

**BOARD OF FISHERIES
PRINCE WILLIAM SOUND FINFISH
DECEMBER 3–8, 2014**

PROPOSAL 1 - 5 AAC 01.610. Fishing seasons. Establish a weekly 36-hour subsistence fishing period until the two days after the closure of the commercial salmon season, as follows:

(1) during one weekly 36-hour fishing period beginning 7:00 a.m. Friday and ending 7:00 p.m. Saturday; [from May 15 until two days before the commercial opening of that salmon district, seven days per week; (2) during the commercial salmon season, only during open commercial salmon fishing periods in that district;]

What is the issue you would like the board to address and why? 1. Subsistence users in the Copper River District do not have reasonable opportunity to harvest salmon outside the commercial salmon fishery and with the frequency available in other subsistence fisheries throughout the state.

2. Under the current regulations, local Alaska Department of Fish and Game managers are often put in the position of determining "reasonable opportunity" during periodic or extended closures of the commercial salmon fishery.

PROPOSED BY: George Covel (EF-C14-115)

PROPOSAL 2 - 5 AAC 01.610. Fishing seasons. Establish subsistence fishing season that opens when commercial fishing opens in May and closes when the commercial fishery closes in September, as follows:

Subsistence fishing should open starting on the date of the first commercial opener in May, and remain open until the final commercial opener in September.

What is the issue you would like the board to address and why? The Copper River Flats are an area where conditions can range from serene to catastrophic very quickly. The commercial gillnet fleet generally uses large bow pickers (most 28–35 feet) well suited to handle these conditions, although these boats are occasionally lost in this area. Boats used for subsistence fishing are generally much smaller (16–22 feet), and are presently only allowed to fish during commercial openers, except for one day a year. Subsistence fishers should not be put into a position where they have to run with large commercial boats to get their fish, nor should they be limited in the days they can fish. Rather, they should be allowed to fish when weather conditions are best for their smaller boats.

Because there is a catch limit imposed on subsistence fishers in this fishery the overall number of fish taken by subsistence fishers would not change. Only the times these fish are taken.

In return for this expanded opportunity, the subsistence fishery should be set up as a test fishery to add an extra data component to the management of this commercial fishery, which is informed by sonar data miles upriver. In seasons when the river holds ice late into the spring, and fish are not detected in the river, they still could be present in the fishery and available for harvest. A test fishery on the fishing grounds would provide an extra data component when inriver estimates are delayed. Subsistence fishers should be required to note the location, size of net, soak time and number of each species caught within 24 hours. This real-time catch per unit effort would provide managers with more tools to manage the fishery, and increase the safety margin for subsistence fishers on the Copper River Flats by allowing subsistence fishers to avoid fishing among large commercial boats, and on the best weather days.

PROPOSED BY: Native Village of Eyak (EF-C14-128)

PROPOSAL 3 - 5 AAC 01.620. Lawful gear and gear specifications. Establish certain marking requirements for that portion of a commercial drift gillnet that is being used for subsistence fishing, as follows:

(4) if a subsistence permit holder is using a 50 fathom portion of a longer gillnet, that the deployed net shall be clearly marked at 50 fathoms with a cork, permanently fixed to the corkline, of contrasting color and size, that is plainly visible when the gear is in the water.

What is the issue you would like the board to address and why? Commercial fishermen participating in the Copper River District Subsistence Fishery commonly have a 150 fathom gillnet aboard. Clarify the regulations so that deployment of only 50 fathoms of this gear meets the lawful subsistence gear specification would eliminate the need and expense of returning to town to change nets. A method of marking this dedicated shackle of the larger gear unit shall be required to facilitate operation and enforcement. Current bag limits provide the necessary control and shall remain in effect.

PROPOSED BY: George Covel (EF-C14-116)

PROPOSAL 4 - 5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Prohibit the release of king salmon in Prince William Sound, as follows:

General Seasons and Limits/Prince William Sound Salt Waters.

King Salmon bag limits add: **No catch and release of king salmon, first two caught must be kept.**

What is the issue you would like the board to address and why? This proposal seeks to reduce hooking mortalities of king salmon in Western Prince William Sound by addressing the current catch and release practices of a growing number of participants.

