less than or equal to 60 feet to operate in Sitkin Sound for Pacific cod year-round. That contradicts the trawl exclusion from May 1 – September 15 in the proposal.

ISSUE: The board generated this proposal at its December 2005 meeting. The board scheduled it for consideration at the January 2006 meeting.

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: Alaska Board of Fisheries

(HQ-05-F-312)