With the decline of king salmon in other areas of the Kenai Peninsula, there is increased pressure in a specific area of Western Prince William Sound salt waters. With mortality associated with hook and release fishing, an unknown growing percentage of king salmon are not able to reach spawning grounds jeopardizing future stocks.

The quality of the resource harvested or products produced should improve as future stocks increase.

The resource, future king salmon returns and the users depending on the salmon resources for recreation and a living should benefit from this change. Those anglers that catch and release only to sift for trophy king salmon with no consideration to the detrimental effects their fishing practice is causing may suffer.

A catch and release mortality rate in these salt waters with the vast amount of predatory fish is immoral, if not criminal.

PROPOSED BY: Seward Charterboat Association (EF-C14-095)

PROPOSAL 5 - 5 AAC 55.023. Special provisions for seasons, bag limits, and methods and means for the Prince William Sound Area. Close a portion of Main Bay to sport fishing, as follows:

Similar to 5 AAC 55.023(3) ... the waters of Main Bay inside Alaska Department of Fish and Game (ADF&G) regulatory markers located approximately 100 feet seaward of the Main Bay Hatchery broodstock holding barrier net are closed to sport fishing;

What is the issue you would like the board to address and why? Main Bay Hatchery (MBH) is a state-owned ADF&G salmon hatchery managed and operated by the Prince William Sound Aquaculture Corporation (PWSAC) through a professional services agreement at no cost to the state. PWSAC installs and operates a barrier net approximately 400 feet seaward of the hatchery fish ladder between June 15 and July 31 each year. The barrier net functions as a weir allowing the hatchery operator to volitionally collect and hold returning MBH sockeye salmon broodstock prior to the brood's final migration into the fresh water brood holding pond via the hatchery fish ladder. A growing sport fishery has developed targeting the MBH sockeye salmon as the fish concentrate on the seaward side of the barrier net (similar to the downstream side of a fresh water weir when upstream passage is prevented). The integrity of the barrier net has often been compromised (snagged and abandoned snagging hooks, boat anchors, etc.) and sport fishing inside of the brood holding area has occurred. Additionally, the number of injured fish resulting from attempted snagging has increased. These injured fish must be culled from broodstock to comply with ADF&G Sockeye Salmon Culture Protocol which results in a waste of the salmon resource.

PROPOSED BY: Prince William Sound Aquaculture Corporation (EF-C14-055)

PROPOSAL 6 - 5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Prohibit the use of bait for salmon once the bag limit has been achieved on drainages crossed by the Copper River Highway, as follows:

Artificial tackle only when fishing for salmon for all fresh water drainages crossed by the Copper River Highway from and including the Eyak River to the Million Dollar Bridge, including Clear Creek (mile 42) when daily bag limit has been reached.

What is the issue you would like the board to address and why? Although there may not be an apparent conservation concern, there has been a growing sociological concern from residents of Cordova regarding catch and release of salmon with bait. The major tributaries that are fished are primarily intertidal, and according to an Alaska Department of Fish and Game (department) study, catch and release mortality is dramatically increased up to 60% when using bait. This study was conducted on the Little Susitna River by the department. The study's conclusion was for coho release in the intertidal areas the mortality is very high, especially with a fishery with a high catch and release component. They also concluded that in such areas, catch and release may not be a viable management option. This proposal does not change bag limits or reduce opportunity, but addresses the social concerns that have been brewing for years by reducing mortality on a resource that is of great importance to the community of Cordova. Statistics are available from a July 2010 United States Forest Service study to show the catch and release numbers over a three-year period for the Copper River Delta. This information will give ideas of the numbers of fish that are released in these intertidal areas.

PROPOSED BY: Copper River/Prince William Sound Advisory Committee (HQ-F14-006)

PROPOSAL 7 - 5 AAC 55.033. Copper River Delta Special Management Area for Trout. Modify the Copper River Delta Special Trout Management Area to allow retention of trout from June 15–April 14, as follows:

Copper River Delta Special Trout Management Area, in all fresh waters draining into the Gulf of Alaska south of Miles Glacier, east of the Copper River, and west of Cape Suckling, rainbow/steelhead and cutthroat, June 15–April 14, two per day, only one over 20". Only unbaited, single-hook, artificial lures are allowed year round.

What is the issue you would like the board to address and why? In the mid-90s, the Board of Fish at the request of this advisory committee established a special trout management area east of the Copper River. This was done to protect the most previous trout habitation the delta due to a private development of a road to a large coal deposit in the Bering River drainage. To this day the road has not been built. This area is very hard to access and even harder now that the Copper

River Highway is washed out. Harvest levels are extremely low. This proposal establishes similar bag limits found on the West Delta.

PROPOSED BY: Copper River/Prince William Sound Advisory Committee (HQ-F14-005)

PROPOSAL 8 - 5 AAC 55.022. General provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Reduce bag and possession limit for lingcod in Prince William Sound Area from two per day, four in possession to one per day, two in possession, as follows:

For these reasons we respectfully request that the Board of Fisheries lower the existing bag limit for lingcod in Prince William Sound water as follows.

One Lingcod per day with two in possession. Size limit of not less than 35" for a whole fish and not less than 28" with the head removed.

What is the issue you would like the board to address and why? The Seward Charterboat Association is deeply concerned about the abundance levels of lingcod in the waters of Prince William Sound.

Based on our observations on the grounds, it has become clear that populations of lingcod have declined sharply in the last several years. In addition to the difficulty in finding these fish, we are concerned that with the implementation of the Halibut Catch Share Plan, there will be motivation to make up for the lowered halibut bag limit by fully utilizing the two fish lingcod bag limit in Prince William Sound, causing even more pressure on the resource.

Our proposed changes would make enforcement easier, as the bag limit would effectively be one lingcod per person in any area along the entire North Gulf Coast, east from Gore Point to Kayak Island.

Being that lingcod are relatively fast grown and reach maturity in five years, we would like to revisit this issue in future board cycles to insure that the resource is healthy and may be adjusted upward to reflect improvement of condition of the stocks.

PROPOSED BY: Seward Charterboat Association (EF-C14-093)

PROPOSAL 9 - 5 AAC 55.023. Special provisions for seasons, bag, possession, and size limits, and methods and means for the Prince William Sound Area. Allow an additional line to jig for bait when saltwater sport fishing in Prince William Sound, as follows:

Please add this section to the statewide general regulations or just for Prince William Sound chapter for sport fishing: (1) an additional line may be used to jig for herring and smelt as bait as specified in 5 AAC 75.030.

What is the issue you would like the board to address and why? We were cited by an overzealous Fish and Game trooper for having an extra line with eight herring hooks on it. We had no fish on the boat. We are allowed up to 15 hooks on a herring rig or two hooks on a halibut rig at one time but we are not allowed one hook on one line and eight herring hooks on the other at the same time. You have a bag limit for halibut anyway. You are not going to catch a halibut on a herring rig. With limited time to fish and limited fish to catch, you should be able to bait fish while you are halibut fishing.

PROPOSED BY: Michael Gott (EF-C14-101)

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

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

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

What is the issue you would like the board to address and why? 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN. Correct an error in the regulation.

The regulation under part (b) clearly states that “The ex-vessel value allocation of enhanced salmon stocks for the set gillnet gear group is four percent of the total allocation” but in part (f) it states that “If the set gillnet gear group catches five percent or more of the previous five-year average ex-vessel value of the total common property fishery for enhanced salmon as calculated by the department under (c) of this section, the year following this calculation beginning on July 10, the commissioner shall, by emergency order, open set gillnet fishing periods totaling no more than 36 hours per week.”

If the set gillnet allocation is four percent then why is the set gillnet fishery allowed to catch five percent of the total common property of enhanced salmon before the allocation plan is triggered? If the error in regulation is not corrected the set gill gear group will continue to catch 25% above their allocation.

PROPOSED BY: Jeff Olsen (EF-C14-039)

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

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

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

What is the issue you would like the board to address and why? 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN. The plan should include the value of all enhanced salmon produced in the Prince William Sound (PWS) region. The value of enhanced salmon production from Valdez Fisheries Development Association’s (VFDA) Solomon Gulch Hatchery is not included in the management plan. The construction of the Solomon Gulch Hatchery is financed by funds from the State of Alaska and continues to use state financing. The original hatchery operation permit included chum production intended for the drift gillnet fleet which never was accomplished.

5 AAC 33.364. Southeastern Alaska Area Enhanced Salmon Allocation Management Plan includes the value of all enhanced salmon produced in the Southeastern Alaska region. Both 5 AAC 24.370. and 5 AAC 33.364. stated goals are to provide a fair and reasonable allocation of the harvest of enhanced salmon among the commercial fisheries.

How can there be fair and reasonable enhanced salmon allocation when a large percentage of the enhanced salmon resource is not included the plan? What is the difference between a hatchery built by the State of Alaska, Prince William Sound Aquaculture Corporation (PWSAC), or VFDA? They all used public funds for their construction and startup operations. Why is the PWS seine fleet allowed exclusive access and benefit to VFDA’s publicly financed enhanced salmon production? The best solution short of allowing the drift and set net fleet access to the Port of Valdez is to include the value of Solomon Gulch Hatchery production into 5 AAC 24.370.

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

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

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

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

Add language in 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN under

(j) In this section, “enhanced salmon stocks” means salmon produced by the Prince William Sound Aquaculture Corporation **and excluding enhanced salmon stocks produced by the Gulkana Hatchery.**

What is the issue you would like the board to address and why? 5 AAC 24.370. PRINCE WILLIAM SOUND MANAGEMENT AND SALMON ENHANCEMENT ALLOCATION PLAN (j) Remove the Gulkana Hatchery from the allocation plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PROPOSED BY: Northwest & Alaska Seiners' Association (EF-C14-134)

PROPOSAL 16 - 5 AAC 24.370. Prince William Sound Management and Salmon Enhancement Allocation Plan. Establish alternating purse seine and drift gillnet fishing periods in certain areas to alleviate gear conflicts in Esther Subdistrict during the commercial pink salmon fishery, as follows:

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

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

PROPOSED BY: Paul Harder (EF-C14-037)

PROPOSAL 17 - 5 AAC 24.331. Gillnet specifications and operations. Allow use of monofilament mesh in Prince William Sound drift gillnet fishery, as follows:

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

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

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

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

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

PROPOSED BY: Michael Bowen (EF-C14-040)

PROPOSAL 18 - 5 AAC 24.331. Gillnet specifications and operations. Change drift gillnet gear specifications in the Copper River District, as follows:

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

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

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

PROPOSED BY: Fairbanks Fish and Game Advisory Committee (EF-C14-145)

PROPOSAL 19 - 5 AAC 24.378. Use of aircraft unlawful. Allow use of spotter planes in Prince William Sound salmon purse seine fisheries, as follows:

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

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

Currently pilots are not allowed to fly during the openers:

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

PROPOSED BY: Scott McKenzie (EF-C14-175)

PROPOSAL 20 - 5 AAC 24.378. Use of aircraft unlawful. Allow use of spotter planes in Prince William Sound salmon purse seine fisheries, as follows:

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

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

PROPOSED BY: Kris Phillips (EF-C14-132)

PROPOSAL 21 - 5 AAC 24.378. Use of aircraft unlawful. Allow use of spotter planes in Prince William Sound salmon purse seine fisheries, as follows:

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

What is the issue you would like the board to address and why? The issue is flying airplanes during the openers. In the past, the openers were fished one day off, one day on. This allowed

the boats who had pilots to be able to fly on the days that where not being fished; however we have seen more and more openers every day and the trend of that happening is more likely. Only being allowed to fly before and after the opener leaves a small window of light and leaves a huge safety issue for the pilots and aircraft. Due to the time at night that it closes, it is very hard to leave Cordova after it closes and do a survey of the fishing area that is open (due to the large area that the Prince William Sounds (PWS) seine fleet has).

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

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

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

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

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

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

PROPOSED BY: Bruce Stamper

(EF-C14-133)

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

5 AAC 24.368

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

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

PROPOSED BY: Fred Marinkovich (EF-C14-075)

PROPOSAL 23 - 5 AAC 28.210. Fishing seasons for Prince William Sound Area. Close Prince William Sound management area to commercial lingcod harvest when inside and outside district guideline harvest levels are achieved, including lingcod caught as bycatch and directed harvest, as follows:

In both inside and outside districts, when the guideline harvest level (GHL) is reached - all commercial retention of lingcod should stop— both directed and as bycatch. The outside district GHL should remain at current levels.

Furthermore, the GHL for lingcod in the inside district should be reduced to 4,000 pounds until such time as this is constraining the commercial harvest or until an adequate stock assessment is completed that allows for higher sustainable harvest levels.

What is the issue you would like the board to address and why? The Seward Charterboat Association is deeply concerned about the abundance levels of lingcod in the waters of Prince William Sound (PWS). It is our belief that it is time to take measures for conserving the lingcod resource. The low ex-vessel price of lingcod and the fact that they have no swim bladder and therefore a high survival rate, insures that this proposal will have a minimal financial impact on the commercial sector and a high likelihood of increasing conservation.

Our understanding is the Prince William Sound Lingcod GHL is currently set at 90 percent of the commercial harvest over a time series. In addition since 2009, the bycatch of lingcod has been allowed to continue, even when the GHL is exceeded.

From our perspective, the normal way to manage a directed fishery is to take a stock assessment and determine the total allowable catch based on sustainable fishing levels determined by the

biology of a specific type of fish. The way it is being done now, we have no basis for determining if overfishing has or is occurring. While a GHL is not a hard cap, if fishing is allowed over the GHL it is essentially a rule with no mechanism to prevent overfishing.

Clearly the ADF&G data shows a sharp decline in harvest of lingcod by the commercial sector both in directed fishery and bycatch. The harvest steeply declined in both inside and outside districts since 2009. This corresponds to our observation that abundance levels in both inside and outside waters for sport fishing have declined during the same period.

While we are reluctant to get involved with proposals regarding commercial fishing practices, feel compelled to ask the Board of Fisheries to take action not only to reduce the sport harvest, but also take actions to protect the resource from commercial over harvest until such time that either a stock assessment is done or there is some confidence that abundance levels are back to the pre-2009 levels.

Our suggested changes in regulation are being suggested solely for the purpose of sustainability and this proposal should be taken with the prior proposal {currently EF-C14-93} in which we are suggesting that the sport harvest should be lowered by 50%, also for the conservation of lingcod stocks. There is no intent to make this an allocative measure or to inflict significant financial harm on the commercial sector.

PROPOSED BY: Seward Charterboat Association (EF-C14-094)

PROPOSAL 24 - 5 AAC 28.210. Fishing seasons for Prince William Sound Area. Clarify that lingcod may only be retained from July 1 through December 31, as follows:

5 AAC 28.210(c) is amended to read:

(c) Lingcod may be taken only **from July 1 through December 31, unless closed earlier by emergency order,**

(1) in a directed fishery [ONLY FROM JULY 1 THROUGH DECEMBER 31, UNLESS CLOSED EARLIER BY EMERGENCY ORDER]; and

(2) as bycatch up to 20 percent by weight of the directed finfish species on board a vessel, unless the commissioner closes the season and opens another season in which the bycatch is prohibited or further limited; bycatch taken under this paragraph is counted as part of any bycatch limit established under 5 AAC 28.070(b).

What is the issue you would like the board to address and why? Lingcod may only be taken between July 1 and December 31. While this is stated in 5 AAC 28.210(c)(1) regarding the directed fishery, 5 AAC 28.210(c)(2) has language concerning the retention of lingcod as

bycatch which does not clearly state that lingcod caught as bycatch may only be retained after July 1. Clarification of this language will make the regulation easier to understand and will aid in enforcement.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F14-067)

PROPOSAL 25 - 5 AAC 28.210. Fishing seasons for Prince William Sound Area; and 5 AAC 28.230. Lawful gear for Prince William Sound Area. Change Prince William Sound Inside District sablefish season opening and closing date for pot gear, as follows:

(b) Sablefish may be taken in the Inside District from **March 15** through **September 30** **using pot gear, and April 15 through August 31 for other fixed gear types.**

What is the issue you would like the board to address and why? Start date for state-waters sablefish season is currently April 15, although start date in federal waters is mid-March. An earlier start date for the pot gear only would promote the use of this gear type and therefore minimize the conflicts with orcas that have plagued the fishery since its inception.

PROPOSED BY: Rod Jensen (HQ-F14-018)

PROPOSAL 26 - 5 AAC 28.263. Prince William Sound Pollock Pelagic Trawl Management Plan. Establish a lower trip limit in Prince William Sound walleye pollock pelagic trawl fishery and disallow tendering during the fishery, as follows:

Make Prince William Sound pollock trawl trip limits of 200,000 pounds with no tendering allowed. Boats would have to deliver their own fish to the processor.

What is the issue you would like the board to address and why? Prince William Sound pollock trawl catch limits. Smaller catch limits would slow the fishery down allowing the Alaska Department of Fish and Game to more effectively manage the fishery and its bycatch.

PROPOSED BY: Bill Fejes for Polar Seafoods (EF-C14-113)

PROPOSAL 27 - 5 AAC 28.230. Lawful gear for Prince William Sound Area; and 5 AAC 28.XXX. Prince William Sound Pollock Purse Seine and Jig Gear Management Plan. Establish directed commercial purse seine and jig pollock fisheries in Prince William Sound, as follows:

The Alaska Board of Fisheries should include the Prince William Sound (PWS) pollock management into the other state water pollock fisheries currently being considered by the pollock working group and include purse seine and jig as alternative gear types and to provide

opportunity to 58 foot and smaller trawl vessels to harvest quota before the larger Kodiak trawlers harvest the entire quota.

What is the issue you would like the board to address and why? The PWS pollock fishery in its current form occurs too quickly for smaller vessels and local processors to effectively participate. Additionally, the PWS Pollock Management Plan should be consistent with the other state water pollock management plans currently being considered by the pollock working group.

PROPOSED BY: Northwest & Alaska Seiners' Association (EF-C14-131)

PROPOSAL 28 - 5 AAC 28.265. Prince William Sound Rockfish Management Plan.
Change the amount of rockfish that may be retained as bycatch during Pacific cod and walleye pollock fisheries, as follows:

5 AAC 28.265(b) is amended to read:

(b) In the Prince William Sound Area, when fishing in a directed fishery, other than for rockfish, a CFEC permit holder must retain all rockfish, except that

...

(3) during a [STATE-WATERS] season for Pacific cod, [WITH GROUND FISH POTS, MECHANICAL JIGGING MACHINES AND HAND TROLL GEAR, OR LONGLINE GEAR] all rockfish in excess of five percent, round weight, of all Pacific cod on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket; any proceeds from the sale of excess rockfish shall be surrendered to the state;

(4) during the directed pollock pelagic trawl fishery, all rockfish in excess of 0.5 percent, round weight, of all pollock on board the vessel must be weighed and reported as bycatch overage on an ADF&G fish ticket; any proceeds from the sale of excess rockfish shall be surrendered to the state.

What is the issue you would like the board to address and why? This regulation defines the percent of rockfish legally retainable as bycatch for all Prince William Sound (PWS) groundfish fisheries; for fisheries not named in this regulation, 10 percent is the legally retainable amount (5 AAC 28.265(b)(1)). The PWS parallel Pacific cod fishery is not named in this regulation and therefore the maximum retainable amount of rockfish is 10 percent. The parallel Pacific cod fishery has retained an average of 2.5 percent rockfish as bycatch between 2006 and 2013, with a maximum of 5.8 percent retained in 2010, the only year to exceed 5 percent. The state-waters Pacific cod fishery, which targets the same species, is already restricted to 5 percent rockfish bycatch, and has retained an average of 4.3 percent rockfish as bycatch over the same time period. Restricting both Pacific cod fisheries to 5 percent rockfish bycatch will provide consistency in the regulations, and removing the gear types from regulatory language will simplify interpretation.

The PWS directed pollock pelagic trawl fishery is also not named in this regulation, but is limited by regulation 5 AAC 28.263(d) to no more than 5 percent total bycatch. The department

has managed within that 5 percent for a rockfish bycatch cap of 0.5 percent in this fishery since 2003. Having this clearly defined in regulation will benefit fishery managers, participants, and enforcement.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F14-069)

PROPOSAL 29 - 5 AAC 28.265. Prince William Sound Rockfish Management Plan. Require retention of all rockfish in the sablefish fishery on gear sets below 150 fathoms, remove rockfish bycatch limits and requirements, such that proceeds from rockfish bycatch are not surrendered to the state, as follows:

During the sablefish fishery, gear sets below 150 fathoms will retain all rockfish (no bycatch limit or surrendering of the proceeds will apply).

What is the issue you would like the board to address and why? High populations of the rockfish below 150 fathoms. The primary species of rockfish noted are: shorttraker, rougheye, and thornyhead. Spot shrimp and side stripe shrimp populations are depressed in rockfish concentration areas. Consequently shrimp populations are unable to repopulate to their historic levels.

PROPOSED BY: Jon Van Hyning (HQ-F14-008)

PROPOSAL 30 - 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan. Eliminate closure of Pacific cod pot season at 90 percent of guideline harvest level and combine pot and jig allocations, provide a step up/step down allocation depending on achievement of guideline harvest level, as follows:

Remove the 90% allocation (which triggers season closure for pot gear). Combine the pot and jig gear allocation sectors and if they achieve their allocation in any given year, that allocation would increase by 5%, up to a maximum of 30%. Inversely, if they do not achieve their allocation, it would decrease by 5%, to a minimum of 15%.

What is the issue you would like the board to address and why? Under current regulations there is no effective quota for pot gear because the existing “trigger point” which closes hook-and-line fishing at 85% is consistently overshot. With a 90% “closure trigger” for pot gear, nothing remains for this gear type, thereby discouraging its usage.

PROPOSED BY: Rod Jensen (HQ-F14-017)

PROPOSAL 31 - 5 AAC 28.206. Prince William Sound Area registration; and 5 AAC 28.267. Prince William Sound Pacific Cod Management Plan. Change Pacific cod allocation to provide 10 percent for jig gear until June 10, after which it will then be available to pot gear, and designate the state-waters jig fishery as nonexclusive, as follows:

Allocate 10% of the guideline harvest level (GHL) to the jig fleet prior to June 10 and make the fishery nonexclusive. After June 10, the remaining quota would be available for a rollover to the pot and longline fleet and the jig fishery would revert to federal B season parallel status.

What is the issue you would like the board to address and why? Opportunity for a state water cod jig fishery is limited in Prince William Sound (PWS) due to the rapid harvest of Pacific cod by the pot and longline fleets. The exclusive registration requirement for the state water jig fishery in PWS provides a disincentive for jig fishermen to register for the state fishery because the remaining quota for the jig fleet is minimal after the pot and longline gear seasons have closed. This is only an issue when the federal parallel season closes.

PROPOSED BY: Gregory R. Gabriel, Jr. (EF-C14-136)

PROPOSAL 32 - 5 AAC 28.250. Closed waters in Prince William Sound Area. Correct coordinates within the described closed waters section for groundfish at Zaikof Point, as follows: 5 AAC 28.250(a) is amended to read:

(a) Groundfish may not be taken with pots in the waters enclosed by lines from Point Whitshed to Point Bentinck, from Cape Hinchinbrook Light to Seal Rocks Light to Zaikof Point **at 60° 18.48' N. lat., 146° 55.10' W. long.** [(60° 19' N. LAT., 146° 55' W. LONG.)], and from a point at 60° 11' N. lat., 147° 20' W. long. on the northwest side of Montague Island, north to a point at 60° 30' N. lat., 147° 20' W. long., then east to a point at 60° 30' N. lat., 147° 00' W. long., then northeast to Knowles Head (60° 41' N. lat., 146° 37.50' W. long.), except that groundfish may be taken with pots

(1) within Orca Bay, east of 146° 37.50' W. long., excluding the waters of Port Gravina north of a line from Gravina Point to Red Head at 60° 40.25' N. lat., 146° 30.22' W. long.;

(2) in waters not more than 75 fathoms deep within waters enclosed by a line from Johnstone Point Light to Montague Point at 60° 23' N. lat., 147° 06' W. long., to Middle Point at 60° 20.50' N. lat., 147° W. long. to Schooner Rock Light (Zaikof Point) to Cape Hinchinbrook Light.

What is the issue you would like the board to address and why? Precisely defining the coordinates of geographical points is important and has become more common in the regulations. Coordinates that define Zaikof Point in this regulation do not match those in 5 AAC 28.263 which were updated at the December 2011 Alaska Board of Fisheries meeting. Accuracy and consistency within regulations will benefit fishery managers, participants, and enforcement.

PROPOSED BY: Alaska Department of Fish and Game (HQ-F14-068)
